

COMMUNITY PROJECT/REZONING

220235

Ordinance Fact Sheet

Case No. CD-CPC-2021-00208

Brief Title

To approve a rezoning an area of about 7.2 acres generally located at the northwest corner of N. Oak Trafficway and NE. 97th Street from District MPD (Master Planned Development) to District MPD (Master Planned Development) to amend a previously approved development plan, which also serves as preliminary plat to create five (5) lots and one (1) tract.

Ordinance Number

Details

Location: generally located at the northwest corner of N. Oak Trafficway and NE. 97 th Street
Reason for Legislation: Rezoning requires City Council approval
See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.
SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION: None
CITY PLAN COMMISSION RECOMMENDATION ON THE PROJECT: Approval subject to the following conditions: 1. 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. 2. The developer must integrate into the existing street light system any relocated existing street lights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards. 3. The developer must dedicate additional right of way for North Oak Trafficway as required by the adopted Major Street Plan so as to provide a minimum of 50 feet of right of way as measured from the centerline, along those areas being platted, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval. 4. The developer must 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. 5. The developer must obtain the executed and recorded city approved grading, temporary

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP Director Department of City Planning & Development
Programs, Departments or Groups Affected	2 nd District (Loar, Fowler)
Applicants / Proponents	Applicant Chris Holmquist, Olsson 1301 Burlington North Kansas City, MO 64116 City Department City Planning & Development Other
Opponents	Groups or Individuals Pam Howard and Janice Prezwodek Basis of Opposition Pam Howard with the homeowner's association voiced her support. Neighbor Janice Prezwodek of 9803 North Oak appeared and voiced her opposition.
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission ("6-0") (02-15-2022) By (Enders, Rojas, Crawl, Baker, Beasley, Sadowski) <input type="checkbox"/> For <input type="checkbox"/> Against <input checked="" type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub.

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.

6. The developer must 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.

7. The developer must 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, prior to recording the plat or issuance of a building permit whichever occurs first.

8. 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.

9. The developer shall 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, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based 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.

10. The developer must enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land

Without Recommendation

Hold

Do not pass

Development Division, prior to recording the plat.

11. 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.

12. 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.

13. 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.

14. The developer shall submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage, as shown on the approved street plans for N Oak Trfy and to a tie-in point with the existing sidewalks at NE 96th and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.

15. The developer must design and construct all interior streets to City Standards, as required by Chapter 88 and the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks. Tract A must also be covered by a cross access easement to ensure the connection to the development located to the west of this property.

a design guideline to the overall development prior to approval of MPD final plans for each phase/lot.

17. 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 Certificate of Occupancy.

18. 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 Certificate of Occupancy.

19. The developer shall secure approval of a final development plan from the City Plan Commission prior to building permit.

20. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.

21. That Ordinance No.210364, including all conditions provided therein, shall remain in full force and effect.

22. That the developer shall submit an affidavit,

prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to Certificate of Occupancy.

23. 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.

24. Landscape Continue work with staff on improving landscape for each lot upon submittal of MPD final plans.

25. Unresolved corrections The applicant shall make the following corrections prior to request for ordinance:

a. Bring the multi-tenant building on Lot 3 closer to the street to create a continuous street view.

26. Water Flow The expectation is the project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)

27. Hydrant Fire hydrant distribution shall follow IFC-2018 Table C102.1

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)

28. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way.

29. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations.

30. Follow the KCMO Rules and Regulations for domestic water and fire service lines.

31. The developer must submit water main extension drawings prepared by a registered professional Engineer in Missouri to the main extension desk for review, acceptance and contracts per the KC Water Rules and Regulations for Water main extensions and Relocations.

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Fact Sheet Prepared By:

Xue Wood
Lead Planner

Date: 3/2/2022

Reviewed By:

Joseph Rexwinkle
Division Manager

Date: 3/3/2022

Initial Application Filed: 11/12/2021

City Plan Commission Action: 2/15/2022

Revised Plans Filed: 1/28/2022

Total Days in City Review: 101 more or less

Total Days in Applicant's Hands: 65 more or less

Reference Numbers:

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