Legislation Details (With Text)

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Type:	Ordinance			**Status:**	Passed
File created:	8/10/2021			**In control:**	Council
On agenda:	8/26/2021			**Final action:**	8/26/2021
Title:	Rezoning about 0.65 acres generally located at the southeast corner of W. 29th Street and Belleview Avenue from Districts R-2.5 and R-6 to District UR and approving a development plan to allow for a 9-unit residential townhouse development. (CD-CPC-2020-00186)				
Sponsors:	Eric Bunch				
Indexes:					
Code sections:					
Attachments:	1. Fact Sheet, 2. CPC Staff Reportt_07_06_21, 3. Exhibit A_ Section Map, 4. Approved Plan, 5. 210689 Authenticated, 6. 913_W_29th_Deed, 7. CALEB_BULAND___NICOLE_BULAND_LAND_BANK_APPLCATION_SUBMITTED_FOR_913_W._29TH_STREET, 8. NPD Public Testimony Ordinances 210673, 210689, 210690				

Date	Ver.	Action By	Action	Result
8/26/2021	1	Council		
8/25/2021	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
8/18/2021	1	Neighborhood Planning and Development Committee	Hold on Agenda	
8/12/2021	1	Council	referred	

ORDINANCE NO. 210689

Rezoning about 0.65 acres generally located at the southeast corner of W. 29th Street and Belleview Avenue from Districts R-2.5 and R-6 to District UR and approving a development plan to allow for a 9-unit residential townhouse development. (CD-CPC-2020-00186)

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 88-20A1295, rezoning an area of approximately 0.65 acres generally located at the southeast corner of W. 29th Street and Belleview Avenue from Districts R-2.5 (Residential 2.5) and R-6 (Residential 6) to District UR (Urban Redevelopment), said section to read as follows:

Section 88-20A1295. That an area legally described as:

All of Lots 1 thru 9, Van Dyke Place, a subdivision in Kansas City, Jackson County, Missouri.

is hereby rezoned from Districts R-2.5 (Residential 2.5) and R-6 (Residential 6) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A1295, 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 a final UR plan for each phase of the development to the Director of City Planning and Development prior to issuance of a building permit. The final UR 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.

3. 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, as amended. This is the final plat (land plat) to create Lot 1 and Tract A, allow for further subdivision via minor subdivision per 88 -535.

4. The developer shall cause the area to be further subdivided via minor subdivision pursuant to 88 -535 to create individual units prior to transfer of each unit. This will allow for up to 9 units.

5. 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.

6. 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.

7. 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.

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 east half of Belleview Avenue shall be improved to residential local 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 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.

10. 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.

11. 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.

12. 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, and make other improvements as may be required.

13. 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.

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 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 (2021) acquisition rate of ($48,801.37) per acre. This requirement shall be satisfied prior to a certificate of occupancy.

16. The developer shall provide street trees in accordance with 88-425-03-C with one tree per 30 lineal feet. 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.

17. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.

18. The developer shall submit an analysis by a registered professional engineer in Missouri to verify adequate capacity of the existing water mains and verify fire flow capacity prior to the issuance of new water service permits. Depending on adequacy of the existing water mains

systems, making other improvements as may be required.

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

Approved as to form and legality:

_____
Sarah Baxter
Assistant City Attorney