

ORDINANCE NO. 090026

Rezoning an area of approximately 6.7 acres generally located on the west side of N.W. Skyview Avenue opposite N.W. 101st Street from District GP-7 (Agricultural and Low Density Residential) to District GP-3 (Regional Business), and approving a preliminary development plan for the same. (9514-GP-4)

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 80-11A0830, rezoning an area of approximately 6.7 acres generally located on the west side of N.W. Skyview Avenue opposite N.W. 101st Street from District GP-7 (Agricultural and Low Density Residential) to District GP-3 (Regional Business), said section to read as follows:

Section 80-11A0830. That an area legally described as:

That portion of the east 570 feet as measured on the north line of the south one-half of the northwest quarter of said Section 31, Township 52, Range 33 of that part of said section lying in the south one-half of said northwest quarter and west of NW Skyview Road Avenue and north of Tiffany Springs Parkway, all in Kansas City, Platte County, Missouri, further described as follows: Beginning at the southeast corner of the above described property, thence S 89° 52' 37" W a distance of 461.75 feet, thence N 00° 43' 05" E a distance of 603.56 feet, thence S 90° 07' 23" E a distance of 511.88 feet, thence S 05° 26' 14" W a distance of 606.46 feet to the point of beginning.

is hereby rezoned from District GP-7 (Agricultural and Low Density Residential) to District GP-3 (Regional Business), all as shown outlined on a map marked Section 80-11A0830, which is attached hereto and made a part hereof, and which is hereby adopted as 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, commonly known as the Subdivision Regulations
2. That the developer dedicate additional right of way by final plat for a primary arterial with a bike lane as required by Development Services so as to provide a minimum of 56 feet of right of way as measured from the centerline of N.W. Skyview Avenue.

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3. That the developer secure permits to construct a new 5 foot wide sidewalk along the N.W. Skyview Avenue frontage, as required by the Development Services, prior to recording the final plat.
4. 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 Development Services prior to review and issuance of any building permits, and that the developer construct any improvements as required by Development Services prior to the issuance of any certificate of occupancy.
5. That the developer submit plans for grading, siltation, and erosion control to Development Services for review, acceptance, and permitting prior to beginning any construction activities.
6. That the developer secure a site disturbance permit from Development Services prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more.
7. That the developer subordinate to the City all private interest in the area of any right-of-way dedication as required by Development Services, and that the developer be responsible for all costs associated with subordination activities now and in the future.
8. That the developer provide for fire protection as required by the Fire Department prior to issuance of a certificate of occupancy, including approved emergency opening devices on any electric gate which spans an access road/driveway.
9. That the developer extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by Development Services.
10. That the developer grant a BMP Easement to the City as required by Development Services.
11. That the developer submit a final plan to the City Plan Commission for approval, including detailed information on landscaping (including parking area screening from the south plan boundary), signage (including elevations), lighting (including a photometric study showing zero footcandles at the property line and no direct illumination beyond the property line) and building elevations.

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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 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