

COMPARED VERSION  
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 191034

Rezoning an area of about 9 acres generally located at 7801 Holmes Road from District MPD to District MPD for the purpose of amending the previously approved MPD plan in order to accommodate the use of group living, a use that was previously approved on the now expired plan. (CD-CPC-2019-00187)

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 88-20A1219, rezoning an area of approximately 9 acres generally located at 7801 Holmes Road from District MPD (Master Planned Development) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A1219. That an area legally described as:

Tract 2: All that part of Lot J, Garden Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, being more particularly described as follows: Commencing at the northwest corner of the Southeast Quarter of the Northeast Quarter of Section 17, Township 48, Range 33 in said city, county and state; thence South 0 degrees 40 minutes 57 seconds West along the west line of said Quarter-Quarter Section, a distance of 671.1 feet; thence South 89 degrees 57 minutes 31 seconds East, 40 feet to a point on the east right-of-way line of Holmes Road, as now established and the point of beginning of the parcel of land to be herein described; thence continuing South 89 degrees 56 minutes 31 seconds East, 12.5 feet distant south of and parallel with the north line of said Lot J, a distance of 619.06 feet to a jog in the west right-of-way line of Campbell Street, as now established; thence South 0 degrees 40 minutes 14 seconds East along said jog, a distance of 12.5 feet to the northwest corner of Lot 38, Tower Park, a subdivision in said city, county, and state, according to the recorded plat thereof, being also a point on the south right-of-way line of 78th Street; thence South 0 degrees 40 minutes 17 seconds East along the west line of said Tower Park, a distance of 609.04 feet to point 25 feet north of the south line of said Lot J, a distance of 618.94 feet to a point on the east right-of-way line of said Holmes Road; thence North 0 degrees 40 minutes 57 seconds West along said east right-of-way line, 40 feet distant east of and parallel with the west line of said Quarter-Quarter Section line, a distance of 622.09 feet to the point of beginning,

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known as Lot J-1 by the Certificate of Survey filed May 2, 2000 as Document 2000K0024024.

is hereby rezoned from District MPD (Master Planned Development) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A1219, 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 a development plan for the area legally described above is hereby approved, subject to the following conditions:

1. That plans, revised as noted below, are submitted at time of the final development plan:
  - a. The applicant shall revise plans showing the parking lot re-stripped in compliance with 88-420. If lot is currently in compliance, proof shall be provided to staff.
  - b. The applicant shall revise plans showing striping of pedestrian walkways from parking lot and public right-of-way to be included in parking lot improvements, in compliance with 88-420. If lot is currently in compliance, proof shall be provided to staff.
  - c. The applicant shall provide revised plans showing dedicated, secure outdoor recreation space.
  - d. The applicant shall eliminate the current daycare access on E. 78th Street and Campbell Street and a new access established from Holmes Road as a condition of expanding to a Daycare Center (21+ children).
  - e. The applicant shall submit a final MPD Development Plan to the Director of City Planning and Development for approval by the Development Review Committee prior to issuance of a building permit. The final MPD Development Plan shall meet the development standards of Chapter 88-400 including plan information, property uses, setback distances, lighting (with a photometric study), landscaping, including information on (i) species, planting size, and spacing of all trees and shrubbery, (ii) buildings and dumpster elevation drawings, (iii) fencing, if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section, streetscaping, signage (including elevations), and architectural characteristics.

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 and Development Code have been given and had.

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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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Sarah Baxter  
Assistant City Attorney