

ORDINANCE NO. 100415

Rezoning an area of approximately 1,756 acres generally located between I-435 on the west, N.E. 96th Street on the north, N. Flintlock Road on the east and Shoal Creek Parkway and N.E. 76th Street on the south, to consider rezoning the site from Districts MPC (Master Planned Community), RA (Agricultural), R-1b (One-Family Dwellings) and CP-2 (Local Planned Business Center) to District MPC (Master Planned Community), and approving a community master plan for same. (12417-P-8)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 80, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning Ordinance, is hereby amended by enacting a new section to be known as Section 80-11A0868, rezoning an area of approximately 1,756 acres generally located between I-435 on the west, N.E. 96th Street on the north, N. Flintlock Road on the east and Shoal Creek Parkway and N.E. 76th Street on the south, to consider rezoning the site from Districts MPC (Master Planned Community), RA (Agricultural), R-1b (One-Family Dwellings) and CP-2 (Local Planned Business Center) to District MPC (Master Planned Community), said section to read as follows:

Section 80-11A0868. That an area legally described as:

Legal description of 221.57 acres tract of land within Districts R-1b (One-Family Dwellings) and CP-2 (Local Planned Business Center) to be rezoned to District MPC (Master Planned Community) (Tract G):

Tract "G"

All that part of the North Half of Section 15, Township 51 North, Range 32 West, in the City of Kansas City, Clay County, Missouri, being more specifically described as follows: Commencing from the Southeast corner of the Northwest Quarter of said Section; thence North 01 Degrees 14 Minutes 23 Seconds East, 25.00 feet to a point on the North Right-of-Way of 76th Street and the Point of Beginning; thence along said Right-of-Way North 88 Degrees 56 Minutes 06 Seconds West, 1408.75 feet; thence along said Right-of-Way North 01 Degrees 03 Minutes 54 Seconds East, 15.00 feet; thence along said Right-of-Way on a curve to the right having a Radius of 564.69 feet, an Initial Tangent Bearing (ITB) of North 88 Degrees 56 Minutes 06 Seconds West, an Arch Length of 316.25 feet; thence North 00 Degrees 58 Minutes 01 Seconds East, 478.71 feet; thence South 88 Degrees 43 Minutes 29 Seconds East, 428.46 feet; thence North 00 Degrees 58 Minutes 01 Seconds East, 2033.36 feet to a point on the North line of the Northwest Quarter of said Section; thence along said North line, South 88 Degrees 43 Minutes 29 Seconds East, 1292.61 feet to a point on the Northeast corner of the Northwest Quarter of said Section; thence along the North line of the Northeast Quarter of said Section, South 88 Degrees 46 Minutes 08 Seconds East, 2329.98 feet; thence South 01

ORDINANCE NO. 100415

Degrees 14 Minutes 26 Seconds West, 2594.21 feet; thence North 89 Degrees 05 Minutes 02 Seconds West, along the North Right-of-Way of 76th Street, 2330.09 feet to the Point of Beginning; containing 9651394.74 square feet or 221.57 acres, more or less.

Legal description of 32.16 acres tracts of land within District RA (Agricultural) to be rezoned to District MPC (Master Planned Community) (Tracts H & J):

Tract “H”

All that part of the Southeast Quarter and the Northwest Quarter of Section 16, Township 51 North, Range 32 West, in the City of Kansas City, Clay County, Missouri, being more particularly described as follows: commencing at the northeast corner of the Northeast Quarter of said Section 16, thence South 00 degrees 56 minutes 48 seconds West, with the east line of the Northeast Quarter of said Section 16, a distance of 1947.63 feet to a point on the west right-of-way of Shoal Creek Parkway; thence South 25 degrees 05 minutes 33 seconds West (South 25 degrees 06 minutes 08 seconds West Deed Bk. 4586, Pg. 198;), with the west right-of-way of Shoal Creek Parkway, a distance of 767.04 feet to a point on the north line of the Southeast Quarter of said Section 16; thence continuing with the west right-of-way of Shoal Creek Parkway, South 25 degrees 05 minutes 33 seconds West, a distance of 1471.02 feet to a point of curvature; thence continuing with the west right-of-way of Shoal Creek Parkway, on a curve to the right having a radius of 1357.20 feet (1368.21 feet Deed Bk. 4586, Pg. 198), a central angle of 23 degrees 56 minutes 35 seconds (23 degrees 45 minutes 03 seconds Deed Bk. 4586, Pg. 198), an arc distance of 566.86 feet; thence continuing with the west right-of-way of Shoal Creek Parkway, South 49 degrees 01 minutes 38 seconds West (South 49 degrees 01 minutes 55 seconds West Deed Bk. 4586, Pg. 198), a distance of 118.77 feet (118.77 feet Deed Bk. 4586, Pg. 198); thence continuing with the west right-of-way of Shoal Creek Parkway, South 62 degrees 07 minutes 09 seconds West (South 62 degrees 07 minutes 24 seconds West Deed Bk. 4586, Pg. 198), a distance of 220.73 feet to a point on the east right-of-way of Interstate 435; thence North 34 degrees 58 minutes 04 seconds West (North 34 degrees 57 minutes 48 seconds West Deed Bk. 4586, Pg. 198), with the east right-of-way of Interstate 435, a distance of 797.11 feet to a point on the south line of the Northwest Quarter of the Southeast Quarter of said Section 16, said point being the Point of Beginning; thence continuing with the east right-of-way of Interstate 435, North 34 degrees 58 minutes 04 seconds West (North 34 degrees 57 minutes 48 seconds West Deed Bk. 5676, Pg. 133), a distance of 166.36 feet; thence continuing with the east right-of-way of Interstate 435, North 20 degrees 58 minutes 13 seconds West (North 20 degrees 58 minutes 06 seconds West Deed Bk. 5676, Pg. 133), a distance of 1255.17 feet (1255.34 feet Deed Bk. 5676, Pg. 133) to a point on the north line of

ORDINANCE NO. 100415

the Southeast Quarter of said Section 16, hereinafter referred to as Point A; thence North 89 degrees 58 minutes 53 seconds East (North 89 degrees 59 minutes 00 seconds East Deed Bk. 5676, Pg. 133), with the north line of the Southeast Quarter of said Section 16, a distance of 1257.00 feet (1237.00 feet Deed Bk. 5676, Pg. 133; 1257.00 feet Deed Bk. 2040, Pg. 922) to the northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 16; thence South 00 degrees 13 minutes 06 seconds West (South 00 degrees 13 minutes 23 seconds West Deed Bk. 4586, Pg. 198; South 00 degrees 13 minutes 23 seconds West Deed Bk. 5676, Pg. 133), with the east line of the Northwest Quarter of the Southeast Quarter of said Section 16, a distance of 1146.79 feet (1146.42 feet Deed Bk. 5676, Pg. 133) to a point on the west right-of-way of Willis Road; thence with the west right-of-way of Willis Road on a curve to the left having a radius of 172.00 feet, a central angle of 28 degrees 43 minutes 04 seconds (28 degrees 43 minutes 03 seconds Deed Bk. 5676, Pg. 133), with an initial tangent bearing of South 29 degrees 18 minutes 06 seconds West (South 29 degrees 16 minutes 35 seconds West Deed Bk. 5676, Pg. 133), an arc distance of 86.21 feet; thence continuing with the west right-of-way of Willis Road, South 00 degrees 38 minutes 15 seconds West (South 00 degrees 33 minutes 32 seconds West Deed Bk. 5676, Pg. 133), a distance of 79.11 feet (79.49 feet Deed Bk. 5676, Pg. 133) to a point on the south line of the Northwest Quarter of the Southeast Quarter of said Section 16; thence South 89 degrees 57 minutes 41 seconds West (South 90 degrees 00 minutes 00 seconds West Deed Bk. 4586, Pg. 198; South 89 degrees 57 minutes 58 seconds West Deed Bk. 5676, Pg. 133), with the south line of the Northwest Quarter of the Southeast Quarter of said Section 16, a distance of 685.20 feet (685.36 feet Deed Bk. 5676, Pg. 133) to the point of beginning. The above described tract of land contains 1,307,516 square feet or 30.02 acres, more or less.

Tract "J"

Commencing at said previously described Point A, thence North 20 degrees 58 minutes 13 seconds West, with the east right-of-way of Interstate 435, a distance of 144.39 feet to the point of beginning; thence continuing with the east right-of-way of Interstate 435, North 20 degrees 58 minutes 13 seconds West (North 20 degrees 58 minutes 06 seconds West Deed Bk. 5676, Pg. 133), a distance of 736.89 feet; thence North 89 degrees 39 minutes 25 seconds East (North 89 degrees 59 minutes 00 seconds East Deed Bk. 5676, Pg. 133), no longer with the east right-of-way of Interstate 435, a distance of 270.23 feet to a point on the east line of the Northwest Quarter of said Section 16; thence South 00 degrees 32 minutes 23 seconds West (South 00 degrees 51 minutes 58 seconds West Deed Bk. 5676, Pg. 133), with the east line of the Northwest Quarter of said Section 16, a distance of 689.73 feet to the point of beginning. The above described tract of land contains 93,181 square feet or 2.14 acres, more or less.

ORDINANCE NO. 100415

is hereby rezoned to District MPC (Master Planned Community), all as shown outlined on a map marked Section 80-11A0868, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and as an amendment to Section 80-11 thereof.

Section B. That an amended Community Master Plan is hereby approved for the following described area:

Legal description of 1,756 acres total tract of land within District MPC (Master Planned Community) for approval of a community master plan.

Tract "A" including Tract "G"

All that part of the South Half of Section 10, the Southwest Quarter of Section 11, the Northwest Quarter of Section 14, and the North Half of Section 15, all in Township 51 North, Range 32 West in Kansas City, Clay County, Missouri, described as follows: Commencing at the Southeast corner of the Northeast Quarter of Section 15; thence North 00 degrees 32 minutes 14 seconds East, along the East line of the Northeast Quarter, 25.00 feet, to the existing North Right of Way of Northeast 76th Street, and the Point of Beginning; thence North 89 degrees 05 minutes 22 seconds West, 25.00 feet North of and parallel with the South line of the Northeast Quarter, 2,643.68 feet; to the East line of the Northwest Quarter of Section 15; thence North 88 degrees 56 minutes 30 seconds West, 25.00 feet North of and parallel with the South line of the Northwest Quarter, along the existing North Right of Way of Northeast 76th Street, 1,408.75 feet; thence North 01 degrees 03 minutes 30 seconds East, continuing along the existing Northeasterly Right of Way of relocated Northeast 76th Street as established by Kansas City, Missouri, Ordinance Number 61606 recorded in Book 410 at Page 259, 15.00 feet; thence Northwesterly along the Right of Way the following three courses and distances;

1. thence on a curve to the right, having an initial tangent bearing of North 88 degrees 57 minutes 52 seconds West, a radius of 564.69 feet, and an arc length of 474.25 feet, to a point of tangency;
2. thence North 40 degrees 50 minutes 40 seconds West, 329.85 feet, to a point of curvature;
3. thence on a curve to the left, tangent to the last course, having a radius of 645.33 feet, and an arc length of 418.54 feet, to the existing East Right of Way of Shoal Creek Parkway as dedicated in Book 2536 at page 267;
thence Northerly along the Right of Way of said Parkway the following two courses and distances;
 1. thence North 25 degrees 05 minutes 48 seconds East, 2,377.73 feet, to a point of curvature;
 2. thence on a curve to the left, tangent to the last course, having a radius of 3,757.05 feet, and an arc length of 1,563.71 feet, to a point on the existing South Right of Way of Missouri Route Number 152;

ORDINANCE NO. 100415

thence along the South Right of Way of said Route the following 15 courses and distances;

1. thence South 89 degrees 25 minutes 03 seconds East, 36.98 feet;
 2. thence North 00 degrees 34 minutes 57 seconds East, 184.00 feet;
 3. thence North 55 degrees 34 minutes 41 seconds East, 142.47 feet;
 4. thence on a curve to the left, having an initial tangent bearing of North 85 degrees 37 minutes 48 seconds East, a radius of 995.80 feet, and an arc length of 351.18 feet, to a point of tangency;
 5. thence North 65 degrees 28 minutes 12 seconds East, 226.83 feet;
 6. thence North 88 degrees 40 minutes 08 seconds East, 408.59 feet;
 7. thence North 80 degrees 53 minutes 53 seconds East, 942.85 feet;
 8. thence on a curve to the right having an initial tangent bearing of North 85 degrees 34 minutes 57 seconds East, a radius of 11,314.16 feet, and an arc length of 1,145.83 feet;
 9. thence South 84 degrees 56 minutes 33 seconds East, non-tangent to the last curve, 343.49 feet;
 10. thence North 84 degrees 46 minutes 33 seconds East, 399.66 feet;
 11. thence South 88 degrees 36 minutes 54 seconds East, 1,931.98 feet;
 12. thence South 00 degrees 26 minutes 38 seconds West, 27.61 feet;
 13. thence South 89 degrees 19 minutes 10 seconds East, 367.59 feet;
 14. thence South 01 degrees 23 minutes 07 seconds West, 92.92 feet;
 15. thence South 88 degrees 36 minutes 54 seconds East, 32.29 feet, to a point on the existing West Right of Way of Flintlock Road;
- thence along the West Right of Way of said Road the following six courses and distances;
1. thence South 00 degrees 40 minutes 07 seconds West, 1,044.63 feet, to a point of curvature;
 2. thence along a curve to the right, tangent to the last course, having a radius of 170.00 feet, and an arc length of 132.62 feet, to a point of tangency;
 3. thence South 45 degrees 21 minutes 58 seconds West, 516.07 feet;
 4. thence South 37 degrees 14 minutes 23 seconds West, 1,324.53 feet, to a point of curvature;
 5. thence on a curve to the left tangent to the last course, having a radius of 390.00 feet and an arc length of 244.26 feet, to a point of tangency;
 6. thence South 01 degrees 21 minutes 18 seconds West, 2,072.24 feet, to a point on the existing North Right of Way of Northeast 76th Street;
- thence North 89 degrees 35 minutes 08 seconds West, 25.00 feet North of and parallel with the South line of the Northwest Quarter of Section 14, 1,218.41 feet, to the Point of Beginning; containing 677.62 acres, more or less.

Tract "B"

All that part of the Northwest Quarter of Section 9, Township 51 North, Range 32 West in Kansas City, Clay County, Missouri, described as follows: Beginning at the Northeast corner of said Quarter Section; thence

ORDINANCE NO. 100415

South 00 degrees 27 minutes 56 seconds West, along the East line, 2,574.13 feet, to the existing North Right of Way line of Barry Road; thence South 89 degrees 15 minutes 13 seconds West, along said North Right of Way, 308.98 feet, to a point on the Easterly line of the relocated Barry Road, as set forth in Tract Number 2(b) of a deed filed as Document Number D9074 in Book 1176 at Page 100, on March 3, 1975; thence Westerly and Northerly, along said Easterly line the following seven courses and distances;

1. North 00 degrees 33 minutes 49 seconds West, 57.58 feet;
 2. North 76 degrees 17 minutes 19 seconds West, 293.65 feet;
 3. North 55 degrees 29 minutes 08 seconds West, 562.66 feet;
 4. North 24 degrees 36 minutes 17 seconds West, 398.56 feet;
 5. North 03 degrees 22 minutes 27 seconds East, 1,054.11 feet;
 6. North 40 degrees 36 minutes 50 seconds West, 306.62 feet;
 7. South 85 degrees 14 minutes 15 seconds West, 275.98 feet;
- to a point on the existing easterly Right of Way of United States Interstate Route Number 435, as set forth in said Tract Number 2 of Document Number D9074; thence North 06 degrees 06 minutes 39 seconds West, along the East Right of Way, 513.95 feet, to a point on the North line of said Quarter Section; thence South 89 degrees 53 minutes 04 seconds East, along the North line, 1,712.58 feet, to the Point of Beginning; containing 71.52 acres, more or less.

Tract "C"

All that part of the Southwest Quarter and the Southeast Quarter of Section 9, Township 51 North, Range 32 West in Kansas City, Clay County, Missouri, described as follows: Commencing at the Northeast corner of the Southwest Quarter of Section 9; thence South 00 degrees 27 minutes 34 seconds West, along the East line of the Southwest Quarter, 36.15 feet, to a point on the existing South line of Barry Road, and the Point of Beginning; thence along the South Right of Way the following three courses and distances;

1. thence South 89 degrees 11 minutes 52 seconds West, 306.81 feet;
 2. thence South 00 degrees 33 minutes 44 seconds West, 44.76 feet;
 3. thence North 88 degrees 04 minutes 38 seconds West, 102.05 feet, to a point on the existing Northeasterly Right of Way of Missouri Route Number 152 as established by deed recorded as Document D9074 in Book 1176 at Page 100;
- thence Southeasterly and Easterly along the Northeasterly and Northerly Right of Way the following seven courses and distances;
1. thence South 04 degrees 24 minutes 29 seconds East, 50.00 feet;
 2. thence South 44 degrees 48 minutes 29 seconds East, 308.59 feet;
 3. thence South 72 degrees 36 minutes 24 seconds East, 323.45 feet;
 4. thence North 85 degrees 34 minutes 57 seconds East, 1,201.49 feet;
 5. thence North 83 degrees 29 minutes 32 seconds East, 548.36 feet;
 6. thence South 85 degrees 29 minutes 13 seconds East, 354.30 feet;

ORDINANCE NO. 100415

7. thence North 85 degrees 34 minutes 57 seconds East, 424.70 feet, to a point on the East line of the Southeast Quarter;
thence North 01 degrees 00 minutes 00 seconds East, along the East line, 272.57 feet, to a point on the existing South Right of Way line of Barry Road; thence Westerly along the South Right of Way the following ten courses and distances;
 1. thence on a curve to the left having an initial tangent bearing of North 87 degrees 45 minutes 10 seconds West, a radius of 11,429.16 feet, and an arc length of 240.55 feet;
 2. thence South 01 degrees 02 minutes 29 seconds West, non-tangent to the last curve, 5.00 feet;
 3. thence on a curve to the left, having an initial tangent bearing of North 88 degrees 57 minutes 31 seconds West, a radius of 11,424.16 feet, and an arc length of 367.67 feet, to a point of tangency;
 4. thence South 89 degrees 11 minutes 50 seconds West, 153.30 feet;
 5. thence South 00 degrees 48 minutes 08 seconds East, 10.00 feet;
 6. thence South 89 degrees 11 minutes 52 seconds West, 542.00 feet;
 7. thence South 00 degrees 48 minutes 08 seconds East, 5.00 feet;
 8. thence South 89 degrees 11 minutes 52 seconds West, 83.00 feet;
 9. thence North 00 degrees 48 minutes 08 seconds East, 10.00 feet;
 10. thence South 89 degrees 11 minutes 52 seconds West, 750.00 feet;
 11. thence North 00 degrees 48 minutes 08 seconds West, 10.00 feet;
 12. thence South 89 degrees 11 minutes 52 seconds West, 508.63 feet, to the Point of Beginning; containing 22.51 acres, more or less.

Tract "D"

All that part Sections 3 and 4 in Township 51 North, Range 32 West in Kansas City, Clay County, Missouri, described as follows: Beginning at the Southeast corner of the fractional Northeast Quarter of Section 4; thence South 89 degrees 53 minutes 38 seconds West, along the South line of said fractional Quarter Section, 843.01 feet, to a point on the West line of the East 50 acres of the East Half of said fractional Quarter Section; thence North 00 degrees 10 minutes 26 seconds East along said West line, 2,550.52 feet, to a point 40 feet South of the North line of said fractional Quarter Section, being also a point on the South line of the Northeast 96th Street, as now established; thence South 89 degrees 12 minutes 04 seconds East, along said South line, 119.90 feet; thence North 87 degrees 56 minutes 11 seconds East, along said South line, 100.12 feet; thence South 89 degrees 12 minutes 04 seconds East, along said South line, 623.10 feet, to a point on the East line of said fractional Quarter Section, being also a point on the West line of the Fractional Northwest Quarter of said Section 3; thence South 89 degrees 18 minutes 56 seconds East, along said South line, 341.27 feet, to a point of curvature; thence along a curve to the left, tangent to the last course and along the South line, having a radius of 2,899.82 feet and an arc length of 471.53 feet, to a point of tangency; thence North 81 degrees 22 minutes 04 seconds East, along the South line,

ORDINANCE NO. 100415

406.50 feet, to a point of curvature; thence along a curve to the right, tangent to the last course and along the South line having a radius of 2,829.82 feet, and an arc length of 210.50 feet; thence North 89 degrees 34 minutes 28 seconds East, along the South line, non-tangent to the last curve, 96.56 feet; thence continuing along said South line on a curve to the right having an initial tangent bearing of South 87 degrees 35 minutes 02 seconds West, a radius of 2,824.82 feet, and an arc length of 161.90 feet, to a point of tangency; thence South 89 degrees 07 minutes 56 seconds East, along the South line, 238.10 feet; thence North 88 degrees 00 minutes 21 seconds East, along the South line, 100.12 feet; thence South 89 degrees 07 minutes 56 seconds East, along the South line, 592.49 feet, to a point on the prolongation North of the East line of the fractional Northwest Quarter of Section 3; thence South 00 degrees 26 minutes 16 seconds West, along said prolongation and along the East line, 2,729.58 feet, to the Southeast corner thereof; thence North 88 degrees 14 minutes 03 seconds West, along the South line of the Northwest Quarter, 1,299.60 feet to the Northeast corner of the West Half of the Southwest Quarter; thence South 00 degrees 19 minutes 50 seconds West, along the East line of the West Half, 1,310.11 feet, to the Southeast corner of the West Half; thence North 88 degrees 35 minutes 03 seconds West, along the South line of the Northwest Quarter of the Southwest Quarter, 1,297.06 feet, to the Southwest corner thereof; thence North 00 degrees 13 minutes 41 seconds East, along the West line of the Quarter, Quarter Section, 1,318.09 feet, to the Point of Beginning; containing 247.03 acres, more or less.

Tract “E” including Tracts “H” and “J”

All that part of the South Half of Section 9, the Southwest Quarter of Section 10, the Northwest Quarter of Section 15, the Northwest Quarter of Section 16, the Northeast Quarter of Section 16, and the Southeast Quarter of Section 16, all in Township 51 North, Range 32 West in Kansas City, Clay County, Missouri, including that part of Willis Road and that part of Northeast 76th Street as established, all being bounded on the North by the existing South Right of Way line of Missouri Route Number 152, on the West by the existing East Right of Way of United States Interstate Highway Number 435, and on the Easterly and Southeasterly side by the existing Westerly Right of Way of Shoal Creek Parkway, described as follows: Commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 16; thence South 89 degrees 58 minutes 53 seconds West, along the North line of the Southeast Quarter, 313.71 feet to a point on the existing westerly Right of Way of Shoal Creek Parkway, as established by Special Warranty Deed recorded in Book 2536 at Page 267; thence along the Westerly Right of Way the following three courses and distances;

1. thence South 25 degrees 05 minutes 48 seconds West, 1,471.02 feet, to a point of curvature;

ORDINANCE NO. 100415

2. thence on a curve to the right, tangent to the last course, having a radius of 1,357.20 feet, and an arc length of 566.86 feet, to a point of tangency;
3. thence South 49 degrees 01 minutes 38 seconds West, 1.08 feet, to a point of intersection with the existing East Right of Way of Willis Road;
thence continuing South 49 degrees 01 minutes 38 seconds West, 117.69 feet, to a point of intersection with the existing Easterly Right of Way of United States Interstate Highway Number 435; thence along the Easterly Right of Way the following 13 courses and distances;
 1. thence South 62 degrees 07 minutes 09 seconds West, 220.73 feet;
 2. thence North 34 degrees 58 minutes 04 seconds West, 963.48 feet;
 3. thence North 20 degrees 58 minutes 13 seconds West, 1360.03 feet, to a point on the West line of the Northeast Quarter of Section 16;
 4. thence continuing North 20 degrees 58 minutes 13 seconds West, 894.00 feet;
 5. thence North 28 degrees 56 minutes 32 seconds West, 248.36 feet;
 6. thence North 69 degrees 01 minutes 39 seconds East, 90.00 feet;
 7. thence North 20 degrees 58 minutes 21 seconds West, 250.00 feet;
 8. thence South 69 degrees 01 minutes 39 seconds West, 90.00 feet;
 9. thence North 21 degrees 00 minutes 35 seconds West, 1,243.94 feet;
 10. thence North 05 degrees 06 minutes 54 seconds West, 491.43 feet;
 11. thence North 23 degrees 44 minutes 27 seconds East, 566.20 feet;
 12. thence North 38 degrees 37 minutes 24 seconds East, 807.49 feet;
 13. thence North 59 degrees 56 minutes 48 seconds East, 553.58 feet, to a point of intersection with the existing South Right of Way of Missouri Route Number 152;
thence along the South Right of Way the following nine courses and distances;
 1. thence South 89 degrees 29 minutes 26 seconds East, 1,164.86 feet;
 2. thence North 85 degrees 34 minutes 57 seconds East, 340.00 feet;
 3. thence North 81 degrees 46 minutes 06 seconds East, 902.00 feet;
 4. thence North 83 degrees 35 minutes 41 seconds East, 461.28 feet;
 5. thence South 78 degrees 24 minutes 26 seconds East, 405.76 feet, to a point of curvature;
 6. thence on a curve to the left, tangent to the last course, having a radius of 1,497.40 feet, and an arc length of 418.37 feet;
 7. thence South 72 degrees 53 minutes 16 seconds East, non-tangent to the last curve, 86.77 feet;
 8. thence South 00 degrees 34 minutes 57 seconds West, 184.00 feet;
 9. thence South 89 degrees 25 minutes 03 seconds East, 43.01 feet, to a point on the existing Westerly Right of Way line of Shoal Creek Parkway;
thence along the Westerly Right of Way line the following two courses and distances;

ORDINANCE NO. 100415

1. thence on a curve to the right, having an initial tangent bearing of South 01 degrees 17 minutes 21 seconds West, a radius of 3,557.68 feet, and an arc length of 1,478.14 feet;
2. thence South 25 degrees 05 minutes 37 seconds West, 3,213.14 feet, to the Point of Beginning; containing 459.17 acres, more or less.

Tract "F"

All that part of the Southwest Quarter of Section 3, the North Half of Section 10, and the Northwest Quarter of Section 11, all in Township 51 North, Range 32 West in Kansas City, Clay County, Missouri, described as follows: Beginning at the Northwest corner of the Northwest Quarter of Section 11; thence South 89 degrees 25 minutes 02 seconds East, along the North line, 2,533.91 feet, to a point on the West Right of Way of Flintlock Road as established by Special Warranty Deed recorded in Book 2977 at Page 709; thence along the West Right of Way of Flintlock Road the following six courses and distances;

1. thence South 00 degrees 27 minutes 14 seconds West, 870.49 feet parallel with and 50 feet West of the East line of the Northwest Quarter, to a point of curvature;
2. thence on a curve to the right, tangent to the last course, having a radius of 4,986.00 feet, and an arc length of 357.88 feet, to a point of reverse curvature;
3. thence on a curve to the left, tangent to the last curve, having a radius of 5,154.00 feet, and an arc length of 362.76 feet, to a point of tangency;
4. thence South 00 degrees 27 minutes 14 seconds West, 75.85 feet West of and parallel with the East line of the Northwest Quarter, 623.59 feet, to a point of curvature;
5. thence along a curve to the right, tangent to the last course, having a radius of 21.00 feet, and an arc length of 23.69 feet;
6. thence South 00 degrees 27 minutes 14 seconds West, 87.85 feet West of and parallel with the East line of the Northwest Quarter, 309.97 feet, to the existing North Right of Way of Missouri Route Number 152;

thence the following 20 courses and distances along the existing North Right of Way of Missouri Route Number 152;

1. thence North 88 degrees 36 minutes 02 seconds West, 674.51 feet;
2. thence South 89 degrees 06 minutes 32 seconds West, 100.08 feet;
3. thence North 88 degrees 38 minutes 40 seconds West, 746.10 feet;
4. thence North 82 degrees 41 minutes 12 seconds West, 135.72 feet;
5. thence South 87 degrees 45 minutes 05 seconds West, 220.45 feet;
6. thence North 88 degrees 36 minutes 27 seconds West, 600.00 feet;
7. thence North 81 degrees 35 minutes 27 seconds West, 196.47 feet;
8. thence North 73 degrees 54 minutes 14 seconds West, 145.77 feet;
9. thence North 88 degrees 21 minutes 04 seconds West, 203.14 feet;
10. thence South 84 degrees 36 minutes 31 seconds West, 521.93 feet;

ORDINANCE NO. 100415

11. thence South 88 degrees 36 minutes 34 seconds West, 263.20 feet, to a point on the East line of the West Half of the Northeast Quarter of Section 10;
12. thence North 00 degrees 20 minutes 14 seconds East, along the East line, 83.10 feet;
13. thence South 86 degrees 33 minutes 48 seconds West, 399.98 feet;
14. thence South 88 degrees 16 minutes 17 seconds West, 852.64 feet;
15. thence North 88 degrees 24 minutes 31 seconds West, 229.26 feet, to a point of curvature;
16. thence on a curve to the right having an initial tangent bearing of North 88 degrees 35 minutes 09 seconds West, a radius of 482.96 feet, and an arc length of 279.61 feet;
17. thence North 54 degrees 46 minutes 08 seconds West, non-tangent to the last curve, 280.53 feet;
18. thence on a curve to the left, having and initial tangent bearing of North 58 degrees 48 minutes 34 seconds West, a radius of 682.96 feet, and an arc length of 363.72 feet;
19. thence North 39 degrees 55 minutes 57 seconds West, non-tangent to the last curve, 98.10 feet;
20. thence North 89 degrees 25 minutes 03 seconds West, 51.74 feet, to a point on the existing East Right of Way of Shoal Creek Parkway, as established in Book 2536 at Page 267;
thence along the East Right of Way of Shoal Creek Parkway the following four courses and distances:
 1. thence North 00 degrees 34 minutes 49 seconds East, 1,700.96 feet;
 2. thence North 04 degrees 12 minutes 10 seconds East, 120.61 feet;
 3. thence North 00 degrees 24 minutes 54 seconds West, 330.00 feet;
 4. thence North 00 degrees 19 minutes 50 seconds East, 573.22 feet;
 5. thence South 87 degrees 42 minutes 40 seconds East, along a line described in Special Warranty Deed recorded in Book 3077 at Page 186, 562.46 feet;
thence along the described boundary in said Special Warranty Deed the following 22 courses and distances:
 1. thence South 22 degrees 26 minutes 38 seconds East, 732.36 feet;
 2. thence South 46 degrees 52 minutes 27 seconds East, 1,298.74 feet;
 3. thence South 17 degrees 56 minutes 23 seconds East, 700.95 feet;
 4. thence South 29 degrees 54 minutes 30 seconds East, 544.83 feet;
 5. thence South 01 degrees 35 minutes 04 seconds East, 264.08 feet;
 6. thence North 88 degrees 24 minutes 53 seconds East, 385.94 feet, to a point of curvature;
 7. thence along a curve to the left, tangent to the last course, having a radius of 290.00 feet and an arc length of 404.47 feet;
 8. thence North 17 degrees 29 minutes 56 seconds West, non-tangent to the last curve, 929.24 feet;
 9. thence North 27 degrees 19 minutes 54 seconds West, 558.50 feet;
 10. thence North 25 degrees 03 minutes 31 seconds East, 67.94 feet;

ORDINANCE NO. 100415

11. thence North 88 degrees 48 minutes 31 seconds East, 436.70 feet;
12. thence South 55 degrees 00 minutes 30 seconds East, 707.74 feet;
13. thence South 21 degrees 05 minutes 10 seconds East, 328.53 feet;
14. thence South 50 degrees 22 minutes 13 seconds East, 1,183.79 feet;
15. thence South 66 degrees 03 minutes 11 seconds East, 105.76 feet;
16. thence North 80 degrees 22 minutes 21 seconds East, 105.76 feet;
17. thence North 29 degrees 14 minutes 22 seconds East, 201.67 feet;
18. thence North 23 degrees 15 minutes 10 seconds West, 588.10 feet;
19. thence North 56 degrees 43 minutes 00 seconds West, 934.69 feet;
20. thence North 00 degrees 00 minutes 00 seconds West, 139.25 feet;
21. thence North 36 degrees 15 minutes 54 seconds West, 132.92 feet, to a point on the West line of the Northwest Quarter of Section 11;
22. thence continuing North 36 degrees 15 minutes 54 seconds West, 668.76 feet; thence North 52 degrees 57 minutes 26 seconds West, 162.59 feet, to a point on the North line of the Northeast Quarter of Section 10; thence South 88 degrees 11 minutes 04 seconds East, along the North line, 529.26 feet, to the Point of Beginning; containing 277.83 acres, more or less.

Section C. That the approval of the Community Master Plan described in Section B is approved subject to the following conditions:

1. That the developer cause the area to be platted and processed in accordance with Chapter 66, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Subdivision Regulations.
2. That the developer submit a separate traffic study for each neighborhood plan prior to submission of the plan as required by the Department of Public Works for approval. The traffic study will analyze both AM and PM peak hour traffic demand, identify improvements which the developer will be required to make in order to maintain a level of service D or better and shall not exceed the following trip budget maximums:

<u>Neighborhood</u>	<u>PM Trip Budget</u>
Northpark	800
Parkside	755
The Commons/Crossroads Area	6,470
The Creekside Area	1,150
The Preserve	1,030
<u>The Village</u>	<u>4,250</u>
Total:	14,455

Note: Trip budgets are defined as the maximum amount of PM peak hour traffic entering and exiting a neighborhood. The developer shall construct the improvements which are required by the approved traffic studies for each neighborhood plan and as required by the Department of Public

ORDINANCE NO. 100415

Works. Trip budgets are to be based on the following PM peak hour trip rates:

<u>Land Use Type</u>	<u>Trip Rate</u>	<u>Unit</u>
SF Household	0.95	Households
MF Household	0.57	Households
Office	1.48	Thousand Gross SF
Retail	3.45	Thousand Gross SF
Industrial	0.47	Thousand Gross SF
School (option 1)	0.15	Students
School (option 2)	3.13	Thousand Gross SF
Hotel	0.54	Rooms

For land uses not listed above, rates from *Trip Generation* published by the Institute of Transportation Engineers (ITE) are to be used.

3. That the developer provide right-of-way for and construct all improvements to the State highway system as recommended in the approved Shoal Creek Valley Community Plan traffic study and in future approved neighborhood traffic studies (including improvements to the intersections of Shoal Creek Parkway with the I-435 freeway ramps, and the intersections of MO-152 with Shoal Creek Parkway, and N. Booth Avenue), as required by MODOT.
4. That the developer provide right-of-way for and construct all improvements to parkways and boulevards within the plan area as recommended in the approved Shoal Creek Valley Community Plan traffic study and in future approved neighborhood traffic studies, as required by the Department of Parks and Recreation and the Public Works Department.
5. That the specific improvements to the state highway system recommended in the Shoal Creek Valley Community Plan traffic study be detailed in separate future traffic studies for each of the Shoal Creek neighborhood plans and that these improvements be constructed either before or at the same time as the recommended mitigation measures for movement of internal traffic in the neighborhood plans, as required by the Public Works Department.
6. That the developer obtain permits from the Missouri Department of Transportation for a break in access control to connect N. Booth Avenue with Missouri Highway 152 prior to requesting or obtaining building permits for the Crossroads, Commons, and Creekside Neighborhoods, that would result in utilization of more than 50 percent of the combined trip budget for said Neighborhoods, or at such earlier time as is recommended

ORDINANCE NO. 100415

by the future approved traffic studies for said Neighborhoods, as required by the Public Works Department and Development Services.

7. That the developer obtain permits from the Missouri Department of Transportation for a break in access control to connect N. Booth Avenue with Missouri Highway 152 prior to requesting or obtaining building permits for the Village Neighborhood that would result in utilization of more than 75 percent of the trip budget for said Neighborhood or at such earlier time as is recommended by the approved traffic study for said Neighborhood, as required by the Public Works Department and Development Services.
8. That the developer construct the north half of N.E. Barry Road to primary arterial standards with bike lanes, in accordance with the Major Street Plan, on relocated alignment intersecting with Shoal Creek Parkway at approximately 630 feet north of the center-line of Highway 152 as recommended in the Shoal Creek Valley Community Plan traffic study and detailed in future approved neighborhood traffic studies, as required by the Public Works Department.
9. That the developer construct said relocated intersection of N.E. Barry Road with Shoal Creek Parkway so as to provide an eastbound left-turn lane, a 160 feet long eastbound right-turn lane plus appropriate taper, two northbound lanes, and two southbound lanes, as recommended in the Shoal Creek Valley Community Plan traffic study and detailed in future neighborhood traffic studies, as required by the Department of Parks and Recreation and the Public Works Department.
10. That the developer provide an additional 12 feet of right of way on the west side of Shoal Creek Parkway from Highway 152 to either N.E. 82nd Terrace or a right-in only access point north of N.E. 82nd for a southbound auxiliary lane before or at the time of the first final plat of the Crossroads, Commons, or Creekside Neighborhoods, as required by the Department of Parks and Recreation and the Public Works Department. The length of the auxiliary lane shall be sufficient to provide adequate weaving capacity to provide for future weaving traffic demand between the southbound lanes of Shoal Creek Parkway and the proposed auxiliary lane as determined by future approved neighborhood traffic studies for the Crossroads and Commons neighborhoods.
11. That the developer construct a southbound auxiliary lane on the west side of Shoal Creek Parkway from Highway 152 to either N.E. 82nd Terrace or a right-in only access point north of N.E. 82nd as recommended in the Shoal Creek Valley Community Plan traffic study and detailed in future approved traffic study for the Crossroads, Commons, or Creekside Neighborhoods, as required by the Department of Parks and Recreation

ORDINANCE NO. 100415

and the Public Works Department. The length of the auxiliary lane shall be sufficient to provide adequate weaving capacity to provide for future weaving traffic demand between the southbound lanes of Shoal Creek Parkway and the proposed auxiliary lane as determined by future approved neighborhood traffic studies for the Crossroads and Commons neighborhoods.

12. That the developer provide adequate right of way for an urban double-lane roundabout with inscribed circle diameter of 150 to 180 feet with northbound and southbound right-turn bypass lanes and pedestrian/bike trails at the intersection of N.E. 82nd Terrace with Shoal Creek Parkway before or at the time of the first final plat of the Crossroads, Commons, or Creekside Neighborhoods, as required by the Department of Parks and Recreation and the Public Works Department.
13. That the developer construct an urban double-lane roundabout with inscribed circle diameter of 150 to 180 feet with northbound and southbound right-turn bypass lanes and pedestrian/bike trails at the intersection of N.E. 82nd Terrace with Shoal Creek Parkway before or at the time of the first occupancy permit associated with the first final plat of the Crossroads, Commons, or Creekside Neighborhoods that takes access to Shoal Creek Parkway at N.E. 82nd Terrace, as required by the Department of Parks and Recreation and the Public Works Department
14. That the developer provide adequate right of way for urban double-lane roundabouts with inscribed circle diameter of 150 to 180 feet and pedestrian/bike trails at the intersections of N.E. 79th Street, N.E. 76th Street, and N. Corrington Avenue with Shoal Creek Parkway before or at the time of the first adjacent plats of the Crossroads, Commons, and Creekside Neighborhoods, or the next adjacent plat of the Village Neighborhood, as required by the Department of Parks and Recreation and the Public Works Department.
15. That the developer construct an urban double-lane roundabout with inscribed circle diameter of 150 to 180 feet and pedestrian/bike trails at the intersection of N.E. 79th Street with Shoal Creek Parkway, as recommended in the approved Shoal Creek Valley Community Plan traffic study and the approved Village Neighborhood traffic study, before or at the time of the first occupancy permit associated with adjacent plats of the Village Neighborhood or at the time of the first occupancy permit associated with the first plat of the Crossroads, Commons, and Creekside Neighborhoods that takes access to Shoal Creek Parkway at N.E. 79th Street, as required by the Department of Parks and Recreation and the Public Works Department.

ORDINANCE NO. 100415

16. That the developer construct an urban double-lane roundabout with inscribed circle diameter of 150 to 180 feet and pedestrian/bike trails at the intersection of N.E. 76th Street with Shoal Creek Parkway, as recommended in the Shoal Creek Valley Community Plan traffic study, before or at such time as is recommended in the future approved neighborhood traffic studies for the Crossroads, Commons, Creekside, and Village Neighborhoods, as required by the Department of Parks and Recreation and the Public Works Department.
17. That the developer construct an urban double-lane roundabout with inscribed circle diameter of 150 to 180 feet and pedestrian/bike trails at the intersection of N. Corrington Avenue with Shoal Creek Parkway, as recommended in the Shoal Creek Valley Community Plan traffic study, before or at such time as is recommended in the future approved neighborhood traffic studies for the Crossroads, Commons, Creekside, and Village Neighborhoods, as required by the Department of Parks and Recreation and the Public Works Department.
18. That the developer enter into a cooperative agreement as required by Development Services, prior to approval of the first final plat for any part of the Crossroads, Commons, or Creekside Neighborhoods, to share 25 percent of the cost of installation of a traffic signal at the intersection of Searcy Creek Parkway with Pleasant Valley Road, the developer's contribution not to exceed a maximum of \$50,000.00, as required by the Public Works Department and Development Services. The signal will be installed by the City when warranted and when full funding for design, construction and inspection is available.
19. That the developer enter into a cooperative agreement as required by Development Services, prior to approval of the first final plat for any part of the Crossroads, Commons, or Creekside Neighborhoods, to share 25 percent of the cost of installation of a traffic signal at the intersection of N.E. 80th Street/N.E. Soccer Drive with N. Brighton Avenue, the developer's contribution not to exceed a maximum of \$50,000.00, as required by the Public Works Department and Development Services. The signal will be installed by the City when warranted and when full funding for design, construction and inspection is available.
20. That the developer provide adequate intersection sight distance at all proposed street intersections.
21. That all intersections on Shoal Creek Parkway between N. Corrington Avenue and Missouri Highway 152 be restricted to right-in and right-out only, enforced by retaining the existing median on Shoal Creek Parkway, except at the intersections with N. Corrington Avenue, N.E. 74th Street,

ORDINANCE NO. 100415

N.E. 76th Street, N.E. 79th Street, N.E. 82nd Terrace, and Missouri Highway 152.

22. That the developer provide a minimum of 52 feet of right of way from the centerline on the north side of N.E. 76th Street between N. Flintlock Road and Shoal Creek Parkway for a secondary arterial including a bike lane and half of a left turn lane.
23. That the developer provide a minimum of 52 feet right of way from the centerline of N.E. 76th Street between Shoal Creek Parkway and Interstate Highway 435 for a total of 104 feet of right-of-way for a secondary arterial, bike route, and left-turn lane, as required by the Public Works Department.
24. That the developer improve N.E. 76th Street between Shoal Creek Parkway and Interstate Highway 435 as detailed in future approved neighborhood traffic studies for the Crossroads, Commons, and Creekside Neighborhoods, as required by the Public Works Department.
25. That the developer provide eastbound dual left-turn lanes, right-turn lane, and a through lane on N.E. 82nd Terrace at the intersection of N.E. 82nd Terrace and N. Flintlock Road as recommended in the approved Village Neighborhood traffic study, as required by the Public Works Department.
26. That the developer install traffic signals, as recommended in the approved Village Neighborhood traffic study, at the intersection of N.E. 82nd Terrace and N. Flintlock Road and provide traffic signal coordination on Flintlock Road between Missouri Highway 152 and N.E. 82nd Terrace, at such time as warrants for traffic signals are satisfied, as required by the Public Works Department.
27. That the developer provide adequate right of way for an urban double-lane roundabout with inscribed circle diameter of 150 to 180 feet at the intersection of N.E. 76th Street and N. Flintlock Road as required by the Public Works Department.
28. That the developer dedicate right-of-way for Shoal Creek Parkway from the intersection of MODOT's I-435 right-of-way on the south to the north boundary of Northpark Neighborhood on the north, as required by Development Services, so as to provide a minimum of 75 feet of right-of-way, as measured from the street centerline, along the entire length of the development's frontage on the parkway.
29. That the developer dedicate right-of-way on the west side of Flintlock Road from N.E. 76th Street to Missouri Highway 152, as required by Development Services, so as to provide a minimum of 46 feet of right-of-

ORDINANCE NO. 100415

way as measured from the centerline of Flintlock Road for secondary arterial and bike route.

30. That the driveway located on the west side of Flintlock Road between Missouri Highway 152 and N.E. 82nd Terrace (Driveway A) be restricted to right-in-right-out only, as recommended in the approved Village Neighborhood traffic study, at such time as alternative public street access to is available via N.E. 82nd Terrace, N.E. 82nd Street is signalized, and occupancy permits have been issued for 175 dwelling units or 50,000 gross square feet of commercial buildings having public street access via Driveway A, as required by the Public Works Department and Development Services. This restriction shall be achieved by appropriate channelization of the Driveway A or the median of Flintlock Road so as to retain full access to the existing driveway on the east side of Flintlock Road.
31. That the developer construct a 10 feet wide bicycle/pedestrian trail on the west side of Shoal Creek Parkway along the development frontage, as required by the Department of Parks and Recreation.
32. That the developer update the previously accepted macro storm drainage study for the overall development to address the development amendments along with a detailed micro study for review and acceptance prior to clearance of the next plat and make necessary improvements as required by Development Services.
33. That the developer obtain a site disturbance permit from Development Services prior to beginning any construction, grading, clearing or grubbing activities, if the disturbed area equals or exceeds one acre.
34. That the developer obtain a floodplain certificate from Development Services if any grading is to occur within a floodplain.
35. That the developer submit plans for grading, siltation, and erosion control to Development Services for review, acceptance, and permitting prior to beginning any construction activities.
36. That the developer provide cross-access easements for each plat as required by Development Services.
37. That the developer submit a street name signage plan to the Street Naming Committee for approval before the submittal of the first final plat.
38. That the developer dedicate the public parkland or private open space as provided in the Master Planned Community Plan provided that the developer shall contribute \$233.31 per single family unit, \$189.17 per

ORDINANCE NO. 100415

duplex unit and \$126.11 per multi-family unit in compliance with Section 66-128 of the Subdivision Regulations, less any dedicated public park or approved private open space.

39. That the developer submit a street tree planting plan as part of the final plat, secure the approval of the City Forester for street trees planted on right-of-way in front of residential lots with a copy to be submitted to the City Development Department staff, and plant the street trees in conformance with the plan approved by the City Forester. The plan shall include size, type, species and placement of trees.
40. That a waiver to Section 66-122(C)(1) of the Subdivision Regulations is hereby granted provided that landscaping shall be installed in conformance with the final plan approved by the City Plan Commission.
41. That the developer provide approved noise levels for the 70 dBA noise contour on all final plats which have frontage on Missouri Route 152 and include language on the final plats that no residential uses will be allowed within these noise contours.
42. That the developer extend water mains as required by the Water Services Department at the time of the submittal of the final plats.
43. That the developer extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by Development Services.
44. That the developer construct all-weather roads and provide for fire protection as required by the Fire Department prior to construction beyond footings and foundations.
45. That the developer submit covenants, conditions and restrictions to Development Services for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.
46. That the developer submit a final plan to the City Plan Commission for approval, including plans for landscaping (buffering), grading and signage, prior to the issuance of any building permits.
47. That the developer install sidewalks along the south side of Missouri Highway 152 within the Missouri Highway 152 right of way from Shoal Creek Parkway on the west to N.E. Flintlock Road on the east as required by the Missouri Department of Transportation or provide an acceptable walkway system on private property within a public easement along the south Missouri Highway 152 right of way as required by the City

ORDINANCE NO. 100415

Development Department, and further that the Village Neighborhood Plan sheets dealing with this walkway be revised to include the walkway system as required.

48. That the developer design all interior streets in accordance with the typical sections provided in the approved development plan and construct to City standards as required by Development Services, including curb, gutter, storm sewers, streetlights, and sidewalks.
49. That the arterial improvements proposed on the development plans be reviewed and accepted by the Transportation Development Committee and the Impact Fee District Committee before an application for impact fee credits will be accepted.
50. That the developer obtain the grading consents, and all grading, temporary construction and drainage/sewer easements from the abutting property owner prior to submitting any public improvements.
51. That the developer subordinate to the City all private interest in the area of any right-of-way dedication as required by Development Services, and that the developer be responsible for all costs associated with subordination activities.
52. That the developer provide a storm water conveyance system to serve all proposed lots within the development and determine adequacy as required by Development Services.
53. That the developer provide access restrictions to prohibit direct vehicular access to arterials from all residential lots or units and that the restriction be placed on the final plats.
54. That the developer show the lowest opening or elevation or Minimum Low Opening (MLO) of any structure on each lot that abuts a 100-year floodplain area on the final plat.
55. That the developer grant a Surface Drainage Easement to the City with the final plat as required by Development Services.
56. That the developer grant a BMP Easement to the City with the final plat, as required by Development Services.
57. That the developer submit covenants, conditions and restrictions to Development Services 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.

ORDINANCE NO. 100415

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 D. 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.

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