



Legislation Text

File #: 210258, Version: 1

ORDINANCE NO. 210258

Rezoning a tract of land of about 5 acres generally located at the northwest corner of Broadway Boulevard and Valentine Road from District UR to District UR and approving an amendment to a UR development plan to allow for a 297- unit apartment building with 60,500 square feet of retail space.

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 , rezoning an area of approximately 5 acres generally located at the northwest corner of Broadway Boulevard and Valentine Road from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), said section to read as follows:

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

Sec 19-49-33 NE 1/4 NE 1/4 leasehold acct only- daf: beg on w row li Broadway 608' mol s & 49' mol w ne cor sd NE 1/4 NE 14, th s 318' mol alg sd w row li th sly swly & wly alg curv ri rad 25' dist 39.27', th w alg n row li Valentine Rd 530' mol, th wly nwly & nly alg curv ri rad 25' dist 39.27' alg e row li Pennsylvania St, th n alg sd e row li Pennsylvania St 317' mol to pt on s li Lot 18 Vinewood, th e alg sd s li 579' mol to pob.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1270, 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. Buildings shall comply with all requirements of wall rating and opening protection per Sections 602 and 705.8 of International Building Code 2018 edition with respect to property lines and lot lines.
2. The developer shall secure approval of a streetscape plan from the Development Management Division staff prior to a building permit. The plan shall include all vertical and horizontal obstructions within and adjacent to the right-of-way along the project frontage including, but not limited to, signage, sidewalks, driveways, landscaping and shall demonstrate compliance with applicable policies and regulations.

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3. 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.
4. Conditions contained in Committee Substitute for Ordinance No. 180820 passed by City Council on October 25, 2018, remain in effect for this UR development.
5. The developer shall continue to work with the City Planning and Development staff as it relates to the architecture of the mixed use building prior to approval of final UR development plan.
6. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as 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 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.
9. 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.
10. The developer shall integrate into the existing streetlight system any relocated existing 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.
11. 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.
12. 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.
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 secure permits to extend public 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.
15. 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.
16. The developer shall provide acceptable easement and secure permits to relocate sanitary sewers out from under proposed buildings and structures, while continuing to ensure individual service is provided to all proposed lots as required by the Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.
17. 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)
18. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed.
19. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)
20. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)
21. The developer is 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 or certificate of occupancy, whichever is applicable to the project.
22. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. 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 Parks and Recreation

Department, prior to recording the plat or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.

23. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
24. The developer shall submit plans to Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and streetlighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks and Recreation Department standards.
25. Both Broadway and Valentine are identified under jurisdiction of the Parks and Recreation Department creating a "Development Node" per the parkway and boulevard standards of 88-408. Development shall be in compliance with these standards for development.
26. The developer shall plant street trees in accordance with 88-425.
27. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
28. The developer shall follow the Kansas City, Missouri rules and regulations for domestic water and fire service lines.
29. The developer shall submit water main extension drawings prepared by a registered professional engineer in Missouri to the 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 said amended UR 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
d 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.

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney