



Legislation Details (With Text)

**File #:** 220268      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 3/2/2022      **In control:** Council

**On agenda:** 3/31/2022      **Final action:** 3/31/2022

**Title:** Rezoning an area of about 1.895 acres generally located on the west side of N. Ambassador Drive between N.W. 110th Street to the north and N.W. 107th Terrace from District UR to District UR to approve an amendment to a previously approved development plan for construction of a hotel. (CD-CPC-2022-00005)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 14\_CD-CPC-2022-00005\_StaffReport\_TruByHilton\_3-1-21, 2. 88-20A1319, 3. Fact Sheet\_Tru by Hilton, 4. Plan Set, 5. PPT, 6. Authenticated Ordinance 220268

Date	Ver.	Action By	Action	Result
3/31/2022	1	Council	Passed	Pass
3/30/2022	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
3/24/2022	1	Council	referred	

ORDINANCE NO. 220268

Rezoning an area of about 1.895 acres generally located on the west side of N. Ambassador Drive between N.W. 110th Street to the north and N.W. 107th Terrace from District UR to District UR to approve an amendment to a previously approved development plan for construction of a hotel. (CD-CPC-2022-00005)

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 88-20A1319 rezoning an area of about 1.895 acres generally located on the west side of N. Ambassador Drive between N.W. 110th Street to the north and N.W. 107th Terrace from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) to approve an amendment to a previously approved development plan for construction of a hotel, said section to read as follows:

Section 88-20A1319. That an area legally described as:

Airworld Center Eighth Plat: Lot 1-A1 and Lot 1-A2

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), as shown outlined on a map marked Section 88-20A1319, which is attached hereto and made a part hereof, and which is hereby adopted as a 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 for the area legally described above is hereby approved, subject to the following conditions:

1. The proposed development is located in an area where the Kansas City International Airport (MCI) height zoning restrictions apply. No structure in this area should be constructed which exceeds these restrictions. The developer shall review the City's Airport Height Zoning Ordinance No. 040342 and associated maps. Per FAR Part 77, Objects Affecting Navigable Airspace, the developer shall file an online Form 7460-1, Notice of Proposed Construction or Alteration, for permanent vertical improvements or new structures. Temporary cranes used for construction activities extending higher than the proposed top elevation of the building will need to be evaluated for compliance with FAR Part 77 standards. Temporary cranes exceeding this height will require the submittal of an on-line Form 7460-1 as well. 7460s must be submitted a minimum of 45 days prior to the start date of the proposed construction or alteration. The developer shall comply with Chapters 3, 4, 5, 12 of FAA Advisory Circular (AC) 70/7460-1L, Obstruction Marking and Lighting, as applicable.
2. 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 a certificate of occupancy.
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, 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 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.
6. The developer shall grant a City approved pedestrian right-of-way easement, for the portions of the public sidewalks approved to be outside of the street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.
7. 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.

8. 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.
9. 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.
10. The developer shall provide acceptable easement and secure permits to relocated sanitary sewers out from under proposed buildings and structures while continuing to ensure individual service is provided to all proposed lots as required by the Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.
11. 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.
12. The developer shall reduce the proposed monument sign to 6 feet or add landscape around the entire base with a minimum 3 feet height after the first growing season.
13. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
14. Fire Department connection buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection. (IFC2018 § 507.5.1.1)
15. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
16. 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)
17. The turning radius for Fire Department access roads is 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
18. 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).
19. Fire Department access roads shall be provided before construction/demolition projects begin.

(IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities. Weight of 85,000 lbs per (IFC-2018 503.2.3)

20. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to certificate of occupancy.
21. Kansas City Water shall approve any grade changes on or near the existing 24" Transmission Main and associated easement along the west side of the property.
22. The developer shall submit the design for the storm profile for Line B showing existing 24" TM at actual depth in the profile.

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 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 and Development Code 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.

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Assistant City Attorney