



Kansas City

414 E. 12th Street
Kansas City, MO
64106

Legislation Text

File #: TMP-5124

ORDINANCE NO. TMP-5124

Rezoning an area of about 56 acres generally located at N. Line Creek Parkway and N.W. Old Stagecoach Road from District AG-R to District R-7.5 and approving a development plan to allow for residential development consisting of 283 dwelling units. (CD-CPC-2024-00169 & CD-CPC-2024-00164)

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-1466, rezoning an area of about 56 acres generally located at N. Line Creek Parkway and N.W. Old Stagecoach Road from District AG-R (Agricultural-Residential) to District R-7.5 (Residential) and approving a development plan to allow for residential development consisting of 283 dwelling units, said section to read as follows:

Section 88-20A-1466. That an area legally described as:

Begin at the nw corner of the SW 1/4 of Sec 4 T51 R33 then S 00-04-37 W, 280.50' thence S 89-45-00 E, 337.78' then N 58-19-25 W, 16.77'.

is hereby rezoned from AG-R (Agricultural-Residential) to R-7.5 (Residential), all as shown outlined on a map marked Section 88-20A-1466, 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, 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.

3. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
4. 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.
5. 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.
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 secure approval of a project plan from the City Plan Commission prior to a building permit.
8. Prior to the approval of a project plan or final plat the applicant shall resolve the Parks Department correction stating: The Parks Department is not supportive of the southern portion of Tract C used to satisfy the parkland dedication requirements of Section 88-408. Plans shall be revised to only allow the northern portion of Tract C as private open space counted towards parkland dedication.
9. Prior to the approval of a project plan or final plat the applicant shall resolve the correction from KCFD stating: Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4. (IFC-2018 § D103.4)
10. Prior to recording the final plat the developer shall secure approval of a project plan from the City Plan Commission for each private open space tract.
11. Prior to submittal for the final plat the applicant must submit and gain approval of a street name plan.
12. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
13. The developer shall meet the minimum fire hydrant requirements of the Kansas City, Missouri Water Services Department applicable to a water main extension which is every 300 feet commercial or 600 feet residentially zoned area.

14. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
15. 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)
16. A required Fire Department access road shall be an all-weather surface. (IFC-2012: §503.2.3)
17. Required Fire Department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 feet, 6 inch clearance height. The developer shall check with KCMO Public Works or the Missouri Department of Transportation that may have street planning regulations that supersede the Fire Code. (IFC 2018: § 503.2.1)
18. 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)
19. 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)
20. Consider adding reinforcement to the exterior doors of the property for safety. Items such as steel braces to reinforce wooden door frames or metal door frames have been proven to lower the risk of crimes.
21. Consider all units to have 180-degree eye viewers (peep holes) which will allow a person to view outside their apartment prior to opening the door.
22. Address must be determined, and location should be identified and described or shown on site plan prior to approval of building permit. Address should be placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background and be Arabic numerals or alphabetical letters. Each character should not be less than 4 inches in height with a stroke width of not less than 0.5 inches.
23. The developer shall submit a lighting plan prior to obtaining a building permit that shows foot-candles. The minimum Illumination Engineering Society (IES) standards for this development would be: average maintained foot-candles (fc) for common areas/parking lots would be 3 fc with an average to minimum ratio of 4:1, 10 fc at the mailbox areas with an average to minimum ratio of 3:1, 0.8 fc at exterior doors with an average to minimum ratio of 4:1, and 0.6 fc on trails/pathways with an average to minimum ratio of 4: 1 (G-1-22).

24. Plant height near lighting fixtures should be identified and/or a note should be added explaining that landscaping trees will not interfere with the lighting (foot-candle ratings) prior to obtaining a building permit.
25. The developer shall fully comply with the parkway and boulevard standards as outlined in 88-323 or seek variance from the Board of Zoning Adjustment prior to building permit.
26. Prior to construction adjacent to a parks and recreation jurisdictional street and/or park the developer and/or their representative shall obtain a parks permit for storage and restoration within a park or a parks and recreation jurisdictional street right-of-way including but not limited to the installation of construction trailer, stockpiling of materials or equipment, construction roads and utility cabinets/meters.
27. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a Parks and Recreation jurisdictional street. The letter shall identify the state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. 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 Parks and Recreation Department, prior to recording the plat/issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
28. 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.
29. The developer shall submit plans to the Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and streetlighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks and Recreation Department standards.
30. 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. Final plan shall be submitted prior to release of final plat.

31. Any trails to be credited towards satisfying the parkland dedication requirements shall be a minimum width of 7 feet, constructed of concrete, and meet the construction standards of the Parks and Recreation Department.
32. 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.
33. 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.
34. A traffic impact study shall be submitted and approved by the Public Works Department to review the warrants for a traffic signal installation at the intersection of N.W. Barry Road and N. Line Creek Parkway prior to the approval of a project plan.
35. 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.
36. 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.
37. The developer shall design and construct N.W. 90th Street to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.

38. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
39. 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.
40. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
41. The developer shall subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and that the developer shall be responsible for all costs associated with subordination activities now and in the future.
42. No water service tap permits will be issued until the public water main is released for taps.
43. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
44. The developer shall ensure that water and fire service lines should meet current Kansas City Water rules and regulations, prior to a certificate of occupancy.
45. 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.
46. 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.
47. Submit public water main extension plans prepared by a Missouri professional engineer meeting all the Kansas City, Missouri Water Services Department rules and regulations through Compass KC for the public water main extension in NW 90th Street. This public water main shall be 12" Class 52 DIP and connect at both

ends with the existing public water distribution system. The water main extension plans shall be designed and contracted (permitted) prior to building permit issuance or recording of the plat.

48. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Kansas City, Missouri Water Services Department, prior to issuance of any stream buffer permits.
49. 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.
50. The developer shall provide covenants to maintain private utility mains acceptable to the Kansas City, Missouri Water Services Department for any private utility mains located within private streets prior to the issuance of any building permits.
51. The developer shall submit covenants, conditions and restrictions to the Kansas City, Missouri Water Services Department 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.
52. The developer shall submit a final stream buffer plan to the Kansas City, Missouri 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.
53. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
54. Kansas City, Missouri Water Services Department public utility easements shall be exclusive and should not overlap the general utility easements.
55. The developer must grant a BMP and/or surface drainage easement to the City as required by KC Water, prior to recording the plat or issuance of any building permits.
56. The developer must secure permits to extend 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, Missouri Water Services Department, prior to recording the plat or issuance of a building permit, whichever occurs first.
57. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Kansas City, Missouri 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.

58. The developer shall submit plans for grading, siltation, and erosion control to the Kansas City, Missouri 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.
59. 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.
60. 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, Missouri 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, Missouri 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, Missouri Water Services Department.
61. Any utilities located within private streets shall be private utility mains located within private utility easements and covered by covenants to maintain private utility mains.
62. The developer shall provide private utility easements for any private utility mains prior to 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

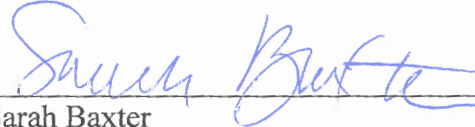

Marilyn Sanders, City Clerk

JAN 30 2025

Date Passed

Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:


Sarah Baxter
Senior Associate City Attorney