



File #: 250908

ORDINANCE NO. 250908

Rezoning an area of about 5.5 acres generally located on the east side of North Oak Trafficway at Northeast Hill Street from District B3-2 to District B3-4, and approving a development plan on approximately 8.5 acres to allow for multi-unit residential development. (CD-CPC-2025-00121 and CD-CPC-2025-00122)

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-1511, rezoning an area of about 5.5 acres generally located on the east side of North Oak Trafficway at Northeast Hill Street from District B3-2 (Community Business) to B3-4 (Community Business), said section to read as follows::

Section 88-20A-1511. That an area legally described as:

A tract of land in the Northeast quarter of Section 11, Township 50, Range 33, Kansas City, Clay County, Missouri including Lot 10, Braecklein's Subdivision, being more particularly described as follows: Commencing at the center corner of said Section 11, being a 2" aluminum monument in a monument box; Thence South 89°07'19" East, along the South line of the Northeast Quarter of said Section 11, a distance of 41.19 feet to the true point of beginning; Thence North 00°51'43" East, a distance of 298.32 feet to a point on the East right of way line of North Oak Trafficway, as now established; Thence North 01°28'42" East, along said East right of way line, a distance of 291.67 feet; Thence South 89°05'47" East, a distance of 238.20 feet; Thence South 01°47'48" West, a distance of 1,040.33 feet to a point on the South line of said Lot 10; Thence North 89°02'23" West, along said South line, a distance of 221.82 feet to a point on said East right of way line; Thence North 00°18'56" East, along said East right of way line, a distance of 298.58 feet; Thence North 01°32'14" East, continuing along said East right of way line, a distance of 25.41 feet; Thence North 00°51'43" East, a distance of 126.03 feet to the true point of beginning. Containing 241,403 square feet or 5.54 acres more or less.

is hereby rezoned from District B3-2 (Community Business) to B3-4 (Community Business), all as shown outlined on a map marked Section 88-20A-1511, 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 as:

A tract of land in the Northeast quarter of Section 11, Township 50, Range 33, Kansas City, Clay County, Missouri including Lot 10, Braecklein's Subdivision except that part thereof in U.S. Highway No. 169 more particularly described as follows: Commencing at the center corner of said Section 11, being a 2" aluminum monument in a monument box (Grid N: 1089761.88', Grid E: 2766896.86'); Thence South 89°07'19" East, a distance of 57.98 feet to the east right of way of U.S. highway 169 and the true point of beginning; Thence North 01°28'37" East, a distance of 298.13 feet; Thence North 88°31'18" West, a distance of 20.00 feet; Thence North 01°28'42" East, a distance of 191.68 feet; Thence North 01°28'42" East, a distance of 99.99 feet; Thence, departing said right of way, South 89°05'47" East, a distance of 238.20 feet; Thence South 01°47'48" West, a distance of 589.95 feet; Thence South 89°07'19" East, a distance of 288.13 feet; Thence South 01°45'02" East, a distance of 451.25 feet; Thence North 89°02'23" West, a distance of 339.56 feet; Thence North 89°02'23" West, a distance of 198.31 feet; Thence North 00°18'56" East, a distance of 298.58 feet; Thence North 01°32'14" East, a distance of 25.41 feet; Thence South 88°31'24" East, a distance of 25.22 feet; Thence North 01°39'00" East, a distance of 74.34 feet; Thence North 88°31'51" West, a distance of 10.00 feet; Thence North 01°28'37" East, a distance of 51.86 feet to the true point of beginning. Said tract containing 369,253 square feet or 8.477 acres more or less.

is hereby approved, subject to the following conditions:

1. Prior to recording the final plat, the developer shall upload and secure approval of a street tree planting plan from the City Forester.
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 Section 88-425-08 of the Zoning and Development Code.
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. 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.

6. 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.
7. Required Fire Department access roads shall be an all-weather surface. (IFC 2012: § 503.2.3) (No Grass Pavers Allowed)
8. 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)
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) Fire hydrant distribution shall follow IFC 2018 Table C102.1.
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 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. 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)
13. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC 2018: § 503.2.4)
14. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are 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).
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. All units in the multi-family development shall have 180 degree eye viewers, such as peep holes which will allow a person to view outside their apartment prior to opening the door.

17. The developer shall addng 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.
18. 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 a certificate of occupancy.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.

24. 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.
25. The developer shall petition for the right-of-way vacation along the property frontage of N. Oak Trafficway as shown on the development plan and relocate sewers as required by the Departments of Water Services, the Land Development Division, and Development Services prior to recording of the final plat.
26. The developer shall ensure that water and fire service lines meet current Water Services Department rules and regulations prior to issuance of a certificate of occupancy.
27. No water service tap permits will be issued until the public water main is released for taps.
28. 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.
29. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
30. 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.
31. The developer shall employ a Missouri professional engineer to design water main extension plans to provide adequate water distribution along the North Oak frontage to provide for service line connections and public fire hydrants at 300' max. spacing. The water main extension plans shall follow the Kansas City Water rules and regulations for water main extensions and shall be under contract (permitted) prior to building permit issuance.
32. 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, by making application under said code for a minor subdivision and submitting and recording a lot consolidation plat or replatting the property in accordance therewith.

33. 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.
34. 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.
35. The developer shall submit plans for grading, siltation, and erosion control to KC 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.
36. 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.
37. The developer shall grant a BMP and surface drainage easement to the City as required by the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits.
38. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
39. 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.
40. 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.

41. 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.

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

OCT 30 2025

Date Passed

Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney