



CITY PLAN COMMISSION

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

kcmo.gov/planning

January 26, 2024

David S Lotz
Continental Consulting Engineers, Inc.
9000 State Line Rd
Leawood, KS 66206

Re: **CD-CPC-2023-00174** - A request to approve a major amendment to a previously approved MPD (Master Planned District), which also serves as a preliminary plat for a data center campus on about 500 acres generally located at the northeast corner of I-435 and HWY 169.

Dear David S Lotz:

At its meeting on January 23, 2024, the City Plan Commission acted as follows on the above-referenced case.

Approved with Conditions

The Commission's action is only a recommendation. Your request must receive final action from the Council. All conditions imposed by the Commission, if any, are available on the following page(s).

PLEASE READ CONDITIONS CAREFULLY as some or all of the conditions imposed may require action on your part to proceed to the next step.

- If revised plans are required, you must make such revisions and upload the revised plans prior to proceeding to final action.
- If revised plans are not required, your request will automatically be submitted for Council consideration.

If you have any questions, please contact me at Genevieve.Kohn@kcmo.org or (816) 513-8808.

Sincerely,

A handwritten signature in cursive script that reads "Genevieve Kohn".

Genevieve Kohn
Planner

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 submit an affidavit, completed by an ISA certified arborist, an SAF certified forester, a professional engineer, or a landscape architect licensed in the State of Missouri, verifying that all trees preserved and all trees planted to meet mitigation required of the approved plan, whichever is applicable, has been installed or preserved in accordance with the plan and is healthy prior to Certificate of Occupancy.
2. The developer shall secure approval of an MPD Final Plan from the City Plan Commission prior to building permit. Each MPD Final Plan may contain up to three buildings, including office buildings.
3. Detailed landscaping, lighting, building elevations, parking layout, and pedestrian circulation shall be reviewed at the time of MPD Final Plan.
4. The developer shall comply with all MODOT requirements prior to receiving any building permit.
5. The developer shall align and dedicate right of way per the City's Major Street Plan, or come to an alternative agreement with the Public Works Department prior to request for ordinance.
6. The developer shall obtain approval of a deviation to the parking ratios for communications service establishment and office uses in the amount of 40 parking spaces per data center building and 8 parking spaces per 1,000 square feet of office.
7. All roof and/or ground mounted mechanical and utility equipment visible from the public right of way shall be screened in compliance with 88-425-08 and 88-425-09.
8. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
9. The developer shall construct the trail identified on the Trails KC Plan along the southern boundary of the subject site at the time of the final phase of development.

Condition(s) by City Planning and Development Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

10. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the Stream Buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.
11. The developer must design and construct all interior public streets to City Standards, as required by Chapter 88 and the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks.
12. The developer shall pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
13. The developer shall dedicate right of way and provide easements for future NW 128th Street extension as required by the adopted Major Street Plan and/or Chapter 88 so as to provide a minimum of 100 feet of right of way, to the extent required by Public Works Department, unless otherwise waived, prior to request for ordinance.
14. The developer shall construct temporary off-site cul-de-sacs and grant a city approved temporary cul-de-sac easement, for that portion outside of the dedicated street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.
15. The developer shall either 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 or enter into a secured deferral agreement for the installation of such improvement prior to recording the final plat.
16. 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(s) by City Planning and Development Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

17. The developer shall 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
18. The developer shall submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to MDNR and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
19. The developer shall submit a Macro storm drainage study with the first Plat or Phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including Water Quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit Micro storm drainage study with each subsequent Plat or Phase showing compliance with the approved Macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first as required by the Land Development Division.
20. 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.
21. The developer shall 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.

Condition(s) by Fire Department. Contact Michael Schroeder at (816) 513-4604 / michael.schroeder@kcmo.org with questions.

22. A required fire department access roads shall be an all weather surface. (IFC-2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Required fire department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3) The turning radius for fire department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
23. 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 241-2013 § 8.7.2) Fire hydrant distribution shall follow IFC-2018 Table C102.1
24. 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)
25. Aerial Fire Apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial Fire Apparatus Roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105). Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
26. The developer shall meet the fire flow requirements as set forth in Appendix B of the project International Fire Code 2018. (IFC-2018 § 507.1)
27. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1) and (NFPA1221)
28. Buildings exceeding 62,000 square feet in area shall have at least two means of fire apparatus access (IFC-2018: § D104.2) Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. (IFC-2018: § D106.3)

Condition(s) by Parks & Recreation. Contact Kevin Lapointe at (816) 513-7776 / Kevin.Lapointe@kcmo.org with questions.

29. The developer shall be responsible for tree preservation in an easement or platted tract, mitigation planting, or payment of cash-in-lieu of preservation or mitigation planting, or any combination thereof in accordance with 88-424. Should the developer choose to pay cash-in-lieu of preservation or mitigation of all or a portion of the required area, the amount due shall be based upon the rate specified in 88-424. This requirement shall be satisfied prior to certificate of occupancy.

Condition(s) by Public Works Department. Contact Sam Akula at (816) 513-9861 / sam.akula@kcmo.org with questions.

30. The Traffic impact study did not include a crash analysis for the study area. There is no present crash analysis in the study as required by City Guidelines for a Traffic Impact Analysis Report for Proposed Developments in Kansas City, MO. There has been over 32 crashes in the study area from FY 2019-2023. A complete crash analysis is needed for the study area. Revise TIS or provide a memo from the traffic engineer stating the crash data was analyzed prior to building permit.

Condition(s) by Water Services Department. Contact Heather Massey at (816) 513-2111 / heather.massey@kcmo.org with questions.

31. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations. Prior to certificate of occupancy.
32. No water service tap permits will be issued until the public water main is released for taps.
33. Water/Sewer Service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
34. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
35. A full flow fire meter shall be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.

Condition(s) by Water Services Department. Contact Kirk Rome at (816) 513-0368 / kirk.rome@kcmo.org with questions.

36. The developer shall design and construct water main extension plans developed by a Missouri PE and following KC Water Rules and Regulations for water main extensions including all appurtenances such as fire hydrants. The plans shall include water mains of adequate size to serve the new development. Those mains are anticipated to be 16" Transmission mains (TM) from the existing 24" TM in NE Cookingham Dr. continuing north generally following Main Street up to NE 128th Street then continuing west to connect to the existing 16" TM along the 169 Hwy. Frontage Road. At 128th Street and Main Street a new 12" water main shall be designed and constructed to continue north to the northern property line. A new 12" water main shall also be designed and installed to provide a looped connection to the property to the east. This east leg water main shall be shown in an easement adjacent to the I-435 northern right-of-way and extend generally from Main Street to the east property line. All water mains shall be located in either easements or right-of-way and in widths as designated in the KC Water Rules and Regulations.

Condition(s) by Water Services Department. Contact Lucas Kaspar at (816) 513-2131 / Lucas.Kaspar@kcmo.org with questions.

37. The developer must grant on City approved forms, a STREAM BUFFER Easement to the City, as required by Chapter 88 and Land Development Division, prior to issuance of any stream buffer permits.
38. The developer must obtain a Floodplain Development Permit prior to beginning any construction activities within the floodplain.
39. The developer must show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year flood prone area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.