



City Planning & Development Department

Development Management Division

15th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106-2795

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CPC STAFF REPORT

September 18, 2018

(7)

RE: **Case No. 12590-P-9**

APPLICANT: M. Grant Harrison
Van Trust Real Estate
4900 Main Street
Kansa City, MO 64112

PROPERTY OWNER: KCL Congress 88, LLC
4900 Main Street, Suite 400
Kansas City, MO 64112

AGENT: Brian Forquer
Olsson Associates, Inc.
1301 Burlington Street, #100
N. Kansas City, MO 64116

LOCATION: Generally located west of N. Congress Avenue and north of NW 112th Street.

AREA: Approximately 155 acres

REQUESTS: To consider approval of a major amendment to a previously approved development plan in District M2-3 (Manufacturing 2 dash 3) to also serve as a preliminary plat.

SURROUNDING

LAND USE: **North:** zoned M3-2, vacant farmland.
South: zoned m2-3, Airworld Industrial Park.
East: zoned M2-3, Harley Davidson Plant.
West: zoned M2-3, vacant farmland.

LAND USE PLAN: The Line Creek Valley Area Plan adopted by Resolution No. 110030 on February 10, 2011, recommends Mixed Use Community land use designation at this location. The proposed use is allowed under this designation but not consistent with the future land use plan. Staff recommends that the land use designation be amended from to residential and the property be rezoned to residential

compatible with the proposed density.

MAJOR STREET PLAN: Northwest 68th Street is classified as a 4 lane through street and a thoroughfare typology by the Major Street Plan. It is also listed as a Future Bike Facility in the Bike KC Facilities Map. North Platte Purchase Drive is classified as a 2 lane through street with a local link typology by the Major Street Plan at this location.

ARTERIAL STREET

IMPACT FEE:

(Informational only)

Benefit District: E

Fees will be calculated by the administrator.

PREVIOUS ACTIONS: This case was automatically continued from the September 4, 2018, CPC hearing.

On August 7, 2018, the City Plan Commission continued this case to the September 4, 2018, CPC docket without a fee at the applicant's request.

PREVIOUS CASES:

Case No. 12590-GP-8 - On December 16, 2008, the City Plan Commission continued the request to amend a previously approved preliminary development plan in District GP-1 (General Industry), of the docket without a fee.

Case No 12590-GP-7 (Formally 6968-GP-22) - On June 19, 2007, the City Plan Commission approved a final plan in District GP-1 (general industry) to allow for the construction of a parking lot for truck storage generally located approximately 1,200 feet north of NW 112th Street on the west side of N Congress Avenue on approximately 4.21 acres

Case No. 12590-GP-6 – On February 20, 2007, the City Plan Commission approved a final plan in District GP-1 (general industry) to allow for a 23,625 square foot expansion of an existing building generally located at the northeast corner of NW Airworld Drive and NW 112th Street on approximately 8.65 acres.

Case No. 12590-GP-5 – On December 2, 2003, the City Plan Commission approved a final plan in District GP-1 (general industry) to allow construction of a 196,600 square feet of warehousing and related office space in two buildings on approximately 12.6 acres generally located approximately 1200 feet north of NW 112th Street on the west side of N Congress Avenue.

SD 1049B – Final Plat, Congress Corporate Center, Third Plat – On December 2, 2003, the City Plan Commission approved final plat in district GP-1 creating two industrial lots on approximately 12.6 acres generally located approximately 1200 feet north of NW 112th Street on the west side of N Congress Avenue.

Case No. 12590-GP-4 – On September 2, 2003, the City Plan Commission approved a final plan in District GP-1 (general industry) to allow construction of a 325,700 square foot warehousing building with related office space on approximately 30 acres generally located at the northwest corner of NW 112th Street and N Congress Avenue.

Case No. 12590-GP-3 – Approved a final plan in District GP-1 (general industry) to allow construction of an office and warehousing building on 8.65 acres generally located at the northeast corner of NW 112th Street and extended N Airworld Drive.

City Council Ordinance 030343 – Passed March 27, 2003, this ordinance approved a plan for industrial development (read: issuance of Chapter 100 development bonds) for construction, acquisition, equipping and furnishing of a regional headquarters for AmerisourceBergen Corporation located at NW 112th Street and N Congress Avenue, Kansas City, Missouri; and directing the City Clerk to file certain documents with the appropriate offices.

Case No. 12590-A-2 – On June 24, 2003, the Board of Zoning Adjustment granted a variance to allow off-street loading and unloading facilities in the yard adjacent to N Congress Avenue to allow construction of a new industrial building.

Case No. 12590-GP-1 – Ordinance No. 030616, passed by City Council on June 19, 2003, approved an amendment to a previously approved development plan in District GP-1 on approximately 154.5 acres generally located at the northwest corner of NW 112th Street and N Congress Avenue to allow for approximately 1.8 million square feet of office, retail, and warehousing space (**Current Approved Preliminary Plan**).

Case No. 12590-GP - Ordinance No. 011441 passed by City Council on June 19, 2003, rezoned approximately 155 acres generally located at the northwest corner of NW 112th Street and N Congress Avenue from District GP-7 (agricultural and low-density residential uses) to District GP-1 (general industry) to allow development of two (2) million square feet of office, retail, and warehousing space (Congress Corporate Center).

EXISTING CONDITIONS:

The subject site is a partially developed 155-acre parcel generally located at the northwest corner of NW 112th Street and N. Congress Avenue. The site was rezoned

from District GP-7 to District GP-1 in November, 2001 with a development plan that allowed for construction of approximately 1.9 million square feet of office, warehousing, and limited retail space in fourteen buildings to be developed in multiple phases. While office and warehousing were the primary land uses proposed with this development, a note on the plan indicates that light industrial uses would also be allowed in the industrial park as allowed in GP-1, with the exception of heavy manufacturing and the production or use of chemical and allied products, which were expressly prohibited on the approved plan. This was superseded by Ordinance No. 030616, passed by City Council on June 19, 2003. Sites I, L and M have been developed with about 500,000 square feet of office/ warehouse.

The surrounding land uses include commercial and industrial uses immediate east and south of the subject site, including Airworld Center south of NW 112th Street and the Harley Davidson assembly facility east of N Congress Avenue. Undeveloped land adjoins the site immediately to the north, west and southeast of the site. The old TransWorld Airlines offices as well as various office and retail uses are located south and west of the site near the intersection of NW 112th Street and N Ambassador Drive.

The topography of the 155-acre site varies throughout, rolling both from elevations at the southwest and southeast corners of the site towards a regulated stream within a 100-year floodplain that bisects the property from north to south, and towards a low-laying area that runs along the northern property line. Existing vegetation on the site varies, with heavily wooded areas along the northern and western property lines and along the banks of the creek. In addition, smaller, dense stands of trees are scattered throughout the interior of the site, which is sparsely vegetated otherwise.

Northwest 112th Street, which extends west from N. Congress Avenue to Kansas City International Airport, is currently a four-lane improved roadway constructed with approximately 50 feet of asphalt pavement and approximately 80 feet of right of way. North Congress Avenue is constructed as a four-lane roadway from the entrance into the adjacent Harley-Davidson assembly plant, approximately a half mile north of NW 112th Street, south to the southern boundary of Airworld Center. Otherwise, N. Congress Avenue is a two-lane unimproved road.

PLAN REVIEW & ANALYSIS:

The request is to consider approval of a major amendment to the current approved Chapter 80 preliminary development plan to allow for overall site layout modification. The submitted preliminary development plan will serve as a preliminary plat. The revisions to the plans are as follows:

Sheet C101 – Preliminary Plat

- The Site B/Lot 1 building was increased from 450,000 square feet to 600,000 square feet and the lot area was adjusted from 57.08 acres to 58.16 acres. The number of parking spaces provided was increased from 475 to 512.
- The Site A/Lot 4 lot area was adjusted from 6.98 acres to 6.05 acres. The trailer parking/storage area was reduced in the number of parking spaces.
- The proposed permanent N. Airworld Drive cul-de-sac was shifted to the south reducing the right of way to 2.87 acres total dedicated for the project.

Sheet C201 – Grading & Utility Plan

- The grading and utility plan was revised for the longer building.
- The detention basin to the north was adjusted and a new detention basin to the west was added.

Sheet C301 – Preliminary Stream Buffer Plan

- The site plan, grading and utilities were revised on this plan for the larger building on Lot 1.
- The west and north detention basins encroach into the outer zone as shown on the plan.
- The increase in the outer zone impacts is shown in the stream buffer impact table on this plan.

RECOMMENDATION:

City Planning and Development Staff recommends approval of **Case No. 12590-P-9** based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions:

Condition Nos. 1. - 5. per City Planning & Development, Development Management Division (Olofu Agbaji, Olofu.Agbaji@kcmo.org)

1. That one (1) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri State Plane coordinate system) of all submitted sheets, revised as noted, be submitted to Development Management staff (15th Floor, City Hall) prior to ordinance request showing:
 - a. Provide cross access easement for Lot 2 from the existing flag lot off N. Congress Avenue.
 - b. Front building setback lines, buffer strips and other setbacks as required in this section.

- c. Designation of phases of development with an approximate timetable for commencement and completion of each phase if the total area is not proposed to be developed as one phase.
 - d. A signage plan as required by Chapter 88-445.
2. That the developer submit a Street Naming Plan to Development Management Division as part of the next final plat. Street naming plan shall be approved prior to Mylar approval of the next final plat.
 3. That the developer submit a project plan to the City Plan Commission for approval, indicating building elevations (materials and color), landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing 2 lux at the property lines prior to issuance of building permit.
 4. Prior to issuance of a final certificate of occupancy, all landscaping as shown on the approved landscape plan, including trees, plant material and structural elements, must be in place and healthy, as certified by a sealed letter submitted by a registered landscape architect licensed in the State of Missouri.
 5. That the developer submit a street tree planting plan to the Development Management Division prior to issuance of building permit. The developer shall also secure the approval of the City Forester for street trees to be planted in the right of way prior to occupancy.

Condition No. 6. per Public Works Department (Jeffrey Bryan, jeffrey.bryan@kcmo.org)

6. That the developer enter into a Cooperative Agreement with the City whereby the developer agrees to make a payment of \$175,000 towards the costs of installation of a traffic signal at the intersection of N. Airworld Drive and NW 112th Street at the time Lot 1 is platted.

Condition Nos. 7. - 29. City Planning & Development, Land Development Division (Lucas Kasper, lucas.kasper@kcmo.org)

7. That the plan be corrected to show:
 - 1) Preliminary Stream Buffer Plan (per 88-415-07-D.2.a through l)
 - 2) Label contours.
 - 3) Provide minimum 2-ft contour intervals.
 - 4) Show/label existing, mature riparian vegetation.
 - 5) Label any slopes 15% or greater adjacent to middle zone.
8. 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, as amended, commonly known as the Development Regulations.

9. The developer shall submit a new, or update previously accepted Macro Storm Drainage Study from a Missouri-licensed civil engineer to the Land Development Division for the overall development in accordance with adopted standards to address development amendments or modified conveyance systems, etc., along with providing a detailed Micro study prior to final platting or issuance of a building permit (whichever occurs first), that is in general compliance with the Macro and adopted standards, including a BMP level of service analysis, and securing permits to construct any improvements as required by the Land Development Division.
10. The developer must dedicate additional right of way for N Airworld Dr, as required by the adopted Chapter 88, so as to provide a minimum right-of-way radius of 50 feet for the cul-de-sac termination.
11. The developer must dedicate additional right of way for N Congress Ave to match adjacent right of way widths provided with previous plats of Congress Corporate Center.
12. The developer must dedicate additional right of way for NW 112th St to match adjacent right of way widths provided with previous plats of Congress Corporate Center.
13. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
14. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
15. The developer must design and construct all interior public streets to City Standards, as required by Chapter 88 and the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks.
16. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
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 must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
19. The developer must integrate into the existing street light system any relocated existing street lights 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.
20. The developer 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, to identifying 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 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, 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 occupancy permits.
21. The developer submit plans to 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.
22. The owner/developer must submit plans for grading, siltation, and erosion control to 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.
23. 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 private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.
24. 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 Land Development Division.

25. The developer must grant a BMP Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
26. The developer shall submit a final stream buffer plan to the Land Development Division 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 building activities on the site, in accordance with the Section 88-415 requirements.
27. The developer must grant on City approved forms, a STREAM BUFFER Easement to the City or show and label the final stream buffer zones on the subdivision plat within a private open space tract, as required by Chapter 88 and Land Development Division, prior to issuance of any stream buffer permits.
28. The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities with the floodplain.
29. The developer must show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year flood prone area on any plat and plan, as required by the Land Development Division.

Condition Nos. 30 & 31. per Water Services Department (Mark Griffin, mark.griffin@kcmo.org)

30. That the developer extend water mains and provide easements as required by the Water Services Department.
31. That the developer verify fire flow for proposed development.

Condition Nos. 32. – 36. per KCMO Fire Marshal's Office (John Hastings, john.hastings@kcmo.org)

32. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2012: § 3310.1; NFPA 241-2009: § 7.5.5)

33. Buildings exceeding 62,000 square feet in area shall have at least two means of fire apparatus access (IFC-2012: § D104.2). May go up to 120,000 square feet if all buildings are protected by an automatic fire sprinkler system (only exception). The Preliminary Development Plan provides two (2) fire apparatus access road as necessary to meet the intent of IFC-2012: § D104.2.
34. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. (IFC-2012: § D104.3). The Preliminary Development Plan provides two (2) fire apparatus access road as necessary to meet the intent of IFC-2012: § D104.3.
35. The expectation is the project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2012. (IFC-2012: § 507.1)
36. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2012: § 3312.1; NFPA 241-2010: § 8.7.2)

Respectfully submitted,



Olofu O. Agbaji
Planner