



## Legislation Text

File #: 210285, Version: 1

### ORDINANCE NO. 210285

Rezoning an area of about 1.25 acres generally located at the southwest corner of Main Street and Westport Road from District B3-2 to District UR, and approving a development plan for an approximately 192 multi-family building and parking garage.  
(CD-CPC-2020-00207)

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-1271, rezoning an area of approximately 1.25 acres generally located at the southwest corner of Main Street and Westport Road from District B3-2 (Community Business - 2) to District UR (Urban Redevelopment). (CD-CPC-2020- 00207), said section to read as follows:

Section 88-20A-1271. That an area legally described as:

Parcel 1: Kearney Heights - Lots 5-6 & pt Lot 7 daf: beg nw cor Kearney Heights Lot 7 ne alg s li Westport Rd 70.29' to tru pob cont ne 230.17' th ri curv rad 50' th s alg w li Main St 156.66' th sw 160.37', th nw 149.2' to tru pob.

Parcel 2: Kearney Heights beg at a pt on th s li Kearney Heights 171.75' w of sly prolong of cen li of Main St n of Westport Ave th n alg li parl to sly prolong cen li Main St 109.6' th nwly alg li at ri ang to ely prolong of cen li Westport Ave 160' to pt in sly li Westport Ave th wly 126.61' th wly 123.39' to ely li land owned by St Paul's Protestant Episcopal Church th sely 115.36' th e alg s li Kearney Hgts 226.65' to pob. ex pt ly w of Baltimore Ave & pt in st being Lots 7-8-9 part of 10 and part of Lot "A" Kearney Hgts.

is hereby rezoned from District B3-2 (Community Business - 2) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1271, 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 shall update the site plans to show that the driveway along 40th Street was narrowed to 30 feet.

1.       2.       The developer shall obtain a certificate of appropriateness from the  
Historic Preservation Commission.
3.       Railing around roof of original Katz building should be as transparent as possible.
4.       The new glazing systems for the original Katz building storefront should match the original configuration as closely as possible.
5.       The developer shall reduce height of the roof structure above outdoor seating area on new building so not to compete with existing tower on Katz building.
6.       The developer shall secure approval of a final development plan from the Development Management Division prior to issuance of a building permit.
7.       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.
8.       The developer shall secure approval of a streetscape plan from the Development Management Division staff prior to issuance of a 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, and shall demonstrate compliance with applicable policies and regulations.
9.       All signage shall comply with Section 88-445 and be permitted separately from this process.
10.      Clearly delineated pedestrian path from sidewalk to front of building shall be provided.
11.      If structural analysis finds the Katz roof to not support amenity space, including pool, a Major Amendment to the UR plan shall be filed.
12.      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.
13.      The south half of Westport Road shall be improved to City standards as required by Chapter 88, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.

14. Any proposed 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 Department staff during the plan review process.
15. 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.
16. 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.
17. The east half of Baltimore Street shall be improved to City standards as required by Chapter 88, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
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 developer shall 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.
21. Fire hydrant distribution shall follow IFC 2018 Table C102.1.
22. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC 2018 § 507.1)
23. 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)
24. 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)

25. The developer shall submit a streetscape plan with street tree planting plan per Section 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.
26. 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 a certificate of occupancy.
27. The maximum width of a standard driveway is 30 feet. Please submit a turning template showing the turning movement for the largest vehicle for the proposed driveway on 40th Street.
28. It appears a garbage truck will need to back up to the trash enclosure. The Public Works Department does not support backing up in the public right-of-way.
29. The developer shall follow the Kansas City, Missouri rules and regulations for domestic water and fire service lines.
30. The developer shall 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 Kansas City water rules and regulations for water main extensions and relocations.
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 mains systems, making other improvements may be required. Analysis must include proposed high rise capacities.

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.

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

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Assistant City Attorney