

ORDINANCE NO. 070355

Rezoning an area of approximately 32.65 acres generally located about 1,000 feet north of the intersection of Line Creek Parkway and N.W. Old Stagecoach Road from District GP-7 to District GP-6, and approving a development plan for the same. (13597-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 80-11A0748, rezoning an area of approximately 32.65 acres generally located about 1,000 feet north of the Line Creek Parkway and N.W. Old Stagecoach Road intersection from District GP-7 (Agricultural and Low Density Residential) to District GP-6 (Low Density Residential), said section to read as follows:

Section 80-11A0748. That an area legally described as:

A tract of land in the Northeast Quarter and Northwest Quarter of Section 4, Township 51 North, Range 33 West, all in Kansas City, Platte County, Missouri described as follows: Commencing at the Northeast corner of said Northwest Quarter; thence South 89°57'49" West along the North line of said Northwest Quarter, 1276.24 feet to the Northwest Corner of the East 73.83 acres of said Northwest Quarter; thence South 00°21'13" West along the West line of said East 73.83 acres, 735.83 feet to the True Point of Beginning of the Tract of Land to be herein described; thence continuing South 00°21'13" West along said West line, 1780.97 feet to the Southwest Corner of said East 73.83 acres; thence South 89°44'57" East along the South line of said Northwest Quarter, 1276.21 feet to the Southeast Corner of said Northwest Quarter, said point also being the Southwest Corner of said Northeast Quarter; thence South 89°48'51" East along the South line of said Northeast Quarter, 226.65 feet; thence North 36°01'03" West, 381.04 feet; thence North 40°09'46" West, 1248.74 feet; thence Northwesterly along a curve to the left having an initial tangent bearing of North 11°24'46" West, with a radius of 700.00 feet, a central angle of 59°56'43" and an arc distance of 732.37 feet to the Point of Beginning. Containing 32.64 acres, more or less.

is hereby rezoned from District GP-7 (Agricultural and Low Density Residential) to District GP-6 (Low Density Residential), all as shown outlined on a map marked Section 80-11A0748, 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:

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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 Bittersweet development to Development Services for review 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 dedicate right of way for a parkway as required by Department of Parks and Recreation so as to provide 150 feet of right of way for Line Creek Parkway as shown on the preliminary development plan.
4. 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.
5. 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.
6. 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.
7. That the developer submit plans for grading, siltation, and erosion control to Development Services for approval and permitting prior to beginning any construction activities.
8. That the developer secure a land disturbance permit from Development Services prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area exceeds one acre.
9. That the developer extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by Development Services.
10. 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.

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11. That the lowest opening or elevation or Minimum Low Opening (MLO) of any structure on each lot that abuts a 100-year floodplain area be shown on the final plat.
12. That adequate sight distance be provided for each street connection to Line Creek Parkway as required by Development Services.
13. That the developer provide access restrictions to prohibit direct access to Line Creek Parkway from any lot and that the restrictions be placed on the final plat.
14. That the developer submit covenants, conditions and restrictions to 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.
15. That developer construct temporary cul-de-sacs as required by Development Services.
16. That the 3:1 width to depth ratio requirement be waived for Lots 31 through 36.
17. That the developer extend water mains as required by the Water Services Department.
18. That the developer submit a street tree planting plan prior to or concurrent with the final plat, secure the approval of the City Forester for street trees planted on right-of-way in front of residential lots (with a copy to be submitted to the City Development Department staff), and agree to plant in conformance with the plan approved by the City Forester. The plan shall include size, type, species, and placement of trees.
19. That the developer grant a Noise and Aviation Easement to the City.
20. That the developer comply with the KCI Airport Height zoning restrictions and that the developer include a fair disclosure statement with any real estate transaction.
21. That the developer submit a final plan to the City Plan Commission for approval for private open spaces including detailed information on landscaping and signage (including elevations).

A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

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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