



Legislation Text

File #: 210764, Version: 1

ORDINANCE NO. 210764

Amending a previously approved UR Plan in District UR (Urban Redevelopment), which also serves as a preliminary plat to allow for amendment to the current approved uses and further subdivision of Lot 15, on about 43 acres, generally bounded by Chouteau Trafficway on the north, Chouteau Trafficway on the east, N.E. Vivion Road on the south (except the northeast corner of N.E. Vivion Road and N. Antioch Road) and N. Antioch Road on the west. (CD-CPC-2021-00098)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a previously approved UR plan, which also serves as a preliminary plat in District UR (Urban Redevelopment), to allow for amendment to the current approved uses and further subdivision of Lot 15, on about 43 acres, generally bounded by Chouteau Trafficway on the north, Chouteau Trafficway on the east, N.E. Vivion Road on the south (except the northeast corner of N.E. Vivion Road and N. Antioch Road) and N. Antioch Road on the west, and more specifically described as follows:

All that part of Lots 1, 2, 5, 7, 8 and 10 and all of Lots 3, 3A, 4, 6, 9, 11 and 12, Block 1, Resurvey of Blocks 1 and 3, Antioch, as recorded in Plat Book 2320 at Page 177, all that part of Block 1, Green Haven Plaza Number 2, as recorded in Plat Book A at Page 22, and All that part of Lot 2, Antioch Green Lot 1 and Lot 2, as recorded in Plat Book E at Page 125, all being an addition in and to the City of Kansas City, Clay County, Missouri, in the Northwest Quarter and Southwest Quarter of Section 31, Township 51 North, Range 32 West of the 5th Principal Meridian, being bounded and described as follows: Beginning at the Southeast corner of said Lot 2, Antioch Green Lot 1 and Lot 2; thence North 89°22'05" West, along the South line of said Lot 2, 301.64 feet to a point on the East right-of-way line of Antioch Road, as now established; thence North 01°01'31" East, along said East right-of-way line, 180.62 feet; thence North 88°58'29" West, continuing along said East right of way line, 20.00 feet; thence North 01°01'31" East, continuing along said East right of way line, 1,289.70 feet; thence North 00°49'01" East, continuing along said East right of way line, 250.33 feet; thence North 00°36'31" East, continuing along said East right of way line, 100.00 feet; thence North 07°27'05" East, continuing along said East right of way line, 251.79 feet; thence North 03°47'19" East, continuing along said East right of way line, 89.48 feet to a point on the Southwesterly right-of-way line of Chouteau Trafficway, as now established; thence Easterly, along said Southwesterly, right-of-way line, on a curve to the right, having an initial tangent bearing of South 75°23'29" East with a radius of 2,663.81 feet, a central angle of 14°26'54" and an arc distance of 671.73 feet; thence Southeasterly, continuing along said Southwesterly right- of-way line, 350.83 feet; thence Southerly, continuing along said Southwesterly right-of-way line, on a curve to the left, being tangent to the last described course with a radius of 1,526.80 feet, a central angle of 27°13'19" and an arc distance of 725.40 feet; thence South 11°56'57" East, continuing along said Southwesterly right of way line, 15.22 feet to the Southeast corner of said Lot 12, Block 1, said corner also being a point on the North right-of-way line of U.S. Highway 69 (also known as

Vivion Road), as now established; thence Southwesterly, along said North right- of-way line, on a curve to the left, having an initial tangent bearing of South 75°41'46" West with a radius of 1,472.70 feet, a central angle of 25°57'09" and an arc distance of 667.07 feet to a point on the East line of Lot 1, said GREEN HAVEN PLAZA NUMBER 2; thence North 00°19'25" East, along said East line, 167.81 feet to the Point of Beginning. Containing 1,870,584 square feet or 42.94 acres, more or less.

is hereby amended, subject to the following conditions:

1. The developer shall construct the off-site trail on the east side of Chouteau Trafficway as part of the first permit on Lot 15 (a, b or c).
2. Conditions of approval contained in Ordinance No. 120283 passed by City Council on April 12, 2012, remains effective for this UR development.
3. The developer shall submit a final UR plan to the Director of City Planning and Development for approval including detailed information on landscaping, color building elevations calling out materials, signage (including elevations), lighting (including a photometric study showing zero footcandles at the property line and no direct illumination beyond the property line), building elevations, trash enclosure elevations (with decorative gates), additional detail showing how service areas, loading docks, and trash services will function, and building materials extending a minimum of 30 feet into service areas prior to issuance of a building permit.
4. The developer shall work with the City Manager's office to ensure that the current incentives plans are updated prior to City Council approval.
5. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
6. The developer shall secure permits to extend public 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.
7. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.
8. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
9. The 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.

10. 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, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" 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.
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 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.
13. 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.
14. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
15. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
16. 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.
17. The developer shall dedicate additional right-of-way for Chouteau Trafficway as required by the adopted Major Street Plan in coordination with the Parks and Recreation Department along those areas being platted, 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.

18. 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, prior to issuance of any construction permits within said right-of-way, and the developer shall be responsible for all costs associated with subordination activities now and in the future.
19. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
20. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
21. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
22. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
23. Any new development or redevelopment project shall comply with the parkway and boulevard standards along N. Chouteau Trafficway.
24. In accordance with the existing cooperative agreement, the developer shall contribute the full cost of installing pedestrian facilities across Chouteau Trafficway at or near N.E. 53rd Street, including the possible installation of a traffic signal at said intersection, or a mid-block pedestrian beacon located approximately 100 feet north of N.E. 53rd Street and interconnection of said traffic signal or pedestrian beacon with the traffic signals at the intersection of Chouteau Trafficway and Vivion Road. This work shall be done at such a time when the Public Works Department determines that the installation of said pedestrian facilities is warranted, necessary, and prudent based on an engineering study.
25. The developer shall follow the Kansas City, Missouri rules and regulations for domestic water and fire service lines.

A copy of the UR plan is on file in the office of the city Clerk with this ordinance and is made a part hereof.

Section B. 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