



Agenda - Final

Neighborhood Planning and Development Committee

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

Wednesday, October 12, 2022

1:30 PM

26th Floor, Council Chamber

<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 2 Minutes

[220891](#)

Sponsor: Director of City Planning and Development Department

Approving the plat of Villages at View Crest, an addition in Clay County, Missouri, on approximately 26.23 acres generally located at the northeast corner of Highway 152 and Highway 169, creating 3 lots and 2 tracts for the purpose of a 3 lot multi-family subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2021-00031)

Attachments: [2021-00031 Ordinance Fact Sheet](#)
[Authenticated Ordinance 220891](#)

Director of City Planning & Development

[220895](#)

Sponsor: Director of City Planning and Development Department

Approving a development plan in District UR/DC-15 on about 0.62 acres generally located at 110 E. 3rd Street for a seven-story residential apartment

building with approximately 102 units, two separate integrated parking garages, and approximately 2600 square feet of retail at street level. (CD-CPC-2022-00127)

Attachments: [Fact Sheet](#)
[Authenticated Ordinance 220895](#)

Director of City Planning & Development

[220896](#)

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 17.61 acres generally located at 7700 N Brighton Avenue from District R-2.5 (Residential 2.5) to District MPD (Master Planned Development) and approving a preliminary development plan, which also acts as a preliminary plat, to allow the construction of 124 residential units. (CD-CPC-2022-00126)

Attachments: [Fact Sheet](#)
[Authenticated Ordinance 220896](#)

Director of City Planning & Development

[220897](#)

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 20 acres generally located at Hillcrest Road and E. 93rd Street from UR to UR and approving a UR development plan and preliminary plat for 313 residential units (CD-CPC-2022-00136).

Attachments: [Fact Sheet](#)
[Authenticated Ordinance 220897](#)

Director of City Planning & Development

[220898](#)

Sponsor: Director of City Planning and Development Department

RESOLUTION - Approving and endorsing Cas-KC-NEDA, LLC in its application to the Missouri Department of Economic Development Brownfields Redevelopment Program, as authorized by, and in accordance with, Chapter 447, Section 447.700 through 447.718 of the Revised Statutes of Missouri, for state remediation tax credits for redevelopment of 1108-1110 Grand Boulevard, Kansas City, Missouri.

Attachments: [Fact Sheet](#)
[Fiscal Note](#)
[Authenticated Resolution - 220898](#)

Director of City Planning & Development, Shields and Bunch

[220899](#) Sponsor: Director of City Planning and Development Department and Councilpersons Shields and Bunch

Designating the 31st & Main Historic District to the Kansas City Register of Historic Places (H/O Overlay) at 3035-45 Main Street and 6-10 East 31st Street that includes approximately .4 acres to be rezoned from UR to UR/HO. (CD-CPC-2022-00120)

Attachments: [Fact Sheet - Historic Overlay](#)
[31st Main Street 31 Main LLC - NPD CC Presentation](#)
[Authenticated Ordinance - 220899](#)

Robinson, Lucas, Fowler, Ellington, Parks-Shaw, Bough and Bunch

[220902](#) Sponsors: Councilperson Robinson, Mayor Lucas, Councilpersons Bough and Bunch

Stating the Council’s intent regarding use of up to \$50,000,000.00 in general obligation bond proceeds in the event that voters approve authorization of such bonds on November 8, 2022; designating said funds for the purpose of affordable housing and stating the Council’s intent to appropriate said funds into the Housing Trust Fund; and establishing additional requirements for the use of the funds with preference for proposals that provide for “deeply affordable housing.”

Attachments: [No Fact Sheet - Resolution](#)
[Fiscal Note 220902](#)
[Authenticated Resolution - 220902](#)

HELD IN COMMITTEE

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

Attachments: [fact sheet](#)

Lucas and Parks-Shaw

[220701](#) Establishing administrative processes for awarding standard incentive packages to residential, office, and industrial developments that meet certain criteria and directing the City Manager and the Director of Finance to take certain acts to implement the standard incentive packages.

Attachments: [No Fact Sheet](#)
[Fiscal Note 220701](#)
[Attachment A. Minimum Standard Incentive Packages
2022-2027 with maps 8.15.2022](#)
[Committee Sub 220701](#)
[Compared Version 220701](#)
[20220822 - Stokes - KC tax subsidies](#)

City Plan Commission and Director of City Planning & Development
220878 Sponsor: Director of City Planning and Development Department

Rezoning an area of about 5.6 acres generally located on the west side of Holmes Road, approximately 700 feet south of E. 127th Street from District O-2 to District R-5, and approving a preliminary plat, creating 19 detached lots. (CD-CPC-2022-00061 and CD-CPC-2022-00077)

Attachments: [CD-CPC-2022-00061&CD-CPC-2022-00077 Factsheet
220878 COM](#)

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 #: 220891

ORDINANCE NO. 220891

Sponsor: Director of City Planning and Development Department

Approving the plat of Villages at View Crest, an addition in Clay County, Missouri, on approximately 26.23 acres generally located at the northeast corner of Highway 152 and Highway 169, creating 3 lots and 2 tracts for the purpose of a 3 lot multi-family subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2021-00031)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Villages at View Crest, 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 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 Storm Water Detention 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 record copies of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Clay County, Missouri.

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on September 6, 2022.

..end

Approved as to form and legality:

Eluard Alegre
Associate City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

220891

Ordinance Number

Brief Title

Approving the plat of Villages at View Crest Plat an addition in Kansas City, Clay County, Missouri

<p>Specific Address Approximately 26.23 acres generally located at the northeast corner of Highway 152 and Highway 169</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Sponsor</td> <td>Jeffrey Williams, AICP, Director Department of City Planning & Development</td> </tr> <tr> <td>Programs, Departments, or Groups Affected</td> <td>City-Wide Council District(s) 2(CL) Loar - Fowler Other districts (school, etc.) Platte County R-III</td> </tr> <tr> <td>Applicants / Proponents</td> <td>Applicant(s) 3C Investments LLC City Department City Planning and Development Other</td> </tr> <tr> <td>Opponents</td> <td>Groups or Individuals None Known Basis of Opposition</td> </tr> <tr> <td>Staff Recommendation</td> <td><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</td> </tr> <tr> <td>Board or Commission Recommendation</td> <td>By: City Plan Commission September 6, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</td> </tr> <tr> <td>Council Committee Actions</td> <td><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</td> </tr> </table>	Sponsor	Jeffrey Williams, AICP, Director Department of City Planning & Development	Programs, Departments, or Groups Affected	City-Wide Council District(s) 2(CL) Loar - Fowler Other districts (school, etc.) Platte County R-III	Applicants / Proponents	Applicant(s) 3C Investments LLC City Department City Planning and Development Other	Opponents	Groups or Individuals None Known Basis of Opposition	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:	Board or Commission Recommendation	By: City Plan Commission September 6, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions	Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass
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<p>Reason for Project This final plat application was initiated by 3C Investments LLC in order to subdivide the property in accordance with the city codes and state statutes. The developer intends to construct a 3 lot multi-family home subdivision.</p>															
<p>Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p> <p>CONTROLLING CASE Case No. CD-CPC-2018-00155- Ord. 190340 approved on May 23, 2019, the Council approved a rezoning for an approximate 27-acre tract of land generally located at the northeast corner of Missouri Highway 152 and Missouri Highway 169 from District R-80 to District MPD, and approved a development plan that serves as a preliminary plat for a 206 multi-family townhome and senior living development.</p>															

Details

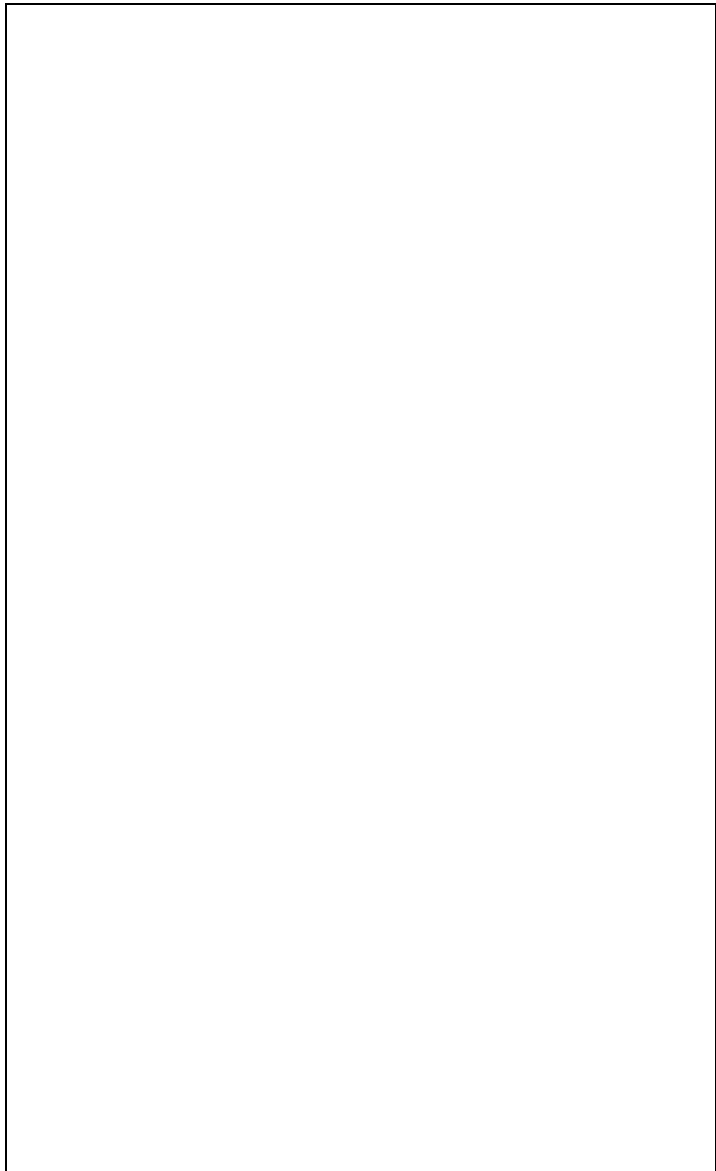
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Policy / Program Impact

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

Finances

Cost & Revenue Projections – Including Indirect Costs N/A	
Financial Impact N/A	
Fund Source and Appropriation Account Costs N/A	
Is it good for the children?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



How will this contribute to a sustainable Kansas City?	<p>This project consists of public and private improvements for a 3 lot multi-family residential development, on approximately 26.23 acres of previously undeveloped property. These facilities will reduce the overall storm water volume and attenuate the peak runoff rate to less than existing conditions. The private open space will also retain much of the existing natural vegetation and natural waterways. Modern and safe, walkable streets with sidewalks, curb and gutter and street lights will be constructed. New sanitary sewers will be constructed that will minimize infiltration and inflow within the system conveyed to the treatment facility. Homeowners must adhere to the codes, covenants and restrictions prepared for the project to assure ongoing maintenance and upkeep of their personal residences and common properties. This development will increase the tax base for the developed lots and will provide ample permanent greenspace within the development.</p> <p>Written by Lucas Kaspar, PE</p>
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Project Start Date

Projected Completion or Occupancy Date

Fact Sheet Prepared by:
Thomas Holloway

Date: September 29, 2022

Reviewed by:
Joe Rexwinkle
Land Development Division (LDD)
City Planning & Development

Reference or Case Numbers: CLD-FnPlat-2021-00031

FINAL PLAT VILLAGES AT VIEW CREST LOTS 1 THRU 3, AND TRACTS A AND B KANSAS CITY, CLAY COUNTY, MISSOURI

PLAT DEDICATION:
THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION SHALL BE HEREAFTER KNOWN AS VILLAGES AT VIEW CREST.

LEGAL DESCRIPTION:
ALL THAT PART OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 2 AND ALL THAT PART OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 3, ALL BEING IN TOWNSHIP 51, RANGE 33, KANSAS CITY, CLAY COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTH 00°02'54" WEST (RECORD-SOUTH 00°03'38" WEST), ALONG THE WEST LINE OF SAID FRACTIONAL NORTHWEST QUARTER, 439.97 FEET (RECORD-439.97 FEET); THENCE SOUTH 89°09'08" EAST (RECORD-SOUTH 89°04'45" EAST), 128.93 FEET (RECORD-128.32 FEET) TO ITS INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 169, AS NOW ESTABLISHED, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE TRACT TO BE HEREBY DESCRIBED; THENCE CONTINUING SOUTH 89°09'08" EAST (RECORD-SOUTH 89°04'45" EAST), 326.41 FEET (RECORD-380.00 FEET); THENCE EASTERLY, ALONG A CURVE TO THE LEFT WITH AN INITIAL TANGENT BEARING OF SOUTH 79°44'56" EAST, HAVING A RADIUS OF 584.93 FEET (RECORD-589.93 FEET) AND A DISTANCE OF 176.21 FEET (RECORD-189.91 FEET); THENCE SOUTH 89°09'08" EAST, 3.74 FEET; THENCE SOUTH 00°02'54" WEST (RECORD-SOUTH 00°03'38" WEST), 1.35 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE; THENCE NORTH 11°13'54" WEST (RECORD-NORTH 7°02'29" WEST), 1938.25 FEET (RECORD-1912.00 FEET) TO ITS INTERSECTION WITH THE NORTHERLY LINE OF MISSOURI ROUTE 152, AS NOW ESTABLISHED; THENCE NORTH 74°05'08" WEST, 1.35 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE; THENCE NORTH 11°13'54" WEST (RECORD-NORTH 7°02'29" WEST), 1938.25 FEET (RECORD-1912.00 FEET) TO ITS INTERSECTION WITH THE NORTHERLY LINE OF MISSOURI ROUTE 152, AS NOW ESTABLISHED; THENCE NORTH 74°05'08" WEST, 1.35 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE; THENCE NORTH 11°13'54" WEST (RECORD-NORTH 7°02'29" WEST), 1938.25 FEET (RECORD-1912.00 FEET) TO ITS INTERSECTION WITH THE NORTHERLY LINE OF MISSOURI ROUTE 152, AS NOW ESTABLISHED; THENCE NORTH 15°21'51" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE (RECORD-NORTH 15°21'51" WEST), 500.00 FEET TO ITS INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 169; THENCE NORTH 11°12'22" EAST (RECORD-NORTH 10°00'48" EAST), ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 293.01 FEET; THENCE NORTH 21°14'08" EAST (RECORD-NORTH 21°03'19" EAST), ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 550.25 FEET TO THE TRUE POINT OF BEGINNING.

EASEMENT DEDICATION:
AN EASEMENT IS HEREBY GRANTED TO KANSAS CITY, MISSOURI, FOR THE PURPOSE OF LOCATING, CONSTRUCTING, OPERATING, AND MAINTAINING FACILITIES FOR WATER, GAS, ELECTRICITY, SEWAGE, TELEPHONE, CABLE TV AND SURFACE DRAINAGE, INCLUDING, BUT NOT LIMITED TO, UNDERGROUND PIPES AND CONDUITS, PAD MOUNTED TRANSFORMERS, SERVICES PREDETAILED ANY OR ALL OF THEM UPON, OVER, UNDER AND ALONG THE STRIPS OF LAND DESIGNATED UTILITY EASEMENTS OR USES, PROVIDED THAT THE EASEMENT GRANTED HEREIN IS SUBJECT TO ANY AND ALL EXISTING EASEMENTS. ANY UTILITIES LOCATED WITHIN THE DESIGNATED UTILITY EASEMENTS BY VIRTUE OF THEIR EXISTENCE, OR HEREBY COVENANT, CONSENT, AND AGREES THAT THEY SHALL BE SUBORDINATE TO SAID PUBLIC RIGHT OF WAY IN THE EVENT THAT ADDITIONAL PUBLIC RIGHT OF WAY IS DEDICATED OVER THE LOCATION OF THE UTILITY EASEMENT. WHERE OTHER EASEMENTS ARE DESIGNATED, THE USE THEREOF SHALL BE LIMITED TO THAT PURPOSE ONLY. ALL OF THE ABOVE EASEMENTS SHALL BE KEPT FREE FROM ANY AND ALL OBSTRUCTIONS WHICH WOULD INTERFERE WITH THE CONSTRUCTION OR RECONSTRUCTION AND PROPER, SAFE, AND CONTINUOUS MAINTENANCE OF THE AFORESAID USES AND SPECIFICALLY THERE SHALL NOT BE BUILT THEREON OR THEREOVER ANY STRUCTURE (EXCEPT DRIVEWAYS, PAVED AREAS, GRASS, SHRUBS AND FENCES) NOR SHALL THERE BE ANY OBSTRUCTION TO INTERFERE WITH THE AGENTS AND EMPLOYEES OF KANSAS CITY, MISSOURI AND ITS FRANCHISED UTILITIES FROM GOING UPON SAID EASEMENT AND AS MUCH OF THE ADJOINING LANDS AS MAY BE REASONABLY NECESSARY IN EXERCISING THE RIGHTS GRANTED BY THE EASEMENT. NO EXCAVATION OF FILL SHALL BE MADE OR PERFORMED ON ANY KIND OR MANNER SHALL BE PERFORMED WHICH WILL REDUCE OR INCREASE THE EARTH COVERAGE OVER THE UTILITIES ABOVE STATED OR THE APPURTENANCES THERE TO WITHOUT A VALID PERMIT FROM THE DEPARTMENT OF PUBLIC WORKS AS TO UTILITY EASEMENTS.

DRAINAGE EASEMENT:
A DRAINAGE EASEMENT (DE) FOR THE PURPOSE OF STORM WATER DRAINAGE INCLUDING THE RIGHT TO BUILD, CONSTRUCT, KEEP, REPAIR AND MAINTAIN STORM WATER DRAINAGE FACILITIES UNDER, IN, OVER, AND UPON AS MAY BE NECESSARY, BEING AND SITUATED IN KANSAS CITY, MISSOURI (THE CITY), IS HEREBY GRANTED TO THE CITY. THE CITY SHALL HAVE THE RIGHT AT ALL TIMES TO GO UPON THE LANDS HEREBY DESCRIBED TO CONSTRUCT, MAINTAIN AND REPAIR THE SAID DRAINAGE FACILITIES AS MAY BE NECESSARY. NOTHING SHALL IN ANY WAY INTERFERE WITH THE SAFE AND UNRESTRICTED USE OF THE LAND ADJACENT TO AND ABOVE SAID DRAINAGE FACILITIES, NOR ATTEMPT TO USE SAID PROPERTY IN SUCH MANNER AS WOULD INTERFERE WITH THE PROPER, SAFE AND CONTINUOUS MAINTENANCE AND USE OF SAID DRAINAGE FACILITIES AND SPECIFICALLY SHALL NOT BUILT THEREON OR THEREOVER ANY STRUCTURE WHICH MAY INTERFERE WITH THE MAINTENANCE AND USE THEREOF.

SANITARY SEWER EASEMENT:
A SEWER EASEMENT (SE) FOR THE LOCATION, CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, OPERATION AND REPAIR OF SEWERAGE IMPROVEMENTS AND ANY AND ALL APPURTENANCES INCIDENTAL THERETO IN, UNDER, UPON, OVER, AND THROUGH LAND LYING, BEING AND SITUATED IN KANSAS CITY, MISSOURI (THE CITY), IS HEREBY GRANTED TO THE CITY. BY THE GRANTING THIS EASEMENT, IT SHALL NOT BE CONSTRUED TO PROHIBIT DEVELOPMENT OF ANY ADJOINING PROPERTY OR FROM THE LAYING OUT, ESTABLISHING AND CONSTRUCTING PAVEMENT, SURFACING OF ROADWAYS, CURBING AND GUTTERS ALONG, UPON, OVER OR ACROSS SAID EASEMENT OR ANY PORTION THEREOF. PROVIDED, HOWEVER, SAID EASEMENT SHALL BE KEPT FREE FROM ADDITIONAL DEPTH OF OVERBURDEN, BUILDINGS, AND ANY OTHER STRUCTURE OR OBSTRUCTION (EXCEPT SIDEWALKS, ROADWAYS, PAVEMENT, GRASS, SHRUBS, FENCES, OR CURBS), WHICH WILL INTERFERE WITH THE CITY IN ENTERING UPON SAID ADJACENT LAND AND EASEMENT FOR THE PURPOSE OF LAYING, CONSTRUCTING, RECONSTRUCTING, OPERATING, REPAIRING AND MAINTAINING SUCH SEWERAGE IMPROVEMENTS AND APPURTENANCES.

WATERLINE EASEMENT:
AN EASEMENT IS HEREBY GRANTED TO KANSAS CITY, MISSOURI, TO ENTER UPON, CONSTRUCT, MAINTAIN, AND USE CONDUITS, SEWER PIPES, SURFACE DRAINAGE FACILITIES, ETC., UPON, OVER, UNDER, AND ACROSS THOSE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "WATER LINE EASEMENT" AND SUBJECT TO THE MANAGEMENT BY THE CITY TO REGULATE THE SUBORDINATE USE OF OTHER EASEMENTS BY GOVERNMENTAL ENTITIES, UTILITIES, AND OTHER SERVICE PROVIDERS WITHIN THOSE OUTLINED AND DESIGNATED EASEMENT AREAS. THESE AREAS SHALL BE SUBJECT TO THE RIGHT OF THE CITY, IN ITS SOLE DISCRETION, TO REQUIRE THE RELOCATION OR MODIFICATION OF ANY UTILITY FACILITY OR OTHER PROPERTY IMPROVEMENT, INCLUDING THE REMOVAL OF VEGETATION, DETERMINED BY THE CITY TO IMPAIR THE STRENGTH OR INTERFERE WITH THE USE AND MAINTENANCE OF ANY STORMWATER DRAINAGE FACILITY OR OTHERWISE INTERFERE WITH OR OBSTRUCT THE FLOW OF SURFACE DRAINAGE WATER.

PRIVATE OPEN SPACE, TRACTS A AND B:
THE PRIVATE OPEN SPACE (2.17 ACRES) SHOWN ON THIS PLAT IS HEREBY RESERVED TO SATISFY A PORTION OF THE REQUIRED PARKLAND DEDICATION FOR 96 2-COWLING UNITS AND 34 2-COWLING UNITS, PURSUANT TO SECTION 80-406-A, CODE OF GENERAL ORDINANCES 1-42 (ACRES REQUIRED).

STREET DEDICATION:
STREETS SHOWN HEREON AND NOT HERETOFORE DEDICATED FOR PUBLIC USE AS STREET RIGHT-OF-WAY ARE HEREBY DEDICATED.

BUILDING LINES:
BUILDING LINES OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT AND NO BUILDINGS OR PORTION THEREOF SHALL BE BUILT BETWEEN THIS LINE AND THE STREET LINE.

RIGHT OF ENTRANCE:
THE RIGHT OF ENTRANCE AND EGRESS IN TRAVEL ALONG ANY STREET OR DRIVE WITHIN THE BOUNDARIES OF THE PROPERTY IS HEREBY GRANTED TO KANSAS CITY, MISSOURI, FOR THE PURPOSE OF FIRE AND POLICE PROTECTION, MAINTENANCE OF WATER MAINS, SANITARY AND STORM SEWER LINES, COLLECTION OF GARBAGE AND REFUSE AND TO THE UNITED STATES POSTAL SERVICES FOR THE DELIVERY OF MAIL. PROVIDED, HOWEVER, SUCH RIGHT OF INGRESS AND EGRESS DOES NOT INCLUDE ANY OBLIGATION TO CONTRIBUTE FOR ANY DAMAGE TO ANY PRIVATE STREET OR DRIVE BY VIRTUE OF THE EXERCISE OF THE RIGHTS STATED HEREIN AND SPECIFICALLY, NEITHER KANSAS CITY, MISSOURI NOR THE U.S. POSTAL SERVICE SHALL INCUR ANY LIABILITY BY VIRTUE OF THE EXERCISE OF SUCH RIGHTS.

I HEREBY CERTIFY THAT THE PLAT OF "VILLAGES AT VIEW CREST" SUBDIVISION IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF SURVEYING, AS REQUIRED BY THE MISSOURI BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATE ORDINANCES AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATING OF SUBDIVISIONS TO THE BEST OF MY BELIEF.

- NOTES:**
1. THE SUBJECT PROPERTY CONTAINS 26.23 ACRES MORE OR LESS.
 2. ACCESS TO PROPERTY VIA PUBLIC RIGHT OF WAY: NW 96TH TERRACE.
 3. PARCEL TRACT AS RECORDED IN BOOK 4378, PAGE 527.
 4. CLASS OF PROPERTY - URBAN.

BASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY ARE GRID BEARINGS.

FLOOD ZONING:
A PART OF THE SUBJECT PROPERTY LIES IN AN AREA LABELED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 500-YEAR FLOOD PLAIN) AND A PART OF THE SUBJECT PROPERTY LIES IN AN AREA LABELED ZONE "AC" (BASE FLOOD ELEVATION IS DETERMINED AS DETERMINED BY THE FIRM FLOOD INSURANCE RATE MAP NUMBER 26050C094G WITH A MAP DATE OF JANUARY 05, 2017).

SURVEY REFERENCE:
TITLE COMMITMENT FILE NUMBER: NCS-873275-KCY
EFFECTIVE DATE: OCTOBER 31, 2017 AT 8:00 AM
FIRST AMERICAN TITLE COMPANY

THE REFERENCED TITLE REPORT DESCRIBES THE FOLLOWING EASEMENTS IN SCHEDULE BII AS EXCEPTIONS:

- ITEM # 8 - LACK OF ABUTTERS RIGHTS, GRANTED OR TAKEN AS SHOWN IN THE REPORT OF COMMISSIONERS IN SUIT FILED IN THE CIRCUIT COURT OF CLAY COUNTY AS NO. 23748 AND RECORDED NOVEMBER 13, 1996, AS DOCUMENT NO. A-76450 IN BOOK 579, PAGE 24. (AFFECTS PROPERTY AND IS SHOWN)
- ITEM # 9 - RIGHTS OBTAINED UNDER REPORT OF COMMISSIONERS FILED IN CASE NO. C191 - 5855C AND FILED UNDER DOCUMENT NO. L-8487 IN BOOK 2865, PAGE 813. (AFFECTS PROPERTY AND IS SHOWN)
- ITEM # 10 - RIGHT OF WAY AGREEMENT WITH WILLIAMS PIPELINE CO. FILED UNDER DOCUMENT NO. L-10488 IN BOOK 2968, PAGE 342. (DOES NOT AFFECT PROPERTY, APPROX. LOCATION IS SHOWN PER EXHIBIT A OF DOCUMENT)
- ITEM # 11 - EASEMENTS CONTAINED IN INSTRUMENT FILED UNDER DOCUMENT NO. D-14433 IN BOOK 1246, PAGE 592. (SAME AS ITEM # 13 AFFECTS PROPERTY AND IS SHOWN)
- ITEM # 12 - COMMUNICATIONS RIGHT OF WAY AGREEMENT CONTAINED IN INSTRUMENT FILED UNDER DOCUMENT NO. F-87673 IN BOOK 1797, PAGE 932. (DOES NOT AFFECT PROPERTY AND NOT SHOWN)
- ITEM # 13 - LACK OF DIRECT ACCESS TO ROUTE 152, SAID RIGHT OF DIRECT ACCESS HAVING BEEN CONVEYED BY INSTRUMENT FILED AS DOCUMENT NO. D-14433 IN BOOK 1246, PAGE 592. (SAME AS ITEM # 11 AFFECTS PROPERTY AND IS SHOWN)
- ITEM # 14 - EASEMENT GRANTED TO KANSAS CITY POWER & LIGHT BY INSTRUMENT FILED UNDER DOCUMENT NO. L-18688 IN BOOK 2984, PAGE 148. (AFFECTS PROPERTY AND IS SHOWN)
- ITEM # 15 - SEWER EASEMENT GRANTED TO KANSAS CITY AS SET FORTH IN THE INSTRUMENT RECORDED MAY 18, 2004 AS DOCUMENT NO. S-71409 IN BOOK 4619, PAGE 640. (AFFECTS PROPERTY AND IS SHOWN)

STATE PLANE COORDINATE TABLE		
	IN METERS	
CL-10 RESET	NORTHING	EASTING
①	34352.816	84287.765
②	34354.021	84291.239
③	34346.747	84306.777
④	34340.577	84287.193
⑤	34377.783	84268.750
⑥	34379.534	84281.648
⑦	34403.837	84272.387
⑧	34402.638	84281.829
⑨	34402.544	84281.987
⑩	+ 3.26803327	

ALL COORDINATES AND ALL BEARINGS AS SHOWN IN THIS SURVEY FILE ARE BASED ON MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE (SS83) A COMBINED GRID FACTOR OF 0.999994

① - STATE PLANE POINT NUMBER



CITY PLAN COMMISSION: _____ **PUBLIC WORKS:** _____
APPROVED: _____ DIRECTOR: RAULPH S. DAVIS, P.E.

CITY COUNCIL:
THIS IS TO CERTIFY THAT THE WITHIN PLAT OF "VILLAGES AT VIEW CREST" WAS DULY SUBMITTED AND APPROVED BY THE COUNCIL OF KANSAS CITY, MISSOURI, BY ORDINANCE NO. DULY AUTHENTICATED AS PASSED THIS ____ DAY OF _____, 20__.

MAYOR: GUNTON LUCAS _____ CITY CLERK: MARILYN SANDERS _____

JACKSON COUNTY GIS DEPARTMENT

ACKNOWLEDGMENT:

IN WITNESS WHEREOF, THE GRANTORS HAS HERETO EXECUTED THIS INSTRUMENT ON THE DAY AND YEAR ABOVE WRITTEN.

BY: CRAIG PORTER, MEMBER
STATE OF MISSOURI
COUNTY OF JACKSON

ON THIS ____ DAY OF _____, 20____, BEFORE ME APPEARED CRAIG PORTER, MEMBER OF JC INVESTMENTS, LLC, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS HIS FREE ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY OFFICE IN _____, THE DAY AND YEAR LAST ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

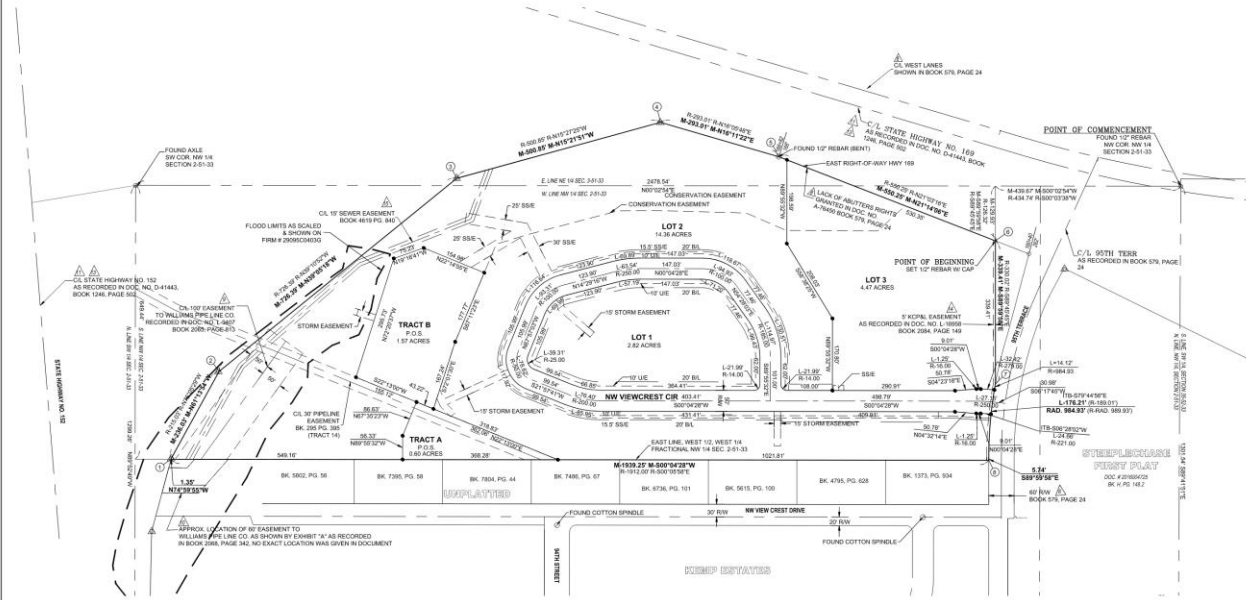
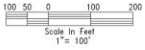
MY TERM EXPIRES _____

INDEX OF SHEETS:
COVER SHEET AND NOTES 1
TRACT DIMENSIONS 2
EASEMENTS AND STREET GRADES 3

RESERVED FOR THE RECORDER OF DEEDS

FINAL PLAT	
VILLAGES AT VIEW CREST KANSAS CITY, CLAY COUNTY, MISSOURI	
DATE: MARCH 19, 2021	BOUNDARY & CONSTRUCTION SURVEYING, INC.
ENGINEER:	821 E. COLUMBIA STREET SUITE 101, LEE'S SUMMIT, MO 64086 PH: 913-844-0158 FAX: 913-844-0207
SCALE: AS SHOWN 1/8" = 40'-0" 1/4" = 80'-0" 3/8" = 120'-0" 1/2" = 160'-0" KANSAS CITY, MO 64108	PROJECT NO.: 20-403 SHEET 1 OF 3 RELEASED BY: VIEW CREST KANSAS CITY, CLAY COUNTY, MO

FINAL PLAT
 VILLAGES AT VIEW CREST
 LOTS 1 THRU 3, AND TRACTS A AND B
 KANSAS CITY, CLAY COUNTY, MISSOURI



LOCATION MAP
 SCALE = 1" = 2000'
 SECTIONS 2 & 3
 TOWNSHIP 51, RANGE 33

- LEGEND**
- BL - BUILDING LINE
 - UE - UTILITY EASEMENT
 - SSE - SANITARY SEWER EASEMENT
 - RW - RIGHT OF WAY
 - CL - CENTERLINE
 - P.O.S. - PRIVATE OPEN SPACE
 - M - MEASURED
 - R - RECORD
 - - SET 1/2" REBAR AND CAP
R.S. 21-34, MO.
 - - FOUND 1/2" REBAR
 - - CORNER NOT SET
 - ① - STATE PLANE POINT NUMBER



File #: 220891

ORDINANCE NO. 220891

Approving the plat of Villages at View Crest, an addition in Clay County, Missouri, on approximately 26.23 acres generally located at the northeast corner of Highway 152 and Highway 169, creating 3 lots and 2 tracts for the purpose of a 3 lot multi-family subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2021-00031)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Villages at View Crest, 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 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 Storm Water Detention 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 record copies of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Clay County, Missouri.

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on September 6, 2022.

Approved as to form and legality:

Eluard Alegre
Associate City Attorney



Authenticated as Passed


Quinton Lucas, Mayor


Marilyn Sanders, City Clerk

OCT 13 2022

Date Passed



File #: 220895

ORDINANCE NO. 220895

Sponsor: Director of City Planning and Development Department

Approving a development plan in District UR/DC-15 on about 0.62 acres generally located at 110 E. 3rd Street for a seven-story residential apartment building with approximately 102 units, two separate integrated parking garages, and approximately 2600 square feet of retail at street level. (CD-CPC-2022-00127)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District UR/DC-15 (Urban Redevelopment/Downtown Core) on approximately .62 acres generally located at 110 E. 3rd Street, and more specifically described as follows:

Tract 1. All of the easterly 60 feet of lot 72, measured at right angles to the northeasterly or alley line of lot 72, and all of the southeasterly 40 feet of the easterly 40 of lot 72, measured parallel to and at right angles to the northeasterly or alley line of lot 73, in block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri. All of lot 71, except the west 23 feet, in block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri. All of the east 57.5 feet of the west 82 feet of lot 72, block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri. Tract 2. All of lot 70, except the north 20 feet thereof, block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri. Tract 3. The west 24.5 feet of lot 72 and the south 40 feet of west 102 feet of lot 73 and the north 20 feet of lot 73, block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri. Tract 4. The right-of-way owned by the Kansas City Southern Railway Company in the south 40 feet of lot 70, and in lots 71, 72, and 73, block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri. Tract 5. The west 23 feet of lot 71, block 7, on the plat of the town of Kansas, commonly called Old Town, a subdivision in Kansas City, Jackson County, Missouri. Tract 6. All of the platted alley between lots 70 to 73, block 7, as shown on the plat of the town of Kansas, commonly called Old Town, a subdivision of land in Kansas City, Jackson County, Missouri, described as follows: Beginning on the west line of lot

70, block 7, 20 feet south of the northwest corner; thence south, along the west line.

is hereby approved, subject to the following conditions:

1. The developer shall file an on-line Form 7460-1, Notice of Proposed Construction or Alteration, for permanent vertical improvements or new structures and receive a Determination of No Hazard to Air Navigation from the FAA.
2. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
4. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
5. 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.
6. The applicant shall work with the City Planning and Development Department to provide additional landscaping along Walnut Street prior to a building permit.
7. No delivery vehicles shall enter the property from Grand Boulevard.
8. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
9. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and shall be installed and operable prior to the arrival of any combustible building materials onto the site (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2).
10. Hydrants shall be in place before building on structures begin.
11. 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)

12. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1 and NFPA1221)
13. The developer shall comply with the boulevard and parkway standards of 88-323 along Grand Boulevard.
14. The developer shall submit plans to the Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and street lighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks and Recreation Department standards. This applies to the Grand Boulevard street frontage.
15. The developer shall submit streetscape plans to and receive approval from the Parks and Recreation Forestry Division for the installation of street trees associated with this project.
16. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to certificate of occupancy.
17. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages, as required by the Parks and Recreation Department, prior to recording the plat or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits. This applies to the Grand Boulevard street frontage.
18. Coordinate with the Public Works Department and Streetcar Authority prior to applying for any building permit. Applicant shall receive approval from the

Streetcar Authority regarding garbage pickup schedules to ensure there is no conflict with streetcar operations.

19. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
20. 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.
21. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
22. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the disturbed area to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
23. 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.
24. 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 occupancy permits.

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 Ordinance have been given and had.

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

Ordinance Fact Sheet

Case No. (CD-CPC-2022-00127)

Brief Title

A request to approve a development of a seven-story residential apartment building with approximately 102 units, two separate integrated parking garages, and approximately 2600 SF of retail at street level on about 0.62 acres generally located at 110 E 3rd Street. (CD-CPC-2022-00127)

Details

Location: Generally located at 110 E 3rd Street.
Reason for Legislation: Development Plans must be approved by City Council.
<p>See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.</p> <p>See attached City Plan Commission Disposition Letter for the Commission's recommended conditions (if any).</p> <p>SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:</p> <ul style="list-style-type: none"> - None

Ordinance Number

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP Director Department of City Planning & Development
Programs, Departments or Groups Affected	4 th (Shields and Bunch)
Applicants / Proponents	<p>Applicant Iris Abramof NSPJ Architects, P.A</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals None</p> <p>Basis of Opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>City Plan Commission 6-0 By Allender, Beasley, Crowl, Enders, Rojas, Sadowski</p> <p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input checked="" type="checkbox"/> For, with revisions or conditions</p>
Council Committee Actions	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

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Fact Sheet Prepared By: Larisa Chambi Planner	Date: 09-21-2022		
Reviewed By: Joseph Rexwinkle	Date: 09-21-2022	Initial Application Filed: 07-17-2022	City Plan Commission Action: 09-20-2022
		Revised Plans Filed: 09-05-2022	On Schedule: No
		Off Schedule Reason: Applicant needed more time for revisions.	
Reference Numbers: Case No. CD-CPC-2022-00127			



File #: 220895

ORDINANCE NO. 220895

Approving a development plan in District UR/DC-15 on about 0.62 acres generally located at 110 E. 3rd Street for a seven-story residential apartment building with approximately 102 units, two separate integrated parking garages, and approximately 2600 square feet of retail at street level. (CD-CPC-2022-00127)

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is hereby approved, subject to the following conditions:

1. The developer shall file an on-line Form 7460-1, Notice of Proposed Construction or Alteration, for permanent vertical improvements or new structures and receive a Determination of No Hazard to Air Navigation from the FAA.
2. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
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15. The developer shall submit streetscape plans to and receive approval from the Parks and Recreation Forestry Division for the installation of street trees associated with this project.
16. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to certificate of occupancy.
17. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages, as required by the Parks and Recreation Department, prior to recording the plat or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits. This applies to the Grand Boulevard street frontage.
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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 Ordinance have been given and had.

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



Secretary, City Plan Commission

Approved as to form and legality:



Sarah Baxter
Senior Associate City Attorney



Authenticated as Passed



Quinton Lucas, Mayor



Marilyn Sanders, City Clerk

OCT 13 2022

Date Passed



File #: 220896

ORDINANCE NO. 220896

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 17.61 acres generally located at 7700 N Brighton Avenue from District R-2.5 (Residential 2.5) to District MPD (Master Planned Development) and approving a preliminary development plan, which also acts as a preliminary plat, to allow the construction of 124 residential units. (CD-CPC-2022-00126)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 80-20A-1348 rezoning an area of about 17.61 acres located at 7700 N Brighton Avenue from District R-2.5 (Residential 2.5) to District MPD (Master Plan Development), said section to read as follows:

Section 80-20A-1348. That an area legally described as:

A tract of land in the Southeast Quarter of the Northwest Quarter of Section 17, Township 51 North, Range 32 West in the City of Kansas City, Clay County, Missouri, described as follows: Commencing at the southeast corner of the Southeast Quarter of the Northwest Quarter of said Section 17; thence North 89 degrees 09 minutes 43 seconds West along the south line of said Quarter Quarter Section, a distance of 56.00 feet to a point on the west right of way line of North Brighton Avenue, recorded as Document Mo. 2005019769 in Book 4988 at page 24 and the point of beginning of the tract to be herein described; thence continuing North 89 degrees 09 minutes 43 seconds West along said south line, a distance of 1010.84 feet; thence North 1 degree 25 minutes 44 seconds East, a distance of 328.00 feet to a point on the easterly line of Tract H, Kings Gate Third Plat, a subdivision in said city, county and state recorded as Document No. 2007002520 in Plat Book G at page 98; thence North 56 degrees 21 minutes 13 seconds East, this and subsequent courses along the easterly line of said Tract H, a distance of 61.48 feet; thence North 50 degrees 47 minutes 59 seconds East, a distance of 102.89 feet; thence North 77 degrees 42 minutes 07 seconds East, a distance of 43.06 feet; thence North 57 degrees 41 minutes 26 seconds East, a distance of 69.90 feet; thence North 21 degrees 22 minutes 46 seconds East, a distance of 84.61 feet; thence North 84 degrees 26 minutes 00 seconds East, a distance of 14.70 feet; thence north 0 degrees 48 minutes 01 seconds east, a

distance of 229.07 feet; thence North 40 degrees 09 minutes 40 seconds East, a distance of 80.83 feet to the southeast corner of Tract D, Kings Gate Second Plat, a subdivision in said city, county and state recorded as Document No. 2005058236 in Plat Book G at page 28; thence North 39 degrees 09 minutes 57 seconds East, this and subsequent courses along the southerly line of said plat, a distance of 137.13 feet; thence South 59 degrees 16 minutes 54 seconds East, a distance of 85.74 feet; thence South 77 degrees 34 minutes 13 seconds East, a distance of 72.34 feet; thence South 81 degrees 08 minutes 10 seconds East, a distance of 150.96 feet; thence South 85 degrees 54 minutes 58 seconds East, a distance of 152.82 feet; thence North 89 degrees 19 minutes 06 seconds East, a distance of 149.35 feet to a point on said west right of way line of North Brighton Avenue; thence South 0 degrees 48 minutes 01 seconds West along said right of way line, a distance of 874.01 feet to the point of beginning, Subject to that part, if any, in streets, roadways, highways or other public rights-of-way. Containing 766,942 square feet or 17.61 acres, more or less

is hereby rezoned from District R-2.5 (Residential 2.5) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 80-20A-1348, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

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

1. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy 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 required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
3. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to building permit.
4. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.
5. That the developer shall continue working with staff on the landscaping plan and species provided during the MPD final plan process.
6. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018§ 507.1)

7. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2).
8. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
9. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3).
10. 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)
11. Required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
12. 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 inch 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.
13. 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.
14. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
15. The developer shall submit fire hydrant installation plans meeting a 300' maximum spacing along the portion of North Brighton adjacent to the project. Plans shall be prepared by a registered professional engineer in Missouri and shall be submitted to the water main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.
16. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the

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

17. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
18. 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.
19. The developer shall subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and the developer shall be responsible for all costs associated with subordination activities now and in the future.
20. The developer shall dedicate additional right-of-way along the west half of N. Brighton Avenue as required by the adopted Major Street Plan and Chapter 88 so as to provide a minimum of 50 feet of right-of-way as measured from the centerline, along those areas being platted, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.
21. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
22. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
23. The developer shall secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first. The public sanitary sewer must be extended to serve the property. The internal sewers will be private and will require to be covered by a Covenant to Maintain Private Sewers to be reviewed and approved by the Water Services Department.
24. The developer shall grant any BMP and/or surface drainage easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.

A copy of said development plan is on file in the office of the City Clerk with this ordinance and

is made a part hereof.

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220896

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2022-00126

Brief Title

A request to approve a rezoning from District R-2.5 (Residential 2.5) to District MPD (Master Planned Development) and a preliminary development plan, which also acts as a preliminary plat, to allow the construction of 124 residential units for rent on about 17.61 acres generally located at 7700 N Brighton Avenue. (CD-CPC-2022-00126)

Details

Location: generally located at 7700 N Brighton Avenue

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

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

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

SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

- No changes following City Plan Commission

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	1 st District O'Neill & Hall
Applicants / Proponents	Applicant Adam DeGonia McClure City Department City Planning & Development Other
Opponents	Groups or Individuals
	Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission 4-0 on 9/2/2022 By Allender, Beasley, Enders, Rojas <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold

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	<input type="checkbox"/> Do not pass
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Fact Sheet Prepared By: Genevieve Kohn Planner	Date: 9/8/2022	Initial Application Filed: 7/17/2022
Reviewed By: Joe Rexwinkle Division Manager	Date: 9/26/2022	City Plan Commission Action: 9/6/2022
		Revised Plans Filed: 8/19/2022
		On Schedule: Yes – Delayed after CPC
		Off Schedule Reason: The developer needed to resolved title work for the sale of the properties included in the plan area
Reference Numbers: CD-CPC-2022-00126		



File #: 220896

ORDINANCE NO. 220896

Rezoning an area of about 17.61 acres generally located at 7700 N Brighton Avenue from District R-2.5 (Residential 2.5) to District MPD (Master Planned Development) and approving a preliminary development plan, which also acts as a preliminary plat, to allow the construction of 124 residential units. (CD-CPC-2022-00126)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 80-20A-1348 rezoning an area of about 17.61 acres located at 7700 N Brighton Avenue from District R-2.5 (Residential 2.5) to District MPD (Master Plan Development), said section to read as follows:

Section 80-20A-1348. That an area legally described as:

A tract of land in the Southeast Quarter of the Northwest Quarter of Section 17, Township 51 North, Range 32 West in the City of Kansas City, Clay County, Missouri, described as follows: Commencing at the southeast corner of the Southeast Quarter of the Northwest Quarter of said Section 17; thence North 89 degrees 09 minutes 43 seconds West along the south line of said Quarter Quarter Section, a distance of 56.00 feet to a point on the west right of way line of North Brighton Avenue, recorded as Document Mo. 2005019769 in Book 4988 at page 24 and the point of beginning of the tract to be herein described; thence continuing North 89 degrees 09 minutes 43 seconds West along said south line, a distance of 1010.84 feet; thence North 1 degree 25 minutes 44 seconds East, a distance of 328.00 feet to a point on the easterly line of Tract H, Kings Gate Third Plat, a subdivision in said city, county and state recorded as Document No. 2007002520 in Plat Book G at page 98; thence North 56 degrees 21 minutes 13 seconds East, this and subsequent courses along the easterly line of said Tract H, a distance of 61.48 feet; thence North 50 degrees 47 minutes 59 seconds East, a distance of 102.89 feet; thence North 77 degrees 42 minutes 07 seconds East, a distance of 43.06 feet; thence North 57 degrees 41 minutes 26 seconds East, a distance of 69.90 feet; thence North 21 degrees 22 minutes 46 seconds East, a distance of 84.61 feet; thence North 84 degrees 26 minutes 00 seconds East, a distance of 14.70 feet; thence north 0 degrees 48 minutes 01 seconds east, a distance of 229.07 feet; thence North 40 degrees 09 minutes 40 seconds East, a distance of 80.83 feet to the southeast corner of Tract D, Kings Gate Second Plat,

a subdivision in said city, county and state recorded as Document No. 2005058236 in Plat Book G at page 28; thence North 39 degrees 09 minutes 57 seconds East, this and subsequent courses along the southerly line of said plat, a distance of 137.13 feet; thence South 59 degrees 16 minutes 54 seconds East, a distance of 85.74 feet; thence South 77 degrees 34 minutes 13 seconds East, a distance of 72.34 feet; thence South 81 degrees 08 minutes 10 seconds East, a distance of 150.96 feet; thence South 85 degrees 54 minutes 58 seconds East, a distance of 152.82 feet; thence North 89 degrees 19 minutes 06 seconds East, a distance of 149.35 feet to a point on said west right of way line of North Brighton Avenue; thence South 0 degrees 48 minutes 01 seconds West along said right of way line, a distance of 874.01 feet to the point of beginning, Subject to that part, if any, in streets, roadways, highways or other public rights-of-way. Containing 766,942 square feet or 17.61 acres, more or less

is hereby rezoned from District R-2.5 (Residential 2.5) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 80-20A-1348, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

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

1. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy 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 required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
3. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to building permit.
4. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.
5. That the developer shall continue working with staff on the landscaping plan and species provided during the MPD final plan process.
6. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018§ 507.1)

7. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2).
8. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
9. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3).
10. 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)
11. Required Fire Department access roads shall designed to support a fire apparatus with a gross axle eight of 85,000 pounds. (IFC-2018: § 503.2.3)
12. 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 inch 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.
13. 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.
14. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
15. The developer shall submit fire hydrant installation plans meeting a 300' maximum spacing along the portion of North Brighton adjacent to the project. Plans shall be prepared by a registered professional engineer in Missouri and shall be submitted to the water main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.
16. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the

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

17. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
18. 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.
19. The developer shall subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and the developer shall be responsible for all costs associated with subordination activities now and in the future.
20. The developer shall dedicate additional right-of-way along the west half of N. Brighton Avenue as required by the adopted Major Street Plan and Chapter 88 so as to provide a minimum of 50 feet of right-of-way as measured from the centerline, along those areas being platted, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.
21. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
22. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
23. The developer shall secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first. The public sanitary sewer must be extended to serve the property. The internal sewers will be private and will require to be covered by a Covenant to Maintain Private Sewers to be reviewed and approved by the Water Services Department.
24. The developer shall grant any BMP and/or surface drainage easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.

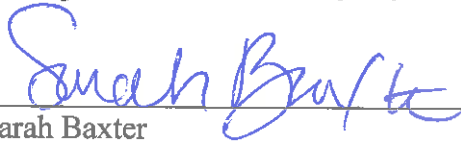
A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

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

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


Secretary, City Plan Commission

Approved as to form and legality:


Sarah Baxter
Senior Associate City Attorney



Authenticated as Passed


Quinton Lucas, Mayor


Marilyn Sanders, City Clerk

OCT 13 2022

Date Passed



File #: 220897

ORDINANCE NO. 220897

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 20 acres generally located at Hillcrest Road and E. 93rd Street from UR to UR and approving a UR development plan and preliminary plat for 313 residential units (CD-CPC-2022-00136).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 80-20A-1352 rezoning an area of about 20 acres located at Hillcrest Road and E. 93rd Street from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) said section to read as follows:

Section 88-20A-1352. That an area legally described as:

A portion of the South Half of the Northwest Quarter of Section 25, Township 48 North, Range 33 West, and a portion of Lot 3 of the subdivision of Sechrest Estate, in the City of Kansas City, Jackson County, Missouri, described as follows:

Commencing for reference at the southeast corner of the Northwest Quarter of said Section 25; thence, along the east line of the Northwest Quarter of said Section 25, North 02°11'25" East, 1320.78 feet to the northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 25; thence, along the north line of the Southeast Quarter of the Northwest Quarter of said Section 25, North 86°51'16" West, 661.26 feet to a point on the northerly prolongation of the east line of Lot 3 of the subdivision of Sechrest Estate; thence, along the northerly prolongation of said Lot 3, South 02°11'10" West, 20.00 feet to the northeast corner of said Lot 3; said point being the true point of beginning; thence, along the east line of said Lot 3, South 02°11'10" West, 640.54 feet to the southeast corner of the north half of said Lot 3; thence, along the south line of the north half of said Lot 3, north 86°47'06" west, 661.20 feet to the southwest corner of the north half of said Lot 3; thence, along the north line of the property described in the Warranty Deed filed February 25, 2011 as Document No. 2011E0018838, and along the north line of Williamsburg, a subdivision in the City of Kansas City, Jackson County, Missouri, North 86°57'29" West, 660.88 feet to the northwest

corner of Williamsburg; thence, along the east line of Tract 2C of Benjamin Plaza, Fifth Plat, Replat of Lot 2 and along the east line of Tract A of the Certificate of Survey filed June 30, 1997 as Document No. 1997K0030540, North 01°59'47" East, 216.44 feet to the northeast corner of said Tract A; thence, along the east line of Tract B of said Certificate of Survey, Document No. 1997K0030540, and along the east line of Lot 2A of Benjamin Plaza, Fifth Plat, Replat of Lot 2, North 02°13'26" East, 404.26 feet to the northeast corner of said Lot 2A, said point lying on the south right-of-way line of 93rd Street; thence, along the south right-of-way line of 93rd street, South 86°56'12" East, 661.44 feet to a point on the west line of said Lot 3 of the subdivision of Sechrest Estate; thence, along the west line of said Lot 3, North 02°11'45" East, 19.29 feet to the northwest corner of said Lot 3; thence, along the north line of said Lot 3, South 86°51'16" East, 661.08 feet to the true point of beginning, prepared by Anne M. Smoke, Missouri Pls 2016019010. Contains 19.136 acres, more or less.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 80-20A-1352, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan is hereby approved, subject to the following conditions:

1. All dumpsters, utility and mechanical equipment shall be screened pursuant to 88-425-08.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
3. 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.
4. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
5. All signage shall conform to 88-445 and shall require a sign permit prior to installation.

6. The developer shall secure approval of a UR final plan from the Development Management Division staff prior to building permit.
7. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC 2018 § 507.1)
8. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1) and (NFPA1221)
9. 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)
10. Required Fire Department access roads shall be an all-weather surface. (IFC 2012: § 503.2.3) and 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) and required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC 2018: § 503.2.3)
11. Fire hydrant distribution shall follow IFC 2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC 2018 § 501.4 and 3312.1; NFPA 2013 § 8.7.2)
12. 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).
13. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC 2018: § 503.2.4)
14. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
15. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash in lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash in lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. Should the developer elect to dedicate open space, said space shall be platted into private

open space tracts. This requirement shall be satisfied prior to a certificate of occupancy or final plat, whichever occurs first.

16. Proposed open space serving to satisfy the parkland dedication requirements of 88-408 shall be platted into private open space tracts via final plat.
17. The developer's engineer shall submit an analysis determining the size and capacity of the existing and proposed water mains. The demand calculations shall include both fire and domestic flows.
18. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.
19. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
20. 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.
21. 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.
22. That the south half of E. 93rd Street shall be improved as required by Chapter 88, to current City standards, including curbs, gutters, sidewalks, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
23. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the

Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.

24. The developer shall submit a plan for approval and permitting by the Land Development Division prior to beginning construction in the public right-of-way.
25. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.
26. The developer shall grant any BMP and/or surface drainage easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
27. The developer shall submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
28. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
29. 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.
30. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.

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

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220897

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2022-00136

Brief Title

Rezoning an area of about 20 acres generally located at Hillcrest Road and E. 93rd Street from UR (Urban Redevelopment) to UR and approving a UR development plan and preliminary plat for 313 residential units (CD-CPC-2022-00136).

Details

Location: 6203 E. 93rd Street

Reason for Legislation: Approval of a rezoning to UR development plan requires City Council approval

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

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

SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

- Staff removed condition #6, #7, #9, and #10 from the CPC staff report as the condition was resolved prior to ordinance request.

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	5 th District (Barnes, Parks-Shaw)
Applicants / Proponents	<p>Applicant Patricia Jensen Rouse Frets White Goss Gentile Rhodes, P.C.</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	Groups or Individuals N/A
	Basis of Opposition N/A
Staff Recommendation	<input checked="" type="checkbox"/> For
	<input type="checkbox"/> Against
	Reason Against
Board or Commission Recommendation	City Plan Commission (5-0) (09-20-2022) By (Beasley, Crowl, Enders, Rojas, Sadowski)
	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass
	<input type="checkbox"/> Do Pass (as amended)
	<input type="checkbox"/> Committee Sub.
	<input type="checkbox"/> Without Recommendation
	<input type="checkbox"/> Hold
	<input type="checkbox"/> Do not pass

Fact Sheet Prepared By: Andrew Clarke Staff Planner	Date: 09/26/2022		
Reviewed By: Joseph Rexwinkle Division Manager	Date: 09/26/2022	Initial Application Filed: City Plan Commission Action:	07-29-2022 09-20-2022 Approval with conditions
Reference Numbers: Case No. CD-CPC-2022-00136		Revised Plans Filed: On Schedule: Off Schedule Reason:	09-02-2022 Yes



File #: 220897

ORDINANCE NO. 220897

Rezoning an area of about 20 acres generally located at Hillcrest Road and E. 93rd Street from UR to UR and approving a UR development plan and preliminary plat for 313 residential units (CD-CPC-2022-00136).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 80-20A-1352 rezoning an area of about 20 acres located at Hillcrest Road and E. 93rd Street from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) said section to read as follows:

Section 88-20A-1352. That an area legally described as:

A portion of the South Half of the Northwest Quarter of Section 25, Township 48 North, Range 33 West, and a portion of Lot 3 of the subdivision of Sechrest Estate, in the City of Kansas City, Jackson County, Missouri, described as follows:

Commencing for reference at the southeast corner of the Northwest Quarter of said Section 25; thence, along the east line of the Northwest Quarter of said Section 25, North 02°11'25" East, 1320.78 feet to the northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 25; thence, along the north line of the Southeast Quarter of the Northwest Quarter of said Section 25, North 86°51'16" West, 661.26 feet to a point on the northerly prolongation of the east line of Lot 3 of the subdivision of Sechrest Estate; thence, along the northerly prolongation of said Lot 3, South 02°11'10" West, 20.00 feet to the northeast corner of said Lot 3; said point being the true point of beginning; thence, along the east line of said Lot 3, South 02°11'10" West, 640.54 feet to the southeast corner of the north half of said Lot 3; thence, along the south line of the north half of said Lot 3, north 86°47'06" west, 661.20 feet to the southwest corner of the north half of said Lot 3; thence, along the north line of the property described in the Warranty Deed filed February 25, 2011 as Document No. 2011E0018838, and along the north line of Williamsburg, a subdivision in the City of Kansas City, Jackson County, Missouri, North 86°57'29" West, 660.88 feet to the northwest corner of Williamsburg; thence, along the east line of Tract 2C of Benjamin Plaza, Fifth Plat, Replat of Lot 2 and along the east line of Tract A of the

Certificate of Survey filed June 30, 1997 as Document No. 1997K0030540, North 01°59'47" East, 216.44 feet to the northeast corner of said Tract A; thence, along the east line of Tract B of said Certificate of Survey, Document No. 1997K0030540, and along the east line of Lot 2A of Benjamin Plaza, Fifth Plat, Replat of Lot 2, North 02°13'26" East, 404.26 feet to the northeast corner of said Lot 2A, said point lying on the south right-of-way line of 93rd Street; thence, along the south right-of-way line of 93rd street, South 86°56'12" East, 661.44 feet to a point on the west line of said Lot 3 of the subdivision of Sechrest Estate; thence, along the west line of said Lot 3, North 02°11'45" East, 19.29 feet to the northwest corner of said Lot 3; thence, along the north line of said Lot 3, South 86°51'16" East, 661.08 feet to the true point of beginning, prepared by Anne M. Smoke, Missouri Pls 2016019010. Contains 19.136 acres, more or less.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 80-20A-1352, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan is hereby approved, subject to the following conditions:

1. All dumpsters, utility and mechanical equipment shall be screened pursuant to 88-425-08.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
3. 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.
4. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
5. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
6. The developer shall secure approval of a UR final plan from the Development Management Division staff prior to building permit.

7. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC 2018 § 507.1)
8. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1) and (NFPA1221)
9. 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)
10. Required Fire Department access roads shall be an all-weather surface. (IFC 2012: § 503.2.3) and 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) and required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC 2018: § 503.2.3)
11. Fire hydrant distribution shall follow IFC 2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC 2018 § 501.4 and 3312.1; NFPA 2013 § 8.7.2)
12. 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).
13. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC 2018: § 503.2.4)
14. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
15. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash in lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash in lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. Should the developer elect to dedicate open space, said space shall be platted into private open space tracts. This requirement shall be satisfied prior to a certificate of occupancy or final plat, whichever occurs first.

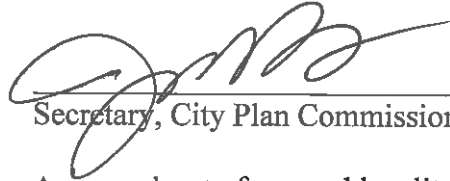
16. Proposed open space serving to satisfy the parkland dedication requirements of 88-408 shall be platted into private open space tracts via final plat.
17. The developer's engineer shall submit an analysis determining the size and capacity of the existing and proposed water mains. The demand calculations shall include both fire and domestic flows.
18. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.
19. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
20. 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.
21. 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.
22. That the south half of E. 93rd Street shall be improved as required by Chapter 88, to current City standards, including curbs, gutters, sidewalks, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
23. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.

24. The developer shall submit a plan for approval and permitting by the Land Development Division prior to beginning construction in the public right-of-way.
25. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.
26. The developer shall grant any BMP and/or surface drainage easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
27. The developer shall submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
28. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
29. 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.
30. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.

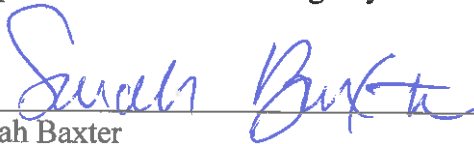
A copy of said UR development plan and preliminary plat is on file in the office of the City Clerk with this ordinance and made a part hereof.

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

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


Secretary, City Plan Commission

Approved as to form and legality:


Sarah Baxter
Senior Associate City Attorney



Authenticated as Passed


Quintan Lucas, Mayor


Marilyn Sanders, City Clerk

OCT 13 2022

Date Passed



File #: 220898

RESOLUTION NO. 220898

Sponsor: Director of City Planning and Development Department

RESOLUTION - Approving and endorsing Cas-KC-NEDA, LLC in its application to the Missouri Department of Economic Development Brownfields Redevelopment Program, as authorized by, and in accordance with, Chapter 447, Section 447.700 through 447.718 of the Revised Statutes of Missouri, for state remediation tax credits for redevelopment of 1108-1110 Grand Boulevard, Kansas City, Missouri.

WHEREAS, Cas-KC-NEDA, LLC (“Cas-KC-NEDA”) has proposed a brownfields redevelopment project to remediate and renovate the currently vacant building located at 1108-1110 Grand Boulevard in Kansas City, Jackson County, Missouri, for use as a boutique hotel, restaurant and bar; and

WHEREAS, Cas-KC-NEDA applied to the Missouri Department of Economic Development (“DED”) for remediation tax credits for the remediation work pursuant to the Missouri Brownfield Redevelopment Program; and

WHEREAS, the Mayor and City Council have established a Brownfields Commission to facilitate the cleanup-up and redevelopment of contaminated properties within the City; and

WHEREAS, in a public meeting on 9/28/2022, the Brownfields Commission did resolve and recommend that City Council endorse Cas-KC-NEDA’s application to DED for remediation tax credits; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City hereby endorses the application of Cas-KC-NEDA, LLC to the Missouri Department of Economic Development for brownfield remediation tax credits pursuant to the Missouri Brownfields Redevelopment Program, a copy of which is attached hereto and made a part hereof.

Section 2. That the Director of the City Planning and Development Department is hereby authorized to execute the Local Government Endorsement of the application to the Missouri Department of Economic Development.

..end

LEGISLATIVE FACT SHEET	Legislation Number:	220898	
	Approval Deadline:		
LEGISLATION IN BRIEF:			
What is the reason for this legislation?	Fact Sheet Color Codes		
	User Entered Field		
	User Select From Menu		
	For OMB Use		
	Sponsor(s)		
	Programs, Departments, or Groups Affected		
	Sub-Program in Budget (page #)		
	Applicants/ Proponents	City Department	
		Other	
	Staff Recommendation		
	Board or Commission Recommendation		
	Future Impacts		
Cost of Legislation current Fiscal Year			
Costs in Future Fiscal Years?			
Annual Revenue Increase/Decrease			
Applicable Dates:			
Prepared by:			
Date Prepared:			
Reviewed by:			
Date Reviewed			
Reference Numbers			
Discussion (including relationship to other Council actions)			
	Citywide Business Plan Goal		
	Citywide Business Plan Objective		
Citywide Business Plan Strategy			

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220898
TMP-2368

LEGISLATION IN BRIEF:

Endorsement of Cas-KC-NEDA, LLC application for Missouri remediation tax credits

What is the purpose of this legislation?

ECONOMIC DEVELOPMENT

For the purpose of entering an agreement between the city and third party for the attraction or retention of economic activity for the purpose of economic development.

Does this legislation spend money appropriated in the current fiscal year?

NO

Yes/No

What is the city's obligation in future fiscal Years (See Section 04)

Does this Legislation estimate new revenue in the current Fiscal Year?

NO

Yes/No

What is the city's gross new revenue in future Fiscal Years? (See Section 01)

0

NO

Yes/No

0

0

NO

Yes/No

0

Section 00: Notes:

This resolution endorses the application of a third party for state tax incentives. It has no fiscal impact on the City.

0

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

NET IMPACT ON OPERATIONAL BUDGET

-	-
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RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears

TOTAL REV

- - - - -

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
1000	General Fund	-						

TOTAL EXP

- - - - -

NET Per-YEAR IMPACT

- - - - -

NET IMPACT (SIX YEARS)

-

REVIEWED BY

DATE

9/30/2022

User entered field

User select from menu

Calculated Field



File #: 220898

RESOLUTION NO. 220898

Approving and endorsing Cas-KC-NEDA, LLC in its application to the Missouri Department of Economic Development Brownfields Redevelopment Program, as authorized by, and in accordance with, Chapter 447, Section 447.700 through 447.718 of the Revised Statutes of Missouri, for state remediation tax credits for redevelopment of 1108-1110 Grand Boulevard, Kansas City, Missouri.

WHEREAS, Cas-KC-NEDA, LLC (“Cas-KC-NEDA”) has proposed a brownfields redevelopment project to remediate and renovate the currently vacant building located at 1108-1110 Grand Boulevard in Kansas City, Jackson County, Missouri, for use as a boutique hotel, restaurant and bar; and

WHEREAS, Cas-KC-NEDA applied to the Missouri Department of Economic Development (“DED”) for remediation tax credits for the remediation work pursuant to the Missouri Brownfield Redevelopment Program; and

WHEREAS, the Mayor and City Council have established a Brownfields Commission to facilitate the cleanup-up and redevelopment of contaminated properties within the City; and

WHEREAS, in a public meeting on 9/28/2022, the Brownfields Commission did resolve and recommend that City Council endorse Cas-KC-NEDA’s application to DED for remediation tax credits; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City hereby endorses the application of Cas-KC-NEDA, LLC to the Missouri Department of Economic Development for brownfield remediation tax credits pursuant to the Missouri Brownfields Redevelopment Program, a copy of which is attached hereto and made a part hereof.

Section 2. That the Director of the City Planning and Development Department is hereby authorized to execute the Local Government Endorsement of the application to the Missouri Department of Economic Development.

220898



Authenticated as Passed



Quinton Lucas, Mayor



Marilyn Sanders, City Clerk

OCT 13 2022

Date Passed



File #: 220899

ORDINANCE NO. 220899

Sponsor: Director of City Planning and Development Department and Councilpersons Shields and Bunch

Designating the 31st & Main Historic District to the Kansas City Register of Historic Places (H/O Overlay) at 3035-45 Main Street and 6-10 East 31st Street that includes approximately .4 acres to be rezoned from UR to UR/HO. (CD-CPC-2022-00120)

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-1353 designating an area of about .4 acres located at 3035-45 Main Street and 6-10 East 31st Street from UR (Urban Redevelopment) to UR/HO (Urban Redevelopment/Historic Overlay District) to designate the subject site to the Kansas City Register of Historic Places said section to read as follows:

Section 88-20A-1353. That an area legally described as:

Lots 42 thru 46, Warwick Ridge.

is hereby designated H/O, all as shown outlined on a map marked Section 88-20A-1353, 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 the Historic Preservation Commission determined that the 31st & Main Historic District is eligible for inclusion in the Kansas City Register is eligible at the local level under National Register Criterion C for ARCHITECTURE as a good example of a grouping of late nineteenth and early twentieth century commercial architecture and Criterion A in the area of COMMERCE for its example of businesses serving the needs of a surrounding neighborhood.

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

..end

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

Secretary, City Plan Commission
Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220899

Ordinance Fact Sheet

Case No. (CD-CPC-2022-00120)

Brief Title

A request to approve the designation of the buildings on 3037 Main Street to the Kansas City Register of Historic Places (H/O Overlay) as the 31st & Main Historic District on about 0.645 acres generally located at 3037 Main Street Kansas City, MO. (CD-CPC-2022-00120)

Details

Location: Generally located at 3037 Main Street
Reason for Legislation: Historic Overlays must be approved by City Council.
<p>See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.</p> <p>See attached City Plan Commission Disposition Letter for the Commission's recommended conditions (if any).</p> <p>SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:</p> <ul style="list-style-type: none"> - None <p>Historic Preservation Commission Recommendation: Approval 5-0 Members: Boley, Guth, Legg, Loughlin, Owens</p>

Ordinance Number

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP Director Department of City Planning & Development
Programs, Departments or Groups Affected	4 th (Shields and Bunch)
Applicants / Proponents	<p>Applicant Katheryn Shields & Eric Bunch 4th District Councilpersons</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals Property Owners: 31 Main, LLC</p> <p>Basis of Opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>City Plan Commission 5-1 By Allender, Beasley, Crowl, Enders, Rojas, Sadowski</p> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions</p>
Council Committee Actions	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

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Fact Sheet Prepared By: Larisa Chambi
Planner

Date: 09-22-2022

Reviewed By: Joseph Rexwinkle

Date: 09-22-2022

Initial Application Filed: 06-30-2022

City Plan Commission Action: 09-20-2022

Revised Plans Filed: 06-30-2022

On Schedule: Yes

Off Schedule Reason: NA

Reference Numbers:

Case No. CD-CPC-2022-00120

31st & Main Street Historic District Overlay

3037 Main Street

CD-CPC-2022-00120 – Overlay District

City-Initiated Application

Neighborhood Planning and Development Council Committee Hearing

October 12, 2022

How did we get here?

- ◆ Demolition Permit Application
- ◆ City Council applicant justified this overreach because “The Developer that purchased these properties has a clear record of destroying historic properties and then sitting on the vacant sites.”
- ◆ On the contrary, the Developer’s has successful and ongoing historic preservation efforts in Kansas City - when the structures are physically and economically feasible
- ◆ The subject property was purchased out of bankruptcy after years of unsuccessful attempts at commercial use, including significant renovations which were approved by the City and not historic, including window replacement with aluminum windows, brick failure replacement with masonite siding, and complete non-historic renovation of the interiors.

List of Public Hearing Exhibits

1. Historic Preservation Application File including Staff Report, Public Hearing Exhibits, and Transcript and Disposition Letter – Findings and Conclusions of the Commission
2. City of Kansas City, Missouri Greater Downtown Area Plan 2019
3. Downtown Council of Kansas City - Imagine DowntownKC 2030 Strategic Plan
4. 31 Main Power Point Presentation 9-20-22 City Plan Commission Public Hearing
5. 31 Main Power Point Presentation 10-12-22 Neighborhood Planning and Development Council Committee Public Hearing

The Buildings within Proposed District

- ◇ 3035-37 Main Street (contributing) Built in 1905
- ◇ 3039 Main Street (noncontributing) Built in 1990 (not eligible – needs to be deleted)
- ◇ 3041-45 Main Street (contributing) Built in 1888
- ◇ *Collectively, Union Hill Commons (1990)*
- ◇ 6-10 E 31st Street (contributing) Built in 1921

- ◇ “Historically, all four corners had commercial uses, but currently the southwest corner is a bank building, the southeast corner a social services building and the northwest corner is a lot associated with the former hospital.” Brad Wolf.
- ◇ And now as we all know NW corner planned for large scale multifamily development.

Historic, cultural, aesthetic, or architectural significance

- ◆ Criterion C for Architecture as a **good example of a grouping of late nineteenth and early twentieth century commercial architecture** and in the area of **COMMERCE** for its example of businesses serving the needs of the surrounding neighborhood. (Only 1 of 4 criteria)
- ◆ **Design Significance - Visually Interesting** – it is not necessarily the aged buildings that captivate views of the northeast corner of 31st and Main. It is design elements. Many of the “historical” homes in Union Hill have retained design significance, however, the homes have been approved for exterior renovations such as decks, screened in porches, exterior stairs, wood siding, and paint, which would not be allowed in the historic neighborhoods of St. Louis, Savannah, or Charleston.
- ◆ **Planning Commission** comments of even those who voted in favor were more about pausing demolition for planning time than “architectural significance” of the buildings and preserving the “19th and early 20th century commerce” footprint.



Condition of the Buildings

- ◇ The interior of the buildings are void of historical elements and integrity.
- ◇ Exterior has been renovated in the past (previous owners) without historic preservation – currently has aluminum frame door and windows and store fronts. Masonite siding replaced original brick and stucco replaced stone. No original windows, even the ones with wood frames are not original.
- ◇ Stone has fallen from the building in the past and continues today.
- ◇ Exterior SeeMo Spray street art/graffiti was City approved and placed on the “historic” buildings
- ◇ 1990’s building is eligible for demolition because it is non-contributing and will be demolished
- ◇ No existing grouping of commercial activity nor uniform pattern of design elements across the 4 buildings - all vacant buildings.
- ◇ It is all about the design significance of a corner-oriented turret and uniform window spacing in the corner building only.





















Property Assemblage To Date

Designation Not in Conformance With

Greater Downtown Area Plan 2019

Majority of the 5 Primary Goals of the GDAP

Create a Walkable Downtown

Double the Population and Focus Density

Double Employment and Increase Visitors
Downtown

Promote Sustainability

Retain and Promote, Safe, Authentic
Neighborhoods

Imagine Downtown KC 2030

An Equitable, Inclusive and Vibrant Downtown

Preserves its history and culture while welcoming
new ideas and opportunities

Goal: Ensure livable City for all connect
downtown neighborhoods

Streetcar Expansion along east/west connection is
critical to success

Co-locating affordable housing near KC Streetcar
stops – allow higher density

Streetcar expansion corridors like “Midtown
east/west (31 St / Linwood / 39th)”







Economic Impact of Designation on Property and Area

- ◇ What is salvageable from the existing contributing buildings within the proposed District to be commercially viable?
- ◇ Opportunities and attempts to repurpose the buildings have failed.
- ◇ Inclusion in a now 40 year old Chapter 353 Redevelopment Plan area and
- ◇ The 1990's attempt by constructing a new building to bridge the old buildings to create a larger footprint.
- ◇ The commercial intersections to the east on 31st Street struggle to keep tenants and those intersections have retained a genuine quaintness with 4 corner low profile buildings. That is not present at 31st and Main.
- ◇ Significant City infrastructure investments have been made to prepare for the doubling of the downtown population with a focus on density to provide for double the employment which supports and facilitates new and expanded job creators in DowntownKC.
- ◇ Saying “No” to designation would say “Yes” to development that supports East/West Connections in Downtown KC including KC Streetcar expansion corridors like “Midtown east/west (31 St / Linwood / 39th)”

Casting A Vision

Listen and Consider the City Decisions, Plans and Exercise the Patience to allow them to inform the final plan

To date influences and DowntownKC momentum

Separation of Sanitary and Storm System

2018 decision to Extend the Streetcar

2019 Greater Downtown Area Plan

2022 Imagine Downtown KC 2030 Strategic Plan

RideKC Transit-oriented development projects evolutions – what are they becoming

2025 Completion of Streetcar Project

Continued property assemblage

Planning - What does Mixed Income Housing project look like without Incentives

Stoppage - The outcome of the City initiated Designation of an Historic District





The time has passed for the preservation of these buildings.
The marketplace has told us in the past and tells us that
today, it informs what successful preservation and
economics can look like and what does not work for the
property owners and future DowntownKC.

We believe it arbitrary and unreasonable land use decision
to approve this application, and respectfully ask you to
Vote “NO”



File #: 220899

ORDINANCE NO. 220899

Designating the 31st & Main Historic District to the Kansas City Register of Historic Places (H/O Overlay) at 3035-45 Main Street and 6-10 East 31st Street that includes approximately .4 acres to be rezoned from UR to UR/HO. (CD-CPC-2022-00120)

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-1353 designating an area of about .4 acres located at 3035-45 Main Street and 6-10 East 31st Street from UR (Urban Redevelopment) to UR/HO (Urban Redevelopment/Historic Overlay District) to designate the subject site to the Kansas City Register of Historic Places said section to read as follows:

Section 88-20A-1353. That an area legally described as:

Lots 42 thru 46, Warwick Ridge.


is hereby designated H/O, all as shown outlined on a map marked Section 88-20A-1353, 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 the Historic Preservation Commission determined that the 31st & Main Historic District is eligible for inclusion in the Kansas City Register is eligible at the local level under National Register Criterion C for ARCHITECTURE as a good example of a grouping of late nineteenth and early twentieth century commercial architecture and Criterion A in the area of COMMERCE for its example of businesses serving the needs of a surrounding neighborhood.

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

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

Secretary, City Plan Commission
Approved as to form and legality:


Sarah Baxter
Senior Associate City Attorney



Authenticated as Passed


Quinton Lucas, Mayor


Marilyn Sanders, City Clerk

OCT 13 2022

Date Passed



File #: 220902

RESOLUTION NO. 220902

Sponsors: Councilperson Robinson, Mayor Lucas, Councilpersons Bough and Bunch

Stating the Council's intent regarding use of up to \$50,000,000.00 in general obligation bond proceeds in the event that voters approve authorization of such bonds on November 8, 2022; designating said funds for the purpose of affordable housing and stating the Council's intent to appropriate said funds into the Housing Trust Fund; and establishing additional requirements for the use of the funds with preference for proposals that provide for "deeply affordable housing."

WHEREAS, on August 18, 2022, the City Council passed Committee Substitute for Ordinance No. 220663, calling an election on November 8, 2022, for the purpose of authorizing the issuance of \$175,000,000.00 in General Obligation Bonds to finance various public improvements across two ballot questions; and

WHEREAS, Question No. 2, if approved by Kansas City, Missouri voters on November 8, 2022, will issue general obligation bonds in an amount not to exceed \$50,000,000.00 for the purpose of affordable housing through rehabilitation, renovation, construction of houses and buildings, including blight removal, to provide affordable housing for very-low to moderate income-households; and

WHEREAS, the Housing Trust Fund was established to promote, preserve, and create long-term affordable housing for very low-, low-, and moderate-income households and has proven an effective tool for supporting housing affordability for extremely and very low-income households; and

WHEREAS, general obligation bonds are not an ongoing revenue source, and the City recognizes there is a continued need for an ongoing revenue source for the Housing Trust Fund; and

WHEREAS, the City has a continued need for additional affordable housing supply, specifically at the levels of extremely low- and very low-income households. The household income levels of extremely low- and very low-incomes have effective shortages of over 15,000 and 11,000 units, respectively; and

WHEREAS, the shortage of affordable housing at the levels of extremely low- and very low-income households is not limited to any one district of the City, but is needed in every part of the City; and

WHEREAS, Kansas City, Missouri currently has a surplus of housing units for households that make at or above 60% of the area median family income, while there is a shortage of housing units for households that make at or below 30% of the area median family income; and

WHEREAS, the creation of a surplus of housing at the lowest levels of affordability will “trickle up” to address shortages at higher household income levels; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council expresses its intent, upon passage by the voters of Kansas City, Missouri on November 8, 2022, that any sums from the General Obligations Bonds Question No. 2 will be appropriated from the General Obligation Series 2023B Question 2 Fund (“the Fund”) into the Kansas City Housing Trust Fund.

Section 2. That the Council intends to designate the use of said funds for the purpose of affordable housing.

Section 3. That the City Manager is hereby directed, with the advisement of the Housing Trust Fund Advisory Board, to develop scoring criteria to guide allocations from the Housing Trust Fund, with the highest scoring provided to proposals that address areas of demonstrated housing need across the city, namely proposals that provide deeply affordable housing in areas of our city most lacking these housing options and proposals that include housing units suitable for families, with units being no smaller than two bedrooms. “Deeply affordable housing” shall be defined as housing that a household having income at or below thirty percent (30%) of the HUD Area Median Family Income (“AMFI”) for all households within the Kansas City metropolitan area would be able to afford if it were to expend not more than thirty percent (30%) of such income for the mortgage or rent, including utilities.

..end

**No Fact Sheet
Provided for
Resolution No.**

220902

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220902
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LEGISLATION IN BRIEF:
 Stating the Council's intent regarding use of up to \$50,000,000.00 in general obligation bond proceeds in the event that voters approve authorization of such bonds on November 8, 2022; designating said funds for the purpose of affordable housing and stating the Council's intent to appropriate said funds into the Housing Trust Fund; and establishing additional requirements for the use of the funds with preference for proposals that provide for "deeply affordable housing."

What is the purpose of this legislation? LEGISLATIVE

for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank

Sections 01-04 should be blank. See section 00 for more information

Yes/No
 Yes/No
 Yes/No
 Yes/No

Section 00: Notes:

This legislation describes the intent of the use of up to \$50 million in general obligation bond proceeds in the event that voters approve the authorization of the bonds on November 8th, 2022. There is no fiscal impact to this specific legislation.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
					-

RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
	TOTAL REV	-	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
	TOTAL EXP	-	-	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-	-
NET IMPACT (SIX YEARS)	-							

REVIEWED BY Robyn Cottin DATE 10/10/2022



File #: 220902

RESOLUTION NO. 220902

Stating the Council's intent regarding use of up to \$50,000,000.00 in general obligation bond proceeds in the event that voters approve authorization of such bonds on November 8, 2022; designating said funds for the purpose of affordable housing and stating the Council's intent to appropriate said funds into the Housing Trust Fund; and establishing additional requirements for the use of the funds with preference for proposals that provide for "deeply affordable housing."

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Authenticated as Passed


Quinton Lucas, Mayor


Marilyn Sanders, City Clerk

OCT 13 2022

Date Passed



File #: 220612

ORDINANCE NO. 220612

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

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

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

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

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

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

CHAPTER 18

**ARTICLE I.
IN GENERAL**

Sec. 18-10. Unsafe structures and equipment.

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

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

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

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

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

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

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

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

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

Sec. 18-20. Fees.

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

(b) *Permit fees.*

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

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

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

Total Valuation Fee

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

\$52.00

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

\$58.00

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

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

\$58.00

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

\$4.33

\$100,001.00 and over:

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

\$483.00

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

\$1.41

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

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

Total Valuation Fee

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

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

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

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

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

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

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

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

\$1,000,001.00 and over:

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

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

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

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

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

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

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

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

*All other buildings per building:
\$106.00*

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

a. **Combination and freestanding signs:**

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

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

b. **Flat wall signs:**

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

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

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

d. **Roof signs:**

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

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

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

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

f. Outdoor Advertising Signs:

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

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

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

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

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

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

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

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

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

(c) *Construction document review fees.*

- (1) *Initial construction document review fee.* For other than one- and two-family dwellings, when a construction document is required to be submitted, a construction document review fee shall be paid to the building official at the time of submitting the construction documents for review. Such construction document review fee shall be one-half of the permit fee and shall be a credit toward the total fee when the permit is issued.

- (2) *Resubmittal construction document review fees.* When previously identified deficiencies remain uncorrected on subsequent submittals or when items certified on the Checklist for Building Permit Construction Document Submittal as being provided are omitted, a resubmittal construction document review fee shall be assessed at the time of resubmittal of the discipline. This fee shall be one eighth of the total permit fee for resubmittal deficiencies. The fee for certified checklist omissions shall be \$ 75.00. Such resubmittal construction document review fee shall not apply as a credit toward the total permit fee. Maximum resubmittal fee shall be as follows:
 - a. One- and two-family dwelling construction document.....
\$30.00
 - b. Other than one- and two-family dwelling construction
document.
\$295.00

- (3) *Changes to previously reviewed plans.* Review of such changes shall be assessed a fee as follows:
 - a. *Minor reviews*
\$54.00
 - b. Major reviews 1/2 of initial construction document review
fee paid.

The director or designee shall have the authority to determine the extent of the changes requested and the fee which shall apply. This fee shall be in addition to any other fees required.

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

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

a fee shall be assessed of \$143.00.

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

- (13) *Floodplain certificate fee.* The application fee for a floodplain certificate shall be assessed as follows:
 - a. One- and two-family dwelling floodplain certificate..... \$ 54.00

 - b. Other than one- and two-family dwelling floodplain certificates \$ 112.00

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

- (15) *Address change processing fee.* When requested by the property owner, address changes in compliance with addressing standards shall be processed and a fee shall be assessed as follows:
 - a. One and two family detached dwellings per building: \$36.00

 - b. All other buildings per building: \$143.00

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

(e) *Commencement of work without permit.*

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

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

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

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

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

(g) *Fee for certificate of occupancy.*

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

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

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

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

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

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

b. All other structures:

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

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

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

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

(h) Inspection fees.

- (1) *Certificate of inspection for underground spaces.* Inspection and certification of underground space pursuant to section 18-21(g)(2) of this chapter shall be performed by the building official upon payment of a fee of \$ 368.00 payable upon application for certificate of inspection.

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

- (3) *Fee for follow-up inspection per state requirements.* The fee for a follow-up inspection of elevator equipment by city personnel pursuant to the Elevator Safety Act and Rules of the State of Missouri shall be \$ 73.00. The fee shall be waived if the inspection is performed at the same time as a follow-up inspection pursuant to section 18-21(g)(1) of this code. The fee, when required, shall be paid before the follow-up inspection is performed.

- (4) *Certificate of inspection for communication towers.* Inspection and certification of communication towers pursuant to section 18-21(g)(3) of this chapter shall be completed by the building official upon payment of a fee of \$ 147.00 payable upon application for certificate of inspection.

- (5) *Certificate of inspection for parking station structures, privately owned pedestrian bridges, and structure supported pools.* Inspection and certification of parking station structures, pedestrian bridges, and structure supported pools pursuant to section 18-21(g) of this chapter, shall be completed by the building official upon payment of a fee of \$ 295.00 payable upon application for certification of inspection. *Reinspection fees.* When work for which an inspection is requested is not complete (not ready when inspector arrives) or when deficiencies identified on two previous inspection events have not been completed a fee of \$ 75.00 shall be assessed and no further inspections shall be completed until such fee is paid.

- (6) *Inspections outside of normal business hour fees.* When the permit holder requests inspections outside of normal business hours, a fee of \$ 60.00 per hour, to include travel time, with a minimum fee of \$ 238.00 shall be assessed for such service. Eligibility for inspections outside of normal business hours shall be determined by the building official based upon the nature of inspections requested and the availability of staff to perform the inspections.

- (7) *Team inspection fee.* When requested by the applicant, the building official may conduct a team inspection of a site/building for the purpose of providing the applicant a written assessment of code issues which may assist the applicant in planning a project or in problem solving. Eligibility for team inspections shall be determined by the building official based upon the nature of inspections requested and the availability of staff to perform the inspections. A fee, payable prior to the inspection being performed, shall be assessed as follows:
 - a. *Buildings/projects less than 20,000 square feet.....*
\$299.00

 - b. *Buildings/projects 20,000 square feet to 40,000 square feet*

..... \$396.00

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Contractor license fees shall not be refundable.

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

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

(o) *Encroachment fees.*

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

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

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

Sec. 18-21. Inspections.

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

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

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

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

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

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

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

(d) *Required inspections.*

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

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

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

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

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

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

(g) *Periodic inspections.*

(1) *Elevators.*

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

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

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

(4) *Parking station structures.*

- a. *Generally.* Each owner of a structure that contains a parking station with occupiable spaces above them, including multilevel parking station structures and single level parking station structures with occupiable space above, in its 15th year of age and every five years thereafter shall cause it to be inspected for structural adequacy by a registered professional engineer licensed in the State of Missouri. A form known as the Parking Structure Periodic Inspection Report shall be completed, sealed by the professional engineer who performed the inspection, and submitted to the city planning and development director to verify the conditions found. The Parking Structure Periodic Inspection Report shall be submitted by June 1st of the sixteenth year and every five years thereafter.
- b. *Issuance of certificate of inspection.* If the Parking Structure Periodic Inspection Report certifies that all applicable structural elements are satisfactory or if the Parking Structure Periodic Inspection Report certifies that there are some limited concerns and

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

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

(5) *Privately owned pedestrian bridges*

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

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

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

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

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

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

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

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

..end

Approved as to form and legality:

Eluard Alegre
Associate City Attorney

GENERAL

Ordinance Fact Sheet

220612

Ordinance Number

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

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

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

Positions/Recommendations

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

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

Details

Is it good for the children? Yes.

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

Policy/Program Impact

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

Finances

Cost & Revenue Projections -- Including Indirect Costs	
Financial Impact	
Fund Source (s) and Appropriation Account Codes	

(Use this space for further discussion, if necessary)

Applicable Dates:

Fact Sheet Prepared by:

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

Reviewed by:

Eluard Alegre Date 7/14/2022
 Law Department

Reference Numbers



File #: 220701

ORDINANCE NO. 220701

Establishing administrative processes for awarding standard incentive packages to residential, office, and industrial developments that meet certain criteria and directing the City Manager and the Director of Finance to take certain acts to implement the standard incentive packages.

WHEREAS, the City Council, by Committee Substitute for Ordinance No. 140031, As Amended, adopted the City's Economic Development and Incentives Policy and directed the City Manager to develop the scoring system set forth therein; and

WHEREAS, the City Council, by Ordinance No. 140375, adopted a certain scoring system for purposes of implementing the City's Economic Development and Incentives Policy, and the City Council has, from time to time, adopted revisions to this scoring system; and

WHEREAS, the City Council wishes to prioritize incentives to achieve the City's development goals, and provide staff, outside agencies, and potential developers a clear understanding of those goals; and

WHEREAS, the Council desires to provide an administrative pathway to accessing incentives, so they can be granted consistently and in a more expedited fashion to developments that deliver community benefit aligned with the City's articulated goals; and

WHEREAS, the Council desires that City staff undertake the following steps in order to create a program that implements standard incentive packages; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The Council establishes administrative processes for awarding standard incentives to residential, office, and industrial developments in order to achieve the following goals by December 31, 2027:

- (a) 10,000 units of affordable housing in target areas, as part of new multifamily development.
- (b) 60,000 additional target sector employees in target areas or increased speculative Class A office space to 15% market share.

- (c) 1,750,000 square feet of new speculative Class A industrial space or 8% industrial vacancy rate for four consecutive quarters.

Section 2. That the standard incentive packages available to qualifying developments and the criteria required for developments to qualify for administrative approval of these incentive packages are enumerated in Attachment A.

Section 3. That the City Manager is directed to establish the standard incentive packages described in Attachment A and is authorized to negotiate and execute agreements with the Economic Development Corporation of Kansas City, Land Clearance for Redevelopment Authority, Port KC, and Kansas City Area Transportation Authority, as necessary to provide the standard incentive packages outlined in Attachment A in a manner that is substantially consistent with the eligibility criteria in Attachment A. To the extent necessary to effectuate the standard incentive packages described in Attachment A, the City Manager is further directed to initiate the creation of urban redevelopment corporations, development plans, or urban renewal plans, and amendments thereto, along with any necessary revisions to Resolution No. 191024.

Section 4. That, in order to effectuate the standard incentive packages outlined in Attachment A, the Director of Finance is authorized to administratively negotiate and execute agreements that allow a redirection of 50% of increased economic activity taxes for up to 15 years for office and industrial developments eligible for such as outlined in Attachment A, subject to annual appropriation and applicable law. This authorization to execute contracts expires December 31, 2027. The City Manager is directed to prepare a comprehensive list of terms and requirements for administrative redirection agreements, which shall be circulated to the Council and posted on the City's website.

Section 5. That any third-party financial analysis requirements that have previously been established by ordinance or resolution are waived for projects that receive standard incentive packages, as outlined in Attachment A. This section shall not be construed as repealing any other exceptions or requirements that may have previously been enacted by the Council.

Section 6. That this ordinance and the standard incentive packages outlined in Attachment A will be reviewed by the City Council no later than five years from the effective date of this Ordinance to evaluate impact on the target thresholds outlined in Section 1.

Section 7. That the City Manager is directed to monitor all standard incentives packages and annually report to the Council regarding the granting and progress of standard incentive packages and the City's progress in achieving the goals established in Section 1.

..end

Approved as to form and legality:

Emalea Black
Associate City Attorney

**No Fact Sheet
Provided for
Ordinance No.**

220701

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220701

LEGISLATION IN BRIEF:

Establishing processes for awarding standard incentive packages to residential, office, and industrial developments that meet certain criteria and directing the City Manager to take certain acts to implement the standard incentive packages.

What is the purpose of this legislation?

ECONOMIC DEVELOPMENT

For the purpose of entering an agreement between the city and third party for the attraction or retention of economic activity for the purpose of economic development.

Does this legislation spend money appropriated in the current fiscal year?

NO

Yes/No

What is the city's obligation in future fiscal Years (See Section 04)

Does this Legislation estimate new revenue in the current Fiscal Year?

NO

Yes/No

What is the city's gross new revenue in future Fiscal Years? (See Section 01)

Section 00: Notes:

A fiscal impact cannot be determined at this time. However, future fiscal impacts will be realized with approval of qualified projects based on the following categories:

- 1) Residential - tiered structure with a maximum of 100% abatement of real property taxes for 10 years and 50% for 15 years thereafter, plus Sales Tax Exemption on Construction Materials (STECM);*
- 2) Office - 75% abatement of real and personal property taxes for 15 years, plus STECM, with a possible impact bonus redirection of 50% of Economic Activity Taxes (EATs) for 15 years;*
- 3) Industrial - tiered structure with a maximum of 75% abatement of real and personal property taxes for 15 years, plus STECM and redirection of 50% of EATs for 15 years, or 75% abatement of real and personal property taxes, plus STECM, with a possible impact bonus redirection of 50% of EATs for 15 years. These incentives will remain in effect until the goals as stated in this ordinance related to affordable housing, employment and industrial capacity are met.*

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

NET IMPACT ON OPERATIONAL BUDGET

RESERVE STATUS:

-	-

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL REV		-	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL EXP		-	-	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-	-
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NET IMPACT (SIX YEARS)	-
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REVIEWED BY

Sean Carroll

DATE

10/11/2022

Standard Minimum Incentive Packages for Prioritized Development Categories – 2022-2027

The following incentive packages are available until the City of Kansas City, MO achieves the following thresholds or until 12/31/2027 which ever occurs sooner.

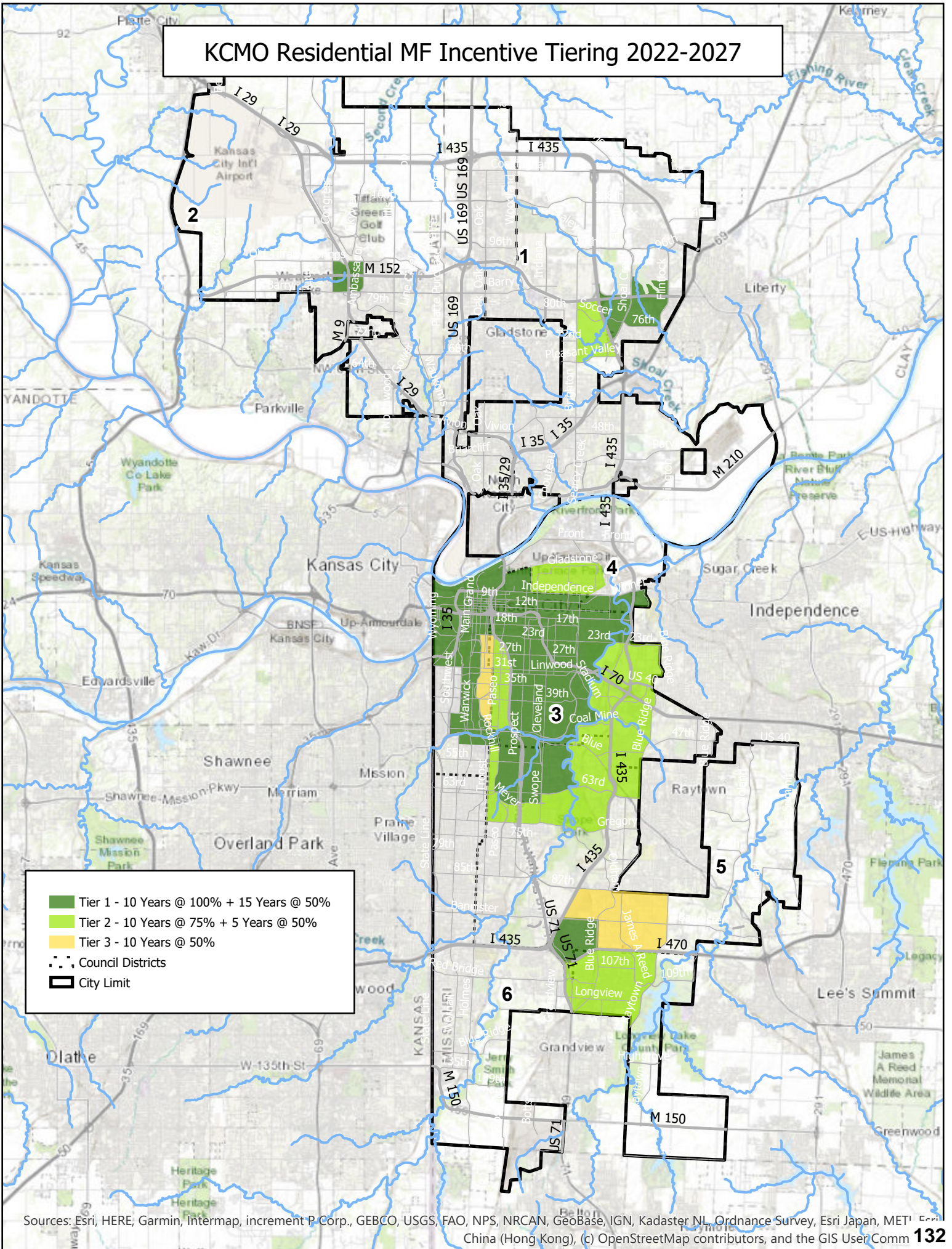
TARGET THRESHOLDS BY ASSET TYPE	
<i>The following incentive packages are available until the City of Kansas City, MO achieves the following thresholds or until 12/31/2027 when thresholds will be reaffirmed or modified by Council approval, which ever occurs sooner</i>	
Residential Multi-Family	10,000 units of newly constructed affordable housing
Class A Office Space	60,000 additional Target Sector Employees in Target Area or increased speculative Class A office space to 15% market share
Class A Industrial Space	1,750,000 total SF New in Target Area OR 8% Vacancy for 4 Consecutive Quarters

Asset Category	Incentive Package	Eligibility Criteria
Residential		
Tier 1	10 Years @ 100% + 15 Years @ 50% +STECM	1) Located in Eligible Target Area ¹ 2) >20% of Units Affordable @ or below 60% MFI 3) Minimum of 100 new units in the Central Business District; 50 units elsewhere 4) Minimum of 10 stories in the Central Business District; 4 Stories or 50 units/acre elsewhere 5) Parking ratio at or below 1.0 space unit 6) Green building standards comparable with LEED Silver or equivalent 7) Inclusion of alternative transit options 8) Ground floor retail along at least 50% of street frontage or in accordance with local zoning requirements, whichever is greater, in the Central Business District
Tier 2	10 Years @ 75% + 5 Years @ 50% +STECM	
Tier 3	10 Years @ 50% +STECM	
(Outside Target Zones) Affordable Housing Infill	10 Years @ 75%	Above criteria plus: 1) > 25% of Units Affordable @ or below 60% MFI 2) At least 4 units per acre density

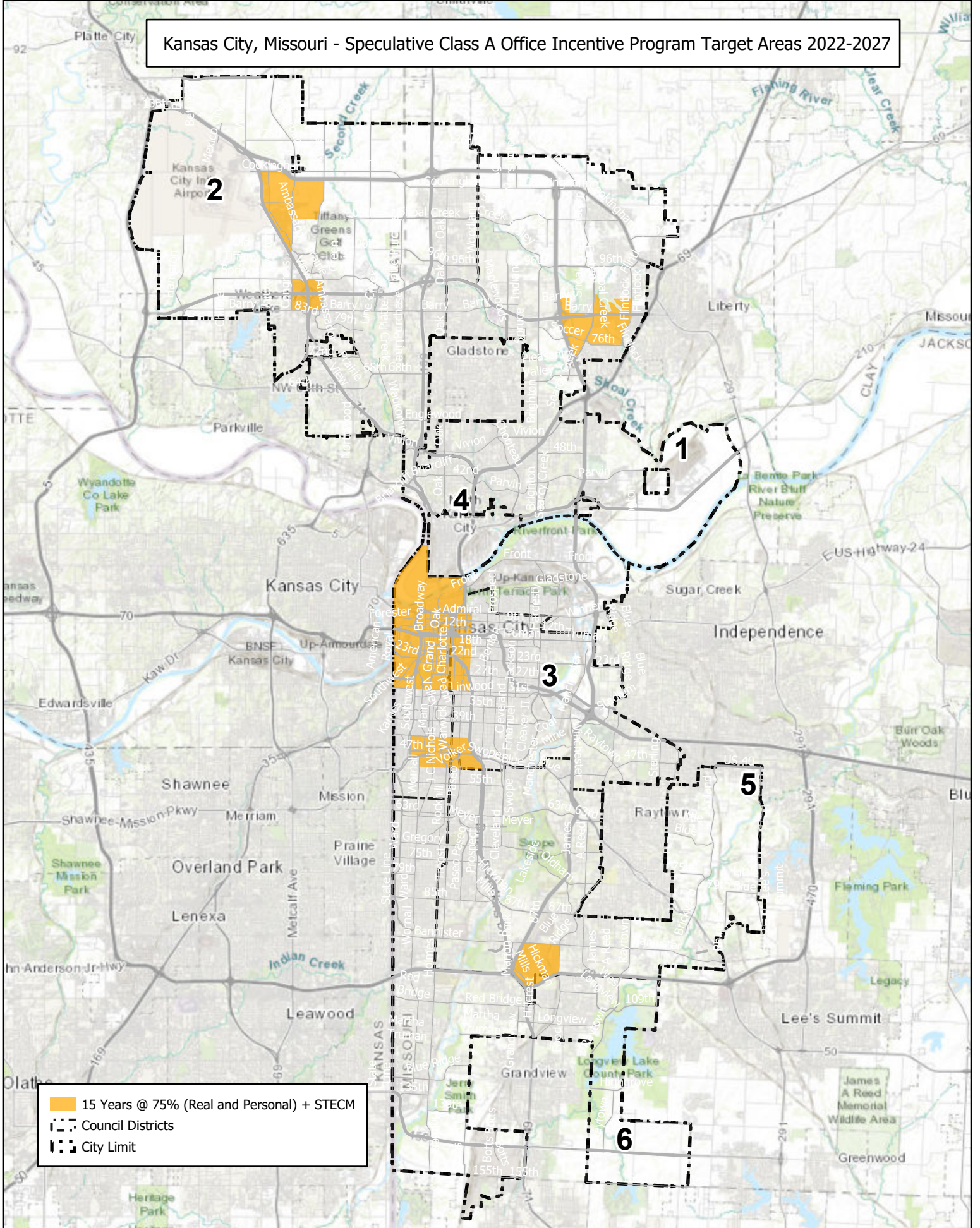
¹ 2022-2027 Residential Incentive Tiers Map

Asset Category	Incentive Package	1) Eligibility Criteria
Class A Office Space		
New Construction – Class A	15 Years @ 75% (Real and Personal) + STECM	1) Located in Target Area 2) Minimum 200,000 SF New Construction 3) Minimum 20 Stories (Downtown) 4) CBA Required 5) Parking Costs Excluded for Any Parking in Excess of 2.5/1,000
+ Impact Bonus HQ Attraction Parking Density Wages	+ 15 Years @ 50% EATS Redirection	All of Above plus: 1) Involves Corporate Relocation from Outside KC Metro 2) In a Target Sector OR 3) Projects with Parking Ratios < 2.5/1000 sf and/or which include Worker Transportation Program OR 4) Min 500 Jobs with Wages @ or above 100% County Average Wage
Industrial Development		
Tier 1	15 Years @ 75% (Real and Personal) + STECM + 15 Years 50% EATS Redirection	1) Located in Tier 1 Target Area 2) Minimum 250,000 SF New Construction Class A 3) CBA Required
Tier 2	15 Years @ 75% (Real and Personal) + STECM	1) Located in Tier 2 Target Area 2) Minimum 250,000 SF New Construction Class A 3) CBA Required
+ Impact Bonus Wages Job Access Mega Project Bonus	+ 15 Years 50% EATS	All of Above plus: 1) Min 100 Jobs with Wages @ or above 100% County Average Wage, OR: 2) Company Provided Workforce Transportation Program, OR: 3) Stand Alone projects greater than \$50 Million 4) CBA Required

KCMO Residential MF Incentive Tiering 2022-2027

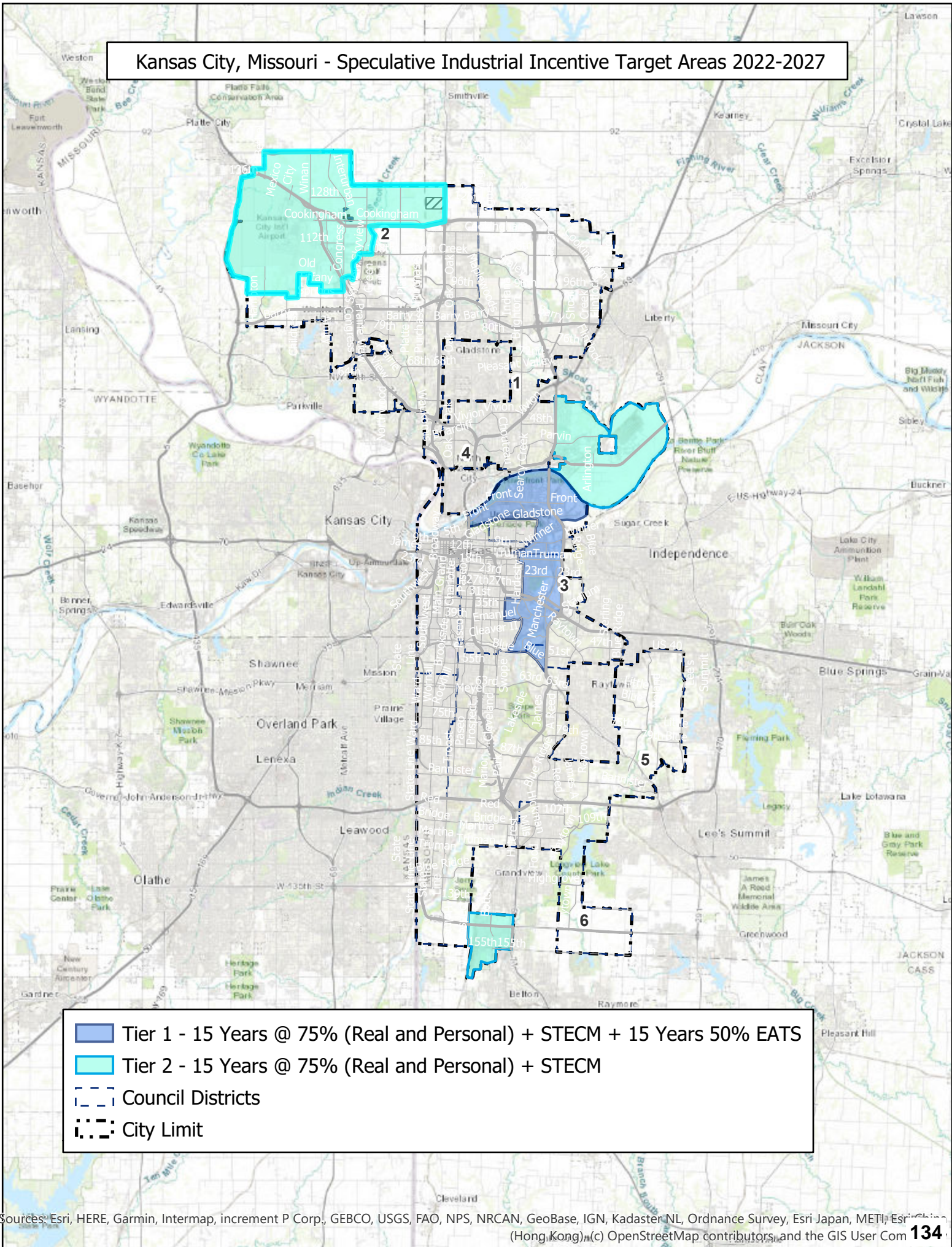


Kansas City, Missouri - Speculative Class A Office Incentive Program Target Areas 2022-2027



- 15 Years @ 75% (Real and Personal) + STECM
- Council Districts
- City Limit

Kansas City, Missouri - Speculative Industrial Incentive Target Areas 2022-2027



COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220701

Establishing processes for awarding standard incentive packages to residential, office, and industrial developments that meet certain criteria, and directing the City Manager to take certain acts to implement the standard incentive packages.

WHEREAS, the City Council, by Committee Substitute for Ordinance No. 140031, As Amended, adopted the City's Economic Development and Incentives Policy and directed the City Manager to develop the scoring system set forth therein; and

WHEREAS, the City Council, by Ordinance No. 140375, adopted a certain scoring system for purposes of implementing the City's Economic Development and Incentives Policy, and the City Council has, from time to time, adopted revisions to this scoring system; and

WHEREAS, the City Council wishes to prioritize incentives to achieve the City's development goals, and provide staff, outside agencies, and potential developers a clear understanding of those goals; and

WHEREAS, the Council desires to provide a streamlined pathway to accessing some incentives, so they can be granted consistently and in a more expedited fashion to qualifying developments that deliver community benefit aligned with the City's articulated goals; and WHEREAS, the Council desires to utilize available statutory incentives by going through the required processes for the creation of necessary entities, plans, and contracts in targeted area, in order to simplify the subsequent incentive application process for qualifying projects; and

WHEREAS, the creation of a standard incentive framework will provide standardization and efficiency, while still complying with statutory notification and hearing requirements; and

WHEREAS, the creation of a standard incentive framework will require an analysis to identify where new or amended urban redevelopment corporations, development plans, or urban renewal plans are necessary to effectuate the program outlined in this ordinance; and

WHEREAS, the standard incentives packages will only apply to certain qualifying projects, and existing caps and approval processes will remain in place for developments that do not qualify or that seek different levels of incentives than outlined in this ordinance; and

WHEREAS, the Council desires that City staff undertake the following steps in order to create a program that implements standard incentive packages to be available only to developments that meet certain criteria; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The Council establishes processes for awarding standard incentives to residential, office, and industrial developments in order to achieve the following goals by December 31, 2027:

- (a) 10,000 units of affordable housing in target areas, as part of new multifamily development.
- (b) 60,000 additional target sector employees in target areas or increased speculative Class A office space to 15% market share.
- (c) 1,750,000 square feet of new speculative Class A industrial space or 8% industrial vacancy rate for four consecutive quarters.

Section 2. That the standard incentive packages available to qualifying developments and the criteria required for developments to qualify for these incentive packages are enumerated in Attachment A.

Section 3. That the City Manager is directed to establish the standard incentive packages described in Attachment A and is authorized to negotiate and execute agreements with the Economic Development Corporation of Kansas City (“EDC”), Land Clearance for Redevelopment Authority, Port KC, and Kansas City Area Transportation Authority, (collectively the “incentive agencies”) as necessary to provide the standard incentive packages outlined in Exhibit A in a manner that is substantially consistent with the eligibility criteria in Exhibit A. To the extent necessary to effectuate the standard incentive packages described in Attachment A, the City Manager is further directed to initiate the creation of urban redevelopment corporations, development plans, or urban renewal plans, and amendments thereto, along with any necessary revisions to Resolution 191024.

Section 4. All agreements with incentive agencies authorized under Section 3 shall include:

- (a) A requirement that seven days before any incentive is granted pursuant to said agreements, a copy of the standard incentive package contract in substantial form shall be circulated to the City Manager and the EDC.
- (b) A requirement that for all standard incentive package contracts that require a community benefit agreement, the community benefit agreement will be reviewed through a process that includes community engagement and communication efforts to confirm the consensus within the neighborhood and labor union participation.
- (c) A requirement that all required community benefit agreements shall include at least three of the following elements:
 - (1) A contribution to the Housing Trust Fund equivalent to or exceeding 1% of the total local incentive amount
 - (2) A contribution workforce support programs or provision of workforce support services (e.g., childcare, healthcare, down payment assistance) equivalent to or exceeding 1% of the local incentive amount

- (3) Contribution to the Brownfields Remediation Loan Fund or environmental remediation activities equivalent to or exceeding 1% of local incentive amount
 - (4) Commitment to hire Kansas City residents for new jobs created
 - (5) Exceeding M/WBE hiring criteria to be set by CREO
 - (6) Commitment to use local suppliers and/or service in the construction and/or operation of the facility
 - (7) Historic preservation activities, equivalent to or exceeding 1% of the local incentive amount
- (d) A requirement that standard incentive package contracts that require a community benefit agreement include a provision that failure to comply with the community benefit agreement will result in a penalty of up to \$5,000 per day, and, if the developer fails to cure, termination of the incentives.
 - (e) Include a requirement that standard incentive package contracts include a provision that failure to comply with the requirements provided in Exhibit A will result in a penalty of up to \$5,000 per day, and, if the developer fails to cure, termination of the incentives.

Section 5. That, in order to effectuate the standard incentive packages outlined in Exhibit A, the City Manager is authorized to negotiate and execute agreements that allow a redirection of 50% of increased economic activity taxes for up to 15 years for office and industrial developments eligible for such as outlined in Attachment A, subject to annual appropriation and applicable law. This authorization to execute contracts expires December 31, 2027. The City Manager is directed to prepare a comprehensive list of terms and requirements for redirection agreements authorized by this section, which shall be circulated to the Council and posted on the City's website.

Section 6. That any third-party financial analysis requirements that have previously been established by ordinance or resolution are waived for projects that receive standard incentive packages, as outlined in Attachment A. This section shall not be construed as repealing any other exceptions or requirements that may have previously been enacted by the Council.

Section 7. That this ordinance and the standard incentive packages outlined in Attachment A will be reviewed by the City Council no later than five years from the effective date of this Ordinance to evaluate impact on the target thresholds outlined in Section 1.

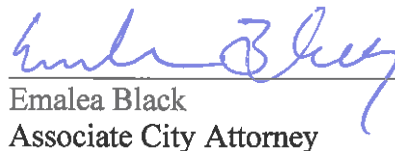
Section 8. That the City Manager is directed to monitor all standard incentives packages and annually report to the Council regarding the granting and progress of standard incentive packages and the City's progress in achieving the goals established in Section 1. This report shall include:

- (a) The number of projects that have received standard incentive package contracts;
- (b) The number of affordable units created by each project;
- (c) The location of the project, relative to changes in the Market Value Analysis, including amounts of displacement risk;
- (d) The level of affordability included in each project;
- (e) The amount of abatement per project, per unit or per job, and overall; and
- (f) The amount of revenue generated per project and overall.

Section 9. That any actions authorized in Section 3 to effectuate standard incentive packages must comply with all notification and hearing provisions required by Missouri law.

Section 10. That nothing in this ordinance modifies or waives existing requirements or approval processes for any incentives outside the standard incentive packages.

Approved as to form and legality:


Emalea Black
Associate City Attorney

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220701

Establishing ~~administrative~~ processes for awarding standard incentive packages to residential, office, and industrial developments that meet certain ~~eriterial~~criteria, and directing the City Manager ~~and the Director of Finance~~ to take certain acts to implement the standard incentive packages.

WHEREAS, the City Council, by Committee Substitute for Ordinance No. 140031, As Amended, adopted the City's Economic Development and Incentives Policy and directed the City Manager to develop the scoring system set forth therein; and

WHEREAS, the City Council, by Ordinance No. 140375, adopted a certain scoring system for purposes of implementing the City's Economic Development and Incentives Policy, and the City Council has, from time to time, adopted revisions to this scoring system; and

WHEREAS, the City Council wishes to prioritize incentives to achieve the City's development goals, and provide staff, outside agencies, and potential developers a clear understanding of those goals; and

WHEREAS, the Council desires to provide ~~an administrative~~ streamlined pathway to accessing some incentives, so they can be granted consistently and in a more expedited fashion to qualifying developments that deliver community benefit aligned with the City's articulated goals; and

WHEREAS, the Council desires to utilize available statutory incentives by going through the required processes for the creation of necessary entities, plans, and contracts in targeted area, in order to simplify the subsequent incentive application process for qualifying projects; and

WHEREAS, the creation of a standard incentive framework will provide standardization and efficiency, while still complying with statutory notification and hearing requirements; and

WHEREAS, the creation of a standard incentive framework will require an analysis to identify where new or amended urban redevelopment corporations, development plans, or urban renewal plans are necessary to effectuate the program outlined in this ordinance; and

WHEREAS, the standard incentives packages will only apply to certain qualifying projects, and existing caps and approval processes will remain in place for developments that do not qualify or that seek different levels of incentives than outlined in this ordinance; and

WHEREAS, the Council desires that City staff undertake the following steps in order to create a program that implements standard incentive packages to be available only to developments that meet certain criteria; NOW, THEREFORE,

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- ~~(b)~~ ~~(b)~~—60,000 additional target sector employees in target areas or increased speculative Class A office space to 15% market share.
- ~~(c)~~ ~~(e)~~—1,750,000 square feet of new speculative Class A industrial space or 8% industrial vacancy rate for four consecutive quarters.

Section 2. That the standard incentive packages available to qualifying developments and the criteria required for developments to qualify for ~~administrative approval of~~ these incentive packages are enumerated in Attachment A.

Section 3. That the City Manager is directed to establish the standard incentive packages described in Attachment A and is authorized to negotiate and execute agreements with the Economic Development Corporation of Kansas City, ~~(“EDC”)~~, Land Clearance for Redevelopment Authority, Port KC, and Kansas City Area Transportation Authority, (collectively the “incentive agencies”) as necessary to provide the standard incentive packages outlined in ~~Attachment Exhibit~~ A in a manner that is substantially consistent with the eligibility criteria in ~~Attachment Exhibit~~ A. To the extent necessary to effectuate the standard incentive packages described in Attachment A, the City Manager is further directed to initiate the creation of urban redevelopment corporations, development plans, or urban renewal plans, and amendments thereto, along with any necessary revisions to Resolution ~~No.~~ 191024.

Section 4. All agreements with incentive agencies authorized under Section 3 shall include:

- (a) A requirement that seven days before any incentive is granted pursuant to said agreements, a copy of the standard incentive package contract in substantial form shall be circulated to the City Manager and the EDC.
- (b) A requirement that for all standard incentive package contracts that require a community benefit agreement, the community benefit agreement will be reviewed through a process that includes community engagement and communication efforts to confirm the consensus within the neighborhood and labor union participation.
- (c) A requirement that all required community benefit agreements shall include at least three of the following elements:

- (1) A contribution to the Housing Trust Fund equivalent to or exceeding 1% of the total local incentive amount
 - (2) A contribution workforce support programs or provision of workforce support services (e.g., childcare, healthcare, down payment assistance) equivalent to or exceeding 1% of the local incentive amount
 - (3) Contribution to the Brownfields Remediation Loan Fund or environmental remediation activities equivalent to or exceeding 1% of local incentive amount
 - (4) Commitment to hire Kansas City residents for new jobs created
 - (5) Exceeding M/WBE hiring criteria to be set by CREO
 - (6) Commitment to use local suppliers and/or service in the construction and/or operation of the facility
 - (7) Historic preservation activities, equivalent to or exceeding 1% of the local incentive amount
- (d) A requirement that standard incentive package contracts that require a community benefit agreement include a provision that failure to comply with the community benefit agreement will result in a penalty of up to \$5,000 per day, and, if the developer fails to cure, termination of the incentives.
- (e) Include a requirement that standard incentive package contracts include a provision that failure to comply with the requirements provided in Exhibit A will result in a penalty of up to \$5,000 per day, and, if the developer fails to cure, termination of the incentives.

Section 5. That, in order to effectuate the standard incentive packages outlined in ~~Attachment~~Exhibit A, the ~~Director of Finance~~City Manager is authorized to ~~administratively~~ negotiate and execute agreements that allow a redirection of 50% of increased economic activity taxes for up to 15 years for office and industrial developments eligible for such as outlined in Attachment A, subject to annual appropriation and applicable law. This authorization to execute contracts expires December 31, 2027. The City Manager is directed to prepare a comprehensive list of terms and requirements for ~~administrative~~ redirection agreements authorized by this section, which shall be circulated to the Council and posted on the City's website.

Section ~~5~~6. That any third-party financial analysis requirements that have previously been established by ordinance or resolution are waived for projects that receive standard incentive packages, as outlined in Attachment A. This section shall not be construed as repealing any other exceptions or requirements that may have previously been enacted by the Council.

Section 67. That this ordinance and the standard incentive packages outlined in Attachment A will be reviewed by the City Council no later than five years from the effective date of this Ordinance to evaluate impact on the target thresholds outlined in Section 1.

Section 78. That the City Manager is directed to monitor all standard incentives packages and annually report to the Council regarding the granting and progress of standard incentive packages and the City's progress in achieving the goals established in Section 1. This report shall include:

- (a) The number of projects that have received standard incentive package contracts;
- (b) The number of affordable units created by each project;
- (c) The location of the project, relative to changes in the Market Value Analysis, including amounts of displacement risk;
- (d) The level of affordability included in each project;
- (e) The amount of abatement per project, per unit or per job, and overall; and
- (f) The amount of revenue generated per project and overall.

Section 9. That any actions authorized in Section 3 to effectuate standard incentive packages must comply with all notification and hearing provisions required by Missouri law.

Section 10. That nothing in this ordinance modifies or waives existing requirements or approval processes for any incentives outside the standard incentive packages.

Approved as to form and legality:

Emalea Black
Associate City Attorney



TESTIMONY

August 24, 2022

ORDINANCE NUMBER 220701: KANSAS CITY SHOULD NOT REPLACE ROLE OF ELECTED OFFICIALS IN DETERMINING TAX SUBSIDIES

By David Stokes

Testimony Before the Neighborhood Planning and Development
Committee of the Kansas City Council

TO THE HONORABLE MEMBERS OF THE COMMITTEE:

My name is David Stokes, and I am the director of municipal policy for the Show-Me Institute, a nonprofit, nonpartisan Missouri-based think tank that supports free-market solutions for state and local public policy. The ideas presented here are my own. This testimony is intended to summarize research and analysis that the Show-Me Institute has conducted concerning the economic performance of tax subsidies and the political process used to enact them. This testimony should not be viewed as specific support for, or opposition to, any particular plan that the city of Kansas City is considering beyond opposition to the general use of tax

subsidies, including tax-increment financing (TIF), tax abatements, enhanced enterprise zones (EEZs), and other subsidies as a part of economic development plans, along with opposition to the proposal in this ordinance to substantially reduce the role of elected officials in approving these subsidies and turn that role over to the appointed positions of city manager and city finance director.

The dirty little secret that nobody seems to want to mention is that TIFs, EEZs, property tax abatements and many other types of tax subsidies do not work. They do not succeed in growing the local economy. The panoply of subsidies that come into play when a large area is declared blighted can have a number of adverse side effects. They shrink the

ADVANCING LIBERTY WITH RESPONSIBILITY
BY PROMOTING MARKET SOLUTIONS
FOR MISSOURI PUBLIC POLICY

local tax base, encourage more government planning of the economy, reward those with political connections, and increase the chances of eminent domain abuse. As a famous Swedish economist once said, “It is not by planting trees or subsidizing tree planting in a desert created by politicians that the government can promote . . . industry, but by refraining from measures that create a desert environment.”

Before EEZs were implemented in 2005, Missouri had a very similar program with a similar name: Enterprise Zones (EZs). How did the use of EZs impact Missouri counties that aggressively established them? The Show-Me Institute conducted a case study comparing eight Missouri counties that implemented large EZs from the mid-1980s to the early 1990s to twelve bordering counties that did not implement any EZs. This comparison allowed for a clear natural experiment on the success, failure, or simple pointlessness of the original EZ program. The fundamental finding of the study was that the counties that implemented EZs did no better economically than their neighboring counties that did not. Simply put, the EZs made no difference. The results of this study are directly applicable to cities in Missouri, including Kansas City. The findings were also perfectly consistent with strong preponderance of the economic literature on tax subsidies, which is clear that the vast majority of investment dollars that subsidies such as TIFs, EEZs, etc., claim to have generated either: (1) would have happened anyway without the subsidy, or (2) resulted from the transfer of investment from areas very close by, resulting in no real growth.

Whatever the numbers and analysis may be, the burden of proof is generally misplaced in these debates. It really should not be the responsibility of those opposed to new programs, subsidies, etc., to prove that they do not work. It should be the burden of those who support such subsidies to prove that they *do* work. And supporters should not prove that they work through anecdotal evidence. They should not prove that they work with alarmist assertions such as “It would have been worse if we did not do this,” or “nobody is building affordable housing in Kansas City,” which is demonstrably untrue. To prove the value of these subsidies should require actual evidence. In my substantial experience of reviewing subsidy

proposals by local governments in Missouri, the use of actual evidence to support subsidy proposals is decidedly rare.

Ordinance 220701 contains two very bad ideas. First, it would automate the process by which subsidies are granted. It would remove the requirement of an independent financial analysis of the subsidy request. While those independent financial reports generally have been biased in favor of developers, at least they provided an attempt to justify the tax subsidy request. This ordinance would remove even that small attempt at independent review. Furthermore, by standardizing the package of incentives available, the city is inevitably going to increase the requests for subsidies from developers. When you make something both easier to receive and cheaper, you are going to get more requests for it. For a harmful activity like tax subsidies, that is moving in the wrong direction. It reverses the small progress Kansas City has made in recent years to reduce the use of tax subsidies and limit the total amount of other people’s money given away.

Second, the removal of elected officials from the decision-making process and empowerment of the city manager and finance director to implement tax subsidy decisions is a direct attack on local democracy. Decisions about selectively granting political favors such as tax subsidies should be made by elected officials responsible to the voters, not by bureaucrats acting independently of transparency and oversight. I can foresee some politicians in the near future embracing the opportunity to tell the voters, “I tried to stop those subsidies, but the city manager overruled me. I wish I could stop them, but I just can’t now.” Elected officials need to take ownership over decisions that divert taxpayer money to benefit private interests. Moreover, making tax subsidies as routine as garbage pick-up or street sweeping should *not* be the goal. These subsidies should be the exception to the rule, not the standard procedure. The proposals in Ordinance 220701 to make them standard fare decided upon by appointed personnel instead of public decisions voted on by elected officials is a terrible public policy choice.

Thank you for the opportunity to submit this testimony to the committee.

ENDNOTES

1. Assar Lindbeck, long-time chair of the Nobel Prize in Economics selection committee.
2. Stokes, David. "The Effectiveness of Enterprise Zones in Missouri." Show-Me Institute Case Study No. 14, January 2013.



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File #: 220878

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220878

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 5.6 acres generally located on the west side of Holmes Road, approximately 700 feet south of E. 127th Street from District O-2 to District R-5, and approving a preliminary plat, creating 19 detached lots. (CD-CPC-2022-00061 and CD-CPC-2022-00077)

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-1345 rezoning an area of about 5.6 acres generally located on the west side of Holmes Road, approximately 700 feet south of East 127th Street from O-2 (Office) to District R-5 (Residential) and approving a Preliminary Plat in District R-5 (Residential) on about 5.6 acres to allow for 19 detached lots, said section to read as follows:

Section 88-20A 1345. That an area legally described as:

All those portions of the 3 tracts described below, of the Northwest Quarter of the Southeast Quarter of Section 17, Township 47, Range 33, in Kansas City, Jackson County, Missouri, lying westerly of the west line of Holmes Road.

Said 3 tracts described as follows:

TRACT 1: Beginning at a point in the east line of said Northwest Quarter of the Southeast Quarter, a distance of 200 feet north (measured along said east line) from the southeast corner of said Quarter Quarter Section (said point being the northeast corner of the land described in Deed to Margaret E. and Joseph A. Siena, recorded on October 22, 1947, as Document No. A-900243); thence westerly along the north line of said land of Siena, a distance of 660 feet, more or less, to the west line of the east half of said Quarter Quarter Section; thence northerly along said west line a distance of 460.1 feet, more or less to a point 660.1 feet south (measured along said west line) of the northwest corner of said Quarter Quarter Section; thence easterly in a direct line (being the southerly line of the land described in Deed to Irvin W. Stephens and wife, recorded on September 8, 1948 as Document No. A-931891), a distance of 659.89 feet to a point on the east line of said Quarter Quarter Section distant, 658.52 feet southerly of the northeast corner thereof; thence southerly along said east line a

distance of 458.52 feet to the point of beginning, except therefrom that portion of said tract including within the lines of Holmes Road; and

TRACT 2: Beginning at the southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 17; thence west along the south line of said Northwest Quarter of the Southeast Quarter for a distance of 660 feet; thence north 100 feet; thence east approximately 660 feet to the east line of said Northwest Quarter of the Southeast Quarter of said Section 17; thence south 100 feet to the point of beginning, except a strip of land now being used as Holmes Road, and

TRACT 3: Beginning at a point 100 feet north of the southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 17; thence west in a straight line 100 feet north of the south line of said Northwest Quarter of the Southeast Quarter, 660 feet to a point on the west line of the east half of the Northwest Quarter of the Southeast Quarter of said Section 17; thence north 100 feet; thence east approximately 660 feet to the east line of said Northwest Quarter of said Southeast Quarter of said Section 17; thence south approximately 100 feet to point of beginning, except a strip of land being used as Holmes Road.

is hereby rezoned from District O-2 (Office) to District R-5 (Residential), all as shown outlined on a map marked Section 88-20A-1345, 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 preliminary plat for the area legally described above, is hereby approved, subject to the following conditions:

1. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.
2. 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.
3. The developer shall dedicate additional right-of-way for Holmes Road as required by the adopted Major Street Plan and/or Chapter 88 so as to provide a minimum of 50 feet of right-of-way as measured from the centerline, along those areas

being platted, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.

4. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
5. The developer shall subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and the developer shall be responsible for all costs associated with subordination activities now and in the future.
6. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
7. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
8. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
9. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
10. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
11. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include

- said document(s) within the public improvement applications submitted for permitting
12. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
 13. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.
 14. The developer shall grant any BMP and/or surface drainage easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
 15. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
 16. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.
 17. Fire hydrant distribution shall follow IFC 2018 Table C102.1.
 18. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC 2018 § 501.4 and 3312.1; NFPA 2013 § 8.7.2)
 19. Required Fire Department access roads shall be an all-weather surface. (IFC 2012: § 503.2.3)
 20. 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 a gross axle weight of 85,000 pounds. (IFC 2018: § 503.2.3)
 22. "No Parking Fire Lane" signage shall be provided. (IFC 2018: § 503.3)
 23. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC 2018 § 507.1)

24. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash in lieu of either form of dedication, or any combination thereof in accordance with 88 408. Should the developer choose to pay cash in lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to recording the final plat.
25. The developer shall submit a streetscape plan with street tree planting plan per 88 425 03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right of way.
26. 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.
27. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
28. The developer shall submit water main extension drawings prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the KC Water Rules and Regulations for Water main extensions and Relocations.
29. That the preliminary plat be revised to show a minimum 10 foot wide area between the rear property lines and the retaining wall contained in Tract A to allow for sufficient area for maintenance and repairs prior to applying for a Final Plat.

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

Section C. The Council hereby grants, upon a recommendation from the City Plan Commission, the following:

A waiver to the street connection to abutting property requirement of 88-405-10-B-2 in accordance with 88-405-25 due to the presence of physical constraints on the adjacent property.

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

..end

I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing

ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220878

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2022-00061 & CD-CPC-2022-00077

Brief Title

Rezoning an area of about 5.6 acres generally located on the west side of Holmes Road, approximately 700 feet south of East 127th Street from District O-2 (Office) to District R-5 (Residential) and approving a Preliminary Plat in District R-5 on about 5.6 acres creating 19 detached lots.

Details

Location: Generally located on the west side of Holmes Road, approximately 700 feet south of East 127th Street.
Reason for Legislation: 1. To consider rezoning about 5.6 acres from District O-2 (Office) to District R-5 (Residential). 2. To consider approval a preliminary plat in District R-5 (Residential) on about 5.6 acres to allow for 19 detached lots.

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

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

SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

- 30 ft Landscape Tract added along Holmes Road
- Landscape tract added on west side of development to place retaining walls in tract, which is to be maintained by HOA
- Developer is now seeking deviation to rear setback to allow for a 10-foot rear setback.

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP City Planning & Development Director
Programs, Departments or Groups Affected	6 th (Bough and McManus)
Applicants / Proponents	Applicant Paul Moss Anderson Engineering City Department City Planning & Development Other
Opponents	Groups or Individuals Residents of adjacent Woodbridge Residential Subdivision Basis of Opposition Density, Access, Safety
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission 4-0 on 7-5-22 By (Beasley, Crowl, Rojas, Sadowski) <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions (see city plan commission disposition letter for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass

<input type="checkbox"/>	Do Pass (as amended)
<input type="checkbox"/>	Committee Sub.
<input type="checkbox"/>	Without Recommendation
<input type="checkbox"/>	Hold
<input type="checkbox"/>	Do not pass

Fact Sheet Prepared By: Matthew Barnes Planner	Date: 8/15/22	
Reviewed By: Joseph Rexwinkle Division Manager	Date: 8/15/22	Initial Application Filed: 5/03/22
		City Plan Commission Action: 07/05/22
		Revised Plans Filed: 08/12/22
		On Schedule: NO
		Off Schedule Reason: Revised Plans Required post CPC
Reference Numbers: CD-CPC-2022-00061 & CD-CPC-2022-00077		

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220878

Rezoning an area of about 5.6 acres generally located on the west side of Holmes Road, approximately 700 feet south of E. 127th Street from District O-2 to District R-5, and approving a preliminary plat, creating 19 detached lots. (CD-CPC-2022-00061 and CD-CPC-2022-00077)

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-1345 rezoning an area of about 5.6 acres generally located on the west side of Holmes Road, approximately 700 feet south of East 127th Street from O-2 (Office) to District R-5 (Residential) and approving a Preliminary Plat in District R-5 (Residential) on about 5.6 acres to allow for 19 detached lots, said section to read as follows:

Section 88-20A 1345. That an area legally described as:

All those portions of the 3 tracts described below, of the Northwest Quarter of the Southeast Quarter of Section 17, Township 47, Range 33, in Kansas City, Jackson County, Missouri, lying westerly of the west line of Holmes Road.

Said 3 tracts described as follows:

TRACT 1: Beginning at a point in the east line of said Northwest Quarter of the Southeast Quarter, a distance of 200 feet north (measured along said east line) from the southeast corner of said Quarter Quarter Section (said point being the northeast corner of the land described in Deed to Margaret E. and Joseph A. Siena, recorded on October 22, 1947, as Document No. A-900243); thence westerly along the north line of said land of Siena, a distance of 660 feet, more or less, to the west line of the east half of said Quarter Quarter Section; thence northerly along said west line a distance of 460.1 feet, more or less to a point 660.1 feet south (measured along said west line) of the northwest corner of said Quarter Quarter Section; thence easterly in a direct line (being the southerly line of the land described in Deed to Irvin W. Stephens and wife, recorded on September 8, 1948 as Document No. A-931891), a distance of 659.89 feet to a point on the east line of said Quarter Quarter Section distant, 658.52 feet southerly of the northeast corner thereof; thence southerly along said east line a distance of 458.52 feet to the point of beginning, except therefrom that portion of said tract including within the lines of Holmes Road; and

TRACT 2: Beginning at the southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 17; thence west along the south line of said

Northwest Quarter of the Southeast Quarter for a distance of 660 feet; thence north 100 feet; thence east approximately 660 feet to the east line of said Northwest Quarter of the Southeast Quarter of said Section 17; thence south 100 feet to the point of beginning, except a strip of land now being used as Holmes Road, and

TRACT 3: Beginning at a point 100 feet north of the southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 17; thence west in a straight line 100 feet north of the south line of said Northwest Quarter of the Southeast Quarter, 660 feet to a point on the west line of the east half of the Northwest Quarter of the Southeast Quarter of said Section 17; thence north 100 feet; thence east approximately 660 feet to the east line of said Northwest Quarter of said Southeast Quarter of said Section 17; thence south approximately 100 feet to point of beginning, except a strip of land being used as Holmes Road.

is hereby rezoned from District O-2 (Office) to District R-5 (Residential), all as shown outlined on a map marked Section 88-20A-1345, 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 preliminary plat for the area legally described as:

~~All those portions of the 3 tracts described below, of the Northwest Quarter of the Southeast Quarter of Section 17, Township 47, Range 33, in Kansas City, Jackson County, Missouri, lying westerly of the west line of Holmes Road.~~

~~Said 3 tracts described as follows:~~

~~TRACT 1: Beginning at a point in the east line of said Northwest Quarter of the Southeast Quarter, a distance of 200 feet north (measured along said east line) from the southeast corner of said Quarter Quarter Section (said point being the northeast corner of the land described in Deed to Margaret E. and Joseph A. Siena, recorded on October 22, 1947, as Document No. A-900243); thence westerly along the north line of said land of Siena, a distance of 660 feet, more or less, to the west line of the east half of said Quarter Quarter Section; thence northerly along said west line a distance of 460.1 feet, more or less to a point 660.1 feet south (measured along said west line) of the northwest corner of said Quarter Quarter Section; thence easterly in a direct line (being the southerly line of the land described in deed to Irvin W. Stephens and wife, recorded on September 8, 1948 as Document No. A-931891), a distance of 659.89 feet to a point on the east line of said Quarter Quarter Section distant, 658.52 feet southerly of the northeast corner thereof; thence southerly along said east line a distance of 458.52 feet to the point of beginning, except therefrom that portion of said tract including within the lines of Holmes Road; and~~

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above, is hereby approved, subject to the following conditions:

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1. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.
2. 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.
3. The developer shall dedicate additional right-of-way for Holmes Road as required by the adopted Major Street Plan and/or Chapter 88 so as to provide a minimum of 50 feet of right-of-way as measured from the centerline, along those areas being platted, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.
4. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.

5. The developer shall subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and the developer shall be responsible for all costs associated with subordination activities now and in the future.
6. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
7. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
8. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
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10. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
11. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
12. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
13. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development

Division, prior to recording the plat or issuance of a building permit, whichever occurs first.

14. The developer shall grant any BMP and/or surface drainage easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
15. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
16. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.
17. Fire hydrant distribution shall follow IFC 2018 Table C102.1.
18. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC 2018 § 501.4 and 3312.1; NFPA 2013 § 8.7.2)
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21. Required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC 2018: § 503.2.3)
22. "No Parking Fire Lane" signage shall be provided. (IFC 2018: § 503.3)
23. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC 2018 § 507.1)
24. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash in lieu of either form of dedication, or any combination thereof in accordance with 88 408. Should the developer choose to pay cash in lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to recording the final plat.
25. The developer shall submit a streetscape plan with street tree planting plan per 88 425 03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right of way.

26. 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.
27. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
28. The developer shall submit water main extension drawings prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the KC Water Rules and Regulations for Water main extensions and Relocations.
29. That the preliminary plat be revised to show a minimum 10 foot wide area between the rear property lines and the retaining wall contained in Tract A to allow for sufficient area for maintenance and repairs prior to applying for a Final Plat.

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

Section C. The Council hereby grants, upon a recommendation from the City Plan Commission, the following:

A waiver to the street connection to abutting property requirement of 88-405-10-B-2 in accordance with 88-405-25 due to the presence of physical constraints on the adjacent property.

Section D. 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.

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney