

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 180820

Amending a previously approved URD Plan in District UR (Urban Redevelopment), on approximately 15 acres generally bounded by Knickerbocker Place on the north, W. 39th Street on the south, Central Street just south of W. 37th Street on the east and Pennsylvania Avenue (up to Valentine Road) and Wyoming Street partially on the west, to allow for deletion of a 5 acre tract; rezoning the 5 acre tract generally located at the northwest corner of Broadway Boulevard and Valentine Road, from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) and approving a development plan to allow for mixed use development in two phases; approving the 36th & Broadway PIEA General Development Plan on a 5 acre tract generally located at the northwest corner of Broadway Boulevard and Valentine Road, and declaring such areas to be blighted and insanitary and in need of redevelopment and rehabilitation pursuant to the Missouri Planned Industrial Expansion Law, Sections 100.300-100.620, RSMo; authorizing tax abatement; estimating and appropriating the sum of \$10,000.00 for neighborhood communication; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date (CD-CPC-2018-00156; CD-CPC-2018-00157; CD-CPC-2018-00160).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved URD Plan in District UR (Urban Redevelopment), on approximately 15 acres generally bounded by Knickerbocker Place on the north, W. 39th Street on the south, Central Street just south of W. 37th Street on the east and Pennsylvania Avenue (up to Valentine Road) Wyoming Street partially on the west, and more specially described as follows:

Lots 13, 14 and 15, McGee Place in Westport, a subdivision in Kansas City, Jackson County, Missouri.

The north 16 feet of Lot 5, and all of Lot 6, except that part thereof in Broadway, A.B.H. McGee's Addition to the Town of Westport, a subdivision in Kansas City, Jackson County, Missouri.

Lots 9 through 12, McGee Place in Westport, a subdivision in Kansas City, Jackson County, Missouri.

All of Lot 8 and the south 25 feet of the east 132.63 feet of Lot 7, McGee Place in Westport, a subdivision in Kansas City, Jackson County, Missouri.

Lot 17, Block 24, Corrected Plat of Blocks 23 and 24, Hyde Park, and all of Lot 18, Block 24, Hyde Park, a subdivision in Kansas City, Jackson County, Missouri.

The north 52.5 feet of the west 131.5 feet of Lot 1, and all of Lot 2, A.B.H. McGee's Addition to the Town of Westport, a subdivision in Kansas City, Jackson County, Missouri.

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The south 36 feet of the east one-half of the west 131.5 feet of Lot 4, A.B.H. McGee's Addition, a subdivision in Kansas City, Jackson County, Missouri.

The north 30 feet of Lot 4, and the south 10 feet of Lot 5, except part in Broadway, and all of the south 36 feet of the west 65.75 feet of Lot 4, A.B.H. McGee's Addition, a subdivision in Kansas City, Jackson County, Missouri.

All of the east 65.5 feet of the west 131.5 feet of Lot 3, in A.B.H. McGee's Addition, a subdivision in Kansas City, Jackson County, Missouri, and the west 66 feet of Lot 3, A.B.H. McGee's Addition, a subdivision in Kansas City, Jackson County, Missouri.

The north 40 feet of the south 50 feet except the west 81.5 feet thereof, and except that part thereof in Broadway, Lot 5, A.B.H. McGee's Addition to the Town of Westport, a subdivision in Kansas City, Jackson County, Missouri.

The north 52 feet of the south 77 feet of the east one-half of Lot 7, McGee Place in Westport, a subdivision in Kansas City, Jackson County, Missouri.

Valentine Condominium, a subdivision in Kansas City, Jackson County, Missouri.

The south 32 feet of Lot 4 and the north 20 feet of Lot 5, McGee Place, a subdivision in Kansas City, Jackson County, Missouri.

All that part of the Northeast Quarter of the Northeast Quarter of Section 29, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the east line of Section 29, Township 49, Range 33, 608.75 feet south of the northeast corner of said Section 29; thence running south along said east line of said Section, 348 to a point; thence west and parallel with the north line of Section 29, 660 feet to the point of beginning, except such rights as the City of Kansas City or the public may have to a strip 49.5 feet wide off the east end of said tract and now included in the street known as Broadway, and except such rights as the said City of Kansas City or the public may have to a strip 30 feet wide off the west end of said tract and now included in the street known as Pennsylvania Street, and except a part deeded to the City of Kansas City for Valentine Road.

All that part of Lots 18 and 19, Vinewood, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, described as follows: Beginning at the southeast corner of said Lot 18; thence west along the south line of said Lot 18, a distance of 103.7 feet; thence north on a line parallel with the east line of said Lots 18 and 19, a distance of 139.35 feet to the south right of way line of Knickerbocker Place, as established by Document No. B-391232 in Book B-5441 at page 626 and accepted by the City of Kansas City, Missouri, under Ordinance No. 26529 passed August

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23, 1961; thence east along said south right of way line 103.7 feet to the west right of way line of Broadway, as now established; thence south along said west right of way line 138.9 feet to the point of beginning.

Tract I: All that part of Lots 18 and 19, Vinewood, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, described as follows: Beginning at a point in the south line of said Lot 18, which is 103.7 feet west of the southeast corner thereof; thence north on a line that is 103.7 feet west of and parallel with the east line of said Lots 18 and 19, a distance of 130.35 feet to the south right of way line of Knickerbocker Place, as established by Document No. B-391232 in Book B-5441 at page 626 and accepted by the City of Kansas City, Missouri, under Ordinance No. 26529 passed August 23, 1961; thence west along said south right of way line 48.68 feet; thence south parallel with the east line of said Lots 18 and 19, a distance of 139.55 feet to the south line of said Lot 18; thence east along the south line of said Lot 18, a distance of 48.60 feet to the point of beginning.

Tract II: All that part of Lots 18 and 19, Vinewood, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, described as follows: Beginning at a point in the south line of said Lot 18, which is 152.38 feet west of the southeast corner thereof; thence north on a line that is 152.38 feet west of and parallel with the east line of said Lots 18 and 19, a distance of 139.55 feet to the south right of way line of Knickerbocker Place, as established by Document No. B-391232 in Book B-5441 at page 626 and accepted by the City of Kansas City, Missouri, under Ordinance No. 26529 passed August 23, 1961; thence west along said south right of way line 45.62 feet to a point in a line that is 198 feet west of and parallel with the east line of said Lots 18 and 19; thence south along said parallel line 139.75 feet to the south line of said Lot 18; thence east along said south line 45.62 feet to the point of beginning.

The north 169.95 feet of the south 244.95 feet of Lot 7, except the south 2 feet of the east 132.63 feet thereof, McGee Place in Westport, a subdivision in Kansas City, Jackson County, Missouri.

The north 24 feet of Lot 6 and the south 30 feet of Lot 5, McGee Place in Westport, a subdivision in Kansas City, Jackson County, Missouri.

All of Lots 13 and 14, Block 60, Plat of Blocks 59 and 60, Hyde Park, a subdivision in Kansas City, Jackson County, Missouri, and all of Lots 15, 16, 17, 20, 21 and 22 (except the north 20.75 feet of said Lot 22 and the west one-half of vacated alley east of and adjoining the same), and the adjacent alley in Hanover Place, a subdivision in Kansas City, Jackson County, Missouri, also Lot 19, and the west one-half of the adjacent vacated alley, Hanover Place, a subdivision in Kansas City, Jackson County, Missouri.

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All of Lots 13, 14, 23 and 24 and the west one-half of the vacated alley east of and adjoining Hanover Place, a subdivision in Kansas City, Jackson County, Missouri.

The north 20.75 feet of Lot 22 and the west one-half of vacated alley east of and adjoining the same, Hanover Place, a subdivision in Kansas City, Jackson County, Missouri.

Tract I: Lots 1 through 12, inclusive, Block 60, Hyde Park, a subdivision in Kansas City, Jackson County, Missouri.

Tract II: Lot 18 and the east one-half of the vacated alley lying west and adjoining, Hanover Place, a subdivision in Kansas City, Jackson County, Missouri.

Lots 20, 21 and 22, Block 24, Corrected Plat of Blocks 23 and 24, Hyde Park, a subdivision in Kansas City, Jackson County, Missouri.

Lot 19, Block 24, Corrected Plat of Blocks 23 and 24, Hyde Park, a subdivision in Kansas City, Jackson County, Missouri.

All of Lots 1, 2, 3, 4 and the north 20 feet of Lot 5; and the north 24 feet of Lot 28 and all of Lots 29, 30, 31, 32 and 33, all in McGee Place in Westport, subdivisions in Kansas City, Jackson County, Missouri, according to the recorded plats thereof.

for the purpose of deleting therefrom an approximately 5 acre tract of land, more specifically described as follows:

All that part of the Northeast quarter of the Northeast quarter of Section 19, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the West right-of-way line of Broadway, as now established, that is 608.75 feet South and 49.5 feet West of the Northeast corner of said quarter quarter Section, said point also being the Southeast corner of Lot 18, Vinewood, a subdivision in said City, County and State; thence South along said West right-of-way line of said Broadway, a distance of 318.25 feet to a point on the North right-of-way line of Valentine Road, as established by Ordinance Number 38120, and a point of curvature; thence Southerly, Southwesterly and Westerly along said North right-of-way line on a curve to the right, having a radius of 25.0 feet, an arc distance of 39.25 feet (Deed - 39.27 feet, more or less) to a point of tangency; thence West, continuing along said North right-of-way line, a distance of 530.52 feet (Deed - 530.5 feet, more or less) to a point of curvature; thence Westerly, Northwesterly and Northerly, continuing along said North right-of-way line on a curve to the right, having a radius of 25.0 feet, an arc distance of 39.35 feet (Deed - 39.27 feet, more or less) to a point on the East right-of-way line of Pennsylvania Street, as now established;

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thence North, along said East right-of-way line, a distance of 317.72 feet to a point on the South line of said Lot 18; thence East, along said South line, a distance of 579.82 feet (Deed - 580.5 feet) to the point of beginning.

is hereby approved, subject to the following conditions:

1. Conditions contained in Ordinance No. 070315 passed by City Council on April 5, 2007, remains effective for this UR development.

Section B. 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 88-20A1168, rezoning an area of approximately 5 acres generally located at the northwest corner of Broadway Boulevard and Valentine Road from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), said section to read as follows:

Section 88-20A1168. That an area legally described as:

All that part of the Northeast quarter of the Northeast quarter of Section 19, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the West right-of-way line of Broadway, as now established, that is 608.75 feet South and 49.5 feet West of the Northeast corner of said quarter quarter Section, said point also being the Southeast corner of Lot 18, Vinewood, a subdivision in said City, County and State; thence South along said West right-of-way line of said Broadway, a distance of 318.25 feet to a point on the North right-of-way line of Valentine Road, as established by Ordinance Number 38120, and a point of curvature; thence Southerly, Southwesterly and Westerly along said North right-of-way line on a curve to the right, having a radius of 25.0 feet, an arc distance of 39.25 feet (Deed - 39.27 feet, more or less) to a point of tangency; thence West, continuing along said North right-of-way line, a distance of 530.52 feet (Deed - 530.5 feet, more or less) to a point of curvature; thence Westerly, Northwesterly and Northerly, continuing along said North right-of-way line on a curve to the right, having a radius of 25.0 feet, an arc distance of 39.35 feet (Deed - 39.27 feet, more or less) to a point on the East right-of-way line of Pennsylvania Street, as now established; thence North, along said East right-of-way line, a distance of 317.72 feet to a point on the South line of said Lot 18; thence East, along said South line, a distance of 579.82 feet (Deed - 580.5 feet) to the point of beginning.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A1168, 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.

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Section C. That a development plan for the area legally described in Section B above is hereby approved, subject to the following conditions:

1. That the developer consult with KCMO Historic Preservation Commission prior to City Plan Commission approval of the hotel (phase 2).
2. That the developer continue to work with City Planning and Development staff as it relates to the architecture of the mixed use building prior to approval of Final UR development plan.
3. That the developer submit a Final UR Plan to the City Plan Commission for approval for phase 2 (hotel), indicating plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero footcandles at the property lines prior to issuance of a building permit. Final UR plan for phase one will be approved by the Director of City Planning and Development following additional discussion of the building architecture.
4. The developer shall secure approval of a streetscape plan from Development Management Division staff prior to a building permit. The plan shall include all vertical and horizontal obstructions within and adjacent to the right of way along the project frontage including but not limited to signage, sidewalks, driveways, landscaping, etc. and shall demonstrate compliance with applicable policies and regulations.
5. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior obtaining a temporary certificate of occupancy.
6. That the proposed hotel design will incorporate applicable Midtown Plaza Area Plan development guidelines for Nodes and Neighborhoods as well as general guidelines for building orientation, setbacks, materials, architectural character, and access.
7. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to issuance of any certificate of occupancy.
8. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department when applicable, and shall secure permits for those improvements as required by the Land Development Division, prior to obtaining a temporary certificate of occupancy.

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9. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
10. 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.
11. The developer shall submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
12. The developer must grant a City approved pedestrian right-of-way easement, for the portions of the public sidewalks approved to be outside of the street right-of-way, to the City as required by the Land Development Division, prior to obtaining a temporary certificate of occupancy.
13. 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.
14. The owner/developer must submit plans for grading, siltation, and erosion control to the 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.
15. The developer must secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land

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Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.

16. The developer must grant any BMP and/or surface drainage easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
17. 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)
18. Depending on height, the structure require to meet the high rise requirements to include a water supply source from at least two (2) water mains located on different streets (IFC 2012: § 914.3.1.2)
19. Shall provide at least a 26 foot wide aerial fire apparatus access road which is at least 15 feet away from the building but no more than 30 feet from the building along the north and west sides of the complex. (IFC2012: § D105)
20. An operable fire hydrant shall be within 100 feet of the buildings' Fire Department Connection (FDC). (IFC2012: § 507.5.1.1)
21. That the developer verify fire flow capacity and submit calculations for review prior to a building permit.
22. That the developer maintain max 300' fire hydrant spacing as required by the Water Services Department.
23. Private Fire Line / Fire Hydrant extension is anticipated.

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.

Section D. That the Council declares an area of approximately 5 acres and more specifically described as follows:

All that part of the Northeast quarter of the Northeast quarter of Section 19, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the West right-of-way line of Broadway, as now established, that is 608.75 feet South and 49.5 feet West of the Northeast corner of said quarter quarter Section, said point also being the Southeast corner of Lot 18, Vinewood, a subdivision in said City, County and State; thence South along said West right-of-way line of said Broadway, a distance of 318.25 feet to a point on the North right-of-way line of Valentine Road, as established by Ordinance Number 38120, and a point of curvature; thence Southerly, Southwesterly and Westerly along said

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North right-of-way line on a curve to the right, having a radius of 25.0 feet, an arc distance of 39.25 feet (Deed - 39.27 feet, more or less) to a point of tangency; thence West, continuing along said North right-of-way line, a distance of 530.52 feet (Deed - 530.5 feet, more or less) to a point of curvature; thence Westerly, Northwesterly and Northerly, continuing along said North right-of-way line on a curve to the right, having a radius of 25.0 feet, an arc distance of 39.35 feet (Deed - 39.27 feet, more or less) to a point on the East right-of-way line of Pennsylvania Street, as now established; thence North, along said East right-of-way line, a distance of 317.72 feet to a point on the South line of said Lot 18; thence East, along said South line, a distance of 579.82 feet (Deed - 580.5 feet) to the point of beginning.

to be blighted area in need of industrial development as defined in Section 100.310, RSMo, due to a predominance of deteriorating site improvements, insanitary or unsafe conditions, and the existence of conditions which endanger life or property, which collectively constitutes an economic or social liability or a serious and growing menace, which is injurious to the public health, safety, morals, economy and welfare of the residents of Kansas City, and finds that the elimination or prevention of the detrimental conditions in such area by the commercial development of such area is necessary and in the interest of the public health, safety, morals, economy and welfare of such residents.

Section E. That the 36th & Broadway PIEA General Development Plan prepared by the Authority and recommended to the Council is intended to and shall affect and be applicable to only the real property specifically described in Section 1 above and is hereby approved. A copy of said General Development Plan, as amended, is attached to this ordinance and is made a part hereof.

Section F. That the Council has duly made the findings necessary for compliance with Section 100.300-100.620, RSMo.

Section G. That the General Development Plan is hereby found to be feasible and in conformance with the general plan for the development of the community as a whole.

Section H. That the ad valorem tax exemption benefits as authorized in Section 100.570, RSMo, are hereby extended to the area included within the General Development Plan to the extent and in the manner as provided for in said General Development Plan, and subject to the execution of a development agreement with the Planned Industrial Expansion Authority of Kansas City, Missouri, and the developer.

Section I. 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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Section J. That appropriation in the following account of the General Fund is hereby reduced in the following amount:

19-1000-179990-B Contingent Appropriation \$10,000.00

Section K. That the sum of \$10,000.00 is hereby appropriated from the Unappropriated Fund Balance of the General Fund in the following account of the General Fund:

19-1000-101550-B Education and Development \$10,000.00

Section L. That the City Manager is hereby designated as requisitioning authority for Account No. 19-1000-101550.

Section M. That this ordinance, relating to the appropriation of money, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter and shall take effect in accordance with Section 503, City Charter.

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.




Randall J. Landes
Director of Finance


I hereby certify that as required by Chapter 88, Code of Ordinances, and Chapter 100, RSMo, as amended, the foregoing ordinance was duly advertised and all public notices have been given and public hearings held, as required by law.



Authenticated as Passed



Sly James, Mayor



Marilyn Sanders, City Clerk

OCT 25 2018

Date Passed

Secretary, City Plan Commission

Approved as to form and legality:



Brian T. Rabineau
Assistant City Attorney