

ORDINANCE NO. 180491

Rezoning approximately 10.89 acres located at the southwest corner of N.W. Cookingham Drive and N. Congress Avenue from District AG-R to District B4-5, and approving a development plan to allow construction of a self-storage facility. (14009-P-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 88-20A1155, rezoning approximately 10.89 acres located at the southwest corner of N.W. Cookingham Drive and N. Congress Avenue from District AG-R (Agricultural-Residential) to District B4-5 (Heavy Business/Commercial, dash 5), and approving a development plan to allow construction of a self-storage facility, said section to read as follows:

Section 88-20A1155. That an area legally described as:

That part of the East Half of the Northwest Quarter and that part of the West Half of the Northeast Quarter of Section 24, Township 52 North of the Baseline, Range 34 West of the Fifth Principal Meridian, Kansas City, Platte County, Missouri, lying Northerly of Interstate Highway Route 435, South of Missouri State Highway Route 291, and West of North Congress Avenue, more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 24; thence South 00 degrees 46 minutes 24 seconds West on the East Line of said Northwest Quarter, 130.48 feet to the South Right-of-Way Line of Missouri Highway Route 291 and the point of beginning; thence North 80 degrees 47 minutes 26 seconds East on said South Right-of-Way Line, 194.87 feet to an Angle Point in said South Right-of-Way Line, being 40.0 feet Southerly of Missouri Highway Route 291 Centerline Station 195+00.0; thence South 89 degrees 25 minutes 53 seconds East on said South Right-of-Way Line, 80.08 feet to the West Right-of-Way Line of Congress Avenue; thence South 44 degrees 32 minutes 00 seconds East on said West Right-of-Way Line, 42.38 feet to an Angle Point in said West Right-of-Way Line; thence South 00 degrees 20 minutes 30 seconds West on said West Right-of-Way Line, 946.76 feet to the North Right-of-Way Line of Interstate 435; thence North 82 degrees 25 minutes 29 seconds West on said North Right-of-Way Line, 29.92 feet to an Angle Point in said North Right-of-Way Line, being 150.0 feet Northeasterly of Interstate 435 Centerline Station 762+50.0; thence North 54 degrees 18 minutes 48 seconds West on said North Right-of-Way Line, 308.49 feet to an Angle Point in said North Right-of-Way Line, being 221.0 feet Northeasterly of Interstate 435 Centerline Station 759+17.0;

ORDINANCE NO. 180491

thence North 45 degrees 28 minutes 18 seconds West on said North Right-of-Way Line, 271.17 feet to an Angle Point in said North Right-of-Way Line, being 280.0 feet Northeasterly of Interstate 435 Centerline Station 756+12.0; thence North 34 degrees 35 minutes 06 seconds West on said North Right-of-Way Line, 344.25 feet to an Angle Point in said North Right-of-Way Line, being 363.0 feet Northeasterly of Interstate 435 Centerline Station 752+37.23; thence North 26 degrees 02 minutes 36 seconds West on said North Right-of-Way Line, 330.43 feet to an Angle Point in said North Right-of-Way Line, being 475.4 feet Northeasterly of Interstate 435 Centerline Station 749+26.5, also being 70.4 feet Southerly of Missouri Highway Route 291 Centerline Station 202+09.6; thence South 79 degrees 48 minutes 09 seconds East on said Missouri Highway Route 291 South Right-of-Way Line, 272.44 feet to an Angle Point in said South Right-of-Way Line, being 116.0 feet Southerly of Missouri Highway Route 291 Centerline Station 199+41.0; thence North 80 degrees 47 minutes 26 seconds East on said South Right-of-Way Line, 252.63 feet to the point of beginning, containing 10.89 acres.

is hereby rezoned from District AG-R (Agricultural-Residential) to District B4-5 (Heavy Business/Commercial, dash 5), all as shown outlined on a map marked Section 88-20A.1155, 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. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and the developer shall secure permits to construct any improvements as required by the Land Development Division prior to issuance of any certificate of occupancy.
2. The developer shall dedicate additional right of way for N.W. Cookingham Drive as required by the adopted Major Street Plan and Chapter 88 so as to provide a minimum of 50 feet of right of way as measured from the centerline, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.
3. The developer shall dedicate additional right of way for N. Congress Avenue as required by the adopted Major Street Plan and Chapter 88 so as to provide a minimum of 40 feet of right of way as measured from the centerline, or seek approval recommendations from the Transportation and

ORDINANCE NO. 180491

Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.

4. The developer shall 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 the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.

ORDINANCE NO. 180491

11. 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.
12. The developer shall grant a BMP easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
13. The developer shall submit an acceptable preliminary stream buffer plan prior to approval of the development plan in accordance with the Section 88-415 requirements.
14. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to building activities on the site, in accordance with the Section 88-415 requirements.
15. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
16. The developer shall provide an erosion hazard analysis as required by the Water Services Department.
17. The developer shall obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
18. The developer shall show the Minimum Low Opening Elevation (MLOE) of any structure on property that abuts a 100-year floodplain area (including detention basins and engineered surface drainage conveyances), as required by the Land Development Division.
19. The proposed development is located in an area where the Kansas City International Airport height zoning restrictions apply. No structure in this area shall be constructed which exceeds these restrictions.
20. The developer shall review and comply with the City's Airport Height Zoning Ordinance 040342 and associated maps.

ORDINANCE NO. 180491


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 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



Authenticated as Passed


Sty James, Mayor


Marilyn Sanders, City Clerk

JUL 19 2018

Date Passed