Legislation Details (With Text)

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Title:	Rezoning an area of about 105 acres generally located at the northwest corner of E. 155th Street and I-49 (approximately 1,000 feet west) from Districts M1-5 and R-80 to District M2-5, and approving a development plan which also serves as a preliminary plat, to allow for 1.3 million square foot of office and warehouse development on three lots and one tract. (CD-CPC-2022-00019 & CD-CPC-2022-00025)				
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Attachments:	1. CD-CPC-2022-00025_FACTSHT, 2. 05_CD-CPC-2022-00025_CPCStaffRpt_05_03_22, 3. Exhibit A_ Section Map, 4. Plans, 5. Applicant's presentation, 6. Authenticated Ordinance 220448				

Date	Ver.	Action By	Action	Result
5/26/2022	1	Council	Passed	Pass
5/25/2022	1	Neighborhood Planning and Development Committee		
5/19/2022	1	Council	referred	

ORDINANCE NO. 220448

Rezoning an area of about 105 acres generally located at the northwest corner of E. 155th Street and I-49 (approximately 1,000 feet west) from Districts M1-5 and R-80 to District M2-5, and approving a development plan which also serves as a preliminary plat, to allow for 1.3 million square foot of office and warehouse development on three lots and one tract. (CD-CPC-2022-00019 & CD-CPC-2022-00025)

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 1326 rezoning an area of approximately 105 acres generally located at the northwest corner of E. 155th Street and I-49 (approximately 1,000 feet west) from Districts M1-5 (Manufacturing) and R-80 (Residential 80) to District M2-5 (Manufacturing), and approving a development plan which also serves as a preliminary plat, said section to read as follows:

Section 88-20A 1326. That an area legally described as:

A 105.192 acre tract of land being a portion of the land conveyed in Missouri Special Warranty Deed recorded as Instrument 2007E0084841 and lying in Section 35, Township 47 North, Range 33 West, Kansas City, Jackson County, Missouri, more particularly described as follows: Commencing at the southeast corner of said Section 35, being monumented by a 3” aluminum monument; thence North 86° 22' 32” West 1073.81 feet along the south line of said Section 35;

thence North 03° 37' 28" East 180.00 feet to the north right of way of east 155th Street and the point of beginning of the tract herein described; thence North 86° 22' 32" West 2269.44 feet along the north right of way to a point in the centerline of a creek; thence North 38° 34' 53" East 63.22 feet; thence North 15° 00' 00" East 500.00 feet; thence North 10° 00' 00" East 500.00 feet; thence North 00° 00' 00" East 500.00 feet; thence North 70° 00' 00" East 500.00 feet; thence North 55° 00' 00" East 500.00 feet; thence North 85° 00' 00" East 500.00 feet; thence North 60° 00' 00" East 500.00 feet; thence North 65° 00' 00" East 500.00 feet to the west right of way line of the St. Louis and San Francisco Railroad; thence South 03° 38' 54" West 1925.08 feet along the west right of way to a point of tangential curvature; thence southerly along a curve to the right, said curve having an arc length of 538.73 feet, a radius of 2814.93 feet and a delta of 10° 57' 56"; thence South 14° 36' 50" West 184.64 feet to the point of beginning. Note: the bearings herein are referenced to Missouri State Plane Grid North and this description was authored by Tobin R. Roberts, MOPLS 2001015269.

is hereby rezoned from Districts M1-5 (Manufacturing) and R-80 (Residential 80) to District M2-5 (Manufacturing), all as shown outlined on a map marked Section 88-20A1326, 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 (preliminary plat) for the area legally described above is hereby approved, subject to the following conditions:

1. 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.

2. The developer shall secure approval of a project plan from the City Plan Commission prior to building permit.

3. 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.

4. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.

5. That alternative compliance landscape standards are hereby approved subject to the plan being revised to a dense and continuous row of evergreen shrubs along the south side of all parking lots visible from 155th Street.

6. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.

7. 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.

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 submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.

10. 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.

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 grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.

13. 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

14. 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.

15. The developer shall submit a final stream buffer plan to the Land Development Division 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.

16. The developer shall design and construct any interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks unless such standards are waived by the City Council upon a recommendation from the City Plan Commission and Transportation and Development Committee.

17. 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.

18. 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.

19. The developer must 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.

20. The developer shall subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and the developer shall be responsible for all costs associated with subordination activities now and in the future.

21. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.

22. The developer shall secure approval of a street naming plan from the Development Management Division prior to Mylar approval of the final plat or prior to issuance of building permit, whichever occurs first.

23. Fire department access roads shall be provided prior to any building permit or demolition permit. Such roads shall be an all-weather surface and designed to support a fire apparatus with a gross axle weight of 85,000 pounds.

24. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC).

25. Fire hydrant distribution shall follow IFC-2018 Table C102.1. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site.

26. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018.

27. The developer shall provide evidence to the Water Services director that the water and fire service lines meet current Water Services Department rules and regulations prior to a certificate of occupancy.

28. The developer shall cause a water flow test to be performed and provide evidence to the Water Services director which indicates whether there is adequate water pressure to serve the development prior to a building permit.

29. 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.

30. The developer shall submit drawings, prepared by a registered professional engineer licensed in

the State of Missouri for public water main extensions and fire hydrants and related appurtenances the water main extension desk for review, acceptance and contracts per the Water Services Department rules and regulations for water main extensions and relocations.

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.

_____
Joseph Rexwinkle, AICP
Secretary, City Plan Commission

Approved as to form and legality:

_____
Sarah Baxter
Assistant City Attorney

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