



File #: 230994

ORDINANCE NO. 230994

Approving a major amendment to a Master Planned Development on about 2.6 acres to allow for the creation of a townhome development with 56 residential units in District MPD generally located at the southeast corner of N.W. 96th Street and Highway 169. (CD-CPC-2023-00146)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a major amendment to a Master Planned Development in District MPD (Master Planned Development) generally located at the southeast corner of N.W. 96th Street and Highway 169, and more specifically described as follows:

A tract of land in the Southwest Quarter of Section 35, Township 52, Range 33 and the Northwest Quarter of Section 2, Township 51, Range 33, Kansas City, Clay County, Missouri, being bounded and described as follows: Commencing at the southeast corner of said Southwest Quarter; thence North 89°41'51" West along the south line of said Southwest Quarter, 1353.79 feet; thence North 0°18'09" East, 569.01 feet to a point on the southerly right-of-way line of N.W. 96th Street, as now established, said point being also the true point of beginning of the tract to be herein described; thence South 37°10'06" West, 173.67 feet; thence South 13°14'59" West, 441.28 feet to a point on the aforementioned south line of said Southwest Quarter; thence North 89°41'51" West along said south line, 0.98 feet; thence South 12°44'57" West, 414.71 feet to a point on the northerly right-of-way line of N.W. 95th Terrace, as now established; thence westerly on a curve to the left, along said northerly line, having an initial tangent bearing of North 89°08'03" West, a radius of 459.72 feet, a central angle of 00°51'33", an arc distance of 6.94 feet; thence North 89°59'58" West (Deed - South 89°42'46" West) , along said northerly right-of-way line, 176.88 feet; thence North 0°00'02" East (Deed - North 0°17'14" West) along said northerly right-of-way line, 15.00 feet; thence North 89°59'58" West (Deed - South 89°42'46" West) along said northerly right-of-way line, 143.70 feet; thence westerly, along said northerly right-of-way line, on a curve to the right, tangent to the last described course, having a radius of 924.93 feet, a central angle of 24°26'00", an arc distance of 394.43 feet; thence North 61°47'06" West (Deed - North 61°59'37" West), along said northerly right-of-way line, 75.80 feet (Deed - 74.26 feet) to a point on the easterly right-of-way line of U.S. Highway No. 169 as established in Book 1205 at page 758 in the Office of the Recorder of Deeds in Clay County, Missouri; thence North 26°11'50" East along said easterly right-of-way line, 606.89 feet; thence North 0°34'13" West, along said easterly right-of-

way line, 481.64 feet to a point on the southerly right-of-way line of the aforementioned N.W. 96th Street; thence North 84°16'17" East, along said southerly right-of-way line, 203.46 feet; thence southeasterly along said southerly right-of-way line, on a curve to the right, having an initial tangent bearing of South 88°46'38" East, a radius of 1065.92, a central angle of 35°11'02", an arc distance of 654.55 feet to the true point of beginning. Containing 18.75 acres, more or less.

is hereby approved, subject to the following conditions:

1. The developer shall fully comply with the parkway and boulevard standards as outlined in 88-323.
2. 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 rate at the time of preliminary plan approval. This requirement shall be satisfied prior to a certificate of occupancy.
3. The developer shall submit details of amenities to be provided within open space tracts as part of the MPD final plan submittal.
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. A required Fire Department access road shall be an all-weather surface. (IFC-2012: § 503.2.3) 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) Required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
6. 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).
7. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
8. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)

9. 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.
10. Submitted plans must meet all requirements of the adopted building code.
11. The developer shall submit plans to the Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and streetlighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per the Parks and Recreation Department standards.
12. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. 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 Parks and Recreation Department, prior to recording the plat/issuance of any certificate of occupancy permits including temporary certificate of occupancy permits
13. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
14. The developer shall submit a streetscape plan with a street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to recording final plat or building permit submittal, whichever comes first.
15. The developer shall grant a BMP easement to the City as required by the Land Development Division and the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits.
16. The developer shall provide a Covenant to Maintain Private Storm Sewer acceptable to the Kansas City Water Services Department prior to recording the final plat or issuance of any building permits, whichever occurs first.

17. 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.
18. The developer shall provide a private storm drainage easement prior to recording the final plat or issuance of any building permits, whichever occurs first.
19. 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.

A copy of said Master Planned Development 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.



Authenticated as Passed

Ryona P. Lucas

Ryona P. Lucas, Mayor

Marilyn Sanders, City Clerk

Marilyn Sanders, City Clerk

DEC 07 2023

Date Passed

Joseph Rexwinkle

Joseph Rexwinkle, AICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter

Sarah Baxter
Senior Associate City Attorney