

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 110342

Rezoning an area of about 202 acres generally bounded by Independence Avenue on the south, The Paseo on the west, St. John Avenue and Lexington Avenue on the north and Chestnut Avenue/Trafficway on the east from Districts R-2.5, R-1.5, B1-1, B3-2 and B4-2 to Districts B1-1, B2-2, R-2.5, R-5 and R-6.

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 88-20A885, rezoning an area of approximately 202 acres generally bounded by Independence Avenue on the south, The Paseo on the west, St. John Avenue and Lexington Avenue on the north and Chestnut Avenue/Trafficway on the east from Districts R-2.5 (Residential 2.5), R-1.5 (Residential 1.5), B1-1 (Neighborhood Business 1), and B3-2 (Community Business 2) to Districts B1-1 (Neighborhood Business 1), B2-2 (Neighborhood Business 2), R-2.5 (Residential 2.5), R-5 (Residential 5), and R-6 (Residential 6), said section to read as follows:

Section 88-20A885.

**That the properties within the following described boundary are hereby rezoned from District R-2.5 (Residential 2.5) to District R-6 (Residential 6):**

Beginning on the west line of Garfield Avenue at the northeast corner of Lot 1, Garfield Square, thence west along the north line of said Lot 1 and its westerly prolongation 308 feet more or less to a point of intersection with the northeasterly prolongation of the northwest line of Lot 2, W H Collins Investment Company 2nd Addition, thence southwesterly along said prolongation of said Lot 2 to the most northwesterly corner of said Lot 2, said corner also being on the southeast line of Pendleton Avenue, thence southwesterly along said southeast line to the most southwesterly corner of said Lot 2, said corner also being on the north line of Pendleton Avenue, thence east along said north line to the west line of Garfield Avenue, thence north along said west line to the northeast corner of Lot 1, Garfield Square and the point of beginning.

**That the properties within the following described boundary are hereby rezoned from District R-2.5 (Residential 2.5) to District R-6 (Residential 6):**

Beginning at the southeast corner of Lot 12, Garfield Square, said corner being on the west line of Garfield Avenue, thence north along said west line to the northeast corner of said Lot 12, said corner also being on the south line of Pendleton Avenue, thence west along said south line of Pendleton Avenue and south along the east line of Lexington Avenue to a point of intersection with the westerly prolongation of the south line of Lot

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14, W H Collins Investment Company 2nd Addition, thence east along said prolongation of the south line of said Lot 14 and its easterly prolongation to the west line of Lot 11, Trosts 3rd Addition, thence north along said west line to the south line of Lot 12, Garfield Square, thence east along said south line to the west line of Garfield Avenue and the point of beginning.

**That the properties within the following described boundary are hereby rezoned from District R-2.5 (Residential 2.5) to District R-6 (Residential 6):**

That portion of the NW ¼ of the SW ¼ Section 33-50-33 lying south of Pendleton Avenue and west of Lexington Avenue, exclusive of the area within North Terrace Park.

**That the properties within the following described boundary are hereby rezoned from District R-2.5 (Residential 2.5) to District R-6 (Residential 6):**

Beginning at the intersection of the north line of Lexington Avenue and the west line of Wabash Avenue, thence north along said west line and its northerly prolongation to the north line of St John's Avenue, thence west along said north line and its westerly prolongation to the west line of Garfield Avenue as now established, thence south along said west line to the south line of Pendleton Avenue, thence east along said south line to the east line of the north-south alley next east of Garfield Avenue, thence south along said east line to the southwest corner of Lot 8, Block 12, Resurvey of Pendleton Heights, thence east along the south line of said Lot 8 and its easterly prolongation to the east line of Brooklyn Avenue, thence south along said east line to a point 12.5 feet south of the northwest corner of Lot 30, Block 11, Resurvey of Pendleton Heights, thence east along a line parallel to and 12.5 feet south of the north line of said Lot 30 to the west line of the north-south alley next east of Brooklyn Avenue, thence south along said west line to the north line of Lexington Avenue, thence east along said north line to the west line of Wabash Avenue and the point of beginning.

**That the following properties are hereby rezoned from District R-1.5 (Residential 1.5) to District R-2.5 (Residential 2.5):**

Lots 12-18, Trost's 3rd Addition.

**That the following properties are hereby rezoned from District R-1.5 (Residential 1.5) to District R-6 (Residential 6):**

The north 12.5 feet of Lot 3 and all Lots 4-7, and Lots 26-32, Block 12, Resurvey of Pendleton Heights.

**That the following properties are hereby rezoned from District B1-1 (Neighborhood Business 1) to District R-6 (Residential 6):**

Lots 1 and 2 and the south 12.5 feet of Lot 3, Block 12, Resurvey of Pendleton Heights.

**That the properties within the following described boundary are hereby rezoned from District B3-2 (Community Business 2) to District B1-1 (Neighborhood Business 1):**

Beginning on the north line of Independence Boulevard as now established at a point 185 feet west of the west line of Garfield Avenue, thence north parallel to Garfield Avenue 135 feet, thence west along a line parallel to the centerline of Independence Boulevard to the east line of Highland Avenue, thence south along said east line to the north line of Independence Boulevard as now established, thence east along said north line to the point of beginning.

**That the properties within the following described boundary are hereby rezoned from District R-2.5 (Residential 2.5) to District R-6 (Residential 6):**

Beginning on the west line of Garfield Avenue at a point 394 feet north of the north line of Independence Boulevard as now established, thence west along a line parallel to Independence Boulevard 185 feet, thence north along a line parallel to Garfield Avenue 100 feet, thence east along a line parallel to Independence Boulevard to a point 135 feet west of Garfield Avenue, thence north along a line parallel to Garfield Avenue to the southwest corner of Lot D, Garfield Place, thence north along the west line of said Lot D, and Lots A, B and C, Garfield Place, and the west line of the north-south alley next west of Garfield Avenue to the northeast corner of Lot 5, Block 1, Phelps Place, thence west along the north line of said Lot 5 and Lot 6, Block 1, Phelps Place to a point 200 feet west of the west line of Garfield Avenue, thence north along a line 200 feet west of and parallel to the west line of Garfield Avenue to the south line of Lexington Avenue, thence east along said south line to the west line of Garfield Avenue, thence south along said west line to the point of beginning.

**That the properties within the following described boundary are hereby rezoned from District R-1.5 (Residential 1.5) to District R-6 (Residential 6):**

Beginning at the intersection of the north line of Brownell Avenue and the east line of Woodland Avenue, thence north along said east line to the south line of E. 3rd Terrace, thence east along said south line to the northeast corner of Lot 8, Phillip's Place, thence south along the east line of said Lot 8 and Lot 5, Phillip's Place and its southerly prolongation to the south line of E Missouri Avenue, thence east along said south line to the west line of Maple Boulevard, thence south along said west line to the

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north line of Brownell Avenue, thence west along said north line to the east line of Woodland Avenue and the point of beginning.

**That the properties within the following described boundary are hereby rezoned from District R-1.5 (Residential 1.5) to District R-6 (Residential 6):**

Commencing on the west line of Garfield Avenue at a point 394 feet north of the north line of Independence Boulevard as now established, thence west along a line parallel to Independence Boulevard 185 feet to the point of beginning, thence north along a line parallel to Garfield Avenue 100 feet, thence east along a line parallel to Independence Boulevard to a point 135 feet west of Garfield Avenue, thence north along a line parallel to Garfield Avenue to the southwest corner of Lot D, Garfield Place, thence north along the west line of said Lot D, and Lots A, B and C, Garfield Place, and the west line of the north-south alley next west of Garfield Avenue to the northeast corner of Lot 5, Block 1, Phelps Place, thence west along the north line of said Lot 5 and Lot 6, Block 1, Phelps Place to a point 200 feet west of the west line of Garfield Avenue, thence north along a line 200 feet west of and parallel to the west line of Garfield Avenue to the south line of Lexington Avenue, thence west along said south line and south along the east line of Maple Boulevard to a point 391.75 feet south of the southwest corner of Lot 8, Phelps Place, thence east along a line parallel to the centerline of Independence Boulevard 160 feet to a line 185 feet west of and parallel to the west line of Garfield Avenue, thence north along said line to the point of beginning.

**That the following properties are hereby rezoned from District R-1.5 (Residential 1.5) to District R-5 (Residential 5):**

Lots 1-3, Suwanee; and Lots 17-19, Block 2, Dykington Place, except that portion in right of way.

**That the following properties are hereby rezoned from District R-1.5 (Residential 1.5) to District R-2.5 (Residential 2.5):**

Lots 1 and 2, The Riverview Project; and the north 20 feet of Lot 7 and the north 20 feet of Lot 10, and all Lots 1-6 and all Lots 11-17, William W. Kendall's 1<sup>st</sup> Addition; and the property described as follows: Commencing at a point on the north line of Independence Boulevard as now established 185 feet west of the west line of Garfield Avenue, thence north along a line parallel to the west line of Garfield Avenue 135 feet to the point of beginning, thence west along a line parallel to the centerline of Independence Boulevard 160 feet to the east line of Maple Boulevard, thence north along said east line 240 feet, thence east along a line parallel to the centerline of Independence Boulevard 160 feet, thence south along a line parallel to the west line of Garfield Avenue 240 feet to the point of beginning.

**That the properties within the following described boundary are hereby rezoned from District R-2.5 (Residential 2.5) to District R-6 (Residential 6):**

Beginning at the intersection of the south line of Lexington Avenue and the west line of Wabash Avenue, thence south along said west line to a point 224.28 feet north of Independence Boulevard as now established, thence west along a line drawn 224.28 feet north of and parallel to said north line of Independence Boulevard to the west line of Olive Street, thence south along said west line to the northeast corner of Lot 2, Block 1, Marty's Woodland Addition as now established, thence west along said north line of said Lot 2 and Lot 1, Block 1, Marty's Woodland Addition and its westerly prolongation to the west line of Park Avenue, thence north along said west line to a point 27 feet north of the southeast corner of Lot 3, Block 3, Marty's Woodland Addition, thence west along a line 27 feet north of and parallel to the south line of said Lot 3 to the west line of the north-south alley next west of Park Avenue, thence north along said west line to the northeast corner of Lot 20, Forest Home, thence west along the north line of said Lot 20 and its westerly prolongation to the west line of Brooklyn Avenue, thence south along said west line to the southeast corner of Lot 12, Forest Home, thence west along the south line of said Lot 12 and its westerly prolongation to the centerline of the vacated alley west of and adjacent said Lot 12, thence north along said centerline to its intersection with a line drawn parallel to and 65 feet south of the north line of Lot 4, Forest Home, thence west along said parallel line to the east line of Garfield Avenue, thence north along said east line to the intersection with the north line of Minnie Street, thence east along said north line to the east line of Brooklyn Avenue, thence north along said east line to the northwest corner of Lot 12, Lexington Place, as now established, thence east along the north line of said Lot 12, and Lots 11 and 10, Lexington Place to the northeast corner of said Lot 10, thence south along the east line of said Lot 10 to the southwest corner of Lot 8, Lexington Place, thence east along the south line of said Lot 8 and its easterly prolongation to the east line of Ord Street, as now established, thence north along said east line to the westerly prolongation of the south line of Lot 16, Block 2, Mathews and Hills Addition, thence east along said prolongation, the south line of said Lot 16 and its easterly prolongation to the east line of Park Avenue, thence north along said east line to the northwest corner of Lot 18, Block 2, Mathews and Hills Addition, as now established, thence east along the north line of said Lot 18, and Lot 19, Block 2, Mathews and Hills Addition, to the northeast corner of said Lot 19, thence south along the east line of said Lot 19 to the southwest corner of Lot 10, Block 7, resurvey of Pendleton Heights, thence east along the south line of said Lot 10 and its easterly prolongation to the east line of Olive Street, thence north along said east line to the south line of Lexington Avenue, thence east along said south line to the west line of Wabash Avenue and the point of beginning.

**That the following properties are hereby rezoned from District R-1.5 (Residential 1.5) to District R-6 (Residential 6):**

Lots 1-4, Mathews and Hills Addition and the west half of the vacated alley lying east of and adjacent said lots; and Lots 13-15, Lexington Place except that part in right of way and the east half of the vacated alley lying west of and adjacent said Lot 15.

**That the following properties are hereby rezoned from District B1-1 (Neighborhood Business 1) to District R-6 (Residential 6):**

Lots 1-3, Lexington Place and the east half of the vacated alley lying west of and adjacent said Lot 1, except that part in right of way; and that portion of Lot 8, Lexington Place lying south of the easterly prolongation of the north line of Lot 10, Lexington Place; and the north 72 feet of Lots 18 and 19, Block 2, Mathews and Hills Addition except that part in right of way; and Lots 10-12, Block 7, Resurvey of Pendleton Heights.

**That the following properties are hereby rezoned from District R-1.5 (Residential 1.5) to District R-2.5 (Residential 2.5):**

Beginning at the intersection of the north line of Independence Boulevard as now established and the west line of Olive Street, thence north along said west line to the northeast corner of Lot 2, Block 1, Marty's Woodland Addition as now established, thence west along said north line of said Lot 2 and Lot 1, Block 1, Marty's Woodland Addition and its westerly prolongation to the west line of Park Avenue, thence north along said west line to a point 27 feet north of the southeast corner of Lot 3, Block 3, Marty's Woodland Addition, thence west along a line 27 feet north of and parallel to the south line of said Lot 3 to the west line of the north-south alley next west of Park Avenue, thence north along said west line to the northeast corner of Lot 20, Forest Home, thence west along the north line of said Lot 20 to the east line of Brooklyn Avenue, thence south along said east line to the north line of Independence Boulevard as now established, thence east along said north line to the west line of Olive Street and the point of beginning.

**That the properties within the following described boundary are hereby rezoned from District R-2.5 (Residential 2.5) to District R-6 (Residential 6):**

Beginning at the intersection of the east line of Wabash Avenue and the south line of Lexington Avenue, thence east along said south line of Lexington Avenue to the west line of Chestnut Trafficway, thence south along said west line of Chestnut Trafficway to the centerline of the public alley south of and adjacent Lot 7, Block 1, Richmond Place, thence west along said alley centerline and the centerline of the vacated alley north of and adjacent Lot 4, Independence Avenue Addition to the west line of said Independence Avenue Addition, thence south along said west line to a

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point 140.5 feet north of the north line of Independence Boulevard as now established, thence west along a line drawn 140.5 feet north of and parallel to said north line of Independence Boulevard to a line drawn 162.5 feet west of and parallel to the west line of Prospect Boulevard, thence north along said parallel line to a point 295 feet north of Independence Boulevard as now established, thence east parallel to Independence Boulevard 3.3 feet, thence north parallel to Prospect Boulevard 20.5 feet, thence west parallel to Independence Boulevard 3.3 feet, thence north along a line drawn 162.5 feet west of and parallel to the west line of Prospect Boulevard to the south line of the east-west alley next south of Amie Street, thence west along said south line to a point 183.56 feet east of the east line of Wabash Avenue, thence south along a line parallel to Wabash Avenue 225 feet to a line drawn 329 feet north of and parallel to the north line of Independence Boulevard as now established, thence west along said line 183.56 feet to the east right of way line of Wabash Avenue, thence north along said east line to the south line of Lexington Avenue and the point of beginning.

**That the property within the following described boundary is hereby rezoned from District R-1.5 (Residential 1.5) to District R-6 (Residential 6):**

Beginning on the south line of the east-west alley next south of Amie Street at a point 183.56 feet east of the east line of Wabash Avenue, thence east along the south line of said alley 105.94 feet, thence south along a line parallel to Wabash Avenue to a line drawn 329 feet north of and parallel to the north line of Independence Boulevard as now established, thence west along said parallel line 105.94 feet, thence north along a line parallel to Wabash Avenue 225 feet to the south line of the east-west alley next south of Amie Street and the point of beginning.

**That the following properties are hereby rezoned from District B3-2 (Community Business 2) to District B2-2 (Neighborhood Business 2):**

Lots 3-5, Block 1, Richmond Place, except that portion in right of way.

**That the properties within the following described boundary are hereby rezoned from District B3-2 (Community Business 2) to District B1-1 (Neighborhood Business 1):**

Beginning at the intersection of the north line of Independence Boulevard as now established and the west line of Montgall Avenue, Thence north along said west line to the centerline of the vacated alley north of and adjacent Lot 4, Independence Avenue Addition, thence west along said alley centerline to the west line of said Independence Avenue Addition, thence south along said west line to a point 140.5 feet north of the north line of Independence Boulevard as now established, thence west along a line drawn 140.5 feet north of and parallel to said north line of Independence Boulevard to a line drawn 162.5 feet west of and parallel to

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the west line of Prospect Boulevard, thence south along said parallel line to the north line of Independence Boulevard as now established, thence east along said north line to the west line of Montgall Avenue and the point of beginning.

The properties being rezoned are shown outlined on a map marked Section 88-20A0885, 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 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.

Section C. That application fees for certificates of legal nonconformance for legally established uses made nonconforming by this ordinance shall be waived, provided any such application is properly submitted to the City within one year of the effective date of this ordinance.

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I hereby certify that as required by Chapter 88, 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