

ORDINANCE NO. 160508

Approving a development plan in District B3-3 (Community Business (formerly GP-3 - Regional Business)) on approximately 32 acres generally located at the southwest corner of N.W. Tiffany Springs Road and N. Ambassador Drive, to allow for a Sam's Club building with a separate fuel station building and eight (8) commercial parcels. (6029-P-34)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District B3-3 (Community Business (formerly GP-3 - Regional Business)) on approximately 32 acres generally located at the southwest corner of N.W. Tiffany Springs Road and N. Ambassador Drive, and more specifically described as follows:

All that part of the Southwest 1/4 of Section 6, Township 51 North, Range 33 West, in Kansas City, Platte County, Missouri, lying West of N. Ambassador Drive, South of NW. Tiffany Springs Road, and North of NW. Skyview Avenue being more particularly described as: Commencing at an aluminum monument at the Northeast corner of the Southwest Quarter of Section 6; thence South 00 degrees 23 minutes 18 seconds West, along the East line of the Southwest Quarter, a distance of 58.74 feet; thence North 89 degrees 36 minutes 42 seconds West, a distance of 108.87 feet to the South right-of-way line of N.W. Tiffany Springs Road and the West right-of-way line of N. Ambassador Drive for the point of beginning; thence following said West right-of-way line, South 43 degrees 44 minutes 58 seconds East, a distance of 42.89 feet; thence South 00 degrees 23 minutes 18 seconds West, a distance of 581.19 feet; thence South 01 degrees 28 minutes 11 seconds West, a distance of 129.59 feet; thence South 05 degrees 26 minutes 27 seconds West, a distance of 173.27 feet; thence South 01 degrees 28 minutes 11 seconds West, a distance of 201.50 feet all along the West right-of-way line of N. Ambassador Drive to the North right-of-way line of N.W. Skyview Avenue; thence following said North right-of-way line, along a curve to the right with an arc length of 56.56 feet, having a radius of 36.00 feet, with a chord bearing of South 46 degrees 28 minutes 41 seconds West and a chord length of 50.92 feet; thence North 88 degrees 30 minutes 50 seconds West, a distance of 170.59 feet; thence along a curve to the right with an arc length of 258.47 feet, having a radius of 454.00 feet, with a chord bearing of North 72 degrees 12 minutes 16 seconds West and a chord length of 254.99 feet; thence North 55 degrees 53 minutes 42 seconds West, a distance of 708.04 feet; thence North 49 degrees 03 minutes 08 seconds West, a distance of 100.72 feet; thence North 55 degrees 53 minutes 42 seconds West, a distance of 209.01 feet; thence South 34 degrees 06 minutes 18 seconds West, a distance of 12.00 feet; thence North 55 degrees 53 minutes 42 seconds West, a distance of 217.01 feet; thence along a curve to the right with an

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arc length of 443.53 feet, having a radius of 454.00 feet, with a chord bearing of North 27 degrees 54 minutes 28 seconds West and a chord length of 426.10 feet; thence along a non-tangent curve to the right, with an arc length of 57.16 feet, having a radius of 36.00 feet, with a chord bearing of North 45 degrees 34 minutes 04 seconds East and a chord length of 51.34 feet all along the North right-of-way line of N.W. Skyview Avenue to the South right-of-way line of N.W. Tiffany Springs Road; thence following said South right-of-way line, South 8 degrees 56 minutes 40 seconds East, a distance of 135.72 feet; thence North 88 degrees 55 minutes 54 seconds East, a distance of 161.89 feet; thence South 88 degrees 56 minutes 40 seconds East, a distance of 951.57 feet; thence South 85 degrees 07 minutes 49 seconds East, a distance of 180.40 feet; thence South 88 degrees 56 minutes 40 seconds East, a distance of 205.36 feet all along the South right-of-way line of N.W. Tiffany Springs Road to the point of beginning. Having an area of 31.224 acres, more or less.

is hereby approved, subject to the following conditions:

1. 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.
2. The developer must submit an update to the macro storm drainage study, including a BMP level of service analysis, to the Land Development Division for review and acceptance for the entire development along with a micro storm drainage study when the final plat infrastructure improvements are submitted, and the developer shall secure permits to construct any improvements as required by the Land Development Division prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
3. The developer must obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
4. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
5. The owner/developer must submit plans for grading, siltation, and erosion control to the Land Development Division for review, acceptance, and

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permitting for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.

6. The owner/developer must secure a site disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
7. The developer must secure permits to extend sanitary and storm water conveyance 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.
8. The developer shall provide a cross-access easement across shared drives and across parking areas between lot access drives and project access drives entering to a public street, including any parking areas that would reasonably be used, as required by the Land Development Division.
9. The developer shall submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, to identify sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies to be modified to ensure they comply with ADA and City adopted sidewalk standards. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages, as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
10. The developer must grant a Noise and Aviation Easement to the City as required by the Land Development Division, prior to recording the plat, unless already granted.
11. The developer shall construct no structure which exceeds the KCIA height zoning restrictions.
12. The developer must grant a Surface Drainage Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.

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13. The developer must grant on City approved forms, BMP Easements to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any building permits or bmp permits, whichever occurs first.
14. The developer must enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
15. The develop shall enter into a cooperative agreement to contribute 25 percent of the cost of installation of traffic signals, not to exceed \$65,000.00 (sixty five thousand U.S. dollars), at the intersection of N.W. Tiffany Springs Road and N. Skyview Avenue, as required by Public Works Department. The traffic signals will be installed at such time that the Public Works Department determines that they are warranted and necessary, and funding is available.
16. The developer shall construct a southbound approach of the east central drive (east signalized drive) at N. Skyview Avenue intersection with two outbound lanes and two inbound lanes separated by a raised median of a minimum 6 foot width and providing a minimum throat length of 180 feet to the first internal driveway connection, as required by the Public Works Department.
17. The developer shall construct a southbound approach of the west central drive (west signalized drive) at N. Skyview Avenue intersection with two outbound lanes and one inbound lane separated by a raised median of a minimum 6 foot width and providing a minimum throat length of 180 feet to the first internal driveway connection, as required by the Public Works Department.
18. The developer shall modify the existing traffic signals at the intersection of N. Skyview Avenue with east central drive (east signalized drive) so as to conform with current design standards including detection, MUTCD, LED street name signs, accessible pedestrian signals, and ADA standards, as required by the Public Works Department.
19. The developer shall modify the existing traffic signals at the intersection of N. Skyview Avenue with west central drive (west signalized drive) so as to conform with current design standards including detection, LED street name signs, MUTCD, accessible pedestrian signals, and ADA standards, as required by the Public Works Department.
20. The developer shall dedicate additional right of way on the west side of N. Ambassador Drive so as to provide for a southbound right-turn lane at the north driveway on N. Ambassador Drive, as shown on the approved

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development plan, as required by the Land Development Division.

21. The developer shall construct a southbound right turn lane of 200 feet storage length with appropriate tapers along N. Ambassador Drive at the north driveway on N. Ambassador Drive as shown on the development plan, as required by the Land Development Division.
22. The developer shall dedicate additional right of way on the west side of N. Ambassador Drive so as to provide for a southbound right-turn lane at the south driveway on N. Ambassador Drive as shown on the approved development plan, as required by the Land Development Division.
23. The developer shall enter into a deferral agreement to construct a southbound right turn lane of 200 feet storage length with appropriate tapers along N. Ambassador Drive at the south driveway on N. Ambassador Drive as shown on the development plan, at such time that any of the outparcels numbered OP1 through OP8 are developed, as required by the Land Development Division.
24. The developer shall apply to the Board of Zoning Adjustment for any and all necessary variances required by this plan.
25. 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.
26. The developer shall extend water mains as required by the Water Services Department.
27. The developer shall provide fire protection as required by the Fire Department.

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.



Authenticated as Passed

Sly James, Mayor

Marilyn Sanders, City Clerk

JUL 14 2016

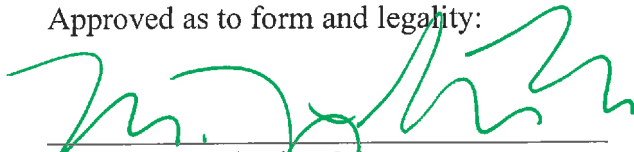
Date Passed

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I hereby certify that as required by Chapter 88, 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