Legislation Details (With Text)

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File created:	9/17/2025			**In control:**	Council
On agenda:	10/2/2025			**Final action:**	10/2/2025
Title:	Sponsor: Councilmember Kevin O'Neill Rezoning an area of about 2.83 acres located at 9790 North Oak Trafficway from District MPD to District MPD, and approving an amendment to a previously approved development plan to allow for the development of the site for retail and general auto repair service uses. (CD-CPC-2025-00099)				
Sponsors:	Kevin O'Neill				
Indexes:					
Code sections:					
Attachments:	1. Docket Memo 250836, 2. 250836 NPD PPT BB N Oak Major Amendment, 3. Public testimony J.Allen opposed 250836, 4. Authenticated Ordinance 250836				

Date	Ver.	Action By	Action	Result
10/2/2025	1	Council	Passed	Pass
9/30/2025	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
9/18/2025	1	Council	referred	

ORDINANCE NO. 250836

Sponsor: Councilmember Kevin O'Neill

Rezoning an area of about 2.83 acres located at 9790 North Oak Trafficway from District MPD to District MPD, and approving an amendment to a previously approved development plan to allow for the development of the site for retail and general auto repair service uses. (CD-CPC-2025-00099)

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-1509 rezoning an area of about 2.83 acres located at 9790 North Oak Trafficway from Districts MPD (Master Planned Development) to District MPD (Master Planned Development), and approving an amendment to a previously approved development plan to allow for the development of the site for retail and general auto repair service uses, said section to read as follows:

Section 88-20A-1509. That an area legally described as:

Lot 4, BB North Oak, a subdivision in Kansas City, Clay County, Missouri (this description is subject to change based on receiving 10-ft for the Replat of Lot 3, to the south)

and

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Lot 3, BB North Oak, a subdivision in Kansas City, Clay County, Missouri (this description is subject to change based on providing 10-ft for the Replat of Lot 4, to the north).

is hereby rezoned from Districts MPD (Master Planned Development) to District MPD (Master Planned Development), as shown outlined on a map marked Section 88-20A-1509, 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. Prior to issuance of the certificate of occupancy for each lot within the plat, 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.

2. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with Section 88-425-08 of the Zoning and Development Code.

3. All signage shall conform to the approved design guidelines and/or 88-445, whichever is applicable and shall require a sign permit prior to installation.

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, 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.

6. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to issuance of each building permit.

7. Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)

8. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) (No Grass Pavers Allowed)

9. Fire Department access roads shall be provided before construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)

10. 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). All Fire Department Connections (FDC) shall be threaded connections, Storz connections are not allowed in the City of Kansas City, Missouri. (IFC-2018 § 903.3.6; NFPA 13-2010 § 6.8.1).

11. 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.

12. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)

13. The developer shall provide fire lane signage on fire access drives.

14. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)

15. 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.

16. 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 "OUT 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. 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.

17. 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 at all required locations where existing drives are being removed (N. Oak Trafficway), new private drives are being added, where existing sidewalks are modified or repaired and where new sidewalk is added due to an existing drive being removed (N. Oak Trafficway).

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

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 submit a storm drainage analysis from a Missouri-licensed civil engineer to the Kansas City Water Services Department, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and the developer shall secure permits to construct any improvements as required by the Kansas City Water Services Department prior to issuance of any certificate of occupancy.

21. 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.

22. The developer shall submit plans for grading, siltation, and erosion control to the Kansas City Water Services Department 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.

23. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Kansas City Water Services Department 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.

24. 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 Kansas City Water Services Department, prior to recording the plat or issuance of a building permit, whichever occurs first.

25. The developer shall grant a BMP easement to the City as required by the Kansas City Water Services Department, prior to recording the plat or 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 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:

_____
Sarah Baxter
Senior Associate City Attorney

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