

## ORDINANCE NO. 160141

Rezoning a 9.58 acre tract of land generally located on the north side of Stillwell Avenue and south of Levee Road east of N. Chouteau Trafficway from District M1-5 to District M3-5, and approving a development plan to allow for an intermodal yard. (14634-P and 14634-P-1)

### 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 88-20A1044, rezoning an area of approximately 9.58 acres generally located on the north side of Stillwell Avenue and south of Levee Road east of N. Chouteau Trafficway from District M1-5 (Manufacturing 1 dash 5) to District M3-5 (Manufacturing 3 dash 5), said section to read as follows:

Section 88-20A1044. That an area legally described as:

The westerly line of Lot B, Executive Park First Plat, being North 37 degrees 37 minutes 23 seconds West, 1094.12'. Recorded westerly line of Lot B, being North 35 degrees 39 minutes 23 seconds West, 1094.12 – Lot B, Executive Park First Plat, Document No. K-195604 in Plat Book 33 at page 91.

is hereby rezoned from District M1-5 (Manufacturing 1 dash 5) to District M3-5 (Manufacturing 3 dash 5), all as shown outlined on a map marked Section 88-20A1044, 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 the developer submit a storm drainage analysis from a Missouri licensed civil engineer to the Land Development Division, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to issuance of any certificate of occupancy.
2. That the developer submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, identifying curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and based on compliance with Chapters 56 and 64, Code

ORDINANCE NO. 160141

of Ordinances, for the curbs and gutters where said letter shall identify the quantity and location of the curbs and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified curbs and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.

3. That the owner/developer submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
4. That the developer grant a BMP Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.

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 Ordinance have been given and had.

---

I hereby certify that as required by Chapter 88, 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