



## Legislation Text

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**File #:** 220161, **Version:** 1

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### ORDINANCE NO. 220161

Approving an interjurisdictional preliminary plat for Brandom Acres within the cities of Gladstone, Missouri and Kansas City, Missouri in District R-80 (Residential 80) on about 8 acres (9.5 acres total) generally located at the northwest corner of N.W. 74th Street and N. Broadway, creating two residential lots. (CD-CPC-2021-00195)

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

Section A. That the preliminary plat for Brandom Acres on about 8 acres generally located at the northwest corner of N.W. 74th Street and N. Broadway, and more specifically described as follows:

A tract of land described in Deed of Personal Representative, Debra Claussen for the Estate of JoAnn Fox, recorded as Document R26987, in Book 3712, on Page 758, on August 5, 2002, in the office of the Clay County Recorder of Deeds, said tract originally described as follows: A tract of land containing 10 acres, more or less, known as 7400 N Broadway Avenue, Kansas City, Missouri and more fully described as: The South Ten (10) acres of the North one half (1/2) of the East Sixty (60) acres of the Southeast Quarter (1/4) of Section Fifteen (15), Township Fifty-one (51), Range Thirty-three (33), Clay County, Missouri, except that part conveyed to the State of Missouri for Right-of-way in Book 576, Page 45.

Said tract of land more particularly described by Phillip James Schnitz, PLS 2014020715, on October 15, 2021, as follows: A tract of land in the Southeast Quarter of Section 15, Township 51 North, Range 33 West, of the Fifth principal meridian, in Kansas City, Clay County, Missouri; (Basis of bearings being South 00° 27' 17" West, on the East line of the Southeast Quarter of Section 15, Township 51 North, Range 33 West) Commencing at the Northeast corner of the Southeast Quarter of said Section 15; thence South 00° 27' 17" West, 880.95 feet, on the East line of the Southeast Quarter of said Section 15; thence North 89° 36' 52" West, 30.00 feet, to a point on the West Right-of-Way line of N. Broadway Avenue, said point being the Northeast corner of the tract of land herein described and the point of beginning; thence South 00° 27' 17" West, 439.38 feet, on said West Right-of-Way line, being the East line of the tract of land herein described, to the Southeast corner of the tract of land herein described; thence North 89° 30' 08" West, 942.20 feet, on the North line of the plats of Willow Creek, Lots 1 thru 12 and Willow Creek, Lots 13 thru 73, both being recorded subdivision in Clay County, Missouri, and the westerly extension thereof, being the South line of the tract of land herein described, to a point on the East Right-of-Way line of U.S Highway 169, said point being Southwest corner of said tract of land herein described; thence North 01° 07' 05" East, 437.54 feet, on said East line of U.S. highway 169, being the West line of the tract of land herein described, to the Northwest corner of said tract of land herein described; thence South 89° 36' 58" East, 937.13 feet; on the North line of the tract of land herein described, to the Northeast corner of said tract of land herein described, and the point of beginning. Said tract of land as herein described, contains

411,996 square feet or 9.46 acres more or less.

is hereby approved, subject to the following conditions:

1. That the developer submit a final plat to be approved by the City of Gladstone, Missouri prior to Mylar approval by the City of Kansas City, Missouri.
2. 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.
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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 covenants, conditions and restrictions to the Land Development Division for approval by the Law Department for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.
6. 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.
7. 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.
8. 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.
9. The developer shall submit plans for grading, siltation, and erosion control to 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.
10. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.

11. 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.
12. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building 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.
13. 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.
14. The developer is 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 recording the final plat.
15. Water & sewer connection letters from Gladstone, Missouri and Kansas City Water Services must be on file before the plat is recorded.

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.

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Assistant City Attorney