



Legislation Details (With Text)

File #: 230821 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 9/11/2023 **In control:** Council

On agenda: 10/5/2023 **Final action:** 10/5/2023

Title: Sponsor: Director of City Planning and Development Department

Rezoning an area of about 1.2 acres generally located at 625 Prospect Avenue from District B3-2, B4-5, and R-6 to District to UR and approving a preliminary development plan and preliminary plat to allow for retail and apartment uses. (CD-CPC-2023-00109)

Sponsors: Director of City Planning & Development, City Plan Commission

Indexes:

Code sections:

Attachments: 1. Docket Memo CitiHome, 2. 02_CD-CPC-2023-00109_Staff Report, 3. CD-CPC-2023-00109 CPC Dispo, 4. Exhibit A 625 Prospect Ave, 5. CD-CPC-2023-00109 PPT, 6. PT1 ProspectDevelopment, 7. Public Testimony, 8. Authenticated Ordinance 230821

Date	Ver.	Action By	Action	Result
10/5/2023	1	Council	Passed	Pass
9/28/2023	1	Council	Assigned to Third Read Calendar	
9/27/2023	1	Neighborhood Planning and Development Committee	Do Pass	Pass
9/14/2023	1	Council	referred	

ORDINANCE NO. 230821

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 1.2 acres generally located at 625 Prospect Avenue from District B3-2, B4-5, and R-6 to District to UR and approving a preliminary development plan and preliminary plat to allow for retail and apartment uses. (CD-CPC-2023-00109)

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 88-20A-1411, rezoning an area of about 1.2 acres generally located at 625 Prospect Avenue from District B3-2 (Community Business), B4-5 (Heavy Business), and R-6 (Residential) to District to UR (Urban Redevelopment), said section to read as follows:

Section 88-20A-1411. That an area legally described as:

Lot 1: 625 Prospect/2617 E 6th St Vaughn Place Lots 2-9 Blk C

Lot 2: 2619-21 E 6th St Long Croysdale & Vaughan Sub w 39.45 ft of n 128 ft of s 270 ft Lot 2

& Vaughan Place Lot 1 Blk C

Lot 3: 637-39 Prospect / Lots 5 6 7 8 9 Blk D Vaughn Place

Lot 4: 2610-12 E 7th St/vac lot Vaughn Place Lots 3 & 4 Blk D

Lot 5: 2616 E 7th St / vac lot Vaughan Place Lots 1 & 2 Blk D

is hereby rezoned from District B3-2 (Community Business), B4-5 (Heavy Business), and R-6 (Residential) to District to UR (Urban Redevelopment) all as shown outlined on a map marked Exhibit A 625 Prospect Ave 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 preliminary development plan and preliminary plat for the area legally described above is hereby approved, subject to the following conditions:

1. Per 88-425-13, an administrative adjustment is approved to site 2 street trees and native landscape plantings in lieu of 25 street trees.
2. 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.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping and street trees required of the approved plan has been installed in accordance with the plan and are healthy prior to a certificate of occupancy.
4. The developer acknowledges that signage is not approved with this plan and shall be reviewed and permitted in accordance with Section 88-445-07 [Tenant(s) in a multi-tenant building with exterior entrance] and the Independence Avenue Overlay District.
5. The developer shall submit and secure approval of a final development plan prior to issuance of a building permit.
6. The developer shall submit a storm drainage analysis prepared by a civil engineer licensed in the State of Missouri 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 final plat.
7. 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.

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 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.
10. 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.
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.
12. The developer shall submit construction plans that conform to the requirements of Appendix B, International Fire Code.
13. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department connection.
14. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site.
15. Fire hydrant distribution shall follow Table C102.1 of the 2018 International Fire Code.
16. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads shall be a minimum 26 feet wide, and at least 15 feet away from but not more than 30 feet from the structure.
17. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius.
18. The developer shall pay money-in-lieu of parkland dedication prior to a certificate of occupancy. The fee shall be based on the 2023 parkland rate.
19. The developer shall ensure that water and fire service lines serving the building(s) meet current Water Services Department rules and regulations prior to a certificate of occupancy.
20. No water service line shall 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.
21. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

22. The developer shall have a Missouri professional engineer perform an analysis of the existing 1885 vintage 6" water main for adequate flow and pressure to serve the new fire and domestic demands of the proposed buildings combined with the existing water distribution system demands. If the 6" main is inadequate then a water main extension to upsize and replace mains will be necessary, the extents of which will depend on the required demands.
23. The developer shall submit water main (extension/abandonment/relocation) drawings prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for new fire hydrants and potentially a new water main extension.
24. The developer shall remove or abandon in place the existing sanitary sewer line located in the vacated alleyway and release the easement for the portion of the line to be abandoned/removed to convert the remaining portion of the line to a private service line. This must be completed prior to the issuance of a building permit or recording the final plat, whichever occurs first.

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 C. That the preliminary development plan described above is hereby approved with the following deviations from Chapter 88, Code of Ordinances:

1. A deviation to the required parking for retail uses to be reduced by 9 spaces.

Section D. 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.

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:

Sarah Baxter
Senior Associate City Attorney