

ORDINANCE NO. 990584

Amending Chapter 80, Code of Ordinances, by adding a new section to be known as Section 80-11A0199, rezoning an area of approximately 14.7 acres generally located at the northwest corner of Elmwood Avenue and Blue Parkway from Districts C-2 (Local Retail Business), C-2-p (Local Retail Business - Limited District), R-2b (Two-Family Dwellings) and M-1-p (Light Industry - Limited District) to District URD (Urban Redevelopment District), and approving a development plan for the same. (12250-URD)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 80, Code of Ordinances of the City of Kansas City, Missouri, 1996, commonly known as the Zoning Ordinance, is hereby amended by enacting a new section to be known as Section 80-11A0199, rezoning an area of approximately 14.7 acres generally located at the northwest corner of Elmwood Avenue and Blue Parkway from Districts C-2 (Local Retail Business), C-2-p (Local Retail Business - Limited District), R-2b (Two-Family Dwellings) and M-1-p (Light Industry - Limited District) to District URD (Urban Redevelopment District), said section to read as follows:

Section 80-11A0199. That an area legally described as:

A tract of land in the West One-Half of the Southwest Quarter of Section 26, Township 49, Range 33, in Kansas City, Jackson County, Missouri, containing all of Lots 1 through 6 and Lot 15 in Block 5 - Resurvey of Perwin Place, a subdivision in said City, County and State, parts of Lots 7 through 14 in said Block 5, all of Lots 1 through 9 and 16 through 24 in Block 6 of said Resurvey of Perwin Place, all of Lots 1 through 9 and 16 through 24 in Block 7 of said Resurvey of Perwin Place, all of Lots 1 and 2 in Block 8 of said Resurvey of Perwin Place, all of vacated Kensington Avenue lying between the north line of Blue Parkway and the north lines of said Blocks 7 and 8 of said Resurvey of Perwin Place, all of vacated 49th Street Terrace lying between said Blocks 6 and 7, and lying east of the west lines of Lot 9 in said Block 6 and Lot 16 in said Block 7 of said Resurvey of Perwin Place, and unplatted ground in said West One-Half of said Southwest Quarter, being more particularly described as follows: Commencing at the northeast corner of said West One-Half of said Southwest Quarter of said Section 26, Township 49, Range 33, in said City, County and State; thence South 2°26'00" West (bearings are Missouri Coordinate System of 1983 - West Zone) along the east line of said West One-Half, being also the centerline of Elmwood Avenue, a distance of 1365.52 feet; thence leaving said centerline, North 87°12'03" West along the prolongation of the north lines of Blocks 7 and 8 of said Resurvey of Perwin Place, a distance of 30.50 feet to a point on the west right of way line of said Elmwood Avenue, said point being the true point of beginning of this tract; thence South 2°26'00" West along said west line, being partially along the east lines of Lots 1, 2 and 3 in Block 5 of said Resurvey of Perwin Place, a distance of 580.00 feet to the southeast corner of Lot

3 in said Block 5; thence North 87°12'03" West along the south line of Lots 3 through 6 in said Block 5, a distance of 201.22 feet (201.67 feet plat) to the southeast corner of Lot 7 in said Block 5; thence North 2°27'26" East along the east line of said Lot 7, a distance of 14.19 feet to a point on the north right of way line of Blue Parkway as established; thence North 89°08'00" West along said north line of Blue Parkway, as established by Warranty Deeds Nos. K57926, K57930 and K54108 (South 89°05'00"(and 01)" East by said Warranty Deeds), a distance of 400.65 feet to a point 0.68 feet north of the southwest corner of Lot 14 in said Block 5; thence South 2°27'26" West along the west line of said Lot 14, a distance of 0.68 feet to the southwest corner of said Lot 14 and the north line of said Blue Parkway; thence North 87°12'03" West along said north line, a distance of 504.66 feet (504.43 feet plat) to the southwest corner of Lot 16, in Block 6 of said Resurvey of Perwin Place; thence North 2°27'26" East along the west line of said Lot 16 and 9 in said Block 6, and their prolongation, and along the west lines of Lots 16 and 9 in Block 7 in said Resurvey of Perwin Place, a distance of 580.00 feet to the northwest corner of said Lot 9, Block 7; thence South 87°12'03" East along the north lines of Blocks 7 and 8 in said Resurvey of Perwin Place, and their prolongations, a distance of 1106.14 feet to the point of beginning. Containing 638,652 square feet, or, 14.6614 acres, more or less.

is hereby rezoned from Districts C-2 (Local Retail Business), C-2-p (Local Retail Business - Limited District), R-2b (Two-Family Dwellings) and M-1-p (Light Industry - Limited District) to District URD (Urban Redevelopment District), all as shown outlined on a map marked Section 80-11A0199, 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 and that the developer make any necessary 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 beginning any construction activities.
4. That the developer dedicate additional right of way for Elmwood Avenue

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as required by the Department of Public Works so as to provide a total of 12 feet of right of way as measured west from the west back of curb.

5. That the developer improve the west half of Elmwood Avenue to collector street standards as required by the Department of Public Works, including construction of curb, gutter and sidewalks and installation of streetlights.

6. That the developer improve Kensington Avenue to residential street standards as required by the Department of Public Works, including construction of sidewalks on both sides.

7. That the developer improve 49th Terrace to residential street standards as required by the Department of Public Works, including construction of sidewalks on the north side.

8. That the developer construct sidewalks on the east and west sides of Kensington Avenue from Blue Parkway to 49th Terrace and on the north side of 49th Terrace from Kensington Avenue to the westerly drive entrance of Lot A as shown on the development plan prior to the issuance of a building permit.

9. That the developer extend water mains as required by the Water Services Department.

10. That the developer provide for fire protection as required by the Fire Department prior to construction beyond foundations.

11. That the developer secure a land disturbance permit from the Missouri Department of Natural Resources.

12. That the developer secure a floodplain certificate if any grading is to occur within a floodplain.

13. That the developer provide cross-access easements for each final plat as required by the Department of Public Works.

14. That the developer construct cul-de-sacs as required by the Department of Public Works.

15. That the developer extend sanitary sewers as required by the Department of Public Works.

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: development plan information, property uses, setback distances, lighting, grading, landscaping, signage, and architectural characteristics.

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A copy of said development plan is on file in the office of the City Clerk under Document No. 990584, 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:

Assistant City Attorney