



Legislation Details (With Text)

File #: 220950 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 10/19/2022 **In control:** Council
On agenda: 11/3/2022 **Final action:** 11/3/2022
Title: Sponsor: Director of the City Planning and Development Department

Rezoning an area of about 20.4 acres generally located at 9100 Old Santa Fe Road from UR (Urban Redevelopment) to District UR and approving a UR development plan and preliminary plat for 252 residential units. (CD-CPC-2022-00161).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Fact Sheet, 2. 10-CD-CPC-2022-00161_DepotSantaFe, 3. CPC Approved Plan CD-CPC-2022-00161, 4. CPC Disposition Letter (10-18-2022), 5. TheDepot_PPT, 6. Authenticated Ordinance 220950

Date	Ver.	Action By	Action	Result
11/3/2022	1	Council	Passed	Pass
11/2/2022	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
10/27/2022	1	Council	referred	

ORDINANCE NO. 220950

Sponsor: Director of the City Planning and Development Department

Rezoning an area of about 20.4 acres generally located at 9100 Old Santa Fe Road from UR (Urban Redevelopment) to District UR and approving a UR development plan and preliminary plat for 252 residential units. (CD-CPC-2022-00161).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 80-20A-1361 rezoning an area of about 20.4 acres located at 9100 Old Santa Fe Road from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), said section to read as follows:

Section 80-20A-1361. That an area legally described as:

All of the Northwest Quarter of the Northeast Quarter of Section 25, Township 48, Range 33, in Kansas City, Jackson County, Missouri, lying East of the East right of way line of the Kansas City Southern Railroad, EXCEPT that part taken for public right of way, and except all that part of Lot 1, "Subdivision of Secrest Estate", a subdivision in Kansas City, Jackson County, Missouri, described as follows: Beginning at the intersection of the South line of the Northwest

Quarter of the Northeast Quarter of Section 25, Township 48, Range 33 (also being the South line of said Lot 1) with the Northerly prolongation of the East line of Newton Drive, as dedicated by the subdivision plat of “Camelot Courts”; thence Westerly along the South line of said Quarter Quarter Section 245.35 feet, more or less, to the East line of the Kansas City Southern Railway; thence Northerly along the East line of said railway to its intersection with a line drawn 45.0 feet North of and parallel to the South line of the aforesaid Quarter Quarter Section; thence Easterly along said parallel line to its intersection with the Northerly prolongation of the East line of the aforesaid Newton Drive; thence Southerly along said prolongation to the point of beginning. This tract also being a part of Lot 1, a Subdivision of Sechrest Estate.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 80-20A-1361, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan is hereby approved, subject to the following conditions:

1. 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 a certificate of occupancy.
2. All dumpsters, utility and mechanical equipment shall be screened pursuant to 88-425-08.
3. 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 a certificate of occupancy.
4. 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 a certificate of occupancy.
5. The developer shall construct half street improvements that meet City standards and requirements along East 93rd Street and Old Santa Fe Road.
6. The developer shall secure approval of a UR final plan from the Development Management Division staff prior to a building permit.
7. The applicant shall work with the Development Management staff to replace the proposed vertical 2x6 vinyl board with a higher quality building material prior to approval of the UR final plan.
8. A lighting plan that complies with 88-430 shall be submitted with the UR final plan prior to receiving any building permits.
9. The applicant shall resolve Kansas City Water’s correction pertaining to the preliminary steam buffer plan prior to receiving any building permits.

10. The applicant shall resolve Kansas City Water's correction pertaining to the labeling of public and private water mains on the utility plan prior to receiving any building permits.
11. The developer shall include fence material and height on a revised landscape plan before receiving any building permits.
12. The developer shall be granted a waiver, to be listed on the preliminary plat sheet to Section 88-405-10-K, Half Streets.
13. The developer shall coordinate with the Land Development Division, KC Water and the Public Works Department to develop a deferral agreement related to half street improvements prior to the recording of a final plat.
14. The applicant shall incorporate green infrastructure design into the landscape plan and provide a stormwater management feasibility analysis prior to approval of a UR final plan.
15. The developer shall submit a preliminary stream buffer plan prior to approval of the special use /development/rezoning plan in accordance with the Section 88-415 requirements.
16. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.
17. The developer shall integrate into the existing streetlight system any relocated streetlights 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.
18. 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 the developer shall secure permits to construct any improvements as required by the Land Development Division prior to issuance of a certificate of occupancy.
19. The developer shall grant on City approved forms, a stream buffer easement to the City or show and label the final stream buffer zones on the subdivision plat within a private open space tract, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
20. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
21. The developer shall submit plans for grading, siltation, and erosion control to the 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.

22. 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.
23. The developer shall submit a plan for approval and permitting by the Land Development Division prior to beginning construction of the improvements in the public right-of-way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
24. 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, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and 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 of occupancy permits.
25. 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.
26. 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 the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
27. 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.
28. 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.
29. 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)
30. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
31. 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)

32. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and 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)
33. All required Fire Department access roads shall be an all-weather surface (IFC-2012: § 503.2.3) and 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) and all 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)
34. Multi-family residential developments greater than 200 dwelling units shall have at least two separate and approved fire apparatus access roads. (IFC-2018 § D106.2) There needs to be an access on the west end from 93rd. 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: § D104.3)
35. 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)
36. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
37. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. Should the developer elect to dedicate private open space, said space shall be platted into private open space tract(s). This requirement shall be satisfied prior to recording the final plat or a certificate of occupancy, whichever comes first.
38. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 identifying trees to remain for approval by the Parks and Recreation Department's Forestry Division prior to a building permit.
39. The developer shall grant on City approved forms, a stream buffer easement to the City or show and label the final stream buffer zones on the subdivision plat within a private open space tract, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
40. A full flow fire meter will 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.
41. No water service line will be less than 1-1/2" in diameter where three or more units or a commercial building will be served by one domestic service line and meter.

42. 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.
43. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
44. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
45. The developer shall submit water main extension plans prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts of all proposed public main extensions per the Kansas City Water rules and regulations for water main extensions and relocations.

A copy of said UR development plan and preliminary plat is on file in the office of the City Clerk with this ordinance and made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning Ordinance have been given and had.

I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney