



Legislation Details (With Text)

File #: 221066 **Version:** 2 **Name:**
Type: Ordinance **Status:** Passed
File created: 12/8/2022 **In control:** Council
On agenda: 1/19/2023 **Final action:** 1/19/2023
Title: Sponsor: City Manager

Rezoning an area of about 2.98 acres generally located along Main Street from Armour Boulevard on the north to 36th Street on the south from District B3-2, District B4-5, and District R-1.5 to District MPD, and approving a preliminary development plan that will also serve as a preliminary plat for a mixed-use development containing 300 dwelling units and commercial space. (CD-CPC-2022-00183)

Sponsors: City Manager's Office

Indexes:

Code sections:

Attachments: 1. No Fact Sheet, 2. Opposition 221066 and 221067 - Mary Farmer, 3. Opposition 221066 and 221067 - Vahid Assadpour, 4. Opposition Letter 12-13-22 - Chuck Zoog, 5. Bert Thompson - Mac properties proposal, 6. Tabitha Judson - letter of opposition (#221066 and #221067), 7. Nadja Karpilow - 221066 and 221067 Neighborhood Planning, 8. Randy Lombard - Stop the Mac Project, 9. 221066 cs to org ord-com, 10. Valentine parking letter, 11. AmethystPlaceHOASupport, 12. Jan# 221066, 221067 Request for Continuance, 13. OHP Letter 1.16.23, 14. Saint Lukes, 15. Continuance Request File # 221066 and 221067, 16. 2nd Letter Nadja Karpilow - File # 221066 and 221067 Continuance Request, 17. Authenticated Ordinance 221066 CS

Date	Ver.	Action By	Action	Result
1/19/2023	1	Council	Passed as Substituted	Pass
1/18/2023	1	Neighborhood Planning and Development Committee		
12/14/2022	1	Neighborhood Planning and Development Committee	Hold on Agenda	
12/8/2022	1	Council	referred	

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 221066

Sponsor: City Manager

Rezoning an area of about 2.98 acres generally located along Main Street from Armour Boulevard on the north to 36th Street on the south from District B3-2, District B4-5, and District R-1.5 to District MPD, and approving a preliminary development plan that will also serve as a preliminary plat for a mixed-use development containing 300 dwelling units and commercial space. (CD-CPC-2022-00183)

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 88-20-1370, rezoning an area of approximately 2.98 acres generally located along Main Street from Armour Boulevard on the north to 36th Street on the south from District B3-2 (Community Business 2),

District B4-5 (Heavy Business/Commercial 5) and District R-1.5 (Residential 1.5) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20-1370. That an area legally described as:

TRACT 1: Lots 1, 2, 3, 4, 19, 20, 21, 22, and the north 16.09 feet of Lots 5 and 18, except that part of Lots 1 and 22 in Armour Boulevard, Block 10, Hyde Park, a subdivision in Kansas City Jackson County, Missouri, according to recorded plat thereof.

TRACT 2: The south 33.91 feet of Lot 5 and all of Lots 6, 7, 8, 9, 10 and 11, Block 10, Hyde Park, a subdivision in Kansas City, Jackson County, Missouri, according to recorded plat thereof.

TRACT 3: The north 16.09 feet of Lot 14, and all of Lot 15 and the south 33.91 feet of Lot 16, Block 10, Hyde Park, a subdivision in Kansas City Jackson County, Missouri, according to recorded plat thereof.

is hereby rezoned from District B3-2 (Community Business 2), District B4-5 (Heavy Business/Commercial 5) and District R-1.5 (Residential 1.5) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 80-20A-1370, 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 patio amenity facing Main Street must be in accordance with the Main Street Overlay District.
2. A deviation from 88-323-02-E.2 is approved.
3. Alternative compliance for parking is approved, pursuant to 88-420-16, to allow .5 spaces per unit.
4. Considering 88-420-16-K, examples of eligible accommodations inside the indoor parking facilities need to be included in the MPD final plan submittal. Special facilities for bicyclists include enclosed bicycle lockers, employee shower facilities, dressing areas for employees, and onsite public bicycle-sharing stations.
5. An administrative adjustment for alternative compliance is approved pursuant to 88-425-13 for 17 street trees (along Main St) to satisfy the requirement and will be maintained or replaced on the subject site.
6. 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.
7. 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 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 Land Development Division prior to recording the plat.

8. 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.
9. The developer shall submit a plan for approval and permit by the Land Development Division prior to beginning construction of any 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.
10. The 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.
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 shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
13. 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.
14. 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.

15. 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.
16. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
17. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to certificate of occupancy.
18. The developer shall fully comply with and remain in compliance with the parkway and boulevard standards as outlined in 88-323.
19. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
20. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
21. The developer shall submit a traffic impact study for the development with the final MPD plan. Based on the trip generation manual, this development will generate sufficient trips to warrant a traffic impact study.
22. The developer shall continue working with the neighborhood to remedy parking issues. The developer shall inform its residents, invitees, and employees of the project not to park at any time along Central, Wyandotte and Baltimore streets between Armour Boulevard and 36th Street and along 36th Street from Broadway to Baltimore. Notwithstanding the foregoing, should the City adopt a comprehensive parking plan in the future governing the property, the City's parking plan shall govern.
23. The developer shall revise the MPD Plan to satisfy the following:
 - (i) there shall be a minimum of 191 total parking spaces;
 - (ii) there shall be a maximum of 300 total residential units; and
 - (iii) there shall be district parking and shared parking services among the users of parking within the MPD.

A copy of said MPD development plan and preliminary plat 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.

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

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney