

COMMUNITY PROJECT/REZONING

Ordinance Fact Sheet

Case No. CD-CPC-2021-00181, -00183, & -00184

Brief Title

Rezoning, with associated Development Plan, Area Plan Amendment, and Preliminary Plat, an area of about 2.3 acres generally located on the west side of Bell St in between W 39th St to the north and W 40th St to the south from District B3-2 (Community Business), R-2.5 (Residential), and R-5 (Residential) to District R-0.3 (Residential) to allow for a multi-unit apartment building. (CD-CPC-2021-00181, -00183, & -00184)

Details

Location: Generally located on the west side of Bell St in between W 39 th St to the north and W 40 th St to the south.
Reason for Legislation: Zoning Map Amendments (Rezoning), Development Plans, and Area Plan Amendments require City Council approval.
See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.
<p>SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:</p> <ul style="list-style-type: none"> Outstanding corrections associated with CD-CPC-2021-00184 were resolved on 2/10/2022. <p>CITY PLAN COMMISSION RECOMMENDATION: CD-CPC-2021-00181 (Rezoning) = Approval CD-CPC-2021-00183 (Area Plan Amendment) = Approval CD-CPC-2021-00184 (Development Plan) = Approval Subject to Conditions</p> <p>1.The Buildings shall comply with all requirements of wall rating and opening protection per 602 and 705.8 of International Building Code 2018 edition with respect to property lines and lot lines. (10/21/2021)</p> <p>2.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 private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.</p> <p>3.The developer must 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</p>

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Ordinance Number

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected	4 th District (Shields, Bunch)
Applicants / Proponents	<p>Applicant John McGurk Milhaus 210 W 19th Ter Kansas City, MO 64108</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against –</p>
Board or Commission Recommendation	<p>City Plan Commission (6-0) 01-18-2022 By Nay: Allender, Baker, Beasley, Enders, Hill, Rojas</p> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p>

where existing sidewalks are modified or repaired.

4.The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval 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.

5.The developer must 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.

6.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, as amended, commonly known as the Development Regulations.

7.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 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, 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

	<input type="checkbox"/> Without Recommendation
	<input type="checkbox"/> Hold
	<input type="checkbox"/> Do not pass
Policy or Program Change	<input type="checkbox"/> Yes <input type="checkbox"/> No
Operational Impact Assessment	

Finances

Cost & Revenue Projections – Including Indirect Costs	
Financial Impact	
Funding Source(s) and	

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the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.

8.The developer must grant a [BMP and/or Surface Drainage Easement] to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.

9.That the west half of Bell Street shall be improved to City standards standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.

10.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.

11.The owner/developer must submit plans for grading, siltation, and erosion control to 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.

12.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. 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.

13.The developer must integrate into the existing street light system any relocated existing street lights 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.

14.The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required

**Appropriation
Account Codes**

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by the Land Development Division.

15.The developer must secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.

16.That the east half of State Line Road shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.

17.The applicant shall vacate the east-west alley prior to issuance of building permit.

18.The applicant shall provide dedicated parking for the Scotford Apartments (minimum of 6 spaces).

19.The applicant shall obtain an encroachment permit for each proposed loading zone within the right-of-way.

20.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 Certificate of Occupancy.

21.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 Certificate of Occupancy.

22.The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat.

23.The developer shall demonstrate compliance with the fire flow requirements as set forth in Appendix B of the International Fire Code 2018 prior to issuance of Certificate of Occupancy. (IFC-2018 § 507.1)

24.Fire hydrant distribution shall follow IFC-2018 Table C102.1 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 -2013 § 8.7.2)

Fire hydrant distribution shall follow IFC-2018 Table C102. Hydrants shall be in place before building on structures begin.

25.Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC) prior to issuance of Certificate of Occupancy. (IFC2018 § 507.5.1.1)

26.The developer is 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 (2021) acquisition rate of (\$48,801.37) per acre. At 223 multi-family units, the money-in-lieu of parkland fee of \$130,592.46 shall

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be paid prior to certificate of occupancy.
27.The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation Department’s Forestry Division prior to beginning work in the public right-of-way
28.The proposed loading zone will need a separate approval from Public Works. Please submit the plan sheet to Monica Kearney for review at Monica.Kearney@kcmo.org.

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29.The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations prior to issuance of Certificate of Occupancy.
<https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Service-Lines.pdf>
30.The developer shall submit a Flow & pressure analysis by a registered Professional Engineer in Missouri to verify adequate capacity of the existing water mains and verify fire flow capacity, on both State Line Road and Bell St., prior to the issuance of new water service permits. Depending on adequacy of the existing water mains systems, making other improvements may be required.
South of River contact –Sean Allen -816-513-0318
North of River contact Dan Richardson – 816-513-4883
31.The developer must submit Fire Hydrant Relocation plans meeting the 300’ maximum spacing along the adjacent public roadways (State Line Road & Bell St,). Plans shall be prepared by a registered professional Engineer in Missouri. They shall be submitted to the water main extension desk for review, acceptance and contracts per the KC Water Rules and Regulations for Water main extensions and Relocations prior to issuance of Certificate of Occupancy.

Fact Sheet Prepared By: **Date:** 02-16-2022
Ahnna Nanoski, AICP
Lead Planner

Reviewed By: **Date:**
Joe Rexwinkle, AICP
Division Manager
Development Management

Initial Application Filed: 10-06-2021
City Plan Commission Action: 01-18-2022
Revised Plans Filed: NA
Total Days in City Review: 40
Total Days in Applicant’s Hand: 45

Reference Numbers:
Case No. CD-CPC-2021-00181 & -00184