

# Ordinance Fact Sheet

Case Nos. 675-S-6 and 12708-UR-3

160482

Ordinance Number

### Brief Title

### Approval Deadline

## Reason

\*To consider the approval of an amendment to the Greater Downtown Area Plan by changing the recommended land use from Residential Low Density and Residential Medium Density to Downtown Residential.

\*To consider the approval of a development plan amendment in District UR (Urban redevelopment district) for a hotel at E 24<sup>th</sup> and Troost and other minor changes.

## Details

## Positions / Recommendations

<p><b>Specific Address</b> 1.5 acres and 94 acres generally bounded by 22<sup>nd</sup> Street on the north, Bruce R. Watkins Drive and The Paseo on the east, 27<sup>th</sup> Street and about 100 feet south of 27<sup>th</sup> Street at Troost Avenue on the south and Troost Avenue and about 150 feet west of Troost Avenue at 27<sup>th</sup> Street on the west</p>	<p><b>Sponsor</b></p>	<p>Jeffrey Williams, AIA, Director, City Planning and Development Department</p>
<p><b>Reason for Project</b> To allow for a hotel on the east side of Troost at E 24<sup>th</sup> Street.</p>	<p><b>Programs, Departments, or Groups Affected</b></p>	<p><b>Council District(s)</b> 3<sup>rd</sup> (Lucas, Reed)  <b>Other districts (school, etc)</b> Kansas City, Mo. School District</p>
<p><b>Discussion</b></p> <p><b>NOTE:</b> This case was continued by the City Plan Commission on August 4, 2015, September 1, 2015, October 6, 2015, October 20, 2015, November 3, 2015, November 17, 2015 and December 1, 2015 without testimony, to allow the applicant time to meet with neighborhood representatives regarding changes to the plan. Since that time, the applicant states that they have added the following to the original proposal:</p> <p style="padding-left: 40px;">* Coffee Bar area and service * 2660 Square Feet of Retail</p> <p><b>History and Context:</b></p> <p>The applicant requested and received Urban Renewal status through the Land Clearance for Redevelopment Authority and the City Council with Ordinance No. 001637 on January 25, 2001. This action determined the area to be blighted, authorized eminent domain and granted tax abatement through the freezing of assessed valuations for 10 years.</p>	<p><b>Applicants/ Proponents</b></p>	<p>Talioferro &amp; Browne, Inc. Attn: Leonard Graham 1020 E 8<sup>th</sup> Street Kansas City, MO 64106</p>
	<p><b>Opponents</b></p>	<p><b>Groups or individuals</b> None known <b>Basis of Opposition:</b></p>
	<p><b>Staff Recommendation</b></p>	<p><input checked="" type="checkbox"/> Approval  <input type="checkbox"/> Against Reason Against:</p>
	<p><b>Board or Commission Recommendation</b></p>	<p>By: City Plan Commission 4/16/13 and 8/7/12 <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Approval, with conditions <input type="checkbox"/> Denial</p>
	<p><b>Council Committee Actions</b></p>	<p><input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</p>

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**Discussion****Policy / Program Impact**

<p>The area of this approved Urban Renewal Plan is nearly the same as the now existing “353” plan. The southwest corner of 27<sup>th</sup> Street and Troost Avenue has been added. Portions north of 22<sup>nd</sup> Street have been removed. With the authorization of the LCRA project, the applicant proceeded to purchase homes and lots in the area. The approved LCRA project accomplished the following:</p> <ol style="list-style-type: none"> <li>1. Added 120 parcels in two areas and one parcel in a third area to the Hospital Hill URP.</li> <li>2. Created the Beacon Hill Project area, and</li> <li>3. Placed 345 parcels within the acquisition category and award the redevelopment project to a redeveloper.</li> </ol> <p>Note that there are two churches that were not forced to move; the Paseo Baptist Church at 2515-23 Paseo and Swope Parkway United Christian Church used by the Mt. Pisgah Baptist Church at 2454 West Paseo. The proposed land use plan and implementation is the result of the Beacon Hill Task Force, established by the Mayor’s Office in 1998.</p>	<b>Policy or Program Change</b>	<input type="checkbox"/> No <input type="checkbox"/> Yes	
	<b>Operational Impact Assessment</b>		
	<b>Finances</b>		
	<b>Cost &amp; Revenue Projections – Including Indirect Costs</b>		
	<b>Financial Impact</b>		
	<b>Fund Source and Appropriation Account Costs</b>		

**Project Start Date****Projected Completion or Occupancy Date****Fact Sheet Prepared by:****Date:** 6-17-16

John Eckardt

Planner

**Reviewed by:****Date:** 6-17-16

Diane Binckley,

Development Management Division

**Reference or Case Numbers:** Case Nos. 675-S-6 and 12708-UR-3

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On May 23, 2002, the City Council approved three associated area plan revisions, a “353” development plan and a rezoning to District URD (Urban redevelopment district). The purpose of the “353” was to extend the tax abatement for improvements within the area from the 10 years of abatement available with the Urban Renewal plan (LCRA) to 25 years with “353”.

### **Summary of Existing UR Development Plan:**

In 2002, the City Council approved the Beacon Hill 353 plan and URD zoning development plan for a 94 acre project which included the following: a maximum of 180 Townhomes, 105 new Single Family homes, 60 Single Family infills, 85 Single Family Rehabilitated units, 80 multifamily new, and an unknown number of “Granny flats”, a Community Center, 2 churches and mixed use commercial and open space areas. The applicant stated that the area included about 100 existing units. Of these, 53 were owner occupied to remain, 44 were to be rehabilitated and sold by the corporation and the remainder will be demolished and rebuilt with new homes. The development plan stated that all construction would commence between 2002 and 2006 and would be completed by 2007.

Following the URD rezoning and 353 tax abatement, sanitary sewer mains, water mains, storm water detention and several roadways and alleyways have been constructed, several plats have been approved, new homes have been constructed north of Beacon Hill Lane on Forest Avenue and the 45 unit- Beacon Park project has been completed north of E 27<sup>th</sup> Street between The Paseo and Vine Street.

### **Proposed Plan Revisions:**

The purpose of this amendment is to 1) change the area plan for the area located north of E 24<sup>th</sup> Street, east of Troost Avenue and west of Forest Avenue from Residential to **Downtown Residential** to allow for a hotel and 2) revise the UR Development plan for the same area to allow for a hotel and green space.

The existing plan (Case No. 12708-UR-1) for this location calls for a mixed use building, 10 townhomes, four new single family detached homes a new N/S road and open space. The application states that the area is 1.33 acres. The proposed plan shows a 90-room hotel with 74 parking spaces. The only vehicular access to the hotel site is from Troost Avenue. Parking is located to the north and east of the building. The hotel will be four stories, and 53 feet in height. The hotel will front along both Troost Avenue and E 24<sup>th</sup> Street, almost extending to each roadway’s right of way lines. *Note that on October 29, 2015, the applicant’s architect was made aware of a 10 foot KCPL easement on the south side of the lot which he states will force the moving of the hotel 10 feet to the north.* The hotel measures generally 65 feet E/W and 222 feet N/S. Building materials include: EIFS, wood slats, galvanized metal frame, metal canopy, composite decking, masonry planters and parapet. The elevation views indicate a modern architectural appearance with varied and numerous relief patterns and materials. The plan shows that there are 42 parking spaces required and 78 parking spaces provided. Hotel users will enter at the drive on Troost, continue east through a drive in the north parking lot, then turn south to the drive-thru east office entrance. Some parking is in the east parking lot which may also serve as an underground storm water storage area.

### **Parkland Dedication (for overall UR plan area):**

For the entire plan zoned URD, the applicant is proposing to provide private parkland instead of either public parkland or money in lieu of dedication as required previously by Section 66-128, Subdivisions, Parks, playgrounds and open space areas and now by Section 88-405-17. The plan originally showed two large parks along Forest. These parks were called the north and south lawns. The south lawn park has gotten smaller through amendments and now is about 0.5 acres. The north park states that it is three (3) acres. There is also a large park between Beacon Hill Lane and 25<sup>th</sup> Street, Troost Avenue and Tracy Avenue. This park is over 2 acres. The plan also calls for four small parks along the proposed alleyway, east of the townhomes on Troost. The applicant must only provide parkland for new, not existing homes.

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According to the most recent parkland running total as submitted by the applicant's representative for Case SD 1167F the project to date has been required to provide 3.077 acres of private open space (POS). The development plan shows that there will be about 7.5 acres provided. The applicant will be required with every plat to update the running total to be assured that the amount of open space provided is equal to or more than the amount of private open space required.

### **Area Plan: Compliance with Area Plan:**

The proposed project is located within the Greater Downtown Area Plan (GDAP). The plan was adopted by Resolution No. 10049 in March 2010. The future land use map is a tool to be used to guide development within the area. The future land use map recommends residential medium high for tract H and residential low for tract G. The property adjacent to Troost Avenue and East 24<sup>th</sup> Street is tract H. The property adjacent only to East 24<sup>th</sup> Street is tract G. The future land use map will need to be amended from *Residential Medium High* density and *Residential Low* density to *Downtown Residential* which would allow the land use of a hotel/motel lodging.

### Height Requirements:

The GDAP has strict requirements for building heights within the area. The recommended maximum building height is 55' for tract H and 35' for tract G. If the proposed hotel is higher than the maximum allowed then a height study should accompany any proposed exceptions where view corridors may be impacted.

The Greater Downtown Area Plan recommends Residential Medium High and Residential Low as mentioned above. The recommended land use across from the project area is Downtown Core. The land use of Downtown Core is primarily intended to promote high-intensity office and employment growth within the downtown core. It incorporates residential development both in a stand-alone high density form and mixed with office and retail uses. This land use would allow more intense uses such as Adult media store, sex shop, building maintenance service, drive-through facility, nightclub, hotel or motel, office or funeral home. By changing the future land use map in the Greater Downtown Area Plan to show *Downtown Residential* on the east of Troost where the proposed hotel site is located, allows a better transition from an intense land use to less intense land use. *Downtown Residential* land use does not allow the more intense land uses mentioned above. The hotel/motel land use requires a special use permit which will be a case by case review intended to ensure consideration of the special use's anticipated land use, site design, signage and operational impacts.

The *Downtown Residential* land use allows for residential in mixed-use building, residential in single-purpose residential building, Office and retail sales. Currently, the future land use map from GDAP recommends Residential Medium High Density at the proposed hotel site. This land use doesn't allow for a mixed-use development because office land uses or hotel/motel land uses are not allowed in a R2.5 zoning. If density is going to be created in Beacon Hill then a variety of land uses should be encouraged to create activity and a destination place for people.

The hotel would be a destination where visitors would stay. It is anticipated visitors would visit local sites such as the 18<sup>th</sup> and Vine District, Crossroads Art District, Kaufman Performing Arts Center, or Power & Light District. The more positive activity along Troost Avenue correlates to more diverse businesses such as grocery store, new apartments, offices, etc.

City Staff recommends the following: Per Angela Eley, Long Range Planning and Preservation.

- Amending the Greater Downtown Area Plan future land use map from Residential Medium High and Low density to DR: Downtown Residential.

### **Analysis:**

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The development of the Beacon Hill area has been slow and fluid starting with the Urban Renewal Plan approval in the 1990's. Since then, the city has approved a 353 tax abatement case, rezoned the 94 acre area to District UR and supported numerous infrastructure improvements. Recent development has included the rehabilitation of Robinson Hospital, the construction of 45-unit Beacon Park, the construction of several homes in the Beacon Hill Northwest Quadrant at Forest Avenue and the four story UMKC student housing with parking garage. Whereas the Beacon Hill plan started as a plan proposing primarily various densities of residential land uses, over time some commercial and institutional uses have been introduced due to the economy and opportunity. The plan now shows a proposed grocery store and future retail pad site at the northeast corner of E 27<sup>th</sup> Street and Troost Avenue. The UMKC student housing with 124 units and associated parking structure for 196 parking spaces has been recently constructed just south of the subject site. The applicant now wants to change the plan location further by changing the site from mixed use (retail and residential) to allow for the hotel. Given the location, adjacent land uses, recent construction history of the area and specific design of the project, city development department staff supports the area plan change as per cited Long Range Planning staff and also supports the UR zoning plan amendment.

The site is adjacent to both Troost Avenue and Bruce R. Watkins Drive. The site is directly across Troost from light industrial district uses. To the immediate south of the site is the UMKC multi-level parking garage and to the south of the garage is the UMKC student housing. The materials and look of the proposed hotel is similar to that of the student housing. The applicant states that they have tried to align the hotel on the site to respect the views of downtown from the new residents of Beacon Hill Northwest Quadrant. The hotel is oriented north/south instead of east/west. The hotel is also positioned as far west as possible. Vehicular access is solely from Troost and not E 24<sup>th</sup> Street to reduce impact of the neighborhood to the south. The hotel has also been limited in height to four stories or 53 feet, which is lower than the adjacent UMKC student housing structure. The plan shows a small outdoor patio on the east side.

At its regularly scheduled meeting on December 15, 2015, the City Plan Commission acted in the following manner:

**a) Case No. 675-S-6: Approval with no conditions.**

**b) Case No. 12708-UR-3: Approval with the following conditions:**

*Condition.1 per Land Development Division (Brett Cox, ([brett.cox@kcmo.org](mailto:brett.cox@kcmo.org)) and John Eckardt ([john.eckardt@kcmo.org](mailto:john.eckardt@kcmo.org)))*

1. That three (3) collated, stapled and folded copies (and a CD) be submitted to Development Management staff (15<sup>th</sup> Floor, City Hall), prior to ordinance request showing:
  - a. Add a measurable scale to all sheets.
  - b. Include all sheets contained within the prior development plan with this development plan after making needed revisions to those plans based upon the change in this case.
  - c. Update the phasing plan.
  - d. Align the drive entrance on Troost to align with the existing drive entrance across the street as required by the Public Works Department staff, if applicable.
  - e. Be clear and differentiate between which open space areas are for parkland dedication purposes and which are simply for open space. Further, identify for each location how the open space for parkland purposes will be used and what amenities will be provided in each as agreed upon by Parks and Recreation and City Development Department staff.
  - f. Revise the site plan and landscaping plan to add trees and buffer shrubs or an agreed upon buffer screen to the east parking lot of the subject site as well as a buffering of the retaining wall as required by Section 88-425-05C and city staff.
  - g. Include all horizontal control on Sheet UR 12 and confirm that the parking lot setback from Troost is no less than 10 feet.
  - h. Include a note on the general UR development plan that all future final site plans within the plan will be completed in compliance with Chapter 88 design criteria.
  - i. Provide a national standard that allows a 24 ft drive aisle to Gary Marker, Plans Review.

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- j. Include all new residential homes which have been constructed onto the plan and identify as "single family new".
- k. Identify the numbering system on the greenspace tracts.
- l. Include street trees along Bruce R. Watkins Drive.
- m. That the landscape plans be stamped by a registered landscape architect.

*Conditions 2 - 14 per Land Development Division (Brett Cox, (brett.cox@kcmo.org))*

- 2. That the developer 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 Subdivision Regulations.
- 3. The developer must submit an update the previously accepted Macro drainage study for the overall development to address the development amendments along with a detailed Micro storm drainage study, including a BMP level of service analysis, stormwater management mitigation, and proposed installation of permanent BMP's. All new projects within the UR boundary, whose stormwater discharge is tributary to stormwater facilities designed and constructed since the approval of the original Beacon Hill URD, which are substantially in compliance with the degree of imperviousness resulting from the land use as noted in the original Beacon Hill URD plan, shall provide stormwater management systems that are in conformance with the original stormwater design assumptions and criteria. New projects which increase impervious areas beyond the original Beacon Hill URD plan shall provide stormwater management facilities which meet the most current criteria adopted by Land Development Division. The developer must secure permits to construct any improvements as required by the Land Development Division prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
- 4. 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.
- 5. The developer must integrate into the existing street light system (and utility poles) any relocated existing street lights (and utility poles) 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 (and utility poles) must comply with all adopted lighting standards (and utility companies).
- 6. 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.
- 7. That the developer design and construct all public and private interior streets/alleys to City Standards, as required by Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks, with exceptions to the standards noted on the typical section details included with the approved development plan.
- 8. 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, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
- 9. The developer 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, to identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and base on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, 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

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required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.

10. The developer must obtain the executed and recorded grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) 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.
11. The developer must secure permits to extend 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 Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
12. The developer must grant on City approved forms, BMP Easements to the City, as required by Chapter 88 and Land Development Division, prior to issuance of any building permits or bmp permits, whichever occurs first.
13. The developer secures permits to reconstruct sidewalks, curbs and drive entrances (and associated streetscape) along the project frontage per the approved plan and where modifying the sidewalk at the drive modifications as required by Land Development Division and meeting ADA requirements, prior to working in the right-of-way and prior to issuance of any site or building permits.
14. The owner/developer shall verify adequate capacity of the existing sewer system as required by the Land Development Division for the amended use of the property and address any inadequacies therein prior to issuance of connection authorization and/or issuance of any temporary certificate of occupancy (TCO).
15. That the developer comply with the National Historic Preservation Act, 16 U.S.C. Section 470, et seq., and the Secretary of Interior Standards, 36 C.F.R. Section 800, et seq., including, but not limited to, Section 106 review and comply with the Memorandum of Understanding executed regarding this area.

*Condition 16 per Water Services Department (Heather Massey, (heather.massey@kcmo.org)*

16. That the developer extend water mains as required by the Water Services Department.

*Condition 17 per Fire Marshal's Office, John Hastings, (john.hastings@kcmo.org)*

17. That the developer provide fire protection as required by the Fire Department.

*Conditions 18 & 19 per City Development Department, John Eckardt (john.eckardt@kcmo.org)*

18. That the developer submit a site plan to the Director of City Planning and Development for approval prior to the issuance of a building permit. The site plans shall include: development plan information, property uses, setback distances, lighting, landscaping, signage (including elevations), and architectural characteristics. The landscaping plan shall identify adequate areas for planting of trees and shrubs within the parking lots.
19. That the developer provide a running total of private open space per each plat.