



## Legislation Details (With Text)

<b>File #:</b>	210232	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	3/19/2021	<b>In control:</b>		Council	
<b>On agenda:</b>	4/1/2021	<b>Final action:</b>			
<b>Title:</b>	Rezoning about 16 acres generally located at the southeast corner of N. Lucerne Avenue and N.W. 58th Terrace, specifically at the terminus of N.W. 58th Terrace, from District R-6 to District R-80, and approving a development plan in District R-80 to allow for two principal residential structures on one lot. (CD-CPC-2020-00187 & 00188)				

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. No Fact Sheet, 2. CPCStaffRPT

Date	Ver.	Action By	Action	Result
3/31/2021	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
3/24/2021	1	Neighborhood Planning and Development Committee	Hold on Agenda	

### ORDINANCE NO. 210232

Rezoning about 16 acres generally located at the southeast corner of N. Lucerne Avenue and N.W. 58th Terrace, specifically at the terminus of N.W. 58th Terrace, from District R-6 to District R-80, and approving a development plan in District R-80 to allow for two principal residential structures on one lot. (CD-CPC-2020-00187 & 00188)

#### 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-1265, rezoning an area of approximately 16 acres generally located at the southeast corner of N. Lucerne Avenue and N.W. 58th Terrace, specifically at the terminus of N.W. 58th Terrace, from District R-6 (Residential 6) to District R-80 (Residential 80), and approving a development plan in District R-80 (Residential 80), said section to read as follows:

Section 88-20A-1265. That an area legally described as:

All of Lot 122, Forest Ridge Estates, Fourth Plat, a subdivision in Kansas City, Platte County, Missouri.

is hereby rezoned from District R-6 (Residential 6) to District R-80 (Residential 80), and approving a development plan in District R-80 (Residential 80), all as shown outlined on a map marked Section 88-20A-1265. 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 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.
2. 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.
1. 3. 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.
4. 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.
5. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.
6. The developer shall 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.
7. The developer shall submit a preliminary stream buffer plan prior to approval of the special use/development/rezoning plan in accordance with the Section 88-415 requirements.
8. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
9. 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 "O UT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" 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.

10. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
11. The developer shall follow the Kansas City, Missouri rules and regulations for domestic water and fire service lines.
12. The developer shall be 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 2020 acquisition rate of \$48,801.37 per acre. This requirement shall be satisfied prior to recording the final plat.
13. Stormwater management facilities, such as detention basins, BMPs, engineered surface water conveyance paths outside of right-of-way which serve multiple lots or tracts, shall be privately maintained, located on separate tract(s), and covered by maintenance covenant(s) to be administered through the platting process.
14. Fire hydrant(s) are required within 400 feet on a fire access road following an approved route established by the Authority Having Jurisdiction (AHJ) of any exterior portion of a building. The use of existing fire hydrant(s) may be used to satisfy this requirement otherwise a private fire hydrant(s) or hydrant system may be required. This distance may be increased to 600 feet for R-3 and U occupancy(s) or the building(s) is fully protected by an approved automatic fire sprinkler system(s). (IFC- 2018: § 507.5.1

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 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.

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

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Assistant City Attorney