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**File #: 240943**

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ORDINANCE NO. 240943

Approving a development plan on about two acres in District B3-3 generally located at N. Green Hills Road and N.W. Barry Road to allow for two commercial pad sites. (CD-CPC-2024-00109)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District B3-3 (Community Business (Dash 3)) generally located at N. Green Hills Road and N.W. Barry Road, and more specifically described as follows:

TRACT I: A tract of land located in the Southwest Quarter of the Northeast Quarter of Section 8, Township 51, Range 33, in Platte County, Missouri, more particularly described as follows: Beginning at the Southwest corner of the Northeast Quarter of Section 8, Township 51, Range 33, thence North along the West line of the Northeast Quarter a distance of 316.5 feet; thence East and parallel with the South line of the Northeast Quarter a distance of 260.0 feet; thence South and parallel with the West line of the Northeast Quarter, a distance of 316.5 feet to the South line of the Northeast Quarter; thence West along said South line of said Quarter a distance of 260.0 feet to the Southeast corner of the Northeast Quarter and the point of beginning, subject to that part, if any, in streets, roadways, highways or other public rights-of-way. EXCEPT that part deeded to the State of Missouri, acting by and through the State Highway Commission of Missouri, as set forth in the instrument recorded as Document No. 29791 in Book 524 at Page 305.

TRACT II: A tract of land located in the Southwest Quarter of the Northeast Quarter of Section 8, Township 51, Range 33, Platte County, Missouri, more particularly described as follows: Beginning at a point on the West line of the Northeast Quarter of Section 8, said point being 2,127.94 feet South of the Northwest corner of the Northeast Quarter of Section 8, Township 51, Range 33; thence East and parallel with the South line of the Northeast Quarter, a distance of 260.0 feet; thence South and parallel with the West line of the Northeast Quarter, a distance of 167.54 feet; thence West and parallel with the South line of the Northeast Quarter a distance of 260.0 feet to the West line of the Northeast Quarter of Section 8; thence North along said West line of said Quarter a distance of 167.54 feet to the point of beginning, Except that part in roadway. EXCEPT that part deeded to the State of Missouri, acting by and through the State Highway Commission.

is hereby approved, subject to the following conditions:

1. Prior to issuance of the certificate of occupancy for each lot 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.
2. The developer shall secure approval of a project plan from the City Plan Commission prior to a building permit for the second (northern) lot.
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, 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, 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.
7. The developer shall install "No Left Turn" and "One Way" signs at the right-in and right-out island along N.W. Barry Road and N. Green Hills Road.
8. 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.
9. 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.
10. 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.

11. 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 prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
12. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
13. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
14. The developer shall ensure that water and fire service lines meet current Water Services Department rules and regulations prior to a certificate of occupancy.
15. Water and sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
16. No water service tap permits will be issued until the public water main is released for taps.
17. The developer shall connect to the 12" main in N.W. Barry Rd.
18. Any water main extension plans shall be prepared by a Missouri professional engineer and submitted following the Kansas City Water Services Department rules and regulations for water main extensions. Water main extension plans shall be prepared at a minimum for one additional fire hydrant along N. Green Hills Road to meet the 300' maximum spacing requirement. This water main extension shall be contracted (permitted) prior to a building permit issuance.
19. 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.
20. 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.

21. 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.
22. 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.
23. 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.
24. The developer shall secure permits to extend 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.
25. 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.
26. 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.
27. The internal sanitary and storm sewers shall be private utility mains located within private easements and covered by covenants to maintain private utility mains acceptable to the Kansas City Water Services Department.

- 28. The developer shall provide covenants to maintain private storm sewer mains acceptable to the Kansas City Water Services Department for any private storm sewer mains prior to the issuance of any building permits.
- 29. The developer shall provide covenants to maintain private sanitary sewer mains acceptable to the Kansas City Water Services Department for any private sanitary sewer mains prior to the issuance of any building permits.
- 30. The developer shall provide private storm drainage and/or sanitary sewer easements for any private utility mains prior to issuance of any building permits.

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

OCT 31 2024

Date Passed

Sara Copeland, FAICP  
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter  
Senior Associate City Attorney