



Legislation Text

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File #: 260212, Version: 2

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[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 260212

Sponsor: Director of City Planning and Development Department

**COMMITTEE SUBSTITUTE**

Approving a development plan on about 1.3 acres in District R-0.5 generally located at 32 E. 46th Street to allow for the construction of a multi-unit residential building. (CD-CPC-2025-00189).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District R-0.5 (Residential) generally located at 32 E. 46th Street, and more specifically described as follows:

Youth Activity Complex South Moreland Amend Plat Sub Lot 6 all exc w 25 ft Lots 2 thru 6.

is hereby approved, subject to the following conditions:

1. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
2. 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.
3. 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.
4. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with Section 88-425-08 of the Zoning and Development Code.
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. The developer shall pay a partial fee in lieu of \$3,700.00 to meet landscaping requirements prior to a certificate of occupancy.
7. The developer shall provide 5 visitor parking spaces in the parking garage.

8. All Fire Department Connections (FDC) shall be threaded connections. Storz connections are not allowed in the City of Kansas City, Missouri. (IFC-2018 § 903.3.6; NFPA 13-2010 § 6.8.1).
9. 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)
10. 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)
11. Buildings which have an occupiable floor greater than 75 feet above grade shall meet high-rise requirements. ( IFC 2018 Sec 914.3)
12. 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.
13. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
14. 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)
15. The building's FDC shall be immediately recognizable from the street or nearest point of Fire Department access. ( IFC-2018§ 912.2.1)
16. 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 2025 acquisition rate of \$20,065.67 per acre. This requirement shall be satisfied prior to a certificate of occupancy.
17. The development is anticipated to generate over 1,000 vehicular trips per day. As a result, a detailed Traffic Impact Study (TIS) will be required to evaluate the potential impacts of the development on the surrounding roadway network. The TIS must be submitted and any traffic improvements completed prior to issuance of a building permit.
18. 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.
19. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to

recording the plat.

20. 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.
21. 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.
22. 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.
23. 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.
24. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
25. No water service line will be less than 1-1/2" in diameter where three or more units or commercial building will be served by one domestic service line and meter.
26. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to issuance of a certificate of occupancy. 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.
27. The developer shall grant a BMP easement to the City as required by the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits.
28. 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.
29. 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 prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Kansas City Water Services Department prior to issuance of any certificate of occupancy.

30. 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.
31. The developer shall submit plans for grading, siltation, and erosion control to the Kansas City Water Services Department for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri Dept. 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.

Section B. That the Council grants a deviation to section 88-110-06, Lot and Building Standards, in the amount of 150 square feet of lot area per unit allowing 350 square feet of lot area per unit rather than 500 square feet.

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.

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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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Sara Copeland, FAICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney