

ORDINANCE NO. 080365

Rezoning an area of approximately 6 acres generally located on the southeast corner of N.E. Parvin Road and N. Jackson Avenue from District CP-2 to District CP-3. (7503-CP-8)

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 80-11A0799, rezoning an area of approximately 6 acres generally located on the southeast corner of N.E. Parvin Road and N. Jackson Avenue from District CP-2 (Local Planned Business Center) to District CP-3 (Regional Planned Business Center), said section to read as follows:

Section 80-11A0799. That an area legally described as:

TRACT 2: A tract of land in the Northwest Quarter of Section 8, Township 50, Range 32, in Kansas City, Clay County, Missouri, being bounded and described as follows: Beginning at the Northwest corner of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8; thence South 89 degrees 31 minutes 02 seconds East along the North line of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8, 58.5 feet; thence South 0 degrees, 51degrees, 51 minutes, 43 seconds West and parallel to the West line of said Northwest  $\frac{1}{4}$  352.93 feet (352.83 feet deeded) to the true point of beginning of the tract to be herein described, said point being also a point on the Southerly right of way line of Parvin Road, as now established; thence North 89 degrees 33 minutes 03 seconds East along said right of way 22.92 feet; thence North 47 degrees, 48 minutes, 36 seconds east along said right of way line 63.63 feet; thence Northeasterly along said right of way line 63.63 feet; thence Northeasterly along said right of way line on a curve to a left having a radius of 676.62 feet, an arc distance of 582.14 feet; thence South 0 degrees 52 minutes 45 seconds, west 767.15 feet; thence South 85 degrees 02 minutes 55 seconds west 622.74, thence North 0 degrees 51 minutes 43 seconds east parallel to the West line of the Northwest  $\frac{1}{4}$  of said Section 8, 661.35 feet to the point of beginning.

EXCEPT a tract of land located in the Southwest Quarter of the Northwest Quarter of Section 8, Township 50 North, Range 32 West of the 5th Principal Meridian, Kansas City, Clay County, Missouri, being more particularly described as follows: Commencing at the Southwest corner of said Northwest Quarter; thence North 00 degrees 56 minutes 45 seconds East along the West line of the Southwest Quarter of said Northwest Quarter a distance of 590.94 feet; thence South 89 degrees 03 minutes 15 seconds East a distance of 58.5 feet to the Point of Beginning of the tract of land to be described; thence continuing South 89 degrees 03 minutes 15 seconds East a distance of 618.62 feet; thence South 00 degrees 42 minutes 25 seconds West a distance of 220.35 feet; thence South 85 degrees 07 minutes 57 seconds West a distance of 622.74 feet; thence North 00

ORDINANCE NO. 080365

degrees 56 minutes 45 seconds East a distance of 283.42 feet to the Point of beginning; EXCEPT that part in roads, if any.

AND EXCEPT all that portion located in Section 7, Township 50, Range 32, in Kansas City, Clay County, Missouri.

is hereby rezoned from District CP-2 (Local Planned Business Center) to District CP-3 (Regional Planned Business Center), all as shown outlined on a map marked Section 80-11A0799, 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 submit a traffic study at the time of the final plan for Phase III (southwest corner of N.E. Parvin Road and N. Jackson Avenue) and make such improvements as recommended by the traffic study and as required by the Public Works Department.
2. That the developer construct all driveways to meet the City's intersection sight distance standards.
3. That the developer dedicate additional right of way for N. Jackson Avenue as required by Development Services so as to provide a total of 60 feet of right of way for N. Jackson Avenue.
4. That the developer improve N. Jackson Avenue to collector street standards as required by Development Services, including construction of curb, gutter and sidewalks and installation of streetlights.
5. That the developer dedicate additional right of way for primary arterial with a bike lane as required by Development Services so as to provide a minimum of 56 feet of right of way as measured from the centerline of N.E. Parvin Road.
6. 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.
7. That the developer submit plans for grading and siltation and erosion control to Development Services for approval prior to beginning any construction activities.
8. That the developer secure a land disturbance permit from Development Services prior to beginning any construction, grading, clearing or grubbing activities, if the disturbed area equals or exceeds one acre.

ORDINANCE NO. 080365

9. That the developer secure a floodplain certificate if any grading is to occur within a floodplain as required by Development Services.
10. That the developer extend water mains as required by the Water Services Department.
11. That the developer extend sanitary sewers as required by Development Services.
12. That the developer install hard surface roads and provide for fire protection as required by the Fire Department prior to construction beyond foundations.
13. That the developer submit an update to the previously accepted macro storm drainage study for the overall development to address the development amendments along with a detailed micro study for review and acceptance prior to clearance of the next plat and make necessary improvements as required by Development Services.
14. 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.
15. That the developer secure permits to construct new, repair existing or reconstruct sidewalks, curbs, gutters, storm sewers, and streetlights as necessary along all development street frontages, or submit a letter from a Missouri licensed civil engineer stating that the 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 Development Services, prior to recording the plat.
16. That the developer submit covenants, conditions and restrictions to Development Services for approval by the Law Department for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.
17. That the developer submit a final plan to the City Plan Commission for approval, including plans for grading, building elevations, landscaping, screening, berming, signage, lighting and photometric study showing zero footcandles at the lot lines.

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.

ORDINANCE NO. 080365

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

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Secretary, City Plan Commission

Approved as to form and legality:

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M. Margaret Sheahan Moran  
Assistant City Attorney