

ORDINANCE NO. 120094

Rezoning an area of approximately 9 acres generally located on the west side of Holmes Road, between E. 120th Street and Martha Truman Road, from District R-5 to District MPD and the approval of a preliminary development plan for 122 existing nursing home beds and a 12-bed dialysis center that allows for outside clients. (14133-MPD-2)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A898, rezoning an area of approximately 9 acres generally located on the west side of Holmes Road, between E. 120th Street and Martha Truman Road, from District R-5 (Residential-5) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A898. That an area legally described as:

Walters Park, Replat of Block 1, Lot 1, a subdivision in Kansas City, Jackson County, Missouri according to the recorded plat thereof.

is hereby rezoned from District R-5 (Residential-5) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-11A0898, 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 in accordance with Section 88-20 thereof.

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

1. That the development plan be revised to include the following:
 - The total number of beds for the new dialysis center is 12.
 - Once the new dialysis center opens, there will be 122 patient beds remaining in the Timberlake Care Center.
 - The proposed one small sign, with the words DaVita Dialysis Center, mounted on the building, above the entrance door to the Dialysis Center. It would be 14" high x 4'-0" long. Wall sign shall be limited to 10% of the elevation on which it is mounted. Sign shall match the signage of the Timberlake Center.
2. That the developer submit an updated statement of intent and objectives that meets the requirements of Section 88-280-01-B in its entirety.

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3. That the developer submit a final plan to the Development Review Committee for approval, indicating plans for landscaping, grading, lighting and a photometric study showing zero footcandles at the property lines prior to issuance of building permit.

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.

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