



City Planning & Development Department

Development Management Division

15th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106-2795

816 513-8801
Fax 816 513-2838

CPC STAFF REPORT

April 16, 2019

(8 a & b)

RE: a) **Case No. CD-CPC-2019-00054**
b) **Case No. CD-CPC-2019-00021**

APPLICANT: James Scott AIA AICP
Scott Associates
610 East 65th Terrace
Kansas City, MO 64131

AGENT: Rediscover
901 NE Independence Ave
Lee's Summit, MO 64086

LOCATION: Generally bordered by E. Linwood Boulevard on the north, E. 33rd Street on the south, Michigan Avenue on the east and Woodland Avenue on the west.

AREA: Approximately 3 acres

REQUESTS: a) **Case No. CD-CPC-2019-00054** – To consider amending the Heart of the City Area Plan by changing the recommended land use on about 3 acres from Low-Density residential to Medium-High Density residential.

b) **Case No. CD-CPC-2019-00021** – To consider rezoning the 3-acre tract of land from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), for the purpose of amending the UR plan to allow for a 4-story, 32 unit multi-family residential development in addition to the existing structures and uses.

SURROUNDING

LAND USE: **North:** zoned R-0.5/ R-1.5, Lawrence A. Jones & Sons Funeral Home.
South: zoned R-2.5/ B1-1, multifamily residences & single family residences.
East: Bruce R. Watkins Drive.
West: zoned R-1.5/ R-0.5 & B1-1, single family residences.

LAND USE PLAN: The Heart of the City Area Plan adopted on April 21, 2011, by Resolution No. 110159 recommends low-density residential land use for this parcel. The proposed plan is not consistent

with the future land use recommendation which necessitates an area plan amendment.

MAJOR STREET PLAN: The City's Major Street Plan classifies Linwood Boulevard as a "4-lane through Street" with two through lanes in each direction, and an established boulevard under the jurisdiction of the Parks and Recreation Department. Bruce R. Watkins Drive is classified as a freeway.

ARTERIAL STREET

IMPACT FEE:

(Informational only)

Benefit District: Within an exempt district.

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED:

Boston Heights and Mount Hope Neighborhood Associations, Ivanhoe Neighborhood Council, Key Coalition Neighborhood Association and Paseo Height Neighborhood Association are registered with the city.

KEY POINTS:

This is an amendment to a current approved UR plan. The subject property is on the National Registry but not on the local registry.

NEARBY DEVELOPMENTS:

The 39th Street Gateway Project at the northeast corner of E. 39th and Euclid Avenue by the Ivanhoe Neighborhood Council is currently under construction.

PREVIOUS & RELATED CASES:

Case No. 13299-URD-AA-2 – On September 8, 2014, the director of City Planning and Development approved an administrative minor amendment to the UR Plan for Linwood Place Development located at 3210-3240 Michigan Avenue, 1801 Linwood Boulevard, and 3223-3227 Woodland Avenue.

Case No. 13299-URD-1 - To consider the approval of a final plan on approximately 3.58 acres generally located south of Linwood Boulevard, west of Michigan Avenue, east of Woodland Avenue, and north of East 33rd Street in District URD (Urban Redevelopment District). On February 21, 2006 the City Plan Commission **DISMISSED** this case due to the application's lack of merit.

Case No. 385-S-12 – Resolution No. 050509 adopted by City Council on May 19, 2005, amended the Oak Park North Area Plan by changing the Land Use Plan and Map for an area of approximately 3.5793 acres generally located south of Linwood Boulevard, west of Michigan Avenue, east of Woodland Avenue, and north of East 33rd Street, from medium density residential uses to mixed.

Case No. 13299-URD – Ordinance No. 050510 passed by City Council on May 19, 2005 rezoned approximately 3.6 acres generally located south of Linwood Boulevard, west of Michigan Avenue, east of Woodland Avenue, and north of East 33rd Street from Districts R-5, R-4, R-2b and C-1 to District URD (Urban redevelopment district) and approval of a development plan to allow for a daycare and offices in the existing Linwood Presbyterian Church Sanctuary building, to allow for the construction of a 3-story clinic/group home to the west of the Linwood Presbyterian Church Sanctuary building, to allow for the existing Harold Thomas Center to remain and to allow for its use as offices, to allow for the construction of a 1-story group home north of the Grace Spiritual Temple building, to allow for an existing clinic to remain within the Grace Spiritual Temple building, to allow for an existing 2 ½ story residential structure to remain at 3240 Michigan Avenue and to allow for its use as a group home, and to allow for the construction of a 150 space parking lot.

EXISTING CONDITIONS:

The approximately 3 acre site is located on the west side of Michigan Avenue and Bruce R. Watkins Drive, south of Linwood Boulevard, north of East 33rd Street and east of Woodland Avenue. The subject consists of the Linwood Presbyterian Church sanctuary, the Harold Thomas Center and several vacant parcels. There is an existing parking lot along Woodland Avenue.

The intersection of Linwood Boulevard and Michigan Avenue/ Bruce R. Watkins Drive is controlled by a traffic signal. The remainder of the intersections adjacent to the subject site is controlled by 2-way stop signs. The surrounding public streets are improved with sidewalks, curbs and gutter. Surrounding land uses include; Lawrence A. Jones & Sons Funeral Home to the north, mixed use commercial and residences to the south, and single family residences to the west. To the east is Michigan Avenue, a one-way due south that leads to the on-ramp onto Bruce R. Watkins Drive.

PLAN REVIEW & ANALYSIS:

Case No. CD-CPC-2019-00054 is a request to amend the Heart of the City Area Plan by changing the recommended land use on about 3 acres in an area generally bordered by E. Linwood Boulevard on the north, E. 33rd Street on the south, Michigan Avenue on the east and Woodland Avenue on the west, from Low-density residential to Medium-High Density residential.

Historic Preservation/ Landmark comments:

The site is on the national registry but not locally listed, so it will not require review from the Historic Preservation Commission. The applicant is completing the environmental review due to the use of HUD funds and the project will complete a Section 106 review as part of that

process.

Long Range Planning & Preservation Division Comments:

Background

In 2012, the property located at 1801 Linwood Boulevard and 3212 Michigan Avenue was listed on the National Register of Historic Places. It was the former Linwood Presbyterian Church and Home for Convalescent Employed Women. In the early 1920s, there was a plan to include a church, children's home, a nurse's home, hospital, administration building and a working girl's home. The plan was not fully completed. The new owners of the properties are a non-for-profit who provides social services to the public. This new project includes adding a multi-family affordable housing within the UR District.

Compliance with Area Plan

The proposed project is located in the Heart of the City Area Plan adopted by resolution 110159 on April 21, 2011. The area plan recommends low-density residential for the area. Staff recommended that the area plan be amended to ensure that the land use proposed by UR plan amendment is compatible with the Heart of the City Area Plan future land use recommendation. This will allow for the density proposed by the development plan. Staff supports the proposed area plan amendment and recommends approval without condition.

Design Guidelines

UR Districts generally include design guidelines for the development and sets the type of land uses which will occur with the project. The following are design guidelines recommendations from the Heart of the City Area Plan:

1. Show a primary entrance facing and directly accessible from Michigan Avenue.
2. Show building with a pedestrian entrance accessible directly from the adjacent street of Michigan Avenue.

Staff recommends that the plan be revised to add these features.

URD Plan Review (Case No. CD-CPC-2019-00021):

The current plan approved by Ordinance No. 050510 passed by City Council on May 19, 2005, allows for approximately 93,000 square foot of mixed uses with 151 parking spaces within 5 structures in 3 phases. The developer is requesting to rezone the 3 acre parcel from District UR to District UR for the purpose of amending the existing UR plan to allow for a 4-story, 32 unit multi-family residential development in addition to the existing structures and uses. This amendment is to Phase 2 of the UR plan. Phase 3 of the original UR plan will remain the same until amended or deleted from the UR plan via a rezoning. The plan proposes replace the current surface detention area and provide an underground system.

The plan allows for the existing Linwood Presbyterian Church sanctuary, the Harold Thomas Center and the link building to remain while allowing for the construction of a

new 4-story multifamily residential building along Michigan Avenue. The building is proposed to be about 35,000 square feet with 32 units. The building is proposed to be setback about 7.5 feet from Michigan Avenue and about 27 feet from the parking lot to the south. The plan proposes a new parking lot south of the proposed building with access off Michigan Avenue. There are 32 parking spaces which meets the requirement of the zoning and development code. Staff recommends that the 15 compact parking spaces be changed to full length or angle parking spaces. The plan also shows 6 foot high privacy fences around the parking area. Staff recommends that the fence be shown on the face of the plan.

The building is proposed to be constructed of three tones of brick. The building will use red, brown and tan bricks to provide contrast and dimension to the building. The plan shows aluminum windows and storefront systems. The entry to the building is located on the south elevation which shows a standing seam metal roof with brick columns. Staff requests that additional architectural features including an entrance, be oriented towards Michigan Avenue as recommended by the Heart of America Area Plan guidelines. The two existing buildings have entrances on Michigan Avenue, but the new building completely turns its back to the street. Staff will continue to work with the developer prior to City Council action.

The applicant submitted a preliminary landscape plan that shows the minimum required street trees per the zoning and development code. A more detailed landscape plan will be required with the final UR plan. The submitted plan did not include any signage or lighting plan. Staff recommends that the signage plan that meets the requirements of Chapter 88-445 and a lighting plan that meets the requirement of 88-430 be submitted as part of the final plan approval.

The developer is required to submit a final plan to the Director of City Planning and Development for approval including building elevations showing material for construction, plans for landscaping, grading, screening, berming, fencing for private open space tracts containing detention areas, pedestrian pathways, pool/ clubhouse, fencing, playground equipment, etc.; and building elevation and materials for the pool/ clubhouse. Phase 1 final UR plan will be approved by the Director of City Planning and Development prior to issuance of building permit.

88-515-08-A. Review Criteria

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;

Staff Response: The Heart of the City Area Plan adopted on April 21, 2011, by Resolution No. 110159 recommends low-density residential land use for this parcel. The proposed plan is not consistent with the future land use recommendation which necessitates an

area plan amendment.

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

Staff Response: All the surrounding properties are compatible with the proposed zoning and uses.

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

Staff Response: The physical character of the area is urban in nature. The single family residences to the west are further from the proposed structures.

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

Staff Response: The subject property is adequately served by public facilities.

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

Staff Response: The property is currently zoned UR. The rezoning to UR district is only for the purpose of amending the plan to allow for the multifamily residential structure.

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

Staff Response: This portion of the site was platted with single family residences, and used as a detention facility after 2014.

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

Staff Response: The proposed rezoning to UR (Urban Redevelopment) requires concurrent approval of a preliminary development plan which controls certain characteristics of the proposed development such as use, density, building height, etc.

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.

Staff Response: Denial of the request would not result in any gain to the public health, safety or welfare. The current UR development plan allows for the redevelopment of the site.

Parkland Dedication:

According to Chapter 88-408 of the Zoning and Development Code, the developer can dedicate land for public park, provide open space for park purposes or provide money in lieu of parkland dedication. The development is providing a need for the following:

$$\begin{aligned} 32 \text{ multi-family lots} \times 2 \times 0.006 &= 0.38 \text{ acres} \\ 0.38 \text{ acres} \times \$39,617.49 \text{ (2019 fee)} &= \$15,213.12 \end{aligned}$$

The developer can either dedicate 0.38 acres of parkland or contribute \$12,213.12 in lieu of parkland dedication for the 32 multifamily units in satisfaction of Chapter 88-408 of the Zoning and Development Code.

RECOMMENDATIONS:

- a) City Planning and Development Department staff recommends approval of **Case No. CD-CPC-2019-00054** without condition.

- b) City Planning and Development Department staff recommends approval of **Case No. CD-CPC-2019-00021** based on the application, plans and documents provided for review prior to the hearing and subject to the following conditions:

Condition Nos. 1. - 5. per City Planning & Development, Development Management Division (Olofu Agbaji, Olofu.Agbaji@kcmo.org)

1. That one (1) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri State Plane coordinate system) of all submitted sheets, revised as noted, be submitted to Development Management staff (15th Floor, City Hall) prior to ordinance request showing:
 - a. ~~Replacement of the 15 compact parking spaces be changed to full length or angle parking spaces. The plan also shows 6 foot high privacy fences around the parking area.~~
 - b. The fence on the face of the plan.
 - c. Provide pictorial inventory of all proposed building materials.
 - d. The building revised to show architectural enhancement on the east elevation (Michigan Avenue) per staff approval. ~~a primary entrance facing and directly accessible from Michigan Avenue. The main entrance should be facing Michigan not the interior of the property. The existing buildings to the north have a primary entrance from Michigan.~~
 - e. ~~The building revised to show a building with a pedestrian entrance accessible directly from the adjacent street of Michigan Avenue. This can be achieved by repositioning the building with the entrance facing east, the play area facing south or north.~~
 - f. The drawings must show and label domestic water and fire service lines.
 - g. The entire UR zoning district boundary with approved uses including Phase 3 to the south.

2. That the developer continue to work with City Planning and Development staff as it relates to the architecture of the building and submits revised plans reflecting this.

3. That the developer submit a Final UR Plan to the Director of City Planning and Development for approval, indicating plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero foot candles at the property lines prior to issuance of building permit.
4. 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.
5. That the developer submit written confirmation of compliance from the EDC staff to DMD stating that this proposed UR plan amendment is in compliance with the current approved LRCA plan of record prior to ordinance request.

Condition Nos. 6. - 12. per City Planning & Development, Land Development Division (Lucas Kasper, lucas.kasper@kcmo.org)

6. The developer must integrate into the existing street light system any relocated existing street lights within the street right of way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
7. 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 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, 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 occupancy permits.
8. 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.

9. The owner/developer must submit plans for grading, siltation, and erosion control to 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.
10. The developer shall submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage when necessary, and construct associated ADA ramps.
11. The developer must 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
12. 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 private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.

Condition No. 13. per Water Services Department (Robert Davis, robert.davis@kcmo.org)

13. The developer shall submit a Storm Drainage analysis, from a Missouri-licensed civil engineer, 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 by releasing any remaining stormwater volume over a 42 to 72 hour period that has not infiltrated or evaporated or used in some other manner. Manage the 10% storm and 1% storm per the latest adopted version of APWA 5600 standards. The analysis shall be submitted and approved prior to constructing any improvements required.

Condition Nos. 14. – 16. per Water Services Department (Mark Griffin, mark.griffin@kcmo.org)

14. Domestic water and fire service lines must be brought in compliance with current KCMO Rules and Regulations for Water service lines.
15. A professional engineer must submit signed and sealed fire flow test calculations and depending on the height of the building and the fire flow capacity,

determine whether two fire service lines from water mains located in different streets maybe required.

16. 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.

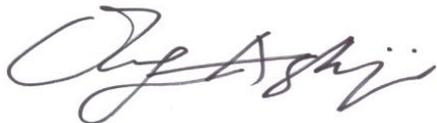
Condition Nos. 17 – 21 per Parks and Recreation Department (Jimmi Lossing, jimmi.lossing@kcmo.org)

17. 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 of Woodland Ave, Michigan Ave and E. Linwood Boulevard.
18. The developer shall submit plans to Parks & Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and street lighting) on Linwood Boulevard, a Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks & Recreation Department Standards
19. The developer shall submit a letter to the Parks and Recreation Department from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along Linwood Boulevard, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed. 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 Parks and Recreation Department, prior to recording the plat/issuance of any certificate of occupancy permits including temporary certificate occupancy permits
20. That the developer dedicate parkland or contribute money in lieu of parkland dedication for any new residential building in satisfaction of Chapter 88-408 of the Zoning and Development Code. The fees shall be paid prior to recording of the final plat or issuance of building permit. Money in lieu of parkland for 2019 shall be based on the following formula:
$$(32 \text{ multi-Family Units}) \times (2.0 \text{ persons per unit}) \times (0.006 \text{ acres per person}) \times$$

(\$39,617.49 per acre)

21. Provide the following language on the plat: PAYMENT IN LIEU OF PARKLAND: The developer elects to pay the City of Kansas City, Missouri, a sum of \$_____ in lieu of required parkland dedicating for (# single family units, duplex units, multi-family units) pursuant to Section 88-408-C of the Zoning and Development Code. Revise & Resubmit

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Olofu O. Agbaji". The signature is fluid and cursive, with the first name being the most prominent.

Olofu O. Agbaji
Planner