

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 070320

Rezoning an approximately 0.62 acre tract of land generally located on the south side of 37th Street, between Broadway Avenue and Central Street from Districts URD and R4 to District URD, and approving a preliminary development plan for the same. (11525-URD-3)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 80, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning Ordinance, is hereby amended by enacting a new section to be known as Section 80-11A0752, rezoning an area of approximately 0.62 acres generally located on the south side of 37th Street, between Broadway Avenue and Central Street from Districts URD (Urban Redevelopment District) and R-4 (Low Apartments) to District URD (Urban Redevelopment District), said section to read as follows:

Section 80-11A0752. That an area legally described as:

Lots 1, 2, 23, and 24, Corrected Plat of Blocks 23 and 24, Hyde Park, a subdivision in Kansas City, Jackson County, Missouri.

is hereby rezoned from Districts URD (Urban Redevelopment District) and R-4 (Low Apartments) to District URD (Urban Redevelopment District), all as shown outlined on a map marked Section 80-11A0752, 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 as an amendment to Section 80-11 thereof.

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

- (1) That the developer cause the area to be platted and processed in accordance with Chapter 66, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Subdivision Regulations.
- (2) That the developer submit a detailed micro storm drainage study, consisting at a minimum of a letter from a Missouri licensed civil engineer stating that the proposed improvements will not alter or increase historical runoff conditions for the site, to Development Services prior to review and issuance of any building permits, and that the developer construct any improvements as required by Development Services.
- (3) That the developer secure permits to repair existing or reconstruct sidewalks, curbs, and gutters as necessary along all development street frontages in accordance with Chapters 56 and 64, Code of Ordinances, or submit a letter from a Missouri licensed civil engineer stating that the

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 070320

sidewalks, curbs, and gutters are in a good state of repair and meet the requirements set forth in Chapters 56 and 64, Code of Ordinances, as required by the Development Services, prior to issuance of a certificate of occupancy.

- (4) That the developer submit plans for grading, siltation, and erosion control to Development Services for approval and permitting prior to beginning any construction activities.
- (5) That the developer submit covenants, conditions and restrictions to Development Services for review by the Law Department for the maintenance of common and limited common elements.
- (6) That the developer extend and or relocate water and sewer lines as required by the Water Services Department.
- (7) That the developer contribute \$8,637.24 in lieu of parkland dedication for 73 multi-family units (73 units x 2.0 persons per household x 0.006 acre per person x \$9,859.86 per acre based upon average cost per acre of parkland for five years preceding) in satisfaction of Section 66-128 of the Subdivision Regulations.
- (8) That for each project or phase of the development plan, the developer submit a site plan to the Director of the Department of City Development for approval prior to issuance of a building permit. The site plans shall include: development plan information; property uses; setback distances; lighting; landscaping, with adequate area for planting of trees and shrubs within parking lots; streetscaping, in conformance with streetscapes in the area; signage (including elevations); and architectural characteristics.
- (9) That the developer relocate the existing structure located at 3704 Central.
- (10) That the developer continue to meet with surrounding property owners and neighborhood groups to discuss issues related to the project.
- (11) That the developer petition for the vacation of 37th Street between Broadway Avenue and Central Street.
- (12) That the developer submit a revised plan for review and approval by the Director of City Development reflecting the vacation of 37th Street between Broadway and Central and retention of the structure at 3704 Central Street.

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.

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 070320

I hereby certify that as required by Chapter 80, 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