



File #: 250168

ORDINANCE NO. 250168

Approving a development plan which also serves as a preliminary plat to allow for five residential townhomes in two phases on one lot, in District R-5, on about 0.73 acres generally located at the southeast corner of W. 49th Street and Sunset Drive. (CD-CPC-2023-00159).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District R-5 generally located at the southeast corner of W. 49th Street and Sunset Drive, and more specifically described as follows:

Arnold Place, Lot 2

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 provide reciprocal cross access easement to serve the parcel to the north and east of the subject parcel. Show book and page number on the face of the plan.
3. 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.
4. The developer shall secure approval of a streetscape plan from the Development Management Division staff prior to a building permit. The plan shall include all vertical and horizontal obstructions within and adjacent to the right-of-way along the project frontage including but not limited to signage, sidewalks, driveways, landscaping, and shall demonstrate compliance with applicable policies and regulations.
5. 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.

6. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances. This is phase I of platting to create two condominium units and one tract pursuant to Chapter 88-535.
7. The developer shall cause the area to be further subdivided via minor subdivision condo plat pursuant to 88-535 to create individual units prior to transfer of each unit.
8. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
9. 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)
10. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
11. A required Fire Department access road shall be an all-weather surface. (IFC-2012: § 503.2.3)
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. 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)
14. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius (IFC-2018: § 503.2.4) and shall provide fire lane signage on fire access drives.
15. Dead-end streets in excess of 150 feet in length resulting from a “phased” project shall provide an approved temporary turn around feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5)
16. 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).
17. 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 2023 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to certificate of occupancy.

18. 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
19. 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.
20. 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.
21. 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, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
22. The developer shall construct temporary off-site cul-de-sacs and grant a City approved temporary cul-de-sac easement, for that portion outside of the dedicated street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.
23. 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.
24. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department 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.
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. No water service tap permits will be issued until the public water main is released for taps.
27. Water/sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
28. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
29. The developer shall submit water main extension drawings to extend the existing 6" main approx. 150' east and terminating at a new fire hydrant. Plans shall be prepared by a Missouri professional engineer and submitted to the water main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.

A copy of said development plan is on file in the office of the City Clerk with this ordinance and made a part hereof.

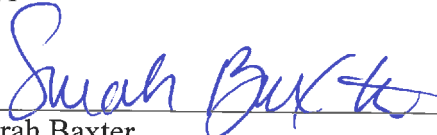
Section B. That the Council finds and declares that before taking any action on the proposed development plan hereinabove, all public notices and hearings required by the Zoning Ordinance have been given and had.

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



Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:



Sarah Baxter
Senior Associate City Attorney



Authenticated as Passed


Quinton Lucas, Mayor
Marilyn Sanders, City Clerk
FEB 27 2025

Date Passed