



Legislation Text

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ORDINANCE NO. 240813

Sponsor: Director of City Planning and Development Department

Approving a development plan in District B2-2 on about 4.75 acres generally located at the northeast corner of N. Wyandotte Street and N.W. 85th Terrace to allow for two multi-unit residential buildings. (CD-CPC-2024-00071)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District B2-2 (Neighborhood Business 2 (Dash 2)) generally located at the northeast corner of N. Wyandotte Street and N.W. 85th Terrace and more specifically described as follows:

TRACT I:

All that Part of Lot 1, Tract 3, of the Commissioners Plat of Pauline Carpenter Estate, an addition in Kansas City, Clay County, Missouri, described as follows: Beginning at a point on the West line of North Main Street (formerly Carpenter Road) as dedicated by said commissioners plat, 152.00 feet South of the South line of 86th Terrace (formerly Clay Road as dedicated by the recorded plat of Gashland Heights), and said South line being 20.00 feet South of the North line of said tract 3; thence West and parallel to the North line of said tract 3, a distance of 437.43 feet to a point in the West line of said tract 3; thence South along the West line of said Tract 3, a distance of 355.98 feet to the Southwest corner of said tract 3; thence East along the South line of said tract 3, a distance of 437.43 feet to a point in the West line of said North Main Street; thence North along said West line a distance of 355.98 feet to the point of beginning, except that part thereof conveyed to Metro North Company by instrument filed as Document No. D-3359 in Book 1163 at page 525, also except that part thereof lying within the Right-of-Way of North Wyandotte Street as now established.

TRACT II:

All of Lot 1, Tract 2 of the Commissioners Plat of Pauline Carpenter Estate, a subdivision of land in Kansas City, Clay County, Missouri, less and except the following parcel: All that part of Lot 1, Tract 2, of the Commissioners Plat of Pauline Carpenter Estate, a subdivision in the City of Kansas City, Clay County, Missouri, being more particularly described as follows: Beginning at the Southwest corner of said Lot 1, thence North 00 degrees 41 minutes 09 seconds East, a distance of 117.34 feet to a point on the Southeasterly Right of Way line of North Wyandotte Avenue; thence with the Southeasterly Right of Way line of North Wyandotte Avenue, on a curve to the left, having a radius of 240.00 feet, a central angle of 26 degrees 56 minutes 11 seconds, an initial tangent bearing of North 36 degrees 52 minutes 28 seconds East, an arc distance of 149.21 feet to a point on the Southerly Right of Way line of Northwest 85th terrace; thence North 89 degrees 54 minutes 46 seconds East, with the Southerly Right of Way

of Northwest 85th Terrace, and no longer with the Southeasterly Right of Way line of North Wyandotte Avenue, a distance of 380.30 feet to a point on the Westerly Right of Way line of North Main Street; thence South 00 degrees 41 minutes 09 seconds West, with the Westerly Right of Way line of North Main Street, and no longer with the Southerly Right of Way line of Northwest 85th Terrace, a distance of 256.05 feet to the Northeast corner of Lot 2, Barry North Center, a subdivision in the City of Kansas City, Clay County, Missouri; thence South 89 degrees 54 minutes 46 seconds West, with the Northerly line of said Lot 2, and Lot 1, Barry North Center, a subdivision in the City of Kansas City, Clay County, Missouri, and no longer with the Westerly Right of Way of North Main Street, a distance of 426.59 feet, to the point of beginning.

is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, completed by an ISA certified arborist, an SAF certified forester, a professional engineer, or a landscape architect licensed in the State of Missouri, verifying that all trees preserved and all trees planted to meet mitigation required of the approved plan, whichever is applicable, has been installed or preserved in accordance with the plan and is healthy prior to a certificate of occupancy.
2. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
3. Prior to issuance of the certificate of occupancy for each lot within the plat 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.
4. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
5. 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.
6. 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.
7. Prior to the issuance of the certificate of occupancy, the two parcels must be consolidated through a City-approved process of either a consolidation by general warranty deed with the County or a minor subdivision lot consolidation with the City.
8. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
9. 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)

10. 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 241-2013 § 8.7.2). Fire hydrant distribution shall follow IFC-2018 Table C102.1.
11. A required Fire Department access road 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 be designed to support a fire apparatus with gross axle weight of 85,000 pounds (IFC-2018: § 503.2.3). and shall provide fire lane signage on fire access drives.
12. 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). Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
13. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
14. The developer shall be responsible for tree preservation in an easement or platted tract, mitigation planting, or payment of cash-in-lieu of preservation or mitigation planting, or any combination thereof in accordance with 88-424. Should the developer choose to pay cash-in-lieu of preservation or mitigation of all or a portion of the required area, the amount due shall be based upon the rate specified in 88-424. This requirement shall be satisfied prior to issuance of a certificate of occupancy, or prior to the recording of the final plat, whichever occurs first.
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. 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 2024 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to a certificate of occupancy.
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 pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
19. The developer shall submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape 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.

20. 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.
21. 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.
22. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, as shown on the approved street plans for N. Main Street and N.W. 85th Terrace and to a tie-in point with the existing sidewalks at N. Wyandotte Street and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
23. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
24. No water service line shall 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.
25. A full flow fire meter shall 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.
26. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
27. 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.
28. The meter must come before the backflow.
29. The developer shall submit for review and contracts water main extension (WME) plans following Kansas City Water Services Department rules and regulations for the extension of the 8" DIP water main along N.W. 85th Terrace approximately 450' from N. Main to N. Wyandotte. The water main extension plans shall also include any new fire hydrants that are required to

meet a maximum 300' spacing along the public streets directly adjacent to the new development. The WME plans shall be under contract (permitted) prior to the building permit issuance.

30. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Kansas City Water Services Department showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Kansas City Water Services Department for review and acceptance for the disturbed area, and submit a 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 Kansas City Water Services Department.
31. The developer shall submit plans for grading, siltation, and erosion control to the Kansas City Water Services Department 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.
32. The developer shall grant a BMP easement to the City as required by the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits.
33. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Kansas City Water Services Department 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 may be required.

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 and development plan 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.

Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney