

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 240615

Rezoning an area of about 15.3 acres generally located between N.W. 81st Street (extended) and N.W. 83rd Street on both sides of N.W. Milrey Drive (8199 N.W. Milrey Drive) from District R-2.5 to District R-1.5 and approving a development plan which also serves as a preliminary plat for a residential development consisting of two lots and one tract. (CD-CPC-2024-00060 and CD-CPC-2024-00061)

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-1441 rezoning an area of about 15.3 acres generally located between N.W. 81st Street (extended) and N.W. 83rd Street on both sides of N.W. Milrey Drive (8199 N.W. Milrey Drive) from District R-2.5 (Residential 2.5) to District R-1.5 (Residential 1.5), said section to read as follows:

Section 88-20A-1441. That an area legally described as:

All that part of the South Half of the Southeast Quarter of Section 12, Township 51 North, Range 34 West in Kansas City, Platte County, Missouri, more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 12; thence North 89 degrees 42 minutes 16 seconds West, along the South line of the Southeast Quarter of said Section 12, a distance of 1308 feet, to a point on the Southerly extension of the East line of Tract "C" Tiffany Manor, 2nd Plat, a subdivision in Kansas City, Platte County, Missouri; thence North 0 degrees 24 minutes 40 seconds East along the East line and its extension of said Tract "C" and along the West line and its extension of Tract "A", Tiffany Manor, a subdivision in Kansas City, Platte County, Missouri, a distance of 535 feet, to the True Point of Beginning of subject tract; thence continuing North 0 degrees 24 minutes 40 seconds East, along the East line of said Tract "C" and along a line parallel to the East line of the Southeast Quarter of said Section 12, a distance of 428.64 feet, to the Northeast corner of said Tract "C"; thence North 89 degrees 46 minutes 28 seconds West, along the North line of said Tract "C", a distance of 10 feet to the Southeast corner of Tract 4, Tiffany Manor, 3rd Plat, a subdivision in Kansas City, Platte County, Missouri; thence North 0 degrees 24 minutes 40 seconds East along the East line of said Tiffany Manor, 3rd Plat, a distance of 355 feet to a point on the North line of the South Half of the Southeast Quarter of said Section 12, said point also being on the South line of Lot 14, Berry View Square – Third Plat, a subdivision in Kansas City, Platte County, Missouri; thence South 89 degrees 46 minutes 28 seconds East along the North line of the South Half of the Southeast Quarter of said Section 12 and along the South line and its extension of said Lot 14 and along the South line and its extension of Lots 13, 12 and 11, Berry View Square, Second Plat, a subdivision in Kansas City, Platte County, Missouri, a distance of

882 feet; thence South 0 degrees 24 minutes 40 seconds West, along a line parallel to the East line of the Southeast Quarter of said Section 12, a distance of 660 feet to a point on the North line of said Tract "A"; thence North 89 degrees 46 minutes 28 seconds West, along the North line of said Tract "A" and along a line 660 feet South of and parallel to the North line of the South Half of the Southeast Quarter of said Section 12, a distance of 75 feet; thence South 60 degrees 54 minutes 18 seconds West, along the Northwesterly line of said Tract "A", a distance of 253.93 feet; thence North 89 degrees 42 minutes 16 seconds West along a line parallel to the South line of the Southeast Quarter of said Section 12, a distance of 576 feet to the True Point of Beginning, subject to that part, if any, in streets, roadways, highways or other public rights-of-way.

is hereby rezoned from District R-2.5 (Residential 2.5) to District R-1.5 (Residential 1.5), as shown outlined on a map marked Section 88-20A-1441, 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 submit an affidavit, completed by an ISA certified arborist, an SAF certified forester, a professional engineer, or a landscape architect licensed in the State of Missouri, verifying that all trees preserved and all trees planted to meet mitigation required of the approved plan, whichever is applicable, has been installed or preserved in accordance with the plan and is healthy prior to a certificate of occupancy.
2. 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.
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. 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.
5. All signage shall conform to 88-445 and shall require a sign permit prior to installation.

6. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
7. The developer shall submit a revised landscape plan and tree preservation plan prior to the issuance of any building permit.
8. The developer shall be responsible for tree preservation in an easement or platted tract, mitigation planting, or payment of cash-in-lieu of preservation or mitigation planting, or any combination thereof in accordance with 88-424. Should the developer choose to pay cash-in-lieu of preservation or mitigation of all or a portion of the required area, the amount due shall be based upon the rate specified in 88-424. This requirement shall be satisfied prior to issuance of a certificate of occupancy, or prior to the recording of the final plat, whichever occurs first.
9. Required Fire Department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in clearance height.
10. A required Fire Department access road 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 designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
11. The developer shall provide fire lane signage on fire access drives.
12. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
13. 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)
14. The project shall provide appropriate signage and distinction of fire access on the northwest access road.
15. 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)
16. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
17. 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.
18. 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.

19. No water service line will be less than 1-1/2” in diameter where three or more units or a commercial building will be served by one domestic service line and meter.
20. 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.
21. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
22. 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.
23. 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.
24. The developer shall submit plans for grading, siltation, and erosion control to the Kansas City Water Services Department 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.
25. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by Kansas City Water Services Department 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.
26. 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 Kansas City Water Services Department, prior to recording the plat or issuance of a building permit, whichever occurs first.
27. The internal sanitary and storm sewers shall be private service lines.
28. Prior to the issuance of any building permit the developer shall submit a revised landscape plan and tree preservation plan to the Development Management Division in the City Planning and Development Department.

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.

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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.

..end

I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

Ahanna Namouki
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Sarah Baxter
Senior Associate City Attorney



Authenticated as Passed

Quinton Lucas
Quinton Lucas, Mayor

Marilyn Sanders
Marilyn Sanders, City Clerk

JUL 25 2024

Date Passed