

COMPARED VERSION  
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 260261

Rezoning an area of about 12.72 acres generally located at the northeast corner of North Shoal Creek Parkway and North Oak Trafficway from Districts B2-2 and MPD to District MPD with an associated development plan that also serves as a preliminary plat to allow for a commercial retail development, including a grocery store and other commercial uses. (CD-CPC-2026-00002)

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 88-20A-1529, rezoning an area of about 12.72 acres generally located at the northeast corner of North Shoal Creek Parkway and North Oak Trafficway from Districts B2-2 (Neighborhood Business) and MPD (Master Planned Development) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A-1529. That an area legally described as:

**TRACT 1:** All that part of the South One Half of the Northeast Quarter of Section 26, Township 52, Range 33, in the City of Kansas City, Clay County, Missouri, described as follows: Commencing at the Southwest corner of the Northeast Quarter of said Section 26; thence South 89 degrees 31 minutes 09 seconds East along the South line of the Northeast Quarter of said Section 26, a distance of 30.00 feet to a point on the East right of way of N. Oak Street; thence North 0 degrees 32 minutes 48 seconds East along the East right of way of N. Oak Street, a distance of 608.28 feet to the point of beginning of the tract of land herein to be described, said point being on the North right of way of NE Karapat Drive; thence North 0 degrees 32 minutes 48 seconds East along the East right of way of N. Oak Street, a distance of 254.99 feet; thence South 89 degrees 39 minutes 10 seconds East, a distance of 305.79 feet to a point on the Westerly right of way of NE Karapat Drive; thence South 20 degrees 47 minutes 00 seconds West along the Westerly right of way of NE Karapat Drive, a distance of 6.28 feet; thence continuing along said right of way South 25 degrees 25 minutes 05 seconds West, a distance of 185.64 feet; thence Southwesterly along said right of way along a curve to the right and being tangent to the last described course and having a radius of 124.96 feet, an arc distance of 152.15 feet; thence North 89 degrees 27 minutes 12 seconds West along the Northerly right of way of NE Karapat Drive, a distance of 108.29 feet to the point of beginning, EXCEPT any part in roads. ALSO EXCEPT that part deeded to the City of Kansas City recorded in Book 4276 at Page 530 and in Book 4276 at Page 539.

**TRACT 2:** All that part of the South One Half of the Northeast Quarter of Section 26, Township 52, Range 33 in the City of Kansas City, Clay County, Missouri, described as follows: Commencing at the Southwest corner of the Northeast Quarter of said Section 26; thence South 89 degrees 31 minutes 09 seconds East,

along the South line of the Northeast Quarter of said Section 26, a distance of 30.00 feet to a point on the East right of way of N. Oak Street; thence North 0 degrees 32 minutes 48 seconds East along the East right of way of N. Oak Street, a distance of 150.00 feet to the point of beginning of the tract of land herein to be described, said point being on the East right of way of N. Oak Street and the North right of way of proposed NE Shoal Creek Parkway; thence North 0 degrees 32 minutes 48 seconds East along the East right of way of N. Oak Street, a distance of 378.28 feet, said point being on the South right of way of NE Karapat Drive; thence South 89 degrees 27 minutes 12 seconds East along the South right of way of NE Karapat Drive, a distance of 108.29 feet; thence Northeasterly along a curve to the left and along the Easterly right of way of NE Karapat Drive, tangent to the last described course having a radius of 204.96 feet, an arc distance of 249.56 feet; thence North 16 degrees 08 minutes 55 seconds East along the Easterly right of way of NE Karapat Drive, a distance of 185.64 feet; thence North 20 degrees 47 minutes 00 seconds East along the Easterly right of way of NE Karapat Drive, a distance of 24.92 feet; thence North 89 degrees 39 minutes 10 seconds East along the South line of Lots 69 thru 74, all inclusive, Karapat Acres, a subdivision of land in Kansas City, Clay County, Missouri, and the Westerly prolongation thereof, a distance of 447.8 feet to the Southeast corner of Lot 69, said Karapat Acres, thence South 0 degrees 32 minutes 48 seconds West along the West line of Lots 66 thru 62, all inclusive, of said Karapat Acres, and the West line of Lots 200 thru 198, all inclusive, Woodridge Estates, Fifth Plat, a subdivision of land in Kansas City, Clay County, Missouri, a distance of 715.15 feet to the Southwest corner of Lot 198, said Woodridge Estates Fifth Plat, said point being on the Northerly right of way of proposed NE Shoal Creek Parkway; thence North 89 degrees 31 minutes 09 seconds West along the Northerly right of way of proposed NE Shoal Creek Parkway, a distance of 807.00 feet to the point of beginning, EXCEPT any part in roads. ALSO EXCEPT that part deeded to Kansas City, Missouri, recorded in Book 4276 at Page 530 and Book 4276 at Page 539.

is hereby rezoned from Districts B2-2 (Neighborhood Business) and MPD (Master Planned Development) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A-1529, which is attached hereto and made a part hereof, and which is hereby adopted as a 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 major amendment to an approved development plan that also serves as a preliminary plat for the area legally described above is hereby approved, subject to the following conditions:

1. The developer shall provide pavement marking or signage at each dedicated pick-up spot directed toward drivers that idling is not permitted.
2. Prior to issuance of the certificate of occupancy for each lot within the plat the developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy.

3. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
4. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to issuance of the building permit.
5. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
6. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with Section 88-425-08 of the Zoning and Development Code.
7. 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.
8. No additional curb cuts off N. Oak Trafficway are permitted other than the curb cut off N. Oak to Parcel 1 as shown on the MPD development plan. Vehicular access to Parcel 2 must be internal or via N.E. Karapat Drive, if realigned.
9. Prior to issuance of any certificate of occupancy, the applicant shall gain approval of and record a final plat in accordance with the preliminary plat.
10. The applicant shall obtain approval by City Council of a vacation of part of Northeast Karapat Drive which is impacted by the proposed development. The applicant shall coordinate the realignment and construction of Northeast Karapat Drive through the property to the north, which is owned by the City of Kansas City, so that the public right-of-way connects to North Oak Trafficway. All items of this condition must be completed prior to recording of the final plat.
11. Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
12. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
13. The building's FDC shall be immediately recognizable from the street or nearest point of Fire Department access ( IFC-2018 § 912.2.1).
14. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
15. Proposed buildings shall have a Fire Department access road within 150 feet of any exterior portion of the structure. (IFC-2018: § 503.1.1)

16. The developer shall provide fire lane signage on fire access drives.
17. A Knox Box shall be provided near the main entrance to the building (IFC-2018 § 506.1). To ensure proper keying to Kansas City, Missouri; Knox Boxes may be ordered online at [www.knoxbox.com](http://www.knoxbox.com) or on an official order form obtained through this Office.
18. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
19. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. (IFC-2018: § D106.3)
20. Buildings exceeding 62,000 square feet in area shall have at least two means of fire apparatus access. (IFC-2018: § D104.2)
21. All required Fire Department access roads shall be an all-weather surface. Grass pavers are not permitted. (IFC-2012: § 503.2.3)
22. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA 241-2013 § 8.7.2)
23. 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)
24. The Fire Department Connection (FDC) shall not be located that obstructs access/egress to the building when in use (IFC-2018 § 912.2).
25. Fire hydrant(s) shall be 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-2018: § 507.5.1)
26. The developer shall provide Fire Department access roads before construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)
27. Required Fire Department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in. clearance height. Check with Streets & Traffic (KCMO Public Works) or Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1)

28. All Fire Department Connections (FDC) shall be threaded connections, Storz connections are not allowed in the City of Kansas City, Missouri (IFC-2018 § 903.3.6; NFPA 13-2010 § 6.8.1).
29. The developer shall provide the approximate location of addressing on proposed building(s). Location of address should be visible from the public right-of-way or vehicular access area, whichever is applicable. Location can be shown on the building elevation sheet with a cloud/dashed line at the time of building plan review. Development Management Division reviewer may satisfy this condition.
30. The developer shall provide standard operating characteristics including: security measures (cameras, gated access etc.), lighting, noise, access requirements (keycard/access code) as on note on the plans at the time of building plan review. Development Management Division reviewer may satisfy this condition.
31. Raise at least 1 side of the dumpster enclosure, that is not the gate, at least 6 inches to 1 foot from the ground or provide a convex mirror from an elevated position near the dumpster enclosure at the time of building plan review. Development Management Division reviewer may satisfy this condition.
32. The developer shall 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 along boulevard/parkway, which is a Parks and Recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and 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/issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
33. The developer shall submit plans to Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and street lighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks and Recreation Department standards
34. Prior to construction adjacent to a Parks and Recreation jurisdictional street and/or park the developer and/or their representative shall obtain a Parks and Recreation permit for storage and restoration within a park or a Parks and Recreation jurisdictional street right-of-way including but not limited to the installation of construction trailer, stockpiling of materials or equipment, construction roads and utility cabinets/meters.

35. The developer shall dedicate additional right-of-way and provide easements for N. Oak Trafficway as required by the adopted Major Street Plan and/or Chapter 88 so as to provide a minimum of 50 feet of right-of-way as measured from the centerline, along those areas being platted.
36. 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.
37. The developer shall submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape improvements in the public right-of-way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
38. 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.
39. 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.
40. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
41. The developer shall subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and that the developer shall be responsible for all costs associated with subordination activities now and in the future.
42. The developer must petition for the vacation of N.E. Karapat Drive 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.
43. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to issuance of a certificate of occupancy.
44. A full flow fire meter shall be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.

45. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
46. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
47. The developer shall submit water main extension plans for relocation of the water main in N.E. Karapat Drive if vacated. Submit water main extension plans for new fire hydrants along N. Oak and Shoal Creek Pkwy to meet a 300' max spacing along the projects frontage. The water main extension plans shall be submitted through CompassKC and shall be under contract (permit) prior to building permit issuance or platting, whichever occurs first. The water main extension plans shall meet the Kansas City Water rules and regulations for water main extensions.
48. 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.
49. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Kansas City Water Services Department showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Kansas City Water Services Department for review and acceptance for the disturbed area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first as required by the Kansas City Water Services Department.
50. 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 or outside the plat and include said document(s) within the public improvement applications submitted for permitting. Off-site improvements will require performance and maintenance bonds to be posted for permitting if determined to be necessary by the Director of the Kansas City Water Services Department.
51. The developer shall submit plans for grading, siltation, and erosion control to the Kansas City Water Services Department for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri Department of Natural Resources (MDNR) and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
52. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Kansas City Water Services Department prior to

recording the plat or 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.

53. The developer shall secure permits to extend public storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Kansas City Water Services Department, prior to recording the plat or issuance of a building permit, whichever occurs first.
54. The developer shall grant a BMP easement to the City as required by the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits.
55. The developer shall enter into a covenant agreement for the maintenance of any storm water detention area tracts as required by the Kansas City Water Services Department, prior to recording the plat.
56. All agreement and easement documents shall be submitted using IB159 to an Infrastructure Review Application on CompassKC for review and approval by the Kansas City Water Services Department prior to issuance of any permits.
57. In the event an application to vacate NE Karapat Drive is filed, the developer shall work with the Water Services Department and the Public Works Department to address and resolve: a) the finalized alignment and grading plans for the new street; b) land acquisition for the new street right of way and drive approaches; c) construction cost for the new street; d) construction costs for the realigned utilities and driveways; e) location and feasibility of driveways; and f) the construction schedule; all prior to the approval of the vacation request. Prior to the vacation of NE Karapat Drive as shown on the MPD Plan, a funding plan shall be executed between the City and the Developer that identifies the funding of the relocation of NE Karapat Drive and associated improvements; said funding plan will be executed prior to recording the final plat.

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

Section C. That the Council grants deviations to the following sections of the Zoning and Development Code:

1. 88-347-02-A.1. Constructing a new gas station within 2,000 feet of an existing gas station.
2. 88-347-02-A.2. Constructing a new gas station within 200 feet of a residential (R ) zoning district.
3. 88-347-02-D.4b. Exceeding 45 foot-candles of illumination under the canopy structure.

4. 88-323-02-B.2. Locating parking and vehicular use area between the building and the parkway.
5. 88-323-02-B.3. Exceeding the maximum 20 percent vehicular use area frontage allowed adjacent to the parkway to allow 100 percent of the vehicular use area along the frontage adjacent to the parkway.
6. 88-323-02-G. Full deviation to all additional provisions for sites with gasoline and fuel sales.
7. 88-420-09-C. Providing 11 out of 21 required long-term bicycle parking spaces.

Section D. 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.

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

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Sara Copeland, FAICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney