File #: 250674, **Version:** 2

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 250674

Sponsor: Director of City Planning and Development Department
COMMITTEE SUBSTITUTE

Rezoning an area of approximately 30 acres generally located at the northeast corner of N.E. Shoal Creek Parkway and Maplewoods Parkway from Districts B3-2 and R-2.5 to District R-2.5 and approving a development plan which also serves as a preliminary plat allowing for 177-unit cottage house development on one lot. (CD-CPC-2025-00077 and CD-CPC-2025-00076)

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-1499, rezoning an area of approximately 30 acres generally located at the northeast corner of N.E. Shoal Creek Parkway and Maplewoods Parkway from Districts B3-2 (Community Business) and R-2.5 (Residential 2.5) to District R-2.5 (Residential 2.5), said section to read as follows:

Section 88-20A-1499. That an area legally described as:

A tract of land in the Northeast Quarter of Section 25, Township 52 North, Range 33 West of the 5th Principal Meridian in Kansas City, Clay County, Missouri being bounded and described by or under the direct supervision of Jason S. Roudebush, P.L.S. 2002014092 as follows: Beginning at the Southwest Quarter of Lot 1, Benton House of Staley Hills, a subdivision of land in said Kansas City, recorded as Document No. 2016043280, in Book H, at page 176.4; thence South 89°25'00" East, on the south line of said Lot 1 and Tract A, said Benton House of Staley Hills, 608.35 feet to the southeast corner of said Tract A; thence North 00°35'00" East, on the east line of said Tract A, 240.00 feet; thence North 07°41'20" West, on the east line of said Tract A, 125.46 feet to the northeast corner thereof, also being a point on the westerly right of way line of N. Euclid Avenue, as established by said Benton House of Staley Hills; thence North 55°28'56" East, on the southerly line of said N. Euclid Avenue and the northerly line of Tract D, said Benton House of Staley Hills, 220.86 feet; thence South 44°47'03" East, on the westerly line of said Tract D, 103.19 feet; thence North 83°15'29" East, on the westerly line of said Tract D, 25.39 feet; thence South 44°47'03" East, on the westerly line of said Tract D, 207.31 feet; thence South 24°29'25" East, on the westerly line of said Tract D, 101.80 feet; thence South 34°38'55" East, on the westerly line of said Tract D, 115.44 feet; thence South 71°02'35" East, on the westerly line of said Tract D, 75.30 feet; thence North 63°23'35" East, on the southeasterly line of said Tract D, 119.14 feet to the westerly line of Tract A, Staley Hills - First Plat, a subdivision of land in said Kansas City, recorded as Document No. 2005044944, in Book F, at page 198; thence South 26°36'25" East, on the westerly line of said Tract A, 242.38 feet; thence South 34° 12'55" West, on the westerly line of said Tract A, 272.37 feet; thence South 26°36'25" East, on

the westerly line of said Tract A, 350.92 feet to an angle point on the northerly line of Tract A, Staley Hills - Ninth Plat, a subdivision of land in said Kansas City, recorded as Document No. 2019031803, in Book I, at page 80.3; thence South 46°34'42" West, on the northerly line of said Tract A, 171.74 feet; thence North 66°47'08" West, on the northerly line of said Tract A, 340.28 feet; thence South 23°12'52" West, on the westerly line of said Tract A, and westerly line of Lot 18, said Staley Hills - Ninth Plat, 250.13 feet to a point on the northerly right of way line of N.E. Shoal Creek Parkway as establish by Document No. 2008018527, in Book 5980, at page 34; thence westerly on said northerly right of way line on a curve to the left having an initial tangent bearing of North 71°39'02" West with a radius of 2,812.00 feet, a central angle of 09°08'18" and an arc distance of 448.50 feet to a point on the northerly right of way line of said N.E. Shoal Creek Parkway as established by the Missouri Special Warranty Deed, recorded as Document No. 2022009482, in Book 9327, at page 144; thence on said northerly line, on a line non-tangent to said curve, North 89°38'19" West, a distance of 128.34 feet; thence westerly, on said northerly line, on a curve to the left having an initial tangent bearing of South 84°59'16" West with a radius of 1,857.92 feet, a central angle of 03°06'34" and an arc distance of 100.83 feet; thence on said northerly line, on a line non-tangent to said curve, South 85°17'16" West, a distance of 32.51 feet; thence North 87°39'13" West, on said northerly line, 164.97 feet; thence North 83° 34'51" West, on said northerly line, 6.42 feet; thence northwesterly on said northerly line, on a curve to the right being tangent to the last described course with a radius of 36.00 feet, a central angle of 43°28'52" and an arc distance of 27.32 feet; thence on said northerly line, on a line non-tangent to said curve, North 40°05'56" West, a distance of 10.60 feet; thence northwesterly on said northerly line, on a curve to the right being tangent to the last described course with a radius of 76.00 feet, a central angle of 30°45'32" and an arc distance of 40.80 feet; thence continuing on said Document No. 2022009482, now being the easterly right of way line of Maplewoods Parkway (N. Woodland Avenue), on a line non-tangent to said curve, North 09°20'30" West, a distance of 48.55 feet; thence northerly on said easterly line, on a curve to the right being tangent to the last described course with a radius of 68.00 feet, a central angle of 13°49'37" and an arc distance of 16.41 feet; thence on said easterly line, on a line non-tangent to said curve, North 04°29'04" East, a distance of 13.72 feet; thence North 06°15'39" East, on said easterly line, 29.51 feet; thence North 08°02'13" East, on said easterly line, 168.78 feet; thence northerly on said easterly line, on a curve to the left being tangent to the last described course with a radius of 1,037.33 feet, a central angle of 07°27'13" and an arc distance of 134.95 feet to a point on the easterly right of way line of said Maplewoods Parkway (N. Woodland Avenue) as established by aforesaid Document No. 2008018527, in Book 5980, at page 34; thence North 00°35'00" East, on said easterly right of way line as established by said Document No. 2008018527 and by Document No. 2022009477, in Book 9327 at page 139, 295.35 feet to the point of beginning. Containing 1,230,708 square feet or 28.253 acres, more or less.

is hereby rezoned from Districts B3-2 (Community Business) and R-2.5 (Residential 2.5) to District R-2.5 (Residential 2.5), all as shown outlined on a map marked Section 88-20A-1499, 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 which also serves as a preliminary plat, 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 all landscaping required of the approved plan has been installed 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. Prior to submittal of a final plat for the initial phase of the development, the applicant must submit a street name plan for the entire development and obtain approval from the Street Name Committee. Any subsequent amendments to the approved plan may, at the discretion of the Director of City Planning and Development, require submission and approval of a revised street name plan.

4. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with Section 88-425-08 of the Zoning and Development Code.

5. The developer shall secure approval of a project plan from the City Plan Commission for all private open spaces tracts prior to a building permit.

6. Prior to recording the final plat the developer shall upload and secure approval of a street tree planting plan from the City Forester.

7. 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.

8. The developer shall obtain a variance to the setback required by 88-323-03-A or revise the development plan to meet the R-2.5 district setback prior to issuance of a building permit.

9. 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)

10. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. (IFC-2018 503.1.1) (The cottage style homes shall not interfere with the 150 ft reach.)

11. 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)

12. 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)

13. Fire hydrant distribution shall follow IFC-2018 Table C102.1.

14. 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)

15. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to 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)

16. 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)

17. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. (IFC-2018: § 503.2.5)

18. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)

19. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)

20. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) (No Grass Pavers Allowed)

21. The developer shall provide fire lane signage on fire access drives. With the density of the project emergency access shall not be impeded by parking on the streets.

22. Dumpster screening plans need to be submitted and reviewed with the project plan. The dumpster screening should have one side elevated 6"-1' off the ground, or a convex mirror should be added to the area to remove the areas of concealment created by the screenings. This will increase safety to the area.

23. 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 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.

24. 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 2025 acquisition rate of $20,065.67 per acre. This requirement shall be satisfied prior to release of final plat.

25. Prior to construction adjacent to a Parks and Recreation jurisdictional street and/or park the developer and/or their representative shall obtain a Parks and Recreation 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.

26. The developer shall submit plans to 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 street lighting) 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 the Parks and Recreation Department standards.

27. N.E. Shoal Creek Parkway and Maplewoods Parkway are both classified as parkways creating a development node; therefore, any new developments, façade changes, or additions as listed in the applicability section of 88-323-01-A, shall comply with the parkway and boulevard standards with regards to development nodes or obtain a variance from the Board of Zoning Adjustments prior to obtaining a building permit.

28. Trails to be credited towards satisfying the parkland dedication requirements shall be a minimum width of 7', constructed of concrete, and meet the construction standards of the Parks and Recreation Department.

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 integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.

31. 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.

32. 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.

33. 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.

34. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to issuance of a certificate of occupancy.

35. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

36. The developer shall submit water main extension plans for a new public fire hydrant along the south side of Shoal Creek Parkway. The plans shall be reviewed and under contract (permit) prior to building permit issuance and prior to final plat recording.

37. 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.

38. 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.

39. 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.

40. 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.

41. 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.

42. The developer shall 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.

43. 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.

44. 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.

45. 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 stormwater detention area tracts, prior to recording the plat.

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46. 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.

47. The developer shall provide covenants to maintain private water mains acceptable to the Kansas City Water Services Department for any private water mains prior to the issuance of any building permits.

48. The developer shall provide covenants to maintain private sanitary sewer mains acceptable to the Kansas City Water Services Department for any private sanitary sewer mains prior to the issuance of any building permits.

49. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Kansas City Water Services Department, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and the developer shall secure permits to construct any improvements as required by the Kansas City Water Services Department prior to issuance of any certificate of occupancy.

50. The developer shall install a 10' pedestrian path along N.E. Shoal Creek Parkway for the entire length of the project property.

51. The developer shall limit the access to the development along N.E. Shoal Creek Parkway to a right in/right out and an east bound left in.

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