

- b. & c.)** Generally located on the north side of E. Bannister Road, between I-435 on the east and Bruce R. Watkins Drive (US Hwy 71).

AREA: Approximately 430 acres & 15 acre.

- REQUESTS:**
- a) Case No CD-CPC-2018-00145** - To consider a request to amend the existing URD plan on about 430 acres, by rezoning from District UR to District UR for the purpose of amending the UR plan to delete a 15 acre tract from said UR development plan.
 - b) Case No. CD-CPC-2018-00113** – To consider a request to rezone about 15 acres from District UR (Urban Redevelopment) to District B2-2 (Neighborhood Business 2 dash 2).
 - c) Case No. CD-CPC-2018-00112** - To consider approval of a development plan in District B-2 (Neighborhood Business 2), to allow for entertainment and spectator sport facility.

SURROUNDING

LAND USE:

- North:** zoned UR, vacant – Oxford on the Blue development.
- South:** zoned UR, existing quarry operations.
- East:** zoned UR, Foley Equipment.
- West:** Bruce R. Watkins Drive (US Hwy 71).

LAND USE PLAN: The Hickman Mills Area Plan (HMAP), adopted by the City Council Resolution No. 071240 on December 6, 2007, recommends Light Industrial, Commercial, Open Space and Conservation District land use at this location.

MAJOR STREET PLAN: East 87th Street is classified as a four lane through street typology by the City's Major Street Plan at this location. East Bannister Road is classified as a six lane through street typology by the major street plan.

ARTERIAL STREET

IMPACT FEE: Benefit District: G
(Informational only) Shall be calculated by the impact fee administrator.

PREVIOUS CASES:

Case No. 10390-MPD-17 – Ordinance No. 170982 passed by City Council on December 14, 2017, approved a major amended a UR development plan in District MPD (Master Planned Development), on about 34.4 acres generally located at the southeast corner of E 87th Street and Elmwood Avenue, to allow for additional parking.

Case No. 10390-UR-16 - Ordinance No. 160756 passed by City Council on October 13, 2016, amended a UR development plan on about 460 acres generally bounded by E. 87th Street on the north, Interstate 435 on the east, Bannister Road on the south, and Bruce R. Watkins Drive (US Hwy 71) on the west, for the purpose of deleting 35 acres from said UR development plan.

Case No. 10390-MPD-15 – Ordinance No. 160755 passed by City Council on October 13, 2016, rezoned about 35 acres generally located on the south side of E. 87th Street, between I-435 on the east and Bruce R. Watkins Drive (US Hwy 71) on the west, from District UR (Urban Redevelopment) to MPD (Master Planned District) and approval of a development plan which also serves as a preliminary plat, to allow for 500,000 square foot of general industrial development on one lot.

SD 1176C – Final Plat, Three Trails Commerce Center - To consider approval of a final plat in District MPD on approximately 35 acres generally located at the southeast corner of E. 87th Street and Elmwood Avenue, creating one (1) industrial lot and one (1) tract.

Case No. 10390-URD-5-AA-1 – On March 4, 2016, the Director of City Planning and Development administratively approved a final UR Development Plan pursuant to Chapter 88-260-05, to allow for a 500,000 square foot office warehouse building within the Santa Fe URD.

On August 27, 2015, the Street Naming Committee approved the street names for the above referenced project changing the name from Marion Park Drive to Elmwood Avenue. Please change the street names as approved by this plan for all future submittals to the City, including final plats, building permits and construction plans.

Case No. 10390-A-14 – On March 8, 2016, the Board of Zoning Adjustment dismissed the request to consider an appeal to the decision that the Owner, Developer, and/or Lessee have not met the conditions of the approved Development Plan for this R-7.5/UR zoned district specifically in that, per condition #21 billboards (2513 & 2514) registered under permit CVOA 373 and billboards (2515, 2516, 2517 & 2518) registered under permits CVOA 371 & 372 have not been removed by October 6,

2015; Ten years from the effective date of Ordinance number 051062.

Case No. 10390-MPD-13 – MPD Final Plan - On October 6, 2015, the City Plan Commission approved an MPD final plan within the Three Trails Commerce Center Master Planned District, on approximately 17 acres, generally located on the south side of E. 87th Street and the east side of Bruce R. Watkins Drive (US Hwy 71), to allow for a 331,000 square foot industrial building on Lot 2.

Case No. 10390-MPD-11 - Ordinance No. 150732 passed by City Council on September 3, 2015 rezoned about 57 acres generally located on the south side of E. 87th Street and the east side of Bruce R. Watkins Drive (US Hwy 71), from District UR (Urban Redevelopment) to MPD (Master Planned District) and approved a development plan which also served as a preliminary plat, allowing for 700,000 square foot of general industrial development on two lots.

Case No. 10390-URD-10 - Ordinance No. 150731 passed by City Council on September 3, 2015 amended a previously approved URD Plan in District UR (Urban Redevelopment), on approximately 460 acres generally bounded by E. 87th Street on the north, Interstate 435 on the east, Bannister Road on the south, and Bruce R. Watkins Drive (US Hwy 71) on the west, to allow for the deletion of 57 acres from said UR development plan. **CURRENT APPROVED SANTA FE URD PLAN.**

EXISTING CONDITIONS:

The subject site is bounded by E. 87th Street on the north, Interstate 435 on the east, E. Bannister Road on the south, and Bruce R. Watkins Drive (US Hwy 71) on the west. Most of the 513 acres has been extensively undermined and is being stabilized so that future development may occur. Along the Bannister Road frontage is a vacant large box retail store, a Taco Bell and a vacant fast food restaurants with drive-through. Just north of this site is All American Redi Mix. The northwest corner is platted as Santa Fe Trial Business Park in 2006.

Ordinances Nos. 150732 and 160755 passed by City Council deleted about 100 acres along the south side of E. 87th Street to allow for the Three Trails Commerce Center MPD plan. The three office warehouse buildings have been constructed on this site, leaving the quarrying operation within the remainder of the site.

Surrounding land uses include undeveloped properties approved as Oxford on the Blue development on the north side of E. 87th Street; Foley Equipment located at the northeast corner of the site, existing mining operation to the south and Bruce R. Watkins Drive and multi-family residential to the west.

PLAN REVIEW & ANALYSIS:

These three companion cases are required because the existing building is within the existing Santa Fe UR District. This was a TIF incentive district for the reclamation of the existing quarry. Although the TIF is no longer active the UR zoning and development plan remains active. For the applicant to reuse the vacant HQ building, they are required to amend the UR plan to either delete their parcel from the plan or to allow for the use. The first case is to delete the parcel from the plan. The second case is to rezone the parcel to a commercial district that permits the proposed use, and the third case is approval of a development plan that allows the proposed use to be established at this location.

Case No. CD-CPC-2018-00145 is a request to amend the existing Santa Fe UR development plan on about 430 acres generally bounded by E. 87th Street on the north, Interstate 435 on the east, Bannister Road on the south, and Bruce R. Watkins Drive (US Hwy 71) on the west, for the purpose of deleting a 15 acre tract from said UR development plan. The site is the vacant HQ building on the north side of E. Bannister Road.

The existing URD plan approved an 8 million square foot office, warehouse development and a retail center on Bannister Road. The plan consists of 4 million square foot of office, 3.5 million square foot of warehouse and about 500,000 square foot of retail. Construction was anticipated to occur in 12 phases, through 2020, as the undermined property is reclaimed. The existing land reclamation, quarry and excavation will continue on the remainder of this site.

Chapter 88-260-06 states that in the course of carrying out any part of the development plan for a UR district, the developer may submit a request for an amendment of the preliminary development plan approved at the time of rezoning to the UR district. Requests to amend a preliminary development plan must be processed as a zoning map amendment in accordance with 88-515.

88-516-06-C - Plan Amendment Multiple Owners - In the case of a plan amendment (in a zoning district requiring a plan) with multiple owners, a single property owner may initiate the application to amend the plan subject to stipulations.

The request is to amend the current approved URD plan to delete the 15 acre on the north side of E. Bannister to allow for entertainment and spectator sport facility. The area to be deleted is platted and developed. The proposed amendment to the existing plan will not adversely impact the overall UR Development plan as no new construction is proposed.

All the conditions of approval outlined in Ordinance No. 160755 passed by City

Council on October 13, 2016, shall carry forward. This includes the request by Public Works Department for an overall traffic study for the amendment to the Santa Fe URD plan. Any deviation from the 2005 URD plan that requires a URD plan amendment shall require an updated traffic impact study for the overall URD development plan. The updated traffic impact study must incorporate the prevailing conditions existing at the time of the update, including all adjacent approved developments.

Case No. CD-CPC-2018-00113 is a request to rezone the 15 acre tract of land generally located on the north side of E. Bannister Road, between I-435 on the east and Bruce R. Watkins Drive (US Hwy 71), from District UR (Urban Redevelopment) to District B2-2 (Neighborhood Business 2 dash 2). The Hickman Mills Area Plan (HMAP), adopted by the City Council Resolution No. 071240 on December 6, 2007, recommends Light Industrial, Commercial, Open Space and Conservation District land use at this location. The proposed B2-2 (Neighborhood Business 2 dash 2) district is consistent with the future land use plan. No area plan amendment is necessary.

Case No. CD-CPC-2018-00112 is a request to consider approval of a development plan in District B2-2 (Neighborhood Business 2 dash 2) on about 15 acres, to allow for entertainment and spectator sport facility (Elite Sports Mall). The site is the vacant Home Quarters home improvement store located at the northwest corner of I-435 and E. Bannister Road. To the north of the site is All American Redi-Mix within the existing quarry and to the south is Home Depot. To the east is Cerner Trails Campus and to the west are two vacant restaurants.

The plan proposes to repurpose the existing vacant building into a multi-sport complex. The plan shows 8 fields, a fitness area, a retail shop, coffee shop, sports bar, medical offices, meeting rooms and an exterior batting cage. There is no plan for a building addition at this time. Proposed improvements include updating the building and parking lot, and installing new landscaping around the perimeter. See attached letter from the applicant.

The submitted plan included a landscaping plan that provided street trees and interior landscaping that meet the requirement of Chapter 88-425. Chapter 88-445-10-A-1, requires that a signage plan must be submitted in conjunction with the review and approval of a development plan, according to the review procedure of 88-517. The plan does not show a monument sign or wall sign. The sign cannot be located within a public utility easement. The sign is not dimensioned. Individual buildings on parcels with a minimum of 200 feet of street frontage are permitted one monument sign per frontage not to exceed 50 square foot and six feet in height, and shall be setback 10 feet. Staff recommends that the applicant revise the plan to either include signage that meets the requirement of Chapter 88-445 in its entirety, or a note be added on the plan that says that all signage shall conform

to 88-445 and is subject to a sign permit.

RECOMMENDATIONS:

- a) The City Planning and Development Department staff recommends that **Case No. CD-CPC-2018-00145** be approved based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions:

Condition No. 1. & 2. per City Planning & Development, Development Management Division (Olofu Agbaji, Olofu.Agbaji@kcmo.org)

1. Conditions of approval of No. 051062 passed by City Council on October 6, 2005 (Case No. 10390-URD-5) still applies and shall be carried forward.
2. That the developer submit a Final UR Plan to the Director of City Planning and Development for approval, indicating plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero foot candles at the property lines prior to issuance of building permit.

Condition Nos. 3. - 14. per City Planning & Development, Land Development Division (Lucas Kasper, lucas.kasper@kcmo.org)

3. 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.
4. The developer must submit a Macro/Micro storm drainage study, including a BMP level of service analysis, to the Land Development Division for review and acceptance for the entire development when the first plat infrastructure improvements are submitted, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
5. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review, acceptance, and permitting for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
6. 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.

7. The owner/developer must secure a Site Disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
8. 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.
9. The developer must design and construct all interior public streets to City Standards, as required by the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks.
10. The developer must construct temporary off-site cul-de-sacs as required by the Land Development Division.
11. 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.
12. 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.
13. The developer must secure permits to extend 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.

14. The developer must 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.

Condition 15. per Public Works Department (Jeffrey Bryan, jeffrey.bryan@kcmo.org)

15. Any future development that deviates from the current approved 2005 URD Development Plan as it relates to site layout (including building uses and floor areas), phasing, and timing, other than the 112 acres owned or controlled by Northpoint and developed for light industrial/office uses, shall require an amended URD development plan and shall require an updated traffic impact study for the overall URD development plan. The updated traffic impact study must incorporate the prevailing conditions existing at the time of the update, including all adjacent approved developments.

b) The City Planning and Development Department staff recommends that **Case No. CD-CPC-2018-00113** be approved without conditions.

c) The City Planning and Development Department staff recommends that **Case No. CD-CPC-2018-00112** be approved based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions:

Condition No. 1. per City Planning & Development, Development Management Division (Olofu Agbaji, Olofu.Agbaji@kcmo.org)

1. 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.

Condition Nos. 2. - 8. per City Planning & Development, Land Development Division (Lucas Kasper, lucas.kasper@kcmo.org)

2. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and that the developer secure permits

to construct any improvements as required by the Land Development Division prior to issuance of any certificate of occupancy.

3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. The developer must grant a BMP Easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.

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

9. That the developer remove all permanent structure from water easement as required by the Water services Department.
10. That the developer ensure that water and fire service lines should meet current Water services Department standards.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Olofu O. Agbaji". The signature is fluid and cursive, with the first name "Olofu" being more prominent and the last name "Agbaji" following in a similar style.

Olofu O. Agbaji
Planner