

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 160491

Approving an amendment to a previously approved URD Plan in District UR (Urban Redevelopment) on approximately 63 acres generally bounded by I-70 on the north, Blue Ridge Boulevard on the east, E. 43rd Street on the south and 750 feet west of Sterling Avenue on the west, to allow for the existing Wal-Mart store and a new gas station. (12884-UR-2)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved URD Plan in District UR (Urban Redevelopment), on approximately 63 acres generally bounded by I-70 on the north, Blue Ridge Boulevard on the east, E. 43rd Street on the south and 750 feet west of Sterling Avenue on the west, to allow for the existing Wal-Mart store and a new gas station, and more specially described as follows:

All that part of Lots 6, 7, 8, 9, 14 and 15, Ott's Plat, a subdivision of land in the Cities of Kansas City and Independence, all in Jackson County, Missouri, according to the recorded plat thereof, together with a portion of the Southwest Quarter of the Southeast Quarter of Section 21, Township 49, Range 32, the parcel of land to be herein described lies wholly within said city of Kansas City, being more particularly described as follows:

All that part of Lot 1, Sterling Square, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; and

Beginning at the point of intersection of the Westerly right-of-way line of Sterling Avenue with the Northerly right-of-way line of 43rd Street, as said Avenue and Street are now both established; thence North 90 degrees 00 minutes 00 seconds West along the Northerly right-of-way line of said 43rd Street, along a line 20 feet North of and parallel with the Southerly line of said Quarter, Quarter Section, a distance of 738.93 feet to a point of intersection with the Southerly extension of the Easterly line of Sterling Square, a subdivision of land in said City, County and State, according to the recorded plat thereof; thence North 1 degree 22 minutes 56 seconds West (N.1 degree 58 minutes 51 seconds E., Plat) along the Easterly line of said Sterling Square and its Southerly extension, said line being parallel with the Westerly line of said Quarter, Quarter Section, a distance of 914.11 feet to a point on the Southerly right-of-way line of U.S. Interstate Highway Route No. 70, as now established; thence Southeasterly and Easterly along said Southerly right-of-way line, the following courses and distances; thence South 58 degrees 15 minutes 23 seconds East, 504.80 feet, more or less to a point 500 feet South of the survey centerline of said U.S. Interstate Highway Route No. 70 at Station 448+36.97; thence South 74 degrees 49 minutes 14 seconds East, 167.61 feet, more or less to a point 545 feet South of said survey centerline at Station 449+98.43; thence North 89 degrees 36 minutes 21 seconds East, 137.22 feet, more or less to

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 160491

a point 545 feet South of said survey centerline at Station 451+35.85; thence South 43 degrees 07 minutes 39 seconds East, 27.23 feet, more or less to a point on the Westerly right-of-way line of said Sterling Avenue, said point being 50 feet West of the Easterly line of said Quarter, Quarter Section, as measured perpendicular thereto; thence North 1 degree 22 minutes 43 seconds West along the Northerly Extension of the Westerly right-of-way line of said Sterling Avenue, along a line 50 feet West of and parallel with the Easterly line of said Quarter, Quarter Section, a distance of 438.30 feet, more or less to a point on the Westerly extension of the Southerly right-of-way line of U.S. Interstate Highway Route No. 70, as now established; thence North 88 degrees 42 minutes 04 seconds East along the Westerly extension of said Southerly right-of-way line, a distance of 100 feet, more or less to the point of intersection of the Easterly right-of-way line of Sterling Avenue, said point being 50 feet East of the Westerly line of the Southeast Quarter of the Southeast Quarter of said Section 21, Township 49, Range 32; thence continuing North 88 degrees 42 minutes 04 seconds East along the Southerly right-of-way line of said U.S. Interstate Highway Route No. 70, a distance of 829.69 feet more or less to a point 112.09 feet South of the survey centerline of said U.S. Interstate Highway Route No. 70 at Station 460+76.17; thence South 82 degrees 11 minutes 30 seconds East along the Southerly right-of-way line of said U.S. Interstate Highway Route No. 70, a distance of 127.63 feet, more or less to a point of intersection with the Northeasterly city limits line said Kansas City, being also the Southwesterly city limits line of said Independence, said city limits line being established 300 feet Southwesterly of and concentric with the survey centerline of U.S. Highway Route No. 40, as now established; thence Southeasterly along the city limits line between said Kansas City and said Independence the following courses and distances; thence Southeasterly along a curve to the left, having an initial tangent bearing of South 54 degrees 12 minutes 17 East, a radius of 4,119.72 and a central angle of 15 degrees 59 minutes 50 seconds, an arc length of 1,150.23 feet; thence South 70 degrees 12 minutes 07 seconds East, tangent to the last described curve, a distance of 495.35 feet, more or less to a point on the Southwesterly right-of-way line of Blue Ridge Spur as now established 40 feet Southwesterly of the survey centerline of said Blue Ridge Spur; thence Southeasterly along the Southwesterly right-of-way line of said Blue Ridge Spur, along a curve to the right, having an initial tangent bearing of South 25 degrees 43 minutes 27 seconds East, a radius of 915.37 feet and a central angle of 0 degrees 10 minutes 22 seconds, an arc length of 2.76 feet more or less to a point on the Northerly line of the Corrected Plat of Vineyard Heights, a subdivision in said Kansas City, Jackson County, Missouri, according to the recorded plat thereof; thence South 89 degrees 21 minutes 44 seconds West along the Northerly line of said Corrected Plat of Vineyard Heights, a distance of 684.80 feet to the Northwest corner thereof; thence South 0 degrees 38 minutes 16 seconds East along the Westerly line of said plat,

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 160491

perpendicular to the last described course, a distance of 309.80 feet to the Southwest corner of said plat, being also a point on the Northerly right of way line of said 43rd Street, said point being 20 feet North of the Southerly line of the Southwest Quarter of Section 22, Township 49, Range 32 as measured perpendicular thereto; thence Westerly along the Northerly right-of-way line of said 43rd Street, the following courses and distances; thence South 89 degrees 21 minutes 44 seconds West, along a line 20 feet North of and parallel with the Southerly line of said Southwest Quarter, a distance of 460.35 feet to a point on the Westerly line of said Southwest Quarter, being also a point on the Easterly line of the Southeast Quarter of Section 21 Township 49, Range 32; thence North 89 degrees 59 minutes 45 seconds West, along a line 20 feet North of and parallel with the Southerly line of said Southeast Quarter, a distance of 536.08 feet; thence North 80 degrees 56 minutes 24 seconds West, 127.07 feet to a point 40 feet North of the Southerly line of said Southeast Quarter; thence North 89 degrees 59 minutes 45 seconds West, along a line 40 feet North of and parallel with the Southerly line of said Southeast Quarter, a distance of 609.99 feet to the point of intersection with the Easterly right-of-way line of Sterling Avenue, said point being 50 feet East of the Westerly line of the Southeast Quarter of the Southeast Quarter of said Section 21, Township 49, Range 32; thence South 88 degrees 37 minutes 17 seconds West along a line drawn perpendicular to the Westerly line of said Quarter, Quarter Section, a distance of 100 feet to a point on the Westerly right-of-way line of Sterling Avenue, said point being 50 feet West of the Easterly line of the Southwest Quarter of the Southeast Quarter of said Section 21, Township 49, Range 32; thence South 1 degree 22 minutes 43 seconds East along the Westerly right-of-way line of said Sterling Avenue, along a line 50 feet West of and parallel with the Easterly line of said Quarter, Quarter Section, a distance of 17.59 feet to the Point of Beginning. Containing 62.731 acres, more or less.

is hereby approved, subject to the following conditions:

1. Conditions of Committee Substitute Ordinance No. 050078 passed by City Council on February 24, 2005, remain effective for this UR development.
2. The final plat shall be approved by the City of Independence, Missouri prior to Mylar approval by the City of Kansas City, Missouri.
3. The developer shall submit a final plan to the Director of City Planning and Development for approval, indicating plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero footcandles at the property lines prior to issuance of a building permit. The final UR plans should incorporate the Blue Ridge Crossing design guidelines as it relates to building and canopy materials.

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 160491

4. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
5. The developer shall submit a storm drainage analysis from a Missouri licensed civil engineer to the Land Development Division, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and the developer shall secure permits to construct any improvements as required by the Land Development Division prior to issuance of any certificate of occupancy.
6. The developer must pay impact fees as required by Chapter 39 of the City's Code of Ordinances as required by the Land Development Division.
7. The owner/developer must submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
8. The developer must secure permits to extend sanitary sewer systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.
9. The developer must grant a BMP Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
10. The developer shall rectify any conflict with existing and proposed sewer lines as required by the Water Services Department. (Contact Matt Thomas @ 513-0306 with the WSD for information.)

A copy of said development plan 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.

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 160491

I hereby certify that as required by Chapter 88, 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