



## City Planning & Development Department

# 170722

Development Management Division

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

816 513-8801

### STAFF REPORT

July 18, 2017

(10)

**RE:** **Case No. 14829-UR**

**APPLICANT:** Jason Swords  
Sunflower Development Group  
1520 Grand Boulevard  
Kansas City, MO 64108

Lamin Bumi Nyang  
Taliaferro & Browne, Inc.  
1020 E. 8<sup>th</sup> St.  
Kansas City, MO 64106

**OWNER:** Blenheim School Apartments, LP  
1520 Grand Boulevard  
Kansas City, MO 64108

**LOCATION:** Generally bound by E. 70<sup>th</sup> Terrace to the north, E. Gregory Boulevard to the south, Olive Street to the west and Prospect Avenue to the east.

**REQUEST:** To consider rezoning from District R-5 (Residential 5) and District B3-2 (Community Business) to District UR (Urban Redevelopment), and approval of a preliminary development plan for a multi-unit residential development.

**AREA:** About 3.58 acres.

**SURROUNDING LAND USE:**

<b>North</b>	E. 70 <sup>th</sup> Terrace, Residential uses, zoned R-5 and Commercial uses, zoned B3-2
<b>East</b>	Prospect Avenue, Commercial uses zoned B3-2
<b>South</b>	E. Gregory Boulevard, Residential uses zoned R-5 and Commercial uses zoned B3-2
<b>West</b>	Olive Street, Residential uses zoned R-5

**LAND USE PLAN:** The Swope Area Plan recommends Residential Medium-High Density. The proposed plan is consistent with those recommended by the area plan.

**MAJOR STREET PLAN:** The Major Street Plan classifies Prospect Avenue as a thoroughfare and E. Gregory Boulevard as a Boulevard.

**ARTERIAL STREET IMPACT FEE:** The subject property is exempt from impact fees.  
*(Informational only)*

**PREVIOUS CASES:** The developer is seeking tax incentives under the previously approved Boulevard Heights Urban Renewal Area.

**EXISTING CONDITIONS:**  
The subject property is a 3.6 acre tract of land bounded by E. Gregory Boulevard to the south, E. 70<sup>th</sup> Terrace to the north, Olive Street to the west and Prospect Avenue to the east. The property is developed as Blenheim School, a three-story 59,170 s.f. building. The building is set in the western portion of the property with existing parking lot on the west side of the building. The eastern half of the property is a large asphalt surface once used as a playground. The site drops in elevation from the east elevation of the school to the playground with sets of stairs providing pedestrian access. Multiple pedestrian access points from the bordering sidewalk provides access into the property. The site is primarily surrounded by residential uses with commercial uses along Prospect Avenue to the east.



**URBAN RENEWAL PLAN:**  
This property is within the Boulevard Heights Urban Renewal Area which has been previously approved. The developer is seeking incentives under this tax plan.

**REZONING AND PRELIMINARY PLAN REVIEW:**  
Concurrent with the rezoning request, the applicant has submitted a preliminary development plan which proposes the rehabilitation of the former school building into 52 apartment units. The existing parking lot along the western portion of the property is proposed to be repaired and provide 49 parking spaces. The plans do proposed the parking to decrease in size from the existing by adding more greenspace between the parking and Gregory Boulevard. This modification is beneficial in gaining compliance with the Parkway and Boulevard standards as it relates to parking lots. The parking lot will be accessed from Olive Street on the west and include a gated entrance with fencing surrounding the parking lot. Staff does not believe it states on the plan the material or design of fencing. Staff is requesting a detail of the proposed fencing be shown on the plans and recommends a wrought iron material. A trash dumpster is

proposed near the entrance of the parking lot at the southwest corner. Staff is recommending details be provided on the plans showing the trash enclosure in compliance with 88-425-08 of the Zoning and Development Code.

The landscaping plan as submitted shows the developers intent to retain many of the existing mature trees on the property. Staff would recommend the applicant verify all existing landscaping to be retained be in good health. If any are in poor condition, they should be replaced with new. The plan is proposing additional landscaping throughout the site. Street trees are proposed along all four street frontages with shrubs surrounding the parking lot. The asphalt of the playground composing much of the eastern half of the property is proposed to be removed and converted back to greenspace.

Building elevations have been provided which identify the existing construction of the Blenheim School building. The structure is composed primarily of brick. There do not appear to be any additions or expansions proposed to the existing structure.

**DEVIATIONS NECESSARY:**

Section 88-420-06 of the Zoning and Development Code requires 1 parking space per dwelling unit. A total of 52 units is proposed at this location and the plans are showing 49 parking spaces. A deviation in the amount of 3 spaces is necessary. A note on the plan stating such will need to be added to the plan. The proposed development is in full compliance with the bicycle parking requirements providing 5 short term parking spaces and 18 long term parking spaces.



**ANALYSIS:**

A total of 52 units are proposed for a density of 14.44 units per acre. Both the land use and density are in compliance with those recommendations of the Swope Area Plan. An area plan is not required. Staff is supportive of the rezoning and associated plans, subject to the recommended conditions.

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;**

The Swope Area Plan recommends Residential Medium-High Density land uses for the subject property. The proposed development is consistent with those recommendations of the area

plan.

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

Nearby properties are used and zoned for residential purposes to the north, west and east. Commercial uses are located to the east and along Prospect Avenue.

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

The physical character consists of residential structures along E. 70<sup>th</sup> Terrace to the north and Olive Street to the west. Residential structures and commercial uses are located across Gregory Blvd to the south. Commercial uses are across Prospect to the east.

**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;**

The property is currently zoned R-5 and B3-2 with the existing building located in that portion zoned R-5. R-5 allows mainly single-family residential, but also allows the former use (school). Given the status of the existing structure, it is suitable to be repurposed as is rather than being redeveloped.

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

The school closed in 2009.

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

Approval of the rezoning and associated plan allows reuse of the site as a 52 unit, multi-family residential building. The property is currently vacant so the reuse will result in an increase in population and traffic to and from the property, however staff expects this impact to be minimal since the use is residential like surrounding uses.

**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 may cause the property to remain vacant and further into disrepair and may impose a hardship on the landowner due to the limited manner in which it may be reused. The gain to the public welfare may be overshadowed by the potential threat to public welfare if denied as it would likely prolong the building's vacancy and result in a worsening of its physical condition.

**RECOMMENDATION:**

City Planning and Development Staff RECOMMENDS APPROVAL of Case No. 14829-UR based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions as provided by the Development Review Committee at the June 21, 2017 meeting:

1. That two (2) collated, stapled, and folded (to 8.5 by 11 in. size) hardcopies and one (1) digital copy (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 the plans, **revised as noted below**, be submitted to Development Management staff (15<sup>th</sup> Floor, City Hall), prior to ordinance request showing:
  - a. Details on the proposed fencing and compliance with 88-323-02-C.

- b. Details on the trash enclosure and compliance with 88-425-08.
- c. Correction of R/W lines shown along south boundary.
- d. Note the height of the existing building in feet on elevation drawings.
- e. Note on the plan a deviation to the parking requirements in the amount of 3 parking spaces.

*Plans corrections recommended by Parks and Recreation Department*

- f. Show all trees to be removed for utilities, grading, and/or street improvements by denoting the area with a label of "TREES TO BE REMOVED".
  - g. Show all individual or areas of trees to be preserved within the limits of the plan area by denoting the area with a label of "TREES TO REMAIN".
  - h. Provide note on plans showing parkland private open with a chart list each phase of the development that has previously been built and planned to be built.
2. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to the plan prior to certificate of occupancy.
  3. The developer is responsible for payment of money in lieu of parkland dedication using the following formula (number of multi-family units) X (2 persons per unit) X (0.006 acres per person) = number of acres required X \$37,662.28 (2017 acquisition fee). This amount should be paid prior to certificate of occupancy.
  4. Any proposed modifications to the site or building are subject to the requirements of the Boulevard and Parkway standards.
  5. Landscape plan shall be stamped by a Landscape Architect registered in the state of Missouri
  6. The developer shall submit to Development Management staff, for review and approval prior to building permit, a final plan in substantial compliance with the preliminary plan and including the following: a fully-labeled and dimensioned site plan; a fully-labeled and dimensioned landscape plan showing landscaping (including species, common name and size at time of planting), overhead and underground utilities, lighting plan with photometric study, and building elevations with all materials labeled.

**The following conditions are recommended by the Land Development Division of City Planning and Development. Please contact Brett Cox at 513-2509 or [brett.cox@kcmo.org](mailto:brett.cox@kcmo.org).**

7. 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 prior to issuance of any building permits, and the developer secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
8. The developer must dedicate additional right of way for Prospect Ave as required by the adopted Major Street Plan and/or Chapter 88 so as to provide a minimum of 50 feet of right of way as measured from the centerline, along those areas being platted, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.
9. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
10. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written

consent of the Land Development Division.

11. 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.
12. 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.
13. 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.
14. The developer must grant a BMP Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.

**The following conditions are recommended by the Parks and Recreation Department. Please contact Richard Allen at 816-513-7713 or [Richard.allen@kcmo.org](mailto:Richard.allen@kcmo.org).**

15. The developer must 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. The letter must 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. This is for along Gregory Blvd.

Respectfully submitted,



Justin Peterson  
Planner