



File #: 250221

ORDINANCE NO. 250221

Rezoning an area of about 25.22 acres generally located at the southeast corner of East 135th Street and Wornall Road from District M3-5 to District UR and approving a development plan which also serves as a preliminary plat to allow for a mixed use development that includes residential, office, and manufacturing uses on three lots. (CD-CPC-2024-00156)

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-1469, said section to read as follows:

Section 88-20A-1469. That an area legally described as:

A tract of land situated in the Southwest Quarter of Section 20, Township 47, Range 33, in Kansas City, Jackson County, Missouri described as follows: Commencing at the Northeast corner of said Southwest Quarter-Section; Thence South 3°30'17" West, along the East line of said Quarter-Section, a distance of 73.49 feet to a point on the former South Right-of-Way of 150 Highway as shown on the plat of MARTIN CITY ACRES, a subdivision in said City and State; Thence North 85°08'41" West, along said former Right-of-Way, a distance of 660.13 feet to the Northwest corner of Lot 1, MARTIN CITY ACRES; Thence South 3°30'17" West, along the West boundary of said subdivision, a distance of 10.00 feet to the Point of Beginning; Thence continuing South 3°30'17" West, along said West boundary, a distance of 1654.64 feet to a point 337.89 feet South of the Southwest corner of said plat; Thence South 85°46'08" East, parallel to the North line of said Southwest Quarter-Section, a distance of 98.16 feet to the former centerline of a creek; Thence South 25°46'08" East, a distance of 22.89 feet, this and the following three (3) courses being along said former centerline; Thence South 46°46'08" East, a distance of 42.00 feet; Thence South 32°13'52" West, a distance of 30.00 feet; Thence South 64°13'52" West, a distance of 43.39 feet to the centerline of Storm Creek; Thence North 39°17'23" West, a distance of 18.92 feet, this and the following thirty-nine (39) courses being along said centerline; Thence North 53°52'45" West, a distance of 47.50 feet; Thence North 48°47'16" West, a distance of 44.21 feet; Thence North 39°20'51" West, a distance of 28.51 feet; Thence North 89°11'08" West, a distance of 32.22 feet; Thence North 37°15'33" West, a distance of 23.56 feet; Thence North 42°12'04" West, a distance of 20.94 feet; Thence North 54°32'10" West, a distance of 22.64

feet; Thence North 48°12'05" West, a distance of 26.71 feet; Thence North 43°24'04" West, a distance of 26.08 feet; Thence North 70°55'03" West, a distance of 51.15 feet; Thence North 80°10'19" West, a distance of 32.61 feet; Thence North 56°34'11" West, a distance of 16.93 feet; Thence North 26°29'17" West, a distance of 29.32 feet; Thence North 12°19'35" West, a distance of 37.78 feet; Thence North 24°44'02" West, a distance of 33.06 feet; Thence North 18°35'47" West, a distance of 32.42 feet; Thence North 16°32'27" West, a distance of 16.62 feet; Thence North 30°05'42" West, a distance of 27.14 feet; Thence North 35°31'43" West, a distance of 33.67 feet; Thence North 04°38'47" East, a distance of 22.36 feet; Thence North 11°35'48" East, a distance of 13.84 feet; Thence North 59°16'21" East, a distance of 29.54 feet; Thence North 54°54'08" East, a distance of 33.27 feet; Thence South 74°09'07" East, a distance of 27.98 feet; Thence North 34°24'24" East, a distance of 12.62 feet; Thence North 10°27'56" East, a distance of 26.17 feet; Thence North 03°06'35" East, a distance of 29.96 feet; Thence North 31°53'09" West, a distance of 43.54 feet; Thence North 20°38'57" West, a distance of 25.32 feet; Thence North 44°11'09" West, a distance 29.91 feet; Thence North 54°49'17" West, a distance of 30.26 feet; Thence North 66°29'58" West, a distance of 26.27 feet; Thence South 88°04'17" West, a distance of 24.88 feet; Thence South 83°56'55" West, a distance of 25.38 feet; Thence South 82°55'57" West, a distance of 29.91 feet; Thence South 80°37'35" West, a distance of 31.12 feet; Thence South 88°45'51" West, a distance of 24.36' feet; Thence South 86°04'30" West, a distance of 52.79 feet; Thence North 80°47'32" West, a distance of 216.72 feet; Thence South 47°24'57" West, a distance of 64.73 feet; Thence South 70°49'04" West, a distance of 45.55 feet; Thence South 48°43'21" West, a distance of 197.54 feet to a point on a line 350.00 feet East of and parallel to the centerline of Wyandotte Street; Thence North 3°31'22" East, along said parallel line, a distance of 686.23 feet; Thence South 86°29'25" East, a distance of 288.27 feet; Thence North 03°31'41" West, a distance of 453.76 feet to a point on the South boundary of MARTIN CITY BUSINESS PARK, a subdivision in said City and State; Thence South 86°28'38" East, a distance of 25.03 feet to a point on the West line of the Northeast Quarter of said Southwest Quarter-Section, this and the following three (3) courses being along said plat; Thence North 3°31'22" East, a distance of 91.80 feet; Thence North 85°46'08" West, parallel to the North line of said Southwest Quarter-Section, a distance of 100.00 feet; Thence North 3°31'22" East, a distance of 56.00 feet to the Southwest corner of a tract of land described in Book B5513 at Page 599; Thence South 85°46'08" East, along said tract, a distance of 100.00 feet to a point on said West line of the Northeast Quarter of said Southwest Quarter-Section; Thence North 3°31'22" East, along said West line, a distance of 84.94 feet to a point on the South Right-of-Way of 150 Highway, said point being 59.06 feet South of the North line of said Southwest Quarter-Section; Thence South 85°08'41" East, along said Right-of-Way, a distance of 448.89 feet; Thence South 4°51'19" West, along said Right-of-Way, a distance of 10.00 feet; Thence South 85°08'41" East, along said Right-of-Way, a distance of 216.42 feet to the Point of Beginning.

is hereby rezoned from District M3-5 (Manufacturing) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1469 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 which also serves as a preliminary plat for the area more specifically described as follows:

A tract of land situated in the Southwest Quarter of Section 20, Township 47, Range 33, in Kansas City, Jackson County, Missouri described as follows: Commencing at the Northeast corner of said Southwest Quarter-Section; Thence South 3°30'17" West, along the East line of said Quarter-Section, a distance of 73.49 feet to a point on the former South Right-of-Way of 150 Highway as shown on the plat of MARTIN CITY ACRES, a subdivision in said City and State; Thence North 85°08'41" West, along said former Right-of-Way, a distance of 660.13 feet to the Northwest corner of Lot 1, MARTIN CITY ACRES; Thence South 3°30'17" West, along the West boundary of said subdivision, a distance of 10.00 feet to the Point of Beginning; Thence continuing South 3°30'17" West, along said West boundary, a distance of 1654.64 feet to a point 337.89 feet South of the Southwest corner of said plat; Thence South 85°46'08" East, parallel to the North line of said Southwest Quarter-Section, a distance of 98.16 feet to the former centerline of a creek; Thence South 25°46'08" East, a distance of 22.89 feet, this and the following three (3) courses being along said former centerline; Thence South 46°46'08" East, a distance of 42.00 feet; Thence South 32°13'52" West, a distance of 30.00 feet; Thence South 64°13'52" West, a distance of 43.39 feet to the centerline of Storm Creek; Thence North 39°17'23" West, a distance of 18.92 feet, this and the following thirty-nine (39) courses being along said centerline; Thence North 53°52'45" West, a distance of 47.50 feet; Thence North 48°47'16" West, a distance of 44.21 feet; Thence North 39°20'51" West, a distance of 28.51 feet; Thence North 89°11'08" West, a distance of 32.22 feet; Thence North 37°15'33" West, a distance of 23.56 feet; Thence North 42°12'04" West, a distance of 20.94 feet; Thence North 54°32'10" West, a distance of 22.64 feet; Thence North 48°12'05" West, a distance of 26.71 feet; Thence North 43°24'04" West, a distance of 26.08 feet; Thence North 70°55'03" West, a distance of 51.15 feet; Thence North 80°10'19" West, a distance of 32.61 feet; Thence North 56°34'11" West, a distance of 16.93 feet; Thence North 26°29'17" West, a distance of 29.32 feet; Thence North 12°19'35" West, a distance of 37.78 feet; Thence North 24°44'02" West, a distance of 33.06 feet; Thence North 18°35'47" West, a distance of 32.42 feet; Thence North 16°32'27" West, a distance of 16.62 feet; Thence North 30°05'42" West, a distance of 27.14 feet; Thence North 35°31'43" West, a distance of 33.67 feet; Thence North 04°38'47" East, a distance of 22.36 feet; Thence North 11°35'48" East, a distance of 13.84 feet; Thence North 59°16'21" East, a distance of 29.54 feet; Thence North 54°54'08" East, a distance of 33.27 feet; Thence South 74°09'07" East, a distance of 27.98 feet; Thence North 34°24'24" East, a distance of 12.62 feet; Thence North 10°27'56" East, a distance of 26.17 feet; Thence North 03°06'35" East, a

distance of 29.96 feet; Thence North 31°53'09" West, a distance of 43.54 feet; Thence North 20°38'57" West, a distance of 25.32 feet; Thence North 44°11'09" West, a distance 29.91 feet; Thence North 54°49'17" West, a distance of 30.26 feet; Thence North 66°29'58" West, a distance of 26.27 feet; Thence South 88°04'17" West, a distance of 24.88 feet; Thence South 83°56'55" West, a distance of 25.38 feet; Thence South 82°55'57" West, a distance of 29.91 feet; Thence South 80°37'35" West, a distance of 31.12 feet; Thence South 88°45'51" West, a distance of 24.36' feet; Thence South 86°04'30" West, a distance of 52.79 feet; Thence North 80°47'32" West, a distance of 216.72 feet; Thence South 47°24'57" West, a distance of 64.73 feet; Thence South 70°49'04" West, a distance of 45.55 feet; Thence South 48°43'21" West, a distance of 197.54 feet to a point on a line 350.00 feet East of and parallel to the centerline of Wyandotte Street; Thence North 3°31'22" East, along said parallel line, a distance of 1139.85 feet to a point on the South boundary of MARTIN CITY BUSINESS PARK, a subdivision in said City and State; Thence South 86°28'38" East, a distance of 313.34 feet to a point on the West line of the Northeast Quarter of said Southwest Quarter-Section, this and the following three (3) courses being along said plat; Thence North 3°31'22" East, a distance of 91.80 feet; Thence North 85°46'08" West, parallel to the North line of said Southwest Quarter-Section, a distance of 100.00 feet; Thence North 3°31'22" East, a distance of 56.00 feet to the Southwest corner of a tract of land described in Book B5513 at Page 599; Thence South 85°46'08" East, along said tract, a distance of 100.00 feet to a point on said West line of the Northeast Quarter of said Southwest Quarter-Section; Thence North 3°31'22" East, along said West line, a distance of 84.94 feet to a point on the South Right-of-Way of 150 Highway, said point being 59.06 feet South of the North line of said Southwest Quarter-Section; Thence South 85°08'41" East, along said Right-of-Way, a distance of 448.89 feet; Thence South 4°51'19" West, along said Right-of-Way, a distance of 10.00 feet; Thence South 85°08'41" East, along said Right-of-Way, a distance of 216.42 feet to the Point of Beginning.

is hereby approved, subject to the following conditions:

1. The applicant shall submit an application, gain approval, and record a final plat prior to issuance of any certificate of occupancy.
2. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
3. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
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. Prior to issuance of the certificate of occupancy for each lot within the plat 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.
6. 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.
7. The developer shall secure approval of a project plan from the City Plan Commission prior to a building permit.
8. Standpipes shall be installed in compliance with NFPA 14. (IFC-2018 § 905.1)
9. Fire hydrants shall be installed and operable before the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA 241-2013 § 8.7.2)
10. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
11. Fire lane signage shall be provided on fire access drives. (IFC-2018 § 503.3)
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. Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
14. A required Fire Department access road shall be an all-weather surface. (IFC-2012 § 503.2.3) (No Grass Pavers Allowed)
15. Required Fire Department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in. clearance height. Check with Streets & Traffic (KCMO Public Works) or Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018 § 503.2.1)
16. 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)
17. 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)

18. Fire hydrant(s) shall be within 400 feet on a fire access road following an approved route established by the Authority Having Jurisdiction (AHJ) of any exterior portion of a building. The use of existing fire hydrant(s) may be used to satisfy this requirement otherwise a private fire hydrant(s) or hydrant system may be required. This distance may be increased to 600 feet for R-3 and U occupancy(s) or the building(s) is fully protected by an approved automatic fire sprinkler system(s). (IFC-2018: § 507.5.1)
19. The developer shall add reinforcement to the exterior doors of the multi-family units for safety. Items such as steel braces to reinforce wooden door frames or metal door frames have been proven to lower the risk of crime.
20. The developer shall ensure all units in the multi-family area have 180-degree eye viewers which will allow a person to view outside their apartment prior to opening the door.
21. Address must be determined, and location should be identified/shown on plan elevations prior to approval of final plan. Consider placing address on Monument sign near main roadway to assist first responders with location identification.
22. The lighting plan that show footcandle readings should be submitted prior to approval of the building permit. The industry standard according to the Illumination Engineering Society (IES) for average maintained footcandles for common areas/parking lots of multi-family units is 3fc with an average to minimum ratio of 4:1, 10fc at the mailbox areas with an average to minimum ratio of 3:1, and .8fc at exterior doors with an average to minimum ratio of 4:1. (G-1-22)
23. Dumpster location/screening needs to be labeled on the landscape plan prior to approval of building permit. The screening shall be 6 inches to 1 foot from the ground on at least one side if solid screening materials are proposed or a convex mirror mounted from a raised positioned angled into the dumpster area to remove concealment areas should be considered for improved security/safety of the property.
24. The developer shall identify the maximum height of plantings in close proximity to lighting elements prior to approval of building permit. The mature height of these plantings shall not impact or lessen the footcandles shown on the approved photometric plan.
25. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due

shall be based upon the 2024 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to a certificate of occupancy.

26. The developer shall submit a final plan detailing recreational amenities proposed within each private open space tract serving to satisfy the parkland dedication requirements. Please note, each area shall provide recreational amenities. The final plan shall be submitted prior to release of the final plat.
27. 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.
28. 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.
29. 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.
30. 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.
31. 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.
32. The developer shall dedicate additional right of way and provide easements, if required, for E. 135th Street as required by the adopted major street plan and/or

Chapter 88 so as to provide a minimum of 40 feet of right of way as measured from the centerline, along those areas being platted.

33. 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.
34. The developer shall obtain approval from the Transportation Development Committee for location of secondary (emergency) access within the 135th Street/Wornall Road intersection prior to obtaining associated permits and beginning construction of the improvements in the public right of way.
35. 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.
36. 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.
37. 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.
38. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
39. The proposed site grading within the existing water main easement shall be reviewed and approved by the Kansas City Water Services Director or their representative. The site design engineer shall submit a plan and profile with the actual 24" transmission main shown at field located elevations and the proposed and existing grades shown. This grading approval shall be completed prior to any plat recording or building permit issuance.
40. The developer shall provide a covenant to maintain private storm sewer main acceptable to the Kansas City Water Services Department for any private storm sewer mains prior to the issuance of any building permits.
41. The internal storm and sanitary sewers shall be private utility mains located within private storm drainage and private sanitary sewer easements and be covered by a covenant to maintain private storm and sanitary sewer mains acceptable to the Kansas City Water Services Department.

42. The developer shall submit covenants, conditions and restrictions to the Kansas City Water Services Department 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 storm water detention area tracts, prior to recording the plat.
43. The developer shall show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Kansas City Water Services Department.
44. The developer shall provide a covenant to maintain private sanitary sewer main acceptable to the Kansas City Water Services Department for any private sanitary sewer mains prior to the issuance of any building permits.
45. The developer shall obtain a floodplain development permit from Development Services prior to beginning any construction activities with the floodplain.
46. The developer shall submit a final stream buffer plan to the Kansas City Water Services Department 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.
47. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
48. The developer must grant a BMP easement to the City as required by the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits.
49. The developer shall secure permits to extend private 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.
50. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the 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.
51. 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.

52. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Kansas City Water Services Department showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Kansas City Water Services Department for review and acceptance for the disturbed 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 Kansas City Water Services Department.
53. 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.
54. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Kansas City Water Services Department, prior to issuance of any stream buffer permits.
55. The developer shall provide private storm drainage and sanitary sewer easements for any private mains prior to the issuance of any building permits.

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 and development plan 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.

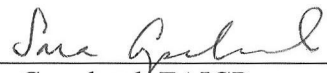


Authenticated as Passed

Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

MAR 20 2025


Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:


Sarah Baxter
Senior Associate City Attorney