



Legislation Details (With Text)

File #: 230812 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 7/20/2023 **In control:** Council
On agenda: 9/28/2023 **Final action:** 9/28/2023
Title: Sponsor: Director of City Planning and Development Department

Approving a development plan on about 0.47 acres to allow for a residential development plan for 13 units in District M1-5 generally located at the southeast corner of Locust Street and East 19th Street. (CD-CPC-2023-00096)

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

Indexes:

Code sections:

Attachments: 1. Docket Memo_19th & Locust.docx, 2. 03_CD-CPC-2023-00096_1901LocustSt., 3. CPC Disposition Letter, 4. CPC Stamped Plans, 5. Ordinance 230812 - powerpoint, 6. 1901LocustSt_CPCPPT, 7. Authenticated Ordinances 230812

Date	Ver.	Action By	Action	Result
9/28/2023	1	Council	Passed	Pass
9/27/2023	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
9/14/2023	1	Council	referred	

ORDINANCE NO. 230812

Sponsor: Director of City Planning and Development Department

Approving a development plan on about 0.47 acres to allow for a residential development plan for 13 units in District M1-5 generally located at the southeast corner of Locust Street and East 19th Street. (CD-CPC-2023-00096)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District M1-5 (Manufacturing 1 (Dash 5)) generally located at southeast corner of Locust Street and East 19th Street, and more specifically described as follows:

Lot 2, 19 and Oak, a subdivision in Kansas City, Jackson County, Missouri.

is hereby approved, subject to the following conditions:

1. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
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 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.
4. 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 a certificate of occupancy.
5. 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.
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 cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
8. 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.
9. The developer shall grant a City approved pedestrian right-of-way easement, for the portions of the public sidewalks approved to be outside of the street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.
10. 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.

11. 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
12. 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.
13. 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.
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. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA 241-2013 § 8.7.2) Fire hydrant distribution shall follow IFC-2018 Table C102.1.
16. The railing for the roof deck on the south perimeter wall of the east structure shall be set back 6 feet from the eaves of all exterior walls, or an alternative method approved by the Fire Marshal. (IFC (2018) § D105.1)
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. Wall signage shall conform to 88-445 and shall require a sign permit prior to installation.
19. The existing full flow fire meter and backflow shall be relocated to the west side of Locust on E. 19th Street.
20. The developer shall dedicate an additional 7.5 feet of right-of-way along the south side of E. 19th Street to accommodate the water service line from the previous 19th and Oak development into the public right-of-way.
21. The internal sanitary sewers shall be a private sewer main located within a private easement and covered by a Covenant to Maintain Private Sewers document acceptable to the Kansas City Water Services Department.
22. The developer shall provide a Covenant to Maintain Private Sewer acceptable to the Kansas City Water Services Department prior to recording the final plat or issuance of any building permits, whichever occurs first.

23. The existing public sanitary sewer line in the vacated alley must be upsized to a 12” main between manhole 366 and manhole 637 to accommodate the development.
24. 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.
25. The developer shall enter into a covenant agreement for the maintenance of any storm water detention area tracts as required by the Land Development Division, prior to recording the plat.
26. The developer shall secure permits to extend 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.
27. No water service tap permits will be issued until the public water main is released for taps.
28. 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 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