

**MEETING
DATE:**

October 12, 2021

STAFF: Stuart Borders, senior planner

PROJECT NAME: Noland Fashion Square

CASE NUMBER / REQUEST: 21-310-02, Preliminary Plat for Noland Fashion Square

APPLICANT: Block & Company Inc.

OWNER: Noland Fashion SC, LLC

PROPERTY ADDRESSES: Various addresses on S. Noland Road and E. US 40 Highway.

SURROUNDING ZONING / LAND USE:

- North:** C-2 (General Commercial) restaurants, retail businesses
South: C-2; Small businesses along E. US 40 Highway
East: C-2; Grocery store, other business
West: C-2; Former theater, other commercial shops

RECOMMENDATION

Staff recommends **APPROVAL** of this preliminary plat request with the following conditions:

1. Add a five-foot utility easement along the fronts of all street frontages including Washington Avenue. Add a 7.5 utility easement along the rear of Lots 1 through 6.
2. Add the acreage size to each lot.
3. With the final plat, submit a copy of the covenants and restrictions.
4. Add the addresses to final plat:
 - Lot 1 – 4600 S. Noland Road
 - Lot 2 – 4610 S. Noland Road
 - Lot 3 – 13900 E. US 40 Highway
 - Lot 4 – 13800 E. US 40 Highway
 - Lot 5 – 13720 E. US 40 Highway
 - Lot 6 – 13710 E. US 40 Highway
 - Lot 7 – 13700 E. US 40 Highway
 - Lot 8 – 13920 E. US 40 Highway
5. The Independence Water Department has the following comments for the Noland Fashion Square:
 - A) The Water Easement along the center of the property needs to be shown on this plat. (Book I1553 Pages 1-3, Document 1986I698612)
 - B) The Water Easement along the east side of the property needs to be shown on this plat. (Book I1356 Page 625, Document 1959I734452)

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: Mitch DiCarlo of Block & Co. seeks preliminary plat approval of a nine lot commercial subdivision on the northwest corner of US 40 Highway and Noland Road.

Current Zoning: C-2 (General Commercial)
Current Use: Existing shopping center with pad sites
Acreage: 19.32 acres+/-

BACKGROUND & HISTORY:

Noland Fashion SC LLC seeks to subdivide the Noland Fashion Square property on the northwest corner of Noland Road and US 40 Highway into eight lots and a common tract. This will allow the buildings and parking on the site to more accurately correspond to the current shape and uses of the center. The main strip center portion of the development will be divided into two lots (Lots 7 and 8) with the other six lots being pads sites along Noland Road and US 40 Highway. Common tract 'Tract A' consists of the internal access drive which will be owned and maintained by the lot owners in accordance with the covenants and restrictions; it will also include a cross parking agreement. This plat includes no property on the west side of Washington Avenue (the former Gordman's).

ANALYSIS

Historic and Archeological Sites:

There are no historic/archeological issues with this property.

Public Improvements/Utilities:

As this is a plat of a long-developed property, all utilities and related services are existing, no revisions are planned.

Streets/Right-of-Ways/Access:

No changes are being modified by this plat to the existing access points along Noland Road, US 40 Highway, or Washington Avenue. The internal drive will be designated as 'Tract A' and be owned the lot association in conjunction with the covenants and restriction recorded with the final plat in the coming months.

REVIEW CRITERIA

Recommendations and decisions on preliminary plats must be based on consideration of all the following criteria:

1. **Compliance with environmental and health laws and regulations concerning water and air pollution, solid waste disposal, water supply facilities, community or public sewer disposal, and, where applicable, individual systems of sewage disposal.**

This existing development is in compliance with all of these issues.

2. **Availability of water that meets applicable fire flow requirements and is sufficient for the reasonably foreseeable needs of the subdivision.**

Existing water mains encircle and extend through the site providing sufficient flow for fire fighting needs.

3. Availability and accessibility of utilities.

All improvements have been made to the site.

4. Availability and accessibility of public services such as schools, police and fire protection, transportation, recreation facilities and parks.

Not applicable as this is an existing development.

5. Consistency with the zoning district regulations.

The preliminary plat has met the zoning C-2 zoning requirements. Any new development or construction will meet the UDO development standards and applicable building/fire code requirements.

6. Conformity with the Major Thoroughfare Plan.

Not applicable as this is an existing development and all streets are in place.

7. Effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision.

Not applicable as this is an existing development and all streets are in place.

8. Physical land characteristics, such as floodplain, slope, soil, and elevation differentials with abutting properties.

All improvements have been made to the site.

9. Recommendations and comments of the Development Review Committee and/or other reviewing agencies.

None that have not already been discussed above.

10. Conformity with the Master Sewer and Water Utility Plan.

Not applicable as this is an existing development.

11. Compliance with the development ordinance and all other applicable regulations.

Provided that the conditions listed above will be addressed, it appears this preliminary plat can meet City Code requirements.

EXHIBITS

1. Applicant's letter
2. Preliminary Plat
3. Aerial photograph with lots shown
4. Com Plan Map
5. Zoning Map