



CITY PLAN COMMISSION

15th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

kcmo.gov/planning

June 20, 2023

Malini Foobalan
Kaas Wilson Architects
1301 American Blvd E Suite 100, Suite 100
Bloomington, MN 55425

Re: **CD-CPC-2023-00071** - A request to approve a development plan with approximately 105 residential units, retail space, and associated amenities on about 0.63 generally located at the northwestern corner of East 3rd Street and Grand Boulevard.

Dear Malini Foobalan:

At its meeting on June 20, 2023, the City Plan Commission acted as follows on the above-referenced case.

Approval with conditions.

The Commission's action is only a recommendation. Your request must receive final action from the City Council. All *conditions imposed by the Commission*, if any, *are available on the following page(s)*.

PLEASE READ CONDITIONS CAREFULLY as some or all of the conditions imposed may require action on your part to proceed to the next step.

- If revised plans are required, you must make such revisions and upload the revised plans prior to proceeding to final action.
- If revised plans are not required, your request will automatically be submitted for City Council consideration.

If you have any questions, please contact me at Larisa.Chambi@kcmo.org or (816) 513-8822.

Sincerely,

A handwritten signature in cursive script that reads "Larisa Chambi".

Larisa Chambi
Lead Planner



Plan Conditions

Report Date: June 20, 2023

Case Number: CD-CPC-2023-00071

Project: 106 E 3rd Street

Condition(s) by City Planning and Development Department. Contact Larisa Chambi at (816) 513-8822 / Larisa.Chambi@kcmo.org with questions.

1. 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.
2. Signage was not reviewed with this application. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
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 screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
5. 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.
6. The developer shall work with the Public Works Department and the Parks and Recreation Department to determine appropriate locations for future wayfinding signs. The approved locations shall be shown on the site plan at the time of building permit submittal.
7. The developer shall continue to work with the Public Works Department regarding: the existing light on Walnut, the telecommunication pole about 122' (feet) north of the intersection of 3rd & Walnut, and the standalone wood pole with a light at the intersection of Walnut and 3rd Street to ensure any future relocation of the poles are reviewed and approved appropriately.
8. The developer shall file an online Form 7460-1, Notice of Proposed Construction or Alteration, for permanent vertical improvements or new structures and receive a Determination of No Hazard to Air Navigation from the FAA.
9. The proposed development is located in an area where the Charles B. Wheeler Downtown Airport (MKC) height zoning restrictions apply. No structure in this area should be constructed which exceeds these restrictions.

Given the potential height and proximity of this plan to MKC, the proposed development will exceed FAR Part 77, Objects Affecting Navigable Airspace, standards. The proponent/developer has filed an on-line Form 7460-1, Notice of Proposed Construction or Alteration, for permanent vertical improvements or new structures and shall receive a Determination of No Hazard to Air Navigation from the FAA. Temporary cranes used for construction activities extending higher than the proposed top elevation of the building will need to be evaluated for compliance with FAR Part 77 standards as well. Aviation recommends the proponent/developer provide the FAA with a 1A survey accuracy statement assuming the highest horizontal and vertical tolerance was used for this design. This information certifies the ground elevations the developer has portrayed within the plans are to higher level of accuracy. Per OEAAA, if this accuracy statement isn't provided, an adjustment commensurate with a 50 foot vertical buffer is applied to the development. This information can be referenced at: <https://oeaaa.faa.gov/oeaaa/external/content/surveyAccuracy.jsp>
The proponent/developer is recommended to comply with Chapters 3, 4, and 5 of FAA Advisory Circular (AC) 70/7460-1, Obstruction Marking and Lighting, as amended.

KCAD is actively working with the FAA to address airspace restrictions in the River Market that will allow vertical development while at the same time ensuring airspace surfaces are maintained according to FAA criteria.

10. The developer shall continue to work with Staff to find an alternative for the North façade that will reduce the amount of blank space facing the lot to the north.

Condition(s) by City Planning and Development Department. Contact Larisa Chambi at (816) 513-8822 / Larisa.Chambi@kcmo.org with questions.

11. The only activity approved for Grand Boulevard is trash pick up. All pick-up, deliveries, building service needs, additional loading, move-in/move-out traffic, etc., shall occur on Walnut Street only. The developer shall place required signage to ensure only trash pick up occurs on Grand Boulevard.
12. Per the KC Streetcar Authority, the developer shall coordinate with KCMO and KC Streetcar regarding streetcar operations and Property's trash service (and trash truck movements) along Grand Boulevard to minimize impacts to Grand Boulevard and streetcar service. No left turns shall be made from the trash service curb onto the northbound lane of Grand Boulevard.
13. Per the KC Streetcar Authority, the developer shall coordinate with KCMO Public Works, KCATA and the KC Streetcar Authority during construction for pedestrian and transit improvements (e.g. sidewalk ADA ramps, tree species, OCS pole location accommodation, curb line consistency with RFE construction plans for streetcar track and movements, etc.).
14. Per the KC Streetcar Authority, a Track Access Permit shall be applied for and approved prior to issuance of any permit (site work, demolition, construction, etc.). Track Access Training and a Track Access Permit is required for all contractors working proximate to the alignment, per the KC Streetcar Regulations Manual.
15. That a deviation be granted to Section 88-425-03, requiring one street tree for each 30 feet of street frontage along Walnut Street. The developer shall submit alternative landscape or streetscape applications along Walnut Street prior to the issuance of building permit.
16. The developer shall submit the following corrections to the City Planning Department prior to ordinance request:
 1. Provide the following language on the first page of the plan with the correct fee listed, "PAYMENT IN LIEU OF PARKLAND: The developer elects to pay the City of Kansas City, Missouri, a sum of \$ _____ in lieu of required parkland dedicating for (# single family units, duplex units, multi-family units) pursuant to Section 88-408-C of the Zoning and Development Code."
 2. The first page of the plan shall remove the "No deviations requested" and place the following language, "Seeking a deviation to Section 88-425-03, regarding the required street trees along Walnut Street."
 3. Per the Water Services Department, Sheet C200 notes a fountain on top of water main, please relocate or remove. Sheet C400 shows a parallel proposed 6" storm line to the existing water main, and this main will need to be moved to provide a minimum of 10' of separation.
17. An administrative adjustment regarding the loading requirements found in Section 88-420-17-B has been deemed appropriate by the City Planning Division for the proposed project and shall be granted with the approval of this development plan.

Condition(s) by City Planning and Development Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

18. The developer shall 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 shall 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.
20. The developer shall 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 shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the disturbed area to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
22. 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 to connect private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.

Condition(s) by City Planning and Development Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

23. 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.

Condition(s) by Fire Department. Contact Michael Schroeder at (816) 513-4604 / michael.schroeder@kcmo.org with questions.

24. 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 241-2013 § 8.7.2) Fire hydrant distribution shall follow IFC-2018 Table C102.1
25. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
26. 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)

Condition(s) by Parks & Recreation. Contact Justin Peterson at (816) 513-7599 / Justin.Peterson@kcmo.org with questions.

27. The developer shall pay money-in-lieu of parkland dedication in satisfying the parkland requirements of 88-408. The amount due shall be based upon the 2023 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to certificate of occupancy.
28. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way

Condition(s) by Public Works Department. Contact Angela Laurie at (816) 513-3426 / Angela.Laurie@kcmo.org with questions.

29. Per the KC Streetcar Authority, the developer shall coordinate further with KCMO Public Works, KCATA and KC Streetcar Authority regarding implementation of Project and public infrastructure improvements on and along 3rd Street and Grand Boulevard for the KC Streetcar Riverfront Extension.

Condition(s) by Water Services Department. Contact Heather Massey at (816) 513-2111 / heather.massey@kcmo.org with questions.

30. 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/2022/05/2022-Rules-and-Regulations-for-Water-Service-Lines-Final.pdf>
31. 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 - Pedro Colato – 816-513-4892
32. For all work under the Streetcar a Track Access Permit must be applied for with public works and the plumber must be track access certified. See <https://kcstreetcar.org/about-streetcar/track-access/> for additional information. 9. INSTALL PVC CASING WHERE SERVICE ROUTES BENEATH STREETCAR TRACKS OR STREETCAR STATIONS. CASING SHALL EXTEND UP TO 5 FEET BEYOND TRACK SLAB SAW CUT LIMITS AS CONDITIONS ALLOW.

Condition(s) by Water Services Department. Contact Kirk Rome at (816) 513-0368 / kirk.rome@kcmo.org with questions.

33. Water and sewer encroachment within right-of-way on east side of new building in a corridor 7.5' either side of the water and sewer mains.

Condition(s) by Water Services Department. Contact Lucas Kaspar at (816) 513-2131 / Lucas.Kaspar@kcmo.org with questions.

34. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the disturbed area to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.