



Legislation Details (With Text)

File #: 210251 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
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On agenda: 4/1/2021 **Final action:** 4/1/2021

Title: Rezoning a tract of land of about 3.327 acres generally located at the southeast corner of E. 18th Street and Woodland Avenue from District UR to District UR and approving a development plan to allow a vacant school building to be converted to a 5-story mixed-use building. (CD-CPC-2021-00024)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Fact Sheet, 2. Staff Report, 3. Exhibit A, 4. Zhou B Art Center-Woodland E. 18th (SEC), KCMO-TIS Report_210129_v1, 5. Revision_Zhou B Art Center_City Planning and Development Set_Rev 1_210226_v1, 6. Zhou B PPT

Date	Ver.	Action By	Action	Result
4/1/2021	1	Council	Passed	Pass
3/31/2021	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass

ORDINANCE NO. 210251

Rezoning a tract of land of about 3.327 acres generally located at the southeast corner of E. 18th Street and Woodland Avenue from District UR to District UR and approving a development plan to allow a vacant school building to be converted to a 5-story mixed-use building. (CD-CPC-2021-00024)

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-1270, rezoning an area of approximately 3.327 acres generally located at the southeast corner of E. 18th Street and Woodland Avenue from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), said section to read as follows:

Section 88-20A-1720. That an area legally described as:

Tract 1: Lots 13 and 14, Block B, together with the North 1/2 of the vacated alley lying south of said lots, and the west 8 feet of Lot 8 and all of Lots 9 to 12, both inclusive, Block C, together with the South 1/2 of vacated alley lying north of said lots, and the East 1/2 of vacated alley lying west of Lot 12, Barnes Addition, a subdivision in Kansas City, Jackson County, Missouri, that part of the Northwest 1/4 of the Northeast 1/4 of Section 9, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point 238 feet south of the southeast corner of 18th Street and Woodland Avenue; thence south 184.3 feet

to a point on the north line of 19th Street; thence northeasterly along the north line of 19th Street, 309.25 feet; thence north 78 feet to the south line of Barnes Addition, a subdivision in Kansas City, Jackson County, Missouri; thence west along the south line of said Barnes Addition 270 feet to the point of beginning, together with the West 1/2 of vacated alley lying east of said premises.

Tract 2: Lots 1 to 10, both inclusive, together with all of the vacated alley lying south of Lots 1 to 6, both inclusive, all of the vacated alley lying east of Lots 7 to 10 both inclusive, and all of the vacated alley lying south of Lot 10 and vacated alley east of and adjoining said Lot 10, Hay's Subdivision, a subdivision in Kansas City, Jackson County, Missouri, and all of Lots 6 to 10, both inclusive, Block A, except the west 140 feet of Lots 6, 7, 8 and 10, together with the South 1/2 of the vacated alley lying north of the southerly portion of Lot 9, the West 1/2 of the vacated alley lying east of the southerly portion of Lot 9, and all of the vacated alley lying south of that part of Lots 8 and 10, all of Lot 9 and vacated alley east of said Lot 9, all of Lots 15 and 16, Block B, and all of Lots 9 to 12, both

inclusive, Block B, together with the North 1/2 of the vacated alley lying south of Lots 9 to 12, both inclusive, bar.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1270, 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 developer received approval for the project in Case No. CH-DR- 2020-0129.
2. The plan approved by the Historic Preservation Commission called for a black picket fence. The modified design will need to be approved by the Historic Preservation Commission.
3. The developer shall address requirements for a fire alarm system per section 907 of International Building code.
4. The developer shall address requirements for a fire sprinkler system per section 903 of International Building code.
5. 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.
6. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
7. The developer shall provide acceptable easements and secure permits to relocate sanitary sewers out from under proposed buildings and structures while continuing to ensure

individual service is provided to all proposed lots prior to recording the plat or issuance of a building permit, whichever occurs first.

8. 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.
9. 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 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 prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
10. 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.
11. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
12. The developer shall 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 recording the plat.
13. 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.
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 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.
 16. 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.
 17. 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 prior to certificate of occupancy.
 18. The developer shall provide details for the roof-top event space including operational characteristics and an engineering report to indicating the allowable capacity prior to issuance of certificate of occupancy.
 19. All proposed signage shall comply with 88-445.
 20. The applicant shall provide screening to the roof-top mechanical use complying with 88-425.
 21. The applicant shall provide capacity and open hours for all outdoor event spaces.
 22. The applicant shall continue to work with staff on fencing height, locations and materials.
 23. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
 24. 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)
 25. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
 26. If an approved security gate spans across a fire access road, an approved means for emergency operation shall be provided. (IFC-2018 § 503.6)
 27. If new residential units are proposed, the developer is 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 (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to certificate of occupancy.

28. The developer shall provide street trees along Woodland and E. 19th Street and 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.
29. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations. The proposed fence shall not disallow access to maintain the water main along the east property line by crossing the easement at the north or south end without making alternative access or valving arrangements with Kansas City Water. [https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules- <http://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-> and-Regulations- for-Water-Service-Lines.pdf](https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules- and-Regulations- for-Water-Service-Lines.pdf)
30. The developer shall follow the Kansas City, Missouri rules and regulations for domestic water and fire service lines.
31. 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. Depending on adequacy of the existing water main systems, other improvements may be required. (Please include size of water line and fire line, if 6 inches or larger line is required then water and fire lines must be connected to 19th Street main).
32. The developer shall submit water main extension drawings for an additional fire hydrant required for current codes [within 100 feet for fire protection system(s)] prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City water rules and regulations for water main extensions and relocations. (<https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Main-Extensions.pdf>)
33. The developer shall show the location of water meter and backflow preventer.

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.

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 and legality:

Sarah Baxter
Assistant City Attorney