

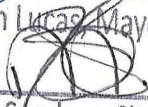
Section D. That the Council finds and declares that before taking any action on the proposed amendment and development plan hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

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



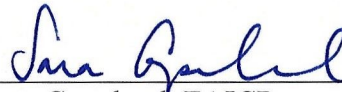
Authenticated as Passed


Quinton Lucas, Mayor


Marilyn Sanders, City Clerk

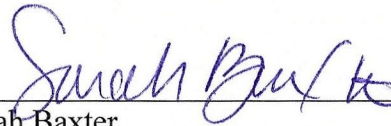
DEC 12 2024

Date Passed



Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:



Sarah Baxter
Senior Associate City Attorney



File #: 241042

ORDINANCE NO. 241042

Rezoning an area of about 19 acres from District B3-3 to District B4-3 generally located at N. Ambassador Drive and N. Polo Drive and approving a development plan that will also serve as a preliminary plat to allow for commercial uses. (CD-CPC-2024-00106 & CD-CPC-2024-00130)

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-1455, rezoning an area of about 19 acres from District B3-3 (Community Business (Dash 3)) to District B4-3 (Heavy Business/Commercial (Dash 3)) generally located at N. Ambassador Drive and N. Polo Drive and approving a development plan and preliminary plat to allow for commercial uses, said section to read as follows:

Section 88-20A-1455. That an area legally described as:

A tract in the Southeast Quarter of Section 36, Township 52 North, Range 34 West, and the Northeast Quarter of Section 1, Township 51 North, Range 34 West, in Kansas City, Platte County, Missouri, being more particularly described as follows, surveyed and described on July 19, 2024, by John B. Young, PLS-2006016647: Commencing at the southeast corner of said Southeast Quarter; thence South 89°49'07" West along the South line of said Southeast Quarter, 746.05 feet to the west right-of-way line of N. Ambassador Drive, as now established; thence North 28°19'04" West along said west right-of-way line, 244.20 feet to the point of beginning; thence South 44°36'39" West, 458.23 feet; thence South 65°44'23" West, 360.61 feet to the east right-of-way line of Interstate Highway No. 29, as now established; thence North 29°28'46" West along said east right-of-way line, 1020.85 feet to the southwest corner of Executive Hills North Blocks 12 & 26, a subdivision in said Kansas City, Jackson County, Missouri; thence North 60°30'20" East along the south line of said Executive Hills North Blocks 12 & 26, 747.58 feet to the west right-of-way line of said N. Ambassador Drive; thence along said west right-of-way line the following four courses: Thence South 46°18'31" East, 58.09 feet; thence on a curve to the right, having an initial tangent bearing South 42°56'08" East, a radius of 1461.00 feet and an arc length of 288.54 feet; thence on a curve to the right, having an initial tangent bearing South 31°37'12" East, a radius of 4945.01

feet and an arc length of 284.99 feet; thence South 28°19'04" East, 302.35 feet to the point of beginning. Contains 806,341 square feet or 18.51 acres more or less.

is hereby rezoned from District B3-3 (Community Business (Dash 3)) to District B4-3 (Heavy Business/Commercial (Dash 3)), all as shown outlined on a map marked Section 88-20A-1455, 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 that will also serve as a preliminary plat for the area legally described above is hereby approved, subject to the following conditions:

1. 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.
2. The developer shall secure approval of a project plan from the City Plan Commission prior to a building permit.
3. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
4. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
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. 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.
7. The self-storage use shall not exceed more than 50% of the overall project area as shown on the preliminary plat and the preliminary development plan.

8. The applicant shall record a cross-access easement with the final plat to allow for access to Lots 2 and 3 so that there is no violation of 88-405.
9. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus (i.e., cul-de-sac, hammerhead Appendix D). (IFC-2018: §503.2.5)
10. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
11. 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) The developer 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. (IFC2018: § 503.2.4)
12. 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)
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 C102.1.
14. 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.
15. Sidewalk connections to Ambassador Drive shall be made at the time each lot is developed.
16. The developer shall add a note stating a trail connection will be provided at time of lot development.

17. 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.
18. 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.
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 cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
23. The private water main must have a covenant to maintain.
24. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

25. Prior to any certificate of occupancy the developer shall ensure that water and fire service lines should meet current the Kansas City Water Services Department rules and regulations.
26. The development plans contours currently show that no grading is planned or will occur within the existing 24" water transmission main easement along the west side of the subject property. Should this change then the Kansas City Water Services Director shall approve any changes in grade within this easement area as there are limits on allowable cut and fill over the existing transmission main. Water main extension plans shall be prepared and submitted by a Missouri professional engineer for the public fire hydrant following the Kansas City Water Services Department rules and regulations. The plans shall be reviewed, approved, and contracted (permitted) prior to a building permit issuance for any of the lots.
27. 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.
28. 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.
29. 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 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.
30. The developer shall 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 Kansas City Water Services Department, prior to recording the plat or issuance of a building permit, whichever occurs first.

31. The developer shall grant BMP and surface drainage easements to the City as required by the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits, whichever occurs first.
32. The developer must grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Kansas City Water Services Department, prior to issuance of any stream buffer permits.
33. The developer shall submit a final stream buffer plan to the Kansas City Water Services Department for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.
34. The developer shall obtain approval and any necessary permits from the United States Army Corps of Engineers for proposed wetland fills or alteration of the vegetated stream buffers prior to issuance of any site disturbance, grading, or stream buffer permits or approval of the final plat, whichever occurs first.
35. The developer shall submit covenants, conditions and restrictions to the Kansas City Water Services Department for approval by the Law Department and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or storm water detention area tracts, prior to recording the plat.
36. The developer shall provide a covenant to maintain private water main acceptable to the Kansas City Water Services Department for any private water mains prior to the issuance of any building permits.
37. The developer shall subordinate to the Kansas City Water Services Department all private interest in the areas where the public sewers cross the private drive as required by the Kansas City Water Services Department, prior to issuance of any construction permits within said private drive, and that the developer shall be responsible for all costs associated with subordination activities now and in the future.

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 development plan described above is hereby approved with the following deviations from Chapter 88, Code of Ordinances:

1. Council hereby grants a deviation to 88-120-04 to allow for a maximum building height of sixty (60) feet in district B4-3.