



Legislation Details (With Text)

**File #:** 221086      **Version:** 2      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 12/5/2022      **In control:** Council

**On agenda:** 1/5/2023      **Final action:** 1/5/2023

**Title:** Sponsor: Director of City Planning and Development Department

Rezoning an area of about 5 acres generally located at the northeast corner of Charlotte Street and 134th from District R-80 (Residential) to B-4 (Commercial) and approving a development plan to allow for the private storage of vehicles in District B-4. (CD-CPC-2022-00168 & CD-CPC-2022-00171)

**Sponsors:** City Plan Commission, Director of City Planning & Development

**Indexes:**

**Code sections:**

**Attachments:** 1. Docket Memo\_CD-CPC-2022-00168\_171, 2. CD-CPC-2022-00168&CD-CPC-2022-00171\_Factsheet, 3. CD-CPC-2022-00168\_171\_StaffReport\_11-15-22, 4. Exhibit A\_Section Map, 5. CPC\_PwrPoint\_11-15-22, 6. CD-CPC-2022-00168\_Disposition Letter\_11-15-22, 7. CD-CPC-2022-00171\_Disposition Letter\_11-15-22, 8. Compared Version 221086, 9. Authenticated Ordinance 221086 CS

Date	Ver.	Action By	Action	Result
1/5/2023	1	Council	Passed as Substituted	Pass
1/4/2023	1	Neighborhood Planning and Development Committee	Adv and Do Pass as Cmte Sub	Pass
12/15/2022	1	Council	referred	

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 221086

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 5 acres generally located at the northeast corner of Charlotte Street and 134th from District R-80 (Residential) to B-4 (Commercial) and approving a development plan to allow for the private storage of vehicles in District B-4. (CD-CPC-2022-00168 & CD-CPC-2022-00171)

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-1369 rezoning an area of about 5 acres generally located at the northeast corner of Charlotte Street and 134th Street from R-80 (Residential) to B-4 (Commercial) and approving a development plan in District B-4 (Commercial) on about 5 acres to allow for the private storage of vehicles in a garage, said section to read as follows:

Section 88-20A-1369. That an area legally described as:

All of the north 250 feet of the east 20 acres of the south 30 acres of the Southeast 1/4 of the

Northeast 1/4 of Section 20, Township 47, Range 33, in Kansas City, Jackson County, Missouri, except that part that lies easterly of a line drawn from the northeast corner of said south 30 acres to a point on the south line of said south 30 acres that is 450 feet west of the southeast corner thereof.

is hereby rezoned from R-80 (Residential) to B-4 (Commercial), all as shown outlined on a map marked Section 88-20A-1369, 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 preliminary plat for the area legally described as:

All of the north 250 feet of the east 20 acres of the south 30 acres of the Southeast 1/4 of the Northeast 1/4 of Section 20, Township 47, Range 33, in Kansas City, Jackson County, Missouri, except that part that lies easterly of a line drawn from the northeast corner of said south 30 acres to a point on the south line of said south 30 acres that is 450 feet west of the southeast corner thereof.

is hereby approved, subject to the following conditions:

1. 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.
2. That the use of the property be restricted all uses allowed under the B-1 Zoning district with the addition of indoor vehicle storage.
3. That any site plan approval for the development on the eastern lot include an easement for the connection or extension of 134th Street adjacent to the eastern lot's southern property line.
4. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
5. The parcels shall be consolidated into one lot through either a minor subdivision lot consolidation or consolidated by deed with the County's Recorder of Deeds prior to filing for building permits.
6. 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.
7. 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
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 pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division for the purposes of a garage.
  10. The developer shall provide an erosion hazard analysis for areas where any improvements or public right-of-way dedications are proposed within stream buffer zones or adjacent to the outside of stream meanders as required by the Water Services Department.
  11. 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.
  12. The developer shall show the limits of the 100-year floodplain plus the 1-foot freeboard on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.
  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 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.
  15. 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)
  16. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC 2018 §507.1)
  17. Dead-end Fire Department access road(s) in excess of 150 feet shall be provided with an approved turnaround feature (i.e., cul-de-sac, hammerhead). Dead-end streets in excess of 150 feet in length resulting from a "phased" project shall provide an approved temporary turnaround feature (i.e., cul-de-sac, hammerhead). (IFC 2018: § 503.2.5)
  18. A required Fire Department access roads shall be an all-weather surface. (IFC 2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin.

(IFC 2018 § 501.4 and 3310.1; NFPA 241 2013 § 7.5.5) Required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC 2018: § 503.2.3)

19. The developer shall ensure that water and fire service lines meet current Water Services Department rules and regulations prior to a certificate of occupancy.
20. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
21. Branch service lines one and one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
22. The developer shall combine the two lots by method acceptable to LDD and DMD.
23. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements if development were to occur on the eastern side of the lot.
24. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements if development were to occur on the eastern side of the lot.
25. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.

A copy of said preliminary plat 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.

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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney