



Legislation Details (With Text)

File #: 230740 **Version:** 1 **Name:**

Type: Ordinance **Status:** Held

File created: 8/14/2023 **In control:** Neighborhood Planning and Development Committee

On agenda: 9/13/2023 **Final action:**

Title: Sponsor: Director of City Planning and Development Department

Rezoning an area of about one acre generally located on the west side of Oak Street between Linwood Boulevard and 31st Street from District R-1.5 to District UR and approving a development plan to allow for twelve (12) detached dwellings. (CD-CPC-2023-00083)

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Docket Memo_CD-CPC-2023-00083, 2. Staff Report_CD-CPC-2023-00060_83_7-18-23, 3. Martini Flats UR Plan_Rezoning to UR, 4. Exhibit A_Section Map_88-20A-1404, 5. CPC Dispo_CD-CPC-2023-00083_7-18-23, 6. 07_18_23_CPC Presentation

Date	Ver.	Action By	Action	Result
11/8/2023	1	Neighborhood Planning and Development Committee	Hold off Agenda	
10/25/2023	1	Neighborhood Planning and Development Committee	Hold on Agenda	Pass
9/27/2023	1	Neighborhood Planning and Development Committee	Hold on Agenda	
9/13/2023	1	Neighborhood Planning and Development Committee	Hold on Agenda	
8/24/2023	1	Council	referred	

ORDINANCE NO. 230740

Sponsor: Director of City Planning and Development Department

Rezoning an area of about one acre generally located on the west side of Oak Street between Linwood Boulevard and 31st Street from District R-1.5 to District UR and approving a development plan to allow for twelve (12) detached dwellings. (CD-CPC-2023-00083)

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-1404, rezoning an area of about one acre generally located on the west side of Oak Street between Linwood Boulevard and 31st Street from District R-1.5 (Residential 1.5) to District UR (Urban Redevelopment), and approving a development plan to allow for twelve (12) detached dwellings, said section to read as follows:

Section 88-20A-1404 That an area legally described as:

The south 32 feet of Lot 10, and all of Lots 11 through 20 inclusive, Springfield Park, a subdivision in Kansas City, Jackson County, Missouri being described as follows: Beginning at the southwesterly corner of said Lot 20; thence North 02°27'24" East, along the westerly lines of said Lots 10 through 20, a distance of 431.07 feet; thence South 87°26'18" East, a distance of 129.17 feet to a point on the easterly line of said Lot 10; thence South 02°22'35" West, along the easterly lines of said Lots 10 through 20, a distance of 431.13 feet to the southeasterly corner of said Lot 20; thence North 87°24'54" West, along the southerly line of said Lot 20, a distance of 129.77 feet to the point of beginning, containing 55,813 square feet or 1.28 acres.

is hereby rezoned from District R-1.5 (Residential 1.5) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1404; 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 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 2023 acquisition rate of \$64,220.18 per acre. If electing to dedicate open space to serve as parkland dedication, said space shall be platted into a private open space tract, reserved for park uses and improved to provide park amenities. Details will need to be submitted identifying the amenities proposed within these spaces via final UR submittal. This requirement shall be satisfied 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 street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
3. The developer must 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.
4. 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 designated 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 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.
5. 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.

6. 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.
7. The west half of Oak Street shall be improved to residential local standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
8. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018.
9. No driveway access shall come from Oak Street and must utilize the alley to the west as required by the Infill Residential Development Ordinance which prohibits vehicular access when an improved alley is present.
10. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat.

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

1. That the City Council grants a waiver of the requirement for a final UR plan to be submitted for each lot.

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