

# COMMUNITY PROJECT/ZONING

## Ordinance Fact Sheet

**140300**

Ordinance Number

**Brief Title**

Approving the plat of Oak Point Redevelopment Elmwood Housing Project, an addition in Kansas City, Jackson County, Missouri

<b>Specific Address</b> Approximately 3.2 acres generally located on the west side of Elmwood Avenue between E. 38 <sup>th</sup> Street and E. 39 <sup>th</sup> Street, creating 3 residential tracts for 20 duplex units.	<b>Sponsor</b> City Development
<b>Reason for Project</b> This final plat application was initiated by the Industrial Development Authority of the City of Kansas City, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct 20 residential duplex units.)	<b>Programs, Departments, or Groups Affected</b> City-Wide Council District(s) 3 (JA) Other districts (school, etc.) Kansas City
<b>Discussion</b> This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This ordinance was not introduced 9 days after City Plan Commission approval to allow the development plan, which also serves as a preliminary plat, to be approved by Council. This plat can be added to the consent agenda.  <b>Case No. 606-S</b> – Ord. No. 040329, passed April 15, 2004, approved a General Development Plan for the Oak Pointe Redevelopment Planning Area (PIEA) for an area of approximately 8.4 acres generally bounded by 38th Street on the north, 39th Street on the south, Elmwood Avenue on the east and Kensington Avenue on the west, declaring the area included in such plan to be a blighted, insanitary or undeveloped industrial area and its redevelopment necessary, and approving the ad valorem tax benefits.  <b>Case No. 14422-P</b> - About 3.42 acres generally located on the west side of Elmwood Avenue between E 38 <sup>th</sup> Street on the north and E 39 <sup>th</sup> Street on the south, to consider the approval of a Development Plan which also serves as a preliminary plat, containing five Tracts for 10 structures (20 duplex units) and a public street, in District R-1.5 (Residential 1.5). Ordinance No. 140194 was passed by Council on March 27, 2014.	<b>Applicants / Proponents</b> Applicant(s) Industrial Development Authority of the City of Kansas City  City Department City Planning and Development  Other  <b>Opponents</b> Groups or Individuals None Known  Basis of Opposition  <b>Staff Recommendation</b> <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:  <b>Board or Commission Recommendation</b> By: City Plan Commission December 17, 2013  <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> Approval, with conditions  <b>Council Committee Actions</b> <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

Details

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

	<p><b>How will this contribute to a sustainable Kansas City?</b></p>	<p>This project consists of public and private improvements for a residential development. Surface runoff will be conveyed in designed surface drainage swales as much as possible to allow infiltration and in designed existing and new enclosed storm sewer system. The increase in stormwater run-off volume and water quality will be mitigated and achieved by installation of various types of BMP's. A stormwater detention facility will assure that the pre-development peak discharge rate will not be exceeded after development of the site. Common green space areas will be privately maintained. Modern and safe streets will be constructed. New sanitary sewers will be built that minimize infiltration and inflow. Pedestrian friendly sidewalks and streetlights will also be constructed. Homeowners must adhere to the codes, covenants and restrictions prepared for the project to assure ongoing appreciation of their properties.</p> <p>Written by Tom Nguyen, P.E.</p>
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**Project Start Date**

**Projected Completion or Occupancy Date**

**Fact Sheet Prepared by:**  
Pam Powell

**Date:**  
April 11, 2014

**Reviewed by:**  
Tom Nguyen, P.E.  
Plan Review Supervisor  
Land Development Division (LDD)  
City Planning & Development

**Reference or Case Numbers:**

PLAT DEDICATION: THE UNDERSIGNED PROPRIETOR TO THE WITHIN DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE REDEVELOPED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SUBDIVISION SHALL BE KNOWN AS "OAK POINT REDEVELOPMENT ELMWOOD HOUSING PROJECT".

BASIS OF BEARINGS: THE BEARING SYSTEM USED IS MISSOURI STATE PLANE WEST ZONE, NAD83 GRID BEARING BASED ON GPS OBSERVATIONS.

STREET DEDICATION: STREETS SHOWN HEREON AND NOT HEREON DEDICATED FOR PUBLIC USE AS STREET RIGHT-OF-WAY ARE HEREBY DEDICATED.

RIGHT OF ENTRANCE: THE RIGHT OF ENTRANCE AND EGRESS IN TRAVEL ALONG ANY STREET OR DRIVE WITHIN THE BOUNDARIES OF THE PROPERTY IS HEREBY GRANTED TO KANSAS CITY, MISSOURI, FOR THE PURPOSE OF FIRE AND POLICE PROTECTION, MAINTENANCE OF WATER MAIN, SANITARY 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 INGRESS AND EGRESS DOES NOT INCLUDE ANY OBLIGATION TO CONTRIBUTE FOR ANY DAMAGE TO ANY PRIVATE STREET OR DRIVE BY VIRTUE OF THE EXERCISE OF THE RIGHTS STATED HEREIN AND SPECIFICALLY, NEITHER KANSAS CITY, MISSOURI NOR THE U.S. POSTAL SERVICE SHALL INCUR ANY LIABILITY BY VIRTUE OF THE EXERCISE OF SUCH RIGHTS.

MAINTENANCE OF TRACTS: TRACT "A" (0.30 ACRES MORE OR LESS), TRACT "B" (0.34 ACRES MORE OR LESS), AND TRACT "C" (1.14 ACRES MORE OR LESS) SHALL BE USED FOR RESIDENTIAL HOUSING AND SHALL BE MAINTAINED BY OAK POINT REDEVELOPMENT, L.P. TRACT "D" (0.17 ACRES MORE OR LESS) SHALL BE USED AS STORM WATER DETENTION & BMP AND SHALL BE MAINTAINED BY OAK POINT REDEVELOPMENT, L.P.

EASEMENT: AN EASEMENT IS HEREBY GRANTED TO KANSAS CITY, MISSOURI, FOR THE PURPOSE OF LOCATING, CONSTRUCTING, OPERATING, AND MAINTAINING FACILITIES FOR WATER, GAS, ELECTRICITY, SEWAGE, TELEPHONE, CABLE TV AND SURFACE DRAINAGE AND GRADING, INCLUDING, BUT NOT LIMITED TO, UNDERGROUND PIPES AND CONDUITS, PAD MOUNTED TRANSFORMERS, SERVICES, PEDESTALS, ANY OR ALL OF THEM UPON, OVER, UNDER AND ALONG THE STRIPS OF LAND DESIGNATED UTILITY EASEMENTS (U/E), PROVIDED THAT THE EASEMENT GRANTED HEREIN IS SUBJECT TO ANY AND ALL EXISTING EASEMENTS. ANY UTILITIES LOCATED WITHIN THE DESIGNATED UTILITY EASEMENTS, BY VIRTUE OF THEIR EXISTENCE, DO HEREBY COVENANT, WARRANT, AND AGREE THAT THEY SHALL BE SUBORDINATE TO SAID PUBLIC RIGHT OF WAY IN THE EVENT THAT ADDITIONAL PUBLIC RIGHT OF WAY IS DEDICATED OVER THE LOCATION OF THE UTILITY EASEMENT. WHERE OTHER EASEMENTS ARE DESIGNATED FOR A PARTICULAR PURPOSE, THE USE THEREOF SHALL BE LIMITED TO THAT PURPOSE ONLY. ALL THE ABOVE EASEMENTS SHALL BE KEPT FREE FROM ANY AND ALL OBSTRUCTIONS WHICH WOULD INTERFERE WITH THE CONSTRUCTION OR RECONSTRUCTION AND PROPER, SAFE AND CONTINUOUS MAINTENANCE OF THE APPOINDED USES AND SPECIFICALLY THERE SHALL NOT BE BUILT THEREON OR THERE OVER ANY STRUCTURE (EXCEPT DRIVEWAYS, PAVES AREAS, GRASS, SHRUBS AND FENCES) NOR SHALL THERE BE ANY OBSTRUCTION TO INTERFERE WITH THE AGENTS AND EMPLOYEES OF KANSAS CITY, MISSOURI, AND ITS FRANCHISED UTILITIES FROM COMING UPON SAID EASEMENT AND AS MUCH OF THE REASONING LINES AS MAY BE REASONABLY NECESSARY IN EXERCISING THE RIGHTS GRANTED BY THE EASEMENT. NO EXCAVATION OR FILL SHALL BE MADE OR OPERATION OF ANY KIND OR NATURE SHALL BE PERFORMED WHICH WILL REDUCE OR IMPAIR THE CONVEYANCE OF THE UTILITIES ABOVE STATED OR THE APPURTENANCES THEREON WITHOUT A WRITTEN PERMIT FROM THE DEPARTMENT OF PUBLIC WORKS AS TO UTILITY EASEMENTS, AND/OR WRITTEN APPROVAL OF THE DIRECTOR OF WATER SERVICES AS TO WATER MAIN EASEMENT.

FURTHER SUBDIVISION: TRACT A, TRACT B, AND TRACT C ESTABLISHED BY THIS PLAT MAY BE FURTHER SUBDIVIDED BY FLOODPLAIN OF A CONDOMINIUM PLAT OR REPLAT, AS DEFINED IN CHAPTER 86, SUBDIVISIONS, CODE OF ORDINANCES, AND AS DESCRIBED BY THE DEVELOPMENT PLAN APPROVED BY ORDINANCE \_\_\_\_\_ ON \_\_\_\_\_.

FLOODPLAIN: THE SUBJECT PROPERTY IS LOCATED IN "ZONE C" (AREAS OF MINOR FLOODING) ACCORDING TO THE JACKSON COUNTY, MISSOURI FLOOD INSURANCE RATE MAP (FIRM), MAP NUMBER 280723 0100 C, MAP REVISED DATE: SEPTEMBER 14, 1990.

MONEY IN LIEU OF PARKLAND: THE DEVELOPER ELECTS TO PAY \$4,265.33 IN LIEU OF PARKLAND DEDICATION FOR THE 20 DUPLICATION UNITS IN SATISFACTION OF CHAPTER 86-405-17 OF THE ZONING AND DEVELOPMENT CODE.

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 THEREOF.

RESTRICTED ACCESS: NO DIRECT VEHICULAR ACCESS TO ELMWOOD AVENUE FROM TRACT A AND TRACT B IS PERMITTED.

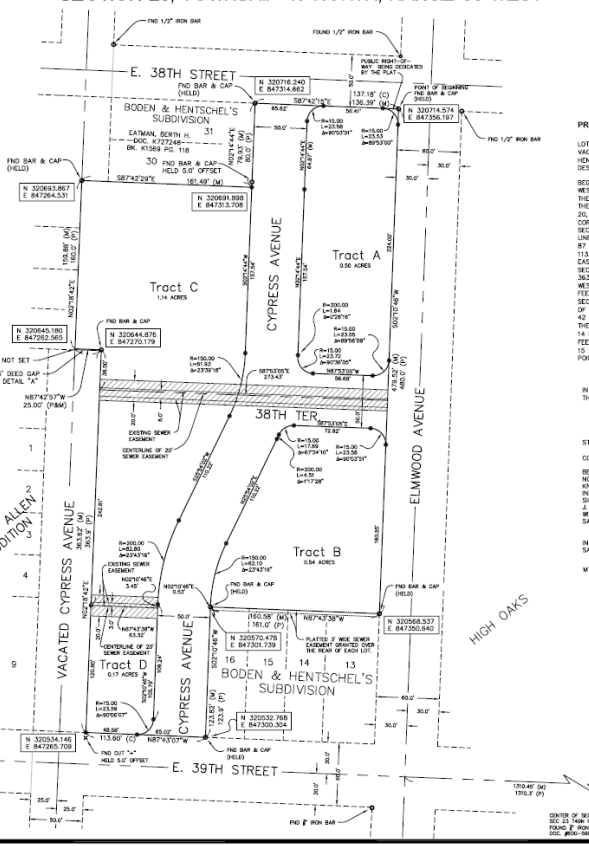
DEVELOPER: OAK POINT PARTNERS, L.P.  
5231 NW 60TH TERRACE  
KANSAS CITY, MISSOURI 64151

LEGEND  
O=FOUND MONUMENT AS SHOWN  
P=1/2" BAR & CAP  
C=CHISELED OR FOUND "X" AS INDICATED  
P=PREPARED PLAT  
C=CALCULATED  
D=DEED  
P=PROPERTY LINE  
C=COTTON PICKER SPOKE  
M=MEASURED  
---PROPERTY LINE  
---ALTERNATE LOT LINE  
---CENTERLINE  
[MISSOURI STATE PLANE COORDINATES, WEST ZONE, NAD 83]  
[COORDINATES ARE IN METERS (METERS TO FEET) X 3.2808333]

CITY PLAN COMMISSION PUBLIC WORKS  
APPROVED: BACETTE MACY, CHAIRMAN  
DAVID M. BROOKLYN, ASSISTANT SECRETARY  
CITY COUNCIL: THIS IS TO CERTIFY THAT THE WITHIN PLAT WAS DULY SUBMITTED TO AND APPROVED BY THE CITY COUNCIL OF KANSAS CITY, MISSOURI BY ORDINANCE NUMBER XXXX, DULY AUTHENTICATED AS PASSED THIS XX DAY OF XXXXXX, 2013.  
SILVESTER "SLY" JAMES JR., MAYOR  
MARILYN SANDERS, CITY CLERK

GRAPHIC SCALE  
1 inch = 40 feet  
1 inch = 40 feet

# FINAL PLAT OF OAK POINT REDEVELOPMENT ELMWOOD HOUSING PROJECT A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI SECTION 23, TOWNSHIP 49 NORTH, RANGE 33 WEST



PROPERTY DESCRIPTION:  
LOTS 1 TO 12, INCLUSIVE, AND ALL OF LOTS 17 TO 26, INCLUSIVE, AND THAT PART OF THE EAST 1/2 OF THE VACATED CYPRESS AVENUE LYING WEST OF AND ADJOINING LOTS 26 TO 29, INCLUSIVE, BODEN AND HENTSCHEL'S SUBDIVISION, A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 2 DEGREES 10 MINUTES 48 SECONDS WEST ALONG THE WESTERN RIGHT-OF-WAY LINE OF ELMWOOD AVENUE, AS NOW ESTABLISHED, 30 FEET FROM THE CENTERLINE THEREOF, 49.85 FEET (PLAT = 49.85 FEET); TO THE SOUTHEAST CORNER OF SAID LOT 12; THENCE NORTH BY DEGREES 43 MINUTES 38 SECONDS WEST ALONG THE SOUTHERLY LINE OF LOTS 12 AND 20, SAID BODEN AND HENTSCHEL'S SUBDIVISION 160.58 FEET (PLAT = 161 FEET); TO THE NORTHEAST CORNER OF LOT 17; SAID BODEN AND HENTSCHEL'S SUBDIVISION; THENCE SOUTH 2 DEGREES 10 MINUTES 48 SECONDS WEST ALONG THE EASTERN LINE OF SAID LOT 17, 123.82 FEET; TO THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 39TH STREET, AS NOW ESTABLISHED, 30 FEET FROM THE CENTERLINE THEREOF; THENCE NORTH BY DEGREES 43 MINUTES 7 SECONDS WEST ALONG SAID NORTHERLY RIGHT-OF-WAY, 113.80 FEET (PLAT = 113.80 FEET); TO THE SOUTHWEST CORNER OF LOT 18, SAID BODEN AND HENTSCHEL'S SUBDIVISION; AND THE EASTERN RIGHT-OF-WAY LINE OF VACATED CYPRESS AVENUE, THENCE NORTH 2 DEGREES 18 MINUTES 42 SECONDS EAST ALONG THE WESTERN LINE OF LOTS 18, 20, SAID BODEN AND HENTSCHEL'S SUBDIVISION 383.62 FEET; TO THE NORTHWEST CORNER OF SAID LOT 29; THENCE N 87 DEGREES 42 MINUTES 57 SECONDS WEST ALONG THE WESTERN PROLONGATION OF LOT 26, SAID BODEN AND HENTSCHEL'S SUBDIVISION, 25.00 FEET TO THE CENTERLINE OF SAID VACATED CYPRESS AVENUE, THENCE NORTH 2 DEGREES 18 MINUTES 42 SECONDS EAST ALONG SAID CENTER LINE, 15.88 FEET (PLAT = 16 FEET); TO THE WESTERN PROLONGATION OF THE NORTHERLY LINE OF LOT 29, SAID BODEN AND HENTSCHEL'S SUBDIVISION, THENCE SOUTH BY DEGREES 42 MINUTES 49 SECONDS EAST, ALONG SAID NORTHERLY LINE AND WESTERN PROLONGATION, 16.48 FEET; TO THE SOUTHWEST CORNER OF LOT 2, SAID BODEN AND HENTSCHEL'S SUBDIVISION, THENCE NORTH 2 DEGREES 14 MINUTES 44 SECONDS EAST, ALONG THE WEST LINE OF SAID LOTS 1 AND 2, 9.38 FEET (PLAT = 40 FEET); TO THE SOUTH RIGHT-OF-WAY LINE OF EAST 38TH STREET; THENCE SOUTH BY DEGREES 42 MINUTES 15 SECONDS EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 138.19 FEET (PLAT = 137.01 FEET); TO THE POINT OF BEGINNING, CONTAINING 138,200 SQUARE FEET OR 3.17 ACRES MORE OR LESS.

IN TESTIMONY WHEREOF, INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF KANSAS CITY, CAUSED THIS INSTRUMENT TO BE EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.  
STATE OF MISSOURI } BY \_\_\_\_\_  
COUNTY OF JACKSON } ALFRED J. FOLEY  
EXECUTIVE DIRECTOR  
BE IT REMEMBERED THAT ON \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, WHO FOR THE COUNTY AND STATE FORESAID, CAME ALFRED J. FOLEY, TO ME, KNOWN PERSONALLY, WHO BEING BY ME DULY SWORN, DO SAY THAT HE IS THE EXECUTIVE DIRECTOR OF INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF KANSAS CITY, AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND SAID ALFRED J. FOLEY ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION, IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIRMED MY NOTARIAL SEAL AT MY OFFICE IN SAID COUNTY AND STATE, THE DAY AND YEAR LAST ABOVE WRITTEN.  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIRMED MY NOTARIAL SEAL AT MY OFFICE IN SAID JACKSON COUNTY, MISSOURI, THE DAY AND YEAR LAST ABOVE WRITTEN.  
MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC

PLAT OF "OAK POINT REDEVELOPMENT ELMWOOD HOUSING PROJECT" SUBDIVISION IS BASED ON AN ACTUAL SURVEY MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS. URBAN PROPERTY AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES. FURTHER STATE THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND STATING OF SUBDIVISIONS TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEFS.

FOR REVIEW  
DATE: \_\_\_\_\_ RORY E. GARD No. L.S. No. 2069  
SUBMITTED 10-28-13  
TALAFERRO & BROWNE, INC.  
CONSULTING ENGINEERS-SURVEYORS  
1808 E. 8TH ST., KANSAS CITY, MO. 64106  
816-283-3466 FAX 816-283-0610

SHEET 1 OF 2

## SHEET 2 OF 2