

ORDINANCE NO. 080023

Approving an amendment to a previously approved preliminary plan in District URD on approximately a 147.65 acre tract of land generally located on the south side of 63rd Street, west of Winchester Avenue, and the northeast corner of 65th Court and Winchester Avenue. (7762-URD-12)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved preliminary plan in District URD (Urban Redevelopment District) on approximately a 147.65 acre tract of land generally located on the south side of 63rd Street, west of Winchester Avenue, and the northeast corner of 65th Court and Winchester Avenue, and more specifically described as follows:

All that part of Section 1, Township 48, Range 33, in Kansas City, Jackson County, Missouri, including all of Lots 1 through 11, Ever's Place, a subdivision, according to the recorded plat thereof and all of Lots 1, 2, 3, & 4, SWOPE ACRES, a subdivision, according to the recorded plat thereof, and Lot 13 and that part of Lots 11 and 12, Swope Park Ridge, subdivision, according to the recorded plat thereof, and all of Tract 3, Winchester Office Center, a subdivision according to the recorded plat thereof, together with all or parts of public ways within or adjoining said subdivisions, being more particularly described as follows: Commencing at a point on the East line of the Southwest Quarter of the Northeast Quarter of said Section 1, which is 250 feet North of the Southeast corner thereof, thence East, parallel with the South line of said Northeast Quarter, a distance of 5.40 feet to a point on the West right-of-way line of Winchester Avenue, as now established and the Point of Beginning of the parcel of land to be herein described; thence generally Southerly along said West right-of-way line, a distance of 1,894.79 feet, more or less to a point of intersection of the Westerly right-of-way line of said Winchester Avenue with the North right-of-way line of 66th. Street, as now established, being also the Southeast corner of Lot 13 of said Swope Park Ridge; thence West along said North right-of-way line and along the South line of said Lots 13, 14, and 15, a distance of 317.31 feet, more or less to the Southwest corner of the East Half of said Lot 15; thence North along the West line of said East Half, a distance of 246.82 feet to a point on the North line of said Lot 15; thence West along the North line of Lots 15 through 24 of said Swope Park Ridge and along the South line of Lots 7, 8, 9, 10 and 11 of said Ever's Place, a distance of 950.2 feet, more or less to the Southwest corner of said Lot 11 and a point on the East right-of-way line of Bennington Avenue, as now established; thence North along said East right-of-way line and along the West line of said Lot 11, its Northerly prolongation and along the West line of lot 1 of said Ever's Place, 382.3 feet, more or less to the Northwest corner of said Lot 1;

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thence continuing North along said East right-of-way line, a distance of 682.6 feet, more or less to a point on the Easterly prolongation of the North right-of-way line of 64th Street, as now established; thence West along said Easterly prolongation and along said North right-of-way line and along the South line of Lots 1, 2, 3 and 4, of said Swope Acres, a distance of 801 feet, more or less to an angle point therein; thence Northwesterly along the North right-of-way line of said 64th Street and along the Southwesterly line of said Lot 4, 194.5 feet, more or less to an angle point therein; thence West along said North right-of-way line and along the South line of said Lot 4, a distance of 78.2 feet, more or less to the Southwest corner of said Lot 4; thence North along the West line of said Lot 4, a distance of 486.8 feet, more or less, to a point on the South line of the Northwest Quarter of said Section 1; thence continuing North along said West line and its Northerly prolongation, a distance of 65.3 feet, more or less to a point; thence West and parallel with the South line of said Quarter Section, a distance of 362.7 feet, more or less, to a point on the East line of the Southwest Quarter of the Northwest Quarter of said Section 1; thence South along said East line, a distance of 65.3 feet, more or less to the Southeast corner of said Quarter-Quarter Section; thence West and along the South line of said Quarter-Quarter Section, a distance of 389.4 feet, more or less to a point on the East right-of-way line of the Kansas City Southern Railway Company; thence Northerly along said East right-of-way line, a distance of 1562.84 feet, more or less, to a point on the Southerly right-of-way line of 63rd Street Trafficway, as now established; thence Southeasterly along said Southerly right-of-way line, a distance of 2793.58 feet, more or less, to a point of intersection with the West right-of-way line of said Winchester Avenue; thence Southeasterly along the Southwesterly right-of-way line of said Winchester Avenue, a distance of 941.82 feet, more or less, to the point of beginning.

Also, all of Tract 3 of said Winchester Office Center, being more particularly described as follows: Beginning at the most North Northwest corner of said Tract 3, being also a point on the East right-of-way line of Winchester Avenue, as now established; thence the following courses and distances along the Northeasterly line of said Tract; thence South $52^{\circ} 14'39''$ East, 103.38 feet; thence South $37^{\circ} 45'21''$ West, 5 feet; thence South $52^{\circ} 14'39''$ East, 351 feet; thence Southeasterly along a curve to the right, tangent to the last described course, having a radius of 1,111 feet and a central angle of $6^{\circ} 33'18''$, an arc distance of 127.14 feet to a point on the East line of said Tract 3, being also a point on the West right-of-way line on U.S. Interstate Highway Route No. 435, as now established; thence the following courses and distances along said East line and along said West right-of-way line; thence South $2^{\circ} 12'01''$ West, 100.95 feet; thence South $87^{\circ} 47'59''$ East, 60 feet; thence South $2^{\circ} 12'01''$ West, 509.92 feet to the Southeast corner of said Tract 3; thence North $81^{\circ} 21'26''$ West along the South line of said Tract 3, a distance of 343.94 feet

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to the Southwest corner thereof; thence the following courses and distances along the Southwesterly line of said Tract 3, being also the Northeasterly right-of-way line of 65th. Court, as now established; thence Northerly and Northwesterly along a curve to the left, having an initial tangent bearing of North 8°, 38'34" East, a radius of 375 feet and a central angle of 74° 18'34" an arc distance of 486.35 feet; thence North 65° 40'00" West, tangent to the last described curve, a distance of 87.82 feet; thence Northwesterly, Northerly and Northeasterly along a curve to the right, tangent to the last described course, having a radius of 15 feet and a central angle of 89° 49'24", an arc distance of 23.52 feet to a point on the Westerly line of said Tract 3, being also a point on the Easterly right-of-way line of said Winchester Avenue; thence Northeasterly along said Westerly line and along said Easterly right-of-way line the following courses and distances; thence Northeasterly along a curve to the left, having a common tangent with the last described curve, a radius of 3,230 feet and a central angle of 6° 16'50", an arc distance of 354.07 feet to a point of compound curvature; thence continuing Northeasterly and Northerly along a curve to the left, having a common tangent with the last described curve, a radius of 630 feet and a central angle of 13° 13'12", an arc distance of 145.36 feet to the Point of Beginning. Containing an overall acreage of 147.65 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 improve all of Bennington Avenue to residential street standards as required by Development Services.
3. That the developer improve the north one-half of 64th Street to residential street standards as required by Development Services.
4. That the developer enter into a deferral agreement whereby the developer agrees to improve the north half of 66th Street to residential street standards at such time as improvements to the south half or the balance of the street to the west are made as required by Development Services.
5. That the developer submit a new or updated macro storm drainage study, prepared in accordance with the current standards, for the overall development to address the development amendments along with a detailed micro study for review and acceptance prior to clearance of the next plat and make necessary improvements as required by Development Services.

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6. That the developer submit plans for grading and siltation and erosion control to Development Services for approval prior to beginning any construction activities.
7. That the developer extend water mains as required by the Water Services Department.
8. That the developer extend sanitary sewers as required by Development Services.
9. That the developer obtain the grading consents, and all grading, temporary construction and drainage/sewer easements from the abutting property owner prior to submitting any public improvements.
10. That the developer secure permits to repair existing or reconstruct, sidewalks, curbs, gutters, storm sewers, and streetlights as necessary along all development street frontages, or submit a letter from a Missouri licensed civil engineer stating that the sidewalks, curbs, and gutters are in a good state of repair and meet the requirements set forth in Chapters 56 and 64, Code of Ordinances, as required by Development Services, prior to recording the plat.
11. That the developer secure a site disturbance permit from Development Services prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more.
12. That the developer obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
13. That the limits of the 100-year floodplain and the lowest opening or elevation or Minimum Low Opening (MLO) of any structure on each lot that abuts a 100-year floodplain area be shown on the final plat.
14. That the developer grant a Surface Drainage Easement to the City as required by Development Services.
15. That the developer grant a BMP Easement to the City as required by Development Services.
16. That the developer submit covenants, conditions and restrictions to Development Services for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.

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17. That the developer submit a final URD site plan to the Director of the Department of City Development for approval for each phase prior to the issuance of a building permit. The site plans shall include: development plan information; property uses; setback distances; lighting (including a photometric study showing no direct illumination of any right of way or adjacent residential property); landscaping (with adequate area for planting of trees and shrubs within the parking lots and on-site canopy shade trees along public street frontages an average of 50 feet on center); signage (including elevations); and building elevations.

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.

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