

ORDINANCE NO. 140266

Approving the preliminary plat of Hardesty Renaissance on an 18-acre tract of land generally located south of Independence Avenue and east of Hardesty Avenue in District M1-5. (SD 1465)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That the preliminary plat of Hardesty Renaissance on an 18-acre tract of land generally located south of Independence Avenue and east of Hardesty Avenue in District M1-5 (Manufacturing 1 (dash 5)), and more specifically described as follows:

All that part of the Northeast Quarter of the Northeast Quarter of Section 2, Township 49 North, Range 33 West, Kansas City, Jackson County, Missouri, described as follows: Commencing at the northeast corner of said Section 2; thence North 87 degrees 22 minutes 01 seconds West, along the north line of said Section 2, 1282.96 feet, to the northerly prolongation of the west line of a tract of land conveyed to Megaspaces Ltd. by Document No. 2007E0069815; thence South 2 degrees 15 minutes 35 seconds West, along the westerly line of said Megaspaces Tract and the easterly right-of-way line of Hardesty Avenue as now established, 30 feet from the centerline thereof, 491.69 feet, to the southwest corner of said Megaspaces Tract and the point of beginning of the tract of land herein described; thence South 87 degrees 44 minutes 17 seconds East, along the southerly line of said Megaspaces Tract, 252.81 feet; thence North 2 degrees 40 minutes 30 seconds East along the eastern line of said Megaspaces Tract, 266.43 feet; thence South 87 degrees 19 minutes 30 seconds East along the southern line of said Megaspaces Tract, 213.97 feet; thence North 2 degrees 40 minutes 30 seconds West along the eastern line of said Megaspaces Tract, 165.77 feet; thence North 87 degrees 22 minutes 01 seconds West along said Megaspaces Tract, 15.00 feet; thence North 2 degrees 40 minutes 30 seconds East along said Megaspaces Tract, 18.00 feet to the northeast corner of said Megaspaces Tract, and to the southerly right-of-way line of Independence Avenue as now established; thence South 87 degrees 22 minutes 01 seconds East along said southerly right-of-way line of Independence Avenue, 827.91 feet to the centerline of vacated Topping Avenue; thence South 2 degrees 15 minutes 27 seconds West along said centerline, 137.56 feet, to the northwesterly line of the Kansas City Terminal Railway right-of-way; thence continuing on said northwesterly right-of-way line along a curve to the left with an initial tangent bearing of South 52 degrees 50 minutes 19 seconds West with a radius of 2,902.50 feet and a central angle of 3 degrees 50 minutes 56 seconds an arc distance of 194.98 feet; thence continuing on said northwesterly right-of-way South 48 degrees 59 minutes 23 seconds West, 1,462.06 feet; thence continuing along said northwesterly right-of-way on a curve to the right tangent to the last described course with a radius of

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2,827.50 feet and a central angle of 0 degrees 3 minutes 40 seconds an arc distance of 3.01 feet, to the northerly right-of-way line of E. Ninth Street as now established, 50 feet from the center line thereof; thence in a westerly direction along said northerly right-of-way line, along a curve to the left with an initial tangent bearing of North 80 degrees 34 minutes 12 seconds West, with a radius of 1,482.70 feet and a central angle of 2 degrees 42 minutes 44 seconds an arc distance of 70.19 feet, to said easterly right-of-way line of Hardesty Avenue; thence North 2 degrees 15 minutes 35 seconds East, along said easterly right-of-way line, 820.11 feet to the point of beginning, containing 789,149 square feet or 18.12 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 88, Code of Ordinances of the City of Kansas City, Missouri.
2. That all development activities on the property shall comply with Kansas City's adopted American Public Works Association (APWA) stormwater design criteria standards and/or most current amendment thereto, for areas tributary to Kansas City, Missouri storm conveyance systems prior to issuance of building permits on the subdivided property.
3. That the developer submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, to identify sidewalks, curbs, and gutters in disrepair as defined by the Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. That the developer secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.
4. After the City Plan Commission enters its disposition for the development plan, the 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.

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5. That the owner/developer submit plans for grading, siltation, and erosion control to the Land Development Division for review, acceptance, and permitting for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
6. 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.
7. That the owner/developer verify adequate capacity of the existing sewer system as required by the Land Development Division for the amended use of the property and address any inadequacies therein prior to issuance of connection authorization and/or issuance of any temporary certificate of occupancy (TCO).
8. That the developer secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
9. That the developer provide acceptable easements for any deep sewers where proposed fill is added or where the sewer will be further obstructed by surface improvements and that a structural analysis be provided to confirm adequate structural integrity for the proposed loading conditions of this plan, and secure permits and provide City approved executed and recorded easements prior to adding fill or constructing surface obstructions as required by the Land Development Division.
10. That the developer provide a cross-access easement across shared drives and across parking areas between lot access drives and project access drives entering to public street, including any parking areas that would reasonably be used, as required by the Land Development Division.
11. That the 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.
12. That the developer submit a City Standard Covenant for Maintenance Agreement to the City for any shared Quantity and Quality Mitigation improvements located within separate tracts as required by the Land Development Division, prior to issuance of any permit to construct said improvement and recording of a final plat containing such facilities, or issuance of building permits, whichever occurs first.

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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.

I hereby certify that as required by Chapter 88, 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