



**City Planning & Development Department**

Development Management Division

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

816 513-8801  
Fax 816 513-2838

**CPC STAFF REPORT                      October 2, 2018                      (10)**

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**RE:**    **Case No. CD-CPC-2018-00132**

**APPLICANT:**                              Jason Swords  
Sunflower Development Group, LLC  
1520 Grand Avenue, 2<sup>nd</sup> Floor  
Kansas City, MO 64108

**OWNER:**                                      Rockhill Greens, LLC  
300 W. Douglas, Suite 1050  
Wichita, KS 67202

**AGENT:**                                      Roxsen Koch  
Polsinelli PC  
6201 College Blvd., Suite 500  
Overland Park, KS 66211

**LOCATION:**                                      Generally located at the southeast corner E. 65<sup>th</sup> Street  
and Rockhill Road.

**AREA:**    Approximately 6 acres.

**REQUESTS:**                                      To consider rezoning a 6 acres tract of land from District  
UR (Urban Redevelopment) to District UR (Urban  
Redevelopment) for the purpose of amending the existing  
UR plan to allow for unit increase from 162 to 210 multi-  
family units within 3 buildings.

**SURROUNDING**

**LAND USE:**                                      **North:** zoned R-1.5/ B4-5, Benjamin Banneker Charter Academy.  
**South:** zoned B3-2/ R-1.5/ R-0.5, Brookside Medical Center.  
**East:** zoned B-3/ B-4 & M1-5, parking lot/ Dialysis Center.  
**West:** zoned R-5, single family residences.

**LAND USE PLAN:**                              The County Club/ Waldo Area Plan adopted on February  
22, 2018, by Resolution No. 180106 recommends  
Residential Urban land use designation, which  
corresponds with R-0.3 and R0.5 zoning categories for this  
property. The proposed zoning is consistent with the  
future land use plan.

**MAJOR STREET PLAN:** The City's Major Street Plan shows Rockhill Road as an established boulevard under the jurisdiction of the Parks and Recreation Department.

**ARTERIAL STREET**

**IMPACT FEE:** Benefit District: Within and exempt district.

*(Informational only)*

**PRIOR & RELATED CASES:**

**Case No. 8889-UR-23** – Ordinance No. 170633 passed by City Council on August 21, 2017, rezoned approximately 6 acres generally located at the southeast corner E. 65<sup>th</sup> Street and Rockhill Road, to consider rezoning the parcel from Districts B3-2/ R-0.5 to District UR (Urban Redevelopment) and approval of a development plan that allows for a 162 multi-family units within 3 buildings.

**Case No. 8889-P-22** – Ordinance No. 170632 passed by City Council on August 21, 2017, approved an amendment to a previously approved Chapter 80 Preliminary Development plan in Districts B3-2/ R-0.5 on approximately 21 acres generally bordered by E. 65<sup>th</sup> Street on the north, E. 67<sup>th</sup> Street on the south, Troost Avenue on the east and Rockhill Road on the west, to allow for deletion of a 10 acre tract from the plan.

**SD 0223E, Preliminary Plat, Baptist Medical Center, Fourth Plat** – On August 15, 2018, the City Plan Commission approved a preliminary plat in Districts B3-2/ R-0.5 on about 21 acres, generally bordered by E. 65<sup>th</sup> Street on the north, E. 67<sup>th</sup> Street on the south, Troost Avenue on the east and Rockhill Road on the west, creating four (4) lots.

**SD 0223F, Final Plat, Baptist Medical Center, Fourth Plat** - On August 15, 2018, the City Plan Commission approved a final plat in Districts B3-2/ R-0.5 on about 21 acres, generally bordered by E. 65<sup>th</sup> Street on the north, E. 67<sup>th</sup> Street on the south, Troost Avenue on the east and Rockhill Road on the west, creating four (4) lots.

**Case No. 260-S-13** – Resolution No. 170632 passed by City Council on August 21, 2017, amended the Country Club/ Waldo Area Plan, on a 6 acre tract of land, generally located at the southeast corner E. 65<sup>th</sup> Street and Rockhill Road by changing the recommended land use from Office to High Density Residential.

**EXISTING CONDITIONS:**

The subject site was part of the Research Medical Center, Brookside Campus (Baptist-Lutheran Medical Center). The site is generally bordered by E. 65<sup>th</sup> Street on the north, E. 67<sup>th</sup> Street on the south, Troost Avenue on the east and Rockhill Road on the west. To the north of the site is Benjamin Banneker Charter Academy, to the south is Brookside Senior Residence and parking lot for the center. On the east side of Troost Avenue are mixed commercial uses and to the west of the site are single family residences.

Ordinance No. 170632 passed by City Council on August 21, 2017, approved an amendment to the Baptist-Lutheran Medical Center plan to delete the 6 acre parcel that is the subject of this amendment. Ordinance No. 170633 then rezoned the 6 acre tract to District UR (Urban Redevelopment) and approved a development plan that allowed for 162 multi-family units within 3 buildings.

**REVIEW/ANALYSIS:**

The request is to amend the recently approved UR Development Plan to add an additional floor to buildings 1 and 2 thereby increasing the number of units from 162 to 210 units. The overall parking for the development has also been increased from 191 to 218 parking spaces. The plan also proposes to add a parking garage under building 3. The revised plan will reduced the height and construction type of the retaining wall along the east boundary of the site. The access to the parking garage under building 3 is proposed off the private drive. This area also shows 14 additional surface parking.

The overall site layout, access, building architecture and amenities remain the same. Below is a summary of the proposed changes between the current approved plan and the proposed plan.

	<b>2017 PLAN</b>	<b>CURRENT PLAN</b>	<b>DIFFERENCE</b>
<b>No. of Bldgs.</b>	3	3	same
<b>No. of Units</b>	163	210	+47
<b>Parking Spaces</b>	191	218	+27 spaces
<b>Floors:</b>	3, 3 & 5	4, 4 & 5	same
<b>Bicycle - shot term</b>	20	22	+2
<b>Bicycle - long term</b>	66	70	+4
<b>FAR</b>	0.4	0.81	0.41

The buildings are proposed to be constructed of masonry, with burnished block, stucco and simulated wood. As a result of the change in grade on the site, the

plan shows multiple retaining walls along through the site. Staff recommends that a detailed cross section of the proposed retaining wall, showing proposed material for construction, top and bottom elevations of all proposed walls be shown on the plan. The plans should be accompanied by a structural data for any wall higher than 48", to be submitted to DMD prior to issuance of building permit.

The plan provides 218 parking spaces. A total of 210 spaces are required for the 210 residential units. The 218 parking spaces provided exceeds the parking required by the Zoning and Development code. The plan proposes 22 short term bicycle parking and 70 long term bicycle parking spaces

No Street Tree Planting Plan was submitted with the final plat as required by the CUP ordinance and the zoning and development code. City staff will recommend that this final plat not proceed to the City Council for approval until the Street Tree Planting Plan for this Plat has been submitted and approved by the City Forester. These trees should be installed and properly inspected prior to occupancy.

The submitted plan did not include any signage or lighting plan. Staff recommends that the signage plan that meets the requirement of Chapter 88-445 and a lighting plan that meets the requirement of 88-430 be submitted as part of the revised package. Staff also recommends that the landscaping plan be revised to meet the requirements of Chapter 88-425 per staff approval.

The developer is required to submit a final UR plan to the Director of City Planning and Development for approval including building elevations showing material for construction, plans for landscaping, grading, screening, berming, fencing for private open space tracts containing detention areas, pedestrian pathways, pool/ clubhouse, fencing, playground equipment, etc.; and building elevation and materials for the pool/ clubhouse. A final plan is required for the proposed private open space tracts prior to Mylar approval.

**Parkland Dedication:**

According to Chapter 88-408 of the Zoning and Development Code, the developer can either dedicate land for public park, provide open space for park purposes or provide money in lieu of parkland dedication. The development is providing a need for the following:

$$210 \text{ multi-family lots} \times 2 \times 0.006 = 2.52 \text{ acres}$$
$$2.52 \text{ acres} \times \$39,617.49 = \$99,836.07$$

That the developer can either dedicate 2.52 acres of parkland or contribute \$99,836.07 in lieu of parkland dedication for the 210 multifamily units in satisfaction of Chapter 88-408 of the Zoning and Development Code.

## **RECOMMENDATIONS:**

City Planning and Development Department staff recommends approval of **Case No. CD-CPC-2018-00132** based on the application, plat and documents provided for review prior to the hearing and subject to the following conditions:

### **Condition Nos. 1. - 3. per City Planning & Development, Development Management Division (Olofu Agbaji, [Olofu.Agbaji@kcmo.org](mailto:Olofu.Agbaji@kcmo.org))**

1. That the developer submit a Final UR Plan to the Director of City Planning and Development for approval, including detailed information on landscaping, signage (including elevations), lighting (including a photometric study showing zero footcandles at the property line and no direct illumination beyond the property line) and color building elevations prior to issuance of Building Permit.
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 Certificate of Occupancy.
3. 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 Nos. 4. - 8. per City Planning & Development, Land Development Division (Lucas Kaspar, [Lucas.Kaspar@kcmo.org](mailto:Lucas.Kaspar@kcmo.org))**

4. 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.
5. 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 4/8/09" and base 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.

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 private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.
7. 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 prior to issuance of any building permits, and the developer secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
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.

**Condition Nos. 9. & 10. per Water Services Department (Mark Griffin, [mark.griffin@kcmo.org](mailto:mark.griffin@kcmo.org))**

9. That the developer ensure that no structures are constructed over sewer easements. All structures shall be located outside the easements or designed an approve by WSD.
10. That the developer extend water mains and provide easements as required by the Water Services Department.

**Condition Nos. 11. & 12. per Parks and Recreation Department ( Richard Allen, [richard.allen@kcmo.org](mailto:richard.allen@kcmo.org))**

11. All proposed development within this UR district meet the requirement of Chapter 88-323, Boulevard and Parkway Standards.
12. That the developer either dedicate parkland or contribute money in lieu of parkland dedication in satisfaction of Section 88-408 of the Zoning and Development Code per the 2017 parkland fees based on the number of units and the following formula:  
(number of multi-family units) x 2 (persons per unit) x 0.006 (acres per person) = 0.00 acres x **\$39,617.49** (2018 parkland fee) = **Required fee.**

Respectfully submitted,



Olofu O. Agbaji  
Planner