



Legislation Text

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COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 210568

Amending a previously approved UR plan in District UR on approximately 103 acres generally bounded by N.W. Barry Road on the south, N. Wyandotte Street on the east and Highway 169 on the west, and extending about 350 feet north of Metro North Drive on the north, for the purpose of amending the UR plan to allow for redevelopment of the existing Metro North Mall and construction of up to 1,000,000 square feet of mixed use residential, commercial, office, hotel, theater, and a golf entertainment complex with 4,462 parking spaces, on 17 lots, in three phases. (CD-CPC-2010-00176)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a previously approve UR plan development plan in in District UR (Urban Redevelopment), on approximately 103 acres generally bounded by N.W. Barry Road on the south, N. Wyandotte Street on the east and Highway 169 on the west, and extending about 350 feet north of Metro North Drive on the north, and more specifically described as follows:

A Tract of land located in the East half of the Northeast Quarter of Section 10 and the West half of the Northwest Quarter of Section 11, Township 51 North, Range 33 West of the 5th Principal Meridian, in Kansas City, Clay County, Missouri, more particularly described as follows:

Beginning at the Northwest Corner of the East half of the Northeast Quarter of said Section 10, Thence South 89 degrees 33 minutes 22 seconds East along the north line of the East half of the Northeast Quarter of said section 10, a distance of 169.67 feet; Thence South 00 degrees 41 minutes 09 seconds West, a distance of 355.01 feet; Thence South 89 degrees 29 minutes 04 seconds East, a distance of 150.02 feet; Thence along a non-tangential curve to the left, having an initial tangent bearing of South 26 degrees 13 minutes 33 seconds west, a radius of 50.00 feet, and an arc length of 201.95 feet; Thence South 89 degrees 29 minutes 04 seconds East, a distance of 909.60 feet to a point on the east line of the East half of the Northeast Quarter of Section 10; Thence continuing South 89 degrees 29 minutes 04 seconds East, a distance of 215.93 feet; Thence South 00 degrees 30 minutes 56 seconds West, a distance of 333.25 feet to a point on the Northerly right of way line of Metro North Drive; Thence South 89 degrees 29 minutes 04 seconds East along the Northerly Right-of-Way line of said Metro North Drive, a distance of 177.54 feet; Thence along a tangent curve to the right, being the Northerly Right-of-Way line of said Metro North Drive and the Easterly Right-of-Way line of North Wyandotte Avenue, having a radius of 320.00 feet and an arc length of 406.92 feet; Thence South 16 degrees 37 minutes 33 seconds East along the Easterly Right-of-Way line of said North Wyandotte Avenue, a distance of 545.90 feet; Thence along a tangent curve to the right, being the Easterly Right-of-Way line of said North Wyandotte Avenue, having a radius of 340.00 feet and an arc length of 101.72 feet; Thence South 00 degrees 30 minutes 56.0 seconds West, continuing along the Easterly Right-of-Way line of said North Wyandotte Avenue, a distance of

351.29 feet; Thence along a tangent curve to the right, being the Easterly Right-of-Way line of said North Wyandotte Avenue, having a radius of 240.00 feet and an arc length of 152.29 feet; Thence South 00 degrees 41 minutes 09 seconds West, a distance of 117.81 feet; Thence North 89 degrees 46 minutes 07 seconds West, a distance of 90.23 feet; Thence South 00 degrees 41 minutes 09 seconds West, a distance of 416.95 feet to a point on the Northerly Right-of-Way line of Northwest Barry Road; Thence North 89 degrees 46 minutes 07 seconds West along the Northerly Right-of-Way line of Northwest Barry Road, a distance of 170.30 feet to the intersection of the Northerly Right-of-Way line of said Northwest Barry Road with the Easterly Right-of-Way line of said North Wyandotte Avenue; Thence South 85 degrees 05 minutes 35 seconds West, a distance of 111.66 feet to the intersection of the Northerly Right-of-Way line of said Northwest Barry Road with the Westerly Right-of-Way line of said North Wyandotte Avenue; Thence North 89 degrees 46 minutes 07 seconds West continuing along the Northerly Right-of-Way line of Northwest Barry Road, a distance of 355.87 feet; Thence North 00 degrees 41 minutes 09 seconds East, a distance of 163.70 feet; Thence North 89 degrees 46 minutes 07 seconds West, a distance of 106.01 feet to a point on the west line of the West half of the Northwest Quarter of said Section 11; Thence South 00 degrees 41 minutes 09 seconds West along the west line of the West half of the Northwest Quarter of said Section 11, a distance of 163.70 feet to a point on Northerly Right-of-Way line of Northwest Barry Road; Thence North 89 degrees 29 minutes 04 seconds West along the Northerly Right-of-Way line of Northwest Barry Road, a distance of 196.77 feet; Thence North 87 degrees 45 minutes 58 seconds West continuing along the Northerly Right-of-Way line of Northwest Barry Road, a distance of 100.05 feet; Thence North 82 degrees 04 minutes 39 seconds West continuing along the Northerly Right-of-Way line of Northwest Barry Road, a distance of 100.84 feet; Thence North 89 degrees 29 minutes 04 seconds West continuing along the Northerly Right-of-Way line of Northwest Barry Road, a distance of 207.50 feet; Thence South 85 degrees 52 minutes 03 seconds West continuing along the Northerly Right-of-Way line of Northwest Barry Road, a distance of 67.82 feet; Thence North 00 degrees 30 minutes 56 seconds East, a distance of 9.50 feet; Thence North 89 degrees 29 minutes 04 seconds West continuing along the Northerly Right-of-Way line of Northwest Barry Road, a distance of 589.90 feet; Thence North 05 degrees 38 minutes 11 seconds West, a distance of 518.45 feet to a point on the West line of the East half of the Northeast Quarter of said section 10; Thence North 00 degrees 40 minutes 22 seconds East along the West line of the East half of the Northeast Quarter of said section 10, a distance of 2042.60 feet to the point of beginning. Containing 4,490,898 square feet or 103.097 acres, more or less.

is hereby amended, subject to the following conditions:

1. The developer shall pay money in lieu of dedication of parkland in the amount pursuant to the formula or dedicate acreage of private open space for parkland purpose as identified in 88-408. To received credit for previous dedication the developer needs show and list areas previously dedicated.

Calculations for parkland acres are as following: (# multi-family units) X (2 persons per unit) X (0.006 acres per person)=acres of parkland required. The Money in lieu is to be paid before the Plat is recorded with the county.

2. 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.

3. The developer shall hold a pre-application meeting with DMD and LDD prior to filing for any development within the development pods beyond what is shown on this approved plan. This should show details of how the pod will be developed in relation to the adjoining parcels.
4. The developer shall submit a final UR plan to the Director of City Planning and Development for approval including detailed information on landscaping, color building elevations calling out materials, signage (including elevations), lighting (including a photometric study showing zero footcandles at the property line and no direct illumination beyond the property line), building elevations, trash enclosure elevations (with decorative gates), additional detail showing how service areas, loading docks, and trash services will function, and building materials extending a minimum of 30 feet into service areas prior to issuance of a building permit.
5. Conditions contained in Ordinance No. 190195 passed by City Council on March 21, 2019, remains effective for this UR development.
6. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
7. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
8. The developer shall 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.
9. The developer shall integrate into the existing streetlight system any relocated existing 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.
10. 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.
11. 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.
12. 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.
13. 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.

14. 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 of occupancy permits.
15. The developer shall submit a macro storm drainage study with the first plat or phase, 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, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.
16. 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.
17. 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 Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.
18. 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.
19. 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.
20. The developer shall provide acceptable easement and secure permits to relocated sanitary sewers out from under proposed buildings and structures while continuing to ensure individual service is provided to all proposed lots as required by the Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.
21. The project shall meet the fire flow requirements as set forth in Appendix B of the International

Fire Code 2018. (IFC-2018 § 507.1)

22. Required Fire Department access roads are a minimum unobstructed width of twenty (20) feet and 13 feet 6 inches clearance height. Check with Streets and Traffic (Kansas City, Missouri Public Works) or Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1)
23. 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)
24. 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)
25. Fire hydrant distribution shall follow IFC-2018 Table C102.1
26. For any new residential units, 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 2021 acquisition rate of \$48,801.37 per acre This requirement shall be satisfied prior to certificate of occupancy. (3/10/2021)
27. 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.
28. The developer shall update the project traffic impact study, as needed, when each pod is developed.
29. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations.

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
Assistant City Attorney