



Legislation Details (With Text)

File #: 230827 **Version:** 1 **Name:**

Type: Ordinance **Status:** Failed

File created: 8/17/2023 **In control:** Council

On agenda: 10/12/2023 **Final action:** 10/26/2023

Title: Sponsor: Director of City Planning and Development Department

Rezoning an area of about 321 acres generally located at southwest corner of East Bannister Road and Marion Park Drive from District UR to District UR for the purposes of removing seven acres from the UR Plan. (CD-CPC-2023-00058).

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Docket Memo_CD-CPC-2023-00058, 2. 4_CPC-CPC -2023-00049_57_58, 3. CPC Dispo_CD-CPC-2023-00058, 4. CPC_8-15-23_Marion Park Rezoning, 5. Exhibit A, 6. Rezoning Plan, 7. Failed Ordinance 230827

Date	Ver.	Action By	Action	Result
10/26/2023	1	Council	Passed	Fail
10/26/2023	1	Council	Failed	Pass
10/12/2023	1	Council	Held on Docket	Pass
10/5/2023	1	Council	Assigned to Third Read Calendar	
10/4/2023	1	Neighborhood Planning and Development Committee	Do Not Pass	Fail
9/27/2023	1	Neighborhood Planning and Development Committee	Hold on Agenda	
9/14/2023	1	Council	referred	

ORDINANCE NO. 230827

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 321 acres generally located at southwest corner of East Bannister Road and Marion Park Drive from District UR to District UR for the purposes of removing seven acres from the UR Plan. (CD-CPC-2023-00058).

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 88-20A-1406, rezoning an area of about 321 acres generally located at southwest corner of East Bannister Road and Marion Park Drive from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) for the purposes of removing seven acres from the UR Plan, said section to read as follows:

Section 88-20A-1406. That an area legally described as:

All or part of the following subdivisions: "Bannister Square Business Center Replat", "Marion Industrial Park", "Marion Industrial Park 2nd Plat", "Kemble Acres", "Hickman Business Center", "Kramer Industrial Park", "Bannister Stor-All", "A & A Acres", "Klng's Rose Hill subdivision", "Holmes Park", "Replat of Holmes Park", "Showbiz Pizza Place", and "Resurvey of Parcels 2 and 3 Venture Center", all subdivisions according to the recorded plats thereof, including the following streets, drives, avenues, highways, and alleys: Marion Park Drive, 103rd Street, Hickman Mills Drive, Interstate 470, U.S. Highway No. 71, Interstate 435, Woodfield Drive, Cypress Avenue, 95th Street Terrace, 96th Street, King's Highway, Elmwood Avenue, and the alleys in Blocks 1 and 3, Holmes Park, as said streets, drives, avenues, highways, and alleys are now established and the right of way of the Burlington Northern Railroad (formerly the St. Louis and San Francisco Railroad), together with other lands situated in Section 26, Township 48, Range 33, and in Section 35, Township 48, Range 33, all in Kansas City, Jackson county, Missouri, and lying generally south of Bannister Road; north of Interstate 470 and easterly of U.S. Highway No. 71.

The boundary of the redevelopment area is more specifically described as beginning at the northeast corner of Lot 1, "Bannister Square Business Center Replat"; thence south along the east line of said Lot 1 and along the east line of Lot 3 in said "Bannister Square Business Center Replat 11", a distance of 439 feet; thence in a southerly and southwesterly direction along the east line of said Lot 3 and along a curve to the right, tangent to the last described course and having a radius of 300.00 feet, an arc distance of 176 feet to the southeast corner of said Lot 3, said corner also being on the north line of the Southwest 1/4 of the Southeast 1/4 of Section 26, Township 48, Range 33; thence east 120 feet to the northeast corner of said 1/4 1/4 Section; thence south along the east line of said 1/4 1/4 Section and along the east line of the West 1/2 of the Northeast 1/4 of Section 35, Township 48, Range 33 and along the southerly prolongation thereof, a distance of 3991 feet to a point on the south right of way line of 103rd Street, as now established; thence east along said south right of way line, a distance of 491 feet, more or less, to the northwest corner of "Sleepy Hollow", a subdivision in said city, county and state; thence the following courses along the westerly boundary lines of said "Sleepy Hollow" subdivision; south 844 feet, east 200 feet, south 390 feet, southwesterly 91 feet, west 572 feet, south 30 feet, west 141 feet to a point on the easterly right of way line of Hickman Mills Drive, as now established; thence southeasterly 461 feet to the southwest corner of said "Sleepy Hollows" subdivision; thence westerly, departing from said subdivision boundary along the northerly right of way line of Interstate Route 470, as now established: 100 feet, more or less, to a point on the westerly right of way line of said Hickman Mills Drive, said point also being opposite and 209 feet northerly of Station 47+85 of the right of way base line of the eastbound lanes of said Interstate 470, as now established; thence westerly along the last said right of way line, 440 feet, more or less, to a point on the westerly right of way line of the Burlington Northern Railroad that is opposite and 30 feet northerly of station 43+55 of said right of way base line; thence northwesterly 795 feet, more or less, to a point opposite and so feet northeasterly of station 35+51.26 of said right of way base line; thence northwesterly, parallel with said right of way base line, a distance of 818 feet; thence in a northwesterly direction along a curve to the left, tangent to the last described course having a radius of 1483 feet, an arc distance of 355 feet; thence in a northwesterly and northerly direction along a curve to the right having a radius of 1637 feet, an arc distance of 1500 feet, more or less, to the intersection of the westerly right of way line of said Hickman Mills Drive and the prolongation of the easterly right of way line of Interstate 435, as now established; thence North 660 West, a distance of 245 feet: thence North

23°30' West, a distance of 660 feet; thence North 35° West, a distance of 165 feet, more or less, to a point on the southerly prolongation of the easterly right of way line of U.S. Highway No. 71, as now established; thence northerly along said prolongation and along the last said right of way line, a distance of 720 feet to a jog in said right of way line: thence west along said jog, a distance of 23 feet; thence northerly along the last said right of way line, a distance of 1420 feet to an angle point; thence northerly along said right of way line, a distance of 140 feet to an angle point; thence northerly along said right of way line, a distance of 52 feet; thence northerly along the last said right of way line, a distance of 270 feet to an angle point on the southerly right of way line of Woodfield Drive, as now established; thence westerly along a jog in said easterly right of way line, along a curve to the left having a radius of 180.00 feet, an arc distance of 46 feet; thence northerly along said right of way line, a distance of 50 feet to an angle point in said easterly right of way line that is opposite and 143 feet east of Station 404+09 of the right of way base line of said U.S. Highway No. 71; thence north along said right of way line, a distance of 695 feet to an angle point therein that is opposite and 293 feet east of station 410+95 of said right of way base line; thence westerly along said right of way line, a distance of 49 feet to an angle point therein that is opposite and 248 feet east of Station 411+16 of said right of way base line; thence northerly along said right of way line, a distance of 80 feet to a point on the southerly right of way line of Bannister Road; thence northeasterly along last said right of way line, a distance of 135 feet; thence southeasterly along said southerly right of way line, a distance of 140 feet; thence northeasterly along said right of way line and along the prolongation thereof, a distance of 180 feet to the point of intersection of the south right of way line of Bannister Road and the northeasterly right of way line of the Burlington Northern Railroad; thence easterly along said south right of way line, a distance of 80 feet; thence northeasterly along said south right of way line, a distance of 45 feet; thence easterly along said south right of way line, a distance of 400 feet; thence easterly, a distance of 80 feet to a point on the east right of way line of Hickman Mills Drive extension, as now established; thence south along the last said right of way line, a distance of 580 feet; thence southwesterly along the last said right of way line, a distance of 87 feet to a point on the west line of Lot 2, "SHOWBIZ PIZZA PLACE", a subdivision in said city, county, and state: thence south along the last said west line, a distance of 130 feet to the southwest corner of the last said Lot 2, said point also being the northwest corner of Parcel 2, "Resurvey of Parcels 2 and 3, Venture Center": thence east along the north line of said Parcel 2: a distance of 1125 feet to the northeast corner thereof: thence easterly, a distance of 545 feet to the northerly most corner of Lot 6, 11 Bannister Square Business Center Replat", a subdivision in said city, county, and state; thence southeasterly 166 feet to an angle point in the north line of Lot 4 in the last said subdivision; thence east along the north lines of Lots 4 and 2 in the last said subdivision, a distance of 440 feet to a point on the west line of Lot 1 in the last said subdivision; thence north 180 feet to the northwest corner of the last said Lot 1; thence east, a distance of 267 feet to the point of beginning, except that part thereof in public thoroughfares.

EXCEPT:

All that part of the Southwest Quarter of Section 26, Township 48 North, Range 33 West, in the City of Kansas City, Jackson County, Missouri, being more particularly described by Scott G Chrisman, RLS-2594, on March 24, 2023, for project 210432, as follows: Commencing at the Northwest corner of the Northwest Quarter of the Southwest Quarter of said Section 26; thence S 86°45'39" E, along the North line of the Southwest Quarter of said Section 26, a distance of feet, 625.36 feet; thence S 3°14'21" W, a distance of 201.47 feet, to a point on the Southerly Right-of-Way line of State Route W, also known as Bannister Road, and the Easterly Right-of-

Way line of Hickman Mills Drive, as now established, said point also being the Point of Beginning; thence along the South Right-of-way line, of said State Route W, also known as Bannister Road for the following seven (7) courses; thence N 55°59'03" E, a distance of 50.81 feet; thence S 39°16'10" E, a distance of 152.14 feet; thence N 54°16'14" E, a distance of 41.23 feet; thence N 39°40'12" W, a distance of 150.49 feet; thence N 56°54'03" E, a distance of 104.31 feet; thence S 86°39'56" E, a distance of 403.59 feet; thence S 31°17'06" E, a distance of 72.26 feet, to a point on the Westerly Right-of-Way line of Marion Park Drive, as now established; thence along said Westerly Right-of-Way line of said Marion Park Drive, for the following two (2) courses; thence S 1°30'04" W, a distance of 695.92 feet; thence Southerly on a curve to the right, said curve being tangent to the last described course and having a radius of 64.66 feet, an arc distance of 1.95 feet; thence N 88°22'42" W, a distance of 51.26 feet; thence S 10°48'39" E, a distance of 69.57 feet, to a point on the Northerly, and Easterly Right-of-Way line of Hickman Mills Drive, as now established; thence along said Northerly and Easterly Right-of-Way line for the following six (6) courses; thence Southwesterly on a curve to the right, said curve having an initial tangent bearing of S 38°47'59" W, a radius of 560.00 feet, and an arc distance of 2.30 feet; thence S 39°16'03" W, a distance of 128.11 feet; thence N 10°48'39" W, a distance of 182.92 feet; thence S 79°19'28" W, a distance of 89.40 feet; thence Northwesterly on a curve to the left, said curve having an initial tangent bearing of N 10°40'32" W, a radius of 1176.28 feet, and an arc distance of 477.71 feet; thence N 33°56'39" W, a distance of 290.71 feet, to a point on the South Right-of-Way line of said State Route W, also known as Bannister Road, and the point of beginning, containing 319,755 square feet or 7.3406 acres, more or less.

is hereby rezoned from UR (Urban Redevelopment) to UR (Urban Redevelopment) all as shown outlined on a map marked Section 88-20A-1406, 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, subject to the following condition:

1. That Ordinance No. 000384, including all conditions provided therein, shall remain in full force and effect.

Section B. That the Council finds and declares that before taking any action on the proposed amendment and development plan 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.

Joseph Rexwinkle, AICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter

Senior Associate City Attorney