

ORDINANCE NO. 110630

Rezoning an area of approximately 0.65 acres generally located at the northeast corner of 39th Street and State Line Road from Districts R-2.5 and B3-2 to District UR and approving a development plan to allow for approximately 70 multifamily units and approximately 4,000 square feet of retail space. (14212-UR)

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 88-20A891, rezoning an area of approximately 0.65 acres generally located at the northeast corner of 39th Street and State Line Road from Districts R-2.5 (Residential 2.5) and B3-2 (Community Business 3-2) to District UR (Urban Redevelopment), said section to read as follows:

Section 88-20A891. That an area legally described as:

All of Lots 7, 8, 9, and Lot 10, except the east 4 inches of said Lot 10, Block 8, Mellier Place, a subdivision in Kansas City, Jackson County, Missouri, described as follows: Beginning at the southwest corner of Lot 10, Block 8, Mellier Place; thence North 1 degree 59 minutes 19 seconds West along the west line of Lots 10, 9, 8, and 7 of said Block 8 a distance of 205.81 feet (206.00 feet plat) to the northwest corner of said Lot 7; thence North 88 degrees 07 minutes 09 seconds East along the north line of said Lot 7 a distance of 134.63 feet (134.85 feet plat) to the northeast corner thereof; thence South 1 degree 53 minutes 42 seconds East along the east line of Lots 7, 8, and 9 of said Block 8 a distance of 150.04 feet (150.00 feet plat) to the southeast corner of said Lot 9; thence North 86 degrees 19 minutes 24 seconds West along the north line of said Lot 9 a distance of 0.32 feet (0.33 feet deed) to the northwest corner of the east 4 inches of said Lot 10; thence South 2 degrees 05 minutes 03 seconds East along the west line of the east 4 inches of said Lot 10 a distance of 61.41 feet to a point on the south line of said Lot 10; thence North 89 degrees 29 minutes 17 seconds West along the south line of said Lot 10 a distance of 134.30 feet to the point of beginning and containing 28,037 square feet or 0.644 acres, more or less.

is hereby rezoned from Districts R-2.5 (Residential 2.5) and B3-2 (Community Business 3-2) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A0891, 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.

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Section B. That a development plan for the area legally described above is hereby approved, subject to the following conditions:

1. That the developer submit a detailed micro storm drainage study to Development Services, in general compliance with adopted standards, including a BMP level of service analysis, with detention requirements waived if downstream conveyance systems have adequate capacity for the minor increase in runoff, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to LDD approval of any building permit applications or prior to issuance of any building permits to modify the site.
2. That the developer grant a City approved BMP Easement to the City, or record with Jackson County a City approved and executed Covenant for Maintenance of BMP Agreement as required by the Land Development Division, for maintenance of the proposed water quality system and structures prior to LDD approval of any building permit applications or prior to issuance of any building permits to modify the site.
3. That the developer enter into an indemnification agreement acceptable to the Water Services Department for the sanitary sewer line along the east property line if it is determined by Water Services to be impacted by the placement of the proposed structure, and make any improvements as required by the Water Services Department.
4. That the developer submit a streetscape installation plan for review and acceptance by the Land Development and Development Management Divisions and secure permits from Land Development Division prior to working in the right-of-way to remove and replace curbs, sidewalks and drive approaches along the project street frontages, State Line Road and W. 39th Street, and replace any trees that are removed within the right-of-way and in compliance with the approved landscaping plan.
5. That the developer obtain the grading consents and all grading, temporary construction and drainage/sewer easements from the abutting property owner prior to submitting any public improvements.
6. That the developer secure permits as required by the Land Development Division for any new sewer connection services to the existing sewers and the proper abandonment of existing services at the time of permitting of other work issued by Land Development.
7. That the developer submit a final UR site plan, per staff approval, prior to the issuance of any building permit.

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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 Ordinance 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 and legality:

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M. Margaret Sheahan Moran  
Assistant City Attorney