

ORDINANCE NO. 150710

Rezoning a 0.5 acre tract of land generally located east of Washington Street between 44th Street and 46th Street from District R-1.5 to District MPD, and approving a preliminary development plan which also serves as a preliminary plat, to allow for the construction of a multi-unit residential development. (14579-MPD)

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 88-20A1022, rezoning an area of approximately 0.5 acres generally located east of Washington Street between 44th Street and 46th Street from District R-1.5 (Residential 1.5) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A1022. That an area legally described as:

Tract I: The West 71 feet of the North 21 feet of Lot 13 and the West 71 feet of the South 9 1/2 feet of Lot 12, except the North 2 feet of the South 9 1/2 feet of the East 18 feet of the West 71 feet of said Lot 12, together with that part of vacated Washington Street West of and adjoining all of said described tract, Block 1, Edwin & Lockwood's 1st Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

Tract II: The West 71 feet of the South 4 feet of Lot 13, the West 71 feet of Lot 14 and the West 71 feet of the North 3 feet of Lot 15, and all that part of vacated Washington Street West of and adjoining thereto, Block 1, Edwin & Lockwood's 1st Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

Tract III: All of the West 71 feet of the South 22 feet of Lot 15 and the West 71 feet of the North 10 feet of Lot 16, and that part of vacated Washington Street West of and adjoining, Block 1, Edwin & Lockwood's 1st Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

Tract IV: All of the South 15 feet of the West 71 feet of Lot 16 and the West 71 feet of Lot 17, and the North 5 feet of the West 71 feet of Lot 18, Block 1, Edwin & Lockwood's 1st Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

Tract V: The West 71 feet of the South 20 feet of Lot 18 and the West 71 feet of Lot 19 and that part of vacated Washington Street lying West of and adjoining said Lots, Block 1, Edwin & Lockwood's 1st Addition, a

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subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

Tract VI: The West 71 feet of Lots 20 and 21, Block 1, Edwin & Lockwood's 1st Addition, and that part of vacated Washington Street lying West of and adjacent to said premises, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

is hereby rezoned from District R-1.5 (Residential 1.5) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A01022, 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 obtain approval of a final development plan from the City Plan Commission prior to a building permit. Such plan shall include a detailed and fully-dimensioned site plan, color elevations with all materials labeled, landscape plan, and lighting plan with photometric study, all demonstrating compliance with the approved preliminary development plan and all applicable provisions of Chapter 88.
2. That the developer be responsible for parkland dedication in the form of 0.22 acres of private open space or payment in lieu of dedication in the amount of \$3,652.11 based upon the following formula (18 units x 0.006 x 2 = 0.216 acres, 0.216 acres x \$19,907.93 acquisition rate per acre = \$3,652.11) pursuant to Section 88.405.17 of the Zoning and Development Code. The fee shall be paid before recording the final plat and is subject to change based upon the number of units constructed.
3. That the developer cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, by making application under said code for a Minor Subdivision and submitting and recording a Lot Consolidation Plat or replatting the property in accordance therewith.
4. That the developer 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 to 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

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improvements required by the Land Development Division prior to issuance of any certificate of occupancy.


5. That the developer verify vertical and horizontal sight distance for the drive connection to Washington Street and make improvements to ensure that local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
6. That the developer pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
7. 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, identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters 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/or 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 required by the Land Development Division and prior to issuance of any certificate of occupancy permit.
8. That the developer 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.
9. That the owner/developer 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. That the developer submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.

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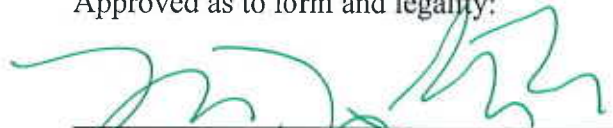
A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

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 Ordinance 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.

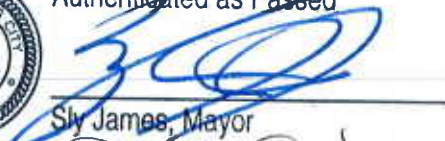

Secretary, City Plan Commission

Approved as to form and legality:


M. Margaret Sheahan Moran
Assistant City Attorney



Authenticated as Passed


Sly James, Mayor


Marilyn Sanders, City Clerk

AUG 27 2015

Date Passed