

ORDINANCE NO. 190328

Rezoning about 0.42 acres generally located west of N. Church Road between N.E. 76th Street to the north and N. Flintlock Road to the south from District B2-2 to District B4-2, and approving a development plan on about 4.3 acres that also serves as a preliminary plan to allow for the construction of a self-storage facility. (CD-CPC-2019-00031 and CD-CPC-2018-00229)

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 88-20A1193, rezoning an area of approximately 0.42 acres generally located west of N. Church Road between N.E. 76th Street to the north and N. Flintlock Road to the south from District B2-2 (Neighborhood Business 2 dash 2) to District B4-2 (Heavy Business/Commercial 4 dash 2), said section to read as follows:

Section 88-20A1193. That an area legally described as:

A parcel of land located in the Southwest 1/4 of Section 14, Township 51, Range 32, in Clay County, Kansas City, Missouri; commencing at the northeast corner of said Southwest 1/4 Section; thence North 89 degrees 21 minutes 59 seconds West along the North line of said 1/4 Section a distance of 643.93 feet; thence South 00 degrees 38 minutes 01 seconds West, a distance of 345.59 feet to the point of beginning of the parcel to be described; thence South 44 degrees 54 minutes 53 seconds West, a distance of 156.00 feet; thence South 00 degrees 01 minutes 06 seconds East, a distance of 37.08 feet; thence South 45 degrees 05 minutes 07 seconds East, a distance of 109.13 feet; thence North 44 degrees 54 minutes 53 seconds East, a distance of 58.85 feet; thence North 02 degrees 43 minutes 20 seconds West, a distance of 183.14 feet back to the point of beginning.

is hereby rezoned from District B2-2 (Neighborhood Business 2 dash 2) to District B4-2 (Heavy Business/Commercial 4 dash 2), all as shown outlined on a map marked Section 88-20A1193, 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 applicant shall submit a revised site plan (Sheet C4) stating "All parking spaces are for temporary use only and will not be used for storage purposes."

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2. Revise the site plan (Sheet C4) to include a striped crossing strip at the entrance where the sidewalk will be located.
3. If new signage is proposed, submit a signage plan with details that demonstrate compliance with 88-445 in its entirety.
4. The developer shall state the purpose and acreage for all proposed tracts, if any.
5. The developer shall submit a final plat application prior to issuance of certificate of occupancy.
6. The developer shall show the radii for the driveway access on N.E. 76th Street.
7. The developer shall integrate into the existing streetlight system any relocated existing 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.
8. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontages of N.E. 76th Street, and construct associated ADA ramps.
9. 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.
10. The developer shall improve the south half of N.E. 76th Street as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining required permits from the Land Development Division for said improvements prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
11. That the east half of N.E. 76th Street shall be improved as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
12. 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

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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.

13. The owner/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.
14. 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.
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 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.
17. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division, 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 Land Development Division prior to issuance of any certificate of occupancy.
18. That with the approval from the Fire Department a new fire hydrant branch extension from the existing City of Liberty Fire Hydrant servicing the 7600 N. Church property will be permitted. Domestic water and sewer lines are not permitted from this connection.
19. Fire hydrants are required within 400 feet on a fire access road following an approved route established by the Authority Having Jurisdiction (AHJ) of any exterior portion of a building. The use of existing fire hydrants may be used to satisfy this requirement, otherwise private fire hydrants or a hydrant system may be required. This distance may be increased to 600 feet for R-3 and U occupancy or if the buildings are fully protected by an approved automatic fire sprinkler systems. (IFC-2012: § 507.5.1).

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- 20. Existing private fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (IFC-2012 § C 104.1).
- 21. 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 of N.E. 76th Street, N. Flintlock Road, and N. Church Road.

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.



Authenticated as Passed



Sly James, Mayor



Marilyn Sanders, City Clerk
MAY 09 2019

Date Passed



Secretary, City Plan Commission

Approved as to form and legality:



Sarah Baxter
Assistant City Attorney