

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

MAY 01 2025  
Date Passed

Sara Copeland, FAICP  
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter  
Senior Associate City Attorney



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**File #: 250365**

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### ORDINANCE NO. 250365

Rezoning an area of about 20 acres generally located at the southwest corner of Northwest 68th Street and North Madison Avenue from District R-80 to District R-6 and approving a development plan to allow for the creation of 57 lots and 5 tracts for the purpose of a residential development. (CD-CPC-2025-00033 and CD-CPC-2025-00034).

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-1486, rezoning an area of about 20 acres generally located at the southwest corner of Northwest 68th Street and North Madison Avenue from District R-80 (Residential 80) to District R-6 (Residential 6) and approving a development plan to allow for the creation of 57 lots and 5 tracts for the purpose of a residential development, said section to read as follows:

Section 88-20A-1486. That an area legally described as:

All that part of the Southeast Quarter of Section 22, Township 51, Range 33 in the City of Kansas City, Clay County, Missouri described as follows: Commencing at the northwest corner of the Southeast Quarter of said Section 22; thence South 89 degrees 44 minutes 44 seconds East along the north line of the Southeast Quarter of said Section 22, a distance of 39.89 feet; thence South 00 degrees 15 minutes 16 seconds West, a distance of 47.27 feet to a point on the southerly right of way line of N.W. 68th Street, said point being the point of beginning of the tract of land herein to be described; thence South 89 degrees 36 minutes 06 seconds East along said right of way line, a distance of 925.67 feet; thence South 00 degrees 25 minutes 30 seconds West, a distance of 942.97 feet; thence North 89 degrees 44 minutes 44 seconds West, a distance of 949.31 feet; thence North 00 degrees 24 minutes 07 seconds East, a distance of 645.44 feet; thence South 89 degrees 55 minutes 13 seconds East, a distance of 10.00 feet; thence North 00 degrees 24 minutes 15 seconds East, a distance of 205.43 feet; thence North 89 degrees 35 minutes 45 seconds West, a distance of 1.00 feet; thence North 00 degrees 24 minutes 15 seconds East, a distance of 79.43 feet; thence northeasterly along a curve to the right being tangent to the last described course having a radius of 15.00 feet, an arc distance of 23.56 feet to the point of beginning. said tract of land contains 20.51 acres, more or less.

is hereby rezoned from District R-80 (Residential 80) to District R-6 (Residential 6), all as shown outlined on a map marked Section 88-20A-1486, 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, have been installed or preserved in accordance with the plan and are healthy prior to a certificate of occupancy.
2. 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. This condition may be satisfied by an assigned City Planning and Development building inspector.
3. 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. This condition may be satisfied by an assigned City Planning and Development building inspector.
4. Prior to issuance of the certificate of occupancy for the first house built, the developer shall post a sign at the terminus of all stub streets indicating that the stub street is intended to be opened to through traffic when the adjacent property is developed. The sign must state "FUTURE THROUGH STREET. TO BE CONNECTED WHEN ABUTTING PROPERTY DEVELOPS."
5. Prior to recording of the final plat the developer shall secure approval of a project plan from the City Plan Commission for each private open space tract.
6. Prior to submitting an application for a final plat, the developer shall submit and gain approval of a street name plan by the Street Name Committee for the entire site.
7. Required Fire department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) (No Grass Pavers Allowed)
8. 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.

9. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
10. 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)
11. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
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. 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)
14. 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)
15. 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 recording of the final plat.
16. 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 recording of the final plat.
17. 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.
18. 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.

19. 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.
20. The east half of N. Holly Street shall be improved to residential collector street standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
21. 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.
22. 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.
23. 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.
24. The developer shall construct temporary off-site cul-de-sacs and grant a City approved temporary cul-de-sac easement, for that portion outside of the dedicated street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.



25. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
26. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
27. 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.
28. The developer shall submit water main extension plans prepared by a Missouri professional engineer to the water main extension desk for review, acceptance per the Kansas City Water rules and regulations for water main extensions and relocations and generally following the size and location as shown on the development plans utility plan sheet. The water main extension plans shall be under contract (permitted) prior to final plat recording or building permit issuance.
29. 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.
30. 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.
31. 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.
32. 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.
33. 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.
34. The developer shall grant a BMP and/or 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.
  35. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
  36. 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.
  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 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.
  39. The developer shall provide an erosion hazard analysis for areas where any improvements or public right-of-way dedications are proposed within stream buffer zones or adjacent to the outside of stream meanders as required by the Kansas City Water Services Department.
  40. The developer shall obtain a floodplain development permit from Development Services prior to beginning any construction activities within the floodplain (Re-establishment of basin outlet).
  41. The developer shall submit covenants, conditions and restrictions to the Kansas City 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.
  42. 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.