



## Legislation Text

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**File #: 250089**

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### ORDINANCE NO. 250089

Approving a development plan on about 0.68 acres in District R-1.5 generally located on East 10th Street between Van Brunt Boulevard and Elmwood Avenue to allow for a 6-unit cottage house development. (CD-CPC-2024-00165)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District R-1.5 (Residential 1.5) generally located on East 10th Street between Van Brunt Boulevard and Elmwood Avenue, and more specifically described as follows:

**LOT 1**

Containing 29,786 square feet or 0.68 acres - Part of the Southeast Quarter of the Northwest Quarter of Section 2, Township 48 North, Range 33 West, Kansas City, Jackson County, Missouri, being described as follows: Commencing at the southeast corner of said Northwest Quarter; thence North 02°15'43" East, along the east line of said northwest quarter, a distance of 582.76 feet to a point on the easterly prolongation of the northerly right of way line of east 11th street; thence North 87°41'32" West, along said prolongation and along said northerly right of way line, a distance of 977.50 feet; thence North 02°15'43" East, along a line parallel with the east line of said northwest quarter, a distance of 160.14 ft to the point of beginning of the tract of land to be herein described; thence North 87°41'32" West, along a line parallel with the northerly right of way line of said east 11th Street, a distance of 186.00 feet to a point 1163.50 feet westerly of the east line of said Northwest Quarter; thence North 02°15'43" East, along a line parallel with the east line of said Northwest Quarter, a distance of 160.14 feet to a point on the southerly right of way line of east 10th Street; thence South 87°41'32" East along said right of way line, a distance of 186.00 feet to a point 977.50 feet westerly of the east line of said Northwest Quarter; thence South 02°15'43" West, along a line parallel with the east line of said Northwest Quarter, a distance of 160.14 feet to the point of beginning.

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. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
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, 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.
5. Should the applicant decide to fence the property, the fence shall be of high quality materials (wrought iron/wood picket/etc.). If the applicant wishes to provide chain link fence the fence shall be of finished black material on all three sides of the development and shall meet the required fence height per Chapter 27.
6. The developer shall submit detailed elevations clearly identifying building materials and colors when applying for a building permit. The building permit will be routed to the Development Management Division and Long Range Planning Division for review, and should the elevations not meet the intent of the provided design guidelines the applicant shall apply for and receive approval of a minor amendment prior to receiving approval of building permits.
7. Should the applicant decide to add more units the development will be subject to 88-516-06.
8. Prior to issuance of the certificate of occupancy, the applicant shall gain approval and record the final plat.
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 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.
11. 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)
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. 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 and 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)
14. A required Fire Department access road shall be an all-weather surface. (IFC-2012: § 503.2.3) (No Grass Pavers Allowed)
  15. Required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
  16. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
  17. 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)
  18. 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.
  19. The developer shall ensure all units have 180-degree eye viewers (peep holes) which will allow a person to view outside their apartment prior to opening the door.
  20. Dumpster screening needs to be raised 6 inches to 1 foot from the ground on at least one side if solid screening materials are proposed or a convex mirror mounted from an elevated position angled downward into the screening should be considered to remove concealment area for better safety and security of the area. This should be added on plans prior to approval of a building permit.
  21. Address must be determined, and location should be identified and described or shown on site plan/elevations prior to approval of building permit. Address should be placed in a position that is visible from the street or road fronting the property. If this cannot be done, then wayfinding should be added to the plan to assist with address identification. Address identification characters shall contrast with their background and be Arabic or alphabetical letters. Each character should not be less than 4 inches in height with a stroke width of not less than 0.5 inches.
  22. All amenities within the "Private Open Space" Tract shall be constructed prior to the release of the certificate of occupancy for the first residential unit.
  23. 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 final plat.

24. 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.
25. 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.
26. 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.
27. A full flow fire meter shall be required when the fire protection service line serves more than one building, or combination service lines are 6 inches and larger, or when private fire hydrants are connected to them.
28. 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.
29. 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.



30. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
31. Submit water main extension plans prepared by a Missouri professional engineer for the new public fire hydrant on 10th Street. The plans shall meet all the Kansas City, Missouri Water Services Department rules and regulations and shall be contracted (permitted) prior to a building permit issuance.
32. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Kansas City, Missouri 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 prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Kansas City, Missouri Water Services Department prior to issuance of any certificate of occupancy.
33. The developer must 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.

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.

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

FEB 06 2025

Date Passed

  
Sara Copeland, FAICP  
Secretary, City Plan Commission

Approved as to form:

  
Sarah Baxter  
Senior Associate City Attorney