

ORDINANCE NO. 000384

Approving an amendment to a previously approved development plan in District URD (Urban Redevelopment District) on approximately a 321 acre tract of land generally bounded by Bannister Road on the north, I-435 and U.S. Highway 71 on the west, I-470 on the south, and the west boundary of the Mooreland/Hillcrest Heights Subdivision on the east, for the purpose of deleting an approximately 11.7 acre tract of land from said development plan. (6817-URD-17)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved development plan in District URD (Urban Redevelopment District) on approximately a 321 acre tract of land generally bounded by Bannister Road on the north, I-435 and U.S. Highway 71 on the west, I-470 on the south, and the west boundary of the Mooreland/Hillcrest Heights Subdivision on the east, and more specifically described as follows:

All or part of the following subdivisions: "BANNISTER SQUARE BUSINESS CENTER REPLAT", "MARION INDUSTRIAL PARK", "MARION INDUSTRIAL PARK 2ND PLAT", "KEMBLE ACRES", "HICKMAN BUSINESS CENTER", "KRAMER INDUSTRIAL PARK", "BANNISTER STOR-ALL", "A & A ACRES", "KING'S ROSE HILL SUBDIVISION", "HOLMES PARK", "REPLAT OF HOLMES PARK", "SHOWBIZ PIZZA PLACE", AND "RESURVEY OF PARCELS 2 AND 3 VENTURE CENTER", all subdivisions according to the recorded plats thereof, including the following streets, drives, avenues, highways, and alleys; Marion Park Drive, 103rd Street, Hickman Mills Drive, Interstate 470, U.S. Highway No. 71, Interstate 435, Woodfield Drive, Cypress Avenue, 95th Street Terrace, 96th Street, King's Highway, Elmwood Avenue, and the alleys in Blocks 1 and 3, Holmes Park, as said streets, drives, avenues, highways, and alleys are now established and the right of way of the Burlington Northern Railroad (formerly the St. Louis and San Francisco Railroad), together with other lands situated in Section 26, Township 48, Range 33, and in Section 35, Township 48, Range 33, all in Kansas City, Jackson County, Missouri, and lying generally south of Bannister Road; north of Interstate 470 and easterly of U.S. Highway No. 71.

The boundary of the redevelopment area is more specifically described as beginning at the northeast corner of Lot 1, "BANNISTER SQUARE BUSINESS CENTER REPLAT"; thence south along the east line of said Lot 1 and along the east line of Lot 3 in said "BANNISTER SQUARE BUSINESS CENTER REPLAT", a distance of 439 feet; thence in a southerly and southwesterly direction along the east line of said Lot 3 and along a curve to the right, tangent to the last described course and having a radius of 300.00 feet, an arc distance of 176 feet to the southeast corner of said Lot 3, said corner also being on the north line of the Southwest 1/4 of the Southeast 1/4 of Section 26, Township 48, Range 33;

thence east 120 feet to the northeast corner of said 1/4 1/4 Section; thence south along the east line of said 1/4 1/4 Section and along the east line of the West 1/2 of the Northeast 1/4 of Section 35, Township 48, Range 33 and along the southerly prolongation thereof, a distance of 3991 feet to a point on the south right of way line of 103rd Street, as now established; thence east along said south right of way line, a distance of 491 feet, more or less, to the northwest corner of "SLEEPY HOLLOW", a subdivision in said city, county and state; thence the following courses along the westerly boundary lines of said "SLEEPY HOLLOW" subdivision; south 844 feet, east 200 feet, south 390 feet, southwesterly 91 feet, west 572 feet, south 30 feet, west 141 feet to a point on the easterly right of way line of Hickman Mills Drive, as now established; thence southeasterly 461 feet to the southwest corner of said "SLEEPY HOLLOW" subdivision; thence westerly, departing from said subdivision boundary along the northerly right of way line of Interstate Route 470, as now established; 100 feet, more or less, to a point on the westerly right of way line of said Hickman Mills Drive, said point also being opposite and 209 feet northerly of Station 47+85 of the right of way base line of the eastbound lanes of said Interstate 470, as now established; thence westerly along the last said right of way line, 440 feet, more or less, to a point on the westerly right of way line of the Burlington Northern Railroad that is opposite and 30 feet northerly of Station 43+55 of said right of way base line; thence northwesterly 795 feet, more or less, to a point opposite and 50 feet northeasterly of Station 35+51.26 of said right of way base line; thence northwesterly, parallel with said right of way base line, a distance of 818 feet; thence in a northwesterly direction along a curve to the left, tangent to the last described course having a radius of 1483 feet, an arc distance of 355 feet; thence in a northwesterly and northerly direction along a curve to the right having a radius of 1637 feet, an arc distance of 1500 feet, more or less, to the intersection of the westerly right of way line of said Hickman Mills Drive and the prolongation of the easterly right of way line of Interstate 435, as now established; thence North 60° West, a distance of 245 feet; thence North 23° 30' West, a distance of 660 feet; thence North 35° West, a distance of 165 feet, more or less, to a point on the southerly prolongation of the easterly right of way line of U.S. Highway No. 71, as now established; thence northerly along said prolongation and along the last said right of way line, a distance of 720 feet to a jog in said right of way line; thence west along said jog, a distance of 23 feet; thence northerly along the last said right of way line, a distance of 1420 feet to an angle point; thence northerly along said right of way line, a distance of 140 feet to an angle point; thence northerly along said right of way line, a distance of 52 feet; thence northerly along the last said right of way line, a distance of 270 feet to an angle point on the southerly right of way line of Woodfield Drive, as now established; thence westerly along a jog in said easterly right of way line, along a curve to the left having a radius of 180.00 feet, an arc distance of

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46 feet; thence northerly along said right of way line, a distance of 50 feet to an angle point in said easterly right of way line that is opposite and 143 feet east of Station 404+09 of the right of way base line of said U.S. Highway No. 71; thence north along said right of way line, a distance of 695 feet to an angle point therein that is opposite and 293 feet east of Station 410+95 of said right of way base line; thence westerly along said right of way line, a distance of 49 feet to an angle point therein that is opposite and 248 feet east of Station 411+16 of said right of way base line; thence northerly along said right of way line, a distance of 80 feet to a point on the southerly right of way line of Bannister Road; thence northeasterly along last said right of way line, a distance of 135 feet; thence southeasterly along said southerly right of way line, a distance of 140 feet; thence northeasterly along said right of way line and along the prolongation thereof, a distance of 180 feet to the point of intersection of the south right of way line of Bannister Road and the northeasterly right of way line of the Burlington Northern Railroad; thence easterly along said south right of way line, a distance of 80 feet; thence northeasterly along said south right of way line, a distance of 45 feet; thence easterly along said south right of way line, a distance of 400 feet; thence easterly, a distance of 80 feet to a point on the east right of way line of Hickman Mills Drive extension, as now established; thence south along the last said right of way line, a distance of 580 feet; thence southwesterly along the last said right of way line, a distance of 87 feet to a point on the west line of Lot 2, "SHOWBIZ PIZZA PLACE", a subdivision in said city, county, and state; thence south along the last said west line, a distance of 130 feet to the southwest corner of the last said Lot 2, said point also being the northwest corner of Parcel 2, "RESURVEY OF PARCELS 2 AND 3, VENTURE CENTER"; thence east along the north line of said Parcel 2; a distance of 1125 feet to the northeast corner thereof; thence easterly, a distance of 545 feet to the northerlymost corner of Lot 6, "BANNISTER SQUARE BUSINESS CENTER REPLAT", a subdivision in said city, county, and state; thence southeasterly 166 feet to an angle point in the north line of Lot 4 in the last said subdivision; thence east along the north lines of Lots 4 and 2 in the last said subdivision, a distance of 440 feet to a point on the west line of Lot 1 in the last said subdivision; thence north 180 feet to the northwest corner of the last said Lot 1; thence east, a distance of 267 feet to the point of beginning, except that part thereof in public thoroughfares.

EXCEPT: Part of the South Half of the Southeast Quarter of Section 35, Township 48, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Commencing at the intersection of the westerly line of U.S. Highway No. 71, with the north line of said South Half of the Southeast Quarter Section; thence South 27°49'00" East, along said westerly line, a distance 114.21 feet, to the true

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point of beginning of the tract to be herein described; thence continuing South 27°49'00" East along said westerly line, a distance of 387.50 feet, to its intersection with the northerly line of Interstate Route 470; thence North 86°50'00" West, along said northerly line, a distance of 361.96 feet, to its intersection with the centerline of the St. Louis and San Francisco Railroad; thence North 40°44'02" West, along said easterly line, a distance of 584.71 feet; thence North 86°56'00" West, a distance of 261.40 feet; thence South 0°30'00" East, a distance of 100.00 feet; thence South 88°56'00" East along a line that is parallel with the said north line of the South Half, a distance of 314.52 feet, to the true point of beginning.

for the purpose of deleting therefrom an approximately 11.7 acre tract of land, more specifically described as follows:

BANNISTER SQUARE BUSINESS CENTER REPLAT, a subdivision in Kansas City, Jackson County, Missouri.

so that the remaining tract of land of approximately 309 acres, more specifically described as follows:

Beginning at the northeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 26, Township 48, Range 33; thence south along the east line of said 1/4 1/4 Section and along the east line of the West 1/2 of the Northeast 1/4 of Section 35, Township 48, Range 33 and along the southerly prolongation thereof, a distance of 3991 feet to a point on the south right of way line of 103rd Street, as now established; thence east along said south right of way line, a distance of 491 feet more or less, to the northwest corner of "SLEEPY HOLLOW", a subdivision in said city, county and state; thence the following courses along the westerly boundary lines of said "SLEEPY HOLLOW" subdivision; south 844 feet, east 200 feet, south 390 feet, southwesterly 91 feet, west 572 feet, south 30 feet, west 141 feet to a point on the easterly right of way line of Hickman Mills Drive, as now established; thence southeasterly 461 feet to the southwest corner of said "SLEEPY HOLLOW" subdivision; thence westerly, departing from said subdivision boundary along the northerly right of way line of Interstate Route 470, as now established; 100 feet, more or less, to a point on the westerly right of way line of said Hickman Mills Drive, said point also being opposite and 209 feet northerly of Station 47+85 of the right of way base line of the eastbound lanes of said Interstate 470, as now established; thence westerly along the last said right of way line, 440 feet, more or less, to a point on the westerly right of way line of the Burlington Northern Railroad that is opposite and 30 feet northerly of Station 43+55 of said right of way base line; thence northwesterly 795 feet, more or less, to a point opposite and 50 feet northeasterly of Station 35+51.26 of said right of way base line; thence northwesterly, parallel with said right of way base line, a distance of 818 feet; thence in a northwesterly direction along a curve to the left,

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tangent to the last described course having a radius of 1483 feet, an arc distance of 355 feet; thence in a northwesterly and northerly direction along a curve to the right having a radius of 1637 feet, an arc distance of 1500 feet, more or less, to the intersection of the westerly right of way line of said Hickman Mills Drive and the prolongation of the easterly right of way line of Interstate 435, as now established; thence North 60° West, a distance of 245 feet; thence North 23° 30' West, a distance of 660 feet; thence North 35° West, a distance of 165 feet, more or less, to a point on the southerly prolongation of the easterly right of way line of U.S. Highway No. 71, as now established; thence northerly along said prolongation and along the last said right of way line, a distance of 720 feet to a jog in said right of way line; thence west along said jog, a distance of 23 feet; thence northerly along the last said right of way line, a distance of 1420 feet to an angle point; thence northerly along said right of way line, a distance of 140 feet to an angle point; thence northerly along said right of way line, a distance of 52 feet; thence northerly along the last said right of way line, a distance of 270 feet to an angle point on the southerly right of way line of Woodfield Drive, as now established; thence westerly along a jog in said easterly right of way line, along a curve to the left having a radius of 180.00 feet, an arc distance of 46 feet; thence northerly along said right of way line, a distance of 50 feet to an angle point in said easterly right of way line that is opposite and 143 feet east of Station 404+09 of the right of way base line of said U.S. Highway No. 71; thence North along said right of way line, a distance of 695 feet to an angle point therein that is opposite and 293 feet east of Station 410+95 of said right of way base line; thence westerly along said right of way line, a distance of 49 feet to an angle point therein that is opposite and 248 feet east of Station 411+16 of said right of way base line; thence northerly along said right of way line, a distance of 80 feet to a point on the southerly right of way line of Bannister Road; thence northeasterly along last said right of way line, a distance of 135 feet; thence southeasterly along said southerly right of way line, a distance of 140 feet; thence northeasterly along said right of way line and along the prolongation thereof, a distance of 180 feet to the point of intersection of the south right of way line of Bannister Road and the northeasterly right of way line of the Burlington Northern Railroad; thence easterly along said south right of way line, a distance of 80 feet; thence northeasterly along said south right of way line, a distance of 45 feet; thence easterly along said south right of way line, a distance of 400 feet; thence easterly, a distance of 80 feet to a point on the east right of way line of Hickman Mills Drive extension, as now established; thence south along the last said right of way line, a distance of 580 feet; thence southwesterly along the last said right of way line, a distance of 87 feet to a point on the west line of Lot 2, "SHOWBIZ PIZZA PLACE", a subdivision in said city, county and state; thence south along the last said west line, a distance of 130 feet to the southwest corner of the last said Lot 2, said point also being the northwest corner of Parcel 2, "RESURVEY OF PARCELS 2 AND 3, VENTURE CENTER"; thence east along the north line of said Parcel 2; a distance of 1125 feet to the northeast corner thereof; thence

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easterly, a distance of 545 feet to the northerlymost corner of Lot 6, "BANNISTER SQUARE BUSINESS CENTER REPLAT", a subdivision in said city, county and state; thence southwesterly 316.57 feet to an angle point in the west line of Lot 7 in said subdivision; thence southerly 250.95 feet to the southwest corner of Lot 7; thence east along the south line of Lots 7, 5 and 3, "BANNISTER SQUARE BUSINESS CENTER", 1180.14 feet to the point of beginning, except that part thereof in public thoroughfares.

EXCEPT: Part of the South Half of the Southeast Quarter of Section 35, Township 48, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Commencing at the intersection of the westerly line of U.S. Highway No. 71, with the north line of said South Half of the Southeast Quarter Section; thence South 27°49'00" East, along said westerly line, a distance 114.21 feet, to the true point of beginning of the tract to be herein described; thence continuing South 27°49'00" East along said westerly line, a distance of 387.50 feet, to its intersection with the northerly line of Interstate Route 470; thence North 86°50'00" West, along said northerly line, a distance of 361.96 feet, to its intersection with the centerline of the St. Louis and San Francisco Railroad; thence North 40°44'02" West, along said easterly line, a distance of 584.71 feet; thence North 86°56'00" West, a distance of 261.40 feet; thence South 0°30'00" East, a distance of 100.00 feet; thence South 88°56'00" East along a line that is parallel with the said north line of the South Half, a distance of 314.52 feet, to the true point of beginning.

is hereby 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, as amended, commonly known as the Subdivision Regulations, with a final plat for each area to be approved as each tax increment financing project ordinance is activated.
2. That the developer submit a preliminary storm drainage study for the entire development to the City Engineer's Office for approval with the first plat, with final storm drainage studies to be submitted for each project area as development occurs, and that the developer make any necessary improvements as required by the City Engineer's Office.
3. That the developer submit plans for grading and siltation and erosion control to the City Engineer's Office for approval prior to beginning any construction activities.
4. That the developer secure a land disturbance permit from the Department of Public Works prior to beginning any construction, grading, clearing or grubbing

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activities, if the disturbed area exceeds one acre.

5. That the developer secure a land disturbance permit from the Missouri Department of Natural Resources.
6. That the developer receive the approval of the Missouri Department of Transportation prior to working in any State right of way.
7. That the developer provide for fire protection as required by the Fire Department.
8. That the developer extend sanitary sewers as required by the Department of Public Works.
9. That the developer extend water mains as required by the Water Services Department.
10. That the developer dedicate additional right of way for Hickman Mills Drive as required by the Department of Public Works so as to provide 80 feet of right of way as measured from the centerline of Hickman Mills Drive.
11. That the developer dedicate additional right of way for 103rd Street (relocated) as required by the Department of Public Works so as to provide 60 feet of right of way as measured from the centerline of 103rd Street (relocated).
12. That the developer improve Hickman Mills Drive from Bannister Road to I-470 to secondary arterial street standards as required by the Department of Public Works, including widening to four lanes and providing turn lanes, at such time as platting of the frontage along Hickman Mills Drive occurs.
13. That the developer reconstruct the intersection of 103rd Street, Hickman Mills Drive and Marion Park Drive to facilitate movement of traffic between Marion Park Drive and Hickman Mills Drive in accordance with the alignment shown on the development plan. If necessary, Hickman Mills Drive and Marion Park Drive shall be widened to provide turn lanes. This construction shall occur at such time as the analysis of traffic operating conditions dictates the need for the improvement as determined by the Department of Public Works and the developer.
14. That the developer improve relocated 103rd Street to collector street standards as required by the Department of Public Works.
15. That the developer construct north and southbound left turn lanes on Hillcrest Road at 103rd Street, widen the westbound approach, and signalize the intersection as required by the Department of Public Works with the improvements being made in conjunction with Project 1, as shown on the

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development plan.

16. That the developer contribute to the I-470/I-435 Corridor Study Improvement Fund at the time of platting, or if in a later phase of platted area, before building permit; provided that no contribution shall be due until the commencement of Project 2, as shown on the development plan. Rates of contribution shall be as follows: \$0.65 per square foot for corporate office space, \$0.50 per square foot for research and development laboratory space, and \$0.70 for warehouse space.

The developer will receive credit for the above contribution attributable to construction of off-site improvements for:

- (a) widening of Bannister Road from Elmwood Avenue east to the right turn widening in front of the former Venture store, as required; and
- (b) improving the intersection of 103rd Street and Hillcrest Road as required by Condition No. 15.

The remaining contribution by the developer will be used toward the cost of the following improvements:

- (a) widening the approaches of Red Bridge Road at Hillcrest Road to provide two through lanes and left turn lanes for Red Bridge Road;
 - (b) widening the approaches of Hillcrest Road to provide left turn lanes and a southbound right turn lane; and
 - (c) conversion of temporary signals at Hillcrest Road and Red Bridge Road to a permanent signal system.
17. That the developer obtain a floodplain certificate from the Department of Codes Administration for any work performed within the floodplain.
 18. That the developer provide cross-access easements for each final plat as required by the Department of Public Works.
 19. That the developer submit a site plan for each phase to the Department of City Development for approval prior to issuance of a building permit. The site plans shall include: development plan information, property uses, setback distances, lighting, grading, landscaping, signage, architectural characteristics and urban design recommendations as stated on the urban redevelopment district plan.

A copy of said amendment is on file in the office of the City Clerk under Document No. 000384, which is attached hereto and made a part hereof.

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Section B. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning Ordinance have been given and had.

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:

Assistant City Attorney