

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 080294

Rezoning an area of approximately 138.32 acres generally located at the northwest quadrant of Highway 350/Blue Parkway and the area between the eastbound and westbound lanes of Highway 350/Blue Parkway, just east of the City of Raytown, from Districts RA and C-2 to District URD, and approving a development plan for the same. (10626-URD-5)

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 80-11A0798, rezoning an area of approximately 138.32 acres generally located at the northwest quadrant of Highway 350/Blue Parkway and the area between the eastbound and westbound lanes of Highway 350/Blue Parkway, just east of the City of Raytown from Districts RA (Agricultural) and C-2 (Local Retail Business) to District URD (Urban Redevelopment District), said section to read as follows:

Section 80-11A0798. That an area legally described as:

All that part of Sections 14, 15, 22 and 23, all in Township 48, Range 32, in Kansas City, Jackson County, Missouri, described as follows: Beginning at the common corner to said four sections; thence South $87^{\circ}07'20''$ East, along the line between said Sections 14 & 23, a distance of 157.86 feet to a point on the westerly right-of-way line of the Kansas City, Rock Island Railroad, as now established; thence southerly along a curve to the right, having an initial tangent bearing of South $12^{\circ}19'24''$ West, an included angle of $1^{\circ}15'51''$, a radius of 3769.83 feet, an arc distance of 83.18 feet, this and the following seven (7) courses being along said westerly right-of-way line; thence North $76^{\circ}24'45''$ West, along a line radial to the preceding course, a distance of 25.00 feet; thence southerly along a curve to the right, which is concentric with the last described curve, an included angle of $16^{\circ}29'47''$, a radius of 3744.83 feet, an arc distance of 1078.20 feet; thence North $59^{\circ}54'58''$ West, along a line radial to the preceding course, a distance of 10.00 feet; thence Southerly along a curve to the right which is concentric with the last described curve, having an included angle of $01^{\circ}11'33''$, a radius of 3734.83 feet, an arc distance of 77.73 feet to a point of tangency; thence South $31^{\circ}16'35''$ West, a distance of 167.59 feet to a point on the south line of the Northeast Quarter of the Northeast Quarter of said Section 22; thence North $86^{\circ}13'56''$ West, along said south line, a distance of 16.91 feet; thence departing said south line, South $31^{\circ}16'35''$ West, a distance of 397.74 feet to a point on the northerly right-of-way line of West-bound Missouri State Highway Route 350 as now established; thence North $58^{\circ}53'41''$ West, along said northerly right-of-way line, a distance of 733.22 feet to a point

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of curve, this and the following six (6) courses being along said northerly right-of-way line; thence along a curve to the left, having an included angle of $23^{\circ}14'06''$, a radius of 766.20 feet, an arc distance of 310.71 feet to a point of tangency; thence North $82^{\circ}07'41''$ West, a distance of 332.96 feet to a point of curve; thence along a curve to the right, having an included angle of $13^{\circ}03'44''$, a radius of 553.11 feet, an arc distance of 126.10 feet; thence North $01^{\circ}55'37''$ East, a distance of 95.96 feet; thence along a curve to the right, having an initial tangent bearing of North $65^{\circ}00'49''$ West, an included angle of $18^{\circ}38'13''$, a radius of 482.00 feet, an arc distance of 156.78 feet; thence North $06^{\circ}33'49''$ East, a distance of 47.51 feet; thence departing said northerly right-of-way line, North $43^{\circ}14'55.30''$ East, a distance of 179.82 feet to a point on the west line of the east half of the Northwest Quarter of the Northeast Quarter of said Section 22; thence North $01^{\circ}58'55''$ East, a distance of 837.40 feet to the northwest corner of said Half Quarter Quarter Section; thence South $86^{\circ}06'35''$ East, along the north line of the Northeast Quarter of said Section 22, a distance of 663.68 feet to the southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 15; thence North $01^{\circ}52'29''$ East, a distance of 1317.49 feet to the northwest corner of said Quarter Quarter Section; thence South $86^{\circ}03'08''$ East, a distance of 1326.42 feet to the northeast corner of said Quarter Quarter Section; thence South $87^{\circ}07'53''$ East, along the north line of the Southwest Quarter of the Southwest Quarter of said Section 14, a distance of 167.05 feet to a point on the westerly right-of-way line of the Kansas City, Rock Island Railroad, as now established; thence southerly along a curve to the right, having an initial tangent bearing of South $07^{\circ}47'07''$ East, an included angle of $03^{\circ}22'24''$, a radius of 3769.83 feet, an arc distance of 221.94 feet, this and the remaining four (4) courses being along said westerly right-of-way line; thence South $85^{\circ}35'17''$ West, along a line radial to the preceding course, a distance of 50.00 feet; thence southerly along a curve to the right, which is concentric with the last described curve, having a radius of 3719.83 feet, an included angle of $07^{\circ}29'59''$, an arc distance of 486.91 feet; thence South $86^{\circ}54'44''$ East, along a line radial to the preceding course, a distance of 50.00 feet; thence southerly along a curve to the right which is concentric with the last described curve, having an included angle of $09^{\circ}14'08''$, a radius of 3769.83 feet, an arc distance of 607.66 feet to the point of beginning on the south line of the Southwest Quarter of said Section 14. Containing 106.12 acres, more or less.

and

All that part of the Southeast Quarter of the Southwest Quarter of Section 15, and that part of the Northeast Quarter of the Northwest Quarter and that part of the Northwest Quarter of the Northeast Quarter of Section 22, all in Township 48, Range 32, in Kansas City, Jackson County, Missouri,

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described as follows: Commencing at the southwest corner of Lot 1, Huddleston Addition, a subdivision partially in Raytown and partially in Kansas City and wholly in Jackson County, Missouri; thence South $86^{\circ} 11' 26''$ East, along the south line of said Lot 1, a distance of 200.10 feet to a point on the southeast corner of the West 200.00 feet of said Lot 1 said point being on the city limits line between the City of Kansas City and the City of Raytown, and said point being the point of beginning; thence North $01^{\circ} 58' 30''$ East, along the east line of said West 200.00 feet, a distance of 140.00 feet; thence South $86^{\circ} 11' 26''$ East, a distance of 66.40 feet; thence North $31^{\circ} 18' 49''$ East, a distance of 27.03 feet to a point on the northeasterly line of said Lot 1; thence southeasterly along the northeasterly line of said Lot 1 as approximated by a curve to the right having an initial tangent bearing of South $62^{\circ} 27' 19''$ East with a radius of 1343.73 feet, an arc distance of 322.63 feet to the southeast corner of said Lot 1, said point being the northeast corner of Lot 2 of said Huddleston Addition; thence continuing southeasterly along the northeasterly line of said Lot 2 as approximated by a curve to the right, having an initial tangent bearing of South $47^{\circ} 57' 18''$ East, with a radius of 1725.60 feet, an arc distance of 77.75 feet; thence along a curve to the left, having an initial tangent bearing of North $61^{\circ} 39' 26''$ East, with a radius of 964.00 feet, an arc distance of 118.51 feet to a point on the westerly right-of-way line of West-bound Missouri Highway Route 350; thence southeasterly along said westerly right-of-way line along a curve to the right, having an initial tangent bearing of South $39^{\circ} 59' 59''$ East, with a radius of 686.20 feet, an arc distance of 154.16 feet to a point of tangency, this and the following four courses being along said right-of-way line; thence South $27^{\circ} 07' 41''$ East, a distance of 1657.40 feet to a point of curve; thence along a curve to the left, to which the preceding course is tangent, having a radius of 633.11 feet, an arc distance of 153.86 feet; thence South $48^{\circ} 56' 53''$ West, along a line radial to the preceding course, a distance of 30.00 feet; thence along a curve to the left, concentric with the last described curve, to which the preceding course is radial, having a radius of 663.11 feet, an arc distance of 351.64 feet to a point on the east line of the Northeast Quarter of the Northwest Quarter of said Section 22; thence South $01^{\circ} 58' 55''$ West, along said east line, a distance of 3.80 feet to the southeast corner of said Quarter Quarter Section; thence North $86^{\circ} 13' 56''$ West, along the south line of said Quarter Quarter Section, a distance of 191.14 feet to a point on the northerly right-of-way line of East-bound Missouri Highway Route 350; thence along a curve to the right, having an initial tangent bearing of North $79^{\circ} 11' 00''$ West, a radius of 1799.86 feet, an arc distance of 662.07 feet, this and the following three courses being along said right-of-way line; thence North $74^{\circ} 07' 29''$ West, along a line neither tangent nor radial to the preceding course, a distance of 99.64 feet; thence along a curve to the right, concentric with the last described curve, having a radius of 1829.86 feet, an arc distance of 587.51 feet to a point of tangency; thence North $36^{\circ} 42' 41''$ West, a distance of

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679.26 feet to a point on the aforesaid city limits line; thence North 01° 58' 30" East, along said city limits line, a distance of 730.46 feet to the point of beginning. Containing 32.20 acres, more or less. Altogether containing 138.32 acres, more or less.

is hereby rezoned from Districts RA (Agricultural) and C-2 (Local Retail Business) to District URD (Urban Redevelopment District), all as shown outlined on a map marked Section 80-11A0798, 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 macro "overall" storm drainage study for the entire development to Development Services for review and acceptance at the time the first plat is submitted, with a micro "detailed" storm drainage study to be submitted for each phase at the time of final platting, and that the developer construct any necessary improvements as required by Development Services.
3. That the developer design and construct all interior streets to City standards as required by Development Services, including curb, gutter, storm sewers, streetlights, and sidewalks.
4. That the developer obtain permission from MoDOT to work in the state right of way and construct improvements as shown in the plan according to MoDOT requirements.
5. That the developer provide intersection sight distances according to AASHTO standards at all driveways and street connections, and as required by the Public Works Department.
6. That the developer follow driveway standards according to drawing D-3 of the Public Works Department.
7. That the developer provide a minimum of 60 feet of right of way for a collector street for Chrysler Avenue from M-350 to E. 84th Place as shown on the development plan and as required by Development Services.

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8. That the developer construct Chrysler Avenue from Hwy-350 to E. 84th Place to collector street standards as shown on the development plan and as required by Development Services.
9. That the developer provide a minimum of 60 feet of right of way for a collector street for Norfleet Road from M-350 to the north property line as shown on the development plan and as required by Development Services.
10. That the developer construct Norfleet Road from Hwy-350 to the north property line to collector street standards as shown on the development plan and as required by Development Services.
11. That the developer construct temporary cul-de-sacs at the north ends of Chrysler Avenue and Norfleet Road as shown on the development plan as required by Development Services.
12. That the arterial improvements proposed on the development plans be reviewed and accepted by the Transportation and Development Committee and the Impact Fee District Committee prior to an application for impact fee credits being accepted.
13. 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.
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 construct temporary off-site cul-de-sacs as required by Development Services.
16. That the developer relocate any streetlights and that they be integrated into existing street light system as required by Development Services, and the Missouri Department of Transportation along State frontages.
17. That the developer submit a street name signage plan for the entire development area for approval by the Street Naming Committee prior to submittal of the first final plat.
18. 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.

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19. 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.
20. That the developer extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by Development Services.
21. That the developer extend sanitary sewers to the property lines along the north side of Lot 124 in Phase V-A, along the north side of Phase V-B, and along the north side of Lot 11 in the commercial development as required by Development Services.
22. That the developer provide a storm water conveyance system to serve all proposed lots within the development and determine adequacy as required by Development Services.
23. That the developer provide and extend water mains as required by the Water Services Department and provide individual service to each lot.
24. That the developer construct hard surface all-weather roads and provide for fire protection as required by the Fire Department prior to construction beyond footings and foundations.
25. That the developer provide access restrictions to prohibit direct vehicular access to Missouri Route 350 and Noland Road from all residential lots or units and that the restriction be placed on the final plat.
26. That the developer obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
27. That the developer show the limits of the 100-year floodplain on the final plat.
28. That the developer grant a Surface Drainage Easement to the City as required by Development Services.
29. That the developer grant a BMP Easement to the City as required by Development Services.
30. That the developer submit covenants, conditions and restrictions to Development Services for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.

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31. 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 (photometrics plan showing zero footcandles at the property line), 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.
32. That the developer take reasonable and necessary steps to verify the location of the historic Davis Smith Cemetery and to comply with all local, state and federal laws with regard to proper preservation of the cemetery as part of this project.

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