

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 010595

Amending Chapter 80, Code of Ordinances, by adding a new section to be known as Section 80-11A0365, rezoning an area of approximately 1.4 acres generally located at the northeast corner of Truman Road and Indiana Avenue from District M-1 (Light Industry) to District PD/M-1 (Planned District/Light Industry), and approving a development plan for the same. (8881-PD-2)

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 80-11A0365, rezoning an area of approximately 1.4 acres generally located at the northeast corner of Truman Road and Indiana Avenue from District M-1 (Light Industry) to District PD/M-1 (Planned District/Light Industry), said section to read as follows:

Section 80-11A0365. That an area legally described as:

All of Lots 41, 42 and 49 and the south 25.50 feet of Lot 48, "Carlton Place", a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof. Subject to all easements and restrictions of record; and

Tract 1: All that part of the West One-Half of the Southwest Quarter of the Southeast Quarter of Section 3, Township 49, Range 33, described as follows: Beginning at a point in the north line of 15th Street, as now established, 30.00 feet east of the west line of the Quarter Quarter Section, said point also being in the east line of Indiana Avenue; thence north along a line 30.00 feet east of and parallel to the west line of the said Quarter Quarter Section and beginning along the east line of said Indiana Avenue, 116.00 feet more or less to the south line of alley; thence east along said south line of alley, 271.00 to the west line of Bales Avenue; thence south along the west line of Bales Avenue, 116.80 feet more or less to the north line of 15th Street; thence west along the north line of 15th Street, 271.00 feet to the point of beginning all being in Kansas City, Missouri, and more commonly known and numbered as 3400 Truman Road.

is hereby rezoned from District M-1 (Light Industry) to District PD/M-1 (Planned District/Light Industry), all as shown outlined on a map marked Section 80-11A0365, 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 storm drainage study for the entire development to

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the City Engineer's Office for approval and that the developer make any necessary improvements as required by the City Engineer's Office.

2. That the developer submit plans for grading and siltation and erosion control to the City Engineer's Office for approval prior to the commencement of any construction activities.
3. That the developer secure a land disturbance permit from the Department of Public Works prior to beginning any construction, grading, clearing or grubbing activities, if the disturbed area exceeds one acre.
4. That the developer provide for fire protection as required by the Fire Department prior to construction beyond foundations.
5. That the developer relocate the existing sewer as required by the Water Services Department prior to the issuance of a building permit for the proposed building as shown on the development plan.
6. That the developer pave the access easement as shown on the development plan prior to issuance of a certificate of occupancy for the new building.
7. That the developer receive the approval of the Board of Zoning Adjustment for a variance to the required front yard.
8. That the developer submit a street tree planting plan as part of the final plan with a copy to be submitted to the Department of City Development, secure the approval of the City Forester for street trees planted on right of way and plant the street trees in conformance with the plan approved by the City Forester. The plan shall include size, type, species and placement of trees.
9. That the developer submit a final plan to the City Plan Commission for approval, including detailed information on landscaping, street tree plan, signage (including elevations) and building elevations, with the new building having a pitched roof with composition shingles and an exterior surface of brick/stone veneer, stucco or horizontal lap siding.

A copy of said development plan is on file in the office of the City Clerk under Document No. 010595, 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.

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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:

Assistant City Attorney