

# COMMUNITY PROJECT/ZONING

## Ordinance Fact Sheet

**150625**

Ordinance Number

**Brief Title**

Approving the plat of 51 Oak Mixed Use Development First Plat, an addition in Kansas City, Jackson County, Missouri

<p><b>Specific Address</b> Approximately 2.05 acres generally located south of E 51<sup>st</sup> Street between Brookside Boulevard and Oak Street, creating 1 lot.</p>	<p><b>Sponsor</b></p> <p>City Development</p>	
<p><b>Reason for Project</b> This final plat application was initiated by Vantrust Real Estate, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a multilevel structure containing a grocery store, retail sales, offices, residential uses and parking.)</p>	<p><b>Programs, Departments, or Groups Affected</b></p> <p>City-Wide</p> <p>Council District(s) 4 (JA)</p> <p>Other districts (school, etc.) Kansas City</p>	
<p><b>Discussion</b> This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p> <p><b>Case No. 14555-MPD</b> – Ordinance No. 150461, passed June 18, 2015, rezoned about 2.84 acres generally located south of E 51<sup>st</sup> Street between Brookside Boulevard and Oak Street, from District B 3-2 (Community business (dash2)) to District MPD (Master Planned Development) and approved a Development Plan for a multilevel structure containing a grocery store, retail sales, offices, residential uses and parking.</p> <p><b>Case No. 14544-SU</b> – About 1.04 acres generally located at the southeast corner of E 52<sup>nd</sup> Street and Cherry Street, approved a Special Use Permit in District R-6 (Residential 6) for the reuse of an existing Historic Landmark for use as a Club, Lodge or Fraternal Organization. Recommendation of approval by the Board of Zoning Adjustment on April 14, 2015, with conditions, to move the Young Matron’s building from the site.</p>	<p><b>Applicants / Proponents</b></p> <p>Applicant(s) Vantrust Real Estate</p> <p>City Department City Planning and Development</p> <p>Other</p>	
	<p><b>Opponents</b></p> <p>Groups or Individuals None Known</p> <p>Basis of Opposition</p>	
	<p><b>Staff Recommendation</b></p> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</p>	
	<p><b>Board or Commission Recommendation</b></p> <p>By: City Plan Commission</p> <p>July 7, 2015</p> <p><input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> Approval, with conditions</p>	
	<p><b>Council Committee Actions</b></p> <p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</p>	

**Details**

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**Policy / Program Impact**

<b>Policy or Program Change</b>  N/A	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
<b>Operational Impact Assessment</b>  N/A	

**Finances**

<b>Cost &amp; Revenue Projections – Including Indirect Costs</b>  N/A	
<b>Financial Impact</b>  N/A	
<b>Fund Source and Appropriation Account Costs</b>  N/A	
<b>Is it good for the children?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



<b>How will this contribute to a sustainable Kansas City?</b>	<p>This project consists of public and private improvements for a commercial development on a previously developed site. Previous development on this property was composed almost entirely of impervious surfaces, such as buildings and parking areas. The peak rate of storm water discharge and total runoff volume discharging to the public storm sewers will be reduced after re-development. The resumption of use of the property will preserve natural resources, eliminate vagrancy and increase financial resources. As part of the development, an assessment of the existing conditions of the perimeter curb and gutter, sidewalk and drive approaches will be made. If any of these elements are found not in compliance with current City standards, the project is obligated to remove and replace them. The removal and replacement of deteriorating infrastructure will eliminate erosion, discourage further deterioration and improve the overall aesthetics of the site.</p> <p>Written by Brett A. Cox, PE</p>
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**Project Start Date**

**Projected Completion or Occupancy Date**

**Fact Sheet Prepared by:**  
Pam Powell

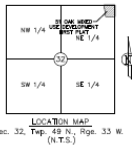
**Date:**  
July 16, 2015

**Reviewed by:**  
Brett A. Cox, PE, Senior Registered Engineer  
Land Development Division (LDD)  
City Planning & Development

**Reference or Case Numbers:**



**FINAL PLAT OF  
51 OAK MIXED USE DEVELOPMENT  
FIRST PLAT**  
NW 1/4, SEC. 32 - Twp. 49 N. - Rge. 33 W.  
KANSAS CITY, JACKSON COUNTY, MISSOURI



**PROPERTY DESCRIPTION:**

A right of land in the Northwest Quarter of Section 32, Township 49 North, Range 33 West of the 6th Principal Meridian in Kansas City, Jackson County, Missouri being bounded and described as follows: Commencing on the Northwest corner of said Northwest Quarter, thence South 02°30'54" West, along the East line of said Northwest Quarter, 467.7 feet; thence South 07°02'00" West, 250.0 feet to the intersection of the West right-of-way line of Oak Street, as now established and the South 84°00'00" West line of Oak Street, as now established; said point also being the Point of Beginning of the tract of land to be here described, thence South 02°32'14" West, 467.7 feet; thence South 07°02'00" West, 250.0 feet; thence South 84°00'00" West, 342.87 feet to a point on said South 84°00'00" West line; thence South 87°04'40" East, along said South 87°04'40" line, 216.00 feet to the Point of Beginning, containing 88,064 square feet or 2.00 acres, more or less.

**PLAT INDICATION:**

The undersigned owners of the above described tract of land have caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall remain in force as

**51 OAK MIXED USE DEVELOPMENT FIRST PLAT**

**CASUALTY INDICATION:**

An easement is hereby granted to Kansas City, Missouri, for the purpose of locating, constructing, operating and maintaining facilities to water, gas, electricity, sewage, telephone, cable tv and parking, drainage, and utilities, including, but not limited to, underground pipes and conduits, and related structures, and other structures, any and all of them, and, more, shall be the duty of the grantee to pay and discharge any assessments (S.E.C.) provided that the easement granted herein is subject to any and all other easements. Any utility located within the designated utility easements, by act of the easement, is hereby conveyed, consent, and agree that they shall be subject to said public right of way in the event their additional public right of way is dedicated over the location of the utility easement. Any other easements are designated for a particular purpose, the easement shall be limited to that purpose only. All of the above easements shall be kept free from any kind of obstruction which would interfere with the installation, reconstruction and proper use and complete maintenance of the intended pipes and conduits, drains and related work shall there be any obstruction to either with the agents and employees of Kansas City, Missouri, and the related utility work, when upon said easement, and in such of the related work to be or reasonably necessary in carrying the rights granted by the easement. No excavation or fill shall be made on any land or corner shall be performed which will reduce or impair the earth coverage over the utility down street or the easement. No excavation or fill shall be made on the Department of Public Works as to utility easements, and/or written approval of the Director of Public Works as to other public easements.

**COVENANT AGREEMENT:**

A developer agreement (D.E.) for the purpose of water, sewer, drainage, telephone, gas, electric, cable, and other utility lines, including, but not limited to, underground pipes and conduits, and related structures, and other structures, any and all of them, and, more, shall be the duty of the grantee to pay and discharge any assessments (S.E.C.) provided that the easement granted herein is subject to any and all other easements. Any utility located within the designated utility easements, by act of the easement, is hereby conveyed, consent, and agree that they shall be subject to said public right of way in the event their additional public right of way is dedicated over the location of the utility easement. Any other easements are designated for a particular purpose, the easement shall be limited to that purpose only. All of the above easements shall be kept free from any kind of obstruction which would interfere with the installation, reconstruction and proper use and complete maintenance of the intended pipes and conduits, drains and related work shall there be any obstruction to either with the agents and employees of Kansas City, Missouri, and the related utility work, when upon said easement, and in such of the related work to be or reasonably necessary in carrying the rights granted by the easement. No excavation or fill shall be made on any land or corner shall be performed which will reduce or impair the earth coverage over the utility down street or the easement. No excavation or fill shall be made on the Department of Public Works as to utility easements, and/or written approval of the Director of Public Works as to other public easements.

**STREET INDICATION:**

Street front shown and not hereinafter dedicated for public use as street right-of-way are hereby dedicated.

**BUILDING LINES:**

Building lines or setback lines are hereby established as shown on the accompanying plat, and no building or portion thereof shall be built between this line and the lot line nearest thereto.

**FLOODPLAIN:**

According to "Flood Insurance Rate Map," Community Panel No. 200733000, map dated September 14, 1992, as published by the Federal Emergency Management Agency, the property lies within Flood Zone "C" (Areas of Minimal Flooding).

**RIGHT OF ENTRANCE:**

The right of access and egress and travel along any street or other ways, the boundaries of the property is hereby granted to Kansas City, Missouri for the purpose of the and police protection, maintenance of water mains, curbs and storm sewer lines, collection of garbage and refuse and to the United States Postal Service for the delivery of mail, provided however, such right of access and egress does not include any obligation to contribute any fee or charge to any public street or drive by act of the easement of the above described tract, unless Kansas City, Missouri, and the United States Postal Service shall incur any liability by act of the easement of such right.

**IN WITNESS WHEREOF:**

The Owners of the University of Missouri, a Missouri corporation licensed to do business in the State of Missouri, has caused these presents to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.  
The Chancellor of the University of Missouri  
a Missouri Corporation

Robert A. Givens Associate Vice Chancellor-Administration

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

It is remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Robert A. Givens, to me personally known, who being by me duly sworn, did say that he is a Notary Public in and for the County and State aforesaid, and that he had signed a Missouri Corporation, and that instrument was signed in full of said corporation and that said Robert A. Givens, administered said instrument to be the act and deed of said corporation.

**IN WITNESS WHEREOF:**

I have hereunto set my hand and affixed my Notary Seal in the state herein first above written.

My Commission Expires \_\_\_\_\_

Notary Public \_\_\_\_\_

CITY PLAT COMMISSION PUBLIC WORKS CITY COUNCIL

Approved \_\_\_\_\_

Sharon M. Johnson, P.E.  
Director of Public Works

This is to certify that the subdivision was approved by the Council of Kansas City, Missouri, by resolution No. \_\_\_\_\_ adopted on \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Signature "Shy" James, Jr.  
Mayor

Jackson County GIS Department

Heidi Sanders  
City Clerk

**SURVEYOR'S NOTES:**

1. Property information referenced this survey was taken from the Commission for Title Insurance Report, issued by First American Title Insurance Company, Commitment No. NCS-058300-8171, Effective March 7, 2014, at 9:30 am.
2. Boundary and feature are based on the Missouri State Plane Coordinate System, NAD 83, West State Plane Missouri Department of Natural Resources statement "S-11" with a grid factor of 0.9999956. All coordinates shown are in meters.

The plat and survey of 51 OAK MIXED USE DEVELOPMENT FIRST PLAT were executed by Lutjen, Inc., 1500 Independence Street with North Kansas City, Missouri 64116.

I HEREBY CERTIFY that the plat of 51 OAK MIXED USE DEVELOPMENT FIRST PLAT subdivision is shown in all detail shown on this plat, which I have personally and that all survey points are located on the corner Missouri National Standard to Property Boundary Survey as conducted by the Missouri Board of Architects, Professional Engineers, Professional Geographers and Landscape Architects and the Missouri Department of Natural Resources. I further certify that I have complied with all applicable regulations, and standards governing the practice of surveying and mapping or subdivisions to the best of my professional knowledge and belief.



April S. McClellan, P.L.S. 0020214092  
May 13, 2015  
Pittsburg, Missouri

Date of Survey	05/13/15
Reviewed By:	JS
Reviewed By:	JS
Checked By:	JS
Large Project	NO
1500 Independence Street Pittsburg, MO 64513 Phone: 417-833-1111 Fax: 417-833-1112 Website: www.lutjen.com	
Sheet No.:	2 of 2

Lutjen, Inc. 1500 Independence Street, Pittsburg, MO 64513