



# CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri  
City Planning & Development Department  
[www.kcmo.gov/cpc](http://www.kcmo.gov/cpc)

March 16, 2021

## Project Name

Katz on Main

## Docket #10 Request

CD-CPC-2020-00207  
Rezoning to UR with Preliminary  
Development Plan

## Applicant

Chris Armer  
Hoefler Wysocki

## Owner

Redeemer Fellowship

Location 3948 Main St and  
3949 Baltimore Ave

Area About 1.25 acre

Zoning B3-2 (Main St.  
Overlay)

Council District 4<sup>th</sup>

County Jackson

School District KCMO 110

## Surrounding Land Uses

**North:** zoned B3-2, commercial retail and  
restaurant uses

**South:** zoned B3-2, commercial office  
uses

**East:** zoned B3-2, commercial office  
uses

**West:** zoned B3-2, commercial retail and  
office uses

## Major Street Plan

The City's Major Street Plan classifies Main St as a Commercial/Mixed Use Street requiring 80ft of right-of-way. This section of Main St will be part of the Streetcar expansion. Westport Rd and W 40<sup>th</sup> St are not listed on the Major Street Plan.

## Land Use Plan

The Midtown Plaza Area Plan adopted by Resolution No. 150899 on January 7, 2016, recommends Mixed Use Community land use for the subject property.

## APPROVAL PROCESS



## NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

Notice of the public hearing was sent to the Heart of Westport Neighborhood Association and surrounding properties within 300 feet.

## REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request. The applicant held a public meeting on March 8, 2021, a summary of which is attached.

## EXISTING CONDITIONS

The site is currently home to the former "Katz Drug Store" with iconic clock tower. The rear/west side of the site is currently a surface parking lot.

## NEARBY DEVELOPMENTS

The site is generally surrounded by various commercial retail, office, and restaurant uses along Main St. and from the Westport area. Immediately adjacent to the site most of the surrounding structures are between 1 and 2 stories, with the exception of a few multi-story multi-family residential just to the north on the east side of Main St.

## SUMMARY OF REQUEST

The applicant is proposing a Rezoning from District B3-2 to District UR with companion UR Preliminary Development Plan to rehabilitate the historic Katz Drugstore and construct approximately 192 multi-family residential units with parking garage.

## KEY POINTS

- The Katz Drugstore will be retained and reutilized as an amenity space for the multi-family residential units, including rooftop amenities, and 2 commercial tenant spaces.
- The parking lot will be converted into 192 multi-family residential units with below grade parking garage.

## PROFESSIONAL STAFF RECOMMENDATION

Docket #10 Recommendation  
City Planning and Development Staff recommend approval with conditions.

## CONTROLLING CASE

**Case No. 250-S-111** – On January 5, 2007, the City Council approved Ordinance No. 070028 designating Katz Drugstore as a local historic landmark.

## RELATED RELEVANT CASES

**Case No. CD-CPC-2019-00179** – On December 19, 2019 the City Council approved Resolution No. 190989 adopting an amendment to the Midtown Plaza Area Plan to incorporate the Westport District Master Plan.

## PLAN REVIEW

The applicant is requesting a rezoning to UR (Urban Redevelopment) in order to construct approximately 192 multi-family units on the site of and constructed immediately adjacent to the historic Katz Drugstore, located at the southwest corner of Main St. and Westport Rd., one block south of a planned streetcar stop planned for the intersection of 39<sup>th</sup> St. and Main St. The applicant is proposing one level of underground parking, providing 165 automobile parking spaces. Access to the garage is to be provided off of W 40<sup>th</sup> Street on the rear of the building. Trash and recycling pickup will also occur on W 40<sup>th</sup> Street.

The existing, historic Katz Drugstore building is to remain and is planned to house a mix of uses including resident amenities, and potential office and commercial/restaurant use. The proposed seven-story building is planned to compliment but not draw attention away from the existing historic Katz building. There are to be six floor of residential units, with the top floor having two-story units. The building as proposed is primarily grey brick with metal architectural panels and balconies. Pedestrian access is planned for the north façade, facing Westport Road, Residential amenities, including a pool, are planned for the roof of the Katz building.

## Requested Deviations

The plan does not stipulate or request any deviations.

## Use-Specific (88-300) and Development Standards (88-400)

Standards	Applicability	Meets	More Information
<i>Boulevard and Parkway Standards (88-323)</i>	NO	N/A	
<i>Parkland Dedication (88-408)</i>	YES	YES	See conditions from KC Parks attached
<i>Parking and Loading Standards (88-420)</i>	YES	YES	The Main Street Overlay requires 0 parking at this site; however the applicant is providing 165 spaces.
<i>Landscape and Screening Standards (88-425)</i>	YES	YES	See conditions attached
<i>Outdoor Lighting Standards (88-430)</i>	YES	YES	
<i>Sign Standards (88-445)</i>	YES	NO	See plan analysis and conditions attached
<i>Pedestrian Standards (88-450)</i>	YES	YES	

## PLAN ANALYSIS

In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city plan commission and city council must consider at least the following factors:

### **88-515-08-A.** conformance with adopted plans and planning policies;

This plan conforms to many of the adopted plans and policies. The developer is providing significantly more parking than is required by code (0 required), which is neither required nor aligned with the goals of the Main Street Overlay.

**88-515-08-B.** zoning and use of nearby property;

Nearby properties are primarily commercially zoned, and there is a mix of commercial and residential (multi-family) uses in the area. This redevelopment is planned to be mixed-use, which is compatible with the area as well as in conformance to the Main Street Overlay and Midtown/Plaza Area Plan.

**88-515-08-C.** physical character of the area in which the subject property is located;

This is a fairly dense commercial node along the Main Street corridor. The buildings along in the area all maintain a zero-lot line and consist of multiple-story commercial buildings.

**88-515-08-D.** whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

Utilities and infrastructure will be brought to City Standards, subject to the conditions in the attached report.

**88-515-08-E.** suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;

The current zoning designation, B3-2 would allow for this use; the developer plans to utilize the existing Westport PIEA, which requires a rezoning of the property to UR (Urban Redevelopment).

**88-515-08-F.** length of time the subject property has remained vacant as zoned;

The property has been under-utilized for a number of years, with businesses occasionally occupying the space unsuccessfully.

**88-515-08-G.** the extent to which approving the rezoning will detrimentally affect nearby properties; and

The rezoning is not expected to detrimentally affect nearby properties. The plan calls for the addition of nearly 200 new residential units, which will bring more population density to the area, in line with the goals of the City and its governing policies.

**88-515-08-H.** the gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

A denial of the application would not allow the developer to utilize the existing PIEA tax incentives, limiting the ability of the developer to complete this project.

**PROFESSIONAL STAFF RECOMMENDATION**

Staff recommends Approval Subject to the Corrections and Conditions as reflected in the attached Plan Correction Report and Plan Conditions Report.

Respectfully Submitted,

Jamie Hickey and Christopher Hughey, AICP

Lead Planners



## Plan Conditions & Corrections Report

Recommended to City Council  
Recommended by City Plan Commission

Report Date: March 29, 2021  
Case Number: CD-CPC-2020-00207  
Project: Katz on Main

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### Plan Corrections

*Correction(s) by Land Development Division of the City Planning and Development Department. Contact Stacey Lowe at 816-513-2552 / stacey.lowe@kcmo.org with questions.*

1. Comment letter states that the driveway along 40th Street was narrowed to 30 feet per staff recommendations. Site plan does not reflect this change and appears to match the previous layout. Update the site plans accordingly to show the intended width of the entrance. (2/25/2021)

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### Plan Conditions

*Condition(s) by City Planning and Development Department. Contact Brad Wolf at 816-513-2901 / Bradley.Wolf@kcmo.org with questions.*

2. The developer shall obtain a Certificate of Appropriateness from the Historic Preservation Commission (1/20/2021)
3. Design Comments: 1. No recommended changes to the design of the Westport, West 40th Street and Baltimore Avenue facades. 2. Railing around roof of original Katz building should be as transparent as possible. 3. The new glazing systems for the original Katz building storefront should match the original configuration as closely as possible. 4. Reduce height of roof structure above outdoor seating area on new building so not to compete with existing tower on Katz building. (1/25/2021)

*Condition(s) by City Planning and Development Department. Contact Jamie Hickey at 816-513-8816 / Jamie.Hickey@kcmo.org with questions.*

4. The developer shall secure approval of a final development plan from Development Management Division staff prior to building permit. (1/20/2021)
5. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat. (1/20/2021)
6. The developer shall secure approval of a streetscape plan from Development Management Division staff prior to building permit. The plan shall include all vertical and horizontal obstructions within and adjacent to the right-of-way along the project frontage including but not limited to signage, sidewalks, driveways, landscaping, etc. and shall demonstrate compliance with applicable policies and regulations. (1/20/2021)
7. All signage shall comply with 88-445 and be permitted separately from this process. (2/11/2021)
8. Clearly delineated pedestrian path from sidewalk to front of building shall be provided. (2/11/2021)
9. Signage shall be approved through this process or must comply with 88-445. Signs not permitted through the UR Plan process which do not conform with 88-445 shall require a variance. (2/25/2021)
10. If structural analysis finds the Katz roof to not support amenity space, including pool, a Major Amendment to the UR plan shall be filed. (2/25/2021)

*Condition(s) by City Planning and Development Department. Contact Stacey Lowe at 816-513-2552 / stacey.lowe@kcmo.org with questions.*

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. 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. (1/12/2021)

*Condition(s) by City Planning and Development Department. Contact Stacey Lowe at 816-513-2552 / stacey.lowe@kcmo.org with questions.*

12. That the south half of Westport Road shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first. (1/12/2021)
13. Please note that any proposed on-street parking shall be approved by the Public Works Department prior to the issuance of a permit from Land Development for construction. Requests for on-street parking require review by Public Works staff during the plan review process. (1/12/2021)
14. 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, as amended, commonly known as the Development Regulations. (1/12/2021)
15. The developer must 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. (1/12/2021)
16. That the east half of Baltimore Street shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first. (1/12/2021)
17. 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. (1/12/2021)
18. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat. (1/12/2021)
19. The developer must 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 Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first. (1/12/2021)

*Condition(s) by Fire Department. Contact Michael Schroeder at 816-513-4611 / michael.schroeder@kcmo.org with questions.*

20. • Fire hydrant distribution shall follow IFC-2018 Table C102.1 (1/20/2021)
21. • The expectation is the project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1) (1/20/2021)
22. • 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) (1/20/2021)
23. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 40 feet (12 192mm) in height above the lowest level of fire department vehicle access. Such standpipes shall be provided with fire department hose connections at locations adjacent to stairways complying with Section 3311.1. As construction progresses, such standpipes shall be extended to within one floor of the highest point of construction having secured decking or flooring. (IFC-2018 3313.1) (1/20/2021)

*Condition(s) by Parks & Recreation. Contact Justin Peterson at 816-513-7599 / Justin.Peterson@kcmo.org with questions.*

24. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way. (1/25/2021)
25. 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 (2020) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to certificate of occupancy. (1/25/2021)

*Condition(s) by Public Works Department. Contact Jeffrey Bryan at 816-513-9865 / Jeffrey.Bryan@kcmo.org with questions.*

26. The maximum width of a standard driveway is 30'. Please submit a turning template showing the turning movement for the largest vehicle for the proposed driveway on 40th Street. (2/23/2021)

*Condition(s) by Public Works Department. Contact Jeffrey Bryan at 816-513-9865 / Jeffrey.Bryan@kcmo.org with questions.*

27. It appears a garbage truck will need to back up to the trash enclosure. Public Works does not support backing up in the public right-of-way. (2/23/2021)

*Condition(s) by Water Services Department. Contact Jerald Windsor at 816-513-2904 / Jerald.Windsor@kcmo.org with questions.*

28. Follow the KCMO Rules and Regulations for domestic water and fire service lines.  
(<https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Service-Lines.pdf>)  
(1/20/2021)
29. The developer must submit water main extension drawings prepared by a registered professional Engineer in Missouri to the main extension desk for review, acceptance and contracts per the KC 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>)  
[This for the proposed Water Main shown on the Plans on Baltimore between Westport Road and 40th St - note Not labeled on the Development Plan]  
{Note the results of the analysis may require additional Water MAINS} (3/04/2021)
30. 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 mains systems, making other improvements may be required. Analysis must include proposed high rise capacities. (Westport Road Main that proposed connections are connecting too) (3/04/2021)