



Legislation Text

File #: 241011, Version: 1

ORDINANCE NO. 241011

Sponsor: Director of City Planning and Development Department

Approving a development plan on about 14 acres in District B2-2 generally located at N. Jefferson Street and N.W. Cookingham Drive to allow for a residential development. (CD-CPC-2024-00084)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District B2-2 (Neighborhood Business 2 (Dash 2)) generally located at N. Jefferson Street and N.W. Cookingham Drive, and more specifically described as follows:

All that part of the South Half of the Southeast Quarter of Section 12, Township 51 North, Range 34 West in Kansas City, Platte County, Missouri, more particularly described as follows: Commencing at the Southeast corner of the Southeast Quarter of said Section 12; thence North 89 degrees 42 minutes 16 seconds West, along the South line of the Southeast Quarter of said Section 12, a distance of 1308 feet, to a point on the Southerly extension of the East line of Tract "C" Tiffany Manor, 2nd Plat, a subdivision in Kansas City, Platte County, Missouri; thence North 0 degrees 24 minutes 40 seconds East along the East line and its extension of said Tract "C" and along the West line and its extension of Tract "A", Tiffany Manor, a subdivision in Kansas City, Platte County, Missouri, a distance of 535 feet, to the True Point of Beginning of subject tract; thence continuing North 0 degrees 24 minutes 40 seconds East, along the East line of said Tract "C" and along a line parallel to the East line of the Southeast Quarter of said Section 12, a distance of 428.64 feet, to the Northeast corner of said Tract "C"; thence North 89 degrees 46 minutes 28 seconds West, along the North line of said Tract "C", a distance of 10 feet to the Southeast corner of Tract 4, Tiffany Manor, 3rd Plat, a subdivision in Kansas City, Platte County, Missouri; thence North 0 degrees 24 minutes 40 seconds East along the East line of said Tiffany Manor, 3rd Plat, a distance of 355 feet to a point on the North line of the South Half of the Southeast Quarter of said Section 12, said point also being on the South line of Lot 14, Berry View Square - Third Plat, a subdivision in Kansas City, Platte County, Missouri; thence South 89 degrees 46 minutes 28 seconds East along the North line of the South Half of the Southeast Quarter of said Section 12 and along the South line and its extension of said Lot 14 and along the South line and its extension of Lots 13, 12 and 11, Berry View Square - Second Plat, a subdivision in Kansas City, Platte County, Missouri, a distance of 882 feet; thence South 0 degrees 24 minutes 40 seconds West, along a line parallel to the East line of the Southeast Quarter of said Section 12, a distance of 660 feet to a point on the North line of said Tract "A"; thence North 89 degrees 46 minutes 28 seconds West, along the North line of said Tract "A" and along a line 660 feet South of and parallel to the North line of the South Half of the Southeast Quarter of said Section 12, a distance of 75 feet; thence South 60 degrees 54 minutes 18 seconds West, along the Northwesterly line of said Tract "A", a distance of 253.93 feet; thence North 89 degrees 42 minutes 16 seconds West along a line parallel to the South line of the Southeast

Quarter of said Section 12, a distance of 576 feet to the True Point of Beginning, subject to that part, if any, in streets, roadways, highways or other public rights-of- way.

is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, completed by an ISA certified arborist, an SAF certified forester, a professional engineer, or a landscape architect licensed in the State of Missouri, verifying that all trees preserved and all trees planted to meet mitigation required of the approved plan, whichever is applicable, has been installed or preserved in accordance with the plan and is healthy prior to a certificate of occupancy.
2. The developer shall be responsible for tree preservation in an easement or platted tract, mitigation planting, or payment of cash-in-lieu of preservation or mitigation planting, or any combination thereof in accordance with 88-424. Should the developer choose to pay cash-in-lieu of preservation or mitigation of all or a portion of the required area, the amount due shall be based upon the rate specified in 88-424. This requirement shall be satisfied prior to issuance of a certificate of occupancy, or prior to the recording of the final plat, whichever occurs first.
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. 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. Prior to issuance of the certificate of occupancy for each lot within the plat, 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.
7. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
8. That prior to recording of the final plat the developer shall secure approval of a project plan from the City Plan Commission for each private open space tract.
9. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
10. 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 241-2013 § 8.7.2) Fire hydrant distribution shall follow IFC-2018 Table C102.1.
11. A required Fire Department access road shall be an all- weather surface. (IFC-2012: § 503.2.3)

(No Grass Pavers Allowed) 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) Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius (IFC2018: § 503.2.4) and shall provide fire lane signage on fire access drives.

12. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC-2018: § 503.2.5)
13. Address confirmation needs to be shown on elevations prior to final approval. The address labeling should be large enough to be viewed of the roadway and should not blend in with building materials.
14. The developer shall be 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 2024 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to a certificate of occupancy.
15. 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.
16. Prior to release of the final plat, the applicant shall submit a separate final plan detailing the amenities to be provided in the tract areas to satisfy the parkland dedication requirement.
17. 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.
18. 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.
19. 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.

20. 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.
21. 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.
22. 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.
23. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri Department of Natural Resources (MDNR), and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
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 of occupancy permits.
25. 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.
26. 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.
27. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
28. No water service line will be less than 1-1/2" in diameter where three or more units or a commercial building will be served by one domestic service line and meter.
29. No water service tap permits will be issued until the public water main is released for taps.
30. Branch service lines one-and-one-half inches and larger in diameter for domestic water services

or fire protection lines shall be connected to the main by cutting in a minimum 6” branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.

31. 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.
32. A full flow fire meter shall be required when the fire protection service line serves more than one building, or combination service lines six inches and larger, or that have private fire hydrants connected to them.
33. The proposed public water mains and public fire hydrants shall be designed and under contract (permitted) by the Kansas City Water Services Department following the Kansas City Water Services Department rules and regulations prior to issuance of a building permit.
34. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Kansas City Water Services Department, prior to issuance of any stream buffer permits.
35. The developer shall grant a BMP easement to the City as required by the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits.
36. 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 Kansas City Water Services Department, prior to recording the plat or issuance of a building permit, whichever occurs first.
37. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Kansas City Water Services Department 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.
38. The developer shall submit a final stream buffer plan to the Kansas City Water Services Department for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with Section 88-415 requirements.
39. The developer shall provide acceptable easements for any deep sewers where proposed fill is added or where the sewer will be further obstructed by surface improvements and that a structural analysis be provided to confirm adequate structural integrity for the proposed loading conditions of this plan, and secure permits and provide City approved, executed, and recorded easement prior to adding fill or constructing surface obstructions as required by the Kansas City Water Services Department. As built drawings shall be provided to document the new depth of the sewers caused by placement of additional fill.

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 and development plan 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.

Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney