



Legislation Details (With Text)

File #: 220520 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 6/7/2022 **In control:** Neighborhood Planning and Development Committee

On agenda: 6/29/2022 **Final action:** 6/30/2022

Title: Approving an amendment to a previously approved UR Plan in District UR (Urban Redevelopment), which also serves as a preliminary plat to allow for changes to phases 3 and 4 of the approved plan on about 5.16 acres generally bordered by W. 34th Street on the north, W. 34th Terrace on the south, Broadway Boulevard on the east and Pennsylvania Avenue on the west. (CD-CPC-2021-00222)

Sponsors:

Indexes:

Code sections:

Attachments: 1. CD-CPC-2021-00222_Fact Sheet, 2. 220520 Fiscal Note, 3. 4_CD-CPC-2021-00222&2022-00027_CPCStaffRpt_04_05_22, 4. CD-CPC-2021-00222_Aproved Plan, 5. CD-CPC-2021-00222_CPCDispo_04_08_22, 6. CD-CPC-2021-0022_CPC Presentation_4-5-22, 7. Authenticated Ordinance 220520

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------|----------|--------|
| 6/30/2022 | 1 | Council | Passed | Pass |
| 6/16/2022 | 1 | Council | referred | |

ORDINANCE NO. 220520

Approving an amendment to a previously approved UR Plan in District UR (Urban Redevelopment), which also serves as a preliminary plat to allow for changes to phases 3 and 4 of the approved plan on about 5.16 acres generally bordered by W. 34th Street on the north, W. 34th Terrace on the south, Broadway Boulevard on the east and Pennsylvania Avenue on the west. (CD-CPC-2021-00222)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a previously approved UR development plan is hereby amended to allow for changes to phases 3 and 4 of the approved plan on about 5.16 acres generally bordered by W. 34th Street on the north, W. 34th Terrace on the south, Broadway Boulevard on the east and Pennsylvania Avenue on the west, and more specifically described as follows:

All that part of Lot PE-2, K.C. Life Addition, a Subdivision in Kansas City, Jackson County, Missouri, and all that part of Lots 7 and 8, in Block 10, Amended Plat of McGee's Summit, a Subdivision in Kansas City, Jackson County, Missouri, and all that part of Lots 7, 8, 9, 10, 11 and 12, Mary A. Morley Place, a Subdivision in Kansas City, Jackson County, Missouri, and all that part of Lots 8, 9, 10, 11 and 12, in Rowell's Annex, a Subdivision in Kansas City, Jackson County, Missouri, and all that part of Washington Street (Public Street 50 feet wide), described as follows:

Point of beginning; thence S 87°07'57" E, along Southerly right-of-way line of W. 34th Street

(Public Street 60 feet wide), a distance of 221.50 feet to a point on the centerline of Washington Street (Public Street 50 feet wide); thence S 2°39'17" W, departing the said Southerly right-of-way line of W. 34th Street, along the said centerline of Washington Street, a distance of 123.50 feet to a point on the Northerly line of said Lot PE-2, K.C. Life Addition; thence S 87°07'57" E, departing said centerline of Washington Street, along said Northerly line of Lot PE-2, K.C. Life Addition, a distance of 345.36 feet to a point on the Westerly right-of-way line of Broadway Boulevard (Public Street 99 feet wide); thence S 2°33'55" W, along said Westerly right-of-way line of Broadway Boulevard, a distance of 335.00 feet to a point on the centerline of W. 34th Street Terrace (Public Street 30 feet wide); thence N 87°07'57" W, departing said Westerly right-of-way line of Broadway Boulevard, along said centerline of W. 34th Street Terrace, a distance of 320.88 feet to a point where the said centerline of W. 34th Street Terrace intersects with the Easterly right-of-way line of said Washington Street; thence N 2°39'17" E, departing said centerline of W. 34th Street Terrace, along said Easterly right-of-way line of Washington Street, a distance of 15.19 feet to a point on the Northerly right-of-way line of said W. 34th Street Terrace; thence N 87°10'18" W, departing said Easterly right-of-way line of Washington Street, along said Northerly right-of-way line of W. 34th Street Terrace, a distance of 271.50 feet to a point on the Easterly right-of-way line of Pennsylvania Avenue (Public Street Variable width); thence N 2°39'17" E, departing said Northerly right-of-way line of W. 34th Street Terrace, along said Easterly right-of-way line of Pennsylvania Avenue, a distance of 443.50 to the point of beginning. Containing 224,703.30 square feet or 5.16 acres, more or less.

subject to the following conditions:

1. 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.
2. 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.
3. The developer shall secure approval of a final development plan from the Development Management Division staff prior to a building permit.
4. The 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 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.
6. 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, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.

7. 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
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 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.
10. 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.
11. The developer shall submit covenants, conditions, and restrictions to the Land Development Division for approval by the Law Department 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.
12. 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.
13. The south half of West 34th Street shall be improved to City standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a 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.
14. 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.
15. The east half of Pennsylvania Avenue shall be improved to City standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
16. The north half of West 34th Terrace shall be improved to City standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities

as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.

17. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
18. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
19. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site.
20. 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)
21. 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. The developer intends to pay money-in-lieu of dedication. The amount due shall be based upon the (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to a certificate of occupancy.
22. 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
23. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to 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.

Section B. That the Council finds and declares that before taking any action on the proposed 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.

Joseph Rexwinkle, AICP
Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney