

ORDINANCE NO. 051075

Approving an amendment to a previously approved preliminary development plan in District M-1-p on approximately 44 acres generally located on the north side of 87th Street, approximately 720 feet west of Denver Avenue so as to delete approximately 0.6 acre tract of land from said preliminary plan. (6996-P-5).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved preliminary plan in District M-1-p (Light Industry, Limited District) on approximately 44 acres generally located on the north side of 87th Street, approximately 720 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: Beginning at the southeast corner of the Northwest 1/4 of said Section 23; thence North 86 47'59" West, along the south line of said 1/4 Section, a distance of 150.02 feet; thence North 2 12'33" East, parallel to the east line of said 1/4 Section, a distance of 200.03 feet; thence North 24 09'21" West, a distance of 112.59 feet; thence North 2 12'33" East parallel to the east line of said 1/4 Section, a distance of 300.04 feet; thence North 20 44'28" East, a distance of 157.31 feet; thence North 2 12'33" East, parallel to the east line of said 1/4 Section, a distance of 613.24 feet; thence North 87 00'22" West, parallel to the north line of said 1/4 Section, a distance of 1172.09 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 1270.10 feet to the northwest corner thereof; thence South 87 00'22" East along north line of said 1/4 Section, a distance of 1320.47 feet to the northeast corner thereof; thence South 2 12'33" East along the east line of the Northwest 1/4 of said Section 23, a distance of 2634.01 feet to the point of beginning. Containing **43.936 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.

for the purpose of deleting therefrom an approximately 0.6 acre tract of land, more specifically described as follows:

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: Beginning 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 150.01 feet; thence North 02°13'24" East, and no longer along said South line, a distance of 200.02 feet to a point on the proposed Northerly right of way line of 87<sup>th</sup> street; thence along said right of way line, the following courses and

ORDINANCE NO. 051075

distances, more or less; thence on a curve to the right, having an initial tangent bearing of South 75°25'21" East, a radius of 2,365.00 feet and a central angle of 02°59'19", an arc distance of 123.36 feet; thence South 72°26'02" East, a distance of 31.36 feet; thence South 02°13'14" West, and no longer along said Northerly right of way line, a distance of 164.11 feet to the point of beginning, said tract containing 0.6 acres, more or less. Subject to that part in (Existing) 87<sup>th</sup> Street, as established by Document No. A-427866 in Book B-2944 at page 192.

so that the remaining tract of land of approximately 43.6 acres, more specifically described as follows:

All that part of the East ½ of the Northwest ¼ of Section 23, Township 48, Range 33, in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning at the southeast corner of the Northwest ¼ of said Section 23, thence North 86°47'59" West, along the south line of said ¼ Section, a distance of 150.02 feet, thence North 2°12'33" East, parallel to the east line of said ¼ Section, a distance of 200.03 feet, thence North 24°09'21" West, a distance of 112.59 feet, thence North 2°12'33" East parallel to the east line of said ¼ Section, a distance of 300.04 feet; thence North 20°44'28" East, a distance of 157.31 feet; thence North 2°12'33" East, parallel to the east line of said ¼ Section, a distance of 613.24 feet; thence North 87°00'22" West, parallel to the north line of said ¼ Section, a distance of 1172.09 feet to a point on the west line of the east ½ of the Northwest ¼ of said Section 23, thence North 2°16'59" East along the west line of the East ½ of said ¼ Section, a distance of 1270.10 feet to the northwest corner thereof, thence South 87°00'22" East along north line of said ¼ Section, a distance of 1320.47 feet to the northeast corner thereof thence South 2°12'33" east along the east line of the Northwest ¼ of said Section 23, a distance of 2634.01 feet to the point of beginning. Containing 43.936 acres, more or less. Subject to that part in 87<sup>th</sup> Street, as established by Document No. A-427866 in Book B-2944 at page 192;

Subject to and excluding a tract of land, south of the proposed northerly right of way line of 87<sup>th</sup> Street, more particularly described as follows: A portion of Section 23, in Township 48 North, Range 33 West of the Fifth Principal Meridian, in Kansas City, Jackson County, Missouri; Beginning 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 150.01 feet; thence North 02°13'24" East, and no longer along said South line, a distance of 200.02 feet to a point on the proposed Northerly right of way line of 87<sup>th</sup> Street; thence along said right of way line, the following courses and distances, more or less; thence on a curve to the right, having an initial tangent bearing of South 75° 25'21" east, a radius of 2,365.00 feet and a central angle of 02°59'19", an arc distance of

ORDINANCE NO. 051075

123.36 feet; thence South 72°26'02" East, a distance of 31.36 feet; thence South 02°13'14" West, and no longer along said Northerly right of way line, a distance of 164.11 feet to the point of beginning, said tract containing 0.6 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.
- 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.

ORDINANCE NO. 051075

- 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.

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.

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I hereby certify that as required by Chapter 80, 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