

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 180823

Approving an amendment to a previously approved development plan which also serves as a preliminary plat in Districts B3-2 and R-5, on approximately 12 acres generally located at the northeast corner of N.W. 68th Street and N. Ames Avenue, to allow development of 84 multi-family units in 7 buildings. (12389-P-5)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved development plan in Districts B3-2 (Community Business, dash 2) and R-5 (Residential 5), on approximately 12 acres generally located at the northeast corner of N.W. 68th Street and N. Ames Avenue, and more specifically described as follows:

TRACT A:

A tract of land being part of the west portion of the Fractional Northwest Quarter of Section 22, Township 51 North, Range 33 West, in the City of Kansas City, Platte County, Missouri, and being more particularly described as follows: Commencing at the southwest corner of the west portion of said Fractional Northwest Quarter, thence along the south line of said Northwest Quarter, South 89 degrees 48 minutes 34 seconds East, 29.77 feet; thence leaving said south line, North 00 degrees 32 minutes 20 seconds East, 90.84 feet, to a point on the north right-of-way line of Northwest 68th Street and on the east right-of-way line of North Bedford Avenue, as they are now established, the point of beginning; thence from the point of beginning, along said east right-of-way line, the following calls and distances; along a curve to the right, having an initial tangent bearing of North 89 degrees 35 minutes 42 seconds West, a radius of 15.00 feet, a delta angle of 90 degrees 08 minutes 02 seconds, and an arc length of 23.60 feet; thence continuing along said east right-of-way line, North 00 degrees 32 minutes 20 seconds east, 168.80 feet; thence along a curve to the right, having a radius of 15.00 feet, a delta angle of 90 degrees 00 minutes 00 seconds, and an arc length of 23.56 feet; thence leaving said east right-of-way line, and along the south right-of-way line of Northwest 68th Terrace, as now established, the following calls and distances; South 89 degrees 27 minutes 40 seconds East, 112.83 feet; thence along a curve to the left, having a radius of 210.00 feet, a delta angle of 29 degrees 59 minutes 57 seconds, and an arc length of 109.95 feet; thence North 60 degrees 32 minutes 20 seconds East, 96.53 feet; thence along a curve to the right, having a radius of 160.00 feet, a delta angle of 20 degrees 56 minutes 58 seconds, and an arc length of 58.50 feet; thence along a curve to the right, having a radius of 15.00 feet, a delta angle of 99 degrees 03 minutes 03 seconds, and an arc length 25.93 feet; thence leaving said south right-of-way line, and along the west right-of-way line of Northwest Ames Avenue, as now established, the following calls and distances;

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South 00 degrees 32 minutes 20 seconds West, 183.35 feet; thence South 04 degrees 15 minutes 38 seconds West, 46.22 feet; thence South 00 degrees 32 minutes 20 seconds West, 36.35 feet; thence along a curve to the right, having a radius of 15.00 feet, a delta angle of 90 degrees 57 minutes 33 seconds, and an arc length of 23.81 feet; thence leaving said west right-of-way line, and along the north right-of-way line of said Northwest 68th Street the following calls and distances; North 88 degrees 31 minutes 13 seconds West, 86.12 feet; thence along a curve to the left, having a radius of 10050.00 feet, a delta angle of 01 degrees 04 minutes 28 seconds, and an arc length of 188.49 feet; thence North 89 degrees 35 minutes 42 seconds West, 80.75 feet, to the point of beginning, and contains 2.03 acres, more or less.

TRACT B:

A tract of land being part of the west portion of the Fractional Northwest Quarter of Section 22, Township 51 North, Range 33 West, in the City of Kansas City, Platte County, Missouri, and being more particularly described as follows: Commencing at the southeast corner of the west portion of said Fractional Northwest Quarter, thence along the east line of said west portion, North 00 degrees 03 minutes 08 seconds West, 78.48 feet, to a point on the north right-of-way line of Northwest 68th Street, as now established; thence along said right-of-way line, North 88 degrees 31 minutes 13 seconds West, 156.06 feet, the point of beginning; thence from the point of beginning, continuing along said north right-of-way line, North 88 degrees 31 minutes 13 seconds West, 156.78 feet; thence leaving said north right-of-way line, and along the easterly right-of-way line of Northwest Ames Avenue the following calls and distances; along a curve to the right, having a radius of 15.00 feet, a delta angle of 89 degrees 04 minutes 05 seconds, and an arc length of 23.32 feet; thence North 00 degrees 32 minutes 20 seconds East, 37.93 feet; thence North 03 degrees 10 minutes 58 seconds West, 46.22 feet; thence North 00 degrees 32 minutes 20 seconds East, 242.11 feet; thence along a curve to the right, having a radius of 270.00 feet, a delta angle of 89 degrees 31 minutes 58 seconds, and an arc length of 421.91 feet; thence along a curve to the right, having a radius of 15.00 feet, a delta angle of 89 degrees 34 minutes 01 seconds, and an arc length of 23.45 feet; thence North 89 degrees 56 minutes 49 seconds East, 40.00 feet, to a point on the east line of said west portion; thence leaving said easterly right-of-way line, along said east line, South 00 degrees 03 minutes 08 seconds East, 328.81 feet; thence leaving said east line, North 89 degrees 48 minutes 34 seconds West, 156.00 feet; thence South 00 degrees 03 minutes 08 seconds East, 268.01 feet to the point of beginning, and contains 3.25 acres, more or less.

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TRACT C:

Lot 13 of Eureka Farms, a subdivision in Kansas City, Clay County Missouri according to the recorded plat thereof.

is hereby approved, subject to the following conditions:

1. The developer shall continue to work with City Planning and Development staff as it relates to the proposed building architecture prior to issuance of a building permit.
2. Prior to issuance of a final certificate of occupancy, all landscaping as shown on the approved landscape plan, including trees, plant material and structural elements, must be in place and healthy, as certified by a sealed letter submitted by a registered landscape architect licensed in the State of Missouri.
3. The developer shall secure the approval of the City Forester for street trees to be planted in the right-of-way prior to Mylar approval of the final plat.
4. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
5. The developer shall submit a new, or update a previously accepted macro storm drainage study from a Missouri-licensed civil engineer to the Land Development Division for the overall development in accordance with adopted standards to address development amendments or modified conveyance systems, along with providing a detailed micro study prior to final platting or issuance of a building permit (whichever occurs first), that is in general compliance with the macro and adopted standards, including a BMP level of service analysis, and secure permits to construct any improvements as required by the Land Development Division.
6. The developer shall dedicate additional right-of-way [and provide easements] for N.W. 68th Street as required by the adopted Major Street Plan so as to provide a minimum of 50 feet of right-of-way as measured from the centerline, and ensure right-of-way dedication is adequate for any proposed road improvements as required by the Public Works Department adjacent to this project.
7. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any

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construction permits within said right-of-way, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.

8. 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.
9. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
10. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
11. The owner/developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
12. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
13. The developer shall secure permits to extend public 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.
14. The developer shall grant a BMP and/or surface drainage easement where necessary to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
15. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building

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permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.

16. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
17. The developer shall obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
18. The developer shall show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.
19. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.
20. The developer shall extend water mains and provide easements as required by the Water Services Department.
21. The developer shall either dedicate 1.01 acres of parkland or contribute \$39,934.43 in lieu of parkland dedication for the 84 multifamily units in satisfaction of Chapter 88-408 of the Zoning and Development Code.

84 multi-family lots x 2 x 0.006 = 1.01 acres
1.01 acres x \$39,617.49 = \$39,934.43

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 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:



Sarah Baxter
Assistant City Attorney



Authenticated as Passed



Sly James, Mayor



Marilyn Sanders, City Clerk

OCT 25 2018

Date Passed