

SECOND COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 241065

Approving a development plan on about 7.6 acres in District KCIA generally located at 10220, 10200, and 10150 N. Everton Avenue to allow for one industrial logistic/warehouse building. (CD-CPC-2024-00107)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District KCIA generally located at 10220, 10200, and 10150 N. Everton Avenue, and more specifically described as follows:

All of Lots 1, 2 & 3, KCI Industrial Park, a subdivision of land in the City of Kansas City, Platte County, Missouri.

is hereby approved, subject to the following conditions:

1. The proposed development is located in an area where the Kansas City International Airport (MCI) height zoning restrictions apply. No structure in this area should be constructed which exceeds these restrictions. Per FAR Part 77, Objects Affecting Navigable Airspace, the proponent/developer shall file an on-line Form 7460-1, Notice of Proposed Construction or Alteration, for new structures and receive a Determination of No Hazard to Air Navigation from the FAA. Temporary cranes used for construction activities extending higher than the proposed top elevation of the building will need to be evaluated for compliance with FAR Part 77 standards as well. 7460s must be submitted a minimum of 45 days prior to the start date of the proposed construction or alteration. The FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website can be accessed at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>. It is further recommended the proponent/developer provide the FAA with a 1A survey accuracy statement assuming the highest horizontal and vertical tolerance was used for this design. This information certifies the ground elevations the developer has portrayed within the plans are to higher level of accuracy. Per OEAAA, if this accuracy statement is not provided, an adjustment commensurate with a 50-foot vertical buffer is applied to the development. This information can be referenced at: <https://oeaaa.faa.gov/oeaaa/external/content/surveyAccuracy.jsp>. The proponent/developer is also recommended to comply with Chapters 3, 4, 5, 12 of FAA Advisory Circular (AC) 70/7460-IL, Obstruction Marking and Lighting, as amended.
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. The developer shall secure approval of a project plan from the City Plan Commission prior to a building permit of the proposed future expansion.

4. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
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 submit an affidavit, completed by an ISA certified arborist, an SAF certified forester, a professional engineer, or a landscape architect licensed in the State of Missouri, verifying that all trees preserved and all trees planted to meet mitigation required of the approved plan, whichever is applicable, has been installed or preserved in accordance with the plan and is healthy prior to a certificate of occupancy.
7. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
8. 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.
9. The developer shall combine Lots 3-5 (10220, 10200, and 10150 N. Everton Avenue) by General Warranty Deed and record with the county prior to a building permit. A copy of the deed should be sent to lotmapping@kcmo.org upon completion of recording.
10. The vacation of right-of-way for 103rd Street shall receive Council approval prior to a certificate of occupancy.
11. A vacation of the public right-of-way for N.W. 103rd Street shall be applied for by either the developer or the City prior to issuance of a building permit.
12. The developer shall meet the fire flow requirements as set forth in Appendix B of the project International Fire Code 2018. (IFC-2018 § 507.1)
13. 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). Fire hydrant distribution shall follow IFC-2018 Table C 102.1.
14. 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)

15. A required Fire Department access road shall be an all-weather surface. (IFC-2012: § 503.2.3). Fire Department access roads shall be provided before 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 gross axle weight of 85,000 pounds (IFC-2018: § 503.2.3) and shall provide fire lane signage on fire access drives. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
16. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105). Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
17. 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)
18. The developer shall be responsible for tree preservation in an easement or platted tract, mitigation planting, or payment of cash-in-lieu of preservation or mitigation planting, or any combination thereof in accordance with 88-424. Should the developer choose to pay cash-in-lieu of preservation or mitigation of all or a portion of the required area, the amount due shall be based upon the rate specified in 88-424. This requirement shall be satisfied prior to issuance of a certificate of occupancy, or prior to the recording of the final plat, whichever occurs first.
19. The developer shall 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, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and 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 of occupancy permits.
20. 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.

21. 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.
22. 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.
23. 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.
24. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
25. Water/sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
26. The developer must 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.
27. The developer shall submit plans for grading, siltation, and erosion control to the Kansas City Water Services Department 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.
28. 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.
29. 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.

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- 30. 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.


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 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.



Authenticated as Passed



 Quinton Lucas, Mayor

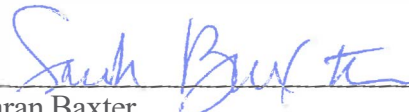


 Marilyn Sanders, City Clerk
 JAN 30 2025

Date Passed

 Sara Copeland, FAICP
 Secretary, City Plan Commission

Approved as to form:



 Sarah Baxter
 Senior Associate City Attorney