



Legislation Text

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ORDINANCE NO. 250616

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 103 acres generally located at U.S. 169 and N.W. Barry Road from District UR to District UR and approving a development plan to allow for major amendment to a previously approved development plan which includes commercial and residential uses. (CD-CPC-2025-00062).

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-1496, rezoning an area of about 103 acres generally located at U.S. 169 and N.W. Barry Road from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) and approving a development plan to allow for major amendment to a previously approved development plan which includes commercial and residential uses, said section to read as follows:

Section 88-20A-1496. That an area legally described as:

A tract of land located in the East Half of the Northeast Quarter of Section 10 and the West Half of the Northwest Quarter of Section 11, Township 51 North, Range 33 West of the 5th Principal Meridian, in Kansas City, Clay County, Missouri, more particularly described as follows: Beginning at the northwest corner of the East Half of the Northeast Quarter of said Section 10, thence South 89 degrees 33 minutes 22 seconds East along the north line of the East Half of the Northeast Quarter of said Section 10, a distance of 169.67 feet; thence South 00 degrees 41 minutes 09 seconds West, a distance of 355.01 feet; thence South 89 degrees 29 minutes 04 seconds East, a distance of 150.02 feet; thence along a non-tangential curve to the left, having an initial tangent bearing of South 26 degrees 13 minutes 33 seconds West, a radius of 50.00 feet, and an arc length of 201.95 feet; thence South 89 degrees 29 minutes 04 seconds East, a distance of 909.60 feet to a point on the east line of the East Half of the Northeast Quarter of Section 10; thence continuing South 89 degrees 29 minutes 04 seconds East, a distance of 215.93 feet; thence South 00 degrees 30 minutes 56 seconds West, a distance of 333.25 feet to a point on the northerly right of way line of Metro North Drive; thence South 89 degrees 29 minutes 04 seconds East along the northerly right-of-way line of said Metro North Drive, a distance of 177.54 feet; thence along a tangent curve to the right, being the northerly right-of-way line of said Metro North Drive and the easterly right-of-way line of North Wyandotte Avenue, having a radius of 320.00 feet and an arc length of 101.72 feet; thence South 00 degrees 30 minutes 56.0 seconds West, continuing along the easterly right-of-way line of said North Wyandotte Avenue, a distance of 351.29 feet; thence along a tangent curve to the right, being the easterly right-of-way line of said North Wyandotte Avenue, having a radius of 240.00 feet and an arc length of 152.29 feet; thence South 00 degrees 41 minutes 09 seconds West, a distance of 117.81 feet; thence

North 89 degrees 46 minutes 07 seconds West, a distance of 90.23 feet; thence South 00 degrees 41 minutes 09 seconds West, a distance of 416.95 feet to a point on the northerly right-of-way line of Northwest Barry Road; thence North 89 degrees 46 minutes 07 seconds West along the northerly right-of-way line of Northwest Barry Road, a distance of 170.30 feet to the intersection of the northerly right-of-way line of said Northwest Barry Road with the easterly right-of-way line of said North Wyandotte Avenue; thence South 85 degrees 05 minutes 35 seconds West, a distance of 111.66 feet to the intersection of the northerly right-of-way line of said Northwest Barry Road with the westerly right-of-way line of Northwest Barry Road, a distance of 355.87 feet; thence North 00 degrees 41 minutes 09 seconds East, a distance of 163.70 feet; thence North 89 degrees 46 minutes 07 seconds West, a distance of 106.01 feet to a point on the west line of the West Half of the Northwest Quarter of said Section 11; thence South 00 degrees 41 minutes 09 seconds West along the west line of the West Half of the Northwest Quarter of said Section 11, a distance of 163.70 feet to a point on northerly right-of-way line of Northwest Barry Road; thence North 89 degrees 29 minutes 04 seconds West along the northerly right-of-way line of Northwest Barry Road, a distance of 196.77 feet; thence North 87 degrees 45 minutes 58 seconds West continuing along the northerly right-of-way line of Northwest Barry Road, a distance of 100.05 feet; thence North 82 degrees 04 minutes 39 seconds West continuing along the northerly right-of-way line of Northwest Barry Road, a distance of 100.84 feet; thence North 89 degrees 29 minutes 04 seconds West continuing along the northerly right-of-way line of Northwest Barry Road, a distance of 207.50 feet; thence South 85 degrees 52 minutes 03 seconds West continuing along the northerly right-of-way line of Northwest Barry Road, a distance of 67.82; thence North 00 degrees 30 minutes 56 seconds East, a distance of 9.50 feet; thence North 89 degrees 29 minutes 04 seconds West continuing along the northerly right-of-way line of Northwest Barry Road, a distance of 589.90 feet; thence North 05 degrees 38 minutes 11 seconds West, a distance of 518.45 feet to a point on the west line of the East Half of the Northeast Quarter of said Section 10; thence North 00 degrees 40 minutes 22 seconds East along the west line of the East Half of the Northeast Quarter of said Section 10, a distance of 2042.60 feet to the point of beginning.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1496, 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. That Ordinance No. 231048, including all conditions provided therein, shall remain in full force and effect.
2. 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)
3. Required Fire Department access roads shall be a minimum unobstructed width of twenty feet and 13 ft. 6 in. clearance height. Check with Streets & Traffic (KCMO Public Works) or Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1)

4. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3)
(No Grass Pavers Allowed)
5. 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.
6. 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)
7. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
8. 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)
9. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018:§ 503.2.4)
10. The developer shall provide fire lane signage on fire access drives.
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. 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).
13. 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)
14. 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.
15. 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.

16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. New public water main extensions (WME plans) do not appear to be proposed. If WME's are necessary then the plans shall be submitted and approved and under contract (permitted) prior to building permit issuance and the plans shall follow all Kansas City Water rules and regulations for water main extensions.
22. The developer shall submit a detailed micro storm drainage analysis from a Missouri-licensed civil engineer to the Kansas City Water Services Department showing compliance with the current, approved macro study on file with the City and with current adopted standards in effect at the time of submission, including water quality BMP's, prior to approval and issuance of any building permits to construct improvements on the site or prior to recording the plat, whichever occurs first. The developer shall verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and the developer shall construct any other improvements as required by the Kansas City Water Services Department as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.
23. 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.
24. 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.
25. 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.

26. 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.
27. 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.

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