



## Legislation Text

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**File #: 210892, Version: 1**

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### ORDINANCE NO. 210892

Approving an amendment to a previously approved MPD plan in District MPD on about 55 acres generally bounded by E. 51st Street and Rockhurst Road on the north, E. 54th Street and E. 55th Street on the south, The Paseo on the east, and Troost Avenue on the west to allow for future building additions. (CD-CPC-2021-00130)

#### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved Master Planned Development in District MPD (Master Planned Development) on about 55 acres generally bounded by E. 51st Street and Rockhurst Road on the north, E. 54th Street and E. 55th Street on the south, The Paseo on the east, and Troost Avenue on the west t, and more specifically described as follows:

TRACT 1: All that part of the Northwest 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning on the East line of Troost Avenue where it is intersected by the South line of Rockhurst Road; thence Easterly along the South line of Rockhurst Road to the West line of Lydia Avenue; thence South along the West line of Lydia Avenue to the North line of 53rd Street; thence West along the North line of 53rd Street (and its Westerly prolongation) to the East line of Troost Avenue; thence North along the East line of Troost Avenue to the place of beginning, together with the North 1/2 of vacated 53rd Street lying East of Troost Avenue and West of Virginia Avenue, vacated by Ordinance No. 50439 and Ordinance No. 931343, and together with the West 1/2 of Lydia Avenue lying South of 52nd Street and North of 53rd Street vacated by Ordinance No. 921233.

TRACT 2: Lots 1 to 10, inclusive, and Lot 12, except that part of said lots in The Paseo, and Lots 13 to 24, inclusive, subject to the right of way of 52nd Street over the North 25 feet, more or less, of said Lot 24, South Paseo Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, together with the North 1/2 of vacated 53rd Street lying South of and adjacent to Lots 12 and 13, vacated by Ordinance No. 931343, and together with the East 1/2 of Lydia Avenue lying South of 52nd Street and North of 53rd Street, adjacent to Lots 13 through 24, inclusive, vacated by Ordinance No. 921333.

TRACT 3: Lot 11, except that part of said lot in The Paseo, South Paseo Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 4: Lots 25 through 28, inclusive, together with the East 1/2 of that part of vacated Tracy Avenue which lies West and adjacent; Lots 29 through 33, inclusive, together with the West 1/2 of that part of vacated Tracy Avenue which lies East and adjacent; Lots 36 through 42, inclusive, together with the East 1/2 of that part of vacated Forest Avenue, which lies West and adjacent; Lots 43 through 49, inclusive, together with the West 1/2 of that part of vacated Forest Avenue

which lies East and adjacent; and Lots 50 through 56, inclusive; Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 5: Lots 18 through 22, inclusive, together with the East 1/2 of that part of vacated Forest Avenue which lies West and adjacent; Lots 23 through 27, inclusive, together with the West 1/2 of that part of vacated Forest Avenue which lies East and adjacent; and Lots 43 and 44, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 6: That part of vacated 53rd Street, in Kansas City, Jackson County, Missouri, described as follows: Beginning at the intersection of the centerline of said vacated 53rd Street with the East line of Troost Avenue; thence East along said centerline to its intersection with the Northerly prolongation of the East line of Lot 28, Fred P. Schell Highlands, which is a subdivision in said City, County and State; thence South along said Northerly prolongation to the Northeast corner of said Lot 28; thence West, along the North line of said Lot 28 and its Westerly prolongation, said line being the South line of said vacated 53rd Street, to its intersection with the East line of Troost Avenue; thence North along said East line to the point of beginning.

Said Tracts 1 through 6, inclusive, also being described as follows:

All that part of the Northwest Quarter of Section 33, Township 49 North, Range 33 West, in Kansas City, Jackson County, Missouri, described as follows: Commencing at the point of intersection of the South line of Rockhurst Road with the East line of Troost Avenue, said point being the point of beginning of the herein described tract; thence Easterly along the South line of Rockhurst Road on a curve to the right having a back tangent bearing (bearing system is assumed) of North 75 degrees 11 minutes 00 seconds East, a radius of 2470 feet, a central angle of 30 degrees 08 minutes 38 seconds, a distance of 1299.49 feet to the centerline of vacated Lydia Street; thence North 0 degrees 00 minutes 09 seconds West along said centerline, a distance of 6.09 feet to the Westerly prolongation of the South line of 52nd Street; thence North 89 degrees 51 minutes 44 seconds East, along said prolongation and South line of 295.99 feet (Plat=296 feet) to the West line of "The Paseo"; thence South 0 degrees 00 minutes 09 seconds East along said West line, a distance of 638.73 feet (Plat=638.76 feet) to the centerline of vacated 53rd Street; thence South 89 degrees 51 minutes 47 seconds West along said centerline; a distance of 265.99 feet (Plat=266 feet) to the Southerly prolongation of the East line of vacated Lydia Street; thence North 0 degrees 00 minutes 09 seconds West along said prolongation, a distance of 25.00 feet to the point of intersection of the North line of vacated 53rd Street with the East line of vacated Lydia Street; thence South 89 degrees 51 minutes 47 seconds West along the Westerly prolongation of the North line of vacated 53rd Street, a distance of 30 feet to the centerline of vacated Lydia Street; thence North 0 degrees 00 minutes 09 seconds West along said centerline, a distance of 5.00 feet to the Easterly prolongation of the North line of 53rd Street; thence South 89 degrees 49 minutes 04 seconds West along said prolongation and North line, a distance of 356.20 feet to the Northerly prolongation of the West line of Virginia Avenue; thence South 0 degrees 01 minutes 14 seconds West along said prolongation, a distance of 30.00 feet to the centerline of vacated 53rd Street; thence South 89 degrees 49 minutes 04 seconds West along said centerline, a distance of 140.57 feet (Plat=140.56 feet) to the Northerly prolongation of the rear lot lines of Lots 25 through 28, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri; thence South 0 degrees 01 minutes 12 seconds West

along said prolongation and rear lot lines, a distance of 244.59 feet (Plat and Measured) to the Southeast corner of said Lot 25; thence South 89 degrees 49 minutes 34 seconds West along the South line of said Lot 25 and the Westerly prolongation thereof, a distance of 165.57 feet (Plat and Measured) to the centerline of vacated Tracy Avenue; thence South 0 degrees 01 minutes 09 seconds West along said centerline, a distance of 50.14 feet to the Easterly prolongation of Lot 33 said Fred P. Schell Highland; thence South 89 degrees 49 minutes 45 seconds West along said prolongation and South line, a distance of 161.80 feet (Plat=161.81 feet) to the Southwest corner of said Lot 33; thence South 0 degrees 00 minutes 59 seconds West along the East line of Lots 36 and 37 said Fred P. Schell Highlands and along the East line of Lots 18 through 22, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, a distance of 348.42 feet (Plat=348.25 feet) to the Southeast corner of Lot 18, said point also being on the North line of 54th Street; thence South 89 degrees 51 minutes 13 seconds West along said North line of 54th Street, also being the South line of Lots 18 and 27 said C.H. Luce's Second Addition, a distance of 323.56 feet (Plat=323.62 feet) to the Southwest corner of said Lot 27; thence North 0 degrees 00 minutes 36 seconds East along the West line of Lots 25 to 27, said C.H. Luce's Second Addition, a distance of 148.21 feet (Plat 148.15 feet) to the Northwest corner of said Lot 25, also being the Southeast corner of Lot 43 said C.H. Luce's Second Addition; thence South 89 degrees 49 minutes 47 seconds West along the South line of said Lot 43, a distance of 136.79 feet (Plat=138.81 feet) to the Southwest corner of said Lot 43, also being the East line of Troost Avenue, thence North 0 degrees 00 minutes 23 seconds East along the East line of Troost Avenue, also being the West line of Lots 43 through 44, said C.H. Luce's Second Addition and the West line of Lots 50 through 56, Fred P. Schell Highlands and the Northerly prolongation thereof, a distance of 524.66 feet (Plat=524.49 feet) to the point of intersection of the North line of vacated 53rd Street with the East line of Troost Avenue; thence North 0 degrees 00 minutes 14 seconds East along the East line of Troost Avenue, a distance of 612.44 feet to the Point of Beginning.

TRACT 7 (not shown on survey): The South 35 feet of the North 40 feet of Lot 31, in C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 8: Beginning at a point on the East Side of Lydia Avenue, 36 feet South of the South line of Fifty-Third Street; thence running South along the East line of Lydia Avenue, 32 feet; thence East parallel with the South line of Fifty-Third Street, 133.10 feet; thence North parallel with the East line of Lydia Avenue 32 feet; thence West parallel with the South line of Fifty-Third Street 133.10 feet to the Point of Beginning. All in Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri.

TRACT 9: Part of the Northwest quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, described as follows: Beginning on the East line of Lydia Avenue at a point 100 feet South of the South line of 53rd Street; thence running South along the East line of Lydia Avenue 32 feet; thence East and parallel with the South line of 53rd Street, 133.10 feet; thence North parallel with the East line of Lydia Avenue, 32 feet; thence North parallel with the East line of Lydia Avenue, 32 feet; thence West parallel with the South line of 53rd Street, 133.10 feet to the point of beginning all in Kansas City, Jackson County, Missouri.

TRACT 10: Part of the Southeast quarter (S.E. quarter) of the Northwest quarter (N.W. quarter) of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri described as

follows: Beginning at a point on the East line of Lydia Avenue, 164 feet South of the South line of 53rd Street. This running South along the East line of Lydia Avenue 32 feet; thence East on a parallel with the South line of 53rd Street 133.10 feet; thence North parallel with the East line of Lydia Avenue 32 feet; thence West and parallel with the South line of 53rd Street 133.10 feet to beginning.

TRACT 11: Part of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, described as follows: Beginning on the East line of Lydia Avenue at a point 196 feet South of the South line of 53rd Street; thence South along the East line of Lydia Avenue 32 feet; thence East 133.10 feet; thence North 32 feet; thence West 133.10 feet to the point of beginning, in Kansas City, Jackson County, Missouri.

TRACT 12: A part of the Northwest quarter of Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue, 228 feet South of the South line of 53rd Street; thence South 32 feet to a point; thence East 133.10 feet to a point; thence North 32 feet to a point; thence West 133.10 feet to the point of beginning.

TRACT 13: All that part of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, described as follows: Begin at a point on the East line of Lydia Avenue 324 feet South of the South line of 53rd Street, thence South 32 feet to a point, thence East 133.10 feet to a point, thence North 32 feet to a point, thence West 133.10 feet to a place of beginning, in Kansas City, Jackson County, Missouri.

TRACT 14: Part of the Northwest quarter of the Southwest quarter of the Northwest quarter of Section 33, Township 49, Range 33, described as follows: Beginning on the East line of Lydia Avenue at a point 356 feet South of the South line of 53rd Street, thence running South along the East line of Lydia Avenue 32 feet; thence East parallel with the South line of 53rd Street; 133.10 feet; thence North and parallel with the East line of Lydia Avenue 32 feet; thence West parallel with the South line of 53rd Street to point of beginning.

TRACT 15: Beginning on the East line of Lydia Avenue, at a point 388 feet South of the South line of 53rd Street; thence running South along the East line of Lydia Avenue; 32 feet, thence East parallel with the South line of 53rd Street, 133.10 feet; thence North parallel with the East line of Lydia Avenue, 32 feet; thence West parallel with the South line 53rd Street to the point of beginning, begin part of the Northwest quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, except that part in roads.

TRACT 16: Beginning on the East line of Lydia Avenue at a point 420 feet South of the South line of 53rd Street; thence running South along the East line of Lydia Avenue 32 feet; thence East parallel with the South line of 53rd Street, 132.50 feet; thence North parallel with the East line of Lydia Avenue 32 feet; thence West parallel with the South line of 53rd Street, 132.50 feet to point of beginning, in Kansas City, Jackson County, Missouri, being part of the Northwest quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri.

TRACT 17: Part of the Southeast quarter of the Northwest quarter of Section 33, Township 49,

Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue 548 feet South of the South line of 53rd Street, as now established; thence South 32 feet to a point; thence East 133.10 feet to a point; thence North 32 feet to a point; thence West to a point of beginning.

TRACT 18: That part of the Northwest quarter of Section 33. Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue, 452 feet South of the South line of 53rd Street as now established; thence South 32 feet to a point; thence East 133.10 feet to a point; thence North 32 feet to a point; thence West 133.10 feet to beginning.

TRACT 20: Beginning at a point on the East line of Lydia Avenue, 580 feet South of the South line of 53rd Street, thence South 33.44 feet to a point; thence East 133.10 feet to a point, thence North 33.44 feet to a point; thence West 133.10 feet to the point of beginning, being a part of the Southeast quarter of the Northwest quarter of Section 33. Township 49, Range 33, Kansas City, Jackson County, Missouri.

FOR INFORMATION ONLY: The applicant advises the property address to be 5347 Lydia.

TRACT 21: Part of the Northwest quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri described as follows: Beginning in the West line of The Paseo at a point 100 feet North of the North line of 54th Street and running thence North along the West line of

The Paseo, 52.24 feet; thence West 137.9 feet; thence South 52.26 feet to a point 100 feet North of said North line of 54th Street; thence East 137.9 feet to the point of beginning.

TRACT 22: Lot 6, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 23: The North 17 and two third feet of Lot 8 and the South 16 and one third feet Lot 9, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 24: The South 32 and one third feet of Lot 8, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 25: The North 8.4 feet of Lot 7 and all of Lot 8, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 26: Lot 5 and the South 8.3 feet of Lot 6, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 27: Lot 36, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 28: Lot 34, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 29: Lots 3 and 4, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 30: Lots 1 and 2, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 31: The South 14 feet of Lot 4 and the North 19 feet of Lot 5, Fred P. T2122-0480BSchell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 32: The South 33 feet of the North 36 feet of Lot 4, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 33: The South 30 feet of Lot 3 and the North 3 feet of Lot 4, Fred P. Schell Highlands, a subdivision in Kansas City; Jackson County, Missouri.

TRACT 34: The South 11 feet of Lot 2 and the North 20 feet of Lot 3, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 35: The South 33 feet of the North 39 feet of Lot 2, Fred P. Schell Highlands, subdivision in Kansas City, Jackson County, Missouri.

TRACT 36: The North half of Lot 15, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 37: Lot 3, Elm Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 38: Lot 17, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 39: Lot 16, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 40: The South half of Lot 15, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 41: The South 10 feet of Lot 1 and the North 25 feet of Lot 2, and the West 1/2 of vacated Tracy Avenue, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 42: The North 33 and one third feet of Lot 34, together with the East half of vacated Tracy Avenue lying West of and adjacent thereto, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 43: All of Lots 40, 41 and 42, C. H. Luce's Second Addition, a subdivision of land in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning at the Southwest corner of said Lot 40; thence due North along the East line of Troost Avenue, as now established, a distance of 148.16 feet to the Northwest corner of said Lot 42; thence North 89 degrees 50 minutes 40 seconds East along the North line of said Lot 42, a distance of 136.81 feet to the Northeast corner thereof; thence due South along the East lines of said Lots 42, 41 and 40 a distance of 148.16 feet to the Southeast corner of said Lot 40, said corner being on the North line of 54th Street, as now established; thence South 89 degrees 50 minutes 40 seconds

West along the last said North line a distance of 136.81 feet to the point of beginning.

TRACT 44 (not shown on survey): Lot 28, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, and the South half of vacated 54th Street lying north of and adjacent to said lot.

TRACT 45 (not shown on survey): The North 35 feet of Lot 29, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 55 (not shown on survey): Lots 57 and 106, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 56 (not shown on survey): Lot 58, The Plat of Lots 1 to 62, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; and Lots 85 and 86, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 72: Lots 59 and 60, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 73: Lots 61 and 62, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri. The North 25 feet of Lot 64, and the South 10 feet of Lot 65, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

The South 35 feet of Lot 63, Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri.

The North 15 feet of Lot 63 and the South 20 feet of Lot 64, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

The North 25 feet of Lot 64 and the South 10 feet of Lot 65, Plat of Lots 64 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri.

The North 35 feet of Lot 65 of the Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 74: The South 35 feet of Lot 66, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 75: The North 10 feet of Lot 66 and the South 25 feet of Lot 67, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 76: The North 15 feet of Lot 67 and the South 20 feet of Lot 68, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 77: The North 20 feet of Lot 68 and the South 15 feet of Lot 69, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 78: The North 25 feet of Lot 69 and the South 10 feet of Lot 70, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 79: Lots 34, 35, 36, 37, 38 and 39, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 80: The North 35 feet of Lot 21, and all of Lots 22, 23 and 24, Etzold Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 81: All of Lots 19 and 20, and the South 15 feet of Lot 21, Etzold Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 90 (not shown on survey): The South 30 feet of Lot 30 and the North 5 feet of Lot 31, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 91 (not shown on survey): The South 15 feet of Lot 29 and the North 20 feet of Lot 30, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 92 (not shown on survey): Lot 17, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 93 (not shown on survey): Lot 16, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 94 (not shown on survey): Lot 15, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri according to the recorded plat thereof.

TRACT 95 (not shown on survey): Lot 14, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri according to the recorded plat thereof.

TRACT 124: All that part of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning at a point 25 feet North and 296 feet East of the Southwest corner of the Northwest 1/4 of the southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Missouri; thence North along a line of 296 feet from and parallel to the West line of said 1/4 1/4 Section, a distance of 50 feet; thence West along a line 75 feet from and parallel to the East and West center line of said Southeast 1/4 of Northwest 1/4 of Section 33, Township 49, Range 33, a distance of 138.5 feet; thence South along a line 157.5 feet from and parallel to the West line of said 1/4 1/4 Section, a distance of 50 feet; thence East along a cline 25 feet from and parallel to the East and West center line of said Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, a distance of 138.5 feet to place of beginning, except the West .6 feet thereof.



TRACT 125: All that part of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning at a point 75 feet North and 296 feet East of the Southwest corner of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of said Section 33; thence North along a line 296 feet from and parallel to the West line of said Quarter Section a distance of 50 feet; thence West along a line 125 feet from and parallel to the East and West center line of said Southeast Quarter of the Northwest Quarter of said Section 33 a distance of 138.5 feet; thence South along a line 157.5 feet from and parallel to the West line of said Quarter Section a distance of 50 feet; thence East along a line 75 feet from and parallel to the East and West center line of said Southeast Quarter of the Northwest Quarter of said Section 33, a distance of 138.5 feet to the place of beginning.

TRACT 126: All that part of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning in the West line of Paseo 152.24 feet North of the North line of 54th Street; thence north 50.5 feet; thence West 137.9 feet; thence South 50.5 feet; to a point 152.26 feet North of the said North line of 54th Street; thence East 137.9 feet, to the point of beginning.

TRACT 127: The Northwest Quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows: Beginning in the West line of Paseo 202.74 feet North of the North line of 54th Street; thence North 50.5 feet; thence West 137.9 feet; thence South 50.5 feet to a point 202.76 feet North of said North line of 54th Street; thence East 137.9 feet to the point of beginning.

TRACT 128: All that part of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning in the West line of The Paseo, 253.24 feet North of the North line of 54th Street; thence North 53.5 feet; thence West 137.9 feet; thence South 53.5 feet to a point 253.26 feet North of the North line of 54th Street; thence East 137.9 feet to the point of beginning.

TRACT 129: (Amended) Part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 49, Range 33; Beginning at the intersection of the South line of 53rd Street with the East line of Lydia Avenue; thence running South along the East line of Lydia Avenue 36 feet; thence running East parallel with the South line of 53rd Street 133.10 feet; thence North parallel with the East line of Lydia Avenue 36 feet to the South line of 53rd Street; thence West along the South line of 53rd Street to point of beginning, in Kansas City, Jackson County, Missouri; together with the South 1/2 of vacated 53rd Street lying North of and adjacent thereto.

TRACT 130: Part of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the east line of Lydia Avenue 68 feet south of the South line of 53rd Street and running thence South 32 feet to a point; thence East 133.10 feet to a point; thence North 32 feet to a point; thence West 133.10 feet to the point of beginning.

TRACT 131: Part of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, described as follows: Beginning on the East line of Lydia Avenue at a point 132 feet South of the South line of 53rd Street; thence running South along the East line of Lydia Avenue, 32 feet;

thence East parallel with the South line of 53rd Street, 133.10 feet; thence North parallel with the East line of Lydia Avenue, 32 feet; thence West parallel with the South line of 53rd Street, 133.10 feet to point of beginning, in Kansas City, Jackson County, Missouri.

TRACT 132: A part of the Northwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue, 260 feet South of the South line of 53rd Street; thence South 32 feet to a point; thence East 133.10 feet to a point; thence North 32 feet to a point; thence West 133.10 feet to the point of beginning.

TRACT 133: All that part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue 292 feet south of the South line of 53rd Street; thence East 133.10 feet; thence South 32 feet; thence West 133.10 feet; thence North 32 feet to the point of beginning.

TRACT 134: Part of the West 1/2 of the West 1/2 of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, particularly described as follows: Beginning in the east line of Lydia Avenue at a point 484 feet South of the South line of 53rd Street, as said streets are now established in said city, and running thence South along the East line of Lydia Avenue 32 feet; thence East parallel with the South line of 53rd Street, 132.5 feet; thence North parallel with the East line of Lydia Avenue 32 feet; thence West parallel with the South line of 53rd Street 132.5 feet to the place of beginning.

TRACT 135: Part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue, five hundred sixteen (516) feet South of the south line of 53rd Street, as now established; thence South thirty-two (32) feet; thence East one hundred thirty-three and ten hundredths (133.10) feet; thence North thirty-two (32) feet; thence West one hundred thirty-three and ten hundreds (133.10) feet to point of beginning.

TRACT 136: The South 50 feet of Lot 3, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 137: Lot 2, and the North 13.92 feet of Lot 3, except that part in street, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 138: Lot 1, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 139: The South 33 1/2 feet of Lot 7, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 140: The South 16.67 feet of Lot 6 and the North 16.67 feet of Lot 7, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 141: The North 33.33 feet of Lot 6, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 142: The South 31 feet of Lot 5, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 143: All of the South 27 feet of Lot 1 and the North 6 feet of Lot 2, and the West 12 feet of the North 42.65 feet of Lot 1, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 144: The North 42.65 feet of the East 128.56 feet of Lot 1, FRED P. SCHELL HIGHLANDS, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 145: Lot 14, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 146: Lot 13, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 147: Lot 12, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 148: Lot 11, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 149: Lot 10, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 150: The North 33 1/3 feet of Lot 9, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 151: The North 16.7 feet of Lot 6, and the South 16.6 feet of Lot 7, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 152: Lot 35, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 153: Lots 1 and 2, Elm Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 154: Lot 12, and the South 8 1/3 feet of Lot 11, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 155: All of the South 16 2/3 feet of Lot 10 and all of the North 16 2/3 feet of Lot 11, Cherry Stake Grove Park, an addition in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 156: Lot 9, and the North 8 1/3 feet of Lot 10, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 157: Lot 21, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 158: Lot 20, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 159: Lot 19, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 160: Lot 18, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 161: Lot 24, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 162: The North 37.5 feet of Lot 23, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 163: The North 25 feet of Lot 22 and the South 12.5 feet of Lot 23, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 164: Lot 16, except the South 12 1/2 feet thereof, Cherry Stake Grove Park; and the South 25 feet of Lot 22, Fred P. Schell Highlands, both being subdivisions in Kansas City, Jackson County, Missouri, according to the recorded plats thereof.

TRACT 165: Lot 15, and the South 12 1/2 feet of Lot 16, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 166: Lots 13 and 14, and together with the East 1/2 of the vacated Tracy Avenue adjoining said lots, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 167: Lot 36, Lots 19 to 36, both inclusive, Elm Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 168: The North 10 feet of Lot 34 and all of Lot 35, Lots 19 to 36, both inclusive, Elm

Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 169: Lot 34, except the North 10 feet thereof, Elm Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 170: Lot 5, except the North 10 feet of C. H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 171: The North 10 feet of Lot 5, and the South 40 feet of Lot 4, C. H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 172: The South 35 feet of Lot 3 and the North 10 feet of Lot 4, C. H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 173: The South 25 feet of Lot 2 and the North 15 feet of lot 3, of C. H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 174: The North 40 feet of Lot 1, C. H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 175: Lot 35, EXCEPT the North 16  $\frac{2}{3}$  feet thereof, Fred P. Schell's Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 176: The South 16  $\frac{2}{3}$  feet of Lot 34 and the North 16  $\frac{2}{3}$  feet of Lot 35, Fred P. Schell's Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 177: Lot 1, and the South  $\frac{1}{2}$  of the vacated 53rd Street lying North of and adjoining said lot, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 178: Lot 2, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 179: Lot 3, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 180: Lot 4, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 181: Lot 5, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 182: All that part of vacated Virginia Avenue from the North line of 54th Street to the South line of 53rd Street, now vacated, vacated 53rd Street from the West line of Virginia Avenue to the East line of Lydia Avenue, and vacated Lydia Avenue from the South line of 53rd Street, now vacated to the North line of 54th Street; all as vacated by Ordinance No. 030120, and filed as Document No. 2003K0074084.

TRACT 183: All that part of vacated 54th Street from the East line of Troost to the West line of Forest Avenue, as vacated by Ordinance No. 990752, filed June 22, 1999, as Document No. 1999K0035830.

is hereby approved, subject to the following conditions:

1. The developer shall receive approval of a MPD final plan from the City Plan Commission prior to issuance of building permit.
2. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
3. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
4. The 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.
5. The developer shall integrate into the existing light system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
6. 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.
7. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage

conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.

8. The developer shall 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, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" 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. 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 the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
9. 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.
10. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
11. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
12. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA 241-2013 § 8.7.2)
13. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
14. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)
15. The turning radius for Fire Department access roads is 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
16. Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
17. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or

greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).

18. The developer shall submit plans to Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and streetlighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks and Recreation Department standards.
19. The developer shall submit a streetscape plan with a street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
20. The developer shall fully comply with the parkway and boulevard standards of 88-323.
21. The developer shall submit a letter to the Parks and Recreation Department 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 along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall 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 gutters 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 the Parks and Recreation Department, prior to recording the plat or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
22. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to certificate of occupancy.
23. A traffic impact study may be required as the future residence halls are constructed.
24. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
25. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
26. The developer shall submit an analysis by a registered Professional Engineer in Missouri to verify adequate capacity of the existing water mains and verify fire flow capacity prior to the issuance of new water service permits. Depending on adequacy of the existing water mains, upsizing or extending mains and/or other improvements may be required.

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.

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Assistant City Attorney