Legislation Details (With Text)

File #:	211034	**Version:**	2	**Name:**	
Type:	Ordinance			**Status:**	Passed
File created:	11/10/2021			**In control:**	Council
On agenda:	12/9/2021			**Final action:**	12/9/2021
Title:	Rezoning an approximately 3.25 acre tract of land generally located on the north and east sides of N. Flintlock Road, south and west of N.E. 76th Street, (7535 N. Flintlock Road) from B2-2 (Neighborhood Business - 2) to MPD (Master Planned Development) and approving a Development Plan for a parking facility for the same. (CD-CPC-2021-00143).				
Sponsors:	Heather Hall				
Indexes:					
Code sections:					
Attachments:	1. No Fact Sheet, 2. 211034 cs to org ord-com, 3. Authenticated Ordinance 211034 C.S				

Date	Ver.	Action By	Action	Result
12/9/2021	1	Council	Passed as Substituted	Pass
12/8/2021	1	Neighborhood Planning and Development Committee	Adv and Do Pass as Cmte Sub	Pass
12/1/2021	1	Neighborhood Planning and Development Committee	Hold on Agenda	
11/10/2021	1	Council		

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 211034

Rezoning an approximately 3.25 acre tract of land generally located on the north and east sides of N. Flintlock Road, south and west of N.E. 76th Street, (7535 N. Flintlock Road) from B2-2 (Neighborhood Business - 2) to MPD (Master Planned Development) and approving a Development Plan for a parking facility for the same. (CD -CPC-2021-00143).

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 88-20A1306 rezoning an approximately 3.25 acre tract of land generally located on the north and east sides of N. Flintlock Road, south and west of N.E. 76th Street, (7535 N. Flintlock Road) from B2-2 (Neighborhood Business - 2) to MPD (Master Planned Development), said section to read as follows:

Section 88-20A1306. That an area legally described as:

> All that part of the Southwest quarter of Section 14, Township 51, Range 32, Kansas City, Clay County, Missouri, being bounded and described as follows: Beginning at a point on the North line of the Southwest quarter of said Section 14, being also the Northeast corner of the West one-half of the East one-half of said Southwest quarter, said point being 643.65 feet West of the Northeast corner of said Southwest quarter; thence South 0 degree 39 minutes 10 seconds East

along the East line of the West one-half of the East one-half of said Southwest quarter, 25.00 feet to its intersection with the South Right of Way line of NE 761" Street, as now established, said point being the True Point of Beginning of the tract to the herein described; thence South 0 degree 39 minutes 10 seconds East, along said West line, 691.74 feet to a point on the Northerly Right of Way line of Interstate Route 35, as now established; thence South 26 degrees 42 minutes 20 seconds West, along said Right of Way line, 534.76 feet; thence South 18 degrees 14 minutes 44 seconds West, along said Right of Way line, 252.87 feet; thence South 26 degrees 42 minutes 20 seconds West along said Right of Way line, 595.09 feet to a point on the North line of the South 30.0 acres of the West one-half of the East one-half and the West one-half of the Southwest quarter of said Section 14; thence South 89 degrees 09 minutes 05 seconds West along said North line, 697.18 feet to the Southwest corner of the East 20.0 acres of the North 30.0 acres of the South 60.0 acres of the West one-half of the Southwest quarter and the West one-half of the East one-half of the Southwest quarter of said Section 14; thence North 0 degree 39 minutes 10 seconds West, 671.03 feet to the Northwest corner of said 20.0 acre tract; thence South 89 degrees 09 minutes 05 seconds West along the North line of said South 60.0 acres, 620.73 feet to a point on the East Right of Way line of N. Stark Avenue, as now established, said point being 25.00 feet East of the West line of the Southwest quarter of said Section 14; thence North 0 degree 04 minutes 17 seconds West along said Right of Way line, parallel to and 25.041 feet East of the West line of the Southwest quarter of said Section 14, 1267.30 feet to a point on the South Right of Way line of said NE 76th Street, said point being 25.00 feet East and 25.00 feet South of the Northwest corner of the Southwest quarter of said Section 14; thence North 89 degrees 19 minutes 35 seconds East along the South Right of Way line of said NE 76th Street, 1906.17 feet to the True Point of Beginning. excepting therefrom those portions platted as Oak Crest First Plat, Oak Crest Second Plat, Oak Crest Third Plat, Oak Crest 4th Plat and Oak Crest 5th Plat and excepting therefrom those portions as conveyed to Blair Properties, L.L.C. in the Special Warranty Deed recorded June 10, 2019 as Document No. 2019014952 in Book 8428 at Page 67 and more particularly described as follows: A parcel of land located in the Southwest 1/4 of Section 14, Township 51, Range 32, in Clay County, Missouri; Commencing at the Northeast corner of said Southwest 1/4 section; thence N 89° 21' 459" W along the North line of said 1/4 section, a distance of 643.93 feet; thence S 00° 38' 01" W, a distance of 345.59 feet to the Point of Beginning of the parcel to be described; thence S 44° 54' 53" W, a distance of 156.00 feet; thence S 00° 01' 06" E, a distance of 37.08 feet; thence S 45° 05' 07" E, a distance of 109.13 feet; thence N 44° 54' 53" E, a distance of 58.85 feet; thence N 02° 43" 20" W, a distance of 183.14 feet back to the Point of Beginning. Except Therefrom those portions platted as Oak Crest First Plat, Oak Crest Second Plat, Oak Crest Third plat, Oak Crest 4th Plat, and Oak Crest 5th Plat and Excepting therefrom those portions as conveyed to Blair Properties, L.L.C. in the special Warranty Deed Recorded June 10, 2019 as Document No. 2019014952 in Book 8428 at Page 67 and more particularly described as follows: A parcel of land located in the Southwest 1/4 of Section 14, Township 51, Range 32, in Clay County, Missouri; Commencing at the Northeast corner of said Southwest 1/4 Section; Thence North 89°21'45" West along the North line of said 1/4 section, a distance of 643.93 feet; Thence South 00°38'01" West, a distance of 345.59 feet to the Point of Beginning of the parcel to be described: Thence South 44° 54'53" West a distance of 156.00 feet; Thence South 00°01'06" East a distance of 37.08 feet; Thence South 45°05'07" East, a distance of 109.13 feet; Thence North 44°54'53" East, a distance of 58.85 feet; Thence North 02°43'20" West, a distance of 183.14 feet back to the Point of Beginning

is hereby rezoned from District B2-2 (Neighborhood Business - 2) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88 -20A1306, which is attached hereto and made

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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. No vehicle storage or long-term parking shall occur over or within 10' of either side of the existing water main in N.E. 76th Street east of N. Flintlock Road without the approval of Kansas City Water Services Director. Plans for main relocation must be submitted to Kansas City Water for review and acceptance and the main must be relocated if vehicle storage or long-term parking is planned over or within 10' of either side of the existing water main at any point in the future if required by Director of Water Services.

2. The developer shall secure approval of a final MPD Development Plan from the City Plan Commission prior to building permit, including that the final MPD Development Plan shall include green infrastructure.

3. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.

4. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.

5. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.

6. 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.

7. 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.

8. 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.

9. 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 construction activities on the site, in accordance with Section 88-415 requirements.

10. 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.

11. 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.

12. The developer must grant a BMP and/or surface drainage easement to the City as required by the Land Development Division prior to issuance of a 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 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 issuance of a certificate of occupancy.

15. The west half of N.E. 76th Street along the east side of the property shall be improved to City standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to issuance of a certificate of occupancy.

16. 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.

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 and Development Code have been given and had.

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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

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Approved as to form and legality:

_____
Sarah Baxter
Assistant City Attorney