

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 230231

Rezoning an area of approximately 3.25 acres located at 9618 and 9615 Grandview Road from District R-7.5 to District MPD and approving a development plan to allow agricultural, wholesale and retail sales, office, and short term rental uses within existing and proposed structures and high tunnels. (CD-CPC-2020-00106)

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BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 80-20A-1375 rezoning an area of about 3.25 acres located at 9618 and 9615 Grandview Road from District R-7.5 (Residential, 7.5) to District MPD (Master Planned Development) said section to read as follows:

Section 80-20A-1375. That an area legally described as:

9618 GRANDVIEW RD RED BUD PARK ALL OF LOTS 7 & 8 & S 190 FT
OF LOT 9 and 9615 GRANDVIEW RD / N 190 FT OF LOT 8 & S 70 FT LOT 9
KINGS ROSE HILL SUB

is hereby rezoned from District R-7.5 (Residential, 7.5) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 80-20A-1375, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
3. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to a building permit.

4. No certificate of occupancy shall be issued until a photometric plan that complies with 88-430 has been submitted with the MPD final plan and approved by the City Plan Commission.
5. 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.
6. 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.
- ~~7. Grandview Road along the frontage of both properties shall be improved to City standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.~~
87. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development 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 Land Development Division.
98. 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.
- ~~109.~~ 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.
- ~~110.~~ 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.

- | ~~12~~11. 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.
- | ~~13~~12. 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.
- | ~~14~~13. Any significant occupancy type change shall be done in conformance with the applicable building codes which are in effect at the time of the change with a valid certificate of occupancy issued by the City Planning and Development Department. (IFC-2018 § 102.3)
- | ~~15~~14. The developer shall submit a detailed landscaping plan showing the transitions and screening between the property in question and adjacent properties.
- | ~~16~~15. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
- | ~~17~~16. The developer shall follow the Kansas City, Missouri rules and regulations for new water service lines, fire flow lines and kills.
- | ~~18~~17. The developer shall confirm service lines shall serve only one lot or tract and shall not cross a separate lot or tract.

A copy of said MPD development plan and preliminary plat is on file in the office of the City Clerk with this ordinance and made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning Ordinance have been given and had.

I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter

Senior Associate City Attorney