



Legislation Details (With Text)

File #: 231041 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 12/5/2023 **In control:** Council
On agenda: 12/14/2023 **Final action:** 12/14/2023
Title: Sponsors: Councilmember Andrea Bough

Rezoning an area of about 250 acres generally located at the northeast corner of Missouri Route 150 and Botts Road from Districts M2-2 and M3-5 to District MPD and approving a development plan which also serves as a preliminary plat to allow for about 2.5 million square foot of office, administrative, commercial, and manufacturing uses, including a substation on seven lots and four tracts. (CD-CPC-2023-00150).

Sponsors: Andrea Bough, Johnathan Duncan

Indexes:

Code sections:

Attachments: 1. Exhibit A_Section Map, 2. 08_CD-CPC-2023-00150_CPCStaff Report_11_07_23, 3. CD-CPC-2023-00150_Approved Plan, 4. CD-CPC-2023-00150_CPCDispo_11_07_23, 5. Docket Memo_CD-CPC-2023-00150, 6. Authenticated Ordinance 231041

Date	Ver.	Action By	Action	Result
12/14/2023	1	Council	Passed	Pass
12/13/2023	1	Neighborhood Planning and Development Committee		
12/7/2023	1	Council	referred	

ORDINANCE NO. 231041

Sponsors: Councilmember Andrea Bough

Rezoning an area of about 250 acres generally located at the northeast corner of Missouri Route 150 and Botts Road from Districts M2-2 and M3-5 to District MPD and approving a development plan which also serves as a preliminary plat to allow for about 2.5 million square foot of office, administrative, commercial, and manufacturing uses, including a substation on seven lots and four tracts. (CD-CPC-2023-00150).

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-1418, rezoning an area of about 250 acres generally located at the northeast corner of MO Route 150 and Botts Road from Districts M2-2 (Manufacturing 2 (Dash 2)) and M3-5 (Manufacturing 3 (Dash 5)) to District MPD (Master Plan Development) and approving a development plan which also serves as a preliminary plat to allow for about 2.5 million square foot of office, administrative, commercial, and manufacturing uses, including a substation on seven (7) lots and four (4) tracts, said section to read as follows:

Section 88-20A-1418. That an area legally described as:

W 1/2 OF SW 1/4 SEC 26 47 33 EXC PRT IN RD, M 150 HWY SEC-26 TWP-47 RNG-33 DEG W 219.42' TO A PT ON N ROW LI HWY 150 TH W ALG N ROW LI 772.02' TO A PT ON W LI SD 1/2 1/4 TH N ALG SD W LI 768.13' TO POB PT OF E 1/2 SW 1/4 DAF: BEG AT PT 1862.90' S OF NW COR OF E 1/2 SW 1/4 TH S 86 DEG E 963.40' TH ALG A CURV TO RI 60.26' TH TH S 32 DEG E 60' TH SWLY ALG A CURV TO LF 625.06' TH S 3 DEG W 158' MOL TO NLY ROW LI OF M-150 TH NWLY 46' MOL TH NWLY 164' MOL TH SWLY 176' MOL TH WLY 164' TH NWLY 238' MOL TO PT ON W LI S 1/2 SW 1/4 TH N ALG SD W LI 739' MOL TO POB,PRT E 1/2 SW 1/4 SEC 26 47 33BEG NW COR NE 1/4 SW 1/4 SD SEC TH S 03 DEG 31 MIN 59 SEC W ALG WLY LI E 1/2 SW 1/4 A DIST OF 1306.80 FT TO TPOB TH ELY ALG N LI SE 1/4 SW 1/4 SEC696.97 FT TH SELY ALG CUR LT RADIUS 1370.00 FT INIT TANG S 18 DEG 49 MIN 32 SEC E A DIST OF 268.29 FT TH S 30 DEG 02 MIN 45 SEC E 339.58 FT TH SWLY ALG CUR LT RADIUS 730.00 FT INIT TANG S 57 DEG 12 MIN 22 SEC W A DIST OF 60.26 FT THWLY PARL N LI SD 1/4 A DIST OF 963.40 FT TO PT W LI SD 1/41/4 TH NLY ALG SD W LI 556.10 FT TO TPOB, PRT NE 1/4 SW 1/4 SEC 26 47 33 S 435.6 FT OF N 1306.8 FT OF W 1000 FT OF SD 1/4 1/4, PRT NE 1/4 SW 1/4 SEC 26 47 33 S 435.6 FT OF N 871.2 FT OF W 1000 FT OF SD 1/4 1/4, PRT NE 1/4 SW 1/4 SEC 26 47 33 N 435.6 FT OF W 1000 FT OF SD 1/4 1/4, PRT S 1/2 SEC 26 47 33 BEG NECOR LOT 2 HAWTHORNE PARK TH WLY ALG N LI SD SUB TO NW COR LOT 3 SD SUB TH NLY ALG NLY PROLG OF W LI SD LOT 3 TO PT 853.60 FT N OF SW COR LOT 4 SDSUB TH S 84 DEG 55 MIN 19 SEC W 465.59 FT TH SWLY ALG CUR LTR-890 FT A DIST OF 387.84 FT TH SWLY 50 FT TH N 30 DEG 02 MIN 45 SEC W 339.58 FT TH NWLYALG CUR RT R-1370.00 FT A DISTOF 268.29 FT PT N LI SE 1/4 SW1/4 SD SEC 26 A DIST OF 696.97FT ELY OF NW COR SD SE 1/4 SW 1/4 TH ELY ALG SD N LI TO PT 1000.00 FT ELY SD NW COR TH NLY PARL W LI NE 1/4 SW 1/4 SDSEC PT N LI SW 1/4 SEC 26 TH ELY ALG SD N LI TO PT W LI RR R/W TH SLY ALG SD RW TO BEG, M 150 HWY SEC-26 TWP-47 RNG-33 PT E 1/2 SW 1/4 DAF: BEG 250' W & 68' MOL N OF SE COR SW 1/4 TH N 91' MOL TH ALG A CURV RI 429.43' TH NWLY 261.63' TH SWLY ALG A CURV TO LF 574.81' TH S 158' MOL TH ELY 34' MOL TH LI HWY 150 TH E ALG SD N ROW LI 215' TO POB SELY 47' MOL TH E 137' MOL TO POB, RNG-33 TWP-47 SEC-26 PT OF SW 1/4 & SE 1/4 & N 50' LOT 3 HAWTHORNE PARK DAF: BEG 401.32' N OF SW COR OF LOT 4 HAWTHORNE PARK TH N 248.68' TH E 350' TH N 50' TH W 350' TO NW COR OF SD LOT 3 HAWTHORNE PARK TH N 153.6' TH S 84 DEG W 465.59' TH SWLY ALG CURV TO LF 387.04' TH SW 150' TH SWLY ALG CURV TO LF 44.04' TH NW 260.32' TH SWLY ALG CURV TO LF 50.25' TH SE 261.63' TH SWLY ALG A CURV TO LF429.43' TH S 91' MOL TO PT ON N LI 150 HWY TH E ALG SD N ROW LI 153' MOL TH NELY 493' MOL TH N 61 DEG E 634' MOL TO POB 429.43' TH S 1197' TO PT ON N LI 150 HWY TH E ALG SD N ROW LI 535.15' TH N 61 DEG E 759.63' TO POB, PRT SW 1/4 SE 1/4 SEC 26 47 33 BEG AT SW COR LOT 4 HAWTHORNE PARK TH W ALG N LI 147TH ST 645.15 FT TH N 61 DEG 45 MIN 23 SEC E 759.63 FT TO W LI LOT 3 SD SUB TH S ALG SD W LI 401.32 FT TO BEG, HAWTHORNE PARK LOT 3 EXC N 50 FT, 14664 COLORADO HAWTHORNE PARK LOT 4, HAWTHORNE PARK LOT 2, 14698 COLORADO /HAWTHORNE PARK LOT 1 (EX PT IN M-150)

is hereby rezoned from Districts M2-2 (Manufacturing 2 (Dash 2)) and M3-5 (Manufacturing 3 (Dash 5)) to District MPD (Master Plan Development), all as shown outlined on a map marked Section 88-20A-1418, 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. 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.
3. 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 for MPD Final Plans that abut residential areas 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, 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, have been installed or preserved in accordance with the plan and are healthy prior to a certificate of occupancy.
6. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
7. 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.
8. 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.
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 plans to the Land Development Division and obtain permits for any construction required in the public right-of-way.

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 pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
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 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.
16. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
17. 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.
18. 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 and (IFC-2018: § 503.2.3) shall provide fire lane signage on fire access drives.
19. 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)
20. The project 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 exceeding 62,000 square feet in area shall have at least two means of fire apparatus access. (IFC-2018: § D104.2) Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
22. 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)
23. Prior to ordinance request the submitted Traffic Impact Study must be approved by Public Works Department and the Missouri Department of Transportation. All necessary improvements identified and required by the TIS shall be reflected on a revised MPD plan and approved by staff prior to ordinance request. This includes any changes to the site access and circulation.
 24. IFC (2018) § 503.1.1 The building labeled "Future Manufacturing 262,500 SF" shall be submitted for review and approval as part of the MPD Final Plan showing the method of meeting exceptions for fire access roads.
 25. The developer shall submit a street naming plan to the Development Management Division prior to issuance of building permit for any phase/lot. The street naming plan shall be approved prior to Mylar approval of the first final plat.
 26. IFC (2018) § D104.2. A second access road from the public streets onto the site shall be provided if the total building area exceeds 62,000 SF (exception: may be increased to 124,000 SF if buildings are fully sprinklered).
 27. MPD final plan shall provide details and identify connections from parking areas to buildings; pedestrian connectivity across the campus shall include a 10' wide multi-use trail. All pedestrian circulation systems on the campus shall meet Section 88-450. The 10' trail shall be a publicly accessible trail with an agreement that the public would always be able to access it.
 28. IFC (2018) § D104.1. The temporary access road that passes between buildings 203 and 251 shall be constructed on-site regardless of access to Missouri 150 Highway to provide for emergency vehicle circulation.
 29. The developer shall secure approval of an MPD final plan from the Director of City Planning and Development prior to building permit.
 30. The developer shall submit water main abandonment plans for abandonment of the 8" public water main in Colorado Avenue (approx. 660') and any other needed public water main and fire hydrant improvements. The plans shall be prepared by a registered professional engineer in Missouri and submitted 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.
 31. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with 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 provide private water main easements for any private water mains prior to the issuance of any building permits.

34. The developer shall provide covenants to maintain private storm and sanitary sewer mains acceptable to Kansas City Water for any private sewer mains prior to the issuance of any building permits.
35. 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.
36. The developer shall provide a covenant to maintain private water mains acceptable to Kansas City Water for any private water mains prior to the issuance of any building permits.
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 provide private storm water and private sanitary sewer easements for any private sewer mains prior to the issuance of any building permits.
39. 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.
40. 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.
41. 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.
42. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
43. The developer shall provide covenants to maintain private water mains acceptable to Kansas City Water for any private water mains prior to the issuance of any building permits.

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

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

1. Exception from Kansas City, Missouri Zoning and Development Code Section 88-430, Outdoor Lighting, and allow approval via the Final MPD Plan.
2. Deviation from 88-520-04 to allow administrative approval of Final MPD Plans by the Director of City Planning and Development, unless when it increases the total building square footage by

more than 10% or proposes the addition or deletion of any uses or proposes building heights exceeding that stated on the MPD plan.

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

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

Joseph Rexwinkle, AICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney