

ORDINANCE NO. 150732

Rezoning a 57.15 acre tract of land generally located on the south side of E. 87th Street and the east side of Bruce R. Watkins Drive (U.S. Hwy 71), from District UR to MPD, and approving a development plan which also serves as a preliminary plat, to allow for 700,000 square foot of general industrial development on two lots. (10390-MPD-11)

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 88-20A1023, rezoning an area of approximately 57.15 acres located on the south side of E. 87th Street and the east side of Bruce R. Watkins Drive (U.S. Hwy 71), from District UR (Urban Redevelopment) to MPD (Master Planned District), said section to read as follows:

Section 88-20A1023. That an area legally described as:

Beginning at the West Quarter Corner of Section 23, Township 48 North, Range 33 West; thence North 02 degrees 24 minutes 18 seconds East, along the west line of the Northwest Quarter of said Section 23, a distance of 460.18 feet, to a point on the southerly right-of-way line of 87th Street, as now established; thence South 57 degrees 23 minutes 10 seconds East, along said southerly right-of-way line, a distance of 147.98 feet; thence South 62 degrees 40 minutes 58 seconds West, continuing along said southerly right-of-way line, a distance of 58.60 feet; thence South 27 degrees 40 minutes 41 seconds East, continuing along said southerly right-of-way line, a distance of 96.31 feet; thence North 62 degrees 40 minutes 58 seconds East, continuing along said southerly right-of-way line, a distance of 116.13 feet; thence southeasterly, continuing along said southerly right-of-way line and along a non-tangent curve to the left, having a central angle of 19 degrees 01 minutes 21 seconds and a radius of 2,635.00 feet, and whose initial tangent bearing is South 59 degrees 46 minutes 38 seconds East, an arc distance of 785.20 feet; thence South 57 degrees 20 minutes 16 seconds West, a distance of 41.58 feet; thence South 13 degrees 28 minutes 32 seconds West, a distance of 599.57 feet; thence southerly, along a curve to the left, tangent to the last described course, having a central angle of 23 degrees 52 minutes 18 seconds and a radius of 1935.00 feet, for an arc distance of 806.20 feet; thence North 86 degrees 58 minutes 55 seconds West, a distance of 824.42 feet, to a point of the west line of the Southwest Quarter of said Section 23; thence North 86 degrees 34 minutes 16 seconds West, a distance of 686.44 feet, to a point on the easterly right-of-way line of Missouri State Highway (a.k.a. Bruce Watkins Drive // a.k.a. South Midtown Trafficway) as now established thence North 13 degrees 12 minutes 51 seconds west, along said easterly right-of-way line, a distance of 372.91 feet; thence

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northwesterly continuing along said easterly right-of-way line and along a curve to the left, tangent to the last described course, having a central angle of 06 degrees 44 minutes 26 seconds and a radius of 2,814.93 feet, for an arc distance of 331.16 feet; thence North 19 degrees 57 minutes 17 seconds west, continuing along said easterly right-of-way line, a distance of 702.90 feet, to a point on the north line of the Southeast Quarter of Section 22, Township 48 North, Range 33 West; thence South 86 degrees 47 minutes 56 seconds East, along said north line, a distance of 1155.22 feet to the point of beginning. Containing 2,489,216 square feet or 57.1445 acres, more or less.

is hereby rezoned from District UR (Urban Redevelopment) to MPD (Master Planned District), all as shown outlined on a map marked Section 88-20A01023, 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 for the area legally described above is hereby approved, subject to the following conditions:

1. That the developer submit a final MPD Development Plan for each project or phase of the development to the Director of City Planning and Development prior to issuance of a building permit. The final MPD Development Plan shall meet the development standards of Chapter 88-400 including plan information, property uses setback distances, lighting (with a photometric study), landscaping, including information on (i) species, planting size, and spacing of all trees and shrubbery, (ii) buildings and dumpster elevation drawings, (iii) fencing, if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section, streetscaping, signage (including elevations), and architectural characteristics.
2. That the developer cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
3. That the developer submit a Storm Drainage Study, including a BMP level of service analysis, to the Land Development Division for review and acceptance for the entire development area, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
4. That the developer dedicate right of way for Marion Park Drive as required by Chapter 88 so as to provide a minimum of 60 feet of right of way, and ensure right of way dedication is adequate for any proposed road

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improvements as required by the Public Works Department adjacent to this project.

5. That the developer pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
6. That the developer 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.
7. That the developer subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer be responsible for all costs associated with subordination activities now and in the future.
8. That after the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
9. That the developer construct temporary off-site cul-de-sacs as required by the Land Development Division, within a temporary cul-de-sac easement.
10. That the owner/developer submit plans for grading, siltation, and erosion control to the Land Development Division for review, acceptance, and permitting for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
11. That the owner/developer secure a site disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
12. That the developer secure permits to extend 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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13. That any stream buffer zones are delineated by submitting a preliminary buffer plan prior to approval of the development plan in accordance with Section 88-415 requirements.
14. That the developer submit a final stream buffer plan, prepared in accordance with Section 88-415, for review and acceptance by the Land Development Division, with the final plat application, or prior to building permit issuance, whichever occurs first.
15. That the developer show and label the final stream buffer zones on the subdivision plat within a private open space tract (or stream buffer easement), as required by the Land Development Division.
16. That the developer obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
17. That the developer show the limits of the 100-year floodplain on the final plat, as required by the Land Development Division.
18. That the developer show the lowest opening or elevation or Minimum Low Opening (MLO) of any structure on each lot that abuts a 100-year floodplain area on any plat and plan, as required by the Land Development Division.
19. That the developer submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.
20. That the developer modify the existing dual left-turn lanes on 87th Street at the development entrance by striping out the northern westbound left-turn lane, by installing appropriate white chevron pavement markings or other markings, as required by the Public Works Department, so as to provide for a single left-turn lane into the development.

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.

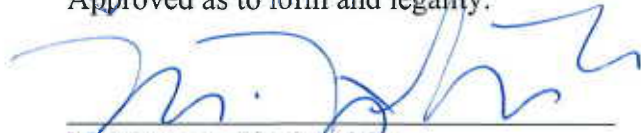
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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.



Secretary, City Plan Commission



Approved as to form and legality:



M. Margaret Sheahan Moran  
Assistant City Attorney



Authenticated as Passed

  
Sly James, Mayor  
Marilyn Sanders, City Clerk

SEP 03 2015

Date Passed