

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 050277

Rezoning an area of approximately 3.03 acres generally located on the south side of N.W. Barry Road, between N. Hickory Street and N. Mercier Street, from District RA to District C-2. (12470-P-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, 1996, commonly known as the Zoning Ordinance, is hereby amended by enacting a new section to be known as Section 80-11A0617, rezoning an area of approximately 3.03 acres generally located on the south side of N.W. Barry Road, between N. Hickory Street and N. Mercier Street, from District RA (Agricultural) to District C-2 (Local Retail Business), said section to read as follows:

Section 80-11A0617. That an area legally described as:

All that part of BARRY MEMORIAL GARDENS, a subdivision in the City of Kansas City, Clay County, Missouri and that part of the Fractional Southwest Quarter of Section 10, Township 51, Range 33, in said City, County and State, being more particularly described as follows:

Commencing at the Northwest corner of said Fractional Southwest Quarter; thence South 89 degrees 28 minutes 58 seconds East along the North line of said Fractional Southwest Quarter, a distance of 792.67 feet to a point on the Northerly prolongation of the West line of BARRY MEMORIAL GARDENS, a subdivision in said City, County and State; thence South 0 degrees 10 minutes 30 seconds West (South 0 degrees 06 minutes 23 seconds West, Plat) along said Northerly prolongation and also along said West line, a distance of 109.73 feet to a point on the Southerly right-of-way line of Barry Road, as now established, said point being also the Point of Beginning of the tract of land to be herein described; thence the following courses and distances along said Southerly right-of-way line; thence Northerly, Northeasterly and Easterly along a curve to the right, having an initial tangent bearing of North 0 degrees 10 minutes 30 seconds East, a radius of 26.00 feet and a central angle of 90 degrees 35 minutes 04 seconds, an arc distance of 41.11 feet (41.10', Deed); thence South 89 degrees 14 minutes 26 seconds East, tangent to the last described curve, a distance of 160.20 feet; thence South 82 degrees 35 minutes 27 seconds East, 89.47 feet to a point 95.00 feet South of the North line of said Fractional Southwest Quarter; thence South 89 degrees 28 minutes 58 seconds East and parallel with said North line, a distance of 182.19 feet; thence South 0 degrees 10 minutes 30 seconds West, no longer along said Southerly right-of-way line, parallel with the West line of said BARRY MEMORIAL GARDENS, a distance of 219.31 feet; thence South 89 degrees 28 minutes 58" East and parallel with said North line, a distance

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of 20.00 feet; thence South 0 degrees 10 minutes 30 seconds West, parallel with the West line of said BARRY MEMORIAL GARDENS, a distance of 61.71 feet to a point on the North line of said BARRY MEMORIAL GARDENS; thence North 89 degrees 28 minutes 58 seconds West (North 89 degrees 32 minutes 37 seconds West, Plat) along said North line and the Westerly prolongation thereof, a distance of 477.41 feet to a point on the most Westerly, West line of said BARRY MEMORIAL GARDENS; thence North 0 degrees 10 minutes 30 seconds East (North 0 degrees 06 minutes 23 seconds East, Plat) along said West line, a distance of 266.16 feet to the Point of Beginning. Containing 132,122 square feet or 3.033 acres, more or less.

is hereby rezoned from District RA (Agricultural) to District C-2 (Local Retail Business) all as shown outlined on a map marked Section 80-11A0617, 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 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