

52. The developer shall provide covenants to maintain private storm sewer mains acceptable to the Kansas City, Missouri Water Services Department for any private storm sewer mains prior to the issuance of any building permits.
53. The developer shall provide covenants to maintain private water mains acceptable to the Kansas City, Missouri Water Services Department for any private water 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 development plan described above is hereby approved with the following deviation from Chapter 88, Code of Ordinances:

Approving a waiver to the requirement for street improvements in accordance with Section 88-405-03-11 to exclude the requirement for curb and gutter on the north half of E. 117th Street and to require no improvements on the west half of Campbell Street.

Section D. 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.

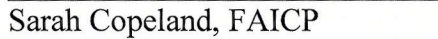


Authenticated as Passed

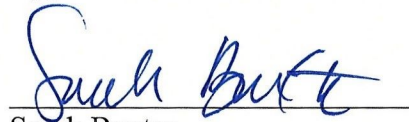

Quinten Lucas, Mayor


Marilyn Sanders, City Clerk
JAN 09 2025

Date Passed


Sarah Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:


Sarah Baxter
Senior Associate City Attorney



File #: 241088

ORDINANCE NO. 241088

Rezoning an area of about 17.24 acres generally located at 11511 Holmes Road from District R-7.5 to District MPD and approving a development plan that will also serve as a preliminary plat to allow for approximately 174 residential units. (CD-CPC-2024-00134)

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-1456, rezoning an area of about 17.24 acres generally located at 11511 Holmes Road from District R-7.5 (Residential 7.5) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A-1456. That an area legally described as:

The North 110 feet of the North 220 feet of the West 396 feet of the Northwest 14 of the Northeast 1/4 of the Northeast 1/4 of Section 8, Township 47, Range 33, in Kansas City, Jackson County, Missouri, except that part thereof in Holmes Rd.

And

The South 110 feet of the North 220 feet of the West 396 feet of the Northwest 14 of the Northeast 1/4 of the Northeast 1/4 of Section 8, Township 47, Range 33, in Kansas City, Jackson County, Missouri, except that part thereof in Holmes Rd.

And

All that part of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 8, Township 47, Range 33, in Jackson County, Missouri, described as follows: Beginning at a point in the West line of said 1/4 1/4 1/4 Section, 330 feet North of the Southwest corner thereof; thence North along said West line to a point 220 ft, South of the Northwest corner of said 1/4 1/4 1/4 Section; thence East and parallel with the North line of said Northeast 1/4 Section, 396 feet; thence South to a point 330 feet North of the South line and 396 feet East of the West line of said 1/4 1/4 1/4 Section; thence West to a point of Beginning, except that part now in Holmes Road.

And

All that part of the Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 8, Township 47, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at the Southwest corner of said Northwest 1/4

of the Northeast 1/4 of the Northeast 1/4 of Section 8; thence North 330 feet along the West line of said 1/4 1/4 1/4 section; thence East 396 feet; thence South 330 feet; thence West 396 feet to the point of beginning, except that part thereof now in Holmes Road. Also known as the tract of land depicted on the plat of WATERFORD SOUTH, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

And

The North 110 feet of the West 396 feet of the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 8, Township 47, Range 33, in Kansas City, Jackson County, Missouri, EXCEPT that part thereof now in Holmes Road.

And

All the South 109.25 feet of the North 219.25 feet of the West 396 feet of the Southwest Quarter (1/4) of the Northeast Quarter (14) of the Northeast Quarter (1/4) of Section 8, Township 47, Range 33, in Kansas City, Jackson County, Missouri, EXCEPT any part thereof now in Holmes Road.

And

The south 330 feet of the West 396 feet of the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 8, Township 37, Range 33, in Jackson County, Missouri, except that part in Holmes Road.

And

The North 220 feet of the East 198 feet of the West 594 feet of the Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 8, Township 47, Range 33, in Kansas City, Jackson County, Missouri.

And

All of Lot 13, except the East 200 feet of the North 15 feet thereof, Kerr Subdivision, a subdivision in Kansas City, Jackson County, Missouri, according to the plat thereof.

And

Lot 14, except the South 80 feet thereof, measured on the front and rear line of Kerr subdivision, a subdivision in Kansas City, Jackson County, Missouri

And

The South 80 feet of Lot 14, measured on front and rear lines, and the North 22 feet of Lot 15, measured on front and rear lines, Kerr Subdivision, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

And

All of lot 15, except the North 22 feet thereof, measured on the front and rear lines and except the South 60 feet thereof, measured on the front and real lines of Kerr Subdivision, a subdivision in Kansas City, Jackson County, Missouri.

And

The West 64 feet of the North 100 feet of the East 264 feet of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 8, Township 47, Range 33, Jackson County, Missouri.

And

The South 60 feet of lot 15, measured on the front and rear lines of Keer Subdivision, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

And

Part of the Southwest 1/4 of the Northwest 1/4 of Section 8, Township 47, Range 33, in Kansas City, Jackson County, Missouri, described as Follows: Beginning at a point 110 feet South of the North line and 396 feet East of the West line of said 1/4 1/4 1/4 section; thence South 109.25 feet; thence East 264 feet, more or less, to a point in the East line of said 1/4 1/4 1/4 section; thence North along said East line 109.25 feet; thence West 264 feet, more or less, to the point of beginning.

And

Part of the Southwest 1/4 of the Northwest 1/4 of Section 8, Township 47, Range 33, in Kansas City, Jackson County, Missouri, described as Follows: Beginning at a point 219.25 feet South of the North line and 396 feet East of the West line of said Quarter Quarter Quarter Section; thence South to a point 330 feet North of the South line of said Quarter Quarter Quarter Section; thence East and parallel to said South line 264 feet, more or less, to a point in the East line of said Quarter Quarter Quarter Section; thence North 108.91 feet, more or less, to a point which is 219.25 feet South of the North line of said Quarter Quarter Quarter Section; thence West 264 feet, more or less, to the point of beginning.

And

All that part of the South 330 feet of the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4, except the West 396 feet thereof, all in Section 8, Township 47, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point in the West line of Campbell Street, 220 feet North of the intersection of the West line of Campbell Street and the North line of 117th Street; thence North along the West line of Campbell Street 110 feet; thence West parallel with the North line of 117th Street, to a point 396 feet East of the West line of said 1/4 1/4 1/4 Section 110 feet, thence East to the point of beginning.

And

All that part of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 8, Township 47, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point in the South line of said Quarter Quarter Quarter Section 396 feet East of the Southwest corner thereof; thence East along said South line and along the North line of 117th Street as now established, 129.04 feet, more or less, to a point 132 feet West of the West line of Campbell Street as now established; thence north parallel with the West line of said Campbell Street 220 feet; thence West parallel with the North line of said 117th Street to a point 396 feet East of the West line of said Quarter Quarter Quarter Section; thence South along a line of 396 feet East of, and parallel with, the West line of the Said Quarter Quarter Quarter Section 220 feet to the point of beginning.

And

That part of the South 330 feet of the Southwest quarter of the Northeast quarter, of NE except the West 396 feet thereof, in Section 8, Township 47 Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at the northwest corner of the intersection of 117th Street and Campbell Street, thence

north 110 feet along the west line of Campbell Street to a point 110 feet north of the point of beginning; thence west parallel with the north line of 117th Street 132 feet; thence South parallel with the west line of Campbell Street 110 feet to the north line of 117th Street; thence east along the north line of 117th Street 132 feet to the point of beginning.

is hereby rezoned from District R-7.5 (Residential 7.5) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A-1456, 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, 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.
2. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to building permit.
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.
4. 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.
5. 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.
6. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
7. All signage shall conform to 88-445 and shall require a sign permit prior to installation.

8. The developer shall continue working with the Public Works Department regarding the trash pick-up for the development.
9. The developer shall receive approval from the TDC or other departments for the deviations listed on sheet C0 prior to the approval of the MPD final plan.
10. 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 (Kansas City, Missouri Public Works Department) or Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1)
11. Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
12. Fire lane signage shall be provided on fire access drives. (IFC-2018 § 503.3)
13. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC-2018: § 503.2.5)
14. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
15. 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)
16. A required Fire Department access road shall be an all-weather surface. (IFC-2012: § 503.2.3) (No Grass Pavers Allowed)
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. Security gates which span across a fire access road shall provide a means for emergency operation. Electric gates shall require a siren sensor device typically referred to as a “yelp gate.” (IFC-2018 § 503.6)
19. 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).
20. The developer shall meet the minimum fire hydrant requirements of the Kansas City, Missouri Water Services Department applicable to a water main extension which is every 300 feet commercial or 600 feet residentially zoned area.

21. The developer shall meet the minimum fire hydrant requirements of the Kansas City, Missouri Water Services Department applicable to a water main extension which is every 300 feet commercial or 600 feet residentially zoned area. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
22. 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)
23. The developer shall consider adding reinforcement to the exterior doors of the property for safety - items such as jamb brace or metal door frames have been proven to lower the risk of crimes.
24. Address must be determined, and location should be identified/shown on plan elevations prior to approval of building permit.
25. The developer shall show fencing on the plans around the pool and explain type of fencing to be used prior to approval of MPD final plan - consider rod iron, transparent fencing that has anti-climb spikes on top to deter climbing. If anti-climb spikes are not used, consider "hostile landscaping" around fence boundary.
26. 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 2024 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to recording of the final plat.
27. 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.
28.
 - a) Holmes Road & 115th Street - Construct a southbound left-turn lane with
 - i. minimum storage length of 150 feet plus an appropriate taper as per MUTCD.
 - b) Holmes Road & 115th Terrace/Drive B - Construct a southbound left-turn lane with a minimum storage length of 150 feet plus an appropriate taper as per MUTCD.

- c) Holmes Road & 117th Street - Construct a southbound left-turn lane with a minimum storage length of 150 feet plus an appropriate taper as per MUTCD.
- 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 dedicate additional right-of-way and provide easements for Holmes Road as required by the adopted major street plan and/or Chapter 88 so as to provide a minimum of 50 feet of right-of-way as measured from the centerline, along those areas being platted.
- 31. 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.
- 32. 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.
- 33. 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.
- 34. The south half of E. 115th Street shall be improved to residential local 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, and that the west half of Campbell and the north side of 117th Street be improved as approved by the City Council waiver request.

35. No water service tap permits will be issued until the public water main is released for taps.
36. No water service line will be less than 1-1/2" in diameter where three or more units or commercial building will be served by one domestic service line and meter.
37. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
38. 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.
39. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
40. Water/sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
41. The developer shall submit water main extension plans through Compass KC for the public water mains and fire hydrants for review and approval and contracts (permits). Follow the Kansas City Water Services rules and regulations for water main extensions.
42. 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.
43. 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, Missouri 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, Missouri 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, Missouri Water Services Department.

44. 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.
45. The developer shall plans for grading, siltation, and erosion control to the Kansas City, Missouri 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.
46. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Kansas City, Missouri 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 may be required.
47. The developer shall secure permits to extend 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, Missouri Water Services Department, prior to recording the plat or issuance of a building permit, whichever occurs first.
48. The developer shall provide acceptable easement and secure permits to relocate sanitary sewers out from under proposed buildings and structures. Any existing public lines located under proposed structures must be abandoned in place or removed and easement vacated or relocated and new easements shall be provided; as required by the Kansas City, Missouri Water Services Department, prior to recording the plat or issuance of a building permit, whichever occurs first.
49. The developer shall grant a BMP easement to the City as required by the Kansas City, Missouri Water Services Department, prior to recording the plat or issuance of any building permits.
50. The developer shall enter into a covenant agreement for the maintenance of any storm water detention area tracts as required by the Kansas City, Missouri Water Services Department, prior to recording the plat.
51. Utilities located within the private drives shall be private utility mains and be located within the private utility and access easement and covered by covenants to maintain private storm sewer and water mains acceptable to the Kansas City, Missouri Water Services Department.