

ORDINANCE NO. 100352

Rezoning an area of approximately 1.13 acres generally located at the northeast corner of 16th Street and Genessee Street from District M-2b to District URD, and approving a preliminary development plan for the same. (14084-URD)

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 80-11A0867, rezoning an area of approximately 1.13 acres generally located at the northeast corner of 16th Street and Genessee Street from District M-2b (Heavy Industry) to District URD (Urban Redevelopment District), said section to read as follows:

Section 80-11A0867. That an area legally described as:

A Tract of land being part of Lots 1 through 9, inclusive, and all of Lots 14 through 26, inclusive, Block 7, Skiles & Western Addition, a subdivision of land in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, and part of the 15 foot wide alley lying within said Block 7, and that part of the North-half of 16th Street lying South of and adjoining said Lot 14, all more particularly described as follows:

(Note: For course orientation the bearings in this description are based on the West line of said Block 7, also being the East Right-of-Way line of Genessee Street, having a bearing of North 00° 18' 14" West.)

Beginning at a set cross cut marking the intersection of the Northwest corner of said Lot 26 and the East Right-of-Way line of Genessee Street; thence South 89 degrees 39 minutes 42 seconds East 173.48 feet on the North line of said Lot 26 as now monumented and occupied, and on the North line of Lot 1, said Block 7, passing through a found vertical piece of railroad track buried at the Southeast corner of a parcel of land conveyed to CWM Properties, LLC in a General Warranty Deed recorded as Instrument Number 2007E0062904 at the Office of the Register of Deeds of Jackson County, Missouri and lying 127.5 feet East of said East Right-of-Way line, to the West line of a parcel of land described in a Missouri Quit Claim Deed to A. Reich & Sons, Inc., dated December 29, 1967 and recorded as Document Number K07141 in Book K16 at page 1539 (now conveyed to James E. Monahan in a Special Warranty Deed recorded in Book 2685 at Page 1155) at the Office of the Register of Deeds of Jackson County, Missouri; thence South 00 degrees 15 minutes 57 seconds East 220.69 feet on said West line to a found 1/2" reinforcing rod in pavement marking the Southwest corner of said Monahan parcel, said corner lying on the North line of Lot 10, said Block 7, and lying 95.50 feet West of the

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East line of said Block 7; thence North 89 degrees 39 minutes 42 seconds West 46.82 feet on said North line and its westerly extension to the Southeast corner of Lot 18, said Block 7; thence South 00 degrees 18 minutes 14 seconds East 125.10 feet to the centerline of 16th Street lying 25.00 feet North of the North line of Block 2, said Skiles & Westerns Addition; thence North 89 degrees 39 minutes 42 seconds West 126.51 feet on said centerline, parallel with said North line of Block 2; thence North 00 degrees 18 minutes 14 seconds West 345.79 feet on the West line of said Block 7 and its southerly extension, also being said East Right-of-Way line, to the Point of Beginning, said Tract containing 54,093 square feet or 1.2418 acres.

is hereby rezoned from District M-2b (Heavy Industry) to District URD (Urban Redevelopment District), all as shown outlined on a map marked Section 80-11A0867, 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, as amended, commonly known as the Subdivision Regulations.
2. That the developer submit a detailed micro storm drainage study, in general compliance with adopted standards, including a BMP level of service analysis, prior to approval and issuance of any building permits, and that the developer construct any improvements as required by Development Services prior to issuance of any certificate of occupancy.
3. That the requirement for the developer to dedicate additional right of way for Genessee Street, on the final plat as a secondary arterial so as to provide a minimum of 40 feet of right of way as measured from the centerline of Genessee Street, be waived.
4. That the developer improve the northern one-half of 16th Street to collector street standards as required by Development Services, including curbs, gutters, storm sewers, sidewalks, streetlights, existing roadway section transitions to meet vertical and horizontal alignment standards, and relocation of utilities prior to the recording of the final plat for Lot 1.
5. That the developer improve the eastern one-half of Genessee Street as shown on the approved development plan, as required by Development Services, including curbs, gutters, sidewalks, streetlights, existing roadway

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section transitions to meet vertical and horizontal alignment standards, and relocation of utilities prior to the recording of the final plat for Lot 1.

6. That the developer vacate a portion of the north/south alley, per staff recommendation, and that the vacation occur prior to the recording of the final plat.
7. 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.
8. That the developer subordinate to the City all private interest in the area of any right-of-way dedication, as required by Development Services, and that the developer be responsible for all costs associated with subordination activities now and in the future.
9. That the developer submit plans for grading, siltation, and erosion control to Development Services for review, acceptance, and permitting prior to beginning any construction activities, prior to recording the plat.
10. That the developer secure a site disturbance permit from Development Services prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more, prior to recording the plat.
11. That the developer obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
12. That the limits of the 100-year floodplain be shown on the final plat.
13. That the lowest opening or elevation or Minimum Low Opening of any structure on each lot that abuts a 100-year floodplain area be shown on the final plat.
14. That the developer grant a Noise and Aviation Easement to the City as required by Development Services, prior to recording the plat.
15. That the developer grant a BMP Easement to the City, as required by Development Services, prior to issuance of any certificate of occupancy.
16. That a note be placed on the final plat that states "This development is not considered a residential district for purposes identified in Chapter 46 Section 191."

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17. That the loading/unloading and parking requirements for Lot 1 as shown on the development plan are adequate due to this being a mixed-use project, subject to Chapter 80.
18. That the developer grant a cross access easement for Lot 1 and Lot 2 along the easterly lot lines on the final plat.
19. That the developer provide a five foot public pedestrian access easement on the westerly lot line of Lot 2.
20. That the developer pay \$1,441.95 for 13 multifamily units in lieu of parkland dedication prior to recording the final plat for Lot 2.
21. That the developer submit a streetscape plan for 16th Street and Genessee Street prior to recording of the final plat for Lot 1 or Lot 2.
22. That the developer submit a site plan to the Director of the Department of City Development for approval prior to the issuance of a building permit. The site plan shall include information regarding property uses, streetscape, setback distances, lighting, landscaping and architectural characteristics, berms, trees and plantings around and within the parking lots the plan will show proposed pedestrian circulation; and the plan will include elevation drawings of buildings.


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.

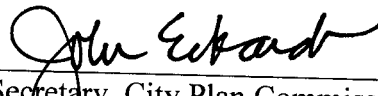
I hereby certify that as required by Chapter 80, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.



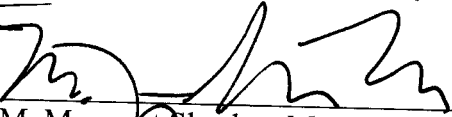
Authenticated as Passed


Mark Funkhouser, Mayor


Vickie Thompson, City Clerk


Secretary, City Plan Commission

Approved as to form and legality:


M. Margaret Sheahan Moran
Assistant City Attorney

MAY 20 2010

Date Passed