



Legislation Details (With Text)

File #: 230413 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 5/5/2023 **In control:** Council
On agenda: 5/18/2023 **Final action:** 5/18/2023
Title: Sponsor: Director of City Planning and Development Department

Rezoning an area of about 5.9 acres generally located within the area bounded by Van Brunt Boulevard, Winner Road, Hardesty Avenue and E. 12th Street from District R-1.5 to District R-0.75 and approving a development plan to allow for the construction of a community building and renovations of the existing structures. (CD-CPC-2023-00047 and CD-CPC-2023-00048).

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

Indexes:

Code sections:

Attachments: 1. Docket Memo, 2. 7.1_7.2_CD-CPC-2023-00047_00048_GreenleafApartments, 3. CPC Disposition Letter (05-02-2023), 4. Rezoning Exhibit, 5. CPC Approved Plan (05-02-2023), 6. Rezoning CPC Dispo, 7. CD-CPC-2023-00047_00048_GreenleafApts_PPT, 8. Authenticated Ordinance 230413

Date	Ver.	Action By	Action	Result
5/18/2023	1	Council	Passed	Pass
5/17/2023	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
5/11/2023	1	Council	referred	

ORDINANCE NO. 230413

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 5.9 acres generally located within the area bounded by Van Brunt Boulevard, Winner Road, Hardesty Avenue and E. 12th Street from District R-1.5 to District R-0.75 and approving a development plan to allow for the construction of a community building and renovations of the existing structures. (CD-CPC-2023-00047 and CD-CPC-2023-00048).

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-1386, rezoning an area of about 5.9 acres generally located within the area bounded by Van Brunt Boulevard, Winner Road, Hardesty Avenue and E. 12th Street from District R-1.5 (Residential 1.5) to District R-0.75 (Residential 0.75), said section to read as follows:

Section 88-20A-1386. That an area legally described as:

5212-5314 E 12th St 5101-5315 Winner Rd 5306-14 Williamsburg Ct 5309-15 Williamsburg Ct
Sec 2 49 33 prt SW 1/4 NE 1/4 daf beg nw cor 12th St & Hardesty th w alg n li 12th St 1014.44

ft to inter of 12th St & Winner Rd th nely alg s li Winner Rd 1016.2 ft th e 59.80 ft to w li Hardesty th s alg w li to beg

and

1103-1109-1117-1123 Hardesty Westminster all Lot 6 n 143 ft Lot 7 Blk 3

is hereby rezoned from R-1.5 (Residential 1.5) to District R-0.75 (Residential 0.75), all as shown outlined on a map marked Section 88-20A-1386, 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 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.
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. All mechanical equipment and dumpsters shall be screened pursuant to 88-425-08.
4. 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.
5. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
6. The applicant shall abandon the existing certificate of legal nonconformance on this property following Council approval of this rezoning and development plan application.
7. 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.
8. 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 disturbed area 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.

9. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
10. 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)
11. Security gates which span across a fire access road shall provide a means for emergency operation. Electric gates shall require a siren sensor device typically referred to as a “yelp gate” (IFC-2018 § 503.6).
12. For any proposed new residential units, the developer shall comply with the parkland dedication requirements of 88-408.
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 a building permit.
14. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to any 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 C. 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