



## Legislation Details (With Text)

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<b>Type:</b>	Ordinance	<b>Status:</b>	Passed		
<b>File created:</b>	4/6/2023	<b>In control:</b>	Council		
<b>On agenda:</b>	4/20/2023	<b>Final action:</b>	4/20/2023		
<b>Title:</b>	Sponsor: Director of City Planning and Development Department  Rezoning an area of about 61.6 acres generally located at the southeast corner of I-435 and N. Congress Avenue from District AG-R to District M2-5 and approving a development plan, serving as a preliminary plat, to allow for two 400,000-square-foot industrial buildings. (CD-CPC-2023-00015 and CD-CPC-2023-00019)				
<b>Sponsors:</b>	Director of City Planning & Development, City Plan Commission				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Docket Memo, 2. 4.1_4.2_CD-CPC-2023-00019_CD-CPC-2023-00015_StaffReport_Five Star Logistics, 3. CPC Dispo Letter_rezoning, 4. CPC Dispo_Dev Plan, 5. FIVE STAR LOGISTICS_Rez-Dev-PP_23-03-17_v1, 6. EXHIBIT A (1).pdf, 7. 4-4 CPC Five Star Logistics PPT, 8. Authenticated Ordinances 230331				

Date	Ver.	Action By	Action	Result
4/20/2023	1	Council	Passed	Pass
4/19/2023	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
4/13/2023	1	Council	referred	

### ORDINANCE NO. 230331

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 61.6 acres generally located at the southeast corner of I-435 and N. Congress Avenue from District AG-R to District M2-5 and approving a development plan, serving as a preliminary plat, to allow for two 400,000-square-foot industrial buildings. (CD-CPC-2023-00015 and CD-CPC-2023-00019)

### 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-1382, rezoning an area of about 61.6 acres generally located at the southeast corner of I-435 and N Congress Avenue from District AG-R (Agricultural-Residential) to District M2-5 (Manufacturing 2 (Dash 5)), and approving a development plan, serving as a preliminary plat, to allow for two 400,000 square foot industrial buildings, said section to read as follows:

Section 88-20A-1382. That an area legally described as:

A tract of land in the Northeast Quarter of Section 24, Township 52, Range 34, Kansas City,

Platte County, Missouri, being bounded and described as follows: Beginning at the southeast corner of said Northeast Quarter; thence North 89 degrees 39 minutes 56 seconds West, along the south line of said Northeast Quarter, 2342.95 feet to a point on the east right of way line of N. Congress Avenue, as now established; thence northerly, along said right of way line, on a curve to the left, having a radius of 994.93 feet, an arc distance of 397.27 feet; thence North 0 degrees 23 minutes 55 seconds East, along said right of way line, 573.60 feet; thence northerly, along said right of way line, on a curve to the right, tangent to the last described course, having a radius of 1909.86 feet, an arc distance of 99.24 feet; thence North 3 degrees 23 minutes 58 seconds East, along said right of way line, 91.02 feet; thence northerly, along said right of way line, on a curve to the left, having an initial tangent bearing of North 3 degrees 25 minutes 16 seconds East, a radius of 1909.86 feet, an arc distance of 41.07 feet to a point on the south right of way line of Interstate Route 435, as now established; thence southeasterly, along said southerly right of way line on a curve to the left, having a radius of 2084.96 feet, an arc distance of 196.47 feet; thence South 89 degrees 21 minutes 45 seconds East, along said right of way line, 392.80 feet; thence due east, along said right of way line, 1671.09 feet to a point on the east line of said Northeast Quarter; thence South 0 degrees 32 minutes 02 seconds West, along said east line, 1171.86 feet to the point of beginning.

is hereby rezoned from District AG-R (Agricultural-Residential) to District M2-5 (Manufacturing 2 (Dash 5)), all as shown outlined on a map marked Section 88-20A-1382, 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. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
2. The developer shall secure approval of a project plan(s) for each phase from the City Plan Commission prior to a building permit. Detailed landscape plan, lighting plan, building elevations, and bicycle parking shall be reviewed at the time of project plan submission and approval.
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 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.
5. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
6. The developer shall add a private fire hydrant near North Congress Avenue and the north entrance drive.
7. The developer shall provide signage identifying the transition from the public road to private drive on the subject property labeled "public street maintenance ends" and "public street

maintenance begins," and establish a public access easement.

8. 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.
9. 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.
10. The developer shall dedicate additional right of way for N. Congress Avenue as required by the adopted Major Street Plan so as to provide a minimum of 50 feet of right-of-way as measured from the centerline, along those areas being platted, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.
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 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.
13. 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.
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 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.
16. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1 and NFPA1221)
17. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)

18. A required Fire Department access road shall be an all-weather surface. (IFC-2012: § 503.2.3). Fire Department access roads shall be provided before construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5). Required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
19. 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)
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 ensure that water and fire service lines meet current Water Services Department Rules and Regulations prior to a certificate of occupancy.
22. 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.
23. 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.
24. The developer shall submit water main extension drawings 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. Fire Hydrants at 300' maximum spacing.

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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Joseph Rexwinkle, AICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney