

ORDINANCE NO. 090521

Approving the preliminary plat of Levitt's Resubdivision on a 0.29 acre tract of land generally located at the northwest corner of Main Street and W. 43rd Street. (SD 1407)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That the preliminary plat of Levitt's Resubdivision on a 0.29 acre tract of land generally located at the northwest corner of Main Street and W. 43rd Street, and more specifically described as follows:

This is a resurvey and resubdivision of Lot 15 and the south 33 1/3 feet of Lot 14, except that part taken for street in Amended Plat of Stephens and Smiths Subdivision of the Southwest 1/4 of Section 20, Township 49, Range 33, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

More particularly described as follows: Beginning at the southeast corner of said Lot 15, thence North 87 degrees 27 minutes 08 seconds West along the south line of said Lot 15, said line also being the north right-of-way line of 43rd Street as it now exists, a distance of 130.50 feet, thence North 02 degrees 36 minutes 11 seconds East along the west lines of said Lots 15 and 14, a distance of 95.58 feet, thence South 87 degrees 29 minutes 28 seconds East to a point on the west right-of-way line of Main Street, a distance of 130.50 feet, said point also being on the east line of said Lot 14, thence South 02 degrees 36 minutes 11 seconds West along the west right-of-way line of Main Street, a distance of 95.61' to the point of beginning. Containing 12,479 square feet or 0.29 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 submit a micro storm drainage study to Development Services for review and acceptance when the final plat is submitted and that the developer secure permits to construct any improvements as required by Development Services prior to recording of the final plat.
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.

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4. That the developer dedicate an additional 10 feet of right of way from centerline on the north side of W. 43rd Street as required by Development Services as shown on the development plan.
5. That the developer subordinate to the City all private interest in the area of any right of way dedications, as required by Development Services, and that the developer be responsible for all costs associated with subordination activities now and in the future.
6. That the developer submit a letter from a licensed civil engineer, licensed architect or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters. The letter must identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutter that need to be constructed, repaired or reconstructed. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages, as required by Development Services, or enter into a secured deferral agreement, prior to recording the plat. The term of the deferral agreement shall be for a maximum of two years or until the City has executed a contract for the Main Street Streetscape Improvements, whichever occurs first.
7. That the developer grant a BMP easement to the City, as required by Development Service, on the final plat.
8. That the developer grant a cross access easement, as required by Development Services, on the final plat.
9. That the minimum required lot depth of 110 feet be waived for proposed Lot 2.
10. That the requirement of a dedication of 40 feet of right of way from centerline on the north side of W. 43rd Street for a secondary arterial be waived.

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 Subdivision Regulations have been given and had.

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I hereby certify that as required by Chapter 66, 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