

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 031013

Approving a Community Unit Project on an approximately 111.03 acre tract of land generally located at the southwest corner of the intersection of N.E. 92nd Street and N. Indiana Avenue. (11881-CUP-9)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a Community Unit Project on an approximately 111.03 acre tract of land generally located at the southwest corner of the intersection of N.E. 92nd Street and N. Indiana Avenue, and more specifically described as follows:

A tract of land in the Southwest Quarter of Section 6, Township 51 North, Range 32 West and the Southeast Quarter of Section 1, Township 51 North, Range 33 West, all in Kansas City, Clay County, Missouri, being described as follows: Commencing at the southeast corner of the Southwest Quarter of said Section 6; thence North 89°45'56" West, along the south line of said Southwest Quarter, 1024.90 feet to the true point of beginning of the tract to be herein described; thence continuing North 89°45'56" West, along said south line, 633.35 feet; thence North 0°26'38" East, 738.69 feet; thence North 89°45'32" West, 8.95 feet; thence North 0°26'38" East, 828.42 feet; thence North 89°45'32" West, 884.45 feet (Deed-884 feet) to a point on the west line of said Southwest Quarter; thence South 0°32'11" West, along said west line, 216.87 feet to the southeast corner of the North One-Half of the Southeast Quarter of said Section 1; thence North 87°46'58" West, along the south line of said North One-Half, 212.00 feet; thence North 0°41'31" West, 1315.24 feet to a point on the north line of the Southeast Quarter of said Section 1; thence South 87°40'32" East, along said north line, 240.00 feet to the northeast corner of said Southeast Quarter; thence South 0°12'03" West, along said east line, 36.82 feet to the northwest corner of the Southwest Quarter of said Section 6; thence South 89°45'46" East, along the north line of said Southwest Quarter, 2549.94 feet to the northeast corner of said Southwest Quarter; thence South 0°26'38" West, along the east line of said Southwest Quarter, 1873.56 feet to the southeast corner of Pembroke Estates - First Plat, a subdivision of land in Kansas City, Clay County, Missouri; thence North 89°45'32" West (Plat - North 89°45'47" West), 900.01 feet; thence South 0°26'38" West (Plat - South 0°26'23" West), along said south line, 15.00 feet; thence North 89°45'32" West, along said south line, 124.89 feet to the southwest corner of said Pembroke Estates - First Plat; thence South 0°26'38" West, 738.62 feet to the true point of beginning. Containing 111.03 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, as amended, commonly known as the Subdivision Regulations.

2. That the developer update the previously submitted storm drainage study for the entire development to the City Engineer's Office for approval to address the development amendments, along with a detailed micro study prior to approval of the next plat and that the developer make any necessary improvements as required by the City Engineer's Office.
3. That the developer extend water mains as required by the Water Services Department.
4. That the developer extend sanitary sewers as required by the Department of Public Works.
5. That the developer dedicate additional right of way for N. Prospect Avenue/N. Wabash Avenue as required by the Department of Public Works so as to provide a minimum of 30 feet of right of way as measured from the centerline of N. Prospect Avenue.
6. That the developer dedicate additional right of way for N. Indiana Avenue as required by the Department of Public Works so as to provide 50 feet of right of way as measured from the centerline of N. Indiana Avenue, plus an additional 6 feet north of the most northern entrance on N. Indiana Avenue for a bicycle path.
7. That the developer improve the eastern one-half of N. Prospect Avenue/N. Wabash Avenue to collector street standards as required by the Department of Public Works, including construction of curbs, gutters and sidewalks and installation of streetlights and existing roadway section reconstruction to meet vertical and horizontal alignment standards and relocation of utilities.
8. That the developer design and construction all interior streets to City standards as required by the Department of Public Works, including construction of curb, gutter, storm sewers and sidewalks and installation of streetlights.
9. That the developer obtain the grading consents, and all grading, temporary construction and drainage easements from the abutting property owner prior to submitting any public improvements.
10. That the developer request the Department of Public Works to initiate an ordinance to establish or reestablish the grade on existing streets that are being improved where existing grades change by more than 6 inches and the grades have been previously established.

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11. That the developer subordinate all private interest in the area of any right-of-way dedication as required by the Department of Public Works.
12. That the developer construct temporary off-site cul-de-sacs as required by the Department of Public Works.
13. That the developer construct sidewalks along N. Bellefontaine Avenue, N.E. 91st Street and N. Wabash Avenue along the rear property line of all double frontage single-family residential lots, and along all non-single family residential lots or tracts as required by the Department of Public Works.
14. That any relocated streetlights be integrated into existing street light system as required by the City Engineer's Office.
15. That the developer submit a street name signage plan for the entire development to the Street Naming Committee for approval prior to the submittal of the first final plat.
16. That the developer submit plans for grading and siltation and erosion control to the City Engineer's Office for approval prior to beginning any construction activities.
17. That the developer secure a land disturbance permit from the Department of Public Works prior to beginning any construction, grading, clearing or grubbing activities, if the disturbed area exceeds one acre.
18. That the developer secure a land disturbance permit from the Missouri Department of Natural Resources if the disturbed area for the entire development exceeds five acres.
19. That the developer extend sanitary sewers and/or storm sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by the Department of Public Works.
20. That the developer secure a floodplain certificate from the Department of Codes Administration prior to beginning any construction activities within the floodplain, if applicable.
21. That the developer show the limits of the 100-year floodplain on the final plat as required by the City Engineer's Office, or a statement on the plat that such limits are not within the area platted, as applicable.
22. That the developer submit a street tree planting plan as part of the final plat

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with a copy to be submitted to the Department of City Development, secure the approval of the City Forester for street trees planted on right of way in front of residential lots, and plant the street trees in conformance with the plan approved by the City Forester. The plan shall include size, type, species and placement of trees.

23. That the developer shall not develop Phase 3 as shown on the preliminary plat until such time as the street through Essex Ridge to the south is constructed as required by the Department of Public Works.
24. That the developer provide a 20 foot wide access for Tract B as part of Phase I as required by the Department of Public Works.
25. That the developer submit covenants, conditions and restrictions to the City for approval for the private open space with the final plat.
26. That the developer submit a final community unit project plan for Tracts A, B, C, D, E, F and the Homes Association Tracts to the City Plan Commission for approval including plans for landscaping, consisting of berms, trees and plantings around and within the parking lots. The final plan shall also show proposed pedestrian circulation and elevation drawings of signage.

A copy of said Community Unit Project plan is on file in the office of the City Clerk under Document No. 031013, which is attached hereto and made a part hereof.

Section B. That the Council finds and declares that before taking any action on the proposed Community Unit Project hereinabove, all public notices and hearings required by the Zoning Ordinance have been given and had.

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

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Assistant City Attorney