

ORDINANCE NO. 090960

Rezoning an area of approximately 2.2 acres generally bounded by E. 34th Street on the north, Montgall Avenue on the east, Prospect Avenue on the west and extending approximately 360 feet south from Districts R-2b and C-2 to URD, and approving a preliminary development plan for the same. (12237-URD-1)

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 80-11A0856, rezoning an area of approximately 2.2 acres generally bounded by E. 34th Street on the north, Montgall Avenue on the east, Prospect Avenue on the west and extending approximately 360 feet south from Districts R-2b (Two-Family Dwellings) and C-2 (Local Retail Business) to URD (Urban Redevelopment District), said section to read as follows:

Section 80-11A0856. That an area legally described as:

All of Lots 1 through 9 inclusive and Lots 22 through 30 inclusive, Dunlop Place,  
a subdivision in Kansas City, Jackson County, Missouri,

is hereby rezoned from Districts R-2b (Two-Family Dwellings) and C-2 (Local Retail Business) to URD (Urban Redevelopment District), all as shown outlined on a map marked Section 80-11A0856, 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 a development plan for the area legally described above is hereby approved, subject to the following conditions:

1. That the developer submit a detailed micro storm drainage study, in general compliance with adopted standards, including a BMP level of service analysis, prior to approval and issuance of any building permits, and that the developer construct any improvements as required by Development Services prior to issuance of any certificate of occupancy.
2. That the developer submit a letter from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters. The letter must identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages, as required by Development Services, prior to issuance of any certificate of occupancy.

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3. 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.
4. That the developer secure a site disturbance permit from Development Services prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more.
5. That the developer grant a BMP Easement to the City, as required by Development Services, prior to issuance of any certificate of occupancy.
6. That the developer provide for fire protection as required by the Fire Department prior to construction beyond foundations.
7. That the developer submit a street tree planting plan prior to the issuance of a certificate of occupancy, secure the approval of the City Forester for street trees planted on right-of-way (with a copy to be submitted to the City Development Department staff), and agree to plant in conformance with the plan approved by the City Forester. The plan shall include size, type, species, and placement of trees.
8. That the developer submit a final plan to the Director of the City Development Department for approval, including detailed information on landscaping, lighting (including a photometric study showing zero footcandles at the property line and no direct illumination beyond the property line) and building elevations.

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 Ordinance have been given and had.

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I hereby certify that as required by Chapter 80, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Secretary, City Plan Commission

Approved as to form and legality:

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M. Margaret Sheahan Moran  
Assistant City Attorney