

ORDINANCE NO. 051061

Approving an amendment to a previously approved preliminary development plan in District R-4-p on approximately 36 acres generally located on the north side of 87th Street, approximately 840 feet west of Denver Avenue for the purpose of deleting an approximately 6.1 acre tract of land from said preliminary plan. (6996-P-4).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved preliminary plan in R-4-p (Low Apartment – Limited District) on approximately 36 acres generally located on the north side of 87th Street, approximately 840 feet west of Denver Avenue, and more specifically described as follows:

All that part of the East 1/2 of the Northwest 1/4 of Section 23, Township 48, Range 33, in Kansas City, Jackson County, Missouri, being more particularly described as follows: Commencing at the southeast corner of the Northwest 1/4 of said Section 23; thence North 2 12'33" East along the east line of the Northwest 1/4 of said Section 3, a distance of 40.00 feet, said point being on the north right of way line of 87th Street, as now established; thence North 86 47'59" West along last said north line, a distance of 150.02 feet to the point of beginning of the tract of land to be herein described; thence the following courses along said north right of way line; North 86 47'59" West, a distance of 242.38 feet; thence North 3 12'01" East, a distance of 15.00 feet; thence North 86 47'59" West, a distance of 100.00 feet; thence South 3 12'01" West, a distance of 15.00 feet; thence North 86 47'59" West, a distance of 412.00 feet; thence North 87 13'59" West, a distance of 406.50 feet; thence northwesterly along a curve to the right, tangent to the last described course, having a radius of 286.48 feet, a central angle of 2 35'25", an arc distance of 12.95 feet to a point on the west line of the East 1/2 of the Northwest 1/4 of said Section 23; thence North 2 16'59" East along the west line of the East 1/2 of said 1/4 Section, a distance of 1321.98 feet; thence South 87 00'22" East parallel to the north line of said 1/4 Section, a distance of 1172.09 feet; thence South 2 12'33" West parallel to the east line of said 1/4 Section, a distance of 613.24 feet; thence South 20 44'28" West, a distance of 157.31 feet; thence South 2 12'33" West parallel to the east line of said 1/4 Section, a distance of 300.04 feet; thence South 24 09'21" East, a distance of 112.59 feet; thence South 2 12'33" West parallel to the east line of said 1/4 Section, a distance of 160.03 feet to the point of beginning. Containing 35.067 acres, more or less. Subject to that part in 87th Street as established by Document No. A-427866, in Book B-2944 at page 192.

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for the purpose of deleting therefrom an approximately 6.1 acre tract of land, more specifically described as follows:

That portion of Section 23 in Township 48 North, Range 33 West of the Fifth Principal Meridian, in Kansas City, Jackson County, Missouri, more particularly described as follows: Commencing at the Southwest Corner of the Northwest Quarter of Section 23, Thence South 87°02'45" East along the Southerly line of the Northwest Quarter of Section 23, a distance of 1089.20 feet; thence perpendicular to the last described course and no longer along said Southerly line, North 02°57'15" East, a distance of 80.24 feet to the Point of Beginning, said point being on the proposed Southerly right of way line of 87TH Street; thence along said right of way line, the following courses and distance, more or less; thence on a curve to the left, having an initial tangent bearing of South 81°46'27" East, a radius of 2,365.00 feet and a central angle of 10°58'48", an arc length of 453.22 feet; thence North 87°14'46" East, a distance of 256.00 feet; thence on a curve to the right, having an initial tangent bearing of the last described course, a radius of 2235.00 feet, and a central angle of 20°19'13", an arc length of 792.66 feet; thence South 72°26'02" East, a distance of 256.00 feet; thence on a curve to the left, having an initial tangent bearing of the last described course, a radius of 2,365.00 feet and a central angle of 02°18'22", an arc distance of 95.19 feet to a point on the existing Southerly right of way line of 87TH Street; thence along said Southerly right of way line, the following courses and distances, more or less; thence North 86°57'01" West, a distance of 274.76 feet; thence North 86°36'03" West, a distance of 393.17 feet; thence South 03°23'59" West, a distance of 5.00 feet; thence North 86°36'01" West, a distance of 100.00 feet; thence North 03°23'59" East, a distance of 5.00 feet; thence North 86°36'01" West, a distance of 411.56 feet, thence North 86°59'15" West, a distance of 421.38 feet; thence on a curve to the right, having an initial tangent bearing of the last described course, a radius of 327.94 feet and a central angle of 46°27'58", an arc distance of 140.78 feet to the Point of Beginning contained within:

The E 1/2 of the E 1/2 of the NW 1/4 of Sec. 23, Twp. 48, Rg. 33, and the NW 1/4 of NE 1/4 of NW 1/4 of Sec. 23, Twp. 48, Rg. 33, Jackson County, Kansas City, Missouri; and also;

All of the West 1/2 of the SE 1/4 of the NW 1/4 and all of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 23, Township 48, Range 33 in Kansas City, Jackson County, Missouri.

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so that the remaining tract of land of approximately 30 acres, more specifically described as follows:

E 1/2 of the E 1/2 of the NW 1/4 of Sec. 23, Twp. 48, Rg. 33, and the NW 1/4 of NE 1/4 of NW 1/4 of Sec. 23, Twp. 48, Rg. 33, Jackson County, Kansas City, Missouri; and also;

All of the West 1/2 of the SE 1/4 of the NW 1/4 and all of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 23, Township 48, Range 33 in Kansas City, Jackson County, Missouri.

Less that portion of:

A portion of Section 23, in Township 48 North, Range 33 West of the Fifth Principal Meridian, in Kansas City, Jackson County, Missouri, more particularly described as follows: Commencing at the Southeast Corner of the Northwest Quarter of said Section 23; thence North 87°02'45" West along the South line of said Quarter Section, a distance of 661.95 feet to the Point of Beginning; thence continuing along said South line, North 87°02'45" West, a distance of 661.95 feet to a point on the West line of said Quarter Section; thence North 02°18'50" East along said West line, a distance of 200.30 feet to a point on the proposed Northerly right of way line of 87th street; thence along said right of way line, the following courses and distances more or less; thence on a curve to the left, having an initial tangent bearing of South 87°26'06" East, a radius of 2,235.00 feet and a central angle of 05°19'09", an arc distance of 207.49 feet; thence North 87°14'46" East, a distance of 256.00 feet; thence on a curve to the right, having an initial tangent bearing of the last described course, a radius of 2,365.00 feet and a central angle of 04°50'22", an arc distance of 199.75 feet to a point on the East line of the West half of the Southeast Quarter of the Northwest Quarter of Section 23; thence South 02°16'07" West, a distance of 248.25 feet to the point of beginning, said tract containing 3.4 acres, more or less.

is hereby approved, subject to the following conditions:

1. That the developer cause the area to be platted and processed in accordance with Chapter 66, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Subdivision Regulations.
2. That the developer subordinate to the City all private interest in the area of any right-of-way dedication as required by the City Development Department, and that the developer be responsible for all costs associated with subordination activities.

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3. That the developer submit a macro/micro storm drainage study to the City Engineer's Office for approval for the entire development when the first plat is submitted, and that the developer construct any improvements as required by the City Engineer's Office.
4. That the developer dedicate additional right-of-way for 87th Street, a primary arterial with a bike path, so as to provide a minimum of 56 feet of right-of-way as measured from the centerline of 87th Street.
5. That the developer secure permits to construct or reconstruct existing sidewalks, curb, gutter, storm sewers, and streetlights as necessary along all development street frontages prior to recording the plat.
6. That the developer submit plans for grading and siltation and erosion control to the City Engineer's Office for approval prior to beginning any construction activities.
7. That the developer secure a land disturbance permit from the City Development Department prior to beginning any construction, grading, clearing, or grubbing activities if the disturbed area for the entire development exceeds one acre.
8. That the developer extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by the Department of Public Works.
9. That the developer provide a storm water conveyance system to serve all proposed lots within the development and determine adequacy.
10. That the developer submit covenants, conditions, and restrictions to the Law Department for approval for maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.
11. That the developer provide fire protection as required by the Fire Department.
12. That the developer provide cross-access easements for each final plat.
13. That the developer comply with the Richards-Gebaur Memorial Airport Height Zoning Restrictions and that the requirements for such restrictions be included on final plat.

A copy of said amendment is on file in the office of the City Clerk with this ordinance and is made a part hereof.

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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