

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 240569

Rezoning an area of about 50 acres generally located at Raytown Road and Blue Ridge Cutoff from Districts M1-5, R-7.5 and B3-2 to District MPD, and approving an MPD preliminary development plan which serves as a preliminary plat for a manufactured home community consisting of one lot and two tracts. (CD-CPC-2024-00018)

WHEREAS, the developer agrees to remain open for discussions with City staff regarding ownership of Land Bank property and/or a maintenance agreement at the level currently being maintained by Land Bank; NOW, THEREFORE,

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-1438, rezoning an area of about 50 acres generally located at Raytown Road and Blue Ridge Cutoff from District M1-5 (Manufacturing-1-5), R-7.5 (Residential 7.5) and B3-2 (Commercial) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A-1438. That an area legally described as:

TRACT 1: A tract of land in the Southwest Quarter of Section 29, Township 49 North, Range 32 West, that is all that part of Lot 1, William Lane Estate, that lies east of the easterly right of way line of Blue Ridge Cutoff and all that part of the East Half of said Quarter Section that lies west of the westerly right of way line of Raytown Road, except the south 720 feet thereof, all in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning at the southeast corner of said Lot 1, thence North 87 degrees 30 minutes 29 seconds West along the south line of said Lot 1, a distance of 858.38 feet to a point in the easterly right of way line of Blue Ridge Cutoff, as now established; thence North 25 degrees 49 minutes 46 seconds East along said right of way line, a distance of 163.00 feet; thence South 79 degrees 05 minutes 34 seconds East continuing along said right of way line, a distance of 69.52 feet; thence North 31 degrees 53 minutes 46 seconds East continuing along said right of way line, a distance of 561.74 feet to a point in the north line of said Lot 1; thence South 87 degrees 08 minutes 13 seconds East along said north line, a distance of 445.03 feet to the northeast corner of said lot, said point also being on the west line of the East Half of said Quarter Section; thence North 02 degrees 06 minutes 20 seconds East, along said west line, a distance of 657.40 feet to a point on the westerly right of way line of Raytown Road, as now established; thence South 38 degrees 31 minutes 05 seconds East along said right of way line, a distance of 228.11 feet; thence South 55 degrees 01 minute 05

seconds East, continuing along said right of way line, a distance of 311.31 feet; thence South 42 degrees 35 minutes 13 seconds East, continuing along said right of way line, a distance of 633.52 feet; thence South 20 degrees 11 minutes 03 seconds East, continuing along said right of way line, a distance of 63.00 feet to the P.C. of a curve to the left having a radius of 603.69 feet; thence continuing along said right of way line of said curve, a distance of 272.52 feet; thence South 46 degrees 02 minutes 57 seconds East, continuing along said right of way line, a distance of 147.86 feet to a point on a line 720.00 feet north of and parallel with the south line of said Quarter Section; thence North 87 degrees 30 minutes 19 seconds West along said parallel line, a distance of 1,145.44 feet to a point in the west line of said East Half; thence South 02 degrees 06 minutes 20 seconds West, along said west line, a distance of 121.02 feet to the point of beginning.

TRACT 2: That part of Lot 2, Subdivision of William Lane Estate, a subdivision in Kansas City, Jackson County, Missouri, which lies east of relocated Blue Ridge Cut-off and east of Sni-A-Bar Road, as both are now established, according to the recorded plat thereof.

TRACT 3: Tract III of the land referred to in the warranty deed recorded as Document 200010066682, all in the Southeast Quarter of the Southwest Quarter of Section 29, Township 49, Range 32, N. Kansas City, Jackson County, Missouri, more particularly described as follows: Beginning at the northeast corner of Lot 2, Funkhouser's Subdivision; thence North 01°59'28" East, along the northerly prolongation of the east line of said Lot 2, a distance of 346.94 feet (350 feet - deed); thence North 87°30'19" West, a distance of 739.77 feet (739 feet +/- -deed) to the west line of said Quarter Section; thence South 02°06'20" West, along said west line, a distance of 552.91 feet (to a point 160 feet north of the south line - deed & measured); thence South 87°20'37" East a distance of 303.64 feet (330 feet - deed) to the northeast corner of Manning Avenue (as established in the recorded plat of Lane Meadows Seventh Plat); thence South 02°03'41" West, along the east line of said Manning Avenue, a distance of 160.79 feet (deed & measured) to the south line of said Quarter Section; thence South 87°11'39" East, along said south line, a distance of 247.47 feet to the southwest corner of Lot 18 in said Funkhouser's Subdivision; thence North 01°59'28" East, 370 feet (deed & measured) to the northwest corner of lot in said Funkhouser's Subdivision; thence South 87°11'39" East, along the north lines of said Lots 1 and 2, a distance of 190 feet (deed & measured) to the point of beginning.

TRACT 4: Tract B, Lane Meadows, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

is hereby rezoned from District MPD (Master Plan Development) to District MPD (Master Planned Development), as shown outlined on a map marked Section 88-20A-1438, 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 MPD preliminary 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 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 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.
3. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat.
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 screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
7. 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.
8. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to a building permit for all phases except for Phase I. The developer shall secure approval of an administrative site plan approval from the Development Management Division within City Planning and Development and KCPD prior to the issuance of any building permit for Phase I.
9. The developer shall submit a tree removal plan that complies with 88-424 to the Development Management Division within City Planning and Development prior to the issuance of any building permits.

10. 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.
11. 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.
12. 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.
13. 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.
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 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.
16. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department for the maintenance of

private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.

17. 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.
18. 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.
19. 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.
20. The developer shall design and construct a public street extension from Sni-A-Bar Road to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
21. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
22. 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.
23. Required Fire Department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in. clearance height. (IFC-2018: § 503.2.1) 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 be designed to support a fire apparatus with 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)
24. The developer shall provide fire lane signage on fire access drives.
25. One- and two-family residential developments exceeding 30 dwelling units shall have at least two separate and approved fire apparatus access roads (IFC-2018: § D107.1) Where two fire apparatus access roads are required, they shall be placed a distance apart equal to but not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. (IFC-2018: § D106.3)

26. If an approved security gate spans across a fire access road, an approved means for emergency operation shall be provided (IFC-2018 § 503.6) Security gates which span across a fire access road shall provide a means for emergency operation. Electric gates shall require a siren sensor device typically referred to as a "yelp gate" (IFC-2018 § 503.6).
27. 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 recording of the final plat.
28. The developer shall submit a streetscape plan with a 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.
29. The developer shall ensure that water and fire service lines meet current Water Services Department rules and regulations prior to a certificate of occupancy.
30. 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.
31. 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.
32. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
33. Water/sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
34. All water mains, service lines and fire hydrants shall be private.
35. The developer shall submit a final stream buffer plan for review and 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.
36. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88, prior to issuance of any stream buffer permits.

37. The developer must 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.
38. The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
39. The internal water and sewer lines shall be private service lines.
40. The developer agrees to submit current tree count and plan to replace any removal of trees per City policy and plan conditions.
41. The developer shall show where the connection to the public water main will be for the private services, the public water main size and how it will connect with meter placement.

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.

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney