

ORDINANCE NO. 990287

Amending Chapter 80, Code of Ordinances, by adding a new section to be known as Section 80-11A0198, rezoning an area of approximately 46.5 acres generally located east of N. Amity Avenue and south of Missouri Highway 152 from Districts GP-7 (Agricultural and Low Density Residential Uses) and GP-5 (Medium Density Residential Uses) to District GP-5 (Medium Density Residential Uses), and approving a development plan for the same. (12103-GP-5)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 80, Code of Ordinances of the City of Kansas City, Missouri, 1996, commonly known as the Zoning Ordinance, is hereby amended by enacting a new section to be known as Section 80-11A0198, rezoning an area of approximately 46.5 acres generally located east of N. Amity Avenue and south of Missouri Highway 152 from Districts GP-7 (Agricultural and Low Density Residential Uses) and GP-5 (Medium Density Residential Uses) to District GP-5 (Medium Density Residential Uses), said section to read as follows:

Section 80-11A0198. That an area legally described as:

A tract of land situated in the Northeast Quarter of Section 11, Township 51, Range 34, Kansas City, Platte County, Missouri, described as follows: Beginning at the point of intersection of the east line of said Northeast Quarter with the southerly right of way line of Missouri Highway No. 152 (formerly Missouri Route "T"), said point being South 00°05'29" East, along said east line, 238.15 feet from the northeast corner of said Northeast Quarter; thence South 00°05'29" East, continuing along said east line, 1072.83 feet to the southeast corner of the North Half of said Northeast Quarter; thence North 89°00'14" West, along the south line of said North Half, 1023.99 feet (Deed = 1029.60 feet) to a point that is South 89°00'14" East, along said line, 297.00 feet from the southwest corner of the Northeast Quarter of said Northeast Quarter; thence North 00°17'46" West, parallel with the west line of said Northeast Quarter, Northeast Quarter, 293.70 feet; thence North 89°00'14" West, parallel with the south line of said Northeast Quarter, Northeast Quarter, 297.00 feet to the west line of said Northeast Quarter, Northeast Quarter; thence North 00°17'46" West, along said west line, 225.17 feet to the centerline of Rush Creek; thence North 69°08'32" West, along said centerline, 46.33 feet; thence South 66°51'05" West, continuing along said centerline, 69.67 feet; thence South 84°28'49" West, continuing along said centerline, 214.35 feet; thence South 69°19'31" West, continuing along said centerline, 62.91 feet; thence South 88°42'58" West, continuing along said centerline, 81.23 feet; thence South 76°15'54" West, continuing along said centerline, 64.76 feet; thence South 31°49'26" West, continuing along said centerline, 76.36 feet; thence South 45°37'36" East, continuing along said centerline, 103.42 feet; thence South 39°03'39" West, continuing along said centerline, 61.38 feet; thence South 59°25'06" West, continuing along said

centerline, 137.93 feet to the northeast corner of Brittany Woodscastle - First Plat, a subdivision in said Kansas City; thence South $46^{\circ}13'06''$ West, continuing along said centerline and along the northerly line of said Brittany Woodscastle - First Plat, 127.80 feet; thence South $33^{\circ}53'07''$ East, continuing along said lines, 78.76 feet; thence South $78^{\circ}36'05''$ West, continuing along said lines, 287.44 feet; thence South $58^{\circ}34'42''$ West, continuing along said lines, 85.53 feet; thence South $16^{\circ}58'01''$ East, continuing along said lines, 75.52 feet; thence South $38^{\circ}04'16''$ West, continuing along said lines, 119.66 feet; thence South $74^{\circ}47'19''$ West, continuing along said lines, 75.28 feet; thence North $78^{\circ}52'20''$ West, continuing along said lines, 111.00 feet; thence South $89^{\circ}29'59''$ West, continuing along said lines, 32.06 feet to a point on the west line of said Northeast Quarter, said point being North $00^{\circ}30'01''$ West, along said west line 1064.54 feet from the southwest corner of said Northeast Quarter, said point also being the northwest corner of said Brittany Woodscastle - First Plat; thence North $00^{\circ}30'01''$ West, along said west line, 51.07 feet to a point that is South $00^{\circ}30'01''$ East, along said west line, 1514.11 feet from the northeast corner of said Northeast Quarter; thence North $89^{\circ}17'47''$ East, 57.85 feet to a point that is 40.00 feet from and opposite Centerline Station 124+20 of N. Amity Road; thence North $02^{\circ}52'22''$ East, along the easterly right of way line of said N. Amity Road, 320.62 feet to a point that is 60.00 feet from and opposite Centerline Station 121+00; thence North $00^{\circ}42'13''$ West, continuing along said line, 15.29 feet; thence North $89^{\circ}17'47''$ East, 155.13 feet; thence easterly along a curve to the left being tangent to the last described course, having a radius of 500.00 feet, an arc distance of 242.60 feet; thence North $25^{\circ}38'16''$ West, 203.39 feet; thence northwesterly along a curve to the left, being tangent to the last described course, having a radius of 225.00 feet, and an arc distance of 232.48 feet; thence northerly along a reverse curve to the right, having a radius of 15.00 feet, an arc distance of 22.71 feet to a point on the easterly right of way line of said N. Amity Road; thence North $01^{\circ}55'30''$ East, along said right of way line, 145.38 feet to a point that is 174.76 feet from and opposite Centerline Station 115+52.76, said point being on the southerly right of way line of said Missouri State Highway No. 152; thence South $89^{\circ}12'30''$ East, along said southerly right of way line, 122.68 feet; thence North $72^{\circ}28'29''$ East, along said southerly right of way line, 221.23 feet to a point that is 435.00 feet from and opposite Centerline Station 505+55; thence North $64^{\circ}55'07''$ East, continuing along said line, 460.99 feet to a point that is 236.50 feet from and opposite Centerline PC Station 509+71.06; thence North $64^{\circ}57'43''$ East, continuing along said line 143.90 feet to a point that is 175.00 feet from and opposite Centerline Station 511+00; thence South $85^{\circ}53'34''$ East, continuing along said line, 202.15 feet; thence North $86^{\circ}45'00''$ East, continuing along said line, 741.08 feet to a point that is 165.00 feet from and opposite Centerline Station 520+35; thence North $84^{\circ}27'34''$ East, continuing along said line, 316.64 feet to a point that is 148.50 feet from and opposite Centerline Station 532+50; thence South $55^{\circ}15'43''$ East, continuing along said line, 125.91 feet to a point that is 225.00 feet from and opposite Centerline Station 524+50; thence North $87^{\circ}19'19''$ East, continuing along said line, 69.71 feet to the point of beginning. Said tract of land contains 46.46 acres, more or less.

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is hereby rezoned from Districts GP-7 (Agricultural and Low Density Residential Uses) and GP-5 (Medium Density Residential Uses) to District GP-5 (Medium Density Residential Uses), all as shown outlined on a map marked Section 80-11A0198, 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 to be platted and processed in accordance with Chapter 66, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Subdivision Regulations.
2. That the developer submit a storm drainage study for the entire development to the City Engineer's Office for approval at the time the first final plat is submitted and that the developer make any necessary improvements as required by the City Engineer's Office.
3. That the developer submit plans for grading and siltation and erosion control to the City Engineer's Office for approval prior to beginning any construction activities.
4. That the developer secure a land disturbance permit from the Missouri Department of Natural Resources.
5. That the developer construct N.W. 87th Street to collector street standards as required by the Department of Public Works, including construction of curb, gutter and sidewalks and installation of streetlights.
6. That the developer construct N.W. 87th Street from the western boundary of the development to N. Amity Avenue to collector street standards as required by the Department of Public Works at such time as Phase 1 as shown on the development plan is developed, including construction of curb, gutter and sidewalks and installation of streetlights.
7. That the developer submit a street name signage plan to the Street Naming Committee for approval prior to the submittal of the first final plat.
8. That the developer obtain a floodplain certificate if any grading is to occur within a floodplain.
9. That the developer comply with the Kansas City International Airport height zoning restrictions and that such restrictions be included on the final plat.

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10. That the developer grant an Aviation Noise Easement (for each phase) to the City and file the same with each final plat as required by the Aviation Department.
11. That the developer enter into a Noise Disclosure Agreement to provide a disclosure for any real estate transaction as required by the Aviation Department.
12. That the developer submit covenants, conditions and restrictions to the Law Department for approval for maintenance of private open spaces and any detention areas.
13. That the developer include a statement on the final plat regarding the required 50 foot landscaped buffer strip along Missouri Highway 152.
14. That the developer provide cross-access easements for each final plat as required by the Department of Public Works.
15. That the developer receive the approval of the Missouri Department of Transportation prior to working in any State right of way.
16. That the developer extend water mains as required by the Water Services Department.
17. That the developer extend sanitary sewers as required by the Department of Public Works.
18. That the developer provide for fire protection as required by the Fire Department.
19. That the developer submit a street tree planting plan as part of the final plat and secure the approval of the City Forester for street trees planted on right of way in front of residential lots, with a copy to be submitted to the Department of City Development. The plan shall include size, type, species and placement of trees.
20. That the developer submit a final plan to the City Plan Commission for approval, including plans for landscaping, grading, screening and berming.

A copy of said development plan is on file in the office of the City Clerk under Document No. 990287, 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.

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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