

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 050242

Rezoning an area of approximately 4 acres generally located on both sides of Cherry Street north of E. 99th Street from District R-4 to District PD/R-4 and approving a development plan for the same. (13150-PD)

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 80-11A06411, rezoning an area of approximately 4 acres generally located on both sides of Cherry Street, north of E. 99th Street from District R-4 (Low Apartments) to District PD/R-4 (Planned Development/Low Apartments), said section to read as follows:

Section 80-11A0611. That an area legally described as:

Lots 1 through 14, inclusive, Homeswood Manor (also known as Holmeswood Manor as referred to by Ordinance 36712) a subdivision in Kansas City, Jackson County, Missouri

is hereby rezoned from District R-4 (Low Apartments) to District PD/R-4 (Planned Development/Low Apartments), all as shown outlined on a map marked Section 80-11A0611, 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 street tree planting plan, 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 in conformance with the plan approved by the City Forester, prior to the approval of a final plan.
2. That the developer secure permits to construct or reconstruct existing sidewalks, curb, gutter, storm sewers, and streetlights as necessary along development boundaries as required by the Department of Public Works, prior to approval of final plan.
3. That any relocated streetlights be integrated into existing street light system as required by the City Engineer's Office.

4. That the developer submit a final plan to the City Plan Commission for approval, including detailed information on landscaping, signage (including elevations of existing identification signage), any existing or proposed parking lot lighting (which shows no direct illumination beyond the property line) and enclosure of the dumpsters in a solid screening material.

A copy of said development plan is on file in the office of the City Clerk with this ordinance, which is attached hereto and 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 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