

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190100

Approving a Special Character Overlay to be known as the Plaza Bowl Overlay District, which includes use and height regulations for the area generally located on the south and north sides of W. 47th Street (extending northerly to the north side of W. 46th Terrace), between Madison Avenue on the west and J.C. Nichols Parkway on the east; reducing the contingent appropriation in the amount of \$10,000.00; appropriating \$10,000.00 from the Unappropriated Fund Balance of the General Fund for the purpose of educating the public about the requirements of this ordinance; and recognizing this ordinance as having an accelerated effective date. (CD-CPC-2018-00159)

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 & Development Code, is hereby amended by approving the Special Character Overlay District, for the area generally located on the south and north sides of 47th Street (extending northerly to the north side of 46th Terrace), between Madison Avenue on the west and J.C. Nichols Parkway on the east, said section legally described as:

800 W 47th St Bunker Hill all of Lots 20-29 & vac alley & Lots 30 & 31 & E 1/2 of vac alley ly w of & adj & Lots 32-36 (ex w 3.64') Blk 16

770 W 47th St Plaza Steppes all of Lot 1

720 W 47th St Plaza Steppes 2nd Plat Lot 2

700 W 47th St Plaza Steppes 2nd Plat Lot 3

612-20 W 47th St Home Place prt Lot 26 daf beg at ne cor 47th & Jefferson St th n to n li sd Lot 26 th e 162.5 ft th s to n li 47th St th swly to beg

604 W 47th St /Church Sunday School Offices Home Place w 120 ft of e 146 ft ly n of 47th St Lot 26

605 W 47th St NE 1/4 SE 1/4 Sec 30 49 33 begat inters of w li Penn Ave wi s li 47th St & rng s alg w li Penn Ave 150 ft to pt th rng w at rt ang last desc course to pt of inters wi e li Jefferson St th rng n alg e li Jefferson to pt of inters wi s li of 47th St th nely alg s li 47th St to beg

1104 411-W 46th Ter Townsend Place Condominium Unit 1104 on Cert of Survey of Unit 1100-B filed as Docmt #K915384 in Bk S-3 at pg 48 on 3-1-1990 also 1/46% interest of common areas

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1003 411-W 46th Ter Townsend Place Condominium Unit 1003 on Cert of Survey of Unit 1000-B filed as Docmt #K908263 in Bk S-3 at pg 44 on 12-29-1989 & 1/46% interest of common areas

300B 411-W 46th Ter Townsend Place Condominium Unit 303 on Cert of Survey of Unit 300-B filed as Docmt IS 9511 in Bk S-5 on pg 12 on 01-20-95

304 Townsend Place Condominium Unit 304 on Cert of Survey of Unit 300-B filed as Docmt IS9511 in Bk S-5 on pg 12 on 01-20-95

1004 411-W 46th Ter Townsend Place Condominium Unit 1004 on Cert of Survey of Unit 1000-B filed as Docmt #K908263 in Bk S-3 at pg 33 on 12-29-1989 & 1/46% interest of common areas

1101 411-W 46th Ter Townsend Place Condominium Unit 1101 on Cert of Survey of Unit 1100-A filed as Docmt K1081089 in Book S-4 at pg 45 on 5-21-1993 also 1/46th interest of common areas

702 411-W 46th Ter Townsend Place Condominium Unit 702 & 1/46% interest

501 411-W 46th Ter Townsend Place Condominium Unit 501 on Cert of Survey of Unit 500-A filed as Docmt K1084523 in Bk S-7 at pg 67 on 01-04-94 also 1/45% interest of common elements

1102 411-W 46th Ter Townsend Place Condominium Unit 1102 on Cert of Survey of Unit 1100-A filed as Docmt K1081089 in Book S-4 at pg 45 on 5-21-1993 also 1/46th interest of common areas

101 411-W 46th Ter Townsend Place Condominium Unit 101 exercise room common area

903 411-W 46th Ter Townsend Place Condominium Unit 903 on Cert of Survey of Unit 900-B filed as Docmt K-1000668 in Bk S-3 at pg 100 on 12-10-1991 also 1/46 interest of common areas

1203 411-W 46th Ter Townsend Place Condominium Unit 1203 on Cert of Survey of Unit 1200-B filed as Docmt #K921098 in Bk S-3 at pg 58 on 4-17-1990 also 1/46% interest of common areas

704 411-W 46th Ter Townsend Place Condominium Unit 704 & 1/46% interest of common areas

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904 411-W 46th Ter Townsend Place Condominium Unit 904 on Cert of Survey of Unit 900-B filed as Docmt K-1000668 in Bk S-3 at pg 100 on 12-10-1991 also 1/46% interest of common areas

201 Townsend Place Condo Unit 201 on Cert of Survey of Unit 200-A filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

301 411-W 46th Ter Townsend Place Condominium Unit 301 on Cert of Survey of Unit 300-A filed as Docmt K-1036426 in Bk S-4 at pg 22 on 8-5-1992 also 1/46% interest of common areas

302 411-W 46th Ter Townsend Place Condominium Unit 302 on Cert of Survey of Unit 300-A filed as Docmt K-1036426 in Bk S-4 at pg 22 on 8-5-1992 also 1/46% interest of common areas

502 411-W 46th Ter Townsend Place Condominium Unit 502 on Cert of Survey of Unit 500-A filed as Docmt K1084523 in Bk S-4 on pg 68 on 01-04-94 also 1/45% interest of common elements

1103 411-W 46th Ter Townsend Place Condominium Unit 1103 on Cert of Survey of Unit 1100-B filed as Docmt #K915384 in Bk S-3 at pg 48 on 3-1-1990 also 1/46% interest of common areas

402 411-W 46th Ter Townsend Place Condominium Unit 402 on Cert of Survey of Unit 400-A filed as Docmt K-1081093 in Book S-4 at pg 47 on 5-21-1993 also 1/46th interest of common areas

701 411-W 46th Ter Townsend Place Condominium Unit 701 & 1/46% interest of common areas

803 411-W 46th Ter Townsend Place Condominium Unit 803 on Cert of Survey of Unit 800-B filed as Docmt #K910341 in Bk S-3 at pg 46 on 1-18-1990 also 1/46% interest of common areas

602 411-W 46th Ter Townsend Place Condominium Unit 602 on Cert of Survey of Unit 600-A filed as Docmt 1081091 in Book S-4 at pg 46 on 5-21-1993 also 1/46th interest of common areas

403 411-W 46th Ter Townsend Place Condominium Unit 403 on Cert of Survey of Unit 400-B filed as Docmt K1038009 in Book S-4 at pg 53 on 8-31-93 also 1

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503 411-W 46th Ter Townsend Place Condominium Unit 503 on Cert of Survey of Unit 500-B filed as Docmt K-961154 in Bk S-3 at pg 83 on 3-4-1991 also 1/46% interest of common areas

804 411-W 46th Ter Townsend Place Condominium Unit 804 on Cert of Survey of Unit 800-B filed as Docmt #K910341 in Bk S-3 at pg 46 on 1-18-1990 also 1/46% interest of common areas

100 411-W 46th Ter Townsend Place Condominium Unit 100 & 1/46% interest of common areas

401 411-W 46th Ter Townsend Place Condominium Unit 401 on Cert of Survey of Unit 400-A filed as Docmt K-1081093 in Book S-4 at pg 47 on 5-21-1993 also 1/46th interest of common areas

504 411-W 46th Ter Townsend Place Condominium Unit 504 on Cert of Survey of Unit 500-B filed as Docmt K-961154 in Bk S-3 at pg 83 on 3-4-1991 also 1/46% interest of common areas

1001 411-W 46th Ter Townsend Place Condominium Unit 1001 on Cert of Survey of Unit 1000-A filed as Docmt K1143929 in Bk S-4 on pg 77 on 06-06-94 also 1/45% interest of common elements

404 411-W 46th Ter Townsend Place Condominium Unit 404 on Cert of Survey of Unit 400-B filed as Docmt 1038009 in Book S-4 at pg 53 on 8-31-1993 also 1/46th interest of common areas

900A 411-W 46th Ter Townsend Place Condominium Unit 900-A & 1/23% interest of common areas

801 411-W 46th Ter Townsend Place Condominium Unit 801 on Cert of Survey of Unit 800-A filed as Docmt K1084523 in Bk S-4 on pg 68 on 01-04-94 also 1/45% interest of common element

1204 411-W 46th Ter Townsend Place Condominium Unit 1204 on Cert of Survey of Unit 1200-B filed as Docmt #K921098 in Bk S-3 at pg 58 on 4-17-1990 also 1/46% interest of common areas

200B 411-W 46th Ter /Townsend Place Condo Unit 203 on Cert of Survey of Unit 200-B filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

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604 411-W 46th Ter Townsend Place Condominium Unit 604 on Cert of Survey of Unit 600-B filed as Docmt #K935460 in Bk S-3 at pg 68 on 8-2-1990 also 1/46% interest of common areas

601 411-W 46th Ter Townsend Place Condominium Unit 601 on Cert of Survey of Unit 600-A filed as Docmt 1081091 in Book S-4 at pg 46 on 5/21/1993 also 1/46th interest of common areas

Sec 30-49-33 SE 1/4 NE 1/4 Townsend Place Condominium common area

1201 411-W 46th Ter Townsend Place Condominium Unit 1201 on Cert of Survey of Unit 1200-A filed as Docmt K-980721 in Bk S-3 at pg 93 on 7-17-1991 also 1/46% interest of common areas

1202 411-W 46th Ter Townsend Place Condominium Unit 1202 on Cert of Survey of Unit 1200-A filed as Docmt K-980721 in Bk S-3 at pg 93 on 7-17-1991 also 1/46% interest of common areas

202 411-W 46th St/Townsend Place Condominium Unit 202 on Cert of Survey of Unit 200-A filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

204 Townsend Place Condo Unit 204 on Cert of Survey of Unit 200-B filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

802 411-W 46th Ter Townsend Place Condominium Unit 802 on Cert of Survey of Unit 800-A filed as Docmt K1084523 in Bk S-4 on pg 68 on 01-04-94 also 1/45% interest of common elements

1002 411-W 46th Ter Townsend Place Condominium Unit 1002 on Cert of Survey of Unit 1000-A filed as Docmt K1143929 in Bk S-4 on pg 77 on 06-06-94 also 1/45% interest of common elements

603 411-W 46th Ter Townsend Place Condominium Unit 603 on Cert of Survey of Unit 600-B filed as Docmt #K935460 in Bk S-3 at pg 68 on 8-2-1990 also 1/46% interest of common areas

703 411-W 46th Ter Townsend Place Condominium Unit 703 & 1/46% interest of common areas

411 W 46<sup>th</sup> Ter Ste 201: Townsend Place Condo Unit 201 on Cert of Survey of Unit 200-A filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

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4615 Broadway Wornall Park Lot 56 exc s 5 ft deeded by Ord 61597 dated 10-15-1987 to City for 46th Ter

330 W 46th Ter Broadway Plaza Condominiums Lot 1 Common Area

310 W 46th Ter Broadway Plaza Condominiums Units 101 thru 116 Units 201 thru 216 Units 301 thru 316 (all in Lot 1)

630 Wornall Rd Wornall Park Lots 66 & 67 also NE 1/2 vac alley ly nwly & adjsd lot

333 W 46th Ter the Neptune Condominiums Common Area Lot 1

300 W 46th Ter the Neptune Condominium Units 201-212, 214-225, 301-312, 314-325, 401-412, 414-425, 501- 512, 514-525

4635 Wyandotte / 120 W 47th St n 127.25 ft Lot 67 Country Club Plaza

18 W 47th St /Lot 68 Countryclub Plaza

4620 J C Nichols Pky & 210 W 46th Ter Country Club Plaza Lot 80

The Plaza Bowl Overlay District is outlined on a map marked Section 88-20A1186, attached hereto and made a part hereof, is hereby adopted as 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 the regulations applicable to property within the Plaza Bowl Overlay District are as follows:

**Plaza Bowl Overlay District**

**1. Background**

Since its development nearly 100 years ago, the Plaza area has been an important internationally recognized historic area due to the unique architecture and design, mix of thriving residential, commercial, cultural and educational uses, continuous care by its property ownership, and city-wide public interest in maintaining this cultural icon.

The Midtown / Plaza Area Plan (MPAP) recognizes that the Country Club Plaza is a significant community asset and a regional business, residential, cultural, and educational district that requires careful consideration of permitted uses and building heights in order to strengthen and further complement the existing built environment.

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After years of effort by property owners, residents, consultants, and staff, the revised Midtown / Plaza Area Plan was adopted in January 2016. An immediate implementation measure of The Plan was to codify the building height recommendations of the Bowl Concept in the Country Club Plaza and adjacent area.

Prior to the 2016 adoption of the MPAP, a similar recommendation was made in the original Plaza Urban Design & Development Plan which was adopted in 1989. The Bowl Concept emerged to protect the Plaza area. The original mixed use area, developed in the 1920's and 30's, included retail, office, and residential uses. Low-rise buildings formed the base or "heart" of the historic area, and higher buildings were gradually built on the hills surrounding it.

The original Plaza Plan and the 2016 revision both recommend continuation of this design concept, referred to as the "Bowl Concept," through the regulation of building heights in the Plaza area. For certain properties on Main Street, building heights have been established through the Main Corridor Overlay. For properties within the Country Club Plaza, height and use regulations are established by a 2016 text amendment to the Zoning & Development Code that was enacted at the request of the previous owner of the Country Club Plaza and continues to be supported by the current owner. The Plaza Bowl Overlay Height and Use Boundary map depicts appropriate building heights for locations within the overlay.

### **2. Plaza Bowl Overlay**

The Plaza Bowl Overlay focuses on the "base of the bowl" – those areas immediately adjacent to the Country Club Plaza shopping area. The Bowl Concept consists of a series of roughly concentric circles around the base of the Plaza. There are approximately 660 parcels within the boundaries of the entire Bowl Concept and around 350 owners of those parcels.

On March 13, 2017, the Midtown / Plaza Area Plan Implementation Committee created the Bowl Implementation Committee. City staff suggested some initial phases and provided mapping to show impacts to specific properties. After several months of study, the Committee decided to phase implementation and focus on the next concentric circle of land adjacent to the base of the bowl (the Plaza) along 47<sup>th</sup> Street. This overlay, following the 2016 text amendment and the Main Corridor Overlay is the next phase of the implementation of the MPAP for the Plaza.

- a. The proposed overlay would:
  - i. Designate building heights for each parcel.

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- ii. Specify whether land uses are permitted outright, allowed with special use permit approval, or prohibited.

3. **Purpose**

The purpose of the Plaza Bowl Overlay is to establish land use regulations and limit building heights for an area generally located on the south and north sides of 47th Street (extending northerly to the north side of 46th Terrace), between Madison Avenue on the west, and J.C. Nichols Parkway on the east. These restrictions may be more prohibitive than those of the underlying zoning.

According to the Midtown / Plaza Area Plan, the primary goal of the plan and overlay is to:

Preserve the original and unique planning and urban design concepts that embody the Country Club Plaza and surrounding area. The Bowl Concept is one of the most important urban design concepts for the area which describes the conscious transition of building heights from the low-rise buildings of the Country Club Plaza to buildings of increasing height as they are placed on the surrounding hills.

- a. This overlay is also intended to:
  - i. Maintain and promote the economic vitality of the area;
  - ii. Encourage preservation of the area's rare, unique, historical and distinctive character; and,
  - iii. Stabilize property values and reduce investment risks;
  - iv. Establish known ground rules for development, redevelopment and infill projects that developers, the city and the community can follow and base investment decisions on; and
  - v. Otherwise promote the health, safety, morals, and general welfare of the city.

A majority of the Plaza is currently zoned for heavy commercial development, specifically B4 (Heavy Business/Commercial), which permits a wide variety of commercial and light industrial uses, some of which would not be appropriate for the area.

Additionally, property zoned B4 has intensifier of "-5", which equates to no maximum height requirement, (unless dictated by the maximum floor area ratio of 6.0.) The map



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would establish maximum, and in some cases, minimum building heights. A zoning overlay may be more restrictive in regard to land uses and building heights than the B4-5 allowances.

Certain properties within the overlay are zoned UR (Urban Redevelopment), for which a specific development plan has been approved by the City Council. Until such time the UR plan is amended, or the property is rezoned to a different classification, the UR plan remains intact.

Other properties currently zoned R-0.5 or B-1, if redeveloped, may necessitate rezoning and submittal of a development or project plan or require special use permit approval. At that time, height restrictions of the Plaza Bowl Overlay would apply.

#### **4. Applicability**

Compliance with provisions of the Plaza Bowl Overlay is required as follows:

- a. Regulations of the Plaza Bowl Overlay apply to all properties within the boundaries of the overlay as shown on the map. The Plaza Bowl Overlay establishes certain land use regulations and height restrictions that may vary from the underlying base zoning for the properties in the Plaza Bowl Overlay District. All provisions described below as regulatory in nature have the same force and effect as, but may be variations from, those set forth in Chapter 88, Zoning & Development Code.
- b. Provisions are applicable as follows:
  - i. New Development: Full compliance with provisions of this overlay applies to all new buildings constructed within this district.
  - ii. Building Enlargements and Expansions: Full compliance with provisions of this overlay applies only to the enlargement or expansion area.
  - iii. Change of Use or Occupancy: Compliance with use standards apply whenever the use or occupancy of a property changes.
- c. Permits may be issued for previously approved site-specific development plans that were approved prior to the effective date of the Plaza Bowl Overlay, in accordance with the previously approved plan and without compliance to the Plaza Bowl Overlay. Compliance with use regulations shall be required.
- d. In consideration of the bowl concept -- which analyzed unique features of the area including natural topography, view corridors, and the built

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environment -- deviation to 88-610 Nonconformities is offered. All existing structures whose heights exceed those prescribed by the Plaza Bowl Overlay as of the date of ordinance approving this overlay will be allowed to remain. For such structures, permits may be issued for replacement or reconstruction to the height existing; provided, that the envelope of the existing building shall be retained in regard to, but not limited to, building form and scale, including footprint, setbacks, and step-backs. Compliance with the use regulations of the Plaza Bowl Overlay shall be required.

- e. Existing development on properties zoned UR shall comply with the approved UR development plan and shall therefore be exempt from the regulations of this document. However, if property is rezoned or an amendment to an approved development plan is required, regulations of this document shall be met.
- f. Pursuant to Chapter 88, Code of Ordinances, 88-517 Development Plan Review and Approval, the City Council may approve deviations to the height limitations set forth by this overlay, in conjunction with an approved development plan, if the proposed use is consistent with the zoning of the property. Any deviations from the height restrictions shall be specifically called out as deviations and described on the development plan and will not be considered to be approved unless so stated.
- g. Other than as set forth by this overlay, the underlying zoning and the regulations and standards included in Chapter 88, Zoning & Development Code, prescribed for the areas rezoned to this overlay district shall remain unchanged and shall continue to apply.
- h. Unless otherwise allowed by this section, provisions of Chapter 88, Code of Ordinances, 88-610, Nonconformities, are applicable.
- i. If provisions of this overlay district are inconsistent with Chapter 88, the provisions of this overlay district shall apply.

### **5. Governance**

This overlay district is a Special Character Overlay (SC/O) which is outlined in Section 88-205 of Chapter 88, Code of Ordinances. The establishment of the overlay district is in accordance with the text amendment procedures of 88-510 (to establish the applicable regulations) and the zoning map amendment procedures 88-515 (to establish the district on the zoning map).

This commitment to protecting the Plaza area and guiding new development is supported by the community as well as Chapter 88, Code of Ordinances. Section 88-205-01, states:

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“Overlay districts are for areas of the city that have unique qualities requiring special treatment or locations where special approaches to development may be warranted. They are established as a means of addressing specific aspects of land use control or development design that transcend base zoning district provisions.”

The Zoning & Development Code at Section 88-610-05 - Nonconforming Structures dictates when reconstruction (possibly to a height in excess of that permitted by the overlay) may occur due accidental damage or destruction.

### 6. Plaza Bowl Overlay Uses

Uses regulated by the Plaza Bowl Overlay are shown in the following table, which will replace the use table for properties within this district.

In order to promote activity at street level, the intent is to encourage development of uses such as retail, restaurant, and similar uses on the ground floor of buildings. These uses typically have points of ingress/egress, transparent storefronts and display windows, outdoor dining establishments, and other uses that encourage activity. These uses will be permitted outright.

Other uses, such as residential, office, and entertainment venues, are not typically active on the ground floors or, due to their nature, require blank walls without fenestration. These uses will require special use permit for some ground level functions. This will allow staff to review proposed design for points of ingress/egress, transparency (windows), interest in façade (to ensure pleasurable pedestrian experience/non-monotonous building wall), etc. Other uses will require special use permit approval due to their nature and effect on adjoining properties.

Finally, certain uses that are not appropriate will be prohibited.

a. **PLAZA BOWL OVERLAY USE TABLE**

Uses are allowed within the Plaza Bowl Overlay in accordance with Table 120-1, below.

b. **USE CLASSIFICATION SYSTEM**

Chapter 88, Code of Ordinances, classifies uses into "use groups," "use categories," and "specific use types." These are described and defined in Section 88-805. The first column lists the groups, categories, and types allowed.

c. **PERMITTED USES**

Uses identified with a "P" are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of Chapter 88, Code of Ordinances.

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- d. **SPECIAL USES**  
Uses identified with an "SUP" may be allowed if reviewed and approved in accordance with any special use permit procedures of Chapter 88, Code of Ordinances, Section 88-525. Special uses are subject to compliance with the use standards identified in the final column of the table and all other applicable standards of Chapter 88, Code of Ordinances.
- e. **PROHIBITED USES**  
Uses not listed in the table and those identified with a "-" are expressly prohibited.
- f. **USE STANDARDS**  
The "use standards" column identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is permitted as-of-right or requires approval by a special use permit.

**Plaza Bowl Overlay Use Table**

**USE GROUP**

Use Category  
*specific use type*

Use-  
Specific  
Standard

<b>RESIDENTIAL</b>	
<i>Single Family Dwelling</i>	<b>Prohibited</b>
<i>In single-purpose residential building</i>	<b>Permitted</b> <b>88-323</b>
<i>In mixed-use building</i>	<b>Permitted</b>
<b>Group Living</b>	<b>SUP</b>
<b>PUBLIC/CIVIC</b>	
<b>Bicycle-Sharing Facility</b>	<b>Permitted</b> <b>88-322</b>
<b>Club, Lodge, or Fraternal Organization</b>	<b>SUP on Ground Floor</b> <b>88-365</b> <b>Permitted Above Ground Floor</b>
<b>College/University</b>	<b>SUP on Ground Floor</b> <b>88-365</b> <b>Permitted Above Ground Floor</b>
<b>Day Care</b>	
<i>Home-based (1-5)</i>	<b>SUP on Ground Floor</b>

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**Plaza Bowl Overlay Use Table**

**USE GROUP**

Use Category  
specific use type

Use-Specific  
Standard

	Permitted Above Ground Floor	
<i>Family (up to 10)</i>	SUP on Ground Floor Permitted Above Ground Floor	88-330-01
<i>Group (up to 20)</i>	SUP on Ground Floor Permitted Above Ground Floor	88-330-02
<i>Center (21+)</i>	SUP on Ground Floor Permitted Above Ground Floor	88-330-02
<b>Hospital</b>	SUP on Ground Floor Permitted Above Ground Floor	
<b>Library/Museum/Cultural Exhibit</b>	Permitted	88-365
<b>Park/Recreation</b>	Permitted	
<b>Religious Assembly</b>	Permitted	88-365
<i>Fire station</i>	Prohibited	
<i>Police station</i>	Permitted	88-365
<i>Ambulance service</i>	Prohibited	
<b>School</b>	SUP on Ground Floor Permitted Above Ground Floor	88-365
<b>Utilities and Services (except as noted below)</b>	SUP	
<i>Basic, minor</i>	Permitted	88-425-08-B
<b>COMMERCIAL</b>		
<b>Adult Business</b>		
<i>Adult media store</i>	Prohibited	
<i>Adult motion picture theater</i>	Prohibited	
<i>Sex shop</i>	Prohibited	
<b>Animal Service</b>		
<i>Sales and grooming</i>	Permitted	88-315
<i>Shelter or boarding</i>	Prohibited	
<i>Stable</i>	Prohibited	

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**Plaza Bowl Overlay Use Table**

**USE GROUP**

Use Category  
specific use type

Use-  
Specific  
Standard

<i>Veterinary Office</i>	Permitted	88-315
<b>Artist Work or Sales Space</b>	Permitted	
<b>Building Maintenance Service</b>	SUP	
<b>Business Equipment Sales and Service</b>	Permitted	
<b>Business Support Service</b> (except as noted below)	Permitted	
<i>Day labor employment agency</i>	Prohibited	
<b>Communications Service Establishments</b>	Permitted	
<b>Drive-Through Facility</b>	Permitted	88-338 & 88-340
<b>Eating and Drinking Establishments</b> (except as noted below)	Permitted	
<i>Tavern or nightclub</i>	Permitted	
<b>Entertainment and Spectator Sports</b>		
<i>Indoor small venue (1-149 capacity)</i>	SUP on Ground Floor Permitted Above Ground Floor	
<i>Indoor medium venue (150-499 capacity)</i>	SUP on Ground Floor Permitted Above Ground Floor	
<i>Indoor large venue (500+ capacity)</i>	SUP on Ground Floor Permitted Above Ground Floor	
<i>Outdoor (all sizes)</i>	SUP	
<b>Financial Services</b> (except as noted below)	Permitted	
<i>Pawn shop</i>	Prohibited	
<i>Short-term loan establishment</i>	Prohibited	
<b>Food and Beverage Retail Sales</b>	Permitted	
<b>Funeral and Interment Service</b>		

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**Plaza Bowl Overlay Use Table**

**USE GROUP**

Use Category  
specific use type

Use-  
Specific  
Standard

<i>Cemetery/columbarium/mausoleum</i>	Prohibited	
<i>Cremating</i>	Prohibited	
<i>Undertaking</i>	Prohibited	
<b>Gasoline and Fuel Sales</b>	SUP	
<b>Lodging</b>		
<i>Bed and breakfast</i>	SUP on Ground Floor Permitted Above Ground Floor	88-320
<i>Hotel/motel</i>	Permitted	
<i>Recreational vehicle park</i>	Prohibited	
<b>Mobile Vendor Park</b>	Prohibited	
<b>Office, Administrative, Professional or General</b>	Permitted	
<b>Office, Medical</b>	Permitted	
<i>Blood/plasma center</i>	SUP	
<b>Parking, Accessory</b>	Permitted	88-323
<b>Parking, Non-accessory</b>	Permitted	
<b>Personal Improvement Service</b>	Permitted	
<b>Repair or Laundry Service, Consumer</b>	Permitted	
<b>Research Service</b>	Permitted	
<b>Retail Sales</b>	Permitted	
<b>Reuse of designated historic landmark (local or national)</b>	Permitted/ SUP	
<b>Sports and Recreation, Participant</b>		
<i>Indoor</i>	Permitted	
<i>Outdoor</i>	Permitted	
<b>Vehicle Sales and Service</b>		
<i>Car wash/cleaning service</i>	Permitted if within a parking structure, otherwise SUP	
<i>Heavy equipment sales/rental</i>	Prohibited	
<i>Light equipment sales/rental (indoor)</i>	Permitted	

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**Plaza Bowl Overlay Use Table**

**USE GROUP**

Use Category  
specific use type

Use-  
Specific  
Standard

*Light equipment sales/rental  
(outdoor)*

Permitted if within a  
parking structure,  
otherwise SUP

*Motor vehicle repair, limited*

SUP

*Motor vehicle repair, general*

SUP

*Vehicle storage/towing*

Prohibited

**INDUSTRIAL**

**Manufacturing, Production and  
Industrial Service**

*Artisan*

Permitted

*Artisanal Food and Beverage  
Manufacturing*

Permitted

*Catering Establishments*

Permitted

*Limited*

Prohibited

*General*

Prohibited

*Intensive*

Prohibited

**Outdoor Display**

*Class A*

Permitted

88-435-02

*Class B*

Prohibited

**Outdoor Storage**

*Principal*

Prohibited

*Accessory*

Prohibited

**Recycling Service**

*Limited*

Prohibited

**Residential Storage Warehouse**

Prohibited

**Warehousing, Wholesaling, Freight  
Movement**

*Indoor*

Prohibited

*Outdoor*

Prohibited

**AGRICULTURE**

**Agriculture, Animal**

Prohibited

**Agriculture, Crop**

Prohibited

**Agriculture, Urban**

*Home garden*

Permitted

88-312-02

*Community garden*

Prohibited



COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190100

**Plaza Bowl Overlay Use Table**

**USE GROUP**

Use Category  
specific use type

Use-  
Specific  
Standard

<i>Community-supported agriculture (CSA) farm</i>	<b>Prohibited</b>	
<b>ACCESSORY SERVICES</b>		
<b>Wireless Communication Facility</b>		
<i>Freestanding</i>	<b>Prohibited</b>	
<i>Co-located antenna</i>	<b>SUP</b>	<b>88-385</b>

**Plaza Bowl Overlay Height Restrictions**

For buildings located within the Plaza Bowl Overlay, building heights shall be limited to the heights and stories as shown on the Plaza Bowl Overlay maps attached herein.

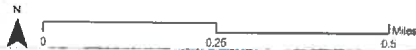
COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190100

Plaza Bowl Implementation - PHASE III



Plaza Bowl Overlay

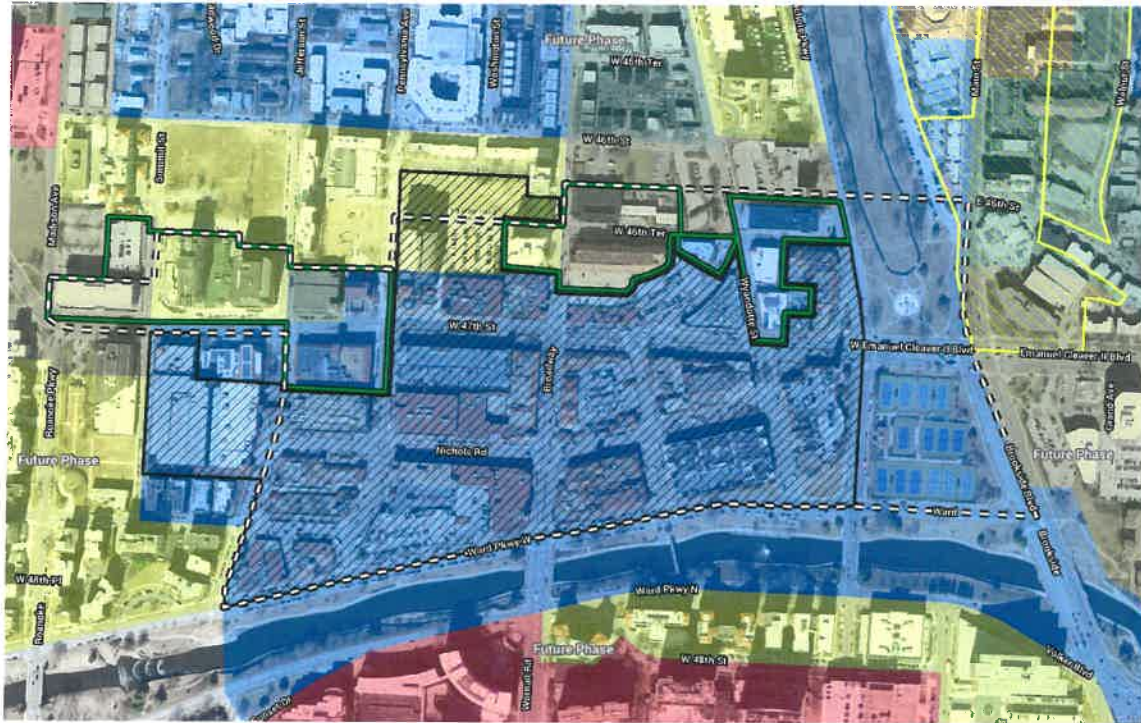
2/12/2019



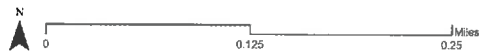
- 40' (Maximum of 3 stories)
- 20' - 65' (Minimum of 2 stories, Maximum of 5 stories)
- 45' - 20' (Minimum of 3 stories, Maximum of 7 stories)
- 42' - 130' (Minimum of 3 stories, Maximum of 10 stories)
- 40' - 120' (Minimum of 2 stories, Maximum of 15 stories)
- 60' - 250' (Minimum of 3 stories, Maximum of 15 stories)

# COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190100

## Plaza Bowl Implementation - PHASE III



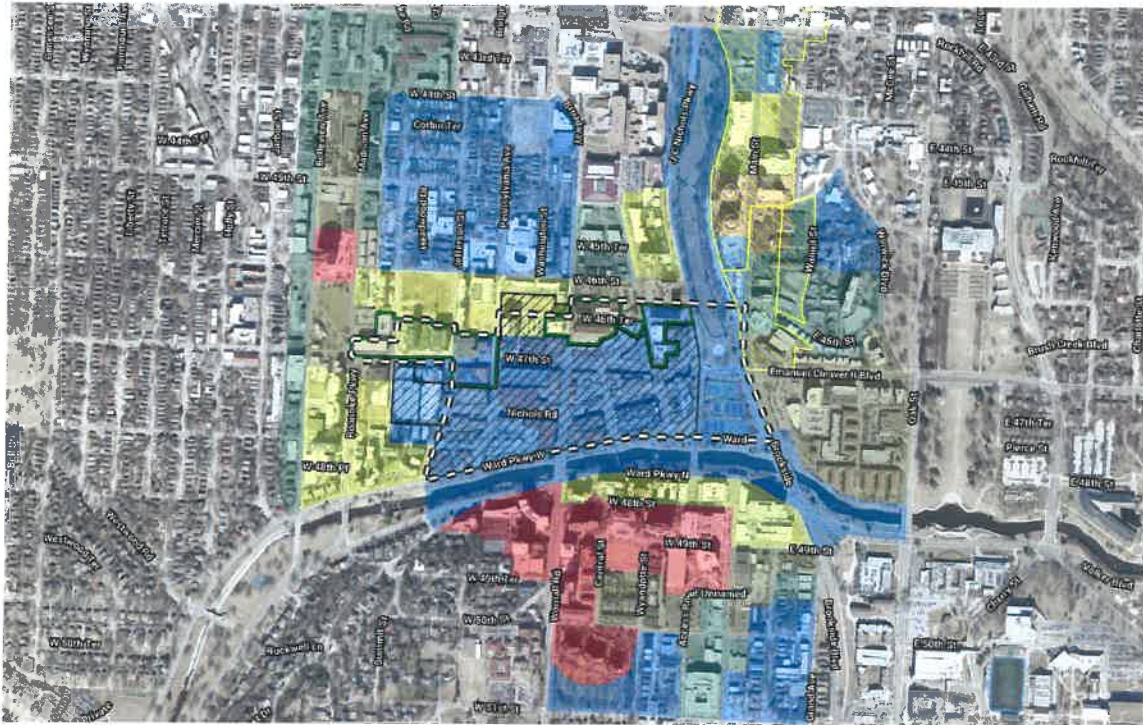
Plaza Bowl Overlay  
2/12/2019



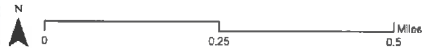
- Plaza Bowl Overlay
- 45' (Minimum of 3 stories)
- 75' - 80' (Minimum of 2 stories, Maximum of 5 stories)
- 45' - 50' (Minimum of 3 stories, Maximum of 7 stories)
- 45' - 130' (Minimum of 3 stories, Maximum of 10 stories)
- 40' - 150' (Minimum of 3 stories, Maximum of 15 stories)
- 40' - 200' (Minimum of 3 stories, Maximum of 19 stories)

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190100

Plaza Bowl Implementation - PHASE III



Plaza Bowl Overlay  
2/12/2019



- Plaza Bowl Overlay
- Country Club Place Tax Amendment
- Main Corridor Overlay
- Planning Area A - The Country Club Place
- 45' (Minimum of 3 stories)
- 28' - 60' (Minimum of 3 stories, Maximum of 5 stories)
- 45' - 90' (Minimum of 3 stories, Maximum of 7 stories)
- 45' - 130' (Minimum of 3 stories, Maximum of 12 stories)
- 45' - 150' (Minimum of 3 stories, Maximum of 18 stories)

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190100



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 Chapter 88, Code of Ordinances have been given and had.

Section D. That the appropriation in the following account of the General Fund is hereby reduced by the following amount:

19-1000-179990-B	Contingent Appropriation	\$10,000.00
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Section E. That the sum of \$10,000.00 is hereby appropriated from the Unappropriated Fund Balance of the General Fund to the following account, for the purpose of educating the public about the requirements of this ordinance:

19-1000-642500-B-619080	Development Services	\$10,000.00
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Section F. This ordinance, relating to the appropriation of money, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter and shall take effect in accordance with that section.

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190100

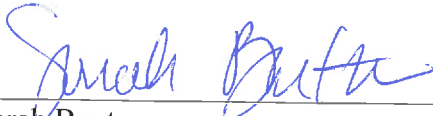
I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

\_\_\_\_\_  
Randall J. Landes  
Director of Finance

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  
Assistant City Attorney



Authenticated as Passed

  
\_\_\_\_\_  
Sly James, Mayor

  
\_\_\_\_\_  
Marilyn Sanders, City Clerk

FEB 14 2019

\_\_\_\_\_  
Date Passed

COMPARED VERSION  
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190100

Approving a Special Character Overlay to be known as the Plaza Bowl Overlay District, which includes use and height regulations for the area generally located on the south and north sides of W. 47th Street (extending northerly to the north side of W. 46th Terrace), between Madison Avenue on the west and J.C. Nichols Parkway on the east; reducing the contingent appropriation in the amount of \$10,000.00; appropriating \$~~15~~10,000.00 ~~in from~~ the ~~Developer Services~~Unappropriated Fund Balance of the General Fund for the purpose of educating the public about the requirements of this ordinance; and recognizing this ordinance as having an accelerated effective date. (CD-CPC-2018-00159)

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 & Development Code, is hereby amended by approving the Special Character Overlay District, for the area generally located on the south and north sides of 47th Street (extending northerly to the north side of 46th Terrace), between Madison Avenue on the west and J.C. Nichols Parkway on the east, said section legally described as:

800 W 47th St Bunker Hill all of Lots 20-29 & vac alley & Lots 30 & 31 & E 1/2 of vac alley ly w of & adj & Lots 32-36 (ex w 3.64') Blk 16

770 W 47th St Plaza Steppes all of Lot 1

720 W 47th St Plaza Steppes 2nd Plat Lot 2

700 W 47th St Plaza Steppes 2nd Plat Lot 3

612-20 W 47th St Home Place prt Lot 26 daf beg at ne cor 47th & Jefferson St th n to n li sd Lot 26 th e 162.5 ft th s to n li 47th St th swly to beg

604 W 47th St /Church Sunday School Offices Home Place w 120 ft of e 146 ft ly n of 47th St Lot 26

605 W 47th St NE 1/4 SE 1/4 Sec 30 49 33 begat inters of w li Penn Ave wi s li 47th St & rng s alg w li Penn Ave 150 ft to pt th rng w at rt ang last desc course to pt of inters wi e li Jefferson St th rng n alg e li Jefferson to pt of inters wi s li of 47th St th nely alg s li 47th St to beg

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190100



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 Chapter 88, Code of Ordinances have been given and had.

Section D. That the appropriation in the following account of the General Fund is hereby reduced by the following amount:

19-1000-179990-B                      Contingent Appropriation                      \$10,000.00

Section E. That the sum of ~~\$1510~~ \$1510,000.00 is hereinhereby appropriated from the Unappropriated Fund Balance of the ~~Development Services~~ General Fund to the following account, for the purpose of educating the public about the requirements of this ordinance:

19-~~2210~~1000-642500-B-619080                      Development Services                      ~~\$1510~~ \$1510,000.00

Section ~~EF~~ EF. This ordinance, relating to the appropriation of money, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter and shall take effect in accordance with that section.