



## Legislation Text

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**File #: 240876**

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### ORDINANCE NO. 240876

Rezoning an area of about 11.05 acres generally located at 3427 E. 59th Street from District R-1.5 to District MPD and approving a development plan to allow for a mixed-housing campus. (CD-CPC-2024-00072)

#### 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-1447, rezoning an area of about 11.05 acres generally located at 3427 E. 59th Street from District R-1.5 (Residential) to District MPD (Master Planned Development) and approving a development plan to allow for a mixed-housing campus, said section to read as follows:

Section 88-20A-1447. That an area legally described as:

Lots 7, 8, 9, 10, 23, 24, 26 and part of Lot 39, Swope Park Highlands, Jackson County, Missouri.

is hereby rezoned from District R-1.5 (Residential) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A-1447, 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. All building facades shall comply with 88-323-02-E.
2. No detailed sign plan was provided. All signage must comply with 88-445 (non-residential development/district).
3. The developer shall secure approval of a MPD final plan for each phase identified on the approved MPD plan from the City Plan Commission prior to a building permit.
4. Walls and fences proposed on the subject site shall comply with residential standards identified in Chapter 27 and Chapter 88 of the municipal code.

5. All mechanical equipment, dumpsters, and utility cabinets shall comply with 88-323-02-D and 88-425-08, to be detailed in the final MPD plan for each phase proposed on the adopted plans.
6. Wayfinding signage along 59th Street, Swope Parkway, and 60th Street will be installed to direct pedestrian traffic into the campus. Signs must comply with 88-445 and identified in the final MPD plans.
7. "No Idling" or "Idle Free Zone" signs shall be posted in all off-street loading areas.
8. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping and trees required of the approved plan have been installed in accordance with the plan and are healthy prior to a certificate of occupancy.
9. 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 88-430 and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
10. A revised photometric plan shall be submitted with the final MPD submissions identifying compliance with 88-430.
11. Final vehicle and bicycle parking counts will be determined through the final MPD review process.
12. Fire hydrant distribution shall follow IFC 2018 Table C102.1.
13. Required Fire Department access roads shall be an all- weather surface. (IFC 2012: § 503.2.3)
14. Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC 2018: § D104.1)
15. 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)
16. The developer shall provide fire lane signage on fire access drives. This condition must be detailed in the final MPD plan.
17. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC 2018 § 507.1)

18. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC 2018: § 503.2.4) This condition must be detailed in the final MPD plan.
19. 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)
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. 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). This condition must be detailed in the final MPD plan.
22. 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)
23. Buildings exceeding 62,000 square feet in area shall have at least two means of fire apparatus access. (IFC 2018: § D104.2)
24. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1 and NFPA1221)
25. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. (IFC 2018 § 503.1.1) This condition must be detailed in the final MPD plan.
26. 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.
27. The developer shall submit plans to Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including



but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and street lighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks and Recreation Department standards.

28. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify the state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. 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 Parks and Recreation Department, prior to recording the plat or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
29. 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.
30. Prior to construction adjacent to a parks and recreation jurisdictional street and/or park the developer and/or their representative shall obtain a Parks permit for storage and restoration within a park or a parks and recreation jurisdictional street right-of-way including, but not limited to, the installation of construction trailer, stockpiling of materials or equipment, construction roads and utility cabinets/meters.
31. All structures located along Swope Parkway shall have a main entrance facing the parkway or an additional setback will be required. This entrance shall also include a pedestrian connection from the structure to the perimeter sidewalk.
32. The applicant shall meet all requirements of the parkway and boulevard standards per section 88-323.
33. 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.
34. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri

Department of Natural Resources (MDNR) and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.

35. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
36. 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.
37. 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.
38. Water/sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
39. The developer shall ensure that water and fire service lines shall meet current Water Services Department rules and regulations prior to a certificate of occupancy.
40. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
41. No water service line will be less than 1 1/2" in diameter where three or more units or a commercial building will be served by one domestic service line and meter.
42. 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.

43. The existing water main in 59th Street was recently upsized to 8" and is now reflected as such in the Water GIS maps. It is not anticipated that public water main extension plans will be needed, however, this assumption should be confirmed with a comparative analysis of the available flow and pressure to the expected demand generated. If the water mains need to be upsized they will need to meet the Kansas City Water Services Department rules and regulations.
44. 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.
45. 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.
46. 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.
47. 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. 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

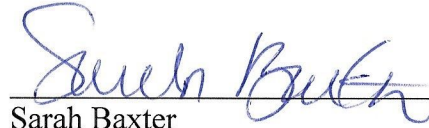
Marilyn Sanders, City Clerk

OCT 03 2024

Date Passed

Secretary, City Plan Commission

Approved as to form:



Sarah Baxter

Senior Associate City Attorney