



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri
City Planning & Development Department
www.kcmo.gov/cpc

July 17th, 2024

Project Name
Levy at Martini Corner

Docket #C5

Request
CLD-FnPlat-2021-00061
Final Plat

Applicant
Marty Isabell
Taliaferro & Brown

Owner
Martini Corner Housing Qozb LLC
2020 Broadway Blvd
Kansas City, MO 64108

Location 3025 Gillham Rd
Area About 0.9 acres
Zoning UR
Council District 4th
County Jackson
School District KCMO 110

Surrounding Land Uses

North: Commercial, Zoned UR
South: Commercial, Zoned UR
East: Commercial, Zoned UR
West: Commercial, Zoned UR

Major Street Plan

The City's Major Street Plan identifies Gillham Rd as a Boulevard with four lanes at this location

Land Use Plan

The Greater Downtown Area Plan recommends Downtown Mixed Use uses for the subject property.

APPROVAL PROCESS



PROJECT TIMELINE

The application for the subject request was filed on December 9th, 2021. Scheduling deviations from 2023 Cycle C have occurred.

- The final plat was not heard before council, expired, and will need to be heard again.

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing notification is not required for Final Plats therefore notice is not sent.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 does not apply to this request.

EXISTING CONDITIONS

The subject site consists of three existing parcels and a portion of public right-of-way (alley). The southern-most parcel contains one building. The northern parcels are currently vacant.

SUMMARY OF REQUEST + KEY POINTS

The applicant is seeking approval of a Final Plat in District UR (Urban Redevelopment) on about 0.92 acres generally located at the northeast corner of Gillham Rd, allowing for the creation of one lot for the purpose of a mixed-use development.

CONTROLLING CASE

Case No. CD-CPC-2020-00137 – Ordinance No. 210965 was approved on October 28th, 2021, which rezoned the 0.92 acres to District UR and approved a development plan for a new structure with 163 multi-family units with amenity space and restaurant.

PROFESSIONAL STAFF RECOMMENDATION

Docket #C5 Recommendation: **Approval Subject to Conditions**

RELEVANT CASES

Case No. CD-CPC-2021-00031 – Approved a request to vacate a portion of an alley in District UR (Urban Redevelopment) generally located north of E. 31st St in between Gillham Rd to the west and Cherry St to the east, to allow for construction of 163 apartment units.

PLAT REVIEW

The request is to consider approval of a final plat in District UR to create one lot to allow for a mixed-use development – Levy at Martini Corner. The preliminary plat and development plan attached to the updated rezoning to UR was approved by City Council on October 28, 2021. The alley vacation for the western-most portion of public right-of-way was approved by the Neighborhood Planning and Development Committee, and final approval from full Council.

This plat is generally in conformance with the approved preliminary plat attached to the approved UR Plan (CD-CPC-2020-00137). The plat has already gone in front of City Plan Commission but expired to due to a staff error of not going forward to council. This plat is moving forward for a re-recommendation from City Plan Commission.

PLAT ANALYSIS

***indicates adjustment/deviation requested**

Standards	Applies	Meets	More Information
Lot and Building Standards (UR)	Yes	Yes	
Accessory or Use- Specific Standards (88-305 – 385)	No		
Boulevard and Parkway Standards (88-323)	No		
Parkland Dedication (88-408)	Yes	Yes	

APPROVAL CRITERIA

No final plat may be approved unless the decision-making body finds that the proposed subdivision conforms with the approved preliminary plat with all applicable regulations and standards of this zoning and development code.

The request Final Plat is in conformance with the controlling plan and all standards as required by 88-555-04 of the Zoning and Development Code.

ATTACHMENTS

1. Conditions Report
2. Applicants Submittal

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends **Approval Subject to Conditions** as stated in the conditions report.

Respectfully Submitted,



Justin Smith
Planner



Plan Conditions

Report Date: July 11, 2024

Case Number: CLD-FnPlat-2021-00061

Project: Levy at Martini Corner

Condition(s) by City Planning and Development Department. Contact Genevieve Kohn at (816) 513-8808 / Genevieve.Kohn@kcmo.org with questions.

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 all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to Certificate of Occupancy.
3. 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 Certificate of Occupancy.
4. CD-ROW-2021-00031 for alley vacation must be approved before Final Plat can be recorded.
5. CD-ROW-2021-00031 for alley vacation needs to be approved before Final Plat is approved by Council

Condition(s) by City Planning and Development Department. Contact Stacey Lowe at (816) 513-2585 / stacey.lowe@kcmo.org with questions.

6. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
7. 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.
8. 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.
9. The developer must 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.
10. 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, prior to issuance of any construction permits within said right-of-way, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
11. The developer shall 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.
12. The developer must 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
13. The developer must 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.

Condition(s) by City Planning and Development Department. Contact Stacey Lowe at (816) 513-2585 / stacey.lowe@kcmo.org with questions.

14. 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.
15. The developer must dedicate additional right of way [and provide easements] for Main Street as required by the adopted [Major Street Plan and/or Chapter 88] so as to provide a minimum of 35 feet of right of way as measured from the centerline, along those areas being platted, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.
16. The developer provide acceptable easement and secure permits to relocated sanitary sewers out from under proposed buildings and structures, etc., while continuing to ensure individual service is provided to all proposed lots as required by Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.
17. 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.
18. 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.
19. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval 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.
20. 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 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. Please note that any proposed on-street parking shall be approved by the Public Works Department prior to the issuance of a permit from Land Development for construction. Requests for on-street parking require review by Public Works staff during the plan review process.
22. 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.

FINAL PLAT OF LEVY AT MARTINI CORNER

A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI

NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 49, RANGE 33

PLAT DEDICATION: THE UNDERSIGNED PROPRIETOR TO THE WITHIN DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SUBDIVISION SHALL BE KNOWN AS "LEVY AT MARTINI CORNER".

BASIS OF BEARINGS: BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE, AS DETERMINED BY GPS OBSERVATIONS.

FLOOD PLAIN: FLOOD ZONE CLASSIFICATION (WITH PROPER ANNOTATION BASED ON FEDERAL FLOOD INSURANCE RATE MAPS OR THE STATE OR LOCAL EQUIVALENT) DEPICTED BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY: THE TRACT SHOWN HEREON LIES IN FLOOD ZONE "X" (AREAS OF MINIMAL FLOOD HAZARD) AS INDICATED BY FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR JACKSON COUNTY, MISSOURI, MAP NUMBER 29095C02546, EFFECTIVE DATE: JANUARY 20, 2017.

RIGHT OF ENTRANCE: THE RIGHT OF ENTRANCE AND EGRESS IN TRAVEL ALONG ANY STREET OR DRIVE WITHIN THE BOUNDARIES OF THE PROPERTY IS HEREBY GRANTED TO KANSAS CITY, MISSOURI, FOR THE PURPOSE OF FIRE AND POLICE PROTECTION, MAINTENANCE OF WATER MAINS, SANITARY AND STORM SEWER LINES, COLLECTION OF GARBAGE AND REFUSE AND TO THE UNITED STATES POSTAL SERVICES FOR THE DELIVERY OF MAIL; PROVIDED, HOWEVER, SUCH RIGHT OF INGRESS AND EGRESS DOES NOT INCLUDE ANY OBLIGATION TO CONTRIBUTE FOR ANY DAMAGE TO ANY PRIVATE STREET OR DRIVE BY VIRTUE OF THE EXERCISE OF THE RIGHTS STATED HEREIN AND SPECIFICALLY, NEITHER KANSAS CITY, MISSOURI NOR THE U.S. POSTAL SERVICE SHALL INCUR ANY LIABILITY BY VIRTUE OF THE EXERCISE OF SUCH RIGHTS.

STREET DEDICATION: STREETS SHOWN HEREON AND NOT HERETOFORE DEDICATED FOR PUBLIC USE AS STREET RIGHT-OF-WAY ARE HEREBY DEDICATED.

PAYMENT IN LIEU OF LAND DEDICATION: THE DEVELOPER ELECTS TO PAY THE CITY OF KANSAS CITY, MISSOURI, A SUM OF \$ _____ IN LIEU OF REQUIRED PARKLAND DEDICATING FOR 163 RESIDENTIAL UNITS PURSUANT TO SECTION 88-408-C OF THE ZONING AND DEVELOPMENT CODE.

DEVELOPER: MW AND GARRISON COMPANIES
2020 BROADWAY BOULEVARD
KANSAS CITY, MO 64108

PROPERTY DESCRIPTION:

ALL THAT PART OF LOTS 11 THROUGH 23, BENTLEY'S SPRINGFIELD ADDITION, A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI, TOGETHER WITH THE VACATED ALLEY LYING SOUTH OF LOT 18 OF SAID SUBDIVISION, ALL DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 19, OF SAID SUBDIVISION; THENCE N87°07'29"W, ALONG THE SOUTH LINE OF LOTS 19 THROUGH 23 OF SAID SUBDIVISION AND THE NORTH RIGHT-OF-WAY LINE OF EAST 31ST STREET, 127.80 FEET, TO THE EAST RIGHT-OF-WAY LINE OF GILLHAM ROAD; THENCE N02°16'07"E, ALONG SAID EAST RIGHT-OF-WAY LINE, 339.72 FEET, TO THE NORTH LINE OF PROPERTY DESCRIBED IN DOCUMENT 2012-E-0019946 RECORDED IN THE JACKSON COUNTY RECORDER OF DEEDS OFFICE; THENCE S87°07'29"N, ALONG LAST SAID NORTH LINE, 35.25 FEET (DEED=40.15 FEET); THENCE S87°37'49"E, CONTINUING ALONG SAID NORTH LINE, 85.54 FEET (DEED=80.77 FEET), TO THE EAST LINE OF SAID LOT 11 AND THE WEST RIGHT-OF-WAY LINE OF A 14 FOOT WIDE ALLEY; THENCE S02°16'07"W, ALONG SAID WEST RIGHT-OF-WAY LINE, 210.47 FEET TO THE NORTH LINE OF SAID LOT 19 AND THE SOUTH RIGHT-OF-WAY LINE OF A 14 FOOT WIDE ALLEY; THENCE S87°07'29"E, ALONG THE NORTH LINE OF SAID LOT 19, 7.00 FEET, TO THE NORTHEAST CORNER OF SAID LOT 19; THENCE S02°16'07"W, ALONG THE EAST LINE OF SAID LOT 19, 130.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 0.964 ACRES MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON WAS GAINED FROM A COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO: NCS-12231641-KCTY, EFFECTIVE DATE: JUNE 06, 2024.

SURVEY RELATED SCHEDULE B ITEMS:

8 EASEMENTS, RESTRICTIONS AND SETBACK LINES AS PER PLAT, RECORDED AS/IN PLAT BOOK B4, PAGE 101. NONE

10 TERMS AND PROVISIONS OF ORDINANCE NO. 220188 FOR VACATING A PORTION OF AN ALLEY IN DISTRICT URBAN REDEVELOPMENT RECORDED IN DOCUMENT NO. 2022E0029694.

2. THIS SURVEY IS BASED ON THE DESCRIPTION CONTAINED IN EXHIBIT "A" OF THE ABOVE STATED TITLE COMMITMENT.

3. THE RECORD SOURCE OF THE SUBJECT TRACTS IS RECORDED AS DOCUMENT NO. 2017E0056627.

4. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

5. BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE, AS DETERMINED BY GPS OBSERVATIONS.

6. ACCURACY STANDARD: TYPE URBAN

CITY PLAN COMMISSION PUBLIC WORKS

APPROVED DATE: MARCH 1, 2022
CASE NUMBER:

MICHAEL J. SHAW
DIRECTOR

COUNCIL
THIS IS TO CERTIFY THAT THE WITHIN PLAT WAS DULY SUBMITTED TO AND APPROVED BY THE CITY COUNCIL OF KANSAS CITY, MISSOURI BY ORDINANCE NUMBER _____ DULY AUTHENTICATED AS PASSED THIS _____ DAY OF _____ 2024.

MAYOR
QUINTON LUCAS

CITY CLERK
MARILYN SANDERS

VINCENT E. BRICE
JACKSON COUNTY ASSESSMENT DEPARTMENT

IN TESTIMONY WHEREOF, THE LEVY INVESTORS, LLC, A MISSOURI LIMITED LIABILITY COMPANY CAUSED THIS INSTRUMENT TO BE EXECUTED THIS _____ DAY OF _____ 2024.

THE LEVY INVESTORS, LLC
A MISSOURI LIMITED LIABILITY COMPANY

BY: _____

STATE OF MISSOURI }
COUNTY OF JACKSON } SS

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____ 2024, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, CAME _____ TO ME KNOWN PERSONALLY, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE _____ FOR THE LEVY INVESTORS LLC, A MISSOURI LIMITED LIABILITY COMPANY AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID COMPANY, AND SAID _____ ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID COMPANY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN SAID JACKSON COUNTY, MISSOURI, THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: _____

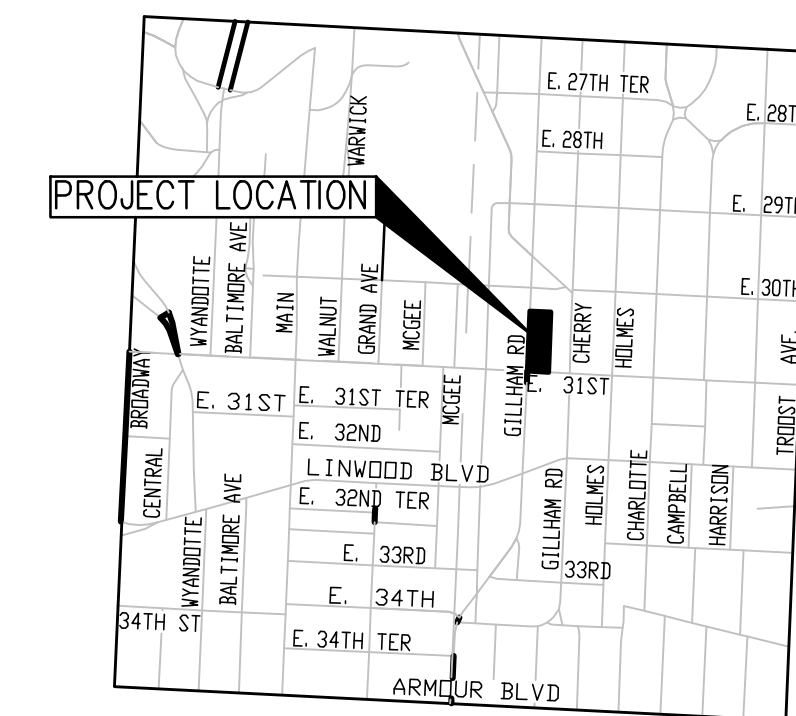
NOTARY PUBLIC

LAND DATA
TOTAL LAND AREA 41,992 SQ.FT. OR 0.964 ACRES
LAND AREA FOR PROPOSED AND EXISTING RIGHT OF WAY 0
NET LAND AREA 41,992 SQ.FT. OR 0.964 ACRES

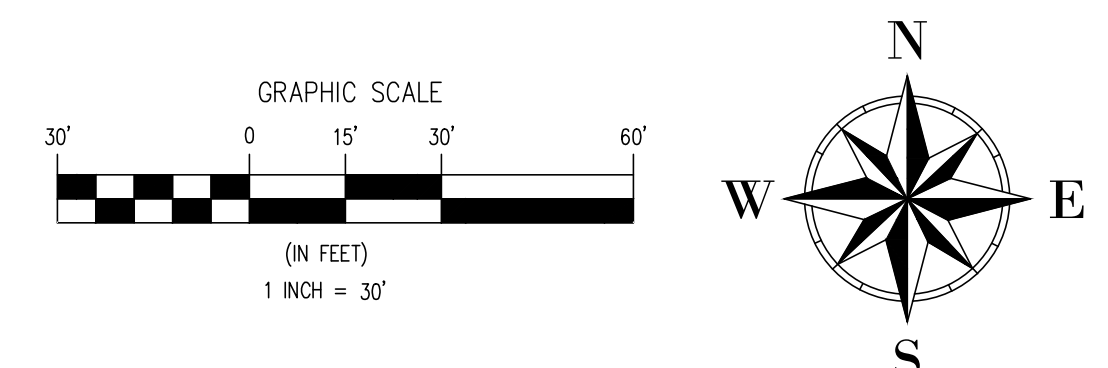
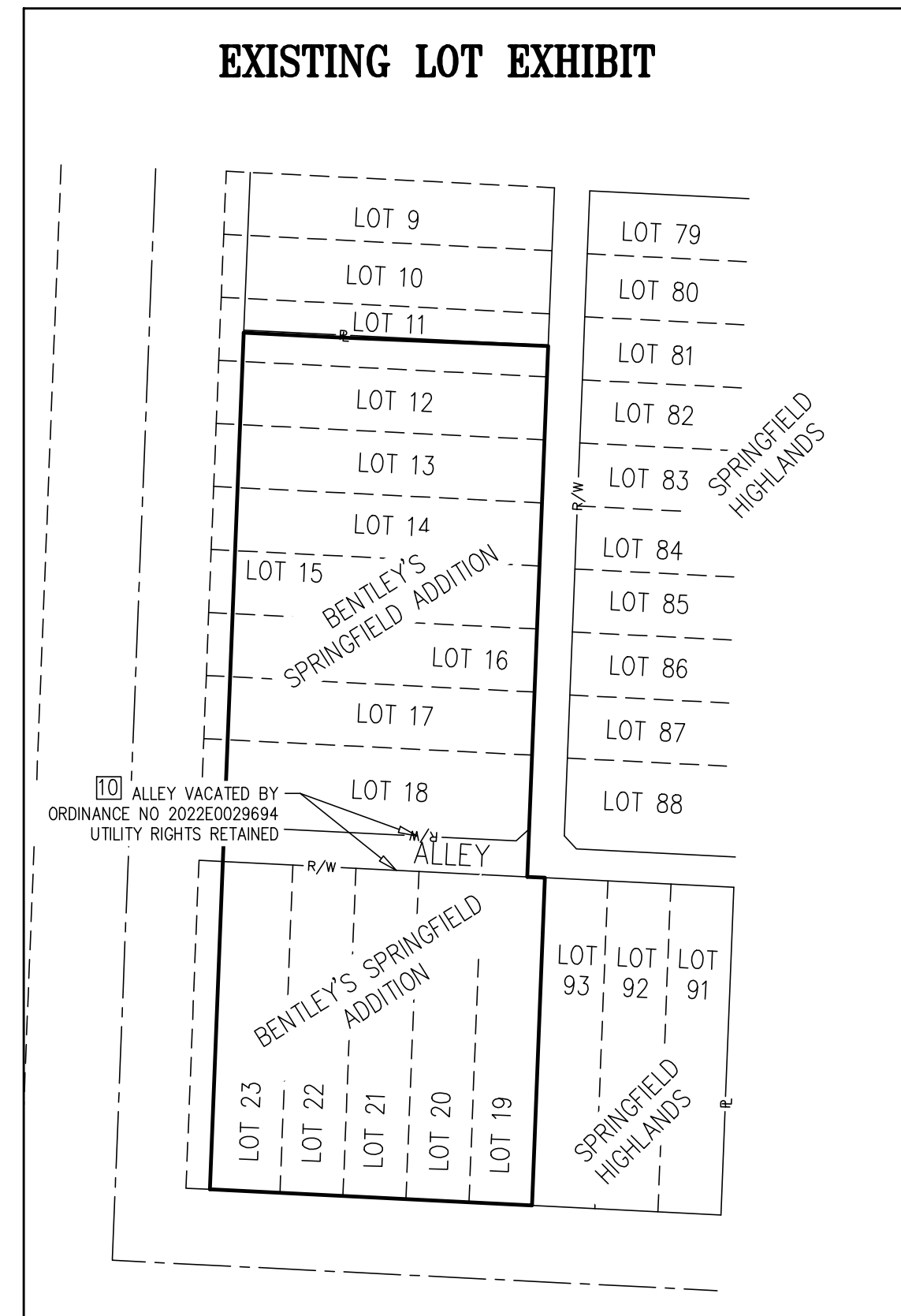
PLAT DATA
NUMBER OF UNITS 1
NUMBER OF TRACTS 0

LEGEND

- =FOUND 1/2" BAR & CAP
 - =SET 1/2" BAR & CAP
 - =SET 5/8" BAR & ALUMINUM CAP
 - + =CHISELED OR FOUND "+" AS INDICATED
 - PP=PREVIOUS PLAT
 - C=CALCULATED
 - D=DEED
 - CPS=COTTON PICKER SPINDLE
 - M=MEASURED
 - BSL=BUILDING SETBACK LINE
- =PLAT BOUNDARY
 - =NEW LOT LINE
 - - -=EXISTING LOT LINE
 - =CENTERLINE
- ⑩=MISSOURI STATE PLANE COORDINATES
- IN METERS
- ▬=RIGHT-OF-WAY DEDICATED BY THIS PLAT.



VICINITY MAP
SECTION 17-49-33
NOT TO SCALE



NOTE:
COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE, NAD83 2011 ADJUSTMENT, AS DETERMINED FROM GPS OBSERVATIONS USING THE MISSOURI DEPARTMENT OF TRANSPORTATION COMMISSION (MoDOT) GLOBAL NAVIGATION SATELLITE REAL-TIME NETWORK AND TIED TO CONTROL MONUMENT "PENN" OF THE JACKSON COUNTY GEOGRAPHIC REFERENCE SYSTEM. MISSOURI COORDINATE SYSTEM COORDINATE VALUES FOR "PENN" BASED ON MoDOT REAL-TIME NETWORK ARE AS SHOWN IN TABLE. PUBLISHED COORDINATE VALUES: N322,531.855, E842,410.073. A GRID FACTOR OF 0.9999001 WAS USED:

MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE		
PT. NO.	GRID NORTHING	GRID EASTING
PENN	322,531.800 M	842,410.086 M
1	322,319.288 M	843,184.949 M
2	322,422.744 M	843,189.047 M
3	322,421.127 M	843,225.826 M
5	322,356.924 M	843,225.418 M
6	322,317.334 M	843,223.849 M

EXISTING RIGHT-OF-WAY & STREET GRADES		
STREET	ORDINANCE NO.	DATE
GILLHAM ROAD FROM E 31ST ST. TO E. 30TH ST.	UNAVAILABLE	UNAVAILABLE
E. 31ST STREET FROM GILLHAM RD TO CHERRY ST.	UNAVAILABLE	UNAVAILABLE

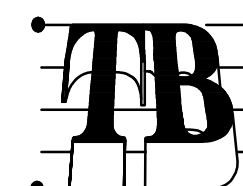
PLAT DEDICATION: LEVY AT MARTINI CORNER	RESERVED FOR COUNTY RECORDING STAMP
PRIVATE OPEN SPACE DEDICATION: 0	
RECORD AS: PLAT	

PLAT OF "LEVY AT MARTINI CORNER" SUBDIVISION IS BASED ON AN ACTUAL SURVEY MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, URBAN PROPERTY, AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES. I FURTHER STATE THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATING OF SUBDIVISIONS TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEFS.



FOR REVIEW
RICKY E. GARD Mo. L.S. No. 2069

DATE:



TALIAFERRO & BROWNE, INC.
CONSULTING ENGINEERS-SURVEYORS
1020 E. 8th STREET, KANSAS CITY, MO., 64108
816-283-3456 FAX 816-283-0810

SUBMITTAL DATE: 6-14-2024

SHEET 1 OF 1