

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 240822

Rezoning an area of about 30.68 acres generally located between Woodland Avenue on the west, East 18th Street on the south, Brooklyn Avenue on the east, and East Truman Road on the north from Districts R-1.5 and M1-5 to District MPD and approving an MPD development plan which serves as a preliminary plat and provides for approximately 1,084 units and commercial spaces in the mixed-use development. (CD-CPC-2024-00096).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A-1449 rezoning an area of about 30.68 acres generally located between Woodland Avenue on the west, East 18th Street on the south, Brooklyn Avenue on the east, and East Truman Road on the north from Districts R-1.5 (Residential 1.5) and M1-5 (Manufacturing) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A-1449. That an area legally described as:

TRACT 1: Tracts A and B, Parade Plaza Resurvey, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, recorded October 17, 1960 in the Office of the Recorder of Deeds of Jackson County, Missouri, in Book 31, page 76.

TRACT 2: Tracts F and G, Parade Plaza Resurvey, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, recorded October 17, 1960 in the Office of the Recorder of Deeds of Jackson County, Missouri, in Book 31, page 76.

TRACT 3: Tracts C, D, H and all that part of Tract E lying east of Woodland Avenue as now established by Ordinance No. 29022, Parade Plaza Resurvey, according to the recorded plat thereof, recorded October 17, 1960 in the Office of the Recorder of Deeds of Jackson County, Missouri, in Book 31, page 76.

is hereby rezoned from Districts R-1.5 (Residential 1.5) and M1-5 (Manufacturing) to District MPD (Master Planned Development), as shown outlined on a map marked Section 88-20A-1449, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a MPD development plan for the area legally described above is hereby approved, subject to the following conditions:

1. 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 a certificate of occupancy.

2. 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 a certificate of occupancy.
3. The developer shall secure approval of an MPD final plan from the City Plan Commission for each phase prior to building permits in that particular phase.
4. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
5. A detailed landscaping plan shall be submitted with each final MPD plan. The final selection of landscaping species shall be of native variety and compliant with the landscaping requirements in the Zoning and Development Code. The location/species of the landscaping will not block the proposed lights.
6. All signage shall conform to Section 88-445 and shall require a sign permit prior to installation.
7. 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.
8. The developer shall show the crosswalks for all the parking areas for each phase at the time of final MPD plan approval.
9. Prior to recording of a final plat for each phase, any street located within that phase that is to be vacated shall receive approval of said vacation by City Council.
10. Each phase must be land platted by a final plat prior to submitting an application for a condominium plat.
11. Prior to recording the final plat for each phase, the developer shall secure approval of a street tree planting plan from the City Forester.
12. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1), Fire Water Flow.
13. 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.
14. 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)

15. A required Fire Department access road 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 be designed to support a fire apparatus with gross axle weight of 85,000 pounds and (IFC-2018: § 503.2.3) shall provide fire lane signage on fire access drives.
16. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
17. 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)
18. 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)
19. 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 2024 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to certificate of occupancy. The developer shall submit a final plan detailing recreational amenities proposed within each private open space tract serving to satisfy the parkland dedication requirements prior to recording of the final plat for that phase.
20. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
21. 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.
22. The developer shall integrate into the existing streetlight system any relocated streetlights 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.

23. 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.
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 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.
26. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
27. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage and to a tie-in point with the existing sidewalks. In addition, developer shall construct associated ADA ramps at the proposed entrance drives and street connections as necessary.
28. The developer shall petition for the vacation of 15th Terrace, 16th Street, 17th Street and Garfield Avenue as shown on the development plan and relocate sewers as required by the Departments of Water Services, the Land Development Division, and Development Services prior to recording of the final plat.
29. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
30. The developer shall ensure that water and fire service lines meet current Water Services Department rules and regulations prior to a certificate of occupancy.
31. Water/Sewer Service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
32. No water service tap permits will be issued until the public water main is released for taps.
33. The developer shall submit public water main extension plans following the Kansas City Water rules and regulations for water main extensions for review, approval and contracting for all new public water mains and fire hydrants and appurtenances. The water mains shall be replaced and upsized to supply sufficient flows and pressures to serve the domestic and fire requirements of the proposed development. This may require some offsite improvements and may require some mains to be

larger than 8" in diameter. Each phase of the proposed developments water distribution infrastructure will need to meet the flow and pressure requirements to support the new structures within their respective and future phases. The City and the developer shall work together to address this requirement given the costs that may arise due to the deficiencies in the system. The City and the developer shall work together to address this requirement given the costs that may arise due to the deficiencies in the system.

34. The developer shall enter into a covenant agreement for the maintenance of any storm water detention area tracts as required by the Kansas City Water Services Department prior to recording the plat.
35. The developer shall 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 the Kansas City Water Services Department prior to recording the plat or issuance of a building permit, whichever occurs first. The City and the developer shall work together to address this requirement given the costs that may arise due to the deficiencies in the system. The City and the developer shall work together to address this requirement given the costs that may arise due to the deficiencies in the system.
36. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Kansas City Water Services Department prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required. The City and the developer shall work together to address this requirement given the costs that may arise due to the deficiencies in the system. The City and the developer shall work together to address this requirement given the costs that may arise due to the deficiencies in the system.
37. The developer shall submit plans for grading, siltation, and erosion control to the Kansas City Water Services Department 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.
38. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Kansas City Water Services Department 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 and 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 Kansas City Water Services Department prior to recording the plat.
39. 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.

- 40. The developer shall grant a BMP easement to the City as required by the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits.
- 41. The developer shall provide acceptable easements and secure permits to relocate sanitary sewers out from under proposed buildings and structures. Any existing public lines located under proposed structures must be abandoned in place, removed and the easement vacated or relocated, and new easements shall be provided; as required by the Kansas City Water Services Department prior to recording the plat or issuance of a building permit, whichever occurs first.
- 42. Confirm addressing location on proposed structures prior to approval of MPD final plan.
- 43. That a deviation be granted from 88-430-05-C, to allow more than 1.0 footcandle onto public rights-of-way, as shown on the approved plan.

A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised, and public hearings were held.



Authenticated as Passed

Quinton Lucas
Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

SEP 26 2024

Date Passed

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Sarah Baxter
Senior Associate City Attorney