



Legislation Details (With Text)

File #: 210901 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 9/27/2021 **In control:** Council

On agenda: 1/13/2022 **Final action:** 1/13/2022

Title: Rezoning an area of about .22 areas generally located at 3933 Kenwood Avenue from R-5 to R-1.5 to allow for the development of three triplexes. (CD-CPC-2021-00119)

Sponsors:

Indexes:

Code sections:

Attachments: 1. CD-CPC-2021-00119_FactSheet - Copy, 2. 2_CD-CPC-2021-118,119,120_StaffReport, 3. Kenwood 2 - Bldg Elevations - Stamped Plans, 4. Kenwood 2 - Stamped Plans, 5. KW2 - Rendering w. landscaping, 6. 3933 Kenwood_HKC Letter_12_7_21, 7. Public Testimony - Angie Splittgerber final 12.7.21 letter, 8. Kenwood Letter of Support_Jake Pritchard, 9. Kenwood Letter of Support_Lauren Aiello, 10. Authenticated Ordinance 210901

Date	Ver.	Action By	Action	Result
1/13/2022	1	Council		
1/12/2022	1	Neighborhood Planning and Development Committee		
12/8/2021	1	Neighborhood Planning and Development Committee	Hold on Agenda	
12/1/2021	1	Neighborhood Planning and Development Committee	Hold on Agenda	
10/6/2021	1	Neighborhood Planning and Development Committee		
9/30/2021	1	Council	referred	Pass

ORDINANCE NO. 210901

Rezoning an area of about .22 areas generally located at 3933 Kenwood Avenue from R-5 to R-1.5 to allow for the development of three triplexes. (CD-CPC-2021-00119)

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-1300, rezoning an area of approximately .22 acres generally located at 3933 Kenwood Avenue from District R-5 to R-1.5, said section to read as follows:

Section 88-20-A-1300. That an area legally described as:

Lots 30 thru 32, Block 1, Vanderbilt Place, a subdivision in Kansas City, Jackson County, Missouri.

is hereby rezoned from District R-5 to District R-1.5, all as shown outlined on a map marked Section 88-20-A-1300, 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 in accordance with Section 88-20 thereof.

Section B. That a development plan for the area legally described above is hereby approved, to allow for the development of three triplexes, subject to the following conditions:

1. 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 prior to certificate of occupancy.
2. Mechanical equipment and utility cabinets shall comply with 88-425-08-B and 88-425-08-D.
3. Staff would recommend the applicant use similar exterior materials and paint colors that are on the buildings at 3915-23 Kenwood to allow the modern design to blend in with the neighborhood.
4. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
5. 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.
6. 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.
7. 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.

8. 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 Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
9. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval 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.
10. 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.
11. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
12. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
13. 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)
14. 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)
15. 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).
16. The turning radius for Fire Department access roads is 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
17. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)
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 (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to certificate of occupancy.
19. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning Ordinance 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.

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney