



Report to Planning & Zoning Commission

Clay County, Missouri

General Information

Site Location: approx. 21209 NE 188th St. & 18110 Old BB Hwy.
 Sections 6, 7, 1 & 12 | Township 53 | Range 30 & 31

Site Size: 157.95± Acres

Existing Landuse & Zoning: Agricultural (AG) with a Planned Unit Development (PUD) overlay

Zoning/Platting History:

RZ/P. Plan/Plat-approved by PZC, 07/11/01; P. Plan timeline extended on 02/4/03, CC approved, 08/9/04, Res#2004-410; P. Plat-approved by PZC, 8/1/06, CC approved 8/28/06 Res# 2006-286; Final Plat & PUD approved by PZC, 08/1/06 approved by CC 08/28/06, Res# 2006-287 & 288; Final Plat recorded on June 5, 2007. Case# Dec 08-120RZ/PUD & 08-121F- approved by PZC w/conditions- delayed by applicant due to technical reasons. RZ/PUD- Plan revisions and Final Plat, Case# Feb 09-101RZ/PUD & 102F-approved by PZC 02/03/09 approved by CC 02/23/09, Res#2009-73 & 74.

Surrounding Landuse & Zoning:

- North – Agricultural (AG) Zoned Land, Adam's Acres (R-1), City of Holt (2+ miles)
- East – Agricultural (AG) Zoned Land, Jimmy Dugan's Farm (R-1A)
- South – Agricultural (AG) Zoned Land, Loew Addition 2003 (R-1)
- West – Agricultural (AG) Zoned Land, I-35

Current Conditions:

Existing Property Lines = **YELLOW**



Courtesy Clay County Assessor
GIS/Mapping



Courtesy Microsoft® Bing™



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Assessment

Jeff Hume, representing the Clay Platte Baptist Association seeks approval for the **Final Plat/Plan** of the Replat Lot 1, Replat of New Hope Retreat Center, 157.95± acres located at approximately 21209 NE 188th Street and 18110 Old BB Highway.

Lot 2A is proposed to be sold as a single family building lot on Agriculturally (AG) zoned land. The access to Lot 2A is proposed from a 60' ingress/egress easement on the parcel at 18810 Old BB Highway and extending east to Old "BB" Highway or just to the south of Lot 1, Loew Addition 2003.

Lot 2A is proposed to be sold as a single family building lot on Agriculturally (AG) zoned land. The access to Lot 2A is proposed from a 60' ingress/egress easement on the parcel at 18810 Old BB Highway and extending east to Old "BB" Highway or just to the south of Lot 1, Loew Addition 2003.

The proposed Preliminary and Final Plan are essentially the same as the Planned Unit Development (PUD) Final Plan approved by the Planning & Zoning Commission (PZC) on February 2, 2009 and then the County Commission (CC) on February 23, 2009, with the following exceptions, which were updated to reflect the current proposal [See *PUD Plan in packet*]:

- Lot 2 and unbuildable Tract A (*not large enough for a street and did not meet site distance standards*) of the Replat of New Hope Retreat Center were sold.
- Change in building coverage due to the proposed Replat Lot 1, Replat of New Hope Retreat Center
- Common open space for the PUD went from the original 157.95 acres to 130.48 acres due to the proposed Lot 2A (27.47± Acres) of the Replat Lot 1, Replat of New Hope Retreat Center, which still exceeds the 30% requirement. (*See attached PUD Plan, approved 02/23/2009*)

Character of the General Neighborhood

Agriculturally zoned property is located in each direction of the property. To the north are Adam's Acres (R-1) and the City of Holt, which is approximately two (2) miles away. The subdivision of Jimmy Dugan's Farm (R-1A) is to the east, and the subdivision of Loew Addition 2003 (R-1) is to the south [See *Attachment B*].

Code Considerations

The review procedures and submittal content for a Final Plat/Plan must be in substantial compliance with the approved preliminary plat/plan in accordance with the requirements under Sections 151-3.6 (D) and 151-3.8(A)5 of the Clay County 2011 Land Development Code ("LDC"). Based on all the materials and evidence presented, the subject request *appears to substantially comply with the LDC and preliminary plat/plan*.

Standard side and rear setbacks and height restrictions apply to all other aspects of this application. The application was properly noticed, per regulations. Adjacent property owners within the mandated 1,000 foot distance were notified by means of a letter dated May 16, 2014.

Outside Agency Review

The Clay County Highway Department has noted the following:

"The ingress/egress off of Old BB Highway conforms to the Clay County Highway Department technical specifications (CCHD) and the Manual on Uniform Traffic Control Devices (MUTCD) guidelines for sight distance. NE 188th Street is a chip and seal surfacing and Old BB Highway is an asphalt surfacing."



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The Clay County Health Department has given preliminary and final approval. The Public Water Supply District No. 3 of Clay County presently provides water service for the property and is able to supply an additional meter for proposed Lot 2A. The Holt Fire District serves the property.

The Army Corp of Engineers ("COE") commented in a letter dated May 8, 2014 that U.S. jurisdictional waters are present, including wetlands. Should proposed improvements require the discharge of dredged or fill material in any waters of the U.S., including wetlands, a Department of Army (DA) permit may be required prior to any construction within the Corp's regulatory jurisdiction.

Findings

A shared driveway agreement will need to be in place at the time of Final Plat recording. Emergency addressing (911 signage) should be in place when a new residence is built on Lot 2A. Owners of the lots shall maintain both driveway and 911 signs.

Road Impact Fees (*RIF*) are required for proposed Lot 2A, and must be paid prior to the recording of the final plat. The estimated amount of RIF is \$1,031.25 and is subject to change at the time of payment based on the market price of material. A Development Agreement for the New Hope Conference and Retreat Center/Planned Unit Development (*Book 6557, Page 136*) was recorded on January 6, 2011 that addresses any future road impacts of the New Hope Retreat Center.

The Clay County Soil and Water Conservation District inspected the existing pond structure on Lot 1A in October, 2006. The following was concluded:

"The pond structure on Lot 1 was found also to be in good condition, but since the emergency spillway showed signs of erosion an inspection should be done annually and after each large storm event."

As a result, staff recommends that a current pond evaluation and any repairs need to be done prior to the recording of the Final Plat.

Recommendations

It is the recommendation of staff that the request for **amendments to the PUD Final Plan** for Lot 1A ONLY of Replat Lot 1, Replat of New Hope Retreat Center be **approved with conditions** as shown on Exhibit A:

Exhibit A

1. The Clay County Highway Department requirements for road impact fees (RIF) as agreed upon in the Development Agreement for the New Hope Conference and Retreat Center/Planned Unit Development (*Book 6557, Page 136*) recorded January 6, 2011 be addressed when future phases are initiated.
2. Approval of the Missouri Department of Natural Resources ("MDNR") for a private sanitary treatment facility, and designation of acting authority for the plant, prior to construction of the conference/recreation center in Phase 2. Existing septic fields at the camp shall be phased out and connected to the plant after its completion.
3. A stormwater management plan shall be submitted for each phase of construction.
4. A screening and landscape plan for the east property line, north of the creek, shall be submitted to the Planning and Zoning Department for approval prior to any Phase 2 construction.



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5. All driveways and parking areas shall be constructed of a dust free surface.
6. The proposed Recreational Vehicle parking area shall be for temporary parking of RV's for campers and volunteers. There shall be no long term use of RV's as a residence or caretakers quarters.
7. Construction plans must be approved and permits obtained for all proposed uses, including fences, swimming pools and all outdoor activities.
8. Sanitary facilities for the tent camping in Phase 2 shall be approved by the Missouri Department of Natural Resources (MDNR) or the Clay County Health Department.
9. Minor changes in the approved PUD that do not alter the concept or intent of the proposed development shall be approved by the Planning and Zoning Department by using the guidelines of LDC Section 151-3.8(5e), final PUD review criteria.

Staff recommends the **Final Plat** of **Replat Lot 1, Replat of New Hope Retreat Center** be **approved, with conditions** as shown on Exhibit B:

Exhibit B

1. Road Impact Fee (*RIF*) agreement recorded and fees paid for Lot 2A prior to the recording of the final plat.
2. A shared driveway agreement for Lot 2A will need to be in place with the Book and Page added to the Final Plat at the time of Final Plat recording.
3. Emergency addressing (911 signage) must be in place prior to the occupancy of any single family residence on Lot 2A. Owners of the properties must maintain both driveway and 911 signs.
4. A current pond evaluation and any repairs to the pond structure on Lot 1A will need to be done prior to the recording of the Final Plat.
5. The following changes to the recording copies of the final plat:
 - a. CHANGE: Zone 1 from 75' to 50'.
 - b. ADD: Additional stream setbacks on Lot 1A as noted on recorded Replat of Lot 1 New Hope Retreat Center (*Book G Page 184*), to include building lines.
 - c. ADD NOTES:

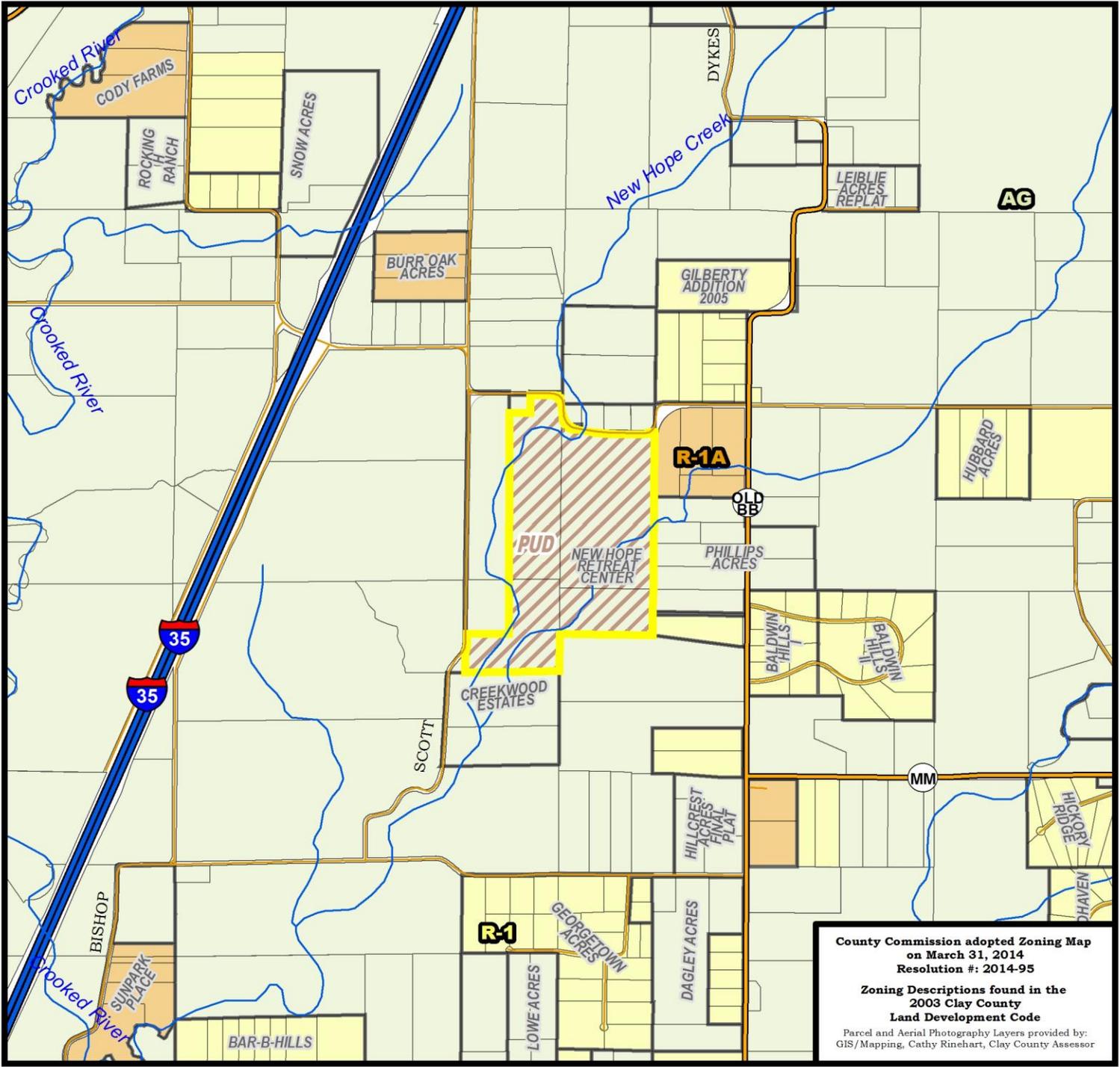
"Within Zones 1 & 2 there shall be no clearing, grading, construction or disturbance of vegetation except as permitted by Clay County."

"Maximum height for all structures in this subdivision shall be in accordance with County regulations regarding zoning and Airport Area Overlay District."

"All new structures will require a Certification of Elevation, which includes the septic tank, before a building permit will be issued."

June 14-120F – New Hope Replat LT1

Attachment B - Existing Conditions Map



County Commission adopted Zoning Map on March 31, 2014
 Resolution #: 2014-95
 Zoning Descriptions found in the 2003 Clay County Land Development Code
 Parcel and Aerial Photography Layers provided by: GIS/Mapping, Cathy Rinehart, Clay County Assessor

Map Document: G:\GIS\Project_Files\Vacinity Map - 8 x 11 P.mxd
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Planning & Zoning Department

1 inch = 2,000 feet
 1 inch = 0.38 miles

LEGEND

Property Line	Streams (EPA)	Railroads	Interstates	State Highways	Local Roads	Highway Ramps	Subdivisions	2014 City Limits	Parks	County Boundaries

Overlay Districts

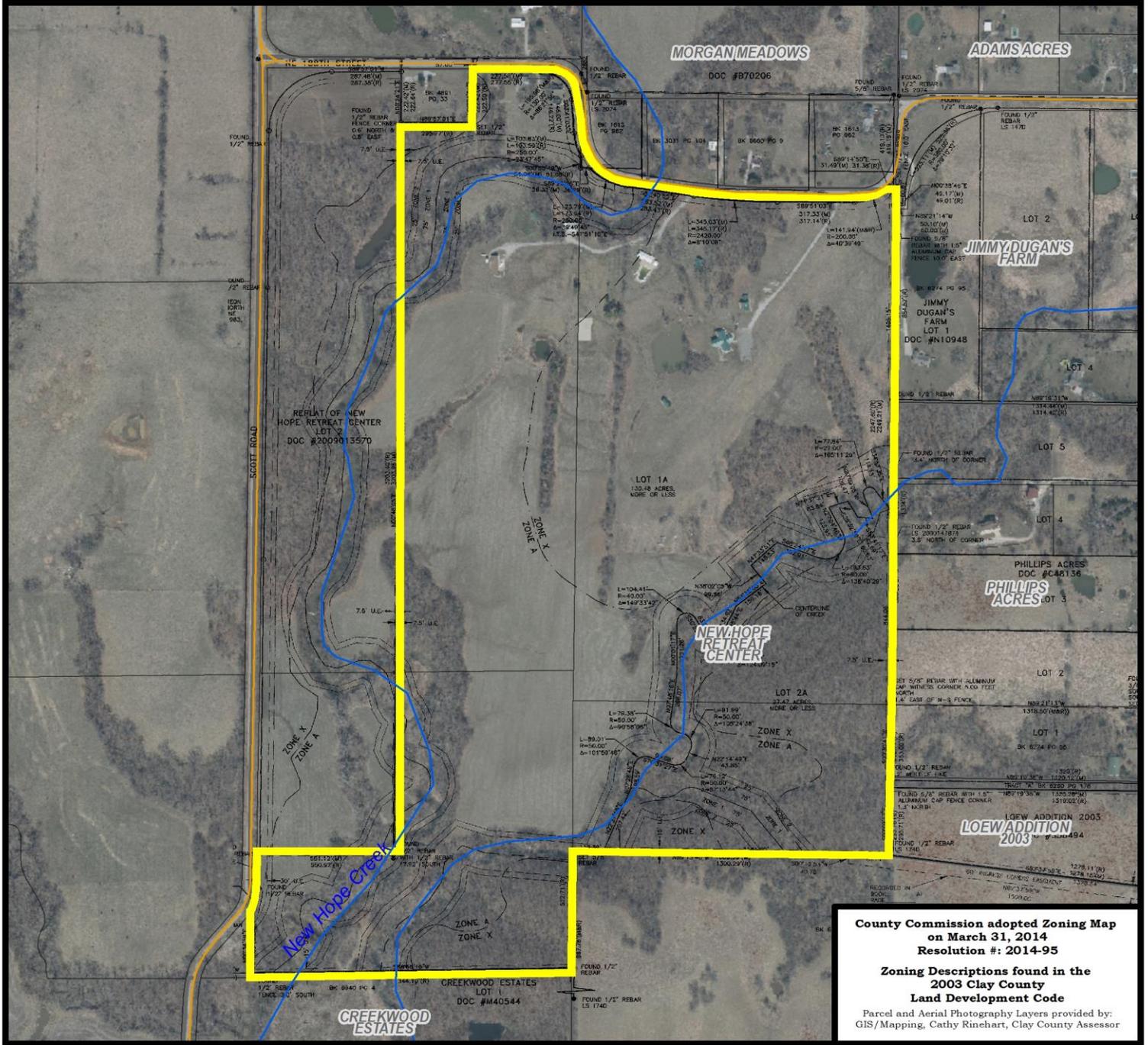
	CD (Conservation District)
	POD (Preservation Overlay District)
	PUD (Planned Unit Development)

Zoning Districts

	C-1		R-3
	AG		C-2
	R-1		C-3
	R-1A/R-5		I-1
	R-1B/RU		I-2
	OP		OP

June 14-120F – New Hope Replat LT1

Attachment C - Site Plan Map



Planning & Zoning Department



1 inch = 600 feet
1 inch = 0.11 miles

LEGEND

- | | | | |
|---------------|----------------|-------------|-------------------|
| Property Line | Streams (EPA) | Interstates | Subdivisions |
| Railroads | State Highways | Local Roads | 2014 City Limits |
| Highway Ramps | | Parks | County Boundaries |