



## CITY PLAN COMMISSION

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

[kcmo.gov/planning](http://kcmo.gov/planning)

February 10, 2023

Jesse J Crupper  
KEM Studio  
1515 Genessee St, 11  
Kansas City, MO 64102

Re: **CD-CPC-2022-00174** - A request to approve a rezoning from district Urban Redevelopment (UR) to district Urban Redevelopment (UR), in order to build mixed-use residential apartment complex with approximately 300 residential units on about 0.98 acres generally located at 400 Main Street.

Dear Jesse J Crupper:

At its meeting on February 07, 2023, the City Plan Commission acted as follows on the above-referenced case.

Denied

*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](mailto: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: February 10, 2023

Case Number: CD-CPC-2022-00174

Project: City Harvest

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*Condition(s) by Aviation. Contact Mike Waller at (816) 243-3038 / Mike.Waller@kcmo.org with questions.*

1. 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. The FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website can be accessed at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

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.

*Condition(s) by City Planning and Development Department. Contact Brad Wolf at (816) 513-2901 / Bradley.Wolf@kcmo.org with questions.*

2. The developer shall continue to work with Staff to find opportunities to activate 5th Street and provide alternatives that will allow for the construction materials to better match the character of the neighborhood prior to submittal of the Final UR Plan.

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

3. 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.
4. The developer shall provide a lighting plan in compliance with Section 88-430 of the Code at the time of UR Final Plan.
5. The developer shall continue to work with Public Works and the Kansas City Streetcar Authority regarding the redesign of inlets serving Main Street and 5th Street to ensure adequate drainage is provided to maintain streetcar operations.
6. The developer shall submit a detailed list of landscaping materials with the submittal of the UR Final Plan. Staff is strongly encouraging the developer provide native vegetation throughout the site.
7. The developer shall meet the requirements in Section 88-420-17-B-4 regarding no idle or idle free zone signage in all off-street loading zones.
8. The developer shall include an alternative compliance plan sheet providing alternatives for the required screening of the mechanical equipment located in the alley (on the west side of the building) at the time of UR Final Plan.
9. The developer shall secure approval of a UR final plan from Development Management Division staff prior to building permit.

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

10. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.
11. 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.
12. That the plan is revised to show short-term bicycle parking as required of 88-420-09. The developer is missing two short term bicycle parking spaces on the site plan, the missing spaces shall be included on the Final UR Plan.
13. The developer shall submit plans showing compliance with the lighting requirements listed in Section 88-420-15-D at the time of Final UR Plan.
14. The developer shall continue to work with Public Works and the Kansas City Streetcar Authority regarding the KC Streetcar Overhead Contact System (OCS) for the streetcar.
15. The developer shall continue to work with Staff to provide alternatives to the vast areas of blank concrete proposed for the first couple floors of the building. Alternatives shall be submitted at the time of UR Final Plan submittal.

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

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 shall submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage, as shown on the approved street plans and to a tie-in point with the existing sidewalks and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
18. 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.
19. 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 may be required.
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 request the Land Development Division to initiate an ordinance to establish or re-establish the grade on existing streets that are being improved where existing grades change by more than 6 inches and the grades have been previously established.
22. 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.
23. The developer must design and construct all interior public streets to City Standards, as required by Chapter 88 and the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks.
24. 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 entire site 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, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.

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

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)

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

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)
27. 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)
28. Required fire department access roads shall be an all weather surface (IFC-2012: § 503.2.3) and all 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 gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3) Shall provide fire lane signage on fire access drives.
29. The fire access lane from 3rd Street is allowed to be 18' 8", the fire access lane shall be marked with signage and striping.
30. The proposed building shall have a fire department access road within 150 feet of any exterior portion of the structure. (IFC-2018: § 503.1.1)
31. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1) and (NFPA1221)
32. Buildings which have an occupiable floor greater than 75 feet above grade shall meet high-rise requirements.
33. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 40 feet (12 192mm) in height above the lowest level of fire department vehicle access. Such standpipes shall be provided with fire department hose connections at locations adjacent to stairways complying with Section 3311.1. As construction progresses, such standpipes shall be extended to within one floor of the highest point of construction having secured decking or flooring. (IFC-2018 3313.1)

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

34. The developer has indicated a payment of cash-in-lieu to satisfy the parkland dedication requirements of 88-408. 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.
35. 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 Water Services Department. Contact Heather Massey at (816) 513-2111 / heather.massey@kcmo.org with questions.*

36. 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>

*Condition(s) by Water Services Department. Contact Jerald Windsor at (816) 513-0413 / Jerald.Windsor@kcmo.org with questions.*

37. The developer must submit water main extension drawings for a new fire hydrant 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/2022/05/2022-Rules-and-Regulations-for-Water-Main-Extensions-Final2.pdf>)  
[Limiting planters near water mains to 6" x 4' curbs and short fences.]