



Legislation Text

File #: 250495

ORDINANCE NO. 250495

Rezoning an area of about 2.6 acres generally located on the west side of Prospect Avenue approximately 100 feet south of East 35th Street from Districts B3-2 and R-1.5 to District UR and approving a development plan to allow for a warehousing and distribution center. (CD-CPC-2025-00039)

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-1492, rezoning an area of about 2.6 acres generally located on the west side of Prospect Avenue approximately 100 feet south of East 35th Street from Districts B3-2 (Commercial) and R-1.5 (Residential) to District UR (Urban Redevelopment) and approving a development plan to allow for a distribution center, said section to read as follows:

Section 88-20A-1492. That an area legally described as:

A tract being all of Lots 1 through 9, the north 3.00 feet of Lot 15 and Lots 16 through 27, Tanner Homestead, a subdivision and part of the Northeast Quarter of Section 21, Township 49 North, Range 33 West, all in Kansas City, Jackson County, Missouri, being more particularly described as follows, surveyed and described on April 1, 2025, by John B. Young, Pls-2006016647: Beginning at the northwest corner of said Tanner Homestead; thence South 87°32'08" East along the north line of said Tanner Homestead, 130.05 feet to the northeast corner of said Lot 2; thence South 02°25'09" West along the east line of said Lot 2, 100.00 feet; thence South 87°32'08" East, 129.43 feet to the west right-of-way line of Prospect Avenue, as now established; thence South 02°24'28" West along said west right-of-way line, 372.94 feet; thence North 87°33'19" West, 129.93 feet to the west line of said Lot 15; thence North 02°27'33" East along the west line of said Lots 15 through 18, 73.14 feet to the southeast corner of said Lot 9; thence North 87°45'03" West along the south line of said Lot 9, 130.09 feet to the west line of said Tanner Homestead; thence North 02°28'44" East along said west line, 400.34 feet to the point of beginning. Contains 100,430 square feet or 2.31 acres more or less.

is hereby rezoned from Districts B3-2 (Commercial) and R-1.5 (Residential) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1492, 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 development plan for the area legally described above is hereby approved, subject to the following conditions:

1. 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.
2. 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.
3. Prior to issuance of the certificate of occupancy 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.
4. 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.
5. 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.
6. The developer shall secure approval of a UR final plan from Development Management Division staff prior to a building permit.
7. 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.

8. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
9. Prior to the submittal of the UR final plan the developer shall upload and secure approval of a street tree planting plan from the City Forester.
10. The UR final plan shall include a landscape plan which shows landscape species with at least 90% of which are native to Missouri as determined by the Missouri Botanical Gardens.
11. Prior to issuance of the certificate of occupancy, the applicant must gain approval of a final plat in accordance with the Zoning and Development Code.
12. The UR final plan shall include a photometric plan in accordance with Section 88-430 of the Zoning and Development Code.
13. A grading plan must be submitted with the UR final plan.
14. A utility plan must be submitted for review with the UR final plan.
15. The UR final plan shows the exact location of the short term bicycle parking.
16. The site plan shall be corrected to denote the marked stalls of all 49 proposed spaces with submittal of the UR final plan. Only 31 spaces are currently denoted on the site plan. Parking spaces shall not exceed the proposed 49 spaces, including the spaces for the delivery vans, on the final UR plan.
17. The developer shall provide location and species of proposed street trees along Prospect Avenue that meet any applicable standards of the City Forester and the Public Works Department in the final UR plan.
18. All exterior building facade materials shall be denoted with percentages of the overall square footage of the material installed compared to the entire facade for each building facade on the elevations of the UR final plan.
19. With the UR final plan the applicant must submit a lighting plan for review per City ordinance 88-430-06-A. The Illumination Engineering Society (IES) minimum standards listed in G-1-22 for a parking lot would be an average maintained foot-candle (fc) for an industrial site is 3fc with an average to minimum ratio of 4:1.22.
20. With the UR final plan the applicant must identify the maximum height of plantings in close proximity to lighting elements. The mature height of these plantings shall not impact or lessen the foot-candles shown on the approved photometric plan.

21. Building plans submittal shall meet the requirements of the Kansas City Building and Rehabilitation Code in effect at the time of submission.
22. 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)
23. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
24. 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 C102.1.
25. 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)
26. The building's FDC shall be immediately recognizable from the street or nearest point of Fire Department access. (IFC-2018 § 912.2.1)
27. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) (No Grass Pavers Allowed)
28. 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)
29. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
30. The developer shall provide fire lane signage on fire access drives.
31. The proposed building shall have a Fire Department access road within 150 feet of any exterior portion of the structure. (IFC-2018: § 503.1.1)
32. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
33. 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.

34. 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.
35. 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.
36. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
37. When an existing building is being renovated, is being changed in use or occupancy, or is undergoing a building addition, and the existing water service line(s) will be reused, the water service line(s) and related appurtenances shall meet the most current version of the Kansas City Water rules and regulations.
38. 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.
39. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Kansas City Water Services Department 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 disturbed area 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 Kansas City Water Services Department prior to recording the plat.
40. 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.

41. 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.
42. 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.
43. 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.
44. The developer shall enter into a covenant agreement for the maintenance of any stormwater 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 C. 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



Sara Copeland, FAICP
Secretary

Marilyn  Clerk
JUN 26 2025

Date Passed

Sara Copeland, FAICP
Secretary

Approved as to form:


Sarah Baxter
Senior Associate City Attorney