CITY PLAN COMMISSION

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

kcmo.gov/planning

April 17, 2025

Sam Malinowsky
SM Engineering
5507 High Meadow Cir
Manhattan, KS 66503

Re: **CD-CPC-2025-00030** - A request to approve a development plan, also serving as a preliminary plat, to allow construction of multi-plex residential buildings in proposed district R-1.5 (Open Space) on about 6.14 acres generally located at 7800, 7802, and 7744 N Oak Trafficway.

Dear Sam Malinowsky:

At its meeting on April 16, 2025, the City Plan Commission acted as follows on the above-referenced case.

Approved with Conditions

The Commission's action is only a recommendation. Your request must receive final action from the 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 f action.
- If revised plans are not required, your request will automatically be submitted for Council consideration.

If you have any questions, please contact me at genevieve.kohn-smith@kcmo.org or (816) 513-8808.

Sincerely,

Genevieve Kohn-Smith, AICP
Lead Planner

That plans, revised as noted below, are submitted and accepted by staff prior to scheduling for Council.

1. The plans shall be revised to exclude Tract A as Private Open Space and only include the proposed trail if constructed to Parks standards prior to City Council determination.

Condition(s) by City Planning and Development Department. Contact Genevieve Kohn-Smith at (816) 513-8808 / genevieve.kohn-smith@kcmo.org with questions.

1. The developer shall submit an affidavit, completed by an ISA certified arborist, an SAF certified forester, a professional engineer, or a landscape architect licensed in the State of Missouri, verifying that all trees preserved and all trees planted to meet mitigation required of the approved plan, whichever is applicable, has been installed or preserved in accordance with the plan and is healthy prior to Certificate of Occupancy.

2. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with Section 88-425-08 of the Zoning and Development Code. This condition may be satisfied by an assigned City Planning and Development Building Inspector.

3. 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. This condition may be satisfied by an assigned City Planning and Development Building Inspector.

4. That prior to issuance of the Certificate of Occupancy for each lot within the plat 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. This condition may be satisfied by an assigned City Planning and Development Building Inspector.

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. This condition may be satisfied by an assigned City Planning and Development Building Inspector.

6. That the developer shall meet the requirements of outlined in Chapter 88-410-06-A through E as it relates to; Use, Location and Design; Ownership and Management of Open Space; Boundary Markers; and Legal Instrument for Permanent Protection with the Final Plat.

Condition(s) by City Planning and Development Department. Contact Matthew Barnes at (816) 513-8817 / matthew.barnes@kcmo.org with questions.

7. That the applicant submit and gain approval of a Street Name Plan prior to submittal of a Final Plat.

8. That prior to issuance of the Certificate of Occupancy, the applicant gain approval of and record a Final Plat in accordance with the Zoning and Development Code.

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

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

10. • 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

11. • A required fire department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) (No Grass Pavers Allowed)

12. • 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)

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

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

15. • Shall provide fire lane signage on fire access drives.

Condition(s) by KCPD. Contact Jeffrey Krebs at (816)234-5530 / Jeffrey.Krebs@kcmo.org with questions.

16. Consider adding reinforcement to the exterior doors of the property for safety - Items such as steel braces to reinforce wooden door frames or metal door frames have been proven to lower the risk of crimes.

Condition(s) by Parks & Recreation. Contact Richard Sanchez at (816) 513-7678 / richard.sanchez@kcmo.org with questions.

17. The developer shall be 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 2025 acquisition rate of $20,065.67 per acre. This requirement shall be satisfied prior to certificate of occupancy.

18. Trails to be credited towards satisfying the parkland dedication requirements shall be a minimum width of 7', constructed of concrete, and meet the construction standards of the Parks and Recreation Department.

19. The developer shall construct all proposed trails within the development prior to the release of the certificate of occupancy for any residential unit within the development. .

20. The Parks and Recreation Department is not supportive of the use of Tract A as Private Open Space to satisfy the Parkland Dedication requirements as it also includes areas for stormwater management. The plans shall be revised to exclude Tract A as Private Open Space and only include the proposed trail if constructed to Parks standards prior to City Council determination.

Condition(s) by Parks & Recreation. Contact Virginia Tharpe at / virginia.tharpe@kcmo.org with questions.

21. 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.

22. The developer shall be responsible for tree preservation in an easement or platted tract, mitigation planting, or payment of cash-in-lieu of preservation or mitigation planting, or any combination thereof in accordance with 88-424. Should the developer choose to pay cash-in-lieu of preservation or mitigation of all or a portion of the required area, the amount due shall be based upon the rate specified in 88-424. This requirement shall be satisfied prior to issuance of certificate of occupancy, or prior to the recording of the final plat, whichever occurs first.

Condition(s) by Public Works Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

23. The developer shall submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.

24. 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.

25. 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.

26. 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.

27. 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.

Condition(s) by Public Works Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

28. 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.

29. The developer shall pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.

30. 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.

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

31. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations. Prior to issuance of Certificate of Occupancy.https://www.kcwater.us/projects/rulesandregulations/

32. No water service tap permits will be issued until the public water main is released for taps.

33. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
    South of River contact - Patrick Lewis (816) 513-0423
    North of River contact - David Gilyard (816) 513-4772

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

34. The developer shall employ a Missouri PE to develop water main extension plans for approximately 400' of 8" DIP public water main and fire hydrants per the utility plan. The plans shall follow KC Water Rules and Regulations for water main extensions and submitted through CompassKC. The water main extension project shall be under contract (permitted) prior to either building permit issuance or plat recording.

Condition(s) by Water Services Department. Contact Philip Taylor at / philip.taylor@kcmo.org with questions.

35. The developer shall submit a final stream buffer plan to KC Water 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.

36. 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, by making application under said code for a Minor Subdivision and submitting and recording a Lot Consolidation Plat or replatting the property in accordance therewith.

37. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to KC Water, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and that the developer secure permits to construct any improvements as required by KC Water prior to issuance of any certificate of occupancy.

38. 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.

39. The owner/developer must submit plans for grading, siltation, and erosion control to KC Water 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.

40. 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 KC Water, prior to recording the plat or issuance of a building permit whichever occurs first.

Condition(s) by Water Services Department. Contact Philip Taylor at / philip.taylor@kcmo.org with questions.

41. The developer provide acceptable easement and secure permits to relocated sanitary sewers out from under proposed buildings and structures, etc., while continuing to ensure individual service is provided to all proposed lots as required by KC Water. Any existing public lines located under proposed structures must be abandoned in place or removed and easement vacated, or relocated and new easements shall be provided; as required by KC Water prior to recording the plat or issuance of a building permit, whichever occurs first.

42. The developer provide acceptable easement and secure permits to relocate sanitary sewers out from under proposed buildings and structures, etc.

43. The developer must grant a [BMP and/or Surface Drainage Easement] to the City as required by KC Water, prior to recording the plat or issuance of any building permits.

44. The developer shall submit a Preliminary Stream Buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.

45. The developer shall submit a copy of the design engineer's signed SWPPP (Storm Water Pollution Prevention Plan) prior to issuance the Site Disturbance Permit. The submission of the SWPPP is required by the City's MS4 Permit issued by the State.

46. The developer shall provide private (water, storm drainage, sanitary sewer) easements for any private mains prior to issuance of any building permits.

47. The developer shall provide Covenants to Maintain Private Water Mains acceptable to KC Water for any private water mains prior to the issuance of any building permits.

48. The developer shall provide Covenants to Maintain Private Sanitary Sewer Mains acceptable to KC Water for any private sanitary sewer mains prior to the issuance of any building permits

49. The developer shall provide Covenants to Maintain Private Storm Sewer Mains acceptable to KC Water for any private storm sewer mains prior to the issuance of any building permits.

50. The developer must submit covenants, conditions and restrictions to KC Water 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

51. The developer must provide an erosion hazard analysis 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 as required by KC Water.

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