



Legislation Details (With Text)

**File #:** 240509      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 5/24/2024      **In control:** Council

**On agenda:** 6/27/2024      **Final action:** 6/27/2024

**Title:** Sponsor: Director of City Planning and Development Department

Approving a major amendment to a development plan on about 1.5 acres in District B2-2 generally located at 9880 N. Cedar Avenue, which also serves as a preliminary plat, to allow for the construction of a 13,000-square-foot day care center. (CD-CPC-2024-00002)

**Sponsors:** Director of City Planning & Development

**Indexes:**

**Code sections:**

**Attachments:** 1. Docket Memo 0.1.3, 2. 01\_CD-CPC-2024-00002\_StaffReport\_Kiddie Academy, 3. CPC Dispo Letter, 4. CPC recommend approval plans, 5. 5-8 CPC PPT Kiddie Academy, 6. Authenticated Ordinance 240509

Date	Ver.	Action By	Action	Result
6/27/2024	1	Council	Passed	Pass
6/25/2024	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
6/13/2024	1	Council	referred	

ORDINANCE NO. 240509

Sponsor: Director of City Planning and Development Department

Approving a major amendment to a development plan on about 1.5 acres in District B2-2 generally located at 9880 N. Cedar Avenue, which also serves as a preliminary plat, to allow for the construction of a 13,000-square-foot day care center. (CD-CPC-2024-00002)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a major amendment to a development plan, which also serves as a preliminary plat, in District B2-2 (Neighborhood Business 2 (Dash 2)), generally located at 9880 N. Cedar Avenue, and more specifically described as follows:

Part of Tract G, Amber Lakes First Plat, a subdivision of land in Kansas City, Missouri and part of a tract of land in the Southwest Quarter of Section 36, Township 52 North, Range 32 West, in the City of Kansas City, Clay County, Missouri, described as follows: Commencing at the northwest corner of said Southwest Quarter of Section 36; thence South 00°51'22" West, along the west line of said Southwest Quarter, a distance of 679.57 feet to the point of beginning on the south right-of-way line of Northeast 99th Street at a point of non-tangent curve to the left, having an initial tangent bearing of South 81°10'28" East, a radius of 530.00 feet and a central angle of 06°40'09"; thence along said south right-of-way line, being the arc of that curve, a

distance of 61.69 feet; thence South  $87^{\circ}50'37''$  East, continuing along said south right-of-way line, a distance of 14.95 feet to a point of curve to the right, having a radius of 770.00 feet and a central angle of  $13^{\circ}38'52''$ ; thence continuing along said south right-of-way line, being the arc of that curve, a distance of 183.41 feet; thence South  $74^{\circ}11'45''$  East, continuing along said south right-of-way line, a distance of 109.76 feet to a point of curve to the right, having a radius of 15.00 feet and a central angle of  $89^{\circ}55'20''$ ; thence continuing along said south right-of-way line, being the arc of that curve, a distance of 23.54 feet to a point on the west right-of-way line of North Cedar Avenue; thence South  $15^{\circ}43'35''$  West, along said west right-of-way line, a distance of 2.10 feet to a point of curve to the left, having a radius of 805.00 feet and a central angle of  $15^{\circ}47'18''$ ; thence continuing along said west right-of-way line, being the arc of that curve, a distance of 221.83 feet; thence South  $00^{\circ}03'43''$  East, continuing along said west right-of-way line, a distance of 359.36 feet to the northeast corner of Lot 2, Highland Plaza West, a subdivision of land in Kansas City, Clay County, Missouri; thence North  $78^{\circ}06'12''$  West, along the north line of said Lot 2, a distance of 206.56 feet; thence North  $78^{\circ}07'49''$  West, continuing along said north line, a distance of 29.32 feet to the south line of tract a of said Highland Plaza West, at a point of non-tangent curve to the left, having an initial tangent bearing of South  $85^{\circ}54'08''$  East, a radius of 8.00 feet and a central angle of  $93^{\circ}14'30''$ ; thence along the arc of that curve, being said south line of tract a, a distance of 13.02 feet to a point on the east line of said Tract A; thence North  $00^{\circ}51'22''$  East, along said east line, a distance of 252.49 feet to a point of curve to the left, having a radius of 2.00 feet and a central angle of  $90^{\circ}00'38''$ ; thence along the arc of that curve, being said east line, a distance of 3.14 feet to the north line of said Tract A; thence North  $89^{\circ}09'15''$  West, along said north line, a distance of 127.52 feet to the northwest corner of said Tract A on the east line of the Village at Barrington Woods, a subdivision of land in Kansas City, Clay County, Missouri; thence North  $00^{\circ}51'22''$  East, along said east line, a distance of 351.05 feet to the point of beginning, containing 4.14 acres, more or less.

is hereby approved, subject to the following conditions:

1. 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.
2. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
3. 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.
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. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
6. 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.

7. 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.
8. 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.
9. 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.
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 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 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 occupancy permits.
13. 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.
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 future developer of Lot 2 shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the Lot 2 platted frontage of N. Cedar Avenue and to a tie-in point with the existing sidewalks prior to issuance of a temporary certificate of occupancy associated with a building permit for Lot 2. In addition, the future developer of Lot 2 shall construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
16. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri Department of Natural Resources (MDNR) and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
17. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage of N. Cedar Avenue and to a tie-in point with the existing sidewalks. In addition the developer shall construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
18. The developer shall meet the fire flow requirements as set forth in Appendix B of the project International Fire Code 2018. (IFC-2018 § 507.1)
19. 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.
20. 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)
21. 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). 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) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4). The developer shall provide fire lane signage on fire access drives.
22. The proposed storm sewer shall be a private main located within a private storm drainage easement and covered by a covenant to maintain private storm sewer main.
23. The developer shall provide covenants to maintain private storm sewer mains acceptable to the Kansas City Water Services Department for any private storm sewer mains prior to the issuance of any building permits.
24. The developer shall provide private storm drainage easements for any private mains prior to issuance of any building permits.
25. The developer must secure permits to extend public sanitary sewers 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.

26. 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.
27. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
28. 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.
29. The developer shall provide a Missouri PE prepared water main extension plan set for installation of the one additional public fire hydrant through CompassKC for review, approval and contracts prior to a certificate of occupancy issuance for the building. The plans shall follow all Kansas City Water rules and regulations for water main extensions.

A copy of said development plan, which also serves as a preliminary plat, is on file in the office of the City Clerk with this ordinance and is made a part hereof.

Section B. 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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Ahnna Nanoski, AICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney