

ORDINANCE NO. 031195

Amending Chapter 80, Code of Ordinances, by adding a new section to be known as Section 80-11A0525, rezoning an area of approximately 3 acres generally bounded by Gillham Road on the west, Cherry Street on the east, 29th Street on the north and approximately 200 feet south of 30th Street on the south from Districts C-3a2 (Intermediate Business-High Buildings) and M-1 (Light Industry) to District URD (Urban Redevelopment District), and approving a development plan for the same. (13031-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, commonly known as the Zoning Ordinance, is hereby amended by enacting a new section to be known as Section 80-11A0525, rezoning an area of approximately 3 acres generally bounded by Gillham Road on the west, Cherry Street on the east, 29th Street on the north and approximately 200 feet south of 30th Street on the south from Districts C-3a2 (Intermediate Business-High Buildings) and M-1 (Light Industry) to District URD (Urban Redevelopment District), said section to read as follows:

Section 80-11A0525. That an area legally described as:

All that part of Lots 17 through 48, Block 3, Coleman Place and all that part of Lots 1 through 11, Bentley's Springfield Addition, together with adjacent right of ways, all lying in the Northeast Quarter of Section 17, Township 49 North, Range 33 West, in Kansas City, Jackson County, Missouri, described as follows: Commencing at northwest corner of Lot 48, Block 3, Coleman Place, a subdivision in Kansas City, Jackson County, Missouri; thence South 86 degrees 59 minutes 19 seconds East along the north line of said Lot 48 a distance of 15.50 feet to the point of intersection of the south right of way line 29th Street and the east right of way line of Gillham Road, the point of beginning; thence continuing South 86 degrees 59 minutes 19 seconds East along the south right of way line of 29th Street and the north line of said Lot 48 a distance of 121.28 feet to the center of an existing alley; thence South 2 degrees 16 minutes 56 seconds West along the centerline of said alley a distance of 403.43 feet to a point on the westerly prolongation of the north line of Lot 17, Block 3, Coleman Place; thence South 86 degrees 59 minutes 19 seconds East along the north line of said Lot 17 a distance of 129.01 feet to a point on the west right of way line of Cherry Street; thence South 2 degrees 16 minutes 56 seconds West along the west right of way line of Cherry Street a distance of 174.87 feet to a point on the northerly right of way line of McGee Street; thence South 73 degrees 17 minutes 34 seconds West, a distance of 89.86 feet to the point of intersection of the southerly right of way line of McGee Street and the north right of way line of 30th Street; thence South 48 degrees 02 minutes 23 seconds West, a distance of 69.91 feet to a point on the south right

of way line of 30th Street, said point also being the northeast corner of Lot 1, Bentley's Springfield Addition, a subdivision in Kansas City, Jackson County, Missouri; thence South 2 degrees 17 minutes 19 seconds West along the east line of Lots 1 through 11 of said Bentley's Springfield Addition a distance of 262.31 feet to the southeast corner of the North Half of said Lot 11; thence North 87 degrees 11 minutes 50 seconds West along the south line of the North Half of said Lot 11 a distance of 120.93 feet to a point on the east right of way line of Gillham Road; thence North 2 degrees 17 minutes 19 seconds East along the east right of way line of Gillham Road a distance of 311.53 to a point on the north right of way line of 30th Street; thence North 2 degrees 17 minutes 06 seconds East along the east right of way line of Gillham Road a distance of 144.12 feet to a point on the southerly right of way line of McGee Street; thence North 5 degrees 34 minutes 11 seconds East along the east right of way of Gillham Road, a distance of 99.10 feet to a point on the northerly right of way line of McGee Street; thence North 2 degrees 16 minutes 56 seconds East along the east right of way line of Gillham Road a distance of 366.11 feet to the point of beginning. The above described tract contains a total of 139,053 square feet or 3.192 acres more or less, including 32,598 square feet or 0.748 acres more or less, contained in public right of way.

is hereby rezoned from Districts C-3a2 (Intermediate Business-High Buildings) and M-1 (Light Industry) to District URD (Urban Redevelopment District), all as shown outlined on a map marked Section 80-11A0525, 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 detailed micro storm drainage study, consisting at a minimum of a letter from a Missouri licensed civil engineer stating that the proposed improvements will not alter or increase historical runoff conditions for the site, to the City Engineer's

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Office prior to approval and issuance of any building permits, and that the developer construct any improvements as required by the City Engineer's Office.

4. That the developer secure permits to construct or reconstruct existing sidewalks and curb and gutters along the project frontage, and repair existing street curb and gutters as required by the Department of Public Works prior to issuance of building permits.
5. That any relocated streetlights be integrated into the existing street light system as required by the City Engineers Office and the Missouri Department of Transportation along State frontages.
6. 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.
7. 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.
8. That the developer secure a land disturbance permit from the Missouri Department of Natural Resources if the disturbed area of the entire development exceeds one acre.
9. That the developer submit a streetscape plan for approval and permitting by the Department of Public Works prior to beginning work in the public right of way.
10. That the developer extend and or relocate sanitary sewers and/or storm 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 cross-access easements for each plat as required by the Department of Public Works.
12. That the developer submit covenants, conditions and restrictions to the Law Department for approval.

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13. That the developer provide for fire protection as required by the Fire Department.
14. That the developer extend water mains as required by the Water Services Department.
15. That the developer design and construct all interior 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.
16. That the developer contribute \$7,425.66 in lieu of parkland dedication for 71 multifamily units in satisfaction of Section 66-128 of the Subdivision Regulations at a rate of \$11,389.05 per acre and with credit of 0.20 acres of private open space allowed with the total calculated as follows: $71 \text{ units} \times 2 \text{ persons/unit} \times 0.006 \text{ acres/person} = 0.852 \text{ acres}$ – 0.20 acres provided = 0.652 acres $\times \$11,389.05/\text{acre} = \$7,425.66$.
17. That the developer provide for the proposed bicycle plan routes by studying the existing conditions and report to the City how the proposed bicycle routes can be improved within the existing street network, prior to the submittal of an ordinance request for the first final plat.
18. That the developer submit a street tree planting plan as part of the final plat and 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. The plan shall include size, type, species, and placement of trees.
19. That for each project or phase, the developer submit a site plan to the Director of the Department of City Development for approval prior to issuance of a building permit. The site plans shall include: development plan information, property uses, setback distances, lighting, landscaping, with adequate area for planting of trees and shrubs within the parking lots, streetscaping, in conformance with streetscapes in the area, signage (including elevations); and architectural characteristics.

A copy of said development plan is on file in the office of the City Clerk under

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Document No. 031195, 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