

ORDINANCE NO. 19#####

Authorizing the City Manager to enter into a cooperative agreement with the MD Management, Inc. for dedication of property to be used as the Twin Creeks Greenway System.

WHEREAS, the City, by Resolution 130443, created the Twin Creeks KC task force for the purpose of working collaboratively with all relevant stakeholders on issues related to, among other things, the City's trail and linear park system, targeted future land use recommendations, urban design tools at mixed use nodes, storm water and waterways management strategies, the potable water distribution system, and the roadway and parkway system; and

WHEREAS, the overriding theme of the Twin Creeks KC task force was the development of a connected linear greenway system ("Twin Creeks Greenway System"); and

WHEREAS, the City took steps to begin implementing the Twin Creeks Greenway System with the passage of Ordinance 160307, which authorized an addendum to a cooperative funding agreement with Platte County and directed the City Manager to pursue all appropriate funding options for the City's share of the Twin Creeks Greenway System; and

WHEREAS, MD Management, Inc. wishes to assist the City in its development of the Twin Creeks Greenway System; and

WHEREAS, MD Management, Inc. owns land generally located north of Missouri Route 152 and west of Platte Purchase Drive in Kansas City, Platte County, Missouri which it intends to develop in accordance with the Platte Purchase Redevelopment Plan approved by the City Council on July 28, 2016 by Ordinance No. 160415; and

WHEREAS, the City secured a Recreational Trails Program grant application for a portion of the Twin Creeks Greenway System called Segment 1 of the Second Creek Trail ("Second Creek Trail Segment 1"); and

WHEREAS, in partnership together, the City and MD Management, Inc. want to complete the Second Creek Trail Segment 1 by the end of 2020, and in furtherance of that goal MD Management, Inc. wishes to cause the dedication to the City of a portion of the Property totaling approximately 13.64 acres along Second Creek; and

WHEREAS, at some unknown point in the future, MD Management, Inc. intends to plat, in multiple plats in anticipation of future residential development and in accordance with the provisions of Chapter 88, Code of Ordinances of the City of Kansas City, Missouri; and

WHEREAS, Section 88-408 of the City's Code of Ordinances requires developers of property for residential purposes to dedicate a certain amount of land, as set forth more specifically in the Code of Ordinances, to the City for use as parks, playgrounds or other public or private recreational areas or open spaces;

WHEREAS, in consideration of MD Management, Inc.'s dedication of the 13.34 acres to the City, the City wishes to credit such dedication toward fulfillment of MD Management, Inc. and its affiliates' Parkland Requirement under the Code of Ordinances at such time and to the extent such dedication of parkland is required as a result of platting or development of the Property; and

WHEREAS, the City and MD Management, Inc. have agreed that it is in the public interest for the City to accept the dedication of the 13.34 acres as a public recreational area prior to the development of the property and wish to enter into an agreement outlining the terms of such dedication; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is hereby authorized to enter into a Cooperative Agreement with the MD Management, Inc. for implementation of the Twin Creeks Greenway System and Second Creek Trail. A copy of the agreement is approved in substantial form and is on file in the Office of the City Manager.

---

Approved as to form and legality:

---

Assistant City Attorney