

ORDINANCE NO. 050605

Approving a Community Unit Project on an approximately .37 acre tract of land generally located at the southeast corner of 16th Street and Jefferson Street. (13267-CUP-1)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a Community Unit Project on an approximately .37 acre tract of land generally located at the southeast corner of 16th Street and Jefferson Street, and more specifically described as follows:

Tract 1. All that portion of Lots 1 through 5, Block 3, King & Bouton's Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, lying west of a line described as follows: Beginning at a point on the north line of Lot 1, 13 feet east of the northwest corner of said Lot 1, thence southeast in straight line to the west line of Lot 3 at a point 40 feet south of the northwest corner of said Lot 3, thence southeast in a straight line to the south line of Lot 4 at a point 9 feet west of the southeast corner of said Lot 4 (commonly known as 1601 Jefferson, Kansas City, Jackson County, Missouri); and

Tract 2. Lots 66 and 67, Block 3, King & Bouton's Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, except that portion in right-of-way (commonly known as 1617 Jefferson, Kansas City, Missouri); and.

Tract 3. A tract of land being part of Lots 1, 2, 3, 4, 5, 67 and an alley North of Lot 67, Block 3, King and Bouton's Addition to the City of Kansas, now Kansas City, a subdivision in Kansas City, Jackson County, Missouri, being more particularly described as follows: Commencing at the Northwest corner of said Lot 1; thence S87°31'39" E along the North line of said Lot 1, a distance of 13.00 feet to the point of beginning of the tract of land to be described; thence continuing S87°31'39" E along said North line, a distance of 26.90 feet; thence S20°54'10"E a distance of 190.21 feet to a point on the South line of said Lot 67 said point also being the West right-of-way line of Interstate Highway 35, as now established; thence N45°29'58"W along said West right-of-way line, a distance of 35.25 feet; thence N07°13'25"E continuing along said West right-of-way line, a distance of 11.04 feet; thence N20°12'11"W continuing along said West right-of-way line, a distance of 108.37 feet; thence N38°57'59"W continuing along said West right-of-way line, a distance of 53.36 feet to the point of beginning. Contains 2008 square feet more or less, such property currently within right-of-way of the State of Missouri, Missouri Department of Transportation and its inclusion within the provisions of this ordinance being subject to and conditioned upon acquisition of such property by the developer from the State of Missouri, Missouri Department of Transportation.

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is hereby approved, subject to the following conditions:

1. That the developer shall cause the area to be platted and processed in accordance with Chapter 66, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Subdivision Regulations.
2. That the developer submit a detailed micro storm drainage study, consisting at a minimum of a letter from a Missouri licensed civil engineer stating that the proposed improvements will not alter or increase historical runoff conditions for the site, to the City Engineer's Office prior to approval and issuance of any building permits, and that the developer make any improvements as required by the City Engineer's Office.
3. That the developer vacate the existing public alley and provide new access as shown on the development plan as required by the Department of Public Works, and that the vacation occur prior City Council approval of any final plat.
4. That the developer secure permits to construct or reconstruct existing sidewalks, curb, gutter, inlets, catch basins, and streetlights as required by the Department of Public Works prior to recording any final plat.
5. That the developer submit plans for grading and siltation and erosion control to the City Engineer's Office for approval and permitting prior to beginning any construction activities.
6. That the developer extend sanitary sewers to ensure individual service is provided to all lots within the development and determine adequacy as required by the Department of Public Works.
7. That the developer provide a storm water conveyance system to serve all proposed lots within the development and determine adequacy as required by the Department of Public Works.
8. That the developer contribute \$767.36 in lieu of parkland dedication for five multifamily units ($5 \times 2 \times .006 \times \$12,789.30$ (2004 rate) = \$767.36) in satisfaction of Section 66-128 of the Subdivision Regulations.
9. That the developer provide for fire protection as required by the Fire Department prior to construction beyond foundations.
10. That the developer extend water mains as required by the Water Services Department.
11. That the developer relocate and extend sanitary sewers as required by the Water Services Department.
12. That a paved off-site connection between the private drive and the existing north-south alley, with a taper from 15 feet at the plan boundary to the existing alley width be constructed as required by the Department of

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Public Works and the Missouri Department of Transportation, prior to the recording of any final plat.

13. That the developer secure the approval of the Missouri Department of Transportation for any work within the State right-of-way.
14. That the final plat provide an access easement to the public over the area of the private drive as shown on the development plan.
15. That the developer submit a street tree planting plan as part of the final plat application, secure the approval of the City Forester for street trees planted on right-of-way in front of residential lots (with a copy to be submitted to the City Development Department staff), and agree to plant in conformance with the plan approved by the City Forester. The plan shall include size, type, species and placement of trees.
16. That the developer receive approval of the Board of Zoning Adjustment for any necessary variances.
17. That the developer submit a final plan to the City Plan Commission for approval, including detailed information on grading, landscaping and building elevations.

A copy of said Community Unit Project plan is on file in the office of the City Clerk with this ordinance, which is attached hereto and made a part hereof.

Section B. That the Council finds and declares that before taking any action on the proposed Community Unit Project 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