

# COMMUNITY PROJECT/REZONING

**210285**

## Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2020-00207 – Katz on Main

### Brief Title

A request to approve a rezoning from B3-2 (Community Business - 2) to UR (Urban Redevelopment) on about 1.25 acres at 3948 Main Street, generally located at the southwest corner of Main Street and Westport Road. (CD-CPC-2020-00207)

### Details

**Location:** southwest corner of Main Street and Westport Road

**Reason for Legislation:** Rezoning and Development Plans require ordinance approval by the City Council.

At its March 16, 21021 meeting, the City Plan Commission recommended approval with conditions.

#### EXISTING CONDITIONS

The site is currently home to the former “Katz Drug Store” with iconic clock tower. The rear/west side of the site is currently a surface parking lot.

#### NEARBY DEVELOPMENTS

The site is generally surrounded by various commercial retail, office, and restaurant uses along Main St. and from the Westport area. Immediately adjacent to the site most of the surrounding structures are between 1 and 2 stories, with the exception of a few multi-story multi-family residential just to the north on the east side of Main St.

#### SUMMARY OF REQUEST

The applicant is proposing a Rezoning from District B3-2 to District UR with companion UR Preliminary Development Plan to rehabilitate the historic Katz Drugstore and construct approximately 192 multi-family residential units with parking garage.

#### KEY POINTS

The Katz Drugstore will be retained and reutilized as an amenity space for the multi-family residential units, including rooftop amenities, and 2 commercial tenant spaces. The parking lot will be converted into 192 multi-family residential units with below grade parking garage.

#### PROFESSIONAL STAFF RECOMMENDATION

Docket #10 Recommendation  
City Planning and Development Staff recommend approval with conditions.

#### PLAN REVIEW

The applicant is requesting a rezoning to UR (Urban Redevelopment) in order to construct approximately 192 multi-family units on the site of and constructed immediately adjacent to the historic Katz Drugstore, located at the

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	4 <sup>th</sup> District (Shields, Bunch)
<b>Applicants / Proponents</b>	<b>Applicant</b> Chris Armer Hoefler Welker  <b>City Department</b> City Planning & Development <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>
	<b>Basis of Opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> <b>For</b>
	<input type="checkbox"/> <b>Against</b>
	<b>Reason Against</b>
<b>Board or Commission Recommendation</b>	City Plan Commission (8-0) 3/16/21 By Allender, Baker, Beasley, Crowl, Enders, Hill, Rojas, Sadowski
	<input type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <input type="checkbox"/> <b>No Action Taken</b>
	<input checked="" type="checkbox"/> <b>For, with revisions or conditions</b> (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> <b>Do Pass</b>
	<input type="checkbox"/> <b>Do Pass (as amended)</b>
	<input type="checkbox"/> <b>Committee Sub.</b>
	<input type="checkbox"/> <b>Without Recommendation</b>

southwest corner of Main St. and Westport Rd., one block south of a planned streetcar stop planned for the intersection of 39th St. and Main St. The applicant is proposing one level of underground parking, providing 165 automobile parking spaces. Access to the garage is to be provided off of W 40th Street on the rear of the building. Trash and recycling pickup will also occur on W 40th Street.

The existing, historic Katz Drugstore building is to remain and is planned to house a mix of uses including resident amenities, and potential office and commercial/restaurant use. The proposed seven-story building is planned to compliment but not draw attention away from the existing historic Katz building. There are to be six floor of residential units, with the top floor having two-story units. The building as proposed is primarily grey brick with metal architectural panels and balconies. Pedestrian access is planned for the north façade, facing Westport Road, Residential amenities, including a pool, are planned for the roof of the Katz building.

**Requested Deviations**

The plan does not stipulate or request any deviations.

Use-Specific (88-300) and Development Standards (88-400)  
 Standards      Applicability      Meets      More  
 Information

Boulevard and Parkway Standards (88-323)

NO      N/A

Parkland Dedication (88-408)

YES      YES      See conditions from KC Parks attached

Parking and Loading Standards (88-420)

YES      YES      The Main Street Overlay requires 0 parking at this site; however the applicant is providing 165 spaces.

Landscape and Screening Standards (88-425)

YES      YES      See conditions attached

Outdoor Lighting Standards (88-430)

YES      YES

Sign Standards (88-445)

YES      NO      See plan analysis and conditions attached

Pedestrian Standards (88-450)

YES      YES

**PLAN ANALYSIS**

In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city

	<input type="checkbox"/> Hold
	<input type="checkbox"/> Do not pass
<b>Policy or Program Change</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Operational Impact Assessment</b>	n/a

**Finances**

<b>Cost &amp; Revenue Projections – Including Indirect Costs</b>	n/a
<b>Financial Impact</b>	n/a
<b>Funding Source(s) and</b>	n/a

plan commission and city council must consider at least the following factors:

**88-515-08-A. conformance with adopted plans and planning policies;**

This plan conforms to many of the adopted plans and policies. The developer is providing significantly more parking than is required by code (0 required), which is neither required nor aligned with the goals of the Main Street Overlay.

**88-515-08-B. zoning and use of nearby property;**

Nearby properties are primarily commercially zoned, and there is a mix of commercial and residential (multi-family) uses in the area. This redevelopment is planned to be mixed-use, which is compatible with the area as well as in conformance to the Main Street Overlay and Midtown/Plaza Area Plan.

**88-515-08-C. physical character of the area in which the subject property is located;**

This is a fairly dense commercial node along the Main Street corridor. The buildings along in the area all maintain a zero-lot line and consist of multiple-story commercial buildings.

**88-515-08-D. whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;**

Utilities and infrastructure will be brought to City Standards, subject to the conditions in the attached report.

**88-515-08-E. suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;**

The current zoning designation, B3-2 would allow for this use; the developer plans to utilize the existing Westport PIEA, which requires a rezoning of the property to UR (Urban Redevelopment).

**88-515-08-F. length of time the subject property has remained vacant as zoned;**

The property has been under-utilized for a number of years, with businesses occasionally occupying the space unsuccessfully.

**88-515-08-G. the extent to which approving the rezoning will detrimentally affect nearby properties; and**

The rezoning is not expected to detrimentally affect nearby properties. The plan calls for the addition of nearly 200 new residential units, which will bring more population density to the area, in line with the goals of the City and its governing policies.

**88-515-08-H. the gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**

A denial of the application would not allow the developer to utilize the existing PIEA tax incentives, limiting the ability of the developer to complete this project.

**PROFESSIONAL STAFF RECOMMENDATION**

Staff recommends Approval Subject to the Corrections and Conditions as reflected in the attached Plan Correction Report

**Appropriation  
Account Codes**

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and Plan Conditions Report.

**See City Plan Commission Staff report for more information and additional detailed analysis.**

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**Fact Sheet Prepared By:** Christopher Hughey, AICP  
Staff Planner  
**Date:** 03/29/21

**Initial Application Filed:** December 29, 2020

**Reviewed By:** Joseph Rexwinkle, AICP  
Division Manager  
Development Management  
**Date:** 03/29/21

**City Plan Commission:** March 16, 2021  
**Revised Plans Filed:** February 18, 2021 and March 24, 2021

**Reference Numbers:**  
Case No.'s CD-CPC-2020-00207