



CITY PLAN COMMISSION

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

kcmo.gov/planning

July 22, 2024

Aaron M Plump
PortKC
110 Berkley Plaza
Kansas City, MO 64120

Re: **CD-CPC-2024-00074** - A request to approve a major amendment to a previously approved development plan in district MPD (Master Planned Development) on about 90 acres in an area generally bounded by the Missouri River on the north and west, I-29 on the east, and railroad tracks on the south.

Dear Aaron M Plump:

At its meeting on July 17, 2024, 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 Andrew.Clarke@kcmo.org or (816) 513-8821

Sincerely,

A handwritten signature in black ink that reads "Andrew Clarke".

Andrew Clarke
Planner

Condition(s) by City Planning and Development Department. Contact Andrew Clarke at (816) 513-8821 / Andrew.Clarke@kcmo.org with questions.

1. 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.
2. Signage has not been reviewed with this application. The applicant shall update the Berkley Riverfront MPD signage plan prior to the issuance of any sign permit.
3. That Ordinance No. 200550, including all conditions provided therein, shall remain in full force and effect.
4. The developer shall secure approval of an MPD Final Plan from the City Plan Commission prior to building permit.
5. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
6. 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.
7. 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.
8. As part of the public entitlement process you are required to meet the public engagement Section 88-505-12 of the City's Zoning and Development Code. Submit all required public engagement documentation to your assigned planner by 07/10/2024 via publicengagement@kcmo.org
9. The following corrections shall be resolved prior to ordinance request:
 - Revised preliminary plat
 - Revise site data for Parcel 9
 - Street Name Plan
 - Provide pedestrian and vehicular circulation plan for event & non-event days, including where shuttles will be located
 - Mobility Division Corrections
 - MoDOT corrections related to I-29 interchange and pedestrian overpass over Berkley Parkway
 - MoDOT correction stating that No certificate of occupancy (including temporary) shall be issued until the southbound I-29 off-ramp is improved per the traffic management plan (TMP)
 - Provide a table on the plan showing a listing of the phases of the development along with the total number of residential units by type, listing of the parkland requirements and the plat phase
 - On the Private Open Space Table to be provided, show how each existing and proposed residential structure has met or will meet their portion of the parkland dedication requirements including the use of Berkley Riverfront Park and how each future phase will be required to meet the parkland dedication requirements
 - The applicant shall resolve Public Works' correction related to the updated traffic impact study (TIS)
 - Per Public Works the developer shall address pedestrian crossings
 - Per Public Works the developer shall continue to coordinate with MoDOT
 - Developer shall update its Emergency Management Plan (EMP) prior to the issuance of any certificate of occupancy
 - The Developer shall resolve all KC Waters corrections

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

10. • 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)
11. • 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)
12. • 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

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

13. • A required fire department access roads shall be an all weather surface. (IFC-2012: § 503.2.3)
 - 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 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.
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. • Aerial Fire Apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial Fire Apparatus Roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
 - Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
16. • Buildings exceeding 62,000 square feet in area shall have at least two means of fire apparatus access (IFC-2018: § D104.2)
 - Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. (IFC-2018: § D106.3)
17. • 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)
18. • Buildings which have an occupiable floor greater than 75 feet above grade shall meet high-rise requirements (IFC 2018 Sec 914.3)..

Condition(s) by Public Works Department. Contact Nicolas Bosonetto at (816) 513-2746 / nicolas.bosonetto@kcmo.org with questions.

19. Update TIS to reflect how loss of parking and additional development will impact Current game traffic management.

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

20. 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.
21. 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.
22. Proposed on-street parking shall be approved by the Public Works Department prior to the issuance of a permit from the Land Development Division for construction. Requests for on-street parking require review by Public Works staff during the plan review process.

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 plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri Dept. of Natural Resources (MDNR) and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
24. 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.
25. 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.

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

26. 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 Kirk Rome at (816) 513-0368 / kirk.rome@kcmo.org with questions

27. The existing and proposed public water distribution system shall be analyzed to provide adequate fire and domestic flow to both the existing connections and proposed developments connections. If the water mains are undersized, then a water main extension/upsizing may be necessary to increase the flow and pressure to the area, and this water main extension shall be under contract (permitted) prior to building permit issuance. Public water mains should not be located in private drives, but in exclusive water easements outside of the limits of the driveway parcel and per KC Water Rules and Regulations. Private water mains could be located in private drives if they also have a maintenance agreement or "covenant to maintain".
Install public fire hydrants at 300' maximum spacing along perimeter streets.

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

28. 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.
29. A portion of the site is located in flood zone X protected by the levee. Work with the levee district to determine if they have any site specific requirements for the areas protected by the levee.
30. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to KC Water 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, and the developer shall secure permits to construct any improvements required by KC Water prior to recording the plat.
31. 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.
32. 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.
33. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by KC Water 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.

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

34. The developer must secure permits to extend 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.
35. The developer provide acceptable easement and secure permits to relocate sanitary sewers out from under proposed buildings and structures, etc. 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.
36. The developer must grant a BMP Easement to the City as required by KC Water, prior to recording the plat or issuance of any building permits.
37. The developer must enter into a covenant agreement for the maintenance of any storm water detention area tracts as required by KC Water, prior to recording the plat.
38. 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.
39. 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.
40. 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.
41. The developer shall provide private (water, storm drainage, sanitary sewer) easements for any private mains prior to issuance of any building permits.
42. The developer shall coordinate with KC Water regarding the proposed structure located above the existing pump station. The contact for KC Water will be Blake Anderson.