

ORDINANCE NO. 160337

Amending a previously approved MPD plan on approximately 3.6 acres generally bounded by E. 27th Street on the north, Prospect Avenue on the east, E. 28th Street on the south, and Wabash Avenue on the west to allow the development of a community center (under construction), adult daycare center, and multi-family development (senior housing). (14495-MPD-1)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved plan in District MPD (Master Planned Development) on approximately 3.6 acres generally bounded by E. 27th Street on the north, Prospect Avenue on the east, E. 28th Street on the south, and Wabash Avenue on the west, and more specifically described as follows:

Morningstar Youth and Family Life Center, a subdivision in Jackson County, Missouri

is hereby approved, subject to the following conditions:

- 1) That the developer revise the preliminary MPD development plan and/or submit each required final MPD plan so as to:
 - a) Provide a combination of perimeter and interior landscaping and provide direct, safe, and well delineated pedestrian connections through the lot.
 - b) Use architectural materials for the entire MPD that complement the character of the existing built environment through use of high quality, durable materials and use materials such as brick, wood, stone, masonry, terracotta and stucco.
 - c) Provide windows at the street level of all buildings which allows for the transparency and discourages large blank walls along the street side of a project.
 - d) Provide pedestrian entrances to the buildings with access directly from Prospect Avenue.
 - e) Provide a primary entrance facing and directly accessible from Prospect Avenue.
- 2) That the developer revise the preliminary MPD development plan at this time so as to:

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- a) Remove elevation drawings for the proposed multi-family structure, as a final MPD plan is required (revisions to these elevations will likely be required, to comply with design recommendations of area plan.) (Note: request for building permit has been submitted.)
 - b) Remove properties located west of Wabash Avenue located from the MPD plan.
 - c) Indicate the existing on-street parking along Wabash Avenue.
 - d) Indicate proposed on-street parking along Wabash Avenue and E. 28th Street.
 - e) Indicate when proposed street widenings along Wabash Avenue and E. 28th Street are to occur.
- 3) That the developer submit a final MPD development plan (88-520-04) prior to request for building permit, for review by the City Plan Commission.
 - 4) That the developer cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
 - 5) That the developer 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 a building permit.
 - 6) That the developer shall improve the east half of Wabash Ave as indicated on the Development Plan to City standards as required by Chapter 88, including curbs and gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, or other facilities, and obtaining required permits from the Land Development Division for said improvement prior to issuance of a temporary or final certificate of occupancy.

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- 7) That the developer 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.
- 8) That the developer 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.
- 9) That the owner/developer 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.
- 10) That the developer secure permits to extend public sanitary sewer 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.
- 11) That the developer 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.
- 12) That the developer enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
- 13) That the developer pay money in lieu of parkland prior to issuance of a certificate of occupancy for any new residential unit in accordance with 88-408, based on number of multi-family units at the rate of \$30,360.20 per acre (2016).

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- 14) That the developer provide fire protection as required by the Fire Department.
- 15) That the developer extend, relocate, and abandon public and/or private water and sewer mains as required by the Water Services Department.

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 B. 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.

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