



Legislation Details (With Text)

File #: 240488 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 5/29/2024 **In control:** Council
On agenda: 6/13/2024 **Final action:** 6/13/2024
Title: Sponsor: Director of City Planning and Development Department

Rezoning an area of about 22 acres generally located at 601 Hardesty from Districts UR and M1-5 to District UR and approving a development plan, with associated preliminary plat, to allow for mixed-use purposes. (CD-CPC-2024-00039)

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Docket Memo 601 Hardesty Ave, 2. 4_CD-CPC-2024-00039_StaffReport - Copy, 3. UR DP CPC Dispo, 4. CD-CPC-2024-00039&43 - NPD, 5. 88-20A-1435, 6. Authenticated Ordinance 240488

| Date | Ver. | Action By | Action | Result |
|-----------|------|---|-----------------|--------|
| 6/13/2024 | 1 | Council | Passed | Pass |
| 6/11/2024 | 1 | Neighborhood Planning and Development Committee | Adv and Do Pass | Pass |
| 6/6/2024 | 1 | Council | referred | |

ORDINANCE NO. 240488

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 22 acres generally located at 601 Hardesty from Districts UR and M1-5 to District UR and approving a development plan, with associated preliminary plat, to allow for mixed-use purposes. (CD-CPC-2024-00039)

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-1435, rezoning an area of about 22 acres generally located at 601 Hardesty from Districts UR (Urban Redevelopment) and M1-5 (Manufacturing 1 (Dash 5)) to District UR (Urban Redevelopment) and approving a development plan, with associated preliminary plat, to allow for mixed-use purposes said section to read as follows:

Section 88-20A-1435. That an area legally described as:

601 Hardesty: Rng-33 Twp-49 Sec-02 th pt of NE 1/4 of NE 1/4 daf: beg s li Independence Ave and e li of Hardesty Ave th E 455.05' th S 18' th E 15' th S 165.77' th W 213.97' th S 266.43' th W 252.72' to e li of; Hardesty Ave th n alg e li 451.5' to pob

607 Hardesty: Hardesty Renaissance Second Plat---Lot 1

5651 Independence: Sec-02 Twp-49 Rng-33---beg at ne cor Sec 2 th N 87 deg 22 min 01 sec W 827.91' th S 02 deg 40 min 30 sec W 40' to pob; th S 02 deg 40 min 30 sec W 18' th S 87 deg 22 min 01 sec E 15' th S 02 min 40; min 30 sec W 165.77' th S 02 min 40 min 30 sec W 40' th N 87 deg 19 min 30 sec W 60' th N 02 deg 40 min 30 sec E 17' th N 87 deg 19 min 30 sec W 98.47' th S 02 deg 40 min 30 sec W 347.03' th S 87 deg; 12 min 33 sec E 117.08' th S 02 deg 47 min 27 sec W 201.03' th S 87 deg 12 min 33 sec E 131.86' th N 02 deg 47 min 27 sec E 139.21' th S 87 deg 12 min 33 sec E 211.97' th N 48 deg 59 min 23 sec E; 631.33' N 02 deg 15 min 27 sec E 171.15' th N 87 deg 22 min 01 sec W 797.91' to pob (T-161 pg-94).

is hereby rezoned from UR (Urban Redevelopment) and M1-5 (Manufacturing 1 (Dash 5)) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1435 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, with associated preliminary plat, for the area legally described above is hereby approved, subject to the following conditions:

1. 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.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping and street trees required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
3. No detailed sign plan was provided. All signage must comply with the Independence Avenue Overlay District and be subject to permitting.
4. Any fences or walls erected within the UR Plan shall comply with the Independence Avenue Overlay District.
5. The solar canopies are considered accessory structures subject to 88-305-03.
6. Dedicated pickup parking areas will be identified with building permit submittals and are subject to 88-332.
7. Per 88-445-08, trash containers, dumpsters, trash compactors, and recycling bins associated with the project must be screened from public view on all sides with a solid fence, wall, or gate constructed of cedar, redwood, masonry or other similar building material reflecting the overall design of the site, and be appropriately landscaped.
8. The UR final plan must be approved prior to a building permit review.
9. The developer shall gain approval and record a final plat for each phase prior to issuance of the full certificate of occupancy.

10. 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.
11. 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, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
12. 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.
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 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.
15. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri Department of Natural Resources (MDNR) and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
16. 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.
17. The developer shall meet the fire flow requirements as set forth in Appendix B of the project International Fire Code 2018. (IFC-2018 § 507.1)
18. 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)

19. Fire hydrants shall be installed and operable prior to the arrival of any combustible 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.
20. All required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)
21. Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
22. The turning radius for fire department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4) and shall provide fire lane signage on fire access drives.
23. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
24. Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
25. Security gates which span across a fire access road shall provide a means for emergency operation. Electric gates shall require a siren sensor device typically referred to as a “yelp gate” (IFC-2018 § 503.6).
26. 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)
27. Buildings which have an occupiable floor greater than 75 feet above grade shall meet high-rise requirements. (IFC 2018 Sec 914.3)
28. Shared utilities should be in a common element and covered by a covenant.
29. 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 prior to issuance of any building permits, and the developer secure permits to construct any improvements required by the Kansas City Water Services Department prior to issuance of any certificate of occupancy.
30. A full flow fire meter shall be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.

31. 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.
32. No water service line will be less than 1-1/2" in diameter where three or more units or commercial building will be served by one domestic service line and meter.
33. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
34. 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.
35. The developer shall submit water main extension plans for the design and construction of public fire hydrants along the frontage of the project with Hardesty Avenue and Independence Avenue to meet 300' maximum spacings. Fire hydrants shall be installed and in place prior to a building permit issuance. The plans and construction shall follow Kansas City Water's rules and regulations for water main extensions.
36. According to the Kansas City, Missouri Water GIS map the existing water distribution system includes 12" and 10" water mains in Independence Avenue and Hardesty Avenue, respectively. The size and available flow of these mains will need to be confirmed. A comparative analysis of the field measured flows and pressures and the new developments demands for fire and domestic flows will need to be completed. Additional water main improvements are not anticipated, however, if the analysis shows a deficiency, then water distribution system improvements will be necessary.
37. Per 88-425-13 an administrative adjustment is approved to site 10 street trees along Hardesty Avenue in lieu of 42 trees for native landscaping islands throughout the campus, per approved landscape plan attached.
38. All trails to satisfy the parkland dedication requirements of the development shall be constructed of concrete, a minimum of 7' in width, and meet the Parks and Recreation construction standards.
39. Any changes to the private open spaces used to meet parkland dedication requirements and shall be assessed and reviewed by the Parks Department.
40. Prior to release of final plat, the developer shall submit final plans showing how the spaces will be activated for each of the areas used to satisfy the parkland dedication requirements.
41. The developer shall identify pedestrian scale lighting on the walking trail to improve night time natural surveillance in the final UR plan.
42. The developer shall provide standard operating characteristics including but not limited to: security measures, lighting, hours of operation, noise, access requirements (key card/code access) on a unique plan sheet in the final UR plan.

A copy of said development plan, with associated 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 development plan, with associated preliminary plat, described above is hereby approved with the following deviations from Chapter 88, Code of Ordinances:

1. A deviation to 88-430-05-C Spillover Light requirements to approve the Historic Northeast Lofts Campus Photometric Plan.
2. A deviation to the Independence Corridor Overlay District to permit a soundwall 12'- to 16' in height.

Section D. 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.

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