



File #: 230398

ORDINANCE NO. 230398

Approving a development plan in Districts M1-5 and US generally located east of Interstate 435, north of Wilson Avenue, and adjacent to the City of Independence on about 35 acres to allow for a phased non-residential development plan for surface and underground uses. (CD-CPC-2022-00217)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in Districts M1-5 (Manufacturing 1 (Dash 5)) and US (Underground Space) generally located east of Interstate 435, north of Wilson Avenue, and adjacent to the City of Independence, and more specifically described as follows:

All of Lots 44, 45, 46, 84 through 92, 105 through 130 and that part of Lots 74 through 83 of "Beaumont", a subdivision in Kansas City, Jackson County, Missouri, lying north of the south line of the Northeast Quarter of Section 31, T 50 N, R 32 W, together with other land, all within the East 1/2 of said section, township, and range, being more particularly described as follows: Commencing at the center of said section, township, and range; thence South 86°49'58" East along the south line of the Northeast Quarter of said Section 31, a distance of 330.77 feet to the point of beginning, said point being on the existing easterly right of way line of Interstate 435 Highway; thence North 00°34'45" East along said existing easterly right of way line, a distance of 308.96 feet; thence northerly, continuing along said existing easterly right of way line, along a curve to the left with a radius of 3024.93 feet, an arc distance of 388.63 feet to a point on the existing southerly right of way line of the Kansas City Terminal Railroad Company; thence easterly along the said existing southerly right of way line, the following five (5) courses; (1) North 82°49'53" East, a distance of 286.00 feet; (2) South 89°55'25" East, a distance of 366.00 feet; (3) South 85°41'04" East, a distance of 324.39 feet; (4) South 84°40'28" East, a distance of 275.22 feet; (5) North 80°40'59" East, a distance of 320.00 feet to a point on the existing southerly right of way line of the Kansas City Southern Railroad Company (formerly C&A/IC Railroad); thence South 62°51'48" East along said existing southerly right of way line, a distance of 659.10 feet; thence South 28°47'53" West, a distance of 144.90 feet; thence North 80°29'02" West, a distance of 84.61 feet; thence South 09°30'58" West, a distance of 130.00 feet; thence North 86°49'58" West, a distance of 381.30 feet; thence South 18°30'20" West, a distance of 208.25 feet; thence South 02°16'35" West, a distance of 75.10 feet; thence North 86°49'58" West, a distance of 101.89 feet; thence South 02°16'35"

West, a distance of 25.00 feet to a point on the south line of the Northeast Quarter of said Section 31; thence North 86°49'58" West along said south line, a distance of 100.17 feet; thence South 02°17'46" West along the west line of "Arva Lawn", a subdivision in Independence in said county, and state, a distance of 534.00 feet (537.00 feet – deed) to a point on the existing north right of way line of Wilson Road; thence South 89°42'03" West along said existing north right of way line, a distance of 330.13 feet (330.9 feet – deed) to a point on the existing east line of said "Beaumont" subdivision; thence North 02°17'46" East along said east line, a distance of 128.73 feet to the southeast corner of Lot 44 of said "Beaumont" subdivision; thence North 88°21'37" along the north line of said Lot 44, a distance of 75.00 feet to the southwest corner of said Lot 44; thence North 02°17'46" East along the west line of said lot 44, a distance of 147.16 feet to the northwest corner of said Lot 44; thence South 88°37'23" East along the north line of said Lot 44, a distance of 75.00 feet to the northeast corner of said Lot 44; thence North 02°17'46" East along the east line of said "Beaumont" subdivision, a distance of 50.01 feet to the intersection of the easterly extension of the south line of said Lot 45; thence North 88°37'23" West along said easterly extension and the south line of Lots 45 and 46 of said "Beaumont" subdivision, a distance of 125.02 feet to the southwest corner of Lot 46 of said subdivision; thence North 02°17'46" East along the west line of said Lot 46, a distance of 231.63 feet to the northwest corner of said Lot 46; thence North 86°49'58" West along the south line of the Northeast Quarter of said Section 31, a distance of 862.69 feet to the point of beginning

is hereby approved, subject to the following conditions:

1. 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.
2. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
3. 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.
4. The developer shall secure approval of a project plan from the City Plan Commission prior to a building permit. The project plans shall show compliance with applicable sections of 88-400, including but not limited to landscaping, parking, lighting, pedestrian connections, and signage.

5. 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.
6. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
7. Underground space shall have a valid building permit to develop a habitable underground building and to qualify for a certificate of occupancy.
8. The owners or operators of underground space shall have on file with the City Plan Commission a certificate by a registered professional engineer regarding the structural integrity of the underground space. Certificates must be dated within the past 10 years to be valid for its application to new areas. The certificate must be submitted prior to a building permit or certificate of occupancy.
9. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
10. The developer shall 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.
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 the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
12. 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.
13. The developer shall 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. A copy of the development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.
14. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include

said document(s) within the public improvement applications submitted for permitting

15. 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 and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
16. 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.
17. 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.
18. 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)
19. Required Fire Department access roads 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 a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
20. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
21. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
22. The developer shall provide the correct fire protection system.
23. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of

the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1 and NFPA1221)

- 24. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
- 25. The developer shall submit an analysis by a registered professional engineer in Missouri to verify adequate capacity of the existing water mains and verify fire flow capacity prior to the issuance of the final Plat. Depending on adequacy of the existing water mains systems, making other improvements may be required. Please show easements as required.
- 26. 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.
- 27. The developer shall provide a covenant to maintain private sanitary sewer for the low pressure force main acceptable to the Water Services Department prior to recording the plat.

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.



Joseph Rexwinkle, AICP
Secretary, City Plan Commission

Approved as to form:



Sarah Baxter
Senior Associate City Attorney



Authenticated as Passed



Quinton Lewis, Mayor


Marilyn Sanders, City Clerk

MAY 11 2023

Date Passed