

ORDINANCE NO. 180824

Rezoning a 6 acre tract of land generally located at the southeast corner of E. 65th Street and Rockhill Road from District UR to District UR for the purpose of amending the existing UR plan to allow the units to increase from 162 multi-family units to 210 units within three buildings. (CD-CPC-2018-00132)

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 88-20A1169, rezoning an area of approximately 6 acres generally located at the southeast corner of E. 65th Street and Rockhill Road from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), said section to read as follows:

Section 88-20A1169. That an area legally described as:

Beginning at the Northeast corner of Tract "A" of Baptist Medical Center, Second Plat, a subdivision in Kansas City, Jackson County, Missouri" after the first reference to Tract A in both 632 and 633; thence South and West along the East line of Tract "A" the following three courses: (1) South 2 degrees, 22 minutes, 30 seconds West, 304.89 feet; (2) North 86 degrees, 43 minutes, 43 seconds West, 117.81 feet; (3) South 2 degrees, 22 minutes, 16 seconds West, 329.82 feet; thence, leaving the East line of Tract "A", South 51 degrees, 02 minutes, 59 seconds West, 152.31 feet; thence North 40 degrees, 18 minutes, 58 seconds West, 350.00 feet to a point on the West line of Tract "A" being also the East Right-Of-Way of Rockhill Road; thence along the West line of Tract "A" and the East Right-Of-Way of Rockhill Road the following four courses: curve to the Left, Radius of 552.00 feet, arc length of 8.63 feet, Chord Bearing of North 32 degrees, 19 minutes, 17 seconds East, 8.63 feet to a Point of Compound curve; curve to the Left, Radius of 392.60 feet, arc length of 181.26 feet, Chord Bearing of North 18 degrees, 38 minutes, 51 seconds East, 179.65 feet, to a non-tangent curve; curve to the Left, Radius of 540.00 feet, arc length of 100.00 feet, Chord Bearing of North 07 degrees, 40 minutes, 18 seconds East, 99.85 feet, to a Point of Tangency; North 2 degrees, 22 minutes, 00 seconds East, 162.53 feet to a Point of Curvature; thence on a curve to the Right, Radius of 40.00 feet, arc length of 63.46 feet, Chord Bearing of North 47 degrees, 49 minutes, 08 seconds East, 57.01 feet, to a Point of Tangency and a point on the South Right-Of-Way of 65th Street; thence South 86 degrees, 43 minutes, 43 seconds East, along the Right-Of-Way, 365.04 feet to the Point of beginning containing 233,439.76 square feet or 5.359 acres, more or less.

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is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A1169, 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. The developer shall submit a final UR plan to the Director of City Planning and Development for approval, including detailed information on landscaping, signage (including elevations), lighting (including a photometric study showing zero footcandles at the property line and no direct illumination beyond the property line) and color building elevations prior to issuance of building permit.
2. 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.
3. The developer shall submit a street tree planting plan to the Development Management Division prior to issuance of a building permit. The developer shall also secure the approval of the City Forester for street trees to be planted in the right-of-way prior to occupancy.
4. The owner/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.
5. 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, identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" 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.

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6. 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.
7. 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 prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
8. 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.
9. The developer shall ensure that no structures are constructed over sewer easements. All structures shall be located outside the easements or designed as approved by the Water Services Department.
10. The developer shall extend water mains and provide easements as required by the Water Services Department.
11. All proposed development within this UR district shall meet the requirement of Chapter 88-323, Boulevard and Parkway Standards.
12. The developer shall either dedicate parkland or contribute money in lieu of parkland dedication in satisfaction of Section 88-408 of the Zoning and Development Code based on the following formula:

$$(\text{number of multi-family units}) \times 2 (\text{persons per unit}) \times 0.006 (\text{acres per person}) = 0.00 \text{ acres} \times \$39,617.49 (\text{2018 parkland fee}) = \text{Required fee.}$$

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.

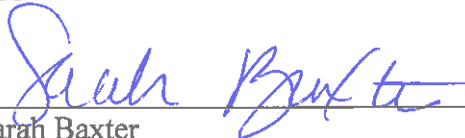
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Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

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


Secretary, City Plan Commission

Approved as to form and legality:


Sarah Baxter
Assistant City Attorney



Authenticated as Passed



Mayor James



Marilyn Sanders, City Clerk

OCT 25 2018

Date Passed