

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 971543

Amending Chapter 80, Code of Ordinances, by adding a new section to be known as Section 80-11A0102, rezoning an area of approximately 18.91 acres generally located at the southeast corner of Missouri Highway 291 and proposed N. Eastern Avenue from District RA (Agricultural) to District CP-2 (Local Planned Business Center), and approving a preliminary plan for the same. (11931-CP-3)

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 80-11A0102, rezoning an area of approximately 18.91 acres generally located at the southeast corner of Missouri Highway 291 and proposed N. Eastern Avenue from District RA (Agricultural) to District CP-2 (Local Planned Business Center), said section to read as follows:

Section 80-11A0102. That an area legally described as:

All that part of the Southeast Quarter of Section 21 and the Southwest Quarter of Section 22, all in Township 52, Range 32, Kansas City, Clay County, Missouri, being described as follows: Commencing at the southeast corner of the Southeast Quarter of said Section 21; thence North 0°33'13" West, east line of said Southeast Quarter, 1849.72 feet to a point on the southerly right of way line of Missouri State Highway No. 291, as now established; thence South 52°19'00" East, along said southerly right of way line, 930.94 feet; thence southeasterly, along said southerly right of way line, on a curve to the left, tangent to the last described course, having a radius of 22965.74 feet, an arc distance of 292.99 feet; thence South 57°14'12" West, 474.12 feet; thence South 57°14'12" West, 51.20 feet; thence South 23°11'09" West, 212.15 feet; thence South 89°26'47" West, 222.86 feet; thence South 57°14'12" West, 248.24 feet; thence North 0°28'13" West, 204.09 feet; thence northerly, along a curve to the left, tangent to the last described course, having a radius of 727.38 feet, an arc distance of 432.88 feet; thence northerly, along a curve to the right, having a common tangent with the last described course, a radius of 700.00 feet, an arc distance of 815.77 feet; thence North 37°41'00" East, 23.27 feet to a point on the aforementioned southerly right of way line; thence South 52°19'00" East, along said southerly right of way line, 57.18 feet to the true point of beginning. Containing 18.91 acres, more or less.

is hereby rezoned from District RA (Agricultural) to District CP-2 (Local Planned Business Center), all as shown outlined on a map marked Section 80-11A0102, 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:

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 for the entire development 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 beginning any construction activities.
4. That the developer extend water mains as required by the Water Services Department.
5. That the developer extend and construct sanitary sewers as required by the Department of Public Works.
6. That the developer dedicate additional right of way for Missouri Highway 291 as required by the Department of Public Works so as to provide a total of 60 feet of right of way from the centerline of Missouri Highway 291.
7. That the developer improve the west half and the east half of N. Eastern Avenue to secondary arterial street standards as required by the Department of Public Works, including construction of a center left turn lane to serve the two commercial driveways on the east side and the northernmost collector street on the west side.
8. That the developer secure a land disturbance permit from the Missouri Department of Natural Resources.
9. That the developer dedicate right of way for N. Eastern Avenue as required by the Department of Public Works so as to provide a total of 80 feet of right of way for N. Eastern Avenue.
10. That the developer install hard surface roads and provide for fire protection as required by the Fire Department prior to construction beyond foundations.
11. That the developer secure the approval of the Missouri Highway and Transportation Department prior to working in any State right of way.

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12. That the developer construct intersection improvements to Missouri Highway 291 and N. Eastern Avenue to Missouri Highway and Transportation Department standards at such time as N. Eastern Avenue is constructed to access Missouri Highway 291. The intersection improvements will include the construction of eastbound and westbound left turn lanes on Missouri Highway 291, construction of northbound and southbound left turn lanes on N. Eastern Avenue, and the installation of traffic signals.

13. That the developer submit a final plan to the City Plan Commission for approval, including plans for landscaping and signage.

A copy of said preliminary plan is on file in the office of the City Clerk under Document No. 971543, 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