

ORDINANCE NO. 130914

Rezoning an area of approximately 5.2 acres generally located at the terminus of E. 100th Terrace, at the northwest corner of I-435 and 71 Highway, from District R-7.5 to MPD and approving a development plan which also serves as a preliminary plat, for a Bed and Breakfast for up to eight (8) guest rooms and parking. (6932-MPD-5)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A0944, rezoning an area of approximately 5.2 acres generally located at the terminus of E. 100th Terrace, at the northwest corner of I-435 and 71 Highway, from District R-7.5 (Residential dash 7.5) to MPD (Master Planned District), said section to read as follows:

Section 88-20A0944. That an area legally described as:

4151 E. 100th Terrace: Section 35, Township 48, Range 33, part of the NW 1/4, defined as follows: Beginning at the NW corner of the NW 1/4, thence South 01-31-00 East, 1005.66 feet to the true point of beginning, thence North 89-20-00 East, 78.18 feet, thence North 57-12-07 East, 67.87', thence North 89-20-00 East, 534.48 feet, thence South 10-35-00 East 35.2 feet, thence South 07-13-00 West, 320.69 feet, thence South 89-20-00 West, 627.52 feet, thence North 01-31-00 West, 316.27 feet to the true point of beginning. Known as Tract 2, Certified SUR T-35 PG-95. Approx. 5.217 acres.

is hereby rezoned from District R-7.5 (Residential dash 7.5) to MPD (Master Planned District), all as shown outlined on a map marked Section 88-20A0944, 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 in accordance with Section 88-20 thereof.

Section B. That a development plan for the area legally described above is hereby approved, subject to the following conditions:

1. That six (6) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff (15<sup>th</sup> Floor, City Hall), within 10 days of the passage of this ordinance showing:
  - a. Show and label more clearly existing public and/or private sanitary and storm sewers, within the proposed project or immediately

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adjacent thereto as necessary to address adequacy of existing utilities serving the site along with any proposed extension, relocations or abandonments, or how the proposed improvements to the alley will impact the existing sewers.

- b. Show Developer Contact Information, including phone number and/or e-mail.
- c. Show and label existing conditions including width of all existing right-of ways, roadways, etc., and their means of conveyance (i.e. Plat, separate Ordinance, etc.) Show and label established roadway center lines and/or section lines and note where difference occurs.
- d. Show, label, and dimension all proposed right-of ways and easements. Show and label center lines. Distinguish public versus private utilities on the plan.
- e. Show and label existing sidewalk to remain and sidewalk ADA ramps at all new drive entrances where a curbed drive entrance rather than City standard drive approach is proposed.
- f. Depict more of the concept for storm water management mitigation and performance level for the proposed site improvements area including proposed outlet structure and site discharge locations, detention, BMP's, volume controls, pervious pavement, or treatment areas, etc., as appropriate to conceptualize ultimate stormwater management compliance with city standards. Show any off-site conveyance systems (enclosed, gutters, natural, or proposed whatever they are that are being utilized) for purposes of conveying conceptually how systems will be connected to or will convey of the 100-year post development flows from the site. Identify the private and public portions of the storm water management system and conveyance system. Show conceptually required private permanent BMP's or surface drainage easements that are needed to address redevelopment disturbances and storm water mitigation/conveyance and their corresponding easements/covenant boundaries. BMP's and surface drainage easements require stand alone maintenance obligation conveyance documents (Easement or Covenant), but are not required for site maintenance activities or voluntary BMP enhancements that are not regulatory obligations.
- g. State that this UR plan also serves as the preliminary plat.
- h. That the plan include the following information:

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1. The establishment must be operated by the owner of the dwelling unit, who must live on the property;
  2. At least one off-street parking space must be provided per 2 guest rooms;
  3. The building in which the bed and breakfast is located must have a minimum floor area of 3,000 square feet;
  4. The bed and breakfast may not contain more than 8 guest rooms;
  5. Food service may be provided for resident guests only;
  6. Bed and breakfast establishments may not be leased or offered for use as reception space, party space, meeting space, or for other similar events open to non-resident guests; and
  7. One non-illuminated wall sign, not exceeding 80 square inches in area, may be displayed. No window or other display or sign may be used to advertise such use.
2. That the developer cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended.
  3. That the developer secure permits for the sidewalks within the development at the time street improvement permits are secured. Sidewalks shall be installed per the sidewalk installation plan reviewed and accepted by the Land Development Division.
  4. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
  5. That the developer secure permits to construct new, repair existing, or reconstruct sidewalks, curbs, and gutters as necessary along all development street frontages in accordance with Chapters 56 and 64, Code of Ordinances, as required by the Land Development Division, prior to issuance of any certificate of occupancy, as a condition of Board of Zoning Adjustment approval.

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6. That the owner/developer verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connecting private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.

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.

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 and Development Code have been given and had.

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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Secretary, City Plan Commission

Approved as to form and legality:

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M. Margaret Sheahan Moran  
Assistant City Attorney