

**BILL NO. 16-02**

**ORDINANCE NO. 4.331**

**AN ORDINANCE APPROVING THE RE-PLAT OF BLOCK 3, SANTERRA AT SHADY LANE 1<sup>ST</sup> PLAT, TRACT 1, GLADSTONE, CLAY COUNTY, MISSOURI, AND DIRECTING THE APPROPRIATE OFFICIALS TO AFFIX THEIR SIGNATURES TO SAID PLAT FOR RECORDING.**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:**

**SECTION 1. ACCEPTANCE.** It appearing to the Council of the City of Gladstone, Missouri, from the Plat filed and exhibited to them that all parties having any right, title, or interest in or to said property described more particularly in the attached Exhibit "A", having signed said Plat, and it is in the best interests of the City of Gladstone to approve and accept the same; it is hereby ordained by the Council of the City of Gladstone, that the Final Plat described in the attached Exhibit "A" as "Block 3, Santerra at Shady Lane 1<sup>st</sup> Plat, Tract 1" is hereby accepted.

**SECTION 2. SIGNATURES.** The proper officials of the City of Gladstone, Missouri, are hereby authorized and directed to affix their signatures to said Plat in a manner suitable for recording.

**PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 11<sup>th</sup> DAY OF JANUARY 2016.**



Mayor Bill Garnos

ATTEST:



Ruth E. Bocchino, City Clerk

1st Reading: January 11, 2016

2nd Reading: January 11, 2016

File #1423



## Community Development Department Staff Report

Date: December 29, 2015 •

File #: 1423

Requested Action: Re-Plat

Date of PC Consideration: January 4, 2016 (approved 10-0)

Date of Council Consideration: January 11, 2016

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Address of property: 550 NE Shady Lane

General location of property: Block 3, Santerra at Shady Lane 1<sup>st</sup> Plat, Tract 1

Applicant: Kansas City Villas LLC  
Vic Applebaum  
12641 Antioch Road #152  
Overland Park, Ks. 66213  
816-591-5362

Owner: Same

Architect: Construction Engineering Services  
Lee Bodenheimer  
16810 E 40 Highway  
Independence, Mo 64055  
816-478-2323

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### Planning Information

Current Zoning: R-1, Single-family residential

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### Additional Information

Public Utility Availability: Existing

Ingress/Egress: Existing

Traffic Division Comments: None

Parking Required: N/A

Parking Provided: N/A

Proposed On-Site Improvements: N/A

Proposed Off-Site Improvements: N/A

Proposed Landscaping: N/A

Proposed Signage: N/A

**Recommended Conditions**

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None

**Analysis**

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This is a simple replat of Santerra, Block 3, Tract I. The purpose of this replat is to reduce the size of the dead end street turnaround easement by 300 sf. This action allows a home to be built consistent with other homes in the development.

**Recommendation**

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The Staff recommends that the request be Approved contingent upon compliance with the above recommended conditions.

PLANNING COMMISSION  
GLADSTONE, MISSOURI  
*Council Chambers*  
January 4, 2016  
7:00 pm

**Item 1 on the Agenda: Roll Call.**

**Present:** Ms. Alexander  
Mr. Markenson  
Ms. McGee  
Mr. New  
Ms. Poindexter  
Mr. Ringhausen  
Ms. Van Duser  
Mr. Ward  
Mr. Yarber  
Chairman Turnage

**Absent:** Mr. Whitton

**Council & Staff Present:**

Mayor Pro-Tem Jean Moore  
Councilmember R.D. Mallams  
Scott Wingerson, Assistant City Manager  
Alan Napoli, Building Official

**Item 2 on the Agenda: Pledge of Allegiance.**

Chairman Turnage led the group in reciting the Pledge of Allegiance.

**Item 3 on the Agenda: Approval of the October 19, 2015 minutes.**

**MOTION: By Mr. Ringhausen, second by Mr. New to approve the October 19, 2015 minutes as presented. All said aye. The motion carried.**

**Item 4 on the Agenda: CONSIDERATION: Of a Final Re-plat of The Preserve at Carriage Hill Estates. Applicant/Owner: JA Peterson Enterprises, Inc. File #1420.**

Mr. Wingerson reported that a final plat is really a fairly simple matter for the Commission to consider tonight. This plat achieves two goals. The first is to adjust a property line between lots 34 and 35. This is necessary because the contractor building the new house there built a retaining wall for that house across the property line. It needs to be adjusted so new owners can obtain clear title to the property. The other adjustment is a combination of four lots into two (lots 1 & 2 and 44 & 45) in order to create two estate-style lots where the houses would front

onto NE Antioch Road. The current set-up for this subdivision is to front on N. Myrtle. It would be reversed completely and these homes would front on NE Antioch Road like the estate homes that exist to the north. Those are the two actions being requested. A representative from Lutjen is here to answer any questions.

Jed Baughman, Lutjen, 1301 Burlington, #100, North Kansas City, Missouri 64116, addressed the Commission. Mr. Baughman stated that he has had a good experience working with City staff on this plat. They have read through the recommended conditions and are in agreeance with them. He will gladly make the revisions appropriately.

Chairman Turnage asked for questions from the Commission. Hearing none, he asked for a motion.

**MOTION: By Ms. Van Duser, second by Ms. Poindexter to approve the Final Re-plat of The Preserve at Carriage Hill Estates.**

Vote:	Ms. Alexander	Yes
	Mr. Markenson	Yes
	Ms. McGee	Yes
	Mr. New	Yes
	Ms. Poindexter	Yes
	Mr. Ringhausen	Yes
	Ms. Van Duser	Yes
	Mr. Ward	Yes
	Mr. Yarber	Yes
	Chairman Turnage	Yes

The motion carried. (10 yes, 0 no)

**Item 5 on the Agenda: CONSIDERATION: of a Final Plat, Block 3, Santerra at Shady Lane 1<sup>st</sup> Plat, Tract 1. Applicant/Owner: Kansas City Villas, LLC. File #1423.**

Mr. Wingerson explained that Santerra is a subdivision south of here on N. Holmes, partly in the Village of Oakview, but primarily in the City of Gladstone. They may remember several years ago the property went into receivership and has since been acquired by Mr. Applebaum, who is with us tonight. The purpose of this plat is really pretty simple. The original plat required a dead-end turnaround at the end of one of the streets. The idea was that the street would someday continue into Gladstone Plaza. That idea is very unlikely to occur mainly because of the topography and also because of the new owners of Gladstone Plaza. All this plat does is remove a very small section of that dead-end turnaround right-of-way (not the roadway itself) to allow construction of a home that was previously planned. This is really correction of a long-time previous mistake. He offered to answer any questions at this time.

Ms. Alexander asked if they ever got the water problem solved for the people that bought those houses. They had water in their yards and she believes some of them had water in their houses.

Mr. Wingerson answered that he was not aware of any flooding in the houses. There has been some yard flooding and Mr. Applebaum has been responsive and he believes has solved those problems to the satisfaction of the directly affected residents.

Mr. Ringhausen asked if NE 66<sup>th</sup> Street will just dead end.

Mr. Wingerson answered that yes, it will dead end at the west edge of Tract 1. The long term vision is for a hammerhead turnaround to be installed at that location to finish the street. That's not an obligation of the current developer. The City has reserved the right-of-way and the developer, Mr. Applebaum, has agreed to maintain the right-of-way to allow that to be constructed in the future, he's just asking for a small reduction in the size of it. There will be no impact on utilities or the function of the turnaround.

Ms. McGee asked who owned the land between this development and Gladstone Plaza.

Mr. Wingerson answered that the two properties directly abut each other.

Ms. McGee said she knows there isn't a legal path in between them, but if you look back there it's pretty clear that people use that as a walking trail. She wondered if there is any opportunity to create a legal trail.

Mr. Wingerson replied that staff can start those conversations with the owners of Gladstone Plaza and see if they'd be willing to do some grading and some informal connection. He said that was a good idea.

**MOTION: By Ms. Van Duser, second by Ms. McGee to approve the Final Plat, Block 3, Santerra at Shady Lane 1<sup>st</sup> Plat, Tract 1.**

<b>Vote:</b>	<b>Ms. Alexander</b>	<b>Yes</b>
	<b>Mr. Markenson</b>	<b>Yes</b>
	<b>Ms. McGee</b>	<b>Yes</b>
	<b>Mr. New</b>	<b>Yes</b>
	<b>Ms. Poindexter</b>	<b>Yes</b>
	<b>Mr. Ringhausen</b>	<b>Yes</b>
	<b>Ms. Van Duser</b>	<b>Yes</b>
	<b>Mr. Ward</b>	<b>Yes</b>
	<b>Mr. Yarber</b>	<b>Yes</b>
	<b>Chairman Turnage</b>	<b>Yes</b>

The motion carried. (10 yes, 0 no)

**Item 5 on the Agenda: Election of Officers.**

Chairman Turnage began by stating that he is facing term limits; therefore, he is not eligible for re-election. After a few conversations, he's come up with a potential slate of officers: Alan Ringhausen as Chair; Gary Markenson as Vice-Chair and Shari Poindexter as Secretary. He will accept either a motion to approve or further nominations.

Ms. Van Duser said she wanted to thank Chairman Turnage for his general awesomeness. It has been amazing to sit next to him and she has learned so much about, not just his passion for the City, but his passion for history and for the future in general. She is very thankful that she has gotten to know him and serve next to him and she has gotten to share her City with him. It is really empowering and personal to her. She would vote for anyone as nominated by Chairman Turnage. This Board is absolutely amazing and she is completely inspired and grateful and thankful to be next to every single person at this table every day.

Chairman Turnage thanked her for the comments although he said he's not going very far...maybe just a few chairs down.

**MOTION: By Ms. Van Duser, second by Mr. New to elect Alan Ringhausen as Chair; Gary Markenson as Vice-Chair and Shari Poindexter as Secretary. All said aye. The motion carried.**

Chairman Turnage said that the next order of business was to fill the appointments to the Capital Improvements Committee for 2016. Currently he and Mr. Yarber serve, but there is one opening. He opened the floor for nominations or volunteers.

Mr. Wingerson gave a brief summary of the Capital Improvements Committee and their function.

Ms. McGee nominated Mr. New; he respectfully declined.

Ms. Poindexter said she would be willing to do it.

**Item 6 on the Agenda: Communications from the City Council and the City Staff.**

No comments from City Council.

Mr. Wingerson introduced Jeff Williams, who should officially be a new Planning Commission member on Monday when the City Council makes its appointments. He came to observe tonight.

Mr. Williams said he is looking forward to it and he will definitely be back to accept that appointment.

Mr. Wingerson stepped to the podium and said that the balance of the Planning Commission doesn't know how much time it takes to be Chairman. It does take extra time and extra thought and phone calls over the weekends and conversations with staff when applications are filed. He joked that he is making this presentation after Mr. Ringhausen has been elected! Staff looks forward to working with the new officers; however, he wants to take a few minutes to recognize Mr. Turnage for serving for four years. He presented him with a Certificate of Appreciation. (*applause*)

Chairman Turnage said it has been his pleasure, his honor working with Scott, Becky and when Chris was here too. What a great job all of you do. It makes this so much easier (looking

towards Mr. Ringhausen) when you have all this backup. Becky always gets the information to me in advance so I have time to study it and ask questions. The rest of City staff as well.

Mr. Wingerson also presented a small gift to Chairman Turnage. He said Mr. Ringhausen can look forward to it!

**Item 7 on the Agenda: Communications from the Planning Commission Members.**

Ms. Alexander thanked Chairman Turnage for all that he has done.

Mr. Markenson announced that the Friends of the Atkins Johnson Farm are having their annual garage sale at the old Fins & Foliage building on N. Locust. The dates are January 15 and 16<sup>th</sup>. He encouraged everyone to stop by.

Mr. Ringhausen wanted to commend the City for communications on the Facebook site. His extended family got a real chuckle out of the ice rink closing earlier last week due to excessive ice! It took him a while to explain that to them.

Chairman Turnage officially turned to gavel over to Mr. Ringhausen saying that he knows that he is going to be more dedicated, more effective and more serious than he has been.

**Item 8 on the Agenda: Adjournment**

Chairman Ringhausen adjourned the meeting at 7:19 pm.

Respectfully submitted:

\_\_\_\_\_  
Bill Turnage, Chairman

Approved as submitted \_\_\_\_\_

\_\_\_\_\_  
Becky Jarrett, Recording Secretary

Approved as corrected \_\_\_\_\_



*Certificate of Survey*  
*Block 3, Santerra at Shady Lane 1st Plat, Tract I*  
*Gladstone, Clay County, Missouri*

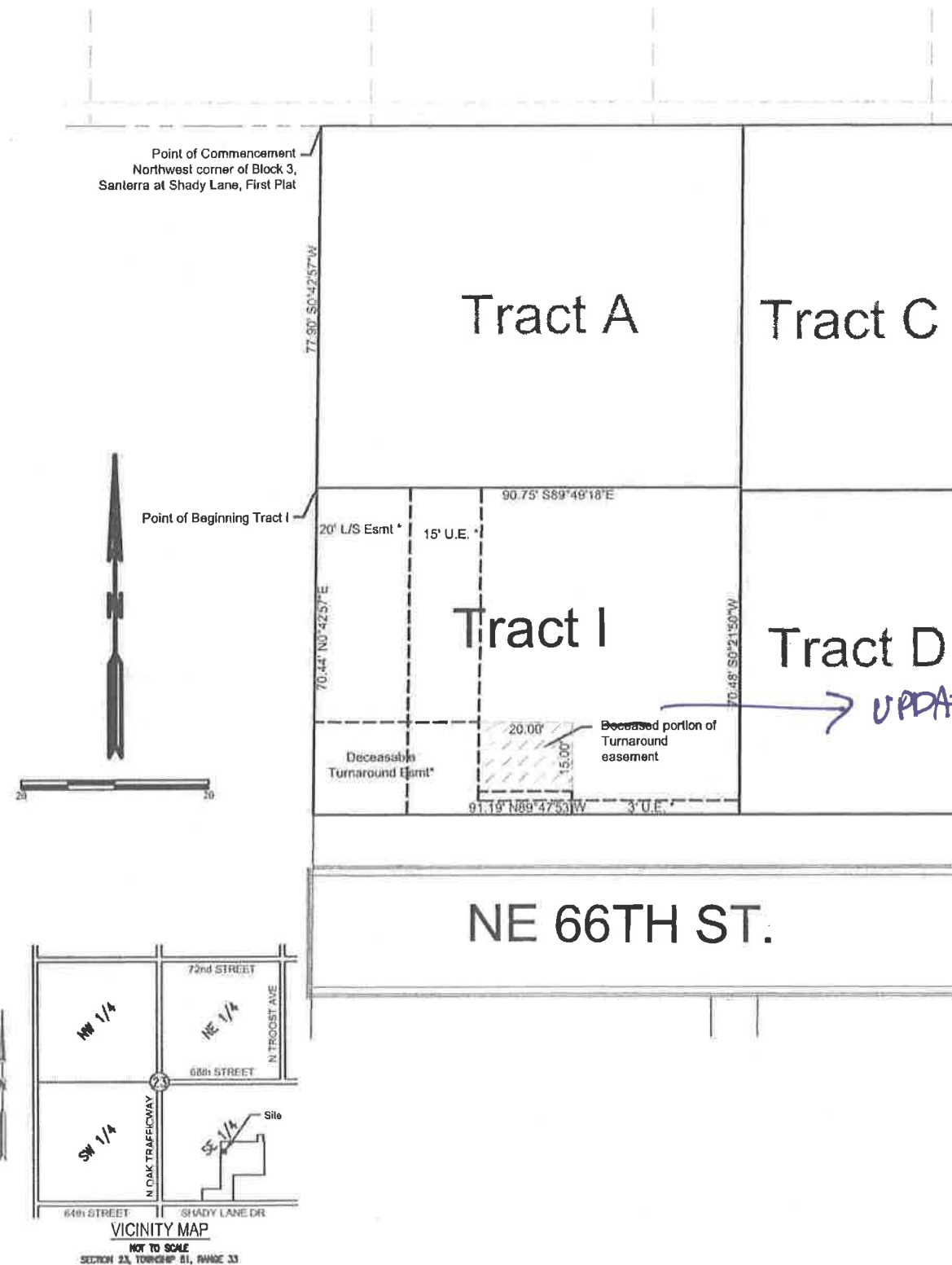
*Construction  
Engineering  
Services, Inc.*

16810 E. 40 Highway  
Independence, Missouri 64055  
Phone (816) 478-2123  
Surveyors, Engineers, Planners  
Missouri State Certificate of Authority  
2001601857  
Kansas Business Entity  
PE - 914 LS - 116  
krista@engineeringservices.com

Prepared For:  
Vic Applebaum

Horizontal Scale 1"=20'  
Vertical Scale N/A  
Date: 12-10-15  
Designed: knb

Certificate of Survey  
Block 3, Santerra at Shady Lane, 1st Plat, Tract I  
Gladstone, Clay County, Missouri



**Tract I:**

That portion of Block 3, Santerra at Shady Lane, 1st Plat, Gladstone, Clay County, Missouri further described as follows:

Commencing at the Northwest corner of Block 3, Santerra at Shady Lane, First Plat, a subdivision in Gladstone, Clay County, Missouri; thence South 0 degrees 42 minutes 57 seconds West a distance of 77.90 feet to the Point of Beginning of Tract B; thence South 89 degrees 49 minutes 18 seconds East a distance of 90.75 feet; thence South 0 degrees 21 minutes 50 seconds West a distance of 70.48 feet; thence North 89 degrees 47 minutes 53 seconds West a distance of 91.19 feet; thence North 0 degrees 42 minutes 57 seconds East along the West line of said Santerra at Shady Lane, First Plat a distance of 70.44 feet to the Point of Beginning. Containing 6410 Square Feet.

**Description of decesable turnaround to be abandoned:**

A portion of a decesable turnaround easement located on a portion of Block 3, Santerra at Shady Lane, 1st Plat, a subdivision located within Gladstone, Clay County, Missouri, further described as follows:

Beginning at the Southwest corner of Block 3, Santerra at Shady Lane, 1st Plat, a subdivision located within Gladstone, Clay County, Missouri; thence North 0 degrees 42 minutes 57 seconds East along the West line of said Santerra at Shady Lane, 1st Plat; thence South 89 degrees 47 minutes 53 seconds East a distance of 55.00 feet; thence South 0 degrees 42 minutes 57 seconds West a distance of 20.00 feet; thence North 89 degrees 47 minutes 53 seconds West a distance of 55.00 feet to the Point of Beginning

→ UPDATED TO READ 'ABANDONED'  
ORIGINAL IN COMMUNITY  
DEVELOPMENT  
FILES

\* Easement per Santerra At Shady Lane, 1st Plat a subdivision in Gladstone, Clay County, Missouri

Easement & Ownership per Old Republic National Title Insurance Company, Title No. \_\_\_\_\_ Dated \_\_\_\_\_

Property Corners set with Iron bar and Cap

DATE OF SURVEY: 12-10-15

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY: That the accompanying survey is based on an actual survey made by me or under my direct supervision and that said survey meets or exceeds the current minimum standards for Property Boundary Surveys as established by the Department of Natural Resources, Division of Geology and Land Survey of the State of Missouri, and Missouri Standards for Property Boundary Surveys as adapted by the Missouri Board for Architects, Professional Engineers and Land Surveyors. Monumentation to be as noted. Bearing references to Plat of Santerra at Shady Lane 1st Plat. This is an urban class survey.

CONSTRUCTION ENGINEERING SERVICES, Inc.  
16810-C East 40 Highway  
Independence, Missouri

Lee Bodenheimer, MO L.S. 2114  
Lee Bodenheimer, MO P.E. 018479  
Lee Bodenheimer, KS L.S. 638  
Lee Bodenheimer, KS P.E. 8731

20-91-7718