

ORDINANCE NO. 080948

Approving an amendment to a previously approved development plan in District URD on approximately a 4.7 acre tract of land generally located on the east side of Main Street, between 44th Street and 45th Street. (8670-URD-9)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved development plan in District URD (Urban Redevelopment District) on approximately a 4.7 acre tract of land generally located on the east side of Main Street, between 44th Street and 45th Street, and more specifically described as follows:

All of Lot 1, MAIN PLAZA - FIRST PLAT, recorded in Plat Book K-35 at Page 109 and all that part of a tract of land described in the Special Warranty Deed, filed as Document No.98K-54200 in Book K-3290 at Page 567 which includes all of Lots 1 through 10 inclusive, Main Street Addition, together with all of Lots 24, 25 and Lots 35 through 40 inclusive, West Estate (sometimes referred to as West Estates Subdivision), also all that part of Lots 41 and 42 of said West Estate which are not included in said Main Plaza - First Plat, each being a subdivision of land in the Northwest Quarter of Section 29, Township 49, Range 33, in Kansas City, Jackson County, Missouri, all being more particularly described as follows:

Beginning at the northeast corner of Lot 35, of said West Estate, said point being the intersection of the southerly right-of-way line of 44th Street with the westerly right-of-way line of Walnut Street, as said Streets are now both established; thence South 02 degrees 32 minutes 10 seconds West, Measured (South 02 degrees 36 minutes 31 seconds West, Deed and Plat) along the westerly right-of-way line of said Walnut Street, being also along the easterly line of Lots 35 through 40 inclusive of said West Estate, and along a portion of the easterly line of Lot 1, of said Main Plaza - First Plat, a distance of 379.88 feet, Deed and Measured (379.91 feet, Plat) to a jog in the easterly line of said Lot 1; thence South 87 degrees 24 minutes 18 seconds East along a jog in the easterly line of said Lot 1, a distance of 2.89 feet; thence South 02 degrees 35 minutes 42 seconds West along the easterly line of said Lot 1, a distance of 384.29 feet to the southeast corner of said Lot 1, being also a point on the northerly right-of-way line of 45th Street, as now established; thence southwesterly and westerly, along the northerly right-of-way line of said 45th Street, being also along the southerly line of said Lot 1, along a curve to the right having an initial tangent bearing of South 75 degrees 58 minutes 15 seconds West, a radius of 908.80 feet and a central angle of 15 degrees 01 minute 17 seconds, an arc length of 238.26 feet to a point of compound curve; thence westerly, northwesterly and northerly along said northerly right-of-way line, being

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also along the southerly line of said Lot 1, along a curve to the right, tangent to the last described curve, having a radius of 15.00 feet and a central angle of 91 degrees 36 minutes 10 seconds, an arc length of 23.98 feet to a point on the easterly right-of-way line of Main Street, as now established; thence North 02 degrees 35 minutes 42 seconds East, tangent to the last described curve, along said easterly right-of-way line and along the westerly line of said Lot 1, a distance of 406.93 feet to the most westerly northwest corner of said Lot 1, being also a point on the southerly line of Lot 10 of said Main Street Addition; thence North 87 degrees 24 minutes 18 seconds West along the southerly line of said Lot 10, being also along a jog in the easterly right-of-way line of said Main Street, a distance of 10.00 feet to the southwest corner of said Lot 10; thence North 02 degrees 28 minutes 52 seconds East, Measured (North 02 degrees 35 minutes 42 seconds East, Deed) along the easterly right-of-way line of said Main Street, being also along the westerly line of Lots 10 through 1, inclusive of said Main Street Addition and along the westerly line of Lots 25 and 24 of said West Estate, a distance of 379.45 feet, Measured (380.13 feet, Deed), to the northwest corner of said Lot 24, being also the point of intersection of said easterly right-of-way line with the southerly right-of-way line of said 44th Street; thence South 87 degrees 29 minutes 57 seconds East, Measured (South 87 degrees 20 minutes 48 seconds East, Deed), along said southerly right-of-way line, being also along the northerly line of Lots 24 and 35 of said West Estate, a distance of 257.48 feet, Measured (257.20 feet, Deed) to the point of beginning. Containing 199,938 square feet or 4.590 acres, more or less.

is hereby approved, subject to the following conditions:

1. That the developer cause the area to be platted and processed in accordance with Chapter 66, Code of General Ordinances of the City of Kansas City, Missouri, commonly known as the Subdivision Regulations, if applicable.
2. That the developer submit a detailed micro storm drainage study prior to approval and issuance of any building permits, and that the developer construct any improvements as required by Development Services prior to issuance of a certificate of occupancy.
3. That the developer submit plans for grading, siltation, and erosion control to Development Services for review, acceptance, and permitting prior to beginning any construction activities.
4. That the developer secure a site disturbance permit from Development Services prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more.

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5. That the developer provide a storm water conveyance system to serve all proposed lots within the development and determine adequacy as required by Development Services.
6. That the developer provide for fire protection as required by the Fire Department.
7. That the developer install, loop, remove and/or relocate water mains and fire hydrants as required by the Water Services Department.
8. That the developer dedicate additional right of way for primary arterial as required by Development Services so as to provide a minimum of 50 feet of right of way as measured from the centerline of Main Street.
9. That the developer dedicate additional right of way on the south side of 44th Street as required by Development Services so as to provide a total of 28 feet of right of way as measured from the centerline of 44th Street.
10. That the developer improve 44th Street to a 36 foot pavement width between Main Street and Walnut Street as required by Development Services.
11. That the developer enter into an agreement with the City as required by the Department of Public Works whereby the developer agrees to contribute a maximum amount of \$60,000.00 for the installation of a traffic signal at 44th Street and Main Street.
12. That the developer continue to provide for interim landscaping for Phase III until such time that construction begins for Phase III.
13. That the developer provide a hard wired connection between the traffic signals located at 43rd Street and Main Street, 44th Street and Main Street, and 45th Street and Main Street at such time as Phase III is platted as required by Development Services.
14. That the developer submit a site plan to the Director of the Department of City Development for approval prior to the issuance of a building permit. The site plan shall include information regarding: property uses, setback distances, lighting (photometrics plan showing zero footcandles at the property line), landscaping and architectural characteristics, berms, trees and plantings around and within the parking lots; show proposed pedestrian circulation; and include elevation drawings of buildings and signage.
15. That the developer subordinate to the City all private interest in the area of any right-of-way dedication as required by Development Services, and

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that the developer be responsible for all costs associated with subordination activities now and in the future.

16. That the developer submit a streetscape plan for review, acceptance, and permitting by Development Services prior to beginning work in the public right of way.

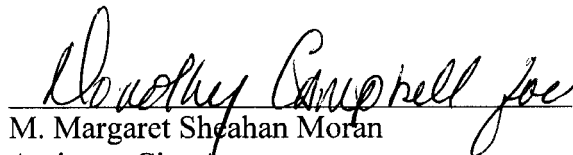
A copy of said amendment is on file in the office of the City Clerk with this ordinance and is made a part hereof.

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 80, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.



Secretary, City Plan Commission

Approved as to form and legality:


M. Margaret Sheahan Moran
Assistant City Attorney



Authenticated as Passed


Mark Funkhouser, Mayor


Vickie Thompson, City Clerk

OCT 16 2008
Date Passed