

ORDINANCE NO. 031160

Approving an amendment to a previously approved preliminary plan in District CP-1 (Neighborhood Planned Business Center) on approximately a 11.69 acre tract of land generally located at the southwest corner of N.W. Barry Road and N. St. Clair Avenue. (5905 - CP-39)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved preliminary plan in District CP-1 (Neighborhood Planned Business Center) on approximately a 11.69 acre tract of land generally located at the southwest corner of N.W. Barry Road and N. St. Clair Avenue, and more specifically described as follows:

A tract of land in the Southeast Quarter of Section 7, Township 51, Range 33, and a replat of Tract A, Embassy Park - Hy-Vee, a subdivision of land in Kansas City, Platte County, Missouri, being bounded and described as follows: Commencing at the northwest corner of said Southeast Quarter; thence South $0^{\circ}34'26''$ West, along the west line of said Southeast Quarter, 50.00 feet to the true point of beginning of the tract to be herein described, said point being also a point on the south right-of-way line of N.W. Barry Road, as now established; thence South $89^{\circ}01'33''$ East, along said south line, 591.86 feet to a point on the westerly right of way line of N. St. Clair Avenue, as now established; thence easterly and southerly, along said westerly right-of-way line, on a curve to the right, tangent to the last described course, having a radius of 25.00 feet, an arc distance of 39.27 feet; thence South $0^{\circ}58'27''$ West, along said westerly right-of-way line, 75.00 feet; thence southerly, along said westerly right-of-way line, on a curve to the left, tangent to the last described course, having a radius of 395.00 feet, an arc distance of 168.23 feet; thence South $23^{\circ}25'43''$ East, along said west line, 99.23 feet; thence southerly, along said westerly right-of-way line, on a curve to the right, tangent to the last described course, having a radius of 380.00 feet, an arc distance of 385.82 feet; thence South $34^{\circ}44'39''$ West, along said westerly right-of-way line, 98.92 feet; thence North $48^{\circ}18'04''$ West, 209.90 feet; thence South $89^{\circ}53'43''$ West, 282.49 feet; thence North $57^{\circ}39'56''$ West, 38.42 feet; thence North $89^{\circ}26'05''$ West, 129.11 feet to a point on the west line of said Southeast Quarter; thence North $0^{\circ}34'26''$ East, along said west line, 653.32 feet to the true point of beginning. Containing 10.64 acres, more or less.

is hereby approved, subject to the following conditions:

1. That the developer submit a new or updated macro storm drainage study for the overall development to address the development amendments, along with a

detailed micro study for approval prior to approval of any new building permits within the plan area and make any improvements as required by the City Engineer's Office.

2. That the developer submit plans for grading and siltation and erosion control to the City Engineer's Office for approval prior to beginning any construction activities.
3. That the developer secure a land disturbance permit from the Department of Public Works prior to beginning any construction, grading, clearing or grubbing activities, if the disturbed area exceeds one acre.
4. That the landscaping/sidewalk as approved on Tract B per Case No. 5905-CP-30 be installed prior to the issuance of building permits on Lot 5A.
5. That any previously approved landscaping along N.W. Barry Road that has died be replaced prior to the issuance of building permits on Lot 5A.
6. That the developer submit a final plan to the City Plan Commission for approval, including detailed information on landscaping per staff approval (including canopy shade trees a maximum of 40 feet on center along Tract A), signage (including elevations), lighting (including photometric study) and building elevations, with dumpster enclosures of materials to match the building served.

A copy of said amendment is on file in the office of the City Clerk under Document No. 031160, 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 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:

031160

M. Margaret Sheahan Moran
Assistant City Attorney