



City Planning & Development Department

Development Management Division

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STAFF REPORT: September 6, 2016 (29, 30 &31)

RE: a) **Case No. 12485-UR-3**
b) **Case No. 14690-UR**
c) **Case No. 175-S-33**

APPLICANT: a) Crown Center Redevelopment Corporation, Amy Frye,
represented by Karen I. Bisset, General Counsel, 2501 McGee,
MD 339, Kansas City, Mo 64108

b) Milhaus Development, Indianapolis, IN, represented by Kaw
Valley Engineering, Inc. Attn: Coby Crowl, 8040 N. Oak
Trafficway, Kansas City, MO 64118

LOCATION: a), b) & c) See Request

AREA: a) About 68 acres
b) About 26 acres

REQUEST:

a) Case No. 12485-UR-3 -- About 26 acres generally located 400 feet north of 26th Street on the north, McGee Trafficway and Gillham Road on the east, Union Cemetery on the south and Grand Boulevard on the west to consider an amendment to an existing development plan in District UR (Urban redevelopment district) for residential, office and commercial uses, by removing about 7.2 acres from the southeast portion of the plan and thereby leaving about 17.9 acres within the plan area.

b) Case No. 14690-UR -- About 7.68 acres generally located south of the centerline of E 27th Street between vacated Warwick Trafficway on the west and Gillham Road on the east, to consider rezoning the site from an existing but separate UR zone to a UR zone and the approval of a development plan which also serves as a preliminary plat for a mixed use development consisting of commercial and residential uses.

c) Case No. 175-S-33 – Amending certain revisions to the Major Street Plan to allow the redevelopment of 5 acres of land from surface parking to a mixed use neighborhood, generally

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bounded by 27th Street on the north, 27th Terrace on the south, Warwick Trafficway on the west, and Gillham Road on the east.

Case No. 116-S-13 -- About 68 acres generally located south of 22nd Street, west of Gillham Road, north of 27th Terrace and Union Cemetery and east of Main Street -- to consider the approval of the **Sixteenth Amendment** to the **Crown Center "353"** development plan for the redevelopment and rehabilitation of the neighborhood as provided in the Urban Redevelopment Corporation Law of the State of Missouri (Chapter 353, R.S.Mo. 1978, as amended).

**SURROUNDING LAND
USES:**

North: Light manufacturing building, Halls, Crown Center Square, Pershing Road, zoned B 4-5 and M 1-5
East: Hallmark office buildings, Gillham Road, zoned R-1.5 and B 4-5
South: Union Hill Cemetery, Union Hill Subdivision, zoned B 4-5 and M 1-5
West: Grand Avenue, 2600 Grand Building and parking garage, Main Street, Liberty Memorial, zoned B 4-5 and R-1.5

AREA PLAN:

Greater Downtown Area Plan, adopted by Committee Substitute for Resolution No. 100049 on March 11, 2010, recommends Downtown Core (DC) land use classifications

MAJOR STREET PLAN:

* Identifies 27th Street as an Established Arterial with four through lanes.
• Identifies Gillham Road as a Historic/Established/Parkway with four through lanes.
• Identifies Grand Boulevard as a Boulevard with four through lanes.
• Identifies Main Street as Commerce/Mixed Use with 6 through lanes.

ARTERIAL STREET

IMPACT FEE:

Benefit District: Note: This development is in an “Exempted Area” and therefore is not subject to the Arterial Street Impact Fee

HISTORY: The following ordinances and dates are prior approvals for the Crown Center “353” plan: Ord. No. 33763, March 31, 1967; Ord. No. 35766, September 13, 1968; Ord. No. 38705, September 11, 1970; Ord. No. 39268, February 26, 1971; Ord. No. 44963, January 31, 1975; Ord. No. 45162, March 27, 1975; Ord. No. 48630, December 29, 1977; Ord. No. 50254, April 12, 1979; Ord. No. 55172, May 27, 1983; Ord. No. 55945, January 6, 1984; Ord. No. 58625, October 31, 1985; Ord. No. 61184, July 2, 1987;

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Ord. No. 63118, October 13, 1988; Ord. No. 980990, August 20, 1998; Ord. No. 991159, September 9, 1999.

Most Recent: Ord. No. 001615, January 4, 2001 and Ord. No. 001616, January 4, 2001.
C.S. Ord. No. 021302, November 14, 2002.

Lot Split No. 9805 – A lot split for three parcels was approved on 03/11/98 and recorded on March 20, 1998.

Case No. 116-S-13 – Ordinance No. 090079, passed March 5, 2009, approved the 16th Amendment to the Development Plan submitted by the Crown Center Redevelopment Corporation and entered into the 17th Supplemental Contract.

Case No. 116-S-14 – Ordinance No. 140284, passed May 8, 2014, approved the 17th Amendment to the the Development Plan submitted by the Crown Center Redevelopment Corporation and entered into the 17th Supplemental Contract.

Case No. 12485-URD-2 – Ordinance No. 090080, passed March 5, 2009, approved an amendment to a previously approved development plan in District URD on about 26 acres located generally 400 feet north of 26th Street on the north, McGee Street and Gillham Road on the east, Union Cemetery on the south and Grand Boulevard on the west.

Case No. 596-S-1 – Ordinance No. 160320 passed April 28, 2016, approved the 27th and McGee PIEA Planning Area) and declared an 18.4 acre area generally located south of 27th Street, east of both Grand Boulevard and on both sides of McGee Trafficway, West of Gillham Road and generally north of 30th Street, as blighted and insanitary area in need of redevelopment and rehabilitation pursuant to the Missouri Planned Industrial Expansion Authority (PIEA) Law 100.300-100.620, RSMo.

Case No. 596-S – Ordinance No. 030846, passed August 28, 2003, approved the **Union Hill Area General Development Plan**, and declared an area generally located south of 27th Street, east of McGee Trafficway, West of Gillham Road and north of 30th Street, as blighted and insanitary area in need of redevelopment and rehabilitation pursuant to the Missouri Planned Industrial Expansion Authority (PIEA) Law 100.300-100.620, RSMo.

PLAN REVIEW:

Overview:

On April 28, 2016, the City Council approved the 27th and McGee Planned Industrial Expansion Authority plan for an 18.4 acre area generally south of 27th Street and McGee Trafficway. The

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approval of this plan found blight in the area and allowed for tax abatement on the improvements. The applicant for the 27th and McGee PIEA plan was Milhaus Development. One of the requirements contained within the PIEA plan was that the applicant rezone any area requesting tax abatement to District UR (Urban Redevelopment). This would assure that both the City Plan Commission and City Council could review the design aspects of the plans for which tax abatement was being requested. One case of this report addresses the Milhaus rezoning to District UR.

Crown Center Redevelopment Corporation owns property both south, but mostly north of E 27th Street. Crown Center has an approved “353” 68-acre tax abatement plan which dates back to March 1967 and is continuing to develop. On November 14, 2002, 26-acres of the Crown Center Development were rezoned to District UR in compliance with their 353 tax abatement plan.

The purpose of these three cases is as follows: **a) Case No. 12485-UR-3** –to remove about 7.2 acres of the Crown Center ownership, located south of E 27th Street and east of vacated Warwick Trafficway, and sell it to Milhaus Development, and also leave in place the remaining 17.9 acres in Crown Center with no changes to the plan; **b) Case No. 14690-UR** – to rezone about 7.68 acres located south of E 27th Street to District UR for a mixed use development; and **c) Case No. 175-S-33**, amend the Major Street Plan on E 27th Street in association with the proposed “road diet” for this road. *(Note: it was determined following the traffic study to keep E 27th Street on the MSP as currently designated, therefore city staff will recommend that this case be dismissed).*

Crown Center: Case No. 12485-UR-3

Status of the overall Crown Center “353” Plan: The Crown Center “353” Development Plan was originally approved in March 1967. There have been 17 amendments to the plan. The last amendment was approved on May 8, 2014. There are currently the following Development Phases in the Crown Center UR plan: Phases B-1, B-4a,b,c, C-1a, C-1b and C-3a,b. Crown Center proposes to sell to Milhaus Development that portion which is located south of E 27th Street and east of Warwick Trafficway. The phases to be removed are Phase C-1b, C-3a and C-3b and contain about 7.2 acres. That would leave in place about 17.9 acres in the UR plan for Crown Center. Other than the removal of the 7.2 acres from their plan, Crown Center proposes no other changes to their plan. The proposed time schedule would be as follows:

* II, Phase B-4a – High rise office building (up to 18 floors max. and elevated pedestrian walkway.

* II, Phases B-4b and B-4c – b: High-rise office building (up to 20 floors max.) c: Parking garage (with maximum of 2,700 spaces)

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* III, Phase C-1a – Medium-rise office building (up to 10 floors maximum) and parking garage containing a maximum of 1,280 spaces

~~* III, Phase C-1b – Park (approximately 1.45 acres)~~

~~* III, Phases C-3a and C-3b – Residential and mixed-use structures comprised of townhouses or apartments (up to 3 floors and 155 units maximum), plus 1 level of parking 155 spaces maximum, and up to 40,000 SF of support commercial space.~~

PROPOSED TIME SCHEDULE:

Below is the proposed schedule within the plan which is not changing:

<u>Stage & Phase</u>	<u>Proposed Start Construction</u>	<u>Proposed Complete Construction</u>
II, Phase B-4a (high-rise office)	2020	2022
II, Phases B-4b and B-4c (high-rise office and garage)	2022	2025
III, Phase C-1a (mid-rise office and garage)	2018	2020
III, Phase C-1b (park)	2016	2017
III, Phases C-3a and C-3b (residential and mixed use)	2015	2017

Following is a review of the existing Crown Center Development and status of the tax abatement which was made a part of the report on Case 116-S-14 on February 18, 2014.

Given the length of time of the existing “353” project, almost all of the properties within Crown Center are either back on the tax rolls at full taxation or within the 50% land and improvements portion of the tax abatement. They are as follows:

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Properties No Longer Under Abatement:

<u>Phase</u>	<u>Property</u>	<u>Last Year of Tax Abatement</u>
A	Pershing Office Buildings and Crown Ctr Square	1994
A	Halls and American Restaurant	1994
A	Westin Hotel and Crown Center Shops	1996
A	Santa Fe Place Apartments (now Condominiums)	1997
A	San Francisco Condominium Tower	1997
C-5/6	IBM Building	2000
C-5/6	Mutual Benefit Life Tower I	2000
C-5/6	Mutual Benefit Life Tower II (Fortis Building)	2000
D-1	2405 Grand Office	2002
D-2	Hyatt Hotel	2004
C-2	Hallmark Parking Garage	2004

Properties Currently Under 50% Abatement

<u>Phase</u>	<u>Property</u>	<u>Last Year of 50% Tax Abatement</u>
C-2	Rice Center	2009
D-3a	East Garage (Hyatt)	2010
B-2a	2600 Grand Office	2013

Only two properties remain under 100% abatement, and both will be under 50% abatement by the end of 2011:

Properties Currently Under 100% Abatement

<u>Phase</u>	<u>Property</u>	<u>Last Year of 100% Tax Abatement</u>
D-3b	2301 McGee Office	2009
B-3	2555 Grand Office and Warwick Garage	2011

Design Guidelines: The applicant included a set of Design Guidelines with the prior cases for the Crown Center Development. Since these have not changed, and at the request of the developer and city staff, these guidelines will continue to be a part of the approved UR plan. These guidelines make recommendations on building design, streetscape, parking and signage. The guidelines will be implemented during the site plan review of the UR submittal to the Director of City Development.

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Milhaus, Case No. 14690-UR

The Milhaus Development includes the 7.2 acres from Crown Center and some additional property for a total of 7.68 acres. The property is located south of E 27th Street between Warwick Trafficway on the west and Gillham Road on the east.

The project includes 423 residential units, 5,085 sf of restaurant, 3,360 sf of retail and a six-story parking garage. The residential portion of the project is divided between four apartment buildings totaling 356 apartments, located east of McGee Trafficway with 14 Townhomes and 53 condominiums on the west side of McGee Trafficway.

The proposal is to be walkable with an urban feel. The layout includes these several buildings fronting near the rights of way along E 27th Street, McGee Trafficway, Gillham Road and to a lesser extent Warwick Trafficway. The portion south of E 27th Street and east of McGee Trafficway contains four residential buildings between five and six stories along with the parking garage and various interconnected private open space tracts. Building 1000 and the parking garage front along E 27th Street. Buildings 1000 and 2000 front onto McGee Trafficway. Building 3000 fronts onto E 27th Terrace and Building 4000 fronts onto Gillham Road. Between all of these buildings is a series of open space tracts containing a pool, lounging areas, gardens, seating, tables, etc. The applicant is requesting that this series of open space areas qualify for the parkland open space requirement. City staff agrees.

To the west of McGee Trafficway are townhomes and condominiums. The 14 townhomes are located along McGee Trafficway extending from the condominiums on the north, to the southern extent of the development. The townhomes will be three levels high with parking contained to the rear and side. The 53-unit condominium building fronts along E 27th Street but also extends along McGee Trafficway. Vehicular access is from within the building on the west side at Warwick Trafficway. On the south side of the condominiums is a storm detention area surrounded by an amenities area and behind both the apartments and condominiums is the Union Cemetery.

The commercial portions of the project will be within a 5,085 sf restaurant and 1,895 sf retail portion in Building 3000 on E 27th Street and within a 1,895 sf retail portion within Building 4000.

The building materials shown on the plan and sheets A4-10 and others are various colors of brick, fiber cement panels, fiber cement lap siding, stucco, wood cladding, balcony steel. For a listing of Project Goals, the applicant provided the following:

- * Provide a vibrant and unique urban living experience that will endure

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- * Facilitate connections between a rapidly growing residential community and a signature shopping and entertainment complex in Kansas City.
- * Create a walkable, sustainable complete street at the core of the project as a model for exemplary streets
- * Provide a mix of for rent and for sale unit types to appeal to a wide range of residents.
- * Develop exceptional public outdoor spaces for a multitude of uses.
- * Incorporate art and promote artistic ingenuity in the design of landscape, streetscape, site work and architecture.

Design Guidelines:

Staff of the Long Range Planning Division have reviewed relevant portions of recommended design criteria found within the Greater Downtown Area Plan and have recommended that these guidelines be made a part of the UR plan. These are general guidelines, which deal with building location, public spaces, building entrances, materials, and use.

Parkland Dedication:

Section 66-128 of the Code of Ordinances, Subdivisions, states that the developer dedicate land for park purposes to the City, provide private open space for park purposes or pay money in lieu of the dedication of land. This requirement is based upon the amount of residential units proposed. The plan requests the approval of 423 multifamily units. Private park open space is provided in several locations and totals 1.389 acres. The following acres and amount of funding for parkland use is as follows and due at the time of platting:

- * $423 \text{ units} \times 2 \text{ persons/unit} \times 0.006 \text{ acres/person} = 5.076 \text{ acres required}$
- * $5.076 \text{ acres} - 1.389 \text{ acres of qualifying parkland} = 3.687 \text{ acres}$
- * $3.687 \text{ acres} \times \$30,360.20/\text{acre} = \$111,938.06 \text{ or } \$264.63 \text{ per multifamily unit.}$

Traffic Study:

The applicant was required to submit a traffic study addressing the expected traffic of the Milhaus Development but also allowing for the future right of way dedication of the Crown Center project. The study states, and the staff recommended conditions include, a requirement for Crown Center to revise the traffic study at such time that they develop their portion of the Crown Center UR. Assurances have been made that at this point, adequate land is available on the Crown Center portion of E 27th Street to dedicate future needed right of way according to the Major Street Plan and the traffic study. A future traffic study by Crown Center will more specifically identify the required amount of right of way and roadway improvements needed.

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For the Milhaus Development, the study has been submitted, reviewed and approved. The below listed conditions outline the staff approved traffic conditions. The number and design of the traffic lanes was designed and reviewed from the developer preference of road diet and walkability and the city's viewpoint of safety and code requirement. The plan also allows for a pedestrian friendly and walkable project while adding bicycle lanes where called for on the Bike KC plan.

Compliance with the Boulevard and Parkway Standards.

Section 88-323 was recently adopted into the Zoning and Development Code. This section addresses the design treatment of both residential and non-residential development uses along Parkways and Boulevards. In this case, city staff reviewed the project compliance for the structure along Gillham Road, Building 4000. Gillham Road is listed as a Boulevard on the Major Street Plan. City staff believes that all guidelines contained in Section 88-323 have been met except for Section 88-323-02-D.7. regarding the amount of transparency on the first floor of an adjacent building. This section states the following:

88-323-02-D. ARCHITECTURAL DESIGN

7. If adjacent to and within 150 feet of a boulevard or within a development node, structures shall provide a minimum of 60% transparency on the ground level facade facing the boulevard or parkway within the development node.

The applicant has submitted a plan showing the status of the building to this requirement. The plan shows that there is 30% transparency instead of the required 60%. City staff from the P&R Department supports a relaxation of this standard for residential projects and at this location, because it is easier to meet the requirement if the land use is commercial instead of residential. City Development staff does recommend some input on the design of the first floor appearance.

88-515-08 REVIEW CRITERIA

In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city plan commission, and city council must consider at least the following factors:

- 88-515-08-A.** *conformance with adopted plans and planning policies;*
- 88-515-08-B.** *zoning and use of nearby property;*
- 88-515-08-C.** *physical character of the area in which the subject property is located;*
- 88-515-08-D.** *whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;*

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88-515-08-E. *suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;*

88-515-08-F. *length of time the subject property has remained vacant as zoned;*

88-515-08-G. *the extent to which approving the rezoning will detrimentally affect nearby properties; and*

88-515-08-H. *the gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.*

City staff supports the rezoning of the site with the below listed conditions and believes that all of the above factors A-H have or will be addressed.

The project is in compliance with the long range plan for the city and completes the requirement for rezoning as required by the recently approved Planned Industrial Expansion Authority plan. This plan is supported by Crown Center and establishes a primarily residential land use between the light industrial, office and commercial land uses within Crown Center and the residential development of Union Hill on the south. The architectural style has a gritty, urban feel and relates as much to Crown Center as it does with the more formal design aspects of the residential developments in Union Hill. The project does a good job of creating a primary pedestrian/auto traveled way on McGee Trafficway while transitioning onto East 27th Street along with its elevation changes. The project allows for good pedestrian movement while at the same time reducing to some extent, the reliance on the automobile. The connected open spaces in the primary block contain numerous amenities and are sure to be used and enjoyed as designed.

RECOMMENDATIONS AND CONDITIONS:

On August 3, 2016, city staff composing the Development Review Committee, met to review the above-referenced projects and acted to RECOMMEND APPROVAL of said projects to the City Plan Commission with the following conditions:

Case No. 12485-UR-3 – Crown Center

1. That the (insert plan(s)/plat) be revised as follows:
 - a. That the UR plan include a copy of the design guidelines which have been previously approved for this project.
 - b. Resubmit one complete copy of the revised UR plan along with an electronic version.

Conditions 2-5 per Land Development Division (Brett Cox, (brett.cox@kcmo.org))

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2. That the developer cause the area to be platted and processed in accordance to Chapter 88, Code of General Ordinances of Kansas City, Missouri, as amended, commonly known as the Zoning and Development Code.
3. That the developer submit an update to the previously accepted macro storm drainage study for the overall development to address the development amendments along with a detailed Micro study for review and acceptance prior to approval and issuance of any building permits, and that the developer construct any improvements as required by Land Development Division prior to issuance of any certificate of occupancy.
4. That the developer submit plans for grading and siltation and erosion control to the Land Development Division for acceptance prior to beginning any construction activities.
5. That the developer secure a site disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing or grubbing activities, if the disturbed area equals or exceeds one acre.

Condition 6. per Fire Marshal's Office (John.Hastings@kcmo.org)

6. That the developer provide for fire protection as required by the Fire Department.

Conditions 7 & 8 Per Water Services Department (Heather.massey@kcmo.org)

7. That the developer extend or realign sanitary sewers as required by the Land Development Division.
8. That the developer extend or relocate watermains as required by the Water Services Department.

Conditions 9 – 22. per Public Works Department (Wei.Sun@kcmo.org)

9. That no permit be issued until the updated Traffic Impact Study (TIS) is submitted to verify that the roadway improvements are adequate for any proposed development as required by the Department of Public Works.
10. That the developer dedicate additional right of way on 27th Street with the first plat of Parcel B-4 or C-1a from Main Street on the west to Warwick Trafficway on the east so as to provide for a total right of way width of 100 feet as shown on the development plan and as required by the Department of Public Works.

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11. That the developer will dedicate with the first plat of any of the tracts bounded by 27th Street on the north, 27th Terrace on the south, Gillham Road on the east and vacated Warwick on the west, additional right of way on the north side of 27th Street from vacated Warwick Trafficway on the west to McGee Trafficway on the east so as to provide 42.5 feet of right of way on the north side of the center line of 27th Street. Additionally that the developer will dedicate with the first plat of any of the tracts bounded by 27th Street on the north, 27th Terrace on the south, Gillham Road on the east and vacated Warwick on the west, additional right of way on the north side of 27th Street from McGee Trafficway on the west to Gillham Road on the east so as to provide 44 feet of right of way north of the centerline of 27th Street at McGee Trafficway, which will taper to 33.5 feet at vacated Oak Street and to 27.5 feet north of 27th Street at Gillham Road, as shown on the development plan and as required by the Department of Public Works.
12. That with the first plat of Parcel B-4 or C-1a the developer will improve the intersection of 27th Street and Grand Avenue by constructing one additional eastbound through lane, one eastbound right turn lane, one westbound right turn lane and one northbound right turn lane as shown on the development plan and as required by the Board of Parks and Recreation Commissioners and the Department of Public Works
13. That at the time of recording of the first plat of Parcel B-4 or C-1a the developer shall either: (a) enter into a deferral agreement, as required by the Land Development Division, to provide and install traffic signals at the intersection of 27th Street and vacated Warwick Trafficway at such time that the Public Works Department determines that they are warranted and necessary; or (b) enter into a cooperative agreement, as required by the Land Development Division, to contribute a sum of money, as specified herein, towards the provision and installation of traffic signals at the intersection of 27th Street and vacated Warwick Trafficway at such time that the Public Works Department determined they are warranted, necessary, and funded. Said contribution sum shall initially be \$295,000.00 in the year 2016 and shall be increased by a compounded annual rate of five percent per year thereafter so as to account for annual increases in costs of constructing traffic signals.
14. That the developer construct an additional left turn lane and through lane on the eastbound and westbound approaches of the intersection of 27th Street and vacated Warwick Trafficway at the time of the first plat of Parcel B-4 or C-1a as required by the Department of Public Works.

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15. That the developer construct an exclusive right turn lane on the southbound and northbound approaches of the intersection of 27th Street and vacated Warwick Trafficway at the time of the first plat of Parcel B-4 (for southbound right turn) or C-1a (for northbound right turn) as required by the Department of Public Works.
16. That at the time of recording of the first plat of Parcel B-4 or C-1a the developer shall either; (a) enter into a deferral agreement, as required by Development Services, to provide and install traffic signals at the intersection of 27th Street and McGee Trafficway at such time that the Public Works Department determines they are warranted and necessary; or (b) enter into a cooperative agreement, as required by Development Services, to contribute a sum of money, as specified herein, towards the provision and installation of traffic signals at the intersection of 27th Street and McGee Trafficway at such time that the Public Works Department determines they are warranted, necessary, and funded. Said contribution sum shall initially be \$295,000.00 in the year 2016 and shall be increased by a compounded annual rate of five percent per year thereafter so as to account for annual increases in costs of constructing traffic signals.
17. That the developer construct an additional left turn lane and through lane on the eastbound and westbound approaches of the intersection of 27th Street and McGee Trafficway at the time of the first plat of Parcel B-4 or C-1a as required by the Department of Public Works.
18. That the developer construct an exclusive right turn lane on the southbound approach of the intersection of 27th Street and Gillham Road at the time of the first plat of Parcel B-4 or C-1a as required by the Board of Parks and Recreation Commissioners and the Department of Public Works.
19. That the developer construct a shared through/right turn lane on the eastbound approach of the intersection of 27th Street and Gillham Road at the time of the first plat of Parcel B-4 or C-1a as required by the Board of Parks and Recreation Commissioners and the Department of Public Works.
20. That at the time of the first plat of Parcel B-4 or C-1a the developer shall provide for traffic signal coordination system on 27th Street from Main Street to Gillham Road, on Gillham Road from 27th Street to 31st Street, on 31st Street from Main Street to Gillham

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Road, and on Main Street from 27th Street to 31st Street, as required by the Department of Public Works. To provide for said traffic signal coordination system, the developer shall either; (a) enter into a deferral agreement, as required by the Land Development Division, to provide and install said traffic signal coordination system at such time that the Public Works Department determines it to be necessary; or (b) enter into a cooperative agreement, as required by the Land Development Division, to pay for provision and installation of said traffic signal coordination system at such time that the Public Works Department determines it to be necessary.

21. That the developer provide for a truck loading and unloading dock on the premises as required by the Land Development Division.
22. That the developer file an application for the approval of an encroachment license for any overhead pedestrian walkways as required by Land Development Division.

Condition 23- 28 per Parks and Recreation (Richard.Allen@kcmo.org)

23. That the developer submit a street tree planting plan as part of the final plat with a copy to be submitted to the Department of City Planning and Development, secure the approval of the City Forester for street trees planted on right of way in front of residential lots, and plant the street trees in conformance with the plan approved by the City Forester. The plan shall include size, type, species and placement of trees.
24. The developer must secure permits for the sidewalks within the development at the time street improvement permits are secured. Sidewalks shall be installed per the sidewalk installation plan reviewed and accepted by the Parks and Recreation Department.
25. The developer must submit a letter to the Parks and Recreation Department from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters. The letter must identify state of repair as defined in Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed. 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 Parks and Recreation Department, prior to recording the plat.
26. The developer must secure permits to construct new, repair existing, or reconstruct sidewalks, curbs, and gutters as necessary along all development street frontages in accordance with Chapters 56 and 64 of the Code of Ordinances, as required by the Parks and Recreation

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Department, prior to issuance of any certificate of occupancy, as a condition of Board of Zoning Adjustment approval.

27. The developer must follow the Boulevard and Parkway Standards established by Ordinance 150544 and described in Sections 88-323, 88-405-D, 88-450, 88-810-192, 88-810-512, 88-810-1108 and 88-810-2165 for work along Gillham Road and Grand Blvd.
28. The developer must submit a streetscape plan with street tree planting plan for approval and permitting by the Parks and Recreation Department prior to beginning work in the public right of way.

Conditions 29 - 32. per City Development Department (John.Eckardt@kcmo.org)

29. That the developer submit a final plan to the Director of the Department of City Planning and Development for approval prior to the issuance of a building permit. The site plan shall include information regarding: property uses, setback distances, lighting, landscaping and architectural characteristics.
30. That the developer shall have the right to seek or apply for such public funding of the street improvements identified in these conditions as may be available at the time such improvements are required to be constructed.
31. That the developer submit a letter from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, stating the condition of the sidewalks, alleys, curbs, and gutters. The letter must identify state of repair as defined in Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed. The developer shall secure permits to repair or reconstruct the identified sidewalks, alleys, curbs, and gutters as necessary along all development street frontages, as required by the Land Development Division, prior to recording of the final plat.
32. Prior to issuance of a final certificate of occupancy, all landscaping as shown on the approved landscape plan, including trees, plant material and structural elements, must be in place and healthy, as certified by a sealed letter submitted by a registered landscape architect licensed in the State of Missouri.

Case No. 14690-UR – Milhaus 27th Street

1. That the (insert plan(s)/plat) be revised as follows:
 - a. Add all intersections onto the plans which are identified in the traffic study for

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- improvements and show the traffic improvements and when they are to occur.
- b. Show the road profiles on the development plan that are now solely in the traffic study.
- c. Include on the plan the relevant design guidelines of the Greater Downtown Area Plan as provided by city staff.
- d. That the applicant work with city staff to increase the amount of transparency regarding Boulevard and Parkway standards along Gillham Road and on the entries as required by City Development staff.
- e. That the Landscaping Plan L100 be stamped by a Registered Landscape Architect in the State of Missouri.
- f. Include the number of parking spaces within each unit and parking facility in a key and on the plan.
- g. Show that all E/W numbered streets on all sheets are either E 27th Street or E 27th Terrace instead of just 27th Street, etc.
- h. Include Charts B and C either below or within Chart A for ease in interpretation.
- i. Correct the number of units in the tables and add totals for all land uses.
- j. Include a map somewhere in the plan, likely landscaping plan which identifies the agreed upon private open space quantities in square footages and show the uses and amenities of the spaces.
- k. Show and label existing conditions including width of all right-of ways, roadways, etc. Show and label center lines.
- l. Show, label, and dimension all proposed right-of ways and easements. Show and label center lines. Identify Park's jurisdictional right-of-way on the plan. Distinguish public versus private utilities on the plan.
- m. Show and label sidewalks, curbs, and gutters as they exist adjacent to project frontage, and correctly within the right-of ways. Show and label proposed sidewalks, curbs, and gutters. Show and label sidewalks, curbs, and gutters that need to be repaired or reconstructed.
- n. Show all trees to be removed for utilities, grading, and/or street improvements by denoting the area with a label of "TREES TO BE REMOVED." Tree removal may be shown as individual trees for linear construction or by the acre for large areas of site disturbance.
- o. Show all individual or areas of trees to be preserved within the limits of the plan area by denoting the area with a label of "TREES TO REMAIN."
- p. Depict typical sections for Gillham Rd and Grand Blvd. and all Park's jurisdictional streets showing elements of standard street section improvement, including sidewalks, curb and gutters, pavement widths, street grades, etc. in relation to proposed right-of way widths.
- q. That the developer work with city staff to confirm or enhance the façade and buffering of the E 27th Street six story parking garage.

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Conditions 2-13 per Land Development Division (Brett Cox, (brett.cox@kcmo.org))

2. 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, as amended, commonly known as the Development Regulations.
3. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
4. The developer must petition for the vacation of Oak Street as shown on the development plan and relocate sewers as required by the Departments of Water Services, the Land Development Division, and Development Services prior to recording of the final plat.
5. 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.
6. 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.
7. The developer must integrate into the existing street light system any relocated existing street lights 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.
8. The developer 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, to identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and base on compliance with Chapters 56 and

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64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, 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 occupancy permits.

9. The developer must 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.
10. The developer must 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.
11. The owner/developer must submit plans for grading, siltation, and erosion control to 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.
12. 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 private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.
13. The developer provide acceptable easement and secure permits to relocated sanitary sewers out from under proposed buildings and structures, etc., while continuing to ensure individual service is provided to all proposed lots as required by Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.

Conditions 14 –23. per Public Works Department (Wei.Sun@kcmo.org)

14. That E 27th Street be widened at the time of the first final plat to provide a minimum of three lanes from Gillham Road to Grand Boulevard. The center lane would serve as a

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two way left turn lane from Oak Street to Grand Boulevard. As E 27th Street approaches Gillham Road, that the center lane is marked as a second eastbound thru lane, and a westbound left turn lane with a minimum of 25' of storage be provided for the proposed Oak Street parking garage access.

15. That the lane widths on E 27th Street and McGee Trafficway be allowed to be reduced from the standard 12 foot to either 11 feet or 10 feet as agreed upon by the Public Works Department if the turning templates can be shown that the vehicular movements will not encroach onto the sidewalk and that the entire turning movement will stay within the lanes without encroaching into the opposing lanes.
16. That the south curb line of E 27th Street from Gillham Road to McGee Trafficway be shifted south to align with the corresponding lanes east of the Gillham Road intersection at the time of the first final plat as required by the Public Works Department.
17. That the traffic signal at the intersection of Gillham Road and 27th St be modified at the time of the first plat to accommodate the required roadway improvements and be reinstalled in compliance with existing standards as required by the Department of Public Works.
18. That the developer grant a minimum of 75 feet of right of way on 27th Street between Warwick Trafficway and McGee Trafficway as required by the Department of Public Works and further that the Milhaus Development shall dedicate 32.5' from the existing right of way center line on the south side and Hallmark shall dedicate 42.5 feet from the existing right of way center line on the north side.
19. That the developer dedicate additional right of way as needed on E 27th Street so that there is a transition of s total width right of way dedication from 71.5 feet at McGee Trafficway to 55 feet at Gillham Road to accommodate future road improvements as needed as required by the Department of Public Works and as shown on the development plan.
20. That the developer make improvements on McGee Trafficway between 27th Street and 27th Terrace so as to provide for a minimum 8 foot width for parallel parking, 5 foot width for the bicycle lane, and 11.5 foot width for the travel lanes as required by the Department of Public Works and as shown on the development plan.
21. That the developer provide for a three-lane section on Warwick Trafficway south of E 27th Street, with an auxiliary left turn lane on the northbound movement as required by the Department of Public Works and as shown on the development plan.

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22. That the developer provide dual left turns on the westbound approach on E 27th Street at the Main Street Intersection as required by the Department of Public Works and as shown on the development plan.
23. That the developer provide a continental crosswalk at all intersection approaches on E 27th Street between Gillham Road and Warwick Trafficway and at E 27th Terrace and McGee Trafficway intersection.

Condition 24. per Fire Marshal's Office (John.Hastings@kcmo.org)

24. That the developer provide fire protection as required by the Fire Marshal's Office.

Condition 25. Per Water Services Department (Heather.massey@kcmo.org)

25. That the developer extend, abandon and relocate water mains and sewer lines as required by the Water Services Department.

Conditions 26 & 32 per Parks and Recreation (Richard.Allen@kcmo.org)

26. That the developer pay \$111,938.06 in lieu of Parkland dedication based upon 423 multifamily units and calculated as follows:
 - * 423 units x 2 persons/unit x 0.006 acres/person = **5.076 acres required**
 - * 5.076 acres – 1.389 acres of qualifying parkland = 3.687 acres
 - * 3.687 acres x \$30,360.20/acre = \$111,938.06 or \$264.63 per multifamily unit.
27. That the developer provide a street tree planting plan and streetscape plan to the Parks and Recreation Department for approval at the time of the final plat with a copy delivered to the Development Management Division.
28. The developer must secure permits for the sidewalks within the development at the time street improvement permits are secured. Sidewalks shall be installed per the sidewalk installation plan reviewed and accepted by the Parks and Recreation Department.
29. The developer must submit a letter to the Parks and Recreation Department from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters. The letter must identify state of repair as defined in Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or

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reconstructed. 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 Parks and Recreation Department, prior to recording the plat.

30. The developer must secure permits to construct new, repair existing, or reconstruct sidewalks, curbs, and gutters as necessary along all development street frontages in accordance with Chapters 56 and 64 of the Code of Ordinances, as required by the Parks and Recreation Department, prior to issuance of any certificate of occupancy, as a condition of Board of Zoning Adjustment approval.
31. The developer must follow the Boulevard and Parkway Standards established by Ordinance 150544 and described in Sections 88-323, 88-405-D, 88-450, 88-810-192, 88-810-512, 88-810-1108 and 88-810-2165 for work along Gillham Road and Grand Blvd.
32. The developer must grant a pedestrian right-of-way easement, for the portion of the public sidewalks outside of the street right-of-way, to the City as required by the Parks and Recreation Department, prior to recording the plat.

Condition 33--36 per City Development Department (John.Eckardt@kcmo.org)

33. That the developer submit a final plan to the Director of the Department of City Development for approval prior to the issuance of a building permit. The site plan shall include information regarding: property uses, setback distances, lighting, landscaping and architectural characteristics.
34. That the developer shall have the right to seek or apply for such public funding of the street improvements identified in these conditions as may be available at the time such improvements are required to be constructed.
35. That the developer submit a letter from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, stating the condition of the sidewalks, alleys, curbs, and gutters. The letter must identify state of repair as defined in Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed. The developer shall secure permits to repair or reconstruct the identified sidewalks, alleys, curbs, and gutters as necessary along all development street frontages, as required by Land Development Division, prior to recording of the final plat.
36. Prior to issuance of a final certificate of occupancy, all landscaping as shown on the approved landscape plan, including trees, plant material and structural elements, must be

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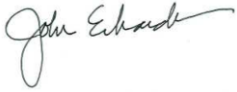
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in place and healthy, as certified by a sealed letter submitted by a registered landscape architect licensed in the State of Missouri.

Case No. 175-S-33: The DRC recommends that Case No. 175-S-33 be dismissed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John Eckardt".

John Eckardt
Planner

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