

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 030760

Amending Chapter 80, Code of Ordinances, by adding a new section to be known as Section 80-11A0492, rezoning an area of approximately 36 acres generally located at the southwest corner of N. Cosby Avenue (N.W. 62nd Terrace) and 45 Highway (N.W. 64th Street) from Districts R-1b (One-Family Dwellings, R-4 (Low Apartments), and CP-2 (Local Planned Business Center) to District CP-2 (Local Planned Business Center), and approving a development plan for the same. (5857-CP-13)

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 80-11A0492, rezoning an area of approximately 36 acres generally located at the southwest corner of N. Cosby Avenue (N.W. 62nd Terrace) and 45 Highway (N.W. 64th Street) from Districts R-1b (One-Family Dwellings, R-4 (Low Apartments), and CP-2 (Local Planned Business Center) to District CP-2 (Local Planned Business Center), said section to read as follows:

Section 80-11A0492. That an area legally described as:

All that part of the East Half of the Northwest Quarter and the West Half of the Northeast Quarter of Section 30, Township 51, Range 33 in Kansas City, Platte County, Missouri, more particularly described as follows: Commencing at the northwest corner of the East Half of the Northwest Quarter of said Section 30; thence South $0^{\circ}59'51''$ West along the westerly line thereof, a distance of 191.31 feet, more or less to a point on the southerly right-of-way line of Missouri State Highway Route No 45 (also known as NW. 64th Street) as now established, said point being 140 feet south of the centerline of said highway as measured perpendicular thereto and the point of beginning of the tract of land to be herein described; thence easterly along the southerly right-of-way line of said Missouri State Highway Route No 45, the following courses and distances; thence South $89^{\circ}51'27''$ East, 836.35 feet, more or less to a point 140 feet south of said highway centerline, opposite Station 1884+00; thence North $68^{\circ}20'28''$ East, 107.70 feet, more or less to a point 100 feet south of said highway centerline, opposite Station 1885+00; thence South $89^{\circ}51'27''$ East, 348.05 feet, more or less to a point 100 feet (30.480 meters, Plan) south of said highway centerline, opposite Station 1888+48.05 (Sta: 57+561 meters, Plan); thence South $78^{\circ}56'37''$ East, 130.31 feet, more or less to a point 124.67 feet (38 meters, Plan) south of said highway centerline, opposite Station 1889+76.00 (Sta: 57+600 meters, Plan); thence South $83^{\circ}00'53''$ East, 82.61 feet, more or less to a point 134.51 feet (41 meters, Plan) south of said highway centerline, opposite Station 1890+58.02 (Sta: 57+625 meters, Plan); thence North $70^{\circ}49'07''$ East, 104.30 feet, more or less to a point 100 feet (30.480 meters, Plan) south of

said highway centerline, opposite Station 1891+56.45 (Sta: 57+655 meters, Plan); thence South 89°51'27" East, 343.55 feet, more or less to a point 100 feet (30.480 meters, Plan) south of said highway centerline, opposite Station 1895+00 (Sta: 57+759.716 meters, Plan); thence South 68°03'22" East, 107.70 feet, more or less to a point 140 feet (42.672 meters, Plan) south of said highway centerline, opposite Station 1896+00 (Sta: 57+790.196, Plan); thence South 89°51'27" East, 119.95 feet, more or less to a point on the westerly right-of-way line of NW. 62nd Terrace, as now established; thence southwesterly and southeasterly along the westerly right-of-way line of said NW. 62nd Terrace, the following courses and distances; thence Southwesterly along a curve to the right, having an initial tangent bearing of South 17°03'41" West, a radius of 230 feet and a central angle of 31°04'10", an arc length of 124.72 feet; thence South 41°52'09" East along a radial line to the last described curve, a distance of 100.89 feet; thence South 48°07'51" West, perpendicular to the last described course and no longer along the westerly right-of-way line of said NW. 62nd Terrace, a distance of 260.13 feet; thence southwesterly along a curve to the left, tangent to the last described course, having a radius of 504.96 feet and a central angle of 17°03'09", an arc length of 150.29 feet; thence South 31°04'42" West, tangent to the last described curve, a distance of 192.31 feet; thence southwesterly along a curve to the right, tangent to the last described course, having a radius of 605 feet and a central angle of 38°41'09", an arc length of 408.49 feet to a point of reverse curvature; thence southwesterly and southerly along a curve to the left, tangent to the last described curve, having a radius of 250 feet and a central angle of 68°26'18", an arc length of 298.62 feet to a point 3.00 feet east of the westerly line of the Northeast Quarter of said Section 30, as measured perpendicular thereto; thence South 1°19'33" West along a line 3.00 feet east of and parallel with the westerly line of said Northeast Quarter Section, a distance of 141.81 feet; thence North 88°40'27" West, perpendicular to the last described course, a distance of 60 feet; thence North 1°19'33" East along a line 57 feet west of and parallel with the westerly line of said Northeast Quarter Section, a distance of 118.07 feet; thence northerly and northwesterly along a curve to the left, tangent to the last described course, having a radius of 250 feet and a central angle of 73°17'37", an arc length of 319.80 feet to a point of reverse curvature; thence westerly and northwesterly along a curve to the right, tangent to the last described curve, having a radius of 605 feet and a central angle of 10°24'12", an arc length of 109.85 feet to a point of reverse curvature; thence northwesterly and westerly

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along a curve to the left tangent to the last described curve, having a radius of 2,470 feet and a central angle of $23^{\circ}42'21''$, an arc length of 1,021.95 feet to a point on the westerly line of the Northeast Quarter of the Northwest Quarter of said Section 30; thence North $0^{\circ}59'51''$ East along the westerly line of the Northeast Quarter of the Northwest Quarter of said Section 30, a distance of 568.18 feet to the point of beginning. Containing 35.869 acres, more or less.

is hereby rezoned from Districts R-1b (One-Family Dwellings), R-4 (Low Apartments) and CP-2 (Local Planned Business Center) to District CP-2 (Local Planned Business Center), all as shown outlined on a map marked Section 80-11A0492, 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, as amended, commonly known as the Subdivision Regulations.
2. That the developer submit a storm drainage study to the City Engineer's Office for approval when the first final plat is submitted and that the developer make any improvements as required by the City Engineer's Office.
3. That the developer submit plans for grading and siltation and erosion control to the City Engineer's Office for approval prior to the commencement of any construction activities.
4. That the developer secure a land 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.
5. That the developer secure a land disturbance permit from the Missouri Department of Natural Resources.

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6. That the developer secure a floodplain certificate if any grading is to occur within a floodplain.
7. That the developer provide cross-access easements as required by the Department of Public Works.
8. That the developer extend water mains as required by the Water Services Department.
9. That the developer extend sanitary and/or storm sewers and determine adequacy as required by the Department of Public Works.
10. That the developer provide for fire protection as required by the Fire Department.
11. That the developer dedicate any additional right of way and make any improvement as required by the traffic study.
12. That the developer dedicate 50 feet as measured from the centerline of existing N. Cosby Avenue transitioning from the existing right of way width to a 60 foot right of way width within 350 foot and continuing as a 60 feet right of way width to the west limits for Lot 1b and ending in a temporary cul-de-sac at the time of Platting Lot 1b as required by the Department of Public Works.
13. That the developer improve N. Cosby Avenue to collector street standards as required by the Department of Public Works with a five lane section to the first northerly entrance into the site as shown on the preliminary plan.
14. That the developer design and construct all public streets to City standards as required by the Department of Public Works, including construction of curb, gutter storm sewers and sidewalks and installation of streetlights..
15. That the developer construct off-site cul-de-sacs as required by the Department of Public Works.
16. That the developer relocate streetlights and integrate them into the existing streetlight system as required by the City Engineer's Office

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and the Missouri Department of Transportation along street frontages.

17. That the developer submit a street name signage plan for the entire development to the Street Naming Committee for approval prior to submittal of the first final plat.
18. That the developer receive a permit from the Missouri Department of Transportation prior to working within any State highway right of way.
19. That the developer show the limits of the 100-year floodplain on the final plat.
20. That the developer submit a final plan to City Plan Commission for approval prior to the issuance of a building permit. The site plan shall include information regarding property uses, setback distances, lighting (photometric 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 development plan is on file in the office of the City Clerk under Document No. 030760, 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:

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Assistant City Attorney