



AGENDA
CITY OF BELTON
PLANNING COMMISSION
MONDAY, JUNE 2, 2014 - 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET

- I. CALL MEETING TO ORDER
- II. ROLL CALL
- III. APPROVAL OF THE MINUTES OF THE MAY 5, 2014 PLANNING COMMISSION MEETING
- IV. PLAT APPROVAL
 - A. Consideration of a Preliminary Plat for Carriage Works located at 401 N. Scott.
 - B. Consideration of a Final Plat for Carriage Works located at 401 N. Scott.
 - C. Consideration of a Final Plat for Briar Creek Villas located on Cunningham Industrial Parkway.
- V. DIRECTOR'S REPORT
 - A. Director to review Annexation Plan - (Distributed at the May 5, 2014 meeting)
- VI. NEXT MEETING DATE: June 16, 2014
- VII. ADJOURNMENT

MEETING MINUTES

MAY 5, 2014

**Minutes of Meeting
Belton Planning Commission
City Hall Annex - 520 Main Street
May 5, 2014**

CALL TO ORDER

Chairman Holly Girgin called the meeting to order at 7:00 p.m.

ATTENDANCE

Commission: Chairman Girgin, Mayor Jeff Davis, Councilman Tim Savage, Commissioners Sally Davila, Tim McDonough, Steve Finn, and Chuck Crate.

Staff: Jay Leipzig, Community and Economic Development Director; Jeff Fisher, Public Works Director; Zach Matteo, City Engineer; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.

Absent: Commissioners Chris Christensen and Larry Thompson

MINUTES

Commissioner Crate moved to approve the minutes of the April 21, 2014 commission meeting. The motion was seconded by Councilman Savage. All members present voted in favor and the motion carried.

PUBLIC HEARING - SUP 120 Cunningham Industrial Parkway, Childcare Center

Mr. Cooper reported the first hearing is a request to allow a childcare center to operate at 120 Cunningham Industrial Parkway and he pointed out the location of the proposed center on an aerial display. The applicant would like to expand her home business to a commercial site, and will be occupying the ground floor of an existing building. Mr. Cooper indicated there is sufficient parking, and provided details about the business access points and permitted signage. He reported a fence is required for outdoor play areas and he stated the applicant has plans to fence an area on the southwest corner of the property. According to Mr. Cooper, staff recommends approval with two conditions.

Chairman Girgin opened the public hearing at 7:11 p.m. The hearing was being held to receive public input regarding an application for a special use permit to allow a childcare center to operate at 120 Cunningham Industrial Parkway.

Andrea Phillips, the applicant, 8406 E 166th Street, Belton, spoke in favor of the SUP. She distributed information about the proposed center's business plan. Ms. Phillips reported that she currently has a home daycare and she provided information about her education and 20 years of childcare experience. She told the commission about the proposed hours of operation. Initially, the business will be a family group daycare enrolling up to 20 children, and eventually she will apply for a State license to become a center. The center will have increased enrollment of between 50 – 70 children. Ms. Phillips stated the

center will serve a middle class population of young families where she indicated there is a need. She explained the benefits of the proposed location and the goals of the business. She communicated other aspects of her business plan including ages served, meals, exercise, art and music, plus an outdoor classroom. There will be a fenced play area according to Ms. Phillips and she described the location of that area and an expansion site, if needed in the future. There will be trees and branches removed from the west side of the parking lot. It was reported that she is working toward meeting the fire requirements including a commercial fire alarm system. Meals will initially be prepared with a microwave which will not require a hood system, and she indicated that if the method of cooking changes in the future, local officials will be contacted.

Ms. Phillips answered questions about employee background checks and also whether a nearby creek could create a flooding situation during heavy rain events. Mr. Cooper passed around a photo showing a close-up view of a slope which will direct runoff away from the area of concern in back of the building. There was no further input and Chairman Girgin closed the public hearing at 7:22 p.m. Mayor Davis moved to recommend approval of the special use permit to allow a childcare center at 120 Cunningham Industrial Parkway with the following conditions: 1) No issuance of a Certificate of Occupancy for the childcare facility until the site has passed a life-safety inspection by the fire marshal and building official; 2) A fence no less than 42-inches in height shall be constructed for any area that will be used for outdoor recreational purposes with an approved fence permit. When a vote was taken, the following was recorded, Ayes: 7 – Chairman Girgin, Mayor Davis, Councilman Savage, Commissioners Davila McDonough, Finn and Crate. Noes: none. Absent: 2 – Commissioners Christensen and Thompson. The motion carried.

PUBLIC HEARING – Markey Regional Detention Development Fee Program

Mr. Matteo went over the highlights of the program emphasizing that the program is optional and can be an alternative for developers who want to avoid on-site detention. According to Mr. Matteo, an application process has been established for participating in the regional detention program. Submitted to the City with the application, the developer will provide a drainage study and an agreement between developer/city. He reported the fee to participate is \$5,100 per additional impervious acre and pointed out the boundary of the watershed involved in the program. He mentioned that the ordinance differentiates between unplatted and platted developments and Mr. Matteo provided details about the submittal and approval process for participation in the program. He went on to explain the participation fee would be collected with the permit.

Mr. Leipzig told about changes that have been made to the calculation method of the recommended detention buy-out rate based on impervious acreage for new development. Mr. Matteo gave an explanation of the manner in which runoff water is conveyed to the regional detention area. It was reiterated that the program is optional if it is determined the cost of stormwater conveyance is too great to participate. Councilman Savage expressed concern about the proposed program participation fee being sufficient to fund the retention basin construction and long-term maintenance. Mr. Matteo told how the per acre fee was established, which included overall construction costs and 25 years of maintenance. The primary funding source will be from undeveloped properties along Y Highway and

Markey Parkway according to Mr. Matteo. He went on to suggest it will cost significantly less for developers to participate in the regional detention program rather than fund on-site detention. Mr. Fisher pointed out on-site detention construction costs are typically \$8,000 - \$12,000 per impervious acre, and participation in the regional program is under that amount. It was noted that this program has been an increasingly popular choice of detention with developers to maximize land development. There was discussion about whether there will be any recaptured land with the regional program.

Chairman Girgin opened the public hearing at 7:40 p.m. The hearing was being held to receive public input regarding amendments to the Unified Development Code (UDC) regarding the Markey Regional Detention Development Fee Program. There was no public input and the hearing was closed at 7:40 p.m. Commissioner McDonough moved to recommend approval of the text amendments to the UDC for the Markey Regional Detention Development Fee Program. Commissioner Crate seconded the motion. There was further conversation on the subject of whether the fees will cover the cost of the project and maintenance. Mr. Fisher assured the commission there has been an extensive number of meetings with the engineers and attorneys and he is confident of the costs. When a vote was taken, the following was recorded, Ayes: 7 – Chairman Girgin, Mayor Davis, Councilman Savage, Commissioners Davila, McDonough, Finn, and Crate. Noes: none. Absent: 2 - Commissioners Christensen and Thompson. The motion carried.

PUBLIC HEARING – UDC Amendments regarding Development Fee Schedule

Mr. Fisher reported this topic has been analyzed to identify proper / accurate fees while benchmarking other agencies to stay competitive. Further consideration of the development fees has taken place since the amendments were originally brought to the commission for consideration. Mr. Fisher went over the changes which included the sewer connection fee and street impact fees. He explained staff found a discrepancy in the way the sewer connection fee was calculated and recommended an alternate method to determine the cost, which is a trap fee with a minimum. The method of calculation will be simplified according to Mr. Fisher and he explained the proposed rates for residential and commercial.

Mr. Fisher talked about the street impact fee changes. He reported the trip fee manual was updated and then a reduced per trip fee of \$675 was tested which resulted in a reduction in almost all areas for the street impact fee. In addition, objectives will be met through volume according to Mr. Fisher. Mr. Leipzig stated that overall; the proposed fee schedule is approximately a 20% reduction, which brings fees lower than or equal to competitors.

Chairman Girgin opened the public hearing at 7:50 p.m. This hearing was being held to receive public input about amendments to the UDC regarding updates to the City's Development Fee Schedule. C.D. Donovan, 301 Barry, addressed the commission about an unrelated issue. There was no input regarding the development fee schedule and Chairman Girgin closed the hearing at 7:53 p.m.

Commissioner Crate questioned whether fees are ever insufficient and what method is used to resolve inadequate funding. Mr. Fisher answered that fees can be reviewed annually or every three years for the street impact fee. Staff would review to see if projections are being met, and the recommendations can

be adjusted if necessary. Commissioner Crate moved to recommend approval of the amendments to the UDC regarding updates to the City's Development Fee Schedule. The motion was seconded by Commissioner Davila. When a vote was taken, the following was recorded, Ayes: 7 – Chairman Girgin, Mayor Davis, Councilman Savage, Commissioners Davila, McDonough, Finn, and Crate. Noes: none. Absent: 2- Commissioners Christensen and Thompson. The motion carried.

DIRECTOR'S REPORT

Mr. Leipzig reported the Citizen Appreciation Fair is scheduled for May 8, 2014 with a rainout date of May 15, 2014.

A draft copy of a 5, 10, 15 year annexation plan was distributed. Mr. Leipzig emphasized the document is a strategy only. He asked the commission to review the plan for discussion at a future meeting.

Mr. Leipzig stated an RFQ will be sent out for the North Scott Corridor Concept Plan on May 9, 2014, to be reviewed in June. He also mentioned that a planning intern from UMKC has been engaged for the summer.

At the first commission meeting in June, there will be three site plans to be reviewed.

Councilman Savage pointed out and questioned some of the language in the annexation plan document, and Mr. Leipzig replied that the language is just a standardized approach to reviewing, and something to be considered for the overall annexation area.

It was reported the commission will consider the revocation of a digital sign SUP at the May 19 meeting. Staff met with the business owner about sign issues and tire storage and gave official notice about the process.

AJOURNMENT

Councilman Savage moved to adjourn the meeting. Commissioner Davila seconded the motion. All members present voted in favor and the meeting adjourned at 8:05 p.m.

Ann Keeton
Community Development Secretary

PRELIMINARY PLAT

CARRIAGE WORKS



**PRELIMINARY PLAT
'CARRIAGE WORKS'**

**PLANNING COMMISSION
MONDAY, JUNE 2, 2014 – 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET**

Assigned staff: Robert G. Cooper, City Planner

CASE #PP14-10

Consideration of a Preliminary Plat approval for Carriage Works, a 10.47-acre light manufacturing development, located at 401 N. Scott Avenue, directly south of Turner Road.

BACKGROUND

C & M Realty Holdings, LLC (aka: Carriage Works, Inc.) is proposing to develop this 10.47-acre tract of land. The city's development review committee had convened on several occasions and met with the developer to discuss and review the elements of the preliminary plat and conceptual layout of the development. The property is currently zoned C-2 (General Commercial) and M-1 (Light Manufacturing). The commercial zoning will remain in place along the western third of the parcel with the remaining two-thirds of the parcel zoned as manufacturing. The developer's future plans would be to place a commercial / office building up front with minor retail. The developer is prepared to move forward in the development process and has submitted a preliminary plat in conjunction with a preliminary development plan for this project.

REVIEW

The preliminary plat consists of 10.47-acres of land with 285-lineal feet of roadway frontage along North Scott Avenue. The developer is proposing to develop a single 37,700-sq. ft. manufacturing/office building.

The City's future land use map identifies this area one of the city's major retail/commercial corridor and entry-way into Belton. General retail and offices are permitted uses by-right in the commercial zone with light manufacturing.

The C2 -General Commercial District is intended to accommodate mid-size retail and commercial businesses along commercial corridors. Uses in the C2 district have the potential to generate significant auto/pedestrian traffic. Therefore, care must be taken to ensure that traffic and other related impacts are minimized. Since this district is located along major arterials and collectors that serve as gateways into Belton, quality building architecture, landscaping and other site improvements will be required to ensure development enhances Belton's image.

The M1-Light Manufacturing District is intended to accommodate light manufacturing, warehousing and wholesaling operations that are compatible with the more intensive commercial uses. Uses within this district require good accessibility to highways. The M1 district should be

used as a buffer or transition between manufacturing development and commercial or multi-family residential development.

The primary and only access to the development will be from North Scott Avenue.

A portion of the development does not lie within a “Special Flood Hazard Area” (SFHA) as defined by the Federal Emergency Management Agency (FEMA).

PURPOSE OF THE PRELIMINARY PLAT:

1. ensures the City of Belton protects and provides for the public health, safety, and general welfare of its residents;
2. helps guide the future growth and development in accordance with the comprehensive plan;
3. provide for adequate light, air, and privacy, and to secure safety from fire, flood and other danger and to prevent overcrowding of the land and undue congestion of population;
4. to protect the character and social and economic stability of all parts of the city and to encourage the orderly and beneficial development;
5. to protect and conserve the value of land throughout the city and the value of buildings and improvements upon the land and to minimize the conflicts among the uses of land and buildings;
6. to guide public and private policy and action in order to provide adequate and efficient transportation, water, sewer, schools, parks, playgrounds, recreation and other public requirements and facilities;
7. to provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic, avoidance of congestion in the streets and highways, heed pedestrian traffic movements in relation to buildings and land uses and provide for proper location and width of streets and building lines;
8. to establish reasonable standards of design and procedures, in order to further the orderly layout and use of land;
9. to insure public facilities are available and have sufficient capacity to serve the proposed development;
10. to prevent the pollution of air, streams, and ponds, and to assure the adequacy of drainage facilities;
11. to preserve the natural beauty of and topography of the city and to ensure appropriate development with regard to these natural features;
12. to provide for open spaces through the most efficient design and layout of the land including the use of average density in providing for minimum width and area of lots.

Engineering Comments:

- This project is eligible to apply for participation in the Markey Regional Detention Program. Participation is contingent on approval of the final stormwater management report. Review of the preliminary stormwater management report is ongoing. A signed agreement between the developer and the City for participation in the regional detention program will also be required.

- Multiple comments and corrections to the preliminary stormwater management report, including concerns regarding the preliminary approach to meeting the City's stormwater quality BMP requirements, have been provided to the developer's engineer.
- Add the following note to the final plat: "All stormwater facilities including stormwater Best Management Practices shall be functional and maintained in perpetuity by the property owner. Refer to the approved final development plans for locations of stormwater facilities."
- Display stream centerline and stream setback line on plat. Per Section 32-8 of the Unified Development Code, the stream setback extends to 40 feet on either side of the stream centerline.
- Add note indemnifying the city against any loss or damage during maintenance activities of the existing public sanitary sewer.
- Change note referring to "occupation & easement" documents to "ownership and encumbrance."
- All improvements to public infrastructure shall be designed and constructed in accordance with the City of Belton's Design and Construction Manual and the City's Unified Development Code.

STAFF RECOMMENDATION

Engineering, fire and planning staff support the recommendation to approve the Preliminary Plat of C & M Realty, known as Carriage Works, Inc.

NOTE: The approval of the preliminary plat by the Planning Commission does not constitute an acceptance of the subdivision, but is merely deemed to be an authorization to proceed with the preparation of the final plat which requires Planning Commission and City Council approval.

The approval of the preliminary plat shall be effective for two-years. If the final plat for any part of the area covered by the preliminary plat has not been submitted for approval within this specified period, a preliminary plat must be resubmitted to the Planning Commission for approval.

PLANNING COMMISSION ACTION

1. Motion to recommend **approval** of the Preliminary Plat of the **C & M Realty Plat**.
2. Motion to recommend **denial** of the Preliminary Plat of the **C & M Realty Plat**.
3. Motion to continue the case pending additional information.

ATTACHMENTS

1. Preliminary Plat

PRELIMINARY PLAT OF C & M REALTY A SUBDIVISION IN SECTIONS 11 & 12, TOWNSHIP 46, RANGE 33 CITY OF BELTON, CASS COUNTY, MISSOURI

FOR: C & M REALTY HOLDINGS LLC P.O. BOX 688 GRANDVIEW, MO. 64030 REC-98-1405

Legal Description:

A part of the Northeast Quarter of the Southeast Quarter of Section 11 and a part of the Northwest Quarter of the Southwest Quarter of Section 12, Township 46, Range 33, described as follows: Beginning at a point 4.3087 chains South of the Northwest Corner of the East Half of the Southeast Quarter of said Section 11, running thence East 24.375 chains; thence South 4.9087 chains; thence West 24.375 chains; thence North 4.3087 chains to the Place of Beginning, except that part thereof taken by the State of Missouri for Highway purposes, all in the City of Belton, Cass County, Missouri.

The above described tract contains 456,477 square feet, or 10.4793 acres, more or less, gross and 447,846 square feet, or 10.2854 acres, more or less, net to right-of-way line.

TITLE INFORMATION TAKEN FROM EIGHT & ASSOCIATES, LAND TITLES, AGENTS FOR CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. 15469, EFFECTIVE DATE MAY 20, 2013 AT 8:00 A.M.

SURVEYOR'S COMMENTS ON COMMITMENT ITEMS AFFECTING THE PROPERTY:

ITEM #8 - TEMPORARY EASEMENT, BK 1495, PG. 86 HAS LAPSED

ITEM #9 - EASEMENT TO AQUILA, INC. BK 3139, PG. 878 CONTAINS DEFECTIVE DISTANCE CALL TO THE POINT OF BEGINNING. IT DOES NOT COVER THE POWER LINES, POLES AND DOWN GUTS AS CONSTRUCTED.

ITEM #10 - TERMS AND PROVISIONS OF UNRECORDED LEASE FOR VIACOM ADVERTISING SIGN SHOWS THE ADDRESS AS 403 N. SCOTT

THIS PROPERTY LIES WITHIN FLOOD HAZARD ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS PER FIRM RATE MAPS 29037C0009F & 29037C0010F REVISED JAN. 2, 2013.

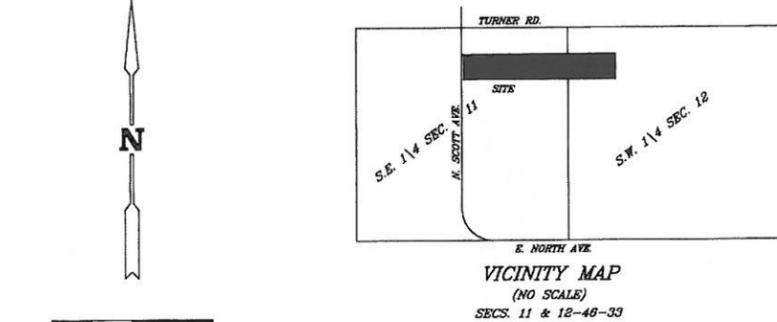
ALL UNDERGROUND UTILITIES SHOWN HEREON ARE AS LOCATED BY THE RESPECTIVE UTILITIES, OR PUBLISHED RECORDS, AND SHOULD BE VERIFIED PRIOR TO ANY EXCAVATION.

ZONING IS C-2, GENERAL COMMERCIAL DISTRICT ON THE FRONTAGE & R-2, MULTIPLE FAMILY ON THE BULK OF THE PROPERTY

- LEGEND A-B - AS-BUILT INFO FROM CITY FROM A-B - FLOWLINE INFO CONVERTED FROM CITY AS-BUILTS ASPHL - ASPHALT B.L. - BUILDING SETBACK LINK FROM ZONING B-B - BACK TO BACK ON CURBS CALC - CALCULATED CHS - CHAINS (MEASUREMENTS) C.I. - CURB INLET CLTS - CENTER LANE LEFT TURN ONLY SIGN CONC - CONCRETE DSSP - DOWNSPOUT TO SOILPIPE EM - ELECTRIC METER ESMT - EASEMENT F.E.S. - FLARED END SECTION FH - FIRE HYDRANT FL - FLOWLINE @ CENTER OF MH FNDY - FOUNDATION FP - FENCE POST, SOME WITH OLD WIRE HACK - HACKBERRY TREE MH - MANHOLE P.O.B. - POINT OF BEGINNING PP - POWER POLE PFC - POLYETHYLENE CHLORIDE PIPE RCP - REINFORCED CONCRETE PIPE RL - STREET LIGHT SP - SOILPIPE TC - TOP OF CURB TP - TELEPHONE PEDESTAL TYP - TYPICAL DETAIL U/L - UTILITY EASEMENT UGT - UNDERGROUND TELEPHONE VCP - VITRIFIED CLAY PIPE

O - SET 5/8" BAR W/ ALUMINUM CAP #1686, UNLESS NOTED

- CONCRETE
- E - OVERHEAD ELECTRIC
- K-T - OVERHEAD ELECTRIC & UNDERGROUND TELEPHONE
- G - GAS
- SS - SANITARY SEWER
- SP - STORM SEWER
- U/L - UNDERGROUND TELEPHONE
- W - WATER



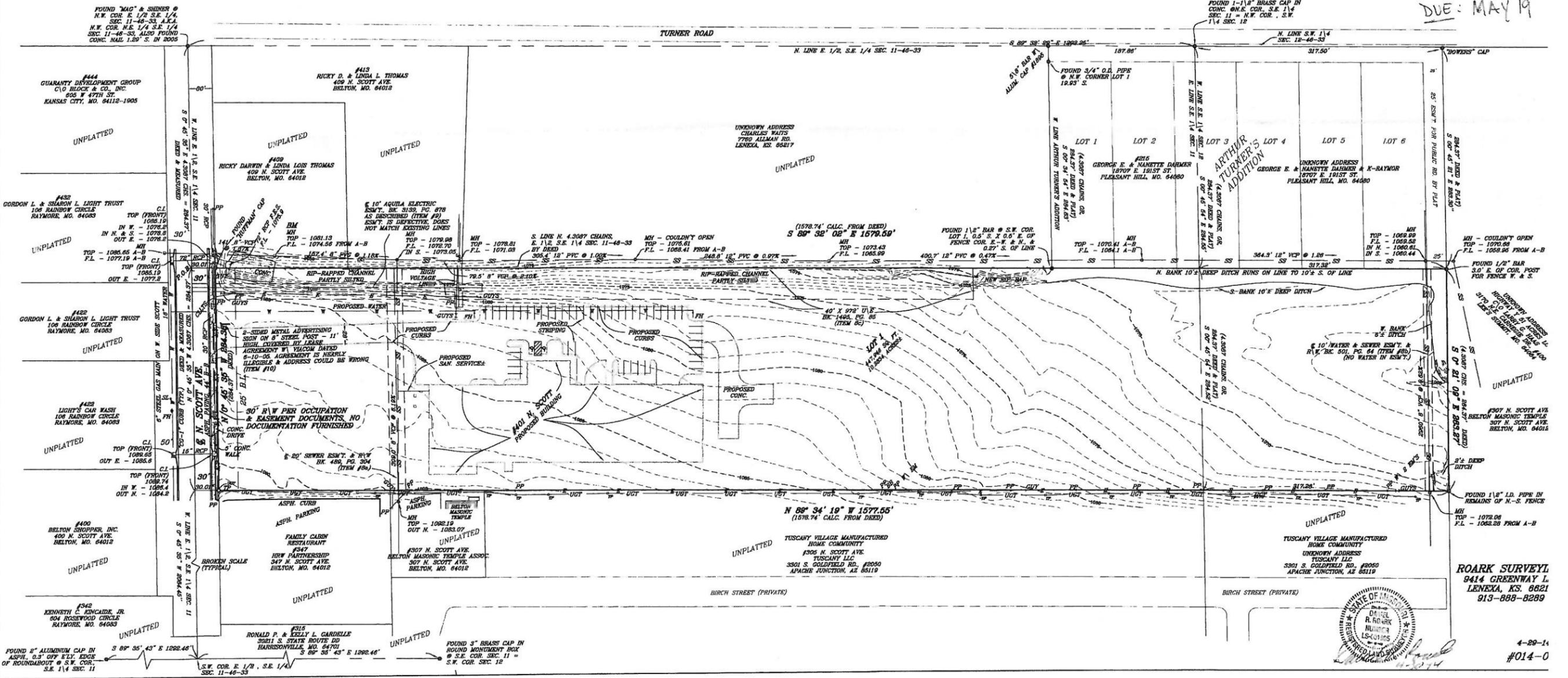
SCALE 1" = 60' BEARINGS FROM PRIOR SURVEY BY THIS COMPANY IN THIS AREA

BM - N. RIM SAN. SEWER MH ON N. SIDE CONC. DITCH LINER NEAR N.W. COR. PROPERTY ELEV. = 1081.13

UTILITIES SERVING THIS PROPERTY ARE: AT&T DISTRIBUTION CITY OF BELTON - SEWER AND WATER MISSOURI GAS ENERGY KANSAS CITY POWER & LIGHT TIME WARNER CABLE

AT&T UNDERGROUND AND TIME WARNER CABLE RUN ON SOUTH SIDE OF SOUTH PROPERTY LINE, WITHIN THE TRAILER PARK

THE PREDOMINANT SOIL TYPES IN THIS SUBDIVISION ARE: HIGGINSVILLE SILT LOAM ON THE FRONT 0.8 ACRES; GREENSTON SILTY CLAY LOAM ON THE BALANCE 6.6 ACRES, EXCEPT SANDSILTY SILTY CLAY LOAM ON THE S.E. 0.8 ACRES.



PLNG. DEPT

CITY OF BELTON Distributed 4/20/14 Project # 14-0428-080 DUE: MAY 19



ROARK SURVEY, INC. 9414 GREENWAY L. LENEXA, KS. 66219 913-888-8289

FINAL PLAT

CARRIAGE WORKS

**BELTON CITY PLANNING COMMISSION
MONDAY, JUNE 2, 2014 – 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET**

Final Plat of C & M Realty Plat

Staff Report: Robert G. Cooper, City Planner

CASE #FP14-10

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Engineering comments:

- This project is eligible to apply for participation in the Markey Regional Detention Program. Participation is contingent on approval of the final storm-water management report. Review of the preliminary storm-water management report is ongoing. A signed agreement between the developer and the City for participation in the regional detention program will also be required.
- Multiple comments and corrections to the preliminary storm-water management report, including concerns regarding the preliminary approach to meeting the City’s storm-water quality BMP requirements, have been provided to the developer’s engineer.
- Add the following note to the final plat: “All storm-water facilities including storm-water Best Management Practices shall be functional and maintained in perpetuity by the property owner. Refer to the approved final development plans for locations of storm-water facilities.”
- Display stream centerline and stream setback line on plat. Per Section 32-8 of the Unified Development Code, the stream setback extends to 40 feet on either side of the stream centerline.
- Add note indemnifying the city against any loss or damage during maintenance activities of the existing public sanitary sewer.
- Change note referring to “occupation & easement” documents to “ownership and encumbrance.”
- All improvements to public infrastructure shall be designed and constructed in accordance with the City of Belton’s Design and Construction Manual and the City’s Unified Development Code.

STAFF RECOMMENDATION

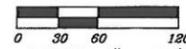
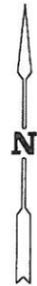
Staff finds the Final Plat to be in accordance with Section 35-36 of the Belton Unified Development Code, therefore, support a recommendation to approve the Final Plat of C&M Realty Plat...Carriage Works, Inc.

PLANNING COMMISSION ACTION

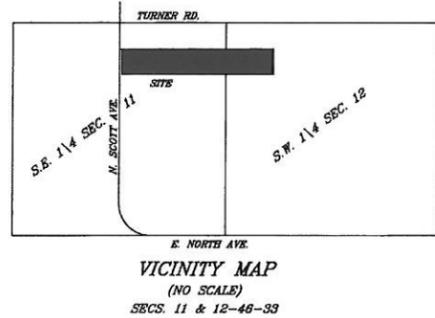
1. Motion to recommend approval of the Final Plat of the C&M Realty Plat
2. Motion to recommend denial of the Final Plat of the C&M Realty Plat
3. Motion to continue the case pending additional information.

ATTACHMENTS

1. Final Plat



SCALE 1" = 60'
BEARINGS FROM PRIOR SURVEY BY
THIS COMPANY IN THIS AREA



VICINITY MAP
(NO SCALE)
SECS. 11 & 12-46-33

LEGEND

- ASPH. = ASPHALT
 - B-B = BACK TO BACK OF CURBS
 - BK = BOOK
 - B.L. = BUILDING SETBACK LINE FROM ZONING
 - CALC. = CALCULATED
 - CHES. = CHAINS (MEASUREMENTS)
 - CONC. = CONCRETE
 - COR. = CORNER
 - ESMT. = EASEMENT
 - I.D. = INSIDE DIAMETER
 - M/C = "MAG" BRAND MASONRY NAIL
 - O.D. = OUTSIDE DIAMETER
 - P.C. = PAGE
 - P.O.B. = POINT OF BEGINNING
 - R/W = RIGHT-OF-WAY
 - U/L = UTILITY EASEMENT
- = SET 5/8" BAR W/ ALUMINUM CAP #1886, UNLESS NOTED
 - = FOUND MONUMENT, AS NOTED

FOUND "MAG" & SIDER @
N.W. COR. E. 1/2 S.E. 1/4,
SEC. 11-46-33, A.L.A.
N.W. COR. N.E. 1/4 S.E. 1/4,
SEC. 11-46-33 ALSO FOUND
CONC. NAIL 1.29" S. IN 8005

FINAL PLAT
OF
C & M REALTY
A SUBDIVISION IN SECTIONS 11 & 12, TOWNSHIP 46, RANGE 33
CITY OF BELTON, CASS COUNTY, MISSOURI

FOR: C & M REALTY HOLDINGS LLC
P.O. BOX 859
GRANDVIEW, MO. 64030
816-965-1465

Legal Description:

A part of the Northeast Quarter of the Southeast Quarter of Section 11 and a part of the Northwest Quarter of the Southwest Quarter of Section 12, Township 46, Range 33, described as follows:
Beginning at a point 4.3087 chains South of the Northwest Corner of the East Half of the Southeast Quarter of said Section 11, running thence East 24.375 chains; thence South 4.3087 chains; thence West 24.375 chains; thence North 4.3087 chains to the Place of Beginning, excepting that part thereof taken by the State of Missouri for Highway purposes, all in the City of Belton, Cass County, Missouri.

The above described tract contains 456,477 square feet, or, 10.4793 acres, more or less, gross and 447,946 square feet, or, 10.2834 acres, more or less, net to right-of-way line.

TITLE INFORMATION TAKEN FROM HIGHT & ASSOCIATES, LAND TITLES, AGENTS FOR CHICAGO TITLES INSURANCE COMPANY COMMITMENT NO. H5459, EFFECTIVE DATE MAY 20, 2013 AT 8:00 A.M.

THIS PROPERTY LIES WITHIN FLOOD HAZARD ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS PER FIRM RATS 28057C0009P & 28057C0010P REVISED JAN. 2, 2013.

ZONING IS C-2, GENERAL COMMERCIAL DISTRICT ON THE FRONTAGE & R-3, MULTIPLE FAMILY ON THE BULK OF THIS PROPERTY

ERROR OF CLOSURE = 1: 018.644

OWNERS CERTIFICATION AND DEDICATION:

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as C & M REALTY.

The proprietor, successors, and assigns, of property described on this plat hereby dedicate for public use all land described on this plat as streets or public ways not heretofore dedicated.

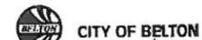
ACKNOWLEDGEMENTS:

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this _____ day of _____ 2014.
C & M REALTY HOLDINGS LLC

By: Roy C. Cunningham, President

STATE OF _____
COUNTY OF _____

Be it remembered that on this _____ day of _____ 2014, before me, a Notary Public in and for said County and State, came Roy C. Cunningham to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year written above.



CITY OF BELTON
Distributed 4/28/14
Project # 14-0432-0280
DUE: MAY 19TH

Notary Public My Appointment Expires _____

APPROVALS:

This plat of C & M REALTY has been submitted to and approved by the Belton Planning Commission this _____ day of _____ 2014.

CHAIRMAN _____ ATTEST Secretary _____

These easements and rights-of-way accepted by the city council of Belton, Missouri, this _____ day of _____ 2014.

Mayor _____ ATTEST City Clerk _____

Entered on transfer record this _____ day of _____ 2014.

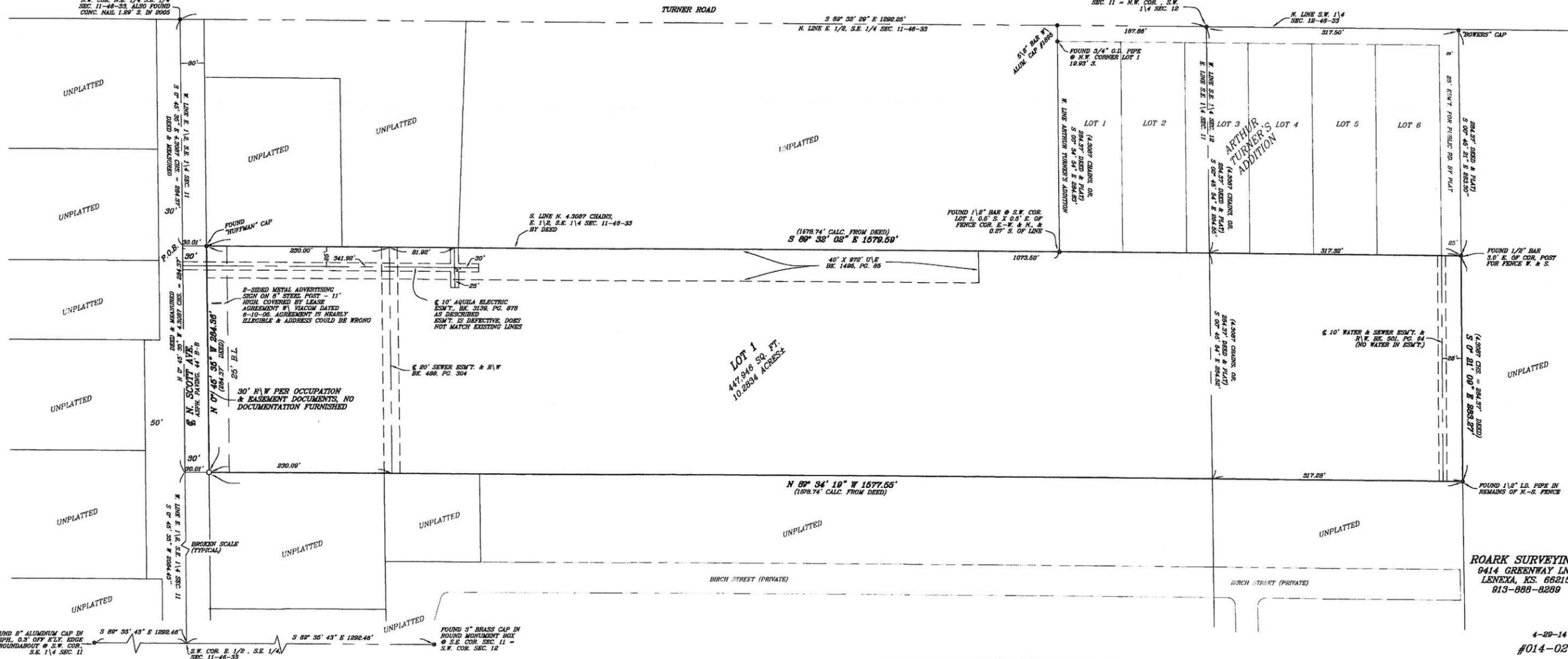
County Recorder _____

I HEREBY CERTIFY that the within plat of C & M REALTY subdivision is based on an actual survey, meets or exceeds the current Minimum Standards for Property Boundary Surveys as adopted by the Missouri Board of Architects, Professional Engineers and Land Surveyors of the State of Missouri. I further certify that bearings shown on this plat are based on the bearings of a previous survey done by me in these quarter sections and are assumed; that the section and sectional subdivision corner monuments and survey boundary corner monuments were either found or set as indicated on this plat; that I have complied with all State and Belton statutes, ordinances and regulations governing the practice of surveying and the platting of subdivisions to the best of my professional knowledge and belief.

Daniel R. Roark
L.S. No. 1895



FOUND 1-1/2" BRASS CAP IN
CONC. @ N.E. COR. S.E. 1/4
SEC. 11 - M.W. COR. S.W.
1/4 SEC. 12



ROARK SURVEYING
9414 GREENWAY LN.
LENEXA, KS. 66215
813-888-8289

FINAL PLAT

BRIAR CREEK VILLAS



BELTON CITY PLANNING COMMISSION
MONDAY, JUNE 2, 2014 – 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET
A Re-Plat of Lot 1, Block Four, Dean-Co Development Park
Final Plat of the Briar Creek Plat

Staff Report: Robert G. Cooper, City Planner

CASE #FP14-08

Consideration of Final Plat approval for Briar Creek Villas, a 3.5-acre, senior housing development, located at 205 Cunningham Industrial Parkway, directly south of the North Cass shopping center.

BACKGROUND

The applicant, Jim Moore, principal owner of 'Housing Investment Partners II, LLC', originally met with the Planning Commission on December 3, 2013 during their regular meeting and discussed a change in zoning, low-income housing tax-credits, and their proposed use of the property as an age-restricted multi-family apartment complex. Staff recommended approval with the stipulation the developer receive approval from the Missouri Housing Development Commission for the low income tax credits prior to City Council review and acceptance. The Planning Commission subsequently made a recommendation to approve to the City Council. Their proposal would be to build a 9-million dollar, 48-unit (down from 60-units as originally proposed), senior housing facility on a 3.5-acre tract of land.

The developer is now prepared to move forward in the development process and has submitted a final plat for review and final consideration.

REVIEW

The proposed project will consist of 48 age restricted housing units. These units consist of one-bedroom, one-bath, and two-bedroom, two-bath. The project will have three-stories, with a clubhouse and public areas on each floor-level. There will be on-site trash corrals...fully enclosed, with on-site open parking spaces. There will be a double driveway approach into the facility from Cunningham Parkway. Some of the existing trees along the north side will remain in place with additional plantings provided in accordance with an approved landscape plan.

The primary access to the development will be from Cunningham Industrial Parkway, which ties into Mo 58-Hwy to the north and Peculiar Drive to the south.

A portion of the development does not lie within a "Special Flood Hazard Area" (SFHA) as defined by the Federal Emergency Management Agency (FEMA).

Engineering comments:

- Remove proposed easements for water and sewer. These lines must be private.

- Improvements to Cunningham Parkway between 58 Highway and the proposed development are recommended per Section 36-109 of the Unified Development Code. Per this section of code, final determination is to be made by City Council.
- Add the following note to the final plat: "All stormwater facilities including stormwater Best Management Practices shall be functional and maintained in perpetuity by the property owner. Refer to the approved final development plans for locations of stormwater facilities."
- Add note indemnifying the city against any loss or damage during maintenance activities of the existing public sanitary sewer.
- Intention of street dedication note is unclear. Interior of development will be private streets.
- All improvements to public infrastructure shall be designed and constructed in accordance with the City of Belton's Design and Construction Manual and the City's Unified Development Code.

STAFF RECOMMENDATION

Staff finds the Final Plat to be in accordance with Section 35-36 of the Belton Unified Development Code, therefore, supports a recommendation to approve the Final Plat of the Briar Creek Plat.

PLANNING COMMISSION ACTION

1. Motion to recommend approval of the Final Plat of the Briar Creek Plat
2. Motion to recommend denial of the Final Plat of the Briar Creek Plat
3. Motion to continue the case pending additional information.

ATTACHMENTS

1. Final Plat

BRIAR CREEK

A REPLAT OF LOT 1, BLOCK FOUR, DEAN-CO DEVELOPMENT PARK, A SUBDIVISION IN THE CITY OF BELTON, CASS COUNTY, MISSOURI SECTION 18, TOWNSHIP 46 NORTH, RANGE 32 WEST

DESCRIPTION:
A TRACT OF LAND BEING ALL OF LOT 1, BLOCK FOUR, DEAN-CO DEVELOPMENT PARK, A SUBDIVISION IN THE CITY OF BELTON, CASS COUNTY, MISSOURI, AS RECORDED AT THE CASS COUNTY RECORDER'S OFFICE IN BOOK 11 AT PAGE 29, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHERN MOST CORNER OF SAID LOT 1; THENCE S 41°49'14" E (S 45°15'17" E PLAT) ALONG THE NORTHEASTERLY LINE OF SAID LOT 1, A DISTANCE OF 367.04 FEET TO AN ANGLE POINT; THENCE S 55°11'27" E (S 58°37'30" E PLAT) CONTINUING ALONG THE NORTHEASTERLY LINE OF SAID LOT 1, A DISTANCE OF 499.98 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE S 03°26'04" W (NORTH PLAT) ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 204.42 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, SAID CORNER ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF CUNNINGHAM INDUSTRIAL PARKWAY; THENCE CONTINUING NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF N 86°33'30" W, A RADIUS OF 915.00 FEET, A CENTRAL ANGLE OF 44°44'14", AN ARC DISTANCE OF 714.45 FEET; THENCE N 41°49'14" W (N 45°15'17" W PLAT) CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 461.56 FEET TO THE WESTERN MOST CORNER OF SAID LOT 1; THENCE N 68°20'55" E (N 64°54'51" E PLAT) ALONG THE NORTHWESTERLY LINE OF SAID LOT 1, A DISTANCE OF 313.86 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 290,959 SQUARE FEET OR 6.679 ACRES, MORE OR LESS.

THE UNDERSIGNED PROPRIETOR OF THE ABOVE DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION SHALL HEREAFTER BE KNOWN AS "BRIAR CREEK".

STREET DEDICATION:
ALL THROUGHFARES ON THIS PLAT NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED.

DRAINAGE NOTE:
AREAS DESIGNATED AS DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE PROPERTY OWNER.

EASEMENT DEDICATION:
AN EASEMENT OR LICENSE IS HEREBY GRANTED TO THE CITY OF BELTON, MISSOURI, TO LOCATE, CONSTRUCT AND MAINTAIN, OR AUTHORIZE THE LOCATION, CONSTRUCTION, OR MAINTENANCE OF POLES, WIRES, CONDUITS, AND/OR STRUCTURES FOR WATER, GAS, SANITARY OR STORM SEWER, SURFACE DRAINAGE CHANNELS, ELECTRICITY, TELEPHONE, CABLE TV AND/OR ANY OTHER NECESSARY PUBLIC UTILITY OR SERVICE, ON ANY OR ALL OF THE, UPON, OVER OR UNDER THOSE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OR "U/E" OR WITHIN ANY PUBLIC STREET OR THROUGHFARE DEDICATED TO PUBLIC USE ON THIS PLAT.
ALL EASEMENTS PREVIOUSLY DEDICATED AND SHOWN PER THE DEAN-CO DEVELOPMENT PARK ON LOT 1, BLOCK FOUR ARE HEREBY RELEASED AND VACATED, AND REDEDICATED BY THIS PLAT.

IN TESTIMONY WHEREOF, THE UNDERSIGNED PROPRIETORS HAVE HEREUNTO SUBSCRIBED THEIR NAMES

OWNER _____

STATE OF _____
COUNTY OF _____ SS.

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME _____ TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARY SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

PLANNING COMMISSION CERTIFICATION:
THIS PLAT OF "BRIAR CREEK" HAS BEEN SUBMITTED TO AND APPROVED BY THE BELTON PLANNING COMMISSION THIS _____ DAY OF _____, 20____.

CHAIRMAN Girin

SECRETARY Leipig

THESE EASEMENTS AND RIGHTS-OF-WAY ACCEPTED BY THE CITY COUNCIL OF BELTON, MISSOURI, THIS _____ DAY OF _____, 20____.

MAYOR Davis

ATTEST:

CITY CLERK Hedford

Planning Dept.



Distributed 5-6-14
Project # 14-0506-0313

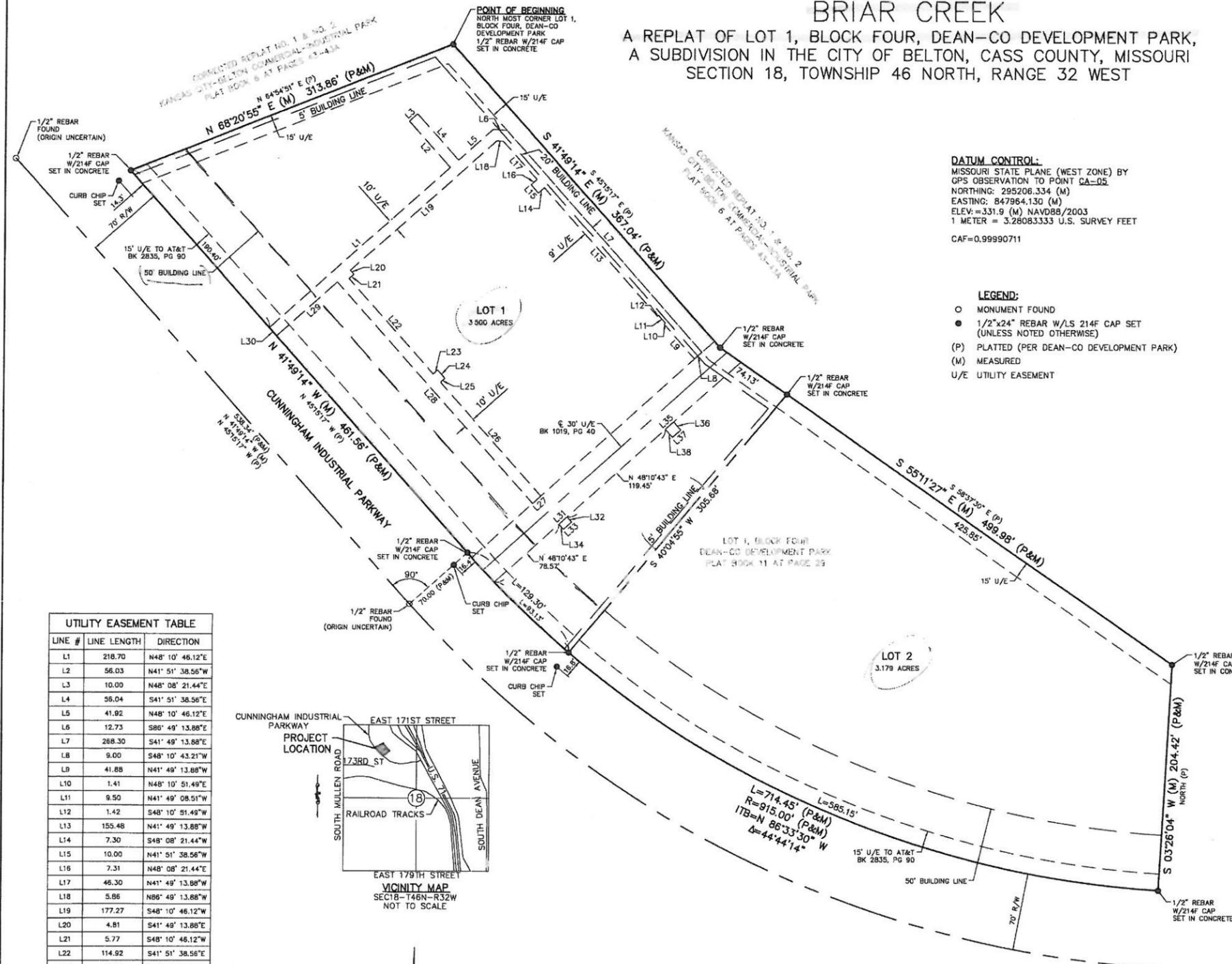
DUE: MAY 20

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, 20____.

COUNTY RECORDER _____

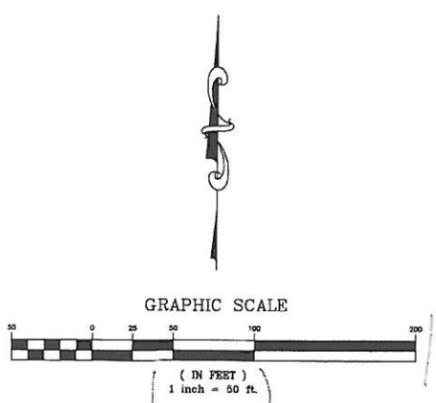
DATUM CONTROL:
MISSOURI STATE PLANE (WEST ZONE) BY
GPS OBSERVATION TO POINT CA-05
NORTHING: 295206.334 (M)
EASTING: 847964.130 (M)
ELEV: = 331.9 (M) NAVD88/2003
1 METER = 3.28083333 U.S. SURVEY FEET
CAF=0.99990711

LEGEND:
○ MONUMENT FOUND
● 1/2"x24" REBAR W/LS 214F CAP SET (UNLESS NOTED OTHERWISE)
(P) PLATTED (PER DEAN-CO DEVELOPMENT PARK)
(M) MEASURED
U/E UTILITY EASEMENT



UTILITY EASEMENT TABLE

LINE #	LINE LENGTH	DIRECTION
L1	218.70	N48° 10' 46.12"E
L2	56.03	N41° 51' 38.56"W
L3	10.00	N48° 08' 21.44"E
L4	56.04	S41° 51' 38.56"E
L5	41.92	N48° 10' 46.12"E
L6	12.73	S86° 49' 13.88"E
L7	288.30	S41° 49' 13.88"E
L8	9.00	S48° 10' 43.21"W
L9	41.88	N41° 49' 13.88"W
L10	1.41	N48° 10' 51.49"E
L11	9.50	N41° 49' 08.51"W
L12	1.42	S48° 10' 51.49"W
L13	155.48	N41° 49' 13.88"W
L14	7.30	S48° 08' 21.44"W
L15	10.00	N41° 51' 38.56"W
L16	7.31	N48° 08' 21.44"E
L17	46.30	N41° 49' 13.88"W
L18	5.86	N86° 49' 13.88"W
L19	177.27	S48° 10' 46.12"W
L20	4.81	S41° 49' 13.88"E
L21	5.77	S48° 10' 46.12"W
L22	114.92	S41° 51' 38.56"E
L23	5.28	N48° 08' 21.44"E
L24	10.00	S41° 51' 38.56"E
L25	5.28	S48° 08' 21.44"W
L26	137.58	S41° 51' 38.56"E
L27	10.00	S48° 10' 43.21"W
L28	287.31	N41° 51' 38.56"W
L29	73.43	S48° 10' 46.12"W
L30	10.00	N41° 49' 13.88"W
L31	10.00	N48° 10' 43.21"E
L32	6.10	S41° 49' 13.88"E
L33	10.00	S48° 10' 46.12"W
L34	6.10	N41° 49' 13.88"W
L35	10.00	N48° 10' 43.21"E
L36	9.78	S41° 49' 13.88"E
L37	10.00	S48° 10' 46.12"W
L38	9.78	N41° 49' 13.88"W



SURVEYOR'S CERTIFICATION:
I HEREBY CERTIFY THAT THE WITHIN PLAT OF BRIAR CREEK SUBDIVISION IS BASED ON AN ACTUAL SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR ORIGINAL SURVEYS, AND MEETS OR EXCEEDS THE ACCURACY STANDARDS FOR AN URBAN SURVEY AS ADOPTED BY THE MISSOURI BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS OF THE STATE OF MISSOURI. I FURTHER CERTIFY THAT THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON MISSOURI STATE PLANE (WEST ZONE) BY GPS OBSERVATION TO POINT CA-05 THAT THE SECTION AND SECTIONAL SUBDIVISION CORNER MONUMENTS AND SURVEY BOUNDARY CORNER MONUMENTS WERE EITHER FOUND OR SET AS INDICATED ON THIS PLAT; THAT I HAVE COMPLIED WITH ALL STATE AND BELTON STATUTES, ORDINANCES AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND THE PLATTING OF SUBDIVISION TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

DATE _____

 KENNETH J. DEDRICK
 MISSOURI PLS NO. 2571

Comments:
 1) Rewrite legal desc - total land area for lot 1 should show 3.5 acres, not 6.6 as shown on plat.
 2) things to be corrected in plat

THIS DRAWING SHALL NOT BE UTILIZED BY ANY PERSON, FIRM, OR CORPORATION IN WHOLE OR IN PART WITHOUT THE SPECIFIC PERMISSION OF KAW VALLEY ENGINEERING, INC.

KAW VALLEY ENGINEERING, INC.
 CONSULTING ENGINEERS - LAND SURVEYORS
 14700 WEST 114TH TERRACE
 LENEXA, KANSAS 66215
 PH. (913) 894-5150 | FAX (913) 894-5977
 lx@kveng.com | www.kveng.com

PROJECT NO. C12D6818
 DRAWN BY: NJN
 CHECKED BY: KJD
 CFN: 6818PLAT
 SHEET: 1 OF 1

PREPARED FOR: _____
 KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER SURVEYING SERVICES BY MISSOURI STATE CERTIFICATE OF AUTHORITY NO. 000214. EXPIRES 12/31/15.