

ORDINANCE NO. 170109

Rezoning an area of approximately 32 acres generally bounded by Missouri Avenue on the north, E. 9th Street on the south, Woodland Avenue and Maple Boulevard on the east and Paseo Boulevard on the west from Districts R-1.5, R-2.5, R-6, B1-1, B3-2 and B4-2 to District MPD, and approving a MPD Development Plan for an educational institution. (14608-MPD-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 88-20A1085, on approximately 32 acres generally bounded by Missouri Avenue on the north, E. 9th Street on the south, Woodland Avenue and Maple Boulevard on the east and Paseo Boulevard on the west from Districts R-1.5 (Residential 1.5), R-2.5 (Residential 2.5), R-6 (Residential 6), B1-1 (Neighborhood Business-dash 2), B3-2 (Community Business/Commercial dash 3) and B4-2 (Heavy Business/Commercial-dash 2) to District MPD (Master Planned Development), and approving a MPD Development Plan for an educational institution, said section to read as follows:

Section 88-20A1085. That an area legally described as:

**(Area A)**

All of Lots 1, 2, 3 and 15 thru 19, Block 1 and all of Lot 5, Block 3, Dykington Place; all of Lots 2 thru 4 and 8 thru 15 and part of Lot 7 and 16, Wm. W. Kendall's 1st Addition; all of Lots 3 and 4 and part of Lot 1, Trost's 1<sup>st</sup> Addition; all of Lots , 20, 24 thru 26, 39 and 41 thru 43 and part of Lots 16 thru 20, 22 and 28, Ranson Place; all of Lots 1 thru 4 and part of Lots 5 thru 7, Askew's Partition of Parts of Lots 44, 45, 46, 47, 57, 58, 59, 60, Ranson Place; all of Lots 93, 94 and part of Lot 95, Hurck's Subdivision of the Guinotte Bluff; all of Lots 32 thru 49 and 95 thru 103, 108 and 109, Suwanee, all being subdivisions of land in said Kansas City, Jackson County, Missouri; Part of Admiral Boulevard, as now established; Part of Highland Avenue, as now established; Part of Woodland Avenue as now established; all of vacated Highland Avenue, vacated Brownell Avenue and vacated Dykington Avenue and all that part of lands lying in the Southwest Quarter and Southeast Quarter of Section 33, Township 50 North, Range 33 West and the Northwest Quarter of Section 4, Township 49 North, Range 33 West in the 5th Principal Meridian in Kansas City, Jackson County, Missouri: Beginning at Northwest corner of Lot 9, Dykington Place, a subdivision of land in said Kansas City, Jackson County, Missouri; thence South 03 degrees 05 minutes 11 seconds West, along the West line of said Dykington Place, 418.80 feet to the Southwest corner of Lot 4, said Dykington Place; thence South 87 degrees 23 minutes 04 seconds East, along the South line of said Lot 4, 154.50 feet to

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the Southeast corner of said Lot 4, said corner also being a point on the West right-of-way line of Woodland Avenue, as now established; thence South 03 degrees 05 minutes 11 seconds West along said West right-of-way line, 58.74 feet; thence South 87 degrees 13 minutes 01 seconds East, 54.00 feet to a point on the East right-of-way line of said Woodland Avenue, said point also being the Northwest corner of Lot 15, Kendall's 1st Addition, a subdivision of land in said Kansas City, Jackson County, Missouri; thence continuing South 87 degrees 13 minutes 01 seconds East, along the North line of said Lot 15, 115.31 feet; thence North 02 degrees 58 minutes 15 seconds East, 32.00 feet; thence South 87 degrees 13 minutes 01 seconds East, 39.61 feet to a point on the West line of Lot 2, said Kendall's 1st Addition; thence North 02 degrees 58 minutes 15 seconds East, along said West line, 18.00 feet to the Northwest corner of said Lot 2; thence South 87 degrees 13 minutes 01 seconds East, along the North line of said Lot 2, 180.00 feet to the Northeast corner of said Lot 2, said corner also being a point on the West right-of-way line of Maple Boulevard, as now established; thence South 02 degrees 58 minutes 15 seconds West, along the East line of said Lots 2, 3 and 4, said Kendall's 1st Addition, 180.00 feet to the Southeast corner of said Lot 4; thence North 87 degrees 13 minutes 01 seconds West, along the South line of said Lot 4, 180.00 feet to the Southwest corner of said Lot 4, said corner also being a point on the East line of said Lot 13 said Kendall's 1st Addition; thence South 02 degrees 58 minutes 15 seconds West, along the East line of Lots 10, 11, 12 and 13, said Kendall's 1st Addition, 140.00 feet; thence South 87 degrees 13 minutes 01 seconds East, along a line lying 20.00 feet South of and parallel with the North line of Lot 7, said Kendall's 1st Addition, 180.00 feet to a point on the West right-of-way line of Maple Boulevard, as now established; thence South 02 degrees 58 minutes 15 seconds West, along said West right-of-way line, 95.23 feet; thence Southwesterly, continuing along said West right-of-way line, on a curve to the right, being tangent to the last described course with a radius of 35.00 feet, a central angle of 89 degrees 48 minutes 44 seconds and an arc length of 54.86 feet to a point on the South line of Lot 8, said Kendall's 1st Addition, said point also being a point on the North right-of-way of Independence Avenue, as now established; thence North 87 degrees 13 minutes 02 seconds West, along said North right-of-way line, 553.91 feet; thence North 87 degrees 29 minutes 38 seconds West, continuing along said North right-of-way line, 142.23 feet; thence South 03 degrees 01 minutes 11 seconds West, 50.00 feet to point on the centerline of said Independence Avenue; thence North 87 degrees 29 minutes 38 seconds West, along said centerline, 21.63 feet; thence South 02 degrees 16 minutes 08 seconds West along the West right-of-way line of Highland Avenue, as now established and it's Northerly prolongation, said line also being the East line of Lot 24 and it's Northerly prolongation, Ranson Place, a subdivision of land in said Kansas City, Jackson County, Missouri 165.89 feet; thence South 87 degrees 51 minutes 53 seconds East, 100.00

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feet to a point on the East right-of-way line of said Highland Avenue; thence South 87 degrees 31 minutes 43 seconds East, 100.00 feet to a point on the West line of Lot 2, Trost's 1st Addition, a subdivision of land in said Kansas City, Jackson County, Missouri; thence South 02 degrees 08 minutes 07 seconds West, along said West line, 10.00 feet to the Southwest corner of said Lot 2; thence South 87 degrees 13 minutes 01 seconds East, along the South line of said Lot 2, 50.00 feet to the Southeast corner of said Lot 2; thence North 02 degrees 08 minutes 07 seconds East, along the East line of said Lot 2, 145.00 feet to the Northeast corner of said Lot 2, said corner also being a point on the South right-of-way line of said Independence Avenue; thence South 87 degrees 13 minutes 01 seconds East, along said South right-of-way line, 0.57 feet; thence Southwesterly, along said South right-of-way line, on a curve to the right, having an initial tangent bearing of South 87 degrees 17 minutes 48 seconds West, with a radius of 50.00 feet, a central angle of 89 degrees 21 minutes 08 seconds and an arc length of 77.97 feet to a point on the West right-of-way of Woodland Avenue, as now established; thence South 02 degrees 08 minutes 07 seconds West, along said West right-of-way line, 318.59 feet to the Northeast corner of Lot 19, said Ranson Place; thence North 87 degrees 13 minutes 01 seconds West, along the North line of said Lot 19, 135.00 feet; thence South 02 degrees 08 minutes 07 seconds West, 3.00 feet; thence North 87 degrees 13 minutes 01 seconds West, 65.00 feet to a point on the East right-of-way line of said Highland Avenue; thence South 02 degrees 17 minutes 27 seconds West, along said East right-of-way line and its Southerly prolongation, 188.53 feet to a point on the South right-of-way line of Admiral Boulevard, as now established; thence South 87 degrees 21 minutes 58 seconds East, along said South right-of-way line, 200.52 feet to a point on the West right-of-way line of said Woodland Avenue; thence South 02 degrees 08 minutes 07 seconds West, along said West right-of-way line, 341.02 feet to the Southeast corner of Lot 16, said Ranson Place; thence North 87 degrees 13 minutes 01 seconds West along the South line of said Lot 16, 135.00 feet; thence North 02 degrees 08 minutes 07 seconds East, 130.50 feet; thence North 87 degrees 13 minutes 01 seconds West, 189.00 feet to a point on the West right-of-way line of said Highland Avenue; thence South 02 degrees 08 minutes 07 seconds West, along said West right-of-way line, 52.07 feet to the Southeast corner of Askew's Partition of Parts of Lots 44, 45, 46, 47, 57, 58, 59 AND 60, Ranson Place, a subdivision of land in Kansas City, Jackson County, Missouri; thence North 87 degrees 38 minutes 00 seconds West, along the South Line of said, Askew's Partition, 186.00 feet; thence North 02 degrees 08 minutes 07 seconds East, 368.76 feet to a point on the North right-of-way line of said Admiral Boulevard; thence North 87 degrees 42 minutes 32 seconds West, along said North right-of-way line, 90.00 feet to the Southwest corner of Lot 41, said Ranson Place; thence North 02 degrees 08 minutes 07 seconds East, along the West line of said Lot 41 and the West line of Lot 26, said Ranson Place, 452.74 feet

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to the Northwest corner of said Lot 26, said corner also being a point on the South right-of-way line of said Independence Avenue; thence North 87 degrees 29 minutes 38 seconds West, along said South right-of-way line, 150.00 feet; thence South 02 degrees 08 minutes 07 seconds West, 174.50 feet; thence South 87 degrees 42 minutes 32 seconds East, 50.00' to a point on the East line of Lot 28, said Ranson Place; thence South 02 degrees 08 minutes 07 seconds West, along said East line and the East line of Lot 39, said Ranson Place, 278.80 feet to the Southeast corner of said Lot 39, said corner also being a point on the North right-of-way line of said Admiral Boulevard; thence North 87 degrees 42 minutes 32 seconds West, along said North right-of-way line, 100.00 feet to the Southwest corner of said Lot 39; thence North 02 degrees 08 minutes 07 seconds East along the West line of said Lots 39 and 28, 453.50 feet to the Northwest corner of said Lot 28, said corner also being a point on the South right-of-way line of said Independence Avenue; thence North 32 degrees 31 minutes 55 seconds West, 73.28 feet to a point at the intersection of the North right-of-way line of said Independence Avenue and the East right-of-way line of Paseo Drive, as now established; thence North 02 degrees 53 minutes 51 seconds East, along said East right-of-way line, 155.00 feet; thence South 87 degrees 29 minutes 38 seconds East, continuing along said East right-of-way line, 50.00 feet; thence North 02 degrees 53 minutes 25 seconds East, continuing along said East right-of-way line, 362.96 feet; thence North 09 degrees 29 minutes 24 seconds East, continuing along said East right-of-way line, 383.00 feet to a point on the South right-of-way line of Missouri Avenue, as now established; thence South 87 degrees 23 minutes 04 seconds East, along said South right-of-way line, 660.08 feet to the point of beginning. Containing 1,293,492 square feet or 29.69 acres, more or less.

**(Area B)**

Part of Lot 11 and 12, Ranson Place, a subdivision of land in Kansas being bounded and described as follows: Beginning at the intersection of the South right-of-way line of 8th Street, as now established and the East line of said Lot 12; thence South 02 degrees 08 minutes 07 seconds West, along said East line, 246.00 feet to a point on the North right-of-way line of 9th Street, as now established; thence North 87 degrees 34 minutes 48 seconds West, along said North right-of-way line, 175.00 feet to a point on the East right-of-way line of Highland Avenue, as now established; thence North 02 degrees 08 minutes 07 seconds East, along said East right-of-way line, 246.00 feet to a point on the South right-of-way line of said 8th Street; thence South 87 degrees 35 minutes 05 seconds East, along said South right-of-way line, 175.00 feet to the point of beginning. Containing 43,051 square feet or 0.99 acres, more or less.

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**(Area C)**

A tract of land in the Southeast Quarter of Section 33, Township 50 North, Range 33 West of the 5th Principal Meridian and all of Lots 1, 2, 33 and 34, Phillips Place, a subdivision in Kansas City, Jackson County, Missouri being bounded and described as follows: Beginning at the Southwest corner of said Lot 34, said corner being the intersection of the North right-of-way line of Brownell Avenue, as now established and the East right-of-way line of Woodland Avenue, as now established; thence North 03 degrees 05 minutes 11 seconds East, along the West line of said Lot 34, 163.50 feet to the Northwest corner of said Lot 34; thence South 87 degrees 13 minutes 01 seconds East, along the North line of said Lots 1, 2, 33 and 34 and its Easterly prolongation, 335.00 feet to a point on the West right-of-way line of Maple Boulevard, as now established; thence South 03 degrees 05 minutes 11 seconds West, along said West right-of-way line, 163.50 feet to a point on the North right-of-way line of said Brownell Avenue; thence North 87 degrees 13 minutes 01 seconds West, along said North right-of-way line, 335.00 feet to the point of beginning. Containing 54,772 square feet or 1.26 acres, more or less.

is hereby rezoned from Districts R-1.5 (Residential 1.5), R-2.5 (Residential 2.5), R-6 (Residential 6), B1-1 (Neighborhood Business-dash 2), B3-2 (Community Business/Commercial dash 3) and B4-2 (Heavy Business/Commercial-dash 2) to District MPD (Master Planned Development) all as shown outlined on a map marked Section 88-20A1085, 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 Master Planned Development Plan for the area legally described above is hereby approved, subject to the following conditions:

1. The developer shall submit an application to amend the Major Street Plan to remove Woodland Avenue and amend the Bike KC plan to relocate the bike route to Maple Boulevard.
2. The developer shall submit an application to vacate Woodland Avenue prior to closure of the street.
3. The developer shall submit a Final MPD plan for each phase to the Plan Commission for approval, including detailed information on landscaping (screening of service areas and mechanical equipment), signage (including elevations), lighting (including a photometric study showing 2 lux at the property line and no direct illumination beyond the property line) and building, trash and fencing elevations.
4. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating

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proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any building permits.

5. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
6. The developer shall 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 sidewalks, 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 of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, 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 sidewalks, 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.
7. The owner/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.
8. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.

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9. The developer shall abandon and relocate the water main and sanitary sewer line as required by the Water Services Department if any new construction (building/structure) conflicts with an existing water main or sanitary sewer line.
10. The developer shall provide a new easement as required by the Water Services Department for the relocated main/line if any new construction (building/structure) conflicts with an existing water main and/or sanitary sewer line and the main/line is abandoned and relocated.
11. Prior to any amendment to the MPD Plan for any future phases not shown on the MPD Plan, a traffic study acceptable to the Public Works Department shall be submitted to, reviewed by and accepted by the Public Works Department and the developer shall construct any improvements required by the Public Works Department based on the accepted traffic study.
12. The developer shall provide a 10 foot wide shared use path on the north side of Independence Avenue between Woodland Avenue and Maple Boulevard to accommodate the bicycle facility prior to vacation of Woodland Avenue. The improvements shall include bicycle access to the shared use path from the street at the intersections of Woodland Avenue and Independence Avenue and at Maple Boulevard and Independence Avenue.
13. The developer shall modify the traffic signal at the intersection of Woodland and Independence to accommodate the bike facility prior to the vacation of Woodland Avenue.
14. The developer shall be required to modify the inlet grates along Maple Boulevard to make them bike friendly prior to the vacation of Woodland Avenue.
15. The developer shall post the bike signs along the new bike route on Maple Boulevard prior to the vacation of Woodland Avenue.
16. The developer shall dedicate parkland or contribute money in lieu of parkland dedication for any new residential building in satisfaction of Section 88-408 of the Zoning and Development Code.

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.

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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Secretary, City Plan Commission

Approved as to form and legality:

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M. Margaret Sheahan Moran  
Assistant City Attorney