



Legislation Text

File #: 220245, **Version:** 1

ORDINANCE NO. 220245

Approve a development plan which also serves as a preliminary plat in District B3-2 on about 7.14 acres generally located at the southwest corner of N.W. 88th Street and N. Madison Avenue to create one lot and two tracts for multi-family residential uses containing 198 units. (CD-CPC-2022-00004)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan which also serves as acts as a preliminary plat in District B3-2 (Community Business dash 2) on about 7.14 acres generally located at the southwest corner of N.W. 88th Street and N. Madison Avenue, and more specifically described as follows:

TRACT 1:

All that part of Lot 1, Barry Towne - Third Plat, a subdivision of land in Kansas City, Clay County, Missouri, being described as follows: Beginning at the northwest corner of said Lot 1; thence easterly, along the northerly line of said Lot 1, on a curve to the right, having an initial tangent bearing of North 75°13'21" East, a radius of 1460.00 feet, a central angle of 29°44'50", an arc distance of 758.01 feet; thence southerly, along said northerly line, on a curve to the right, having a common tangent with the last described course, a radius of 25.00 feet, a central angle of 87°01'13", an arc distance of 37.97 feet; thence southerly, along the easterly line of said Lot 1, on a curve to the left, having a common tangent with the last described course, a radius of 890.00 feet, a central angle of 25°07'29", an arc distance of 390.27 feet; thence South 76°51'54" West, 69.94 feet; thence North 82°20'09" West, 144.85 feet; thence North 83°56'52" West 98.15 feet; thence North 85°52'59" West, 50.00 feet; thence South 06°07'13" West, 35.08 feet; thence North 83°52'47" West, 354.82 feet to a point on the westerly line of said Lot 1; thence North 05°36'58" west, along said westerly line, 240.97 feet; thence North 11°31'31" West, along said westerly line, 160.84 feet to the point of beginning, being Tract 1B as shown on the Certificate of Survey recorded January 30, 2001 in Cabinet E, Sleeve 171.

TRACT 2:

Non-exclusive easements for ingress/egress access as further described in the operation and easement agreement by and between BTK Development, L.L.C., MDGSI Associates, L.L.C., Dayton Hudson Corp, and Serf Company recorded May 13, 1998 as Document No. N90750 in Book 2826, page 457 in the Records of Clay County, Missouri.

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 recording the final plat.

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. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department for the maintenance of private open space, and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.
10. The developer shall submit a detailed micro storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division showing compliance with the current, approved macro study on file with the City and 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 or prior to recording the plat, whichever occurs first. 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.

11. 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.
12. 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.
13. The developer shall provide a continuous tree and bush line from the north side of the trash enclosure to the car garage near N.W. 88th Street.
14. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
15. Fire Department connection buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection. (IFC2018 § 507.5.1.1)
16. Fire hydrant distribution shall follow IFC-2018, Table C102.1.
17. 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)
18. Fire Department access roads shall be provided before construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities. Weight of 85,000 lbs per IFC-2018 503.2.3.
19. The turning radius for Fire Department access roads is 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
20. 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)
21. 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 recording the final plat or certificate of occupancy, whichever is applicable to the project.
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. Label the lane widths, radii, and proposed island width for the proposed access on N.W. 88th Street. These values will be compared to Public Works Standard Detail D-3.
24. The developer shall ensure that water and fire service lines 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.

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 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.

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney