

COMMUNITY PROJECT/REZONING

Ordinance Fact Sheet

Case Nos. 733-S, 675-S-7, and 14653-UR

Brief Title

17th & Madison Redevelopment

160376

Ordinance Number

Details

Location: Southwest corner of 17th & Madison.

Reason for Legislation: Seeking approval of a finding of blight and PIEA General Development Plan, amendment to the Greater Downtown Area Plan, and rezoning to District UR; all of which require City Council approval.

EXISTING CONDITIONS:

The subject property consists of two parcels divided by an east/west alley parallel and south of W 17th St. The parcel to the south of the alley is undeveloped and is approximately 0.4 acres in area. The parcel to the north is developed with 21,000 square foot, one-story warehouse and is approximately 0.6 acres in area.

REZONING & PRELIMINARY DEVELOPMENT PLAN: (Case 14653-UR)

The applicant is proposing to redevelop both properties with a 58,443 square foot mixed use development. The northern parcel is proposed to be developed with a three story, 46,483 square foot mixed use building (north building) with about 10,000 square feet of ground level nonresidential uses and 40 residential units behind and on the upper levels. A 60-space underground parking garage is proposed underneath this building. The southern parcel is proposed to be developed with a two-story, 8-unit residential building (south building). The residential building type proposed in both buildings is multi-unit residential (apartments). The developer intends to restrict the commercial uses permitted so that the proposed parking may accommodate them.

Parkland Dedication, 88-408

Parkland dedication or payment in lieu of dedication is required when residential uses are proposed. The plans propose a total of 48 units, which requires dedication of 0.576 acres of parkland. Staff recommends the developer make a payment in lieu of dedication using the 2016 acquisition rate. The amount due is estimated to be \$17,487.48, which is payable prior to building permit or recording of a final plat, whichever occurs first.

Parking Standards, 88-420

The plan propose a 60-space underground parking garage under the north building to be used for the tenants of the building (both residential and nonresidential). Forty apartments are proposed in this building, therefore, a minimum of 40 spaces within the garage are required for the residential component, leaving 20 spaces available for the nonresidential tenants. The developer has stated that they intend to restrict the nonresidential uses on the basis of their parking requirement. For instance, restaurants require substantially more parking than a general retail use. The plans propose administrative office and retail, however there

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	4 th District (Shields, Justus)
Applicants / Proponents	Applicants David Macoubrie, PIEA Austin Bradley, EPC Real Estate City Department City Planning & Development Other
Opponents	Groups or Individuals Some nearby residents Basis of Opposition Density, height, mass
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission (4-3) 05-03-2016 By Burnette, Crowl, Martin, and Macy (aye); Archie, Baker-Hughes, May (nay) <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

Continued from Page 1

are several other compatible uses (such as personal improvement service) with low parking requirements. Staff is recommending a condition related to this.

For the south building, rear-loaded garages are proposed for each of the 8 units along with four additional surface spaces behind the building.

The plan does not indicate the number, location or design of bicycle parking. This will need to be reflected on the final development plan and streetscape plan.

Landscape & Screening Standards, 88-425

The plan depicts street trees along both street frontages as well foundation plantings around the south building and screening west of the parking lot behind this building. The plan illustrates that the applicant intends to conform to applicable standards.

Lighting Standards, 88-430

A photometric study must be submitted with the final development plan. This study must conform to all applicable lighting standards.

Sign Standards, 88-445

A sign plan should be submitted with the final development plan. In lieu of that, the applicant may place a note on the plan stating that all signage is subject to a sign permit and shall conform to 88-445.

Pedestrian Standards, 88-450

The plans depict new sidewalks to be constructed along both 17th and Madison. The sidewalks will extend the entire width between curb and the building adjacent to the north building, however because the south building is setback from the street they will not in this location. It appears the intention is to comply with all relevant pedestrian standards. Staff is recommending a condition requiring approval of a streetscape plan to ensure this is the case prior to building permit.

Building Elevations

The plans indicate a building height for the north building ranging from 37 feet at the intersection of 17th and Madison to 45 feet at the southeast corner. This building is proposed to be a contemporary design with exterior materials consisting of mainly brick at the ground level and metal panels above. The north and portions of the east façade also feature a glass storefront as this is the front of the building immediately adjacent to the street. The south building is similar in design with masonry materials at the ground level and as vertical elements along portions of the facades accented with wood plank siding and large windows. Its height is proposed to be approximately 22 feet.

TAX INCENTIVE PLAN: (Case 733-S)

The applicant is seeking tax incentives for this project and as a result has submitted the 17th & Madison PIEA General Development Plan for approval. This plan requires rezoning to District UR, which is the reason for the companion rezoning request. This plan notes the following blighting factors as being present on the property: 1) deteriorating site

Policy or Program Change	<input type="checkbox"/> Yes <input type="checkbox"/> No
Operational Impact Assessment	

Finances

Cost & Revenue Projections – Including Indirect Costs	
Financial Impact	
Funding Source(s) and Appropriation Account Codes	

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improvements, 2) insanitary or unsafe conditions, and 3) defective or inadequate street layout, which have led to economic liability and underutilization. The plan notes that approval would facilitate the redevelopment of the property with an approximately \$14,000,000 mixed use development. The plan requires compliance with the recommended development guidelines of the Greater Downtown Area Plan.

AREA PLAN: (Case 675-S-7)

The subject property is located within the Greater Downtown Area Plan which recommends mixed use neighborhood (which corresponds to District B1 – current zoning – and B2) for the northern parcel and residential low (urban) for the southern parcel (which corresponds to Districts R-5 through R-10 – current zoning of this parcel is R-2.5). The area plan also recommends a building height of 35 feet with a maximum floor area ratio of 3 in this area. The north building is proposed to range between 37 and 45 feet in height with a floor area ratio of 2.15. It is proposed to be a mixed use building, and all uses proposed within the building are permitted by right under existing zoning, and therefore conform to the land use recommendation of the area plan. The uses and density of the south building do not conform to the area plan's land use recommendation (residential low (urban)) and therefore an area plan amendment is necessary and has requested.

Staff from Long Range Planning Division has reviewed this request and is supportive of the height for the north parcel due to the fact that its predominant appearance is as three-story building and is only slightly higher than recommended while at the same time the floor area ratio is far below the maximum recommended.

Staff is also supportive of the area plan amendment for the south parcel because it allows the density of the project to be shifted to the south building from the north building, thereby reducing the mass and height of the north building and also due to the south building's low profile (about 22 feet, or two stories), its orientation on the property (setback from the street similar to other residential buildings on the block), and design.

ANALYSIS:

The project has been revised several times by the applicant in response to feedback provided by neighbors and staff. Some of the main issues expressed by neighbors were density, building height and floor area ratio. All have been reduced. Furthermore, the applicant is proposing to accommodate all required parking in a below ground structure rather than off-site or by acquiring additional land to construct a surface parking lot, which in staff's opinion would be very undesirable in an established urban neighborhood like this one. Considering the costs imposed by below ground structures and the applicant's willingness to restrict uses, reduce floor area and number of units, staff believes that the current proposal reflects a reasonable compromise is supportive of all three requests.

88-515-08-A. Conformance with adopted plans and planning policies;

Subject to approval of the area plan amendment request, the proposed rezoning will conform to adopted plans and policies.

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

Properties to the south are zoned R-1.5 and R-2.5 and consist of undeveloped land and residential uses. Properties to the east and west are zoned B1-1 and consist of a mix uses, primarily nonresidential.

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

The physical character of the area is mainly that of an urban residential neighborhood with a commercial corridor along 17th St. The nonresidential corridor is mainly low-rise commercial or mixed use buildings whereas the residential areas feature a variety of lot sizes from very small to medium in size, some of which are vacant.

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

Adequate public facilities are available.

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

Current zoning of the north parcel permits all of the same uses proposed but would only permit a building floor area of 30,710 square feet (less than proposed) and a total building height of 40 feet. Current zoning of the south parcel permits single-family homes, duplexes and townhomes, but not multi-unit (apartments). It permits a density of 6 units on the south parcel. The property remains suitable for the uses to which it is restricted by current zoning, however the corresponding lot and building standards of current zoning may not be.

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

The existing building on the north parcel has been vacant for at least three years.

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

The applicant has revised the plans several times in response to feedback provided resulting in a reduction in density, floor area and height from the original proposal. Subject to the recommended conditions, approval is not expected to detrimentally affect nearby properties.

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.

Denial of the application would likely render the project infeasible due to the costs associated with construction of the underground garage among other factors, particularly with regard to the north parcel. Redevelopment options under existing zoning would likely require assembly of additional parcels of land in order to accommodate construction of a surface parking lot, which could have a deleterious effect on the surrounding neighborhood.

RECOMMENDATIONS:

- a. **Case No. 733-S** - Declaring subject property to be blighted and insanitary and in need of redevelopment and rehabilitation pursuant to the Missouri Planned Industrial Expansion Authority (PIEA) Law 100.300-100.620, and approving a PIEA general development plan for the same, said plan to be known as the 17th & Madison PIEA General Development Plan.

The City Plan Commission voted to RECOMMEND APPROVAL 4-3, without conditions.

- b. **Case No. 675-S-7** - To consider a request to amend the Greater Downtown Area Plan by changing the recommended land use on about 0.38 acres generally located at 1724 Madison St from residential low (urban) to residential high.

The City Plan Commission voted to RECOMMEND APPROVAL 4-3, without conditions.

- c. **Case 14653-UR** - To consider rezoning from Districts B1-1 (Neighborhood Business 1) and R-2.5 (Residential 2.5) to District UR (Urban Redevelopment), and consider approval of a preliminary development plan for a mixed use development.

The City Plan Commission voted to RECOMMEND APPROVAL 4-3, subject to the following conditions:

1. That prior to issuance of a building permit the developer secure approval of a final development plan from the City Plan Commission. Said plan shall conform to the approved preliminary development code and applicable provisions of the Zoning and Development Code and include a detailed site plan, landscape plan, lighting plan with photometric, sign plan or a note stating that all signage shall comply with 88-445, and color building elevations with materials labeled.
2. That prior to issuance of a building permit for each building, the developer shall submit a streetscape plan to the Land Development Division of City Planning and Development Department and secure approval of said plan from the Land Development Division and Development Management Division. Said plan be in conformance with applicable city standards and the approved preliminary development plan and depict an urban streetscape along all street frontages north of the alley and a typical residential streetscape south of the alley.

The following condition is recommended by the Parks & Recreation Department. Please contact Richard Allen at 816-513-7713 or richard.allen@kcmo.org with questions.

3. That prior to issuance of a building permit the developer is responsible for payment of cash-in-lieu of parkland dedication. The amount due shall use the 2016 acquisition rate of \$30,360.20 and be based upon the following formula (number of residential units X 2 persons per unit X 0.006 acres = required dedication in acres; number of acres X 2016 acquisition rate = amount due).

The following conditions are recommended by Land Development Division of City Planning & Development Department. Please contact Brett Cox at 816-513-2509 or brett.cox@kcmo.org with questions.

4. 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 secure permits to construct any improvements required by the Land Development Division prior to issuance of any Certificate of Occupancy.
5. 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.
6. The developer 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, to identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and base 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.

7. 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.

The following condition is recommended by the Aviation Department. Please contact Jade Liska at 816-243-3045 or jade.liska@kcmo.org.

8. That pursuant to Ordinance 040342 the developer shall obtain approval of the proposed building height from the Federal Aviation Administration. Said approval shall be provided to and deemed acceptable by the Director of City Planning & Development and the Director of Aviation prior to issuance of a building permit.

Fact Sheet Prepared By: **Date:** May 6, 2016

Joseph Rexwinkle, AICP
Staff Planner

Reviewed By: **Date:** May 6, 2016

Diane Binckley, AICP
Division Manager
Development Management

Initial Application Filed: February 1, 2016

City Plan Commission: March 15, 2016, continued by applicant
April 5, 2016, continued by applicant
April 19, 2016, continued by City Plan Comm.
May 3, 2016

Reference Numbers:
Case Nos. 733-S, 675-S-7, and 14653-UR

Revised Plans Filed: May 6, 2016