

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 210075

Rezoning an area of about 16.75 acres generally located at the southeast corner of N.E. Cookingham Drive and N. Eastern Avenue from District B2-2 to District R-7.5 and approving a development plan which will also serve as the preliminary plat for the Auburndale Manor single family subdivision. (CD-CPC-2020-00161 and CD-CPC-2020-00152)

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 88-20A-1262, rezoning an area of approximately 16.75 acres generally located at the southeast corner of N.E. Cookingham Drive and N. Eastern Avenue from District B2-2 (Neighborhood Business 2 – 2) to District R-7.5 (Residential 7.5), said section to read as follows:

Section 88-20A-1262. That an area legally described as:

A tract of land in the Southeast Quarter of Section 21 and the Southwest Quarter of Section 22, all in Township 52, Range 32, Kansas City, Clay County, Missouri, described as follows: Commencing at the southeast corner of said Southeast Quarter-Section; thence North 0 degrees 17 minutes 59 seconds East, along the east line of said Southeast Quarter-Section, 516.90 feet; thence North 0 degrees East, 47.23 feet to a point on the east right-of-way line of N. Eastern Avenue, said point being the point of beginning of the tract herein described; thence North 0 degrees 26 minutes 11 seconds East (this and the following 6 courses are along said east right-of-way line), 8.39 feet; thence North 3 degrees 52 minutes 12 seconds East, 100.18 feet; thence North 0 degrees 26 minutes 11 seconds East, 84.61 feet to a point of curve to the left; thence along said curve, having a radius of 752.00 feet, an arc distance of 264.44 feet to a point of tangency; thence North 19 degrees 42 minutes 43 seconds West, 347.06 feet, to a point of curve to the right; thence along said curve, having a radius of 448.00 feet, an arc distance of 455.24 feet to a point of tangency; thence North 38 degrees 30 minutes 34 seconds east, 124.10 feet to a point on the southwesterly right-of-way line of Missouri Highway Route 291, as now established; thence South 51 degrees 29 minutes 26 seconds East, along said right-of-way, 886.61 feet to a point of curve to the left; thence along said curve and along said right-of-way, having a radius of 22,958.31 feet, an arc distance of 293.74 feet to the most northerly corner of Auburndale Patio Homes, a subdivision of land in said city and state; thence South 58 degrees 05 minutes 06 seconds West, (this and the following 3 courses are along the northwesterly boundary of said plat), 526.99 feet; thence South 24 degrees 02 minutes 03 seconds West, 212.15 feet; thence North 89 degrees 42 minutes 19 seconds West, 222.86 feet; thence South 58 degrees 05 minutes 06 seconds West, 192.04 (189.15 plat) feet to the point of beginning.

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is hereby rezoned from District B2-2 (Neighborhood Business 2 – 2) to District R-7.5 (Residential 7.5), all as shown outlined on a map marked Section 88-20A-1262, 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 which will also serve as a preliminary plat for the area legally described above is hereby approved, subject to the following conditions:

1. A modification is hereby granted to the minimum width of the landscaping buffer common area tract along Cookingham Road established by Section 88-405-05-F from a minimum width of 30 feet to a minimum width of 15 feet with the enhanced landscaping features of a berm and additional landscape plantings per the submitted plans, pursuant to Section 88-405-25.
2. The developer shall submit a project plan for review and approval by the City Plan Commission for the common area tract elements intended to fulfill the private open space requirements of the Parkland Dedication (Section 88- 408).
3. The private open space features to satisfy the parkland dedication requirements shall be completed prior to final acceptance of public infrastructure for the subdivision.
4. The developer shall show boundaries of the floodplain and if there are any grading or constructions within the regulatory floodplain boundaries, per Chapter 28 of Code of Ordinances, and apply for a Flood Plain Application as may be required.
5. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
6. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
7. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.

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8. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
9. The developer shall 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.
10. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.
11. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
12. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
13. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.
14. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
15. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.

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16. The developer shall integrate into the existing streetlight system any relocated existing streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
17. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
18. The developer shall show the water main easement on the plat.
19. The developer shall submit water main extension drawing plans prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City water rules and regulations for water main extensions and relocations.
20. Stormwater management facilities, including but not limited to detention basins and BMPs, shall be privately maintained and covered by maintenance covenant(s) or easement(s) that include provisions for private maintenance.
21. Fire Department access roads shall be provided before construction/demolition projects begin. (IFC- 2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)
22. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
23. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
24. The applicant shall submit a project plan providing details on open space tracts to meet parkland dedication requirements prior to recording plat.
25. The developer shall pay money in lieu of dedication of parkland in the amount pursuant to the formula or dedicate acreage of private open space for parkland purpose as identified in 88-408. The money in lieu is to be paid prior to recording final plat. Money in lieu of parkland for 2020 shall be based on the following formula: (# of units) X (3.7 persons per unit) X (0.006 acres per person)=acres of parkland required X 2020 parkland fee per acre (\$48,801.37)) = Fee.
26. At the time of final plat, the developer shall provide the trail's centerline length in linear feet. Revise the trail within Tract B to 8' in width

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minimum if to be credited for private open space for parkland dedication requirements.

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.

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:

Sarah Baxter
Assistant City Attorney