

ORDINANCE NO. 180024

Rezoning an area of approximately 2.175 acres generally located at the northwest corner of 53rd Street and Troost Avenue from Districts R-6 and B3-2 to District R-1.5, and approving a preliminary development plan to allow for a multi-unit residential development. (14296-P-3, P-4).

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 88-20A1135, rezoning an area of approximately 2.175 acres generally located at the northwest corner of 53rd Street and Troost Avenue from Districts R-6 (Residential 6) and B3-2 (Community Business) to District R-1.5 (Residential 1.5), said section to read as follows:

Section 88-20A1135. That an area legally described as:

A part of all that part of the East Half of the South Half and the east 449.5 feet of the North Half of Lot 8 (also known as Block 8,) Resurvey of Mulkey Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, described as follows: Beginning at the southeasterly corner of said Lot 8; thence North 87 degrees 29 minutes 55 seconds West, along the southerly line of said Lot 8, 290.50 feet, to the westerly line of the East Half of the South Half of said Lot 8; thence North 2 degrees 46 minutes 23 seconds East, along said westerly line and the northerly prolongation thereof, 326.34 feet; thence South 87 degrees 29 minutes 55 seconds East, parallel with the southerly line of said Lot 8, 290.20 feet, to the easterly line of said Lot 8; thence South 2° degrees 43 minutes 11 seconds West, along said easterly line, 326.34 feet, to the point of beginning, containing 94,753 square feet or 2.175 acres, more or less.

is hereby rezoned from Districts R-6 (Residential 6) and B3-2 (Community Business) to District R-1.5 (Residential 1.5), all as shown outlined on a map marked Section 88-20A1135, 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. All new signage on the site shall comply with 88-445. Signs sent for review and approval by the Secretary of the Interior shall be in compliance with 88-445.

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2. 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 issuance of any building permits.
3. 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.
4. 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.
5. 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.
6. The developer shall pay money in lieu of parkland dedication based upon the number of units at the time of building permit pursuant to Section 88-408.

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7. The developer shall provide a street tree planting plan to the Parks and Recreation Department for approval at the time of the final plat with a copy delivered to the Development Management Division.

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