

ORDINANCE NO. 080371

Rezoning an area of approximately 2.03 acres generally located approximately 300 feet east of N. Flintlock Road and 300 feet south of N.E. 81st Terrace from District R-4 to District PD/R-4, and approving a development plan for the same. (9815-PD-69)

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 80-11A0803, rezoning an area of approximately 2.03 acres generally located approximately 300 feet east of N. Flintlock Road and 300 feet south of N.E. 81st Terrace from District R-4 (Low Apartments) to District PD/R-4 (Planned District/Low Apartments), said section to read as follows:

Section 80-11A0803. That an area legally described as:

All of Lot 2, Barry Pointe Office Park-Second Plat, a subdivision of land in Kansas City, Clay County, Missouri being more particularly described as follows: Commencing at the Northwest corner of said Southeast Quarter of Section 11; thence South 00°26'45" West along the West line of said Southeast Quarter; 1902.96 feet; thence South 89°33'15" East, 115.10 feet to the Northeast corner of Lot 1, Barry Pointe Office Park-First Plat, a subdivision in Kansas City, Clay County, Missouri said point being on the South right-of-way line of NE 81st Terrace, as now established; thence South 46°34'06" West along the East line of said Lot 1, 15.97 feet; thence Southerly along said East line on a curve to the left, having a common tangent with the last described course, a radius of 247.50 feet, a central angle of 18°30'25", an arc distance of 79.94 feet; thence South 28°03'41" West along said East line, 44.42 feet to the Northeast corner of the aforementioned Lot 2, Barry Pointe Office Park-Second Plat to the True Point of Beginning of the tract to be herein described; thence South 28°03'41" West along the East line of said Lot 2, 264.58 feet to the Southeast corner of said Lot 2; thence North 61°56'19" West along the South line of said Lot 2, 333.53 feet to the Southwest corner of said Lot 2; thence North 28°03'41" East along the West line of said Lot 2, 264.58 feet to the Northwest corner of said Lot 2; thence South 61°56'19" East along the North line of said Lot 2, 333.53 feet to the True Point of Beginning. Containing 2.03 acres, more or less.

is hereby rezoned from District R-4 (Low Apartments) to District PD/R-4 (Planned District/Low Apartments), all as shown outlined on a map marked Section 80-11A0803, 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.

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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, consisting at a minimum of a letter from a Missouri licensed civil engineer stating that the proposed improvements will not alter or increase historical runoff conditions for the site, to Development Services prior to review and issuance of any building permits, and that the developer construct any improvements as required by Development Services.
2. That the developer submit plans for grading and siltation and erosion control to Development Services for approval prior to beginning any construction activities.
3. That the developer extend water mains as required by the Water Services Department.
4. That the developer provide for fire protection as required by the Fire Department.
5. That the developer extend sanitary sewer mains as required by Development Services.
6. 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 or exceeds one acre.
7. That the developer obtain the grading consents, and all grading, temporary construction and drainage easements from the abutting property owner prior to submitting any public improvements.
8. That the developer submit a final plan to the City Plan Commission for approval, including plans for grading, landscaping, screening, berming, lighting (provide a photometric study, with the intent that there shall be no direct illumination beyond the property line and with zero footcandles of light at the southern plan district boundary line and reasonable light leakage along the other district boundary lines) and signage.
9. That the developer apply for a variance to Section 80-80(b)(5) regarding lot width on a public roadway as required by the Permits Division of City Development and any other necessary variances.

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.

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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