

ORDINANCE NO. 060553

Approving an amendment to a previously approved community unit project plan in District R-1b on approximately a 132 acre tract of land generally located on either side of N. Cosby Avenue (N.W. 62nd Terrace) between 45 Highway (N.W. 64th Street) on the north and N.W. 56th Street on the south by allowing some transfers of land between the residential and open space areas within the plan. (5857-CUP-27)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved preliminary plan in District R-1b (One-Family Dwellings) on approximately a 132 acre tract of land generally located on either side of N. Cosby Avenue (N.W. 62nd Terrace) between 45 Highway (N.W. 64th Street) on the north and N.W. 56th Street on the south , and more specifically described as follows:

A tract of land in Sections 30 and 31, Township 51, Range 33, Kansas City, Platte County, Missouri, being bounded and described as follows: Beginning at a point on the south line of the Northeast Quarter of said Section 30, said point being 692.97 feet east of the southwest corner of the Northeast Quarter of said Section 30; thence South 89°00'47" East, along said south line, 622.77 feet to a point on the west line of Hills of Walden 5th Plat, a subdivision of land in Kansas City, Platte County, Missouri, according to the recorded plat thereof, being also the northeast corner of the West One-Half of the Southeast Quarter of said Section 30; thence South 0°29'23" West, along the east line of the West One-Half of said Southeast Quarter, 2480.07 feet; thence North 89°14'30" West, 145.00 feet; thence South 0°29'23" West, 284.40 feet to a point on the northerly right of way line of N.W. 56th Street, as now established; thence along the meanderings of said right of way line, North 63°53'58" West, 100.01 feet; thence westerly, on a curve to the left, tangent to the last described course, having a radius of 258.37 feet, an arc distance of 90.00 feet; thence North 83°51'28" West, tangent to the last described curve, 91.82 feet; thence southwesterly on a curve to the left, tangent to the last described course, having a radius of 130.78 feet, an arc distance of 63.42 feet; thence South 68°21'32" West, tangent to the last described curve, 174.07 feet; thence westerly on a curve to the right, tangent to the last described course, having a radius of 193.18 feet, an arc distance of 90.50 feet; thence North 84°47'58" West, tangent to the last described curve, 135.47 feet; thence westerly on a curve to the left, tangent to the last described course, having a radius of 916.50 feet, an arc distance of 141.12 feet to a point in an existing creek; thence along the meanderings of said creek North 16°35'07" East, 188.74 feet; thence North 85°26'30" East, 161.05 feet; thence North 17°38'50" West, 146.28 feet; thence North 32°02'10" East, 100.00 feet; thence North 12°13'50" East, 97.72 feet; thence North 54°38'06" East, 110.20 feet; thence South 32°55'10" East, 161.38 feet;

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thence North 31°17'50" East, 95.62 feet; thence North 73°13'00" East, 213.30 feet; thence North 18°52'00" West 96.00 feet; thence North 76°12'40" East, 96.00 feet; thence North 27°15'30" West, 123.55 feet; thence North 28°08'10" East, 82.68 feet; thence North 81°58'50" West, 98.70 feet; thence North 33°44'50" West, 231.78 feet; thence South 73°11'30" East, 197.45 feet; thence North 9°37'30" West, 240.74 feet; thence North 82°36'30" West, 209.01 feet; thence North 20°28'25" West, 167.73 feet; thence North 89°07'39" West, 676.78 feet to the southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 30; thence North 89°14'12" West, 392.80 feet; thence North 0°25'46" East, 1315.27 feet to a point on the north line of the Southwest Quarter of said Section 30; thence North 89°13'21" West, along the north line of said Southwest Quarter, 913.39 feet to the southwest corner of the East One-Half of the Northwest Quarter of said Section 30; thence North 1°00'26" East, along the west line of the East One-Half of said Northwest Quarter, 1224.85 feet; thence South 89°03'08" East, 206.26 feet; thence South 87°40'59" East, 1050.30 feet; thence South 88°43'27" East, 60 feet; thence North 1°16'33" East, 141.81 feet; thence northerly and northeasterly, on a curve to the right, tangent to the last described course, having a radius of 250 feet, an arc distance of 298.62 feet; thence northeasterly, on a curve to the left, tangent to the last described curve, having a radius of 605 feet, an arc distance of 408.49 feet; thence North 31°01'42" East, tangent to the last described curve, 192.31 feet; thence northeasterly, on a curve to the right, tangent to the last described course, having a radius of 504.96 feet, an arc distance of 150.29 feet; thence North 48°04'51" East, tangent to the last described curve, 260.13 feet; thence North 41°55'09" West, 100.89 feet; thence northeasterly, on a curve to the left, having a radius of 203 feet, an arc distance of 124.72 feet to a point on the southerly right-of-way line of Missouri State Highway Route No. 45 (also known as N.W. 64th Street) as now established; thence South 89°54'26" East, along the southerly right-of-way line of said Missouri State Highway Route No 45, 271.22 feet; thence South 29°00'43" West, 156.10 feet; thence South 37°00'43" West, 198.00 feet; thence South 35°30'43" West, 290.40 feet; thence South 4°30'43" West, 330.00 feet; thence South 9°29'17" East, 165.00 feet; thence South 36°30'43" West, 869.84 feet; thence South 45°29'17" East, 792.00 feet; thence South 39°42'53" West, 245.51 feet to the point of beginning. Containing 131.363 acres (5,722,172 square feet), 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.

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2. That the developer submit an update to the previously approved macro storm drainage study for the overall development to address the development amendments along with a detailed micro study for approval prior to approval of the next plat and make necessary improvements as required by Development Services.
3. That the developer provide a storm water conveyance system to serve all proposed lots within the development and determine adequacy as required by Development Services.
4. That the developer submit plans for grading and siltation and erosion control to Development Services for approval prior to beginning any construction activities.
5. That the developer secure a land disturbance permit from Development Services prior to beginning any construction, grading, clearing or grubbing activities, if the disturbed area exceeds one acre.
6. That the developer secure a floodplain certificate if any grading is to occur within a floodplain.
7. That the developer provide cross-access easements as required by Development Services.
8. That the developer extend water mains as required by the Water Services Department.
9. That the developer extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by Development Services.
10. That the developer provide for fire protection and construct all-weather roads as required by the Fire Department prior to construction beyond foundations.
11. That the developer construct N. Cosby Avenue from the north, to the existing portion of N. Cosby Avenue located at Tremont Manor 7th Plat, prior to any development beyond Phase IV, as required by Development Services.
12. That the developer design and construct all public streets to City standards as required by Development Services, including construction of curb, gutter, storm sewers and sidewalks and installation of streetlights.
13. That the developer construct off-site cul-de-sacs as required by Development Services.

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14. That the developer dedicate 50 feet of right of way from the centerline of the north side of N.W. 56th Street for a primary arterial street as required by the Development Services.
15. That the developer widen the north half of N.W. 56th Street to primary arterial street standards as required by the Development Services including a minimum of 2 lanes with curbs, gutters, sidewalks, streetlights on one side, transitions to meet vertical and horizontal alignment standards, and relocation of utilities, or enter into a deferral agreement at the time of the next plat that the improvement will be constructed when N. Cosby Avenue is extended to N.W. 56th Street.
16. That the developer relocate streetlights and integrate them into the existing streetlight system as required by Development Services and the Missouri Department of Transportation along State frontages.
17. That the developer submit a street name signage plan for the entire development area to the Street Naming Committee for approval prior to submittal of the first final plat.
18. That the developer receive a permit from the Missouri Department of Transportation prior to working within any State right of way.
19. That the developer show the limits of the 100-year floodplain on the final plat.
20. That the developer submit covenants, conditions and restrictions to the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.
21. That the developer submit a street tree planting plan as part of the final plat 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.
22. That the developer submit a final plan to the City Plan Commission for approval prior to the issuance of a building permit. The site plan shall include information regarding setback distances, lighting (photometric plan), landscaping and architectural characteristics, berms, trees and plantings around and within the parking lots, show proposed pedestrian circulation and include elevation drawings of buildings and signage.

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23. That the developer show the lowest opening or elevation or Minimum Low Opening (MLO) of any structure on each lot that abuts a 100-year floodplain area on the final plat.

A copy of said amendment 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.

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