

COMMUNITY PROJECT/REZONING

220269

Ordinance Fact Sheet

Case No. CD-CPC-2021-00216

Brief Title

To approve a Rezoning an area of about 152 acres generally located on the south side of NW 100th Street in between N. Green Hills Road to the west and N. Platte Purchase Drive to the east from District AG-R (Agricultural-Residential) and District R-7.5 (Residential dash 7.5) to District MPD (Master Planned Development) and approve a preliminary development plan, which also acts as a preliminary plat to create 468 total residential units and other amenities.

Ordinance Number

Details

Location: generally located on the south side of NW 100th Street in between N. Green Hills Road to the west and N. Platte Purchase Drive to the east

Reason for Legislation: Rezoning 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 BY THE APPLICANT:

REVISED MPD LIST OF PUBLIC INFRASTRUCTURE DEVIATIONS for WOODHAVEN SUBDIVISION

Last Updated: 3/9/2022

The proposed MPD zoning allows the developer the option to deviate from "Typical" public infrastructure standards, in an effort to provide more affordable and more inclusive housing options. Because of this, the following Public Infrastructure Deviations are being requested:

1A. Soil Modification of Fill Material

Per City requirements, roadway sub-grades, specifically in a "fill" condition, are required to be modified with additional cementitious like materials (cement, fly-ash, or lime treatments) for soil that does not have Atterberg limits within the City's Liquid Limit (LL) or Plasticity Index (PI) ranges. This MPD plan requests the removal of this requirement, provided that the top 9" of the soil sub-grade be treated with 5% Portland Cement. This request is supported by the Geotechnical Letter dated February 2nd, 2022 and full report dated February 8th, 2022 from CFS Engineers.

1B. Roadway Typical Section

Per City requirements, roadway typical sections for Residential Local Roads and Residential Collectors, are required to contain 8" and 9" of asphalt,

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP Director Department of City Planning & Development
Programs, Departments or Groups Affected	2 nd District (Loar, Fowler)
Applicants / Proponents	Applicant Matt Kist Kimley-Horn 1868 Walnut Street, Suite 06-100 Kansas City, MO 64108 City Department City Planning & Development Other
Opponents	Groups or Individuals Eric & Cynthia Gardner, adjacent property owners
	Basis of Opposition They requested more lighting and security fences for safety. They questioned the city's abandonment of Tiffany Springs Parkway. They also questioned the quality of the build and water drainage.
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission ("6-0") (02-15-2022) By (Enders, Baker, Beasley, Rojas, Crowl) <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass

respectively, including 6" of gravel base rock, and un-treated soil sub-grade. This MPD Plan requests a 3" reduction in asphalt thickness for both roadway classification. This equates to 5" of asphalt (2" asphalt surface with 3" asphalt base) for residential local roads and 6" of asphalt (2" asphalt surface and 4" asphalt base) for residential collector roads. Both sections will also include 6" of gravel base rock, with the top 9" of the soil sub-grade be treated with 5% Portland Cement. This request is supported by the Geotechnical Report dated February 8th, 2022 from CFS Engineers.

CITY PLAN COMMISSION RECOMMENDATION TO THE DEVIATIONS:

- #1A. – No recommendation;
- #1B. – No recommendation;

PUBLIC WORKS COMMENTS:

- #1A. – CONTINUE WORKING WITH THE APPLICANT
- #1B. – CONTINUE WORKING WITH THE APPLICANT

2. Sidewalks on Both sides of the Street

Per City requirements, sidewalks are required on both sides of residential streets. This MPD plan requests the removal of sidewalk on one side of the street for residential local roads. The proposed sidewalk locations are shown within this plan, to identify the proposed locations of sidewalks.

CITY PLAN COMMISSION RECOMMENDATION TO THE DEVIATIONS:

- #2. – No recommendation;

PUBLIC WORKS COMMENTS:

- #2. – CONTINUE WORKING WITH THE APPLICANT

CITY PLANNING AND DEVELOPMENT COMMENTS:

- #2. – RECOMMENDING APPROVAL

3. Storm Sewer Structure Details

Per City requirements, all public storm sewer curb inlets are required to be concrete boxes with throat openings only. This MPD plan requests the consideration, to allow an alternate curb inlet detail. The alternate curb inlet detail has yet to be designed, but requests consideration for a concrete structure with a combination throat and grate opening. This alternate detail is intended to allow for increased inlet capacities, which decreases the quantity and size of curb inlets. The detail will be further discussed prior to permit plans and coordinated with the City.

CITY PLAN COMMISSION RECOMMENDATION TO THE

- Do Pass (as amended)
- Committee Sub.
- Without Recommendation
- Hold
- Do not pass

DEVIATIONS:

#3. – No recommendation;

PUBLIC WORKS COMMENTS:

#3. – CONTINUE WORKING WITH THE APPLICANT

4. — Sanitary Sewer Manhole Locations

Per City requirements, sanitary sewer manholes are required to be outside of the roadway paving, generally behind the curb. This MPD plan is not requesting any deviations for alternate sanitary sewer manhole locations.

CITY PLAN COMMISSION RECOMMENDATION TO THE DEVIATIONS:

#4. – No recommendation;

#4. – THIS DEVIATION HAS BEEN WITHDRAWN BY THE APPLICANT.

5. — Public Waterline Materials

Per City requirements, all public waterline is required to be Ductile Iron Pipe (DIP). This MPD plan is not requesting any deviations for alternate waterline pipe materials.

CITY PLAN COMMISSION RECOMMENDATION TO THE DEVIATIONS:

#5. – No recommendation;

#5. – THIS DEVIATION HAS BEEN WITHDRAWN BY THE APPLICANT.

6. Flowable fill requirement

Per City requirements, all utilities located underneath the proposed roadway paving, are required to have flowable fill backfill. This MPD plan requests the removal of this requirement entirely, provided the backfill material (suitable soil material or aggregate) meets the recommendation of the Geotechnical Report Letter dated February 8th, 2022 from CFS Engineers.

CITY PLAN COMMISSION RECOMMENDATION TO THE DEVIATIONS:

#6. – Approval;

PUBLIC WORKS COMMENTS:

#6. – CONTINUE WORKING WITH THE APPLICANT

7. Public Street Lighting Illumination Levels

Per City requirements, typical residential roads are

required to have average illuminance levels of 6.0 to 8.8 Lux, which equates to street lighting levels that are 1.5 to 2.2 times greater than IES (Illumination Engineering Society) standards. City requirements also apply a discount factor (Light Loss Factor) of 0.68, which diminishes the output of each fixture. This MPD plan requests decreased lighting levels, to allow for proposed lighting levels equal to IES, as shown below in **red**, which is approximately a 1/3 reduction in lighting levels. The chart below, further clarifies this revised MPD lighting levels (KCMO levels shown for reference).

Entity	Classification	Avg.	Avg/Min	LLF
IES	Local Residential	4.0	6:1	0.80
IES	Residential Collector	6.0	6:1	0.80
Kansas City, MO	Local Residential	6.0 to 8.8	6:1	0.68

CITY PLAN COMMISSION RECOMMENDATION TO THE DEVIATIONS:

#7. – No recommendation;

PUBLIC WORKS COMMENTS:

#7. – RECOMMENDING DENIAL

8. Street Trees

Per City requirements, street trees are required at 30' on center, for all residential streets. This plan requests that only 1 street tree be required per residential lot.

CITY PLAN COMMISSION RECOMMENDATION TO THE DEVIATIONS:

#8. – Approval;

CITY PLANNING AND DEVELOPMENT COMMENTS:

#8. – RECOMMENDING APPROVAL

CITY PLAN COMMISSION RECOMMENDATION ON THE PROJECT (02-15-22):

Approval subject to the following conditions:

1. Sheet C0, Deviation No. 3: Standard drawings and specifications for proposed alternatives must be provided for consideration. If a deviation is allowed, these items will need to be included as part of the approved documents.
2. Revise Stream buffer plans to meet requirements of 88-415. Fill in middle zone is not allowed for detention ponds. Proposed fill will reduce the natural storage in floodplain areas and could increase flood elevations. Storage in ineffective flow

areas helps to attenuate peak discharges downstream, since it is essentially acting as a natural detention area. Provide a minimum of 25 feet (no-build area per 88-415-5-C.2.c) from edge of middle zone to any improvements, including embankment fill. Remove proposed "rock blanket for erosion prevention".

3. Remove Deviation 5 from the MPD List of Public Infrastructure Deviations for Woodhaven Subdivision from Cover sheet and all future plan sheets, per the KC Water Rules and Regulations for Water main extensions and Relocations.

4. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.

5. 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.

6. 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.

7. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.

8. 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.

9. 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.

10. The developer must show the limits of the 100-

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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.

11. 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.

12. The developer shall provide acceptable easements for any deep sewers where proposed fill is added or where the sewer will be further obstructed by surface improvements and that a structural analysis be provided to confirm adequate structural integrity for the proposed loading conditions of this plan, and secure permits and provide City approved executed and recorded easement prior to adding fill or constructing surface obstructions as required by Land Development Division.

13. The developer must design and construct all public streets to City Standards or meet the modified standards as approved by Public Works prior to recording of the plat.

14. The developer must dedicate additional right of way [and provide easements] for Line Creek Parkway as required by the adopted Major Street Plan so as to provide a minimum of 150 feet of right of way, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.

15. 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.

16. 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.

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

18. 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 Phases abutting the stream 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.

19. The developer must construct temporary off-

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site cul-de-sacs and grant a city approved temporary cul-de-sac easement, for that portion outside of the dedicated street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.

20. 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.

21. 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.

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

23. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit.

24. If any combination of Deviation #1, #2, #4, #6, and/or #7 are granted, unless approved by Public Works, all proposed streets shall be privately owned and maintained and an access easement shall be retained for all streets within the project boundary.

25. Hydrants Fire hydrant distribution shall follow IFC-2018 Table C102.1. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)

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

27. Fire Department Access 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)

28. The developer shall fully comply with the Parkway & Boulevard Standards of 88-323 for development along N. Line Creek Parkway and Tiffany Springs Parkway unless requested deviations are granted by City Council.

29. The developer shall seek and receive acceptance/approval from Parks Board for area proposed to be dedicated to the city for parkland and serve to satisfy the parkland dedication requirements of 88-408 prior to recording plat.

30. 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. Street trees shall be installed per the approved deviation.

31. Public Works would like the project to stick with the APWA subgrade standards.

32. Prior to issuance of any construction permits, the developer shall provide a geotechnical analysis of slope stability and an analysis of erosion hazard potential for areas where any improvements or public right-of-way dedications are proposed within stream buffer zones or adjacent to the outside of stream meanders, including areas outside of the stream buffer outer zone, as appropriate and required by good engineering practices, to assess potential threats of future stream meander, cut, or erosion endangering or damaging facilities, structures, or property. This analysis shall be provided with final MPD plan for Phases abutting streams.

33. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations.

34. The Developer shall ensure that all materials related to water services comply with Water Services Rules and Regulations

35. The applicant must meet current KC Water standards. The proposed deviations are inferior to the current standards and will result in a shortened life span of the infrastructure and a higher costs to KC rate payers.

36. 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.

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Delete if not needed

Fact Sheet Prepared By: **Date:** 3/15/2022

Xue Wood
Lead Planner

Reviewed By: **Date:** 3/21/2022

Joseph Rexwinkle
Division Manager

Initial Application Filed: 11/24/2021

City Plan Commission Action: 2/15/2022

Revised Plans Filed: 3/9/2022

Total Days in City Review: 101 more or less

Total Days in Applicant's Hands: 65 more or less

Reference Numbers:

Case No. CD-CPC-2021-00216