



Legislation Details (With Text)

**File #:** 220802      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 9/13/2022      **In control:** Council

**On agenda:** 9/22/2022      **Final action:** 9/22/2022

**Title:** Rezoning an area of about 2.5 acres generally located on the north side of E. 45th Street between Wabash Avenue on the east and Olive Street on the west from District R-2.5 to District UR and approving a residential development plan to allow for 101 unit multi-family residential development within eight buildings. (CD-CPC-2022-00086)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CP-CPC-2022-00084&00086\_Fact Sheet, 2. 06\_CD-CPC-2022-00084&00086\_CPCStaffRpt\_07\_05\_22, 3. Exhibit A\_Section Map, 4. CD-CPC-2022-00086\_CPCDispo\_07\_05\_22, 5. 6-21-2022-PowerPoint, 6. Authenticated Ordinance 220802

Date	Ver.	Action By	Action	Result
9/22/2022	1	Council	Passed	Pass
9/21/2022	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
9/15/2022	1	Council		

ORDINANCE NO. 220802

Rezoning an area of about 2.5 acres generally located on the north side of E. 45th Street between Wabash Avenue on the east and Olive Street on the west from District R-2.5 to District UR and approving a residential development plan to allow for 101 unit multi-family residential development within eight buildings. (CD-CPC-2022-00086)

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-1347 rezoning an area of approximately 2.5 acres generally located on the north side of E. 45th Street between Wabash Avenue on the east and Olive Street on the west from District R-2.5 (Residential 2.5) to District UR (Urban Redevelopment) and approving a residential development plan to allow for 101 unit multi-family residential development within eight buildings, said section to read as follows:

Section 88-20A-1347. That an area legally described as:

Lots 45 to 70, both inclusive, Resurvey of Lots 3, 4, 5, 6, 11, 12, 13 and 14, Richwood, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

is hereby rezoned from District R-2.5 (Residential 2.5) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1347, 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 (preliminary plat) for the area legally described same as above is hereby approved, subject to the following conditions:

1. The developer shall submit a street naming plan to the Development Management Division prior to issuance of a building permit. The street naming plan shall be approved prior to Mylar approval of the final plat.
2. The developer shall must 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.
3. 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.
4. 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 "OUT 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.
5. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
6. The developer shall continue to work with staff to ensure that the building elevations, pedestrian connectivity and design meet the requirement of the Zoning and Development Code and the recommendations of the design guidelines of the Heart of the City Area Plan prior to City Council action.
7. 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.
8. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
  9. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
  10. The turning radius for Fire Department access roads is 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
  11. Ensure that all Fire Department Connections (FDC) are within 100 feet of an operable fire hydrant. (IFC-2018 § 507.5.1.1)
  12. As indicated on the plans, the developer shall pay a money-in-lieu of parkland dedication based upon the 2022 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to a certificate of occupancy.
  13. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
  14. 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.
  15. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
  16. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
  17. A full flow fire meter will be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.
  18. The developer shall submit an analysis by a registered professional engineer in Missouri to verify adequate capacity of the existing water mains to provide domestic and fire flow capacity. Depending on adequacy of the existing water mains water main improvements and associated extension plans may be required.
  19. The developer shall submit fire hydrant relocation and/or installation plans meeting the 300' maximum spacing along the adjacent public roadways. Plans shall be prepared by a registered professional engineer in Missouri. They shall be submitted to the water main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.

A copy of the 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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Joseph Rexwinkle, AICP  
Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Senior Associate City Attorney