

MAJOR STREET PLAN: The City's Major Street Plan U. S Highway 169 as a freeway/interstate highway. U. S Highway 169 is under the jurisdiction of the Missouri Department of Transportation (MODOT) Northwest 96th Street is classified as a "4 Through Lane Street" (with two lanes in each direction and a center turn lane) and a Boulevard typology.

ARTERIAL STREET

IMPACT FEE: Impact Fee Zone B
(Informational only) The impact fee will be determined by the impact fee administrator.

PREVIOUS CASES:

Case No. 13311-P-7 – On March 15, 2016, the City Plan Commission approved a Chapter 80 Final Plan in District R-1.5 (Residential 1.5) to allow modifications to previously-approved building elevations, layout and setback between residential buildings.

Case No. 13311-MPD-6 – Ordinance No. 130061 passed by City Council on March 7, 2013, rezoned an area of approximately 19 acres generally located on the east side of U. S. Highway 169 between NW 95th Terrace and NW 96th Street from District R-1.5 to District MPD, and approving a preliminary development plan allowing for 336 multifamily units in three phases and a fourth phase of three office retail buildings totaling 52,000 square feet at the northwest corner of the plan area.

Case No. 13311-CUP-5 – Approved a final community unit project plan on about 14.9 acres generally located at the southeast corner of proposed NW 96th Street and Highway 169 in District R-4 (low apartments), to allow for 252 multifamily residential units. (Phase 1, Steeple Chase Apartments) (Approved by the City Plan Commission, August 5, 2008)

Case No. 13311-CUP-4 - Ordinance No. 071156 passed by City Council on November 29, 2007, approved a preliminary community unit project plan on about 18.75 acres generally located at the southeast corner of proposed NW 96th Street and Highway 169 in District R-4, to allow for 324 multifamily residential units (Steeple Chase Apartments).

Case No. 13311-CUP-3 - Ordinance No. 071155 passed by City Council on November 29, 2007, approved an amended community unit project plan on about 36.3 acres generally located at the southeast corner of proposed NW 96th Street and Highway 169 in District R-4 for the purpose of deleting the western 18.75 acres and to allow for 156 multifamily residential units on the remainder (Steeple Oaks).

Case No. 13311-CUP-2 - Approved a final community unit project plan on 36.3 acres in District R-4 to allow for 336 multifamily residential units and private open space. (Steeple Oaks) (Approved by the City Plan Commission, February 21, 2006)

Case No. 13311-CUP-1 - Approved a preliminary community unit project plan on about 36.3 acres generally located at the southeast corner of proposed NW 96th Street and Highway 169 to allow for 336 multifamily residential units and a swimming pool. (Ordinance 050656, passed June 16, 2005)

Case No. 13311-P – Rezoned about 36.3 acres generally located at the southeast corner of proposed NW 96th Street and Highway 169 from District RA (agricultural) to District R-4. (Ordinance 050655, passed June 16, 2005)

EXISTING CONDITIONS:

The subject property is a 19-acre townhouse development (Steeplechase Apartments). The property was originally approved as part of a larger community unit project plan that included the Steeple Oaks development immediately to the west. **Ordinance No. 130061** passed by City Council on March 7, 2013, rezoned an area of approximately 19 acres from District R-1.5 to District MPD, and approving a preliminary development plan allowing for 336 multifamily units in three phases and a fourth phase of three office retail buildings totaling 52,000 square feet at the northwest corner of the plan area. The 11 buildings and the clubhouse have all been constructed.

This undeveloped parcel has about 1,600 feet of frontage on the east side of U. S. Highway 169, between NW 95th Terrace to the south and NW 96th Street to the north, with about 800 feet and 850 feet of frontage on those respective streets. Northwest 96th Street is a four-lane boulevard with center median; NW 95th Terrace is a two-lane street. The site is bordered to the north by Northland Cathedral and to the east by Steeple Oaks multifamily residential development. The site slopes moderately from west to east and is partially wooded in its southern portion.

PLAN REVIEW & ANALYSIS:

The request is for a major amendment to the current approved MPD (Master Planned Development) Plan to allow modification to Phase IV. The request is to replace the approved 52,000 square feet, three office/ retail buildings at the northwest corner of the plan area with a mixture of residential development type. The proposed amendment will allow for a total of 51 units in 20 buildings. The development will consist of 9 single family individual patio homes, 10 duplex units, 6 triplex units, 16 4-plex units, and 10 multi-story units.

The amendment will not affect the street layout and configuration. The plan proposes to have the patio homes front on NW 96th Street with parking on the rear within the courtyard. No new access drive is proposed off any public street with this amendment. Access will be off existing public streets. The amended plan will allow for 51 residential units in place of the 51,000 square feet office/ retail development.

The proposed plan shows proposed right of way to be vacated. Staff recommends that the developer remove this notation from the face of the plan. Should the developer wish to vacate the right of way, they are required to engage the Missouri Department of Transportation regarding the proposed right of way vacation as 169 Hwy is within MoDOT jurisdiction. The developer should also discuss the proposed vacation with the Parks and Recreation Department and the Public Works Department. Without any discussion or agreement to vacate the right of way with MoDOT, Public Works and the Parks and Recreation Departments, the plan must be revised with the appropriate right of way to provide for the correct setbacks for this development.

The MPD amendment proposes multiple individual lots, but is not accompanied by a preliminary plat to show how these individual lots will be served with public sewer and water. The submitted plan shows a single lot (Lot 2). This development plan does not serve as a preliminary plat. Since this is an MPD, the proposed amendment must meet the current MPD setbacks. If there are no setbacks at this time, staff recommends that one be proposed. The setbacks must meet the current International Building Codes. Attached is the preliminary plat requirements checklist for your information.

Long Range Planning and Preservation Comments: Compliance with the Area Plan

The plan of record for this area is the **Gashland-Nashua Area Plan** adopted by Resolution 110952 on January 5, 2012. This site has a future land use recommendation of Mixed Use Community. The area is an approved MPD and was originally found to be consistent with the area plan.

Major Street Plan, Bike Plan

The southern frontage of this property faces NW 96th Street is designated as a parkway in the city's Major Street Plan and as a signed bike route. These improvements were made as part of the recent roadway improvements associated with the Highway 169 interchange near this location.

Staff has expressed concerns about the overall site layout, building setbacks, orientation, appearance, materials, roof lines, and foundation landscaping, etc. The developer in meeting with staff has agreed to continue work on these comments and will submit a final MPD plan to address them. Staff recommends that the developer provide a revised 4-sided color building elevations with a higher standard of design to ensure that the building façade facing the public right of way have the same treatment as the front of the buildings. The comments below shall be reflected in the final MPD plan and approved by the City Plan Commission prior to CPC approval.

Comments

- **Building Side Yards** – Many of the buildings have a blank or nearly blank walls on the bottom floor lacking windows. Whenever possible, these building should have more windows and in the instances when these side are walls for a garage – a door should be considered to the outside along these sides.
- **Four Sided Architecture** – As being consistent with the area plan – these buildings should employ similar mixes of materials throughout. Typically the front elevation of these buildings are what the other building sides should be designed to contain. This would mean adding windows, materials such as stone, architectural metal, hardie board shake.
- **Front Doors** - Building type B does a great job of providing a grand entrance to the front door of the building with the steps out to the sidewalk. Staff would prefer having this type of architecture face the road in all building styles and put the garages on the back side. If this is not possible, there must be efforts to make the front door of building stand out as the main entrance to the building and have the garage less prominent. They are equals at this time in many of the building types. This might be achieved in a number of ways including an entry awning, having the doorways extend further out...we will be happy to discuss this idea in further detail.

- **Entryways** – In a number of building types there only seems to be building entrances on one side of the building, with the front door being right next to the garage door. In addition to earlier comment about the front doors, we look forward to hearing from emergency services to ask them if they have any ideas. Our concern is how a resident would leave the building if a fire occurs in the garage and fire blocks the front door and garage.
- **Sidewalks** – the sidewalks in this development are labeled in the site to a degree– but there is not a comprehensive explanation how people are going to get both through and out of the site...including crosswalks and connections to the developed portion of the Steeplechase development. Staff would be happy to meet with the applicant to discuss changes if that is helpful.

The developer shall submit a final MPD plan to the City Plan Commission for approval including site, grading, building elevations, landscaping, lighting and signage. Final plan approval will be required prior to issuance of any building permit.

RECOMMENDATIONS:

City Planning and Development Staff recommends approval of **Case No. CD-CPC-2018-00147** based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions:

Conditions Nos. 1. - 5. per City Planning & Development, Development Management Division (Olofu Agbaji, Olofu.Agbaji@kcmo.org)

1. That one (1) collated, stapled and folded copy (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri State Plane coordinate system) of all submitted sheets, revised as noted, be submitted to Development Management staff (15th Floor, City Hall) prior to ordinance request showing:
 - a. Delete proposed right of way to be vacated from the face of the plan, unless an agreement is reached with controlling agencies.
 - b. Provide necessary MPD setbacks for this development plan.
 - c. Revised 4-sided color building elevations per discussions with staff. Staff recommends a higher standard of design to ensure that the building façade facing the public right of way have the same treatment as the front of the buildings.

- d. Provide a truck turning template that shows ability of fire trucks maneuvering within the property.
 - e. Site layout should be revised to show the appropriate building setbacks per IBC.
 - f. Adequate pedestrian access, circulation and connections internally and from NE 96th Street (walkability).
 - g. The required short term and long term bicycle parking.
 - h. Location and elevations of dumpster enclosures constructed of the same material as the principal buildings.
 - i. Elevations of all fences including any proposed gate materials and height.
 - j. A signage plan as required by Chapter 88-445-10-A-1.
2. That the developer continue to work with City Planning and Development staff as it relates to the building layout and architecture o prior City Plan Commission approval of a final MPD plan.
 3. That the developer submit a Final MPD Plan to the City Plan Commission for approval, indicating plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero foot candles at the property lines prior to issuance of building permit.
 4. 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.
 5. That the developer submit a street tree planting plan to the Development Management Division prior to issuance of building permit. The developer shall also secure the approval of the City Forester for street trees to be planted in the right of way prior to occupancy.

Conditions No. 6. – 14. per City Planning & Development, Land Development Division (Lucas Kasper, lucas.kasper@kcmo.org)

6. 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.

7. 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 that the developer construct any other improvements as required by Land Development Division as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.
8. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
9. 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.
10. 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.
11. 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.
12. The developer must secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.

13. The developer must grant BMP and/or Surface Drainage Easements to the City where applicable as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
14. The developer must enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.)

Conditions No. 15. – 21. per Parks and Recreation Department (Jimmi Lossing, jimmi.lossing@kcmo.org)

15. The plan shall be corrected to show the following:
 - a. Delete right of way shown as to be dedicated. This currently property acquired from Steeplechase development and there is no talk about vacation of any right of way with the Department of Transportation, Parks and Recreation Department of Public Works Department at this time.
 - b. Provide note on plans listing parkland fee and number of living units.
 - c. Show full extents of the plat and adjacent infrastructure important to this development (200 feet minimum).
 - d. Show Developer Contact Information, including phone number and/or e-mail.
 - e. Show and label existing conditions including width of all right-of ways, roadways, etc. Show and label center lines.
 - f. 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.
 - g. 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.
 - h. Show and label on a separate sheet entitled Sidewalk Installation Plan the phasing of sidewalk construction for the development.
 - i. Show all required off-site easements for utilities, grading, and/or street improvements that are to be obtained by the Developer.
 - j. 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.
 - k. 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."

16.88-408-C. PAYMENT IN LIEU OF LAND DEDICATION

Notwithstanding anything contained in 88-408-B., the developer may elect, at any time before approval of the preliminary plat by the development review committee or the city plan commission, to pay money in lieu of dedicating land. Lot A has 22 multi-family units, 10 duplex and 19 single family units.

$22 \times (2.0 \text{ person per unit}) \times (.006 \text{ acres per person}) \times (\$37,662.28 \text{ 2018 rate}) = \text{parkland fee}$

$10 \times (3 \text{ people per unit}) \times (.006 \text{ acres per person}) \times (\$37,662.28 \text{ 2018 rate}) = \text{parkland fee}$

$19 \times (3.7 \text{ people per unit}) \times (.006 \text{ acres per person}) \times (\$37,662.28 \text{ 2018 rate}) = \text{parkland fee}$

17. When the developer elects to pay money in lieu of dedicating land, the developer must, before recording the subdivision plat or minor subdivision, or (if platting or minor subdivision is not required) receiving a certificate of occupancy for a new residential unit, deposit with the city treasurer a monetary payment to the parks and recreation acquisition or development trust fund equal to the required parkland dedication (calculated pursuant to 88-408-A.) multiplied by the current year's price for the calendar year in which the approval is granted (date of preliminary plat approval by the development review committee or the city plan commission, administrative approval of minor subdivision, or -- in the absence of platting or minor subdivision – issuance of a building permit for a newly created unit) less a credit based on the ratio that any land actually dedicated for park purposes bears to the required parkland dedication.

18.88-323 – BOULEVARD AND PARKWAY STANDARDS - NW 96th Street is identified as Tiffany Springs Parkway on the Major Street Plan. It has the Typology of Parkway. 88-323-03-A ONE AND TWO UNIT RESIDENTIAL is applicable.

19. 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.

20. 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.
21. The developer must submit a streetscape plan for approval and permitting by the Parks and Recreation Department prior to beginning work in the public right of way.

Condition Nos. 22. – 27. per Water Services Department (Mark Griffin, mark.griffin@kcmo.org)

22. That the developer extend water mains and provide easements as required by the Water Services Department.
23. Be advised 20' water easement runs west of the property and 25' water easement runs north of the property.
24. No permanent structure will be allowed on water easements.
25. WSD rules indicate that permanent structures shall be placed min 25' away from the w/m.
26. Plan to install a private water line with full fire flow meter, domestic water and fire service lines.
27. If the R.O.W is vacated, additional water easement should be dedicated adjacent to the proposed R.O.W

Condition Nos. 28. & 29. Per City Planning and Development, Plans Review Division (Bill Watson, bill.watson@kcmo.org)

28. The fire resistance rating of exterior walls must comply with the requirements of the International Residential Code section R302.1 (1).
29. The fire resistance rating of exterior walls must comply with the requirements of the International Building Code section 602.1.

Condition Nos. 30. – 35. per KCMO Fire Marshal's Office (John Hastings, john.hastings@kcmo.org)

30. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2012: § 3310.1; NFPA 241-2009: § 7.5.5)
31. Shall provide and enforce fire lanes throughout the new development to include part of the affected area of the apartment buildings (IFC-2012 § 503.3 & 503.4).
32. Shall provide an easement between property lines to prevent obstruction of the fire access road (IFC-2012 § C104.1).
33. The expectation is the project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2012. (IFC-2012: § 507.1)
34. Fire hydrant(s) are required within 400 feet on a fire access road following an approved route established by the Authority Having Jurisdiction (AHJ) of any exterior portion of a building. The use of existing fire hydrant(s) may be used to satisfy this requirement otherwise a private fire hydrant(s) or hydrant system may be required. This distance may be increased to 600 feet for R-3 and U occupancy(s) or the building(s) is fully protected by an approved automatic fire sprinkler system(s). (IFC-2012: § 507.5.1)
35. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2012: § 3312.1; NFPA 241-2010: § 8.7.2)

Respectfully submitted,



Olofu O. Agbaji
Planner