



Agenda

Neighborhood Planning and Development Committee

Lee Barnes Jr., Chair
Andrea Bough, Vice Chair
Dan Fowler
Brandon Ellington
Teresa Loar

Wednesday, June 14, 2023

1:30 PM

26th Floor, Council Chamber

Meeting Link: <https://us02web.zoom.us/j/84530222968>

PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

Beginning of Consent(s)

Fowler, Hall, O'Neill and Loar

[230497](#) Sponsor(s): Councilmembers Dan Fowler, Heather Hall and Kevin O'Neill

Approving the plat of Golden Plains Technology Park - Zone 3, a subdivision in Clay and Platte Counties, Missouri, on approximately 366 acres generally located at the southeast corner of the intersection of N.W. 128th Street and U.S. 169 Highway, creating 2 lots for the purpose of a data center and electrical substation; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00003).

Attachments: [3210 docket memo](#)

End of Consent(s)

Director of City Planning & Development

230485 Sponsor: Director of City Planning and Development Department

Rezoning an area of about 1.19 acres generally located at the corner of East 65th Street and Troost Avenue from District B4-2 to District UR and approving a development plan to allow for a non-residential development plan. (CD-CPC-2023-00002)

Attachments: [Docket Memo 6500 Troost Ave.](#)

Director of City Planning & Development

230486 Sponsor: Director of City Planning and Development Department

Vacating a portion of unused right-of-way on about 11,000 square feet generally located to the west of Hardesty Avenue between East Truman Road and Van Brunt Drive; and directing the City Clerk to record certain documents. (CD-ROW-2023-00009)

Attachments: [Docket Memo](#)

Director of City Planning & Development

230488 Sponsor: Director of City Planning and Development Department

Authorizing the Director of City Planning and Development to apply for and accept supplemental funding from the U.S. Environmental Protection Agency to increase capitalization of the Kansas City Brownfield Revolving Loan Fund; estimating and appropriating revenue in the amount of \$3,000,000.00 in certain Brownfield Revolving Loan Funds; and authorizing the execution of an amended cooperative agreement with the U.S. Environmental Protection Agency.

Attachments: [Docket Memo 2023 Supplemental RLF rev. G64SBRLF Supplemental 06-2023](#)

Director of City Planning & Development

230490 Sponsor: Director of City Planning and Development Department

Rezoning an area of about 17.82 acres generally located at Truman Road and Van Brunt Boulevard from Districts B3-2 and R-2.5 to District UR and approving a development plan to allow for four additional buildings. (CD-CPC-2023-00046).

Attachments: [Docket Memo](#)

Director of City Planning & Development

[230491](#) Sponsor: Director of City Planning and Development Department

Rezoning an area of about 100 acres generally located at the northeast corner of N.W. 108th Street and N.W. Skyview Avenue (approximately 800 feet north) from District AG-R to District MPD to allow for a residential development, which also serves as a preliminary plat, creating 249 detached lots and 340 multi-family and 9 tracts in 7 phases. (CD-CPC-2023-00017).

Attachments: [Docket Memo CD-CPC-2023-00017](#)

City Manager's Office and Tax Increment Financing (TIF) Commission

[230492](#) Sponsor: City Manager

Accepting the recommendations of the Tax Increment Financing Commission of Kansas City, Missouri as to the 22nd Amendment to the KCI Corridor Tax Increment Financing Plan and approving the 22nd Amendment to the KCI Corridor Tax Increment Financing Plan.

Attachments: [KCI Corridor 22nd Amendment - DOCKET MEMO](#)

City Manager's Office and Tax Increment Financing (TIF) Commission

[230493](#) Sponsor: City Manager

Accepting the recommendations of the Tax Increment Financing Commission of Kansas City, Missouri as to the Seventh Amendment to the Linwood Tax Increment Financing Plan and approving the Seventh Amendment to the Linwood Tax Increment Financing Plan.

Attachments: [Linwood Shopping Center 7th Amendment - DOCKET MEMO](#)

Bough

[230494](#) Sponsor: Councilmember Andrea Bough

Approving a modification of the incentivized project construction timeline for the Hyatt House Hotel Project, located at 900 Broadway Boulevard.

Attachments: [Docket Memo 230494.docx](#)

Director of City Planning & Development

230496 Sponsor: Director of City Planning and Development Department

Approving the petition to amend the Westport Community Improvement District; amending the Westport Community Improvement District generally located at West 40th Street to the north, Broadway Boulevard to the east, Archibald Avenue, West 42nd Street, and West 42nd Terrace to the south, and Bridger Road and Southwest Trafficway to the west in Kansas City, Jackson County, Missouri; requiring the annual submission of certain records; and directing the City Clerk to report the creation of the District to the Missouri Department of Economic Development and the Missouri State Auditor.

Attachments: [Westport I CID Docket Memo 6-6-23](#)

Bunch and Bough

230502 Sponsor: Council member Andrea Bough

Amending Chapter 14, Code or Ordinances, by repealing Section 14-14, Special exceptions from distance requirements for keeping of livestock, and enacting in lieu thereof a new section of like number and subject matter, allowing the director of neighborhood services to issue thirty-day, special exception periods for Section 14-12's prohibitions on both keeping livestock within 200 feet of a building used by human beings, and keeping more than two such animals beyond such distance; waiving the limitations established by the Fund Balance and Reserve Policy in section 2-1954 of the Code of Ordinances; appropriating \$1,000.00 from the Unappropriated Fund Balance of the General Fund for the purpose of educating the public about the ordinance and benefits of livestock agricultural maintenance; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

Attachments: [230502 Docket Memo](#)
[230502 Approp sheet](#)

Bough

230506 Sponsor: Councilmember Andrea Bough

Approving the petition to amend the 4840 Community Improvement District; amending the 4840 Community Improvement District generally located at 48th Street on the north between Roanoke Parkway on the east and Belleview Avenue on the west in Kansas City, Jackson County, Missouri; requiring the annual submission of certain records; and directing the City Clerk to report the creation of the District to the Missouri Department of Economic Development and the Missouri State Auditor.

Attachments: [4840 CID Docket Memo](#)

Fowler

[230507](#) Sponsor: Councilmember Dan Fowler
Amending Committee Substitute for Ordinance No. 220364, passed on October 13, 2022, by repealing and replacing Section 5 to provide for an effective date of October 1, 2023.

Attachments: [Docket Memo 230507](#)

HELD IN COMMITTEE

Director of City Planning & Development and City Plan Commission

[230310](#) Sponsor: Director of City Planning and Development Department

Amending Chapter 88, Code of Ordinances, by repealing Section 88-805-04, Commercial Use Group, and enacting in lieu thereof a new section of like number and subject matter to change the definition of restaurant to be consistent with Chapter 10 of the Code of Ordinances (CD-CPC-2023-00030).

Attachments: [Docket Memo CPC-2023-00030.pdf](#)

Barnes Jr.

[230360](#) Sponsor: Councilmember Lee Barnes

Directing that the City Manager shall appear before the Council to provide certain information before suspending, terminating, or taking any other adverse action against an employee for failure to comply with the residency requirements of the City's Code of Ordinances.

Attachments: [Docket Memo 230360](#)

Robinson and City Manager's Office

[230393](#) Sponsor: City Manager

Approving the Guadalupe Center Multifamily PIEA General Development Plan on approximately 2.32 acres generally located at the northwest quadrant of Hardesty Avenue and Van Brunt Drive in Kansas City, Missouri, and declaring said area to be blighted and in need of redevelopment and rehabilitation. (CD-CPC-2023-00041)

Attachments: [Docket Memo - Guadalupe Centers RAO\(61663619.1\)](#)

Director of City Planning & Development

230435 Sponsor: Director of City Planning and Development Department

Approving the 6500 Troost PIEA General Development Plan on approximately 1.19 acres generally located at 6500 Troost Avenue, and declaring said area to be blighted and in need of redevelopment and rehabilitation. (CD-CPC-2022-00188)

Attachments: [6500 Troost Avenue PIEA Docket Memo](#)

Robinson

230439 Sponsor: Councilmember Melissa Robinson

Authorizing the City Manager to enter into a Predevelopment Agreement with Historic Northeast Lofts, LLC, for the development of approximately 22 acres in the Historic Northeast Area.

Attachments: [Docket Memo 230439](#)

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Neighborhood Planning and Development Committee issues.

2. Closed Session

- Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
- Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
- Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
- Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
- Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
- Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
- Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

3. Those who wish to comment on proposed ordinances can email written testimony to public.testimony@kcmo.org. Comments received will be distributed to the committee and added to the public record by the clerk.

The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at www.kcmo.gov
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOuBlg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: http://kansascity.granicus.com/ViewPublisher.php?view_id=2

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.

Adjournment



File #: 230497

ORDINANCE NO. 230497

Sponsor(s): Councilmembers Dan Fowler, Heather Hall and Kevin O’Neill

Approving the plat of Golden Plains Technology Park – Zone 3, a subdivision in Clay and Platte Counties, Missouri, on approximately 366 acres generally located at the southeast corner of the intersection of N.W. 128th Street and U.S. 169 Highway, creating 2 lots for the purpose of a data center and electrical substation; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00003).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Golden Plains Technology Park – Zone 3, a subdivision in Clay and Platte Counties, Missouri, true and correct copies of which are attached hereto and incorporated herein by reference, are hereby approved.

Section 2. That the plat granting and reserving unto Kansas City an easement and license or right to locate, construct, operate and maintain facilities including, but not limited to, water, gas, sewerage, telephone, cable TV, surface drainage, underground conduits, pad mounted transformers, service pedestals, any and all of them upon, over, under and along the strips of land outlined and designated on the plat by the words utility easement or U/E be and the same are

hereby accepted and where other easements are outlined and designated on the plat for a particular purpose, be and the same are hereby accepted for the purpose as therein set out.

Section 3. That the grades of the streets and other public ways set out on the plat herein accepted are hereby established at the top of curb, locating and defining the grade points which shall be connected by true planes or vertical curves between such adjacent grade points, the elevations of which are therein given, in feet above the City Directrix.

Section 4. That the Director of City Planning and Development is hereby authorized to execute the following, to be in forms substantially as that attached hereto as Exhibits A-G, subject to City approval and incorporated herein by reference:

- A. Covenant to Maintain Storm Water Detention and BMP Facilities from Velvet Tech Services, LLC;
- B. Utility Easement from Velvet Tech Services, LLC;
- C. Utility Easement from Evergy Missouri West, Inc.;
- D. Easement for Water Main and Appurtenances from Velvet Tech Services, LLC;
- E. Easement for Water Main and Appurtenances from Evergy Missouri West, Inc.;
- F. Sanitary Sewer Easement from Velvet Tech Services, LLC; and
- G. Sanitary Sewer Easement from Evergy Missouri West, Inc.

Section 5. That the Director of City Planning and Development is hereby authorized to execute and/or accept any and all agreements necessary to clear the title of any right of way, utility easements or other public property dedicated on the plat.

Section 6. That the City Clerk is hereby directed to record copies of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Clay and Platte Counties, Missouri.

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on March 1, 2022.

..end

Approved as to form:

Eluard Alegre
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Revised 3/24/2023

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Approving the plat of Golden Plains Technology Park - Zone 3, a subdivision in Clay and Platte Counties, Missouri, on approximately 366 acres generally located at the southeast corner of the intersection of N.W. 128th Street and U.S. 169 Highway, creating 2 lots for the purpose of a data center and electrical substation accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00003)

Discussion

See attached CPC staff report.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

This is a Final Plat Ordinance, not applicable.

3. How does the legislation affect the current fiscal year?

This is a Final Plat Ordinance, not applicable.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

This is a Final Plat Ordinance, not applicable.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

This is a Final Plat Ordinance, not applicable.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
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Prior Legislation

See CPC Staff Report.

Service Level Impacts

This is a Final Plat Ordinance, not applicable.

Other Impacts

1. What will be the potential health impacts to any affected groups?

This is a Final Plat Ordinance, not applicable.

2. How have those groups been engaged and involved in the development of this ordinance?

This is a Final Plat Ordinance, not applicable.

3. How does this legislation contribute to a sustainable Kansas City?

This is a Final Plat Ordinance, not applicable.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances ([Chapter 38, titled "Civil Rights"](#))?

This is a Final Plat Ordinance, not applicable.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances ([Chapter 3, titled "Contracts and Leases"](#))?

This is a Final Plat Ordinance, not applicable.



File #: 230485

ORDINANCE NO. 230485

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 1.19 acres generally located at the corner of East 65th Street and Troost Avenue from District B4-2 to District UR and approving a development plan to allow for a non-residential development plan. (CD-CPC-2023-00002)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A-1388, A request to approve a rezoning from District B4-2 (Heavy Business/Commercial 4) to District UR (Urban Redevelopment) and a non-residential development plan on about 1.19 acres generally located at the corner of East 65th Street and Troost Avenue, said section to read as follows:

Section 88-20A-1388. That an area legally described as:

All that part of the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 48, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point 40.0 feet West and 25.0 feet South of the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of said Section 5, said point being also the point of intersection of the West Line of Troost Avenue and the South line of 65th Street, as said streets are now established; thence North 89°04'30" West along the South line of said 65th Street a distance of 170.00 feet; thence due South parallel to the East line of said Southeast 1/4 of the Southeast 1/4 a distance of 305.00 feet; thence South 89°04'30" East parallel to the North line of said Southeast 1/4 of the Southeast 1/4 a distance of 170.00 feet to the West line of Troost Avenue; thence due North along said West line a distance of 305.00 feet to the point of beginning, except that part in streets, roads and/or public rights of way.

is hereby rezoned from District B4-2 (Heavy Business/Commercial 4) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1388 which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan for the area legally described above is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
2. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
3. The developer shall secure approval of a UR final plan from Development Management Division staff prior to a building permit.
4. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
5. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
6. The uses in the UR district shall be those listed in the B3 zoning district. The applicant shall place the following uses as prohibited on the plans at the time of Final UR:
 - a. Adult Business
 - b. Gasoline and Fuel Sales
 - c. Vehicle Sales and Service
 - d. Recycling Service
 - e. Warehousing, Wholesaling, Storage, Freight movement
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, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and 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 of occupancy permits.

8. If an approved security gate spans across a fire access road, an approved means for emergency operation shall be provided (IFC-2018 § 503.6)
9. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
10. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy. A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment and development plan hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

..end

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:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

The applicant is seeking approval of a rezoning from District B4-2 (Heavy Business/Commercial 4) to District UR (Urban Redevelopment) to allow for a non-residential development plan on about 1.19 acres generally located at the corner of 65th Street and Troost Avenue.

Discussion

The applicant recently received approval of a PIEA plan. Projects that receive PIEA funding are required to rezone to district UR, the applicant is also seeking approval of a non-residential development plan to reuse the existing buildings on the subject property for retail/office/restaurant uses. The UR rezoning will allow only for the uses that are allowed in the B3 zoning district, and has a list of prohibited uses which will be required to be placed on the final plans. Access to the property is from Troost Avenue. The developer is proposing a 6 foot tall fence surrounding the parking area and parking and landscaping in compliance with the code.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

The application received approval to receive PIEA funding.

3. How does the legislation affect the current fiscal year?

NA

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

NA

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

NA

City of Kansas City, Missouri



Docket Memo

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

NA

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
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Prior Legislation

See CPC Staff Report.

Service Level Impacts

See CPC Staff Report.

City of Kansas City, Missouri



Docket Memo

Other Impacts

1. What will be the potential health impacts to any affected groups?
NA
2. How have those groups been engaged and involved in the development of this ordinance?
NA
3. How does this legislation contribute to a sustainable Kansas City?
NA
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?
NA
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?
NA



File #: 230486

ORDINANCE NO. 230486

Sponsor: Director of City Planning and Development Department

Vacating a portion of unused right-of-way on about 11,000 square feet generally located to the west of Hardesty Avenue between East Truman Road and Van Brunt Drive; and directing the City Clerk to record certain documents. (CD-ROW-2023-00009)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that on the 1st day of May, 2023, a petition was filed with the City Clerk of Kansas City by Patty Yang for the vacation of all of the north and south alley immediately west of Hardesty Avenue and the east and west alley immediately south of Truman Road located within the subdivisions of Munroe Heights and the Stephen Fisher Addition, extending from the intersection of said alleys east to the west line of Hardesty avenue and south to the north line of Van Brunt Drive, all in Kansas City, Jackson County, Missouri, giving the distinct description of the alleys to be vacated, and also the names of the persons and corporations owning or claiming to own the property fronting thereon, and that the consent of the persons and corporations owning or claiming to own three-fourths of the front feet of the property immediately adjoining said alleys has been obtained in writing, that said consent has been acknowledged as deeds are acknowledged, and was duly filed with the petition for such vacation in the City Clerk's Office.

Section 2. That the Council finds that the City Plan Commission has duly endorsed its approval of this Ordinance hereon.

Section 3. That the Council finds that no private rights will be unreasonably injured or endangered by this vacation and that the public will suffer no unreasonable loss or inconvenience thereby.

Section 4. That all of the north and south alley immediately west of Hardesty Avenue and the east and west alley immediately south of Truman Road located within the subdivisions of Munroe Heights and the Stephen Fisher Addition, extending from the intersection of said alleys east to the west line of Hardesty avenue and south to the north line of Van Brunt Drive, all in Kansas City, Jackson County, Missouri, be and the same is hereby vacated. However, the City of Kansas City reserves an easement and the right to locate, construct and maintain (or to authorize any franchised utility to locate, construct and maintain) conduits, water, gas and sewer pipes, poles and wire, or any of them over, under, along and across the above-described property. The City of Kansas City shall have at all times the right to go upon the above-described property to construct, maintain and repair the same; and nothing in this vacation action shall be construed so as to grant any right to use the above-described property in any manner as would interfere with the construction or reconstruction and proper, safe and continuous maintenance of the aforesaid uses, and specifically, there shall not be built thereon or thereover any structure (except driveways, paved areas, grass, shrubs and fences) without first securing the written approval of the Director of Public Works, with the following conditions:

1. The applicant shall reimburse costs for relocating utilities located in alley to be vacated as required by Spectrum Charter.
2. The developer shall retain utility easement and protect facilities owned and operated by Evergy.
3. Facilities owned and operated by AT&T shall be relocated at the cost of the applicant for the north/south easement. AT&T does not consent to vacating the east/west easement at this time.
4. The developer shall re-establish power sources for streetlights affected by the removal of power lines and transformers within the alley to be vacated at their own expense.
5. The developer shall relocate the existing Tornado Siren in accordance with the Office of Emergency Management.

Section 5. That the City Clerk of Kansas City, Missouri, be and she is hereby authorized and directed to acknowledge this ordinance as deeds are acknowledged, and to cause this ordinance and the consent of property owners hereinbefore referred to, to be filed for record in the Recorder's Office in Jackson County, Missouri.

_____, A.D. 20____, at _____ o'clock _____ minutes M., duly filed for record in this office, and with certificate of acknowledgment thereon endorsed, is recorded in the records of this office in Book _____, at page _____.

In Testimony Whereof, I hereunto set my hand and affix the seal of said office at Kansas City, Missouri, this day and year last aforesaid.

Recorder

By _____
Deputy

City of Kansas City, Missouri



Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

A request to vacate a portion of unused right-of-way on about 11,000 square feet generally located to the west of Hardesty Avenue between East Truman Road and Van Brunt Drive. (CD-ROW-2023-00009)

Discussion

See CPC staff report

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?

N/A
3. How does the legislation affect the current fiscal year?

N/A
4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

Office of Management and Budget Review
(OMB Staff will complete this section.)

City of Kansas City, Missouri



Docket Memo

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

Prior Legislation

See CPC staff report.

Service Level Impacts

See CPC staff report

Other Impacts

1. What will be the potential health impacts to any affected groups?



City of Kansas City, Missouri

Docket Memo

This is a zoning ordinance and has not been evaluated against this subject matter.

2. How have those groups been engaged and involved in the development of this ordinance?

This is a zoning ordinance and has not been evaluated against this subject matter.

3. How does this legislation contribute to a sustainable Kansas City?

This is a zoning ordinance and has not been evaluated against this subject matter.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

This is a zoning ordinance and has not been evaluated against this subject matter.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

This is a zoning ordinance and has not been evaluated against this subject matter.



File #: 230488

ORDINANCE NO. 230488

Sponsor: Director of City Planning and Development Department

Authorizing the Director of City Planning and Development to apply for and accept supplemental funding from the U.S. Environmental Protection Agency to increase capitalization of the Kansas City Brownfield Revolving Loan Fund; estimating and appropriating revenue in the amount of \$3,000,000.00 in certain Brownfield Revolving Loan Funds; and authorizing the execution of an amended cooperative agreement with the U.S. Environmental Protection Agency.

WHEREAS, the City accepted a Brownfield Cleanup Revolving Loan Fund (“Brownfield RLF”) grant in 2000 from the U.S. Environmental Protection Agency (“EPA”) in the amount of \$500,000.00 as authorized by Ordinance No. 001210; and

WHEREAS, the City created the Kansas City Brownfield RLF Program to make loans and subgrants of RLF grant funds for the cleanup of Brownfield sites in Kansas City, Missouri; and

WHEREAS, the City in the years 2007, 2010, 2012, 2014, 2015, 2016, 2018, 2019, and 2022 accepted additional funding from the EPA in a total amount of \$8,483,840.00 to increase capitalization of the Kansas City Brownfield RLF, as authorized by Ordinance Nos. 070894, 100138, 120849 and 140732, Resolution No. 150693, and Ordinance Nos. 160539, 180581, 190633, 190773 and 220630, respectively; and

WHEREAS, the Brownfield RLF program is an important source of capital that can be used to provide low-interest, partially-forgivable loans and subgrants to finance the cleanup of abandoned and underutilized properties, and help create jobs and new economic opportunities, especially for economically distressed, historically underserved and disproportionately burdened communities in Kansas City; and

WHEREAS, the EPA has selected the City to be awarded an additional Supplemental RLF Grant in the amount of \$3,000,000.00 for the Kansas City Brownfield RLF Program conditioned upon the submittal of an application for funding and the execution of an amendment to EPA Cooperative Agreement No. 4B-97798101 governing use of the funds; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The Director of the City Planning and Development Department is authorized to apply for and accept a Supplemental Brownfield RLF Grant from the EPA in the amount of \$3,000,000.00.

Section 2. That revenue in the following account of the Brownfields Revolving Loan Fund is estimated in the following amount:

24-2550-640001-476722-G64SBRLF EPA- Brownfield Revolving Loan \$3,000,000.00

Section 3. That the sum of \$3,000,000.00 is appropriated from the Unappropriated Fund Balance of the Brownfields Revolving Loan Fund to the following account:

24-2550-645020-A-G64SBRLF	Brownfield Federal Grants	\$ 270,000.00
24-2550-645020-B-G64SBRLF	Brownfield Federal Grants	<u>\$2,730,000.00</u>
	TOTAL	\$3,000,000.00

Section 4. That the Director of City Planning and Development is authorized to enter into an amended cooperative agreement with the U.S. Environmental Protection Agency governing the use of the grant funds. A copy of the amendment, in substantial form is on file in the office of the Director of City Development.

..end

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.

Tammie L. Queen
Director of Finance

Approved as to form:

Abigail Judah
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing the Director of City Planning and Development to accept supplemental funding from the U. S. Environmental Protection Agency (EPA) for the Kansas City Brownfield Revolving Loan Fund; estimating and appropriating revenue; and authorizing an amended cooperative agreement with EPA.

Discussion

EPA has offered the City a Supplemental RLF Grant of \$3,000,000.00 for cleanup of eligible brownfield properties in Kansas City. The funds will be added to an existing federal grant and increase the total awarded capital of the RLF Program to \$8,483,840.00. When added to current unobligated funds and program income, the new program balance would be approximately \$7,261,575.56. The existing grant term is five years ending 09-30-2027. All grant revenues and activities will be administered by the Department of City Planning and Development. The ordinance estimates revenue in the amount of \$3,000,000.00 and appropriates the same amount, and authorizes the Director of City Planning and Development to amend federal cooperative agreement No. 4B-97798101 with EPA. No matching funds are required for this grant. EPA has requested submission of the new grant application by 6/30/2023.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
U.S. Environmental Protection Agency grant
3. How does the legislation affect the current fiscal year?
Increase appropriations by \$3,000,000.00
4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
No. This is a one-time grant
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?



City of Kansas City, Missouri

Docket Memo

Yes. The grant generates revenue and will generate program income in future years that the City can keep and use to offset RLF program operating costs and for loans and subgrants for additional projects.

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City’s most vulnerable population
- Utilize planning approaches to improve the City’s neighborhoods

Prior Legislation

Ordinance Nos. 070894, 100138, 120849, 140732, 160539, 180581, 190633, 190773 and 220630, and Resolution No. 150693.

City of Kansas City, Missouri

Docket Memo

Service Level Impacts

It is estimated that the \$3 million EPA Supplemental Brownfields RLF grant will result in one to three new site cleanups completed, approximately 32 acres of formerly contaminated land or 570,000 square feet of formerly contaminated building space becoming ready for reuse, and \$10,000,000 of new investment leveraged for site reuse or redevelopment. Estimates of grant impact are based on key measure data compiled for the Kansas City Brownfields Program.

Other Impacts

1. What will be the potential health impacts to any affected groups?

Vulnerable populations, environmental justice communities and other residents living or working on or near brownfield sites will benefit from the cleanup activities performed with the grant funds accepted by the ordinance.

2. How have those groups been engaged and involved in the development of this ordinance?

Stakeholders, including non-profits, neighborhood organizations, and interested residents were informed about the EPA Brownfields grant opportunity and the existing Kansas City Brownfields Revolving Loan Fund program through public meetings of the Kansas City Brownfields Commission and the Kansas City Brownfields Initiative. Public input is welcomed at all meetings.

3. How does this legislation contribute to a sustainable Kansas City?

The EPA Brownfield grant helps cleanup and reuse vacant, idle and blighted properties, usually located in developed areas with existing infrastructure, public safety, schools, parks and other public services. Reuse of these sites helps the City make more efficient use of its existing investments in these services, increase density, promote public transit, reduce vehicle miles traveled and related carbon emissions, and reduce the overall cost of providing services to residents. Moreover, Brownfield site cleanup and redevelopment enhance environmental quality, help address social inequity and environmental justice issues, and contribute to the economic vitality of the affected areas and the City overall.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Davis Bacon Act wage requirements apply to all site cleanup activities funded by the EPA Brownfields RLF grant.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

NA



REQUEST FOR SUPPLEMENTAL REVENUE
CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: **City Planning and Development**

BUSINESS UNIT: **KCMBU** DATE: _____ JOURNAL ID: _____

LEDGER GROUP: _____ REVENUE

<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
2550	640001	476722	G64SBRLF	3,000,000.00
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	TOTAL	<u>3,000,000.00</u>

DESCRIPTION:

Estimating revenue in the amount of \$3,000,000 in the Brownfields Revolving Loan Fund; and appropriating that amount to the appropriate Brownfields account.

APPROVED BY: _____ DATE _____ APPROVED BY: DEPARTMENT HEAD _____ DATE _____



APPROPRIATION TRANSACTION
CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: **City Planning and Development**

BUSINESS UNIT: **KCMBU** DATE: _____ JOURNAL ID: _____

LEDGER GROUP: _____ APPROP: _____ BUDGET PERIOD: _____

<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
2550	645020	A	G64SBRLF	270,000.00
2550	645020	B	G64SBRLF	2,730,000.00
TOTAL				<u>3,000,000.00</u>

BUSINESS UNIT: **KCMBU** DATE: _____ JOURNAL ID: _____

LEDGER GROUP: _____ ADMIN: _____ BUDGET PERIOD: _____

<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
2550	645020	601100	G64SBRLF	270,000.00
2550	645020	619080	G64SBRLF	2,730,000.00
TOTAL				<u>3,000,000.00</u>

DESCRIPTION:

Estimating revenue in the amount of \$3,000,000 in the Brownfields Revolving Loan Fund; and appropriating that amount to the appropriate Brownfields account.

APPROVED BY: _____ DATE: _____ APPROVED BY: DEPARTMENT HEAD DATE: _____



File #: 230490

ORDINANCE NO. 230490

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 17.82 acres generally located at Truman Road and Van Brunt Boulevard from Districts B3-2 and R-2.5 to District UR and approving a development plan to allow for four additional buildings. (CD-CPC-2023-00046).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A-1389, rezoning an area of about 17.82 acres generally located at Truman Road and Van Brunt Boulevard from Districts B3-2 (Community Business (Dash 2)) and District R-2.5 (Residential 2.5) to District UR (Urban Redevelopment), said section to read as follows:

Section 88-20A-1389. That an area legally described as:

All of Lots 1, 2, and part of Lots 25 and 26, the Stephen Fisher Addition, a subdivision in Kansas City, Jackson County, Missouri, and part of Lots 10 thru 25, inclusive, Munroe Heights, a subdivision in said city, county and state, described as follows: Beginning at the southeast corner of Lot 2 in said Stephen Fisher Addition, said point being on the north right-of-way line of Van Brunt Drive; thence North 87°32'44" West, along said north right-of-way line, 25.00 feet from the centerline thereof, 216.16 feet to the southwest corner of the east 75.00 feet of Lot 25 in said Stephen Fisher Addition; thence North 02°09'20" East, along the west line of the east 75.00 feet of Lots 25 and 26 in said Stephen Fisher Addition, and the west line of the east 75.00 feet of Lots 10 thru 17, inclusive, in said Munroe Heights, 467.52 feet to the northwest corner of the east 75.00 feet of said Lot 10; thence South 87°30'28" East, along the north line of said Lot 10, across an alley, and along the north line of Lot 25 in said Munroe Heights, 216.24 feet to the west right-of-way line of Hardesty Avenue as now established; thence South 02°09'54" West, along said west right-of-way line, 30.04 feet from the centerline thereof, 467.38 feet to the point of beginning, containing 2.320 acres, more or less.

is hereby rezoned from Districts B3-2 (Community Business (Dash 2)) and District R-2.5 (Residential 2.5) to District UR (Urban Redevelopment), all as shown outlined on a map marked

Section 88-20A-1389, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan for the area legally described above is hereby approved, subject to the following conditions:

1. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
2. The developer shall secure approval of a UR final plan from Development Management Division staff prior to a building permit.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
4. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
5. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
6. All mechanical equipment and dumpsters shall be screened pursuant to 88-425-08.
7. All proposed buildings located outside the PIEA plan area will require a project plan to be approved by the City Plan Commission prior to the issuance of any building permit.
8. The PIEA plan shall be amended if the developer is to rezone any remaining part of the campus to Urban Redevelopment (UR).
9. Public fire hydrants shall be spaced every 300 feet along adjacent perimeter streets. A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.
10. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC 2018 § 507.1)

11. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC 2018 § 507.5.1.1)
12. Fire hydrant(s) shall be within 400 feet on a fire access road following an approved route established by the Authority having Jurisdiction (AHJ) of any exterior portion of a building. The use of existing fire hydrant(s) may be used to satisfy this requirement otherwise a private fire hydrant(s) or hydrant system may be required. This distance may be increased to 600 feet for R-3 and U occupancy(s) or the building(s) is fully protected by an approved automatic fire sprinkler system(s). (IFC 2018: § 507.5.1) Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC 2018 § 501.4 and 3312.1; NFPA 241 2013 § 8.7.2)
13. All required Fire Department access roads shall be an all-weather surface. (IFC 2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC 2018 § 501.4 and 3310.1; NFPA 241 2013 § 7.5.5) Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC 2018: § 503.2.3)
14. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC 2018 § D105).
15. Dead-end Fire Department access road(s) in excess of 150 feet shall be provided with an approved turnaround feature (i.e., cul-de-sac, hammerhead). Dead-end streets in excess of 150 feet in length resulting from a “phased” project shall provide an approved temporary turnaround feature (i.e., cul-de-sac, hammerhead). (IFC 2018: § 503.2.5) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC 2018: § 503.2.4)
16. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1 and NFPA1221)
17. 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 boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and 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 or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.

18. The developer shall submit plans to Parks and 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 the 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 and Recreation Department standards.
19. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash in lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash in lieu of dedicating all or a portion of the required area, the amount due shall be based upon the 2023 acquisition rate of \$64,220.18 per acre. If electing to dedicate open space to serve as parkland dedication, said space shall be platted into a private open space tract, reserved for park uses and improved to provide park amenities. Details will need to be submitted identifying the amenities proposed within these spaces via final UR submittal. This requirement shall be satisfied prior to a certificate of occupancy (if paying money in lieu) or recording final plat (if platting open space tracts).
20. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
21. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to any certificate of occupancy.
22. The Water Services Department shall approve the final grading over the existing 6" CIP N/S public water main, verifying 42" minimum depth of cover is maintained. The developer shall submit fire hydrant plans prepared by a professional engineer, who is registered in the State of Missouri to the main extension desk for review, acceptance and contracts per Water Services Department's rules and regulations for water main extensions and relocations.
23. 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 disturbed area to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA

standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.

Section C. That the Council finds and declares that before taking any action on the proposed amendment and development plan hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

..end

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

Joseph Rexwinkle, AICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney

City of Kansas City, Missouri



Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Rezoning an area of about 17.82 acres generally located at Truman Road and Van Brunt Boulevard from District B3-2 and District R-2.5 to District UR (Urban Redevelopment) and approving a development plan to allow for four additional buildings. (CD-CPC-2023-00046).

Discussion

See CPC staff report

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
N/A
3. How does the legislation affect the current fiscal year?
N/A
4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
N/A
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
N/A

Office of Management and Budget Review

(OMB Staff will complete this section.)

City of Kansas City, Missouri



Docket Memo

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

Prior Legislation

See CPC staff report.

Service Level Impacts

See CPC staff report

Other Impacts

1. What will be the potential health impacts to any affected groups?



City of Kansas City, Missouri

Docket Memo

This is a zoning ordinance and has not been evaluated against this subject matter.

2. How have those groups been engaged and involved in the development of this ordinance?

This is a zoning ordinance and has not been evaluated against this subject matter.

3. How does this legislation contribute to a sustainable Kansas City?

This is a zoning ordinance and has not been evaluated against this subject matter.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

This is a zoning ordinance and has not been evaluated against this subject matter.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

This is a zoning ordinance and has not been evaluated against this subject matter.



File #: 230491

ORDINANCE NO. 230491

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 100 acres generally located at the northeast corner of N.W. 108th Street and N.W. Skyview Avenue (approximately 800 feet north) from District AG-R to District MPD to allow for a residential development, which also serves as a preliminary plat, creating 249 detached lots and 340 multi-family and 9 tracts in 7 phases. (CD-CPC-2023-00017).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A-1387, rezoning an area of about 100 generally located at the northeast corner of N.W. 108th Street and N.W. Skyview Avenue (approximately 800 feet north) from District AG-R (Agricultural-Residential) to District MPD (Master Planned Development) to allow for a residential development, which also serves as a preliminary plat, creating 249 detached lots and 340 multi-family and 9 tracts in 7 phases, said section to read as follows:

Section 88-20A-1387. That an area legally described as:

All that part of the North Half of Section 30, Township 52, Range 33, Kansas City, Platte County, Missouri, described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 30, also being the Northeast corner of the Northwest Quarter of said Section 30; thence South 89 degrees 52 minutes 49 seconds East, along the North line of said Northeast Quarter, a distance of 1974.49 feet to the West line of Tiffany Lakes 4th Plat, a subdivision in Kansas City, Platte County, Missouri; thence South 11 degrees 08 minutes 15 West, along the West line of said Tiffany Lakes 4th Plat, a distance of 846.54 feet to the West line of Tiffany Lakes 3rd Plat, a subdivision of land in Kansas City, Platte County, Missouri; thence South 34 degrees 12 minutes 48 West, along the West line of said Tiffany Lakes 3rd Plat, a distance of 112.69 feet; thence South 07 degrees 00 minutes 50 seconds West, continuing along said West line, a distance of 262.82 feet to the West line of Tiffany Lakes 2nd Plat, a subdivision of land in Kansas City, Platte County, Missouri; thence South 24 degrees 38 minutes 24 seconds West, along the West line of said Tiffany Lakes 2nd, a distance of 193.01 feet; thence Northerly along a curve to the right, with an Initial Tangent Bearing of North 58 degrees 10 minutes 17 seconds West, a radius of 210.00 feet, an arc

distance of 33.48 feet; thence continuing along said West line North 49 degrees 02 minutes 10 seconds West, a distance of 64.74 feet; thence South 44 degrees 30 minutes 20 seconds West, a distance of 185.67 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 244.68 feet; thence South 09 degrees 54 minutes 17 seconds West, continuing along said West line, a distance of 54.35 feet; thence South 03 degrees 05 minutes 43 seconds East, continuing along said West line and also being the West line of Tiffany Lakes, a subdivision of land in Kansas City, Platte County, Missouri, a distance of 342.42 feet; thence South 89 degrees 50 minutes 52 seconds West, to the West line of said Northeast Quarter, also being the East line of said Northwest Quarter, a distance of 1215.21 feet; thence North 89 degrees 05 minutes 16 seconds West, a distance of 746.45 feet to the Easterly Right of Way of Northwest Skyview Avenue; thence North 08 degrees 31 minutes 25 seconds East, along said Right of Way, a distance of 422.09 feet, thence continuing along said Right-of-Way, North 08 degrees 24 minutes 25 seconds East, a distance of 931.64 feet; thence Northerly along a curve to the right, being tangent to the last course having a radius of 442.46 feet, an arc distance of 202.85 feet; thence continuing along said Right-of-Way, North 34 degrees 40 minutes 25 seconds East, a distance of 359.59 feet to the North line of the Northwest Quarter of said section 30; thence South 89 degrees 51 minutes 45 seconds East, along said North line, a distance of 290.85 feet to the Point of Beginning. Said Tract contains 95.80 acres more or less.

is hereby rezoned from District AG-R (Agricultural-Residential) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A-1387, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That an MPD preliminary plan/ plat for the area legally described above is hereby approved, subject to the following conditions:

1. The developer shall secure approval of an MPD final plan from the City Plan Commission for the multi-family phase prior to issuance of a building permit.
2. The developer shall submit an application for an MPD final plan to the City Plan Commission for all private open space indicating plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero footcandles at the property lines prior to ordinance request of the first final plat for this development. The MPD final plan shall be approved by the City Plan Commission prior to Mylar approval of the first plat or issuance of a building permit.
3. The developer shall submit a street naming plan to the Development Management Division prior to issuance of a building permit for any phase/ lot. The street naming plan shall be approved prior to Mylar approval of

the first final plat.

4. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
5. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
6. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
7. 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.
8. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.
9. The developer shall submit plans for grading, siltation, and erosion control to the 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 design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
11. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat

or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.

12. The developer shall dedicate additional right-of-way for N.W. Skyview Avenue 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.
13. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.
14. A full flow fire meter will be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.
15. The developer shall submit water main extension drawings prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations.
16. The developer shall submit an analysis by a registered professional engineer in Missouri to verify adequate capacity of the existing water supply mains for the new domestic and fire demands, and if necessary, prepare improvement plans to meet the anticipated demands.
17. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with Section 88-415 requirements.
18. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
19. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with Section 88-415 requirements.
20. The developer shall show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any

structure on each lot that abuts a 100-year floodplain area, including detention basins and engineered surface drainage conveyances, on any plat and plan, as required by the Land Development Division.

21. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)
22. Required Fire Department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in clearance height. Check with Streets and Traffic, Kansas City, Missouri Public Works Department or the Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1)
23. A required fire department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
24. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
25. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018-507.1)
26. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the 2023 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to recording the final plat or prior to a certificate of occupancy.
27. Shall the applicant decide to dedicate private open space in order to meet parkland dedication requirements per section 88-408, the applicant shall provide a detailed site plan for each tract showing the locations of all amenities, sidewalks, and trails. This shall be reviewed and approved by the Parks and Recreation Department prior to approval of the first final plat for this development.

28. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
29. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
30. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
31. A full flow fire meter will be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them
32. No tap permits will be issued until the public water main is released for taps.
33. The developer shall submit an analysis by a registered professional engineer in Missouri to verify adequate capacity of the existing water supply mains for the new domestic and fire demands, and if necessary, prepare improvement plans to meet the anticipated demands.
34. The developer shall submit water main extension drawings prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.

A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment and development plan hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

..end

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:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

A request to approve a rezoning from District AG-R (Agricultural-Residential) to District MPD (Master Planned Development) to allow for a Residential Development (249 detached lots and 340 multi-family) on about 100 acres, generally located at the northeast corner of NW 108th Street and NW Skyview Avenue (approximately 800 feet north).

Discussion

Click or tap here to provide [more detailed information and analysis](#) on this topic.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No



City of Kansas City, Missouri

Docket Memo

2. This fund has a structural imbalance.

Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Select (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

-
-
-
-
-
-

Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?

Not applicable, this is Ordinance pertaining to Chapter 88, The Zoning and Development Code.

2. How have those groups been engaged and involved in the development of this ordinance?



City of Kansas City, Missouri

Docket Memo

Not applicable, this is Ordinance pertaining to Chapter 88, The Zoning and Development Code.

3. How does this legislation contribute to a sustainable Kansas City?

Not applicable, this is Ordinance pertaining to Chapter 88, The Zoning and Development Code.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Not applicable, this is Ordinance pertaining to Chapter 88, The Zoning and Development Code.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Not applicable, this is Ordinance pertaining to Chapter 88, The Zoning and Development Code.



File #: 230492

ORDINANCE NO. 230492

Sponsor: City Manager

Accepting the recommendations of the Tax Increment Financing Commission of Kansas City, Missouri as to the 22nd Amendment to the KCI Corridor Tax Increment Financing Plan and approving the 22nd Amendment to the KCI Corridor Tax Increment Financing Plan.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “Act”), and Ordinance No. 545556 adopted on November 24, 1982, as amended by Committee Substitute for Ordinance No. 911076 adopted on August 29, 1991, by Ordinance No. 100089 adopted on January 28, 2010, by Ordinance No. 130986 adopted on December 19, 2013 and by Committee Substitute for Ordinance No. 140823 adopted on June 18, 2015 (collectively, the “Enabling Ordinances”) the City Council of Kansas City, Missouri created the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”); and

WHEREAS, on March 11, 1999, the City Council of Kansas City, Missouri (the “Council”) passed Ordinance No. 990256, which accepted the recommendations of the Commission and approved the KCI Corridor Tax Increment Financing Plan (the “Redevelopment Plan”) and designated the Redevelopment Area described therein to be an Economic Development Area (the “Redevelopment Area”); and

WHEREAS, the Redevelopment Plan has since been amended twenty-one (21) times by No. 040618, Ordinance No. 040619, Ordinance No. 040620, Ordinance No. 040621, Ordinance No. 050107, Ordinance No. 060326, Ordinance No. 080211, Ordinance Nos. 090260, 100497, Ordinance No. 101007, Ordinance No. 110603, Ordinance No. 120485, Ordinance No. 120618, Ordinance No. 130108, Ordinance No. 140092, Committee Substitute for Ordinance No. 140907, Ordinance No. 160416, Ordinance No. 170970, Ordinance No. 190827, Ordinance No. 200204, Ordinance No. 200710 and Ordinance No. 220297; and

WHEREAS, a 22nd Amendment to the Redevelopment Plan (“22nd Amendment”) was proposed to the Commission and the Commission, having been duly constituted and its members appointed, after proper notice was given, met in public hearing on May 9, 2023, and after receiving the comments of all interested persons and taxing districts, closed the public hearing, approved the 22nd Amendment to the Redevelopment Plan and recommended that the City Council do the same; and

WHEREAS, the 22nd Amendment to the Redevelopment Plan provides (a) certain modifications to the Budget Redevelopment Project Costs identified by the Plan, (b) certain modifications to the Sources of Funds for all estimated Redevelopment Project Costs identified by the Plan, and (c) the inclusion of all conforming changes within the Exhibits to the Plan that are in furtherance of the foregoing modifications; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the recommendations of the Commission concerning the 22nd Amendment as set forth in Resolution No. 5-2-23, are hereby accepted and the 22nd Amendment is hereby approved and adopted as valid.

Section 2. That all terms used in this ordinance, not otherwise defined herein, shall be construed as defined in Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act").

Section 3. That the Council hereby finds that:

- (a) The findings of the Council in Ordinance Nos. by Ordinance No. 990256, Ordinance No. 040618, Ordinance No. 040619, Ordinance No. 040620, Ordinance No. 040621, Ordinance No. 050107, Ordinance No. 060326, Ordinance No. 080211, Ordinance Nos. 090260, 100497, Ordinance No. 101007, Ordinance No. 110603, Ordinance No. 120485, Ordinance No. 120618, Ordinance No. 130108, Ordinance No. 140092, Committee Substitute for Ordinance No. 140907, Ordinance No. 160416, Ordinance No. 170970, Ordinance No. 190827, Ordinance No. 200204, Ordinance No. 200710 and Ordinance No. 220297 with respect to the Redevelopment Plan are not affected by the 22nd Amendment and apply equally to the 22nd Amendment;
- (b) The Redevelopment Area, as amended, is an economic development area, as a whole, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan, as amended, by the 22nd Amendment;
- (c) The Redevelopment Plan, as amended by the 22nd Amendment, includes a detailed description of the factors that qualify the Redevelopment Area as an economic development area and an affidavit as required by Section 99.810.1(1), RSMo;
- (d) The Redevelopment Plan, as amended by the 22nd Amendment, conforms to the comprehensive plan for the development of the City as a whole;
- (e) The areas selected for Redevelopment Projects described by the Redevelopment Plan, as amended by the 22nd Amendment, include only those parcels of real

property and improvements therein which will be directly and substantially benefited by the Redevelopment Project improvements;

- (f) The estimated dates of completion of the respective Redevelopment Projects and retirement of obligations incurred to finance Redevelopment Project Costs, have been stated in the Redevelopment Plan, as amended by the 22nd Amendment, and are not more than 23 years from the passage of any ordinance approving each applicable Redevelopment Project authorized by the Redevelopment Plan and located within the Redevelopment Area, as amended;
- (g) A plan has been developed for relocation assistance for businesses and residences;
- (h) The 22nd Amendment does not alter the cost benefit analysis attached to the Redevelopment Plan showing the impact of the Redevelopment Plan, as amended, on each taxing district which is at least partially within the boundaries of the Redevelopment Area has been prepared in accordance with the Act;
- (i) The 22nd Amendment does not include the initial development or redevelopment of any gambling establishment; and
- (j) A study has been completed and the findings of such study satisfy the requirements provided under Section 99.810.1, RSMo.

Section 4. That the Commission is authorized to issue obligations in one or more series of bonds secured by the Special Allocation Fund(s) established in connection with each Redevelopment Project described by the Redevelopment Plan to finance Redevelopment Project Costs and subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of, land or other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the Commission determines, to enter into such contracts and undertake all such further actions as are reasonably necessary to achieve the objectives of the Redevelopment Plan, as amended, pursuant to the power delegated to it in the Enabling Ordinances. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to Sections 99.800 through 99.865, RSMo, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Section 5. That pursuant to the provisions of the Redevelopment Plan, as amended, the Council approves the pledge of all payments in lieu of taxes and economic activity taxes generated within Redevelopment Projects that are deposited into the Special Allocation Fund(s) established in connection with each Redevelopment Project described by the Redevelopment Plan to the payment of Redevelopment Project Costs, and authorizes the Commission to pledge such funds on its behalf.

..end

Approved as to form:

Emalea Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Consideration of the Twenty-Second Amendment to the KCI Corridor Tax Increment Financing Plan.

Discussion

The Twenty-Second Amendment to the Plan amends Exhibit 6 “Estimated Redevelopment Project Costs” and Exhibit 7 “Sources of Funds for all Estimated Redevelopment Project Costs”

Increases the Budget of Redevelopment Project Costs by \$60,000 for certain costs related to Improvement 17: Line Creek Parkway,

Increases the Budget of Redevelopment Project Costs by \$250,000 for certain costs related to Public Improvement 7D: Old Tiffany Springs Road,

Increases the Budget of Redevelopment Project Costs by \$551,000 for certain costs related to certain trail improvements identified by the Plan as T1, T2, and T3 and

Increases the Budget of Redevelopment Project Costs for certain costs related to \$700,000 for the design of Improvement 20A design.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

Reimbursable Project Costs are funded by 50% of the EATS generated in the TIF Plan Area.

3. How does the legislation affect the current fiscal year?

It does not.



City of Kansas City, Missouri

Docket Memo

- 4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

No.

- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

It does not generate revenue. This legislation allows for the TIF Commission to reimburse certified costs for public improvements in the KCI Corridor TIF Plan area.

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-



City of Kansas City, Missouri

Docket Memo

Prior Legislation

990256, 040618, 040619, 040620, 040621, 050107, 060326, 080211, 090260, 101007, 110603, 120485, 120618, 130108, 140092, CS 140907, 160416, 170970, 190827, 200204, 200710, 220297

Service Level Impacts

N/A

Other Impacts

1. What will be the potential health impacts to any affected groups?
None. These public improvements create safer roads and communities.
2. How have those groups been engaged and involved in the development of this ordinance?
All notices required were mailed and published. The public improvements included in this amendment did not solicit any negative feedback at TIF Commission on 5/9/23.
3. How does this legislation contribute to a sustainable Kansas City?
Funds generated from the KCI Corridor TIF Plan are used for public improvements. These improvements would not have happened when they did otherwise.
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?
This does not apply to the activities of the TIF Commission.
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?
The TIF Commission complies with Code of Ordinances, Chapter 3.



File #: 230493

ORDINANCE NO. 230493

Sponsor: City Manager

Accepting the recommendations of the Tax Increment Financing Commission of Kansas City, Missouri as to the Seventh Amendment to the Linwood Tax Increment Financing Plan and approving the Seventh Amendment to the Linwood Tax Increment Financing Plan.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “Act”), and Ordinance No. 545556 adopted on November 24, 1982, as amended by Committee Substitute for Ordinance No. 911076 adopted on August 29, 1991, by Ordinance No. 100089 adopted on January 28, 2010, by Ordinance No. 130986 adopted on December 19, 2013 and by Committee Substitute for Ordinance No. 140823 adopted on June 18, 2015 (collectively, the “Enabling Ordinances”) the City Council of Kansas City, Missouri created the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”); and

WHEREAS, on June 16, 2016, the City Council of Kansas City passed Ordinance No. 160448, which accepted the recommendations of the Commission and approved the Linwood Shopping Center Tax Increment Financing Plan (the “Redevelopment Plan”) and designated the Redevelopment Area described therein to be a Blighted Area (the “Redevelopment Area”); and

WHEREAS, the Redevelopment Plan has since been amended six (6) times by Ordinance No. 190524, Ordinance No. 200063, Ordinance No. 200353, Ordinance No. 200628, Ordinance No. 210065 and Ordinance No. 210980, and

WHEREAS, a Seventh Amendment to the Redevelopment Plan (“Seventh Amendment”) was proposed to the Commission and the Commission, having been duly constituted and its members appointed, after proper notice was given, met in public hearing on May 9, 2023, and after receiving the comments of all interested persons and taxing districts, closed the public hearing, approved the Seventh Amendment to the Redevelopment Plan and recommended that the City Council do the same; and

WHEREAS, the Seventh Amendment to the Redevelopment Plan (1) eliminates Redevelopment Project Area 5, (2) modifies the Estimated Redevelopment Project Costs, (3) modifies the Sources of Funds, (4) eliminates the improvements related to Redevelopment Project 5, (5) eliminates the employment and constructions totals for Redevelopment Project 5,

(6) modifies the Development Schedule, and (7) modifies certain exhibits to and sections of the Plan that are in furtherance of the foregoing; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the recommendations of the Commission concerning the Seventh Amendment as set forth in Resolution No. 5-9-23, are hereby accepted and the Seventh Amendment is hereby approved and adopted as valid.

Section 2. That all terms used in this ordinance, not otherwise defined herein, shall be construed as defined in Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act").

Section 3. That the Council hereby finds that:

- (a) The findings of the Council in Ordinance Nos. by Ordinance No. 160448, Ordinance No. 190524, Ordinance No. 200063, Ordinance No. 200353, Ordinance No. 200628, Ordinance No. 210065 and Ordinance No. 210980 with respect to the Redevelopment Plan are not affected by the Seventh Amendment and apply equally to the Seventh Amendment;
- (b) The Redevelopment Area, as amended, is a blighted area, as a whole, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan, as amended, by the Seventh Amendment;
- (c) The Redevelopment Plan, as amended by the Seventh Amendment, includes a detailed description of the factors that qualify the Redevelopment Area as an economic development area and an affidavit as required by Section 99.810.1(1), RSMo;
- (d) The Redevelopment Plan, as amended by the Seventh Amendment, conforms to the comprehensive plan for the development of the City as a whole;
- (e) The areas selected for Redevelopment Projects described by the Redevelopment Plan, as amended by the Seventh Amendment, include only those parcels of real property and improvements therein which will be directly and substantially benefited by the Redevelopment Project improvements;
- (f) The estimated dates of completion of the respective Redevelopment Projects and retirement of obligations incurred to finance Redevelopment Project Costs, have been stated in the Redevelopment Plan, as amended by the Seventh Amendment, and are not more than 23 years from the passage of any ordinance approving each applicable Redevelopment Project authorized by the Redevelopment Plan and located within the Redevelopment Area, as amended;

- (g) A plan has been developed for relocation assistance for businesses and residences;
- (h) The Seventh Amendment does not alter the cost benefit analysis attached to the Redevelopment Plan showing the impact of the Redevelopment Plan, as amended, on each taxing district which is at least partially within the boundaries of the Redevelopment Area has been prepared in accordance with the Act;
- (i) The Seventh Amendment does not include the initial development or redevelopment of any gambling establishment; and
- (j) A study has been completed and the findings of such study satisfy the requirements provided under Section 99.810.1, RSMo.

Section 4. That the Commission is authorized to issue obligations in one or more series of bonds secured by the Special Allocation Fund(s) established in connection with each Redevelopment Project described by the Redevelopment Plan to finance Redevelopment Project Costs and subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of, land or other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the Commission determines, to enter into such contracts and undertake all such further actions as are reasonably necessary to achieve the objectives of the Redevelopment Plan, as amended, pursuant to the power delegated to it in the Enabling Ordinances. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to Sections 99.800 through 99.865, RSMo., which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Section 5. That pursuant to the provisions of the Redevelopment Plan, as amended, the Council approves the pledge of all payments in lieu of taxes and economic activity taxes generated within Redevelopment Projects that are deposited into the Special Allocation Fund(s) established in connection with each Redevelopment Project described by the Redevelopment Plan to the payment of Redevelopment Project Costs, and authorizes the Commission to pledge such funds on its behalf.

..end

Approved as to form:

Emalea Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Consideration of the Seventh Amendment to the Linwood Shopping Center Tax Increment Financing Plan.

Discussion

The Seventh Amendment amends exhibits 1.B “Legal Descriptions – Project Areas 1-4”, 2.A “Maps”, 4.A “Estimated Redevelopment Project Costs for Redevelopment Project 4”, 4.B “Development Schedule for Project 4”, 4.C “Construction Totals for Redevelopment Project 4 and Redevelopment Project 5”, 4.D Employment Totals for Redevelopment Project 4 and Redevelopment Project 5”, 6 “Supplement to Sources and Uses of Funds”

The developer was not able to carry out the redevelopment project in Project Area 5 due to inability to acquire. This Amendment is to update the Plan to reflect the overall Development Plan without Redevelopment Project 5.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

TIF reimbursable project costs are funded by the payment of PILOTS and generation of EATS within the TIF Plan area.

3. How does the legislation affect the current fiscal year?

It does not.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

No.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?



City of Kansas City, Missouri

Docket Memo

The legislation does not generate revenue. This legislation approves the amendment to the TIF Plan to show the updated development plan descriptions and numbers.

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

160488, 190524, 200063, 200353, 200628, 210065, 210980

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.



City of Kansas City, Missouri

Docket Memo

Other Impacts

1. What will be the potential health impacts to any affected groups?

None, this is an amendment to a TIF Plan, and no further work is considered.

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

Correcting the plan shows the true value of the development. Doing this now will also make the expiration a smoother process.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

This does not apply to the activities of the TIF Commission.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

The TIF Commission complies with the Code of Ordinances, Chapter 3.



File #: 230494

ORDINANCE NO. 230494

Sponsor: Councilmember Andrea Bough

Approving a modification of the incentivized project construction timeline for the Hyatt House Hotel Project, located at 900 Broadway Boulevard.

WHEREAS, the City Council initially approved the Central Business District Urban Renewal Plan (“The Plan”) by Ordinance No. 36287 on January 17, 1969, to eliminate and prevent the spread, development and recurrence of the blighted conditions within the Central Business District Urban Renewal Area (“Plan Area”); and

WHEREAS, the Plan has been modified at least 14 times, most recently on February 26, 2015, with Committee Substitute for Ordinance No. 150116; and

WHEREAS, pursuant to Land Clearance Redevelopment Authority (“LCRA”) Resolution No. 11-1-18 dated November 28, 2018, the LCRA selected Pedersen Development Redeveloper, L.L.C., (the “Original Redeveloper”) for a project located at 900 Broadway (“Project Area”) and approved a tax incentive package to include sales tax exemption on construction materials and a fifteen year abatement of the increase in property taxes at 100% abatement in years 1-10 and 37.5% abatement in years 11-15; and

WHEREAS, pursuant to LCRA Resolution No. 6-1-19, on October 9, 2019, the LCRA issued its Land Clearance for Redevelopment Authority of Kansas City, Missouri Taxable Industrial Revenue Bond (Hyatt House Hotel Project), Series 2019, in the original principal amount of \$38,000,000.00 (the “Bond”) to fund a redevelopment project at the Project Area consisting of acquisition and construction of a multi-story, extended-stay hotel with approximately 154 guest rooms, approximately 2,500 square feet of meeting space, and approximately 6,000 square feet of common area that will be available to hotel guests and the public, along with other related improvements in the Plan Area (the “Project”); and

WHEREAS, on June 2, 2020, the Original Redeveloper notified the LCRA of the lender’s failure to fund the construction loan, which caused a halt in the construction of the Project; and

WHEREAS, the Original Redeveloper has remained unable to complete construction for the Project; and

WHEREAS, on December 12, 2022, with LCRA Resolution No. 12-2-22, as modified by LCRA Resolution No. 5-5-23 dated May 23, 2023, the LCRA approved assignment of the tax incentives for the Project to HH KC Partners, LLC, a Missouri limited liability company (the “New Redeveloper”), which is a joint venture of O’Reilly Hospitality Management, LLC and Lotus Holdings, LLC, subject to certain conditions; and

WHEREAS, on April 13, 2023, Council approved Ordinance No. 230316, enacting Code § 74-12, which provides default construction timelines for incentivized projects; and

WHEREAS, Code § 74-12, provides that construction at the Project must be substantially complete by June 1, 2024; and

WHEREAS, the construction delay for the Project is due to no fault of the New Redeveloper, and the New Redeveloper has represented that they cannot complete construction of the Project by June 1, 2024; and

WHEREAS, the Council believes that the public purpose supporting the Project remains unchanged and the incentives remain appropriate; and

WHEREAS, Code § 74-12 provides that Council may modify the construction timelines for projects; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That pursuant to Code § 74-12, the timeline for the substantial completion of the Hyatt House Hotel Project, located at 900 Broadway, is hereby modified to require substantial completion by June 30, 2026.

..end

Approved as to form:

Emalea Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing a project completion deadline extension for the 900 Broadway project as approved by the Land Clearance for Redevelopment Authority (LCRA).

Discussion

On April 13, 2023, the City Council adopted ordinance No. 230316 which provided construction timelines for incentivized project. Based on this new requirement, the redevelopment of the property at 900 Broadway should achieve substantial completion by June 1, 0224. Due to issues with the construction financing for the project during the COVID-19 pandemic, the project halted construction. As a result, the substantial completion date for the project cannot be met.

Because the circumstances leading to the delay in the completion of the project are beyond the control of the developer, LCRA is seeking approval to extend the completion date of the project to June 30, 2026.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

No funds involved

3. How does the legislation affect the current fiscal year?

No impact on funds

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

Project does not involve any costs.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

Project will generate long term income from sales and real estate taxes.



City of Kansas City, Missouri

Docket Memo

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

- 1. What will be the potential health impacts to any affected groups?



City of Kansas City, Missouri

Docket Memo

Click or tap here to enter text.

2. How have those groups been engaged and involved in the development of this ordinance?

Click or tap here to enter text.

3. How does this legislation contribute to a sustainable Kansas City?

Click or tap here to enter text.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Click or tap here to enter text.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Click or tap here to enter text.



File #: 230496

ORDINANCE NO. 230496

Sponsor: Director of City Planning and Development Department

Approving the petition to amend the Westport Community Improvement District; amending the Westport Community Improvement District generally located at West 40th Street to the north, Broadway Boulevard to the east, Archibald Avenue, West 42nd Street, and West 42nd Terrace to the south, and Bridger Road and Southwest Trafficway to the west in Kansas City, Jackson County, Missouri; requiring the annual submission of certain records; and directing the City Clerk to report the creation of the District to the Missouri Department of Economic Development and the Missouri State Auditor.

WHEREAS, the Westport Community Improvement District (the "District") was approved and established on October 2, 2003, by Ordinance No. 031062 and the District was amended on September 25, 2008, by Ordinance No. 080917; and

WHEREAS, the petitioners wish to amend the petition of the District; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the second petition to amend the Westport Community Improvement District (the "Petition"), which is attached hereto as Exhibit 1, is hereby approved in its entirety in accordance with Sections 67.1401 through 67.1571, RSMo., otherwise known as the Missouri Community Improvement District Act (the "Act").

Section 2. That the District is hereby amended for the purposes set forth in the Petition, which the District shall have all the powers and authority authorized by the Petition, the Act, and by law, and shall continue to exist for a period of twenty (20) years, unless extended pursuant to Section 67.1481.6, RSMo.

Section 3. That the District shall annually submit its proposed budget, annual report and copies of written resolutions passed by the District's board to the City pursuant to Section 67.1471, RSMo.

Section 4. That upon the effective date of this ordinance, the City Clerk is hereby directed to report the amendment of the District to the Missouri Department of Economic Development and state auditor pursuant to Section 67.1421.6, RSMo., by sending a copy of this ordinance to said entities.

..end

Approved as to form:

Eluard Alegre
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Sponsor: Director of City Planning and Development. Approving the petition to amend the Westport I Community Improvement District; requiring the annual submission of certain records; and directing the City Clerk to report the creation of the District to the Missouri Department of Economic Development and the Missouri State Auditor.

Discussion

This ordinance approves the Second Amended Petition for the Westport I Community Improvement District. Most recently amended in 2008 with a fifteen (15) year lifespan, this petition would extend the District for another twenty (20) years.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

The District levys a special assessment on each Lot within the boundaries of the District.

3. How does the legislation affect the current fiscal year?

There are City expenses incurred related to the mailing of notices. These expenses are off-set by reimbursement fees charged to the District.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

There are no recurring costs associated with this legislation. Additionally, the District provides enhanced security services for the Westport Business District, such as armed patrol areas, security checkpoints, and links to the Kansas City, Missouri, Police Department. The District's ability to fund such security services, as well as other neighborhood beatification services, helps preserve the tax base within the District and enables the City to utilize it's limited resources in a more efficient manner.



City of Kansas City, Missouri

Docket Memo

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

Ordinance 210565: Establishing City priorities for Community Improvement Districts

Ordinance 031062: Established the Westport I CID (2003)

Ordinance 080917: First Amendment to the Petition of Westport I CID (2008)



City of Kansas City, Missouri

Docket Memo

Service Level Impacts

This ordinance will have no impact on existing service levels.

Other Impacts

1. What will be the potential health impacts to any affected groups?
No change
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
No change
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?
N/A
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?
N/A



File #: 230502

ORDINANCE NO. 230502

Sponsor: Councilmember Andrea Bough

Amending Chapter 14, Code or Ordinances, by repealing Section 14-14, Special exceptions from distance requirements for keeping of livestock, and enacting in lieu thereof a new section of like number and subject matter, allowing the director of neighborhood services to issue thirty-day, special exception periods for Section 14-12's prohibitions on both keeping livestock within 200 feet of a building used by human beings, and keeping more than two such animals beyond such distance; waiving the limitations established by the Fund Balance and Reserve Policy in section 2-1954 of the Code of Ordinances; appropriating \$1,000.00 from the Unappropriated Fund Balance of the General Fund for the purpose of educating the public about the ordinance and benefits of livestock agricultural maintenance; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, pursuant to Section 14-12, the City Code provides restrictions for the keeping of livestock and wild animals; and

WHEREAS, pursuant to Section 14-14, special exceptions may only be granted by appeal to the Property Maintenance Appeals Board; and

WHEREAS, the City seeks to allow such special exceptions by allowing applications to be submitted preemptively rather than as an appeal; and

WHEREAS, the City recognizes that livestock may be used for an environmentally-friendly means of vegetation management and brush clearing and seeks to provide the opportunity for an application for special exceptions to Section 14-12 be submitted for those purposes; and

WHEREAS, the City acknowledges the importance of regulating the keeping livestock and protecting human health, and has retained those restrictions in the amended Section 14-14 language; and

WHEREAS, the proposed amendment to Section 14-14 limits the time period of special exceptions to periods of thirty (30) days and grants the Director of Neighborhood Services the authority to impose additional conditions, as they deem necessary; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 14, Code of Ordinances, is hereby amended by repealing Section 14-14, Special exceptions from distance requirements for keeping of livestock, and enacting in lieu thereof a new section of like number and subject matter to read as follows:

Sec. 14-14. Special exceptions from distance requirements for keeping of livestock.

(a) *Special exception authorized.* For purposes of this section, term “director” shall refer to the director of neighborhood services or their designee. The director is hereby authorized to grant special exceptions to Section 14-12(a)’s prohibitions on both keeping, maintaining, pasturing or feeding livestock within 200 feet of the nearest portion of any building in any way used by human beings, and on keeping no more than two of such animals beyond this limitation of 200 feet.

(b) *Application for special exception.* A special exception described in subsection (a) of this section may be granted upon application to the director. Each application shall identify, on a form provided by the director, the:

- (1) name and address of the applicant;
- (2) type and number of livestock for which the applicant seeks an exception;
- (3) purpose or use for which the applicant seeks an exception for such livestock;
- (4) duration of the requested exception period;
- (5) specific description of the real property and dimensions within which the applicant seeks to locate such livestock during the duration of the requested exception period;
- (6) manner in which such livestock will be transported to and from and contained on the property during the requested exception period;
- (7) applicant’s certification, and, if applicant is not the owner of such property, the owner’s certification, that the director is permitted to inspect such property for purposes of evaluating the application for special exception;
- (8) applicant’s certification that they have provided written notification of the application, on a form provided by the director, via certified mail at least fifteen days before the date the application is submitted, to the owner of each property parcel wholly within or intersected by a radius of 200 feet from the property parcel within which such livestock will be located during the exception period. Such notification must include the information required by subsections (b)(1)-(7) of this section, and inform each such neighboring property owner that they may submit to the director within fifteen days any information that they believe supports or does not support the requested exception, according to the factors in subsection (c) of this section.

(c) *Director's determination of special exception.* Upon review of the completed application pursuant to subsection (b) and any information submitted by neighboring property owner(s) in response to the notification required within the fifteen-day period described in subsection (b)(8) of this section, or by any city department or the Kansas City, Missouri Police Department, the director may grant a special exception pursuant to this section upon a finding that the requested special exception would not be a detriment to the city. In determining whether a special exception would be a detriment to the city, the director will consider the:

- (1) likely impact(s) upon human health;
- (2) likely impact(s) upon the property for which the exception is sought and the area abutting the property for which the exception is sought, including physical characteristics, square footage, preexisting conditions and topography of both the property for which the exception is sought and abutting properties, the location of existing structures on such property and abutting properties, the location of any watercourses, bodies of water or wetlands;
- (3) the type and number of livestock present on the property during the requested exception period;
- (4) the purpose or use to which livestock will be put during the requested exception period;
- (5) the duration of the requested exception period;
- (6) the manner in which the livestock will be transported to and from and contained on the property during the requested exception period;
- (7) economic conditions; and
- (8) any environmental, vegetation management or other benefit(s) the livestock may provide for such property.

Upon issuing any decision in response to an application for special exception pursuant to this section, the director of neighborhood services or their designee shall send notice by regular United States mail, postage prepaid, to the applicant and owner of property for which a special exception is sought, and to any owner of a property parcel wholly within or intersected by a radius of 200 feet from the property parcel for which the special exception was requested pursuant to this section.

(d) *Issuance, duration and conditions of special exception.* Upon consideration of the factors set forth in subsection (c) of this section, the director of neighborhood services or their designee may grant a special exception of up to thirty days and attach any conditions to the special exception as they deem necessary. The property on which a special exception is granted shall be subject to inspection for the duration of the special exception by the director of

neighborhood services or their designee. Refusal to allow such inspection shall void the exception.

(e) *Renewed or additional special exception.* An applicant may request a renewed or additional special exception of up to thirty days. The process of application for and determination of whether to grant a renewed or additional special exception shall be the same as that provided in this section for an initial request for a special exception.

(f) *Appeal.* Any decision whether to grant or renew a special exception pursuant to this section may be appealed to the property maintenance appeals board, pursuant to sections 56-341 through 56-348 of this Code, by the applicant or any owner of a property parcel wholly within or intersected by a radius of 200 feet from the property parcel for which the exception was sought or granted pursuant to this section. The director of neighborhood services or their designee shall send notice by regular United States mail, postage prepaid, to the applicant or owner of the property for which the special exception was sought, and all owners of property parcels wholly within or intersected by a radius of 200 feet from the property parcel for which the special exception was requested, at least ten days prior to the date of the hearing.

Section 2. That the limitations set in place by Code of Ordinance Sec. 2-1954(h) are hereby waived for the limited purposes of this Ordinance.

Section 3. That the sum of \$1,000.00 is hereby appropriated from the Unappropriated Fund Balance of the General Fund to the following account in the General Fund:

24-1000-572600-B	Animal Control	\$1,000.00
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Section 4. That the Director of Neighborhood Services Department is designated as requisitioning authority for Account No. 24-1000-572600.

Section 5. That this ordinance is recognized as having an accelerated effective date as provided in Section 503(a)(3)(C) of the City Charter in that it appropriates money, and shall take effect in accordance with that section.

..end

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.

Tammy L. Queen
Director of Finance

Approved as to form:

Bret Kassen
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Neighborhoods Services

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Amending Chapter 14, Code or Ordinances, by repealing Section 14-14, Special exceptions from distance requirements for keeping of livestock, and enacting in lieu thereof a new section of like number and subject matter, allowing the director of neighborhood services to issue thirty-day, special exception periods for Section 14-12’s prohibitions on both keeping livestock within 200 feet of a building used by human beings, and keeping more than two such animals beyond such distance; waiving the limitations established by the Fund Balance and Reserve Policy in section 2-1954 of the Code of Ordinances. In addition, the director of neighborhood services shall have the option to place conditions on any approval to ensure safety.

Discussion

This ordinance will allow for animals to be kept within 200’ of a building used by human beings, and more than two beyond such distance, on a temporary thirty-day basis for the purposes of overgrown vegetation and/or invasive species eradication.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

The Funding Source will be from the Unappropriated Fund Balance of the General Fund.

3. How does the legislation affect the current fiscal year?

The Fiscal Impact for this legislation will be \$1000.00 in FY 24.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

Negligible future or recurring costs.



City of Kansas City, Missouri

Docket Memo

- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No revenue generation.

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

The ending General Fund balance for FY 2023-24 is estimated to be \$209.9 million and the fund balance target of two months of operating expenditures pursuant to Section 2-1954 of the Code of Ordinances is estimated at \$103.2 million.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Community & Infrastructure and Accessibility

Which objectives are impacted by this legislation (select all that apply):

- Housing and Healthy Communities (provide well cared for green space, reduce blight)
- Infrastructure and Accessibility (greenhouse gas reduction)
-
-
-
-

Prior Legislation

Chapter 14, Code or Ordinances Sections 14-12 and 14-14



City of Kansas City, Missouri

Docket Memo

Service Level Impacts

No service level impacts

Other Impacts

1. What will be the potential health impacts to any affected groups?

There are no health impacts to any affected groups as a result of this ordinance.

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

By allowing livestock to clear vegetation and invasive species, it eliminates the need for use of greenhouse gas emitting machinery.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



APPROPRIATION TRANSACTION
CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: Neighborhoods Services

BUSINESS UNIT: KCMBU DATE: 6/12/2023 JOURNAL ID:

LEDGER GROUP: ADMIN BUDGET PERIOD: 2024

Table with 5 columns: FUND, DEPT ID, ACCOUNT, PROJECT, AMOUNT. Row 1: 1000, 572600, 613250, \$ 1,000.00

TOTAL 1,000.00

DESCRIPTION:

APPROVED BY: DATE APPROVED BY: DEPARTMENT HEAD DATE



File #: 230506

ORDINANCE NO. 230506

Sponsor: Councilmember Andrea Bough

Approving the petition to amend the 4840 Community Improvement District; amending the 4840 Community Improvement District generally located at 48th Street on the north between Roanoke Parkway on the east and Belleview Avenue on the west in Kansas City, Jackson County, Missouri; requiring the annual submission of certain records; and directing the City Clerk to report the creation of the District to the Missouri Department of Economic Development and the Missouri State Auditor.

WHEREAS, the 4840 Community Improvement District (the “District”) was approved and established on March 28, 2013, by Ordinance No. 130205; and

WHEREAS, Resolution No. 230406, passed on May 18, 2023, authorized the City Manager to sign an amended petition for the District on behalf of the City, the only property owner within the District; and

WHEREAS, the executed petition to amend the District has been filed with the City Clerk; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the petition to amend the 4840 Community Improvement District (the “Petition”), which is attached hereto as Exhibit 1, is hereby approved in its entirety in accordance with Sections 67.1401 through 67.1571, RSMo., otherwise known as the Missouri Community Improvement District Act (the “Act”).

Section 2. That the District is hereby amended for the purposes set forth in the Petition, which the District shall have all the powers and authority authorized by the Petition, the Act, and by law, and shall continue to exist for a period of seventeen (17) additional years in accordance with the Petition, unless extended pursuant to Section 67.1481.6, RSMo.

Section 3. That the District shall annually submit its proposed budget, annual report and copies of written resolutions passed by the District’s board to the City pursuant to Section 67.1471, RSMo.

Section 4. That upon the effective date of this ordinance, the City Clerk is hereby directed to report the amendment of the District to the Missouri Department of Economic Development and state auditor pursuant to Section 67.1421.6, RSMo., by sending a copy of this ordinance to said entities.

..end

Approved as to form and legality:

Eluard Alegre
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Approving the petition to amend the 4840 Community Improvement District; requiring the annual submission of certain records; and directing the City Clerk to report the creation of the District to the Missouri Department of Economic Development and the Missouri State Auditor.

Discussion

This ordinance approves the Amended Petition for the 4840 Community Improvement District. This petition would extend the District to March 28, 2040.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

The District is funded through a 1% sales tax within the District boundaries.

3. How does the legislation affect the current fiscal year?

There are City expenses incurred related to the mailing of notices. These expenses are off-set by reimbursement fees charged to the District.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

There are no recurring costs associated with this legislation.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No



City of Kansas City, Missouri

Docket Memo

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

Ordinance 210565: Establishing City priorities for Community Improvement Districts
Ordinance 130205: Established the 4840 CID (2013)

Service Level Impacts

This ordinance will have no impact on existing service levels.

Other Impacts



City of Kansas City, Missouri

Docket Memo

1. What will be the potential health impacts to any affected groups?
No change
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
No change
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?
N/A
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?
N/A



File #: 230507

ORDINANCE NO. 230507

Sponsor: Councilmember Dan Fowler

Amending Committee Substitute for Ordinance No. 220364, passed on October 13, 2022, by repealing and replacing Section 5 to provide for an effective date of October 1, 2023.

WHEREAS, Committee Substitute for Ordinance No. 220364 (the “Ordinance”), passed by City Council on October 13, 2022, amends Chapter 18 of the Code of Ordinances by updating the City’s Energy Conservation Code; and

WHEREAS, Section 5 of the Ordinance provides an effective date of July 1, 2023;
NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Committee Substitute for Ordinance No. 220364 is hereby amended by repealing Section 5 thereto and enacting in lieu thereof a new Section 5 to read as follows:

Section 5. The effective date of this ordinance shall be October 1, 2023.
..end

Approved as to form:

Eluard Alegre
Associate City Attorney

City of Kansas City, Missouri



Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Amending Committee Substitute for Ordinance No. 220364, passed on October 13, 2022, by repealing and replacing Section 5 to provide for an effective date of October 1, 2023.

Discussion

This legislation amends the effective date of Ordinance No. 220364 to Oct. 1, 2023. It does not have a fiscal impact.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No

City of Kansas City, Missouri



Docket Memo

2. This fund has a structural imbalance.

Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

Service Level Impacts

Ordinance No. 220364, 120375, 200418

Other Impacts

1. What will be the potential health impacts to any affected groups?

N/A

City of Kansas City, Missouri



Docket Memo

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



File #: 230310

ORDINANCE NO. 230310

Sponsor: Director of City Planning and Development Department

Amending Chapter 88, Code of Ordinances, by repealing Section 88-805-04, Commercial Use Group, and enacting in lieu thereof a new section of like number and subject matter to change the definition of restaurant to be consistent with Chapter 10 of the Code of Ordinances (CD-CPC-2023-00030).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, Code of Ordinances, is hereby amended by repealing section 88-805-04, Commercial Use Group, and enacting in lieu thereof a new section of like number and title, with said new section to read as follows:

88-805-04 COMMERCIAL USE GROUP

The commercial use group includes uses that provide a business service or involve the selling, leasing or renting of merchandise to the general public. The commercial use group includes the following use categories.

88-805-04-A. ADULT BUSINESS

"Adult business" is an inclusive term used to describe collectively: adult cabaret; adult motion picture theatre; adult media store; bathhouse; massage shop; modeling studio; and/or sex shop. This collective term does not describe a specific land use and will not be considered a single use category.

1. ADULT CABARET

An adult live entertainment facility, or that part of an adult live entertainment facility, that regularly features or otherwise offers to the public, customers or members in a viewing area, any live exhibition, performance or dance by persons whose exhibition, performance or dance is characterized by the exposure of any specified anatomical area, or by specified sexual activities, or who otherwise appear unclothed or in such attire, costume or clothing so as to expose to view specified anatomical areas.

2. ADULT MEDIA STORE

An establishment that rents and/or sells adult media and that meets any of the following tests:

- (a) More than 40% of the gross public floor area is devoted to adult media;
- (b) More than 40% of the stock in trade consists of adult media; or
- (c) A media store that advertises or holds itself out in any forum as "XXX," "adult," "sex" or otherwise as an adult business.

3. ADULT MOTION PICTURE THEATER

A building or portion of a building (including any portion of a building that contains more than 150 square feet) used for presenting motion pictures, movies, videos or other projected images if such building or portion of a building as a prevailing practice excludes minors by virtue of age, or if, as a prevailing practice, the movies, videos or other material presented are distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

4. BATHHOUSE

An establishment or business that provides the services of baths of all kinds, including all forms and methods of hydrotherapy, unless operated by a medical practitioner or professional physical therapist, licensed by the state.

5. MASSAGE SHOP

An establishment that has a fixed place of business having a source of income or compensation derived from the practice of any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulation of, external parts of the human body with the hands or with the aid of any mechanical, electric apparatus or appliances with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotion, ointment or other similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or gratuity provided that this term does not include any establishment operated by a medical practitioner, professional physical therapist, or massage therapist licensed by the state.

6. MODELING STUDIO

Modeling studio means an establishment or business that provides the services of modeling for the purposes of reproducing the human body, wholly or partially in the nude, by means of photography, painting, sketching, drawing, or otherwise.

7. SEX SHOP

A business offering goods for sale or rent and that meets any of the following tests:

- (a) It offers for sale items from any two of the following categories: adult media; sexually-oriented toys or novelties; lingerie; leather goods marketed or presented in a context to suggest their use for sadomasochistic practices; and the combination of such items constitutes more than 10% of the stock in trade of the business or occupies more than 10% of the gross public floor area of the business;
- (b) More than 5% of the stock in trade of the business consists of sexually-oriented toys or novelties; or
- (c) More than 5% of the gross public floor area of the business is devoted to the display of sexually oriented adult toys or novelties.

88-805-04-B. ANIMAL SERVICES

The following are animal services use types:

1. SALES AND GROOMING

Sales and grooming of dogs, cats, and similar small animals. Typical uses include pet stores, dog bathing and clipping salons, and pet grooming shops.

2. SHELTER OR BOARDING KENNEL

Animal shelters and kennel services for dogs, cats, and small animals. Typical uses include boarding kennels, pet resorts/hotels, dog training centers, and animal rescue shelters.

3. VETERINARY

Typical uses include pet clinics, dog and cat hospitals, and animal hospitals.

4. STABLE

Stables and boarding facilities for horses and similar large animals.

88-805-04-C. ARTIST WORK OR SALES SPACE

Floor space devoted to the production, showing, or sale of art. Typical uses include art galleries and artist studios, but not including art museums. Art museums are classified in the "Libraries and Cultural Exhibits" use category.

88-805-04-D. BUILDING MAINTENANCE SERVICE

Provision of maintenance and custodial services to commercial and industrial establishments. Typical uses include janitorial, landscape maintenance, and window cleaning services. Also includes exterminator services for residential, commercial, or industrial applications.

88-805-04-E. BUSINESS EQUIPMENT SALES AND SERVICE

Sales, rental, or repair of office, professional and service equipment and supplies to companies rather than to individuals. Excludes automotive and heavy equipment sales or

service. Typical uses include office equipment and supply firms, small business machine repair shops and hotel equipment and supply firms.

88-805-04-F. BUSINESS SUPPORT SERVICE

Provision of clerical, employment, protective, or minor processing services to firms rather than individuals. Typical uses include employment agencies and telephone answering services and business or trade schools. Business or trades schools that involve outdoor storage and work areas or manufacturing processes are not considered business support services but rather are to be classified in an Industrial use group category.

1. DAY LABOR EMPLOYMENT AGENCY

Any enterprise, other than a labor union or a not-for-profit organization, engaged in procuring or providing persons to perform temporary unskilled work at a site other than the day labor business premises in which (1) the day laborers are paid, by the day labor business or a third party employer, each work day or on the business day following the work day, and (2) persons arrive at the day labor business premises to make application for work as a day laborer, to obtain assignment for day labor, to obtain transportation to a day labor site or to obtain payment of wages or benefits for day labor. For purposes of this definition, "unskilled work" means work involving physical tasks for which the (1) the worker is not required by law to hold a professional or occupational license, or (2) the employer or contractor controlling the site of the work does not require the worker to have (a) a high school diploma or its equivalent, or (b) education beyond high school, or (c) relevant vocational education or (d) demonstrated proficiency with a specified type of machinery to be used in the work, but does not include white collar, secretarial, clerical or professional work.

88-805-04-G. COMMUNICATIONS SERVICE ESTABLISHMENTS

Broadcasting and other information relay services accomplished through use of electronic and telephonic mechanisms. Excludes services classified as "major utilities and services" and "minor utilities." Typical uses include recording studios, television and radio studios, telecommunication service centers, data centers, and telegraph service offices.

88-805-04-H. DRIVE-THROUGH FACILITY

Any service window, automated device or other facility that provides goods or services to individuals in a motor vehicle. Also includes "drive-in" businesses and facilities, such as drive-in restaurants and car washes.

88-805-04-I. EATING AND DRINKING ESTABLISHMENTS

Provision of prepared food and/or beverages for on- or off-premises consumption. Typical uses include restaurants, taverns, and nightclubs.

1. RESTAURANT

An establishment primarily engaged in serving prepared food to the public and in which sales of such prepared foods and meals constitutes at least 30% of the establishment's gross income, pursuant to Chapter 10 of the municipal code.

2. TAVERN OR NIGHTCLUB

An establishment that is not a restaurant and that is primarily engaged in the serving of alcohol for consumption on the premises or engaged in allowing the smoking of tobacco or other substances.

88-805-04-J. ENTERTAINMENT VENUES AND SPECTATOR SPORTS

Provision of cultural, entertainment, athletic and other events to spectators, such as occurs in theaters, cinemas, auditoriums, fairgrounds, sports stadiums and racetracks. The following are spectator sports and entertainment use types:

1. SMALL VENUE

Entertainment and spectator sports establishments with a capacity of no more than 149 persons. Typical uses include small theaters and meeting or banquet halls.

2. MEDIUM VENUE

Entertainment and spectator sports establishments with a capacity of more than 149 and fewer than 500 persons. Typical uses include theaters and meeting or banquet halls.

3. LARGE VENUE

Entertainment and spectator sports establishments with a capacity of 500 persons or more. Typical uses include large theaters, cinemas and meeting or banquet halls.

4. OUTDOOR VENUE

Entertainment and spectator sports functions held outdoors. Typical uses include theaters, fairgrounds, sports stadiums, and racetracks.

88-805-04-K. FINANCIAL SERVICES

Financial or securities brokerage services. Typical uses include banks, savings and loans, credit unions, mortgage companies, pawnshops, and short-term loan establishments.

1. BANK

An establishment that is engaged in the business as a bank or trust company, and is federally chartered or state chartered. "Bank" also includes credit unions that are federally or state chartered, and mortgage companies that provide mortgage loans as a principal part of their operation, with the loans secured by an interest in real property as collateral for the loan.

2. PAWN SHOP

Businesses that lend money on the security of pledged goods or that is engaged in the business of purchasing tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time. Pawnshops and pawnbrokers are further governed by Chapter 367, RSMo.

3. SAVINGS AND LOAN ASSOCIATION

An establishment that is engaged in the business as a savings and loan association and is federally chartered or state chartered.

4. SHORT-TERM LOAN ESTABLISHMENT

An establishment which (a) engages in the business of providing money to customers on a temporary basis, wherein such loans are secured by post-dated check, paycheck or car title, or (b) is registered as a lender under state or federal law. The classification does not include a state or federally chartered bank, savings and loan association, credit union, or mortgage broker or originator. Further, this classification does not include establishments selling consumer goods, including consumables, where the loans or the cashing of checks or money orders are incidental to the main purpose of the business. This classification does include, but is not limited to, check cashing stores, payday loan stores, and car title loan stores.

88-805-04-L. FOOD AND BEVERAGE RETAIL SALES

Retail sale of food and beverages for home consumption. Typical uses include groceries and liquor stores.

88-805-04-M. FUNERAL AND INTERMENT SERVICES

Provision of services involving the care, preparation, or disposition of human dead. The following are funeral and interment services use types:

1. CEMETERY/COLUMBARIUM/MAUSOLEUM

Land or facilities used for burial of the dead, including pet cemeteries.

2. CREMATING

Crematory services involving the purification and reduction of the human body by fire. Typical uses include crematories and crematoriums.

3. UNDERTAKING

Undertaking services such as preparing the dead for burial and arranging and managing funerals. Typical uses include funeral homes and mortuaries.

88-805-04-N. GASOLINE AND FUEL SALES

Uses primarily engaged in retail sales of personal automobile and vehicle fuels, including rapid (level 3) battery charging stations, battery exchange stations and retail electric charging of vehicles.

88-805-04-O. LODGING

Provision of lodging services on a temporary basis of not more than 30 days, with incidental food, drink and other sales and services intended for the convenience of guests. The following are lodging use types:

1. BED AND BREAKFAST

A detached house in which the owner offers overnight accommodations and meal service to guests for compensation.

2. HOTEL/MOTEL

An establishment, other than a detached house, in which short-term lodging is offered for compensation and that may or may not include the service of one or more meals to guests. Typical uses include hotels, motels, and boarding houses.

3. RECREATIONAL VEHICLE PARK

A development site, parcel, or tract of land designed, maintained or intended to be used for the purpose of providing short-term accommodation of not more than 30 days for placement of two or more recreational vehicles, including all buildings used or maintained for the use of the occupants in the recreational vehicle park.

88-805-04-P. OFFICE

1. ADMINISTRATIVE, PROFESSIONAL OR GENERAL OFFICE

Professional, governmental, executive, management, or administrative offices of private organizations or government agencies. Typical uses include administrative offices, law offices, architectural firms, insurance companies, and government offices.

2. MEDICAL OFFICE

Personal health services including prevention, diagnosis and treatment; rehabilitation services provided by physicians, dentists, nurses, and other health personnel; and medical testing and analysis services, including medical marijuana testing facilities. Typical uses include medical and dental offices, health maintenance organizations, blood banks, plasma centers, and government-operated health centers. Excludes use types more specifically classified, such as hospitals.

88-805-04-Q. PARKING, NON-ACCESSORY

Parking that is not provided to comply with minimum off-street parking requirements and that is not provided exclusively to serve occupants of or visitors to a particular use, but rather is available to the public at-large. A facility that provides both accessory parking and non-accessory parking is classified as non-accessory parking.

88-805-04-R. PERSONAL IMPROVEMENT SERVICE

Informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include hair salons, barber shops, beauty shops, nail salons, health clubs, yoga or dance studios, driving schools and martial arts studios.

88-805-04-S. REPAIR OR LAUNDRY SERVICE, CONSUMER

Provision of repair, dry cleaning, or laundry services to individuals and households, but not to firms. Excludes vehicle and equipment repair. Typical uses include laundry/dry cleaning

drop-off stations (with no dry cleaning on the premises), hand laundries, appliance repair shops, locksmiths, shoe and apparel repair and musical instrument repair.

88-805-04-T. RESEARCH SERVICE

An establishment that conducts educational, scientific, high-technology or medical research not involving the mass production, distribution, or sale of products. Research services do not produce odors, dust, vibration, noise, or other external impacts that are detectable beyond the property lines of the subject property. Research-related establishments that do produce such external impacts are classified as "manufacturing, production, and industrial services."

88-805-04-U. RESIDENTIAL SUPPORT SERVICES

Commercial uses provided primarily to serve the needs of residents in large, multi-unit residential buildings. The following are considered residential support services:

1. Restaurants;
2. Financial services, except pawnshops, consumer loan agencies, and payday loan stores;
3. Food and beverage retail sales;
4. Medical office (other than blood/plasma center);
5. Administrative, Professional, or General Offices;
6. Personal improvement service; and
7. Retail sales establishments.

88-805-04-V. RETAIL SALES

Businesses involved in the sale, lease, or rent of new or used products or merchandise to consumers. Typical uses include drug stores, grocery stores, department stores, and apparel stores. Also includes medical marijuana dispensary facilities.

1. OUTDOOR RETAIL SALES - CLASS A

Outdoor retail sales - class A are permanent uses outside of a completely enclosed building or structure used to display goods for sale to the general public as part of and subordinate to retail sales or similar business establishment. This includes but is not limited to garden supplies, building supplies, and plant materials.

2. OUTDOOR RETAIL SALES - CLASS B

Outdoor retail sales - class B are permanent uses where the majority of the retail space is outdoors and items are for sale to the general public. This includes but is not limited to garden nurseries, manufactured home sales, and recreational and play equipment sales.

88-805-04-W. SPORTS AND RECREATION, PARTICIPANT

Provision of sports or recreation primarily by and for participants. (Spectators would be incidental and on a nonrecurring basis). Examples include bowling alleys, skating rinks, billiard parlors, driving ranges and miniature golf courses, shooting and archery ranges, batting cages, and go-cart tracks.

88-805-04-X. VEHICLE SALES AND SERVICE

Sales of motor vehicles or services related to motor vehicles. The following are vehicle sales and service use types:

1. CAR WASH/CLEANING SERVICE

A building or site containing facilities for washing automobiles. It may use automatic production line methods—a chain conveyor, blower, steam cleaning device, or other mechanical device—or it may provide space, water and equipment for hand washing, cleaning or detailing of automobiles, whether by the customer or the operator.

2. HEAVY EQUIPMENT SALES/RENTALS

Sale, retail or wholesale and/or rental from the premises of heavy construction equipment, trucks and aircraft, together with incidental maintenance. Typical uses include heavy construction equipment dealers and tractor trailer sales.

3. LIGHT EQUIPMENT SALES/RENTALS

Sale, retail, wholesale, or rental from the premises of autos, noncommercial trucks, motorcycles, trailers with less than 10,000 lbs. gross cargo weight, recreational vehicles and boat dealers, together with incidental maintenance. Typical uses include automobile and boat dealers, car rental agencies and recreational vehicle sales and rental agencies.

4. MOTOR VEHICLE REPAIR, LIMITED

a. A vehicle repair establishment that provides lubrication and/or checking, changing, or additions of those fluids and filters necessary to the maintenance of a vehicle. Customers generally wait in the car or at the establishment while the service is performed. Examples include quick lube services.

b. Also included vehicle repair establishments that provide replacement of passenger vehicle parts or repairs that do not involve body work or painting or require removal of the engine head or pan, engine transmission or differential. Examples include tire, muffler and transmission shops.

5. MOTOR VEHICLE REPAIR, GENERAL

Any vehicle repair activity other than "minor vehicle repair." Examples include repair or servicing of commercial vehicles or heavy equipment or body work, painting, or major repairs to passenger vehicles.

6. VEHICLE STORAGE AND TOWING

Storage of operating motor vehicles or vehicle towing services. Typical uses include towing services; private tow lots; impound yards; parking station for buses; and fleet storage yards. Includes the use of a site for temporary storage of motor vehicles to be sold, rented, salvaged, dismantled, or repaired for a period of not more than 15 days.

Section 2. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by law have been given and had.

..end

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:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Revised 3/24/2023

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Amending Chapter 88, the Zoning and Development Code, to align with the definition of a restaurant in Chapter 10 of the Code of Ordinances (CD-CPC-2023-00030).

Discussion

See CPC staff report

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No

2. This fund has a structural imbalance.

Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City’s most vulnerable population
- Utilize planning approaches to improve the City’s neighborhoods

Prior Legislation

See CPC Staff report

Service Level Impacts

See CPC Staff report

Other Impacts

1. What will be the potential health impacts to any affected groups?

The is a zoning ordinance and has not been evaluated against this subject matter

2. How have those groups been engaged and involved in the development of this ordinance?

The is a zoning ordinance and has not been evaluated against this subject matter

3. How does this legislation contribute to a sustainable Kansas City?

The is a zoning ordinance and has not been evaluated against this subject matter

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances ([Chapter 38, titled "Civil Rights"](#))?

The is a zoning ordinance and has not been evaluated against this subject matter

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances ([Chapter 3, titled "Contracts and Leases"](#))?

The is a zoning ordinance and has not been evaluated against this subject matter



File #: 230360

ORDINANCE NO. 230360

Sponsor: Councilmember Lee Barnes

Directing that the City Manager shall appear before the Council to provide certain information before suspending, terminating, or taking any other adverse action against an employee for failure to comply with the residency requirements of the City’s Code of Ordinances.

WHEREAS, Council has the duty to supervise the City Manager in his exercise of his duties; and

WHEREAS, the Council has the obligation to determine whether residency ordinances as written are being properly interpreted and fairly enforced, consistent with the intentions of the Council; and

WHEREAS, the City has been required to pay hundreds of thousands of dollars for claims arising out of disciplinary actions taken related to allegations of non-residency; and

WHEREAS, it is within the proper purview of the Council to determine if changes to the residency requirements are necessary or desirable to properly regulate City employees, including granting waivers of required residency; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That, prior to suspending, terminating or taking any other adverse action against any employee based on failure to comply with the residency requirements of the City’s Code of Ordinances, the City Manager shall personally appear before a Business Session of the Council to provide the Council with specific and detailed information and evidence upon which such suspension, termination or other adverse action is based, and no such action shall be taken until at least forty-five days shall have passed after such presentation.

..end

Approved as to form:

Katherine Chandler

Assistant City Attorney

City of Kansas City, Missouri



Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Directing that the City Manager shall appear before the Council to provide certain information before suspending, terminating, or taking any other adverse action against an employee for failure to comply with the residency requirements of the City's Code of Ordinances.

Discussion

The fiscal impact of this legislation is indeterminable.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No

City of Kansas City, Missouri



Docket Memo

2. This fund has a structural imbalance.

Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?

N/A

2. How have those groups been engaged and involved in the development of this ordinance?

City of Kansas City, Missouri



Docket Memo

N/A

3. How does this legislation contribute to a sustainable Kansas City?

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Click or tap here to enter text.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Click or tap here to enter text.



File #: 230393

ORDINANCE NO. 230393

Sponsor: City Manager

Approving the Guadalupe Center Multifamily PIEA General Development Plan on approximately 2.32 acres generally located at the northwest quadrant of Hardesty Avenue and Van Brunt Drive in Kansas City, Missouri, and declaring said area to be blighted and in need of redevelopment and rehabilitation. (CD-CPC- 2023-00041)

WHEREAS, the Planned Industrial Expansion Authority of Kansas City, Missouri (the “Authority”) did prepare or cause to be prepared the Guadalupe Center Multifamily PIEA General Development Plan and recommended that the Council approve the finding of blight and approve the General Development Plan for the area; and

WHEREAS, the City Plan Commission has reviewed and recommended approval of the finding of blight of the Guadalupe Center Multifamily PIEA General Development Plan on May 2, 2023, as evidenced by its disposition of the case and its written recommendations submitted to the City; and

WHEREAS, Section 100.400, RSMo, authorizes the Council to make a finding that an area is a blighted area and approve a general development plan for such area if the Council finds that the plan is feasible and in conformity with the general plan for the development of the community as a whole; and

WHEREAS, on October 6, 2016, the City did pass Second Committee Substitute for Ordinance No. 160383, as amended, which enacted guidelines on the City’s use of abated and exempted real property taxes in funding economic development projects; and

WHEREAS, Section 9 of Ordinance No. 160383, as amended, as modified by Second Committee Substitute for Ordinance No. 200497, as amended, provides that notwithstanding the guidelines set forth therein, the Council retains its discretion to authorize the capture and redirection, or abatement or exemption, in whole or in part, of ad valorem real property taxes to the full extent authorized by any provision of law; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council declares the area of approximately 2.32 acres generally located on the northwest quadrant of Hardesty Avenue and Van Brunt Drive in Kansas City, Missouri, and more specifically described on Exhibit A attached hereto and incorporated herein

by reference, to be a blighted area as defined in Section 100.310, RSMo, and more specifically finds that there is a predominance of insanitary and unsafe conditions, deterioration of site improvements, and/or the existence of conditions which endanger life and property by fire and other causes in such planning area and, as a result of the predominance of those conditions the planning area in its present condition and use, constitutes an economic and social liability and a serious menace to the public health, safety, morals, and welfare.

Section 2. That the Guadalupe Center Multifamily PIEA General Development Plan prepared by the Authority and recommended to the Council is intended to and shall affect and be applicable to only the real property specifically described in Section 1 above and is hereby approved. A copy of said General Development Plan is attached to this ordinance and is made a part hereof.

Section 3. That the Council has duly made the findings necessary for compliance with Sections 100.300-100.620, RSMo.

Section 4. That the General Development Plan is hereby found to be feasible and in conformance with the general plan for the development of the community as a whole.

Section 5. That the ad valorem tax exemption benefits as authorized in Section 100.570, RSMo, are hereby extended to the General Development Plan area to the extent and in the manner as provided for in said General Development Plan and subject to the execution of a development agreement with the Authority and the developer.

Section 6. That pursuant to Section 9 of Second Committee Substitute for Ordinance No. 160383, as amended, as modified by Second Committee Substitute for Ordinance No. 200497, as amended, the City Council hereby authorizes the abatement of ad valorem real property taxes to the full extent authorized by Section 100.570, RSMo with respect to any project in the General Development Plan area providing affordable housing or housing at deeper levels of affordability, as such terms are defined in Code Section 74-11.

..end

I hereby certify that as required by Chapter 100, RSMo, as amended, all public notices have been given and public hearings held, as required by law.

Approved as to form:

Emalea Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution # 230393

Submitted Department/Preparer:

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

The legislation approves the [Guadalupe Centers] PIEA General Development Plan on approximately 2.32 acres generally located at the northwest quadrant of the intersection of Hardesty Avenue and Van Brunt Drive in Kansas City, Missouri, and declaring said area to be blighted and in need of redevelopment and rehabilitation.

Discussion

The proposed development plan is in conformance with the Area Plan land use recommendation. This incentive plan also has an accompanying UR development plan as required by the zoning and development code. The property owners will seek a tax abatement which provides for one hundred (100%) percent abatement for ten (10) years and fifty (50%) percent abatement for fifteen (15) years. Abatement for projects within the redevelopment area shall be subject to the provisions of Second Committee Substitute for Ordinance No. 160383, As Amended, and as may be further amended from time to time, which was adopted by the City Council on or about October 6, 2016. The real estate shall not receive greater than a seventy-five (70%) percent abatement of real property taxes for the first ten (10) years and thirty-seven and one-half (37.5%) percent abatement for the following fifteen (15) years. However this limitation may be waived with Council approval to allow for abatements that exceed this threshold for certain qualifying projects. It is anticipated that projects in the Guadalupe Centers General Development Plan area will qualify for the waiver with the satisfaction of providing affordable housing or housing at deeper levels of affordability, as defined in Code Section 74-11. The PIEA has the statutory right to exercise the power of eminent domain to acquire any real property it deems necessary for a project or for its purposes under this law upon the adoption by the PIEA of a resolution declaring that the acquisition of the real property described therein is necessary for such purposes. The PIEA does not anticipate exercising the power of eminent domain within the Planning Area, except possibly to clear title, and will limit the use of eminent domain to five (5) years from the approval of the Plan. Should eminent domain be necessary to acquire real property in the future, the Plan shall be amended and such amendment shall be considered and approved by the PIEA and the City Council. The PIEA shall observe its approved standard procedures for consideration of such amendments, including notices to owners(s) and developer(s). Any use of eminent domain shall satisfy the requirements of Chapter 523, RSMo. City Staff does not comment on whether the site is blighted or not, however a blight analysis prepared by Belke Appraisal & Consulting Services, Inc. determined that the plan area is blighted. The Board of Commissioners of the Planned Industrial Expansion Authority (PIEA) of Kansas City, Missouri approved the Blight Study and General Development Plan for the Guadalupe Centers PIEA Redevelopment Area. Further, the Board recommended to the City Council that the Guadalupe Centers General PIEA Area be designated by ordinance as blighted, insanitary or an undeveloped industrial area, as defined by RSMo sections 100.310(2), 100.310(11)



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and 100.310(18), and that the General Development Plan for Guadalupe Centers located at the northwest quadrant of the intersection of Hardesty Avenue and Van Brunt Drive be approved.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

Click or tap here to provide fund name(s).

3. How does the legislation affect the current fiscal year?

No fiscal impact in the current fiscal year.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

A future fiscal impact will arise with approval of redevelopment proposals by the Planned Industrial Expansion Authority (PIEA) and Chapter 353 Tax Abatement treatment. Such tax abatement on real property will consist of the following: 1) 100% abatement for 10 years on amounts over the tax due on land for the year prior to the property being acquired by the redevelopment corporation; 2) The property is then eligible for an additional 50% abatement on the value of land and any improvements for the next 15 years. The tax abatement for this plan shall be consistent with the Second Committee Substitute for Ordinance No. 200497, which capped the abatement at seventy percent (70%) of real property taxes for the first ten years and thirty percent (30%) for the following 5 years. However this limitation may be waived with Council approval to allow for abatements that exceed this threshold for certain qualifying projects. It is anticipated that projects in the Guadalupe Centers General Development Plan area will qualify for the waiver with the satisfaction of providing affordable housing or housing at deeper levels of affordability, as defined in Code Section 74-11. Each project will undergo a financial analysis prior to incentives being awarded. PIEA approves incentives through its board, however other elements of the projects (design standards, etc.) will require council approval.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

The legislation itself does not generate revenue, leverage outside funding, or deliver a return on investment. In the future with the approval of redevelopment proposals by the Planned Industrial Expansion Authority (PIEA) tax revenue will be generated dependent on the terms of a development agreement between the PIEA and the developer. That said, the legislation positions the blighted and under-utilized propoerty to be eligible for a return on investment, and at the very



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least could generate 50%-70% property tax revenues beginning in a project's eleventh year and all property tax revenues at the beginning of a project's twenty-fifth year. A project would also generate new sales tax, earnings tax, utility tax, and personal property tax revenues upon completion of the development, in addition to affordable housing and the elimination of blight that has a negative impact on surrounding property values. Potential redevelopment projects at the least would likely be financed with a combination of private equity, debt, and perhaps other outside funding sources not yet identified. A return on investment will only occur upon the implementation of a future redevelopment proposal and will be dependent on the terms of the development agreement between the PIEA and the developer and the timing of implementation.

Budget Review

(Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan Impact

HOUSING AND HEALTHY COMMUNITIES - 1. Increase affordable housing supply to meet demands of a diverse population. 2. Broaden the capacity and innovative use of funding sources for affordable housing - b) Align developer incentives with affordable housing production and commitment; c) Utilize Brownfield assistance programs to facilitate and support development of new infill affordable housing in established neighborhoods or on repurposed property. 3. Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures. INFRASTRUCTURE AND ACCESSIBILITY - 1. Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system - d) Utilize the City's Transit Oriented Development Policy to encourage higher density for new housing developments within close proximity of frequent public transit service.

Prior Legislation

Ordinance Nos. 160383 and 200497 as relates to the use of development incentives and Ordinance No. 220700 as relates to the City's Affordable Housing Set Aside.

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Service Level Impacts

This legislation will have no impact on service levels. Subsequent redevelopment within the plan area will have impacts on traffic and possibly other services that will not exceed levels prescribed by the City.

Other Impacts

1. What will be the potential health impacts to any affected groups?

This legislation itself has no health impacts but will allow for the elimination of blight and environmental liabilities that will improve the quality of life for all in the immediate vicinity of the planning area. The implementation of future redevelopment proposals will abide by all local, state and federal laws and in doing so will minimize and/or eliminate any negative health impacts as required, including the remediation of property contamination with the assistance of the City's Brownfields Office that is already underway.

2. How have those groups been engaged and involved in the development of this ordinance?

Not applicable.

3. Is this legislation good for the children?

Yes.

4. How does this legislation contribute to a sustainable Kansas City?

The legislation itself allows for, but does not guarantee, the potential redevelopment of currently blighted properties and subsequent provision of dense affordable housing in a transit corridor that will utilize green design, materials and equipment.



File #: 230435

ORDINANCE NO. 230435

Sponsor: Director of City Planning and Development Department

Approving the 6500 Troost PIEA General Development Plan on approximately 1.19 acres generally located at 6500 Troost Avenue, and declaring said area to be blighted and in need of redevelopment and rehabilitation. (CD-CPC-2022-00188)

WHEREAS, the Planned Industrial Expansion Authority of Kansas City, Missouri (“Authority”) did prepare or cause to be prepared the 6500 Troost Avenue PIEA General Development Plan and recommended that the Council approve the finding of blight and approve the General Development Plan for the area;

WHEREAS, the City Plan Commission has reviewed and recommended approval of the finding of blight of the 6500 Troost Avenue PIEA General Development Plan on February 21, 2023 as evidenced by its disposition of the case and its written recommendations submitted to the City; and

WHEREAS, Section 100.400, RSMo, authorizes the Council to make a finding that an area is a blighted area and approve a general development plan for such area if the Council finds that the plan is feasible and in conformity with the general plan for the development of the community as a whole; and

WHEREAS, on October 6, 2016, the City did pass Second Committee Substitute for Ordinance No. 160383, as amended, which enacted guidelines on the City’s use of abated and exempted real property taxes in funding economic development projects; and

WHEREAS, Section 9 of Ordinance No. 160383, as amended, as modified by Second Committee Substitute for Ordinance No. 200497, as amended, provides that notwithstanding the guidelines set forth therein, the Council retains its discretion to authorize the capture and redirection, or abatement or exemption, in whole or in part, of ad valorem real property taxes to the full extent authorized by any provision of law; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council declares the area of approximately 1.19 acres generally located 6500 Troost Avenue and more specifically described by metes and bounds on Exhibit A attached hereto and incorporated herein by reference, to be a blighted area as defined in Section 100.310, RSMo, and more specifically finds that there is a predominance of defective and inadequate street layout, insanitary and unsafe conditions, deterioration of site improvements,

and the existence of conditions which endanger life and property by fire and other causes in such planning area and as a result of the predominance of those conditions the planning area in its present condition and use constitutes an economic and social liability and a serious menace to the public health, safety, morals, and welfare.

Section 2. That the 6500 Troost Avenue PIEA General Development Plan prepared by the Authority and recommended to the Council is intended to and shall affect and be applicable to only the real property specifically described in Section 1 above and is hereby approved. A copy of said General Development Plan is attached to this ordinance and is made a part hereof.

Section 3. That the Council has duly made the findings necessary for compliance with Section 100.300-100.620, RSMo.

Section 4. That the General Development Plan is hereby found to be feasible and in conformance with the general plan for the development of the community as a whole.

Section 5. That the ad valorem tax exemption benefits as authorized in Section 100.570, RSMo, are hereby extended to the plan area to the extent and in the manner as provided for in said General Development Plan, and subject to the execution of a development agreement with the Planned Industrial Expansion Authority of Kansas City, Missouri, and the developer.

Section 6. That pursuant to Section 9 of Second Committee Substitute for Ordinance No. 160383, as amended, as modified by Second Committee Substitute for Ordinance No. 200497, as amended, the City Council hereby authorizes the abatement of ad valorem real property taxes to the full extent authorized by Section 100.570, RSMo, with respect to any project qualifying for Jobs-Based or Site-Based “High Impact” designation as determined by the AdvanceKC Scorecard, derived from the City Council’s Economic Development and Incentive Policy, or located in a severely distressed census tract that has continuously maintained such status for not less than ten (10) years immediately prior to the effective date of the request.

..end

I hereby certify that as required by Chapter 100, RSMo, as amended, all public notices have been given and public hearings held, as required by law.

Secretary, City Plan Commission

Approved as to form:

Emalea Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

The applicant is seeking approval of the 6500 Troost PIEA Planning Area and declare the area blighted and insanitary and in need of redevelopment and rehabilitation pursuant to the Missouri Planned Industrial Expansion Authority (PIEA) Law 100.300-100.620 on about 1.91 acres generally located at 6500 Troost Avenue.

Discussion

The proposed redevelopment area includes approximately 1.19 acres of property with access off Troost Avenue and East 65th Street. The property has access to public transit and pedestrian access around the block. Abatement for projects within the redevelopment area will not exceed 10 years at 100% abatement and 15 years at 50% abatement. The City Plan Commission approved the general development plan and agreed on the finding of blight.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

The funding sources are private equity, conventional debt, historic preservation tax credits and property tax abatement.

3. How does the legislation affect the current fiscal year?

This developer is requesting they forgo future incremental increases in real property taxes, so this project has no negative effect on the current fiscal year.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

Yes. It is projected this project will provide an immediate slight increase in property taxes with a Payment in Lieu of Tax and land tax for ten years and then a substantial increase in year 11-25 of the abatement term. The Developer also anticipates an increase in earnings and sales tax related to the project.



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- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

Yes. If successful, potentially this project will immediately generate Earnings Tax from the office tenants and Earning and Sales Tax from the retail/restaurant space. Outside funding includes private equity and conventional debt.

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

City of Kansas City, Missouri

Docket Memo

Prior Legislation

None

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?

Currently, the property is only 17% occupied and blighted and insanitary and in need of renovation.

2. How have those groups been engaged and involved in the development of this ordinance?

The Developer says he will do his best to retain tenants who can remain in business while they renovate around them. If the tenant is in a space that will require they vacate the property, the Developer will work with them to relocate, and come back to the property if a suitable deal can be reached.

3. How does this legislation contribute to a sustainable Kansas City?

The Developer plans to take a building that has an inefficient energy structure, and is non contributing to the neighborhood, and renovate it with better insulation, energy efficient HVAC and make it a long term useful building and an anchor for office space on Troost Avenue.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

The Developer will reconnect with CREO prior to seeking Project Approval from the PIEA and comply with all M/WBE requirements.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

The Ordinance will be submitted.



File #: 230439

ORDINANCE NO. 230439

Sponsor: Councilmember Melissa Robinson

Authorizing the City Manager to enter into a Predevelopment Agreement with Historic Northeast Lofts, LLC, for the development of approximately 22 acres in the Historic Northeast Area.

WHEREAS, Historic Northeast Lofts, LLC (“Developer”) has proposed a project for development utilizing various economic development tools available and consisting of residential, retail, and community services development across approximately 22 acres generally located east of Hardesty Avenue and south of Independence Avenue (the “Project Area”); and

WHEREAS, Developer intends to provide approximately 589 units of residential development from adaptive reuse of existing structures, with a minimum of 75% of the units being restricted to families who earn between 30-80% of the Median Family Income; and

WHEREAS, Developer intends to provide 30,000 square feet of daycare, early childhood development and afterschool space and 75,000 square feet of retail development from adaptive reuse of existing structures, and also a farmers market; and

WHEREAS, Developer anticipates the Project will result in 500 temporary jobs and 250 permanent jobs in the Project Area; and

WHEREAS, the total cost of the Project is approximately \$224,991,531.00 and Developer’s investment in the Project requires and is contingent upon substantial economic incentives; and

WHEREAS, the City and Developer intend to enter into future agreements to provide additional obligations and benefits for both parties related to the Project; and

WHEREAS, The City and Developer wish to enter into a predevelopment agreement memorializing each parties’ role and responsibilities for the completion of the project; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is authorized to negotiate and execute a Predevelopment Agreement with Historic Northeast Lofts, LLC to provide for the development of the Project Area.

..end

Approved as to form:

Emalea Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing the City Manager to enter into a Predevelopment Agreement with Historic Northeast Lofts, LLC, for the development of approximately 22 acres in the Historic Northeast Area.

Discussion

Historic Northeast Lofts, LLC is proposing to proceed with the construction of approximately 589 units of residential development, with 75% of which will be affordable to families earning between 30% and 70% of MFI. In addition, the developer plans to provide a 30,000 SF daycare facility, 75,000 SF of retail development, a farmer's market, and other improvements. The project is located at the intersection of Independence Ave. and Hardesty. This is a complex project that will require a combination of economic development incentives to ensure it can be successfully completed. Among those incentives are property tax abatement, Tax Increment Financing, and other potential sources such as funding from various brownfields redevelopment programs previously committed to the project, and other sources. The Developer and the City agree that the attached pre-development agreement is appropriate to best outline a path forward for the project, delineating timelines and responsibilities for the Developer and the City.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

The agreement anticipates that the City will work with its partner economic development agencies to provide economic incentives for the implementation of this project. Fiscal impact



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of those incentives will be determined as the projects moves through the evaluation and approval process.

- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

The project contemplated by this agreement includes a combination of state and federal tax credits to support historic preservation and low income housing, brownfield clean up funds, and private investment. The overall cost of the project is estimated at \$224 million.

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City’s most vulnerable population

City of Kansas City, Missouri



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- Utilize planning approaches to improve the City's neighborhoods

Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?

N/A

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A