



Legislation Details (With Text)

**File #:** 220895      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/21/2022      **In control:** Council  
**On agenda:** 10/13/2022      **Final action:** 10/13/2022  
**Title:** Sponsor: Director of City Planning and Development Department

Approving a development plan in District UR/DC-15 on about 0.62 acres generally located at 110 E. 3rd Street for a seven-story residential apartment building with approximately 102 units, two separate integrated parking garages, and approximately 2600 square feet of retail at street level. (CD-CPC-2022-00127)

**Sponsors:** Director of City Planning & Development

**Indexes:**

**Code sections:**

**Attachments:** 1. Fact Sheet, 2. 10\_CD-CPC-2022-00127OaksRiverMarket-Staff Report, 3. CPC\_DispoLetter, 4. Oaks River Market Development Plan Resubmittal Drawings 22 0905\_v1, 5. 10\_CD-CPC-2022-00127 Presentation, 6. Authenticated Ordinance 220895

Date	Ver.	Action By	Action	Result
10/13/2022	1	Council	Passed	Pass
10/12/2022	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
10/6/2022	1	Council		

ORDINANCE NO. 220895

Sponsor: Director of City Planning and Development Department

Approving a development plan in District UR/DC-15 on about 0.62 acres generally located at 110 E. 3rd Street for a seven-story residential apartment building with approximately 102 units, two separate integrated parking garages, and approximately 2600 square feet of retail at street level. (CD-CPC-2022-00127)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District UR/DC-15 (Urban Redevelopment/Downtown Core) on approximately .62 acres generally located at 110 E. 3rd Street, and more specifically described as follows:

Tract 1. All of the easterly 60 feet of lot 72, measured at right angles to the northeasterly or alley line of lot 72, and all of the southeasterly 40 feet of the easterly 40 of lot 72, measured parallel to and at right angles to the northeasterly or alley line of lot 73, in block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri. All of lot 71, except the west 23 feet, in block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri. All of the east 57.5 feet of the west 82 feet of lot 72, block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri.

Tract 2. All of lot 70, except the north 20 feet thereof, block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri. Tract 3. The west 24.5 feet of lot 72 and the south 40 feet of west 102 feet of lot 73 and the north 20 feet of lot 73, block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri. Tract 4. The right-of-way owned by the Kansas City Southern Railway Company in the south 40 feet of lot 70, and in lots 71, 72, and 73, block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri. Tract 5. The west 23 feet of lot 71, block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision in Kansas City, Jackson County, Missouri. Tract 6. All of the platted alley between lots 70 to 73, block 7, as shown on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri, described as follows: Beginning on the west line of lot 70, block 7, 20 feet south of the northwest corner; thence south, along the west line.

is hereby approved, subject to the following conditions:

1. The developer shall file an on-line Form 7460-1, Notice of Proposed Construction or Alteration, for permanent vertical improvements or new structures and receive a Determination of No Hazard to Air Navigation from the FAA.
2. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
3. 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 a certificate of occupancy.
4. 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.
5. 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.
6. The applicant shall work with the City Planning and Development Department to provide additional landscaping along Walnut Street prior to a building permit.
7. No delivery vehicles shall enter the property from Grand Boulevard.
8. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
9. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and 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).
10. Hydrants shall be in place before building on structures begin.

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. 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)
13. The developer shall comply with the boulevard and parkway standards of 88-323 along Grand Boulevard.
14. The developer shall submit plans to the Parks and 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 and Recreation Department standards. This applies to the Grand Boulevard street frontage.
15. The developer shall submit streetscape plans to and receive approval from the Parks and Recreation Forestry Division for the installation of street trees associated with this project.
16. 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 (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to certificate of occupancy.
17. 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, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and 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 or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits. This applies to the Grand Boulevard street frontage.
18. Coordinate with the Public Works Department and Streetcar Authority prior to applying for any building permit. Applicant shall receive approval from the Streetcar Authority regarding garbage pickup schedules to ensure there is no conflict with streetcar operations.
19. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
20. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.

21. 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.
22. 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 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 Land Development Division prior to recording the plat.
23. 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.
24. 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, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and 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.

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 B. 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 Ordinance 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.

---

Secretary, City Plan Commission

Approved as to form and legality:

---

Sarah Baxter  
Senior Associate City Attorney