



Legislation Text

File #: 210359, Version: 1

ORDINANCE NO. 210359

Rezoning an area of about 1.135 acres generally located at the southeast corner of Central Street and W. 22nd Street from District B4-5 (Heavy Commercial Dash 5) to District UR (Urban Redevelopment), to allow construction of a seven-story multi-family residential building with parking garage. (CD-CPC-2021-000011)

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-1275, rezoning an area of approximately 1.135 acres generally located at the southeast corner of Central Street and W. 22nd Street from District B4-5 (Heavy Commercial Dash 5) to District UR (Urban Redevelopment), said section to read as follows:

Section 88-20A-1275. That an area legally described as:

PARCEL 1: All of Lots 4 and 5, the Old Milwaukee Yard Subdivision, a subdivision in Kansas City, Jackson County, Missouri, the recorded plat having been recorded as Document No. 98-K-9429 in Plat Book K-39 at page 85, except that portion of said Lot 4, more particularly described as follows: Commencing at the northwest corner of said Lot 4, said point being the point of beginning of the herein described exception; thence North 61 degrees 12 minutes 01 seconds East, along the north line of said Lot 4, said line also being the south right-of-way line of 22nd Street, a distance of 15.12 feet; thence South 28 degrees 47 minutes 59 seconds East, a distance of 120.00 feet; thence South 02 degrees 45 minutes 12 seconds West, a distance of 15.73 feet, to a point on the south line of said Lot 4; thence South 71 degrees 50 minutes 57 seconds West, a distance of 80.64 feet to the southwest corner of said Lot 4; thence North 02 degrees 36 minutes 35 seconds East, along the west line of said Lot 4, a distance of 138.85 feet (plat = 138.94 feet), to the point of beginning;

Also being known as; Tract c, on the Certificate of Survey, Lot Split Resurvey of Lots 1 through 5, "the Old Milwaukee Yard Subdivision" filed March 12, 2004, as Document No. 2004K0016418 in Survey Book S-9 at page 59.

PARCEL 2: Lot 6, the Old Milwaukee Yard Subdivision, a subdivision in Kansas City, Jackson County, Missouri; the plat having been recorded as Document No. 98-K-9429 in Plat Book K-39 at page 85, as supplemented by the Surveyor's Affidavit of Derek J. Klinkenborg filed December 1, 1998, as Document No. 1998K0064542 that states the plat's location of the

southwest corner of the northwest quarter of Section 8, Township 49, Range 33 and the east right-of-way line of Broadway is in error.

is hereby rezoned from District B4-5 (Heavy Commercial Dash 5) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1275, 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 602 and 705.8 of International Building Code 2018 edition with respect to property lines and lot lines.
2. 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.
3. 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.
4. 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.
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 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.

8. 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.
9. 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.
10. 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.
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 south half of West 22nd Street shall be improved to City 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.
13. 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 certificate of occupancy.
14. 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.
15. All proposed signage shall comply with 88-445.
16. 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.
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. The Fire Department Connection (FDC) shall not be located that obstructs access/egress to the building when in use (IFC-2018 § 912.2).
19. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)

20. 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.

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 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.
Secretary, City Plan Commission

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Approved as to form and legality:

Sarah Baxter
Assistant City Attorney