

ORDINANCE NO. 140559

Rezoning an area of less than one acre located at 1914 Main from District DX-15 to District UR, and approving a development plan for mixed use residential also containing commercial and parking. (12341-UR-5)

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 88-20A0966, rezoning less than one acre, located at 1914 Main, from District DX-15 (Downtown Mixed Use-dash 15) to District UR (Urban Redevelopment District) said section to read as follows:

Section 88-20A0966. That an area legally described as:

1914 Main - Lots 485 & 486, Block 36 of McGee's Addition, except that part taken for streets & alley.

is hereby rezoned from District DX-15 (Downtown Mixed Use-dash 15) to District UR, all as shown outlined on a map marked Section 88-20A0966, 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. That the developer submit a detailed micro storm drainage study, including stormwater management mitigation, roof drainage and surface drainage contribution reductions to the combined sewer where applicable from collection and connection of runoff, all in accordance with the strategic policies of the January 30, 2009 Overflow Control Plan, and Sections 7.3.13 Best Management Practice, and APWA Section 5600, to the Land Development Division for review and acceptance for the entire development area, and that the developer secure permits to construct any improvements prior to recording the plat or prior to issuance of a building permit, whichever occurs first as required by the Land Development Division. At a minimum retain the first 1.5 inches of runoff for the 100-year storm event and control the 100-year peak flow rate to the capacity of the downstream system of the combined sewer.
2. That the developer 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, to identify sidewalks, curbs, and gutters in disrepair as defined by Public Works Department in "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB Revised 4/8/09" and

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based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters on Main Street and the east half of alley (7.5' from center line) 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 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 shown on the revised plan, as required by the Land Development Division and prior to issuance of any building certificate of occupancy permits including temporary certificate of occupancy permits.

3. That the owner/developer shall verify adequate capacity of the existing sewer system as required by the Land Development Division for the amended use of the property and address any inadequacies therein prior to issuance of connection authorization and/or issuance of any temporary certificate of occupancy.
4. That the developer provide fire protection as required by the Fire Marshal's Office, including the provision for siren activated gates.
5. That the developer provide and/or widen sewer easements as required by the Water Services Department.
6. That the developer contribute parkland dedication money at a rate of \$16,815.50 per acre in satisfaction of Section 88-405-17 of the Zoning and Development Code and as anticipated to be as follows:

* 44 MF units x 2 persons/unit x 0.006 acres/person = 0.528 acres
* 0.528 acres x \$16,815.50 = \$8,878.58
7. That the developer submit a final UR Development Plan for each project or phase of the development to the Director of City Development for approval prior to issuance of a building permit. The final UR Development Plan shall meet the development standards of Chapter 88-400 including plan information, property uses, setback distances, lighting (with a photometric study), landscaping, including information on (i) species, planting size, and spacing of all trees and shrubbery, (ii) buildings and dumpster elevation drawings, (iii) fencing, if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section, streetscaping, signage (including elevations) and architectural characteristics.

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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

Approved as to form and legality:


M. Margaret Sheahan Moran
Assistant City Attorney



Authenticated as Passed


Sly James, Mayor


Marilyn Sanders, City Clerk

JUL 31 2014

Date Passed