

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 030189, AS AMENDED

Amending Chapter 80, Code of Ordinances, by adding a new section to be known as Section 80-11A0466, rezoning an area of approximately 3.07 acres generally located at the southwest corner of 30th Street and Benton Boulevard from Districts R-4 (Low Apartments) and C-2 (Retail Commercial) to District URD (Urban Redevelopment District) and approving a development plan for the same. (12892-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 80-11A0466, rezoning an area of approximately 3.07 acres generally located at the southwest corner of 30th Street and Benton Boulevard from Districts R-4 (Low Apartments) and C-2 (Retail Commercial) to District URD (Urban Redevelopment District), said section to read as follows:

Section 80-11A0466. That an area legally described as:

All that part of the Southeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 15, Township 49, Range 33, described as follows: Beginning at a point on the east line of Chestnut Avenue in Kansas City and 125 feet north of the north line of 31st Street; thence North 00°03'39" East along said east right-of-way line of Chestnut Avenue and along the east right-of-way line of Chestnut Avenue, as established by Ordinance No. 33429, a distance of 470.00 feet to the intersection of the east right-of-way line of Chestnut Avenue and the south right-of-way line of 30th Street; thence South 89°45'31" East along the south right-of-way line of 30th Street, a distance of 275.50 feet to the west right-of-way line of Benton Avenue; thence South 00°00'00" East along the west right-of-way line of Benton Avenue, a distance of 505.00 feet; thence North 89°45'31" West parallel to the north right-of-way line of 31st Street, a distance of 130.00 feet; thence North 00°00'00" East parallel to the east right-of-way line of Chestnut Avenue a distance of 35.00 feet; thence North 89°45'31" West parallel to the north right-of-way line of 31st Street, a distance of 145.00 feet to the point of beginning. Containing 3.074 acres more or less. All bearings are based on the east right-of-way line of Chestnut Avenue as having an assumed bearing of North 00°03'39" East.

is hereby rezoned from Districts R-4 (Low Apartments) and C-2 (Retail Commercial) to District URD (Urban Redevelopment District), all as shown outlined on a map marked Section 80-11A0466, 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 be platted and processed in accordance with Chapter 66, Code of Ordinances of Kansas City, Missouri, as amended, commonly known as the Subdivision Regulations.
2. That developer enter into a deferral agreement with the City whereby developer agrees to dedicate additional right of way for Chestnut Avenue as required by the Department of Public Works so as to provide a total of 25 feet of right of way as measured from the centerline of Chestnut Avenue where structures are not located next to the current right of way of Chestnut Avenue (D.A. Holmes School Building) as shown on the development plan; said dedication to occur at the time of the conversion of Chestnut Avenue to a two-way operation.
3. That the developer construct/reconstruct curb, gutter, sidewalks and install streetlights along Chestnut Avenue and 30th Street as required by the Department of Public Works.
4. That the developer construct/reconstruct curb, gutter, sidewalks and install streetlights along Benton Boulevard as required by the Department of Parks and Recreation.
5. That the developer submit a storm drainage study for the entire development to the City Engineer's Office for approval and that the developer make any improvements as required by the City Engineer's Office.
6. That the developer submit plans for grading and siltation and erosion control to the City Engineer's Office for approval prior to the commencement of 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, including providing security equal to the estimated cost to install and maintain the approved erosion and sediment control measures for the duration of the site disturbance permit.
8. That the developer extend water mains as required by the Water Services Department.
9. That the developer extend sanitary sewers and determine their adequacy as

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required by the Department of Public Works.

10. That the developer provide for fire protection as required by the Fire Department prior to construction beyond foundations.
11. That the developer contribute \$12,026.84 in lieu of parkland dedication for 88 multifamily units (88 x 2.0 x .006 X \$11,389.05)) in satisfaction of Section 66-128 of the Subdivision Regulations.
12. That the developer submit a site plan for each phase to the Director of the Department of City Development for approval prior to issuance of building permits. The site plans shall include development plan information, property uses, setback distances, lighting, landscaping, signage (including elevations), and architectural characteristics.

A copy of said development plan is on file in the office of the City Clerk under Document No. 030189, 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