

ORDINANCE NO. 150731

Approving an amendment to a previously approved URD Plan in District UR (Urban Redevelopment), on approximately 460 acres generally bounded by E. 87th Street on the north, Interstate 435 on the east, Bannister Road on the south, and Bruce R. Watkins Drive (US Hwy 71) on the west, to allow for the deletion of 57 acres from said UR development plan. (Case No. 10390-URD-10)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved URD Plan in District UR (Urban Redevelopment), on approximately 460 acres generally bounded by E. 87th Street on the north, Interstate 435 on the east, Bannister Road on the south, and Bruce R. Watkins Drive (US Hwy 71) on the west, to allow for the deletion of 57 acres from said UR development plan, with the remaining area more specially described as follows:

Portions of Sections 22, 23, 26 and 27, all in Township 48 North, Range 33 West of the Fifth Principal Meridian, in Kansas City, Jackson County, Missouri, bounded generally on the north by 87th Street, on the east by U.S. Interstate Route No. 435, on the south by Missouri State Route "W", commonly known as Bannister Road, and on the west by U.S. Highway Route No. 71, commonly known as Bruce R. Watkins Drive, as said street and highway right of ways are now established or proposed, and all more particularly described as follows:

Beginning at the northeast corner of the Southeast Quarter of Section 22, same point being the southwest corner of the Northwest Quarter of Section 23; thence North 02 degrees 24 minutes 18 seconds East along the west line of the northwest corner of said Section 23, a distance of 460.18 feet to a point on the proposed southerly right of way line of 87th Street; thence generally eastwardly along said southerly right of way line, the following courses and distances, more or less; thence South 57 degrees 23 minutes 10 seconds east, a distance of 147.97 feet; thence South 62 degrees 40 minutes 58 seconds West, a distance of 58.60 feet; thence South 27 degrees 40 minutes 41 seconds East, a distance of 96.31 feet; thence North 62 degrees 40 minutes 58 seconds East, a distance of 116.13 feet; thence along a curve to the left, having an initial tangent bearing of South 59 degrees 46 minutes 38 seconds East, a radius of 2,365.00 feet and a central angle of 32 degrees 58 minutes 37 seconds, an arc length of 1,361.19; thence North 87 degrees 14 minutes 46 seconds East, a distance of 256.00 feet; thence on a curve to the right, having an initial tangent bearing of the last described course, a radius of 2235.00 feet, and a central angle of 20 degrees 19 minutes 13 seconds, an arc length of 792.66 feet; thence South 72 degrees 26 minutes 02 seconds East, a distance of 256.00 feet; thence on a curve to the left, having an initial tangent bearing of the last described course, a radius of 2,365.00 feet and a central angle of 05 degrees 57 minutes 35 seconds, an arc distance of 246.00 feet; thence South 13

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degrees 55 minutes 44 seconds east, a distance of 92.29 feet; thence North 79 degrees 11 minutes 53 seconds East, a distance of 2.26 feet; thence South 02 degrees 13 minutes 32 seconds West, parallel to the east line of the Northwest Quarter of the Southeast Quarter of Section 23 and no longer along the proposed southerly right of way line of said 87th Street, a distance of 464.87 feet; thence South 86 degrees 59 minutes 03 seconds East, parallel to the north line of the Northwest Quarter of the Southeast Quarter of Section 23, a distance of 866.67 feet to a point on the east line of the Northwest Quarter of the Southeast Quarter of said Section 23; thence southwardly along said east line, South 02 degrees 13 minutes 32 seconds West, a distance of 205.73 feet; thence South 86 degrees 59 minutes 03 seconds East, and no longer along the east line of the Northwest Quarter of the Southeast Quarter of said Section 23, a distance of 1,084.86 feet to a point on the westerly right of way line of U.S. Interstate Route No. 435 as now established; thence generally southwardly along said right of way line the following courses and distances, more or less; thence South 28 degrees 22 minutes 34 seconds West, a distance of 258.58 feet; thence South 14 degrees 20 minutes 24 seconds West, a distance of 206.16 feet; thence South 28 degrees 22 minutes 34 seconds West, a distance of 1,529.94 feet; thence North 88 degrees 11 minutes 20 seconds West, a distance of 55.35 feet; thence South 28 degrees 22 minutes 34 seconds West, a distance of 2,346.22 feet; thence South 37 degrees 36 minutes 22 seconds West, a distance of 405.25 feet; thence South 59 degrees 08 minutes 20 seconds West, a distance of 179.71 feet to a point on the northerly right of way line of Missouri State Route "W", commonly known as Bannister Road; thence generally westward long said right of way line the following courses and distances, more or less; thence North 86 degrees 46 minutes 04 seconds West, a distance of 346.89 feet; thence North 86 degrees 31 minutes 40 seconds West, a distance of 1541.69 feet; thence North 77 degrees 59 minutes 49 seconds West, a distance of 101.12 feet; thence North 86 degrees 31 minutes 40 seconds West, a distance of 288.16 feet to a point on the easterly right of way line of U.S. Highway Route No. 71, commonly known as Bruce R. Watkins Drive as now established; thence generally northwardly along said right of way line the following courses and distances, more or less; thence along a curve to the right, having an initial tangent bearing of North 37 degrees 09 minutes 43 seconds West, a radius of 1,960.08 feet and a central angle of 23 degrees 31 minutes 01 seconds, an arc length of 804.51 feet; thence North 13 degrees 38 minutes 42 seconds West, a distance of 1,182.27 feet; thence along a curve to the right, having an initial tangent bearing of the last described course, a radius of 2,914.93 feet and a central angle of 07 degrees 44 minutes 19 seconds, an arc length of 393.70 feet; thence North 05 degrees 54 minutes 22 seconds West, a distance of 403.85 feet; thence along a curve to the left, having an initial tangent bearing of the last described course, a radius of 2,814.93 feet and a central angle of 7 degrees 18 minutes 29 seconds, an arc length of 359.04 feet; thence North 13

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degrees 12 minutes 51 seconds West, a distance of 1,292.87 feet; thence on a curve to the left, having an initial tangent bearing of the last described course, a radius of 2,814.93 feet and a central angle of 6 degrees 44 minutes 26 seconds, an arc length of 331.16 feet; thence North 19 degrees 57 minutes 17 seconds West, a distance of 702.91 feet to a point on the northerly line of the Southeast Quarter of said Section 22; thence South 86 degrees 47 minutes 56 seconds East along said quarter section line and no longer along the easterly right of way line of U.S. Highway Route No. 71, a distance of 1,155.22 feet to the point of beginning, said tract containing 22,486,834 square feet equal to 516.2 acres, more or less.

Except the area described as follows: Beginning at the West Quarter Corner of Section 23, Township 48 North, Range 33 West; thence North 02 degrees 24 minutes 18 seconds East, along the west line of the Northwest Quarter of said Section 23, a distance of 460.18 feet, to a point on the southerly right-of-way line of 87th Street, as now established; thence South 57 degrees 23 minutes 10 seconds East, along said southerly right-of-way line, a distance of 147.98 feet; thence South 62 degrees 40 minutes 58 seconds West, continuing along said southerly right-of-way line, a distance of 58.60 feet; thence South 27 degrees 40 minutes 41 seconds East, continuing along said southerly right-of-way line, a distance of 96.31 feet; thence North 62 degrees 40 minutes 58 seconds East, continuing along said southerly right-of-way line, a distance of 116.13 feet; thence southeasterly, continuing along said southerly right-of-way line and along a non-tangent curve to the left, having a central angle of 19 degrees 01 minutes 21 seconds and a radius of 2,635.00 feet, and whose initial tangent bearing is South 59 degrees 46 minutes 38 seconds East, an arc distance of 785.20 feet; thence South 57 degrees 20 minutes 16 seconds West, a distance of 41.58 feet; thence South 13 degrees 28 minutes 32 seconds West, a distance of 599.57 feet; thence southerly, along a curve to the left, tangent to the last described course, having a central angle of 23 degrees 52 minutes 18 seconds and a radius of 1935.00 feet, for an arc distance of 806.20 feet; thence North 86 degrees 58 minutes 55 seconds West, a distance of 824.42 feet, to a point of the west line of the Southwest Quarter of said Section 23; thence North 86 degrees 34 minutes 16 seconds West, a distance of 686.44 feet, to a point on the easterly right-of-way line of Missouri State Highway (a.k.a. Bruce Watkins Drive // a.k.a. South Midtown Trafficway) as now established thence North 13 degrees 12 minutes 51 seconds west, along said easterly right-of-way line, a distance of 372.91 feet; thence northwesterly continuing along said easterly right-of-way line and along a curve to the left, tangent to the last described course, having a central angle of 06 degrees 44 minutes 26 seconds and a radius of 2,814.93 feet, for an arc distance of 331.16 feet; thence North 19 degrees 57 minutes 17 seconds west, continuing along said easterly right-of-way line, a distance of 702.90 feet, to a point on the north line of the Southeast Quarter of Section 22,

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Township 48 North, Range 33 West; thence South 86 degrees 47 minutes 56 seconds East, along said north line, a distance of 1155.22 feet to the point of beginning. Containing 2,489,216 square feet or 57.1445 acres, more or less.

is hereby approved, subject to the following conditions:

1. Conditions of approval of Ordinance No. 051062 passed by City Council on October 6, 2005 (Case No. 10390-URD-5) still apply and shall be carried forward.
2. That the developer cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
3. That the developer submit a macro/micro storm drainage study, including a BMP level of service analysis, to the Land Development Division for review and acceptance for the entire development when the first plat infrastructure improvements are submitted, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
4. That the owner/developer submit plans for grading, siltation, and erosion control to the Land Development Division for review, acceptance, and permitting for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
5. That the developer 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, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
6. That the owner/developer secure a site disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
7. That the developer 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.

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8. That the developer design and construct all interior public streets to City standards, as required by the Land Development Division, including curb and gutter, storm sewers, streetlights, and sidewalks.
9. That the developer construct temporary off-site cul-de-sacs as required by the Land Development Division.
10. That the developer pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
11. That the developer 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, identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" 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 occupancy permits.
12. That the developer secure permits to extend 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.
13. That the developer enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
14. Any future development that deviates from the current approved 2005 URD Development Plan as it relates to site layout (including building uses and floor areas), phasing, and timing, other than the 112 acres owned or controlled by Northpoint and developed for light industrial/office uses, shall require an amended URD development plan and shall require an updated traffic impact study for the overall URD development plan. The updated traffic impact study must incorporate the prevailing conditions existing at the time of the update, including all adjacent approved developments.

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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.

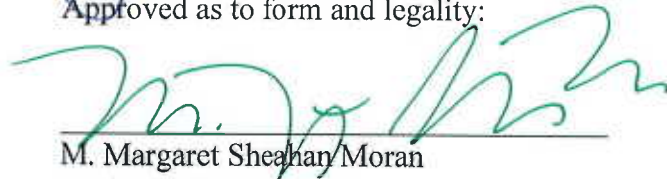
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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.



Secretary, City Plan Commission

Approved as to form and legality:



M. Margaret Sheahan Moran  
Assistant City Attorney



Authenticated as Passed



Sly James, Mayor



Marilyn Sanders, City Clerk

SEP 03 2015

Date Passed