



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed
File created: 11/2/2022 **In control:** Council
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Title: Sponsor: City Planning and Development Department

Approving a development plan and preliminary plat in District R-1.5 on an area of about 1.16 acres generally located at 2720 Forest Avenue for 57 residential units. (CD-CPC-2022-00165).

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Fact Sheet, 2. Fiscal Note TMP-2465, 3. 04_CD-CPC-2022-00165_Mabion_11_1, 4. CPC Approved Plan (11-01-2022), 5. CPC Disposition Letter (11-01-2022), 6. TheMabionPPT, 7. 220988 cs to org ord-com, 8. 220988 cs to org ord-com, 9. Authenticated Ordinance 220988 CS

| Date | Ver. | Action By | Action | Result |
|------------|------|---|-----------------------------|--------|
| 12/1/2022 | 1 | Council | Passed as Substituted | Pass |
| 11/30/2022 | 1 | Neighborhood Planning and Development Committee | Adv and Do Pass as Cmte Sub | Pass |
| 11/10/2022 | 1 | Council | referred | |

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220988

Sponsor: City Planning and Development Department

Approving a development plan and preliminary plat in District R-1.5 on an area of about 1.16 acres generally located at 2720 Forest Avenue for 57 residential units. (CD-CPC-2022-00165).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District R-1.5 (Residential 1.5) on an area of about 1.16 acres generally located at 2720 Forest Avenue, and more specifically described as follows:

TRACT 1: The south 60 feet of Lot 6, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 2: The north 58.5 feet of Lot 6, Block 9, beacon hill, sometimes called continuation of Beacon Hill, A subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 3: The south 50 feet of Lot 7, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded

plat thereof.

TRACT 4: The south 50 feet of the north 68.5 feet of Lot 7, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 5: The north 18½ feet of lot 7, and the south 40 feet of Lot 8, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 6: The north 60 feet of Lot 8, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 7: Lot 9, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

is hereby approved, subject to the following conditions:

1. All dumpsters, mechanical and utility equipment shall be screened pursuant to 88-425-08.
2. 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 a certificate of occupancy.
3. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
4. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
5. 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.
6. The developer shall provide a revised site plan to show pedestrian crossing that complies with 88-450 prior to issuance of any building permit.
7. Council hereby approves a deviation of .86 acres to the required lot area per unit in a R-1.5 zoning district (88-110-06).
8. The developer shall integrate into the existing streetlight system any relocated 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.
9. 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.
10. 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.
 11. 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.
 12. 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.
 13. The developer shall 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.
 14. 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.
 15. The developer shall 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, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" 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 permits including temporary certificate of occupancy permits.
 16. The developer shall submit a plan for approval and permitting by the Land Development Division prior to beginning construction of the improvements in the public right-of-way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
 17. New buildings shall have approved radio coverage for emergency responders within the building

based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1 and NFPA1221)

18. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
19. 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)
20. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)
21. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
22. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to a building permit.
23. The developer shall pay money-in-lieu of parkland dedication as indicated on plans with the amount due based upon the 2022 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to a certificate of occupancy.
24. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations, prior to a certificate of occupancy.
25. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

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

Section B. 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:

Sarah Baxter
Senior Associate City Attorney