



Legislation Text

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COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220529

Rezoning an approximately 86 acre tract of land generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive from B3-3 and AG-R to B3-3 and approving a development plan for the same which also serves as a preliminary plat to allow for 762,000 square foot of mixed office/commercial development on 12 Lots and 4 tracts. (CD-CPC-2020-00065 and CD-CPC-2020-00067)

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-1333 rezoning an approximately 86 acre tract of land generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive from B3-3 (Community Business) and AG-R (Agricultural/Residential) to B3-3 (Community Business), said section to read as follows:

Section 88-20A-1333. That an area legally described as:

All of Lot 1, Tract A, Tract B, and Tract C of the Replat of Lot 1, Farmland Industries Corporate Headquarters, a subdivision in Kansas City, Platte County, Missouri, and all that part of the south half of Section 14, Township 52 North, Range 34 West, Kansas City, Platte County, Missouri, being described as follows: Beginning at the southwest corner of said Lot 1; thence South 08°55'08" West, a distance of 87.83 feet; thence North 78°14'48" West, a distance of 38.48 feet; thence northwesterly along a curve to the right being tangent to the last described course, having a radius of 550.00 feet, an arc distance of 307.39 feet; thence North 46°13'28" West, a distance of 550.05 feet; thence northwesterly along a curve to the right being tangent to the last described course, having a radius of 1355.00 feet, an arc distance of 350.39 feet; thence North 31°24'29" West, a distance of 494.31 feet; thence North 33°09'34" West, a distance of 167.47 feet; thence North 34°54'56" West, a distance of 210.59 feet; thence North 37°31'25" West, a distance of 579.37 feet; thence North 35°40'37" East, a distance of 265.58 feet to a point on the southerly right of way line of Interstate 435 at a point 223.00 feet right of the southerly lane Centerline Station 681+58.90; thence North 77°32'06" East, along said southerly right of way line, a distance of 264.66 feet to a point being 96.00 right of the Interstate 435 southerly lane Centerline Station 683+91.10; thence South 73°47'20" East, continuing along said right of way line, a distance of 214.53 feet to a point being 96.00 feet right of Interstate 435 southerly lane Centerline Station 686+05.63, and 150.00 feet right of Centerline Station 686+05.63; thence South 60°40'17" East, continuing along said right of way line, a distance of 66.09 feet to a point being 165.00 feet right of Interstate 435 Centerline Station 686+70; thence South 80°42'00" East, continuing along said right of way line, a distance of 332.42 feet to a point being 125.00 feet right of Interstate 435 Centerline Station 690+00; thence South 73°47'20" East, continuing along said right of way line, a distance of 300.00 feet to a point being 125.00 feet right of Interstate 435 Centerline Station 693+00; thence South 67°08'04" East, continuing along said

right of way line, a distance of 302.03 feet to a point being 160.00 feet right of Interstate 435 Centerline Station 696+00; thence South 73°47'20" East, continuing along said right of way line, a distance of 500.00 feet to a point being 160.00 feet right of Interstate 435 Centerline Station 701+00; thence South 76°39'05" East, continuing along said right of way line, a distance of 200.25 feet to a point being 150.00 feet right of Interstate 435 Centerline Station 703+00; thence South 73°47'20" East, continuing along said right of way line, a distance of 304.12 feet to the northwest corner of a tract of land described in Book 1312 at page 421; thence South 15°07'15" West, along the westerly line of said tract, a distance of 28.20 feet; thence southerly, continuing along said westerly line, along a curve to the left being tangent to the last described course, having a radius of 414.24 feet, an arc distance of 173.86 feet to the northeasterly corner of the N. Ambassador Drive right of way as shown on said Replat of Lot 1; thence South 79°29'38" West, along the northerly right of way line of said N. Ambassador Drive, a distance of 102.00 feet to the northwesterly corner of said right of way; thence southerly, along the westerly right of way line of said N. Ambassador Drive, along a curve to the left having an initial tangent bearing of South 10°30'22" East, a radius of 550.00 feet, an arc distance of 36.52 feet; thence South 14° 18'36" East, a distance of 63.29 feet; thence South 25°16'16" East, a distance of 42.44 feet to a point on the east line of said Lot 1; thence southerly, along said line, along a curve to the left being tangent to the last described course, having a radius of 552.00 feet, an arc distance of 61.08 feet; thence South 31°36'41" East, continuing along said line and along the east line of said tract a, a distance of 378.75 feet; thence southerly, continuing along the east line of said Tract A, the east line of said Lot 1 and the east line of said Tract B, along a curve to the right being tangent to the last described course, having a radius of 648.00 feet, an arc distance of 356.90 feet; thence South 00°03'15" East, continuing along the east line of said Tract B, and along the east line of said Tract C, a distance of 237.99 feet; thence southerly, continuing along said line, along a curve to the right being tangent to the last described course, having a radius of 186.00 feet, an arc distance of 17.73 feet; thence South 05°24'22" West, continuing along said line, a distance of 128.05 feet; thence southerly, continuing along said line, along a curve to the left being tangent to the last described course, having a radius of 214.00 feet, an arc distance of 20.39 feet; thence South 00°03'15" East, continuing along said line, a distance of 179.69 feet to the southeasterly corner of said Tract C; thence North 87°56'42" West, along the southerly line of said Tract C, a distance of 244.17 feet; thence North 63°01'24" West, continuing along said line, a distance of 201.49 feet; thence South 78°06'10" West, along the southerly line of said Lot 1, a distance of 154.60 feet; thence North 89°41'11" West, continuing along said line, a distance of 360.00 feet; thence North 77°47'52" West, continuing along said line, a distance of 81.71 feet to the point of beginning.

is hereby rezoned from District B3-3 (Community Business) and AG-R (Agricultural/Residential) to District B3-3 (Community Business) all as shown outlined on a map marked Section 88 -20A-1333, 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 vacate any of the existing right-of-way for N.W. 122nd Court as determined necessary in association with any future final plats.
2. Airspace Evaluation - The proposed development is located in an area where the Kansas City

International Airport (MCI) height zoning restrictions apply and is situated in close proximity to an instrument approach area. Given the proximity of this plan to MCI, the proposed development will exceed FAR Part 77, Objects Affecting Navigable Airspace, standards. The proponent/developer shall file an on-line Form 7460-1, Notice of Proposed Construction or Alteration, for permanent vertical structures and receive a Favorable Determination from the FAA. Temporary cranes used for construction activities extending higher than the proposed top elevation of any building will need to be evaluated for compliance with FAR Part 77 standards as well. The FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website can be accessed at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>. In addition, the proponent/developer is recommended to review the City's Airport Height Zoning Ordinance No. 040342 and associated maps. The proponent/developer is recommended to comply with Chapters 3, 4, 5, 12 of FAA Advisory Circular (AC) 70/7460-1L, Obstruction Marking and Lighting, as applicable.

3. 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.
4. The developer shall submit a street naming plan prior to issuance of the first building permit within this development or prior to mylar approval of the first plat, whichever occurs first. (5/12/2022)
5. 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.
6. 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.
7. 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.
8. 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.

9. 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.
10. The developer shall provide acceptable easement and secure permits to relocated sanitary sewers out from under proposed buildings and structures, while continuing to ensure individual service is provided to all proposed lots as required by the Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.
11. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
18. 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.
19. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, as shown on the approved street plans for and to

a tie-in point with the existing sidewalks at N. Ambassador Drive and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.

20. Fire Department access roads shall be provided prior to construction/demolition projects begin. (JFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5).
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-2012 § D105).
22. 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).
23. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1).
24. All construction shall be in compliance of the applicable building codes which are in effect at the time of construction and shall be built under valid building permits issued by the City Planning and Development Department. (IFC-2018 § 102.4).
25. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. (IFC-2012: § D104.3).
26. Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2012: § D104.1).
27. The developer shall provide more than one fire access road into the large parking area. (IFC-2012 § 503.1.2).
28. The south access road to the existing building shall be maintained. (IFC-2012 § D104.3).
29. The developer shall construct the portion of trail along project area as outlined in the Trails KC plan prior to a certificate of occupancy. Said trail shall be 10' in width and concrete in material.
30. 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.
31. The proposed access to N.W. Cookingham Drive as well as the proposed modifications to N.W. Cookingham Drive are to be completed as shown in the accepted Traffic Safety and Operations Report.
32. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
33. 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.

34. The existing service lines on "Lot 1" will be required to be killed and new connections to be made on the south side of building.
35. The developer shall submit water main extension plans for the public streets prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.
36. This development plan shall act as the controlling plan to allow for phase 1 to proceed directly to building permit subject to meeting the requirements of the 400 series of Chapter 88.
37. The developer shall submit a project plan for all other phases for approval by the CPC prior to issuance of a building permit.

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 and legality:

Sarah Baxter
Senior Associate City Attorney