Legislation Details (With Text)

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On agenda:	9/23/2021			**Final action:**	9/23/2021
Title:	Approving a development plan which also acts as a preliminary plat in District R-6 (Residential 6) on about 0.23 acres generally located on the southwest corner of W. 18th Street and Jefferson Street to create two single family residential lots with deviations from required lot and building standards. (CD-CPC-2021-00099)				
Sponsors:					
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Attachments:	1. Fact Sheet, 2. 05_CD-CPC-2021-00058_1821 Mercier Infill_5-4-21, 3. 21-08-17_1800-Jefferson_Site Exhibit, 4. 210455_authenticated, 5. Approved Plan, 6. Legal description, 7. PPT, 8. Authenticated Ordinance 210830				

Date	Ver.	Action By	Action	Result
9/23/2021	1	Council	Passed	Pass
9/22/2021	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass

ORDINANCE NO. 210830

Approving a development plan which also acts as a preliminary plat in District R-6 (Residential 6) on about 0.23 acres generally located on the southwest corner of W. 18th Street and Jefferson Street to create two single family residential lots with deviations from required lot and building standards. (CD-CPC-2021-00099)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan which also acts as a preliminary plat in District R-6 (Residential 6) on about 0.23 acres generally located on the southwest corner of W. 18th Street and Jefferson Street, and more specifically described as follows:

The North 23 feet of Lot 14 and All of Lot 13, Block 5, Merriam Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

is hereby approved, subject to the following conditions:

1. That deviations are hereby granted to the minimum lot area as follows:

   a. For Lot 1 in the amount of 503 square feet from 6,000 square feet to 5,497 square feet.

   b. For Lot 2 in the amount of 1,924 square feet from 6,000 square feet to 4,076 square feet.

2. That deviations are hereby granted to the minimum lot width as follows:

a. For Lot 1 in the amount of 6.84 feet from 50 feet to 43.16 feet.

b. For Lot 2 in the amount of 18 feet from 50 feet to 32 feet.

3. That deviations are hereby granted to the minimum front yard setback for Lot 1 and 2 in the amount of 5 feet from 30 feet to 25 feet.

4. That deviations are hereby granted to the minimum rear yard setback for Lot 1 in the amount of 5 feet from 30 feet to 25 feet.

5. The developer shall submit a site plan showing the location of all of the proposed utilities, including stormwater, sanitary sewer, and water lines, as required by Section 88-810-1200 prior to recording of final plat.

6. The developer shall remove the site plan note regarding individual detention systems. A storm drainage study is required prior to permitting covering the entire development area. For sites in a Combined Sewer Overflow (CSO) area, there are requirements for detention that override the Section 5600 exceptions. Provide detention for the first 1.5" of rainfall, over the disturbed area, released over 40 to 72 hours. For the entire site, mitigate any increase in stormwater quantity (both peak discharge and runoff volume) for the 10-year & 100-year storms. All flow over the 1.5" will need to be released overland. The actual pipe connection to the City system will need to be a 4" or 6" pipe. Water quality BMPs are waived unless discharge is to a stream. If discharge is to a stream, Section 5600 requirements must be met in full.

7. Submit proof of concept information for storm water management to be provided on a lot-by-lot basis, including engineering calculations and a site plan showing proposed location of storm water structures and connections to existing systems to ensure it meets all the City requirements. Proof of concept must be reviewed and approved by the City staff prior to approval of the development plan by the City Council.

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 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. The developer shall grant a City approved pedestrian right-of-way easement, for the portions of the public sidewalks approved to be outside of the street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.

18. 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.

19. 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.

20. The developer shall revise the site plan to remove the patio in encroachment of the street side yard on Lot 1 prior to certificate of occupancy.

21. 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

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beginning work in the public right-of-way.

22. 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 recording the final plat.

23. The developer shall follow the Kansas City, Missouri rules and regulations for domestic water and fire service lines.

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 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 and legality:

_____
Sarah Baxter
Assistant City Attorney

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