

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 050385

Rezoning an area of approximately 16 acres generally bounded by 28th Street on the north, Main Street on the east, a line about 200 feet north of 30th Street (extended) on the south and Wyandotte Street on the west from Districts R-5 and C-3a2 to District URD, and approving a development plan for the same. (13266-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 80-11A0620, rezoning an area of approximately 16 acres generally bounded by 28th Street on the north, Main Street on the east, a line about 200 feet north of 30th Street (extended) on the south and Wyandotte Street on the west from Districts R-5 (High Apartments) and C-3a2 (Intermediate Business, High Buildings) to District URD (Urban Redevelopment District), said section to read as follows:

Section 80-11A0620. That an area legally described as:

TRACT I: Lots 1, 2, 3 and the North 12 1/2 feet of Lot 4, Block 1, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, together with that portion of 29th Street between Baltimore Avenue and Main Street vacated under Ordinance No. 38666 of the city of Kansas City and described as follows: Beginning at the Northeast corner of Lot 1, Block 1, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri, thence Northerly along the Northerly prolongation of the East line of said lot, 47.73 feet; thence West parallel to the North line of said lot, 18.13 feet to a point of curve; thence Southwesterly along a curve to the left having a radius of 270 feet, 110.97 feet; thence Southwesterly along a curve to the right tangent to the last described curve and having a radius of 330 feet, 29.54 feet to a point on the Northerly prolongation of the West line of the aforesaid Lot 1; thence South along said prolongation 14.65 feet to the Northwest corner of said Lot 1; thence East along the North line of said Lot 1, 152 feet to the point of beginning.

TRACT II: The South 1/2 of Lot 4 and all of Lots 5, 6 and 7, Block 1, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri.

TRACT III: Lots 8, 9, and 10, Block 1, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri.

TRACT IV: Lot 11, 12, 13, 14, 15, 33, 34, 35, 36, 37, 43, 44, 45, 46, 47 and 48, Block 1, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

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TRACT V: Lots 16, 17, 18, 38, 39, 40, 41, 42, Block 1, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT VI: The vacated East 10 feet of Baltimore Avenue lying West of and adjoining Lots 33 to 48; and the East half of vacated Baltimore Avenue from a line 82 feet South of and parallel to the South line of 29th Street to the extended South line of Lot 33, West of and adjoining Lots 33 to 45; and the vacated alley lying West of and adjoining Lots 11 to 16, Block 1, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT VII: All of Lots 1 thru 24, inclusive, and the vacated alley lying between said lots, BROADWAY PARK, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT VIII: All of the vacated Baltimore Avenue lying Easterly of and adjacent to Lots 1 thru 12, inclusive, BROADWAY PARK, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT IX: All of the North 1/2 of vacated 29th Street lying South of and adjoining Lot 13 and part of Lot 12, BROADWAY PARK, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT X: All that part of Lots 5 and 6, M.J. PAYNE'S SUBDIVISION of the Northwest 1/4 of the Northwest 1/4 of Section 17, Township 49, Range 33 in Kansas City, Jackson County, Missouri, described as follows: Beginning at the point of intersection of the East line of Baltimore Avenue, as now established, and the North line of 29th Street, as now established; thence East along the North line of 29th Street, a distance of 13.79 feet East of the East line of Baltimore Avenue; thence Easterly along a curve to the left, having a radius of 270 feet and the North line of 29th Street as a tangent, a distance of 108.96 feet; thence on a curve to the right, having the last described curve as a tangent, having a radius of 330 feet, a distance of 135.63 feet; thence East, along the North line of 29th Street, as now established, a distance of 20.03 feet to a point of intersection on the Westerly line of Main Street; thence Northerly along the Westerly line of Main Street, a distance of 175.08 feet to a point which is 253.36 feet North of the South line of said Lot 6, M.J. Payne's Subdivision, as measured along the West line of Main Street; thence West, along a line North of and parallel to the North line of 29th Street, as established prior to March 6, 1968, a distance of 144.50 feet; thence South, a distance of 59.13 feet East of the East line of Baltimore Avenue; thence West, along a line 164.0 feet North of and parallel to the North line of 29th Street, as established prior to March 6, 1968, a distance of 135.0 feet to a point of intersection on the East line of Baltimore Avenue; thence

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South, along the East line of Baltimore Avenue, a distance of 32 feet; thence East, along a line 132 feet North of and parallel to the North line of 29th Street as established prior to March 6, 1968, a distance of 135 feet; thence South a distance of 32 feet; thence West, along a line 100 feet North of and parallel to the North line of 29th Street as established prior to March 6, 1968, a distance of 38.89 feet; thence South a distance of 3.5 feet; thence West along a line 96.5 feet North of and parallel to the North line of 29th Street as established prior to March 6, 1968, a distance of 38 feet; thence North 1/2 foot; thence West, along a line 97 feet North of and parallel to the North line of 29th Street as established prior to March 6, 1968, to a point of intersection on the East line of Baltimore Avenue; thence South along the East line of Baltimore Avenue, a distance of 97 feet to the point of beginning.

TRACT XI: Part of Lot 6, M.J. PAYNE'S SUBDIVISION of the Northwest 1/4 of the Northwest 1/4 of Section 17, Township 49, Range 33, described as follows: Beginning 50 feet East and 100 feet North of the Southeast corner of Lot 12, Broadway Park; thence North 32 feet; thence East 135 feet; thence South 32 feet; thence West 135 feet to the point of beginning, all in Kansas City, Jackson County, Missouri.

The North 3 feet of that part of Lot 6, M.J. PAYNE'S SUBDIVISION of the Northwest 1/4 of the Northwest 1/4 of Section 17, Township 49, Range 33, described as follows: Beginning on the North line of 29th Street; thence West 59 feet, more or less, to a point 50 feet East of the West line of Baltimore Avenue; thence North and parallel with Baltimore Avenue 100 feet; thence East to a point due North of the point of beginning; thence South to the point of beginning, all in Kansas City, Jackson County, Missouri.

The North 3 1/2 feet of that part of Lot 6, M.J. PAYNE'S SUBDIVISION, of the Northwest 1/4 of the Northwest 1/4 of Northwest 1/4 of Section 17, Township 49, Range 33, described as follows: Beginning on the North line of 29th Street, 173.8 feet West of the West line of Main Street; thence West 38 feet; thence North 100 feet; thence East 38 feet; thence South 100 feet to the point of beginning, all in Kansas City, Jackson County, Missouri.

TRACT XII: Beginning on the West line of Main Street, 116.4 feet South of the North line of Lot 5; thence West 139 feet; thence Southerly 50 feet; thence East 139 feet; thence North 50 feet to the point of beginning, being part of Lot 5, M.J. PAYNE'S SUBDIVISION, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT XIII: A part of Lots 4, 5, and 6 of M.J. PAYNE'S SUBDIVISION in the Northwest Quarter of the Northwest Quarter of Section 17, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described by metes and bounds as follows, to wit: Beginning at

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a point in the East line of Baltimore Avenue 164 feet North of the intersection of said East line of Baltimore Avenue with the North line of 29th Street; thence Northwardly along the said East line of Baltimore Avenue, 434.25 feet more or less to a point 50 feet due East of the Northeast corner of Lot 1 of Broadway Park, an addition in and to Kansas City; thence Eastwardly along the North line of said Lot 1 produced East a distance of 276.40 feet more or less to the West line of Main Street; thence Southwardly along said West line of Main Street 324.92 feet more or less to a point, which point is also 273.36 feet North of the North line of 29th Street measured along said West line of Main Street; thence Westwardly parallel to the North line of 29th Street a distance of 139.57 feet to a point; thence Southwardly 26.1 feet to a point 139.25 feet East of the East line of Baltimore Avenue, said point being also 140.7 feet West of the West line of Main Street and 247 feet North of the North line of 29th Street; thence West 5.25 feet; thence Southwardly 83 feet to a point 135 feet East of the East line of Baltimore Avenue, 141.67 feet West of the West line of Main Street and 164 feet North of the North line of 29th Street; thence Westwardly 135 feet along a line parallel with and 164 feet North of the North line of 29th Street to the East line of Baltimore Avenue, the point of beginning.

TRACT XIV: Beginning at the intersection of the West line of Old Grand Avenue (now Main Street), with the South line of Lot 3 in M.J. PAYNE'S SUBDIVISION of the Northwest 1/4 of the Northwest 1/4 of Section 17, Township 49, Range 33, (now South line of Penn Valley Park); thence West along said South line of said Lot 3 to the East line of Baltimore Avenue; thence South along the East line of Baltimore Avenue, 60 feet; thence East along the North line of Lot 4 of said M.J. PAYNE'S SUBDIVISION to the West line of Old Grand Avenue (now Main Street); thence North along said West line of Old Grand Avenue (now Main Street) 60 feet to the place of beginning, being situated in M.J. PAYNE'S SUBDIVISION and the Northwest 1/4 of the Northwest 1/4 of Section 17, Township 49, Range 33, in Kansas City, Jackson County, Missouri.

TRACT XV: Lots 31 and 32, Block 1, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri.

TRACT XVI: All of Lots 15, 16, 17, 18, 32, 33 and 34, Block 4, Except the North 15 feet of Lots 15 and 34, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri, except that part of said Lots 15 thru 18 now in Baltimore Avenue.

TRACT XVII: Parcel 1: All that part of Lots 5 thru 11, both inclusive, and part of the alley lying West of said lots and all that part of Lots 40 thru 42, both inclusive, Block 4, MOUNT AUBURN, a subdivision in Kansas City, Jackson County Missouri, according to the recorded plat thereof, described as follows: Commencing at a point on the North line of Lot 1 of said Block 4, that is 45 feet West of the Northeast corner thereof, said

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point also being the point of intersection of the South line of 29th Street and the West line of Baltimore Avenue, as said streets are now established; thence due South along the West line of said Baltimore Avenue, 101.75 feet; thence due West 37.5 feet to the true point of beginning of the tract herein described; thence due South and Parallel with the West line of said Baltimore Avenue, 156.66 feet; thence due West 42.83 feet; thence due North 55.58 feet; thence due West 11.00 feet; thence due North 45.50 feet; thence due East 11.00 feet; thence due North 55.58 feet; thence due East 42.83 feet to the true point of beginning.

Parcel 2: All that part of lots 38 thru 44, both inclusive, and part of the alley lying East of said Lots 38 thru 40 and 42 thru 44, Block 4, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, described as follows: Commencing at a point on the North line of Lot 1 of said Block 4, that is 45 feet West of Northeast corner thereof, said point also being the point of intersection of the South line of 29th Street and the West line of Baltimore Avenue, as said streets are now established; thence due South along the West line of said Baltimore Avenue, 101.75 feet; thence due West 80.78 feet to the true point of beginning of the tract herein described; thence continuing due West 53.83 feet; thence due South 156.66 feet; thence due East 53.83 feet; thence due North 55.58 feet; thence due West 11.00 feet; thence due North 45.50 feet; thence due East 11.00 feet; thence due North 55.58 feet to the true point of beginning lying above elevation 281.89, Kansas City, Missouri, datum.

Parcel 3: All of Lots 1 thru 14, both inclusive, and the North 15 feet of Lot 15, and the North 15 feet of Lot 34, and Lots 35 thru 48, both inclusive, and the alley between said lots, Block 4, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, EXCEPT that part of said Lots 1 thru 15 now in Baltimore Avenue.

Parcel 4: Parcel 1: All of the vacated Baltimore Avenue from the North line of 31st Street to a line being 82.00 feet South of and parallel to the South right-of-way line of 29th Street, being more particularly described as follows: Beginning at the point of intersection of the East line of vacated Baltimore Avenue and the North line of 31st Street, said point also being the Southwest corner of Lot 24, Block 2, Mount Auburn, a subdivision in Kansas City, Jackson County, Missouri; thence North along the said East line, a distance of 699.79 feet to the Southwest corner of Lot 27, Block 1, Mount Auburn; thence Northwesterly along the East line of vacated Baltimore Avenue as established by Vacation Ordinance No. 35417, passed June 21, 1968, a distance of 100.51 feet to a point on a line that is the Westerly prolongation of the South line of Lot 31 in said Block 1 and 10 feet West of the Southwest corner of said Lot 31; thence North along the last said East line, a distance of 368.00 feet to a point on a line 7.00 feet South and 10.00 feet West of the Southwest corner of Lot 46 in said Block 1; thence West, a distance of 85 feet to a point on the West

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right-of-way line of Baltimore Avenue as established by Ordinance No. 35455 passed June 21, 1968; thence South along said West line, a distance of 335.16 feet; thence Southerly continuing along said West line and along a curve to the right, having a radius of 379.42 feet, an arc distance of 89.82 feet; thence Southerly continuing along said West line and a curve to the left, tangent to the last described curve and having a radius of 409.42 feet, an arc distance of 99.67 feet; thence Southeasterly along said West line, a distance of 137.61 feet to a point on the East line of Block 3, Mount Auburn; thence South along the West line of vacated Baltimore Avenue and along the East line of said Block 3, a distance of 524.31 feet to the North line of 31st Street as now established; thence East 50 feet to the point of beginning; EXCEPT the East Half; and EXCEPT all that part described above lying South of the South line of Lot 18, Block 4, Mount Auburn. Also the following described tract: The vacated 10 feet of Baltimore Avenue lying West of and adjacent to Lots 31 and 32, Block 1, MOUNT AUBURN and the East one-half of vacated Baltimore Avenue lying South of the North line of Lot 32 and the North of the South line of Lot 31, Block 1, MOUNT AUBURN, a subdivision in Kansas City, Jackson County, Missouri.

Parcel 5: All of the South Half of vacated 29th Street between the East line of Wyandotte Street and a Northerly prolongation of the West line of Baltimore Avenue, being more particularly described as follows: Beginning at the point of intersection of the South line of vacated 29th Street and the East line of Wyandotte Street, as said streets are now established, said point also being the Northwest corner of Lot 48, Block 4, Mount Auburn, a subdivision in Kansas City, Jackson County, Missouri; thence North along the East line of said Wyandotte Street, a distance of 30 feet to the centerline of said vacated 29th Street; thence East along said centerline, a distance of 215.93 feet to a point being the intersection of the centerline of said 29th Street and the Northerly prolongation of the West line of said Baltimore Avenue; thence South along said Northerly prolongation, a distance of 30 feet to the South line of said 29th Street; thence West along the South line of said vacated 29th Street, a distance of 215.93 feet to the point of beginning.

Parcel 6: All of the North Half of vacated 29th Street between the East line of Wyandotte Street and a Northerly prolongation of the West line of Baltimore Avenue, being more particularly described as follows: Beginning at the point of intersection of the North line of vacated 29th Street and the East line of Wyandotte Street, as said streets are now established; thence South along the East line of said Wyandotte Street, a distance of 30 feet to the center line of said vacated 29th Street; thence East along said centerline, a distance of 215.93 feet to a point being the intersection of the centerline of said 29th Street and the Northerly prolongation of the West line of said Baltimore Avenue; thence North along said Northerly prolongation, a distance of 30 feet to the North line

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of said 29th Street; thence West along the North line of said vacated 29th Street, a distance of 215.93 feet to the point of beginning.

is hereby rezoned from District R-5 (High Apartments) and C-3a2 (Intermediate Business, High Buildings) to District URD (Urban Redevelopment District), all as shown outlined on a map marked Section 80-11A0620, 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 shall 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 the City Engineer's Office prior to approval and issuance of any building permits, and that the developer construct any improvements as required by the City Engineer's Office.
3. That the developer request and obtain approvals to vacate the alleys west of Main Street and south of 29th Street and 29th Street west of Main and Baltimore south of 29th Street, prior to making a final plat application.
4. That the developer construct the following pedestrian improvements: (1) a striped crosswalk across Memorial Drive on the west side of Main Street, with a center raised island, ADA accessible; and (2) restripe the crosswalk across Main Street at (a) the existing pedestrian crossing just south of the intersection of Memorial Drive and Main Street (27th Street), and (b) the existing pedestrian crosswalk connecting both sidewalks on either side of Main Street at the south end of Grand Boulevard.
5. That the developer shall contribute a total of \$20,000.00 towards improvement of any or all of the crosswalks described in condition 4, above, such amount to be paid upon completion of the crosswalk improvements. Developer will submit a letter to City confirming this commitment with the final plat.
6. That the developer secure permits to construct or reconstruct existing sidewalks, curb, gutter, storm sewers, and streetlights as necessary along all development street frontages, as required by the Department of Public Works, prior to recording the plat.

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7. That the developer submit plans for grading, siltation, and erosion control to the City Engineer's Office for approval and permitting prior to beginning any construction activities.
8. That the developer secure a site disturbance permit from the Department of Public Works prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area exceeds one acre.
9. That the developer extend water mains as required by the Water Services Department.
10. That the developer provide for fire protection as required by the Fire Department.
11. 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, setback distances, lighting, landscaping and architectural characteristics, berms, trees and plantings around and within the parking lots; show proposed pedestrian circulation; and include elevation drawings of buildings and signage.
12. That the developer include public art outside on or near the north green area, subject to the approval of the Board of Parks and Recreation Commissioners.

A copy of said development plan is on file in the office of the City Clerk with this ordinance which is attached hereto and 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.

Secretary, City Plan Commission

Approved as to form and legality:

M. Margaret Sheahan Moran
Assistant City Attorney