



Legislation Details (With Text)

File #: 230520 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 6/9/2023 **In control:** Council
On agenda: 6/22/2023 **Final action:** 6/22/2023
Title: Sponsor: Director of City Planning and Development Department

Rezoning an area of about 9.5 acres generally located at George Avenue and Blue Parkway (Missouri State Highway 350/US Highway 50) from District R-80 to District MPD, and approving a development plan to allow for indoor warehousing and commercial and agricultural uses. (CD-CPC-2023-00024).

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Docket Memo, 2. 03_CD-CPC-2023-00024_AllAmericanContr_4_4_2023, 3. CPC PPT 4-4-2023, 4. Disposition Letter for Ordinance_POST CPC (resubmittal), 5. REVISED_All American_Stream Buffer_05-23-23_v1, 6. REVISED_All American_MPD_05-23-23_v1, 7. 230520.Authenticated Ordinance, 8. 230520.Authenticated Ordinance

Date	Ver.	Action By	Action	Result
6/22/2023	1	Council	Passed	Pass
6/21/2023	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
6/15/2023	1	Council	referred	

ORDINANCE NO. 230520

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 9.5 acres generally located at George Avenue and Blue Parkway (Missouri State Highway 350/US Highway 50) from District R-80 to District MPD, and approving a development plan to allow for indoor warehousing and commercial and agricultural uses. (CD-CPC-2023-00024).

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-1395, rezoning an area of about 9.5 acres generally located at George Avenue and Blue Parkway (Missouri State Highway 350/US Highway 50) from District R-80 (Residential 80) to District MPD (Master Planned Development) and approving a development plan to allow for indoor warehousing and commercial and agricultural uses, said section to read as follows:

Section 88-20A-1395. That an area legally described as:

A tract of land in the Southwest Quarter of Section 23 Township 48 North, Range 32 West of the

5th Principal Meridian in Kansas City, Jackson County, Missouri being bounded and described by or under the direct supervision of Jason S Roudebush, P.L.S. 2002014092 as follows: Commencing at the West Quarter corner of said Section 32; thence South 02°17'01" West on the West line of said Section 32, a distance of 139.13 feet; thence leaving said West line South 87°43'15" East, 551.43 feet to a point on the existing Southwesterly right-of-way line of Highway 350 as now established also being the Point of Beginning of the tract of land to be herein described; thence South 38°01'35" East on said existing Southwesterly right-of-way line, 170.49 feet; thence South 31°12'37" East on said existing Southwesterly right-of-way line, 891.67 feet to a point on the Northerly line of Lot 1, O'Sullivan Business Park, a subdivision of land in said Jackson County recorded as Instrument Number 2003I0108702 in Book 78 at Page 30 in the Jackson County Recorder of Deeds Office; thence leaving said existing Southwesterly right-of-way line South 58°47'23" West on said Northerly line, 300.00 feet; thence leaving said Northerly line North 31°12'37" West a distance of 200.00 feet; thence South 88°45'47" West, 365.70 feet to a point on the existing Easterly right-of-way line of George Road as now established; thence North 02°54'37" West on said Easterly line for the following three calls, 229.08 feet; thence North 14°29'10" West, 200.95 feet; thence Northerly along a curve to the right being tangent to the last described course with a radius of 75.00 feet, a central angle of 55°29'53" and an arc distance of 72.65 feet; thence North 41°00'43" East, 12.93 feet; thence leaving said existing Easterly right-of-way line South 87°44'37" East, 74.55 feet; thence North 02°17'01" East, 109.63 feet to a point on said existing Easterly right-of-way line; thence Northerly on said existing Easterly right-of-way line along a curve to the left having an initial tangent bearing of North 25°50'24" East with a radius of 300.00 feet, a central angle of 23°33'23" and an arc distance of 123.34 feet; thence North 02°17'01" East on said existing Easterly right-of-way line, 109.70 feet; thence North 57°26'22" East, 98.67 feet to the Point of Beginning. Containing 415,829 square feet or 9.55 acres, more or less.

is hereby rezoned from R-80 (Residential 80) to MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A-1395, 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 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.
2. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
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. A "preservation" tract shall be dedicated within the floodplain of Lot 2 with a note that it cannot be developed prior to the issuance of any certificate of occupancy for Lot 2. The "preservation" tract shall be recorded when the developer records the final plat for Lot 2.

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. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
7. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to a building permit.
8. Lot 1 shall be connected to a sanitary sewer prior to the issuance of any building permit.
9. No driveway ingress or egress shall be constructed along Missouri State Highway 350.
10. Prior to the approval of any MPD final plan the applicant shall show the existing water service line that serves the existing house. The water line shall be killed or relocated.
11. 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.
12. The public sanitary sewer system need not be extended, provided that the developer demonstrates that the proposed private sewage disposal system complies with Chapter 18, Kansas City Building Code, in the City's Code of Ordinances, and MDNR requirements, prior to recording the final plat.
13. 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.
14. 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.
15. 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.
16. 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.
17. The developer shall secure permits to extend public sanitary and storm water conveyance

systems to serve all proposed lots within the development and determine adequacy of the receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.

18. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and 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 -2013 § 8.7.2)
19. Required Fire Department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in clearance height. Check with Streets and Traffic (Kansas City, Missouri Public Works Department) or Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1) 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 be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
20. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
21. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
22. The maximum public fire hydrant spacing is 300' along the developed length of the Blue Parkway frontage. The current plan will require installing one public fire hydrant in front of the proposed building in or near the road right-of-way. The developer shall submit public fire hydrant installation drawings prepared by a registered professional engineer in Missouri to the water main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.
23. Driveways shall be located in a manner to conform to Kansas City, Missouri standards.
24. A traffic study will need to be completed if the anticipated peak-hour traffic exceeds 100 vehicle trips.
25. The developer shall ensure that water and fire service lines should meet current Kansas City Water Department rules and regulations prior to a certificate of occupancy.
26. Water and sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
27. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
28. Any proposed private sewage disposal systems must comply with Department of Health requirements, prior to recording the final plat.

29. Any proposed private sewer mains must provide a private sanitary sewer easement and a covenant to maintain private sanitary sewers document acceptable to the Kansas City Water Services Department.
30. The developer shall grant a BMP easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
31. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
32. 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.
33. 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.
34. The developer shall obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
35. 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.
36. The developer shall obtain permits from the Kansas City Water Services Department to either kill or relocate the water service line to the existing house that runs under the proposed development.

A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

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

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

Joseph Rexwinkle, AICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney