

ORDINANCE NO. 030774

Approving an amendment to a previously approved preliminary plan in District C-2-p (Local Retail Business, Limited District) on approximately a 1.8 acre tract of land generally located on the southeast side of N.E. Vivion Road approximately 400 feet east of N.E. Antioch Road (7154-P-3)

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 a 1.8 acre tract of land generally located on the southeast side of N.E. Vivion Road approximately 400 feet east of N.E. Antioch Road, and more specifically described as follows:

All of Lots 53 and 54 and the easterly 50 feet of Lot 55 of Beulmar Acres, an addition in Kansas City, Clay County, Missouri, being more particularly described as follows: Beginning at the northeast corner of said Lot 53 of Beulmar Acres, said point also being on the south right of way line of Vivion Road; thence South $06^{\circ}14'25''$ East, on the east line of said Lot 53 and the extension of a distance of 237.05 feet, to a point on the centerline of vacated Russell Avenue; thence South $76^{\circ}06'12''$ West on said centerline of vacated street, a distance of 270.11 feet; thence South $40^{\circ}19'36''$ West, continuing on said centerline of Russell Avenue, a distance of 52.67 feet; thence North $27^{\circ}32'14''$ West, leaving said centerline of vacated Street, a distance of 215.38 feet, to a point on the south right of way line of Vivion Road; thence North $50^{\circ}07'35''$ East, on said south right of way, a distance of 105.92 feet; thence North $76^{\circ}04'47''$ East, continuing on said right of way line, a distance of 150.00 feet; thence North $64^{\circ}52'04''$ East, continuing on said south right of way line, a distance of 51.00 feet; thence North $76^{\circ}04'47''$ East, continuing on said south right of way line, a distance of 100.00 feet to the point of beginning. Containing 81,132 square feet or 1.86 acres, more or less. Subject to easements, restrictions or reservations or reservations now record.

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, as amended, commonly known as the Subdivision Regulations.
2. That the developer submit a storm drainage study for the entire development to the City Engineer's Office for approval and that the developer make any improvements as required by the City Engineer's Office.

3. 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.
4. 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.
5. That the developer relocate the sanitary sewer so as to remove the building encroachment within the sewer easement limits.
6. That the developer submit a final plan to the City Plan Commission for approval, including detailed information on landscaping, lighting (including a photometric study showing no direct lighting of any right of way), signage (including elevations) and building elevations.

A copy of said amendment is on file in the office of the City Clerk under Document No. 030774, 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:

Assistant City Attorney