



## Agenda

### Neighborhood Planning and Development Committee

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

---

Wednesday, October 26, 2022

1:30 PM

26th Floor, Council Chamber

---

#### 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>

#### **Director of City Planning & Development**

[220932](#)

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 25.61 acres generally located at the northeast corner of N.E. 48th Street and I-435 from Districts R-0.5, B4-5, and B3-2 to District MPD, and approving a preliminary development plan, which also acts as a preliminary plat for 179 residential units.  
(CD-CPC-2022-00137)

**Attachments:** [Fact Sheet](#)

#### **Director of City Planning & Development**

[220936](#)

Sponsor: Director of City Planning and Development Department

Approving a rezoning of about 2.17 acres generally located at 5220 Troost Avenue between E. 53rd Street to the south, E 52nd Street to the north, and Rockhill Road to the west from District R-1.5 to District B1-5 without a plan. (CD-CPC-2022-00114)

**Attachments:** [CD-CPC-2022-00114 Fact Sheet](#)

HELD IN COMMITTEE

---

[140374](#) Sponsor(s): EDCKC and Councilmember Andrea Bough

Approving and designating Redevelopment Project Area B of the Bannister & Wornall Tax Increment Financing Plan as a Redevelopment Project; adopting tax increment financing therefor; and directing the City Clerk to transmit copies of this ordinance.

**Attachments:** [Fact Sheet](#)

[220612](#) Amending Chapter 18, Code of Ordinances, by repealing Sections 18-10, Unsafe structures and equipment, 18-20, Fees, and 18-21, Inspections, and enacting in lieu thereof new sections of like number and subject matter to update the City's periodic building inspection protocols and conduct a one-time inspection of the structural adequacy of each building within the City greater than four stories in height as defined by the current building code and built prior to 1950.

**Attachments:** [fact sheet](#)

[220722](#) Amending Ordinance No. 190328 by repealing Condition 16 contained in Section B, which required the developer to secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development, because the developer no longer has access to public water mains. (CD-CPC-2018-00229)

**Attachments:** [CD-CPC-2018-00229 Fact Sheet 2022](#)

#### 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](mailto:public.testimony@kcmo.org). Comments received will be distributed to the committee and added to the public record by the clerk.

The City Clerk's Office now has equipment for the hearing impaired for 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 / He will give you the equipment. The City Clerk's Office will return your license upon returning the equipment.

Adjournment



---

**File #: 220932**

---

ORDINANCE NO. 220932

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 25.61 acres generally located at the northeast corner of N.E. 48th Street and I-435 from Districts R-0.5, B4-5, and B3-2 to District MPD, and approving a preliminary development plan, which also acts as a preliminary plat for 179 residential units. (CD-CPC-2022-00137)

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 80-20A-1358 rezoning an area of about 25.61 acres located at the northeast corner of NE 48th St and I-435 from Districts R-0.5 (Residential 0.5), B4-5 (Heavy Business/Commercial), and B3-2 (Community Business) to District MPD (Master Planned Development) said section to read as follows:

Section 80-20A-1358. That an area legally described as:

TRACT I: All of the South half of the Southwest Quarter of the Southwest Quarter of Section Thirty-four (34) in Township Fifty-one (51) of Range Thirty-two (32), except one half acre, more or less, for cemetery purposes as described in that deed dated July 3, 1905, and filed for recorded [sic] on August 22, 1905, in Book 139 at Page 377, and except that part now platted as Lots 1-22, Randolph Ridge, filed for record April 28, 1958, in Book 9 at Page 39 and except all that part of the South half of the Southwest Quarter of the Southwest Quarter of Section Thirty-four (34), Township Fifty-one (51) of Range Thirty-two (32) conveyed to the State of Missouri under Document No. C-6727, dated October 7, 1966, filed for record December 5, 1966, in Book 915 at Page 589, for I-435 and except the South 40 feet thereof, Kansas City, Clay County, Missouri, and further excepting the following described tract, to-wit: A tract of land in the South Half of the Southwest Quarter of the Southwest Quarter of Section 34, Township 51, Range 32 in Kansas City, Clay County, Missouri, described as follows: Commencing at the Southwest corner of the aforesaid Quarter Quarter Section; thence North 89 degrees 24 minutes 13 seconds East along the South line of said Quarter Quarter Section, 858 feet; thence North 0 degrees 00 minutes East, 40.0 feet for a true point of beginning; thence continuing North 0 degrees 00 minutes East, 92.0 feet, thence South 89 degrees 24 minutes 13 seconds West,

15.0 feet; thence South 0 degrees 00 minutes West, 92.0 feet; thence North 89 degrees 24 minutes 13 seconds East, 15.0 feet to the point of beginning, subject to that part, if any, in streets, roadways, highways or other public rights-of-way.

TRACT II: The North Half of the Southwest Quarter of the Southwest Quarter, Section 34, Township 51, Range 32, Kansas City, Clay County, Missouri, except that part thereof in I-435.

TRACT III: Lots 10, 13, 14, 17, 18, 21 and 22, except that part taken for Interstate Route 435 as set forth in instrument recorded as Document No. C-6727 filed December 5, 1966, Randolph Ridge, a subdivision in Kansas City, Clay County, Missouri, together with vacated 48th Street Terrace and vacated 49th Street.

TRACT IV: Lot 9, except that part taken for Interstate Route 435, as set forth in instrument recorded as Document No. C-6727 filed December 5, 1966, Randolph Ridge, a subdivision in Kansas City, Clay County, Missouri, together with vacated 48th Street Terrace and vacated 49th Street.

is hereby rezoned from Districts R-0.5 (Residential 0.5), B4-5 (Heavy Business/Commercial), and B3-2 (Community Business) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 80-20A-1358, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan which also acts as a preliminary 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 for each phase, if constructed separately, from the City Plan Commission prior to building permit.
2. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
3. 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.
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 seek a waiver, to be listed on the preliminary plat sheet to Section 88-405-10-B.2 - Connections to Abutting Properties.

6. Plant species shall be reviewed further during the MPD final plan process.
7. The developer shall adhere to any additional conditions from MoDOT.
8. The developer shall show implementation of green infrastructure for stormwater management on the MPD final plan.
9. The developer shall submit revised plans showing the pedestrian connection to N.E. 50th Street prior to ordinance request.
10. 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)
11. 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 a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
12. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018§ 507.1)
13. 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)
14. If an approved security gate spans across a fire access road, an approved means for emergency operation shall be provided. (IFC-2018 § 503.6)
15. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department’s Forestry Division prior to beginning work in the public right-of-way.
16. 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 (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to a certificate of occupancy.

17. Stormwater management facilities, such as detention basins, BMPs, engineered surface water conveyance paths outside of right-of-way, which serve multiple lots or tracts, shall be privately maintained, located on separate tract(s), and covered by maintenance covenant(s) to be administered through the platting process.
18. The developer shall manage stormwater runoff quality with BMPs and do not increase pollutant discharges that could potentially violate City's MS4 permit. Follow MARC BMP Manual.
19. The developer shall verify no increases above pre-project levels of peak rate and volume of runoff leaving the site at any point (in storm drainage study).
20. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
21. 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.
22. 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.
23. The developer will need additional full flow fire meter connection to the public water main.
24. 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.
25. The developer shall subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and the developer shall be responsible for all costs associated with subordination activities now and in the future.

26. The north half of N.E. 48th Street shall be improved as required by Chapter 88, to current City standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
27. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
28. 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.
29. 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.
30. 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.
31. 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.
32. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
33. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
34. The developer shall submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape improvements in the public right of way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.



35. The developer shall grant any BMP and/or surface drainage easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
36. 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.
37. 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.
38. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.
39. The developer shall provide easements for the private sewers and a Covenant to Maintain Private Sewers document acceptable to the Water Services Department prior to recording the plat.

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 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 and legality:

---

Sarah Baxter

Senior Associate City Attorney

# COMMUNITY PROJECT/REZONING

**220932**

## Ordinance Fact Sheet

**Ordinance Number**

**Case No.** CD-CPC-2022-00137

### Brief Title

A request to approve a rezoning to MPD (Master Planned Development) from districts R-0.5, B4-5, and B3-2, and approving a preliminary development plan, which also acts as a preliminary plat for 179 residential units on about 25.61 acres generally located at the northeast corner of NE 48th St and I-435. (CD-CPC-2022-00137)

### Details

**Location:** generally located at the northeast corner of NE 48th St and I-435.

**Reason for Legislation:** Rezoning and development plans requires City Council approval

**See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.**

**See attached City Plan Commission Disposition Letter for the Commission’s recommended conditions (if any).**

### SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

- Staff requested condition #10 (in the CPC dispo letter) be added at the Plan Commission hearing. The Commission added the condition and the applicant submitted revised plans. As this condition has been satisfied, condition #10 is removed from the ordinance. “10. The developer shall submit revised plans showing the pedestrian connection to NE 50th St prior to ordinance request.”

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	1 <sup>st</sup> District O’Neill & Hall
<b>Applicants / Proponents</b>	<b>Applicant</b> Adam DeGonia McClure  <b>City Department</b> City Planning & Development <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>  <b>Basis of Opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> <b>For</b>  <input type="checkbox"/> <b>Against</b>  <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	City Plan Commission 4-1 on 10/4/2022 Voting Aye: Allender, Baker, Hill, Rojas Voting Nay: Sadowski <input type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <input type="checkbox"/> <b>No Action Taken</b>  <input checked="" type="checkbox"/> <b>For, with revisions or conditions</b> (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> <b>Do Pass</b>  <input type="checkbox"/> <b>Do Pass (as amended)</b>  <input type="checkbox"/> <b>Committee Sub.</b>  <input type="checkbox"/> <b>Without Recommendation</b>  <input type="checkbox"/> <b>Hold</b>

--

	<input type="checkbox"/> Do not pass
--	--------------------------------------

<b>Fact Sheet Prepared By:</b> Genevieve Kohn Planner	<b>Date:</b> 10/13/2022	<b>Initial Application Filed:</b> 7/29/2022
<b>Reviewed By:</b> Joe Rexwinkle Division Manager	<b>Date:</b> 10/13/2022	<b>City Plan Commission Action:</b> 10/4/2022
		<b>Revised Plans Filed:</b> 10/12/2022
		<b>On Schedule:</b> No
		<b>Off Schedule Reason:</b> The case was delayed prior to the CPC hearing because the applicant needed more time to hold their public engagement meeting based on the request of the neighborhood. The ordinance request was delayed because the applicant needed to submit revised plans.
<b>Reference Numbers:</b> CD-CPC-2022-00137		



**File #: 220936**

ORDINANCE NO. 220936

Sponsor: Director of City Planning and Development Department

Approving a rezoning of about 2.17 acres generally located at 5220 Troost Avenue between E. 53rd Street to the south, E 52nd Street to the north, and Rockhill Road to the west from District R-1.5 to District B1-5 without a plan. (CD-CPC-2022-00114)

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-1359, rezoning an area of approximately 2.17 acres generally located at 5220 Troost Avenue between E. 53rd Street to the south, E 52nd Street to the north, and Rockhill Road to the west from District R-1.5 (Residential 1.5) to District B1-5 (Neighborhood Business 1 (Dash 5)), said section to read as follows:

Section 88-20A-1359. That an area legally described as:

Mulkey Park Res: Pt of all th pt E 1/2 of th S 1/2 and the e 449.4' of the N 1/2 of Lot 8 (a/k/a Block 8) daf: beg sely cor sd Lot 8 th N 87 deg 29 min 55 sec W 290.50' to wly li of E 1/2 of S 1/2 sd, Lot 8 th N 02 deg 46 min 23 sec E 326.34' th S 87 deg 29 min 55 sec E 290.20' th S 02 deg 43 min 11 sec W 326.34' to pob (known Tract 2 per Cert Surv Bk 13 pg 3)

is hereby rezoned from Districts R-1.5 (Residential 1.5) to District B1-5 (Neighborhood Business 1 (Dash 5)), all as shown outlined on a map marked Section 88-20A-1359, 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 condition:

The applicant shall finalize a deed restriction with the City of Kansas City, Missouri Law Department prior to approval by City Council.

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 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 and legality:

---

Sarah Baxter  
Senior Associate City Attorney

# DEVELOPMENT PLAN

## Ordinance Fact Sheet

**Case No.** CD-CPC-2022-00114

### Brief Title

A request to approve a rezoning from R-1.5 to B1-5 without a plan on about 2.17 acres of land generally located at 5220 Troost Ave between E 53rd St to the South, E 52nd St North, and Rockhill Rd to the West in MULKEY PARK RES plat. (CD-CPC-2022-00114)

### Details

**Location:** 5220 Troost Ave Kansas City, MO 64110

**Reason for Legislation:** Rezoning require City Council approval.

See attached City Plan Commission Staff Report for a detailed description and analysis of the proposal.

### SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

- The applicant submitted a deed restriction for review by the city's attorney for City Planning and Development and will finalize prior to city Council determination.

### CITY PLAN COMMISSION RECOMMENDATION:

Approval subject to the following conditions

- The applicant shall finalize a deed restriction with the city of Kansas City, MO legal department prior to approval by City Council.

**220936**

**Ordinance Number**

### Positions/Recommendations

#### Sponsors

Jeffrey Williams, AICP, Director Department of City Planning & Development

#### Programs, Departments or Groups Affected

4<sup>th</sup> District  
Katheryn Shields  
Eric Bunch

#### Applicants / Proponents

**Applicant** Steven Foutch  
FBKC Sports Management, LLC

**City Department**  
City Planning & Development  
**Other**

#### Opponents

**Groups or Individuals**  
N/A

**Basis of Opposition**  
N/A

#### Staff Recommendation

For  
 Against

**Reason Against**

#### Board or Commission Recommendation

City Plan Commission 4-0 10-01-2022  
By (Allender, Crowl, Enders, and Rojas)

For  Against  No Action Taken

For, with revisions or conditions  
(see details column for conditions)

#### Council Committee Actions

Do Pass  
 Do Pass (as amended)  
 Committee Sub.  
 Without Recommendation  
 Hold  
 Do not pass

Najma Muhammad  
Planner

**Reviewed By:**

**Date:**

Joseph Rexwinkle  
Division Manager

**Initial Application Filed:** June 23, 2022

**City Plan Commission** October 04, 2022

**Action:** Approval with Modifications

**Revised Plans Filed:** N/A

**On Schedule:** Yes

**Off-Schedule Reason:** N/A

**Reference Numbers:**

Case No. CD-BZA-2022-00114





---

**File #: 140374**

---

ORDINANCE NO. 140374

Sponsor(s): EDCKC and Councilmember Andrea Bough

Approving and designating Redevelopment Project Area B of the Bannister & Wornall Tax Increment Financing Plan as a Redevelopment Project; adopting tax increment financing therefor; and directing the City Clerk to transmit copies of this ordinance.

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 City Council of Kansas City, Missouri by Ordinance No. 54556 passed on November 24, 1982, and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, As Amended, passed on August 29, 1991, Ordinance No. 100089, As Amended, passed on January 28, 2010, and Ordinance No. 130986, passed on December 19, 2013, created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, the City Council accepted the recommendations of the Commission as to the Bannister & Wornall Tax Increment Financing Plan ("Redevelopment Plan") and designated the Redevelopment Area as a blighted area; and

WHEREAS, the Redevelopment Plan contemplates the implementation of the Redevelopment Plan through a number of separate Redevelopment Projects and the adoption of tax increment financing in each of the areas selected for such Redevelopment Projects; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That all terms used in this ordinance shall be construed as defined in Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended.

Section 2. That the area selected for Redevelopment Project Area B legally described as follows: All that part of the Northeast Quarter of Section 30, Township 48 North, Range 33 West, in the City of Kansas City, Jackson County, Missouri, being more particularly described as follows: Commencing at the southeast corner of the Northeast Quarter of said Section 30; thence North 87 degrees 27 minutes 05 seconds West, along the south line of the Northeast Quarter of said Section 30, a distance of 63.49 feet; thence North 2 degrees 32 minutes 55 seconds East, a distance of 56.91 feet to the intersection of the north right-of-way of Bannister Road, established by Document No. K500077 in Book K1101, at page 312 and the west right-of-way of Wornall Road established by Document No. K-982203 in Book K2147 at page 1287; thence along the northerly right-of-way line of said

Bannister Road, for the following three (3) courses; thence North 87 degrees 38 minutes 14 seconds West, a distance of 856.84 feet; thence North 2 degrees 21 minutes 46 seconds East, a distance of 35.00 feet; thence North 87 degrees 38 minutes 14 seconds West, a distance of 129.11 feet to a point on the easterly plat line of Ward Parkway Office Park South, a platted subdivision of land in the City of Kansas City, Jackson County, Missouri; thence along the easterly plat line of said Ward Parkway Office Park South, for the following two (2) courses; thence North 0 degrees 47 minutes 30 seconds East measured (North 6 degrees 45 minutes 17 seconds East platted), a distance of 38.64 feet; thence North 42 degrees 37 minutes 00 seconds East measured (North 42 degrees 34 minutes 47 seconds East platted), a distance of 180.01 feet to the point of beginning; thence along the easterly plat line of said Ward Parkway Office Park South, for the following three (3) courses; thence North 47 degrees 23 minutes 00 seconds West measured (North 47 degrees 25 minutes 13 seconds West platted), a distance of 85.00 feet; thence North 42 degrees 37 minutes 00 seconds East measured (North 42 degrees 34 minutes 47 seconds East platted), a distance of 379.00 feet; thence North 33 degrees 22 minutes 40 seconds East measured (North 33 degrees 20 minutes 27 seconds East platted), a distance of 8.53 feet; thence S 88 degrees 03 minutes 26 seconds East, a distance of 245.03 feet; thence South 1 degree 56 minutes 34 seconds West, a distance of 93.83 feet; thence South 2 degrees 44 minutes 33 seconds East, a distance of 122.42 feet; thence South 1 degree 56 minutes 34 seconds West, a distance of 128.54 feet; thence North 88 degrees 03 minutes 26 seconds West, a distance of 344.39 feet; thence South 88 degrees 34 minutes 47 seconds West, a distance of 97.80 feet to the point of beginning. Containing 3.0861 acres, more or less. is approved and designated by the Bannister & Wornall Tax Increment Financing Plan as Redevelopment Project Area B ("Project Area B").

Section 3. That tax increment allocation financing is hereby adopted for taxable real property in the above described area selected for Project Area B. After the total equalized assessed valuation of the taxable real property in Project Area B exceeds the certified total initial equalized assessed valuation of the taxable real property in Project Area B, the ad valorem taxes, and payment in lieu of taxes, if any, arising from the levies upon the taxable real property in such project by taxing districts and tax rates determined in the manner provided in subsection 2 of Section 99.855 each year after the effective date of the ordinance until redevelopment project costs have been paid shall be divided as follows:

That portion of taxes levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the area selected for the Project Area B shall be allocated to and, when collected, shall be paid by the Jackson County Collector and the City Treasurer to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing; 2. Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for Project Area B over and above the initial equalized assessed value of each such unit of property in the area selected for Project Area B shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payments in lieu of taxes, which are necessary to the payment of Project Area B Costs within the Redevelopment Area, into a special fund called the "Special Allocation Fund" of the City for the purpose of paying Redevelopment Project Costs and obligations incurred in the payment thereof. Any payments in lieu of taxes which are not paid within sixty (60) days of the due date shall be deemed delinquent and shall be assessed a penalty of one percent (1%) per month.

Section 4. That in addition to the payments in lieu of taxes described in subsection 2 of Section 3 above, fifty percent (50%) of the total additional revenue from taxes which are imposed by the City or taxing districts, and which are generated by economic activities within the area selected

for Project Area B over the amount of such taxes generated by economic activities within such area in the calendar year prior to the passage of this ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales of charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments and personal property taxes, other than payments in lieu of taxes, shall be allocated to, and paid by the collecting officer to the City Treasurer or other designated financial officer of the City, who shall deposit such funds, which are necessary to the payment of Project Area B Costs within the Redevelopment Area, in a separate segregated account within the Special Allocation Fund for the purpose of paying Redevelopment Project Costs.

Section 5. That the City Clerk shall send a copy of this ordinance to the County Clerk and County Executive of Jackson County, Missouri.

..end

---

Approved as to form and legality:

---

1. Brian T. Rabineau  
Assistant City Attorney

**Ordinance Fact Sheet**

**Ordinance Number**

Brief Title	Approval Deadline	Reason
<b>Bannister &amp; Wornall TIF Plan</b>		

**Details**

**TIF Plan Area:** The Redevelopment Area described by the Bannister & Wornall TIF Plan includes the area generally bounded by Ward Parkway on the north, Wornall Road on the east, Bannister Road (95<sup>th</sup> Street) on the south, and the Ward Parkway Office Park South subdivision on the west in Kansas City, Jackson County, Missouri

**Notices:** In accordance with the Sections 99.825 and 99.830 of the Revised Statutes of Missouri, staff prepared and delivered all required notices of the public hearing scheduled for April 9, 2014 at 9:45AM, at which time the public hearing was continued to April 22, 2014 at 10:30AM.

Notice was sent to all affected taxing jurisdictions by certified mail on February 21, 2014.

Notices were published in The Pulse on March 12, 2014 and April 2, 2014, in the Kansas City Call on March 14, 2014 and April 4, 2014, and in the Kansas City Hispanic News on March 13, 2014 and April 3, 2014.

Staff prepared and delivered notices by certified mail on March 27, 2014 and March 28, 2014 to the person or persons in whose names the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land located within the redevelopment project or plan area, which shall be subjected to payments in lieu of taxes and economic activity taxes.

Staff prepared a ten (10) day notice to the affected taxing districts on April 25, 2014 and published in The Pulse on April 25, 2014 and April 30, 2014 and such notice described the following modifications to the TIF Plan that was considered by the TIF Commission on April 22, 2014: A separate Special Allocation Fund will be established for each of Redevelopment Project Area A and Redevelopment Project Area B. 50% of the Economic Activity Taxes generated within Redevelopment Project Area A will be deposited into the Special Allocation Fund established in connection with Redevelopment Project Area A and 50% of the Economic

Activity Taxes generated within Redevelopment Project Area B will be deposited into the Special Allocation Fund established in connection with Redevelopment Project Area B.”

Additionally, the ten (10) day notice included a request by the Developer, 9400 Wornall, LLC. 9400 Wornall, LLC is also requesting for inclusion in the TIF Plan a change in the categories of costs eligible for reimbursement, which changes do not increase the total amount of Reimbursable Project Costs identified by the TIF Plan.

**General Description of Proposed TIF Plan:**

**Project Improvements:** The Redevelopment Plan contemplates the demolition of an existing 75,000 square foot structure located at 9400 Wornall Road, construction of approximately 471,467 square feet of office space, to be undertaken in two phases, along with approximately 340 surface parking spaces, an approximately 1,583 space parking garage, and all necessary infrastructure to support such improvements, including site preparation, utility construction and relocation, curbs, sidewalks, aesthetic improvements, landscaping and other improvements within and adjacent to the two Redevelopment Project Areas.

**Redevelopment Project Costs:** The total cost to implement the Plan is estimated to be \$231,817,836, of which \$189,913,480 (approximately 82 % of the total cost) will be financed through a combination of equity and/or debt financing. The remaining \$41,904,356 (approximately 18% of the total cost) is eligible for reimbursement from Economic Activity Taxes generated within Redevelopment Project Areas A and B. The Reimbursable Project Costs are identified in Exhibit 5A, attached to this Plan.

**Projections and Application of Payments in Lieu of Taxes and Economic Activity Taxes:** It is anticipated the Redevelopment Area will receive Chapter 100 benefits in the form of 100% real property tax abatement for 15 years and 50% tax abatement for 10 years; therefore, no Payment in Lieu of Taxes will be redirected to pay for any

## Reimbursable Project Costs.

The projected Economic Activity Taxes to be deposited in the Special Allocation fund during the time tax increment financing remains in effect, with respect to Redevelopment Project Areas A and B is approximately \$43,498,962.

**Anticipated Sources of Funds and Evidence of Commitments to Finance:** The Developer will initially finance the construction of the Project Improvements and Public Improvements through the use of private capital in the form of equity and/or debt financing. The Developer has provided a letter of interest indicating the ability to finance the Project Improvements and Public Improvements.

**Initial Equalized Assessed Value:** The total initial equalized assessed valuation of the Redevelopment Area according to current records at the Jackson County Assessor's Office is approximately \$2,645,558. The 2013 combined ad valorem property tax levy was \$11.1765 per \$100 assessed valuation. The 2013 annual ad valorem tax revenue from the Redevelopment Area was approximately \$505, which is a boulevard tax, as the property was tax exempt since it was a religious facility. Following the completion of all of the Project Improvements and Public Improvements, it is estimated that the assessed value of the property within the Redevelopment Area will increase to approximately \$18,833,884.

**Recommended Statutory Findings:** The Plan states or incorporates the following information, which the Commission may rely upon to make the following statutory findings:

**Blight:** The Blight Study prepared by Belke Appraisal & Consulting Services, Inc., and attached as Exhibit 10 to the Plan documents the blighting factors and conditions within the Redevelopment Area and confirms that the Redevelopment Area is a Blighted area as defined by Section 99.805(1) of the Act. The Blight Study provides evidence of insanitary or unsafe conditions, deterioration of site improvements, and other blighting conditions stated within the Redevelopment Act in Section 99.805 RSMo. The TIF Plan is accompanied by an affidavit, signed by the Developer, attesting to the blighting conditions of the Redevelopment Area.

**But-For Analysis:** The Plan incorporates an analysis prepared by Springsted Incorporated on Exhibit 9 to the Plan and such analysis provides sufficient information to satisfy the "but for" test set forth in Section 99.810 of the

Revised Statutes of Missouri, which requires a finding that the Redevelopment Area 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 tax increment financing, and the TIF Plan is accompanied by an affidavit, signed by the Developer, attesting to this statement.

In the analysis, Springsted Incorporated reviewed the financial information associated with the Plan examining Chapter 100 Tax Abatement and Tax Increment Financing ("TIF") assistance for the Project Improvements and Public Improvements. The report concluded an overall internal rate of return without any incentives for the Project Improvements would be 3.45%, with Chapter 100 Abatement (15 years at 100% and 10 years at 50%) 6.44%, and with Chapter 100 and Tax Increment Financing 8.75%.

To evaluate the rate of return for a project of this nature, Springsted, Incorporated consulted Korpacz/Price Waterhouse Cooper Real Estate Investor Survey prepared for the first quarter of 2014. This survey provides a resource for comparing the Developer's rate of return to a market benchmark to help determine feasibility. According to the developers surveyed, the typical unleveraged market return necessary for a Developer to pursue a project of this nature falls in a range from 6.0% to 11.0%; with an average return of 8.02%. Based upon the Blight Study, Redeveloper affidavit and the financial analysis, Springsted Incorporated concluded that the proposed project would not occur on this site at this time without a public subsidy.

**Conforms to the City's Comprehensive Plan:** The Redevelopment Plan identifies the property to be redeveloped for office use, which is currently zoned R7.5 and will be re-zoned to District UR (Urban Redevelopment). The Redevelopment Project shall be subject to the applicable provisions of the City's Zoning Ordinance as well as other codes and ordinances as may be amended from time to time. The TIF Plan conforms with the FOCUS Plan, as well as the Red Bridge N.W. Land Use Plan Area Plan.

**Estimated Date of Completion:** The Plan contains both the estimated date of completion of the Project Improvements and Public Improvements and estimated dates for the retirement of obligations incurred (if any) to finance redevelopment project costs, and said dates are not more than twenty-three (23) years from the adoption of an ordinance approving the Redevelopment Project Areas. It is anticipated that the Project Improvements and Public Improvements will be

completed by 2019.

**Relocation Assistance Plan:** A Relocation Assistance Plan, attached as Exhibit 12 to the Plan, has been developed for relocation assistance for businesses and residences, and the relocation of any business or residents in the Redevelopment Area, if necessary, will take place in accordance with the Relocation Assistance Plan attached to the Plan. Relocation assistance is not contemplated by the Plan.

**Cost Benefit Analysis:** The Plan contains a cost-benefit analysis, attached as Exhibit 8 to the Plan, which describes the economic impact of the Plan on each taxing district and political subdivision. The analyses include a fiscal impact study on every Taxing District, and sufficient information for the Commission and City to evaluate whether this Plan, as proposed, is financially feasible. The cost benefit analysis contains a fiscal impact study which covers the life of the Chapter 100 and Tax Increment Financing Plan incentives, which is a 30 year time period. The cost benefit study identifies, a net fiscal benefits of \$93,671,527 for the City of Kansas City, Missouri, \$16,451,558 for Jackson County, \$294,770 for the Blind Pension Fund, \$2,664,225 for the Kansas City Zoological District, \$21,838,779 for the Center School District, \$5,258,585 for the Metropolitan Community Colleges and \$1,538,527,902 for the State of Missouri and a net fiscal cost of -\$339,081 for the Mental Health Fund, -\$216,824 for the Developmental Disability Services of Jackson County, and -\$1,919,013 for the Mid-Continent Library.

**Gambling Establishment:** The Bannister & Wornall TIF Plan does not include development or redevelopment of any gambling establishment.

**Policy Considerations:**

**Affirmative Action:** Staff met with the Developer and a representative from the Human Relations department to discuss the Affirmative Action Policy. The Developer has executed an Officer’s Certificate, which certifies that the Developer has read and understands the Commission’s Affirmative Action policy and intends to comply with it terms and conditions.

**Neighborhood and Taxing Districts:** Staff scheduled a meeting with the taxing jurisdictions to discuss the project and cost benefit analysis on April 14, 2014. The Developer held meetings with the adjacent neighborhood and other stakeholders to discuss the project.

**Recommendation:**

At the April 22, 2014 TIF Commission meeting, the TIF Commission made the following recommendation:

All statutory findings required by the TIF statute to approve the plan have been met; approval of the designation of the proposed Redevelopment Project Areas A and B and authorization of Tax Increment Financing within the Project Areas; and the TIF Commission is recommending that the Bannister & Wornall TIF Plan, as presented to the TIF Commission, be approved with the following modification: (i) A separate Special Allocation Fund will be established for each of Redevelopment Project Area A and Redevelopment Project Area B. 50% of the Economic Activity Taxes generated within Redevelopment Project Area A will be deposited into the Special Allocation Fund established in connection with Redevelopment Project Area A and 50% of the Economic Activity Taxes generated within Redevelopment Project Area B will be deposited into the Special Allocation Fund established in connection with Redevelopment Project Area B.”

<b>Sponsor</b>	
<b>Programs, Departments, or Groups Affected</b>	<p><b>Council District</b> 6<sup>th</sup> District (Sharp and Taylor)</p> <p><b>Other Districts (school, etc.,)</b> Center School District, Jackson County, and the Mid-Continent Library District</p>
<b>Applicants / Proponents</b>	<p><b>Applicant</b></p> <p><b>City Department</b></p>

	<b>Other:</b>
<b>Opponents</b>	<b>Groups or Individuals:</b>  <b>Basis of opposition:</b>
<b>Recommendation</b>	<p>At the April 22, 2014 TIF Commission meeting, the TIF Commission made the following recommendation:</p> <p>Approval of the Bannister &amp; Wornall TIF Plan with modifications and the designation of the Redevelopment Areas A and B described by the Bannister &amp; Wornall TIF Plan.</p>
<b>Board or Commission Recommendation</b>	<p><b>By</b> Tax Increment Financing Commission (Votes: 7 Yes, 3 No) RES NO. 4-18-2014  TIF Resolution Nos. RES 4-17-2014, RES 4-18-2014, RES 4-19-2014 and RES 4-20-2014  Date: April 22, 2014</p>

<b>Council Committee Actions</b>	
----------------------------------	--

Fact Sheet Prepared by:  
Jenna Wilkinson-Development Services Specialist  
Economic Development Corporation  
Date: May 5, 2014



---

**File #: 220612**

---

ORDINANCE NO. 220612

Amending Chapter 18, Code of Ordinances, by repealing Sections 18-10, Unsafe structures and equipment, 18-20, Fees, and 18-21, Inspections, and enacting in lieu thereof new sections of like number and subject matter to update the City's periodic building inspection protocols and conduct a one-time inspection of the structural adequacy of each building within the City greater than four stories in height as defined by the current building code and built prior to 1950.

WHEREAS, the City Council passed Resolution No. 210581 directing the City Manager to review Kansas City's current policies related to inspection of building structures owned or leased by the City and engage with stakeholders who could provide recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis; and

*WHEREAS, the scope of this policy review was expanded to identify recommendations on current policies related to the inspections of privately owned structures in addition to City owned or leased structures; and*

*WHEREAS, City staff has engaged with stakeholders who provided recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis; and*

*WHEREAS, City staff also reviewed current City requirements for inspections of existing buildings, reviewed periodic building inspections requirements from other cities and identified time and cost factors associated with proposed revisions to current periodic inspection standards; NOW, THEREFORE,*

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 18, Code of Ordinances, is hereby amended by repealing Sections 18-10, 18-20 and 18-21 and enacting, in lieu thereof, new sections of like number and subject matter to read as follows:

**CHAPTER 18**

**ARTICLE I.  
IN GENERAL**



**Sec. 18-10. Unsafe structures and equipment.**

(a) *General.* No person, firm, corporation, partnership, association, organization or governmental agency properly regulated by the city shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, maintain or own any building, building use, structure, sign, appendage or building service equipment in an unsafe manner.

(b) *Conditions.* Structures or equipment which are or hereafter become unsafe, unsanitary or deficient because of, but not limited to, incapability to carry the loads for which it was designed, inadequate means of egress facilities, inadequate light and ventilation, or inadequate life-safety systems; or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare due to inadequate maintenance, dilapidation, obsolescence, fire, disaster, damage, failure or abandonment; or which involve illegal or improper use or occupancy; or are defined as a dangerous building or structure by Chapter 56 of the City Code; or are defined as unsafe by any other City codes and ordinances; shall be deemed unsafe. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry may be deemed unsafe by the building official.

(c) *Notice.* If an unsafe condition is found, the building official may serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

(d) *Method of service.* Such notice shall be deemed properly served if a copy thereof is: (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

(e) *Restoration.* The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of section 18-4(b) of this chapter and *International Existing Building Code*, as amended. The preparation of a plan to restore a structure or equipment to a safe condition must be prepared by a licensed design professional and include at minimum the identification of structural deficiencies, required structural

improvements and a timeline in which the required repairs are to take place. Once the required repairs or modifications have been completed, the licensed design professional that prepared the restoration plan shall certify all required repairs and alterations have been completed, and upon determination of the building official, the City shall then issue a letter of acceptance of repairs or modifications and the structure shall be allowed to be occupied.

(f) *Maintenance of signs.* All signs, together with all of their supports, braces, guys and anchors, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Signs which no longer advertise a bona fide business, product or service shall be removed by the owner, agent or person having the beneficial use of the premises upon which such sign may be found within 30 days after vacating the premises.

(g) *Unsafe underground spaces, buildings, structures.* All unsafe underground spaces, buildings, structures or portions thereof are regulated as provided in subsections (a) and (b) of this section.

(h) *Emergency measures.* Where it reasonably appears there is an immediate danger to the health, safety or welfare of any person, the building official may take emergency measures to vacate and repair or demolish an unsafe building, building use, structure, sign or appendage. The structure or that part of the structure that is ordered vacated shall remain unused and unoccupied by either persons or vehicles until the building official has determined that the requirements of subsection (e) are met.

### **Sec. 18-20. Fees.**

(a) *Generally.* Fees relating to work regulated by this chapter shall be assessed in accordance with the provisions of this section and section 18-21. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

(b) *Permit fees.*

(1) *Valuation of construction.* The determination of the value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the permit and plan review fees shall be the total value of all construction work for which the permit is issued. Separate values or valuations shall be computed and separate permits shall be obtained and separate plan review fees shall be paid for each building or structure included in an application for permits. Fees

may be waived at the discretion of the building official during times of declared emergency.

- (2) *One- and two-family detached dwelling building, mechanical, plumbing, electrical, elevator and fire protection permit fees.* One- and two-family detached dwelling building, mechanical, plumbing, electrical, elevator and fire protection permit fees are as follows:

*Total Valuation Fee*

*\$0.00--\$1,000.00.....*

*\$52.00*

*\$1,001.00--\$2,000.00.....*

*\$58.00*

*\$2,001.00--\$100,000.00:*

*For the first \$2,000.00.....*

*\$58.00*

*Plus, for each additional \$1,000.00 or fraction thereof,  
to and including \$100,000.00 .....*

*\$4.33*

*\$100,001.00 and over:*

*For the first \$100,000.00.....*

*\$483.00*

*Plus, for each additional \$1,000.00 or fraction thereof.....*

*\$1.41*

*In addition to the above fees, during the period of time beginning on October 1, 2012, and ending on September 30, 2013, a surcharge of \$50.00 will be applied to each building permit issued for the construction of a new one- or two-family detached dwelling. Proceeds from this fee will be applied to a sample testing program for building envelope and duct system leakage testing in accordance with Article III of this chapter.*

- (3) *Building, mechanical, plumbing, electrical, elevator and fire protection permit fees for other than one- and two-family detached dwellings.* Building, mechanical, plumbing, electrical, elevator and fire protection permit fees for other than one- and two-family detached dwellings are as follows:

*Total Valuation Fee*

\$0.00--\$500.00..... \$  
52.00

\$501.00--\$2,000.00.....  
\$93.00

\$2,001.00--\$200,000.00:

*For the first \$2,000.00.....*  
\$93.00

*Plus, for each additional \$1,000.00 or fraction thereof,  
to and including \$200,000.00 .....*  
\$14.00

\$200,001.00--\$1,000,000.00:

*For the first \$200,000.....*  
\$2,774.00

*Plus, for each additional \$1,000.00 or fraction thereof,  
to and including \$1,000,000.00.....*  
\$9.00

\$1,000,001.00 and over:

*For the first \$1,000,000.00 .....*  
\$9,965.00

*Plus, for each additional \$1,000.00 or fraction thereof.....*  
\$3.90

(4) *Demolition permit fees. Demolition permit fees are as follows:*

a. *One- and two-family dwellings and detached accessory  
buildings per building .....*  
\$90.00

b. *All other structures.....*  
\$221.00

c. *Pre-demolition inspection fee. A pre-demolition inspection fee  
shall be paid to the building official prior to a pre-demolition*

*inspection being performed. The pre-demolition inspection fee shall not apply towards the demolition permit fee and shall be assessed as follows:*

*One and two family detached dwellings per building:.....  
\$38.00*

*All other buildings per building: .....  
\$106.00*

(5) **Sign permit fees.** Sign permit fees are as follows: Type of Sign Fee

a. **Combination and freestanding signs:**

1. *Up to and including 20 square feet.....  
\$142.00*

2. *And for each additional 20 square feet  
or fraction thereof.....  
\$24.00*

b. **Flat wall signs:**

1. *Up to and including 300 square feet.....  
\$141.00*

2. *And for each additional 300 square feet  
or fraction thereof.....  
\$24.00*

c. **Marquees: Each marquee.....  
\$467.00**

d. **Roof signs:**

1. *For surface area not to exceed 300 square feet.....  
\$467.00*

2. *And for each additional 300 square feet  
or fraction thereof.....  
\$118.00*

e. **Temporary signs (displayed not longer than 60 days):**

*Each sign.....  
\$54.00*

f. Outdoor Advertising Signs:

*Fees shall be calculated as required for freestanding signs. Each face of such signs shall be calculated separately for permit fee calculations.*

*Outdoor advertising sign pre-permit inspection fee. An outdoor advertising sign pre-permit inspection fee shall be paid to the building official prior to an outdoor advertising sign pre-permit inspection being performed. The outdoor advertising sign pre-permit inspection fee shall not apply as part of the sign permit fee.*

*Each sign.....  
\$337.00*

(6) *Supplementary permit fees.* The fee for a supplementary permit to cover any additional value not included in the original permit shall be the difference between the fee paid for the original permit and the fee which would have been required had the original permit included the entire value. The minimum supplemental permit fee assessed shall be \$54.00.

(7) *Partial permit fees.* When a permit for the construction of part of a building, structure, or building service equipment is requested by the applicant, fees shall be determined in accordance with section 18-20(b)(2) and (3), based on the valuation of work to be performed, as separate permit fees and not as supplementary fees. The minimum fee for a partial permit shall be \$83.00.

(8) *Fast Track Permit Fees.* The fee for a fast track permit issued prior to approval of plans review shall be \$ 80.00. The Fast Track Permit Fee shall be in addition to all other fees due.

(9) *Building moving permit fee.* The fee for a building moving permit shall be \$221.00.

(10) *Building moving pre-permit inspection fee.* A building moving pre-permit inspection fee shall be paid to the building official prior to a building moving pre-permit inspection being performed. The building moving pre-permit inspection fee shall be in addition to all other fees due.

*Each building.....\$106.00*

(c) *Construction document review fees.*

- (1) *Initial construction document review fee.* For other than one- and two-family dwellings, when a construction document is required to be submitted, a construction document review fee shall be paid to the building official at the time of submitting the construction documents for review. Such construction document review fee shall be one-half of the permit fee and shall be a credit toward the total fee when the permit is issued.
  
- (2) *Resubmittal construction document review fees.* When previously identified deficiencies remain uncorrected on subsequent submittals or when items certified on the Checklist for Building Permit Construction Document Submittal as being provided are omitted, a resubmittal construction document review fee shall be assessed at the time of resubmittal of the discipline. This fee shall be one eighth of the total permit fee for resubmittal deficiencies. The fee for certified checklist omissions shall be \$ 75.00. Such resubmittal construction document review fee shall not apply as a credit toward the total permit fee. Maximum resubmittal fee shall be as follows:
  - a. One- and two-family dwelling construction document.....  
\$30.00
  - b. Other than one- and two-family dwelling construction  
document. ....  
\$295.00
  
- (3) *Changes to previously reviewed plans.* Review of such changes shall be assessed a fee as follows:
  - a. *Minor reviews* .....  
\$54.00
  - b. Major reviews ..... 1/2 of initial construction document review  
fee paid.

*The director or designee shall have the authority to determine the extent of the changes requested and the fee which shall apply. This fee shall be in addition to any other fees required.*
  
- (4) *Scheduled express review fees.* When scheduled express review is requested by the applicant, a fee of \$ 30.00 for one- and two-family dwellings and a fee of \$ 75.00 for all other structures shall be assessed. Such fees shall be in addition to required permit fees. Eligibility for scheduled express review service shall be determined by the building official based on the complexity of the review and availability of staff to perform the review.

- (5) *Priority Project review fee.* When priority status is requested by the applicant, a fee of 2 times the permit fee shall be assessed. Eligibility for priority status shall be determined by the building official based on the complexity of the project and availability of staff to perform the review.
  
- (6) *Master Plan Review without permit application.* When a Master Plan is submitted for review without a corresponding permit application, a fee of one-half the normal permit fee shall be assessed. This fee shall not be credited to future permit applications.
  
- (7) *Optional preliminary code review design meetings.* When requested by the applicant, preliminary code review meetings may be conducted and a fee shall be assessed for other than one- and two-family detached dwellings as follows:
  - a. *One- and two-family dwellings*  
..... *no fee*
  
  - b. *Proposed design less than 20,000 square feet*..... *\$ 75.00*
  
  - c. *Proposed design 20,000 square feet to 40,000 square feet*..... *\$147.00*
  
  - d. *Proposed design more than 40,000 square feet*.....  
*\$222.00*
  
- (8) *Re-review and stamping of lost construction documents to replace applicant's reviewed field set of construction documents.* Such review and stamping shall be assessed a fee of 25% of the initial construction document review fee paid with a minimum fee of \$ 50.00. The maximum fee paid shall be \$ 561.00. Such fees shall be in addition to other required permit fees.
  
- (9) *Stamping of additional sets of construction documents.* One set of reviewed construction documents shall be provided to the applicant upon permit issuance. Stamping of additional sets of construction documents at the applicant's request shall be assessed a fee of \$ 24.00 per set.
  
- (10) *Nighttime building permits.* The application fee for a nighttime building permit shall be \$ 68.00. Such fees shall be in addition to other required permit fees.
  
- (11) *Occupant load certificate fee.* When requested by the applicant, the occupant load of a building or portion of a building will be calculated and



a fee shall be assessed of ..... \$143.00.

(12) *Replacement of occupant load certificate or certificate of occupancy.* When requested by the applicant, a replacement copy of a previously issued occupant load certificate or certificate of occupancy, if located, will be generated. A fee shall be assessed of..... \$36.00 per request.

(13) *Floodplain certificate fee.* The application fee for a floodplain certificate shall be assessed as follows:

- a. One- and two-family dwelling floodplain certificate..... \$  
54.00
- b. Other than one- and two-family dwelling floodplain  
certificates ..... \$  
112.00

(14) *Code compliance verification letter fee.* When requested by the applicant, information related to the status of property with regard to building code and land use regulations will be retrieved and transmitted to the applicant and a fee shall be assessed of \$143.00.

(15) *Address change processing fee.* When requested by the property owner, address changes in compliance with addressing standards shall be processed and a fee shall be assessed as follows:

- a. One and two family detached dwellings per building: .....  
\$36.00
- b. All other buildings per building:  
..... \$143.00

(d) *Expiration of permit.* The fee to renew an expired permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that any suspension or abandonment of the work has not exceeded one year.

(e) *Commencement of work without permit.*

(1) Wherever any work for which a permit is required by this article has been commenced without first obtaining a permit, a special investigation may be made before a permit is issued for such work.

(2) Where work for which any permit is required by this article is started prior to obtaining the permit, the fee specified for such permit shall be tripled.

This provision shall not be construed as permission to begin work without the required permit except as follows:

- a. In case of an emergency as set forth in section 18-16(a)(1)b.; or
- b. In case the work is being done at a one-family dwelling by the person who owns and occupies such dwelling and the permit is applied for before the end of the workday following notification.

(f) *Fee refunds.* Where no portion of the plan review for an application has been commenced, or where no portion of the work covered by a permit issued by the building official has been commenced, the applicant may request in writing that the application or permit be canceled and the plan review or permit fee be refunded. The applicant shall then be entitled to a refund of 90 percent of the applicable fee actually paid, except that a full refund will be made when the fee was paid or collected in error. Refunds will not be made for fees representing work having been done prior to the time the fee refund request is made. Under any circumstance, fee refund requests must be made within 180 days after the date of payment if no permit is obtained, or 30 days after the permit is canceled or expired.

(g) *Fee for certificate of occupancy.*

(1) *Fee for certificate of occupancy not related to work under a building permit.* Where a certificate of occupancy is required other than in connection with work under a building permit, the person applying for the certificate shall, at the time of filing application therefore, pay to the building official a fee as required for a team inspection in section 18-20 (h). If it is determined that work requiring a permit is necessary for issuance of the certificate, this fee shall be applied toward the permit fee.

(2) *Temporary certificate of occupancy fees.* When a temporary certificate of occupancy is requested by the applicant in connection with work under a building permit and conditions warrant issuance of a temporary certificate of occupancy pursuant to section 18-23(d) of this chapter, a fee shall be assessed according to the following schedule:

- a. Residential one- and two-family dwellings, townhouses and associated accessory structures:

1st temporary certificate..... \$  
0.00

2nd and subsequent certificates.....  
\$222.00 2nd and subsequent certificates when certificate is  
over

5 working days expired.....  
\$444.00

b. All other structures:

1st temporary certificate.....  
\$0.00

2nd and subsequent certificates.....  
\$444.00 2nd and subsequent certificates when certificate is  
over

5 working days expired.....  
\$888.00

*The Building Official is authorized to develop written procedures by which the renewal fee may be waived due to special circumstances.*

*(h) Inspection fees.*

- (1) *Certificate of inspection for underground spaces.* Inspection and certification of underground space pursuant to section 18-21(g)(2) of this chapter shall be performed by the building official upon payment of a fee of \$ 368.00 payable upon application for certificate of inspection.
  
- (2) *Certificate of inspection for elevators.* The fee for the administration of and or inspections and testing of elevator equipment pursuant to section 18-21(g)(1) of this chapter shall be of \$ 135.00 for the first three floors, or 30 feet of travel, plus \$11.00 for each additional three floors, or 30 feet of travel or fraction thereof. The elevator equipment owner or maintainer shall remit these fees within 60 days of billing. The elevator equipment inspection and tests shall not be scheduled or performed until these fees have been received. Failure to remit these fees within the 60 days will result in a \$ 17.00 additional administrative fee associated with the cost of the re-billing process for each piece of elevator equipment being billed. All called-for inspections or tests to be performed by Department of City Planning and Development inspectors shall be subject to a minimum fee of \$ 34.00 per each piece of elevator equipment scheduled for inspection and test, if the inspection test is not made or is not completed and the Department of City Planning and Development inspector has appeared at the inspection test site, ready to inspect or observe the test, or the scheduled inspection and test is either canceled or rescheduled less than three working days prior to the scheduled date. Payment of fees associated with the failure to perform an inspection and test scheduled with Department of City planning and development inspectors is the responsibility of the registered elevator contractor who scheduled the elevator equipment inspection and test. All fees outlined above are due and payable to the Department of City planning and development even when the inspection and testing is performed by a qualified person authorized by the enforcing authority.

- (3) *Fee for follow-up inspection per state requirements.* The fee for a follow-up inspection of elevator equipment by city personnel pursuant to the Elevator Safety Act and Rules of the State of Missouri shall be \$ 73.00. The fee shall be waived if the inspection is performed at the same time as a follow-up inspection pursuant to section 18-21(g)(1) of this code. The fee, when required, shall be paid before the follow-up inspection is performed.
  
- (4) *Certificate of inspection for communication towers.* Inspection and certification of communication towers pursuant to section 18-21(g)(3) of this chapter shall be completed by the building official upon payment of a fee of \$ 147.00 payable upon application for certificate of inspection.
  
- (5) *Certificate of inspection for parking station structures, privately owned pedestrian bridges, and structure supported pools.* Inspection and certification of parking station structures, pedestrian bridges, and structure supported pools pursuant to section 18-21(g) of this chapter, shall be completed by the building official upon payment of a fee of \$ 295.00 payable upon application for certification of inspection. *Reinspection fees.* When work for which an inspection is requested is not complete (not ready when inspector arrives) or when deficiencies identified on two previous inspection events have not been completed a fee of \$ 75.00 shall be assessed and no further inspections shall be completed until such fee is paid.
  
- (6) *Inspections outside of normal business hour fees.* When the permit holder requests inspections outside of normal business hours, a fee of \$ 60.00 per hour, to include travel time, with a minimum fee of \$ 238.00 shall be assessed for such service. Eligibility for inspections outside of normal business hours shall be determined by the building official based upon the nature of inspections requested and the availability of staff to perform the inspections.
  
- (7) *Team inspection fee.* When requested by the applicant, the building official may conduct a team inspection of a site/building for the purpose of providing the applicant a written assessment of code issues which may assist the applicant in planning a project or in problem solving. Eligibility for team inspections shall be determined by the building official based upon the nature of inspections requested and the availability of staff to perform the inspections. A fee, payable prior to the inspection being performed, shall be assessed as follows:
  - a. *Buildings/projects less than 20,000 square feet.....*  
\$299.00
  
  - b. *Buildings/projects 20,000 square feet to 40,000 square feet*

..... \$396.00

c. Buildings/projects more than 40,000 square feet.....  
\$495.00

(8) *Electrical service reconnect fee:* When a request is made by a property owner for an inspection of an existing electrical service for the purpose of approving the electric utility connection, a fee of \$ 54.00 shall be assessed. If it is found that work requiring an electrical permit is required, this fee may be credited toward the permit fee.

*Exception: Reconnection of a service due to a fire occurring within the 90 days prior to the request.*

(i) *Code modification request fees.* Code modification requests (CMR) submitted pursuant to section 18-6 of this chapter shall be assessed the following fees:

(1) *One- and two-family dwellings per dwelling unit.....*  
\$53.00

(2) All other structures per building or tenant space,  
*whichever is greater.....* \$  
112.00

(3) When multiple units of one and two-family dwellings are submitted for the same project in the same request, or when multiple buildings or tenant spaces for all other structures are submitted for the same project in the same request, the maximum fee will be...  
..... \$590.00

(4) Requirements contained in Article XII, contractors, division 3,  
licensing.....  
. \$53.00

(j) *Building and fire codes board of appeals fees.*

(1) *One- and two-family dwellings per dwelling unit.....*  
\$53.00

(2) All other structures per building or tenant space,  
*whichever is greater.....*  
\$112.00

(3) When multiple units for one- and two-family dwellings are submitted for the same the same project, in the same request, or when multiple buildings or tenant spaces for all other structures are submitted for the

same project in the same request, the maximum fee will be..... \$590.00

- (4) Requirements contained in Article XII, contractors, division 3, licensing.....  
. \$53.00
- (5) Continuance requested by appellant..... one half of original filing fee
- (6) No filing fee will be charged for appeals of decisions on code modification requests.
- (7) Special exception to issuance of floodplain certificate.....  
\$112.00

(k) *Contractor license application fee*..... \$60.00

(l) *Contractor license fees. The quadrennial fees for contractor licenses shall be*.....  
\$181.00

*See Sec. 18-327 for list of applicable license classes.*

*Contractor license fees shall not be refundable.*

(m) *Certificate of qualification application fee*..... \$60.00

(n) *Certificate of qualification renewal fee.* The quadrennial renewal fee for all certificates of qualification shall be \$ 181.00, except that the certificate fee shall be waived for employees of the city who work for the city as tradesmen or inspectors. Certificates of qualification shall be issued at no charge for the first four years and shall be renewed quadrennial thereafter at the rate established by this chapter.

(o) *Encroachment fees.*

- (1) *Encroachment permit application fee.* Applications submitted pursuant to section 18-40 (Chapter 32 of the *International Building Code*, as amended) of this chapter for approval of private use of public property shall be assessed an application fee of \$147.00. This fee is not intended to represent any rental or other payments that may also be required by the city.
- (2) *Encroachment license fee.* Encroachment into the right-of-way will be subject to the imposition of an annual license fee of \$ 63.00 plus \$0.63

per square foot of encroachment. Aerial (over seven feet above grade) or underground encroachments shall be charged \$ 63.00 plus \$0.31 per square foot. Encroachments granted to the State of Missouri and the United States will not require payment of an encroachment fee because it is in the public interest to permit such encroachments without additional costs to these public entities.

(p) *Adjustment of fees.* The city manager shall have the authority to adjust the fees listed above, except Sections 18-20(b)(2) and 18-20(b)(3), to reflect the change in the consumer price index (all items/all urban consumers/Kansas City, Missouri/Kansas) published by the United States Department of Labor, Bureau of Labor Statistics. The adjustments, if any, shall be made annually by the city manager in conjunction with the adoption of the annual budget of the city by filing a notice with the city clerk.

### **Sec. 18-21. Inspections.**

(a) *Authority of building official; duties of permittee.*

- (1) All construction or work for which a permit is required under this chapter shall be subject to inspection by the building official, and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection as specified in section 18-22.
- (2) Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this chapter or of any other ordinances. Inspections presuming to give authority to violate or cancel the provisions of this chapter or any other ordinances shall not be valid.
- (3) It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the city shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.
- (4) A survey of the lot may be required by the building official to verify that the structure is located in accordance with approved plans.
- (5) It shall be the duty of the permit applicant to install and maintain effective erosion and sediment control measures as specified in section 3307 of the *International Building Code*, as adopted by Article II of this chapter. Should it be found that required erosion and sedimentation control measures have not been installed, the building official may refuse any inspection requests for work requiring inspections until such time as the site complies with the requirements of this chapter. Should it be found that the installed erosion and sediment control measures are ineffective

or are not being maintained properly, the building official shall give notice to the permit holder. Subsequent inspections may be refused if the erosion and siltation control measures are ineffective, or not being maintained.

- (6) Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

(b) *Inspection requests.* It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

(c) *Approval of successive portions of work, final inspection.*

- (1) Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that the portion of the construction or demolition is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the construction or demolition fails to comply with this chapter. Any portions which do not comply shall not be covered or concealed until authorized by the building official.
- (2) There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.

(d) *Required inspections.*

- (1) Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building official.
- (2) The building official, upon notification from the permit holder or permit holder's agent, shall make the following inspections and shall either approve that portion of the construction or demolition as completed or shall notify the permit holder or his agent wherein the construction fails to comply with this chapter:
  - a *Footing or foundation inspection.* A footing and foundation inspection shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job;



except, where concrete is ready-mixed in accordance with ASTM C94, the concrete need not be on the job. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.

- b. *Concrete slab or under-floor inspection.* Concrete slab and under-floor inspections shall be made after all in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is poured or floor sheathing installed, including the subfloor.
- c. *Prebackfill.* A prebackfill inspection shall be made after the foundation drainage and damproofing systems are complete and prior to backfilling.
- d. *Rough-in inspection.* A rough-in inspection shall be made after such work as framing, fireblocking, roof, piping, vents, ductwork, chimneys, wiring, etc., are in place and prior to concealment.
- e. *Fire resistive rated assembly.* A fire resistive rated assembly inspection shall be made at such time so as to verify that the construction of each fire resistive rated assembly is in accordance with its listing.
- f. *Fire-resistant penetrations.* An inspection shall be made of the firestopping or fireblocking of all penetrations, joints, etc., prior to concealment.
- g. *Masonry throat inspection.* For masonry fireplaces only, a masonry throat inspection shall be made after the firebox is built and the 1<sup>st</sup> flue liner is in place. Construction of chimney may not continue until this inspection is approved.
- h. *Utility connection inspections.* Gas or electric service inspections shall be made prior to connection to the utility source. See Section 18-11 of this article.
- i. *Performance tests.* Performance tests shall be conducted by the permit holder as required by this chapter, or as otherwise required by the building official.
- j. *Demolition (basement and sewer) inspection.* A basement and sewer inspection shall be made prior to the filling of the excavation and/or final grading of the property.

- k. *Final inspection.* A final inspection shall be made after all work under permit has been completed for the building, tenant space or demolition.

(e) *Other inspections.* In addition to the inspections specified in subsection (d) of this section, the building official may make or require other inspections of any construction or demolition work to ascertain compliance with the provisions of this chapter or any other ordinances.

(f) *Building service equipment inspections.* The requirements of this section shall not be considered to prohibit the operation of any building service equipment installed to replace existing building service equipment serving an occupied portion of the building if a request for inspection of such building service equipment has been filed with the building official not more than 48 hours after such replacement work is completed, and before any portion of such building service equipment is concealed by any permanent portion of the building.

(g) *Periodic inspections.*

(1) *Elevators.*

- a. *Generally.* All elevator equipment, vertical and inclined, shall be inspected as required by Article IX of this chapter.
- b. *Issuance of certificate of inspection.* Where the inspections and tests indicate that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this article, and the plans and specifications are filed, the building official shall issue a certificate of inspection to the owner of the elevator or the owner's agent. Such certificate shall be kept posted on the elevator. In the case of escalators and manlifts, such certificate shall be posted in a conspicuous place adjacent to the entrance of each escalator or manlift. No elevator, dumbwaiter, escalator, moving walk, workmen's hoist, manlift, chairlift or wheelchair lift which is covered by this chapter shall be used without such certificate. The owner, tenant, occupant or maintainer of property on which elevator equipment is being operated shall be responsible for the following use of such elevators: Freight elevators shall be ridden by the operator and freight handler persons only, and no-rider elevators shall not be ridden by persons.
- c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the equipment is not in compliance with this chapter or that the fee for any required inspection or test has not been paid.

- d. *Fees for tests and inspections.* Fees for tests and inspections shall be as provided in section 18-20 of this chapter.
  - e. *Limited certificates.* The building official may permit the temporary use of any equipment regulated by this chapter during the installation, alteration or repair, under the authority of a limited certificate issued for each class of service. Such limited certificate shall not be issued until the equipment has been tested under contract load and the car or counterweight safeties, terminal-stopping devices and other safety equipment has been tested and found to be safe for the class of service. Equipment operating under the authority of a limited certificate may be shut down or be subject to a double inspection fee if repairs or other requirements have not been completed in a timely manner.
- (2) *Underground space.*
- a. *Generally.* All new and existing underground spaces shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the underground space is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.
  - b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or the owner's agent. Such certificate shall be maintained in an appropriate location.
  - c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
  - d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in section 18-20 of this chapter.
- (3) *Communication towers for television and radio transmission or reception.*

- a. *Generally.* All new and existing structures shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.
  - b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or the owner's agent. Such certificate shall be maintained in an appropriate location.
  - c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
  - d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in section 18-20 of this chapter.
- (4) *Parking station structures.*
- a. *Generally.* Each owner of a structure that contains a parking station with occupiable spaces above them, including multilevel parking station structures and single level parking station structures with occupiable space above, in its 15th year of age and every five years thereafter shall cause it to be inspected for structural adequacy by a registered professional engineer licensed in the State of Missouri. A form known as the Parking Structure Periodic Inspection Report shall be completed, sealed by the professional engineer who performed the inspection, and submitted to the city planning and development director to verify the conditions found. The Parking Structure Periodic Inspection Report shall be submitted by June 1st of the sixteenth year and every five years thereafter.
  - b. *Issuance of certificate of inspection.* If the Parking Structure Periodic Inspection Report certifies that all applicable structural elements are satisfactory or if the Parking Structure Periodic Inspection Report certifies that there are some limited concerns and

the professional engineer certifies that the structure has sound structural integrity, and should be considered safe for occupancy, then the city planning and development director shall issue a letter of acceptance. Such letters of acceptance shall expire five years from the date they are issued. Letters of acceptance may be revoked before expiration by the city planning and development director if the condition of the structure becomes unsafe.

- c. *Revocation of certificate of inspection.* If the Parking Structure Periodic Inspection Report indicates that the parking structure or part of the structure is unsafe or incapable of carrying the loads for which it was designed without repairs or modifications, the city planning and development director may require the owner to immediately vacate the entire structure or that part of the structure which is deemed unsafe. The structure or that part of the structure that is ordered vacated shall remain unused and unoccupied by either persons or vehicles until proper repairs or modifications render the structure safe and the opinion as required in (b) by the professional engineer is given. Once the required repairs or modifications have been completed and the professional engineer certifies that it has sound structural integrity and should be considered safe for occupancy, the city planning and development director shall issue a letter of acceptance as required in (b) and the structure shall be allowed to be occupied.
- d. *Fee for certificate of inspection.* Fees for the letter of acceptance shall be as provided in section 18-20 of this chapter.

(5) *Privately owned pedestrian bridges*

- a. *Generally.* All new and existing pedestrian bridges shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.
- b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or

the owner's agent. Such certificate shall be maintained in an appropriate location.

- c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
- d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in section 18-20 of this chapter.

(6) Non-ground supported swimming pools on or in a structure

- a. *Generally.* All new and existing non-ground supported swimming pools that are on or in a structure shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.
- b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or the owner's agent. Such certificate shall be maintained in an appropriate location.
- c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
- d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in [section 18-20](#) of this chapter.

(7) One-time structural adequacy inspection of certain existing structures

The City shall conduct a one-time inspection of the structural adequacy of each building within the City greater than four stories in height as defined by the current building code and built prior to 1950, based upon its type of construction. The criteria to identify the structures requiring such an

inspection, and the manner and method of structural assessment to be performed, will be determined by the building official no later than 45 days after the effective date of this ordinance. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair or modification before such certification can be given. The report and a \$500.00 report certification fee must be submitted within six months of the effective date of this ordinance; failure to do so is a violation per section 18-13.

..end

---

Approved as to form and legality:

---

Eluard Alegre  
Associate City Attorney

# GENERAL

## Ordinance Fact Sheet

220612

Ordinance Number

Brief Title	Approval Deadline
Amending Chapter 18 Code of Ordinances to update the City's periodic building inspection protocols and require a one-time structural adequacy inspection of certain buildings.	

**Reason**  
 Amending Chapter 18, Code of Ordinances, by repealing Section 18-10 . – Unsafe structures and equipment, Section 18-20. – Fees and Section 18-21. – Inspections, and enacting in lieu thereof new sections of like number and subject matter to update the City's periodic building inspection protocols and conduct a one-time inspection of the structural adequacy of each building within the City greater than four stories in height as defined by the current building code and built prior to 1950.

**Details**  
 Amending Sections 18-10, 18-20 and 18-21 of the Code to include periodic inspections of additional structure and building types including certain parking station structures, privately owned pedestrian bridges and non-ground supported swimming pools, and to require the one-time inspection of the structural adequacy of buildings within the City greater than four stories in height as defined by the current building code and built prior to 1950, based upon their type of construction.

**Positions/Recommendations**

<b>Sponsor</b>	City Manager Brian Platt
<b>Programs, Departments, or Groups Affected</b>	City Planning and Development General Services
<b>Applicants / Proponents</b>	<b>Applicant</b>  City Department  Other
<b>Opponents</b>	<b>Groups or Individuals</b>  Basis of opposition
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
<b>Board or Commission Recommendation</b>	<b>By</b> <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

**Details:**  
 The City Council passed Resolution No. 210581 to review Kansas City's current policies related to inspection of building structures owned or leased by the City and engage with stakeholders who can provide recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis.  
 The scope of this policy review was expanded to identify recommendations on current policies related to the inspections of building structures privately owned structures in addition to City owned or leased structures  
 City staff has engaging with stakeholders who provided recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis.  
 City Staff in developing additional periodic building inspection protocols reviewed current KCMO Requirements for inspections of existing buildings, reviewed periodic building inspections requirements from other cities, and identify time and cost factors associated with proposed revisions to current periodic inspection standards.



Details

Is it good for the children? Yes.

How will this contribute to a sustainable Kansas City? By assuring that building structures have the highest degree of lifespan possible, thereby reducing their susceptibility to demolition based upon poor condition and minimizing the potential amount of building materials in requiring solid waste management.

Policy/Program Impact

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

Finances

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Fund Source (s) and Appropriation Account Codes</b>	

(Use this space for further discussion, if necessary)

Applicable Dates:

Fact Sheet Prepared by:

Jeffrey Williams Date 7/14/2022  
City Planning and Development Director

Reviewed by:

Eluard Alegre Date 7/14/2022  
Law Department

Reference Numbers



**File #: 220722**

ORDINANCE NO. 220722

Amending Ordinance No. 190328 by repealing Condition 16 contained in Section B, which required the developer to secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development, because the developer no longer has access to public water mains. (CD-CPC-2018-00229)

WHEREAS, on May 9, 2019, the City Council passed Ordinance No. 190328, approving a rezoning on about 0.42 acres generally located west of N. Church Road between N.E. 76th Street to the north and North Flintlock Road to the south from District B2-2 to B4-2, and approving a development plan on about 4.3 acres that also serves as a preliminary plan to allow for the construction of a self-storage facility; and

WHEREAS, Condition No. 16 in Section B of Ordinance No. 190328 required the developer to 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 are required by the Land Development Division, prior to recording the plat or issuance of building permit; and

WHEREAS, the City Council desires to remove this condition from the development plan because of actions granted to adjacent developers with Ordinance No. 211034 no longer allows access to extend public mains to the site; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Ordinance No. 190328, passed May 9, 2019, is hereby amended by repealing Condition 16 contained in Section B

Section B. That all other sections and conditions of Ordinance No. 190328 not repealed shall remain in effect.

..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 and legality:

---

Sarah Baxter  
Senior Associate City Attorney

# COMMUNITY PROJECT/REZONING

**220722**

## Ordinance Fact Sheet

**Case No.** CD-CPC-2019-00031 and CD-CPC-2018-00229

### Brief Title

Amending Ordinance No. 190328 by repealing Condition 16 contained in Section B, which required the developer to secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development, because of actions granted to adjacent development, this developer no long have access to extend public mains. (CD-CPC-2018-00229)

**Ordinance Number**

### Details

<b>Location:</b> Generally located at the southwest corner of NE 76 <sup>th</sup> Street and N. Church Road
<b>Reason for Legislation:</b> Rezoning and development plans require Council approval.
<p><b>Brief Summary:</b> See attached City Plan Commission report.</p> <p>On December 9, 2021 the City Council approved Ordinance 211034 which allowed the property located at 7535 N Flintlock Rd. a waiver for the requirement of the property to connect to sewer, thus precluding the ability of the property approved by ordinance 190328 to connect to a sewer main. The applicant is seeking the removal of Condition No. 16.</p>

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	1 <sup>st</sup> District (O'Neill, Hall)
<b>Applicants / Proponents</b>	<p><b>Applicant</b> Brian Combs 8500 NE 89<sup>th</sup> Place Kansas City, MO 64157</p> <p><b>City Department</b> City Planning &amp; Development</p> <p><b>Other</b></p>
<b>Opponents</b>	<p><b>Groups or Individuals</b></p> <p><b>Basis of Opposition</b></p>
<b>Staff Recommendation</b>	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p><b>Reason Against</b></p>
<b>Board or Commission Recommendation</b>	<p>City Plan Commission (7-0) 04-16-2019 By Archie, Baker-Hughes, Crowl, Dameron, Macy, Henderson, May</p> <p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
<b>Council Committee Actions</b>	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p>

Continued from Page 1

	<input type="checkbox"/> Do not pass
Policy or Program Change	<input type="checkbox"/> Yes <input type="checkbox"/> No
Operational Impact Assessment	

**Finances**

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

--

Appropriation Account Codes	

**Continued from Page 2**

<b>Fact Sheet Prepared By:</b> Matthew Barnes Staff Planner	<b>Date:</b> 08-12-2022	<b>Initial Application Filed:</b> 02-20-2019 <b>City Plan Commission:</b> 04-16-2019 <b>Revised Plans Filed:</b> N/A
<b>Reviewed By:</b> Joseph Rexwinkle Development Management	<b>Date:</b> 08-12-2022	
<b>Reference Numbers:</b> Case No. CD-CPC-2019-00031 and CD-CPC-2018-00229		