

COMMUNITY PROJECT/REZONING

220155

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2021-00203

Brief Title

An ordinance to amend an approved Development Plan to develop a 16-story multi-unit residential development in the B4-5 district on about 1.5 acres generally located at 4600 Madison Ave. (CD-CPC-2021-00293)

Details

Location: Generally located 4600 Madison Ave.

Reason for Legislation: Amendments to approved Development Plans require 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:

- The applicant resolved outstanding corrections on 2/02/2022.
- The City Planning Commission (CPC) voted for the following changes. Within the January 4th CPC staff report,
 - Correction #1 was moved to a condition.
 - Correction #5 was moved to a condition.
 - Correction #13 was revised.
 - Correction #22 was removed.
 - Correction #33 was removed.

CITY PLAN COMMISSION RECOMMENDATION:

Approval Subject to Conditions

Corrections

1. According to 88-430-05-C of the Zoning and Development Code, spillover light may not exceed 0.186 foot-candle onto R-zoned property or 1.0 foot-candle onto public rights-of-way measured at grade along the property line. The photometric plan should also show spillover light effects on the adjacent properties and public rights-of-way. If the above can't be met then a variance from the Board of Zoning Adjustment must be granted.

2. Please provide details on how parkland dedication standards of 88-408 are to be satisfied. If private open space is proposed, please note they will need to be platted into a private open space tract as part of the final plat. Interior amenities shall not be credited towards parkland dedication. "East Landscaping" shall not be credited towards parkland dedication.

3. The synchro files show the driveways as being two different roadways. Revise this to show the interaction of the two with the parking system (similar to the photo I had sent).

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected	4 th District (Shields, Bunch)
Applicants / Proponents	Applicant Ryan McNellis Polsinelli 900 W 48 th Place Kansas City, MO 64112 City Department City Planning & Development Other
Opponents	Groups or Individuals See staff report. Basis of Opposition See staff report.
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against –
Board or Commission Recommendation	City Plan Commission (7-0) 01-18-2022 By Nay: Allender, Baker, Beasley, Crawl, Hill, Sadowski, Rojas <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

4. The synchro files show the driveways as being two different roadways. Revise this to show the interaction of the two with the parking system (similar to the photo I had sent).

5. Relocate sewers from under proposed building(s). City GIS data suggests sanitary sewer extends to northwest and through Lot 1 from the manhole labeled Top Sewer MH = 874.54 to adjacent property to the north. Design engineer needs to determine whether the line is serving north property and make accommodations to maintain service as necessary.

6. Show location of stormwater management facilities. Storm letter is not approved through this process; however, please note that post-development peak discharge cannot increase above pre-development peak.

Conditions

7. A signage plan has not been provided. All proposed signage shall comply with 88-445 and are subject to sign permits Electronic, digital, or motorized signate shall not be permitted.

8. 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.

9. Conditions identified in Ordinance No. 170405 remain applicable to the subject site/project.

10. The Buildings shall comply with all requirements of wall rating and opening protection per 602 and 705.8 of International Building Code 2018 edition with respect to property lines and lot lines.

11. 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

Policy or Program Change	<input type="checkbox"/> Yes <input type="checkbox"/> No
Operational Impact Assessment	

Finances

Cost & Revenue Projections – Including Indirect Costs	
Financial Impact	
Funding Source(s) and	

ensure local jurisdiction and/or minimum AASHTO

Continue from page 2

adequate sight distance standards are met, prior to issuance of any certificate of occupancy.

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 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.

14. 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 Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.

15. 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.

16. 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.

17. 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.

18. The developer must pay impact fees as required

**Appropriation
Account Codes**

by Chapter 39 of the City's Code of ordinances as

Continue from page 3

required by the Land Development Division.

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 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.

21. 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.

22. The developer must dedicate additional right of way for Madison Avenue as required by the adopted Major Street Plan so as to provide a minimum of 30 feet of right of way as measured from the centerline, along those areas being platted, 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.

23. 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.

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.

25. 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.

26. Hydrant Fire hydrant distribution shall follow IFC-2018

Continue from page 4

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)

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

28. Fire Department Connection 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)

29. Fire Department Connection The building's FDC shall be immediately recognizable from the street or nearest point of Fire Department access (IFC-2018 § 912.2.1).

30. The developer shall submit a letter to the Parks and Recreation Department from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed. 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 Parks and Recreation Department, prior to recording the plat/issuance of any certificate of occupancy permits including temporary certificate occupancy permits.

31. 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.

32. The developer shall submit plans to Parks & Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and street lighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks & Recreation Department Standards.

33. 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.

34. 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 (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to certificate of occupancy.

35. The developer shall comply with the Parkway & Boulevard Standards as outlined in 88-323 of the Zoning and Development Code.

36. The developer shall revise fencing as proposed along

Continue from above

Roanoke Parkway or seek approval of a variance from the Board of Zoning Adjustment.

Per 88-323-02-D; Any fencing that is visible from the boulevard or parkway shall be 80% transparent and constructed of high quality, permanent materials. Maximum height shall be 6 feet in the rear and 4 feet in the side. No fencing shall extend beyond the front building line. Fencing must be of steel, iron, concrete, stucco, stone brick or other acceptable material. Wood picket or stockade fencing is not permitted. Chain link fencing is not permitted, except for the enclosure of a public playfield or a school playfield.

37. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations. <https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Service-Lines.pdf> These regulations are established to provide for an orderly growth of the City's water system and to assure equitable treatment to all citizens. All those who have transactions with KC Water are urged to observe these regulations and to cooperate in their enforcement. Section 78.35 of the Code of General Ordinances, Kansas City, Missouri, grants the Director the authority to make and enforce these regulations. Water service lines shall only be installed in accordance with these regulations, and only by methods, and at times and under the circumstances described in these Regulations. Installations or arrangements other than those described in these regulations are not allowed.

38. The Madison Avenue Water Main is slated for replacement from 46th to 48th Streets by KC Water. This provides an opportunity for the developer to cost-share in the upsizing of this main to support the Water supply required for this project.

39. An engineer will need to perform a water flow and pressure analysis in the area of the development. This analysis will need to confirm the adequacy of the water distribution system for the new fire and domestic demands. If the existing system is inadequate the developer will be required to make all improvement necessary to deliver adequate flows and pressures.

40. Please provide a utility plan showing the size of the existing & proposed easements, water mains, domestic and fire service lines, kills and meter locations.

Fact Sheet Prepared By: **Date:** 02-15-2022

Ahna Nanoski, AICP
Lead Planner

Reviewed By: **Date:**
Joe Rexwinkle, AICP
Division Manager
Development Management

Initial Application Filed: 08-24-2021
City Plan Commission: 01-18-2022
Revised Plans Filed: NA

Reference Numbers:

Case No. CD-CPC-2021-00203