

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 141041

Approving the preliminary plat of Osler Estates on a 5.6 acre tract of land generally located west of N. Overland Drive and north of N.W. 56th Street in Districts R-7.5 and R-80, creating 2 single family lots. (SD 1493)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That the preliminary plat of Osler Estates on a 5.6 acre tract of land generally located west of N. Overland Drive and north of N.W. 56th Street in Districts R-7.5 (Residential 7.5) and R-80 (Residential 80), and more specifically described as follows:

LOT 1: A tract of land in the Southeast Quarter of Section 30, Township 51 North, Range 33 West, Kansas City, Platte County, Missouri, described as follows: Commencing at the Southeast corner of the Southeast Quarter of said Section 30; thence North 00 degrees 32 minutes 53 seconds East along the East line of said Southeast Quarter of Section 30, 25.00 feet to the North Right-of-Way line of N.W. 58th Street, also the point of beginning; thence continuing North 00 degrees 32 minutes 53 seconds East along the east line of said Southeast Quarter of Section 30, 319.67 feet; thence North 89 degrees 14 minutes 37 seconds West, 376.33 feet; thence South 00 degrees 33 minutes 30 seconds West, 319.64 feet to the north right-of-way line of N.W. 58th Street; thence South 89 degrees 14 minutes 37 seconds East along the north right-of-way line of N.W. 58th Street, 376.42 feet to the point of beginning. Containing 120,270 square feet or 2.76 acres, more or less.

LOT 2: A tract of land in the Southeast Quarter of Section 30, Township 51 North, Range 33 West, Kansas City, Platte County, Missouri, described as follows: Commencing at the Southeast corner of the Southeast Quarter of said Section 30; thence North 00 degrees 32 minutes 53 seconds East along the east line of said Southeast Quarter of Section 30, 344.67 feet to the point of beginning; thence continuing North 00 degrees 32 minutes 53 seconds East along the east line of said Southeast Quarter of Section 30, 154.66 feet; thence northerly along a curve to the right, having an initial tangent bearing of North 32 degrees 59 minutes 49 seconds West and a radius of 330.00 feet, an arc length of 194.23 feet to a point on the south line of "Hills of Walden-Eleventh Plat", a subdivision in Kansas City, Platte County, Missouri; thence North 89 degrees 14 minutes 08 seconds West along said south line, 321.33 feet; thence South 00 degrees 33 minutes 30 seconds West, 337.84 feet; thence North 89 degrees 14 minutes 37 seconds East, 376.33 feet to the east line of said Southeast Quarter of Section 30, also the point of beginning. Containing 120,270 square feet or 2.76 acres, more or less.

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is hereby approved, subject to the following conditions:

1. That the owner/developer cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended.
2. That the owner/developer submit a detailed Micro Storm Drainage Study showing compliance with the approved and most current Macro Study on file with the City and with current adopted standards in effect at the time of submission, including a detailed analysis and design of the permanent water quantity and water quality BMP's, conveyance systems and sewer services, prior to approval and issuance of any building permits to construct improvements on the site; that the developer verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and that the developer construct any other improvements as required by the Land Development Division as necessary to mitigate impacts from rate, volume and quality of runoff from the proposed site.
3. That the owner/developer verify the peak rate of offsite runoff entering the pond on the south side of Lot 2. If that rate equals or exceeds 8.0 cfs, this is a public storm water conveyance system. This would require the existing storm drainage easement to be extended to the discharge point at the pond and that the pond be platted as a separate storm water detention tract with a covenant agreement for maintenance, as determined by the Land Development Division.
4. That the owner/developer 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.
5. That the owner/developer extend the existing public storm drainage easement to the point of discharge and that the discharge area be dedicated as a separate storm water detention tract, if it is determined to meet or exceed the criteria for public storm water discharge, as determined by the Land Development Division.
6. That the owner/developer submit plans for grading, siltation and erosion control to the Land Development Division for approval prior to beginning any construction activities, clearing or grubbing activities, if the disturbed area equals one or more acres during the life of the construction activity.

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7. That the owner/developer 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.
8. That after the City Plan Commission enters its disposition for the preliminary plat, the owner/developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right of way dedications for the planned project without the prior written consent of the Land Development Division.
9. That the owner/developer 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.
10. That the owner/developer verify adequate capacity of the existing sewer system as required by the Land Development Division for the property and address any inadequacies therein prior to issuance of connection authorization and/or issuance of any temporary certificate of occupancy (TCO).
11. That the owner/developer subordinate to the City all private interest in the area of any right of way dedication as required by the Land Development Division and that the developer be responsible for all costs associated with subordination activities now and in the future.
12. That the owner/developer provide a storm water conveyance system to serve all proposed lots within the development and determine adequacy as required by the Land Development Division.
13. That the owner/developer submit covenants, conditions, and restrictions to the Law Department for approval by the City for the maintenance of any private open spaces and any detention areas and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.
14. That the owner/developer provide copies of the executed and recorded Surface Drainage Easements. These easements may be identified with book and page numbers on the plat but they cannot be dedicated by the final plat. Separate documents must be submitted to Development Services.
15. That the developer enter into an unsecured deferral agreement for the N.W. 56th half street improvement along the property frontage as required by the Land Development Division, including curbs, gutters, sidewalks, streetlights, existing roadway section transitions to meet vertical and

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horizontal alignment standards, and relocation of utilities in the amount based on the engineering cost estimate.

16. That the developer pay impact fees as required by Chapter 39 of the City's Code of Ordinances as required by the Land Development Division.
17. That the developer dedicate five feet of additional right of way on the north side of N.W. 56th Street for a total of 30 feet of right of way from the centerline of N.W. 56th Street as required by the Public Works Department.
18. That the developer contribute parkland dedication money at a rate of \$16,815.50 per acre in satisfaction of Section 88-405-17 of the Zoning and Development Code and as anticipated to be as follows:
  - \* 2 SF units x 3.7 persons/unit x 0.006 acres/person = 0.444 acres
  - \* 0.444 acres x \$16,815.50 = \$746.61
19. That the developer submit a street tree planting plan for both N. Overland Drive and N.W. 56th Streets for approval by the Parks and Recreation Department prior to the release of the final plat for recording.
20. That the developer provide fire protection as required by the Fire Marshal's Office, including the provision for siren activated gates.

A copy of the preliminary plat 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 preliminary plat hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

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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.

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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