

ORDINANCE NO. 041344

Rezoning an area of approximately 1.8 acres generally located at the northeast corner of N.W. Barry Road and N. Platte Purchase Drive from District RA to District CP-1, and approving a preliminary plan for the same. (11426-CP-21)

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 80-11A0600, rezoning an area of approximately 1.8 acres generally located at the northeast corner of N.W. Barry Road and N. Platte Purchase Drive from District RA (Agricultural) to District CP-1 (Neighborhood Planned Business Center), said section to read as follows:

Section 80-11A0600. That an area legally described as:

A tract of land in the Fractional Northwest Quarter of Section 10, Township 51, Range 33, Kansas City, Clay County, Missouri, being bounded and described as follows: Commencing at the Southwest corner of said Fractional Northwest Quarter; thence North $0^{\circ}30'34''$ East along the West line of said Fractional Northwest Quarter, 87.98 feet; thence South $89^{\circ}29'26''$ East, 52.77 feet to the True Point of Beginning of the tract to be herein described, said point being also a point on the Easterly right-of-way line of N. Platte Purchase Drive, as now established; thence North $0^{\circ}39'04''$ East along said Easterly line, 192.62 feet; thence Northerly on a curve to the left, along said Easterly line, tangent to the last described course, having a radius of 5042.00 feet, an arc distance of 174.65 feet; thence Northerly on a curve to the right, along said Easterly line, having a common tangent with the last described course, a radius of 4960.00 feet, an arc distance of 56.84 feet; thence South $89^{\circ}29'39''$ East, 180.74 feet; thence South $0^{\circ}30'34''$ West, 447.74 feet to a point in the Northerly right-of-way line of NW Barry Road, as now established; thence North $88^{\circ}21'58''$ West along said Northerly line, 51.46 feet; thence Westerly on a curve to the right, along said Northerly line, having an initial tangent bearing of South $88^{\circ}09'21''$ West, a radius of 2934.00 feet, an arc distance of 100.54 feet; thence Northerly on a curve to the right, along said Northerly line, having a common tangent with the last described course, a radius of 25.00 feet, an arc distance of 39.50 feet to the True Point of Beginning. Containing 1.82 acres, more or less.

is hereby rezoned from District RA (Agricultural) to District CP-1 (Neighborhood Planned Business Center), all as shown outlined on a map marked Section 80-11A0600, 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 preliminary plan for the area legally described above is hereby approved, subject to the following conditions:

ORDINANCE NO. 041344

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 macro "overall" storm drainage study for the entire development to the City Engineer's Office for approval 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 the City Engineer's Office.
3. That the developer provide cross-access easements on the final plat as required by the Department of Public Works.
4. 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.
5. That the developer secure permits to construct or reconstruct existing sidewalks, curb, gutters, and streetlights along the project frontage, as required by the Department of Public Works prior to recording of the plat.
6. That any relocated streetlights be integrated into the existing street light system as required by the City Engineer's Office.
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 secure a land disturbance permit from the Missouri Department of Natural Resources.
10. That the developer extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by the Department of Public Works.
11. That the developer provide a storm water conveyance system to serve all proposed lots within the development and determine adequacy as required by the Department of Public Works.
12. That the developer submit covenants, conditions and restrictions to the Law Department for approval for the maintenance of private open space

ORDINANCE NO. 041344

and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.

13. That the developer extend water mains as required by the Water Services Department.
14. That the developer provide for fire protection as required by the Fire Department.
15. That the developer comply with the height restrictions of Kansas City International Airport Height Zoning Map.
16. 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), 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.

A copy of said preliminary plan is on file in the office of the City Clerk under Document No. _____, 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