



File #: 250222

ORDINANCE NO. 250222

Rezoning an area of about 1.83 acres generally located on three separate properties within the Columbus Park UR District, specifically for Phase 1 approximately 80 feet north of the intersection of East 5th Street and Cherry Street; Phase 2 at the northwest corner of East 5th Street and Charlotte Street; and Phase 3 located north of East 4th Street where Campbell Street ends; from District UR to District UR and approving a development plan also serving as a preliminary plat to allow for 65 residential units. (CD-CPC-2024-00177)

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-1471 said section to read as follows:

Section 88-20A-1471, That an area legally described as:

Lot 1 Block 1, Lot 1 Block 4, Lot 2 Block 5 & part of Tract B, Columbus Park
Phase 1, Kansas City, Jackson County, Missouri

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1471, 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, 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.
2. The developer shall secure approval of a UR final plan for each phase from Development Management Division staff prior to a building permit.
3. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.

4. 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.
5. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
6. 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.
7. The developer shall apply for and receive approval of a vacation of right-of-way for the portion of Campbell Street immediately adjacent to Phase 3 prior to applying for building permits for Phase 3. The developer shall provide a pedestrian easement as shown on the site plan at that time.
8. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) (No Grass Pavers Allowed)
9. Fire lane signage shall be provided on fire access drives. (IFC-2018 § 503.3)
10. 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).
11. To be approved for an exception to required approved aerial access, one- and two-family-dwellings with exterior walls exceeding 30 feet in height the developer may seek a code modification request to be installed with a fire suppression system in accordance with Section 903.3.1.3 in lieu of aerial access. (Referencing IFC §§ D105.1, 903.3.1.3)
12. 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)
13. The proposed building shall have a Fire Department access road within 150 feet of any exterior portion of the structure. (IFC-2018: § 503.1.1)
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. 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. 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)
17. Fire hydrant(s) shall be within 400 feet of a fire access road following an approved route established by the Authority Having Jurisdiction (AHJ) of any exterior portion of a building. The use of existing fire hydrant(s) may be used to satisfy this requirement otherwise a private fire hydrant(s) or hydrant system may be required. This distance may be increased to 600 feet for R-3 and U occupancy(s) or if the building(s) is fully protected by an approved automatic fire sprinkler system(s). (IFC-2018: § 507.5.1)
18. Required Fire Department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in. clearance height. Developer check with Streets & Traffic (KCMO Public Works) or Missouri Department of Transportation (MODOT) that may have street planning regulations which supersede the Fire Code. (IFC-2018: § 503.2.1)
19. 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)
20. 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)
21. The developer shall add reinforcement to the exterior doors of the property for safety - Items such as steel braces to reinforce wooden door frames or metal door frames have been proven to lower the risk of crimes.
22. 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 a certificate of occupancy.
23. All areas proposed to be counted towards satisfying the parkland dedication requirements of 88-408 shall be platted into private open space tracts.
24. 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.

25. 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.
26. 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.
27. Campbell Street shall be constructed to local street standards as required by Chapter 88, 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.
28. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage for 3rd Street and 4th Street and to a tie-in point with the existing sidewalks as applicable. In addition, developer shall construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
29. 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.
30. 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.

31. 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.
32. 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.
33. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
34. The developer shall submit water main extension plans designed by a Missouri professional engineer for the new public water mains and public fire hydrants. The plans shall meet the Kansas City Water Services rules and regulations for water main extensions and shall be approved and under contract (permitted) prior to either final plat recording or building permit issuance. Private water mains and services shall be sized by a Missouri professional engineer and calculations reviewed and approved by the Kansas City Water Services Department staff. It is anticipated that additional public fire hydrants will be necessary to meet the max. 300' spacing along the perimeter streets. New demands may require distribution system improvements to upsize and replace water mains.
35. The developer shall provide a covenant to maintain private storm sewer mains acceptable to the Kansas City Water Services Department for any private storm sewer mains prior to the issuance of any building permits.
36. The developer shall provide a private water main easement for the private water mains prior to the issuance of any building permits.
37. The internal sanitary sewers shall be private mains and be located within a private sanitary sewer main easement and be covered by a covenant to maintain private sanitary sewer main document acceptable to the Kansas City Water Services Department prior to the issuance of any permits and prior to recording the final plat, whichever occurs first.
38. The developer shall provide a private storm sewer main easement for the private storm sewer mains prior to the issuance of any building permits.
39. The internal water lines shall be private mains and be located within a private water main easement and be covered by a covenant to maintain private water main document acceptable to the Kansas City Water Services Department prior to the issuance of any permits and prior to recording the final plat, whichever occurs first.

40. The developer shall provide a covenant to maintain private sanitary sewer mains acceptable to the Kansas City Water Services Department for any private sanitary sewer mains prior to the issuance of any building permits.
41. The internal storm sewers shall be private mains and be located within a private storm sewer main easement and be covered by a covenant to maintain private storm sewer main document acceptable to the Kansas City Water Services Department prior to the issuance of any permits and prior to recording the final plat, whichever occurs first.
42. The developer shall grant a BMP easement that encompasses the storm water detention to the City as required by the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits.
43. 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.
44. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Kansas City Water Services Department 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 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, and the developer shall secure permits to construct any improvements required by the Kansas City Water Services Department prior to recording the plat.
45. 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.
46. The developer shall enter into a covenant agreement for the maintenance of any storm water detention area tracts as required by the Kansas City Water Services Department, prior to recording the plat.
47. 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.

48. 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 Water Services Department, prior to recording the plat or issuance of a building permit, whichever occurs first.
49. 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.
50. The developer shall provide a private sanitary sewer main easement for the private sanitary sewer mains prior to the issuance of any building permits.
51. The developer shall provide a covenant to maintain private water mains acceptable to the Kansas City 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 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

MAR 20 2025

Date Passed

Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter

Senior Associate City Attorney