



## Legislation Details (With Text)

**File #:** 220604      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Passed  
**File created:** 7/11/2022      **In control:** Council  
**On agenda:** 7/14/2022      **Final action:** 7/21/2022  
**Title:** Approving a development plan in District DC-15 (Downtown Core) on approximately 1.37 acres generally located at 423 W. 8th Street to allow for an existing structure to be rehabilitated and a new residential structure to be located on the property. (CD-CPC-2021-00164)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CD-CPC-2021-00164 Fact Sheet, 2. 1\_CD-CPC-2021-00164-StaffReport, 3. 2022-06-30 Fashionbilt Development Plan\_v4 (1), 4. CD-CPC-2021-00164 - City Council PPT, 5. Authenticated Ordinance 220604

Date	Ver.	Action By	Action	Result
7/21/2022	1	Council	Passed	Pass

### ORDINANCE NO. 220604

Approving a development plan in District DC-15 (Downtown Core) on approximately 1.37 acres generally located at 423 W. 8th Street to allow for an existing structure to be rehabilitated and a new residential structure to be located on the property. (CD-CPC-2021-00164)

### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District DC-15 (Downtown Core) on approximately 1.37 acres generally located at 423 W. 8th Street, and more specifically described as follows:

Tract A, as shown on the Certificate of Survey filed December 18, 1995, as Document No. K-1225343, in Book S-5, page 46, described as follows: All of Lots 8 through 12, inclusive, and all of Lots 15 through 17, inclusive and that part of Lots 7, 14, and 18, together with that part of the vacated north-south alley, lying east of and adjacent to the east line of said Lots 7 through 12, inclusive, all in Block 2, Lucas Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, being more particularly described as follows: Beginning at the point of intersection of the south right-of-way line of 8th Street with the east right-of-way line of Washington Street, as both streets are now established; thence east along said south right-of-way line, a distance of 120.61 feet (121 feet plat) to a point on the east line of said Lot 7, thence south along said east line and along a jog in said south right-of-way line, a distance of 22 feet; thence east along a line, 16 feet north of and parallel with the south line of said Lot 18, and along the south right-of-way line of said 8th Street, a distance of 129.78 feet (133 feet plat) to a point of intersection with the west right-of-way line of Bank Street, as now established, being also a point on the east line of said Lot 18; thence south along said west right-of-way line and along the east line of said Lots 18 through 14, a distance of 212.27 feet; thence west along a straight line, 46.15 feet distant south of and parallel with the north line of said Lot 14, a distance

of 60.95 feet; thence north along a straight line 60.95 distance west of and parallel with the east line of said Lot 14, a distance of 21.25 feet to a point on the south line of the north half of said Lot 14; thence west along said south line and its westerly prolongation, a distance of 62.15 feet to a point of intersection with the centerline of a 12 foot wide vacated alley, thence south along said vacated alley centerline.

is hereby approved, subject to the following conditions:

1. Mechanical equipment and utility cabinets shall comply with 88-425-08-B and 88-425-08-D.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
3. Changes to existing lighting are not proposed, all outdoor lighting must comply with 88-430.
4. No signage plan provided. All signage must comply with 88-445 and subject to sign permits.
5. The brick and limestone elements along the West 8th Street façade of the parking garage are the remnants of the Maxwell- McClure Dry Good Building, built in 1906. Staff would recommend retaining those elements in the new development as they contribute to the streetscape along West 8th Street, which is part of the Wholesale Historic District.
6. The buildings shall comply with all requirements of wall rating and opening protection per 602 and 705.8 of International Building Code 2018 edition with respect to property lines and lot lines.
7. The developer shall address requirements for accessible entrances per 1105 of International Building Code 2018.
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 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.
10. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
11. 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.
12. 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 the 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.

13. 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.
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. Please note that any proposed on-street parking shall be approved by the Public Works Department prior to the issuance of a permit from the Land Development Division for construction. Requests for on-street parking require review by the Public Works staff during the plan review process.
16. 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.
17. 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.
18. 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.
19. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department 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.

20. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
21. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
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)
23. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
24. The developer must have Reg # 31574 to be killed to bring service lines up to current rules and regulations.
25. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
26. The developer must either move the proposed driveway or submit fire hydrant relocation plans to move Fire Hydrant H-24 located along 8th Street between Washington Street and Broadway Boulevard on the south side of 8th Street. The fire hydrant plans shall be prepared by a registered professional engineer in Missouri. The plans shall be submitted to the water main extension office for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.

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 B. 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 Ordinance 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  
Senior Associate City Attorney