

ORDINANCE NO. 080369

Approving an amendment to a previously approved preliminary plan in District O on approximately 15.1 acres generally located at the southeast corner of N.E. 81st Terrace and N. Flintlock Road, for the purpose of deleting approximately 2.03 acres from said preliminary plan. (9815-P-67)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved preliminary plan in District O (Office) on approximately 15.1 acres generally located at the southeast corner of N.E. 81st Terrace and N. Flintlock Road, and more specifically described as follows:

All that part of the Southeast and Southwest Quarter of Section 11, and the Northeast Quarter of Section 14, all in Township 51, Range 32, Kansas City, Clay County, Missouri, being described as follows: Commencing at the Northwest corner of said Southeast Quarter; thence South $00^{\circ}29'05''$ West, along the West line of said Southeast Quarter, 1095.47 feet to its intersection with the Easterly right-of-way line of Flintlock Road, as now established; thence Southerly, along said Easterly right-of-way line, on a curve to the right, having an initial tangent bearing of South $13^{\circ}54'21''$ West, a radius of 1850.00 feet, a central angle of $17^{\circ}28'43''$, an arc distance of 564.36 feet to the True Point of Beginning of the tract to be herein described; thence South $58^{\circ}36'56''$ East, 150.17 feet; thence Southeasterly, along a curve to the right, tangent to the last described course, having a radius of 800.00 feet, a central angle of $18^{\circ}44'36''$, an arc distance of 261.71 feet; thence Easterly, along a curve to the left, having a common tangent with the last described course, a radius of 800.00 feet, a central angle of $42^{\circ}21'25''$, an arc distance of 591.42 feet; thence South $28^{\circ}03'41''$ West, 632.47 feet to the Southeast corner of Barry Pointe Office Park-Second Plat, a subdivision of land in Kansas City, Clay County, Missouri; thence North $61^{\circ}56'19''$ West along the South line of Barry Pointe Office Park-Second Plat and South line of Barry Pointe Office Park-First Plat, a subdivision of land in Kansas City, Clay County, Missouri, 1083.69 feet to the Southwest corner of said Barry Pointe Office Park-First Plat and also being the intersection with the Easterly right-of-way line of said Flintlock Road; thence North $36^{\circ}55'52''$ East, along said Easterly right-of-way line, 535.77 feet; thence Northerly, along said Easterly right-of-way line, on a curve to the left, tangent to the last described course, having a radius of 1850.00 feet, a central angle of $05^{\circ}32'47''$, an arc distance of 179.09 feet to the True Point of Beginning. Containing 15.11 acres, more or less.

for the purpose of deleting therefrom approximately 2.03 acres tract of land, more specifically described as follows:

ORDINANCE NO. 080369

All of Lot 2, Barry Pointe Office Park-Second Plat, a subdivision of land in Kansas City, Clay County, Missouri being more particularly described as follows: Commencing at the Northwest corner of said Southeast Quarter of Section 11; thence South $00^{\circ}26'45''$ West along the West line of said Southeast Quarter; 1902.96 feet; thence South $89^{\circ}33'15''$ East, 115.10 feet to the Northeast corner of Lot 1, Barry Pointe Office Park-First Plat, a subdivision in Kansas City, Clay County, Missouri said point being on the South right-of-way line of NE 81st Terrace, as now established; thence South $46^{\circ}34'06''$ West along the East line of said Lot 1, 15.97 feet; thence Southerly along said East line on a curve to the left, having a common tangent with the last described course, a radius of 247.50 feet, a central angle of $18^{\circ}30'25''$, an arc distance of 79.94 feet; thence South $28^{\circ}03'41''$ West along said East line, 44.42 feet to the Northeast corner of the aforementioned Lot 2, Barry Pointe Office Park-Second Plat to the True Point of Beginning of the tract to be herein described; thence South $28^{\circ}03'41''$ West along the East line of said Lot 2, 264.58 feet to the Southeast corner of said Lot 2; thence North $61^{\circ}56'19''$ West along the South line of said Lot 2, 333.53 feet to the Southwest corner of said Lot 2; thence North $28^{\circ}03'41''$ East along the West line of said Lot 2, 264.58 feet to the Northwest corner of said Lot 2; thence South $61^{\circ}56'19''$ East along the North line of said Lot 2, 333.53 feet to the True Point of Beginning. Containing 2.03 acres, more or less.

so that the remaining tract of land of approximately 13.08 acres, more specifically described as follows:

All that part of the Southeast and Southwest Quarter of Section 11, and the Northeast Quarter of Section 14, all in Township 51, Range 32, Kansas City, Clay County, Missouri, being described as follows: Commencing at the Northwest corner of said Southeast Quarter; thence South $00^{\circ}29'05''$ West, along the West line of said Southeast Quarter, 1095.47 feet to its intersection with the Easterly right-of-way line of Flintlock Road, as now established; thence Southerly, along said Easterly right-of-way line, on a curve to the right, having an initial tangent bearing of South $13^{\circ}54'21''$ West, a radius of 1850.00 feet, a central angle of $17^{\circ}28'43''$, an arc distance of 564.36 feet to the True Point of Beginning of the tract to be herein described; thence South $58^{\circ}36'56''$ East, 150.17 feet; thence Southeasterly, along a curve to the right, tangent to the last described course, having a radius of 800.00 feet, a central angle of $18^{\circ}44'36''$, an arc distance of 261.71 feet; thence Easterly, along a curve to the left, having a common tangent with the last described course, a radius of 800.00 feet, a central angle of $42^{\circ}21'25''$, an arc distance of 591.42 feet; thence South $28^{\circ}03'41''$ West, 632.47 feet to the Southeast corner of Barry Pointe Office Park-Second Plat, a subdivision of land in Kansas City, Clay County, Missouri; thence North $61^{\circ}56'19''$ West along the South line of Barry Pointe Office Park-Second Plat and South line of Barry Pointe Office

ORDINANCE NO. 080369

Park-First Plat, a subdivision of land in Kansas City, Clay County, Missouri, 1083.69 feet to the Southwest corner of said Barry Pointe Office Park-First Plat and also being the intersection with the Easterly right-of-way line of said Flintlock Road; thence North $36^{\circ}55'52''$ East, along said Easterly right-of-way line, 535.77 feet; thence Northerly, along said Easterly right-of-way line, on a curve to the left, tangent to the last described course, having a radius of 1850.00 feet, a central angle of $05^{\circ}32'47''$, an arc distance of 179.09 feet to the True Point of Beginning.

Except Lot 2, Barry Pointe Office Park-Second Plat, a subdivision of land in Kansas City, Clay County, Missouri being more particularly described as follows: Commencing at the Northwest corner of said Southeast Quarter of Section 11; thence South $00^{\circ}26'45''$ West along the West line of said Southeast Quarter; 1902.96 feet; thence South $89^{\circ}33'15''$ East, 115.10 feet to the Northeast corner of Lot 1, BARRY POINTE OFFICE PARK-FIRST PLAT, a subdivision in Kansas City, Clay County, Missouri said point being on the South right-of-way line of NE 81st Terrace, as now established; thence South $46^{\circ}34'06''$ West along the East line of said Lot 1, 15.97 feet; thence Southerly along said East line on a curve to the left, having a common tangent with the last described course, a radius of 247.50 feet, a central angle of $18^{\circ}30'25''$, an arc distance of 79.94 feet; thence South $28^{\circ}03'41''$ West along said East line, 44.42 feet to the Northeast corner of the aforementioned Lot 2, Barry Pointe Office Park-Second Plat to the True Point of Beginning of the tract to be herein described; thence South $28^{\circ}03'41''$ West along the East line of said Lot 2, 264.58 feet to the Southeast corner of said Lot 2; thence North $61^{\circ}56'19''$ West along the South line of said Lot 2, 333.53 feet to the Southwest corner of said Lot 2; thence North $28^{\circ}03'41''$ East along the West line of said Lot 2, 264.58 feet to the Northwest corner of said Lot 2; thence South $61^{\circ}56'19''$ East along the North line of said Lot 2, 333.53 feet to the True Point of Beginning. District O now containing 13.08 acres, more or less.

is hereby approved, subject to the following conditions:

1. That the developer construct sidewalks on the south side of N.E. 81st Terrace adjacent to Lot 6, Barry Pointe Office Park Second Plat (from the eastern property line to western property line of Lot 6) prior to any further final plan approvals for the District O development as required by the Department of City Development.
2. That the developer confirm that all of the landscaping was completed within the dry detention basin on the east side of N. Flintlock Road, south of N.E. 81st Terrace as approved by Case No. 9815-P-53, prior to any further final plan approvals for the District O development as required by the Department of City Development.

ORDINANCE NO. 080369

3. That the developer submit a micro storm drainage study to Development Services for review and acceptance for each phase and that the developer construct any improvements 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 extend water mains as required by the Water Services Department.
6. That the developer provide for fire protection as required by the Fire Department.
7. That the developer extend sanitary sewer mains as required by Development Services.
8. That the developer secure a site disturbance permit from Development Services prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area exceeds one acre.
9. That the developer obtain the grading consents, and all grading, temporary construction and drainage easements from the abutting property owner prior to submitting any public improvements.
10. That the developer submit a final plan to the City Plan Commission for approval, including plans for grading, landscaping, screening, berming, lighting (provide a photometric study, with the intent that there shall be no direct illumination beyond the property line and with zero footcandles of light at the southern plan district boundary line and reasonable light leakage along the other district boundary lines) and signage.
11. That the developer post a bond for the preservation of landscaping as required by Section 80-106(5)C of the Zoning Ordinance as required by the Director of City Development.

A copy of said amended preliminary 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.

ORDINANCE NO. 080369

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