



Agenda

Neighborhood Planning and Development Committee

Chairperson Ryana Parks-Shaw

Vice Chair Eric Bunch

Councilmember Nathan Willett

Councilmember Melissa Patterson Hazley

Tuesday, June 11, 2024

1:30 PM

26th Floor, Council Chamber

ZOOM, link: <https://us02web.zoom.us/j/84530222968>

PUBLIC OBSERVANCE OF MEETINGS

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

Any closed session may be held via teleconference.

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

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

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

*****Public Testimony is Limited to Two Minutes*****

*****Beginning of Consents*****

Director of City Planning & Development

[240487](#)

Sponsor: Director of City Planning and Development Department

Approving the plat of Northstar Villas, an addition in Clay County, Missouri, on approximately 17 acres generally located at the northwest corner of N.E. Cookingham Drive (291 Highway) and N. Eastern Avenue, creating 36 lots and 4 tracts for the purpose of a mixed use development (residential and commercial); accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to facilitate the recordation of this ordinance and attached documents. (CLD-FnPlat-2024-00002)

Director of City Planning & Development

[240489](#) Sponsor: Director of City Planning and Development Department

Approving the plat of Berkley Riverfront East, an addition in Jackson County, Missouri, on approximately 28 acres generally located at the northeast corner of Front Street and Interstate 29/35, creating one lot to allow for renovation of the existing casino to a mixed use development that includes retail and a hotel; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to facilitate the recordation of this ordinance and attached documents. (CLD-FnPlat-2021-00014)

Director of City Planning & Development

[240490](#) Sponsor: Director of City Planning and Development Department

Approving the plat of Chavez Development 1st Plat, an addition in Platte County, Missouri, on approximately 87 acres generally located at the northeast corner of Northwest Roanridge Road and Northwest Cookingham Drive, creating five (5) lots and one (1) tract for the purpose of a mixed office/commercial development; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to facilitate the recordation of this ordinance and attached documents. (CLD-FnPlat-2024-00008)

End of Consents

Director of City Planning & Development

[240486](#) Sponsor: Director of City Planning and Development Department

RESOLUTION - Approving an amendment to the Truman Plaza Area Plan from light industrial to mixed-use community on about 22 acres generally located at 601 Hardesty Avenue.

Director of City Planning & Development

[240488](#) Sponsor: Director of City Planning and Development Department

Rezoning an area of about 22 acres generally located at 601 Hardesty from Districts UR and M1-5 to District UR and approving a development plan, with associated preliminary plat, to allow for mixed-use purposes. (CD-CPC-2024-00039)

Director of City Planning & Development

[240491](#) Sponsor: Director of City Planning and Development Department

Approving a vacation of public right of way in District MPD on about 80,783 square feet generally located north of East Front Street at the vehicular entrance to Bally's Casino and directing the City Clerk to record certain documents (CD-ROW-2024-00005).

Parks-Shaw

[240504](#) Sponsor: Mayor Pro Tem Ryana Parks-Shaw

Approving the 2024 Action Plan for the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), the Emergency Solution Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA); providing a substantial amendment to the Five Year Consolidated Plan 2022-2026 in accordance with the National Affordable Housing Act of 1990, as amended; and authorizing submittal to HUD.

HELD IN COMMITTEE

Willett and O'Neill

[240343](#) Sponsors: Councilmembers Nathan Willett and Kevin O'Neill

Amending the Major Street Plan for Kansas City to remove 128th Street, from the east side of Interstate 69 to 132nd Street and N. Virginia Avenue, and directing the City Clerk to file certain documents with the appropriate offices. (CD-CPC-2024-)

Robinson

[240351](#) Sponsor: Councilmember Melissa Robinson

Amending Chapter 88, Code of Ordinances, by repealing Section 88-605-03, Street Naming Committee, and enacting in lieu thereof a new section of like number and subject matter for the purpose of requiring City Council approval for the renaming of streets.

Director of City Planning & Development

[240429](#) Sponsor: Director of City Planning and Development Department

Vacating an approximate 647 foot-long alley of about 24,227 SF in District M1-5 zoning generally located between Washington Street and Broadway Boulevard north of West 17th Street; and directing the City Clerk to record certain documents. (CD-ROW-2023-000050)

Held until 06/25/2024

Director of City Planning & Development

[240430](#) Sponsor: Director of City Planning and Development Department

Vacating an approximately 260-foot-long street in District M1-5 generally located on Washington Street north of West 17th Street; and directing the City Clerk to record certain documents. (CD-ROW-2023-000051) ***Held until 06/25/2024***

Rogers and Patterson Hazley

[240434](#) Sponsor: Councilmember Wes Rogers

Amending Chapter 18, Article XIV, Section 18-367, Code of Ordinances, entitled "Adoption of International Energy Conservation Code (2021); amendments," by providing an additional path of compliance that accomplishes Strategies B-2 and B-3 of the 2022 Climate Protection & Resiliency Plan through a nationally recognized system for calculating a home's energy performance; allowing for previously approved building plans to be approved under the additional compliance path; and providing a method to further improve energy performance over time. ***Held until 06/25/2024***

Willett

[240447](#) Sponsor: Councilperson Nathan Willett

Amending Chapter 88, Code of Ordinances, by repealing Section 88-424-13, Capital Improvement Sales Tax Fund-Tree Planting, and enacting in lieu thereof a new section of like number and subject matter, for the purpose of requiring tree planting funds to be deposited and spent within designated benefit districts. ***Held until 06/25/2024***

Rogers

[240466](#) Sponsor: Councilmember Wes Rogers

Approving a development plan which also serves as a preliminary plat in District B3-2 on about 18.97 acres generally located at the southwest corner and southeast corner of N.W. Englewood Road and North Mercier Drive to allow for residential development. (CD-CPC-2024-00033)

Director of City Planning & Development

240468 Sponsor: Director of the City Planning Department

Amending Chapter 88, Code of Ordinances, by repealing Section 88-405-10, Streets, and enacting in lieu thereof a new section of like number and subject matter; and repealing Section 88-405-21, Installation or Financial Guarantee of Required Improvements, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-405-26, Plats Straddling Jurisdictional Boundaries, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-02, Scope and Applicability, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-08, Administration and Procedures, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-10, Inspections, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-11, Plan Review Process, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-570-02, Applicability; Authorized Administrative Adjustments; all in order to redirect certain permitting and inspection functions from the City Planning and Development Department to the Water Services and Public Works Departments.

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Neighborhood Planning and Development Committee issues.
2. Closed Session
 - Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
 - Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
 - Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
 - Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
 - Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
 - Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
 - Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

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

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

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

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

Adjournment



File #: 240487

ORDINANCE NO. 240487

Sponsor: Director of City Planning and Development Department

Approving the plat of Northstar Villas, an addition in Clay County, Missouri, on approximately 17 acres generally located at the northwest corner of N.E. Cookingham Drive (291 Highway) and N. Eastern Avenue, creating 36 lots and 4 tracts for the purpose of a mixed use development (residential and commercial); accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to facilitate the recordation of this ordinance and attached documents. (CLD-FnPlat-2024-00002)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Northstar Villas, a subdivision in Clay County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

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

Section 3. That various easements in Clay County, executed by the following persons, and which appear of record as the instrument number, and respective book and page numbers are hereby accepted for the purposes stated thereof.

Section 4. That the grades of the streets and other public ways set out on the plat, herein accepted are hereby established at the top of curb, locating and defining the grade points which shall be connected by true planes or vertical curves between such adjacent grade points, the elevations of which are therein given, in feet above the City Directrix.

Section 5. That the Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain Stormwater and BMP Facilities Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

Section 6. That the Director of City Planning and Development is hereby authorized to execute and/or accept any and all agreements necessary to clear the title of any right of way, utility easements or other public property dedicated on the plat.

Section 7. That the City Clerk is hereby directed to facilitate the recordation of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Clay County, Missouri.

Section 8. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on March 19, 2024.

..end

Approved as to form:

Eluard Alegre
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240487

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Approving the plat of Northstar Villas, an addition in Clay County, Missouri, on approximately 17 acres generally located at the northwest corner of NE Cookingham Drive (291 Hwy) and N. Eastern Avenue, creating 36 lots and 4 tracts for the purpose of a mixed use development (residential and commercial); accepting various easements; establishing grades on public ways; in accordance with Section 1004 of Article X of the Charter of Kansas City; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2024-00002)

Discussion

Please see the City Plan Commission Staff Report for full discussion. No waivers or deviations associated with this plat.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this is an ordinance authorizing the subdivision of land.
3. How does the legislation affect the current fiscal year?
Not applicable as this is an ordinance authorizing the subdivision of land.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable as this is an ordinance authorizing the subdivision of land.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Not applicable as this is an ordinance authorizing the subdivision of land.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - Build on existing strengths while developing a comprehensive transportation plan for the future.
 - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

Case No. CD-CPC-2023-00055 – Ordinance No. 230472 passed by the City Council on June 8, 2023, approved a major amendment to a previously approved CUP plan and rezoned about 23 acres to District MPD, which also serves as a preliminary plat, to allow for commercial and residential development.

Case No. 11931-CUP-5 - Amended a preliminary CUP plan to allow for a church instead of approximately 60 single-family patio homes and 25 single-family residential lots and other revisions. (Ordinance No. 040201, passed March 18, 2004)

Various plats within the Auburndale development have been developed since 2001. These includes Auburndale Estates, Meadows of Auburndale, Auburndale Patio Homes, Northstar of Auburndale, and Auburndale Manor.

Service Level Impacts

Not applicable as this is an ordinance authorizing the subdivision of land.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Not applicable as this is an ordinance authorizing the subdivision of land.
2. How have those groups been engaged and involved in the development of this ordinance?
Not applicable as this is an ordinance authorizing the subdivision of land.
3. How does this legislation contribute to a sustainable Kansas City?
Not applicable as this is an ordinance authorizing the subdivision of land.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Not applicable as this is an ordinance authorizing the subdivision of land.
[Click or tap here to enter text.](#)
5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)
Please provide reasoning why not:
[Click or tap here to enter text.](#)
6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Not applicable as this is an ordinance authorizing the subdivision of land.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 240489

ORDINANCE NO. 240489

Sponsor: Director of City Planning and Development Department

Approving the plat of Berkley Riverfront East, an addition in Jackson County, Missouri, on approximately 28 acres generally located at the northeast corner of Front Street and Interstate 29/35, creating one lot to allow for renovation of the existing casino to a mixed use development that includes retail and a hotel; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to facilitate the recordation of this ordinance and attached documents. (CLD-FnPlat-2021-00014)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Berkley Riverfront East, a subdivision in Jackson County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

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

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

Section 3. That the Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain Stormwater and BMP Facilities Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

Section 4. That the Director of City Planning and Development is hereby authorized to execute and/or accept any and all agreements necessary to clear the title of any right of way, utility easements or other public property dedicated on the plat.

Section 5. That the City Clerk is hereby directed to facilitate the recordation of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Jackson County, Missouri.

Section 6. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on May 22, 2024.

..end

Approved as to form:

Eluard Alegre
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240489

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Approving the plat of Berkley Riverfront East, an addition in Jackson County, Missouri, on approximately 28 acres generally located at the northeast corner of Front Street and Interstate 29/35, creating 1 lot allow for renovation of the existing casino to a mixed use development that includes retail and a hotel; accepting various easements;; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to facilitate the recordation of this ordinance and attached documents. (CLD-FnPlat-2021-00014)

Discussion

Please see the City Plan Commission Staff Report for full discussion. This plat has an associated extension letter by the Director of City Planning & Development.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this is an ordinance authorizing the subdivision of land.
3. How does the legislation affect the current fiscal year?
Not applicable as this is an ordinance authorizing the subdivision of land.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable as this is an ordinance authorizing the subdivision of land.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Not applicable as this is an ordinance authorizing the subdivision of land.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Inclusive Growth and Development (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts.
 - Ensure quality, lasting development of new growth.
 - Increase and support local workforce development and minority, women, and locally owned businesses.
 - Create a solutions-oriented culture to foster a more welcoming business environment.
 - Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States.
 -

Prior Legislation

Case No. CD-CPC-2020-00196 – A request to consider rezoning from District M1-5 (Manufacturing 1) to District MPD (Master Planned Development) to allow for renovation of the existing casino to a mixed use development that includes retail, hotel and amphitheater, on about 30 acres in an area generally bordered by the Missouri River on the north, Front Street on the south and I-29/ I-35 (Kit Bond bridge) on the west. On April 6, 2021, the CPC recommended approval subject to conditions. City Council action pending.

Case No. CD-ROW-2021-00011 - A request to vacate a portion of Front Street generally located north of the railroad and east of Interstate 35 in order to consolidate the

adjacent parcels for future development of the site. This case is currently under review and will be docketed for CPC when all the utility comments sheets are received.

Case No. 12963-A-1 – 1800 E. Front Street – On January 9, 2018, the Board of Zoning Adjustment GRANTED a variance to the maximum allowed area of a monument sign for Variance Requests A and B and withdrew Variance Requests C and D in accordance with Exhibit 12.

Case No. 12963-A – 1800 E. Front Street - On June 10, 2003, the Board of Zoning Adjustment approved a variance to the required background of a roof sign and granted a variance to the maximum horizontal dimension of a roof sign in the amount of 24 feet, 6 inches, all to allow an existing roof sign with individual letters and no background to remain.

Service Level Impacts

Not applicable as this is an ordinance authorizing the subdivision of land.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Not applicable as this is an ordinance authorizing the subdivision of land.
2. How have those groups been engaged and involved in the development of this ordinance?
Not applicable as this is an ordinance authorizing the subdivision of land.
3. How does this legislation contribute to a sustainable Kansas City?
Not applicable as this is an ordinance authorizing the subdivision of land.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Not applicable as this is an ordinance authorizing the subdivision of land.
[Click or tap here to enter text.](#)

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)
Please provide reasoning why not:

Not applicable as this is an ordinance authorizing the subdivision of land.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Not applicable as this is an ordinance authorizing the subdivision of land.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)



File #: 240490

ORDINANCE NO. 240490

Sponsor: Director of City Planning and Development Department

Approving the plat of Chavez Development 1st Plat, an addition in Platte County, Missouri, on approximately 87 acres generally located at the northeast corner of Northwest Roanridge Road and Northwest Cookingham Drive, creating five (5) lots and one (1) tract for the purpose of a mixed office/commercial development; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to facilitate the recordation of this ordinance and attached documents. (CLD-FnPlat-2024-00008)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Chavez Development 1st Plat, an addition in Platte County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

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

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

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

Section 4. That the Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain Stormwater and BMP Facilities Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

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

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

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on May 22, 2024.

..end

Approved as to form:

Eluard Alegre
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240490

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Approving the plat of Chavez Development 1st Plat, an addition in Platte County, Missouri, on approximately 87 acres generally located at the northeast corner of Northwest Roanridge Road and Northwest Cookingham Drive, creating five (5) lots and one (1) tract for the purpose of a mixed office/commercial development; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to facilitate the recordation of this ordinance and attached documents. (CLD-FnPlat-2024-00008)

Discussion

Please see the City Plan Commission Staff Report for full discussion. No waivers or deviations associated.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this is an ordinance authorizing the subdivision of land.
3. How does the legislation affect the current fiscal year?
Not applicable as this is an ordinance authorizing the subdivision of land.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable as this is an ordinance authorizing the subdivision of land.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Not applicable as this is an ordinance authorizing the subdivision of land.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Inclusive Growth and Development (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts.
 - Ensure quality, lasting development of new growth.
 - Increase and support local workforce development and minority, women, and locally owned businesses.
 - Create a solutions-oriented culture to foster a more welcoming business environment.
 - Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States.
 -

Prior Legislation

Case No. CD-CPC-2020-000067 – Ordinance 220529, approved by City Council on 6/30/2022, rezoned an approximately 86 acre tract of land generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive from B3-3 and AG-R to B3-3 and approved a development plan for the same which also serves as a preliminary plat to allow for 762,000 square foot of mixed office/commercial development on 12 Lots and 4 tracts.

Case No. 12285-GP – Ordinance No. 990694 passed by City Council on June 10, 1999, rezoned approximately 128 acres located east of Interstate 29, south of Interstate 435, and north of N.W. Cookingham Drive (Missouri Highway 291) from Districts GP7 (Agricultural and low density residential uses) and GP3 (Regional business) to District

GP3 and approved a development plan for 1,154,000 sq. ft. of commercial office and retail development.

Case No. 12285-P-6 – Ordinance No. 18746 passed by City Council on October 11, 2018, approved a major amendment to a development plan on approximately 40.0 acres generally located east of N. Ambassador Avenue, south of Interstate 435, and north of N.W. Cookingham Drive to allow development of a vehicle parking facility in District B3-3 (Community Business, dash 3).

Case No. CD-CPC-2020-00066- Ordinance 220530, approved by City Council on 6/30/2024, approved a Council approved signage plan for the Ambassador/Chaves Development to allow a comprehensive sign plan associated with the development of property generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive

Service Level Impacts

Not applicable as this is an ordinance authorizing the subdivision of land.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Not applicable as this is an ordinance authorizing the subdivision of land.
2. How have those groups been engaged and involved in the development of this ordinance?
Not applicable as this is an ordinance authorizing the subdivision of land.
3. How does this legislation contribute to a sustainable Kansas City?
Not applicable as this is an ordinance authorizing the subdivision of land.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Not applicable as this is an ordinance authorizing the subdivision of land.
Click or tap here to enter text.
5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Not applicable as this is an ordinance authorizing the subdivision of land.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Not applicable as this is an ordinance authorizing the subdivision of land.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)



File #: 240486

RESOLUTION NO. 240486

Sponsor: Director of City Planning and Development Department

RESOLUTION - Approving an amendment to the Truman Plaza Area Plan from light industrial to mixed-use community on about 22 acres generally located at 601 Hardesty Avenue.

WHEREAS, on January 5, 2021, the City Council by Resolution No. 110976 adopted the Truman Plaza Area Plan; and

WHEREAS, after further review it has been deemed appropriate to amend the Truman Plaza Area Plan as it affects the above-described property by changing the recommended land use from light industrial to mixed-use community; and

WHEREAS, the City Plan Commission considered this amendment to the Truman Plaza Area Plan on May 22, 2024; and

WHEREAS, after all interested persons were given an opportunity to present testimony, the City Plan Commission did, on May 22, 2024, recommend approval of the proposed amendment to the Truman Plaza Area Plan to the City Council; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section A. That the Truman Plaza Area Plan is hereby amended as to the proposed land use plan and map by changing the recommended land use from light industrial to mixed-use community for about 22 acres generally located at 601 Hardesty Avenue.

Section B. That the amendment to the Truman Area Plan is consistent and complies with the KC Spirit Playbook, adopted on April 20, 2023, by Resolution No. 230257, and is adopted as a supplement to the KC Spirit Playbook.

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

..end



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240486

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Rezoning an area of about 22 acres generally located at 601 Hardesty from District UR (Urban Redevelopment) and M1-5 (Manufacturing) to District UR (Urban Redevelopment) and approving a development plan, with associated preliminary plat and area plan amendment, to allow for mixed-use purposes. (CD-CPC-2024-00039 and 43)

Discussion

Urban Redevelopment (UR) districts promote the development and redevelopment of underdeveloped and blighted sections of Kansas City by accommodating flexibility in design to help ensure the realization of the stated purposes of an approved plan for redevelopment.

The proposed redevelopment sites a mixture of uses (residential, retail, restaurants, and daycare with supportive uses/amenities) in existing structures and various site improvements within the Independence Corridor Overlay (ICO) District.

City Council Key Points

- Rezoning from M1-5 and UR to UR.
- Amending the Truman Plaza Area Plan from Light Industrial to Mixed-Use Community.
- Proposed residential and commercial uses with associated amenities and parking.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable – as this is an ordinance authorizing an area plan amendment and rezoning + development plan.
3. How does the legislation affect the current fiscal year?
Not applicable – as this is an ordinance authorizing an area plan amendment and rezoning + development plan.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
The developer has expressed interest in financial incentives; however, incentives require separate approval and are not authorized by the passage of this ordinance.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
This ordinance authorizes physical development of the subject property, which may generate revenue.

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

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as this resolution has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Housing and Healthy Communities (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
 - Maintain and increase affordable housing supply to meet the demands of a diverse population.
 - Address the various needs of the City's most vulnerable population by working to reduce disparities.
 - Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
 - Ensure all residents have safe, accessible, quality housing by reducing barriers.

- Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

Prior Legislation

Ordinance 180216

Amending a Special Character Overlay District called the Independence Corridor Overlay (ICO) for the Independence Corridor by modifying the signage provisions.

Ordinance 220747

Approving the Historic Northeast Lofts PIEA General Development Plan on about 22 acres (3 parcels), generally located at the southeast corner of Independence Ave and Hardest Ave. No

Service Level Impacts

No impact expected.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Not applicable – as this is an ordinance authorizing an area plan amendment and rezoning + development plan.
2. How have those groups been engaged and involved in the development of this ordinance?
Public engagement as required by 88-505-12 does apply to this request. The applicant hosted a meeting on 4/24/24. A summary of the meeting is attached to the CPC staff report, see Attachment #3.
3. How does this legislation contribute to a sustainable Kansas City?
City Planning and Development Staff evaluated this against sustainability goals/objectives in the KC Spirit Playbook and determined the project aligns with sustainability guidelines.
4. Does this legislation create or preserve new housing units?
Yes (Press tab after selecting)

Total Number of Units 489

Number of Affordable Units unknown

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

Please Select (Press tab after selecting)

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)



File #: 240488

ORDINANCE NO. 240488

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 22 acres generally located at 601 Hardesty from Districts UR and M1-5 to District UR and approving a development plan, with associated preliminary plat, to allow for mixed-use purposes. (CD-CPC-2024-00039)

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-1435, rezoning an area of about 22 acres generally located at 601 Hardesty from Districts UR (Urban Redevelopment) and M1-5 (Manufacturing 1 (Dash 5)) to District UR (Urban Redevelopment) and approving a development plan, with associated preliminary plat, to allow for mixed-use purposes said section to read as follows:

Section 88-20A-1435. That an area legally described as:

601 Hardesty: Rng-33 Twp-49 Sec-02 th pt of NE 1/4 of NE 1/4 daf: beg s li Independence Ave and e li of Hardesty Ave th E 455.05' th S 18' th E 15' th S 165.77' th W 213.97' th S 266.43' th W 252.72' to e li of; Hardesty Ave th n alg e li 451.5' to pob

607 Hardesty: Hardesty Renaissance Second Plat---Lot 1

5651 Independence: Sec-02 Twp-49 Rng-33---beg at ne cor Sec 2 th N 87 deg 22 min 01 sec W 827.91' th S 02 deg 40 min 30 sec W 40' to pob; th S 02 deg 40 min 30 sec W 18' th S 87 deg 22 min 01 sec E 15' th S 02 min 40; min 30 sec W 165.77' th S 02 min 40 min 30 sec W 40' th N 87 deg 19 min 30 sec W 60' th N 02 deg 40 min 30 sec E 17' th N 87 deg 19 min 30 sec W 98.47' th S 02 deg 40 min 30 sec W 347.03' th S 87 deg; 12 min 33 sec E 117.08' th S 02 deg 47 min 27 sec W 201.03' th S 87 deg 12 min 33 sec E 131.86' th N 02 deg 47 min 27 sec E 139.21' th S 87 deg 12 min 33 sec E 211.97' th N 48 deg 59 min 23 sec E; 631.33' N 02 deg 15 min 27 sec E 171.15' th N 87 deg 22 min 01 sec W 797.91' to pob (T-161 pg-94).

is hereby rezoned from UR (Urban Redevelopment) and M1-5 (Manufacturing 1 (Dash 5)) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-

1435 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, with associated preliminary plat, for the area legally described above is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping and street trees required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
3. No detailed sign plan was provided. All signage must comply with the Independence Avenue Overlay District and be subject to permitting.
4. Any fences or walls erected within the UR Plan shall comply with the Independence Avenue Overlay District.
5. The solar canopies are considered accessory structures subject to 88-305-03.
6. Dedicated pickup parking areas will be identified with building permit submittals and are subject to 88-332.
7. Per 88-445-08, trash containers, dumpsters, trash compactors, and recycling bins associated with the project must be screened from public view on all sides with a solid fence, wall, or gate constructed of cedar, redwood, masonry or other similar building material reflecting the overall design of the site, and be appropriately landscaped.
8. The UR final plan must be approved prior to a building permit review.
9. The developer shall gain approval and record a final plat for each phase prior to issuance of the full certificate of occupancy.
10. 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.
11. The developer shall submit a storm drainage analysis from a Missouri-licensed

civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.

12. 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.
13. The developer shall submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
14. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
15. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri Department of Natural Resources (MDNR) and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
16. 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.
17. The developer shall meet the fire flow requirements as set forth in Appendix B of the project International Fire Code 2018. (IFC-2018 § 507.1)

18. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
19. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA 241-2013 § 8.7.2) Fire hydrant distribution shall follow IFC-2018 Table C102.1.
20. All required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)
21. Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
22. The turning radius for fire department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4) and shall provide fire lane signage on fire access drives.
23. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
24. Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
25. Security gates which span across a fire access road shall provide a means for emergency operation. Electric gates shall require a siren sensor device typically referred to as a “yelp gate” (IFC-2018 § 503.6).
26. Buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1 and NFPA1221)
27. Buildings which have an occupiable floor greater than 75 feet above grade shall meet high-rise requirements. (IFC 2018 Sec 914.3)
28. Shared utilities should be in a common element and covered by a covenant.
29. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Kansas City Water Services Department evaluating proposed

improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the disturbed area to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer secure permits to construct any improvements required by the Kansas City Water Services Department prior to issuance of any certificate of occupancy.

30. A full flow fire meter shall be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.
31. 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.
32. No water service line will be less than 1-1/2" in diameter where three or more units or commercial building will be served by one domestic service line and meter.
33. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
34. 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.
35. The developer shall submit water main extension plans for the design and construction of public fire hydrants along the frontage of the project with Hardesty Avenue and Independence Avenue to meet 300' maximum spacings. Fire hydrants shall be installed and in place prior to a building permit issuance. The plans and construction shall follow Kansas City Water's rules and regulations for water main extensions.
36. According to the Kansas City, Missouri Water GIS map the existing water distribution system includes 12" and 10" water mains in Independence Avenue and Hardesty Avenue, respectively. The size and available flow of these mains will need to be confirmed. A comparative analysis of the field measured flows and pressures and the new developments demands for fire and domestic flows will need to be completed. Additional water main improvements are not anticipated, however, if the analysis shows a deficiency, then water distribution system improvements will be necessary.

37. Per 88-425-13 an administrative adjustment is approved to site 10 street trees along Hardesty Avenue in lieu of 42 trees for native landscaping islands throughout the campus, per approved landscape plan attached.
38. All trails to satisfy the parkland dedication requirements of the development shall be constructed of concrete, a minimum of 7' in width, and meet the Parks and Recreation construction standards.
39. Any changes to the private open spaces used to meet parkland dedication requirements and shall be assessed and reviewed by the Parks Department.
40. Prior to release of final plat, the developer shall submit final plans showing how the spaces will be activated for each of the areas used to satisfy the parkland dedication requirements.
41. The developer shall identify pedestrian scale lighting on the walking trail to improve night time natural surveillance in the final UR plan.
42. The developer shall provide standard operating characteristics including but not limited to: security measures, lighting, hours of operation, noise, access requirements (key card/code access) on a unique plan sheet in the final UR plan.

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

Section C. That the development plan, with associated preliminary plat, described above is hereby approved with the following deviations from Chapter 88, Code of Ordinances:

1. A deviation to 88-430-05-C Spillover Light requirements to approve the Historic Northeast Lofts Campus Photometric Plan.
2. A deviation to the Independence Corridor Overlay District to permit a soundwall 12'- to 16' in height.

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

..end

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

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240488

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Rezoning an area of about 22 acres generally located at 601 Hardesty from District UR (Urban Redevelopment) and M1-5 (Manufacturing) to District UR (Urban Redevelopment) and approving a development plan, with associated preliminary plat and area plan amendment, to allow for mixed-use purposes. (CD-CPC-2024-00039 and 43)

Discussion

Urban Redevelopment (UR) districts promote the development and redevelopment of underdeveloped and blighted sections of Kansas City by accommodating flexibility in design to help ensure the realization of the stated purposes of an approved plan for redevelopment.

The proposed redevelopment sites a mixture of uses (residential, retail, restaurants, and daycare with supportive uses/amenities) in existing structures and various site improvements within the Independence Corridor Overlay (ICO) District.

City Council Key Points

- Rezoning from M1-5 and UR to UR.
- Amending the Truman Plaza Area Plan from Light Industrial to Mixed-Use Community.
- Proposed residential and commercial uses with associated amenities and parking.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable – as this is an ordinance authorizing an area plan amendment and rezoning + development plan.
3. How does the legislation affect the current fiscal year?
Not applicable – as this is an ordinance authorizing an area plan amendment and rezoning + development plan.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
The developer has expressed interest in financial incentives; however, incentives require separate approval and are not authorized by the passage of this ordinance.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
This ordinance authorizes physical development of the subject property, which may generate revenue.

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

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

2. This fund has a structural imbalance. Yes No

3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)

2. Which CWBP goal is most impacted by this legislation?
Housing and Healthy Communities (Press tab after selecting.)

3. Which objectives are impacted by this legislation (select all that apply):
 - Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
 - Maintain and increase affordable housing supply to meet the demands of a diverse population.
 - Address the various needs of the City's most vulnerable population by working to reduce disparities.
 - Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
 - Ensure all residents have safe, accessible, quality housing by reducing barriers.

- Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

Prior Legislation

Ordinance 180216

Amending a Special Character Overlay District called the Independence Corridor Overlay (ICO) for the Independence Corridor by modifying the signage provisions.

Ordinance 220747

Approving the Historic Northeast Lofts PIEA General Development Plan on about 22 acres (3 parcels), generally located at the southeast corner of Independence Ave and Hardest Ave. No

Service Level Impacts

No impact expected.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Not applicable – as this is an ordinance authorizing an area plan amendment and rezoning + development plan.
2. How have those groups been engaged and involved in the development of this ordinance?
Public engagement as required by 88-505-12 does apply to this request. The applicant hosted a meeting on 4/24/24. A summary of the meeting is attached to the CPC staff report, see Attachment #3.
3. How does this legislation contribute to a sustainable Kansas City?
City Planning and Development Staff evaluated this against sustainability goals/objectives in the KC Spirit Playbook and determined the project aligns with sustainability guidelines.
4. Does this legislation create or preserve new housing units?
Yes (Press tab after selecting)

Total Number of Units 489

Number of Affordable Units unknown

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

Please Select (Press tab after selecting)

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)



File #: 240491

ORDINANCE NO. 240491

Sponsor: Director of City Planning and Development Department

Approving a vacation of public right of way in District MPD on about 80,783 square feet generally located north of East Front Street at the vehicular entrance to Bally's Casino and directing the City Clerk to record certain documents (CD-ROW-2024-00005).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that on the 1st day of April, 2024, a petition was filed with the City Clerk of Kansas City by Nelson Willoughby for the vacation of a tract of land in Section 33, in Township 50 North, Range 30 West of the 5th Principal Meridian in Jackson County, Kansas City, Missouri being bounded and described by or under the direct supervision of Jeffrey P. Means P.L.S. 2000147866, as a Right-Of-Way vacation as follows: Commencing at the Northeast corner of said Section 33; thence South 02°28'37" West along the East line of said Section 33, 203.62 feet; thence leaving said East line, North 87°31'23" West 3,218.18 feet to the Point of Beginning of the tract of land to be herein described; thence South 52°31'32" East, 150.55 feet; thence Easterly along a curve to the left being tangent to the last described course with a radius of 460.87 feet, a central angle of 75°43'40" and an arc distance of 609.13 feet; thence South 51°44'48" West, 324.21 feet; thence Northwesterly along a curve to the right being tangent to the last described course with a radius of 60.00 feet, a central angle of 72°36'08" and an arc distance of 76.03 feet; thence North 55°39'05" West, 52.04 feet; thence South 41°01'39" West, 94.92 feet; thence North 48°58'21"

West, 26.63 feet; thence Westerly along a curve to the left having an initial tangent bearing of North 49°22'25" West with a radius of 45.00 feet, a central angle of 96°16'03" and an arc distance of 75.61 feet; thence South 34°21'33" West, 57.96 feet; thence South 63°28'11" West, 20.68 feet; thence North 21°14'10" East, 17.65 feet; thence North 14°03'53" West, 155.65 feet; thence North 53°05'02" West, 197.87 feet to a point on the Southerly line of Right-Of-Way vacation as ordinance number 160112 and recorded as instrument number 2016E0028655 in the Jackson County Recorder of Deeds Office; thence on said Southerly line, North 37°29'03" East, 120.00 feet to the Point of Beginning. Containing 80,783 square feet or 1.85 acres, more or less; giving the distinct description of the street to be vacated, and also the names of the persons and corporations owning or claiming to own the property fronting thereon, and that the consent of the persons and corporations owning or claiming to own three-fourths of the front feet of the property immediately adjoining said street has been obtained in writing, that said consent has been acknowledged as deeds are acknowledged, and was duly filed with the petition for such vacation in the City Clerk's Office.

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

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

Section 4. That a tract of land in Section 33, in Township 50 North, Range 30 West of the 5th Principal Meridian in Jackson County, Kansas City, Missouri being bounded and described by or under the direct supervision of Jeffrey P. Means P.L.S. 2000147866, as a Right-Of-Way vacation as follows: Commencing at the Northeast corner of said Section 33; thence South 02°28'37" West along the East line of said Section 33, 203.62 feet; thence leaving said East line, North 87°31'23" West 3,218.18 feet to the Point of Beginning of the tract of land to be herein described; thence South 52°31'32" East, 150.55 feet; thence Easterly along a curve to the left being tangent to the last described course with a radius of 460.87 feet, a central angle of 75°43'40" and an arc distance of 609.13 feet; thence South 51°44'48" West, 324.21 feet; thence Northwesterly along a curve to the right being tangent to the last described course with a radius of 60.00 feet, a central angle of 72°36'08" and an arc distance of 76.03 feet; thence North 55°39'05" West, 52.04 feet; thence South 41°01'39" West, 94.92 feet; thence North 48°58'21" West, 26.63 feet; thence Westerly along a curve to the left having an initial tangent bearing of North 49°22'25" West with a radius of 45.00 feet, a central angle of 96°16'03" and an arc distance of 75.61 feet; thence South 34°21'33" West, 57.96 feet; thence South 63°28'11" West, 20.68 feet; thence North 21°14'10" East, 17.65 feet; thence North 14°03'53" West, 155.65 feet; thence North 53°05'02" West, 197.87 feet to a point on the Southerly line of Right-Of-Way vacation as ordinance number 160112 and recorded as instrument number 2016E0028655 in the Jackson County Recorder of Deeds Office; thence on said Southerly line, North 37°29'03" East, 120.00 feet to the Point of Beginning. Containing 80,783 square feet or 1.85 acres, more or less. be and the same is hereby vacated, and subject to the following conditions:

1. The applicant shall retain a utility easement and protect facilities for AT&T utilities located in the right-of-way.



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240491

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Approving a vacation of public right of way in District MPD (Master Planned Development) on about 80,783 Square Feet generally located north of East Front street at the vehicular entrance to Bally's Casino and directing the City Clerk to record certain documents (CD-ROW-2024-00005).

Discussion

Please see the City Plan Commission Staff Report for full review and discussion.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this is an ordinance authorizing the vacation of public right of way.
3. How does the legislation affect the current fiscal year?
Not applicable as this is an ordinance authorizing the vacation of public right of way.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable as this is an ordinance authorizing the vacation of public right of way.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Not applicable as this is an ordinance authorizing the vacation of public right of way.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - Build on existing strengths while developing a comprehensive transportation plan for the future.
 - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

Case No. CD-CPC-2020-00196 – Ordinance 210569- On July 15, 2021 City Council approved a request to rezone from District M1-5 to District MPD to allow for renovation of the existing casino to a mixed use development that includes retail and hotel, on about 30 acres in an area generally located at the northeast corner of East Front Street and Interstate 29/35.

Service Level Impacts

Not applicable as this is an ordinance authorizing the vacation of public right of way.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Not applicable as this is an ordinance authorizing the vacation of public right of way.
2. How have those groups been engaged and involved in the development of this ordinance?
Not applicable as this is an ordinance authorizing the vacation of public right of way.
3. How does this legislation contribute to a sustainable Kansas City?
Not applicable as this is an ordinance authorizing the vacation of public right of way.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Not applicable as this is an ordinance authorizing the vacation of public right of way.
Click or tap here to enter text.
5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)
Please provide reasoning why not:
Not applicable as this is an ordinance authorizing the vacation of public right of way.
6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Not applicable as this is an ordinance authorizing the vacation of public right of way.
7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 240504

ORDINANCE NO. 240504

Sponsor: Mayor Pro Tem Ryana Parks-Shaw

Approving the 2024 Action Plan for the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), the Emergency Solution Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA); providing a substantial amendment to the Five Year Consolidated Plan 2022-2026 in accordance with the National Affordable Housing Act of 1990, as amended; and authorizing submittal to HUD.

WHEREAS, the City of Kansas City has included the five grant programs CDBG, HOME, ESG and HOPWA funding to submit to the Department of Housing and Urban Development, Community Development Block Grant program for their consideration to provide public services, public facilities, minor home repair, elimination of blight and acquisition, housing renovation and construction and assistance to those persons with AIDS and to finance the City's community development and housing programs; and

WHEREAS, the need to fund affordable housing projects require that previously budgeted CDBG and HOME funds be funded which requires an amendment to the Action Plans and requires submission of an amendment to the U.S. Department of Housing and Urban Development; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the 2024 Action Plan and Substantial Amendment for the 2022-2026 consolidated Plan is prepared pursuant to the National Affordable Housing Act of 1990, as amended, a copy of which in substantial form is attached hereto, is hereby approved.

Section 2. That the Mayor, on behalf of the City of Kansas City, Missouri is hereby authorized to execute and submit the aforesaid 2024 Action Plan and the Substantial Amendment to the Consolidated Plan for 2022-2026 upon notice of entitlement funding levels through the Housing and Community Development Department.

Section 3. That the City Council hereby certifies that the 2024 Action Plan has been prepared and will be submitted to the U.S. Department of Housing and Urban Development pursuant to and in accordance with the Department's rules and regulations.

Section 4. That the City Council hereby certifies that the said Plans and Programs have been prepared and will be submitted to the U.S. Department of Housing and Urban Development.

Section 5. That the City Council hereby certifies that the said Plans and Programs have been prepared and will be submitted to the U.S. Department of Housing and Urban Development pursuant to and in accordance with the Department's rules and regulations, including but not limited to Title 24 Section 570.301 through and including 570.306 of the Code of Federal Regulations.

..end

Approved as to form:

Joseph A. Guarino
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240504

Submitted Department/Preparer: Housing

Revised 11/01/23

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

Executive Summary

Approving the 2024 Action Plan for the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), the Emergency Solution Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA); and providing a substantial amendment to the Five Year Consolidated Plan 2022-2026 in accordance with the National Affordable Housing Act of 1990, as amended, and authorizing the submittal to the US Department of Urban Development for its consideration.

Discussion

Several City programs and services rely on grant funding from the US Department of Housing and Urban Development: CDBG provides public services, public facilities, minor home repair, elimination of blight and acquisition, housing renovation and construction and assistance to persons with AIDS, and to finance the City's development housing programs; Emergency Solutions funds shelter operations and essential services. To continue to fund these services, the City must submit amendments to their Action Plans and Consolidated Plans for HUD. This legislation certifies that the 2024 Action Plan and Substantial Amendments for the Consolidated Plan 2022-2026 have been prepared and will be submitted to the US Department of Housing and Urban Development for consideration.

Fiscal Impact

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

2. What is the funding source?

The US Department of Housing and Urban Development, managed through the following City

funds:

2600 - Community Development Block Grants (CDBG)

2580 – General Grants Fund

2940 - HOME Investment Partnership

2740 - Housing Opportunities for Persons with AIDs (HOPWA)

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

This legislation approves funds for FY 2024-2025

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

No future fiscal impact

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

This legislation uses funding from the US Department of Housing and Urban Development to support affordable housing, homelessness, housing for persons with AIDS and childcare.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

N/A

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Housing and Healthy Communities (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
- Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
 - Maintain and increase affordable housing supply to meet the demands of a diverse population.
 - Address the various needs of the City's most vulnerable population by working to reduce disparities.
 - Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
 - Ensure all residents have safe, accessible, quality housing by reducing barriers.

- Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

Prior Legislation

220162 - Approving the 2022-2026 Five Year Consolidated Plan and 2022 One-Year Action Plan (“Plan”) in accordance with the National Affordable Housing Act of 1990, as amended, and authorizing submittal to the U.S. Department of Housing and Urban Development for its consideration

230386 - Approving the 2023 Action Plan for the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), the Emergency Solution Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA); providing a substantial amendment to the Five Year Consolidated Plan 2022-2026 in accordance with the National Affordable Housing Act of 1990, as amended; and authorizing submittal to HUD.

Service Level Impacts

Funding will be used to support affordable housing, homelessness, housing for persons with AIDS and childcare.

Other Impacts

1. What will be the potential health impacts to any affected groups?
The funds are used to improve environmental conditions for citizens.
2. How have those groups been engaged and involved in the development of this ordinance?
The Health Department, Housing Department along with the City Manager's office will improve the livability of the citizens of Kansas City Missouri
3. How does this legislation contribute to a sustainable Kansas City?
This legislation will increase housing production, provide minor home repair, decrease homelessness and improve the environment.
4. Does this legislation create or preserve new housing units?
Yes (Press tab after selecting)

Total Number of Units See Project Activity
Number of Affordable Units See Project Activity

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Although HUD funded contracts may require workforce programming, M/WBE participation as well as CREO goals, this ordinance does not serve as an actual contract for project development.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

[Click or tap here to enter text.](#)

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

Yes(Press tab after selecting)

In an effort to prevent disclosure of confidential information, a separate communication will be provided to City Council members to reflect the top three proposers for the RFP/Q.



File #: 240343

ORDINANCE NO. 240343

Sponsors: Councilmembers Nathan Willett and Kevin O'Neill

Amending the Major Street Plan for Kansas City to remove 128th Street, from the east side of Interstate 69 to 132nd Street and N. Virginia Avenue, and directing the City Clerk to file certain documents with the appropriate offices. (CD-CPC-2024-)

WHEREAS, a Major Street Plan for Kansas City was adopted by Second Committee Substitute for Ordinance No. 64073, passed September 28, 1989; and

WHEREAS, further changes were recommended and approved by Ordinance No. 64073, passed September 28, 1989; Ordinance No. 64760, passed November 22, 1989; by Ordinance No. 911308, passed November 27, 1991; by Ordinance No. 960104, passed March 7, 1996; by Committee Substitute for Ordinance No. 971243, passed February 5, 1998; by Committee Substitute for Ordinance No. 000742, passed June 29, 2000; by Ordinance No. 020136, passed March 6, 2002; by Ordinance No. 011406, passed July 18, 2002; by Committee Substitute for Ordinance 011288, passed August 15, 2002; and by Ordinance No. 030928, passed September 11, 2003, by Ordinance Nos. 051158, 051159, 051160 and 051161, all passed October 6, 2005; by Ordinance No. 060579, passed June 15, 2006; by Committee Substitute for Ordinance No. 061235, passed November 30, 2006; by Ordinance 080150, passed March 6, 2008; by Ordinance 080204, passed March 13, 2008, by Ordinance 090187, passed April 9, 2009, by Ordinance No. 110249, passed October 23, 2011; by Ordinance No. 160336, passed June 23, 2016; by Ordinance No. 210837, passed September 23, 2021, by Ordinance No. 220661, passed on August 25, 2022 and Ordinance No. 220884, passed on October 6, 2022; and

WHEREAS, further review and revisions have been initiated by staff concerning certain issues related to the Major Street Plan; and

WHEREAS, the review by City staff has been reflected in the recommended modifications to the Major Street Plan specifically for the Major Street Plan Map and Appendix A - Major Street Inventory; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Major Street Plan of Kansas City is hereby amended by repealing the Major Street Plan Map and adopting in lieu thereof a new Major Street Plan Map, which removes 128th Street, from the east side of Interstate 69 to 132nd Street and N. Virginia Avenue.

Copies of the new Major Street Plan are on file in the office of the City Clerk with this ordinance and are incorporated herein by reference.

Section 2. That the City Clerk is hereby directed to file such documents in the office of the Recorder of Deeds for Platte County, Missouri, Jackson County, Missouri, Clay County, Missouri, and Cass County, Missouri.

..end

I hereby certify that as required by Chapter 89, Revised Statutes of Missouri, the foregoing Major Street Plan amendment was duly advertised and public hearings were held.

Secretary, City Plan Commission
Approved as to form:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: Ordinance 240343
Submitted Department/Preparer: City Planning
Revised 11/01/23

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

Executive Summary

Amending the Major Street Plan for Kansas City to remove 128th Street, from the east side of Interstate 69 to 132nd Street and N. Virginia Avenue, and directing the City Clerk to file certain documents with the appropriate offices. (CD-CPC-2024-00048)

Discussion

Amendment to the Major Street Plan to remove 128th Street from the east side of HWY 169 to the intersection of NE 132nd Street and N Virginia Avenue. There is a planned, and partially platted/constructed residential development to the east of the subject site. The site is lacking direct vehicular access. There is a curb cut off of HWY 169, and the intersection of NW 124th Street and N Main Street is adjacent to this property on the west side. Several stream corridors cross portions of the subject site.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this ordinance will amend the Major Street Plan
3. How does the legislation affect the current fiscal year?
Not applicable as the portion of ROW being deleted from the plan was not expected to be built in the near future.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Removing a segment of ROW from the Major Street Plan will result in the City not needing to build the ROW in the future.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
No

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

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No
- 3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

- 1. View the [FY23 Citywide Business Plan](#)
- 2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
- 3. Which objectives are impacted by this legislation (select all that apply):
 - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - Build on existing strengths while developing a comprehensive transportation plan for the future.
 - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

See staff report.

Service Level Impacts

No impact expected.

Other Impacts

1. What will be the potential health impacts to any affected groups?
The proposed ordinance was not evaluated for health impacts.
2. How have those groups been engaged and involved in the development of this ordinance?
No public engagement was required for this application type.
3. How does this legislation contribute to a sustainable Kansas City?
This legislation will minimally contribute to a sustainable Kansas City by removing proposed ROW that would disrupt the natural habitat, including stream corridors, when, and if, ever built.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

No work being done

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 240351

ORDINANCE NO. 240351

Sponsor: Councilmember Melissa Robinson

Amending Chapter 88, Code of Ordinances, by repealing Section 88-605-03, Street Naming Committee, and enacting in lieu thereof a new section of like number and subject matter for the purpose of requiring City Council approval for the renaming of streets.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, Code of Ordinances, is hereby amended by repealing Section 88-605-03, Street Naming, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

88-605-03 - STREET NAMING COMMITTEE

88-605-03-A. ESTABLISHMENT AND PURPOSE

There is hereby established a street naming committee with the prime function of assigning names to the public and private streets.

88-605-03-B. MEMBERSHIP

The following individuals are members of the street naming committee:

1. city planning and development director;
2. public works director;
3. parks and recreation director;
4. fire chief;
5. police chief.

88-605-03-C. EX OFFICIO MEMBERS

The following are ex officio members of the street naming committee:

1. U.S. post office; and

2. other agencies as deemed necessary by the city planning and development director to render a complete and competent review of proposed street names.

88-605-03-D. PROCEDURES

The city planning and development director is the chairperson of the street naming committee. The chair's function is to coordinate committee activities. The committee shall review requests to rename streets and make recommendations to the city council when needed. The committee shall assign street names as part of the subdivision plat approval process. The chair must inform the developer of recommendations by the committee and must present recommendations to the city plan commission or the city council, as necessary.

88-605-03-E. HONORARY STREET NAMES

Honorary street names may be used to honor neighborhood and local leaders, community activists, and state and national figures. The following guidelines apply.

1. **CONSIDERATION OF NOMINEES**

The nominating person or organization must prepare an autobiography or historical statement of the proposed recipient of the honorary street name designation. The statement should outline the historical or cultural significance of the nominated person, place, or event to the community and to the city. Attached to the autobiography or historical statement should be a map indicating where the honorary street name is being requested and additional information as to why the identified section of street is appropriate.

2. **PETITION OF SUPPORT**

The nominating person or organization must include with the request package a petition of support for the proposed honorary street name. The petition must be signed by no fewer than 50 residents of the city, and must also include at least 75% of the property owners abutting that section of the street proposed to be honored. Special circumstances regarding street segment length or location, etc., will be considered by the city council on a case-by-case basis.

3. **CONSIDERATION BY THE STREET NAMING COMMITTEE**

The nomination request package must be referred to the street naming committee for review. After the street naming committee reviews the application, a report discussing the validity of the petition and the anticipated costs that will be incurred to carry out the request must be prepared and submitted to the city council. The city council may act to approve or deny the application. A simple majority vote is required by city council.

4. **FINANCIAL BURDEN**

The costs of fabrication and installation of the honorary signs as well as all future maintenance and replacement of the signs will be the responsibility of the nominating person or group.

5. **PLACEMENT AND DESIGN OF SIGNS**

Honorary street name signs may not exceed the regulatory size of a green guide street sign. The department of public works has sole authority for the fabrication and installation of honorary street name signs in the city.

6. **TERMINATION OF AN HONORARY STREET NAME DESIGNATION**
The city may choose at any time and for any reason to discontinue any honorary street name designation by approval of the city council. Should all of the signs become missing or vandalized and remain so for a period of one year with no remedy, the designation will be considered abandoned. The city will not replace or repair any honorary signs without compensation.
7. **HONORARY STREET NAME AS ALIAS FOR OFFICIAL STREET NAME**
The honorary street name must be logged as an alias in the city's emergency communications system and by the U.S. Postal Service for mail delivery purposes.

88-605-03-F. STREET RENAMING

Street renaming is a process to establish a new name for a street that has already been given a street name by an approved plat, by the street naming committee or by the city council.

1. **CONSIDERATION OF RE-NAMING**
The city council or the Parks Board in the case of streets under their jurisdiction may initiate renaming of a street. The city planning and development director may initiate renaming only in the instance of fixing an error. A statement outlining the need to rename a street and a map indicating where the street re-naming is being requested shall be provided.
2. **CONSIDERATION BY THE STREET NAMING COMMITTEE**
The application must be referred to the street naming committee for review. After the street naming committee reviews the application, a report discussing the impacts on the property owners, the anticipated costs that will be incurred to carry out the request and a recommendation must be prepared and submitted to the city council.
3. **NOTICE OF HEARING**
Notice of the city council public hearing must be sent by the initiator by U.S. mail, first class at least 13 days before the date of the hearing to all property owners adjacent to the section of street proposed to be renamed, any registered neighborhood organization and/or registered civic organization whose boundaries include the subject street, and all owners of property within 300 feet of the street to be renamed. Addresses must be based on the latest available, city-maintained property ownership information. The mailed notice shall indicate the date, time and place of the public hearing, describe the requested action to be taken, indicate where to obtain additional information, and provide

contact or other information sufficient for those interested to determine when the city council will hold its hearing on the re-naming.

4. HEARING AND FINAL ACTION

Following the close of the public hearing, the city council may act to approve or deny the proposed renaming. A simple majority vote is required by city council.

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240351

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Amending Chapter 88, Code of Ordinances, by repealing Section 88-605-03, Street Naming Committee, and enacting in lieu thereof a new section of like number and subject matter for the purpose of requiring City Council approval for the renaming of streets. (CD-CPC-2024-00066)

Discussion

Please see the City Plan Commission Staff Report for full discussion.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this is an ordinance amending the Zoning and Development Code.
3. How does the legislation affect the current fiscal year?
Not applicable as this is an ordinance amending the Zoning and Development Code.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable as this is an ordinance amending the Zoning and Development Code.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Not applicable as this is an ordinance amending the Zoning and Development Code.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - Build on existing strengths while developing a comprehensive transportation plan for the future.
 - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

Ord 150600 and 180942 both contain previous revisions to the Street Renaming Committee.

Service Level Impacts

Uncertain.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Not applicable as this is an ordinance amending the Zoning and Development Code.
2. How have those groups been engaged and involved in the development of this ordinance?
Not applicable as this is an ordinance amending the Zoning and Development Code.
3. How does this legislation contribute to a sustainable Kansas City?
Not applicable as this is an ordinance amending the Zoning and Development Code.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Not applicable as this is an ordinance amending the Zoning and Development Code.
[Click or tap here to enter text.](#)
5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)
6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Not applicable as this is an ordinance authorizing the subdivision of land.
7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 240429

ORDINANCE NO. 240429

Sponsor: Director of City Planning and Development Department

Vacating an approximate 647 foot-long alley of about 24,227 SF in District M1-5 zoning generally located between Washington Street and Broadway Boulevard north of West 17th Street; and directing the City Clerk to record certain documents. (CD-ROW-2023-000050)

Held until 06/25/2024

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that on the 1st day of December 2023, a petition was filed with the City Clerk of Kansas City by Tyler Wysong of Kimley-Horn, That portion of the North-South Alley (12 feet wide) as shown on Ford & Whitworth Addition, a subdivision in the City of Kansas City, the North-South Alley (11 feet wide) as shown on Balis Addition, a subdivision in the City of Kansas City, and a portion of the North-South (11 feet wide) Alley in Block 1 of King & Bouton's Addition, a subdivision in the City of Kansas City, situated in the Southeast quarter of Section 6, Township 49 North, Range 33 West, in the City of Kansas City, Jackson County, Missouri, described as follows: commencing for reference at the Southeast corner of Lot 28 in Block 1 of said King & Bouton's Addition; Thence, along the East line of said Lot 28, North 02°00'19" East, 4.00 feet to the true point of beginning; Thence, along the West line of said Alley, and along the East line of Lots 28 through 40 in Block 1 of said King & Bouton's Addition, and along the East lines of Lots 7 through 11 of said Balis Addition, North 02°00'19" East, 474.03 feet to a point on the North line of said Lot 11; Thence, along the North line of said Lot 11, South 87°41'01" East, 3.13 feet to the Southeast

corner of Lot 7 of said Ford & Whitworth Addition; Thence, along the West line of said Alley, and along the East lines of Lot 7, 8 and 14 of said Ford & Whitworth Addition, North 02°00'16" East, 173.15 feet to a point on the Southerly line of Interstate 35; Thence, along the Southerly line of Interstate 35, North 58°23'02" East, 14.41 feet to the East line of said Alley, said point lying on the West line of Lot 1 of said Ford & Whitworth Addition; Thence, along the East line of said Alley, and along the West lines of Lot 1 through 6 of said Ford & Whitworth Addition, South 02°00'16" West, 181.20 feet to a point on the North line of Lot 1 in said Balis Addition; Thence, along the North line of said Lot 1, North 87°41'01" West, 4.13 feet to the Northwest corner of said Lot 1; Thence, along the East line of said Alley, and along the West lines of Lots 1 through 6 of said Balis Addition, and along the West lines of Lots 1 through 13 in Block 1 of said King & Bouton's Addition, South 02°00'19" West, 474.08 feet to a point 4.00 feet North of the Southwest corner of said Lot 13; Thence, North 87°26'15" West, 11.00 feet to the true point of beginning, Contains 24,227 square feet, more or less; giving the distinct description of the alley to be vacated, and also the names of the persons and corporations owning or claiming to own the property fronting thereon, and that the consent of the persons and corporations owning or claiming to own three-fourths of the front feet of the property immediately adjoining said alley has been obtained in writing, that said consent has been acknowledged as deeds are acknowledged, and was duly filed with the petition for such vacation in the City Clerk's Office.

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

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

Section 4. That all the alley commencing for reference at the Southeast corner of Lot 28 in Block 1 of said King & Bouton's Addition; Thence, along the East line of said Lot 28, North 02°00'19" East, 4.00 feet to the true point of beginning; Thence, along the West line of said Alley, and along the East line of Lots 28 through 40 in Block 1 of said King & Bouton's Addition, and along the East lines of Lots 7 through 11 of said Balis Addition, North 02°00'19" East, 474.03 feet to a point on the North line of said Lot 11; Thence, along the North line of said Lot 11, South 87°41'01" East, 3.13 feet to the Southeast corner of Lot 7 of said Ford & Whitworth Addition; Thence, along the West line of said Alley, and along the East lines of Lot 7, 8 and 14 of said Ford & Whitworth Addition, North 02°00'16" East, 173.15 feet to a point on the Southerly line of Interstate 35; Thence, along the Southerly line of Interstate 35, North 58°23'02" East, 14.41 feet to the East line of said Alley, said point lying on the West line of Lot 1 of said Ford & Whitworth Addition; Thence, along the East line of said Alley, and along the West lines of Lot 1 through 6 of said Ford & Whitworth Addition, South 02°00'16" West, 181.20 feet to a point on the North line of Lot 1 in said Balis Addition; Thence, along the North line of said Lot 1, North 87°41'01" West, 4.13 feet to the Northwest corner of said Lot 1; Thence, along the East line of said Alley, and along the West lines of Lots 1 through 6 of said Balis Addition, and along the West lines of Lots 1 through 13 in Block 1 of said King & Bouton's Addition, South 02°00'19" West, 474.08 feet to a point 4.00 feet North of the Southwest corner of said Lot 13; Thence, North 87°26'15" West, 11.00 feet to the true point of



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240429

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Vacating an approximate 647 foot long alley of about 24,227 SF in District M1-5 Zoning generally located between Washington Street and Broadway Boulevard north of West 17th Street; and directing the City Clerk to record certain documents (CD-ROW-2023-000050).

Discussion

Please see the City Plan Commission Staff Report for full discussion.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this is an ordinance authorizing the vacation of public right of way.
3. How does the legislation affect the current fiscal year?
Not applicable as this is an ordinance authorizing the vacation of public right of way.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable as this is an ordinance authorizing the vacation of public right of way.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Not applicable as this is an ordinance authorizing the vacation of public right of way.

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

- | | | |
|---|------------------------------|--|
| 1. This legislation is supported by the general fund. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. This fund has a structural imbalance. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Account string has been verified/confirmed. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Additional Discussion (if needed)

No account string to verify as there is no fiscal impact.

Citywide Business Plan (CWBP) Impact

- View the [FY23 Citywide Business Plan](#)
- Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
- Which objectives are impacted by this legislation (select all that apply):
 - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - Build on existing strengths while developing a comprehensive transportation plan for the future.
 - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

No prior legislation exists for the subject site.

Service Level Impacts

Not applicable as this is an ordinance authorizing the vacation of public right of way.

Other Impacts

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

Not applicable as this is an ordinance authorizing the vacation of public right of way.

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

Not applicable as this is an ordinance authorizing the vacation of public right of way.

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

Not applicable as this is an ordinance authorizing the vacation of public right of way.

4. Does this legislation create or preserve new housing units?

No (Press tab after selecting)

Not applicable as this is an ordinance authorizing the vacation of public right of way.

[Click or tap here to enter text.](#)

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Not applicable as this is an ordinance authorizing the vacation of public right of way.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Not applicable as this is an ordinance authorizing the vacation of public right of way.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)



File #: 240430

ORDINANCE NO. 240430

Sponsor: Director of City Planning and Development Department

Vacating an approximately 260-foot-long street in District M1-5 generally located on Washington Street north of West 17th Street; and directing the City Clerk to record certain documents. (CD-ROW-2023-000051) ***Held until 06/25/2024***

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that on the 11th day of December 2023, a petition was filed with the City Clerk of Kansas City by Tyler Wysong of Kimley-Horn, That portion of Washington Street (60 feet wide), lying Southerly of Interstate 35 and Northerly of 17th Street, situated in the Southeast quarter of Section 6, Township 49 North, Range 33 West, in the City of Kansas City, Jackson County, Missouri, described as follows: commencing for reference at the Southwest corner of Lot 27 in Block 1 of King & Bouton's Addition, a subdivision in the City of Kansas City, said point lying on the East right-of-way line of Washington Street; Thence, along the West line of Lots 27 through 37 in Block 1 of said King & Bouton's Addition, North 02°01'56" East, 285.72 feet to the true point of beginning; Thence, North 87°58'04" West, 60.00 feet to a point on the West right-of-way line of Washington Street; Thence, along the West right-of-way line of Washington Street, North 02°01'56" East, 260.06 feet to a point on the Southerly right-of-way line of Interstate 35; Thence, along the Southerly right-of-way line of Interstate 35, North 56°34'03" East, 73.67 feet to a point on the East right-of-way line of Washington Street, also being a point on the West line

of Lot 10 of Ford & Whitworth Addition, a subdivision in the City of Kansas City; Thence, along the East right-of-way line of Washington Street, and along the West line of Lots 7, 8 and 10 of said Ford & Whitworth Addition, and along the West line of Lots 7 through 11 of Balis Addition, a subdivision in the City of Kansas City, and along the West line of lots 37 through 40 in Block 1 of said King & Bouton's Addition, South 02°01'56" West, 302.80 feet to the true point of beginning; giving the distinct description of the alley to be vacated, and also the names of the persons and corporations owning or claiming to own the property fronting thereon, and that the consent of the persons and corporations owning or claiming to own three-fourths of the front feet of the property immediately adjoining said alley has been obtained in writing, that said consent has been acknowledged as deeds are acknowledged, and was duly filed with the petition for such vacation in the City Clerk's Office.

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

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

Section 4. That all the public right of way commencing for reference at the Southwest corner of Lot 27 in Block 1 of King & Bouton's Addition, a subdivision in the City of Kansas City, said point lying on the East right-of-way line of Washington Street; Thence, along the West line of Lots 27 through 37 in Block 1 of said King & Bouton's Addition, North 02°01'56" East, 285.72 feet to the true point of beginning; Thence, North 87°58'04" West, 60.00 feet to a point on the West right-of-way line of Washington Street; Thence, along the West right-of-way line of Washington Street, North 02°01'56" East, 260.06 feet to a point on the Southerly right-of-way line of Interstate 35; Thence, along the Southerly right-of-way line of Interstate 35, North 56°34'03" East, 73.67 feet to a point on the East right-of-way line of Washington Street, also being a point on the West line of Lot 10 of Ford & Whitworth Addition, a subdivision in the City of Kansas City; Thence, along the East right-of-way line of Washington Street, and along the West line of Lots 7, 8 and 10 of said Ford & Whitworth Addition, and along the West line of Lots 7 through 11 of Balis Addition, a subdivision in the City of Kansas City, and along the West line of lots 37 through 40 in Block 1 of said King & Bouton's Addition, South 02°01'56" West, 302.80 feet to the true point of beginning and the same is hereby vacated, and subject to the following conditions:

1. The applicant shall remove and return lighting equipment as required by Kansas City, Missouri Street Light Services.
2. The applicant shall relocate facilities as required by Kansas City, Missouri Water Services Department.
3. The applicant shall retain all utility easements and protect facilities as required by Evergy, and if the transformer must be redesigned the requestor is responsible for costs of the designed refeed.

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

Section 6. All Ordinances or parts of Ordinances in conflict with this Ordinance are, in so much as they conflict with this Ordinance, hereby repealed.

..end

Approved as to form:

Sarah Baxter
Senior Associate City Attorney

Approved by the City Plan Commission

Secretary

STATE OF MISSOURI)
) ss.
COUNTY OF _____)

On the ____ day of _____, 20____, before me, a Notary Public in and for said County, personally appeared _____ to me known to be the City Clerk of Kansas City, Missouri, in the above and foregoing ordinance mentioned, and acknowledged the said ordinance to be the act and deed of said Kansas City, duly passed by the Council of said City, and became effective as herein stated.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at my office in Kansas City, Missouri, the day and year first above written.

My term expires _____, 20____.

Notary Public within and for
County, Missouri

IN RECORDER'S OFFICE

STATE OF MISSOURI)



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240430

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Vacating an approximate 260 foot long street in District M1-5 Zoning generally located on Washington Street north of West 17th Street; and directing the City Clerk to record certain documents (CD-ROW-2023-000051).

Discussion

Please see the City Plan Commission Staff Report for full discussion.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this is an ordinance authorizing the vacation of public right of way.
3. How does the legislation affect the current fiscal year?
Not applicable as this is an ordinance authorizing the vacation of public right of way.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable as this is an ordinance authorizing the vacation of public right of way.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Not applicable as this is an ordinance authorizing the vacation of public right of way.

Office of Management and Budget Review

(OMB Staff will complete this section.)

- | | | |
|---|------------------------------|--|
| 1. This legislation is supported by the general fund. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. This fund has a structural imbalance. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Account string has been verified/confirmed. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Additional Discussion (if needed)

No account string to verify as there is no fiscal impact.

Citywide Business Plan (CWBP) Impact

- View the [FY23 Citywide Business Plan](#)
- Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
- Which objectives are impacted by this legislation (select all that apply):
 - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - Build on existing strengths while developing a comprehensive transportation plan for the future.
 - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

No prior legislation exists for the subject site.

Service Level Impacts

Not applicable as this is an ordinance authorizing the vacation of public right of way.

Other Impacts

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

Not applicable as this is an ordinance authorizing the vacation of public right of way.

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

Not applicable as this is an ordinance authorizing the vacation of public right of way.

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

Not applicable as this is an ordinance authorizing the vacation of public right of way.

4. Does this legislation create or preserve new housing units?

No (Press tab after selecting)

Not applicable as this is an ordinance authorizing the vacation of public right of way.

[Click or tap here to enter text.](#)

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Not applicable as this is an ordinance authorizing the vacation of public right of way.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Not applicable as this is an ordinance authorizing the vacation of public right of way.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)



File #: 240434

[COMMITTEE SUBSTITUTE FOR]ORDINANCE NO. 240434

Sponsor: Councilmember Wes Rogers

Amending Chapter 18, Article XIV, Section 18-367, Code of Ordinances, entitled “Adoption of International Energy Conservation Code (2021); amendments,” by providing an additional path of compliance that accomplishes Strategies B-2 and B-3 of the 2022 Climate Protection & Resiliency Plan through a nationally recognized system for calculating a home’s energy performance; allowing for previously approved building plans to be approved under the additional compliance path; and providing a method to further improve energy performance over time. ***Held until 06/25/2024***

WHEREAS, Committee Substitute for Ordinance No. 220364 (“Ordinance”) adopting the 2021 International Energy Conservation Code with amendments (“KCMO Energy Code”) was passed by the City Council on October 13, 2022; and

WHEREAS, the effective date of the Ordinance was July 1, 2023, but it also provided a mandatory date for the implementation of the KCMO Energy Code of September 29, 2023; and

WHEREAS, the existing compliance paths in the KCMO Energy Code shall remain unchanged and intact for full use and this ordinance adds an additional compliance path; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 18, Article XIV, Section 18-367, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended to read as follows:

Sec. 18-367. Adoption of International Energy Conservation Code (2021); amendments.

The International Energy Conservation Code (2021), promulgated by the International Code Council, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of this section. Provisions of this article are in addition to the provisions of the International Energy Conservation Code. The following provisions coinciding with provisions of the International Energy Conservation Code supersede, or delete, when indicated, the corresponding provisions of the International Energy Conservation Code.

In addition, the IECC Appendix CC: Zero Energy Commercial Building Provisions is an option for builders to voluntarily implement.

All references within the model codes to any building, electrical, gas, mechanical, plumbing, sewage disposal, elevator, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, gas, mechanical, plumbing, sewage disposal, elevator, energy conservation, or existing building code specifically adopted by reference in articles II through XIV of this chapter.

Chapter 1 [CE], SCOPE AND ADMINISTRATION is deleted. See Article I of this chapter.

C405.12 Electrical for future use on new buildings with electrical services

1. Provide 2-inch conduit run up to attic for future photovoltaic systems.
2. Provide 2-inch conduit run into parking areas for future electric vehicle charging stations.

Chapter 1 [RE], SCOPE AND ADMINISTRATION is deleted. See Article I of this chapter.

Table R402.4.1.1. Under 'Walls'. Amend first sentence to read: "Corners and headers shall be sealed and the junction of the foundation and sill plate shall be sealed."

R403.3.7, Exception. In IRC projects building framing cavities may be used as ducts or plenums where sealed to prevent leakage through the thermal envelope.

R404.4 Electrical for future use on new buildings with electrical services

1. Provide 2-inch conduit run up to attic for future photovoltaic systems.
2. Provide 2-inch conduit run into garage areas for future electric vehicle charging stations.

The following sections are amended /added to the referenced model code, leaving the Prescriptive Option, Total Building Performance Option, and the Energy Rating Index Option intact and unchanged:

R401.2 Application. Amend to read: "Residential buildings shall comply with Section R401.2.5 and one of Sections R401.2.1, R401.2.2, R401.2.3, or R401.2.4; OR residential buildings shall comply with Section R401.2.6 only."

R401.2.6 KCMO Compliance Path.

The KCMO Compliance Path requires compliance with Section R409.

R409 KCMO Compliance Path:

1. Submit a Home Energy Rating System (HERS) "Projected Report" based on the building plans showing an index score of 68 or better (better means a score of 68 or lower) by a RESNET certified Energy Rater with each permit application, along with a

statement by the applicant that they are utilizing the KCMO Compliance Path, and one Energy Code Analysis (ECA) sheet showing one wall section and one plan view marking the thermal envelope.

2. 3rd Party Inspections and Testing performed during construction by a RESNET certified Energy Rater and required to be submitted prior to Temporary or Full Certificate of Occupancy:
 - a. Insulation Inspection(s)
 - b. Duct Leakage Testing
 - c. Whole House Leakage Testing
3. As a condition of Temporary or Full Certificate of Occupancy, submit a Final Compliance report verifying the score of 68 by a RESNET certified Energy Rater
4. As a condition of Temporary or Full Certificate of Occupancy, post a permanent certificate inside the building which lists:
 - a. the predominant R-values of insulation installed in ceilings, roof, wall, and foundation components;
 - b. the U-factors and solar heat gain coefficient (SHGC) of fenestration;
 - c. the results of the duct and whole house leakage tests;
 - d. the types, sizes and efficiencies of heating, cooling and service water-heating equipment; and
 - e. if on-site photovoltaic panel systems have been installed, the array capacity, inverter efficiency, panel tilt and orientation.

When utilizing this R409 KCMO Compliance Path in conjunction with a Master Building Plan, the submitted HERS Projected Report must contemplate the most energy intensive combined variables of the plan options to include directional orientation. Additionally, items 1 through 3 above are required for the first build only of each Master Building Plan. Subsequent builds of the same Master Building Plan are not required to repeat item 1. Item 4 is required as a condition for every Temporary or Full Certificate of Occupancy, regardless of plan type or number of times built.

No additional documentation shall be required for plan review and/or permitting under this R409 KCMO Compliance Path.

Section 2. That previously approved Master Buildings Plans under the KCMO Energy Code shall have an opportunity to change to the R409 KCMO Compliance Path if so designated in writing and with the submission of required documents outlined in Section 1 within 30 days of the effective date of this ordinance.

Section 3. That previously approved Master Building Plans that were approved prior to September 29, 2023 (the mandatory implementation date of Ordinance), are eligible for use and permits when using the R409 KCMO Compliance Path. In such instances, applicant shall submit a letter detailing the previously approved Master Building Plan they are using, and that any conflicting energy notes on that plan are now voided and replaced with the details of the documentation, inspections and testing required for the R409 KCMO Compliance Path as outlined in Section 1.

Further, regardless of chosen compliance path, all residential plan reviews are subject to City Code Section 2-2300, Permitting Standards.

Section 4. That the City may endeavor to create a systematic method to reduce the HERS score required in R409 KCMO Compliance Path in keeping with Strategies B-2 and B-3 of the 2022 Climate Protection & Resiliency Plan. Such reductions shall occur no more than once every three years from the effective date of this Ordinance, shall be published at least one year in advance of their effective date(s), shall not exceed the equivalent of a 6% reduction over any 3-year period from the prior score, and shall be based on analyzing data from the prior time period's actual HERS scores. (Following such schedule would result in a HERS score of 50 by the year 2040 as recommended in Strategy B-3.).
..end

Approved as to form:

Eluard Alegre
Associate City Attorney

NO
Docket
Memo
Provided
For
Ordinance
240434



File #: 240447

ORDINANCE NO. 240447

Sponsor: Councilperson Nathan Willett

Amending Chapter 88, Code of Ordinances, by repealing Section 88-424-13, Capital Improvement Sales Tax Fund-Tree Planting, and enacting in lieu thereof a new section of like number and subject matter, for the purpose of requiring tree planting funds to be deposited and spent within designated benefit districts. ***Held until 06/25/2024***

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances, is hereby amended by repealing Section 88-424-13, Capital Improvement Sales Tax Fund-Tree Planting, and enacting, in lieu thereof, a new section of like number and subject matter, said section to read as follows:

88-424-13 - Capital Improvement Sales Tax Fund-Tree Planting

88-424-13-A. Purpose

The purpose of the Capital Improvement Sales Tax Fund-Tree Planting is to facilitate tree planting, to ensure mitigation or tree replacement when tree preservation or tree mitigation standards are not met on a particular development site, and to advance the City’s goals for the urban forest and intent to achieve equitable distribution of tree-related benefits across the City.

88-424-13-B. Collection and Expenditures

The City shall provide separate accounts within the Capital Improvement Sales Tax Fund-Tree Planting based on the geographic areas of City Council Districts. These geographic areas shall be the same as the benefit districts identified in Section 39-6(d) and (e), Arterial Street Impact Fees, Accounting and expenditures. Planting may only be used for the following purposes within the Benefit Districts in which they were received:

1. To plant trees and maintain newly established trees on public property, including within street rights-of-way. Planting trees includes the cost of materials and labor necessary to install and maintain a tree during the warranty period.
2. Expenditures may include but are not limited to labor, materials, maintenance, administration, education, and outreach for both City staff and contracted services.

88-424-13-C. Payment

Payment to the Capital Improvement Sales Tax Fund-Tree Planting benefit districts may occur through a number of means, including:

1. Payment made in lieu of tree mitigation as part of a permit issued as stated in Section 88-424-10;
2. Payment made in lieu of preservation or planting where site or street characteristics or development requirements make it infeasible to meet the requirements of Section 88-424.
3. Payment of restoration fees for enforcement actions for trees; and
4. Voluntary contribution.

88-424-13-D. Administration of the Capital Improvement Sales Tax Fund-Tree Planting

Funds deposited into the Capital Improvement Sales Tax Fund-Tree Planting benefit districts are administered by the director of parks and recreation, shall be maintained in dedicated separate accounts, and are independent of the general fund. Any balance in the Tree Planting Fund benefit districts will be carried forward into subsequent fiscal years. Funds collected must be used within 15 years of the date payment is received as listed in 88-424-13-B.

Section B. That the Council finds and declares that before taking any action on the proposed amendment to Chapter 88 hereinabove, all public notices have been given and hearings have been held as required by law.

..end

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

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240447

Submitted Department/Preparer: Parks Recreation

Revised 11/01/23

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

Executive Summary

Amending Chapter 88, Code of Ordinances, by repealing Section 88-424-13, Capital Improvement Sales Tax Fund-Tree Planting, and enacting in lieu thereof a new section of like number and subject matter, for the purpose of requiring tree planting funds to be deposited and spent within designated benefit districts.

Discussion

Amending Chapter 88, Code of Ordinances, by repealing Section 88-424-13, Capital Improvement Sales Tax Fund-Tree Planting, and enacting in lieu thereof a new section of like number and subject matter, for the purpose of requiring tree planting funds to be deposited and spent within designated benefit districts.

Fiscal Impact

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

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

This ordinance has no direct fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - Build on existing strengths while developing a comprehensive transportation plan for the future.
 - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

N/A

Service Level Impacts

This legislation will have no impact on service levels.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Planting trees will impact all members of the community in regard to air and water quality, neighborhood walkability, and visual aesthetics.
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
It promotes a city-wide effort for the funding of tree planting.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

This ordinance amends certain sections of code and is not subject to CREO review.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 240466

ORDINANCE NO. 240466

Sponsor: Councilmember Wes Rogers

Approving a development plan which also serves as a preliminary plat in District B3-2 on about 18.97 acres generally located at the southwest corner and southeast corner of N.W. Englewood Road and North Mercier Drive to allow for residential development. (CD-CPC-2024-00033)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan which also serves as a preliminary plat in District B3-2 (Community Business) on an approximately 18.7 acre tract of land generally located at the southwest corner and southeast corner of N.W. Englewood Road and North Mercier Drive, legally described as:

Part of the Northeast Quarter of Section 34, Township 51 North, Range 33 West of the 5th Principal Meridian in Kansas City, Clay County, Missouri, being more particularly described as follows:

Beginning at the intersection of the East line of Kinsley Forest Estates First Plat, a subdivision in said Clay County, Missouri, and the South right-of-way line of NW. Englewood Road, as established by Special Warranty Deed Book 8038 at Page 191 in said Clay County, Missouri; thence Easterly, along said South right-of-way line to the intersection of said South right-of-way line and the West right-of-way line of N. Mercier Drive, as established by the plat of Kinsley Forest Apartments First Plat, a subdivision in said Clay County, Missouri; thence Southerly, along said West right-of-way line to the Northernmost corner of Lot 1, said Kinsley Forest Apartments First Plat; thence Southwesterly, along the West line of said Lot 1 to the Northeast corner of Tract J of Kinsley Forest Estates Second Plat, a subdivision in said Clay County, Missouri; thence Westerly, along the North line of said Kinsley Forest Estates Second Plat to the Southeast corner of Tract "D" of said Kinsley Forest Estates First Plat; thence Northerly, along the East line of said Kinsley Forest Estates First Plat to the point of beginning. Containing 11.35 acres, more or less.

and

Beginning at the intersection of the West right-of-way line of N. Mercier Drive, as established by the plat of Kinsley Forest Apartments First Plat, a subdivision in

said Clay County, Missouri, and the South right-of-way line of NW. Englewood Road, as established by Special Warranty Deed Book 8038 at Page 191 in said Clay County, Missouri; thence Easterly, along said South right-of-way line to the intersection of said South right-of-way line and the West right-of-way line of N. Summit Street, as established by Special Warranty Deed Book 8038 at Page 190 in said Clay County, Missouri; thence Southerly, along said West right-of-way line to the intersection of said West right-of-way line and the Northeasterly right-of-way line of N. Mercier Drive, as established by said Kinsley Forest Apartments First Plat; thence Westerly and Northerly, along said Northeasterly right-of-way line to the point of Beginning. Containing 7.62 acres, more or less.

is hereby approved, subject to the following conditions

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 B. 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:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240466

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Approving a development plan which also serves as a preliminary plat in District B3-2 on about 18.97 acres generally located at the southwest corner and southeast corner of N.W. Englewood Road and North Mercier Drive to allow for residential development. (CD-CPC-2024-00033)

Discussion

The applicant is seeking approval of a major amendment to a previously approved development plan, also serving as a preliminary plat, to allow approximately 127 residential units in district B3-2 and R-2.5 on about 19.5 acres generally located at the southwest and southeast corners of NW Englewood Road and N. Mercier Drive.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
This is a zoning ordinance and has not been evaluated against this subject matter.
3. How does the legislation affect the current fiscal year?
This is a zoning ordinance and has not been evaluated against this subject matter.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
This is a zoning ordinance and has not been evaluated against this subject matter.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
This is a zoning ordinance and has not been evaluated against this subject matter.

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

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Inclusive Growth and Development (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts.
 - Ensure quality, lasting development of new growth.
 - Increase and support local workforce development and minority, women, and locally owned businesses.
 - Create a solutions-oriented culture to foster a more welcoming business environment.
 - Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States.
 -

Prior Legislation

CD-CPC-2022-00044 – Ordinance 220420 – A request to approve a development plan and a preliminary plat for multi-family residential uses containing 304 units in District B3-2 on about 19.5 acres generally located at NW Englewood Road and N. Mercier Drive.

Service Level Impacts

None

Other Impacts

1. What will be the potential health impacts to any affected groups?
No negative impacts are anticipated.
2. How have those groups been engaged and involved in the development of this ordinance?
The applicant held a public engagement meeting pursuant to 88-505-12 of the Zoning and Development Code.
3. How does this legislation contribute to a sustainable Kansas City?
This legislation is required to ensure that the developer complies with City standards.

4. Does this legislation create or preserve new housing units?
Yes (Press tab after selecting)

Total Number of Units 126
Number of Affordable Units

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)
Please provide reasoning why not:

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 240468

ORDINANCE NO. 240468

Sponsor: Director of the City Planning Department

Amending Chapter 88, Code of Ordinances, by repealing Section 88-405-10, Streets, and enacting in lieu thereof a new section of like number and subject matter; and repealing Section 88-405-21, Installation or Financial Guarantee of Required Improvements, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-405-26, Plats Straddling Jurisdictional Boundaries, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-02, Scope and Applicability, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-08, Administration and Procedures, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-10, Inspections, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-11, Plan Review Process, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-570-02, Applicability; Authorized Administrative Adjustments; all in order to redirect certain permitting and inspection functions from the City Planning and Development Department to the Water Services and Public Works Departments.

TO BE IT ORDANIED BY COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, Code of Ordinances, is hereby amended by repealing Section 88-405-04, Required Dedications and Reservations, Section 88-405-06, Blocks, Section 88-405-10, Streets, Section 88-405-21, Installation or Financial Guarantee of Required Improvements, Section 88-405-26, Plats Straddling Jurisdictional Boundaries, Section 88-415-02, Scope and Applicability, Section 88-415-08, Administration and Procedures, Section 88-415-10, Inspections, Section 88-415-11, Plan Review Process, and Section 88-570-02, Applicability; Authorized Administrative Adjustments, all in order to divert certain permitting and inspection function from the City Planning and Development Department to the Water Services and Public Works Departments, said sections to read as follows:

88-405-04 REQUIRED DEDICATIONS AND RESERVATIONS

In subdividing land, re-subdividing an existing plat, or creating any new residential units, a developer must dedicate rights-of-way for public streets and conform to adopted plans in providing suitable sites for parks, playgrounds, or other public or private recreational areas or open spaces in accordance with the standards of this zoning and development code. All areas to be dedicated or reserved must be indicated on the preliminary plat. A developer must provide a

release or subordination of any dedicated right-of-way from and subordination of any deeds of trust to any building lines, lot lines, and easements on the plat, as required by the director.

88-405-06 BLOCKS

88-405-06-A. The length, width, and shape of blocks must be suited for the planned use of the land, zoning requirements, and need for convenient access, control and safety of street traffic and the limitations, and opportunities relating to the terrain and natural environment.

88-405-06-B. Blocks may not exceed 600 feet in length in residential subdivisions with a gross density of 4 or more dwelling units per acre. In lower density residential subdivisions blocks may not exceed 1,200 feet in length. The city planning and development director is authorized to allow longer block lengths if the director determines that (1) topography, sensitive natural resources or other physical constraints make shorter block lengths undesirable or impractical; (2) the design ensures adequate access for emergency vehicles and (3) the design promotes reasonable, safe and convenient non-motorized transportation access to existing or reasonably anticipated future streets, schools, shopping areas, parks, trails, open spaces, transit stops and similar areas.

88-405-10 STREETS

88-405-10-A. TRAFFIC MOVEMENT AND PEDESTRIAN CIRCULATION PRINCIPLES

The street and pedestrian circulation layout for all new subdivisions must conform to the arrangement, width and location indicated on the major street plan, comprehensive plan, the walkability plan, complete streets ordinance, or approved area plan. Street and pedestrian circulation systems must be laid out and designed with due regard for topography and drainage and to:

1. create an integrated system of lots, streets, trails, and infrastructure that provides for efficient movement of pedestrians, bicycles, and automobiles within the subdivision and to and from adjacent development;
2. provide for the efficient movement of through traffic by providing an interconnected hierarchy of streets in order to avoid isolation of residential areas and over-reliance on major roads;
3. provide safe and attractive pedestrian routes to nearby commercial centers, as well as nearby public/civic, employment, and recreation uses; and
4. be uncomplicated, so that emergency services, public services, and visitors can find their way to their intended destinations.

88-405-10-B. CONNECTIONS TO ABUTTING PROPERTY

1. A network of interconnected streets is intended to:
 - (a) provide safe, convenient, and efficient means of access to lots;

- (b) promote orderly development patterns;
 - (c) facilitate the effective and efficient provision of emergency and public services; and
 - (d) avoid degradation of traffic carrying capacity on the major street network.
2. Streets in new subdivisions must connect with dedicated streets in adjacent subdivisions and provide for future extension of streets into adjacent areas that are likely to be developed in the future. Waivers to street connection requirements may be approved in accordance with 88-405-25 if topography, sensitive natural resources or other physical constraints make such connections undesirable or impractical.
 3. Streets proposed for future extension ("stub streets") must be terminated with temporary turnarounds when the stub street extends 150 feet or more from the nearest intersecting street right-of-way or when more than one lot will have access solely from the stub street. Stub streets are subject to the maximum cul-de-sac length standard of 88-405-10-C.
 4. Temporary turnarounds must be constructed in accordance with the city's Standards, Specifications, and Design Criteria. Unless otherwise expressly approved they must be located on (off-site) adjacent property. An off-site temporary roadway easement is required and evidence of such a recorded easement must be submitted at the time of application for permit. If the developer owns the off-site property, the temporary roadway easement may be recorded simultaneously with the final plat for the subject property.
 5. If providing a temporary turnaround on (off-site) adjacent property is not practical or the developer is not able to obtain the required off-site temporary easement, the director of public works may approve one of the following options:
 - (a) elimination of the off-site temporary turnaround in lieu of an on-site permanent concentric bubble right-of-way curbed turn-around centered on the extending street centerline prior to the termination point of the street extension (minimum lot sizes, dimensions, and setbacks must be maintained for lots fronting on the turn-around right-of-way); or
 - (b) provision of an on-site, non-concentric bubble temporary turn-around on one or more lots and provision of a temporary easement encumbrance over the entire lot or lots affected by the turn-around. If a portion of a lot is encumbered by the turn-around, the entire lot must be covered by the easement without exception. The easement will be retained until the street is extended in a subsequent phase or plat, the temporary turn-around is removed, all permanent street improvements are completed and accepted across the lot or lots, thus eliminating the need for the temporary turn-around and easement.

6. The developer must post a sign at the terminus of all stub streets indicating that the stub street is intended to be opened to through traffic when the adjacent property is developed. The sign must state "FUTURE THROUGH STREET. TO BE CONNECTED WHEN ABUTTING PROPERTY DEVELOPS." The city may provide specifications for required signs.

88-405-10-C. CUL-DE-SACS

1. Cul-de-sacs streets may not exceed 600 feet in length unless otherwise expressly approved by the city planning and development director or city plan commission. In no event may a cul-de-sac street be approved that exceeds 1,320 feet in length or that serves more than 20 dwelling units. The length of a cul-de-sac street is measured from the center point of its turnaround, along the centerline of its right-of-way to the nearest edge of the right-of-way of the nearest intersecting street.
2. A pedestrian access easement must be provided to connect from the terminus of the cul-de-sac streets with existing or reasonably anticipated future streets, schools, shopping areas, parks, trails, open spaces, transit stops and similar areas. The city planning and development director is authorized to waive this pedestrian access easement requirement when a pedestrian connection is deemed impractical or will not serve the intended purpose of providing safe and convenient non-motorized transportation access to such areas.
3. Turnarounds at the end of cul-de-sac streets must be constructed in accordance with the city's Standards, Specifications, and Design Criteria.

88-405-10-D. INTERSECTIONS

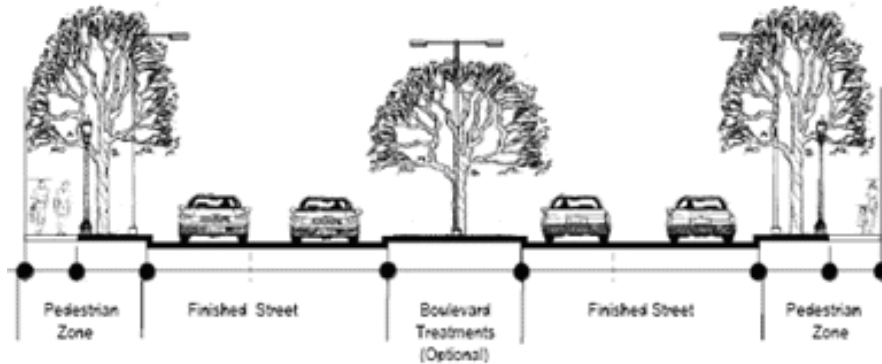
1. Streets must intersect each other at right angles unless otherwise dictated by pedestrian and vehicle safety, topography, or other factors of environmentally sensitive site design.
2. Intersection radii must comply with the city's Standards, Specifications, and Design Criteria, provided that the director of public works may require a greater or reduced radius when anticipated traffic or roadway and intersection improvements warrant.

88-405-10-E. RIGHT-OF-WAY WIDTH

Proposed streets must have a right-of-way width that will safely accommodate the transportation (vehicular, pedestrian, and bicycle) improvements and street cross-sections needed to provide appropriate, safe, and adequate access to the subject development, in accordance with the city's Major Street Plan and Standards, Specifications, and Design Criteria.

88-405-10-F. CROSS-SECTION DESIGN

1. **DESCRIPTION**



(a) **FINISHED STREET**

The finished street component of a street cross-section is the portion of the right-of-way comprised of the paved street from curb to curb, or edge to edge where curb and gutter is not provided. The finished street includes the following elements:

- (1) vehicle travel lanes;
- (2) on-street parking, where applicable;
- (3) turn lanes, where necessary;
- (4) on-street bicycle facilities, where applicable; and
- (5) finished street edge (e.g., curb/gutter, swale/ditch, shoulder, and street lighting.)

(b) **PEDESTRIAN ZONE**

The pedestrian zone component of a street cross-section is the portion of the right-of-way that primarily accommodates pedestrian movement and buffers pedestrians and adjacent land uses from moving vehicles on the finished street. The pedestrian zone includes the following elements:

- (1) pedestrian facility (e.g., sidewalk or trail), providing dedicated areas for pedestrian travel along streets;
- (2) amenity/buffer area (e.g., tree lawn, vegetated natural buffer, expanded sidewalk), providing separation of pedestrians from moving vehicle lanes and providing a landscape amenity or occasionally street furniture along the street; and
- (3) off-street bicycle facilities (optional), providing dedicated or shared off-street bicycle facilities along bike routes in areas where on-street facilities would be inappropriate or impractical.

(c) **BOULEVARD TREATMENT**

The boulevard treatment is an optional component of a street cross-section that includes a landscaped median as the focal point of the street and may include additional design elements such as frontage access lanes (i.e., "slip roads"), buffer strips, and parking.

2. **REQUIRED IMPROVEMENTS**

Street cross-sections must be designed and constructed in accordance with adopted public works standards or plans found to be in general compliance with this ordinance during the subdivision approval process.

88-405-10-G. GRADES

Street grades must provide safe and convenient traffic conditions while avoiding excessive grading and unnecessary removal of ground cover and tree growth. Street grades must comply with the Public Works's Standards, Specifications, and Design Criteria.

88-405-10-H. VERTICAL CURVATURE

All changes in street grade must be connected by vertical curves and be designed for safe stopping sight distances and safe sight distance at the entrance to subdivisions, in accordance with the Public Work's Standards, Specifications, and Design Criteria. The development review committee is authorized to require that applicants submit a sight distance analysis at the time of preliminary subdivision plat review.

88-405-10-I. HORIZONTAL CURVATURE

The required centerline radius of horizontal curves must be based on engineering considerations of topography, length of street, number of curves and other factors, as determined by the of public works. Horizontal curves on arterial streets must be designed in accordance with the Public Work's Standards, Specifications, and Design Criteria.

88-405-10-J. ALLEYS

Alleys and service lanes are permitted and encouraged within new subdivisions. Alleys, whether public or private, must comply with the department of public works' Standards, Specifications, and Design Criteria or plans found to be in general compliance with this ordinance during the subdivision approval process. Dead-end alleys are prohibited.

88-405-10-K. HALF STREETS

Where an existing dedicated or platted half street is adjacent to the tract being subdivided, the other half of the street right-of-way must be dedicated by the subdivider in conformance with the requirements of the major street plan. Half street dedications for minor or access streets are not permitted unless there is satisfactory agreement with the city that both adjacent developers agree to dedicate and construct one-half of the street.

88-405-10-L. STREET NAMES

Street names must be assigned by the street naming committee at the time of preliminary plat approval. The developer must submit a street name sign plan with the preliminary plat submittal. The street name sign plan must be drawn at a readable scale that shows the proposed street layout with proposed names, perimeter streets and street names, lot lines,

and proposed street name sign locations, with a note stating the names to be put on each sign. The sign locations, size, and message must comply with department of public works' "Specifications for Fabricating and Installing Street Name Signs."

88-405-10-M. BOULEVARD AND PARKWAY DESIGN STANDARDS

Construction of any street that has been designated as a boulevard or parkway on the major street plan, or a park under the jurisdiction of the board of parks and recreation commissioners must conform to the design standards that have been adopted and approved by the city council as part of the Boulevard and Parkway Standards.

88-405-10-N. SUBORDINATION AGREEMENTS

1. PURPOSE

The city requires that street rights-of-way dedicated to the public be and remain available for access to individual properties and to other streets and roadways. In order to ensure that the rights of the public to the use of street right-of-way will not be infringed upon, this section requires that any utility or other easement be subordinate to the rights of the public in the street right-of-way, except as otherwise expressly stated.

2. CONTENTS OF SUBORDINATION AGREEMENT

(a) In the case of a dedication of right-of-way that involves dedication over a pre-existing utility easement before the dedication of the right-of-way to the city, a subordination agreement must include an agreement by the easement holder to subordinate its easement to the city's public right-of-way subject to the rights of the easement holder to be reimbursed if future improvements to the right-of-way require the relocation or adjustment of the utility's facilities located within the easement or cause conditions that constructively require the relocation or adjustment of the utility's facilities located within the easement. Agreements that include the following provisions are acceptable to the city:

- (1) The city agrees that utility's obligation to relocate is dependent upon the city providing the utility with an easement for the relocation; and
- (2) The city agrees that if future improvements to the right-of-way require the relocation or modification or other adjustment of the utility's facilities located in the easement, the city will not require the utility to pay the cost of relocating, modifying, or adjusting its facilities. In those cases, the agreement must also provide that if the utility's future improvement, reconstruction, or maintenance of its facilities located in the easement damages the right-of-way, the utility will repair or replace the existing right-of-way in accordance with city standards in effect on the date of damage. Notwithstanding anything contained herein to the contrary, should the improvements set forth in the

construction plan or plans for improvements required by the final plat within the new right-of-way require the relocation or other adjustment of the utility's facilities located in the easement or cause conditions that constructively require the relocation or adjustment of the utility's facilities located within the easement, the developer will be responsible for all costs associated with relocating, modifying, or adjusting in any way the utility's facilities, including easement acquisition costs, associated with the improvements.

- (b) In the case of a dedication of right-of-way to the city that involves a utility easement that was recorded after the site or development plan, or preliminary plat, whichever occurs earlier, was submitted for approval, a subordination agreement must include the agreement by the easement holder to subordinate its easement to the city's public right-of-way without a requirement for the easement holder to be reimbursed if it is required to relocate its existing facilities located within the easement. The agreement must also provide that if the utility's future improvement, reconstruction or maintenance of its facilities located in the easement damages the right-of-way, the utility will repair or replace the existing right-of-way in accordance with city standards in effect on the date of damage. Notwithstanding anything contained herein to the contrary, this subsection will not apply to situations where the developer granted the utility easement before January 1, 2011 or where the utility easement was provided to the utility company under condemnation or the threat of condemnation; in those situations, the subordination agreement as required in subsection 2(a) will be acceptable.

3. **EXCEPTION REQUESTS**

In the case of special circumstances where a developer is unable to obtain the subordination from the easement holder or is unable to obtain the form of the subordination agreement as required in subsection 2, a developer may request at the time of final plat approval by the city council an exception to the requirement for the subordination of the easement or to the form of the required subordination agreement as delineated above in subsection 2. This request may be approved by the city council in consideration of all of the following information:

- (a) the utility or easement holder consents to the dedication of the right-of-way over its easement;
- (b) the date the utility obtained the easement and a copy of the easement;
- (c) the name of the entity that granted the easement to the utility;
- (d) a description of the facilities located in the easement; and
- (e) an explanation of the steps taken by the applicant to minimize the crossings of the streets with the utility easements;

- (f) the efforts made by the developer to obtain the subordination from the easement holder or to the obtain the subordination agreement in the form delineated in subsection 2 from the easement holder; and
- (g) the city council may require the developer to submit additional information to support its request, including an estimate from the utility of how much it would cost to relocate the facilities located in the easement and an explanation of the likelihood that future improvements to the right-of-way will require a relocation or adjust to the utilities' facilities.

4. GRANT OF EXCEPTION

In reviewing the request for an exception to the requirement for subordination of the easement or for the use of a subordination agreement in a form other than as provided in subsection 2, the city council may consider all of the following:

- (a) that there are special circumstances or conditions affecting the property that were not caused by the developer;
- (b) that approval of the plat without the subordination or without the form required by subsection 2 is necessary for reasonable and acceptable development of the property in question, taking into account whether there is another solution, feasible for the developer to pursue, that would induce the holder of the easement to subordinate its easement to the city's new right-of-way in conformance with subsection 2; and
- (c) that approval of the exception to the requirement for a subordination or for a form that conforms to the requirements of subsection 2 will not be detrimental to the public welfare, taking into account whether the potential financial burden to the city is outweighed by the benefit of the new development.

88-405-21 INSTALLATION OR FINANCIAL GUARANTEE OF REQUIRED IMPROVEMENTS

88-405-21-A. PREREQUISITE TO RELEASE OF FINAL SUBDIVISION PLAT FOR RECORDING

1. After construction plans have been reviewed for compliance with applicable requirements but before a final subdivision plat is released by the city for recording, the developer must install or guarantee the completion of required improvements and guarantee maintenance of such improvements.
2. If the developer chooses to complete required improvements prior to release of a final plat for recording, the developer must obtain construction permits and post required maintenance guarantees for the installed improvements

3. If the developer chooses not to install required improvements before release of the final subdivision plat for recording, the developer must obtain construction permits and post a financial guarantee of performance and maintenance in accordance with 88-405-21-B.

88-405-21-B. FINANCIAL GUARANTEES

Financial guarantees for temporarily deferred improvements must be provided in the form of bonds, escrow, or letters of credit in accordance with this subsection.

1. BONDS

- (a) The developer may post a performance bond for all or a portion of the required improvements, in an amount estimated by the director of public works or director of water services (as applicable) to be sufficient to cover the entire cost of construction, engineering, installation, and dedication of the improvements to be covered by the bond. Bonds for partial improvements may be accepted only if the balance of the public improvements are completed before release of the final plat for recording.
- (b) Performance bonds must comply with the requirements of RSMo 89.410 and are subject to approval by the director of finance.
- (c) Within 2 years of the date that the performance bonds are posted, the developer must obtain all required construction permits and post performance and maintenance bonds for completion of the required improvements. The director of public works or director of water services (as applicable) may, upon proof of hardship, extend the 2-year life of the bond for a maximum of one additional year. Further extensions may be granted by the city council. In the event of any time extension, the director of public works or director of water services (as applicable) may require an increase in the bond amount if the director determines that the original bond amount will not be sufficient to cover the costs of construction, engineering, installation, and dedication of the improvements to be covered by the bond.
- (d) The city is authorized to delay release of final plats for subsequent phases of the subdivision until required public improvements are installed in accordance with the construction permit and bond provisions.
- (e) The city is authorized to accept one bond on a project with work performed for the public works department and water services department.

2. ESCROW OR LETTER OF CREDIT

- (a) The developer may enter into an escrow or a letter of credit agreement with the city. This form of financial guarantee requires that the applicant place in escrow or submit a letter of credit in an amount estimated by the director of public works or director of water

services (as applicable) to be sufficient to cover the entire cost of construction, engineering, installation, and dedication of the improvements to be covered by the financial guarantee. Unless a completion date is properly extended by the director of public works or director of water services (as applicable) for the escrow or letter of credit agreement, public improvements must be completed in accordance with the following timetable:

Improvement	Required Completion (years from plat recording)
Wastewater (sewer)	2
Stormwater management	2
Streets	2
Sidewalks	2
All other	2

- (b) The escrow or letter of credit agreement must be submitted before the final plat is forwarded to the city council.
- (c) The city is authorized to delay release of final plats for subsequent phases of the subdivision until required public improvements are installed.

88-405-26 PLATS STRADDLING JURISDICTIONAL BOUNDARIES

Wherever access to a subdivision is required across land within another municipality or political jurisdiction, the city plan commission may request an opinion from the city attorney that access is legally established and also from the director of public works to ensure that the access road is adequately improved or that a performance bond has been duly executed and is sufficient to ensure construction of the access road.

88-415-02 SCOPE AND APPLICABILITY

88-415-02-A. The stream buffer standards of this article apply to all stream corridors identified on the Kansas City Natural Resource Map. In the event of conflict between the stream buffer standards of this article and the stream buffer provisions of the city's Standards, Specifications, and Design Criteria, the stream buffer standards of this article govern. If a variance is obtained, the stream buffer provisions apply to the relocated stream and mitigated natural resources. For the purpose of this article, storm sewer systems, human-made channels (except those designed to function as natural streams), and roadside ditches are not considered streams and are not subject to the stream buffer provisions of this article.

88-415-02-B. In the event of conflict between the stream buffer regulations of this article and Federal Aviation Administration (FAA) requirements, FAA requirements govern.

88-415-02-C. The stream buffer regulations of this article are not intended to prohibit maintenance of existing city-owned facilities within the stream buffer, nor do the regulations require the removal of lawfully established facilities or improvements from the stream buffer area.

88-415-02-D. Beginning February 14, 2009, the stream buffer regulations of this article (88-415) will apply to all applications for approval of development plans, project plans, preliminary plats, final plats, and amendments to such plans or plats except as follows:

1. If the city plan commission has not recommended approval of a final plat for a unified development plan, preliminary plan, development plan, special use permit or any other Board of Zoning Adjustment approval, or preliminary plat that was approved before January 1, 2003 (referred to as a "pre-2003 approved plan"), the regulations of this article will not apply to any phases of the pre-2003 approved plan as long as the city plan commission recommends approval of the first final plat within one year of the date that the city planning and development director sends certified mail notice of this requirement to the subject property owner.
2. If the city plan commission has recommended approval of a final plat for a pre-2003 approved plan before February 14, 2009, the regulations of this article will not apply to any phases of the pre-2003 approved plan as long as the city plan commission recommends approval of the next final plat for the pre-2003 approved plan by February 14, 2014.
3. In all other cases where a unified development plan, preliminary plan, development plan or preliminary plat has been approved after January 1, 2003 and before February 14, 2009, the regulations of this article will not apply to any phases of the unified development plan, preliminary plan, development plan or preliminary plat as long as the city plan commission recommends approval of the next final plat by February 14, 2014.
4. If the requirements of 88-415-02-D.1, 88-415-02-D.2 and 88-415-02-D.3 have been met, the regulations of this article will not apply to any phases of the unified development plan, preliminary plan, development plan or preliminary plat as long as the city plan commission recommends approval of each subsequent final plat within 3 years of the date that city plan commission recommended approval of the immediately preceding final plat.
5. The regulations of this article will not apply to amended development plans or amended preliminary plats if no significant changes are made. A significant change is any change that: (1) adds additional land area to the approved plan; (2) changes the overall land use in a way that would increase stormwater runoff volumes and rates; (3) increases the number of lots by 10% or more (as compared to the number of lots included in the originally approved plan/plat); or (4) increases the developed area by 10% or more (as compared to the originally approved plan/plat).

6. The regulations of this article will not apply to amended development plans or amended preliminary plats if the proposed changes to the development plan or preliminary plat are not located in an area on the development plan or preliminary plat where the buffer requirements would normally apply. If the proposed changes are located in an area where the stream buffer requirements would normally apply, then the amendment of that area on the plan/plat must comply with the regulations of this article for the amended area only.

88-415-02-E. The water services director is authorized to approve an extension of the time frames established in 88-415-02-D.1, 88-415-02-D.2, 88-415-02-D.3, and 88-415-02-D.4 for a maximum of one year. Extension requests must be submitted in writing and include an explanation and justification for the request.

88-415-02-F. For purposes of this section 88-415-02, "unified development" means a development consisting of one or more zoning or subdivision applications that were approved by city council on or about the same date on contiguous property through the same applicant. Additionally, for purposes of this section, commercial and residential plans approved collectively as one unified development (although approved through separate ordinances and plans) will be construed to be a single approved preliminary plan or phase.

88-415-08 ADMINISTRATION AND PROCEDURES

88-415-08-A. REVIEW FOR COMPLIANCE

Review for compliance with these standards will be conducted in conjunction with platting. Developments that are not subject to platting, will be subject to site or development plan review, which must be conducted prior to application for a building permit.

88-415-08-B. EXCEPTIONS

Exceptions to the stream buffer standards of this section may be approved by the city council subject to all applicable city, state, and federal regulations. When exceptions are approved, applicants must mitigate impacts in accordance with the mitigation standards 88-415-07-C.

1. In order to approve an exception request, the city council must find that strict application of one or more stream buffer standards would result in an unnecessary hardship for the subject property and that such unnecessary hardship is unique to the subject property and not generally applicable to other similarly situated property. In order to approve the exception request, the city council must also determine that adequate mitigation measures in accordance with 88-415-07-C will be provided in conjunction with the project.
2. Applicants must submit a stream buffer exception application and mitigation plan to the water services director in a form and manner required by the water services director. The exception application and/or mitigation plan must include the following:

- a. a written description of the perceived hardship;
 - b. a description of all measures taken to avoid or otherwise minimize encroachment into the buffer zone (beyond the extent of encroachment allowed by 88-415-05-C.2);
 - c. proposed mitigation for any encroachment, as required by 88-415-08-B.4; and
 - d. a preliminary buffer plan, as required by 88-415-07-D that clearly displays the location and total acreage of proposed clearing and grading, and the percentage of outer zone area proposed to be cleared. The buffer plan must also include the limits and total acreage of proposed mitigation, and ratio of proposed mitigation to cleared area.
3. The water services director must review the plan for compliance with the stream buffer regulations of this article and approve, approve with conditions or deny the application for exception. An exception may be approved when the water services director determines that a bona fide hardship exists and when the integrity of the stream corridor will be protected through avoidance, minimization, and appropriate mitigation measures.
4. Disturbed natural resources must also be mitigated in conjunction with 88-415-07-C. Any additional mitigation beyond that allowed in 88-415-07-C must comply with the following criteria. Federal mitigation credits, revegetation or restoration of any portion of the original disturbance counts toward the required mitigation.
- a. Mitigation of outer zone vegetation that is contiguous to the remaining outer zone vegetation must be provided at a ratio of 1.5 units of mitigation area to 1 unit of existing outer zone area.
 - b. Mitigation of outer zone vegetation that is not contiguous to the remaining outer zone vegetation but is along the same stream reach must be provided at a ratio of 2 to 1.
 - c. Mitigation of outer zone vegetation that is not located along the same stream reach, but is provided within the same watershed, must be provided at a ratio of 2.5 to 1.
 - d. Mitigation of outer zone vegetation that is not located in the same watershed must be provided at a ratio of 3 to 1.
 - e. In all cases, a continuous outer zone vegetation connection of at least 25 feet must be maintained to avoid fragmenting the vegetated area.
 - f. Encroachment into the middle or streamside zones or alteration of the stream channel must be mitigated at a ratio of 4 to 1.

- g. The water services director may approve mitigation at city-designated locations in lieu of locations owned or controlled by the applicant.
- 5. Utilities may encroach into the streamside zone only when available system connection points physically preclude an alignment farther from the edge of stream, or, in the case of sanitary and storm sewers, when the controlling elevations provide insufficient head for normal system function. Streambanks and natural resource areas affected by allowed encroachments must be stabilized in accordance with the city's Standards, Specifications, and Design Criteria, and natural resources must be mitigated in accordance with 88-415-07-C and 88-415-08-B.4.

88-415-08-C. MAP REVISIONS

The water services director is authorized to maintain, update and make corrections to the Kansas City Natural Resource Map to ensure its accuracy. When map updates add stream reaches or otherwise propose to or have the effect of expanding the land area affected by the stream buffer regulations of this article, the water services director shall cause all affected owners to be noticed in the same manner as zoning map amendments (See 88-515-04).

88-415-10 INSPECTIONS

Required stream buffers must be inspected by the water services director to confirm that such buffers conform to the approved stream buffer plan prior to recording of a plat or prior to the issuance of a building permit by the city planning and development director, whichever occurs first. The property owner shall cause the stream buffer to be accessible to the water services director to facilitate inspection, construction, maintenance, and other activities related to the stream and public infrastructure in the buffer area.

88-415-11 PLAN REVIEW PROCESS

Upon the filing of any application required by this zoning and development code, the director of water services shall evaluate:

88-415-11-A. When a regulated stream or floodplain is present on the subject property; or

88-415-11-B. When a regulated stream is located on an adjacent property and within 200 feet of the subject property; or

88-415-11-C. When the outside edge of a 100-year floodplain, with or without a regulated stream contained therein, is located on adjacent property and is within 150 feet of the subject property.

88-570-02 APPLICABILITY; AUTHORIZED ADMINISTRATIVE ADJUSTMENTS

The city planning and development director, director of public works, and director of water services have the authority to review and approve the following administrative adjustments:

88-570-02-A. P/O DISTRICT—BUILDING LOCATION STANDARDS

1. The city planning and development director is authorized to approve an administrative adjustment to the building placement standards of 88-230-03-A.
2. Such an administrative adjustment may be approved only when the city planning and development director determines that useable public spaces or pedestrian amenities (e.g., extra-wide sidewalk, plaza with seating or outdoor dining area) will be provided between the building and the street.

88-570-02-B. P/O DISTRICT—TRANSPARENT WINDOW STANDARDS

1. The city planning and development director is authorized to approve an administrative adjustment to the ground-floor transparency standards of 88-230-03-B.
2. Such an administrative adjustment may be approved only when the city planning and development director determines that (1) such a reduction will be offset by the provision of other pedestrian amenities or building or site design features that are not otherwise required by this zoning and development code.

88-570-02-C. P/O DISTRICT—DOOR AND ENTRANCE STANDARDS

1. The city planning and development director is authorized to approve an administrative adjustment to the door and entrance standards of 88-230-03-C.
2. Such an administrative adjustment may be approved only when the city planning and development director determines that a safe pedestrian walkway not exceeding 20 feet in length is provided between the building entrance and the sidewalk abutting street.

88-570-02-D. P/O DISTRICT—DRIVEWAY AND VEHICLE ACCESS STANDARDS

1. The director of public works is authorized to approve an administrative adjustment to the driveway and vehicle access standards of 88-230-03-E,
2. Such an administrative adjustment may be approved only when the director of public works determines, in consultation with other appropriate city officials that access to the subject lot cannot be safely accommodated by alley or side (non-pedestrian) street access.

88-570-02-E. GROUND-FLOOR COMMERCIAL SPACE

The city planning and development director is authorized to approve an administrative adjustment to reduce the ground-floor commercial floor area requirement of 88-120-07 by up to 20%.

88-570-02-F. BICYCLE PARKING

1. The city planning and development director is authorized to approve an administrative adjustment reducing the number of bicycle spaces required under 88-420-09.
2. Such an administrative adjustment may be approved only when the city planning and development director determines that use will generate reduced bicycle traffic or that it would be impossible to provide bicycle parking at the subject location.

88-570-02-G. LANDSCAPING

The city planning and development director is authorized to approve administrative adjustments to otherwise applicable landscape standards, as expressly authorized in 88-42513.

88-570-02-H. MINOR AMENDMENTS TO APPROVED DEVELOPMENT PLANS

Unless otherwise expressly stated in this zoning and development code or as part of the final action to approve a development plan, the city planning and development director is authorized to approve an administrative adjustment allowing minor amendments to approved development plans. For the purpose of this provision, minor amendments are changes that:

1. do not increase building coverage by more than 10%, cumulative;
2. do not increase the cumulative floor area by more than 10% or 1,500 square feet, whichever is less;
3. do not increase building height by more than 10% or 6 feet, whichever is less;
4. do not increase the total cumulative impervious surface coverage by more than 10% or 2,000 square feet, whichever is less;
5. do not involve extensive site modifications;
6. do not increase the number of dwelling units or residential occupancy by more than 10%; or
7. do not, in the determination of the city planning and development director, have impacts that warrant city plan commission, city council, or board of zoning adjustment review of the application.

88-570-02-I. TRAIL ENCROACHMENTS INTO STREAMSIDE BUFFER ZONE

The director of water services is authorized to approve an administrative adjustment allowing paved or unpaved trails to encroach into the streamside zone (See 88-415-05-A. 1). Administrative adjustments for (paved or unpaved) trail encroachments into the streamside zone may be approved only when the director of water services determines that alternative alignments are not feasible due to topography, the presence of existing structures such as bridges or flood control levees, the inability to acquire property to accommodate other trail alignments, or when that the trail represents the termini of existing trails and trail rights-of-way. Streambanks and natural resource areas affected by allowed encroachments must be stabilized in accordance with the city's Standards, Specifications and Design Criteria, and natural resources must be mitigated in accordance with 88-415-07-C and 88-415-08-B.4.

88-570-02-J. NONCONFORMITIES

The city planning and development director is authorized to approve an administrative adjustment allowing expansion of a nonconforming use into another part of the same building, in accordance with Section 88-610-04-C.

88-570-02-K. SIGNS

The city planning and development director is authorized to approve an administrative adjustment to allow an electronic, digital or motorized wall sign that is directed toward the interior of a site that is at least 3 acres and that meets each of the following standards:

1. The sign is not visible from any other site or any right of way.
2. The design of the sign is compatible with the design of the development and the other existing signs on the site.
3. The sign will not negatively impact the use or enjoyment of any other property.

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

..end

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

Secretary, City Plan Commission

Approved as to form:

Dustin E. Johnson
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240468

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Amending Chapter 88, Code of Ordinances, by repealing Section 88-405-10, Streets, and enacting in lieu thereof a new section of like number and subject matter; and repealing Section 88-405-21, Installation or Financial Guarantee of Required Improvements, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-405-26, Plats Straddling Jurisdictional Boundaries, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-02, Scope and Applicability, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-08, Administration and Procedures, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-10, Inspections, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-415-11, Plan Review Process, and enacting in lieu thereof a new section of like number and subject matter; repealing Section 88-570-02, Applicability; Authorized Administrative Adjustments; all in order to redirect certain permitting and inspection functions from the City Planning and Development Department to the Water Services and Public Works Departments.

Discussion

Zoning and Development Code Text Amendments makes changes to Chapter 88 of the Kansas City, MO Municipal Code. These amendments can be periodic to “clean up” components of the Zoning and Development Code or address policy and urban planning best practices. The proposed Zoning and Development Code Text Amendment responds to departmental changes triggered by Ordinance 230741.

The proposed ordinance does not directly align with CWBP.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable – as this is an ordinance authorizing an amendment to the Zoning and Development Code.

3. How does the legislation affect the current fiscal year?
Not applicable – as this is an ordinance authorizing an amendment to the Zoning and Development Code.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable – as this is an ordinance authorizing an amendment to the Zoning and Development Code.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Not applicable – as this is an ordinance authorizing an amendment to the Zoning and Development Code.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Please Select (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 -
 -
 -
 -
 -
 -

Prior Legislation

Ordinance 230741

Amending Chapter 60, Code of Ordinances of Kansas City, Missouri, by repealing Section 60-32, Construction of private sewage disposal systems, and enacting in lieu thereof a new section of like number and subject matter; Amending Chapter 61-20, Code of Ordinances of Kansas City, Missouri, by repealing Section 61-20, Enclosing natural drain ditches, and enacting in lieu thereof a new section of like number and subject matter; Amending Chapter 63, Code of Ordinances of Kansas City, Missouri, by repealing Sections 63-21, Title and authority, and 63-24, Definitions, and enacting in lieu thereof new sections of like number and subject matter; Amending Chapter 64, Code of Ordinances of Kansas City Missouri, by repealing Section 64-4, and enacting in lieu thereof a new section of like number and subject matter; Amending Chapter 2, Code of Ordinances of Kansas City, Missouri by enacting a new Article XIX entitled "City Permits", Section 2-2300 entitled "Permitting Standards" all for the purpose of transferring certain permitting functions from the City Planning and Development Department to the Water Services and Public Works Departments; Directing the City Manager to begin transition of these permits from the City Planning and Development Department to the Water Services and Public Works Departments before May 1, 2024, including taking steps to address any needed staffing, funding, and legislative changes to effectuate the transition; and directing the City Manager to review implementation of these process changes and report back to Council in one year.

Service Level Impacts

Service level impacts may be identified in the City Manager's report back to Council in one year.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Not applicable – as this is an ordinance authorizing an amendment to the Zoning and Development Code.
2. How have those groups been engaged and involved in the development of this ordinance?
Not applicable – as this is an ordinance authorizing an amendment to the Zoning and Development Code.
3. How does this legislation contribute to a sustainable Kansas City?
Not applicable – as this is an ordinance authorizing an amendment to the Zoning and Development Code,
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

[Click or tap here to enter text.](#)

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

[Click or tap here to enter text.](#)

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)