

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 080231

Rezoning an area of approximately 158.2 acres generally located at the southeast corner of N. Congress and N.W. 108th Street from District GP-7 to District GP-1, and approving a development plan. (13886-GP)

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 80-11A0794, rezoning an area of approximately 158.2 acres generally located at the southeast corner of N. Congress and N.W. 108th Street from District GP-7 (Agricultural, Low Density Residential) to District GP-1 (General Industry), said section to read as follows:

Section 80-11A0794. That an area legally described as:

A tract of land in the Southeast Quarter of Section 25, Township 52 North, Range 34 West and the Southwest Quarter of Section 30, Township 52 North, Range 33 West in Kansas City, Platte County, Missouri, described as follows: Beginning at the northwest corner of the Southwest Quarter of said Section 30; thence North 89°49'56" East (deed - North 89°24'40" East, 867.67 feet) along the north line of said Southwest Quarter, 867.67 feet to the northwest corner of a tract of land recorded in Book 915 at page 528 in the Office of the Recorder of said Platte County; thence South 12°52'11" West (deed - South 12°26'00" West, 1751.04 feet) along the west line of said tract, 1751.55 feet; thence South 49°22'31" West (deed - South 48°55'20" West, 651.78 feet) along said west line, 651.78 feet to the west line of said Southwest Quarter; thence continuing South 49°22'31" West (deed - South 48°55'20" West, 52.44 feet) along the west line of said tract, 52.18 feet to the northeast corner of a tract of land recorded in Book 943 at page 679 in said Office of the Recorder; thence North 88°23'18" West (deed - North 88°50'47" West, 2619.61 feet) along the north line of said tract, 2619.40 feet to the west line of said Southeast Quarter; thence North 00°20'34" East (deed - North 00°06'40" West, 914.61 feet) along said west line, 914.61 feet; thence South 89°53'41" East, 30.00 feet to the east line of N. Congress Avenue, as described by document recorded in Book 599 at page 47 in said Office of the Recorder; thence North 00°20'34" East along said east line, 1112.32 feet; thence North 34°34'37" East along said east line, 45.72 feet; thence North 00°20'34" East along said east line, 30.00 feet to the north line of said Southeast Quarter; thence South 89°53'41" East along said north line, 2606.88 feet (deed - North 89°39'20" East) to the northeast corner of said southeast corner and the point of beginning. Containing 158.21 acres more or less.

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is hereby rezoned from District GP-7 (Agricultural, Low Density Residential) to District GP-1 (General Industry), all as shown outlined on a map marked Section 80-11A0794, 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 above described area 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/micro storm drainage study to Development Services for review and acceptance for the entire development when the final plat is submitted, and that the developer construct any improvements as required by Development Services.
3. That the developer dedicate additional right of way for a collector as required by Development Services so as to provide a minimum of 36 feet of right of way as measured from the centerline of 108th Street.
4. That the developer dedicate additional right of way for a secondary arterial with a bike lane and Special Purpose Rapid Transit Corridor as required by Development Services so as to provide a minimum of 96 feet of right of way as measured from the section line of N. Congress Avenue.
5. 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.
6. 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.
7. 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.
8. 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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9. 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.
10. That the developer extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by Development Services.
11. 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.
12. That the access drive for Lot 2, aligned with N.W. 107th Terrace, be the only lot with direct access to N. Congress Avenue and that access restrictions be provided to prohibit direct vehicular access to N. Congress Avenue from Lots 1, 3 and 4 and that the restriction be placed on the final plat.
13. That the developer obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
14. That the developer show the limits of the 100-year floodplain on the final plat.
15. That the developer grant a Noise and Aviation Easement to the City as required by Development Services.
16. That the developer grant a Surface Drainage Easement to the City as required by Development Services.
17. 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.
18. That the developer submit a final GP district plan including landscaping, grading, lighting, building elevations and signage.
19. That the developer provide 64 feet of right of way for the N.W. 106th Terrace for a collector street with a center turn lane.

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.

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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