

ORDINANCE NO.

Approving a development plan in District R-7.5 (Residential 7.5) on 0.24 acre generally located at 9130 McGee Street to allow creation of two single family residential lots. (CD-CPC-2020-00102)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District R-7.5 (Residential 7.5) on a 0.24 acre tract of land generally located at 9130 McGee Street, and more specifically described as follows:

LOTS 21 22 & 23 BLK 15 MOORESSOUTHLAND ADD

is hereby approved, subject to the following conditions:

1. That the applicant receive deviations to the minimum required lot area as follows:
 - a. For Tract 1 in the amount of 1,860 sq. ft. (7,500 sq. ft. required; 5,640 sq. ft. provided);
 - b. For Tract 2 in the amount of 2,583 sq. ft. (7,500 sq. ft. required; 4,917 sq. ft. provided).
2. That the applicant receive deviations to the minimum required lot width as follows:
 - a. For Tract 1 in the amount of 10 ft. (50 ft. required; 40 ft. provided);
 - b. For Tract 2 in the amount of 15.24 ft. (50 ft. required; 34.76 ft. provided).
3. Stormwater management facilities, including but not limited to detention basins and BMPs, shall be privately maintained and covered by maintenance covenant(s) or easement(s) that include provisions for private maintenance.
4. The developer must submit a Macro storm drainage study with the first Plat or Phase, from a Missouri- licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including Water Quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit Micro storm drainage study with each subsequent Plat or Phase showing compliance with the approved Macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first as required by the Land Development Division.
5. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right- of-way dedications for the planned project without the prior written consent of the Land Development Division.

6. 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.
7. That the south half of East 91st Terrace 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.
8. That the west half of McGee Street 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.
9. 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.
10. 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.
11. 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.
12. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
13. 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.

14. The developer must follow Water Services current rules and regulations.
 - a. Each individual lot must have a separate Domestic water service lines.
 - b. Follow the KCMO Rules and Regulations for new domestic water, fire service lines and service line kills.
 - c. <https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Service-Lines.pdf>
15. Each individual lot must have a separate Domestic water service lines.
 - d. Follow the KCMO Rules and Regulations for new domestic water, fire service lines and service line kills.
 - e. <https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Service-Lines.pdf>
16. 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. Contact Kevin Lapointe at Kevin.Lapointe@kcmo.org or 816-513-7776.
17. The applicant shall pay money in lieu of dedication of parkland dedication per 88.408 for two single family residential lots, calculated as follows: (2 single family units) x (3.7 persons per unit) x (0.006 acres per person) = 0.045 acre multiplied by the 2020 parkland rate.

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 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.

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney