



## Legislation Details (With Text)

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<b>Type:</b>	Ordinance	<b>Status:</b>	Passed		
<b>File created:</b>	2/17/2023	<b>In control:</b>	Council		
<b>On agenda:</b>	3/2/2023	<b>Final action:</b>	3/2/2023		
<b>Title:</b>	Sponsor: Director of City Planning and Development Department				
	Approving a nonresidential development plan in District B3-3 on about 4 acres generally located at N.W. Plaza Circle and Interstate 29 for the construction of a 104 room hotel. (CD-CPC-2022-00218)				
<b>Sponsors:</b>	City Plan Commission, Director of City Planning & Development				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Docket Memo, 2. 06_CD-CPC-2022-00218_AtwellSuites_02072023, 3. CPC Disposition Letter, 4. Revised Plans, 5. PPT, 6. Authenticated Ordinance 230196				

Date	Ver.	Action By	Action	Result
3/2/2023	1	Council	Passed	Pass
3/1/2023	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
2/23/2023	1	Council	referred	

### ORDINANCE NO. 230196

Sponsor: Director of City Planning and Development Department

Approving a nonresidential development plan in District B3-3 on about 4 acres generally located at N.W. Plaza Circle and Interstate 29 for the construction of a 104 room hotel. (CD-CPC-2022-00218)

### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a nonresidential development plan in District B3-3 (Community Business - Dash 3) on approximately 4 acres generally located at N.W. Plaza Circle and Interstate 29, and more specifically described as follows:

All of Lots 7A and 7B, Gateway Plaza - First Plat, a subdivision of land in Kansas City, Platte County, Missouri being further described as follows: Beginning at the southeast corner of said Lot 7; thence North 89°14'04" West, along the south line of said Lot 7, a distance of 499.64 feet to the southwest corner of said Lot 7, said point being on the easterly right of way line of Interstate No. 29; thence northwesterly along a curve to the left, along the westerly line of said Lot 7 and the easterly right of way line of said Interstate No. 29, having an initial tangent bearing of North 07°57'02" West and a radius of 11589.16, an arc distance of 272.46; thence North 02°53'36" East, along said line, a distance of 111.23 feet to the northwest corner of said Lot 7; thence South 79°04'24" East, along the north line of said Lot 7, a distance of 548.57 feet to the northeast corner of said Lot 7, said point also being on the west right of way line of N.W. Plaza Circle; thence South 00°45'56" West, along the east line of said Lot 7 and the west right of

way line of said N.W. Plaza Circle, a distance of 283.16 feet to the point of beginning.

Section B. That a development plan is hereby approved, subject to the following conditions:

1. The proposed development is located in an area where the Kansas City International Airport (MCI) height zoning restrictions apply. No structure in this area should be constructed which exceeds these restrictions. Per FAR Part 77, Objects Affecting Navigable Airspace, the proponent/developer shall file an on-line Form 7460-1, Notice of Proposed Construction or Alteration, for new structures and receive a Determination of No Hazard to Air Navigation from the FAA. Temporary cranes used for construction activities extending higher than the proposed top elevation of the building will need to be evaluated for compliance with FAR Part 77 standards as well. 7460s must be submitted a minimum of 45 days prior to the start date of the proposed construction or alteration. The FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website can be accessed at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>. It is further recommended the proponent/developer provide the FAA with a 1A survey accuracy statement assuming the highest horizontal and vertical tolerance was used for this design. This information certifies the ground elevations the developer has portrayed within the plans are to higher level of accuracy. Per OEAAA, if this accuracy statement isn't provided, an adjustment commensurate with a 50 foot vertical buffer is applied to the development. This information can be referenced at: <https://oeaaa.faa.gov/oeaaa/external/content/surveyAccuracy.jsp>. The proponent/developer is recommended to comply with Chapters 3, 4, and 5 of FAA Advisory Circular (AC) 70/7460-1, Obstruction Marking and Lighting, as amended.
2. 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.
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 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. All mechanical equipment and dumpsters shall be screened pursuant to 88-425-08.
6. 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.
7. Prior to issuance of any building permit the developer shall coordinate with the Platte County Sheriff's Office to ensure the proposed structure does not interfere with the Platte County radio tower.
8. All pedestrian crossings shall comply with 88-450 prior to issuance of a building permit.
9. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)

10. 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)
11. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and 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. 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)
13. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
14. 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)
15. 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.

A copy of said nonresidential development plan is on file in the office of the City Clerk with this ordinance and 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 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:

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Sarah Baxter  
Senior Associate City Attorney