



Legislation Details (With Text)

File #: 210364 **Version:** 1 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 4/23/2021 **In control:** Council

On agenda: 4/29/2021 **Final action:**

Title: Rezoning an area of about 31.2 acres generally located at 9700 N. Oak Trafficway from District MPD to District MPD to amend a previously approved development plan. (CD-CPC-2020-00191)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Fact Sheet, 2. Staff Report, 3. revised plan, 4. Exhibit A, 5. Presentation

Date	Ver.	Action By	Action	Result
4/28/2021	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass

ORDINANCE NO. 210364

Rezoning an area of about 31.2 acres generally located at 9700 N. Oak Trafficway from District MPD to District MPD to amend a previously approved development plan. (CD-CPC-2020-00191)

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-1273, rezoning an area of approximately 31.2 acres generally located at 9700 N. Oak Trafficway from MPD (Master Plan Development) to District MPD (Master Plan Development), said section to read as follows:

Section 88-20A-1273. That an area legally described as:

Lot 2, QuikTrip Store 221R located on the east side of the southwest corner of Section 35, Township 52 North, Range 33 West, Kansas City, Clay County, Missouri.

is hereby rezoned from MPD (Master Plan Development) to District MPD (Master Plan Development), all as shown outlined on a map marked Section 88-20A-1273, 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 all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to certificate of occupancy.
2. All signs shall be permitted separately from this process and comply with 88-445.
3. The developer shall secure approval of a final development plan from the City Plan Commission prior to issuance of a building permit.
4. 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.
1. 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.
6. 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.
7. 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.
8. 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.
9. 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 "O UT 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.
10. 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 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.
12. 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.
13. The developer shall integrate into the existing streetlight system any relocated existing 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.
14. The developer shall submit plans to Land Development Division and obtain permits to construct sidewalks along the property frontage and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
15. 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)
16. 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
17. The developer shall label the driveway widths and radii prior to certificate of occupancy. Values shall comply with Public Works Standard Detail D- 3.
18. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
19. The developer shall follow the Kansas City, Missouri rules and regulations for domestic water and fire service lines.

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 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.

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney