

ORDINANCE NO. 060512

Approving an amendment to a previously approved preliminary plan in District CP-2 on approximately a 2.5 acre tract of land generally located at the northeast corner of 39th Street and Kensington Avenue. (4338-CP-2)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved preliminary plan in District CP-2 (Local Planned Business Center) on approximately a 2.5 acre tract of land generally located at the northeast corner of 39th Street and Kensington Avenue, and more specifically described as follows:

All of Lots 1 through 15, inclusive, and the west half of vacated Cypress Avenue lying east of and adjacent to Lots 1 through 4 and Lot 9, all being in Robert Allen Addition, a subdivision in the City of Kansas City, Jackson County, Missouri, and also the south 76 feet of the north 317.04 feet of the east 304.35 feet of Lot 12, Thomas B. Thomas Estate Commissioner's Plat, a subdivision in the City of Kansas City, Jackson County, Missouri.

is hereby approved, subject to the following conditions:

1. 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 Development Services prior to approval and issuance of any building permits, and that the developer construct any improvements as required by Development Services.
2. That the developer dedicate additional right of way by separate document for a secondary arterial as required by Development Services so as to provide a minimum of 40 feet of right of way as measured from the centerline of 39th Street.
3. That the developer dedicate additional right of way by separate document for a collector street as required by Development Services so as to provide a total of 30 feet of right of way as measured from the centerline of Kensington Avenue.
4. That the developer shall subordinate to the City all private interest in the area of any right-of-way dedication as required by Development Services, and that the developer shall be responsible for all costs associated with subordination activities.

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5. That the developer submit plans for grading, siltation, and erosion control to Development Services for approval 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 exceeds one acre.
7. That the developer obtain permission for encroachment of the entrance sign within the right-of-way as required by Development Services, or receive a setback variance, if necessary, prior to issuance of building permits.
8. That the developer provide for fire protection as required by the Fire Department.
9. That the developer submit a final plan for review by the City Plan Commission including detailed information on landscaping and signage (including elevations).

A copy of said amendment 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 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