



**City Planning & Development Department**

**170982**

Development Management Division

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Kansas City, Missouri 64106-2795

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**STAFF REPORT**

**October 17, 2017**

**(17)**

**RE: Case 10390-MPD-17**

**APPLICANT:** R. J. Agee  
NPIF2 Three Trials Industrial Park, LLC  
4825 N. 41<sup>st</sup> Street, Suite 100  
Riverside, MO 64150

**OWNER:** NPIF2 Three Trials Industrial Park, LLC  
5015 NW Canal Street  
Riverside, MO 64150

**LOCATION:** Generally bounded by E. 87th Street on the north,  
Interstate 435 on the east and Bruce R. Watkins Drive  
(US Hwy 71) on the west.

**AREA:** Approximately 92 acres

**REQUESTS:** To consider approval of a major amendment to an  
MPD (Master Planned District) development plan to  
allow for a parking lot addition.

**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, Open Space and  
Conservation District land use at this location.

**MAJOR STREET PLAN:** East 87<sup>th</sup> Street is classified as a four lane through street  
typology by the City's Major Street Plan at this location.  
Elmwood Avenue is not classified by the major street  
plan.

**ARTERIAL STREET**

**IMPACT FEE:**

(Informational only)

Benefit District: G

Shall be calculated by the impact fee administrator.

**PREVIOUS CASES:**

**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. CURRENT APPROVED PLAN.

**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. 87<sup>th</sup> 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.

### **EXISTING CONDITIONS:**

The subject site is bounded by E. 87<sup>th</sup> Street on the north, between I-435 on the east and Bruce R. Watkins on the west. Ordinance No. 160755 passed by City Council on October 13, 2016, rezoned the 35 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. This was phase II of the Three Trails Commerce Center MPD plan.

The existing building is about 500,000 square foot single story structure with 250 parking spaces. The building is constructed of precast concrete panels accented with medium textured cement based acrylic coating. The finishes and trims show metal coping and EIFS. Access is off E. 87<sup>th</sup> Street on Elmwood Avenue on the west and Brighton Avenue to the east. The plan shows a stormwater detention facility within Tract A along the west side of the site.

Surrounding land uses include undeveloped properties approved as Oxford on the Blue development on the north side of E. 87<sup>th</sup> 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:**

The developer is requesting a major amendment to the current approved development plan to allow for a 100 additional parking spaces within phase 2. The current plan allowed for 250 parking spaces and the amendment will allow for 350 spaces.

#### **8-516-06-A. MAJOR AMENDMENTS**

1. Major amendments to approved development plans or project plans must be reviewed and approved in accordance with the development plan or project plan review procedures of this ordinance. Major amendments to development plans or project plans include one or more changes, in

cumulative total (when compared to the original plan approval), that would:

- d. increase the total impervious surface coverage by more than 10% or 2,000 square feet, whichever is less.

The submitted plan included a landscaping that meets the requirement of Chapter 88-425 of the Zoning and Development Code. At the intersection E. 87<sup>th</sup> Street and Brighton Avenue, the grade is at street level and the loading dock area is visible for west bound traffic. This was discussed with the original MPD and the developer assured staff that it will be properly screened. Staff recommends additional plantings or a screen berm along E. 87<sup>th</sup> Street to screen the loading docks visible from the public right of way.

All the conditions of approval outlined in the 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. At this time PWD will allow this amendment and up to 112 acres owned or controlled by Northpoint and developed for light industrial/office uses to move forward. This amendment brings the total to 92 acres, leaving about 20 more acres prior to submittal of a traffic study. 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.

## **RECOMMENDATIONS:**

- a) The City Planning and Development Department staff recommends that **Case No. 10390-MPD-17** 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. - 3. per City Planning & Development, Development Management Division (Olofu Agbaji, [Olofu.Agbaji@kcmo.org](mailto:Olofu.Agbaji@kcmo.org))**

1. That one (1) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff, prior to ordinance request showing:
  - a. Clarify extents of Secured Deferral agreement for Brighton Avenue.

- b. Revised landscape plan to provide additional plantings or a berm along E. 87<sup>th</sup> Street to screen the vehicular uses and loading docks visible from the public right of way of E. 87<sup>th</sup> Street per staff approval prior to final C. of O.
2. 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.

**Conditions Nos. 4. - 20. per City Planning & Development, Land Development Division (Brett Cox, [brett.cox@kcmo.org](mailto:brett.cox@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 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.
5. The developer must dedicate additional right of way for Elmwood Ave as required by Chapter 88, as recommended by KC Transportation and Development Committee, so as to provide a minimum of 37.5 feet of right of way as measured from the centerline, and ensure right of way dedication is adequate for any proposed road improvements as required by Public Works Department and KC Transportation and Development Committee adjacent to this project.
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. 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.

8. 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.
9. That the east half of Elmwood Avenue shall be improved to Public Works standards as required by Chapter 88, as recommended by KC Transportation and Development Committee, consisting of a superelevated roadway section including curbs, gutters, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining required permits from the Land Development Division for said improvement or the developer shall enter into a Secured Deferral Agreement for the improvement prior to recording the plat. Completion of the Secured Deferral Agreement shall be when street improvements occur on the east side of the street, south of the proposed parcel.
10. That the developer enter into a Secured Deferral Agreement for a half street improvement to Brighton Ave as required by Chapter 88, south of the private drive as indicated on the Development Plan, prior to recording the Final Plat of Three Trails Commerce Center Second Plat. The Secured Deferral Agreement shall be, until mining operations allow for the full construction of Brighton Ave to the southern property limits of this plat.
11. The developer must 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.
12. The developer shall verify vertical and horizontal sight distance for the drive connection to public right-of-way and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
13. 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.
14. 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.

15. 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.
16. 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.
17. 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.
18. The developer must secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and future development tributary to the drainage area; 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.
19. 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.

Respectfully submitted,



Olofu O. Agbaji  
Planner