

ORDINANCE NO. \_\_\_\_\_

Approving a MPD Rezoning (Master Plan Development) and preliminary development plan from Districts R-1.5 (Residential 1.5) and M1-5 (Manufacturing 1 – 5) to District MPD (Master Plan Development) on an approximately 7.02 acre tract of land generally located at the northeast corner of Tracy Avenue and E 22nd Street (addressed as 2119 Tracy Avenue) for the redevelopment of the for the redevelopment of the “Western Bible College” historic building in to a mixed use development called “District Row”. (Case No. CD-CPC-2019-00080).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a MPD Rezoning (Master Plan Development) and preliminary development plan on an approximately 7.02 acre tract of land generally located at the northeast corner of Tracy Avenue and E 22nd Street (addressed as 2119 Tracy Avenue), and more specifically described as:

Tract 1: 2119-25 TRACY / SCHOOL ED BLDG OFFICE ALL S OF N 52 FT OF BLK Q ALSO W 1/2 VAC LYDIA AVE ADJ ALL S OF N 52 FT OF BLK T ALSO E 1/2 VAC LYDIA AVEADJ

Tract 2: LOCKRIDGE'S ADD N 52' OF BLKS Q & T & S 1/2 VAC ST N & ADJ & TH PT OF VAC ST RUNN/S BETW N 52' OF BLKSQ & T

Tract 3: LOCKRIDGES ADD ALL LOT P & ALL LOT U EXC N 50 FT OF E 90 FT ALSO N 1/2 VAC ST S & ADJ SD LOTS & TH PRT OF VAC LYDIA ST

is hereby approved subject to the following conditions:

1. A Master Planned Development (MPD) Final Development Plans shall be submitted and reviewed by the City Plan Commission in accordance with Section 88-520-04-A for each phase of the development prior to the issuance of associated building permits.
2. At the time of MPD Final Plan, provide an MPD Statement of Intent (narrative or project outline) per Section 88-280-03.
3. At the time of MPD Final Plan, Add a table outlining the overall square footage of proposed building uses, number of living units, and associated parking space counts per Section 88-420 of the City's Zoning & Development Code.
4. If exterior lighting is proposed, the developer shall submit a photometric lighting plan with the Final MPD plan in compliance with Section 88-430.
5. A pedestrian sidewalk connection to Tracy Ave shall be constructed.
6. The applicant shall obtain a variance from the Board of Zoning Adjustment to the park Boulevard and Parkway Standards to allow for vehicular use area between the existing Western Bible College and proposed townhome and The Paseo.

7. The three existing parcels of land shall be either combined or redrawn per the subdivision design regulations of Sections 88-405, 88-535, and 88-555 as may be required. Lot line corrections shall be corrected prior to issuance of building permits relating to the proposed townhomes.
8. Add additional material breaks, colors, and roof pitch changes on the side and rear elevations of the townhomes similar to what is shown on the front elevation; especially those units backing on to E 22<sup>nd</sup> St.
9. Exterior building façade materials of the townhomes shall be brick, stucco, stone (or comparable materials) that follow the character and design of the Western Bible College building.
10. Signage shall comply with the sign regulations of the City's Zoning & Development Code.
11. All mechanical units, trash enclosures, etc shall be screened in accordance with Section 88-425-08.
12. Prior to issuance of a final certificate of occupancy, the developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy.
13. Prior to issuance of a final certificate of occupancy, a sealed letter by a licensed engineer shall be submitted, stating that photometrics on the site comply with the approved photometric plan. (section 88-403-06-C)
14. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
15. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
16. The developer must integrate into the existing street light system any relocated existing street lights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
17. The developer must dedicate additional right of way if necessary along E. 22nd Street as required by the adopted Major Street Plan and Chapter 88 so as to provide a minimum of 50 feet of right of way as measured from the centerline, along those areas being platted, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.

18. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
19. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
20. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.
21. The developer must grant a BMP Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
22. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
23. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting
24. The northern driveway shall align its approach with the right-of-way of E 21<sup>st</sup> Street.
25. Domestic water line must be brought in compliance with current KCMO Rules and Regulations for Water service lines.
26. The developer shall submit an analysis by a registered Professional Engineer in Missouri to verify adequate capacity of the existing water mains and verify fire flow capacity prior to the issuance of new water service permits.
27. At the time of MPD Final Plan,
  - a. Show and label the water line as a new private water line. Label the full flow fire meter, backflow preventer and private fire hydrants.
  - b. Add a note that water mains will maintain min 10' clearance from the sanitary sewer mains.
28. Required fire department access roads are a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in clearance height. (IFC-2012: § 503.2.1)

29. Fire hydrant(s) are required within 400 feet on a fire access road following an approved route established by the Authority Having Jurisdiction (AHJ) of any exterior portion of a building. The use of existing fire hydrant(s) may be used to satisfy this requirement otherwise a private fire hydrant(s) or hydrant system may be required. This distance may be increased to 600 feet for R-3 and U occupancy(s) or the building(s) is fully protected by an approved automatic fire sprinkler system(s). (IFC-2012: § 507.5.1)
30. The expectation is the project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2012. (IFC-2012: § 507.1)
31. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2012: § 3310.1; NFPA 241-2009: § 7.5.5)
32. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way of Tracy Avenue.
33. At the time of Final MPD submittal add a Parkland Dedication table to the site plan per Section 88-408 of the Zoning and Development Code.
34. Provide the following language on the plat: PAYMENT IN LIEU OF PARKLAND: The developer elects to pay the City of Kansas City, Missouri, a sum of \$24,959.02 in lieu of required parkland dedicating for (# single family units, duplex units, multi-family units) pursuant to Section 88-408-C of the Zoning and Development Code. Money in lieu of parkland for 2020 shall be based on the following formula: (35 multi-family units) X (2 persons per unit) X (0.006 acres per person) = 0.42 acres of parkland required X 2019 parkland fee of \$48,801.37 per acre = Fee in lieu of \$24,959.02.

A copy of said development plan is on file in the office of the City Clerk with this ordinance and made a part hereof.

A legal notice of this matter was published on September 2, 2019, as required by law, and a public hearing was held by the City Plan Commission on September 17, 2019, in the Council Chambers on the 26th Floor of City Hall. The Commission recommended that this application be approved with conditions.

The staff recommended approval.

Section B. That the Council finds and declares that before taking any action of the proposed amendment hereinabove, all public notices and hearings required by the Development Code have been given and had.

---

I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearing was held.

---

Secretary, City Plan Commission

Approved as to form and legality:

---

Sarah Baxter  
Assistant City Attorney