Legislation Details (With Text)

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On agenda:	6/15/2023			**Final action:**	6/15/2023
Title:	Sponsor: Director of City Planning and Development Department Rezoning an area of about 1.19 acres generally located at the corner of East 65th Street and Troost Avenue from District B4-2 to District UR and approving a development plan to allow for a non-residential development plan. (CD-CPC-2023-00002)				
Sponsors:	Director of City Planning & Development Department				
Indexes:					
Code sections:					
Attachments:	1. Docket Memo 6500 Troost Ave., 2. 03_CD-CPC-2023-00002_6500TroostAve., 3. CPCDispo_Letter, 4. CPCStamped Plans, 5. Exhibit A, 6. 6500 Troost Ave CPC Powerpoint, 7. 230485 - Presentation 6.12.2023, 8. 230485.Authenticated Ordinance				

Date	Ver.	Action By	Action	Result
6/15/2023	1	Council	Passed	Pass
6/14/2023	1	Neighborhood Planning and Development Committee		
6/8/2023	1	Council	referred	

ORDINANCE NO. 230485

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 1.19 acres generally located at the corner of East 65th Street and Troost Avenue from District B4-2 to District UR and approving a development plan to allow for a non-residential development plan. (CD-CPC-2023-00002)

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-1388, A request to approve a rezoning from District B4-2 (Heavy Business/Commercial 4) to District UR (Urban Redevelopment) and a non-residential development plan on about 1.19 acres generally located at the corner of East 65th Street and Troost Avenue, said section to read as follows:

Section 88-20A-1388. That an area legally described as:

All that part of the Southeast 1/4 of the Southeast ¼ of Section 5, Township 48, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point 40.0 feet West and 25.0 feet South of the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of said Section 5, said point being also the point of intersection of the West Line of Troost Avenue

and the South line of 65th Street, as said streets are now established; thence North 89˚04'30" West along the South line of said 65th Street a distance of 170.00 feet; thence due South parallel to the East line of said Southeast 1/4 of the Southeast 1/4 a distance of 305.00 feet; thence South 89˚04'30" East parallel to the North line of said Southeast 1/4 of the Southeast 1/4 a distance of 170.00 feet to the West line of Troost Avenue; thence due North along said West line a distance of 305.00 feet to the point of beginning, except that part in streets, roads and/or public rights of way.

is hereby rezoned from District B4-2 (Heavy Business/Commercial 4) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1388 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 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. 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.

3. The developer shall secure approval of a UR final plan from Development Management Division staff prior to a building permit.

4. 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.

5. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.

6. The uses in the UR district shall be those listed in the B3 zoning district. The applicant shall place the following uses as prohibited on the plans at the time of Final UR:

    a. Adult Business

    b. Gasoline and Fuel Sales

    c. Vehicle Sales and Service

    d. Recycling Service

    e. Warehousing, Wholesaling, Storage, Freight movement

7. 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.

8. If an approved security gate spans across a fire access road, an approved means for emergency operation shall be provided (IFC-2018 § 503.6)

9. 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.

10. 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. 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 and development plan 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:

_____
Sarah Baxter
Senior Associate City Attorney

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