



Agenda

Neighborhood Planning and Development Committee

Chairperson Ryana Parks-Shaw

Vice Chair Eric Bunch

Councilmember Nathan Willett

Councilmember Melissa Patterson Hazley

Wednesday, March 6, 2024

1:30 PM

26th Floor, Council Chamber

PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

Public Testimony is Limited to Two Minutes

HELD IN COMMITTEE

City Plan Commission and Director of City Planning & Development

[231047](#)

Sponsor: Director of City Planning and Development Department

Amending Chapter 88, the Zoning and Development Code, by repealing Section 88-305-04, Home Occupation, and enacting in lieu thereof a new section of like number and subject matter for the purpose of compliance with state law; by repealing Section 88-205-07 Documentation of Overlays, and enacting in lieu thereof a new section of like number and subject matter for the purpose of documenting the recently-adopted Westport Overlay District; by enacting Section 88-327, Communication Services Establishments to provide standards for said uses; and by repealing Section 88-110-03 Table 110-1 (Residential Districts Use Table), Section 88-120-03 Table 120-1 (Business Districts Use Table), and Section 88-130-03 Table 130-1 (Downtown Districts Use Table) and enacting in lieu thereof new tables in each section for the purposes of referencing the use standards of 88-327; by repealing Section 88-516-06-A Major Amendments to Development Plans or Project Plans, and enacting in lieu thereof a new section of like number and subject matter for the purpose of reducing the number of major amendments required. (CD-CPC-2023-00106)

Willett and O'Neill

[240198](#)

Sponsor: Councilmember Nathan Willett and Kevin O'Neill

Approving a major amendment to a Master Planned Development preliminary development plan, which is also serving as a preliminary plat, on about 500 acres in District MPD generally located at the northeast corner of I-435 and Highway 169 to allow for the six data centers and two office buildings in District MPD. (CD-CPC-2023-00174)

Director of City Planning & Development

[240216](#)

Sponsor: Director of City Planning and Development Department

Rezoning an area of about six acres generally located at 7780 E. U.S. 40 Highway from District B3-2 to District M1-1. (CD-CPC-2023-00158).

Director of City Planning & Development

[240217](#)

Sponsor: Director of City Planning and Development Department

Rezoning an area of about .3 acres generally located at 4511 - 4521 Summit Street from District R-1.5 to District R-0.75 to accommodate a proposed apartment complex on the subject site. (CD-CPC-2023-00173)

Director of City Planning & Development

[240218](#) Sponsor: Director of City Planning and Development Department

Rezoning an area of about 160 acres generally located at the southeast corner of Northeast 96th Street and North Tullis Drive from District R-80 to Districts R-7.5 & R-2.5 and approving a development plan which serves as a preliminary plat to allow for a residential development comprised of 396 lots in 9 phases.
(CD-CPC-2023-00169 & CD-CPC-2023-00170)

Director of City Planning & Development

[240224](#) Sponsor: Director of City Planning and Development Department

Rezoning an area of about 3.6 acres generally located at the northwest corner of Benton Boulevard and East 37th Street from District R-2.5 to District UR, and approving a development plan to allow for a mixed-use development.
(CD-CPC-2023-00144)

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Neighborhood Planning and Development Committee issues.
2. Closed Session
 - Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
 - Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
 - Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
 - Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
 - Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
 - Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
 - Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

3. Those who wish to comment on proposed ordinances can email written testimony to public.testimony@kcmo.org. Comments received will be distributed to the committee and added to the public record by the clerk.

The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at www.kcmo.gov
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOuBlg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: http://kansascity.granicus.com/ViewPublisher.php?view_id=2

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.

Adjournment



File #: 231047

ORDINANCE NO. 231047

Sponsor: Director of City Planning and Development Department

Amending Chapter 88, the Zoning and Development Code, by repealing Section 88-305-04, Home Occupation, and enacting in lieu thereof a new section of like number and subject matter for the purpose of compliance with state law; by repealing Section 88-205-07 Documentation of Overlays, and enacting in lieu thereof a new section of like number and subject matter for the purpose of documenting the recently-adopted Westport Overlay District; by enacting Section 88-327, Communication Services Establishments to provide standards for said uses; and by repealing Section 88-110-03 Table 110-1 (Residential Districts Use Table), Section 88-120-03 Table 120-1 (Business Districts Use Table), and Section 88-130-03 Table 130-1 (Downtown Districts Use Table) and enacting in lieu thereof new tables in each section for the purposes of referencing the use standards of 88-327; by repealing Section 88-516-06-A Major Amendments to Development Plans or Project Plans, and enacting in lieu thereof a new section of like number and subject matter for the purpose of reducing the number of major amendments required. (CD-CPC-2023-00106)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Amending Chapter 88, the Zoning and Development Code, by repealing Section 88-305-04, Home Occupation, and enacting in lieu thereof a new section of like number and subject matter, said section to read as follows:

88-305-04 HOME OCCUPATION

88-305-04-A. GENERAL

Home occupations are accessory uses to uses in the household living category. The regulations of this section are primarily intended to ensure that home occupations in R zoning districts will not be a detriment to the character, livability, and safety of the surrounding residential neighborhood. The regulations are also intended to ensure that the home occupation remains subordinate to the residential use, and that the residential viability of the dwelling is maintained. The regulations also recognize that many types of work can be done in a home with little or no effect on the surrounding neighborhood.

88-305-04-B. APPLICABILITY

Home occupations are allowed in R districts only if they comply with all the standards of this section.

88-305-04-C. EXEMPTIONS

1. **HOME-BASED DAY CARE**

Home-based day care facilities are not regulated as home occupations and are exempt from the regulations of this section.

2. **BED AND BREAKFAST**

Bed and breakfast uses are not regulated as home occupations and are exempt from the regulations of this section.

88-305-04-D. STANDARDS

A dwelling unit or accessory building may be used for one or more home occupations subject to compliance with all of the following minimum standards:

1. The home occupation must be accessory and secondary to the use of a dwelling unit for residential purposes, and the home occupation must not change the residential character of the residential building or adversely affect the character of the surrounding neighborhood.
2. The home occupation and all related activities shall be permitted within any dwelling unit and accessory building on the site as well as any yard not visible from the street.
3. No home occupation may produce or emit any noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, or any other effect that unreasonably interferes with any person's enjoyment of their residence.
4. Hazardous substances are prohibited, except that consumer quantities are allowed. Consumer quantities of hazardous substances are packaged and distributed in a form intended or suitable for sale through retail sales outlets for consumption by individuals for purposes of personal care and household use.
5. One non-illuminated wall sign, not exceeding 80 square inches in area may be displayed.

Section 2. Amending Chapter 88, the Zoning and Development Code by repealing Section 88-205-07 Documentation of Overlays, and enacting in lieu thereof a new section of like number and subject matter, said section to read as follows:

88-205-07 DOCUMENTATION OF OVERLAYS

88-205-07-A. Once an overlay district is approved by the city council, the city planning and development department must amend the official zoning maps to identify the overlay district boundaries and designation, together with the underlying zoning designation.

88-205-07-B. The city planning and development department must maintain a list of established overlay districts by type.

88-205-07-C.

Zoning Map Symbol	District Name
CXO	Adult Entertainment Overlay
HO	Historic Overlay
NCO	Neighborhood Character Overlay
PO	Pedestrian-Oriented Overlay
Zoning Map Symbol	Special Character District Name
ICO	Independence Corridor Overlay
MCO	Main Corridor Overlay
PBO	Plaza Bowl Overlay
TCO	Troost Corridor Overlay
WHO	Wornall Homestead Overlay
WOD	Westport Overlay District

Section 3. Amending Chapter 88, the Zoning and Development Code, by enacting a new section, said section to be titled Section 88-327, Communications Service Establishments, and repealing Sections 88-110-03, Table 110-1; 88-120-03, Table 120-1; 88-130-03, Table 130-1 and enacting in lieu thereof new sections and tables of like number and subject matter, said sections to read as follows:

**Table 110-1
Residential Districts Use Table**

USE GROUP (refer to 88-805 Use Groups and Categories)	ZONING DISTRICT										Use Standards
	R-80	R-10	R-7.5	R-6	R-5	R-2.5	R-1.5	R-0.75	R-0.5	R-0.3	
RESIDENTIAL											
Household Living	P	P	P	P	P	P	P	P	P	P	88-110-06-C & 88-323
Group Living (except as noted below)	-	-	-	-	-	-	S	S	S	S	88-350
» Group homes	-	-	-	-	-	-	P	P	P	P	88-350
» Nursing home	S	S	S	S	S	S	P	P	P	P	88-350

PUBLIC/CIVIC											
Bicycle-Sharing Facilities	P	P	P	P	P	P	P	P	P	P	88-322
Club, Lodge, or Fraternal Organization	-	-	-	-	-	-	P	P	P	P	
College/University	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
Day Care											
» Home-based (1—5)	P	P	P	P	P	P	P	P	P	P	
» Family (up to 10)	P	P	P	P	P	P	P	P	P	P	88-330-01
» Group (up to 20)	P	S	S	S	S	S	P	P	P	P	88-330-02
» Center (21+)	P	-	-	-	-	-	-	-	-	-	88-330-02
Detention and Correctional Facilities	S[1]	-	-	-	-	-	-	-	-	-	88-335
Halfway House	S	-	-	-	-	-	-	-	-	-	88-352
Hospital	-	-	-	-	-	-	-	-	S	S	
Library/Museum/Cultural Exhibit	P/S	-	-	-	P/S	P/S	P/S	P/S	P/S	P/S	88-365
Park/Recreation	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
» Homes Association Amenities	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-805-03-H
Religious Assembly	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
Safety Service (except as noted below)	S	S	S	S	S	S	S	S	S	S	88-365
» Fire station	P	P	P	P	P	P	P	P	P	P	88-365

» Police station	P	P	P	P	P	P	P	P	P	P	88-365
School	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
Utilities and Services (except as noted below)	S[1]	S	S	S	S	S	S	S	S	S	
» Basic, minor	P	P	P	P	P	P	P	P	P	P	88-425-08-B
COMMERCIAL											
Animal Service											
» Shelter or boarding	P	-	-	-	-	-	-	-	-	-	88-315
» Stable	P	-	-	-	-	-	-	-	-	-	88-315
» Veterinary Office	P	-	-	-	-	-	-	-	-	-	
Communications Service Establishments	P/S	-	-	-	-	-	-	-	-	-	88-327
Entertainment Venues and Spectator Sports	S	-	-	-	-	-	-	-	-	-	
Funeral and Interment Service											
» Cemetery/columbarium/ma usoleum	S	S	S	S	S	S	S	S	S	S	88-345
» Crematory	S	S	S	S	S	S	S	S	S	S	88-345
» Undertaking	-	-	-	-	-	-	-	-	S	S	
Lodging											
» Bed and breakfast	S	-	-	S	S	S	S	S	S	S	88-320
» Recreational vehicle park	S[1]	-	-	-	-	-	-	-	-	-	

» Short term rental, non resident	Not permitted.										
» Short term rental, resident	Permitted in all R Districts in accordance with Chapter 56 and 88-321.										
Neighborhood-serving retail	S	S	S	S	S	S	S	S	S	S	88-360
Office, Administrative, Professional or General	-	-	-	-	-	-	S	S	S	S	
Reuse of officially designated historic landmark (local or national) if proposed use is not permitted	S	S	S	S	S	S	S	S	S	S	
Sports and Recreation, Participant	S	-	-	-	-	-	-	-	-	-	
INDUSTRIAL											
Mining and Quarrying	S[2]	-	-	-	-	-	-	-	-	-	
Waste-Related Use (except as noted below)	-	-	-	-	-	-	-	-	-	-	
» Composting facility	S[1]	-	-	-	-	-	-	-	-	-	88-328
» Demolition debris landfill	S[1]	-	-	-	-	-	-	-	-	-	88-380
OTHER											
Agriculture, Animal	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	* Chapter 14
Agriculture, Crop	P	P/S	88-312-01								
Agricultural, Urban											
» Home Garden	P	P	P	P	P	P	P	P	P	P	88-312-02-

											A
» Community Garden	P	P	P	P	P	P	P	P	P	P	88-312-02-B
» Community Supported Agriculture (CSA)	P	S	S	S	S	S	S	S	S	S	88-312-02-C
ACCESSORY SERVICES											
Wireless Communication Facility											
» Freestanding	P	-	-	-	-	-	-	-	-	-	88-385
» Co-located antenna	P	P	P	P	P	P	P	P	P	P	88-385

**Table 120-1
Office, Business, and Commercial Districts Use Table**

USE GROUP (refer to 88-805 Use Groups and Categories)	ZONING DISTRICT					Use Standards
	Use Category » specific use type	O	B1	B2	B3	
RESIDENTIAL						
Household Living						
» Detached houses	P	P	P	P	P	88-120-03-H.3
» In any other residential building type	-	P	P	P	P	88-323
» In mixed-use building	P	P	P	P	P	
Group Living	P	P	P	P	P[5]	
PUBLIC/CIVIC						

Bicycle Sharing Facilities	P	P	P	P	P	88-322
Club, Lodge, or Fraternal Organization	P	P	P	P	P[5 for Ground Floor Uses]	
College/University	P	P	P	P	P[5 for Ground Floor Uses]	
Day Care						
» Home-based (1—5)	P	P	P	P	P[5 for Ground Floor Uses]	
» Family (up to 10)	P	P	P	P	P[5 for Ground Floor Uses]	
» Group (up to 20)	P	P	P	P	P[5 for Ground Floor Uses]	
» Center (21+)	P	P	P	P	P[5 for Ground Floor Uses]	
Hospital	S	P	P	P	P[5 for Ground Floor Uses]	
Library/Museum/Cultural Exhibit	P	P	P	P	P	
Park/Recreation	P	P	P	P	P	
Religious Assembly	P	P	P	P	P	

Safety Service						
» Fire station	P	P	P	P	P[4]	
» Police station	P	P	P	P	P	
» Ambulance service	S	S	S	P	P[4]	
School	P	P	P	P	P[5 for Ground Floor Uses]	
Utilities and Services (except as noted below)	S[1]	S[1]	S[1]	S[1]	S[1][5]	
» Basic, minor	P	P	P	P	P	88-425-08-B
COMMERCIAL						
Adult Business						
» Adult media store	-	-	P[1]	P[1]	P[1][4]	88-310-03
» Adult motion picture theater	-	-	-	P[1]	P[1][4]	88-310-02
» Sex shop	-	-	-	P[1]	P[1][4]	88-310-02
Animal Service						
» Sales and grooming	-	P	P	P	P	88-315
» Shelter or boarding	-	-	P	P	P[4]	88-315
» Stable	-	-	-	-	S[4]	88-315
» Veterinary	-	-	P	P	P[5 for Ground Floor Uses]	88-315

Artist Work or Sales Space	-	P	P	P	P	
Building Maintenance Service	-	-	-	P	P[5]	
Business Equipment Sales and Service	-	-	P	P	P	
Business Support Service (except as noted below)	-	-	P	P	P[5]	
» Day labor employment agency	-	-	-	-	S[1][4]	88-331
Communication Service Establishments	P/S	P/S	P/S	P/S	P/S[5]	88-327
Drive-Through Facility	-	-	P[2]	P[2]	P[2]	88-338 and 88-340
Eating and Drinking Establishments (except as noted below)	P	P	P	P	P	
» Tavern or nightclub	-	-	P	P	P	
Entertainment Venues and Spectator Sports						
» Indoor small venue (1—149 capacity)	-	-	P	P	P[5 for Ground Floor Uses]	
» Indoor medium venue (150—499 capacity)	-	-	S	P	P[5 for Ground Floor Uses]	
» Indoor large venue (500+ capacity)	-	-	-	S	P[5 for Ground Floor Uses]	
» Outdoor (all sizes)	-	-	-	S	P[5]	

Financial Services (except as noted below)	S	P	P	P	P	
» Pawn shop	-	P	P	P	P	
» Short-term loan establishment	-	-	P[1]	P[1]	P[1][4]	88-325
Food and Beverage Retail Sales	-	P	P	P	P	
Funeral and Interment Service						
» Cemetery/columbarium/mausoleum	S	S	S	S	S	88-345
» Cremating	-	S	S	S	S	88-345-02
» Undertaking	-	S	P	P	P[5]	88-345
Gasoline and Fuel Sales	-	S[3]	S[3]	S[3]	P[3][5]	88-323
Lodging						
» Bed and Breakfast	-	P	P	P	P[5 for Ground Floor Uses]	88-320
» Hotel/motel	-	-	-	P[2]	P[2]	88-323
» Recreational vehicle park	-	-	-	S[1]	S[1][4]	
» Short term rental, non resident	-	P	P	P	P	Chapter 56
» Short term rental, resident	-	P	P	P	P	Chapter 56
Mobile Vendor Park	-	-	-	P	P	88-358
Office, Administrative,	P	P	P	P	P[5 for	

Professional or General					Ground Floor Uses]	
Office, Medical	P	P	P	P	P[5 for Ground Floor Uses]	
» Blood/plasma center	-	-	-	S	S	
Parking, Accessory	P	P	P	P	P	88-323
Parking, Non-accessory	-	-	S[1]	P[1]	P[1]	
Personal Improvement Service	P	P	P	P	P	
Repair or Laundry Service, Consumer	-	P	P	P	P	
Research Service	P	P	P	P	P[5 for Ground Floor Uses]	
Retail Sales	-	P	P	P	P	
» Outdoor Retail Sales - Class A	-	P	P	P	P	88-366-01
» Outdoor Retail Sales - Class B	-	-	-	P	P[4]	88-366-02
Reuse of officially designated historic landmark (local or national) if proposed use is not permitted	S	S	S	S	S	
Sports and Recreation, Participant						
» Indoor	-	P	P	P	P[5 for Ground Floor Uses]	

» Outdoor	-	-	-	P	P[5 for Ground Floor Uses]	
Vehicle Sales and Service						
» Car wash/cleaning service	-	-	S[1]	P[1]	P[1][5, if not within a parking structure]	
» Heavy equipment sales/rental	-	-	-	S[1]	P[1][4]	
» Light equipment sales/rental (indoor)	-	-	P[2]	P[2]	P[2]	88-323
» Light equipment sales/rental (outdoor)	-	-	S[1]	S[1]	P[1][5, if not within a parking structure]	
» Motor vehicle repair, limited	-	-	S[2]	P[2]	P[2][5]	88-323
» Motor vehicle repair, general	-	-	-	S[2]	P[2][5]	88-323
» Vehicle storage/towing	-	-	-	-	P[1][4]	88-375
INDUSTRIAL						
Manufacturing, Production and Industrial Service						
» Artisan	-	P/S	P	P	P	88-318
» Limited	-	-	-	-	S[4]	
» General	-	-	-	-	S[2][4]	88-323
» Intensive	-	-	-	-		
Recycling Service						

» Limited	-	-	-	-	S[1][4]	
Self-Storage Warehouse	-	-	-	-	P[2][4]	88-323, 88-369
Warehousing, Wholesaling, Storage, Freight Movement						
» Indoor	-	-	-	-	P[2][4]	88-323, 88-378
» Outdoor	-	-	-	-	-	88-378
AGRICULTURAL						
Agriculture, Animal	P/*	P/*	P/*	P/*	P/*[4]	*Chapter 14
Agriculture, Crop	P	P	P	P	P[4]	88-312-01
Agriculture, Urban						
» Home Garden	P	P	P	P	P	88-312-02-A
» Community Garden	P	P	P	P	P[4]	88-312-02-B
» Community Supported Agriculture (CSA)	P	P	P	P	P[4]	88-312-02-C
ACCESSORY SERVICES						
Wireless Communication Facility						
» Freestanding	-	-	P[1]	P[1]	P[1][4]	88-385
» Co-located antenna	P	P	P	P	P[5]	88-385

**Table 130-1
Downtown Districts Use Table**

USE GROUP (refer to 88-805 Use Groups and Categories)	Zoning District			Use Standards
	DC	DX	DR	
RESIDENTIAL				
Household Living				
» Single-family home	P	P	P	
» In single-purpose residential building	P	P	P	88-323
» In mixed-use building	P	P	P	
Group Living	S	S	S	
PUBLIC/CIVIC				
Bicycle Sharing Facilities	P	P	P	88-322
Club, Lodge, or Fraternal Organization	P	P	P	
Table 130-1 Downtown Districts Use Table	P	P	P	
Day Care				
» Home-based (1—5)	P	P	P	
» Family (up to 10)	P	P	P	
» Group (up to 20)	P	P	S	
» Center (21+)	P	P	S	
Hospital	S	S	S	
Library/Museum/Cultural	P	P	P	

Exhibit				
Park/Recreation (except as noted below)	P	P	P	
» Community center	P	P	P/S	88-365
Religious Assembly	P	P	P	
Safety Service				
» Fire Station	P	P	P	88-365
» Police Station	P	P	P	88-365
» Ambulance service	P	P	P	88-365
School	P	P	P/S	88-365
Utilities and Services (except as noted below)	S[1]	S[1]	S[1]	
» Basic, minor	P	P	P	88-425-08-B
COMMERCIAL				
Adult Business				
» Adult media store	P[1]	P[1]	-	88-310-03
» Adult motion picture theater	P[1]	P[1]	-	88-310-02
» Sex shop	P[1]	P[1]	-	88-310-02
Animal Service				
» Sales and grooming	P	P	S	88-315
» Shelter or boarding	P	P	-	88-315
» Stable	-	S	-	88-315

» Veterinary	P	P	S	88-315
Artist Work or Sales Space	P	P	P	
Building Maintenance Service	P	P	-	
Business Equipment Sales and Service	P	P	-	
Business Support Service (except as noted below)	P	P	-	
» Day labor employment agency	-	S[1]	-	
Communications Service Establishments	P/S	P/S	P/S	88-327
Drive-Through Facility	S[2]	S[2]	-	88-338 & 88-340
Eating and Drinking Establishments (except as noted below)	P	P	P	
» Tavern or nightclub	P	P	S	
Entertainment Venues and Spectator Sports				
» Indoor small venue (1—149 capacity)	P	P	S	
» Indoor medium venue (150—499 capacity)	P	P	S	
» Indoor large venue (500+ capacity)	S	S	S	
» Outdoor (all sizes)	S	S	S	
Financial Services (except as noted below)	P	P	P	
» Pawn shop	-	S[1]	-	
» Short-term loan establishment	-	P[1]	-	88-325

Food and Beverage Retail Sales	P	P	P	
Funeral and Interment Service				
» Cemetery/columbarium/mausoleum	-	-	-	
» Cremating	-	-	-	
» Undertaking	P[2]	P[2]	-	88-345
Gasoline and Fuel Sales	S[3]	S[3]	-	88-323
Lodging				
» Bed and Breakfast	P	P	P	
» Hotel/motel	P[2]	P[2]	S[2]	88-323
» Short term rental, non-resident	P	P	P	Chapter 56
» Short term rental, resident	P	P	P	Chapter 56
Mobile Vendor Park	P	P	-	88-358
Office, Administrative, Professional or General	P	P	P	
Office, Medical	P	P	P	
» Blood/plasma center	S	S	-	
Parking, Accessory	P	P	P	88-323
Parking, Non-accessory	S[1]	S[1]	S[1]	
Personal Improvement Service	P	P	P	
Repair or Laundry Service, Consumer	P	P	S	

Research Service	P	P	S	
Retail Sales	P	P	P	
» Outdoor Retail Sales - Class A	P	P	P	88-366-01
Reuse of officially designated historic landmark (local or national) if proposed use is not permitted	S	S	S	
Sports and Recreation, Participant				
» Indoor	P	P	S	
» Outdoor	S	S	S	
Vehicle Sales and Service				
» Car wash/cleaning service	S[1]	S[1]	-	
» Heavy equipment sales/rental	-	S[1]	-	
» Light equipment sales/rental (indoor)	S[2]	S[2]	-	88-323
» Light equipment sales/rental (outdoor)	S[1]	S[1]	-	
» Motor vehicle repair, limited	S[2]	S[2]	-	88-323
» Motor vehicle repair, general	-	S[2]	-	88-323
» Vehicle storage/towing	-	S[1]	-	88-375
INDUSTRIAL				
Manufacturing, Production and Industrial Service				
» Artisan	P	P	P/S	88-318
» Limited	S	S	S	

» General	S	S[2]	-	88-323
Recycling Service				
» Limited	-	S[1]	-	
Self-Storage Warehouse	-	S[2]	-	88-323 88-369
Warehousing, Wholesaling, Storage, and Freight Movement				
» Indoor	S[2]	S[2]	—	88-323 88-378
» Outdoor		S[2]	-	88-323 88-378
AGRICULTURAL				
Agriculture, Animal	-	P/*	-	Chapter 14
Agriculture, Crop	P	P	P	88-312-01
Agriculture, Urban				
» Home Garden	P	P	P	88-312-02-A
» Community Garden	P	P	P	88-312-02-B
» Community Supported Agriculture (CSA)	P	P	P	88-312-02-C
ACCESSORY				
Wireless Communication Facility				
» Freestanding	-	-	-	
» Co-located antenna	P	P	P	88-385

88-327 COMMUNICATIONS SERVICE ESTABLISHMENTS

88-327-01 PURPOSE AND APPLICABILITY

The purpose of these standards is to permit communications service establishments in more districts due to their limited impact on adjacent properties while also acknowledging that such uses may negatively impact pedestrian-oriented areas of the city due to the relative lack of

pedestrian traffic they generate. These standards allow the uses in more districts when the impact is minimized.

88-327-02 IN DISTRICT R-80

Communications service establishments shall not exceed 50,000 square feet in floor area unless approved by special use permit in accordance with 88-525.

88-327-03 IN B & D DISTRICTS

1. Communications service establishments shall not occupy the ground floor of any building with street frontage. For the purposes of this section, a building with street frontage is any building located within 50 feet of a street right-of-way line.
2. Communications service establishments shall not exceed 100,000 square feet in floor area unless approved by special use permit in accordance with 88-525.

Section 4. Amending Chapter 88, the Zoning and Development Code, by repealing Section 88-516-06, Amendments to Development Plans or Project Plans, and enacting in lieu thereof a new section of like number and subject matter, said section to read as follows:

88-516-06 - AMENDMENTS TO DEVELOPMENT PLANS OR PROJECT PLANS

88-516-06-A. MAJOR AMENDMENTS

1. Major amendments to approved development plans or project plans must be reviewed and approved in accordance with the development plan or project plan review procedures of this ordinance. Major amendments to development plans or project plans include one or more changes, in cumulative total (when compared to the original plan approval), that would:
 - a. increase building coverage by more than 10%;
 - b. increase the total floor area by more than 10%;
 - c. increase building height by more than 10% ;
 - d. increase the total impervious surface coverage by more than 10% ;
 - e. result in extensive site modification involving location of buildings, razing, and reconstruction of approved uses;
 - f. increase the number of dwelling units by more than 10%; or
 - g. result in any other change that the city planning and development director determines will have impacts that warrant full review of the application in accordance with the development plan review procedures.

88-516-06-B. MINOR AMENDMENTS

Any application for an amendment to an approved development plan or project plan that does not meet the criteria for a major amendment will be considered a minor amendment.

Minor amendments may be approved by the city planning and development director. A minor amendment may include a change in an approved phasing plan.

88-516-06-C. PLAN AMENDMENT - MULTIPLE OWNERS

1. In the case of a plan amendment with multiple owners, a single property owner may initiate the application to amend the plan if:
2. The amendment to the plan does not adversely affect the remaining parcels within the plan boundaries as to density, parking, setbacks, or other similar factors as provided in the rules and regulations of the city plan commission; and
3. The applicant property owner has notified all other property owners within the plan boundaries, in the form and manner adopted by the city plan commission and by certified mail, and has received no written objection to such amendment within 30 days after the date such notice is mailed.

Section 5. That the Council finds and declares before taking any action on the proposed amendment hereinabove, all public notices and hearings required by law have been given and had.

..end

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

Joseph Rexwinkle, AICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 231047

Submitted Department/Preparer: City Planning

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

This ordinance amends Chapter 88 of the Code of Ordinances, commonly referred to as the Zoning and Development Code. The amendments were identified by staff as part of a work program known as periodic review, where staff discuss issues or questions raised during the prior quarter while applying the code in their daily work. Topics discussed are either determined to require an amendment to the code or not. Those issues requiring an amendment are then researched for best practices in the field of urban planning and development policy and draft language is prepared. Once prepared, it is posted to the department's webpage for approximately 30 days preceding a public hearing before the City Plan Commission. After the Commission holds its hearing it makes a recommendation to City Council.

Discussion

The amendments proposed in this periodic review cycle are:

1. Home Occupations
This amendment would bring the zoning and development code into alignment with state law, which recently changed, greatly restricting cities' ability to regulate home-based businesses.
2. Documentation of Overlays
This amendment is correcting an error where reference to the Westport Overlay District in a table of overlay districts was left out when the WOD was adopted last summer.
3. Communication Services Establishments
This amendment is responding to changing conditions where it is becoming more common for these uses to have a smaller building footprint, and therefore possibly making them more appropriate in other areas of the city (currently they are allowed primarily in industrial zoning districts). The amendment proposes use standards to ensure that the use is compatible in the districts it will now be permitted in.

4. Major Amendments to Approved Plans

This amendment is responding to the high volume of major amendments to approved plans that come before City Plan Commission and City Council. The code provides criteria for staff, developers, and design professionals to use to determine when an amendment to an approved plan warrants City Plan Commission and Council Council approval (as opposed to staff-level approval). The criteria state that any increase in impervious area or building floor area by more than 10% or 2,000 square feet WHICHEVER IS LESS triggers such an amendment. The square foot area cap is low and unfairly targets large users (say a 50,000 square foot building, already approved, adding 2,200 square feet). Staff proposes retaining the percentages as triggers, but omitting the caps.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable.
3. How does the legislation affect the current fiscal year?
Not applicable.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
The state law regarding home based businesses prohibits cities from requiring any license, including a business license. The modification to the major amendment criteria may reduce administrative costs for the city.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
No.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

There is no account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Inclusive Growth and Development (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts.
 - Ensure quality, lasting development of new growth.
 - Increase and support local workforce development and minority, women, and locally owned businesses.
 - Create a solutions-oriented culture to foster a more welcoming business environment.
 - Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States.
 -

Prior Legislation

None.

Service Level Impacts

None expected.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Health impacts have not been analyzed.
2. How have those groups been engaged and involved in the development of this ordinance?
The proposed amendment was posted to the city's website for a month and two public hearings will be held. Since regulatory amendments have citywide application, the stakeholder group includes the entire city and thus it is not feasible to meet with individual stakeholders.
3. How does this legislation contribute to a sustainable Kansas City?
It responds to changed conditions.

4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

This is an amendment to the zoning and development code and applies to development of private property.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 240198

ORDINANCE NO. 240198

Sponsor: Councilmember Nathan Willett and Kevin O’Neill

Approving a major amendment to a Master Planned Development preliminary development plan, which is also serving as a preliminary plat, on about 500 acres in District MPD generally located at the northeast corner of I-435 and Highway 169 to allow for the six data centers and two office buildings in District MPD. (CD-CPC-2023-00174)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a major amendment to a Master Planned Development preliminary development plan, which is also serving as a preliminary plat, in District MPD (Master Planned Development) generally located at the northeast corner of I-435 and Highway 169, and more specifically described as follows:

[LEGAL DESCRIPTION – to be provided]

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 an MPD final plan from the City Plan Commission prior to a building permit. Each MPD final plan may contain up to three buildings, including office buildings.
3. Detailed landscaping, lighting, building elevations, parking layout, and pedestrian circulation shall be reviewed at the time of MPD final plan.
4. The developer shall comply with all MODOT requirements prior to receiving any building permit.
5. The developer shall align the right of way for 128th Street as and to the extent shown on the City’s Major Street Plan, as may be amended, prior to the MPD final plan.

6. The developer shall obtain approval of a deviation to the parking ratios for communications service establishment and office uses in the amount of 40 parking spaces per data center building and 8 parking spaces per 1,000 square feet of office.
7. All roof and/or ground mounted mechanical and utility equipment visible from the public right of way shall be screened in compliance with 88-425-08 and 88-425-09.
8. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
9. The developer shall construct the trail identified on the Trails KC Plan along the southern boundary of the subject site at the time of the final phase of development.
10. The developer shall submit a final stream buffer plan to the Land Development Division 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.
11. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
12. 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.
13. The developer shall dedicate the right-of-way as shown on the Major Street Plan, as amended, and to provide at least the minimum width of right-of-way required therein, prior to the MPD final plan.
14. The developer shall construct temporary off-site cul-de-sacs and grant a city approved temporary cul-de-sac easement, for that portion outside of the dedicated street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.
15. The developer shall either 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 Land Development Division or enter into a secured deferral agreement for the installation of such improvement prior to recording the final plat.
16. 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.
17. 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.

18. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to MDNR and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
19. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development 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 Land Development Division.
20. 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.
21. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
22. A required Fire Department access road shall be an all-weather surface. (IFC-2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Required Fire Department access roads shall designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
23. 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.
24. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC 2018 § 507.5.1.1)
25. 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)
26. 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)
 27. 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)
 28. Buildings exceeding 62,000 square feet in area shall have at least two means of fire apparatus access (IFC-2018: § D104.2) 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)
 29. 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 a certificate of occupancy.
 30. The traffic impact study did not include a crash analysis for the study area. There is no present crash analysis in the study as required by City Guidelines for a Traffic Impact Analysis Report for Proposed Developments in Kansas City, Missouri. There has been over 32 crashes in the study area from FY 2019-2023. A complete crash analysis is needed for the study area. Revise TIS or provide a memo from the traffic engineer stating the crash data was analyzed prior to building permit.
 31. 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.
 32. No water service tap permits will be issued until the public water main is released for taps.
 33. Water/Sewer Service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
 34. 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.

35. 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.
36. The developer shall design and construct water main extension plans developed by a Missouri professional engineer and following Kansas City Water rules and regulations for water main extensions including all appurtenances such as fire hydrants. The plans shall include water mains of adequate size to serve the new development. Those mains are anticipated to be 16" transmission mains (TM) from the existing 24" TM in N.E. Cookingham Drive continuing north generally following Main Street up to N.E. 128th Street then continuing west to connect to the existing 16" TM along the 169 Highway, Frontage Road. At 128th Street and Main Street a new 12" water main shall be designed and constructed to continue north to the northern property line. A new 12" water main shall also be designed and installed to provide a looped connection to the property to the east. This east leg water main shall be shown in an easement adjacent to the I-435 northern right-of-way and extend generally from Main Street to the east property line. All water mains shall be located in either easements or right-of-way and in widths as designated in the Kansas City Water rules and regulations.
37. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and Land Development Division, prior to issuance of any stream buffer permits.
38. The developer shall obtain a floodplain development permit prior to beginning any construction activities within the floodplain.
39. The developer must show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.

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

..end

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

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240198

Submitted Department/Preparer: Please Select

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Approving a major amendment to a Master Planned Development preliminary development plan, which is also serving as a preliminary plat, on about 500 acres in District MPD generally located at the northeast corner of I-435 and Highway 169 to allow for the six data centers and two office buildings in District MPD. (CD-CPC-2023-00174)

Discussion

The proposed plan, which serves as a major amendment to the previously approved MPD, contains six data center buildings, totaling 1.7 million square feet, two office buildings, totaling 62,000 square feet, and a secure entrance with accessory security buildings. Each data center building will have an adjacent outdoor equipment yard.

Internal circulation, landscaping, lighting, and building elevations for each building will be reviewed in-depth at the time of MPD Final Plan submission. The applicant is proposing 720 parking spaces to accommodate the approximate number of employees anticipated.

A tree preservation and mitigation plan was reviewed with this application. The plan identifies areas of tree canopy to be preserved and removed, primarily around stream corridors. Calculations per 88-424 indicate no mitigation is required.

The landscape plan includes a mix of areas designated for grassland, stormwater ponds, and ornamental landscaping. This concept is reflective of the MPD's intent to enhance natural resource areas in returning undeveloped areas of agricultural fields back to a more natively vegetated landscape..

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?
N/A
3. How does the legislation affect the current fiscal year?
N/A
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
No fiscal impact.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
N/A

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Inclusive Growth and Development (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts.
 - Ensure quality, lasting development of new growth.
 - Increase and support local workforce development and minority, women, and locally owned businesses.

- Create a solutions-oriented culture to foster a more welcoming business environment.
- Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States.
-

Prior Legislation

Ordinance No. 220949

Service Level Impacts

N/A

Other Impacts

1. What will be the potential health impacts to any affected groups?
N/A
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
N/A
4. Does this legislation create or preserve new housing units?
Please Select (Press tab after selecting)

N/A
Click or tap here to enter text.
5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)
Please provide reasoning why not:
Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)

CS Ordinance No. 240198

Major Amendment (Rezoning to MPD)

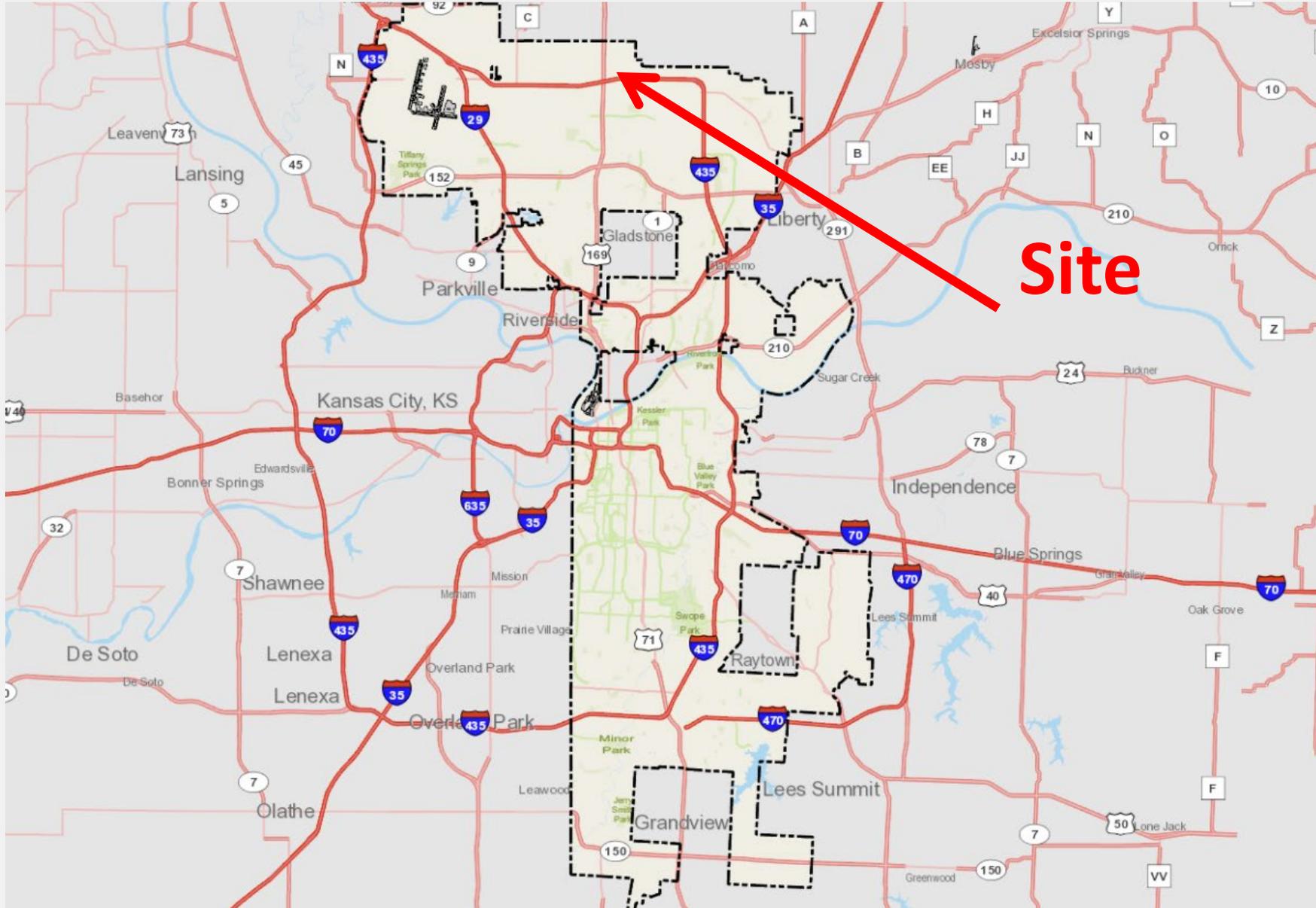
Rocky Branch Creek Technology Park – 12341 N Main St

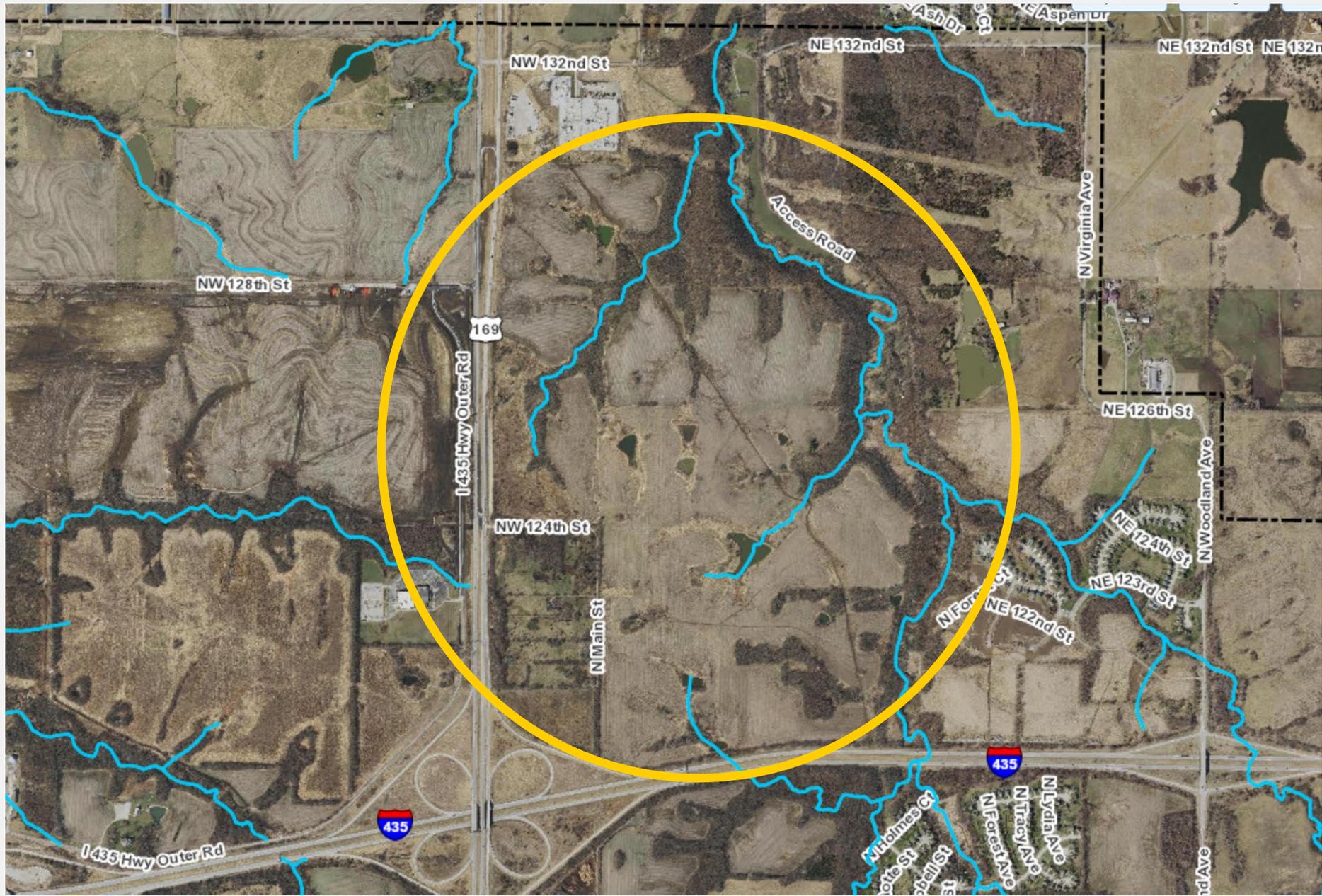
March 6, 2024

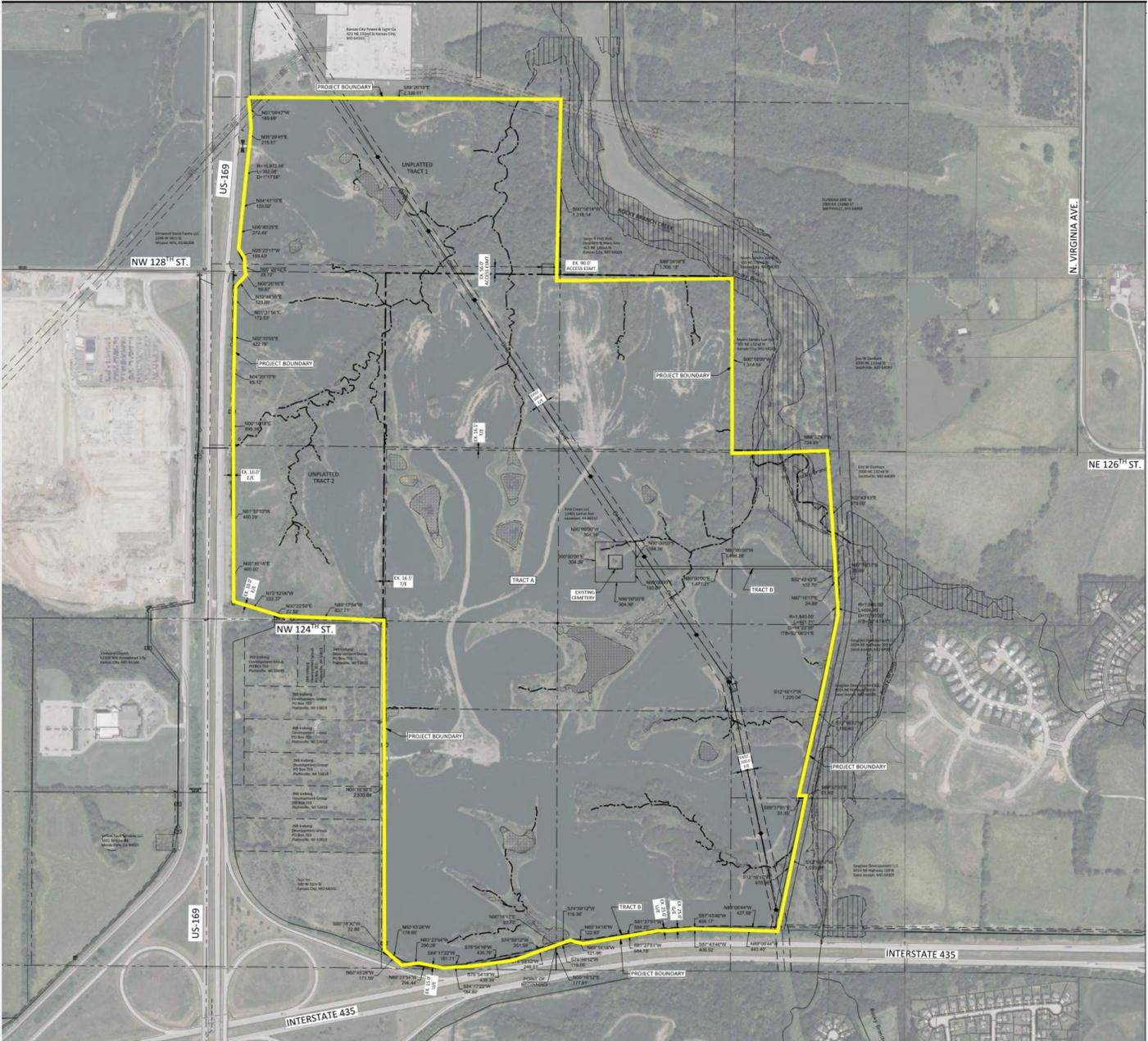
Prepared for

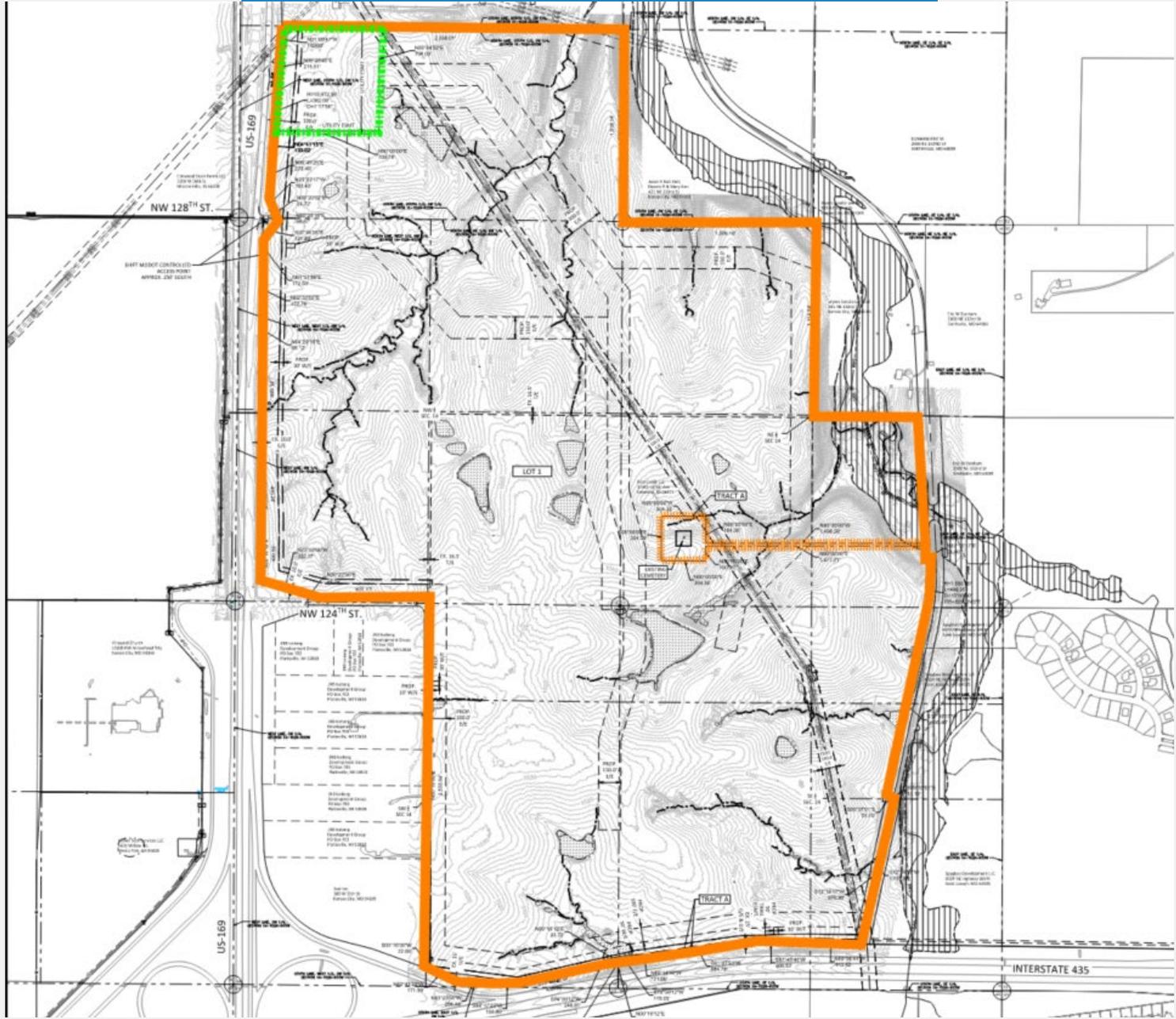
Neighborhood Planning and Development Committee

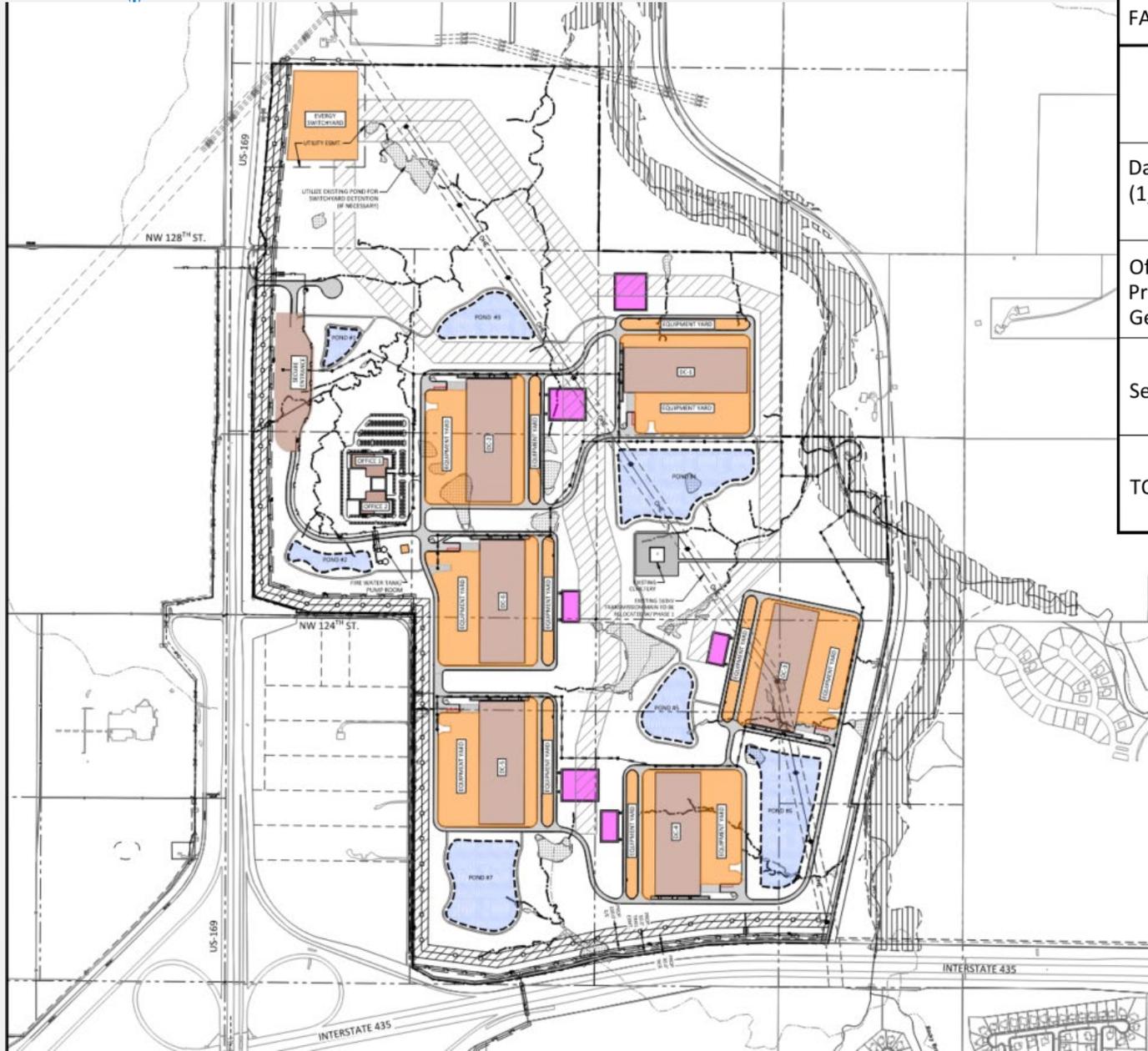












FACILITY PARKING REQUIREMENTS				
88-420-PARKING	VEHICLE SPACES		BIKE SPACES (LONG TERM)	
	General Code Requirements	MPD Standard	General Code Required	MPD Standard
Data Center (1,740,000 SF)	2.5 Per 1,000 sq.ft. ~4,350	40 SPACES/DC 240	N/A	10% of Employee Headcount -
Office, Admin. Professional or General (62,000 SF)	1 per 1,000 sq.ft. 62	8 per 1,000 sq.ft. 484	1 + 1 per 10,000 sq.ft. 7	10% of Employee Headcount -
Security Building	1 per 1,000 sq.ft. 1	23	-	-
TOTAL	~4,412	747	7	-

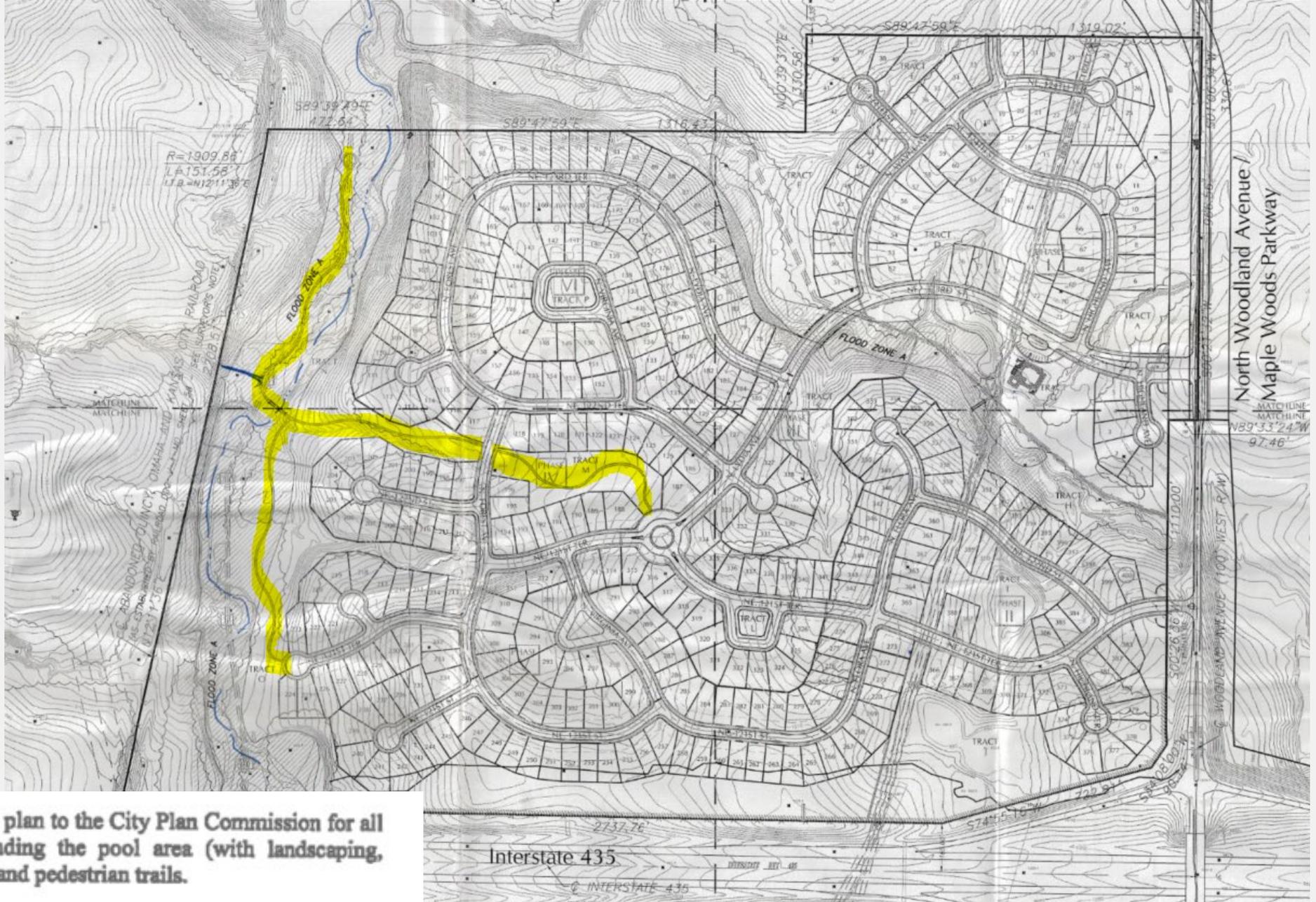
Deviations Requested

RBC BUILDING AREAS:	
PAD #	BUILDING SF
DC1	290,000
DC2	290,000
DC3	290,000
DC4	290,000
DC5	290,000
DC6	290,000
TOTAL DATA CENTER SF	1,740,000
OFF1	35,000
OFF 2	27,000
TOTAL OFFICE SF	62,000

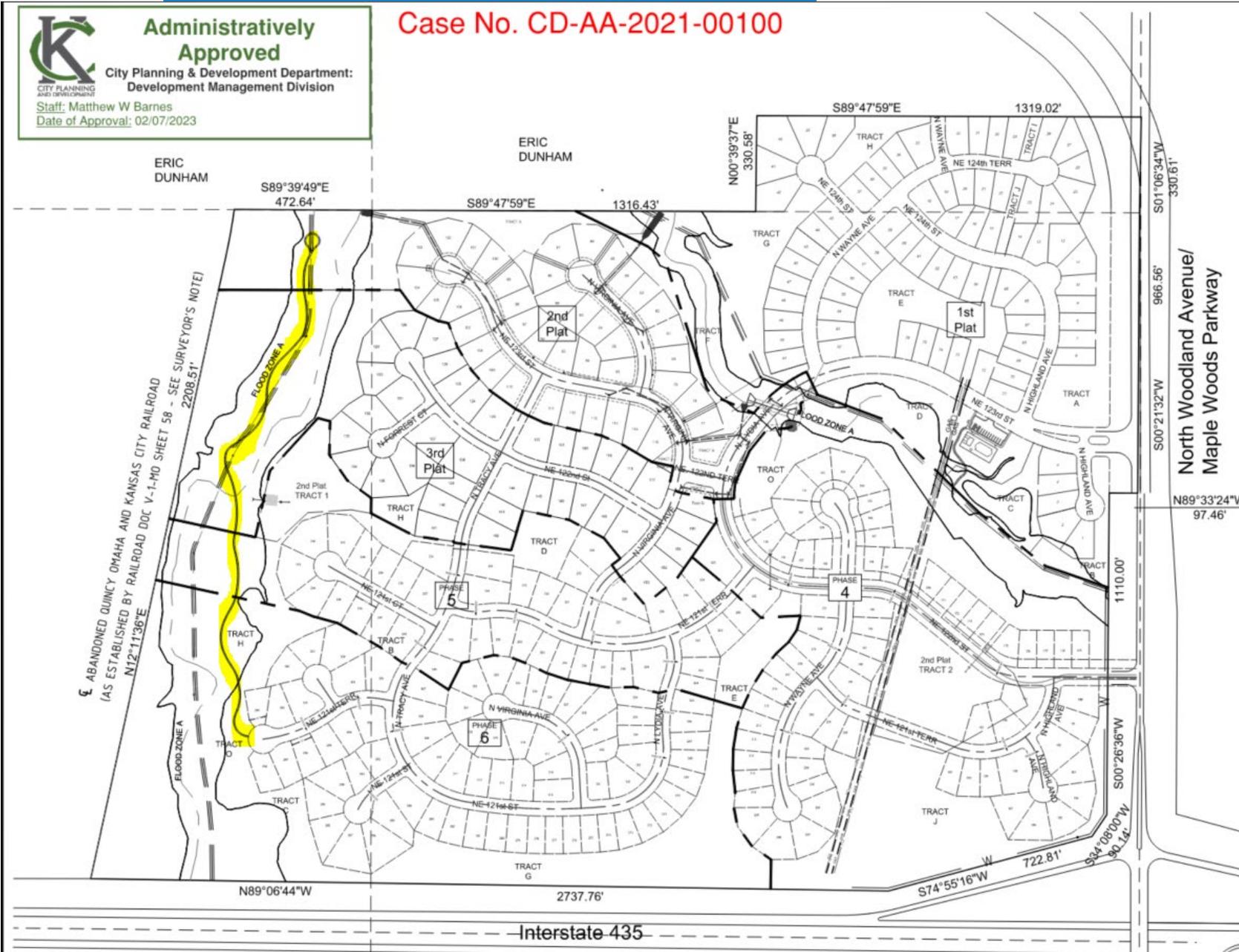
Site Plan

CUP Plan approved
July 2005
(Ordinance 050737)

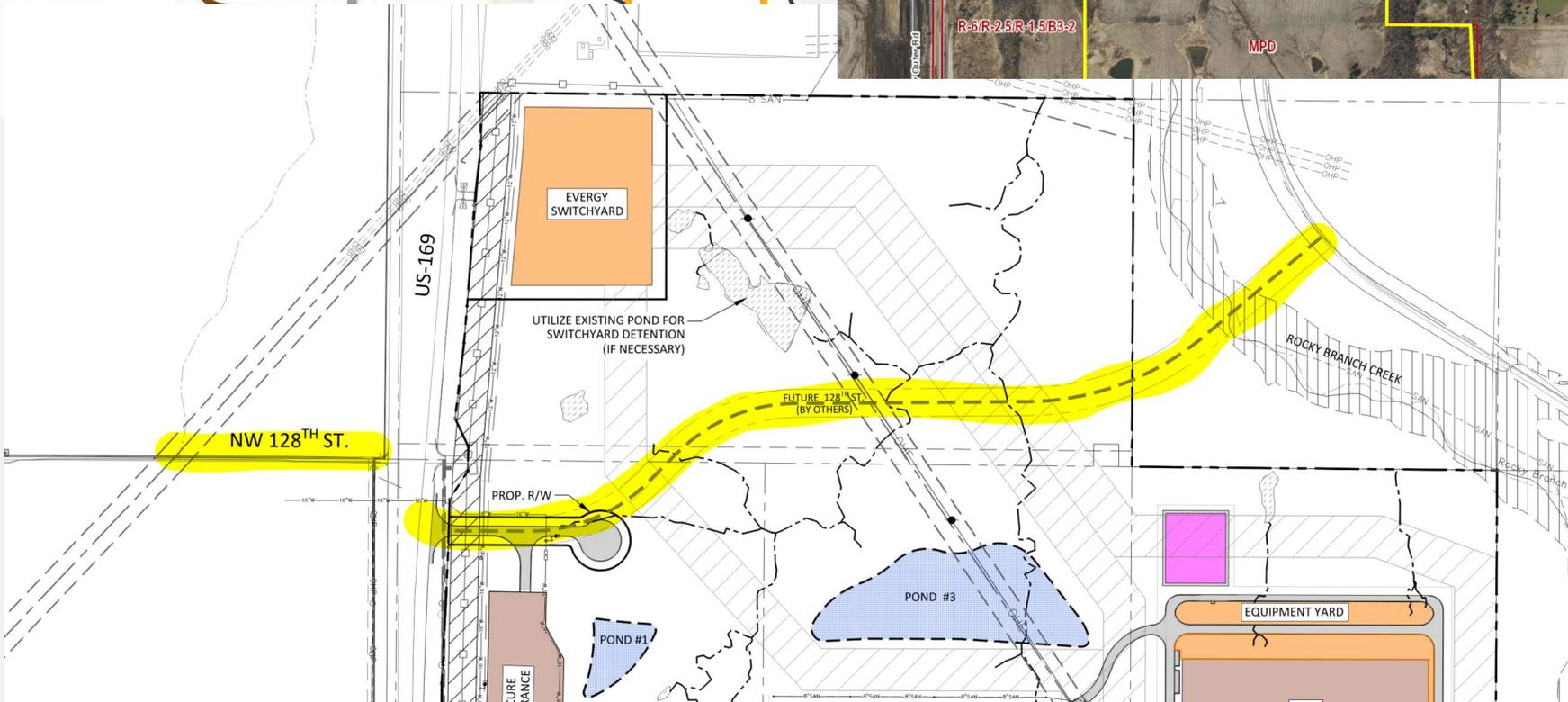
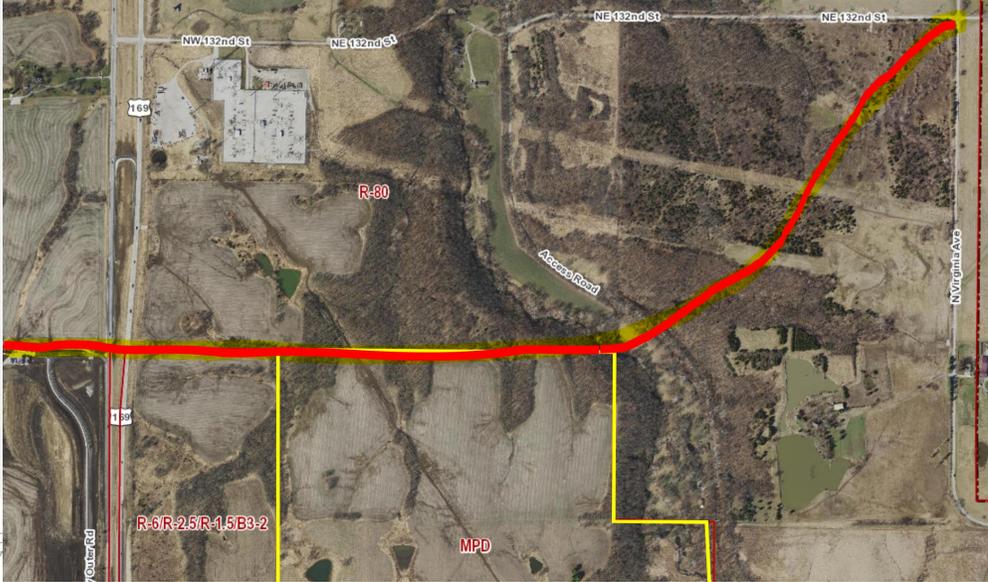
*Before adoption of
Trails KC Plan
(2011)*

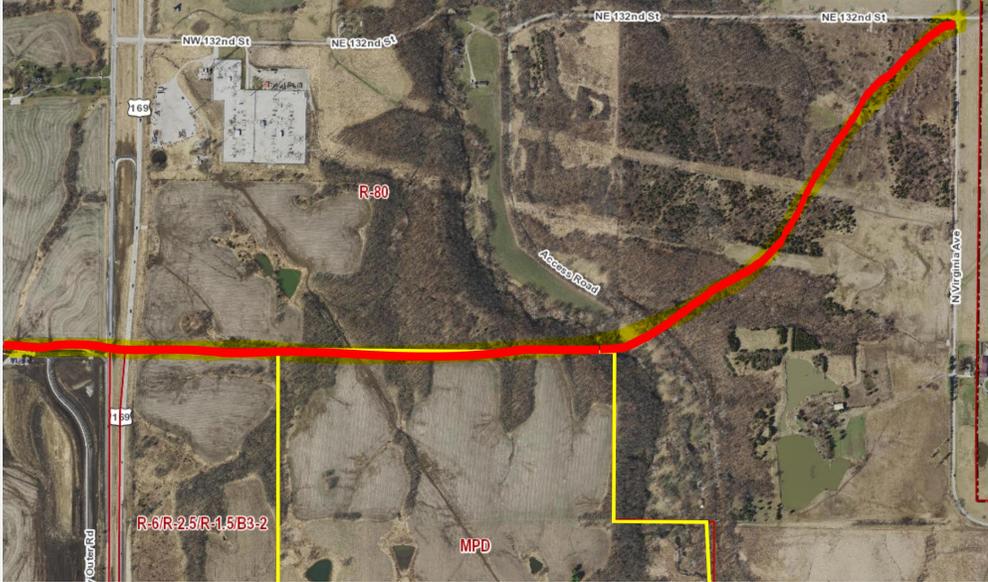


19. That the developer submit a final plan to the City Plan Commission for all private open space tracts, including the pool area (with landscaping, lighting and building elevations) and pedestrian trails.



Minor amendment to CUP plan approved in February 2023

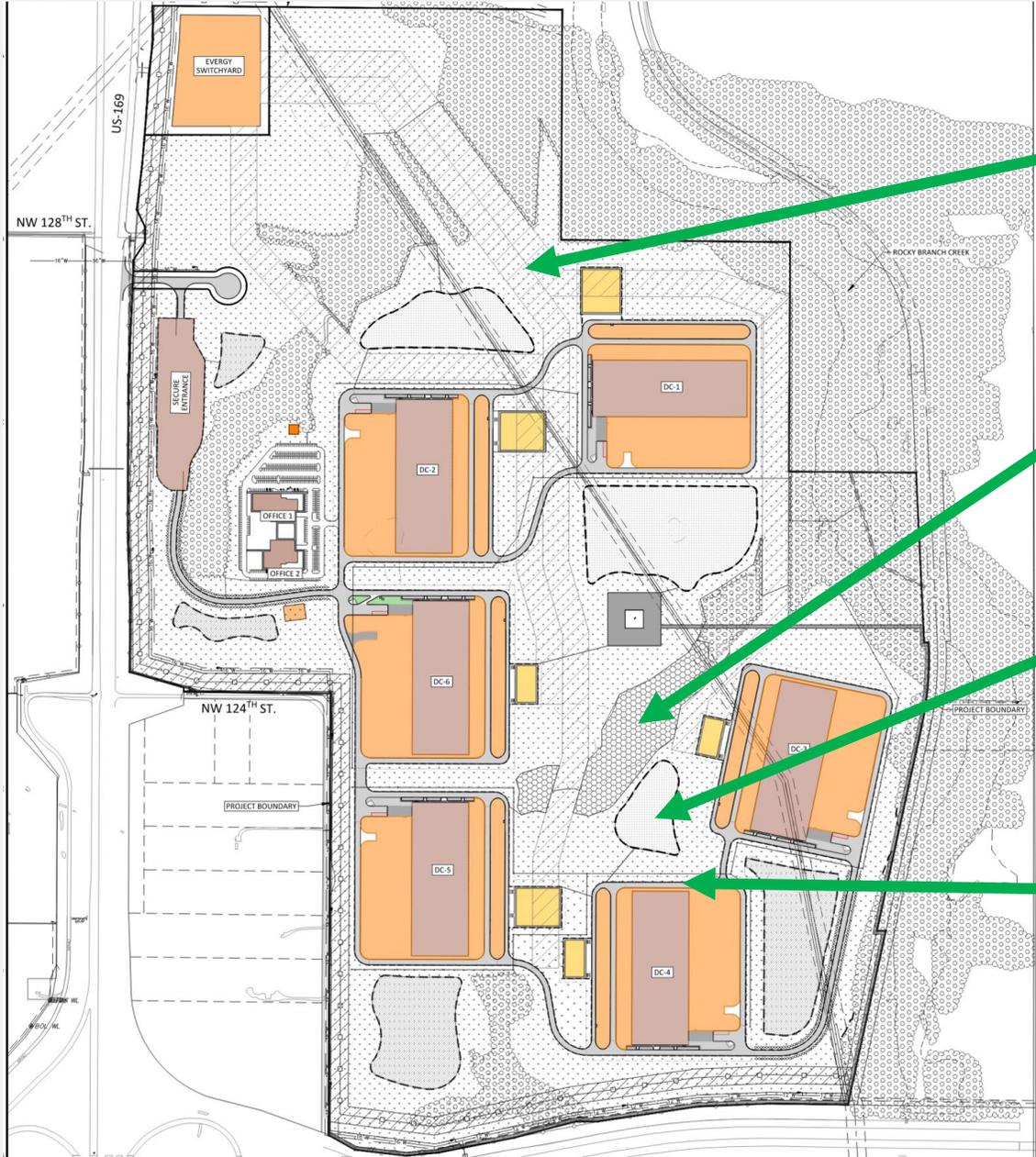




Condition #5: The developer shall align the right of way for 128th Street as and to the extent shown on the City's Major Street Plan, as may be amended, prior to the MPD final plan.



Major Street Plan amendment to remove highlighted section



POTENTIAL GREEN INFRASTRUCTURE CONCEPT IMAGES

B. POTENTIAL GRASSLAND AREA



C. POTENTIAL RIPARIAN AREA LANDSCAPING



D. POTENTIAL POND AREA



G. POTENTIAL ORNAMENTAL LANDSCAPING





View northeast towards site from HWY 169 – existing stub entrance to be relocated south



View northwest towards site from I-435



View east towards site from HWY 169 – approximate location of proposed Evergy switchyard

CPC Recommendation

Case No. CD-CPC-2023-00174

Approval with Conditions



File #: 240216

ORDINANCE NO. 240216

Sponsor: Director of City Planning and Development Department

Rezoning an area of about six acres generally located at 7780 E. U.S. 40 Highway from District B3-2 to District M1-1. (CD-CPC-2023-00158).

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-1424, rezoning an area of six acres generally located at 7780 E US 40 Hwy from District B3-2 (Community Business (Dash 2)) to District M1-1 (Manufacturing 1 (Dash 1)), said section to read as follows:

Section 88-20A-1424. That an area legally described as:

7780 E. Highway- 40 7800 E. Highway-40 prt NE 1/4 SW 1/4 prt NW 1/4 SW 1/4 Sec 18 49 32 beg at a pt on nly li of Hwy-40 at a pt 483.83 ft sely as meas alg sd nly li from w li of NW 1/4 SW 1/4 th nely at r/a with sd nly li 350 ft th nwly parl with sd nly r/w li 804 ft th swly 350 ft to nly li Hwy-40 th sely alg sd nly r/w li to beg.

is hereby rezoned from B3-2 (Community Business (Dash 2)) to District M1-1 (Manufacturing 1 (Dash 1)), all as shown outlined on a map marked Section 88-20A-1424, 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 the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

..end

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

Diane Binckley, AICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240216

Submitted Department/Preparer: City Planning

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Rezoning an area of about six acres generally located at 7780 E US 40 Hwy from District B3-2 (Business) to District M1-1 (Manufacturing). (CD-CPC-2023-00158).

Discussion

The City Plan Commission discussed the rezoning to M1-1 and voted to approve without conditions

Fiscal Impact

- 1. Is this legislation included in the adopted budget? Yes No
- 2. What is the funding source?
This is a zoning map amendment, not applicable.
- 3. How does the legislation affect the current fiscal year?
This is a zoning map amendment, not applicable.
- 4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
This is a zoning map amendment, not applicable.
- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
This is a zoning map amendment, not applicable.

Office of Management and Budget Review (OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Inclusive Growth and Development (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts.
 - Ensure quality, lasting development of new growth.
 - Increase and support local workforce development and minority, women, and locally owned businesses.
 - Create a solutions-oriented culture to foster a more welcoming business environment.
 - Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States.
 -

Prior Legislation

Please see the CPC Staff Report.

Service Level Impacts

Please see the CPC Staff Report.

Other Impacts

1. What will be the potential health impacts to any affected groups?
This is a zoning map amendment, not applicable
2. How have those groups been engaged and involved in the development of this ordinance?

This is a zoning map amendment, not applicable

3. How does this legislation contribute to a sustainable Kansas City?

This is a zoning map amendment, not applicable

4. Does this legislation create or preserve new housing units?

No (Press tab after selecting)

This is a zoning map amendment, not applicable

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

This is a zoning map amendment, not applicable

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

This is a zoning map amendment, not applicable

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)



File #: 240217

ORDINANCE NO. 240217

Sponsor: Director of City Planning and Development Department

Rezoning an area of about .3 acres generally located at 4511 – 4521 Summit Street from District R-1.5 to District R-0.75 to accommodate a proposed apartment complex on the subject site. (CD-CPC-2023-00173)

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-1425 rezoning an area of about .3 acres generally located at 4511 – 4521 Summit St from District R-1.5 (Residential 1.5) to District R-0.75 (Residential 0.75) to accommodate a proposed apartment complex on the subject site, said section to read as follows:

Section 88-20A-1425. That an area legally described as:

All of the north feet of the east 95 feet of Lot 43 and all of the east 95 feet of Lot 44, Bunker Hill No. 2, in Kansas City, Jackson County, Missouri.

The north 17 ¼ feet of Lot 39 and the south 18 ½ feet of Lot 40, Bunker Hill No. 2, a subdivision in Kansas City, Jackson County, Missouri, except west part thereof now in summit street.

The north 19 feet of Lot 42 and the south 15 feet of Lot 43, except that part in Summit Street, Bunker Hill No. 2, a subdivision in Kansas City, Jackson County, Missouri.

The north 6 ½ feet of the east 95 feet of Lot 40, the east 95 feet of Lot 41, and the south 6 feet of the east 95 feet of Lot 42, Bunker Hill No. 2, a subdivision in Kansas City, Jackson County, Missouri.

is hereby rezoned from R-1.5 (Residential 1.5) to R-0.75 (Residential 0.75) all as shown outlined on a map marked Section 88-20A-1425, 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 the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

..end

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

Diane Binckley, AICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240217

Submitted Department/Preparer: City Planning

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Sponsor: Director of City Planning and Development.

Rezoning an area of about .3 acres generally located at 4511 – 4521 Summit St from District R-1.5 (Residential) to District R-0.75 (Residential) to accommodate a proposed apartment complex on the subject site (CD-CPC-2023-00173).

Discussion

The applicant is seeking to rezone the subject site from R-1.5 (Residential) to R-0.75 (Residential) to allow for a 16-unit apartment complex to be developed.

	Lot Size, min. lot area per unit (sq ft)	Subject Site (sq ft)	Proposal (16 units, .3 acres)	Density
R-1.5	1,500 per unit	13,378.5	24,000 sq ft	X
R-0.75	750 per unit	13,378.5	12,000 sq ft	P

City Council Key Points

- Rezoning from R-1.5 to R-0.75 to increase the density permitted on the subject properties.
- Property owner can construct a 9 unit apartment building under the existing zoning designation.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this is a zoning related ordinance authorizing the rezoning of property.
3. How does the legislation affect the current fiscal year?

Not applicable as this is a zoning related ordinance authorizing the rezoning or property.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
The subject ordinance does not authorize incentives, dedication of right-of-way, or construction of new facilities.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
This ordinance may trigger development, which may generate revenue.

Office of Management and Budget Review
(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as there is no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Housing and Healthy Communities (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
 - Maintain and increase affordable housing supply to meet the demands of a diverse population.
 - Address the various needs of the City's most vulnerable population by working to reduce disparities.
 - Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
 - Ensure all residents have safe, accessible, quality housing by reducing barriers.

- Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

Prior Legislation

None.

Service Level Impacts

No impact expected.

Other Impacts

1. What will be the potential health impacts to any affected groups?
No, this zoning related ordinance authorizes a rezoning which is not expected to have health impacts and has not been evaluated for health impacts.
2. How have those groups been engaged and involved in the development of this ordinance?
This ordinance requires public engagement prior to a recommendation from the City Plan Commission, see Staff Report for more details.
3. How does this legislation contribute to a sustainable Kansas City?
N/A
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.
Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)
Please provide reasoning why not:
Click or tap here to enter text.
6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 240218

ORDINANCE NO. 240218

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 160 acres generally located at the southeast corner of Northeast 96th Street and North Tullis Drive from District R-80 to Districts R-7.5 & R-2.5 and approving a development plan which serves as a preliminary plat to allow for a residential development comprised of 396 lots in 9 phases. (CD-CPC-2023-00169 & CD-CPC-2023-00170)

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-1427, rezoning an area of about 160 acres generally located at the southeast corner of Northeast 96th Street and North Tullis Drive from District R-80 (Residential 80) to Districts R-7.5 (Residential 7.5) and R-2.5 (Residential 2.5) and approving a development plan which serves as a preliminary plat to allow for a residential development comprised of 396 lots in 9 phases, said section to read as follows:

Section 88-20A-1427. That an area legally described as:

All that part of the Northeast Quarter of Section 3, Township 51 North, Range 32 West, and the Northwest and Southeast Quarters of Section 34, Township 52 North, Range 32 West in Kansas City, Clay County, Missouri being more particularly described as follows: Beginning at the southwest corner of said Northeast Quarter of Section 3; thence North 0°26'15" East along the west line of said Northeast Quarter of Section 3, a distance of 2634.25 feet to the northwest corner of said Northeast Quarter; thence North 0°38'32" East a distance of 79.41 feet, to the south right of way line of Northeast 96th Street, as now established; thence South 88°55'31" East along said right of way line a distance of 327.02 feet; thence continuing easterly along said right of way line and along a curve to the left, being tangent to the last described course, having a radius of 10050.00 feet, a delta angle of 1°08'00" and an arc distance of 198.81 feet; thence North 89°56'29" East continuing along said right of way line, a distance of 1188.94 feet; thence continuing easterly along said right of way line and along a curve to the left, being tangent to the last described course, having a radius of 1332.00 feet, a delta angle of 25°50'18" and an arc distance of 600.68 feet; thence continuing easterly along said right of way line and along a curve to the right, being tangent to the last described course, having a radius of 1232.00 feet, a delta angle of

20°50'10" and an arc distance of 448.03 feet; thence South 0°31'28" West departing said right of way line, a distance of 358.03 feet to the southeast corner of said Section 34, Township 52 North, Range 32 West; thence North 89°31'15" West along the south line of said Section 34, a distance of 111.33 feet to the northeast corner of said Section 3, Township 51 North, Range 32 West; thence South 0°25'10" West along the east line of said Northeast Quarter, a distance of 2675.23 feet to the east quarter corner of said Section 3; thence North 88°24'26" West along the south line of said Northeast Quarter, a distance of 2612.30 feet to the point of beginning. Containing 7,289,748 square feet or 167.350 acres, more or less.

is hereby rezoned from R-80 (Residential 80) to Districts R-7.5 (Residential 7.5) and R-2.5 (Residential 2.5), all as shown outlined on a map marked Section 88-20A-1427, 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. Any trails to be credited towards satisfying the parkland dedication requirements per 88-408-H shall be a minimum of 7 feet in width and be constructed of asphalt.
2. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the 2023 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to recording final plat.
3. The developer shall submit a final plan providing details on recreational amenities proposed within any tracts serving to satisfy the parkland dedication requirements of 88-408. To receive credit, tracts shall be improved to provide for recreational amenities. Said plan shall be approved prior to recording final plat.
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 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 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 submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.
8. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's to the Land Development Division for review and acceptance for the entire development 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 Land Development Division.
9. 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.
10. 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.
11. 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.

12. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division 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.
13. 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.
14. 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.
15. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
16. 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.
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 submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division 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.
19. One- and two-family residential developments exceeding 30 dwelling units shall have at least two separate and approved fire apparatus access roads. (IFC-2018: § D107.1) 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. A required Fire Department access road shall be an all-weather surface. (IFC-2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Required Fire Department access roads shall designed to

support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)

21. 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)
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) Fire hydrant distribution shall follow IFC-2018 Table C102.1.
23. Before the certificate of occupancy of the first house built is issued in each phase the developer must post a sign at the terminus of all stub streets indicating that the stub street is intended to be opened to through traffic when the adjacent property is developed. The sign must state "FUTURE THROUGH STREET. TO BE CONNECTED WHEN ABUTTING PROPERTY DEVELOPS."
24. The developer shall secure approval of a project plan from the City Plan Commission showing landscaping in accordance with Section 88-425 of the Zoning and Development Code for each private open space tract prior to recording of the Final Plat of each phase.
25. The developer shall submit public water main extension plans including new fire hydrants and other appurtenances prepared by a Missouri professional engineer for review, approval and contracts following Kansas City Water rules and regulations for water main extensions to Kansas City Water. The rules and regulations are available at the following link: <https://www.kcwater.us/wp-content/uploads/2022/05/2022-Rules-and-Regulations-for-Water-Main-Extensions-Final2.pdf>. Please include the following note on the cover of the water main extension plans when submitted: "A variance was requested from the Kansas City Fire Department for the Kansas City Water rules and regulations for water main extensions and relocations relating to the maximum fire hydrant spacing along N.E. 96th Street to be increased from a maximum of 600' to a maximum of 1200'. KCFD granted the variance in this specific case based on the specific conditions presented by this project."
26. The developer shall submit a final stream buffer plan to the Land Development Division 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.
27. The developer shall provide acceptable easements and secure permits to relocate sanitary sewers out from under proposed buildings and structures. Any existing public lines located under proposed structures must be abandoned in place or

removed and the easement vacated, or relocated and new easements shall be provided; as required by the Kansas City Water Services Department prior to recording the plat or issuance of a building permit, whichever occurs first.

28. Public sewers not located within the right-of-way must be located within exclusive sewer easements.
29. The developer shall obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
30. The developer shall show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.
31. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
32. No water service tap permits will be issued until the public water main is released for taps.
33. 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.

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.

..end

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

Diane Binckley, AICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240218

Submitted Department/Preparer: City Planning

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Rezoning an area of about 160 acres generally located at the southeast corner of Northeast 96th Street and North Tullis Drive from District R-80 to Districts R-7.5 & R-2.5 and approving a Development Plan which serves as a Preliminary Plat to allow for a Residential Development comprised of 396 lots in 9 phases. (CD-CPC-2023-00169 & CD-CPC-2023-00170)

Discussion

No waivers or deviations requested. Please see CPC staff report for full discussion.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this is a zoning ordinance authorizing the rezoning of land and approving a development plan. .
3. How does the legislation affect the current fiscal year?
Not applicable as this is a zoning ordinance authorizing the rezoning of land and approving a development plan.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable as this is a zoning ordinance authorizing the rezoning of land and approving a development plan.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Not applicable as this is a zoning ordinance authorizing the rezoning of land and approving a development plan.

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No
- 3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as there is no fiscal impact.

Citywide Business Plan (CWBP) Impact

- 1. View the [FY23 Citywide Business Plan](#)
- 2. Which CWBP goal is most impacted by this legislation?
Housing and Healthy Communities (Press tab after selecting.)
- 3. Which objectives are impacted by this legislation (select all that apply):
 - Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
 - Maintain and increase affordable housing supply to meet the demands of a diverse population.
 - Address the various needs of the City's most vulnerable population by working to reduce disparities.
 - Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
 - Ensure all residents have safe, accessible, quality housing by reducing barriers.
 - Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

Prior Legislation

No prior legislation for this site.

Service Level Impacts

Ordinance approves a development plan of a residential subdivision. The City of Kansas City will accept and maintain all infrastructure after the applicant has installed to city standards.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Not applicable as this is a zoning ordinance authorizing the rezoning of land and approving a development plan.
2. How have those groups been engaged and involved in the development of this ordinance?
Not applicable as this is a zoning ordinance authorizing the rezoning of land and approving a development plan.
3. How does this legislation contribute to a sustainable Kansas City?
Not applicable as this is a zoning ordinance authorizing the rezoning of land and approving a development plan.

4. Does this legislation create or preserve new housing units?
Yes (Press tab after selecting)

Total Number of Units 396
Number of Affordable Units N/A

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)
Please provide reasoning why not:
Not applicable as this is a zoning ordinance authorizing the rezoning of land and approving a development plan.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Not applicable as this is a zoning ordinance authorizing the rezoning of land and approving a development plan.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 240224

ORDINANCE NO. 240224

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 3.6 acres generally located at the northwest corner of Benton Boulevard and East 37th Street from District R-2.5 to District UR, and approving a development plan to allow for a mixed-use development. (CD-CPC-2023-00144)

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-1426, rezoning an area of approximately 3.6 acres generally located at the northwest corner of Benton Boulevard and East 37th Street from District R-2.5 (Residential 2.5) to District UR (Urban Redevelopment), said section to read as follows:

Section 88-20A-1426, That an area legally described as:

Zurn Add Lots 1-15 & tr daf: beg ne cor Lot 7 of sd sub th w 263 ft th s 375 ft th e 263 ft th n 375 ft to pob.

is hereby rezoned from District R-2.5 (Residential 2.5) to District UR (Urban Redevelopment) all as shown outlined on a map marked Section 88-20A-1426 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 screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
2. Signage has not been reviewed with this application. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
3. 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.

4. 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 prior to a certificate of occupancy.
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 secure approval of a UR final plan from the Development Management Division staff prior to a building permit.
7. All delivery and service access for the buildings along Benton Boulevard shall be located on the side or rear of the building and shall not be visible from the boulevard or parkway.
8. A change in paving material, embossed striping, or other approved method is required where the on-site pedestrian circulation system crosses driveways, parking areas or loading areas.
9. Applicant shall work with Planning staff and Police Department staff to increase lighting for the high pedestrian areas of the property, while remaining in compliance with 88-430 prior to ordinance request.
10. Per CSO regulations undetained storm runoff cannot be directly discharged to the public sewer. Applicant shall submit revised plans showing compliance with CSO regulations at the time of a building permit.
11. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division 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 a 1.5 inch depth over the entire site 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 Land Development Division prior to recording the plat.
12. 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.

13. 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.
14. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division 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.
15. The developer shall be granted a deviation to Section 88-323-02 requiring non-residential development to be setback a maximum of 20 feet from the right-of-way line, the deviation would allow for the commercial structure to be set back 46 feet 4 inches from the right of way line.
16. 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.
17. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division 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.
18. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division 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.
19. 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.
20. 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)

21. 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)
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) Fire hydrant distribution shall follow IFC-2018 Table C102.1.
23. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) Fire Department access roads shall be provided prior to 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)
24. Dead-end streets in excess of 150 feet in length resulting from a “phased” project shall provide an approved temporary turnaround feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
25. 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)
26. Dumpster screening should abide by 88-425-08-A, but consider raising the screening approximately 1 1/2 to 2 inches off the ground to allow pedestrians sight within the concealment area for safety. A convex mirror could also be considered to remove the concealment area created by dumpster screening.
27. Addresses should be shown on elevations to verify that they will be large and clearly visible from the roadway.
28. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the 2023 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to certificate of occupancy.
29. The developer shall submit plans to the 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 streetlighting) 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. This applies to that work along Benton Boulevard.

30. 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.
31. 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 occupancy permits. This applies to that work along Benton Boulevard.
32. The developer shall comply with the parkway and boulevard standards as outlined in 88-323 unless specific variances are requested as part of these plans and approved by the Board of Zoning Adjustment.
33. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
34. 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 Kansas City Water rules and regulations.
35. 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.
36. No water service line will be less than 1-1/2" in diameter where three or more units or commercial building will be served by one domestic service line and meter. Our records indicate that the existing public water distribution main in Benton Boulevard is a 1914 vintage 6" CIP water main. The developer's design engineer will need to confirm through comparative analysis the available capacity of the existing system and new domestic and fire flow demands and provide this

analysis to Kansas City Water staff for review. It is anticipated that the 6" public water main in Benton Boulevard will need to be upsized and replaced from approximately 36th Street to 37th Street. A parallel 30" transmission main exists in Benton Boulevard that can provide additional capacity to the new distribution main, however the 30" main cannot be tapped directly. If replacement and upsizing of the 6" main is confirmed to be required, then the developer shall be responsible for designing and constructing the improvements per Kansas City Water rules and regulations. Plans shall be submitted as water main extension drawings prepared by a Missouri professional engineer for review, acceptance and contracts.

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. The developer shall be granted a deviation to Section 88-323-02 requiring non-residential development to be setback a maximum of 20 feet from the right of way line, the deviation would allow for the commercial structure to be set back 46 feet 4 inches from the right of way line.

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.

..end

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

Diane Binckley, AICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240224

Submitted Department/Preparer: City Planning

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

A request to approve a rezoning to district UR (Urban Redevelopment) from district R-2.5 (Residential 2.5) and approval of a development plan for a mixed use development.

Discussion

The applicant is requesting approval to rezone the property from district R-2.5 to district UR. The applicant is also proposing to reuse the historic Ladd School on the southern portion of property. The existing structure would contain office, residential (25 units), auditorium live/work, restaurant, gym, and retail uses. The applicant is also proposing one new construction to be used for commercial and residential uses with a small patio and four new residential buildings containing 56 units along the eastern side of the property. The western half of the property behind the existing building will be used for parking. Access to the property is off of Benton Boulevard, Bellefontaine Avenue and East 37th Street to the south. The applicant completed the public engagement requirements in compliance with code, the notice and sign in sheet are attached to the staff report.

At the City Plan Commission meeting the applicant requested revisions to three conditions, conditions 9, 11, 33. The revision to condition 9 changed the requirement from “prior to ordinance request” to “prior to building permit”. The applicant worked with staff from Planning and the Police Department to determine an appropriate solution to the lighting on the site. Revisions to conditions 11 & 33 changed the requirements from “prior to final plat” to “prior to building permit” and removing “prior to final plat” from the language. The applicant is not proposing to plat and removing those statements clarified the timelines in the conditions.

There was no one online or in person to provide public testimony and the City Plan Commission recommended approval with conditions (with the revisions as stated above and reflected in the City Plan Commission Disposition Letter).

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?
Not applicable as this is a zoning ordinance authorizing the physical development and allowed uses on the subject property.
3. How does the legislation affect the current fiscal year?
Not applicable as this is a zoning ordinance authorizing the physical development and allowed uses on the subject property.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
The developer has expressed interest in financial incentives; however incentives require separate approval and are not authorized by passage of this ordinance.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
This ordinance authorizes physical development of the subject property, which may generate revenue.

Office of Management and Budget Review
(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Housing and Healthy Communities (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
 - Maintain and increase affordable housing supply to meet the demands of a diverse population.

- Address the various needs of the City's most vulnerable population by working to reduce disparities.
- Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
- Ensure all residents have safe, accessible, quality housing by reducing barriers.
- Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

Prior Legislation

Committee Substitute for Ordinance No. 36287 approved 01/17/1969 approving the General Urban Renewal Plan including the Central Business District, Columbus Park, Garfield, Woodland, Oak Park, etc.

Ordinance No. 39874 approved on 07/16/1971 approving the definitive Oak Park Urban Renewal Plan.

Service Level Impacts

No impact expected.

Other Impacts

1. What will be the potential health impacts to any affected groups?
This zoning ordinance authorizes the reuse of the Ladd School for a mixed use building, a new mixed use building, and four new residential buildings. These are not expected to have a health impact.
2. How have those groups been engaged and involved in the development of this ordinance?
Not applicable.
3. How does this legislation contribute to a sustainable Kansas City?
City Planning and Development Staff evaluated this against the following sustainability goals/objectives in The KC Spirit Playbook:
 - Will preserve places that celebrate all facets of Kansas City's history and cultural heritage.
 - Will provide well-connected, efficient, and sustainable mobility options to reduce greenhouse gas emissions. They reduce the need for a vehicle and reduce vehicle miles traveled due to inefficient urban sprawl.
 - Sustainable growth balances human, societal, and economic needs with environmental needs in an effort to create thriving, resilient communities over time.

- Walkable communities promote compact development, which reduces the impact of the city's growth on natural habitats and systems.

4. Does this legislation create or preserve new housing units?
Yes (Press tab after selecting)

Total Number of Units 83 new residential units

Number of Affordable Units At least 10% of the units will be priced for residents who make no more than 50% of AMI and at least 10% of the units will be priced for residents who make no more than 70% AMI.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

[Click or tap here to enter text.](#)

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

[Click or tap here to enter text.](#)

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)