



Legislation Text

File #: 230470, **Version:** 1

ORDINANCE NO. 230470

Sponsor: Councilmember Heather Hall

Rezoning an area of about 13.4 acres generally located at the northwest corner of N.E. 48th Street and N. Randolph Road from Districts R-6 and R-1.5 to District MPD, and approving an MPD preliminary development plan for a mixed use development consisting of two commercial lots, one storage/distribution/flex space lot and one tract which also serves as the preliminary plat. (CD-CPC-2023-00056)

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____ rezoning an area of about 13.4 acres generally located at the northwest corner of N.E. 48th Street and N. Randolph Road from Districts R-6 (Residential-6) and R-1.5 (Residential-1.5) to District MPD (Master Planned Development), said section to read as follows:

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

All of the South One-half of the Southeast Quarter, Southeast Quarter of Section 33, Township 51, Range 32, except that part in the Right-of-way of I-435 and the right-of-way of Northeast 48th Street, more particularly described as follows:

Beginning on the West line of said Quarter, Quarter Section North 0°53'14" East, a distance of 50.00 feet from the Southwest corner of said Quarter, Quarter Section, said line being also the East line of Greenwood, Lots 36 to 85, inclusive, a subdivision in Kansas City, Clay County, Missouri; thence North 0°51'44" East along said line a distance of 607.40 feet; thence South 89°28'40" East, a distance of 1127.08 feet to the West Right-of-Way line of I-435; thence South 33°48'51" West along said Right-of-Way, a distance of 211.28 feet; thence South 17°23'14" West, continuing along said Right-of-Way, a distance of 435.67 feet to the North Right-of-Way of Northeast 48th Street; thence North 89°24'12" West along said North Right-of-Way, 65.00 feet from the center line thereof, said center line being also the south line of Section 33, a distance of 225.00 feet; thence South 0°35'48" West, continuing along said Right-of-Way, a distance of 14.00 feet; thence North 89°29'12" West, continuing along said Right-of-Way, 50.00 feet from the center line thereof, a distance of 659.00 feet to the point of beginning

is hereby rezoned from Districts R-6 (Residential-6) and R-1.5 (Residential-1.5) to District MPD (Master Planned Development), as shown outlined on a map marked Section 88-20A____, 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 MPD preliminary development plan, that will also serve as a preliminary plat, for the area legally described above 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. 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.
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 secure approval of a final MPD plan from the City Plan Commission prior to building permits.
6. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
7. 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.
8. 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.
9. 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.
10. 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, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.

11. 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.
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 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.
14. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, provide a copy of the MDNR submitted Storm Water Pollution Prevention Plan (SWPP) and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities. (5~01/2023)
15. 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.
16. 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.
17. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC- 2018 § 507.1) Fire Water Flow
18. 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)
19. 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)
20. A required Fire Department access road 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 be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)

21. 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). Fire Department Access.
22. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4) Fire Department Access.
23. 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. (IFC 2018 510.1 and NFPA1221)
24. 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.
25. A full flow fire meter will 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. (4/24/2023)
26. 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.
27. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
28. The developer shall submit water main extension plans for the public water main extension along N. Randolph Road including public fire hydrants. The plans shall be prepared by a Missouri professional engineer to the water main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.
29. The developer shall secure permits to extend public sanitary sewer 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.
30. The developer shall grant a BMP easement to the City as required by the Land Development Division prior to recording the plat or issuance of any building permits.
31. Internal storm sewers shall be private storm sewer mains located in a private easement and covered by a covenant to maintain private storm sewers document acceptable to the Kansas City Water Services Department.

32. The developer shall provide a covenant to maintain private storm sewers to the Kansas City Water Services Department prior to the final plat case being heard by the City Planning Commission.

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