COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 240428

Approving a development plan in District B3-3 for property of approximately 31 acres generally located at the southwest corner of N.W. Old Tiffany Springs Road and N. Ambassador Drive to permit development of commercial and residential uses which also serves as the preliminary plat.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan is hereby approved in District B3-3 (Community Business) on approximately 31 acres generally located at the southwest corner of N.W. Old Tiffany Springs Road and N. Ambassador Drive to permit development of commercial and residential uses which also serves as the preliminary plat and said area is more specifically described as follows:

Lots 1 through 9, Sam's Club at Tiffany Springs Market Center, a subdivision of land lying in Kansas City, Platte County, Missouri

is hereby approved, subject to the following conditions:

1. The developer shall secure site plan approvals for individual pads from the Development Management Division prior to a building permit.

2. 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.

3. All signage shall conform to 88-445 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, 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.

6. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.

7. A deviation to the height maximum in a B3-3 zoning district in the amount of fifteen (15) feet for Lot 1A and Lot 1B pursuant to 88-517-09-C is hereby granted.

8. The developer shall submit a detailed micro storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division showing compliance with the current, approved macro study on file with the City and with current adopted standards in effect at the time of submission, including water quality BMP's, prior to approval and issuance of any building permits to construct improvements on the site or prior to recording the plat, whichever occurs first. The developer shall verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and the developer shall construct any other improvements as required by the Land Development Division as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.

9. 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.

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 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 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 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.

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

17. 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) The building's FDC shall be immediately recognizable from the street or nearest point of Fire Department access (IFC-2018 § 912.2.1).

18. 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.

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

20. 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)

21. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with Section 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the 2024 acquisition rate of $64,220.18 per acre. This requirement shall be satisfied prior to a certificate of occupancy if paying money-in-lieu or final plat if platting private open space.

22. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to building permit.

23. 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.

24. 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.

25. A full flow fire meter shall 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.

26. If additions or changes to the existing public fire hydrants or water mains are required, the developer shall submit water main extension plans 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 prior to any building permit within the development plan area.

27. 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.

28. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development in accordance with the Kansas City Water rules and regulations 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.

29. The developer shall provide acceptable easements for any of the public sewers that are located on private property.

30. The developer shall grant BMP easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.

31. The developer shall enter into a cooperative agreement with the City at the time of the final plat which provides that the developer will contribute a total of $320,000.00 to the City for the traffic signal to be installed by the City at the corner of N. Skyview Avenue and N. Ambassador. Said developer contribution shall be payable over a three-year period with the first payment of $160,000.00 due at the time of the recording of the final plat and the remaining two payments of $80,000.00 due annually following the recording of the final plat.

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32. Gas pumps shall not be permitted to be installed until the moratorium prohibiting new gas stations imposed by the City Council with passage of Committee Substitute for Ordinance No. 240157, as said moratorium may be extended through passage of additional legislation, has expired. At such time as the moratorium, including any future extensions of the moratorium, has expired, the developer shall apply for a minor amendment to the development plan for administrative approval of the gas pumps.

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 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

Authenticated as Passed

Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

MAY 02 2024

Date Passed