



File #: 230081

ORDINANCE NO. 230081

Approving a major amendment to an approved development plan in District R-1.5 on about 20.6 acres generally located at Emanuel Cleaver II Boulevard and E. 46th Street to add new fencing and the construction of a new parking area. (CD-CPC-2022-00192)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District R-1.5 (Residential 1.5) on about 20.6 acres generally located at Emanuel Cleaver II Boulevard and E. 46th Street, and more specifically described as follows:

These two tracts are a subdivision and survey of all that part of the Southeast 1/4 of the Northwest 1/4 of Section 28, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Commencing at the intersection of the east right-of-way line of The Paseo with the north right-of-way line of Brush Creek Parkway, as said streets are now established; thence North 2-33-34" East along said east right-of-way line, a distance of 630.00 feet to the true point of beginning of the tract to be herein described; thence South 87-26-26" East, at right angles to said east right-of-way line, a distance of 100.00 feet; thence South 2-33-34" West, parallel to said right-of-way line, a distance of 117.34 feet to a point on the north right-of-way line of 46th Street, as now established; thence South 87-26-26" East, along said north line, a distance of 153.00 feet; thence easterly and northeasterly continuing along said north line along a curve to the left, tangent to the last described course, having a radius of 330.00 feet and a central angle of 33-24-00", an arc distance of 192.37 feet; thence North 59-09-34" East, continuing along said north line, a distance of 218.00 feet; thence northeasterly, easterly and southeasterly, continuing along said north line along a curve to the right, tangent to the last described course, having a radius of 255.00 feet and a central angle of 90-00-00", an arc distance of 400.55 feet; thence South 30-50-26" East, continuing along said northerly right-of-way line, a distance of 171.89 feet to the northerly right-of-way line of said Brush Creek Parkway; thence North 59-24-12" East, along last said northerly line, a distance of 101.52 feet; thence northeasterly, continuing along last said northerly line along a curve to the right, tangent to the last described course, having a radius of 878.00 feet and a central angle of 6-49-53", an arc distance of 104.60 feet to the west right-of-way line of Woodland Avenue, as now established thence North 2-32-00" East, along said west line, a distance of 506.84 feet to the south right-of-way line of 45th Street as now established; thence North 87-18-06" West, along said south

line, a distance of 1240.14 feet to the aforesaid east right-of-way line of The Paseo; thence South 2-33-34" West, along said east line, a distance of 458.43 feet to the point of beginning. Containing 603,658 square feet or 13.858 acres, more or less, and all that part of the Southeast 1/4 of the Northwest 1/4 of Section 28, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Commencing at the intersection of the east right-of-way line of The Paseo with the north right-of-way line of Brush Creek Parkway, as said streets are now established; thence North 2-33-34" East, along said east right-of-way line, a distance of 452.66 feet to a point on the south right-of-way line of 46th Street, as now established; thence South 87-26-26" East, along said south line, a distance of 220.00 feet to the true point of beginning of the tract to be herein described; thence continuing South 87-26"-26" East, along said south line, a distance of 33.00 feet; thence easterly and northeasterly continuing along said south line, along a curve to the left, tangent to the last described course, having a radius of 390.00 feet and a central angle of 33-24-00", an arc distance of 227.35 feet; thence North 59-09-34" East, continuing along said south line, a distance of 218.00 feet; thence northeasterly, easterly, and southeasterly, continuing along said south line, along a curve to the right, tangent to the last described course, having a radius of 195.00 feet and a central angle of 90-00-00", an arc distance of 306.30 feet; thence South 30-50"-26" East, continuing along said southerly right-of-way line, a distance of 171.63 feet to the northerly right-of-way line of said Brush Creek Parkway; thence South 59-24-12" West, along last said northerly line, a distance of 526.88 feet; thence southwesterly and westerly, continuing along said northerly line, along a curve to the right, tangent to the last described course, having a radius of 895.38 feet and a central angle of 24-23-16", an arc distance of 381.12 feet; thence North 2-33-34" East, parallel to the east line of The Paseo, a distance of 437.80 feet, to the point of beginning. Containing 291,398 square feet or 6.90 acres, more or less.

is hereby approved, subject to the following conditions:

1. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
4. All signage shall conform to 88-445 and shall require a sign permit prior to installation.

5. Security gates which span across a fire access road shall provide a means for emergency operation. Electric gates shall require a siren sensor device typically referred to as a "yelp gate." (IFC-2018 § 503.6).
6. All proposed work shall comply with and remain in compliance with the parkway and boulevard standards of 88-323 as Paseo to the west and Emanuel Cleaver II Boulevard to the south are both identified on the major street plan and subject to these standards.
7. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
8. Please do not build fences or any permanent structures over or within a few feet of public Kansas City water mains.

A copy of said residential development plan and preliminary plat is on file in the office of the City Clerk with this ordinance 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 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.



Authenticated as Passed


Quinton Lucas, Mayor


Marilyn Sanders, City Clerk

FEB 02 2023

Date Passed


Secretary, City Plan Commission

Approved as to form:


Sarah Baxter
Senior Associate City Attorney