

ORDINANCE NO. 120283

Approving an amendment to an approved 58.4 acre development plan in District UR by removing about 42.9 acres (the Antioch Mall) site which is generally bounded by N.E. Vivion Road on the south, N. Antioch Road on the west and Chouteau Trafficway on the east and north and approving a development plan for the 42.9 acre area and further leaving in place the development plan for the remaining 15.5 acre surrounding area. (6485-UR-18)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to an approved 58.4 acre development plan in District UR (Urban Redevelopment District) by removing about 42.9 acres generally known as the Antioch Mall site which is generally bounded by N.E. Vivion Road on the south, N. Antioch Road on the west and Chouteau Trafficway on the east and north and approving a development plan for the 42.9 acre area and further leaving in place with prior Case No. 6485-UR-17 the development plan and its conditions for the remaining 15.5 acre surrounding area (including rights of way), which areas are more specifically described as follows:

Beginning 58.4 Acre UR Area:

A – PHASE 1/TRACT I

TRACT I: All of Lots 1 through 12, inclusive, Block 1, Resurvey of Blocks 1 and 3, Antioch, an addition in and to the City of Kansas City, Clay County, Missouri, together with the West 20 feet of Block 1, Green Haven Plaza No. 2, lying South of Lot 11, Block 1, Resurvey of Blocks 1 and 3, Antioch, an addition in and to the City of Kansas City, Clay County, Missouri, and including to the centerline of all abutting streets.

B – TRACT II

PARCEL A: Lot 4, Clay County, Missouri, previously described as follows: All that part of Block 3, Antioch, a subdivision in Kansas City North, Clay County, Missouri, according to the recorded plat thereof, lying South of a line drawn at right angles to the Easterly line of said Block from a point in said Easterly line which is 150 feet North of the Southeast corner of said Block 3, measured along the Easterly line of said Block 3, and including to the centerline of all abutting streets.

PARCEL B: Lot 3, and the South 20 feet of Lot 2, Block 3, Resurvey of Blocks 1 and 3, Antioch, a subdivision of Clay County, Missouri, and including to the centerline of all abutting streets.

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PARCEL C: All of Lot 2, except the North 50 feet thereof measured parallel to the North line of said lot, and except the South 20 Feet thereof measured parallel to the South line of said Lot, Block 3, Resurvey of Blocks 1 and 3, Antioch, a subdivision in Kansas City, Clay County, Missouri, and including to the centerline of all abutting streets.

PARCEL D: Lot 1 and the North 50 feet of Lot 2, in Block 3, Resurvey of Blocks 1 and 3, Antioch, a subdivision in Kansas City, Clay County, Missouri, and including to the centerline of all abutting streets.

KCATA TRACT: All of Lot 2, Antioch Green, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof, and including to the centerline of all abutting streets.

C – TRACT III/TRACT IV

TRACT III:

PARCEL A: Part of Block 2, Antioch, a subdivision in Kansas City, Clay County, Missouri, being a part of the Northwest 1/4 of Section 31, Township 51, Range 32, Kansas City, Clay County, Missouri, described as follows: Beginning at a point on the Northeasterly Right-of-Way line of Chouteau Trafficway, as shown on the plat of Antioch, a subdivision in Clay County, the Northerly portion of which is a replat of part of the plat of Green Haven West, a subdivision in Clay County, said point being 50.00 feet Southerly along said Right-of-Way line, from the intersection of said Chouteau Right-of-Way and the West Right-of-Way line of Kansas Avenue, which was platted as Valley View Drive, and as shown on said plat of Green Haven West; thence South 66 Degrees 44 Minutes 02 Seconds East 165.42 feet along the Southerly line of the Big Shoal Greenway, Tract Number 106, as conveyed by Antioch Shopping Center, Inc., to the Southwest corner of Lot 79, Green Haven, a subdivision in Clay County, said corner being on the common subdivision boundary line between the plat of Green Haven and the plat of Antioch, said common line also being the platted centerline of a ravine, said corner further being on the North Right-of-Way line of Northeast 54th Street; thence Southerly along said common line and centerline to the Northwest corner of Lot 115, Green Haven, said corner being on the South Right-of-Way line of Northeast 54th Street, said corner being South 30 Degrees 29 Minutes 21 Seconds West 50.03 feet from the Southwest corner of Lot 79, by direct measurement; thence continuing along said common line and centerline, to the Southwest corner of Lot 115, Green Haven, said corner being South 02 Degrees 51 Minutes 43 Seconds East 190.83 feet from the Northwest corner of said Lot 115, by direct measurement; thence North 76 Degrees 47 Minutes 55 Seconds West 108.67 feet along a prolongation of the South line of Lots 111, 112, 113, 114 and 115, Green Haven, to a point on a curve in the Easterly Right-of-Way line of Chouteau Trafficway; thence Northerly along said Right-of-Way line, on a curve to the left having an

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initial tangent bearing of North 04 Degrees 25 Minutes 13 Seconds East, a delta of 21 Degrees 27 Minutes 13 Seconds, and a radius of 741.16 feet, an arc distance of 277.52 feet to the point of beginning, and including to the centerline of all abutting streets.

PARCEL B: The South 500 feet of Block 2, Antioch, a subdivision in Kansas City, Clay County, Missouri, and including to the centerline of all abutting streets.

TRACT IV:

PARCEL A: Lot 39, except the East 130 feet, as measured along the Northerly and Southerly lot lines thereof, Green Haven, a subdivision in Kansas City, Clay County, Missouri, and including to the centerline of all abutting streets.

PARCEL B: Lot 40, except the East 130 Feet, as measured along the Northerly and Southerly lot lines thereof, Green Haven, a subdivision in Kansas City, Clay County, Missouri.

PARCEL C: Lot 41, except the East 130 feet, as measured along the Northerly and Southerly lot lines thereof, Green Haven, a subdivision in Kansas City, Clay County, Missouri.

PARCEL D: Lot 42, except the East 130 feet, as measured along the Northerly and Southerly lot lines thereof, Green Haven, a subdivision in Kansas City, Clay County, Missouri.

PARCEL E: Lot 43, Green Haven, a subdivision in Kansas City, Clay County, Missouri, except beginning at the Northeast corner of Lot 43; thence 145 feet Westerly along the boundaries of Lots 111 and 112; thence Southerly on a line parallel with the Easterly line of Lot 43 to the South line of said lot; thence Easterly along the Southern boundary of said Lot 43, to the East line of said lot; thence North along the Eastern line of the lot to the point of beginning.

D – FUTURE DEVELOPMENT

From a point of beginning at the intersection of the Southern prolongation of the Western boundary of Lot 8, Antioch Hills, a subdivision of land in Kansas City, Clay County, Missouri, and the Southeastern right-of-way line of Northeast Vivion Road; thence North along the prolongation of the Western boundary of said Lot 8, to the Southwest corner of said Lot 8; thence North to the Northwest corner of said Lot 8; thence East to the southwest corner of Lot 7, Antioch Hills; thence North, along the Western boundary of Lots 7, 6, 5, 4, 3, 2, and 1, Antioch Hills, to the Northwestern corner of said Lot 1; thence North to Southeastern corner of Lot 17, Antioch Hills; thence North, along the Eastern boundary of Lot 17 to the

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Northeast corner of said Lot 17, said point being on the Northern boundary of the Southeast Quarter of Section 36, Township 51, Range 33; thence East, along said Northern boundary, said point also being on the Southern boundary of Lot 4, Block 1, Beverly Manor, a subdivision of land in Kansas City, Clay County, Missouri; thence East along the Southern boundary of Lots 4, 3, 2, and 1, Block 1, Beverly Manor to the Southeast corner of Lot 1, Block 1, Beverly Manor; thence East along the prolongation of the Southern boundary of said Lot 1 to a point on Eastern right-of-way line of North Antioch Road; thence South along said Eastern right-of-way to a point on the Northern right-of-way line of N.E. Vivion Road, then Southwesterly along said right-of-way line of N.E. Vivion Road to the point-of-beginning.

E – FUTURE DEVELOPMENT

All that part of Lots 40 and 42, Beulmar Acres, an addition in Kansas City, Clay County, Missouri, and that part of vacated Kansas Avenue, described as follows: Beginning at a point 90 feet West of the Northeast corner of Lot 42, said corner being on a point on the Southerly line of Vivion Road; thence Southeasterly 149.22 feet; thence South 56 degrees 50 minutes 36 seconds West 84.77 feet to the Northeasterly line of Chouteau Trafficway; thence Northwesterly along said Northeasterly line to the Southerly line of Vivion Road; thence Northeasterly along said Southerly line to the Point of Beginning. (2915 N.E. Vivion Road)

All that part of Lot 42, Beulmar Acres, an addition in Kansas City, Clay County, Missouri, described as follows: Beginning at the Northeast corner of said Lot 42, said corner being a point on the Southerly line of Vivion Road, as now established, then South along the East line of said Lot 42, a distance of 122 feet; thence West at the right angles from said East line, 80 feet; thence Northwesterly 117.22 feet to a point on the Northerly line of said Lot 42, measured along the Northerly line thereof; thence Easterly along said Northerly line and along the Southerly line of said Vivion Road, 90 feet to the Point of Beginning. (2919 N.E. Vivion Road)

All that part of Lots 42 and 43, Beulmar Acres, an addition in and to the City of Kansas City, Clay County, Missouri, described as follows: Beginning at a point on the East line of said Lot 42 which is 122 feet South of the Northeast corner thereof; thence West, at right angles from said East line, 80 feet; thence South at right angles from the last described course, 32 feet; thence Southwesterly along a line which deflects to the right 56 degrees 50 minutes 36 seconds from the last described course, 84.77 feet to a point on the Northeasterly line of Chouteau Trafficway, as now established; thence Southeasterly along said Northeasterly line being a curve to the left, having a radius of 550 feet, 137.26 feet; thence continuing Southeasterly along said Northeasterly line, being tangent to the last curve, 65.74 feet to an intersection with the East line of said Lot

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43; thence North along the East line of said Lots 43 and 42, 213.01 feet to the Point of Beginning. (5171 N.E. Chouteau Trafficway)

F – FUTURE DEVELOPMENT

The property commonly referred to as 2618 N.E. Vivion Road, which is the east 100 feet of the west 120 feet of Green Haven Plaza, Block 1, a subdivision in Kansas City, Clay County, Missouri, which was not replatted Antioch, and including to the centerline of all abutting streets.

G – FUTURE DEVELOPMENT

The Property commonly referred to as 2602 N.E. Vivion Road. Commencing at the Northwest corner of Southwest Quarter (SW/4) of Section 31, Township 51, Range 32, in Clay County, Missouri; thence East along the North line of said quarter section 34.25 feet, more or less, to the East line of a Antioch Road; thence Southerly along the East line of Antioch Road 305.6 feet, more or less; to a point 150 feet Northerly from the point of intersection of the East line of Antioch Road and the Northwesterly terminus of the diagonal State Highway Department right-of-way line (measuring 129.25 feet, more, or less, in length and running in a Northwesterly and Southeasterly direction along a straight line and connecting the Easterly line of Antioch Road with the Northerly line of Highway 69), which point is the point of beginning; continuing thence Southerly along the East line of Antioch Road 150 feet to the point of intersection of the Easterly line of Antioch Road with said diagonal State Highway Department right-of-way line; thence in a Southeasterly direction along said diagonal State Highway Department right-of-way line 129.25 feet, more or less, to the Northerly line of Highway No. 69; thence Northeasterly along the Northerly line of Highway No. 69, 150 feet to a point; thence Northwesterly along a straight line 250 feet, more or less, to the point of beginning, having a frontage of 150 feet on Antioch Road and a frontage of 150 feet on Highway No. 69.

42.9 Acre Area to be Removed and Approved Within a new UR District Development Plan:

All that part of Lots 1, 2, 5, 7, 8 and 10 and all of Lots 3, 3A, 4, 6, 9, 11 and 12, Block 1, Resurvey of Blocks 1 and 3, Antioch, as recorded in Plat Book 2320 at Page 177, all that part of Block 1, Green Haven Plaza No. 2, as recorded in Plat Book A at Page 22, and All that part of Lot 2, Antioch Green Lot 1 and Lot 2, as recorded in Plat Book E at Page 125, all being an addition in and to the City of Kansas City, Clay County, Missouri, in the Northwest Quarter and Southwest Quarter of Section 31, Township 51 North, Range 32 West of the 5th Principal Meridian, being bounded and described as follows: Beginning at the Southeast corner of said Lot 2, Antioch Green Lot 1 and Lot 2; thence North 89 degrees 22 minutes 05 seconds West, along the South line of said Lot 2, 301.64 feet to a point on

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the East right-of-way line of Antioch Road, as now established; thence North 01 degrees 01 minutes 31 seconds East, along said East right-of-way line, 180.62 feet; thence North 88 degrees 58 minutes 29 seconds West, continuing along said East right of way line, 20.00 feet; thence North 01 degrees 01 minutes 31 seconds East, continuing along said East right of way line, 1,289.70 feet; thence North 00 degrees 49 minutes 01 seconds East, continuing along said East right of way line, 250.33 feet; thence North 00 degrees 36 minutes 31 seconds East, continuing along said East right of way line, 45.30 feet; thence South 89 degrees 23 minutes 29 seconds East, continuing along said East right of way line, 10.00 feet; thence North 00 degrees 36 minutes 31 seconds East, continuing along said East right of way line, 100.00 feet; thence North 07 degrees 27 minutes 05 seconds East, continuing along said East right of way line, 251.79 feet; thence North 03 degrees 47 minutes 19 seconds East, continuing along said East right of way line, 89.48 feet to a point on the Southwesterly right-of-way line of Chouteau Trafficway, as now established; thence Easterly, along said Southwesterly, right-of-way line, on a curve to the right, having an initial tangent bearing of South 75 degrees 23 minutes 29 seconds East with a radius of 2,663.81 feet, a central angle of 14 degrees 26 minutes 54 seconds and an arc distance of 671.73 feet; thence Southeasterly, continuing along said Southwesterly right-of-way line, on a curve to the right, having a common tangent with the last described course with a radius of 661.16 feet, a central angle of 76 degrees 12 minutes 58 seconds and an arc distance of 879.49 feet; thence South 15 degrees 16 minutes 22 seconds West, continuing along said Southwesterly right-of-way line, 350.83 feet; thence Southerly, continuing along said Southwesterly right-of-way line, on a curve to the left, being tangent to the last described course with a radius of 1,526.80 feet, a central angle of 27 degrees 13 minutes 19 seconds and an arc distance of 725.40 feet; thence South 11 degrees 56 minutes 57 seconds East, continuing along said Southwesterly right of way line, 15.22 feet to the Southeast corner of said Lot 12, Block 1, said corner also being a point on the North right-of-way line of U.S. Highway 69 (also known as Vivion Road), as now established; thence Southwesterly, along said North right-of-way line, on a curve to the left, having an initial tangent bearing of South 75 degrees 41 minutes 46 seconds West with a radius of 1,472.70 feet, a central angle of 25 degrees 57 minutes 09 seconds and an arc distance of 667.07 feet to a point on the East line of Lot 1, said Green Haven Plaza No. 2; thence North 00 degrees 19 minutes 25 seconds East, along said East line, 167.81 feet to the Point of Beginning. Containing 1,870,584 square feet or 42.94 acres, more or less.

15.5 Acre Area Remaining Within Prior Case No. 6485-UR-17:

TRACT II

PARCEL A: Lot 4, Clay County, Missouri, previously described as follows: All that part of Block 3, Antioch, a subdivision in Kansas City

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North, Clay County, Missouri, according to the recorded plat thereof, lying South of a line drawn at right angles to the Easterly line of said Block from a point in said Easterly line which is 150 feet North of the Southeast corner of said Block 3, measured along the Easterly line of said Block 3, and including to the centerline of all abutting streets.

PARCEL B: Lot 3, and the South 20 feet of Lot 2, Block 3, Resurvey of Blocks 1 and 3, Antioch, a subdivision of Clay County, Missouri, and including to the centerline of all abutting streets.

PARCEL C: All of Lot 2, except the North 50 feet thereof measured parallel to the North line of said lot, and except the South 20 Feet thereof measured parallel to the South line of said Lot, Block 3, Resurvey of Blocks 1 and 3, Antioch, a subdivision in Kansas City, Clay County, Missouri, and including to the centerline of all abutting streets.

PARCEL D: Lot 1 and the North 50 feet of Lot 2, in Block 3, Resurvey of Blocks 1 and 3, Antioch, a subdivision in Kansas City, Clay County, Missouri, and including to the centerline of all abutting streets.

TRACT III

PARCEL A: Part of Block 2, Antioch, a subdivision in Kansas City, Clay County, Missouri, being a part of the Northwest $\frac{1}{4}$ of Section 31, Township 51, Range 32, Kansas City, Clay County, Missouri, described as follows: Beginning at a point on the Northeasterly Right-of-Way line of Chouteau Trafficway, as shown on the plat of Antioch, a subdivision in Clay County, the Northerly portion of which is a replat of part of the plat of Green Haven West, a subdivision in Clay County, said point being 50.00 feet Southerly along said Right-of-Way line, from the intersection of said Chouteau Right-of-Way and the West Right-of-Way line of Kansas Avenue, which was platted as Valley View Drive, and as shown on said plat of Green Haven West; thence South 66 Degrees 44 Minutes 02 Seconds East 165.42 feet along the Southerly line of the Big Shoal Greenway, Tract Number 106, as conveyed by Antioch Shopping Center, Inc., to the Southwest corner of Lot 79, Green Haven, a subdivision in Clay County, said corner being on the common subdivision boundary line between the plat of Green Haven and the plat of Antioch, said common line also being the platted centerline of a ravine, said corner further being on the North Right-of-Way line of Northeast 54th Street; thence Southerly along said common line and centerline to the Northwest corner of Lot 115, Green Haven, said corner being on the South Right-of-Way line of Northeast 54th Street, said corner being South 30 Degrees 29 Minutes 21 Seconds West 50.03 feet from the Southwest corner of Lot 79, by direct measurement; thence continuing along said common line and centerline, to the Southwest corner of Lot 115, Green Haven, said

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corner being South 02 Degrees 51 Minutes 43 Seconds East 190.83 feet from the Northwest corner of said Lot 115, by direct measurement; thence North 76 Degrees 47 Minutes 55 Seconds West 108.67 feet along a prolongation of the South line of Lots 111, 112, 113, 114 and 115, Green Haven, to a point on a curve in the Easterly Right-of-Way line of Chouteau Trafficway; thence Northerly along said Right-of-Way line, on a curve to the left having an initial tangent bearing of North 04 Degrees 25 Minutes 13 Seconds East, a delta of 21 Degrees 27 Minutes 13 Seconds, and a radius of 741.16 feet, an arc distance of 277.52 feet to the point of beginning, and including to the centerline of all abutting streets.

PARCEL B: The South 500 feet of Block 2, Antioch, a subdivision in Kansas City, Clay County, Missouri, and including to the centerline of all abutting streets.

TRACT IV:

PARCEL A: Lot 39, except the East 130 feet, as measured along the Northerly and Southerly lot lines thereof, Green Haven, a subdivision in Kansas City, Clay County, Missouri, and including to the centerline of all abutting streets.

PARCEL B: Lot 40, except the East 130 Feet, as measured along the Northerly and Southerly lot lines thereof, Green Haven, a subdivision in Kansas City, Clay County, Missouri.

PARCEL C: Lot 41, except the East 130 feet, as measured along the Northerly and Southerly lot lines thereof, Green Haven, a subdivision in Kansas City, Clay County, Missouri

PARCEL D: Lot 42, except the East 130 feet, as measured along the Northerly and Southerly lot lines thereof, Green Haven, a subdivision in Kansas City, Clay County, Missouri.

PARCEL E: Lot 43, Green Haven, a subdivision in Kansas City, Clay County, Missouri, except beginning at the Northeast corner of Lot 43; thence 145 feet Westerly along the boundaries of Lots 111 and 112; thence Southerly on a line parallel with the Easterly line of Lot 43 to the South line of said lot; thence Easterly along the Southern boundary of said Lot 43, to the East line of said lot; thence North along the Eastern line of the lot to the point of beginning.

D - FUTURE DEVELOPMENT:

From a point of beginning at the intersection of the Southern prolongation of the Western boundary of Lot 8, Antioch Hills, a subdivision of land in Kansas City, Clay County, Missouri, and the Southeastern right-of- way line of Northeast Vivion Road; thence

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North along the prolongation of the Western boundary of said Lot 8, to the Southwest corner of said Lot 8; thence North to the Northwest corner of said Lot 8; thence East to the southwest corner of Lot 7, Antioch Hills; thence North, along the Western boundary of Lots 7, 6, 5, 4, 3, 2, and 1, Antioch Hills, to the Northwestern corner of said Lot 1; thence North to Southeastern corner of Lot 17, Antioch Hills; thence North, along the Eastern boundary of Lot 17 to the Northeast corner of said Lot 17, said point being on the Northern boundary of the Southeast Quarter of Section 36, Township 51, Range 33; thence East, along said Northern boundary, said point also being on the Southern boundary of Lot 4, Block 1, Beverly Manor, a subdivision of land in Kansas City, Clay County, Missouri; thence East along the Southern boundary of Lots 4, 3, 2, and 1, Block 1, Beverly Manor to the Southeast corner of Lot 1, Block 1, Beverly Manor; thence East along the prolongation of the Southern boundary of said Lot 1 to a point on Eastern right-of-way line of North Antioch Road; thence South along said Eastern right-of-way to a point on the Northern right-of-way line of N.E. Vivion Road, then Southwesterly along said right-of-way line of N.E. Vivion Road to the point-of-beginning.

E - FUTURE DEVELOPMENT:

All that part of Lots 40 and 42, Beulmar Acres, an addition in Kansas City, Clay County, Missouri, and that part of vacated Kansas Avenue, described as follows: Beginning at a point 90 feet West of the Northeast corner of Lot 42, said corner being on a point on the Southerly line of Vivion Road; thence Southeasterly 149.22 feet; thence South 56 degrees 50 minutes 36 seconds West 84.77 feet to the Northeasterly line of Chouteau Trafficway; thence Northwesterly along said Northeasterly line to the Southerly line of Vivion Road; thence Northeasterly along said Southerly line to the Point of Beginning. (2915 NE Vivion Road)

All that part of Lot 42, Beulmar Acres, an addition in Kansas City, Clay County, Missouri, described as follows: Beginning at the Northeast corner of said Lot 42, said corner being a point on the Southerly line of Vivion Road, as now established, then South along the East line of said Lot 42, a distance of 122 feet; thence West at the right angles from said East line, 80 feet; thence Northwesterly 117.22 feet to a point on the Northerly line of said Lot 42, measured along the Northerly line thereof; thence Easterly along said Northerly line and along the Southerly line of said Vivion Road, 90 feet to the Point of Beginning. (2919 N.E. Vivion Road)

All that part of Lots 42 and 43, Beulmar Acres, an addition in and to the City of Kansas City, Clay County, Missouri, described as follows: Beginning at a point on the East line of said Lot 42 which is 122 feet South of the Northeast corner thereof; thence West, at right angles from said East line, 80 feet; thence South at right angles from the last described

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course, 32 feet; thence Southwesterly along a line which deflects to the right 56 degrees 50 minutes 36 seconds from the last described course, 84.77 feet to a point on the Northeasterly line of Chouteau Trafficway, as now established; thence Southeasterly along said Northeasterly line being a curve to the left, having a radius of 550 feet, 137.26 feet; thence continuing Southeasterly along said Northeasterly line, being tangent to the last curve, 65.74 feet to an intersection with the East line of said Lot 43; thence North along the East line of said Lots 43 and 42, 213.01 feet to the Point of Beginning. (5171 N.E. Chouteau Trafficway).

F - FUTURE DEVELOPMENT:

The property commonly referred to as 2618 N.E. Vivion Road, which is the East 100 feet of the West 120 feet of Green Haven Plaza, Block 1, a subdivision in Kansas City, Clay County, Missouri, which was not re-platted Antioch, and including to the centerline of all abutting streets.

G - FUTURE DEVELOPMENT:

The Property commonly referred to as 2602 N.E. Vivion Road. Commencing at the Northwest corner of Southwest Quarter (SW 1/4) of Section 31, Township 51, Range 32, in Clay County, Missouri; thence East along the North line of said quarter section 34.25 feet, more or less, to the East line of a Antioch Road; thence Southerly along the East line of Antioch Road 305.6 feet, more or less; to a point 150 feet Northerly from the point of intersection of the East line of Antioch Road and the Northwesterly terminus of the diagonal State Highway Department right- of-way line (measuring 129.25 feet, more, or less, in length and running in a Northwesterly and Southeasterly direction along a straight line and connecting the Easterly line of Antioch Road with the Northerly line of Highway 69), which point is the point of beginning; continuing thence Southerly along the East line of Antioch Road 150 feet to the point of intersection of the Easterly line of Antioch Road with said diagonal State Highway Department right-of-way line; thence in a Southeasterly direction along said diagonal State Highway Department right-of-way line 129.25 feet, more or less, to the Northerly line of Highway No. 69; thence Northeasterly along the Northerly line of Highway No. 69, 150 feet to a point; thence Northwesterly along a straight line 250 feet, more or less, to the point of beginning, having a frontage of 150 feet on Antioch Road and a frontage of 150 feet on Highway No. 69.

Section B. That a development plan for the 42.9 acre area legally described above is hereby approved, subject to the following conditions:

1. That the developer cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas

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City, Missouri, as amended, commonly known as the Development Regulations.

2. That the developer must submit a macro "overall" storm drainage study in compliance with adopted standards for the entire development to the Land Development Division for review and acceptance at the time the first plat is submitted, showing the phasing of platting, phasing of storm water conveyance systems to serve individual lots, phasing of Water Quality Mitigation (including preliminary BMP Level of Service Analysis) meeting a minimum levels of service of 4 or higher as approved by the Land Development Division and the Water Services Storm Water Utility, and phasing of required runoff mitigation if applicable. Mitigation may require exceeding current development rates as determined by the Land Development Division and the Water Services Department in accordance with the City's Master Watershed Study and KC-One recommendations to address proportionately this site's watershed contribution to existing flooding of residential structures immediately adjacent to this development, and that the developer secure permits to construct the phased public improvements as required by the Land Development Division prior to recording of each final plat.
3. That the developer submit a detailed micro storm drainage study showing compliance with the approved and most current macro study on file with the City and with current adopted standards in effect at the time of submission, including a detailed analysis and design of the permanent Water Quantity and Quality BMP's, conveyance systems, and sewer services, prior to approval and issuance of any building permits to construct improvements on the site; that the developer verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and that the developer construct any other improvements as required by the Land Development Division as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.
4. That the developer dedicate additional right of way for Chouteau Trafficway as required by the adopted Major Street Plan (MSP) and Chapter 88 so as to provide a minimum of 50 feet of right of way as measured from the centerline of Chouteau Trafficway, along those areas being replatted, as required by the Parks and Recreation Department.
5. That the developer obtain permits prior to the start of work to modify the existing sidewalks within the public right-of-way along the project street frontage, where sidewalks are proposed to be modified to ensure they comply with ADA and/or City adopted sidewalk standards, as required by the Land Development Division.
6. That the developer obtain the executed and recorded grading, temporary construction, drainage/sewer, or any other necessary easements from the

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abutting property owner(s) 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.

7. 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.
8. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
9. 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, to 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. That the developer 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.
10. 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.
11. 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.
12. That the owner/developer 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 may be required.

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13. That the developer secure permits to extend sanitary and stormwater conveyance systems to serve all proposed lots within the development and determine adequacy of the receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
14. That the developer provide a cross-access easement across shared drives and parking areas between lot access drives and project access drives to public street, including any parking areas that would reasonably be used, as required by the Land Development Division.
15. That the developer grant a Surface Drainage Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
16. That the developer submit a City Standard Covenant for Maintenance Agreement to the City for any shared Quantity and Quality Mitigation improvements located within separate tracts or which cross separate property lines and can be defined by separate legal descriptions, as required by the Land Development Division, prior to issuance of any permit to construct said improvement and recording of a final plat containing such facilities, whichever occurs first.
17. That the developer provide a northbound right turn lane at N. Antioch Road and N.E. 53rd Street as required by the Missouri Department of Transportation.
18. That the developer provide sufficient right of way as determined by the Missouri Department of Transportation to accommodate a northbound right turn lane at N. Antioch Road and N.E. 53rd Street.
19. That the developer provide permanent signals at N. Antioch Road and 53rd Street as required by the Missouri Department of Transportation.
20. That the developer provide for additional eastbound left turn lane storage at N.E. Vivion Road and N. Antioch Road by re-striping as required by the Missouri Department of Transportation.
21. That the developer provide adequate facilities along N.E. Vivion Road to accommodate a 10 feet bike/pedestrian route as per the BIKE KC plan. This should include the signing, crosswalks, indications, and right of way, or easement.
22. That the developer provide adequate right of way for the improved radius on the northwest corner of Vivion Road and Chouteau Trafficway as required by the Missouri Department of Transportation and the Parks and Recreation Department.

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23. That the developer obtain a permit from MODOT for all work in the State right-of-way.
24. That the developer construct a suitable channelizing island at the south development driveway on Chouteau Trafficway so as to restrict vehicular turning movements to right-in and right-out only at the driveway, as required by the Public Works Department.
25. That the developer modify the median on Chouteau Trafficway near the south development driveway so as to eliminate the northbound left-turn lane at said driveway and extend the southbound left-turn lane at the intersection on Vivion Road and Chouteau Trafficway, as required by the Public Works Department.
26. That the developer provide adequate intersection sight distances on all development driveways that serve lots that are being redeveloped in the development plan.
27. That the developer improve the intersection of N.E. 53rd Street and Chouteau Trafficway as shown on the development plan, as required by the Public Works Department.
28. That the developer enter into a cooperative agreement to contribute the full cost of installing pedestrian facilities across Chouteau Trafficway at or near N.E. 53rd Street, including the possible installation of a traffic signal at said intersection or a mid-block pedestrian beacon located approximately 100 feet north of N.E. 53rd Street and interconnection of said traffic signal or pedestrian beacon with the traffic signals at the intersection of Chouteau Trafficway and Vivion Road, at such time that the Public Works Department determines that the installation of said pedestrian facilities is warranted, necessary, and prudent based on an engineering study, as required by the Public Works Department.
29. That the developer install appropriate “share the road” signs along N.E. 53rd Street on each approach to the development, as required by the Public Works Department.
30. That the developer incorporate appropriate design and warning signage for motorists and trail users at all shared use trail crossings of driveways, streets, and intersections, including at the south development driveway on Chouteau Trafficway near N.E. Vivion Road, as required by the Parks and Recreation and Public Works Departments.
31. That the developer dedicate additional right of way or easement on N.E. Vivion Road between N. Antioch Road on the west and Chouteau Trafficway on the east, as required by the Missouri Department of

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Transportation so as to provide enough right of way to accommodate a 10-foot wide multi-purpose trail along the north side of N.E. Vivion Road.

32. That the developer provide for fire protection as required by the Fire Department.
33. That the developer provide parking in compliance with Chapters 52 and 88.
34. That the developer extend water mains, provide a 15 foot wide exclusive water main easement along Chouteau Trafficway, abandon and relocate water mains and convert public mains to private water mains, all as required by the Water Services Department.
35. That any relocated streetlights be integrated into the existing streetlight system as required by Development Services.
36. That the developer submit a site plan to the Director of City Development for approval prior to the issuance of a building permit. The site plan shall include information regarding: property uses, setback distances, lighting (photometrics plan showing zero footcandles at the property line), landscaping and architectural characteristics, berms, trees and plantings around and within the parking lots, if applicable; show proposed pedestrian circulation; and include elevation drawings of buildings and signage.

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 C. 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 and Development Code 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.

Secretary, City Plan Commission

Approved as to form and legality:

M. Margaret Sheahan Moran
Assistant City Attorney