

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 250834

Rezoning an area of about 14 acres generally located at the northwest corner of N.E. Barry Road and N. Prospect Avenue from Districts R-80 and R-0.5 to District R-1.5 and approving a development plan, also serving as a preliminary plat, to allow for single- and two-unit residential buildings. (CD-CPC-2025-00080 and CD-CPC-2025-00082)

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-1504, rezoning an area of about 14 acres generally located at the northwest corner of N.E. Barry Road and N. Prospect Avenue from Districts R-80 (Residential 80) and R-0.5 (Residential 0.5) to District R-1.5 (Residential 1.5) and approving a development plan, also serving as a preliminary plat to allow for single and two-unit residential buildings, said section to read as follows:

Section 88-20A-1504. That an area legally described as:

All that part of the Northeast Quarter of Section 12, Township 51 North, Range 33 West of the Fifth Principal Meridian and the Northwest Quarter of Section 7, Township 51 North, Range 32 West of the Fifth Principal Meridian, situate in the City of Kansas City, Clay County, Missouri, being described as follows: Commencing at the Northeast corner of the Northeast Quarter of said Section 12; thence North 87°53'54" West (Basis of bearing: Missouri Coordinate System of 1983, West Zone, NAD83), along the North line of the Northeast Quarter of said Section 12, a distance of 88.64 feet to the intersection with the West right-of-wayline of N. Prospect Avenue, as now established, said point also being the Point of Beginning; thence along the West right-of-way line of said N. Prospect Avenue the following seven (7) courses: 1) South 22°23'38" West a distance of 4.16 feet; 2) South 0°37'20" West a distance of 156.93 feet (N. Prospect Ave. sta. 12+56.88, 90.0 feet right); 3) South 22°20'32" East a distance of 180.15 feet (N. Prospect Ave. sta. 14+13, 42.6 feet right); 4) South 0°29'00" West a distance of 77.65 feet (N. Prospect Ave. sta. 14+80, 68.0 feet right); 5) South 23°56'55" East a distance of 46.50 feet to the intersection with the line common between said Sections 12 and 7; 6) continuing South 23°56'55" East a distance of 49.51 feet (N. Prospect Ave. sta. 15+71.3, 69.7 feet right); 7) South 23°49'06" East a distance of 844.36 feet to the intersection with the North right-of-way line of Relocated Barry Road, as now established (N. Prospect Ave. sta. 24+15.1, 100 feet right and Relocated Barry Road construction sta. 19+00.3, 84.8 feet left); thence South 66°35'38" West, along the North right-of-way line of Relocated Barry Road, a distance of 109.29 feet to the intersection with the Northeasterly right-of-way line of Missouri State Route 152, as now established (Missouri State Route 152 sta. 171+30, 180.0 feet left); thence along the Northeasterly right-of-way line of said Missouri State Route 152, the following four (4) courses: 1) Northwesterly, along a curve to the right that has a radius of 2,694.83 feet (record: 2,684.46 feet), a chord bearing of North 52°23'31"

West, a chord distance of 338.18 feet, and an arc distance of 338.40 feet to the intersection with the line common between said Sections 7 and 12; 2) Northwesterly, around a curve to the right that has a radius of 2,694.83 feet (record: 2,684.46 feet), a chord bearing of North 39°32'50" West, a chord distance of 866.09 feet, and an arc distance of 869.86 feet (Missouri State Route 152 sta. 158+40.56, 180.0 feet left); 3) North 28°02'32" West a distance of 521.27 feet; 4) North 30°20'01" West a distance of 1.00 foot to the intersection with the North line of the Northeast Quarter of said Section 12; thence South 87°53'34" East, along the North line of the Northeast Quarter of said Section 12, a distance of 721.21 feet to the Point of Beginning. Containing 623,244 square feet or 14.31 acres, more or less.

AND

4930-8073-9930, v. 1 645 on February 23, 1978 and now being hereby established; thence along the West right-of-way line of said N. Prospect Avenue the following seven (7) courses: 1) South 22°23'38" West a distance of 4.16 feet; 2) South 0°37'20" West a distance of 156.93 feet (N. Prospect Ave. sta. 12+56.88, 90.0 feet right); 3) South 22°20'32" East a distance of 180.15 feet (N. Prospect Ave. sta. 14+13, 42.6 feet right); 4) South 0°29'00" West a distance of 77.65 feet (N. Prospect Ave. sta. 14+80, 68.0 feet right); 5) South 23°56'55" East a distance of 46.50 feet to the intersection with the line common between said Sections 12 and 7; 6) continuing South 23°56'55" East a distance of 49.51 feet (N. Prospect Ave. sta. 15+71.3, 69.7 feet right); 7) South 23°49'06" East a distance of 844.36 feet to the intersection with the North right-of-way line of Relocated Barry Road, as now established (N. Prospect Ave. sta. 24+15.1, 100 feet right and Relocated Barry Road construction sta. 19+00.3, 84.8 feet left); thence North 66°35'38" East, along the Northeasterly prolongation of the North right-of-way line of said Relocated Barry Road, a distance of 17.74 feet; thence Northeasterly and Northerly, departing the Northeasterly prolongation of the North right-of-way line of said Relocated Barry Road, around a curve to the left that has a radius of 50.00 feet, a chord bearing of North 20°21'51" East, a chord distance of 72.21 feet, and an arc distance of 80.69 feet to the intersection with the line that is 30.00 feet West of and parallel with/concentric to the centerline of said N. Prospect Avenue as defined in said General Warranty Deed; thence along the line that is 30.00 feet West of and parallel with/concentric to the centerline of said N. Prospect Avenue the following three (3) courses: 1) North 25°51'57" West a distance of 843.26 feet; 2) Northerly around a curve to the right that has a radius of 602.96 feet, a chord bearing of North 12°53'17" West, a chord distance of 277.04 feet, and an arc distance of 279.54 feet; 3) North 0°23'37" East a distance of 159.53 feet to the Point of Beginning. Containing 65,948 square feet or 1.51 acres, more or less.

is hereby rezoned from Districts R-80 (Residential 80) and R-0.5 (Residential 0.5) to District R-1.5 (Residential 1.5), all as shown outlined on a map marked Section 88-20A-1504, 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, 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 within each stage of the development, containing approximately 30 units.
3. Prior to issuance of the certificate of occupancy for each stage of construction containing approximately 30 units, 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.
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 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 vacate the portion of right-of-way indicated on the plan and agreed to with the Public Works Department prior to a building permit.
7. The developer shall receive approval of a special exception from the Board of Zoning Adjustment to allow a gate and/or fence/wall to exceed 4 feet within a street-abutting yard, or comply with the maximum height allowed in Chapter 27 prior to a building permit.
8. Prior to the issuance of the certificate of occupancy, the applicant must record a final plat in accordance with the Zoning and Development Code.
9. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) (No Grass Pavers Allowed)
10. 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)
11. The developer shall provide fire lane signage on fire access drives.

12. 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)
13. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4) 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.
15. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
16. 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)
17. 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)
18. If fences are constructed between apartments there shall be entry gates for Fire Department ground access.
19. 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.
20. 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 the final plat.
21. 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.
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 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.
25. The west-half of N. Prospect Avenue shall be improved to residential collector street standard as required by Chapter 88, to current standards, including pavement widening, curbs, gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining required permits from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
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. 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.
29. The developer shall submit public water main extension (WME) plans for review and approval meeting the Kansas City Water rules and regulations for water main extensions for new public fire hydrants along the projects frontage with N. Prospect Avenue at 300' maximum spacings. The WME plans shall be approved and under contract (permit) prior to final plat recording and prior to building permit issuance.
30. 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

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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 16 2025

Date Passed



Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:



Sarah Baxter
Senior Associate City Attorney