Legislation Details (With Text)

File #:	220237	**Version:**	2	**Name:**	
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File created:	3/10/2022			**In control:**	Council
On agenda:	3/31/2022			**Final action:**	3/31/2022
Title:	Rezoning an approximately 4.0 acre tract of land generally located at the southeast corner of N.E. 42nd Street and N. Antioch Road from R-6 to R-1.5 and approving a development plan to allow for a 108 unit multi-family residential development. (CD-CPC-2021-00243 and CD-CPC-2021-00242)				
Sponsors:	Kevin O'Neill, Heather Hall				
Indexes:					
Code sections:					
Attachments:	1. CD-CPC-2021-00242,000243&00244_FACTSHT, 2. 19_CD-CPC-2021-00242_CPCStaffRpt_03_01_22, 3. Exhibit A_ Section Map, 4. Antioch Manor_03_01_22_CPC, 5. Revised PowerPoint - NPD 3.30.22, 6. 220237 cs to org ord-com, 7. Authenticated Ordinance 220237 C.S				

Date	Ver.	Action By	Action	Result
3/31/2022	1	Council	Passed as Substituted	Pass
3/30/2022	1	Neighborhood Planning and Development Committee	Immediate Adoption as a Committee Substitute	Pass
3/23/2022	1	Neighborhood Planning and Development Committee	Hold on Agenda	
3/10/2022	1	Council	referred	

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220237

Rezoning an approximately 4.0 acre tract of land generally located at the southeast corner of N.E. 42nd Street and N. Antioch Road from R-6 to R-1.5 and approving a development plan to allow for a 108 unit multi-family residential development. (CD-CPC-2021-00243 and CD-CPC-2021-00242)

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 88-20A-1321 rezoning an approximately 4.0 acre tract of land generally located at the southeast corner of N.E. 42nd Street and N. Antioch Road from R-6 (Residential dash 6) to R-1.5 (Residential dash 1.5), said section to read as follows:

Section 88-20A-1321. That an area legally described as:

Real property in the City of Kansas City, County of Clay, State of Missouri, Section 6, Township 50 North Range 32 West, described as follows:

All of Lot 23 and the north 2 feet of Lot 24, Midland Height Annex, a subdivision in Kansas City, Clay County, Missouri.

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All of Lot 22, lying east of the east line of Antioch Road as now established, Midland Heights Annex, a subdivision in Kansas City, Clay County, Missouri.

is hereby rezoned from District R-6 (Residential dash 6) to District R1.5 (Residential dash 1.5), all as shown outlined on a map marked Section 88 -20A-1321, 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. The developer shall submit a signage plan for this development as required by Chapter 88-445-10 prior to any signage permits.

2. 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.

3. 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.

4. 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.

5. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any 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 issuance of any building permits.

7. 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 issuance of a building permit.

8. The developer shall submit a macro and micro storm drainage study with the first phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from the development, prior to issuance of a building permit as required by the Land Development Division.

9. The developer shall improve the east half of North Antioch Road to City standards as required by Chapter 88, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be

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necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to issuance of a building permit.

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 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 issuance of a building permit.

12. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)

13. Fire Department connection 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)

14. Fire hydrant distribution shall follow IFC-2018 Table C102.1.

15. 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)

16. Fire Department access roads shall be provided prior to construction/demolition projects beginning. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)

17. The turning radius for Fire Department access roads is 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)

18. 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).

19. 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.

20. 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 issuance of a building permit.

21. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

22. 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.

23. That the developer clarify on the elevations to show the mechanical chases on the sides of the containers facing N. Antioch Road.

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