

ORDINANCE NO. 180822

Rezoning a 15 acre tract of land, generally located at the northwest corner of I-435 and E. Bannister Road, from District UR to District B2-2, and approving a development plan to allow for an entertainment and spectator sport facility. (CD-CPC-2018-00113 & CD-CPC-2018-00112)

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 88-20A1167, rezoning an area of approximately 15 acres generally located at the northwest corner of I-435 and E. Bannister Road, from District UR (Urban Redevelopment) to District B2-2 (Neighborhood Business 2), said section to read as follows:

Section 88-20A1167. That an area legally described as:

All of Lot 3, Pace, a subdivision in Kansas City, Jackson County, Missouri. Said tract containing 638,354 square feet equal to 14.66 acres, more or less.

is hereby rezoned from District UR (Urban Redevelopment) to District B2-2 (Neighborhood Business 2), all as shown outlined on a map marked Section 88-20A1167, 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. Prior to issuance of a final certificate of occupancy, all landscaping as shown on the approved landscape plan, including trees, plant material and structural elements, must be in place and healthy, as certified by a sealed letter submitted by a registered landscape architect licensed in the State of Missouri.
2. 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.
3. 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

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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.

4. 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.
5. 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.
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 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.
9. The developer shall remove all permanent structure from water easements as required by the Water Services Department.
10. The developer shall ensure that water and fire service lines should meet current Water services Department standards.

A copy of said development plan is on file in the office of the City Clerk with this

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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 and Development Code 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.



Authenticated as Passed


Sly James, Mayor

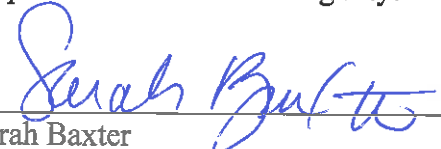
Marilyn Sanders, City Clerk

OCT 25 2018

Date Passed


Secretary, City Plan Commission

Approved as to form and legality:


Sarah Baxter
Assistant City Attorney