

ORDINANCE NO. 160735

Rezoning approximately 4.14 acres generally located at 1201 E. 89th Street from District R-80 to District MPD and approving a development plan (also serving as a preliminary plat) to allow a 50-unit residential development and a structure for associated office/administrative uses. (14721-P)

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 88-20A1069, rezoning an area of approximately 4.14 acres generally located at 1201 E. 89th Street from District R-80 (Residential 80) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A1069. That an area legally described as:

The N 1/2 of the SW 1/4 of the SW 1/4 Section 21, Township 48, Range 33, Kansas City, Jackson County, Missouri, except that part platted "Woodlen Place", also except that part platted "Security Storage Addition", also except that part in streets.

is hereby rezoned from District R-80 (Residential 80) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A1069, 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, which will also serve as a preliminary plat, for the above-described area, to allow a 50-unit residential development and a structure for associated office/administrative uses, is hereby approved, subject to the following conditions:

- 1) The applicant shall submit a final MPD plan for review and approval by the City Plan Commission, in accordance with 88-520-04.
- 2) The developer shall revise the plan to portray 0.6 acres of private open space for recreational purposes or contribute \$18,216.12 in lieu of parkland dedication for 50 multifamily units in satisfaction of the Zoning and Development Code, calculated as follows:

$$\begin{aligned} 50 \text{ units} \times 2.0 \text{ people per unit} \times 0.006 \text{ acres/person} &= 0.6 \text{ acre} \\ 0.6 \text{ acre} \times \$30,360.20/\text{acre (2016 amount)} &= \$18,216.12 \end{aligned}$$

- 3) The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division, in accordance with adopted standards, including a BMP level of service analysis prior to

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approval and issuance of any building permits, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to issuance of any certificate of occupancy.

- 4) 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.
- 5) 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, identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" 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.
- 6) 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.
- 7) The owner/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.
- 8) 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.
- 9) The developer shall grant a BMP Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
- 10) The developer shall provide fire protection as required by the Fire Department.

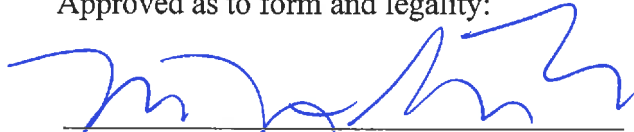
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Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

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:

  
M. Margaret Sheahan Moran  
Assistant City Attorney



Authenticated as Passed

  
Sly James, Mayor

  
Marilyn Sanders, City Clerk

OCT 6 2016

Date Passed