**File #:** 260808, **Version:** 1

ORDINANCE NO. 260808

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 53 acres generally located at 13131 N. U.S. 169 Highway from District R-80 to District AG-R and approving a development plan to allow for an expansion of a utility substation. (CD-CPC-2026-00096 & CD-CPC-2026-00097)

***NEIGHBORHOOD COMMITTEE recommends "Advance and Do Pass, Debate."***

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-1556, rezoning an area of about 53 acres generally located at 13131 N. U.S. 169 Highway from District R-80 (Residential 80) to District AG-R (Agricultural-Residential) and approving a development plan to allow for an expansion of a utility substation, said section to read as follows:

Section 88-20A-1556. That an area legally described as:

> N 1/2 of SW 1/4 exc for parcel Cl0930300010050001 Clay Co legal /beg se cor intiers 169 Hwy & NW 132nd St, E 105, N 30, E 170, S 434, E 400, N 434, e alng sl NW 132nd St 1680, s to sl N 1/2 SW 1/4, w City KC legal /N 1/2 of SW 1/4 Sec 11 52 33 only see Vol 900 SW 1/4 sd sec ly s of public rd exc beg 225.6 ft s & 614.34 ft e of nw cor S 1/2 1/4 Sec th ely on c/l NE 132nd St 400 ft th S 464 ft th W 400 ft th N to pob.

is hereby rezoned from District R-80 (Residential 80) to District AG-R (Agricultural-Residential), all as shown outlined on a map marked Section 88-20A-1556, 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. The developer shall submit an affidavit, completed by an ISA certified arborist, an SAF certified forester, a professional engineer, or a landscape architect licensed in the State of Missouri, verifying that all trees preserved and all trees planted to meet mitigation required of the approved plan, whichever is applicable, has been installed or preserved in accordance with the plan and is healthy prior to a certificate of occupancy.

2. All signage shall conform to Section 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. 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)

5. Required Fire Department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in. clearance height. Check with Streets & Traffic (KCMO Public Works Department) or Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1)

6. If an approved security gate spans across a fire access road, an approved means for emergency operation shall be provided. Electric gates shall require a siren sensor device typically referred to as a "yelp gate" (IFC-2018 § 503.6)

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

8. All required Fire Department access roads shall be an all-weather surface. Grass pavers are not permitted. (IFC-2012: § 503.2.3)

9. The developer shall be responsible for tree preservation in an easement or platted tract, mitigation planting, or payment of cash-in-lieu of preservation or mitigation planting, or any combination thereof in accordance with Section 88-424. Should the developer choose to pay cash-in-lieu of preservation or mitigation of all or a portion of the required area, the amount due shall be based upon the rate specified in Section 88-424. This requirement shall be satisfied prior to issuance of a certificate of occupancy, or prior to the recording of the final plat, whichever occurs first.

10. 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.

11. The developer shall submit plans for grading, siltation, and erosion control to the Kansas City Water Services Department for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri Department of Natural Resources (MDNR) 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 secure permits to extend storm water conveyance systems to serve 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.

13. 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.

14. The developer shall submit a final stream buffer plan to the Kansas City Water Services Department 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 the Section 88-415 requirements.

15. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Kansas City Water Services Department, prior to issuance of any stream buffer permits.

16. 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 Kansas City Water Services Department.

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 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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Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:

_____
Sarah Baxter
Senior Associate City Attorney


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