



## Legislation Details (With Text)

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<b>On agenda:</b>	4/28/2022	<b>Final action:</b>		5/12/2022	
<b>Title:</b>	Approving a development plan that will also serve as a preliminary plat in Districts M1-5 to allow for 2.46 million square feet of office, commercial and warehouse development on 12 lots and 2 tracts on approximately 245 acres of land generally located at the northeast corner of Missouri Route 150 and Botts Road. (CD-CPC-2021-00109)				
<b>Sponsors:</b>	Andrea Bough, Kevin McManus				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Fact Sheet, 2. Staff Report, 3. CPC Disposition Letter 10.19.21, 4. PV-I49North.PortKC.Stephens.SupportLetter4.6.22 (83107063v1)-c, 5. South KC Chamber Support Letter - April 2022 (83104901v1)-c, 6. HCA I-49 Support Letter-c, 7. Presentation, 8. Authenticated Ordinance 220378				

Date	Ver.	Action By	Action	Result
5/12/2022	1	Council	Passed	Pass

### ORDINANCE NO. 220378

Approving a development plan that will also serve as a preliminary plat in Districts M1-5 to allow for 2.46 million square feet of office, commercial and warehouse development on 12 lots and 2 tracts on approximately 245 acres of land generally located at the northeast corner of Missouri Route 150 and Botts Road. (CD-CPC-2021-00109)

#### 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 M1-5 (Manufacturing 1 (dash 5)) on approximately 245 acres of land generally located at the northeast corner of Missouri Route 150 and Botts Road, and more specifically described as follows:

A tract of land in the Southwest Quarter and Southeast Quarter of Section 26 Township 47 North, Range 33 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 southwest corner of said Southwest Quarter; thence North 03°40'55" East, along the west line of said Southwest Quarter, 1100.00 feet; thence South 86°19'05" East, 20.00 feet to the point of beginning of the tract of land to be herein described, said point being on the easterly right of way line of Botts Road as established by Book 15 at page 314; thence North 03°40'55" East, along said easterly right of way line, 1398.94 feet to a point on the easterly right of way line of Botts Road as established by Document No. 2010E0079591 and Document No. 2010E0079590; thence northerly along said easterly right of way line along a curve to the left having an initial tangent bearing of North 15°51'43" East with a radius of 1132.00 feet, a central angle of 06°32'21" and an arc distance of 129.19 feet; thence

North 03°40'55" East, along said easterly right of way line 42.22 feet to a point on the north line of said Southwest Quarter; thence South 86°10'11" East, along the north line of said Southwest Quarter, 1277.11 feet to the northeast corner of the west half of the Southwest Quarter of said Section 26; thence South 86°10'11" East, along the north line of said Southwest Quarter, 1,317.16 feet; thence South 86°14'19" East, along the north line of said Southeast Quarter, 1,513.97 feet to the west right-of-way line of the Kansas City Southern Railroad; thence on said westerly right-of-way line, southerly along a curve to the right having an initial tangent bearing of South 09°24'54" East with a radius of 5,679.65 feet, a central angle of 13°02'23" and an arc distance of 1,292.60 feet; thence South 03°37'29" West, 641.82 feet to the northeast corner of Lot 2, Hawthorne Park, a subdivision recorded in said Jackson County; thence South 03°36'31" West, along the east line of said lot 2, 350.00 feet to the southeast corner of said Lot 2; thence North 86°24'09" West, along the south line of said Lot 2, 386.86 feet to the southwest corner of said Lot 2; thence continuing North 86°24'09" West along the westerly extension of said south lot line, 80.00 feet to the northeast corner of Lot 4, said Hawthorne Park; thence South 03°36'31" West, along the east line of said Lot 4, 335.00 feet; thence southwesterly along said easterly lot line, along a curve to the right being tangent to the last described course with a radius of 15.00 feet, a central angle of 89°59'20" and an arc distance of 23.56 feet; thence North 86°24'09" West, along the south line of said Lot 4, 335.00 feet to the southwest corner of said Lot 4; thence North 86°24'09" West, along the northerly right of way line of Missouri State Highway No. 150 as now established, 645.15 feet; thence North 82°52'54" West, along said northerly right of way line, 536.05 feet to a point on the northerly right-of-way line of said Missouri State Highway No. 150, as described in Document No. 2011E0002515; thence along said northerly right of way line the following eight (8) calls, North 79°23'17" West, 156.03 feet; thence north 03°35'13" east, 80.57 feet; thence North 86°24'47" West, 121.39 feet; thence South 03°35'13" West, 65.62 feet; thence North 86°24'47" West, 164.04 feet; thence South 72°38'43" West, 175.64 feet; thence North 86°15'01" West, 164.04 feet; thence North 80°08'18" West, 211.33 feet to a point on the west line of the east half of the southwest half of said Section 26, said point also being on the northerly right of way line of Missouri State Highway No. 150 as established by Document No. 2011E0002515, Document No. 1999K0065426 and Document No. 1999K0040664; thence North 80°10'54" West, along said northerly right of way line, 118.72 feet; thence North 82°58'42" West, along said northerly right of way line, 164.34 feet; thence South 82°16'36" West, along said northerly right of way line, 15.03 feet to a point on the northerly right of way line of said Missouri State Highway No. 150 as established by Document No. 2010E0079591 and Document No. 2010E0079590; thence North 67°46'01" West, along said northerly right of way line, 677.56 feet; thence North 62°18'19" West, along said northerly right of way line, 271.28 feet; thence North 01°46'47" East, along the easterly right of way line of said Botts Road as established by said Document No. 2010E0079591 and Document No. 2010E0079590, 177.50 feet; thence North 13°34'46" West, along said easterly right of way line, 201.59 feet; thence North 86°19'05" West, along said easterly right of way line, 39.28 feet; thence North 03°40'55" East, along the easterly right of way line of said Botts Road as established by Document No. B-572006, in Book B-5948 at page 282, 324.90 feet; thence North 86°19'05" West, along said easterly right of way line, 10.00 feet to the point of beginning. Containing 10,693,088 square feet or 245.48 acres, more or less.

is hereby approved, subject to the following conditions:

1. Overall parking along Missouri Route 150 shall be properly screened with a significant berm. Extend screening and berming along the west side of Colorado Avenue north of Missouri Route

150 to ensure that the truck parking is properly screened.

2. The developer shall submit a preliminary stream buffer plan in accordance with the requirements of Section 88-415, including information regarding the floodplain limits for the property and all of the regulated streams present on the property.
3. The developer shall revise the preliminary plat drawing to remove any proposed easements shown inside the City's right-of-way for the proposed east-west roadway. Any existing easements will need to be subordinated prior to recording of the plat.
4. The developer shall show and label the public and private water mains and fire hydrants. Label the sizes of the water mains. Show and label public street right-of-way and water main easements. Submit plans at 1"=100' maximum scale.

Please label and show size of the public and private water mains, fire hydrants, domestic water service lines and fire service lines. Please show location of fire hydrants (both public and private) existing and proposed, located every 300 feet or less. Please label/name all street by name or proposed name, please label private drives. The drawings show fire lines (wtrf) in public right-of-way and water mains (wtrm) in private right-of-way) and no domestic lines (wtrd) are shown entering any building. Some fire lines (wtrf) are not shown entering the buildings. Please update plan sheets to show proper water services to all buildings.

5. The developer shall secure approval of a project plan from the City Plan Commission for each building or phase prior to issuance of a building permit.
6. The design guidelines shall incorporate the Martin City Area Plan design guidelines wherever the opportunity presents itself. The guidelines shall call out all preferred and prohibited building materials.
7. Prior to issuance of a final certificate of occupancy for each applicable building or phase, all landscaping as shown on the approved landscape plan, including trees, plant material and structural elements, must be in place and healthy, as certified by a sealed letter submitted by a registered landscape architect licensed in the State of Missouri.
8. The developer shall grant on City approved forms, a stream buffer easement to the City or show and label the final stream buffer zones on the subdivision plat within a private open space tract, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
9. 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.
10. 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.
11. 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.

12. 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.
13. The developer shall obtain 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.
14. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.
15. 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.
16. The developer shall subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and the developer shall be responsible for all costs associated with subordination activities now and in the future.
17. The developer shall provide an erosion hazard analysis for areas where any improvements or public right-of-way dedications are proposed within stream buffer zones or adjacent to the outside of stream meanders as required by the Water Services Department.
18. 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.
19. 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.
20. 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.
21. 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 Section 88-415 requirements.
22. The developer shall not enter into any agreement that would encumber or otherwise have any

impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.

23. 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.
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 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.
25. If planned construction activities encroach into any designated floodplain, the developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
26. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
27. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
28. 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)
29. 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)
30. 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)
31. Required Fire Department access roads are designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
32. 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).
33. Buildings exceeding 62,000 square feet in area shall have at least two means of fire apparatus access. (IFC-2018: § D104.2).
34. 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: § D104.3)

35. Prior to a certificate of occupancy for any building in the north phase of construction, the developer shall construct a southbound left turn lane with at least 140 feet of storage on Botts Road at the North NNSA access road.
36. Prior to a certificate of occupancy for any building in the south phase of construction, the developer shall construct a southbound left turn lane with at least 140 feet of storage and 100 feet of taper on Botts Road at the South NNSA access road.
37. Prior to a certificate of occupancy for any building in the south phase of construction, the developer shall construct a northbound right turn lane with at least 90 feet of storage and 100 feet of taper on Botts Road at the South NNSA access road.
38. Prior to certificate of occupancy for any building in the south phase of construction, the developer shall construct traffic signals at the intersection of Botts Road and the South NNSA access road.
39. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
40. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
41. The developer must submit water main extension drawings prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.

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 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 80, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Assistant City Attorney