



## CITY PLAN COMMISSION

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

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

February 17, 2022

Rachelle Biondo  
Rouse Frets White Goss Gentile Rhodes, a Professional Corporation  
4510 Belleview  
Kansas City, MO 64111

Re: **CD-CPC-2021-00191** - A request to approve a development plan to allow a second building to be constructed for the use of horticultural services on about 3.3 acres generally located at the southwest corner of NE 96th Street and Interstate Highway 435.

Dear Rachelle Biondo:

At its meeting on February 15, 2022, the City Plan Commission acted as follows on the above-referenced case.

Approved with Conditions

The Commission's action is final. 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 the next step. Conditions recommended by the Commission cannot be waived or modified by staff.

If you have any questions, please contact me at [Xue.Wood@kcmo.org](mailto:Xue.Wood@kcmo.org) or (816) 513-8823

Sincerely,

Xue Wood  
Lead Planner



## Plan Conditions, Corrections, & Recommendations Report

Recommended to CPC

Recommended by Development Review Committee

Report Date: February 09, 2022

Case Number: CD-CPC-2021-00191

Project: Patton Lawn

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### Plan Corrections

*Correction(s) by Land Development Division of the City Planning and Development Department. Contact Stacey Lowe at (816) 513-2552 / stacey.lowe@kcmo.org with questions.*

1. Update the submittal package to include a preliminary plat sheet in order to initiate the platting process as part of the submittal. UPDATED 12/20/21 - correction not addressed as part of the resubmittal package. No preliminary plat sheet was submitted as requested by the City staff. UPDATED 2/3/22 - correction not addressed as part of the resubmittal package. No preliminary plat sheet was submitted as requested by the City staff. (2/02/2022)

*Correction(s) by Water Services - Stormwater of the Water Services Department. Contact Amy Bunnell at (816) 513-0428 / amy.bunnell@kcmo.org with questions.*

2. Updated Comment 2022-02-09: Previous linework that showed "Existing Tree Line" has been removed. 88-415-07-D.2(f) indicates preliminary stream buffer plan must include approximate boundary of existing, mature riparian vegetation. Please properly address previous comment.

Previous Comment: Clearing and grading in stream buffer outer zone does not appear to be accounted for. Make corrections. Stream buffer outer is a minimum of 75 feet--plans show tree line extending beyond 75 feet in some locations, and outer zone is to be extended to encompass mature riparian vegetation per 88-415-03-C. (2/02/2022)

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

3. General Corrections Please remove General note #9 from the development plan (2/08/2022)

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### Plan Conditions

*Condition(s) by City Planning and Development Department. Contact Stacey Lowe at (816) 513-2552 / stacey.lowe@kcmo.org with questions.*

4. 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 (12/01/2021)
5. 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 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. (12/01/2021)
6. The developer must show the limits of the 100-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. (12/01/2021)
7. 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. (12/01/2021)
8. 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. (12/01/2021)
9. 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. (12/01/2021)

*Condition(s) by City Planning and Development Department. Contact Stacey Lowe at (816) 513-2552 / stacey.lowe@kcmo.org with questions.*

10. 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. (12/01/2021)
11. The developer must [grant on City approved forms, a STREAM BUFFER Easement to the City] or [show and label the final stream buffer zones on the subdivision plat within a private open space tract], as required by Chapter 88 and Land Development Division, prior to issuance of any stream buffer permits. (12/01/2021)
12. 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. (12/01/2021)
13. The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities with the floodplain. (12/01/2021)
14. The developer must secure permits to extend 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. (12/01/2021)
15. The developer must enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat. (12/01/2021)
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. (12/01/2021)
17. The developer shall submit documentation verifying the compliance of the proposed septic system with current City building codes as part of the building plan review. If the proposed septic system cannot meet either the building code or Missouri Department of Natural Resources (MDNR) requirements, the developer shall be responsible for providing sewer service by other means which may require the extension of a public sanitary sewer main. (2/03/2022)

*Condition(s) by City Planning and Development Department. Contact Xue Wood at (816) 513-8823 / Xue.Wood@kcmo.org with questions.*

18. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat. (12/01/2021)
19. That the plan is revised to show short-term bicycle parking as required of 88-420-09. (12/01/2021)
20. 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. (12/01/2021)
21. 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. (12/01/2021)
22. That all signage shall conform to 88-445 and shall require a sign permit prior to installation. (12/01/2021)
23. Unresolved Corrections The applicant shall make the following corrections prior to request for ordinance:
  - a. Provide a preliminary plat sheet. (12/22/2021)

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

24. 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) (12/01/2021)
25. 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) (12/01/2021)

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

26. Hydrant 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) (12/01/2021)

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

27. 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 (12/01/2021)

28. The developer shall grant the city any necessary easements for future construction of NE Shoal Creek Pkwy at the time the Parkway is extended. (12/01/2021)

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

29. 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.

(<https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Main-Extensions.pdf>)  
(12/01/2021)