



## Legislation Text

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**File #: 240020, Version: 1**

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### ORDINANCE NO. 240020

Sponsor: Director of City Planning and Development Department

Approving a development plan on about one acre in District R-2.5 generally located at E. 61st Street and Swope Parkway to allow for a residential cottage house development. (CD-CPC-2023-00167)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District R-2.5 (Residential 2.5) located at E. 61st Street and Swope Parkway, and more specifically described as follows:

TRACT 1: The east 200 feet of the north 100 feet of Lot 5, Swope Park Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 2: The west 100 feet of Lot 5, Swope Park Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

is hereby approved, subject to the following conditions:

1. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
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.
3. 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 a certificate of occupancy.
4. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
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. An alternative parking plan shall be submitted to the Development Management Division prior to Council approval.

7. Deviations to the lot and building standards for cottage developments are hereby granted to allow for a roof slope of 3:12.
8. Deviations to the lot and building standards for cottage developments are hereby granted to allow for seventy (70) square foot porches and side dimension of 5' 9".
9. 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.
10. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division 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.
11. 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.
12. 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 a 1.5 inch depth over the disturbed area 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.
13. 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.
14. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division 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.

15. 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).
16. Dead-end streets in excess of 150 feet in length resulting from a “phased” project shall provide an approved temporary turnaround feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5)
17. 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 (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) A required Fire Department access road shall be an all-weather surface. (IFC-2012: § 503.2.3) 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) 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) Permeable Pavers are not allowed.
18. 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.
19. The developer shall meet the fire flow requirements as set forth in Appendix B of the project International Fire Code 2018. (IFC-2018 § 507.1)
20. Dumpster screening should abide by 88-425-08-A, but consider raising the screening approximately 1 1/2 to 2 inches off the ground to allow pedestrians sight within the concealment area for safety. A convex mirror could also be considered to remove the concealment area created by dumpster screening.
21. Addresses should be shown on elevations to verify that they will be large and clearly visible from the roadway.
22. The developer shall pay money-in-lieu of parkland dedication as noted on plans. The amount due shall be based upon the 2023 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to final plat or certificate of occupancy, whichever occurs first.
23. 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.
24. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
25. 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.
26. When an existing building is being renovated, is being changed in use or occupancy, or is

undergoing a building addition, and the existing water service line(s) will be reused, the water service line(s) and related appurtenances shall meet the most current version of Kansas City Water rules and regulations.

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 B. 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.

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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Diane Binckley, AICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney