

ORDINANCE NO. 071198

Approving an amendment to a previously approved preliminary plan in District C-2-p on approximately 6 acres of land generally located at the southeast corner of N.E. Vivion Road and N.E. Antioch Road (5642-P-20).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved preliminary plan in District C-2-p (Local Retail Business-Limited District) on approximately 6 acres of land generally located at the southeast corner of N.E. Vivion Road and N.E. Antioch Road, more specifically described as follows:

Tract A: All that part of Lots 28, 29, 30, 55 and 56 and that portion of vacated Russell Avenue, all in BEULMAR ACRES, a subdivision in Kansas City, Clay County, Missouri, described as follows: Commencing at a point on the Westerly line of said Lot 28, which is 105.22 feet North of the Southwest corner thereof; thence South 83 degrees 57 minutes 16 seconds East, a distance of 13.27 feet to a point on the Easterly right-of-way of North Antioch Road as described in Document No. C-2610 in Book 902 at Page 613 and the Point of Beginning; thence the following courses and distances along said Easterly right-of-way, North 03 degrees 55 minutes 14 seconds East, a distance of 46.87 feet; thence North 01 degrees 03 minutes 31 seconds East, a distance of 190.04 feet to a point on the Westerly line of said Lot 55 and said Easterly right-of-way; thence North 23 degrees 48 minutes 19 seconds East, a distance of 244.43 feet to a point 50.00 feet South of the Northwest corner of said Lot 55 as measured along the Westerly line of said Lot 55; thence departing from said right-of-way South 53 degrees 59 minutes 31 seconds East along a straight line through a point located 50.00 feet South of the Northeast corner of said Lot 55 as measured along the East line thereof, a distance of 215.29 feet to a point on the centerline of vacated Russell Avenue; thence North 13 degrees 51 minutes 43 seconds East along the centerline of said vacated Russell Avenue, a distance of 52.20 feet; thence continuing along said centerline North 49 degrees 47 minutes 44 seconds East, a distance of 108.14 feet to an intersection with the Northerly prolongation of a straight line drawn from the Southwest corner said Lot 30 to a point on the Northerly line of said Lot 30 which is 15.40 feet East of the Northwest corner thereof, measured along the said Northerly line; thence South 04 degrees 04 minutes 24 seconds West along said Northerly prolongation, a distance of 419.54 feet ; thence North 83 degrees 57 minutes 16 seconds West, a distance of 341.61 feet to the Point of Beginning. Containing 142,065 square feet or 3.261 acres, more or less.

Tract B: A tract of land being a part of Lots 27, 28, 29, 30, 31, and 32, all in BEULMAR ACRES, a subdivision of land in Kansas City, Clay County, Missouri, described as follows: Commencing at the Southwest

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corner of Lot 27, BEULMAR ACRES; thence South 83 degrees 57 minutes 17 seconds East along the South line of said Lot 27, a distance of 5.71 feet to intersection of the Northerly right-of-way line of N. E. 50th Street and the Easterly right-of-way of Antioch Road as established in Document C 2610, recorded in Book 902, at page 613 in the office of the Recorder of Deeds in said county and state; thence North 01 degrees 03 minutes 31 seconds East, along said Easterly right-of-way line of Antioch Road, a distance of 126.45 feet; thence continuing along said Easterly right-of-way line, North 03 degrees 55 minutes 14 seconds East, a distance of 93.09 feet to a point on the North line of Lot 28, said point being 10.10 feet Easterly of the Northwest corner of said Lot 28 as measured along said North line; thence along the North line of Lots 28, 29 and 30, South 83 degrees 57 minutes 16 seconds East, a distance of 341.45 feet to an intersection with a line drawn from the Southwest corner of Lot 30 to a point on the Northerly line of said Lot 30, which is 15.4 feet east of the Northwest corner thereof; thence South 83 degrees 57 minutes 02 seconds East, a distance of 300.90 feet to a point on the Southeasterly line of said Lot 32 which is 20.34 feet Northeasterly of the Southwest corner of said Lot 32, said point also being a point on the Northerly right-of-way line of said N. E. 50th Street, as now established; thence South 38 degrees 47 minutes 28 seconds West along the Southeasterly line of Lots 32 and 31 and along said Northerly right-of-way line, a distance of 96.84 feet; thence continuing on said Northerly right-of-way line and along the Southeasterly line of said Lots 31 and 30 on a curve to the right, tangent to the last described course, having a radius of 300 feet and an arc distance of 299.78 feet; thence continuing along said Northerly right-of-way line and along the South line of said Lot 27, North 83 degrees 57 minutes 17 seconds West, a distance of 323.19 feet to the point of beginning. Containing 119,905 square feet or 2.753 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 micro storm drainage study to Development Services for review and acceptance when the final plat is submitted, and that the developer construct any improvements as required by Development Services.
3. That the developer dedicate additional right of way for a primary arterial with a bike lane so as to provide a minimum of 56 feet of right of way as measured from the centerline of Antioch Road prior to recording the final plat as required by the Missouri Department of Transportation.

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4. That the developer secure permits to construct new, repair existing or reconstruct sidewalks, curbs, and gutters, as necessary along all development street frontages, 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.
5. 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.
6. 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.
7. 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.
8. That the developer submit covenants, conditions and restrictions to Development Services for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.
9. That any relocated streetlights be integrated into the existing street light system as required by Development Services.
10. That the developer extend water mains as required by the Water Services Department.
11. That the developer provide fire protection as required by the Fire Department.
12. That the developer submit a final plan to the City Plan Commission 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), recessed or flush mounted canopy lights, 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.
13. That the developer provide a pedestrian right of way access easement for those portions of the sidewalk located just outside of the proposed rights of way as shown on the development plan

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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