

ORDINANCE NO. 071112

Approving the preliminary plat of Cresta Bella on a 1.24 acre tract of land generally located on the east side of Jefferson Street at 18th Street. (SD 1277)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That the preliminary plat of Cresta Bella on a 1.24 acre tract of land generally located on the east side of Jefferson Street at 18th Street, and more specifically described as follows:

The south 34.00 feet of Lot 7, and all of Lots 8 through 12, both inclusive, Block 2, Merriam Place, a subdivision in the city of Kansas City, Jackson County, Missouri, and all of Lot 1, Block 6, Merriam Place, together with all of the vacated 18th Street lying north of and adjacent to said Lot 1 all being more particularly described as follows: Beginning at the southwest corner of said Lot 1; thence North 89°-58'-17" East, along the south line of Lot 1, a distance of 128.00 feet to the southeast corner of said Lot 1, said point being on the west of the alley vacated by Ordinance No. 54173, in Book K-1163, page 1544; thence North 0°-07'-44" East, along the west line of said vacated alley, a distance of 50.00 feet to a point on the south line of said vacated 18th Street; thence North 89°-58'-17" East along the south line of said vacated 18th Street, a distance of 15.00 feet to a point on the west right of way line of I-35 as now established; thence North 0°-07'-44" East along the west right of way line of said I-35, a distance of 60.00 feet to a point on the north line of said vacated 18th Street; thence South 89°-58'-17" West along the north line of said vacated 18th Street, a distance of 7.50 feet, to the southeast corner of said Lot 12; thence North 0°-06'-48" East along the east line of Lots 12 through 7, both inclusive and said right-of-way line, a distance of 286.29 feet, to a point that is 16 feet south of the northeast corner of said Lot 7; thence South 89°-52'-44" West, a distance of 135.42 feet, to a point on the east right-of-way line of Jefferson Street as now established, said point being 16.00 feet south of the northwest corner of said Lot 7; thence South 0°-07'-44" West along the east line of said Jefferson Street, a distance of 396.07 feet to the point of beginning, Containing 53,748 square feet or 1.234 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 Ordinances of the City of Kansas City, Missouri, commonly known as the Subdivision Regulations.
2. That the developer submit a macro/micro storm drainage study to Development Services for review and acceptance for the entire

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development when the first plat is submitted, and that the developer construct any improvements as required by Development Services.

3. That the developer obtain the grading consents, and all grading, temporary construction and drainage/sewer easements from the abutting property owner prior to submitting any public improvements.
4. That the developer secure permits to remove the curb return along the south side of Lot 6 and construct new sidewalks, curbs, and gutters from the south side of Lot 6 to transition into the existing sidewalks, curbs, and gutters south of Lot 8, as required by Development Services, prior to recording the plat.
5. That the developer secure permits to reconstruct existing sidewalks, curbs, gutters, storm sewers, and streetlights as necessary along Lots 1 through 6, or submit a letter from a Missouri licensed civil engineer stating that the sidewalks, curbs, and gutters are in a good state of repair and meet the requirements set forth in Chapters 56 and 64, Code of Ordinances, as required by Development Services, prior to recording the plat.
6. That the developer submit plans for grading, siltation, and erosion control to Development Services for approval and permitting prior to beginning any construction activities.
7. 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.
8. That the developer extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by Development Services.
9. 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.
10. That the development provide access restrictions to prohibit direct vehicular access to Interstate 35 from all lots or units and that the restriction be placed on the Final Plat.
11. That the developer contribute \$1,751.11 in lieu of parkland dedication for 8 units (8 units x 3.7 x .006 x \$9,859.86 (year 2007) = \$1,751.11) in satisfaction of Section 66-128 of the Subdivision Regulations.
12. That the developer abandon water mains as required by the Water Services Department.

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13. That the required minimum 160 foot lot depth for Lots 1 through 8 as shown on the preliminary plat be waived.
14. That the developer receive the approval of the Board of Zoning Adjustment for a variance to the minimum lot width for Lot 7 as shown on the preliminary plat.
15. That the developer submit a street tree planting plan prior to or concurrent with the final plat submittal, 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 required minimum 50 foot lot width at the building line for Lot 7 as shown on the preliminary plat be waived.

A copy of the preliminary plat 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 preliminary plat hereinabove, all public notices and hearings required by the Subdivision Regulations have been given and had.

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I hereby certify that as required by Chapter 66, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Secretary, City Plan Commission

Approved as to form and legality:

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M. Margaret Sheahan Moran  
Assistant City Attorney