



---

**File #: 220258**

---

ORDINANCE NO. 220258

Approving a development plan which also serves as a preliminary plat in District B3-2 on about 13.2 acres generally located at the southeast corner of N.W. 88th Street and N. Madison Avenue to create one lot and one tract for multi-family residential uses containing 144 units. (CD-CPC-2022-00003)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan which also serves as a preliminary plat in District B3-2 (Community Business dash 2) on about 13.2 acres, generally located at the southeast corner of NW 88th Street and N Madison Avenue, and more specifically described as follows:

TRACT 1:

All of Lot 5, Barry Towne - First Plat, and all of Lots 6 and 7, Barry Towne - Second Plat, both being subdivisions in Kansas City, Missouri, and all that part of the Northeast Quarter of Section 10, Township 51, Range 33, Kansas City, all being in Clay County, Missouri being described as follows: Beginning at the southeast corner of said Lot 5; thence North 60°09'55" West, along the southerly line of said lot 5, 246.16 feet to the southwest corner thereof, said point being on the easterly right-of-way line of North Madison Avenue, as now established; thence North 39°35'01" East, along said easterly right-of-way line, 479.75 feet; thence northerly, along said easterly right-of-way line, on a curve to the left, tangent to the last described course, having a radius of 690.00 feet, a central angle of 36°31'41", an arc distance of 439.90 feet; thence South 86°56'40" East, along said easterly right-of-way line, 12.00 feet; thence northerly, along said easterly right-of-way line, along a curve to the left, having an initial tangent bearing of north 03°03'20" east, having a radius of 702.00 feet, a central angle of 28°32'38", an arc distance of 349.73 feet; thence North 25°29'18" West, along said easterly right-of-way line, 332.15 feet; thence northerly, along said easterly right-of-way line, on a curve to the right, tangent to the last described course, having a radius of 798.00 feet, a central angle of 36°19'16", an arc distance of 505.87 feet; thence northeasterly, along said easterly right-of-way line, on a curve to the right, having a common tangent with the last described course, having a radius of 26.00 feet, a central angle of 99°51'50", an arc distance of 45.32 feet to its intersection with the southerly right-of-way line of Northwest 88th Street, as now established; thence South 69°18'33" East, along said southerly right-of-way line, 662.87 feet to its intersection with the westerly right-of-way line of U.S. Highway No. 169, as now

established; thence southerly, along said westerly right-of-way line, on a curve to the left, having an initial tangent bearing of South 06°25'40" West, a radius of 5839.58 feet, a central angle of 06°09'48", an arc distance of 628.18 feet; thence South 0°15'52" West, along said westerly right- of-way line, 444.00 feet; thence South 25°59'41" West along said westerly right-of-way line, 130.56 feet; thence South 37°32'25" West, along said westerly right-of-way line, 281.73 feet; thence South 52°00'49" West, along said westerly right-of-way line, 98.41 feet; thence South 46°29'06" West, along said westerly right-of-way line, 266.74 feet; thence southerly, along said westerly right-of-way line, on a curve to the left, tangent to the last described course, having a radius of 420.00 feet, a central angle of 25°51'39", an arc distance of 189.57 feet to the point of beginning, excepting therefrom Lot 5 Barry Towne - First Plat, a subdivision in Kansas City, Clay County, Missouri, and except Lots 6 and 7, Barry Towne - Second Plat, a subdivision in Kansas City, Clay County, Missouri.

TRACT 2:

Non-exclusive easements for ingress/egress access as further described in the operation and easement agreement by and between BTK Development, L.L.C., MDGSI Associates, L.L.C., Dayton Hudson Corp, and Serf Company recorded May 13, 1998 as Document No. N90750 in Book 2826, page 457 in the Records of Clay County, Missouri.

is hereby approved, subject to the following conditions:

1. 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 a certificate of occupancy.
2. 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.
3. 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.
4. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
5. 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.

6. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
7. Fire Department connection buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
8. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
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 -2013 § 8.7.2)
10. 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) Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities. Weight of 85,000 lbs per (IFC-2018 503.2.3)
11. The turning radius for Fire department access roads is 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
12. Dead-end Fire Department access road(s) in excess of 150 feet shall be provided with an approved turnaround feature (i.e., cul-de-sac, hammerhead). Dead-end streets in excess of 150 feet in length resulting from a "phased" project shall provide an approved temporary turnaround feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5)
13. 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.
14. The developer is 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 (2022) acquisition rate of (\$64,220.18) per acre. This

requirement shall be satisfied prior to recording the final plat or certificate of occupancy whichever is applicable to the project.

15. 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.


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 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.


  
Secretary, City Plan Commission

Approved as to form and legality:

  
Sarah Baxter  
Assistant City Attorney



Authenticated as Passed

  
for Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

MAR 31 2022

Date Passed