



Legislation Details (With Text)

**File #:** 230820      **Version:** 2      **Name:**

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**File created:** 9/7/2023      **In control:** Council

**On agenda:** 9/28/2023      **Final action:** 9/28/2023

**Title:** Sponsor: Director of City Planning and Development Department

Approving a major amendment to a previously approved development plan that will also serve as a preliminary plat in District B2-2 on about 4.8 acres generally located at 520 N.E. 107th Street, to allow for the development of a car wash. (CD-CPC-2023-00105)

**Sponsors:** Director of City Planning & Development, City Plan Commission

**Indexes:**

**Code sections:**

**Attachments:** 1. City Council Docket Memo, 2. City Plan Commission Staff Report, 3. City Plan Commission Recommendation, 4. Development Plan and Preliminary Plat, 5. Location Exhibit, 6. Staff Presentation, 7. Authenticated Ordinances 230820 CS

Date	Ver.	Action By	Action	Result
9/28/2023	1	Council	Passed as Substituted	Pass
9/27/2023	1	Neighborhood Planning and Development Committee	Adv and Do Pass as Cmte Sub	Pass
9/14/2023	1	Council	referred	

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 230820

Sponsor: Director of City Planning and Development Department

Approving a major amendment to a previously approved development plan that will also serve as a preliminary plat in District B2-2 on about 4.8 acres generally located at 520 N.E. 107th Street, to allow for the development of a car wash. (CD-CPC-2023-00105)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan that will also serve as a preliminary plat in District B2-2 (Neighborhood business 2 (dash 2)) generally located at 520 N.E. 107th Street, and more specifically described as follows:

All of Mullins Plaza 2nd Plat being further described as follows: All that part of the Southeast Quarter of Section 26, Township 52 North, Range 33 West in the City of Kansas City, Clay County, Missouri described as follows: Commencing at the northwest corner of the Southeast Quarter of said Section 26; thence South 89°30'57" East, along the north line of the Southeast Quarter of said Section 26, a distance of 85.94 feet; thence South 00°29'03" West, a distance of 50.00 feet to a point on the south right of way line of N.E. Shoal Creek Parkway, also being a point on the north line of Lot 2, Mullins Plaza 2nd Plat, a subdivision of land in the City of Kansas City, Clay County, Missouri and the point of beginning of the tract of land herein to be

described; thence South 89°30'57" East, along the south right of way line of said N.E. Shoal Creek Parkway, also being the north line of said Mullins Plaza 2nd Plat, a distance of 624.01 feet to the northeast corner of said Mullins Plaza 2nd Plat, said point also being the northwest corner of Lot 28, Mullins Corner, a subdivision of land in the City of Kansas City, Clay County, Missouri; thence South 00°32'17" West, along the east line of said Mullins Plaza 2nd Plat and the west line of said Mullins Corner, a distance of 185.49 feet; thence continuing along said line, South 09°15'19" West, a distance of 170.13 feet; thence continuing along said line, South 27°16'46" West, a distance of 144.44 feet; thence continuing along said line, South 00°32'17" west, a distance of 143.16 feet to the southeast corner of said Mullins Plaza 2nd Plat, said point also being the most southerly corner of Lot 33 of said Mullins Corner and the northerly right of way line of N.E. 107th Street; thence southwesterly, along the southerly line of said Mullins Plaza 2nd Plat and the northerly right of way line of said N.E. 107th Street, along a curve to the left having an initial tangent bearing of South 35°05'18" West and a radius of 225.00 feet, an arc distance of 47.39 feet; thence continuing southwesterly along said line, along a reverse curve to the right having a radius of 175.00 feet, an arc distance of 206.22 feet; thence North 89°27'43" West, continuing along said line, a distance of 71.54 feet; thence northwesterly continuing along said line, along a curve to the right being tangent to the last described course having a radius of 175.00 feet, an arc distance of 132.64 feet; thence continuing northwesterly, along a reverse curve to the left having a radius of 230.00 feet, an arc distance of 153.70 feet; thence continuing northwesterly along said line, along a reverse curve to the right having a radius of 38.00 feet, an arc distance of 56.28 feet to a point on the east right of way line of North Oak Trafficway, said point also being on the west line of said Mullins Plaza 2nd Plat; thence North 00°32'17" East, along the east right of way line of said North Oak Trafficway and the west line of said Mullins Plaza 2nd Plat, a distance of 612.06 feet; thence northeasterly along said line, along a curve to the right being tangent to the last described course having a radius of 15.00 feet, an arc distance of 23.55 feet to the point of beginning.

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. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
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 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 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 secure approval of project plans for Lots 4A and 4C from the City Plan Commission prior to a building permit. Building materials, site layout, landscaping, and

pedestrian connection shall be reviewed in-depth during the project plan process.

7. Per Kansas City Police Department, parking lot light poles shall be located outside of landscape islands.
8. All drive-through functions shall comply with 88-340 including a fence of up to 8 feet along the eastern property line.
9. Final landscape plan for Lot 4B shall be reviewed at the time of a building permit.
10. The developer shall continue working with staff to revise building elevations for Lots 4B to incorporate more of the high quality building materials listed in the design guidelines and label cardinal directions on front and rear facades prior to building permit.
11. 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.
12. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
13. 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.
14. 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)
15. 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 designed to support a fire apparatus with gross axle weight of 85,000 pounds (IFC-2018: § 503.2.3) and shall provide fire lane signage on fire access drives.
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. The developer shall fully comply with the parkway and boulevard standards as outlined in 88-323 as it pertains to development along N.E. Shoal Creek Parkway.
18. 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) along N.E. Shoal Creek Parkway 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.
19. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

20. 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.
21. No water service tap permits will be issued until the public water main is released for taps.
22. 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.
23. 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.
24. 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 disturbed area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.
25. 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.
26. 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 receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.
27. The developer shall grant any BMP and/or surface drainage easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
28. The developer shall enter into a covenant agreement for the maintenance of any storm water detention area tracts as required by the Land Development Division, prior to recording the plat.

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

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

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

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Joseph Rexwinkle, AICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney