



Legislation Details (With Text)

**File #:** 220320      **Version:** 2      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 4/6/2022      **In control:** Council

**On agenda:** 4/21/2022      **Final action:** 4/21/2022

**Title:** Approving a development plan in District R-1.5 on approximately a 1.92 acre tract of land generally located at the southwest corner of N.E. 88th Street and N. Oak Trafficway for two multi-family residential buildings to contain a total of 56 units. (CD-CPC-2022-00017)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Fact Sheet\_88th & N Oak Apartments, 2. 08\_CD-CPC-2022-00017\_StaffReport\_88th & N Oak Apartments, 3. NE 88th Street Oak Tfwy Apartments - Development Plan 03-18-2022, 4. 4-5-22 CPC Disposition Letter, 5. 4-5 CPC PPT, 6. Authenticated Ordinance 220320, A.A

Date	Ver.	Action By	Action	Result
4/21/2022	1	Council	Move to Amend	Pass
4/21/2022	1	Council	Move to Advance	Pass
4/21/2022	1	Council	Passed as Amended	Pass
4/20/2022	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
4/14/2022	1	Council	referred	

ORDINANCE NO. 220320, AS AMENDED

Approving a development plan in District R-1.5 on approximately a 1.92 acre tract of land generally located at the southwest corner of N.E. 88th Street and N. Oak Trafficway for two multi-family residential buildings to contain a total of 56 units. (CD-CPC-2022-00017)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District R-1.5 (Residential 1.5) on approximately a 1.92 acre tract of land generally located at the southwest corner of N.E. 88th Street and N. Oak Trafficway, and more specifically described as follows:

The north 95 feet of the East One Half of Lot 2, Gashland Heights Resurvey, except the east 20 feet thereof, a subdivision in Kansas City, Clay County, Missouri; and also the East Half of Lot 1, Gashland Heights Resurvey, a subdivision in Kansas City, Clay County, Missouri, except that part deeded to the City of Kansas City in Deed recorded October 7, 1996 as Document No. N17010 in Book 2609 at page 520; and also the east 190 feet of the South One Half of Lot 2, Gashland Heights Resurvey, a subdivision of land in Kansas City, Clay County, Missouri, and all of the East One Half of Lot 2, except the north 95 feet thereof, Gashland Heights Resurvey, a subdivision in Kansas City, Clay County, Missouri, also except the following tract deeded to Kansas City, described as follows: the east 20.00 feet of the south 105 feet of Lot 2, Gashland

Heights Resurvey, a subdivision in Kansas City, Clay County, Missouri; and also the East Half of the North Half of Tract 3, Gashland Heights Resurvey, a subdivision in Kansas City, Clay County, Missouri, except that east 20 feet thereof.

is hereby approved, subject to the following conditions:

1. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan 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. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
4. 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.
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 developer shall combine the parcels via minor subdivision or deeds.
7. Dumpster enclosures shall be constructed of decorative split-face block or other similar, complementary, material to the residential buildings.
8. The developer shall meet the Long-Term Bicycle Parking requirement in 88-420-09-C. One space per 3 units (18 total spaces)
9. The developer shall submit a detailed micro storm drainage analysis 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, prior to approval and issuance of any building permits to construct improvements on the site. The developer shall verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and the developer shall construct any other improvements as required by the Land Development Division as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.
10. 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.
11. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.

12. That the south half of N.E. 88th Street shall be improved to current standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to issuance of a building permit.
13. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
14. The developer shall grant a City approved pedestrian right-of-way easement, for the portions of the public sidewalks approved to be outside of the street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.
15. The developer shall submit plans for grading, siltation, and erosion control to the 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 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 the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
17. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to a certificate of occupancy.
18. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
19. Fire hydrant distribution shall follow IFC-2018, Table C102.1.
20. 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)
21. 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)
22. 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
23. The developer shall pay money-in-lieu of parkland dedication fee in the amount of \$32,794.52 prior to a certificate of occupancy for 56 multi-family residential units.
24. 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.
25. The developer shall have a water flow test done to ensure there is adequate water pressure to

serve the development.

26. That the Council hereby approves a deviation to the lot and building standards pursuant to Section 88-517-09-C for the minimum lot area per unit in the amount of 365 square feet, to allow for a density of 56 units.

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.

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

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Assistant City Attorney