

## ORDINANCE NO. 200175

Rezoning an area of about 7.02 acres generally located on the northeast corner of Tracy Avenue and E. 22nd Street from Districts R-1.5 and M1-5 to District MPD, and approving a development plan for the redevelopment of the Western Bible College historic building to a mixed-use development. (CD-CPC-2019-00080)

### 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 88-20A1224, rezoning an area of approximately 7.02 acres generally located on the northeast corner of Tracy Avenue and E. 22nd Street from Districts R-1.5 (Residential 1.5) and M1-5 (Manufacturing 1 (dash 5)) to District MPD (Master Plan Development), said section to read as follows:

Section 88-20A1224. That an area legally 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 Ave adj.

Tract 2: Lockridge's Add, N 52 feet of Blks Q & T and S 1/2 vac st n and adj and th pt of vac st runn/s betw n 52 feet of Blks Q & T.

Tract 3: Lockridge's Add, all Lot P and all Lot U exc n 50 ft of e 90 ft also N 1/2 vac st s and adj sd lots and th prt of vac Lydia St.

is hereby rezoned from Districts R-1.5 (Residential 1.5) and M1-5 (Manufacturing 1 (dash 5)) to District MPD (Master Plan Development), all as shown outlined on a map marked Section 88-20A1224, 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. A Master Planned Development (MPD) Final Development Plan 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.

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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 and 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. Staff recommends adding an additional driveway connection to Tracy Avenue. Staff recommends this condition be amended as the revised plans now show this driveway to read as follows: A pedestrian sidewalk connection to Tracy Avenue shall be constructed.
6. Staff recommends a deviation to the Boulevard and Parkway Standards to allow for drive lanes only between the existing Western Bible College and proposed townhome and the Paseo. Staff recommends this condition be amended as the revised plans now show this driveway to read as follows: 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. 22nd Street.
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 and Development Code.
11. All mechanical units and trash enclosures shall be screened in accordance with Section 88-425-08.

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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 shall 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 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 shall integrate into the existing streetlight system any relocated existing streetlights 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 shall 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.
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

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discharge to the combined sewer system and 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 the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
21. The developer shall 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 shall 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.
23. The developer shall 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. 21st Street.
25. The domestic water line must be brought in compliance with current Kansas City, Missouri 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.

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- b. Add a note that water mains will maintain minimum 10 foot clearance from the sanitary sewer mains.
- 28. Required Fire Department access roads are a minimum unobstructed width of twenty (20) feet and 13 feet 6 inches 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 a street tree planting plan per 88-425-03 for approval and permitting by the Parks and 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. 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 is 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 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:

  
\_\_\_\_\_  
Sarah Baxter  
Assistant City Attorney



Authenticated as Passed

  
\_\_\_\_\_  
Quinon Lucas, Mayor

  
\_\_\_\_\_  
Marilyn Sanders, City Clerk  
MAR 05 2020

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Date Passed