



Legislation Details (With Text)

File #: 230739 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 8/14/2023 **In control:** Council
On agenda: 9/14/2023 **Final action:** 9/14/2023
Title: Sponsor: Director of City Planning and Development Department

Approving a development plan which also serves as a preliminary plat, on about 38 acres to allow for 192,000 square foot data center in two phases on one lot, in District M3-5 (Manufacturing) generally located at the northwest corner of Missouri Highway 210 and N. Arlington Avenue. (CD-CPC-2023-00016)

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

Indexes:

Code sections:

Attachments: 1. Docket Memo_CD-CPC-2023-00016, 2. 01_CD-CPC-2023-00016_CPC Staff Report_05-02-23, 3. CD-CPC-2023-00016_Approved Plan, 4. CD-CPC-2023-00016_CPC Dispo_05-02-23, 5. 05_02_23_CPC_PowerPoint, 6. 230739.Authenticated Ordinance

Date	Ver.	Action By	Action	Result
9/14/2023	1	Council	Passed	Pass
9/13/2023	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
8/24/2023	1	Council	referred	

ORDINANCE NO. 230739

Sponsor: Director of City Planning and Development Department

Approving a development plan which also serves as a preliminary plat, on about 38 acres to allow for 192,000 square foot data center in two phases on one lot, in District M3-5 (Manufacturing) generally located at the northwest corner of Missouri Highway 210 and N. Arlington Avenue. (CD-CPC-2023-00016)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District M3-5 generally located at generally located at the northwest corner of MO Hwy 210 and N. Arlington Avenue, and more specifically described as follows:

The Northwest Quarter of the Southeast Quarter of Section 11, Township 50, Range 32, in Kansas City, Clay County, Missouri, except that part conveyed to the trustees of the property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company by warranty deed recorded in Book 356, Page 391, and except that part conveyed to the trustees of the estate of St. Paul and Kansas City Short Line Railroad Company by warranty deed recorded in Book 356, Page 489.

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 a certificate of occupancy.
2. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
3. 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.
4. 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.
5. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
6. The developer provide reciprocal cross-access easement on the second drive to be able to serve the parcel to the north of the subject parcel.
7. The developer shall enter into a secured deferral agreement for the installation of the three northerly fire hydrants prior to approval of the final plat.
8. 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.
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 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.
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 cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
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 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 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.
15. The developer shall dedicate additional right-of-way and provide easements for N. Arlington Avenue as required by the Major Street Plan and Chapter 88 to provide a minimum of 50 feet of right-of-way as measured from the centerline, along those areas being platted.
 16. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018.
 17. If an approved security gate spans across a fire access road an approved means for emergency operation shall be provided.
 18. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC).
 19. A required Fire Department access road shall be an all-weather surface.
 20. Fire Department access roads shall be provided prior to construction/demolition projects begin.
 21. Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds.
 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.
 23. 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.
 24. 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.
 25. The maximum fire hydrant spacing is 300 feet, the developer must submit fire hydrant (relocation/new installation) 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.
 26. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

27. The developer shall ensure that water and fire service lines meet current Water Services Department rules and regulations prior to a certificate of occupancy.

A copy of said development plan is on file in the office of the City Clerk with this ordinance and 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 Ordinance 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