



Legislation Text

File #: 230232, **Version:** 2

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 230232

Sponsor: Director of City Planning and Development Department

Approving a residential development plan and preliminary plat in Districts B3-3 and R-1.5 for Kimpton Falls on an area of about 49.43 acres generally located south of N.W. Barry Road and along the future extension of Line Creek Parkway. (CD-CPC-2022-00225)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan and preliminary plat in District B3-3 (Community Business (Dash 3)) and R-1.5 (Residential 1.5) for Kimpton Falls on an area of about 49.43 acres generally located south of N.W. Barry Road and along the future extension of Line Creek Parkway, and more specifically described as follows:

A portion of the Southeast quarter of Section 8 and the Southwest quarter of Section 9, Township 51 North, Range 33 West, in the City of Kansas City, Platte County, Missouri, described as follows: Commencing for reference at the Northwest corner of the Southeast quarter of said Section 8; thence, along the North line of the Southeast quarter of said Section 8, South 88° 41'45" East, 2581.38 feet to the Northwest corner of the Southwest quarter of said Section 9; thence, along the West line of the Southwest quarter of said Section 9, South 00°38'46" West, 40.00 feet to a point on the Southerly right-of-way line of NW Barry Road, said point being the true point of beginning; thence, along the Southerly right-of-way line of NW Barry Road, South 89°28'58" East, 1287.04 feet; thence, South 00°39'59" West, 1134.83 feet; thence, South 90° 00'00" West, 514.97 feet; thence, North 34°39'26" West, 170.69 feet; thence, South 49°33'58" West, 83.00 feet; thence, North 51°49'32" West, 65.33 feet to the beginning of a tangent curve to the left; thence, Westerly along the arc of last said curve, having a radius of 50.00 feet, through a central angle of 83°13'52", an arc distance of 72.63 feet; thence, South 44°56'36" West, 17.28 feet; thence, North 50°19'18" West, 93.29 feet; thence, South 35°07'33" West, 96.60 feet; thence, North 89°27'47" West, 739.58 feet; thence, South 00°27'34" West, 411.15 feet; thence, North 89°27'43" West, 242.56 feet to a point on the East line of Wau-Linn Cree Addition, a subdivision in the City of Kansas City; thence, along the East line of Wau-Linn Cree Addition, and along the East line of Stoneridge Square 3rd Plat, a subdivision in the City of Kansas City, and along the east line of the property described in the Missouri Special Warranty Deed filed in Book 1376, Page 823, North 00°32'17" East, 1471.34 feet to a point on the South right-of-way line of N.W. Barry Road; thence, along the South right-of-way line of NW Barry Road, South 88°42'11" East, 630.41 feet to the true point of beginning, prepared by Anne M. Smoke, Missouri PLS 2016019010, on January 6, 2023.

is hereby approved, subject to the following conditions:

1. 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.
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, 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.
4. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
5. The following language shall be placed on the final plat: PRIVATE OPEN SPACE: Tract B contains 11.19 private open space acres which are hereby reserved at the election of the developer in lieu of the required parkland dedication for 420 multi-family units pursuant to Section 88-408-E of the Zoning and Development Code. A total of 5.04 acres are required to satisfy the parkland request for this final plat.
6. The developer shall be granted a waiver to Section 88-405-10-B-2, requiring streets in new subdivisions to connect with dedicated streets in adjacent subdivisions and provide for future extensions of streets into adjacent areas that are likely to be developed in the future.
7. The developer shall be granted a waiver to Section 88-405-07 requiring that sidewalks be provided in accordance with the Department of Public Works' standards, specifications, and design criteria.
8. The developer shall be granted a waiver to Section 88-405-25 to allow for a maximum grade of 8% on Line Creek Parkway.
9. A required Fire Department access road 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) 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)
10. 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)
11. 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)
12. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)

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. 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 25 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
15. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
16. If applicable, the developer shall submit plans to the Parks and Recreation Department and obtain permits prior to beginning construction of the street and streetscape improvements including but not limited to sidewalks, trails, curbs, gutters, streetscape elements, pedestrian and street lighting on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per the Parks and Recreation Department standards.
17. 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 2023 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to a certificate of occupancy.
18. Prior to issuance of the final certificate of occupancy, the developer shall submit public improvement plans to modify the intersection N.W. Barry Road and N. Line Creek Parkway, to construct a westbound left-turn lane with a storage length of 200 feet, plus the taper, as recommended in the approved Traffic Impact Study.
19. 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.
20. The developer shall 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 Kansas City Water rules and regulations for water main extensions and relocations. Plans shall include lowering the water main at Barry road, as needed, to meet the 42" minimum cover. Fire Hydrants will be required at 300' max intervals on perimeter streets.
21. 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.
22. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream

buffer permits.

23. The developer shall show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area, including detention basins and engineered surface drainage conveyances, on any plat and plan, as required by the Land Development Division.
24. 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.

A copy of said development plan and preliminary plat is on file in the office of the City Clerk with this ordinance and 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