



Caton
Architectural
Design ^{LLC}

July 17, 2020

City of Independence
Community Development Department
111 E. Maple
Independence, Missouri 64050

Attn: Mr. Stuart Borders – Senior Planner

Subject: 3206 Spring Street – Parcel ID #15-520-09-39-00-0-00-000

We are submitting for an approval of the preliminary development plan and plat for the property address 3206 Spring Street. The existing site has an old church\school building and associated parking lot. The intent of the owner is to subdivide the 2.54-acre site into twelve (12) individual lots for the purpose of building one-story duplexes on each lot, saving one lot for detention and open green space. The (11) lots are planned to have a total of 22 living units. Each 1-story building will be a two-bedroom unit. Each unit will have its own single car garage with an additional parking spot in the driveway. Once approval of the subdivision has been received, the owner will work towards obtaining a demolition permit to remove all pavement and structures from the site.

Attached with this cover letter is a letter from our traffic engineer showing the minimal traffic impact, and a letter from the developer's legal counsel outlining how the proposed development meets each requirement of the city ordinances.

If there are any questions about any of the submitted drawings or the description of the project above, don't hesitate to give us a call.



Sincerely,

Signed by: Shawn E, Caton, AIA
Date: 2020.07.17

Shawn E. Caton, AIA
Architect
Missouri License #A-2001018718
Expires: December 31, 2021

To: Stuart Borders and/or city staff/Independence City Planning Commission/Independence City Council

From: John W. Roe, attorney for applicant Isosceles Properties, LLC (Applicant)

Re: Kentucky Place

Date: July 16, 2020

The subject property is zoned R30/PUD.

A project consisting of 11 two family houses is proposed for the subject property.

According to Table 300-1 two-unit house is a permitted use in the R30/PUD district.

Applicant's project proposes a use that is specifically permitted in the existing zoning district.

The existing zoning would allow 30 residential units to the acre and at 2.54 acres would allow about 76 units. The proposed project consisting of 22 units on 2.54 acres which works out to about 8.6 units per acre. Therefore, the proposed project proposes a residential density substantially less than what would be allowed by the existing residential zoning on the subject property.

In the pre-application videoconference that the Applicant and its representatives had with city staff in June 2020, Applicant specifically asked that staff identify code provisions/criteria against which the application would be measured. In response to that inquiry staff identified 14-703-05-H. In the videoconference call with staff, Applicant and its representatives went through the review criteria in that section with staff. Applicant understood from that discussion that staff did not identify any specific review criteria not met by this application. Staff invited applicant to submit a letter with its application addressing certain of those criteria. This letter is in response to staff's invitation to submit a letter addressing certain of those review criteria.

1. The consistency with the Comprehensive Plan.

The application is consistent with the Comprehensive Plan. Imagine Independence Comprehensive Plan 2040 was adopted in 2018. The application is consistent with a number of the provisions contained therein including, but not limited to the following:

-According to the Neighborhoods and Housing section the city's vision is to "**create vibrant, safe neighborhoods that** are walkable and **offer diverse** uses, and **housing**

options for all." (emphasis added). The application furthers that vision by creating diverse housing options for all.

-One of the "Guiding Principles" in this section is "**Provide a diversity of housing options in all neighborhoods.**"(emphasis added). The application is consistent with this Guiding Principle in that it would provide a diversity of housing options in the subject neighborhood.

-One of the Tools and Policies you identify in this section is "Identify areas within established neighborhoods where infill development would be appropriate." The property that is the subject of the application is an appropriate infill development area.

-This section also provides "Develop neighborhood **plans that help ensure a balance of housing types**, especially in more mature parts of the City." (emphasis added) The subject property is located in a mature part of the City. Approval of the application would ensure a balance of housing types. And it would promote a housing option that would allow people to age in place.

-The city wants to "**Promote a mix of housing types within each neighborhood** to provide options for households of all types (singles, families, retirees, etc.) and people of all incomes and ages." P. 26. (emphasis added) Approval of the application would further that goal because it would promote a mix of housing types in the subject neighborhood. And it would provide options for households of all types.

-The City wants to "Concentrate new development in areas contiguous to existing neighborhoods where it is most **cost effective to extend infrastructure and services.**" P. 26. (emphasis added) Approval of the application will further that goal.

-One of the Guiding Principles of the City's Land Use policy in the Comprehensive Plan is to "Protect and enhance the viability, livability and affordability of the City's residential neighborhoods while **integrating multifamily developments throughout the community.**" P. 33. (emphasis added) Approval of the application would be consistent with this Guiding Principle of integrating multifamily development throughout the community.

-One of the city's policies in this regard is to "Promote inclusive and economically integrated neighborhoods that allow a diverse mix of residents and housing types." P. 33. Approval if this application furthers this city policy because it would allow a mix of housing types in this neighborhood.

There are other arguments that can be made to show that the preliminary development plan is consistent with the Comprehensive Plan, too.

2. The consistency with the PUD standards of Section 14-902, including the statement of purpose.

-The subject property was previously zoned R30/PUD by the city. Obviously, because the city has already designated the subject property as PUD, a plan like the one proposed by the applicant for a use that is specifically permitted in that zoning district would be consistent with the PUD standards including the statement of purpose.

3. The nature and extent of Common Open Space in the PUD.

-The preliminary development plan provides for open space at the south end.

4. The reliability of the proposals for maintenance and conservation of Common Open Space.
-Project will be marketed to 65 and older so we will have an HOA to maintain the grounds.
5. The adequacy or inadequacy of the amount and function of Common Open Space in terms of the densities and dwelling types proposed in the plan.
-In the pre-application videoconference Mr. Borders said he did not know what this criteria was about. Applicant has complied with this criteria in that the Common Open Space is adequate for 2 unit houses at about 8.6 units per acre.
6. The extent to which the proposed use will adversely affect the capacity of safety portions of the street network or present parking problems in the vicinity of the property. Whether adequate provisions for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment.
-No parking problems in the vicinity of the property will be caused as adequate off street parking is provided in the project. No adverse effect on safety portions of the street network either. The applicant has consulted with a traffic engineer and the proposed units will have essentially the same traffic impact as a single family home. The traffic engineer's letter will be submitted at the planning commission hearing. According to the Fire Department representative on the videoconference call, he said that as long as he can get fire trucks down Spring Street he's ok. The applicant's project has adequate off-street parking so applicant's project will not create any issues on Spring Street. In addition, there are no issues with sewer service, either.
7. The extent to which the proposed use will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area.
-The proposed use will not have a substantially adverse effect on adjacent property. The proposed use is residential use. The adjacent use is residential use. The proposed residential use is specifically permitted in the existing zoning on the subject property. The approval of a specifically permitted residential use on the subject property will not have a substantial adverse effect on adjacent property. Furthermore, the proposed project will constitute new investment in a neighborhood that hasn't seen much, if any, new investment lately. Furthermore, a project to be marketed to 65 and older, which would allow persons in the neighborhood to age in place, would not have a substantial adverse effect on adjacent property. New investment in a permitted residential use, at a density less than a third of what would be allowed by the zoning, that would have similar architectural features as that of the surrounding neighborhood, in a city whose comprehensive plan encourages a mix of housing types in neighborhoods means no substantial adverse effect on adjacent property. The applicant has consulted with a knowledgeable realtor in this regard and will submit her letter at the planning commission hearing.
8. Whether potential adverse impacts have been mitigated to the maximum practical extent.
-In the pre-app videoconference call staff did not identify any adverse impacts. Services are adequate to serve the project. Off street parking is provided. Density is less than a third of what is allowed under the existing zoning.

9. Whether the Preliminary Development Plan represents such a unique development proposal that it could have accomplished through use of (non-PUD) conventional zoning regulations.

-N/A. This criteria is obviously for an application seeking a PUD overlay. The subject property already has the PUD designation. Therefore, this criteria is not applicable to this application.

10. The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.

-N/A. This application does not propose development over a period of years. Therefore, this criteria is not applicable to this application.

RESPECTFULLY SUBMITTED:

THE ROE LAW FIRM LLC

By: 

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