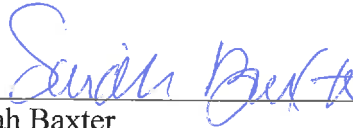


I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:


Sarah Baxter
Senior Associate City Attorney



Authenticated as Passed


Quinton Lucas, Mayor


Marilyn Sanders, City Clerk

APR 24 2025

Date Passed



Legislation Text

File #: 250329

ORDINANCE NO. 250329

Rezoning an area of about one acre generally located at the southwest corner of E. 18th Steet and The Paseo from District M1-5 to District DX-5 and approving a development plan, also serving as a preliminary plat, to allow for a museum and hotel. (CD-CPC-2025-00014 and CD-CPC-2025-00020)

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 88-20A-1477, rezoning an area of about one acre generally located at the southwest corner of E. 18th Steet and The Paseo from District M1-5 (Manufacturing 5) to District DX-5 (Downtown-Mixed Use 5), and approving a development plan, also serving as a preliminary plat, said section to read as follows:

Section 88-20A-1477. That an area legally described as:

TRACT A: Lots 77, 78, and 79 and the east 1.49 feet of Lot 76, Block 4, H. W. Armfield's Addition, a subdivision in Kansas City, Jackson County, Missouri, except that part of the described property in 18th Street.

TRACT B: Lot 75 and the west 23.51 feet of Lot 76, Block 4, H. W. Armfield's Addition, a subdivision in Kansas City, Jackson County, Missouri, except that part thereof taken to widen 18th Street.

TRACT C: All of Lots 70 through 74, Block 4, H. W. Armfield's Addition, a subdivision in Kansas City, Jackson County, Missouri, excluding the north 1/2 of adjacent vacated east/west alley south of and adjoining said lots, and excluding the east half of Grove Street lying adjacent to said Lot 70 and to said north 1/2 of adjacent east/west alley.

TRACT F: Lots 81, 82 and 83, Block 4, except that part taken for Paseo, H. W. Armfield's Addition, a subdivision in Kansas City, Jackson County, Missouri, together with i) the east one-half of the vacated north/south alley lying west of and adjacent said lots, and ii) the south one-half of the vacated east/west alley lying north of said lot 81 and iii) the south one-half said east/west alley lying north of the east one-half of the vacated north/south alley in said Block 4, vacated by Ordinance No. 070523 and as recorded as Document No. 2007E0141826.

TRACT E: Lots 84, 85, 86, 87, and 88, inclusive, subject to that part thereof in Paseo Boulevard, Block 4, Armfield's Addition, a subdivision in Kansas City, Jackson County, Missouri, and Lot 2, subject to that part thereof in Paseo Boulevard, Brent's Addition, a subdivision in Kansas City, Jackson County, Missouri, together with the east one-half of the vacated north/south alley lying west of and adjacent said lots, vacated by Ordinance No. 070523 and as recorded as Document No. 2007E0141826.

is hereby rezoned from District M1-5 (Manufacturing 5) to District DX-5 (Downtown-Mixed Use 5), all as shown outlined on a map marked Section 88-20A-1477, 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. The Paseo YMCA Building and parking lot to the north are located in the 18th & Vine Historic District. A certificate of appropriateness will be required from the Historic Preservation Commission before construction can proceed.
2. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
3. Prior to issuance of the certificate of occupancy for each lot within the plat the developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy.
4. 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 prior to a certificate of occupancy.
5. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with Section 88-425-08 of the Zoning and Development Code.
6. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
7. The developer shall obtain approval of a shared parking agreement with the garage adjacent, when fully constructed, prior to a certificate of occupancy.

8. Prior to issuance of the certificate of occupancy, the applicant must submit and gain approval of a final plat.
9. Buildings which have an occupiable floor greater than 75 feet above grade shall meet high-rise requirements (IFC 2018 Sec 914.3)..
10. The developer shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
11. Fire hydrants shall be installed and operable prior to the arrival of any combustibile building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA 241-2013 § 8.7.2). Fire hydrant distribution shall follow IFC-2018 Table C102.1.
12. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
13. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1 and NFPA1221)
14. The Paseo is classified as a boulevard; therefore, the development shall fully comply with the parkway and boulevard standards outlined in 88-323 or obtain a variance from the Board of Zoning Adjustment before receiving a building permit.
15. Prior to construction adjacent to a Parks and Recreation jurisdictional street and/or park the developer and/or their representative shall obtain a Parks and Recreation permit for storage and restoration within a park or a Parks and Recreation jurisdictional street right-of-way including but not limited to the installation of construction trailer, stockpiling of materials or equipment, construction roads and utility cabinets/meters.
16. The developer shall submit plans to the Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and street lighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks and Recreation Department standards

17. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a Parks and Recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. 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 Parks and Recreation Department, prior to recording the plat/issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
18. The developer shall submit a streetscape plan with 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.
19. Based on the traffic impact study a traffic signal is warranted at the intersection of 19th Street and the Paseo Boulevard. The developer shall enter into a cooperative agreement with the City to contribute a total of \$300,000.00 to the City for a traffic signal installation at 19th Street and Paseo Boulevard.
20. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
21. The developer shall enter into a covenant agreement for the maintenance of any private decorative paving, streetscaping and landscaping located within the public right-of-way as required by the Land Development Division, prior to recording the plat.
22. 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.

23. Proposed on-street parking shall be approved by the Public Works Department prior to the issuance of a permit from the Land Development Division for construction. Requests for on-street parking require review by Public Works staff during the plan review process.
24. The developer shall submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape improvements in the public right-of-way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
25. The developer shall integrate into the existing streetlight system any relocated 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.
26. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
27. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to issuance of a certificate of occupancy.
28. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
29. Design and contract (permit) water main extension plans prepared by a Missouri professional engineer meeting the Kansas City Water rules and regulations and submitted through CompassKC for the abandonment of the old 4" CIP water main in Grove Street between 18th and 19th Streets and proposed public fire hydrants at 300' spacings along Paseo Boulevard and 18th Street prior to building permit issuance.
30. 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, by making application under said code for a minor subdivision and submitting and recording a lot consolidation plat or replatting the property in accordance therewith.
31. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Kansas City Water Services Department 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 disturbed area to simulate natural runoff conditions and reduce small storm 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 Kansas City Water Services Department prior to recording the plat.

32. 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.
33. The developer shall submit plans for grading, siltation, and erosion control to the Kansas City Water Services Department 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.
34. The developer shall 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 Kansas City Water Services Department, prior to recording the plat or issuance of a building permit, whichever occurs first.
35. The developer shall secure permits to relocated sanitary sewers out from under proposed buildings and structures, while continuing to ensure individual service is provided to all proposed lots as required by the Kansas City Water Services Department prior to recording the plat or issuance of a building permit, whichever occurs first. Any existing public lines located under proposed structures must be abandoned in place or removed and easement vacated.
36. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits.

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 and development plan hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.