



City Planning & Development Department

Development Management Division

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

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STAFF REPORT

July 7, 2015

(18)

RE: Case No. 6029-MPD-30 (Advertised as MPD-29)

APPLICANT: Tiffany Square Real Estate, LLC
Attn: Michael F. Flanagan
7611 State Line Road
Kansas City, MO 64114

PROPERTY OWNER: Timothy J. Kelley, Tiffany Square, Inc.
7500 W. 95th Street
Overland Park, KS 66212

APPLICANT'S REPRESENTATIVE: NSPJ Architects
Attn: Timothy Homburg
3515 W. 75th Street, Suite 201
Prairie Village, KS 66208

AREA: About 14.98 acres

LOCATION/REQUEST: About 15 acres generally located on the east side of N Ambassador Drive between NW Old Tiffany Springs Road on the north and NW 88th Street on the south, to consider rezoning from District R-2.5 (Residential 2.5) to District MPD (Master Planned Development) and approval of a development plan that serves as a Preliminary Plat for skilled nursing, independent living, retail and office uses.

SURROUNDING LAND USE:

North: Tiffany Springs Road, then Tiffany Woods at Rose Creek, zoned R 2.5 & R 7.5
East: Tiffany Hills, zoned R 2.5, (Autumn Ridge subdivision), zoned R-6
South: Open space/undeveloped, zoned B 3-3
West: Tiffany Springs Market Center, zoned B 3-3

LAND USE PLANS: KCI Area Plan, approved on June 18, 2009, with Ordinance No. 090395, recommends Commercial land use. Note: the proposal is in compliance with the future land use plan.

MAJOR STREET PLAN: NW Ambassador Drive is shown as a Thoroughfare.
NW Old Tiffany Springs Road is shown as a Local Link.
The Bike KC Plan shows NW Ambassador Drive as a Future Bike Facility
NW Old Tiffany Springs Road is shown to be the location for the future ATA Special Purpose Rapid Transit Corridor

ARTERIAL STREET

IMPACT FEE: Benefit District: North Benefit District A
Discounted Rate: \$253.00/ 1000 sf of Nursing Home
See CS Ord. 011258 for all rates dependent upon use.

REPORT:

Existing Conditions:

The site includes 14.98 acres and is located on the east side of N Ambassador Drive between NW 88th Street on the south and NW Old Tiffany Springs Road on the north. The site measures about 1,200 feet N/S and about 560 feet E/W. The site is vacant and is generally unimproved. The site elevation on the north, along NW Old Tiffany Springs Road is 1056. The elevation on the south, along NW 88th Street is 1024. The property is bordered on the north, west and south with city roadways. These roads have all been improved with recent Tax Increment Financing funds. The property to the east are residential 4-plex units in the Tiffany Hills subdivision. Across the street to the west is the Tiffany Springs Market Center containing numerous commercial pad sites and big box stores.

Proposed Plan:

The project proposes a three phase plan including the following:

- Phase 1: A 120 unit, one story, 90,000 SF Skilled Nursing Facility,
- Phase 2: A 220 unit, four story, 280,000 SF Independent/Assisted Living Facility, and
- Phase 3: Four pad sites including Retail, Medical Office and Restaurant uses.

The first phase is the Skilled Nursing Facility. Each phase is able to stand alone with regards to vehicular access therefore phasing is not important from an access standpoint. The Skilled Nursing Facility is located on the north side of the development, at the southeast corner of NW Old Tiffany Springs Road and N Ambassador Drive. The plan shows a single story 90,000 SF

irregularly shaped facility with 120 units. The setback from NW Old Tiffany Springs Road is 50 feet and is to be placed within a tract, to allow for the future ATA Special Purpose Rapid Transit Corridor. The structure is centrally located with a 50 foot setback from the north and a 30 foot setback from N Ambassador Drive on the west. Vehicular access is proposed on both streets. Parking for the facility will be on the west, along the existing 4-plexes of Tiffany Hills and also on the southwest of the structure. The parking on the southwest is aligned at a 45 degree angle to the drive entrance and allows for an interior lot drop-off serving as a main entrance. There are 30 vehicular parking spaces required for Phase 1 and 50 spaces provided. In both the Phase 1 Skilled Nursing Facility and Phase 2 Assisted Living Facility, the applicant is proposing to provide 50% of the required short and long term bicycle parking stalls. For example, for these two phases, 49 short term bike spaces are required and 25 spaces are provided. In addition, 100 long term bike spaces are required and 50 spaces are provided. Building materials for Phase 1 include: manufactured stone veneer, stucco, composition roofing and engineered wood trim.

The second phase (Building 2) is a 220-unit, four-story, 280,000 SF Independent/Assisted Living Facility. The Assisted Living Facility is located just south and only about 50 feet from the Phase 1 Skilled Nursing Facility. The plan shows an I-shaped structure with the primary pedestrian and vehicular entrance on the south. A second drive is proposed for N Ambassador Drive and will serve as the primary vehicular entrance for Phase 2. There is a circular entrance on the south, just off of the proposed entrance drive. Vehicular parking is also provided on the west and east sides. The east side parking will be an extension of the parking which is provided for Phase 1. There will be pedestrian connections between the first and second phases which will be interior connections. Vehicular circulation will occur on the exterior, pedestrian on the interior. The vehicular requirement for parking was incorrectly calculated on the plan. There are 74 vehicular parking spaces required for Phase 2 (220 stated) and 220 spaces provided. Building materials for Phase 2 include: manufactured stone veneer, stucco, composition roofing and engineered wood trim.

The third phase includes four pad sites. The four pad sites, identified as (Buildings 3, 4, 5 & 6), will include, in order: 1-Story retail, 5,000 SF; 1 story Medical office 13,600 SF; 1 story drug store retail 13,000 SF and 1 story restaurant, 4,000 SF. Vehicular access will be from the second vehicular access on N Ambassador Drive which was constructed with Phase 2 and two new drive entrances to be constructed on NW 88th Street. The four pad sites are also centrally located along a strong N/S axis running from the Phase 2 Assisted Living Facility south between the four pad sites. The drive access from NW 88th Street will have a parkway type appearance with a center island, additional sidewalk planter islands and parallel parking. Similar to the other phases, vehicular parking will be on the west and east sides. The vehicular parking provided exceeds the parking required and the required short and long bicycle parking is met.

Traffic Study:

A Traffic Study was requested and provided for this project. The typically required Walkability Study which accompanies the Traffic Study was waived by City Development Department staff. The traffic study was provided by Lutjen, Inc. The study states that the following proposed traffic improvement:

- *Developer will construct a northbound right turn deceleration lane at the southern driveway on North Ambassador Drive and that eastbound left-turn auxiliary lanes be installed at both driveways on NW 88th Street.*

The Streets and Traffic Division of Public Works Department has reviewed the traffic study and states that there are no recommended conditions. The above improvement will be completed by the developer but is not a city requirement.

Parkland Dedication:

Parkland dedication is a requirement of platting for residential development. According to Section 88-405-17 the developer has three options for this dedication whenever residential development is proposed. Applicants can dedicate land to the City, provide private open space for park purposes or pay money in lieu of parkland dedication. The plan is requesting the approval of 340 residential units. The estimated amount of payment is therefore as follows:

- 340 MF units x 2 persons/unit x 0.006 acres/person = 4.08 acres
- 4.08 acres x \$16,907.93 = \$68,984.35 or \$202.89 per unit.

These monies are expected to be used within a park within three miles of the site.

88-520-03-F. MPD Review Criteria

In reviewing and making decisions on proposed MPD rezonings and preliminary development plans, review and decision-making bodies must consider at least the following factors:

- the preliminary development plan's consistency with any adopted land use plans for the area;
 - *The project is consistent with the KCI Area Plan, approved on June 18, 2009, with Ordinance No. 090395, which recommends Commercial land use for this site.*
- the preliminary development plan's consistency with the MPD district provisions of 88-280; and
 - *The applicant is expected to submit an MPD statement.*
- the sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the MPD in the case of a plan that proposes development over a long

period of time.

- *This plan is proposed to be developed in three phases from north to south with the first phase to be a skilled nursing facility with construction scheduled to begin as market demands warrant.*

88-280-06 Approval Criterion

MPD zoning may be approved only when the city council, after receiving the recommendation of the city plan commission, determines that the proposed development cannot be reasonably accommodated by other available regulations of this zoning and development code, and that a MPD would result in a greater benefit to the city as a whole than would development under conventional zoning district regulations. Such greater benefit may include implementation of adopted planning policies, natural resource preservation, urban design, neighborhood/community amenities, or a general level of development quality.

Analysis:

The proposed development is in compliance with the KCI Area Plan, approved on June 18, 2009, with Ordinance No. 090395, which recommends Commercial land use at this site. The site plan sets back the 50 foot required amount of distance to be preserved for the KCATA Special Purpose Rapid Transit Corridor. The land uses compliment the need for elderly care along with the needed transition between the more intense commercial development to the west, and the less dense residential development to the east. The developer has agreed to install a berm and work with city staff to increase the buffer between the subject site and the Tiffany Hills subdivision.

RECOMMENDATION:

Case No. 6029-MPD-30: City Planning and Development Staff recommends approval Case No. 6029-MPD-30, based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions as provided by the Development Review Committee at the June 24, 2015 meeting:

1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file,) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff (15th Floor, City Hall), prior to ordinance request showing:
 - a. Provide additional storm sewer easement over existing 84" CMP to provide 15 ft from center of pipe.
 - b. Show concept of Stormwater Management for the site.
 - c. Clearly show proposed Lot Lines.
 - d. Revise the public storm sewer system to show private curb inlets connecting to a public sewer main.
 - e. Sheet A1.00, a. change Phase 3 district from B-5 to B-2.

- f. Sheet A1.00, c. identify where the 0.87 acres is used.
- g. Sheet A1.00, j. change the independent living parking required ratio from 1/2DU to 1/3DU and resulting calculations.
- h. Sheet A1.00, identify the measurement line 500 feet from the development.
- i. Sheet A1.00, show trash receptacles.
- j. Sheet A1.00, add that this development plan also serves as a preliminary plat.
- k. Sheet L1.00, state the ratio and size of landscaping required in the interior landscaping for parking lots.
- l. Sheet L1.00, include and state the berm height and state the retaining wall height and materials for the buffer area on the entire east border as required by City Planning and Development Department staff.

Conditions 2. - 11. per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)

2. 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.
3. The developer shall submit a Macro "Overall" storm drainage analysis from a Missouri-licensed civil engineer for the entire development in accordance with adopted standards to the Land Development Division for review and acceptance at the time the first plat is submitted, with a Micro "detailed" storm drainage study, including a BMP level of service analysis, in accordance with current adopted standards to be submitted for each phase at the time of final platting, and the developer secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
4. The developer shall verify vertical and horizontal sight distance for the drive connection to public streets and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
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 developer submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage, for NW 88th Street, and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
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 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.
10. 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.
11. The developer must grant a BMP Easement to the City as required by the Land Development Division, prior to obtaining Certificate of Occupancy for any building permit.

Condition 12. per Fire Marshal's Office, John Hastings, (John.Hastings@kcmo.org)

12. That the developer provide for fire protection as required by the Fire Department.

Condition 13. per Heather Massey, Water Services Department, (Heather.Massey@kcmo.org)

13. That the developer extend water mains as required by the Water Services Department.

Conditions 14 - 17. per John Eckardt, City Development Department, (John.Eckardt@kcmo.org)

14. That within 30 days of approval of a preliminary development plan by the city council, the landowner must file with the appropriate recorder of deeds office a statement that such a plan: (1) has been filed with the city plan commission; (2) has been approved; (3) that the MPD preliminary development plan is applicable to certain specified legally-described land; and (4) that copies of the plan are on file in the city planning and development department. The statement recorded with the recorder of deeds must also specify the nature of the plan,

the proposed density or intensity of land use and other pertinent information sufficient to notify any prospective purchasers or users of the land of the existence of such a plan and further include all information as required by Section 88-520-03-H.

15. That the developer contribute \$68,984.35 or at a rate of \$202.89 per unit, in lieu of parkland dedication for 340 multifamily units in satisfaction of Section 88-405-17 of the Zoning and Development Code, calculated as follows:
 - 340 MF units x 2 persons/unit x 0.006 acres/person = 4.08 acres
 - 4.08 acres x \$16,907.93 = \$68,984.35 or \$202.89 per unit.
16. That the developer submit Final development plan with the city planning and development department after approval of and before the lapse of a preliminary development plan. The site plan shall include information regarding: property uses, setback distances, lighting (photometrics plan showing zero footcandles at the property line), landscaping and architectural characteristics, berms, trees and plantings around and within the parking lots; show proposed pedestrian circulation; and include elevation drawings of buildings and signage.
17. That the developer submit a street tree planting plan to the Parks and Recreation Department for approval prior to the approval of a final plat.

Respectfully submitted,



John Eckardt
Planner