

ORDINANCE NO. 090653

Approving an amendment to a previously approved development plan in District PD/M-1 on approximately an 8.5 acre tract of land generally located on the north side of E. 63rd Street approximately 800 feet east of Hardesty Avenue. (11077-PD-6)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved development plan in District PD/M-1(Planned District/Light District/Light Industry) on approximately an 8.5 acre tract of land generally located on the north side of E. 63rd Street approximately 800 feet east of Hardesty Avenue, and more specifically described as follows:

All that part of the West Half of the Northwest Quarter of Section 1, Township 48, Range 33 in Kansas City, Jackson County, Missouri, being more particularly described as follows: Commencing at the Northwest corner of the Northwest Quarter of said Section 1; thence along the North line of said Northwest Quarter, South 87 degrees 22 minutes 39 seconds East, 836.59 feet to the point of beginning, said point being on the Easterly Right-of-Way line of the Kansas City Southern Railway Company (75 feet from the centerline thereof); thence continuing along the North line of said Northwest Quarter, South 87 degrees 22 minutes 39 seconds East, 478.00 feet; to a point on the East line of the West Half of said Quarter Section; thence along the East line of said Half of Quarter Section, South 02 degrees 13 minutes 06 seconds West, 962.11 feet; to a point on the northerly right of way line of 63rd Street (40 feet from the centerline thereof); thence along the northerly right of way line of 63rd Street the following courses and distances: North 62 degrees 38 minutes 57 seconds West, 134.73 feet to a point of curve; thence in a northwesterly direction, along a curve to the left (having a radius of 751.63 feet), 137.33 feet; thence North 16 degrees 52 minutes 56 seconds East, 5.00 feet; thence along a curve to the left (having a radius of 756.63 feet and an initial tangent bearing of North 73 degrees 07 minutes 04 seconds West), 106.32 feet; thence South 08 degrees 49 minutes 52 seconds West, 5.00 feet; thence along a curve to the left (having a radius of 774.73 feet and an initial tangent bearing of North 81 degrees 10 minutes 08 seconds West), 14.19 feet to a point on the easterly right of way line of Kansas City Southern Railway Company (100 feet from the centerline thereof); thence along the easterly right of way line of said Railroad the following courses and distances: North 02 degrees 20 minutes 26 seconds East, 95.53 feet; thence North 87 degrees 39 minutes 34 seconds West, 25.00 feet; thence continuing along said easterly right of way line of said Railroad (75 feet from the centerline thereof), in a northerly direction, North 02 degrees 20 minutes 26 seconds East, 132.17 feet to a point of curve; thence in a northerly direction along a curve to the left (having a radius of 1985.08 feet), 417.20 feet, thence North 09 degrees 42 minutes 04 seconds West, 203.00 feet to the point of beginning, containing 8.35 acres more or less

is hereby approved, subject to the following conditions:

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1. That the developer enter into a secured deferral agreement prior to the issuance of a certificate of occupancy for the construction of sidewalks along the north side of 63rd Street at such time as sidewalks are constructed to the east or west or on the south side of 63rd Street.
2. That the developer submit a detailed micro storm drainage study prior to approval and issuance of any building permits, and that the developer construct any improvements as required by Development Services prior to issuance of any certificate of occupancy
3. That the developer submit plans for grading, siltation, and erosion control to Development Services for review, acceptance, and permitting prior to beginning any construction activities.
4. 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, prior to recording the plat.
5. That the developer grant a BMP Easement to the City, as required by Development Services, prior to issuance of any certificate of occupancy.
6. That the developer remove all outdoor storage not being stored on a paved surface, no later than October 1, 2009.
7. That the developer submit a final plan to the City Plan Commission for approval, including plans for grading, landscaping, screening, berming, photometric study (showing zero footcandles at the property line), and building elevation drawings.

A copy of said development plan 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.

Secretary, City Plan Commission

Approved as to form and legality:

M. Margaret Sheahan Moran
Assistant City Attorney