



Legislation Details (With Text)

File #: 221030 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 11/21/2022 **In control:** Council

On agenda: 12/8/2022 **Final action:** 12/8/2022

Title: Sponsor: Director of City Planning and Development Department

Approving a development plan in District B3-2 on about 6.4 acres generally located at the southwest corner of N.W. Barry Road and N. Platte Purchase Drive to allow for the construction of a multi-unit building containing 162 units for age-restricted housing. (CD-CPC-2022-00162)

Sponsors: Director of City Planning & Development, Lee Barnes Jr.

Indexes:

Code sections:

Attachments: 1. Fact Sheet, 2. 10_CD-CPC-2022-00162_StaffReport_Viva Bene, 3. CPC Dispo Letter 11-16-22, 4. CPC recommend approval plans, 5. 11-15 PPT_Viva Bene, 6. Authenticated Ordinance 221030

Date	Ver.	Action By	Action	Result
12/8/2022	1	Council	Passed	Pass
12/7/2022	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
12/1/2022	1	Council	referred	

ORDINANCE NO. 221030

Sponsor: Director of City Planning and Development Department

Approving a development plan in District B3-2 on about 6.4 acres generally located at the southwest corner of N.W. Barry Road and N. Platte Purchase Drive to allow for the construction of a multi-unit building containing 162 units for age-restricted housing. (CD-CPC-2022-00162)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District B3-2 on an approximately 6.4 acre tract of land generally located at the southwest corner of N.W. Barry Road and N. Platte Purchase Drive , and more specifically described as follows:

A tract of land in the Fractional Southwest Quarter of Section 10, being in Township 51, Range 33, Kansas City, Platte County, Missouri, being bounded and described as follows: Commencing at the northwest corner of said fractional southwest quarter; thence South 00 degrees 32 minutes 47 seconds West, along the west line of said Fractional Southwest Quarter, 36.17 feet to a point on the southerly right-of-way line of N.W. Barry Road, as now established, said point being the true point of beginning of the tract to be herein described; thence easterly, along said southerly right-of-way line, along a curve to the left, having an initial tangent bearing of North 86 degrees 44 minutes 05 seconds East, a radius of 1,669.87 feet and a central angle of 03 degrees 20 minutes 05 seconds, which chord bears north 85 degrees 03 minutes 51 seconds

east, a chord distance of 97.18 feet, through an arc distance of 97.19 feet (deed-97.20'); thence North 83 degrees 23 minutes 48 seconds East, along said southerly right-of-way line, 18.16 feet; thence easterly, along said southerly right-of-way line, along a curve to the right, tangent to the last described course, having a radius of 2,948.00 feet and a central angle of 02 degrees 04 minutes 12 seconds, which chord bears North 84 degrees 25 minutes 54 seconds East, a chord distance of 106.49 feet, through an arc distance of 106.50 feet; thence easterly, along said southerly right-of-way line, along a curve to the left, having a common tangent with the last described course, a radius of 3,052.00 feet and a central angle of 02 degrees 08 minutes 58 seconds, which chord bears North 84 degrees 23 minutes 30 seconds East, a chord distance of 114.49 feet, through an arc distance of 114.50 feet; thence easterly, along said southerly right-of-way line, along a curve to the right, having a common tangent with the last described course, a radius of 1,132.00 feet and a central angle of 07 degrees 26 minutes 58 seconds, which chord bears North 87 degrees 02 minutes 30 seconds East, a chord distance of 147.08 feet, through an arc distance of 147.18 feet; thence South 89 degrees 14 minutes 01 seconds East, along said southerly right-of-way line, 191.96 feet (deed-191.66') to a point on the westerly right-of-way line of N. Platte Purchase Drive, as now established; thence southeasterly, along said westerly right-of-way line, along a curve to the right, tangent to the last described course, having a radius of 26.00 feet and a central angle of 89 degrees 24 minutes 12 seconds, which chord bears South 44 degrees 32 minutes 24 seconds East, a chord distance of 36.58 feet, through an arc distance of 40.57 feet (deed-40.72'); thence South 00 degrees 09 minutes 42 seconds West, along said westerly right-of-way line, 123.67 feet; thence southerly, along said westerly right-of-way line, along a curve to the right, tangent to the last described course, having a radius of 1,000.00 feet and a central angle of 10 degrees 43 minutes 04 seconds, which chord bears South 05 degrees 31 minutes 14 second West, a chord distance of 186.79 feet, through an arc distance of 187.06 feet; thence south 10 degrees 52 minutes 46 seconds west, along said westerly right-of-way line, 35.14 feet (deed-34.23'); thence southerly, along said westerly right-of-way line, along a curve to the right, tangent to the last described course, having a radius of 500.00 feet and a central angle of 13 degrees 48 minutes 46 seconds, which chord bears South 17 degrees 47 minutes 09 seconds West, a chord distance of 120.25 feet, through an arc distance of 120.54 feet (deed-120.55'); thence South 24 degrees 41 minutes 24 seconds West, along said westerly right-of-way line, 6.93 feet to the northeast corner of Lot 1, Barry Woods Station, a subdivision in Kansas City, Platte County, Missouri; thence South 89 degrees 06 minutes 34 seconds West, along the north line of said Lot 1, 333.48 feet to the southeast corner of Tract 1 of Platte Purchase Plaza First Plat as shown in Plat Book 20, page 14; thence along the eastern and north lines of said Tract 1 the following courses and distances: North 00 degrees 53 minutes 36 seconds West, a distance of 184.72 feet; along a non-tangent curve to the left having a radius of 1,000.00 feet, with a central angle 00 degrees 30 minutes 32 seconds, which chord bears South 86 degrees 49 minutes 36 seconds West, a chord distance of 8.88 feet, through an arc distance of 8.88 feet; and along a reverse curve to the right having a radius of 5,000.00 feet, with a central angle of 03 degrees 21 minutes 02 seconds, which chord bears South 88 degrees 14 minutes 51 seconds West, a chord distance of 292.35 feet, through an arc distance of 292.39 feet to the eastern line of Section 9; thence along said eastern line North 00 degrees 32 minutes 47 seconds East, a distance of 283.92 feet to the point beginning. The above described tract of land containing 6.394 acres is based upon an actual boundary survey executed by Cole and Associates, Inc. during the month of June 2022 and is subject to all easements, restrictions, reservations and conditions of record, if any.

is hereby approved, subject to the following conditions:

1. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
2. 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.
3. 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.
4. 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.
5. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
6. The developer shall submit a detailed micro storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division showing compliance with the current, approved macro study on file with the City and with current adopted standards in effect at the time of submission, including water quality BMP's, prior to approval and issuance of any building permits to construct improvements on the site or prior to recording the plat, whichever occurs first. The developer shall verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and the developer shall construct any other improvements as required by the Land Development Division as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.
7. 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.
8. 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.
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, 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.

10. 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.
11. The developer shall provide acceptable easements for any deep sewers where proposed fill is added or where the sewer will be further obstructed by surface improvements and that a structural analysis be provided to confirm adequate structural integrity for the proposed loading conditions of this plan, and secure permits and provide City approved executed and recorded easement prior to adding fill or constructing surface obstructions as required by the Land Development Division.
12. 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.
13. 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.
14. 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.
15. 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.
16. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018§ 507.1)
17. 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)
18. 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 designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
19. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)

20. The developer shall be 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. This requirement shall be satisfied prior to recording the final plat or a certificate of occupancy, whichever occurs first.
21. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
22. The developer shall make sure the street trees shown along Platte Purchase do not cause issues with sight distance at the proposed driveway.
23. 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.
24. Water/sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
25. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
26. 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.
27. The developer shall submit WME plans for the new FH's along N.E. Barry Road and N. Platte Purchase Drive to meet 300' max. spacing.

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

Section B. 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