

# COMMUNITY PROJECT/REZONING

**220420**

## Ordinance Fact Sheet

**Ordinance Number**

**Case No.** CD-CPC-2022-00017

### Brief Title

A request to approve a development plan and a preliminary plat for multi-family residential uses containing 304 units in District B3-2 on about 19.5 acres generally located at NW Englewood Road and N. Mercier Drive. (CD-CPC-2022-00044)

### Details

**Location:** Generally located at NW Englewood Road and N. Mercier Drive.

**Reason for Legislation:** Development Plans requires City Council approval

**See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.**

#### SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

None

#### CITY PLAN COMMISSION RECOMMENDATION ON THE PROJECT:

Approval subject to the following conditions:

1. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.
2. That the developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to Certificate of Occupancy.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to Certificate of Occupancy.
4. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to Certificate of Occupancy.
5. Comply with 88-425-08 and screen all dumpsters and utility equipment.
6. Provide one additional parking space to Lot 2 prior to obtaining a building permit.
7. A deviation to the height maximum in a B3-2 zoning district is approved pursuant to 88-517-09-C in the amount of nine (9) feet for the proposed "South" building.
8. A deviation to the height maximum in a B3-2 zoning district is approved pursuant to 88-517-09-C in the

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	2 <sup>nd</sup> District (Loar, Fowler)
<b>Applicants / Proponents</b>	<p><b>Applicant</b> Dustin Burton Renaissance Infrastructure Consulting</p> <p><b>City Department</b> City Planning &amp; Development</p> <p><b>Other</b></p>
<b>Opponents</b>	<p><b>Groups or Individuals</b></p> <hr/> <p><b>Basis of Opposition</b></p>
<b>Staff Recommendation</b>	<p><input checked="" type="checkbox"/> <b>For</b></p> <p><input type="checkbox"/> <b>Against</b></p> <p><b>Reason Against</b></p>
<b>Board or Commission Recommendation</b>	<p>City Plan Commission (7-0) (05/03/2022) By (Allender, Baker, Beasley, Crowl, Hill, Rojas, Sadowski voting aye)</p> <p><input type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <input type="checkbox"/> <b>No Action Taken</b></p> <p><input checked="" type="checkbox"/> <b>For, with revisions or conditions</b> (see details column for conditions)</p>
<b>Council Committee Actions</b>	<p><input type="checkbox"/> <b>Do Pass</b></p> <p><input type="checkbox"/> <b>Do Pass (as amended)</b></p> <p><input type="checkbox"/> <b>Committee Sub.</b></p> <p><input type="checkbox"/> <b>Without Recommendation</b></p> <p><input type="checkbox"/> <b>Hold</b></p> <p><input type="checkbox"/> <b>Do not pass</b></p>

amount of nine (9) feet for the proposed "North" building.

9.A deviation to the height maximum in a B3-2 zoning district is approved pursuant to 88-517-09-C in the amount of thirteen (13) feet for the proposed "East" building.

10. The developer must submit a Macro storm drainage study with the first Plat or Phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including Water Quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit Micro storm drainage study with each subsequent Plat or Phase showing compliance with the approved Macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first as required by the Land Development Division.

11.The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.

12.After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.

13.The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.

14.The developer must design and construct NW 55TH Street to City Standards, as required by Chapter 88 and the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks.

15.The developer must integrate into the existing street light system any relocated existing street lights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.

16.The developer shall submit verification of vertical and horizontal sight distance for the drive connection to

public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.

17.The developer must pay impact fees as required by Chapter 39 of the City’s Code of ordinances as required by the Land Development Division.

18.The developer must submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape improvements in the public right of way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.

19.The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting

20.The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.

21.The developer must grant any BMP and/or Surface Drainage Easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.

22.The developer must secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.

23.The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the Stream Buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.

24.The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities with the floodplain.

25.The developer must grant on City approved forms, a STREAM BUFFER Easement to the City, as required by Chapter 88 and Land Development Division, prior to issuance of any stream buffer permits.

26.The developer shall submit a Preliminary Stream

Buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.

27.The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.

28.The developer must show the limits of the 100-year floodplain plus the 1 foot freeboard on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year flood prone area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.

29.The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)

30.Aerial Fire Apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial Fire Apparatus Roads shall be a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).

31.Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)

32.Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)

Required fire department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)

The turning radius for fire department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)

33.The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to certificate of occupancy.

34. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way. All street trees proposed to be removed shall be replaced.

35.NW Englewood is identified on the major street plan as a Parkway street typology. The developer shall fully

comply with the Parkway & Blvd standards of 88-323.

36. Any fencing for proposed dog park shall be wrought iron and screened with landscaping.

37. Tract B shall be platted as a private open space tract as part of the final plat.

38. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations. Prior to C of O.

<https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Service-Lines.pdf>

39. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

South of River contact -Sean Allen -816-513-0318

North of River contact Todd Hawes - 816-513-0296

40. The developer must submit water main extension drawings prepared by a registered professional Engineer in Missouri to the main extension desk for review, acceptance and contracts per the KC Water Rules and Regulations for Water main extensions and Relocations.

(<https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Main-Extensions.pdf>  
<<https://www.kcwater.us/wpcontent/uploads/2019/04/2018RulesandRegulationsforWaterMainExtensions.pdf>  
>) (300' spacing required for the fire hydrants)

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**Fact Sheet Prepared By:**      **Date:** 05/05/2022

Andrew Clarke  
Planner

**Reviewed By:**                      **Date:** 05/05/2022

Joseph Rexwinkle  
Division Manager

**Initial Application Filed:** 03/13/2022

**City Plan Commission Action:** 05/03/2022

**Revised Plans Filed:** 04/10/2022

**On Schedule:** Yes

**Off Schedule Reason:**

**Reference Numbers:**

Case No. CD-CPC-2022-00044