



File #: 260284

ORDINANCE NO. 260284

Rezoning an area of about 2.42 acres generally located at the southeast corner of E. 135th Street and Wornall Road from District UR to District UR, and approving a development plan to amend the allowed uses on Lot 2 and allow for used vehicles sales. (CD-CPC-2026-00006)

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-1531, rezoning an area of about 2.42 acres generally located at the southeast corner of E. 135th Street and Wornall Road from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), said section to read as follows:

Section 88-20A-1531. That an area legally described as:

Sec-20 Twp-47 Rng-33 pt of SW 1/4 daf: beg nw cor of Lot 1, Martin City Acres, th S 1656.75' th E 93.70' th S 30 deg E 32' th S 50 deg E 42' th S 26 deg W 30' th S 60 deg W 43.39' th N 43 deg W 18.92'; th N 59 deg W 47.50' th N 53 deg W 44.21' th N 43 deg W 28.51' th S 86 deg W 32.22' th N 61 deg W 23.56' th N 46 deg 20.94' th N 58 deg W 22.64' th N 52 deg W 26.71' th N 47 deg W 26.08' th N 75 deg; W 51.15' th N 84 deg W 32.61' th N 60 deg W 16.93' th N 30 deg W 29.32' th N 16 deg W 37.78' th N 26 deg W 33.06' th N 22 deg W 32.42' th N 20 deg W 16.62' th N 34 deg W 27.14' th N 39 deg W 33.67'; th N 0 deg E 22.36' th N 7 deg E 13.84' th N 55 deg E 29.54' th N (see page 2) 50 deg E 33.27' th S 78 deg E 27.98' th N 30 deg E 12.62' th N 6 deg E 26.17' th N 1 deg W 29.96' th N 36 deg W 43.54'; th N 24 deg W 25.32' th N 48 deg W 29.91' th N 59 deg W 30.26' th N 70 deg W 26.27' th S 83 deg W 24.88' th S 79 deg W 25.38' th S 75 deg W 29.91' th S 76 deg W 31.12' th S 84 deg W 24.36' th S 81; deg W 52.79' th N 85 deg W 216.72' th S 43 deg W 64.73' th S 66 deg W 45.55' th S 44 deg W 197.54' th N 1139.85' th E 313.34' th N 92.40' th W 100' th N 42.04' th E 100' th N 110' th E 665.07' to; pob (known as Lots 1 and 2 Per Cert Surv Bk 45 pg-87).

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1531, 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. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
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. 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.
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. Future buildings located on Lot 2, including those that may be developed should the property be subdivided as Lot 2A, 2B, and 2C shall comply with the Tilden Station design standards as approved in the controlling plan.
6. Prohibited uses for Lot 2 (including future subdivision of the property) include: indoor/outdoor storage, data centers, non-accessory parking, and car washes.
7. The vehicle sales, used car sales use shall remain in compliance with all standards as listed in Section 88-372-02 of the Zoning and Development Code.
8. This development plan is acting as a special use permit for Lot 2A (as shown on the submitted site plan), when Lot 2 is further subdivided into Lots 2B and 2C the uses for the two lots will be restricted to those allowed in the B1 zoning district.
9. All future development, including new structures on Lot 2 (Lots 2B and 2C) will be required to receive approval of a UR final plan prior to the issuance of any building permit.
10. Proposed buildings shall have a Fire Department access road within 150 feet of any exterior portion of the structure. (IFC-2018: § 503.1.1)
11. 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)

12. 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)
13. The building's FDC shall be immediately recognizable from the street or nearest point of Fire Department access. (IFC-2018 § 912.2.1)
14. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
15. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
16. The Fire Department Connection (FDC) shall not obstruct access/egress to the building when in use. (IFC-2018 § 912.2)
17. If an approved security gate spans across a fire access road, an approved means for emergency operation shall be provided. Electric gates shall require a siren sensor device typically referred to as a "yelp gate." (IFC-2018 § 503.6)
18. Multi-family residential developments greater than 200 dwelling units shall have at least two separate and approved fire apparatus access roads. (IFC-2018 § D106.2)
19. A Knox Box shall be provided near the main entrance to the building (IFC-2018 § 506.1). To ensure proper keying to Kansas City, Missouri; Knox Boxes may be ordered online at www.knoxbox.com or on an official order form obtained through this Office.
20. 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)
21. The developer shall provide Fire Department access roads before construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)
22. All Fire Department Connections (FDC) shall be threaded connections, Storz connections are not allowed in the City of Kansas City, Missouri. (IFC-2018 § 903.3.6; NFPA 13-2010 § 6.8.1)

23. 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)
24. All required Fire Department access roads shall be an all-weather surface. Grass pavers are not permitted. (IFC-2012: § 503.2.3)
25. The developer shall provide fire lane signage on fire access drives.
26. 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)
27. Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1) Aerial fire apparatus roads must be a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
28. 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.
29. 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.
30. The developer shall grant a City approved pedestrian right-of-way easement, for the portions of the public sidewalks approved to be outside of the street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.
31. 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.
32. 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.
33. 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.

34. 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.
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. 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.
37. 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.
38. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
39. Water/sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
40. 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.
41. 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.

42. 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.
43. 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.
44. 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.
45. 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.
46. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
47. 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.
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 Water Services Department, prior to issuance of any stream buffer permits.
49. The developer shall obtain a floodplain development permit from Development Services prior to beginning any construction activities within the floodplain.
50. 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.

51. 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.
52. 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.
53. 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.
54. 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.
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.



Sara Copeland, FAICP
Secretary, City Plan Commission

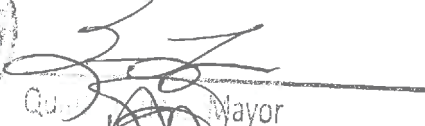
Approved as to form:



Sarah Baxter
Senior Associate City Attorney



Authenticated as Passed



Marilyn Sanders, City Clerk

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