



Agenda

Neighborhood Planning and Development Committee

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

Wednesday, November 30, 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*****

Director of City Planning & Development

[220974](#)

Sponsor: City Planning and Development Department

Repealing Ordinance No. 220468 that approved the plat of Blue River Commerce Center Fourth Plat and enacting a new ordinance that approves the plat of Blue River Commerce Center Fourth Plat, an addition in Kansas City, Jackson County, Missouri, on approximately 15.25 acres generally located at the northeast corner of E. Bannister Road and Troost Avenue, creating 1 lot for the purpose of a 1 lot industrial subdivision; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00007)

Attachments: [Repeal 2022-00007 Ordinance Fact Sheet](#)

Director of Public Works

[220984](#) Sponsor: Director of the Public Works Department

Authorizing condemnation and taking of private property interests for public use for Recreational Trail Easements for the construction, location and maintenance of the "Shoal Creek Trail Segment 3", Project No. 89020370, from 7301 N. Brighton Avenue, southeasterly, to 5400 N.E. Pleasant Valley Road in Kansas City, Clay County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations and purchase by the Director of the Department of Public Works; authorizing the filing of the petition for condemnation by the City Attorney on behalf of the City; and directing the City Clerk to record this ordinance in the office of the Recorder of Deeds for Clay County, Missouri.

Attachments: [220984 Fact Sheet](#)
[220984 Fiscal Note](#)

Director of City Planning & Development

[220988](#) Sponsor: City Planning and Development Department

Approving a development plan and preliminary plat in District R-1.5 on an area of about 1.16 acres generally located at 2720 Forest Avenue for 57 residential units. (CD-CPC-2022-00165).

Attachments: [Fact Sheet](#)
[Fiscal Note TMP-2465](#)

Robinson

[220989](#) Sponsor: Councilmember Melissa Robinson

Accepting the recommendation of the Central City Economic Development Tax Board for additional funding in the amount of \$150,000.00, for a total not to exceed the amount of \$4,124,296.00, for an economic development project proposed by F&C Development, Inc. & 12th Street Heritage Development Corporation to support the rehabilitation of the existing Jazz Hill Apartments as 197 affordable multi-family housing units located in the west side of Paseo Boulevard between 9th and 13th Street; appropriating money; and authorizing the Director of Housing and Community Development to execute the Amendment.

Attachments: [No Fact Sheet](#)

Director of City Planning & Development

[220992](#)

Sponsor: City Planning and Development Department

Rezoning an area of about 7.54 acres generally located at 100 W. 31st Street from UR to UR and approving a development plan and preliminary plat for 373 residential units. (CD-CPC-2022-00123).

Attachments: [11.01.2022 Factsheet](#)
[Fiscal Note TMP-2467](#)

[220996](#)

Sponsor: City Planning and Development Department

Rezoning an area of about 12.35 acres generally located at 3500 N.E. Prather Road from District R-6 to District MPD and approving an MPD preliminary development plan and preliminary plat for a mixed-use development that will include 44 residential units, office space and counseling services. (CD-CPC-2022-00166)

Attachments: [Fact Sheet](#)
[Fiscal Note TMP-2466](#)

Lucas

[220997](#)

Sponsor: Director of City Planning and Development Department

Amending Chapter 88, the Zoning and Development Code, by repealing Section 88-110, Residential Districts, and enacting in lieu thereof a new section of like number and subject matter for the purpose of creating standards for infill development; repealing section 88-420-04, Exemptions, Reductions and Special Area Standards, and enacting in lieu thereof a new section of like number and subject matter in order to add parking standards for infill residential development; repealing section 88-535, Minor Subdivisions, and enacting in lieu thereof a new section of like number and subject matter to revise the minor subdivision process; and amending Section 88-810, Definitions, to add and revise definitions relevant to new code sections concerning infill development. (CD-CPC-2021-00214)

Attachments: [CD-CPC-2021-00214 Fact Sheet](#)

HELD IN COMMITTEE

[200712](#) Approving and designating Project 1 of the 40 Highway & Noland Road Tax Increment Financing Plan as a Redevelopment Project; and adopting tax increment financing therefor.

Attachments: [No Fact Sheet](#)

[200713](#) Approving and designating Project 2 of the 40 Highway & Noland Road Tax Increment Financing Plan as a Redevelopment Project; and adopting tax increment financing therefor.

Attachments: [No 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](#)

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

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

Director of City Planning & Development

[220936](#) Sponsor: Director of City Planning and Development Department

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

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

ADDITIONAL BUSINESS

1. CID Annual Report presentation in accordance with Ordinance Number 210565

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

3. 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.

4. 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.



File #: 220974

ORDINANCE NO. 220974

Sponsor: City Planning and Development Department

Repealing Ordinance No. 220468 that approved the plat of Blue River Commerce Center Fourth Plat and enacting a new ordinance that approves the plat of Blue River Commerce Center Fourth Plat, an addition in Kansas City, Jackson County, Missouri, on approximately 15.25 acres generally located at the northeast corner of E. Bannister Road and Troost Avenue, creating 1 lot for the purpose of a 1 lot industrial subdivision; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00007)

WHEREAS, on June 9, 2022, the City Council passed Ordinance No. 220468 that approved the plat of Blue River Commerce Center Fourth Plat; and

WHEREAS, the owner has requested that the acreage be changed from 14.3 acres to 15.25 acres; and

WHEREAS, the City Council now desires to repeal Ordinance No. 220468 and pass a new ordinance that does contain the revised acreage, NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Blue River Commerce Center Fourth Plat, a subdivision in Jackson County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

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

Section 3. That the Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain 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 4. That the Director of City Planning and Development is hereby authorized to execute and/or accept any and all agreements necessary to clear the title of any right of way, utility easements or other public property dedicated on the plat.

Section 5 That the City Clerk is hereby directed to 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 Jackson County, Missouri.

Section 6. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on March 15, 2022.

..end

Approved as to form:

Eluard Alegre
Associate City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

220974

Ordinance Number

Brief Title

Approving the plat of Blue River Commerce Center Fourth Plat, an addition in Kansas City, Jackson County, Missouri

<p>Specific Address Approximately 15.25 acres generally located at the northeast corner of E. Bannister Road and Troost Avenue, creating 2 lots and 1 tract.</p>	<p>Sponsor</p>	<p>Jeffrey Williams, AICP, Director Department of City Planning & Development</p>
<p>Reason for Project This final plat application was initiated by Port Authority of Kansas City, Missouri, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 1 lot industrial subdivision.)</p>	<p>Programs, Departments, or Groups Affected</p>	<p>City-Wide</p> <p>Council District(s) 5(JA) Barnes, Parks-Shaw</p> <p>Other districts (school, etc.) Center 120</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-2019-00228 – Ordinance No. 200542 passed by the City Council on August 8, 2020, rezoned about 230 acres from District M3-5 (Manufacturing 3) to District UR (Urban Redevelopment), and approved a development plan that allows for redevelopment of the existing Bannister Federal Complex and construction of 2.6 million square feet of manufacturing/ warehousing facilities with 1,730 parking spaces, on 9 lots and five (5) tracts in multiple on about 229 generally located at the northeast corner of E. Bannister Road and Troost Avenue.</p>	<p>Applicants / Proponents</p>	<p>Applicant(s) Port Authority of Kansas City, Missouri</p> <p>City Department City Planning and Development</p> <p>Other</p>
	<p>Opponents</p>	<p>Groups or Individuals None Known</p> <p>Basis of Opposition</p>
	<p>Staff Recommendation</p>	<p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</p>
	<p>Board or Commission Recommendation</p>	<p>By: City Plan Commission March 15, 2022</p> <p><input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</p>
	<p>Council Committee Actions</p>	<p><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</p>

Details

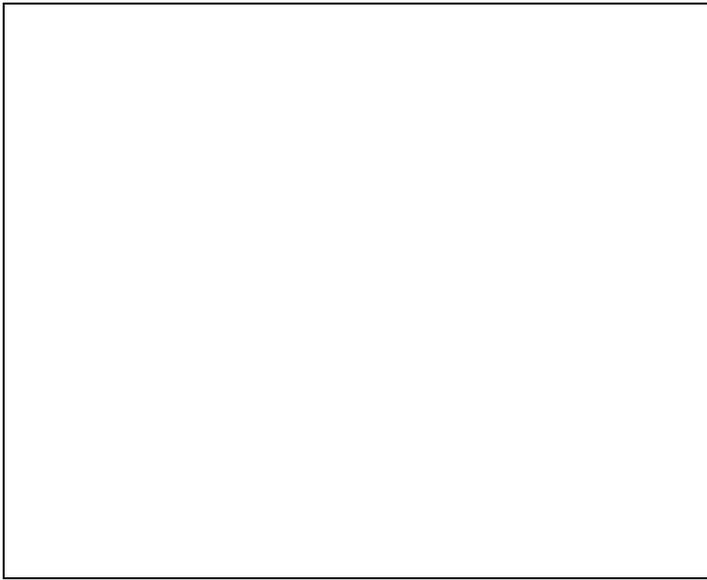
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Policy / Program Impact

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 is the third plat within this Blue River Commerce Center development. This plat proposes one lot which is about 15.25 acres. The lots will house the buildings for manufacturing, warehousing and distribution facility. The developed lots will increase the tax base for the City and improve the aesthetics of the site.</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: October 25, 2022

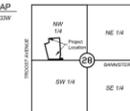
Reviewed by:
Joe Rexwinkle
Land Development Division (LDD)
City Planning & Development

Reference or Case Numbers: CLD-FnPlat-2022-00007

FINAL PLAT OF BLUE RIVER COMMERCE CENTER FOURTH PLAT

A Subdivision in the NW 1/4, Section 28, Township 48 North, Range 33 West, Kansas City, Jackson County, Missouri

LOCATION MAP



- Legend:**
- Property Corner Monument Point
 - Property Corner Monument Bar
 - A-E Access Easement
 - D-E Drainage Easement
 - U-E Utility Easement
 - U-C Unimproved Easement
 - W-E Water Easement
 - S-E Sewer Easement
 - Flood Zone X - 1% Annual Flood
 - Flood Zone X - 0.2% Annual Flood
 - Blue River
 - Blue River

PLAT DEDICATION:

The undersigned owners of the above described tract of land have caused the same to be subdivided in the manner as shown hereon, which subdivision and plat shall hereafter be known as BLUE RIVER COMMERCE CENTER FOURTH PLAT

IN WITNESS WHEREOF:

Grantor has hereunto set his hand the day and year below written:
 ____ day of _____ 20____
 NP Bannister Land Holdings, LLC, a Missouri limited liability company
 By: NPD Management, LLC, a Missouri limited liability company, its Manager
 Nathaniel Hagedorn, Manager

State of Missouri SS:
 County of Jackson

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Nathaniel Hagedorn, being the Manager of NPD Management, LLC, a Missouri limited liability company, the Manager of NP Bannister Land Holdings, LLC, a Missouri limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of the said Grantor, for the uses and purposes therein set forth.

I have hereunto set my hand and affixed my notarial seal in the date herein last above written.

My commission expires: _____

Notary Public

CITY PLAN COMMISSION-PUBLIC WORKS:

Approved: _____ 2022
 Michael J. Shaw
 Director

COUNCIL:
 This is to certify that the within Plat was duly submitted to and approved by the Council of Kansas City, Missouri, by ordinance no. _____ day authorized as passed this ____ day of _____ 2022.

Mayor: Vincent E. Brice
 City Clerk: Marilyn Sanders
 Quorum Lucas

ACCESS EASEMENT: An access easement (A.E.) is being granted to Lot 1, Blue River Commerce Center 1st Plat and future lots of the Blue River Commerce Center abutting to the North, South and East and prohibits the construction of buildings or structures (including fences and walls) that would interfere with such access.

FLOODPLAIN: The subject property is located in "ZONE X" according to the flood insurance rate map (FIRM) 28096C0379G, effective 1/20/2017.

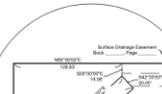
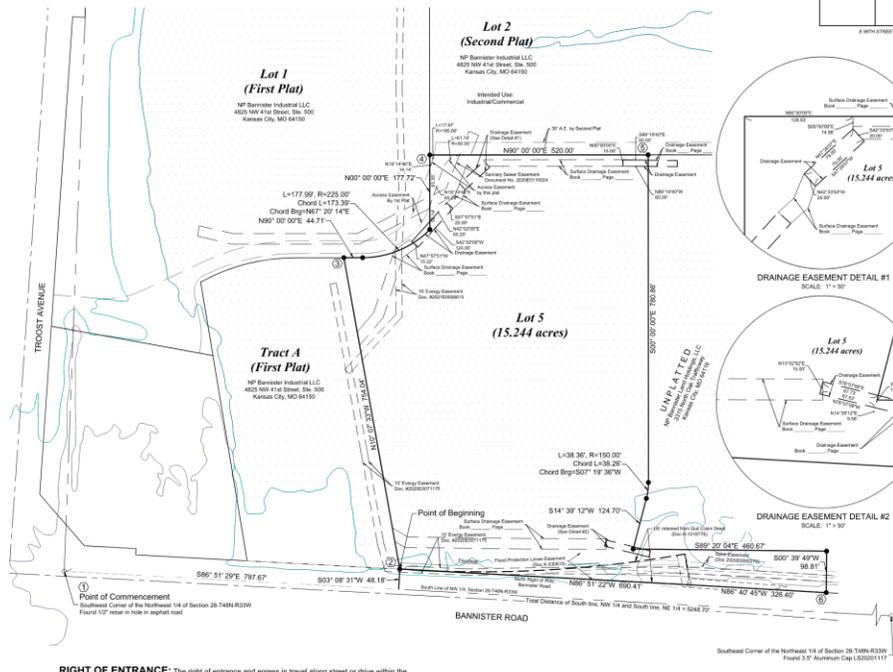
STREET DEDICATION AND GRADES: There are no new streets being dedicated with this plat.

GROUNDWATER EASEMENT: A groundwater collection system easement (G.C.E.) for the mutual benefit of the property and adjacent as defined in Instrument 2020E0102471, and amended in 2020E0129984 and 2020E0126351.

RIGHT OF ENTRANCE: The right of entrance and egress in travel along street or drive within the boundaries of the property is hereby granted to the City 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 Service 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 the City nor the U.S. Postal Service shall incur any liability by virtue of exercise of such rights.

RESTRICTED ACCESS: No direct vehicular access to Bannister Road is permitted.

DRAINAGE EASEMENT: A drainage easement (D.E.) for the purpose of storm water drainage including the right to build, construct, repair and maintain storm water drainage facilities under, in, over, and upon as may be necessary, being and situated in the City is hereby granted to the City. The City shall have the right at all times to go upon the lands herein 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 build thereon or thereover any structure which may interfere with the maintenance and use thereof.



Drainage Easement Detail #1
 SCALE: 1" = 50'



Drainage Easement Detail #2
 SCALE: 1" = 50'

Survey Notes:

- This survey is based on the following plat surveys:
 - ALTA survey by Olson/Robert Hagedorn & P, 2018
 - Blue River Commerce Center First Plat
 - Blue River Commerce Center Second Plat
- Point of Beginning: Grid North, Missouri West Zone, U.S. State Plane, NAD 83
- Coordinates are derived from differential GPS observations utilizing a primary control point fixed in the site. Primary control coordinates were calculated using the AGIS web ODPUS application to average vectors from CORS base station stations DL2740, ESM4676 and OPR488.
- The subject property shown on this survey is the same property that is described in First Amendment Title Insurance Order No. MGS-118880-0027 with an effective date of March 18, 2022 at 8:00 a.m.

Surveyors Certification:

I hereby certify that the plat of BLUE RIVER COMMERCE CENTER FOURTH PLAT is a subdivision, based on an actual survey made by me or under my direct supervision and that said survey meets or exceeds the current Missouri Standards for Property Boundary Surveys, when such property is established by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects and the Department of Agriculture Land Survey Program of the State of Missouri. I further certify that I have complied with all statutes, ordinances, and regulations governing the practice of surveying and platting of subdivisions to the best of my professional knowledge and belief.

Tyler R. Roberts
 Professional Land Surveyor
 Number 2001510268 - State of Missouri
 Date: 2022 09 12

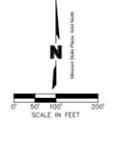
Printed No. 28 0300
 Date: 2022 09 12

Sheet 1
 of 1

SITEPOINT
 A Division of NorthPoint Development

Corporate Address: 18-02501753
 4825 NW 41st Street, Suite 500
 Roseville, MO 64150

816.888.7300
 sales@sitepoint.com



Coordinate Table:
 Missouri State Plane, NAD 83 - Zone 16 West

Point	North	East	Description
1	39946.448	84229.224	POC - Point S8 8m Bar - No Cap
2	39949.194	84234.818	Sta 50' Iron Bar w/ 10' Cap
3	39972.000	84268.432	Sta 50' Iron Bar w/ 10' Cap
4	39985.000	84296.888	Sta 50' Iron Bar w/ 10' Cap
5	39988.000	84279.282	Sta 50' Iron Bar w/ 10' Cap
6	39988.000	84284.282	Sta 50' Iron Bar w/ 10' Cap



File #: 220984

ORDINANCE NO. 220984

Sponsor: Director of the Public Works Department

Authorizing condemnation and taking of private property interests for public use for Recreational Trail Easements for the construction, location and maintenance of the “Shoal Creek Trail Segment 3”, Project No. 89020370, from 7301 N. Brighton Avenue, southeasterly, to 5400 N.E. Pleasant Valley Road in Kansas City, Clay County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations and purchase by the Director of the Department of Public Works; authorizing the filing of the petition for condemnation by the City Attorney on behalf of the City; and directing the City Clerk to record this ordinance in the office of the Recorder of Deeds for Clay County, Missouri.

WHEREAS, the Council finds that the property interests herein described must be condemned for permanent and temporary public use for the “Shoal Creek Trail Segment 3” project in Kansas City, Clay County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY, MISSOURI:

Section 1. That the property interests herein described are hereby authorized condemned and taken for permanent and temporary public use in and upon the land hereinafter described for Project No. 89020370, “Shoal Creek Trail Segment 3”, including any necessary structures or appurtenances, all in Kansas City, Clay County, Missouri.

Section 2. Said improvements shall be of the nature described and specified in, and shall be done in accordance with, the plans and specifications certified under the supervision of the Director of the Department of Public Works, the same being on file in the Office of the Director of the Department of Public Works, and being incorporated herein by reference.

Section 3. That the properties obtained by condemnation shall be used by the City of Kansas City, Missouri for Pedestrian Right of Way Easements and for Temporary Construction Easements for the location of a public recreational trail as part of the Metro Green regional recreational trails/greenway system to be constructed therein including any necessary appurtenances to it; and Kansas City or its authorized agents, employees or independent contractors shall have the right to enter in and upon, or authorize the entry in and upon, said properties for the purpose of constructing, maintaining, operating, repairing, reconstructing, and making improvements to the following said improvements:

Recreational Trail Easement

The Recreational Trail Easement shall be used by the City of Kansas City, Missouri for public recreational purposes and is part of the Metro Green regional recreational trails/greenway system, through part of the City of Kansas City, Clay County, Missouri. Said Recreational Trail Easement shall include the right to clear, cut, fell, remove, and dispose of any and all timber, trees, underbrush, and/or other obstructions there from; to grade, excavate, cut away, and remove any of said land and to replace thereon other material; to construct and maintain the greenway system for trails for walking, running, bicycling, and other recreational purposes; to post signs on the easement property notifying the public of their rights and responsibilities in the use and enjoyment of the recreational trail; for the movement and operation of public safety personnel and vehicles: and for such other purposes as may be required in connection with said work of improvement: reserving, however to the owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby established.

The acquisition of this Recreational Trail Easement, shall not be construed to prohibit the owners, their heirs and assigns from developing any adjoining property as long as said development does not extend into, under, on, or over said easement without first acquiring written approval from the Director of Public Works; or inhibit the Grantee, or its agents, in entering upon said easement for the purpose of laying, constructing, operating, maintaining, repairing, reconstructing, and making improvements to the Infrastructure there in; or in any way interfere with the safe, unrestricted and continuous use of the easement by the public.

Section 4. That said property interests are hereby authorized condemned and taken for public use and are described as follows:

Tract No. 1: 7301 N. Brighton Avenue

Recreational Trail Easement:

A strip of land 50 feet wide, to be used for public recreational purposes and is part of the Metro Green regional recreational trails/greenway system, in the Southeast Quarter of Section 17, Township 51 North, Range 32 West, Kansas City, Clay County, Missouri lying 25.0 feet each side of the following described centerline. The sidelines which are running parallel and 25.0 feet on each side of said centerline shall begin and terminate on the property lines.

Commencing at the Southeast corner of Section of said Quarter, thence North 89 degrees 11 minutes 21 seconds West along the south line of said Quarter a distance of 1475.37 feet to the Point of Beginning of the land to be described; thence northwest a distance of 42.13 feet along a non-tangential curve concave northeast with an initial tangent bearing of North 39 degrees 8 minutes 36 seconds West having a radius of 100.00 feet and a central angle of 24 degrees 08 minutes 11 seconds; thence North 15 degrees 00 minutes 25 seconds West a distance of 334.75 feet, thence north a distance of 291.62 feet along a tangential curve

concave west having a radius of 249.99 feet and a central angle of 66 degrees 50 minutes 12 seconds; thence west a distance of 170.24 feet along a tangential curve concave north having a radius of 200.01 feet and a central angle of 48 degrees 46 minutes 03 seconds; thence northwest a distance of 65.17 feet along a tangential curve concave northeast having a radius of 299.94 feet and a central angle of 12 degrees 26 minutes 54 seconds; thence north a distance of 113.68 feet along a tangential curve concave west having a radius of 200.01 feet and a central angle of 32 degrees 33 minutes 57 seconds; thence North 53 degrees 11 minutes 37 seconds West a distance of 146.32 feet; thence northwest a distance of 126.35 feet along a tangential curve concave southwest having a radius of 200.00 feet and a central angle of 36 degrees 11 minutes 51 seconds; thence North 89 degrees 23 minutes 28 seconds West a distance of 56.47 feet; thence west a distance of 168.55 feet along a tangential curve concave north having a radius of 200.00 feet and a central angle of 48 degrees 17 minutes 14 seconds; thence North 41 degrees 06 minutes 14 seconds West a distance of 30.86 feet to a Point of Termination on the easterly right of way of North Brighton Avenue as now established.

Containing 77,397 square feet or 1.78 acres, more or less and subject to all easements and restrictions of record.

Tract No. 2: 5215 N.E. 71st Place

Recreational Trail Easement:

A strip of land 50 feet wide, to be used for public recreational purposes and is part of the Metro A tract of land to be used for public recreational purposes and is part of the Metro Green regional recreational trails/greenway system located in the Northeast Quarter of Section 20, Township 51 North, Range 32 West, Kansas City, Clay County, Missouri said tract also being within Tract C of Charleston Harbor 6th Plat, a subdivision in Kansas City, Clay County, Missouri described as follows:

The North 60.0 feet of the east 150.0 feet of Tract C of Charleston Harbor 6th Plat, a subdivision in Kansas City, Clay County Missouri.

Containing 12,000 square feet or 0.28 acres of land more or less and subject to all easements and restrictions of record.

Tract No. 3: 5410 N.E. 69th Terrace

Recreational Trail Easement:

A strip of land 30 feet wide, to be used for public recreational purposes and is part of the Metro Green regional recreational trails/greenway system, in the Northeast Quarter of Section 20, Township 51 North, Range 32 West, Kansas City, Clay County, Missouri being more particularly described as follows:

Commencing at the Northeast corner of Section of said Quarter, thence North 89 degrees 11 minutes 21 seconds West along the north line of said Quarter, a distance of 655.46 feet to the Point of Beginning of the land to be described; thence North 89 degrees 11 minutes 21 seconds West along the north line of said Quarter a distance of 655.42 feet; thence South 00 degrees 50 minutes 26 seconds West a distance of 30.00 feet; thence South 89 degrees 11 minutes 21 seconds East a distance of 655.37 feet; thence North 00 degrees 56 minutes 10 seconds East a distance of 30.00 feet to the Point of Beginning.

Containing 19,664 square feet or 0.45 acres of land more or less and subject to all easements and restrictions of record.

Tract No. 4A: 5405 N.E. 69th Terrace

Recreational Trail Easement (1):

A tract of land to be used for public recreational purposes and is part of the Metro Green regional recreational trails/greenway system, in the Northeast Quarter of Section 20, Township 51 North, Range 32 West, Kansas City, Clay County, Missouri being more particularly described as follows:

Commencing at the Northeast corner of Section of said Quarter, thence North 89 degrees 11 minutes 21 seconds West along the north line of said Quarter, a distance of 98.56 feet to the Point of Beginning of the land to be described; thence North 89 degrees 11 minutes 21 seconds West along the north line of said Quarter, a distance of 556.90 feet; thence South 00 degrees 56 minutes 09 seconds West a distance of 30.00 feet; thence South 89 degrees 11 minutes 21 seconds East a distance of 527.84 feet; thence South 61 degrees 58 minutes 42 seconds East a distance of 66.86 feet; thence South 28 degrees 14 minutes 21 seconds East a distance of 67.50 feet; thence South 52 degrees 58 minutes 35 seconds East a distance of 43.26 feet to a point on the east line of said Quarter; thence North 01 degrees 01 minutes 24 seconds East along the east line of said Quarter a distance of 44.80 feet; thence North 28 degrees 14 minutes 26 seconds West a distance of 79.84 feet; thence North 61 degrees 59 minutes 06 seconds West a distance of 66.81 feet to the Point of Beginning.

Containing 22,675 square feet or 0.52 acres of land more or less and subject to all easements and restrictions of record.

AND:

Recreational Trail Easement (1):

A tract of land to be used for public recreational purposes and is part of the Metro Green regional recreational trails/greenway system, in the Northeast Quarter of

Section 20, Township 51 North, Range 32 West, Kansas City, Clay County, Missouri being more particularly described as follows:

Commencing at the Southeast corner of said Quarter, thence North 89 degrees 27 minutes 29 seconds West along the southerly line of said Quarter a distance of 122.64 feet to the Point of Beginning; thence North 13 degrees 54 minutes 15 seconds East a distance of 37.87 feet; thence North 00 degrees 29 minutes 11 seconds East a distance of 55.36 feet to a point along the right of way of an existing access road; thence North 59 degrees 42 minutes 56 seconds West long the westerly right of way line of said existing access road a distance of 69.15 feet; thence South 00 degrees 29 minutes 06 seconds West a distance of 82.70 feet; thence South 13 degrees 55 minutes 53 seconds West a distance of 45.02 feet to the southerly line of said Quarter; thence South 89 degrees 27 minutes 29 seconds East along southerly line of said Quarter a distance of 61.68 feet to the Point of Beginning.

Containing 6,629 square feet or 0.15 acres of land more or less and subject to all easements and restrictions of record.

Tract No. 4B: No Address

Recreational Trail Easement:

A tract of land to be used for public recreational purposes and is part of the Metro Green regional recreational trails/greenway system, in the Northwest Quarter of Section 21, Township 51 North, Range 32 West, Kansas City, Clay County, Missouri being more particularly described as follows:

Commencing at the Northwest corner of said Quarter, thence South 01 degrees 01 minutes 29 seconds West along the west line of said Quarter a distance of 100.65 feet to the Point of Beginning; thence South 71 degrees 31 minutes 52 seconds East a distance of 64.18 feet; thence South 89 degrees 17 minutes 13 seconds East a distance of 134.99 feet; thence North 70 degrees 40 minutes 35 seconds East a distance of 165.37 feet; thence North 60 degrees 40 minutes 52 seconds East a distance of 64.23 feet; thence North 40 degrees 40 minutes 13 seconds East a distance of 48.70 feet to the northerly line of said Quarter; thence North 89 degrees 56 minutes 06 seconds East along the northerly line of said Quarter a distance of 52.81 feet; thence South 40 degrees 40 minutes 50 seconds West a distance of 90.22 feet; thence South 60 degrees 40 minutes 04 seconds West a distance of 34.09 feet; thence South 20 degrees 47 minutes 46 seconds East a distance of 319.45 feet thence South 76 degrees 07 minutes 54 seconds West a distance of 47.19 feet; thence South 13 degrees 52 minutes 27 seconds East a distance of 150.01 feet; thence North 45 degrees 00 minutes 00 seconds West a distance of 85.53 feet; thence North 20 degrees 47 minutes 51 seconds West a distance of 297.04 feet; thence North 36 degrees 47 minutes 51 seconds West a distance of 87.13 feet; thence South 70 degrees 40 minutes 49 seconds West a

distance of 92.16 feet; thence North 89 degrees 17 minutes 20 seconds West a distance of 148.27 feet; thence North 71 degrees 31 minutes 39 seconds West a distance of 57.85 feet to a point on the westerly line of said Quarter; thence North 01 degrees 00 minutes 41 seconds East a distance of 41.93 feet to the Point of Beginning.

Containing 57,760 square feet or 1.33 acres of land more or less and subject to all easements and restrictions of record.

Tract No. 4C: No Address

Recreational Trail Easement:

A strip of land 60 feet wide, to be used for public recreational purposes and is part of the Metro Green regional recreational trails/greenway system, in the Southeast Quarter of Section 20, Township 51 North, Range 32 West, Kansas City, Clay County, Missouri lying 30.0 feet each side of the following described centerline. The sidelines which are running parallel and 30.0 feet on each side of said centerline shall begin and terminate on the property lines.

Commencing at the Northeast corner of said Quarter, thence North 89 degrees 27 minutes 31 seconds West along the northerly line of said Quarter a distance of 153.49 feet to the Point of Beginning; thence South 14 degrees 04 minutes 11 seconds West a distance of 33.15 feet; thence south a distance of 158.89 feet along a tangential curve concave west having a radius of 300.00 feet and a central angle of 30 degrees 20 minutes 45 seconds; thence South 44 degrees 24 minutes 56 seconds West a distance of 176.07 feet; thence southwest a distance of 144.35 feet along a tangential curve concave northwest having a radius of 400.00 feet and a central angle of 20 degrees 40 minutes 36 seconds; thence South 65 degrees 05 minutes 32 seconds West a distance of 166.09 feet; thence southwest a distance of 135.17 feet along a tangential curve concave northwest having a radius of 200.00 feet and a central angle of 38 degrees 43 minutes 24 seconds; thence west a distance of 98.55 feet along a tangential curve concave south having a radius of 100.00 feet and a central angle of 56 degrees 27 minutes 56 seconds; thence South 47 degrees 21 minutes 00 seconds West a distance of 265.55; thence southwest a distance of 72.20 feet along a tangential curve concave southeast having a radius of 100.00 feet and a central angle of 41 degrees 21 minutes 57 seconds; thence South 05 degrees 59 minutes 04 seconds West a distance of 128.73 feet; thence south a distance of 32.77 feet along a tangential curve concave east having a radius of 100.00 feet and a central angle of 18 degrees 46 minutes 35 seconds; thence South 12 degrees 47 minutes 32 seconds East a distance of 12.53 feet to a Point of Termination along the northerly right of way of Pleasant Valley Road as now established.

Containing 85,448 square feet or 1.96 acres of land more or less and subject to all easements and restrictions of record.

Section 5. That just compensation for the property interests taken shall be assessed and paid according to law; and the proceedings to determine compensation shall be prosecuted in one or more suits in the Circuit Court of Clay County, Missouri, pursuant to the provisions of Chapter 523 of the Revised Statutes of Missouri, as supplemented or amended by Section 86.01 to 86.10 of the Rules of Civil Procedure. Payment of compensation shall be made by Kansas City from funds appropriated, or to be appropriated, for such purposes.

Section 6. That pending the acquisition of said lands by condemnation, the Director of the Department of Public Works is hereby authorized to negotiate the purchase of said land and pay for them out of funds appropriated or to be appropriated as aforesaid, and if any tracts be so acquired by negotiation and purchase, the City Attorney is authorized to withdraw same from condemnation proceedings.

Section 7. That said tracts and interests be condemned and conveyed to Kansas City, Missouri.

Section 8. That upon the effective date of this ordinance, the City Clerk is hereby directed to cause this ordinance to be recorded in the office of the Recorder of Deeds for Clay County, Missouri.
..end

Approved as to form and legality:

Dustin Johnson
Assistant City Attorney

GENERAL

Ordinance Fact Sheet

220984

Ordinance Number

Brief Title

Approval Deadline

Reason

Condemning private properties for the Shoal Creek Trail Segment 3 project.

Condemning private properties for public use as part of the Shoal Creek Trail Segment 3 project.

Details

Reason for Legislation

The Council finds that the property interests herein described must be condemned for permanent public use for the “Shoal Creek Trail Segment 3” project in Kansas City, Clay County, Missouri.

Discussion

Said improvements shall be of the nature described and specified in, and shall be done in accordance with, the plans and specifications certified under the supervision of the Director of the Department of Public Works, the same being on file in the Office of the Director of the Department of Public Works, and being incorporated herein by reference.

The properties being condemned will be used by the City of Kansas City, Missouri for Recreational Trail Easements.

Just compensation for the property interests taken shall be assessed and paid according to law; and the proceedings to determine compensation shall be prosecuted in one or more suits in the Circuit Court of Clay County, Missouri, pursuant to the provisions of Chapter 523 of the Revised Statutes of Missouri, as supplemented or amended by Section 86.01 to 86.10 of the Rules of Civil Procedure. Payment of compensation shall be made by Kansas City from funds appropriated, or to be appropriated, for such purposes.

Pending the acquisition of said lands by condemnation, the Director of the Department of Public Works is hereby authorized to negotiate the purchase of said land and pay for them out of funds appropriated or to be appropriated as aforesaid, and if any tracts be so acquired by negotiation and purchase, the City Attorney is authorized to withdraw same from condemnation proceedings.

Positions/Recommendations

Sponsor	City Engineer
Programs, Departments, or Groups Affected	Public Works
Applicants / Proponents	Applicant City Department Public Works 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

Discussion (continued)

Details

Policy/Program Impact

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

Finances

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

Applicable Dates:

Fact Sheet Prepared by:

Reviewed by:

Homer Janssens,
Right of Way Reviewer
Department of Public Works

Reference Numbers

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220984

LEGISLATION IN BRIEF:

Condemning for trail easements for the Shoal Creek Segment 3 Project between North Brighton Avenue and Pleasant Valley Road

What is the purpose of this legislation?

CAPITAL

For the purpose of funding for the construction of fixed capitalizable assets

Does this legislation spend money?

See Sections 01, 02 and 03 for sources of funding

YES

Yes/No

Does this legislation estimate new Revenues?

0

NO

Yes/No

Does this Legislation Increase Appropriations?

0

No

Yes/No

Does this legislation expand the scope of city services, or expand the city's infrastructure?

See Section 04 for five years of ongoing maintenance costs.

Yes

Yes/No

Section 00: Notes:

Easements will be paid for with funds previously budgeted and appropriated to the project accounts from CD1 PIAC funds. Project is one and one-half miles of concrete trail. Maintenance obligations will be regular mowing. Trail is along a Shoal Creek which will provide recreational use as well as connection between Happy Rock Park and Pleasant Valley Park

Five years of operational and maintenance costs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

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

FUND	DEPTID	ACCOUNT	PROJECT
3090	898071	B	89020370

FY22 - 23 BUD

FY 23 - 24 EST

22,870.00

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

FUND	DEPTID	ACCOUNT	PROJECT

FY22 - 23 BUD

FY 23 - 24 EST

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

FUND	DEPTID	ACCOUNT	PROJECT

FY22 - 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
2030	Parks and Rec							
2580								
1000								
1000								
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
2030	Parks and Rec			1,000	1,025	1,050	1,075	1,100
2580								
1000								
1000								
TOTAL EXP		-	-	1,000	1,025	1,050	1,075	

NET Per-YEAR IMPACT

-

-

(1,000)

(1,025)

(1,050)

(1,075)

NET IMPACT

REVIEWED BY

DATE

User entered field

User select from menu

Calculated Field



File #: 220988

ORDINANCE NO. 220988

Sponsor: City Planning and Development Department

Approving a development plan and preliminary plat in District R-1.5 on an area of about 1.16 acres generally located at 2720 Forest Avenue for 57 residential units. (CD-CPC-2022-00165).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District R-1.5 (Residential 1.5) on an area of about 1.16 acres generally located at 2720 Forest Avenue, and more specifically described as follows:

TRACT 1: The south 60 feet of Lot 6, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 2: The north 58.5 feet of Lot 6, Block 9, beacon hill, sometimes called continuation of Beacon Hill, A subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 3: The south 50 feet of Lot 7, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 4: The south 50 feet of the north 68.5 feet of Lot 7, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 5: The north 18½ feet of lot 7, and the south 40 feet of Lot 8, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 6: The north 60 feet of Lot 8, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 7: Lot 9, Block 9, Beacon Hill, sometimes called continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

is hereby approved, subject to the following conditions:

1. All dumpsters, mechanical and utility 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 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. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
4. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
5. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
6. Applicant must pay an application fee prior to submitting a response letter and moving to applicant DRC.
7. The applicant shall provide revised building elevations to the City Planning and Development prior to ordinance request.
8. The developer shall provide a revised site plan to show pedestrian crossing that complies with 88-450 prior to ordinance request.
9. Council hereby approves a deviation of .86 acres to the required lot area per unit in a R-1.5 zoning district (88-110-06).
10. 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.

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 grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
13. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
14. 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.
15. 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.
16. 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.
17. The developer shall submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or

reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.

18. The developer shall submit a plan for approval and permitting by the Land Development Division prior to beginning construction of the 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.
19. 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)
20. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
21. 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)
22. 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)
23. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
24. 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 a building permit.
25. The developer shall pay money-in-lieu of parkland dedication as indicated on plans with the amount due based upon the 2022 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to a certificate of occupancy.
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.

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

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220988

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2022-00165

Brief Title

Approving a development plan and preliminary plat on an area of about 1.16 acres generally located at 2720 Forest Avenue in district R-1.5 (Residential 1.5) 57 residential units (CD-CPC-2022-00165).

Details

Location: 2720 Forest Avenue

Reason for Legislation: Approval of a residential development plan and request for a deviation 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:

- The applicant is seeking the approval of a deviation from Council of .86 acres to the required lot area per unit in a R-1.5 zoning district (88-110-06).

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	3 rd District (Ellington, Robinson)
Applicants / Proponents	Applicant Joseph Buchheit Anderson Engineering Inc.
	City Department City Planning & Development Other
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 (6-0) (11-01-2022) By (Baker, Beasley, Crawl, Enders, Hill, 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
	<input type="checkbox"/> Do not pass

Fact Sheet Prepared By: Andrew Clarke Staff Planner	Date: 11/2/2022		
Reviewed By: Joseph Rexwinkle Division Manager	Date: 11/2/2022	Initial Application Filed: 09-10-2022	City Plan Commission 11-01-2022
		Action:	Approval with conditions
		Revised Plans Filed:	N/A
		On Schedule:	Yes
		Off Schedule Reason:	
Reference Numbers: Case No. CD-CPC-2022-00165			



File #: 220989

ORDINANCE NO. 220989

Sponsor: Councilmember Melissa Robinson

Accepting the recommendation of the Central City Economic Development Tax Board for additional funding in the amount of \$150,000.00, for a total not to exceed the amount of \$4,124,296.00, for an economic development project proposed by F&C Development, Inc. & 12th Street Heritage Development Corporation to support the rehabilitation of the existing Jazz Hill Apartments as 197 affordable multi-family housing units located in the west side of Paseo Boulevard between 9th and 13th Street; appropriating money; and authorizing the Director of Housing and Community Development to execute the Amendment.

WHEREAS, Section 67.1305 of the Revised Statutes of Missouri authorizes the City to impose a retail sales tax not to exceed one-half of one percent if the imposition of such a retail sales tax is submitted to, and then approved by, a majority of the votes cast; and

WHEREAS, on April 4, 2017, pursuant to authority granted by Section 67.1305, RSMo, a majority of Kansas City, Missouri voters approved a new 1/8 of one percent retail sales tax for funding economic development projects within the area bounded by 9th Street on the north, Gregory Boulevard on the south, Paseo Boulevard on the west and Indiana Avenue on the east; and

WHEREAS, as part of the first round of funding, F&C Development, Inc. & 12th Street Heritage Development Corporation (“Developer”) submitted a proposal seeking \$3,974,296.00 of Central City Economic Development (“CCED”) sales tax funds for the rehabilitation of the existing Jazz Hill Apartments as 197 affordable multi-family housing units located in the west side of Paseo Boulevard between 9th and 13th Street (the “Project Site”), all in Kansas City, Jackson County, Missouri; and

WHEREAS, the Council authorized a funding agreement with F&C Development, Inc. & 12th Street Heritage Development Corporation for the above Project in the amount of \$2,000,000.00 for the purpose of site infrastructure for the future office mixed used and residential development; and stating Council’s intent to make future appropriation in the amount of \$1,974,296.00 with its passage of Ordinance No. 200991 on December 10, 2020; and

WHEREAS, Developer subsequently identified a need for additional funding due to increases in construction labor, construction materials, and interest rates; and

WHEREAS, at its October 11, 2022 meeting, the Central City Economic Development Sales Tax Board voted to approve a recommendation to the Council for additional funding for such costs associated with this Project from CCED sales tax funds in the amount of \$150,000.00; bringing the total funding for this Project to a total of \$4,124,296.00; and

WHEREAS, the Project serves a predominantly public municipal purpose because, without limitation, completion of the Project (i) enhances the tax base of the Project Site; (ii) retains and/or generates jobs; (iii) promotes economic development in the area of the City in which the Project Site is located, and promotes consideration of areas of the City that the City Council has determined to be blighted as a location for business operations; (iv) results in generation of tax revenues to the City from the conduct of business and other activities in the City that would not otherwise occur; (v) serves as a catalyst for additional investment in and further redevelopment and rehabilitation of the area of the City in which the Project site is located; and (vi) furthers the City's policy of encouraging economic stability and growth; and

WHEREAS, the City desires to encourage the Developer to carry out the Project for the purpose of realizing these predominantly public purposes by entering into an agreement to contribute certain revenues in an amount needed to cause the project to be undertaken and attract the necessary private investment; and

WHEREAS, the contributions contemplated by the funding agreement are limited to those which have been determined to be needed for the purpose of ensuring that the Project proceeds, and, but for their contribution, the Project would not proceed, to the detriment of the public interest; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the CCED Board's recommendation that CCED sales tax revenues in an additional amount of \$150,000.00, not to exceed \$4,124,296.00, to be utilized for the costs associated with the rehabilitation of the existing Jazz Hill Apartments as 197 affordable multi-family housing units by F&C Development, Inc. & 12th Street Heritage Development Corporation for its above-referenced Project is hereby accepted.

Section 2. That the appropriation in the following account of the Central City Economic Development Sales Tax Fund, Fund No. 2200, is hereby reduced by the following amount:

23-2200-555998-B-55BUDGET	Contractual Services	\$150,000.00
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Section 3. That the following amount is hereby appropriated from the Unappropriated Fund Balance of the Central City Economic Development Sales Tax Fund, Fund No. 2200, to the following account:

23-2200-555998-B-57Jazz	Jazz Hill Homes	\$150,000.00
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Section 4. That the director of Housing and Community Development is hereby authorized to enter into an amended funding agreement with F&C Development, Inc. & 12th

Street Heritage Development Corporation for the costs associated with the above-referenced Project in a total amount not to exceed \$4,124,296.00, from funds previously appropriated in the Central City Economic Development Sales Tax Fund in Account No. 23-2200-555998-B-57Jazz.

..end

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

Tammy L. Queen
Director of Finance

Approved as to form:

Joseph A Guarino
Senior Associate City Attorney

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

220989



File #: 220992

ORDINANCE NO. 220992

Sponsor: City Planning and Development Department

Rezoning an area of about 7.54 acres generally located at 100 W. 31st Street from UR to UR and approving a development plan and preliminary plat for 373 residential units. (CD-CPC-2022-00123).

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-1365 rezoning an area of about 24 acres generally located at 100 West 31st Street from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) said section to read as follows:

80-20A-1365 That an area legally described as:

TRACT 1: Existing Hospital (3030 Baltimore)

All of Lots 1 through 19 and 24 through 46, Block 3, Mount Auburn, a subdivision in Kansas City, Jackson County, Missouri, and all of the vacated alley in Block 3 from the South line of vacated 30th Street to the North line of 31st Street, and Lots 19 through 31, Block 4, Mount Auburn, a subdivision in Kansas City, Jackson County, Missouri, and all of the vacated alley lying between said Lots 19 through 30, and that part of vacated 30th Street lying South of Block 4 and North of Block 3, Mount Auburn

TRACT 2: Vacated South Office Building (100 W31st Street) Lots 20 through 23, Block 3, Mount Auburn, a subdivision in Kansas City, Jackson County, Missouri, and the West 1/2 of vacated Baltimore Avenue lying East of and adjacent.

TRACT 3: Existing Parking Garage (3015 Baltimore Ave)

Lots 24 through 38 and the South 5 feet of Lot 39, Block 2, Mount Auburn, a subdivision in Kansas City, Jackson County, Missouri and the all of the vacated alley East of and adjacent to the aforesaid lots, and the East 1/2 of vacated Baltimore Avenue lying West of and adjacent.

TRACT 4: Existing Grand Teton Condominiums Units 2102, 2103, 2104, 2106, 2201, 2301, 2302, 2304, 2308, Park Reserve Condominiums Units 2101 -2308, recorded June 24, 2016 as Document No. 2016E0056449 in Plat Book I-162 at Page 91; subject to the Affidavit to Correct Legal Description, recorded July 11, 2016 as Document No. 2016E0062031, together with the assigned interest in the common elements appertaining thereto, under the Declaration (of Condominium) Park Reserve Condominium, recorded June 24, 2016 as Document No. 2016E0056450

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 80-20A-1365, 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. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
2. Ordinance No. 080217, including all conditions provided therein, shall remain in full force and effect.
3. The plan is revised to show short-term bicycle parking as required of 88-420-09.
4. The plan is revised to show long-term bicycle parking as required of 88-420-09.
5. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
6. 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.
7. The developer shall secure approval of a UR final plan from the Development Management Division staff prior to a building permit.
8. Signage has not been reviewed with this submittal. All signage shall conform to 88-445 and shall require a sign permit prior to installation.

9. The developer shall secure approval of a UR final plan from the Development Management Division staff prior to a building permit.
10. 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, by making application under said code for submitting and recording a lot consolidation plat or replatting the property in accordance therewith.
11. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the disturbance 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.
12. 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.
13. 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.
14. The developer shall submit plans for approval and permitting by the Land Development Division prior to beginning construction of the 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.
15. 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.
16. Please note that any proposed on-street parking shall be approved by the Public Works Department prior to the issuance of a permit from the Land Development Division for construction. Requests for on-street parking require review by the Public Works staff during the plan review process.

17. 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.
18. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, as shown on the approved street plans and to a tie-in point with the existing sidewalks. In addition, the developer shall construct associated ADA ramps at street intersections and the proposed entrance drives as necessary for the type of drive approach.
19. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
20. 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)
21. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018)
22. 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)
23. 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.
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. If dedicating private open space, said space shall be platted into private open space tracts. This requirement shall be satisfied prior to recording a certificate of occupancy.
25. 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.

26. No water service line will be less than 1-1/2" in diameter where three or more units or commercial building will be served by one domestic service line and meter.
27. When an existing building is being renovated, is being changed in use or occupancy, or is undergoing a building addition, and the existing water service line(s) will be reused, the water service line(s) and related appurtenances shall meet the most current version of Kansas City Water rules and regulations.
28. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
29. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
30. Water/sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
31. The developer shall submit fire hydrant drawings prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.
32. The developer shall have a full width water main easement dedicated along the portion of vacated Baltimore Street adjacent to the development for the public water main in the vacated street if a water main easement does not already exist.

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:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220992

Ordinance Fact Sheet

Ordinance Number

Case No. (CD-CPC-2022-00123)

Brief Title

A request to approve a major plan amendment to an existing UR Plan to allow for a residential building with 373 units on about 7.54 acres generally located at 100 W 31st Street. (CD-CPC-2022-00123)

Details

Location: Generally located at 100 W 31st Street.

Reason for Legislation: Re-zonings and Development Plans must be approved by City Council.

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:

- None

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP Director Department of City Planning & Development
Programs, Departments or Groups Affected	4 th (Shields and Bunch)
Applicants / Proponents	Applicant Brian Benjamin NorthPoint Development City Department City Planning & Development Other
Opponents	Groups or Individuals None Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission 6-0 By Baker, Beasley, Crawl, Enders, Hill, Rojas <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input checked="" type="checkbox"/> For, with revisions or 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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Fact Sheet Prepared By: Larisa Chambi Planner	Date: 11-02-2022		
Reviewed By: Joseph Rexwinkle	Date: 11-07-2022	Initial Application Filed: 07-13-2022	City Plan Commission Action: 11-01-2022
		Revised Plans Filed: 10-14-2022	On Schedule: No
		Off Schedule Reason: Applicant needed additional time for revisions.	
Reference Numbers: Case No. CD-CPC-2022-00123			



File #: 220996

ORDINANCE NO. 220996

Sponsor: City Planning and Development Department

Rezoning an area of about 12.35 acres generally located at 3500 N.E. Prather Road from District R-6 to District MPD and approving an MPD preliminary development plan and preliminary plat for a mixed-use development that will include 44 residential units, office space and counseling services. (CD-CPC-2022-00166)

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-1364 rezoning an area of about 12.35 acres generally located at 3500 N.E. Prather Road from District R-6 (Residential 6) to District MPD (Master Planned Development) said section to read as follows:

Section 80-20A-1364. That an area legally described as:

Beginning at the center of Section 12, Township 50 North, Range 33 West, in Kansas City, Clay County, Missouri; thence South 89° 43' 15" East along the north line of the Southeast Quarter of Section 12, 830.01 feet to the west right-of-way of Highway #1 (Prather Road); thence South 9° 43' 07" West along the west right-of-way line of Highway # 1, a distance of 470.85 feet; thence westerly along a curve to the left from the last described course as a normal, said curve having a radius of 720.00 feet, a distance of 615.93 feet; thence South 50° 42' 15" West, 389.70 feet to the east right-of-way line of Paseo (U.S. Route #69); thence North 0° 24' 07" East along said east right-of-way line 28.16 feet; thence North 9° 51' 51" East along said right-of-way line 304.14 feet; thence North 21° 23' 58" West along said east right-of-way line 323.11 feet; thence North 0° 24' 07" East along said east right-of-way line, 240.10 feet to the center section line; thence South 89° 42' 03" East along the north line of the Southwest Quarter of Section 12, 192.13 feet to the point of beginning, excepting a tract in the northeast corner dedicated as Euclid Avenue on Plat of Farview.

Reserved for cemetery in Deed recorded June 28, 1871 in Book 36, page 100, including: (a) rights, interests, and easements or any persons who have burial lots, their relatives, and the public in the land, and (b) easements for visitation, use, driveways, and access. (As shown, approximate location shown the description is

ambiguous in nature, we are unable to determine the location) Lack of Abutter's Rights of Direct Access to U.S. Highway 69 as conveyed by Instrument recorded as July 1, 1954 as Document No. A52310, in Book 527, page 91. (Affects subject property as shown) An easement to Kansas City Power & Light Company, a Missouri Corporation in the document recorded January 19, 1961 as document no. B40726 in Book 705, Page 381 of Official Records. (Affects subject property as shown).

is hereby rezoned from District R-6 (Residential 6) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 80-20A-1364, 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. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
3. All dumpsters, utility and mechanical equipment shall be screened pursuant to 88-425-08.
4. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to a building permit, including phase I and phase II.
5. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
6. 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.
7. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and the developer shall secure permits to

construct any improvements as required by the Land Development Division prior to issuance of any certificate of occupancy.

8. 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.
9. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
10. The developer shall 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.
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. (1) Consider realign driveway approach angle to N. Prather Road to be closer to 90 degrees. (2) Verify sanitary sewer easement limit and extents in the area of planned service connection to existing main to ensure existing easement limit is sufficient. (3) Perform a subsurface utility crossing conflict evaluation for planned sanitary sewer service connection and existing 36-inch PCCP water main to ensure vertical separation requirements are met. (4) Will also need to confirm that minimum pipe cover can be provided due to anticipated topography challenges in the area of crossing.
13. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 §507.1)
14. 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)
15. 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)

16. A required Fire Department access road 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) All required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
17. Dead-end Fire Department access road(s) in excess of 150 feet shall be provided with an approved turnaround feature (i.e., cul-de-sac, hammerhead). Dead-end streets in excess of 150 feet in length resulting from a “phased” project shall provide an approved temporary turnaround feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5)
18. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
19. 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).
20. Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
21. 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)
22. The developer shall dedicate .550 acres of private open space to serve as parkland within Tracts A, B and C as indicated on plans. Proposed tracts shall be platted into private open space tracts via the final plat. This requirement shall be satisfied prior to a certificate of occupancy or recording the final plat, whichever occurs first.
23. Be sure to provide adequate sight distance for the two proposed driveways shown on N.E. Rock Creek Drive.
24. 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.
25. When an existing building is being renovated, is being changed in use or occupancy, or is undergoing a building addition, and the existing water service

line(s) will be reused, the water service line(s) and related appurtenances shall meet the most current version of Kansas City Water rules and regulations.

26. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

A copy of said MPD 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:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220996

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2022-00166

Brief Title

Rezoning an area of about 12.35 acres generally located at 3500 NE Prather Road from R-6 (Residential 6) to MPD (Master Planned Development) and approving an MPD preliminary development plan and preliminary plat for 44 residential units which include counseling services (CD-CPC-2022-00166).

Details

Location: 3500 NE Prather Road

Reason for Legislation: Approval of a rezoning and Master Planned Development (MPD) preliminary development plan requires 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:

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 Melanie Klein DRAW architecture + urban design
	City Department City Planning & Development Other
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 (6-0) (11-01-2022) By (Baker, Beasley, Crawl, Enders, Hill, 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
	<input type="checkbox"/> Do not pass

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Fact Sheet Prepared By: Andrew Clarke Staff Planner	Date: 11/2/2022		
Reviewed By: Joseph Rexwinkle Division Manager	Date: 11/2/2022	Initial Application Filed: 09-11-2022 City Plan Commission 11-01-2022 Action: Approval with conditions Revised Plans Filed: N/A On Schedule: Yes Off Schedule Reason:	
Reference Numbers: Case No. CD-CPC-2022-00166			



File #: 220997

ORDINANCE NO. 220997

Sponsor: Director of City Planning and Development Department

Amending Chapter 88, the Zoning and Development Code, by repealing Section 88-110, Residential Districts, and enacting in lieu thereof a new section of like number and subject matter for the purpose of creating standards for infill development; repealing section 88-420-04, Exemptions, Reductions and Special Area Standards, and enacting in lieu thereof a new section of like number and subject matter in order to add parking standards for infill residential development; repealing section 88-535, Minor Subdivisions, and enacting in lieu thereof a new section of like number and subject matter to revise the minor subdivision process; and amending Section 88-810, Definitions, to add and revise definitions relevant to new code sections concerning infill development. (CD-CPC-2021-00214)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Amending Chapter 88, Code of Ordinances, by repealing and replacing Section 88-110, Residential Districts, and enacting in lieu thereof a new section of like number and subject matter in order to create infill residential development standards, said section to read as follows:

100 SERIES BASE ZONING DISTRICTS

88-110 Residential Districts			103
	88-110-01	Districts	103
	88-110-02	Purpose	103
	88-110-03	Uses	103
	88-110-04	Residential Building Types	109
	88-110-05	Development Options	111
	88-110-06	Lot and Building Standards	112
88-120 Office, Business and Commercial Districts			120.5
	88-120-01	Districts	120.5
	88-120-02	Purpose	120.5
	88-120-03	Uses	122
	88-120-04	Lot and Building Standards	129
	88-120-05	Floor Area Limits for Commercial Establishments	132
	88-120-06	Floor Area Limits for Industrial Establishments	133
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88-130 Downtown Districts			133
	88-130-01	Districts	133
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	88-130-03	Eligibility for D Zoning	135
	88-130-04	Uses	135
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	88-130-07	Floor Area and Building Height Bonuses for Public Benefits	143
88-140 Manufacturing Districts			143
	88-140-01	Purpose	143
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	88-140-04	Lot and Building Standards	149

88-110 RESIDENTIAL DISTRICTS

88-110-01 DISTRICTS

88-110-01-A. LIST

The city's residential zoning districts are listed below. When this zoning and development code refers to "residential" zoning districts or "R" districts, it is referring to these districts.

Map Symbol	District Name
R-80	Residential 80
R-10	Residential 10
R-7.5	Residential 7.5
R-6	Residential 6
R-5	Residential 5
R-2.5	Residential 2.5
R-1.5	Residential 1.5
R-0.75	Residential 0.75
R-0.5	Residential 0.5
R-0.3	Residential 0.3

88-110-01-B. DECIPHERING THE NAMES AND MAP SYMBOLS

The R district names (map symbols) are intended to provide a general indication of what is allowed in the district, with the "R" denoting the residential orientation of the district and the numeral providing a general indication of the allowed density, expressed in terms of the required minimum lot area per dwelling unit (in thousands). The R-7.5 district, for example, is a short-hand reference to a residential district that generally allows one dwelling unit per 7,500 square feet of gross site area.

88-110-02 PURPOSE

Kansas City's residential (R) zoning districts are primarily intended to create, maintain, and promote a variety of housing opportunities for individual households and to maintain the desired physical character of existing and developing neighborhoods. While the districts primarily accommodate residential use types, some nonresidential uses are also allowed. The R district standards provide development flexibility, while at the same time helping to ensure that new development is compatible with the city's many neighborhoods. In addition, the regulations offer certainty for property owners, developers, and neighbors about the limits of what is allowed.

88-110-03 USES

88-110-03-A. USE TABLE

Uses are allowed in R zoning districts in accordance with Table 110-1, below.

88-110-03-B. USE CLASSIFICATION SYSTEM

For the purpose of this zoning and development code, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in 88-805. The first column of Table 110-1 lists the groups, categories, and types allowed in one or more R districts.

88-110-03-C. PERMITTED USES

Uses identified with a "P" in Table 110-1 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

88-110-03-D. SPECIAL USES

Uses identified with an "S" in Table 110-1 may be allowed if reviewed and approved in accordance with the special use permit procedures of 88-525. Special uses are subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

88-110-03-E. PROHIBITED USES

Uses not listed in the table and those identified with a "-" are expressly prohibited.

88-110-03-F. USE STANDARDS

The "use standards" column of Table 110-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special use approval.

88-110-03-G. SPECIAL STANDARDS ADJACENT TO AND WITHIN 150 FEET OF PARKS, BOULEVARDS, AND PARKWAYS

Additional regulations and restrictions on uses adjacent to parks, boulevards and parkways are imposed in Table 110-1, as follows:

1. Uses identified with a bracketed numeral one "[1]" are prohibited adjacent to and within 150 feet of any park, boulevard, or parkway.

2. Uses identified with a bracketed numeral two "[2]" require special use permit approval if adjacent to and within 150 feet of any park, boulevard, or parkway. (Refer to special use permit procedures in 88-525).
3. Uses identified with a bracketed numeral three "[3]":
 - a. are prohibited adjacent to and within 150 feet of any park or boulevard or within a development node, and
 - b. require special use permit approval if adjacent to and within 150 feet of any parkway.



Land use restrictions apply to property adjacent to and within 150 feet of parks, boulevards, and parkways. The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway or the property boundary of the park to the nearest property line of the lot occupied by, or proposed to be occupied by, the restricted use type. These restrictions apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the park, boulevard, or parkway.

Further, all uses or development adjacent to and within 150 feet of any boulevard or parkway (not including a park) and within ¼ mile of a development node shall comply with Boulevard and Parkway Standards per 88-323.



Boulevard and Parkway Standards (88-323) apply to property adjacent to and within 150 feet of, boulevards and parkways (not parks). The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway to the nearest property line of the lot occupied by, or proposed to be occupied by, the regulated land use. The standards apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the boulevard or parkway.

**Table 110-1
Residential Districts Use Table**

USE GROUP (refer to 88-805 Use Groups and Categories)	ZONING DISTRICT										Use Standards
	R-80	R-10	R-7.5	R-6	R-5	R-2.5	R-1.5	R-0.75	R-0.5	R-0.3	
RESIDENTIAL											
Household Living	P	P	P	P	P	P	P	P	P	P	88-110-06-C & 88-323
Group Living (except as noted below)	-	-	-	-	-	-	S	S	S	S	88-350
» Group homes	-	-	-	-	-	-	P	P	P	P	88-350
» Nursing home	S	S	S	S	S	S	P	P	P	P	88-350
PUBLIC/CIVIC											
Bicycle-Sharing Facilities	P	P	P	P	P	P	P	P	P	P	88-322
Club, Lodge, or Fraternal Organization	-	-	-	-	-	-	P	P	P	P	

College/University	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
Day Care												
» Home-based (1—5)	P	P	P	P	P	P	P	P	P	P	P	
» Family (up to 10)	P	P	P	P	P	P	P	P	P	P	P	88-330-01
» Group (up to 20)	P	S	S	S	S	S	P	P	P	P	P	88-330-02
» Center (21+)	P	-	-	-	-	-	-	-	-	-	-	88-330-02
Detention and Correctional Facilities	S[1]	-	-	-	-	-	-	-	-	-	-	88-335
Halfway House	S	-	-	-	-	-	-	-	-	-	-	88-352
Hospital	-	-	-	-	-	-	-	-	S	S		
Library/Museum/Cultural Exhibit	P/S	-	-	-	P/S	88-365						
Park/Recreation	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
» Homes Association Amenities	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-805-03-H
Religious Assembly	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
Safety Service (except as noted below)	S	S	S	S	S	S	S	S	S	S	S	88-365
» Fire station	P	P	P	P	P	P	P	P	P	P	P	88-365
» Police station	P	P	P	P	P	P	P	P	P	P	P	88-365
School	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
Utilities and Services (except as noted below)	S[1]	S	S	S	S	S	S	S	S	S	S	
» Basic, minor	P	P	P	P	P	P	P	P	P	P	P	88-425-08-B
COMMERCIAL												
Animal Service												
» Shelter or boarding	P	-	-	-	-	-	-	-	-	-	-	88-315
» Stable	P	-	-	-	-	-	-	-	-	-	-	88-315
» Veterinary Office	P	-	-	-	-	-	-	-	-	-	-	
Entertainment Venues and Spectator Sports	S	-	-	-	-	-	-	-	-	-	-	
Funeral and Interment Service												
»	S	S	S	S	S	S	S	S	S	S	S	88-345

Cemetery/columbarium/mausoleum												
» Crematory	S	S	S	S	S	S	S	S	S	S	88-345	
» Undertaking	-	-	-	-	-	-	-	-	S	S		
Lodging												
» Bed and breakfast	S	-	-	S	S	S	S	S	S	S	88-320	
» Recreational vehicle park	S[1]	-	-	-	-	-	-	-	-	-		
» Short term rental	Refer to 88-321											
Neighborhood-serving retail	S	S	S	S	S	S	S	S	S	S	88-360	
Office, Administrative, Professional or General	-	-	-	-	-	-	S	S	S	S		
Reuse of officially designated historic landmark (local or national) if proposed use is not permitted	S	S	S	S	S	S	S	S	S	S		
Sports and Recreation, Participant	S	-	-	-	-	-	-	-	-	-		
INDUSTRIAL												
Mining and Quarrying	S[2]	-	-	-	-	-	-	-	-	-		
Waste-Related Use (except as noted below)	-	-	-	-	-	-	-	-	-	-		
» Composting facility	S[1]	-	-	-	-	-	-	-	-	-	88-328	
» Demolition debris landfill	S[1]	-	-	-	-	-	-	-	-	-	88-380	
OTHER												
Agriculture, Animal	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	*Chapter 14	
Agriculture, Crop	P	P/S	88-312-01									
Agricultural, Urban												
» Home Garden	P	P	P	P	P	P	P	P	P	P	88-312-02-A	
» Community Garden	P	P	P	P	P	P	P	P	P	P	88-312-02-B	
» Community Supported Agriculture (CSA)	P	S	S	S	S	S	S	S	S	S	88-312-02-C	
ACCESSORY SERVICES												

Wireless Communication Facility											
» Freestanding	P	-	-	-	-	-	-	-	-	-	88-385
» Co-located antenna	P	P	P	P	P	P	P	P	P	P	88-385

88-110-04 RESIDENTIAL BUILDING TYPES

88-110-04-A. RESIDENTIAL BUILDING TYPES ALLOWED

The residential uses allowed in R districts must be located in residential buildings. The following residential building types are allowed in R districts. Many residential building types are subject to supplemental standards, as referenced in 88-110-06-C.

Building Type	R-80	R-10	R-7.5	R-6	R-5	R-2.5	R-1.5	R-0.75	R-0.5	R-0.3
Detached house	P	P	P	P	P	P	P	P	P	P
Zero lot line house	P	P	P	P	P	P	P	P	P	P
Cottage house	-	-	P	P	P	P	P	P	P	P
Attached house										
Semi-attached										
on corner lots	-	P[1]	P[1]	P[1]	P	P	P	P	P	P
in other situations	-	-	-	-	P	P	P	P	P	P
Townhouse	-	-	-	-	P	P	P	P	P	P
Two-unit house										
on corner lots	-	P[1]	P[1]	P[1]	P	P	P	P	P	P
in other situations	-	-	-	-	P	P	P	P	P	P
Multi-unit house	-	-	-	-	-	S	P	P	P	P
Colonnade	-	-	-	-	-	-	P	P	P	P
Multiplex	-	-	-	-	-	-	P	P	P	P
Multi-unit building	-	-	-	-	-	-	P	P	P	P

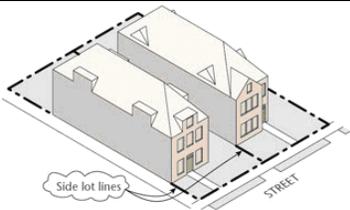
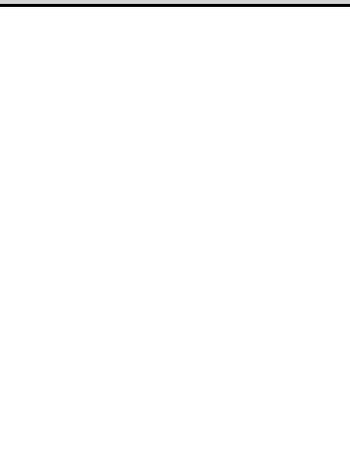
P = permitted building type - = prohibited building type

S = special use permit required

[1] Permitted only in approved open space development or conservation development; subject to 88-110-06-C.4

88-110-04-B. RESIDENTIAL BUILDING TYPES DEFINED AND REGULATED

Definitions and regulations for residential building types are as follows:

<p>Detached House</p>	<p>A detached house is a principal building containing one dwelling unit located on a single lot with private yards on all sides. Detached houses are subject to the lot and building standards of 88-110-06-B (Table 110-2). No more than one detached house may be located on a single lot.</p>	
<p>Zero Lot Line House</p>	<p>A zero lot line house is a principal building containing one dwelling unit located on a single lot. The building is shifted to one side of the lot so that there is a more usable side yard on one side of the house and very little or no private yard on the other side. Zero lot line houses are subject to the lot and building standards of 88-110-06-B (Table 110-2) except as modified or supplemented by the zero lot line standards of 88-110-06-C. No more than one zero lot line house may be located on a single lot.</p>	
<p>Cottage House</p>	<p>A small detached house that is grouped with other cottages around a shared open space. Cottage houses are subject to the lot and building standards of 88-110-06 (table 110-2) except as modified or supplemented by the cottage house development standards of 88-110-06-C. Multiple cottage houses may be located on a single lot, subject to the limitation of 88-110-06-C.</p>	
<p>Attached House</p>	<p>A building containing multiple dwelling units, each located on its own lot with a common or abutting wall along shared lot lines. Each dwelling unit has its own external entrance. There are two types of attached houses: semi attached houses and townhouses. Attached houses are subject to the lot and building standards of 88-110-06-B (Table 110-2) except as modified or supplemented by the attached house standards of 88-110-06-C. No more than one attached house may be located on a single lot.</p>	

	<p>A semi-attached house is an attached house building containing 2 dwelling units, divided by a vertical plane.</p>	
	<p>A townhouse is an attached house building containing 3 or more dwelling units, divided by a vertical plane.</p>	
<p>Two-unit House</p>	<p>A two-unit house is a building containing 2 dwelling units, both of which are located on a single lot or parcel (also referred to as a "duplex" or "two-flat"). The dwelling units are attached and may be located on separate floors or side-by-side. Two-unit houses are subject to the lot and building standards of 88-110-06-B (Table 110-2) except as modified or supplemented by the two-unit house standards of 88-110-06-C. No more than one two-unit house may be located on a single lot.</p>	
<p>Multi-unit House</p>	<p>A multi-unit house is a building containing 3 to 8 dwelling units located on a single lot. Multi-unit houses appear as large detached houses and have only one entrance visible from the street. Multi-unit houses are subject to the lot and building standards of 88-110-06-B (Table 110-2) except as modified or supplemented by the multi-unit house standards of 88-110-06-C. More than one multi-unit house may be located on a single lot, subject to compliance with all applicable lot and building standards.</p>	
<p>Colonnade</p>	<p>A colonnade is typically a two- to four-story masonry building with two prominent multi-story colonnade porches, open or enclosed, located on the primary facade. The number of porch levels matches the number of stories of the building. A colonnade contains two units per floor, opening onto a central hall. More</p>	

	than one colonnade may be located on a single lot, subject to compliance with all applicable lot and building standards.	
Multiplex	A multiplex is a building containing 3 to 8 dwelling units, each of which has its own external entrance. Multiplexes are subject to the lot and building standards of 88-110-06-B (Table 110-2). More than one multiplex may be located on a single lot, subject to compliance with all applicable lot and building standards and subject to site plan review	
Multi-unit building	A multi-unit building is a building containing 3 or more dwelling units (other than a multiplex or multi-unit house) that share common walls and/or common floors/ceilings. Multi-unit buildings are typically served by one or more common building entrances. Multi-unit buildings are subject to the lot and building standards of 88-110-06-B (Table 110-2) except as modified or supplemented by the Multi-unit building standards of 88-110-06-C. More than one multi-unit building may be located on a single lot, subject to compliance with all applicable lot and building standards.	

88-110-05 DEVELOPMENT OPTIONS

Different development options are offered in R districts to accommodate a variety of community and lifestyle choices. Open space development and conservation development standards apply only to properties meeting the standards of 88-410. In all other cases conventional development standards apply.

88-110-05-A. CONVENTIONAL DEVELOPMENT

"Conventional development" is any development that is not part of an approved open space development or conservation development. Lot and building standards for conventional development can be found in 88-110-06-B (Table 110-2).

88-110-05-B. OPEN SPACE DEVELOPMENT

The open space development option allows smaller lots and other flexible lot and building standards in exchange for the provision of common open space that is not typically provided in a conventional development. Lot and building standards for open space development can be found in 88-110-06-B (Table 110-2). Additional open space development standards are included in 88-410.

88-110-05-C. CONSERVATION DEVELOPMENT

The conservation development option allows even greater flexibility in exchange for the provisions of a greater amount of common open space than required for open space developments. Lot and building standards for conservation development can be found in 88-110-06-B (Table 110-2). Additional conservation development standards are included in 88-410.

88-110-06 LOT AND BUILDING STANDARDS

88-110-06-A. GENERAL

This section establishes basic lot and building standards for development in R districts, except for development on infill residential lots, which are governed by the lot and building standards set forth in Section 88-110-07. The standards vary based on zoning classification, building type and development type. These standards are not to be interpreted as a guarantee that allowed densities and development yields can be achieved on every lot. Other factors, such as off-street parking requirements, central water and wastewater service availability, and others may limit development more than these standards.

88-110-06-B. BASIC STANDARDS

All residential and nonresidential development in R districts, except for development on infill residential lots, must comply with the lot and building standards of Table 110-2, unless otherwise expressly provided by the building type-specific standards of 88-110-06-C. Nonresidential development in R districts must comply with the "conventional" development standards of Table 110-2. General exceptions to lot and building standards and rules for measuring compliance can be found in 88-820.

**Table 110-2
Lot and Building Standards**

	R-80	R-10	R-7.5	R-6	R-5	R-2.5	R-1.5	R-0.75	R-0.5	R-0.3
CONVENTIONAL DEVELOPMENT										
Lot Size										
» Min. lot area (sq. ft.)	80,000	10,000	7,500	6,000	5,000	4,000	3,000	3,000	3,000	2,500
» Min. lot area per unit (sq. ft.)	80,000	10,000	7,500	6,000	5,000	2,500	1,500	750	500 ²	300
» Min. lot width (ft.)	150	85	50	50	45	40	30	30	30	25
Front Setback¹										
» Minimum (% of lot depth)	25	25	25	25	25	25	15	15	15	15
» Min. garage (% of lot depth)	25	25	25	25	25	25	20	20	20	20

» Maximum required (ft.)	40	30	30	30	25	25	20	20	20	20
Rear Setback¹										
» Minimum (% of lot depth)	25	25	25	25	25	25	25	25	25	25
» Maximum required (ft.)	50	30	30	30	30	25	25	25	25	25
Side Setback¹										
» Min. each side (% lot width)	10	10	10	10	10	10	10	10	10	10
» Maximum required (ft.)	8	8	8	8	8	8	8	8	8	8
» Min. abutting street (ft.)	15	15	15	15	15	15	15	15	15	15
Height (ft.)										
» Maximum	35	35	35	35	35	40	45	60	164	235
OPEN SPACE DEVELOPMENT										
Overall Site										
» Min. open space (% of site)	30	30	30	30	30	30	30	30	30	30
» Min. lot area per unit (sq. ft.)	72,000	9,000	6,750	5,400	4,500	2,000	1,350	900	450	270
Lot Size										
» Min. lot area (sq. ft.)	12,000	7,500	6,000	5,000	3,750	3,000	2,500	2,500	2,500	2,500
» Min. lot width (ft.)	100	75	50	45	35	25	25	25	25	25
Front Setback¹										
» Minimum (% of lot depth)	20	15	15	15	15	15	15	15	15	15
» Min. garage (% of lot depth)	25	25	25	25	25	20	20	20	20	20
» Maximum required (ft.)	25	25	25	25	25	20	20	20	20	20
Rear Setback¹										
» Minimum (% of lot depth)	25	25	25	25	25	25	25	25	25	25
» Maximum required (ft.)	50	30	30	30	30	25	25	25	25	25
Side Setback¹										

» Min. each side (% lot width)	10	10	10	10	10	10	10	10	10	10
» Maximum required (ft.)	8	8	8	8	8	8	8	8	8	8
» Min. abutting street (ft.)	15	15	15	15	15	15	15	15	15	15
Height (ft.)										
» Maximum	35	35	35	35	35	50	60	60	120	200
CONSERVATION DEVELOPMENT										
Overall Site										
» Min. open space (% of site)	60	60	60	60	60	60	60	60	60	60
» Min. lot area per unit (sq. ft.)	64,000	8,000	6,000	4,800	4,000	2,000	1,200	800	400	240
Lot Size										
» Min. lot area (sq. ft.)	9,600	3,200	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
» Min. lot width (ft.)	85	50	45	35	30	25	25	25	25	25
Front Setback¹										
» Minimum (% of lot depth)	20	15	15	15	15	15	15	15	15	15
» Min. garage (% of lot depth)	25	25	25	25	25	20	20	20	20	20
» Maximum required (ft.)	25	25	25	25	25	20	20	20	20	20
Rear Setback¹										
» Minimum (% of lot depth)	25	25	25	25	25	25	25	25	25	25
» Maximum required (ft.)	50	30	30	30	30	25	25	25	25	25
Side Setback¹										
» Min. each side (% lot width)	10	10	10	10	10	10	10	10	10	10
» Maximum required (ft.)	8	8	8	8	8	8	8	8	8	8
» Min. abutting street (ft.)	15	15	15	15	15	15	15	15	15	15
Height (ft.)										

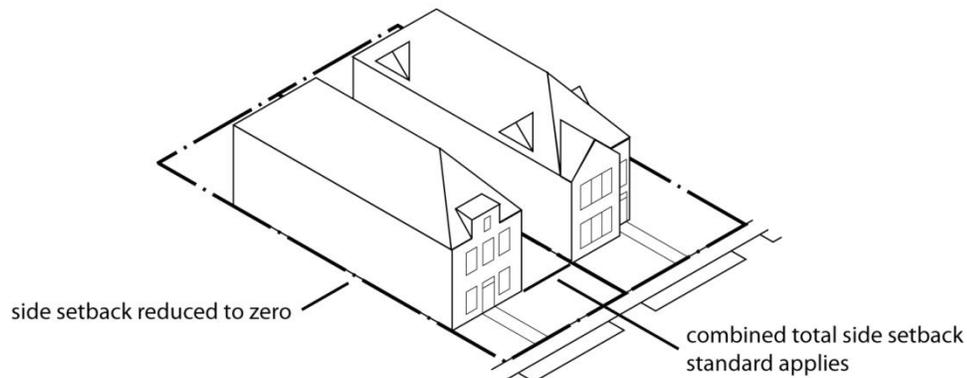
» Maximum	35	35	35	35	35	50	60	60	120	200
¹ Required building setback shall be per this table or the platted building line, whichever is greater.										
² Any residential unit having less than 350 sq. ft. per unit as of January 1, 2011, shall be considered conforming.										

88-110-06-C. BUILDING-TYPE SPECIFIC STANDARDS

1. ZERO LOT LINE HOUSES

Zero lot line houses are subject to the standards of 88-110-06-B (*Table 110-2*), except as expressly modified by the following zero lot line house standards:

- (a) Zero lot line building arrangements require that the planning for all house locations be done at the same time. Because the exact location of each house is predetermined, greater flexibility in site planning is possible, while ensuring that neighborhood character is maintained.
- (b) The side setback on one side of the lot may be reduced to as little as zero. The zero-setback side may not abut a street or a lot that is not part of the zero lot line development. The minimum combined side setback requirements of 88-110-06-B apply on the "non-zero" side, which means that a lot with a zero side setback on one side must provide a setback equal to at least 20% of the lot width on the opposite side of the lot.



- (c) Eaves on the side of a house with a reduced setback may project over the abutting lot line only if a perpetual eave overhang easement at least 5 feet in width is provided on the lot abutting the zero lot line property line, which, with the exception of walls and/or fences, must be kept clear of structures. The easement must be shown on the plat and incorporated into each deed transferring title on the property.
- (d) When the zero lot line house's exterior wall or eaves are set back less than 2 feet from the abutting side lot line, a perpetual maintenance easement at least 5 feet in width must be provided on the lot abutting the zero lot line property line, which, with the exception of walls and/or fences, must be kept clear of structures. The easement must be shown on the plat and incorporated into

each deed transferring title on the property. This provision is intended to ensure the ability to conduct maintenance and upkeep activities on the zero lot line house.

- (e) Windows or other openings that allow for visibility into the side yard of the lot abutting the zero-setback side lot are not allowed on zero lot line houses. Windows that do not allow visibility into the side yard of the abutting lot, such as clerestory windows or translucent windows, are allowed, subject to compliance with the building code.

2. **COTTAGE HOUSE**

Cottage house developments are subject to the standards of 88-110-06-B (*Table 110-2*), except as expressly modified by the following cottage house development standards:

(a) **DEVELOPMENT SIZE**

Cottage house developments must contain at least 4 and no more than 12 cottage houses. A development site may contain more than one cottage house development.

(b) **LOT SIZE**

- (1) In the R-7.5, R-6 and R-5 districts the minimum required lot area per cottage unit is 50% of the minimum lot area per unit standard of 88-110-06-B (*Table 110-2*).
- (2) In the R-2.5 district the minimum required lot area per cottage unit is 75% of the minimum lot area per unit standard of 88-110-06-B (*Table 110-2*).
- (3) In the R-1.5, R-0.5 and R-0.3 districts the minimum lot area per unit standard of 88-110-06-B (*Table 110-2*) applies.

(c) **FLOOR AREA**

- (1) The total floor area of each cottage may not exceed either 1.5 times the area of the main floor or 1,250 square feet, whichever is less. Attached garages are counted in the calculation of total floor area.
- (2) The maximum main floor area for cottages is 850 square feet. For the purposes of this calculation, the area of interior stairways may be allocated between floors served.

(d) **SETBACKS AND BUILDING SEPARATION**

All structures within cottage house developments must be set back at least 15 feet from property lines abutting streets and 10 feet from other property lines

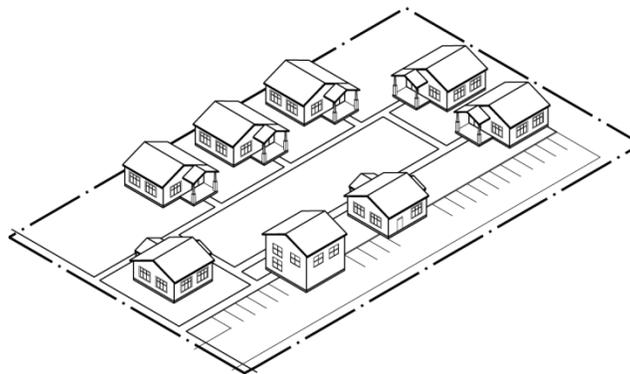
along the outer perimeter of the cottage house development site. When vehicular access to a cottage housing development is from an alley, a 4-foot minimum rear setback is allowed. All buildings within the cottage house development must be separated by a minimum distance of 10 feet.

(e) **BUILDING HEIGHT**

Cottage houses may not exceed 18 feet in height, except that pitched roofs with a minimum pitch of 6:12 may extend up to 25 feet in height. All parts of a roof above 18 feet in height must be pitched.

(f) **OPEN SPACE**

200



Each cottage unit must have 150 square feet of private, contiguous, usable open space adjacent to each dwelling unit, for the exclusive use of the cottage resident. Such private open space must be oriented toward the common open space as much as possible, with no dimension less than 10 feet.

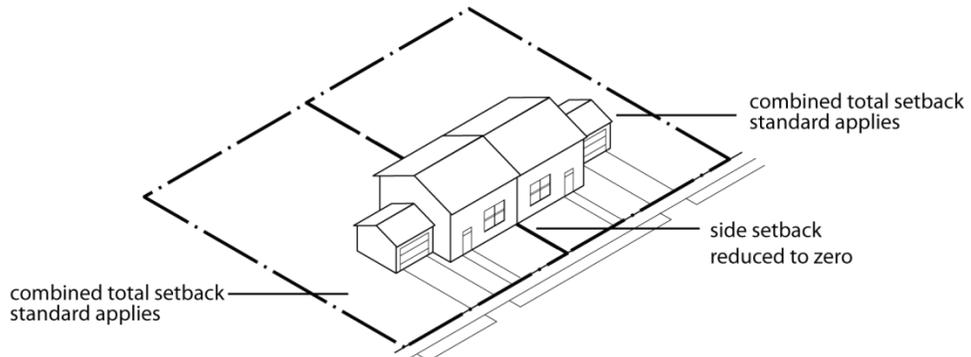
All cottages must have a roofed porch at least 80 square feet in area with a minimum dimension of 8 feet on any side.

3. **ATTACHED HOUSE**

Attached houses are subject to the standards of 88-110-06-B (*Table 1102*), except as expressly modified or supplemented by the following attached house standards.

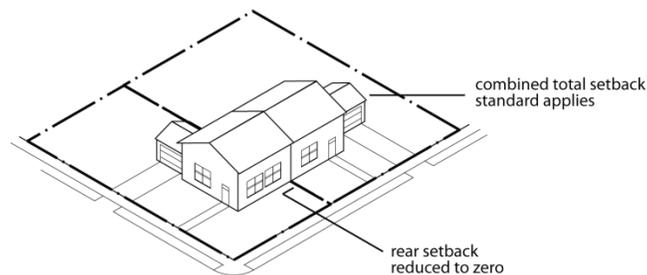
- (a) The minimum lot width for an attached house is 18 feet.
- (b) The minimum lot area per unit requirements of 88-110-06-B (*Table 110-2*) apply to attached house projects on a project-wide basis, meaning that the total area of the attached house site, including common areas comprising up to 20% of the overall site, may be counted as lot area. Common areas may include commonly owned open space, access drives and parking areas. Such common areas may also be included in setback calculations.

- (c) No side setback is required for common or abutting walls. The minimum total (combined) side setback standard of 88-110-06-B (*Table 110-2*) applies along the sides of the building that do not have common or abutting walls.



- (d) Common or abutting walls must be shared for at least 50% of their length.

- (e) On corner lots, either the rear setback or side setback may be reduced to zero. However, the remaining side or rear setback must comply with the standards of 88-110-06-B (*Table 110-2*).



- (f) The minimum total (combined) side setback standard of Section 88-110-06-B (*Table 110-2*) applies along the sides of the building that do not have common or abutting walls.

- (g) The front facade of any attached house may not include more than 40% garage wall area.

- (h) Townhouse buildings may not contain more than 9 attached dwelling units.

4. TWO-UNIT HOUSES AND SEMI-ATTACHED HOUSES ON CORNER LOTS

Under the conventional development option, two-unit houses and semi-attached houses are subject to the standards of Section 88-110-06-B (*Table 110-2*). In approved open space or conservation developments two-unit houses and semi-attached houses are allowed on corner lots in all R districts except R-80. In R-10, R-7.5 and R-6 districts they are subject to the following additional standards.

- (a) Two-unit houses and semi-attached houses are allowed on corner lots in situations in which such building types would not otherwise be allowed

because they can be designed so each unit is oriented towards a different street. This gives the two-unit house and the semi-attached house the overall appearance of a detached house when viewed from either street.

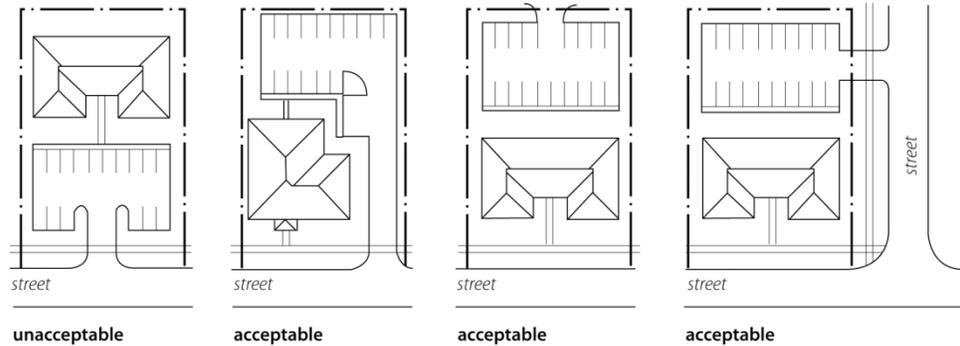
- (b) The corner lot must comply with the minimum lot area standard of the subject zoning district. No lot with less than 3,000 square feet of lot area may be used for the corner lot option.
- (c) Each dwelling unit within the two-unit house or semi-attached house must have its address and main entrance oriented towards a separate street frontage. Conversion of an existing detached house may provide one main entrance with internal access to both units.

5. **MULTI-UNIT HOUSE** (includes Multiplex)

Multi-unit houses are subject to the standards of Section 88-110-06-B (*Table 110-2*) except as expressly modified or supplemented by the following standards.

- (a) The street-facing façade of a multi-unit house may have only one visible entrance to the building. If the building is located on a corner lot, one building entrance may be visible from each street.
- (b) Visible building entrances must be clearly emphasized by any one of the following means:
 - (1) covered porch or canopy;
 - (2) transom and sidelight windows;
 - (3) pilasters and pediment; or
 - (4) other significant architectural treatment that emphasizes the entrance. (Simple trim around the doorway does not meet this standard.)
- (c) Patio-style doors, such as sliding glass doors, may not be used for main entrance doors.
- (d) A pedestrian circulation system must be provided that connects residential entrances to adjacent public rights-of-way and to parking areas and other on-site facilities.
- (e) Surface parking and parking within accessory structures must be located behind the front building line and otherwise concealed from view of abutting streets. Parking areas may not be located directly between the principal building and the street or within any required side setback area. Surface parking and the edge of the driveway from the right-of-way to any parking

area or structure must be landscaped in accordance with 88-425-05 and 88-425-06.



(f) The front facade of new multi-unit houses may not exceed 40 feet in width. Buildings may exceed this limitation if the street-facing plane of the building is broken into horizontal modules that comply with the following standards:

- (1) Each module must be no greater than 30 feet and no less than 10 feet in width and must be distinguished from adjacent modules by a change in the wall plane of at least 16 inches in depth. For buildings that are 3 or more stories in height, the width of the module may be increased to 40 feet.
- (2) Each module must have a corresponding change in the roofline.
- (3) Each module must be distinguished from the adjacent module by at least one of the following means:
 - a. changes in material colors, types or textures;
 - b. changes in the building and/or parapet height;
 - c. changes in the architectural details such as decorative banding, reveals, stone, or tile accents;
 - d. change in window pattern; and
 - e. the use of balconies and recesses.

(g) Architecture of the multi-unit house shall be designed in context with and reflect the predominant characteristics of other residential buildings within 500 feet of the exterior property lines of the multiunit house, in regard to scale, roof pitch, material, ingress/egress, and fenestration.

6. COLONNADE BUILDING

A colonnade building is subject to the standards of 88-110-06-B (*Table 110-2*) except as expressly modified or supplemented by the following standards.

- a. The street-facing facade of a colonnade building may have only one visible entrance to the building. If the building is located on a corner lot, one building entrance may be visible from each street.
- b. Visible building entrances must be clearly emphasized by any one of the following means:
 1. covered porch or canopy;
 2. transom and sidelight windows;
 3. pilasters and pediment; or
 4. other significant architectural treatment that emphasizes the entrance. (Simple trim around the doorway does not meet this standard.)
- c. Patio-style doors, such as sliding glass doors, may not be used for main entrance doors.
- d. A colonnade building must have porches available to each unit of the building. The porch must be a minimum of 5 feet in depth. On the main street-facing façade, porches must be located on each side of the main entrance, extending the full height of the building. If the building is on a corner lot, additional porches may be located on the side façade. Basement units are not required to have a porch.
- e. Cladding must be of brick, stone, or acceptable materials. Stucco may also be used on the upper stories of secondary facades.
- f. The main roof of a colonnade building must be flat, with a parapet that may include a hipped roof element.
- g. A pedestrian circulation system must be provided that connects residential entrances to adjacent public rights-of-way and to parking areas and other on-site facilities.
- h. Surface parking and parking within accessory structures must be located at the rear of the building and otherwise concealed from view of abutting streets. Parking areas may not be located directly between the principal building and the street or within any required side setback area. Surface parking area, and the edge of the driveway from the right-of-way to any parking area or structure, must be landscaped in accordance with 88-425-05 and 88-425-06.

- i. The front facade of a new colonnade building may not exceed 40 feet in width. Buildings may exceed this limitation if the street-facing plane of the building is broken into horizontal modules that comply with the following standards:
 1. Each module must be no greater than 30 feet and no less than 10 feet in width and must be distinguished from adjacent modules by a change in the wall plane of at least 16 inches in depth. For buildings that are 3 or more stories in height, the width of the module may be increased to 40 feet.
 2. Each module must have a corresponding change in the roofline.
 3. Each module must be distinguished from the adjacent module by at least one of the following means:
 - i. changes in material colors, types or textures;
 - ii. changes in the building and/or parapet height;
 - iii. changes in the architectural details such as decorative banding, reveals, stone, or tile accents; and
 - iv. change in window pattern.
- j. Architecture of the colonnade building shall be designed in context with and reflect the predominant characteristics of other residential buildings within 500 feet of the exterior property lines of the building, in regard to scale, roof pitch, material, ingress/egress, and fenestration.
- k. Colonnade buildings shall be designed in accordance with one of the following types:
 1. Classical Colossal Column Porch distinctive for Neoclassical styling featuring smooth or fluted Colossal columns of the Classical Order that rise the full height of the dark brick facade;



2. Combined Column Porch featuring columns that extend more than one story in height and support a smaller column of different material and design or the reverse — columns that extend one story and support columns that extend upward for several stories;



3. Square Brick Column Porch, a simpler version comprised of square brick columns;



4. Transitional Enclosed Colonnade, this version retains the design of the original porch projections, but are enclosed and integrated with the interior living space.



1. Courtyard Colonnaded Apartments: Colonnaded courtyard apartment are sets of three to seven buildings arranged in a U-shaped pattern around a courtyard with the courtyard opened to the street. The main facades of the buildings fact onto the courtyard.

7. **MULTI-UNIT BUILDING**

Multi-unit buildings (i.e., buildings containing 3 or more dwelling units, other than multi-unit houses) are subject to the standards of 88-110-06-B (*Table 110-2*) except as modified or supplemented by the following standards.

- (a) Visible building entrances to dwelling units on the ground floor must be clearly emphasized by any one of the following means:
 - (1) covered porch or canopy;
 - (2) transom and sidelight windows;
 - (3) pilasters and pediment; or
 - (4) other significant architectural treatment that emphasizes the entrance. (Simple trim around the doorway does not meet this standard.)
- (b) Patio-style doors, such as sliding glass doors, may not be used for main entrance doors.
- (c) A pedestrian circulation system must be provided that connects residential entrances to adjacent public rights-of-way and to parking areas and other on-site facilities.
- (d) Surface parking and parking within accessory structures must be located behind front building line or otherwise screened from view of abutting streets. Parking areas may not be located directly between the principal building and the street or within any required side setback area. Surface parking and the edge of the driveway from the right-of-way to any parking area or structure must be landscaped in accordance with 88-425-05 and 88-425-06.
- (e) Street-facing walls that are greater than 50 feet in length must be articulated with bays, projections, recesses or other design elements that effectively break-up the mass of the building.

88-110-06-D. A lot shall be occupied by only one principal building and any customarily accessory uses, unless otherwise approved.

88-110-07 INFILL RESIDENTIAL DEVELOPMENT STANDARDS

88-110-07-A. PURPOSE

- 1) The purpose of these standards is to

- a. Ensure that residential development in established neighborhoods is generally consistent with the form, bulk, placement, and scale of the existing residential buildings of the same building type, as defined in 88-110-04; and
- b. Stimulate investment in established neighborhoods; and
- c. Provide sufficient flexibility to allow incremental evolution of established neighborhoods to meet the community's changing needs.

88-110-07-B. APPLICABILITY

Infill residential development shall mean any residential development (whether existing, new construction, or modification to an existing residential structure) on an infill residential lot as defined in this zoning and development code. Such development shall follow the standards of this section.

88-110-07-C. INFILL RESIDENTIAL CONTEXT AREA

These standards aim to ensure that proposed development generally conforms to the context of established neighborhoods. To accomplish this a context area shall be established for the property upon which the development is proposed. That area shall be all lots lying in whole or in part within 200 feet of the subject property and located on the same block face, excluding any lot zoned nonresidential, developed with a nonresidential building, or a residential building type not allowed by the zoning of the subject property.



Image depicting the Infill Residential Context Area

Infill residential lots on block faces with 2 or fewer developed lots, shall follow the conventional development standards reduced by 25%. For example, if the conventional development standard in question is the minimum side yard setback at 10% of the lot width, the applied setback will be 7.5% of the lot width.

88-110-07-D. LOT AND BUILDING STANDARDS

1. GENERAL

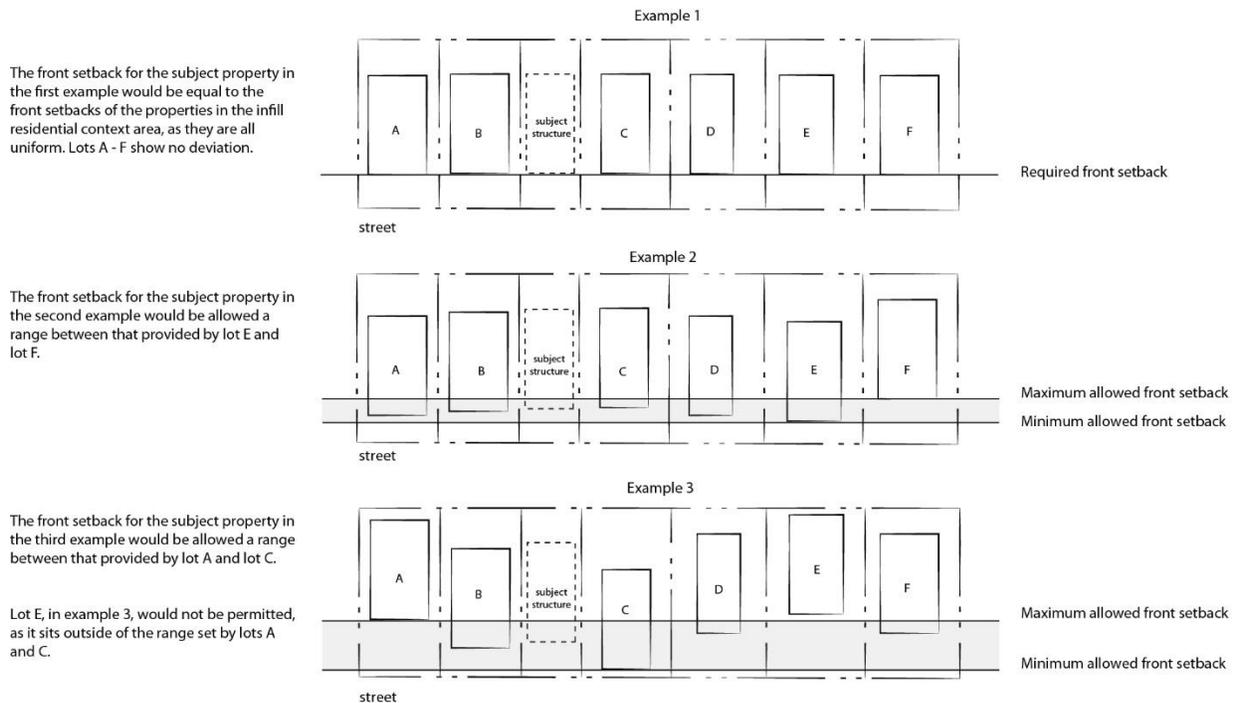
- a) The following standards shall apply to all residential districts – R-80, R-10, R-7.5, R-6, R-5, R-2.5, R-1.5, R-0.75, R-0.5, and R-0.3.
- b) Required building setback shall be pursuant to this section or the platted building line, whichever is greater.

2. LOT DIMENSIONAL STANDARDS

- a) Lot area shall be between 75% to 150% of the average of all lots in the infill residential context area.
- b) Lot width shall be between 75% to 150% of the average of all lots in the infill residential context area.

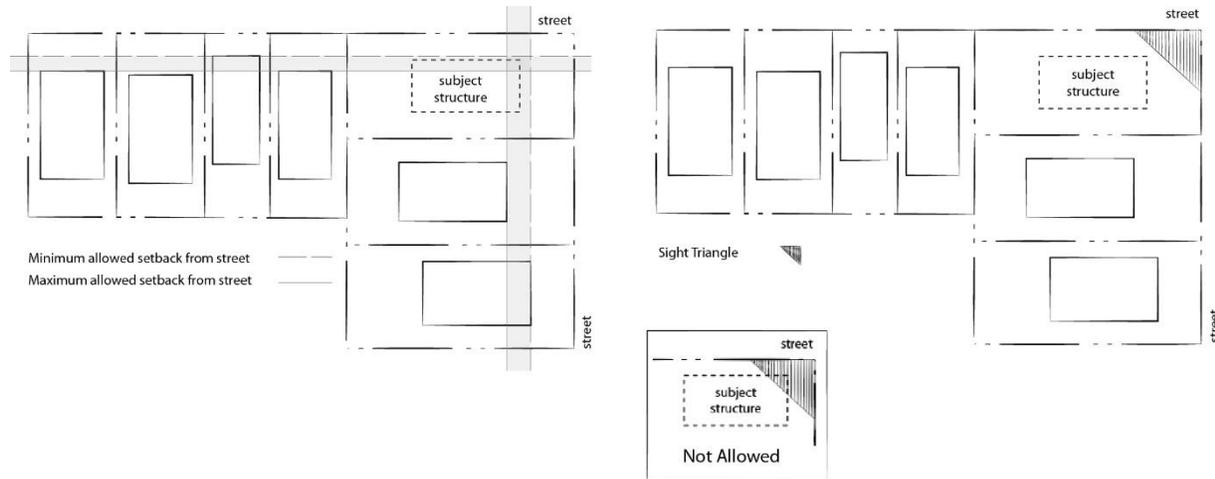
3. BUILDING DEPTH DIMENSIONAL STANDARDS

- a) **FRONT SETBACK RANGE** - The front setback shall be no less than nor greater than the front setbacks provided by the existing residential buildings in the infill residential context area.

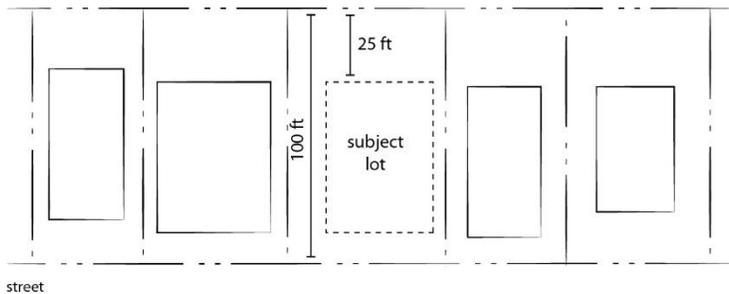


- b) **FRONT SETBACK RANGE FOR CORNER LOTS** - On corner lots, a building shall be setback no lesser than nor greater than that provided by the existing residential buildings on both block faces (Figure 1); however, in no case shall it encroach the sight triangle (Figure 2).

For this section, the sight triangle shall be that area from the inside of the intersecting property lines away from and along the said property lines a distance of 15 feet in both directions then connecting these points with a line.



- c) **MINIMUM REAR SETBACK** - 25% of the lot depth or a maximum of 30 feet, whichever is less.



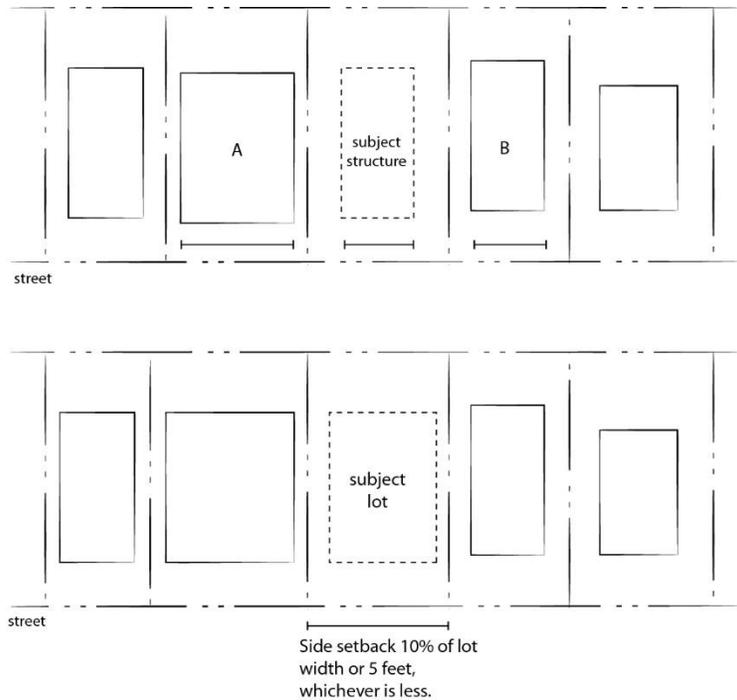
4. BUILDING WIDTH DIMENSIONAL STANDARDS

- a) **MINIMUM INTERIOR SIDE SETBACK** – The side setback shall be 10% of the lot width or 5 feet, whichever is less.
- b) **MAXIMUM BUILDING WIDTH** – The building width shall not exceed 125% of the widest of the two nearest buildings in the infill residential context area. The width of an existing structure shall be measured by the average width of the building at the front building line.

When the required minimum building width is wider than what the side setback permits, the side setback requirement shall apply. In all other circumstances, the maximum building width applies.

The subject structure can have a width within 125% of those on lots A and B.

Note, that the setback standards does not change the requirements necessary to comply with the Building Code.



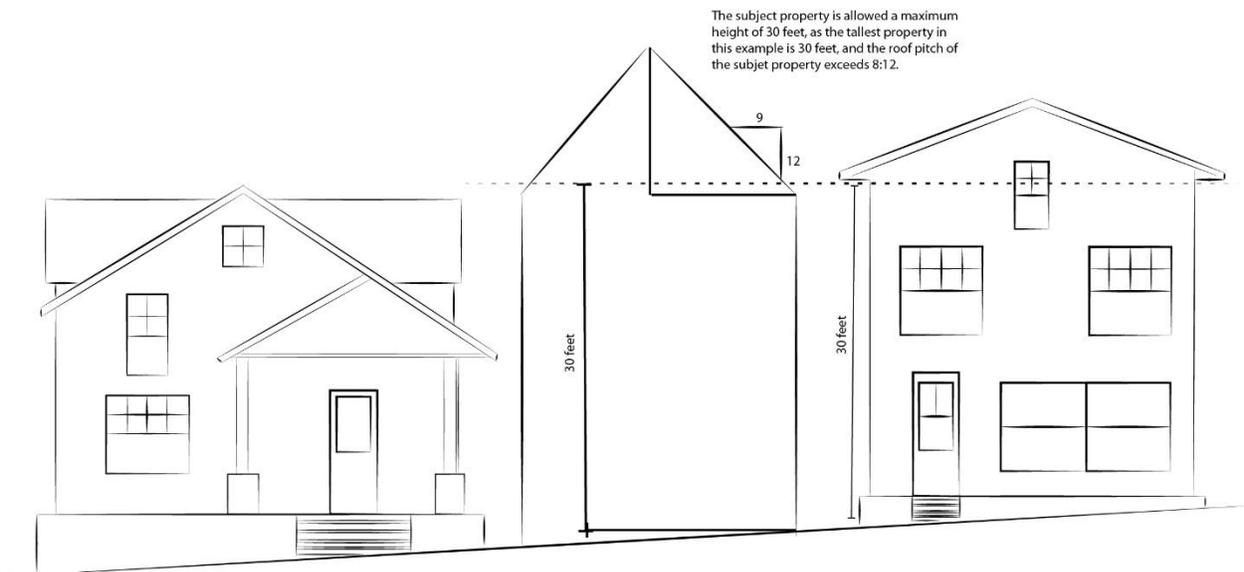
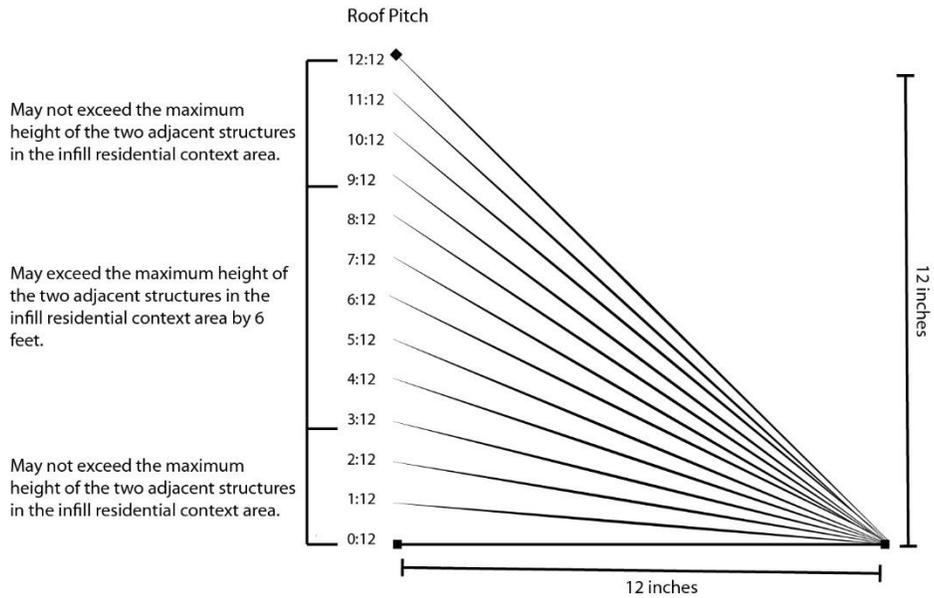
5. LOT COVERAGE STANDARDS

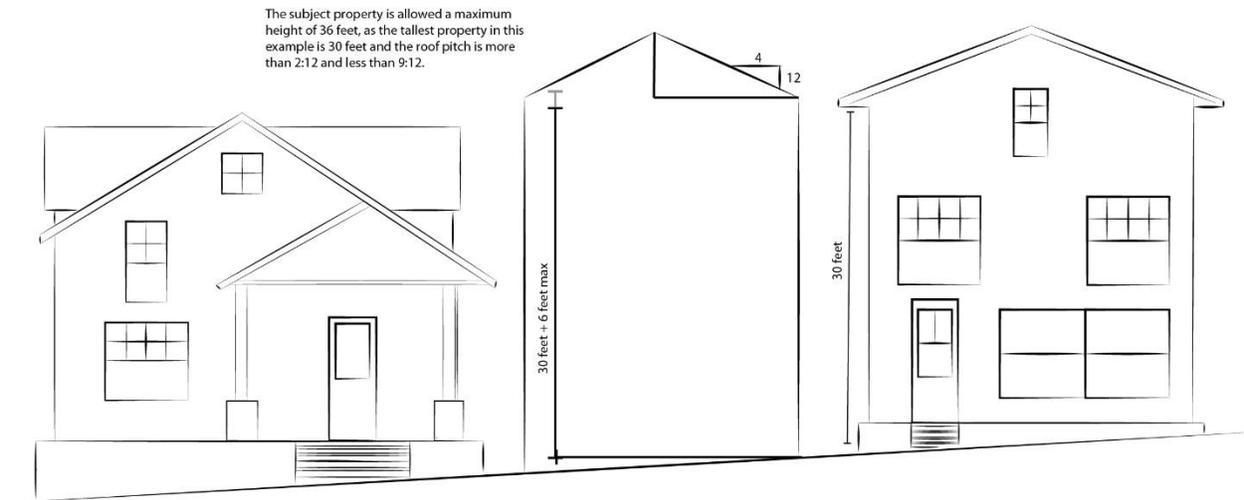
- a) MAXIMUM BUILDING COVERAGE –50% of the lot area.
- b) MAXIMUM IMPERVIOUS SURFACE COVERAGE – The maximum impervious surface coverage shall not exceed 75% of the lot area.

6. HEIGHT

- a) Residential buildings with a roof pitch between 0:12 and 3:12 and between 9:12 and 12:12 may not exceed the height, in full (not partial) stories, of the greater of the two nearest residential buildings of the same building type on the same block face. For this provision, a full story shall be 12' high and the number of stories shall be determined as viewed from the street. For example, whether the tallest of the two adjacent residential buildings, as viewed from the street, appears to be 2 full stories or 2 ½ stories feet shall be the maximum height permitted on the subject property..
- b) All other residential buildings shall not exceed the height, in feet, of the greater of the two nearest buildings of the same building type on the same block face, based upon said their number of stories, plus 6 feet. For this provision, a full story shall be 12' high and the number of stories shall be determined as viewed from the street. For example, whether the tallest of the two adjacent residential buildings, as viewed from the street, appears to be 2 full stories or 2 ½ stories 30 feet shall be the maximum height permitted on the subject property..

- c) The height of the proposed residential building shall be measured from the average grade at ground level to the top of the main wall below the roof's eave. For buildings with dormers on the front façade, the top of the wall below the eave of the dormer shall be included in the height if the dormer exceeds 50% of the width of the façade.





88-110-07-E. INFILL VEHICULAR USE STANDARDS

- a. **DRIVEWAYS** – When an improved alley is present, driveways from the street are prohibited. When an improved alley is not present, driveways from the street shall be permitted only when 51% or more of the homes in the infill residential context area have a driveway from the same street. The city planning and development director is authorized to allow driveways from streets where fewer than 51% of the homes in the infill residential context area have them only when such a driveway is shared with at least one adjacent home, any garage the driveways lead to is not visible from the street, the driveway does not exceed 12 feet in width in the front yard, and subject to recording a cross-access easement. For this section, improved shall mean paved with a hard surface or gravel. It shall not mean that such alleys must be improved to current Public Works Department standards.
- b. Attached garages visible from the street shall be permitted only when 51% or more of homes in the infill residential context area have attached garages visible from the street.
- c. When attached garages are visible from the street the garage door shall not occupy more than 40% of the width of the ground-level façade. This applies to garages under the main floor level as well as garages adjacent to the main floor level. Where the garage is below the main floor level, measurements to determine the maximum façade percentage shall be at the grade closest to the main floor level.



- d. Detached garages shall be in the rear yard.
- e. Areas not discussed above shall follow the standards outlined in section 88-420 Parking and Loading Standards of the Zoning and Development Code.

88-110-07-F. OTHER USE STANDARDS

- a. The city planning and development director shall have discretion to approve any proposed project which falls within 10% or less than a foot, whichever is less, of any requirement contained in these infill residential development standards .

Section 2. Repealing section 88-420-04 and enacting in lieu thereof a new section of like number and subject matter in order to add parking standards for infill residential development, said section to read as follows:

88-420-04 EXEMPTIONS, REDUCTIONS AND SPECIAL AREA STANDARDS

88-420-04-A. DC ZONING DISTRICT

No off-street parking is required in the DC (Downtown Core) zoning district.

88-420-04-B. DX ZONING DISTRICT

Nonresidential uses in the DX district outside of the Crossroads area are not required to provide off-street parking unless such uses exceed 4,000 square feet of gross floor area, in

which case off-street parking must be provided for the floor area in excess of 4,000 square feet.

88-420-04-C. CROSSROADS AREA

1. Retail sales-related uses in the Crossroads area are not required to provide off-street parking for the first 4,000 square feet of gross floor area. For purposes of this paragraph, "retail sales-related uses" include general retail sales, food and beverage retail sales; and other uses that are primarily involved in the sales of goods to the general public.
2. Restaurants in the Crossroads area are not required to provide off-street parking spaces for the first 2,000 square feet of gross floor area, per building.

88-420-04-D. BROOKSIDE BUSINESS DISTRICT AREA

There are no minimum nonresidential parking requirements or residential parking requirements for residential units in mixed-use structures in the Brookside Business District Area. Individual non-residential uses may not provide more than 1.5 times the minimum parking requirements of 88-420-06 on the same lot or on a combination of the same and contiguous lots in any zoning district, provided however, any individual use that would require 4 or fewer spaces may provide up to 6 parking spaces. Multiple tenants in a common structure or structures sharing a common wall will be considered an individual use for purposes of this calculation. Mixed-use structures may provide a maximum of one parking space per dwelling unit for purposes of this calculation.

88-420-04-E. DOWNTOWN LOOP

Uses within the Downtown Loop are not required to provide off-street parking or loading.

88-420-04-F. B1 ZONING DISTRICT

Nonresidential uses in the B1 district are not required to provide off-street parking unless such uses exceed 2,000 square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of 2,000 square feet.

88-420-04-G. PEDESTRIAN-ORIENTED OVERLAY DISTRICT

Nonresidential uses that are subject to the P/O district regulations of 88-230 are not required to provide off-street parking unless such uses exceed 4,000 square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of 4,000 square feet.

88-420-04-H. LANDMARKS AND HISTORIC DISTRICTS

1. No off-street parking or loading spaces are required for rehabilitation or reuse of an official local or national historic landmark.

2. No off-street parking or loading spaces are required for rehabilitation or reuse of an existing contributing building within an official local or national historic district.

88-420-04-I. WESTPORT AREA

Restaurants in the Westport Area must provide off-street parking at a minimum rate of 2.5 spaces per 1,000 square feet.

88-420-04-J. RAPID TRANSIT STOPS

Special parking regulations apply to uses on lots located within 1,000 feet of a rapid transit stop, as follows.

1. Office and manufacturing uses are not required to provide off-street parking spaces for the first 10,000 square feet of gross floor area.
2. The following uses are not required to provide off-street parking for the first 4,000 square feet of gross floor area: artist work or sales space, food and beverage retail sales, personal improvement service, and retail sales. Uses may not exceed otherwise applicable minimum off-street parking requirements by more than 3 spaces or 33%, whichever is greater, unless such "extra" spaces are provided in a parking garage.
3. Restaurants are not required to provide off-street parking for the first 2,000 square feet of gross floor area per building.
4. The above exemptions may be used in combination with any other exemption, reduction, or special area standards.

88-420-04-K. EFFECT OF VEHICLE PARKING REDUCTION OR EXEMPTION ON BICYCLE PARKING REQUIREMENTS

The bicycle parking requirements of 88-420-09 apply regardless of any vehicle parking exemptions and reductions authorized in this section (88-420-04).

88-420-04-L. DOWNTOWN STREETCAR AREA

Uses within the Downtown Streetcar Area are not required to provide off-street parking.

88-420-04-M. AFFORDABLE HOUSING

For a multi-unit building with more than 10 units, when at least twenty percent (20%) of the total number of units is provided as affordable housing, parking shall be required in the amount of 0.5 space per dwelling unit. However, if required parking is less than 0.5 space per dwelling unit due to other provisions of this section 88-420-04, the lesser requirement is applicable.

88-420-04-N. SINGLE FAMILY OR DUPLEX STRUCTURE

For any detached house or semi-attached house on a lot platted prior to September 10, 1951, no off-street parking shall be required.

88-420-04-O. INFILL RESIDENTIAL DEVELOPMENT STANDARDS

See 88-110-07 for special parking and loading standards that apply to infill residential development. If the standards of this section conflict with those in 88-110-07, the standards of 88-110-07 shall apply. All other standards of this section shall apply to infill residential development.

88-420-04-P. INFILL RESIDENTIAL DEVELOPMENT PARKING STANDARDS

Any infill residential development of 8 or fewer units is exempt from the minimum parking requirement.

Section 3. Repealing Section 88-535 and enacting in lieu thereof a new section of like number and subject matter to read as follows:

88-535 MINOR SUBDIVISIONS

88-535-01. APPLICABILITY

Any subdivision of land meeting the eligibility criteria below may be approved by the city planning and development director. Any subdivision not meeting these criteria shall require approval of a major subdivision pursuant to 88-540.

88-535-01-A. TYPE 1 MINOR SUBDIVISION

Any subdivision which does not result in a net increase in the number of lots (i.e., a lot line adjustment or lot consolidation) regardless of whether the land area included was previously platted, the cumulative number of lots in the subdivision, and the status of public improvements (i.e. whether or not they exist or meet current standards) within and adjacent to the subdivision.

88-535-01-B. TYPE 2 MINOR SUBDIVISION

Any subdivision which results in a net increase in the number of lots (i.e., a lot split) by up to five additional lots, regardless of whether the land area included was previously platted, the cumulative number of lots in the subdivision, and the status of public improvements (i.e. whether or not they exist or meet current standards) within and adjacent to the subdivision.

88-535-01-C. TYPE 3 MINOR SUBDIVISION

Any subdivision of previously platted land which results in a net increase in the number of lots (i.e., a lot split) by six but no more than 15 additional lots, regardless of the cumulative number of lots in the subdivision, and when the public improvements required of 88-405-03 are present to serve all lots in the proposed subdivision except that the public improvements specified below need not exist to be eligible for a minor subdivision:

- A. Curb
- B. Drive approaches

- C. Sidewalks
- D. Street trees
- E. Storm sewer and stormwater management facilities (for subdivisions in combined sewer areas)

As a condition of approving the minor subdivision, the city planning and development director shall require construction and installation of all the above except storm sewer and stormwater management facilities for subdivisions in the combined sewer areas. The director is authorized to waive or modify these required improvements in accordance with the criteria of 88-405-25-C.

88-535-01-D. TYPE 4 MINOR SUBDIVISION

Any subdivision of a building that meets the definition of a condominium plat contained in 88-810-370.

88-535-02 EXEMPTIONS

Any subdivision meeting the following criteria is exempt from the minor subdivision approval process.

88-535-02-A. RE-ESTABLISHMENT

A subdivision that meets the criteria of a Type 1 Minor Subdivision as stated above (i.e. a lot line adjustment or lot consolidation) or a Type 2 Minor Subdivision (i.e. a lot split resulting in up to five additional lots) which proposes “re-establishing” previously-platted lots shall be exempt from this process and may “re-establish” the previously-platted lots by deed at the appropriate county recorder’s office so long as the previously-platted lots meet the requirements of this zoning and development code, do not result in water or sanitary sewer service lines crossing the resulting lot lines, and that the deed is provided to the city planning and development director for mapping purposes prior to recording.

For the purposes of this section, “re-establishment” shall mean adjusting parcel boundaries such that their legal descriptions and boundaries are consistent with the legal description and boundaries of the underlying lots.

88-535-02-B. CONSOLIDATIONS

A subdivision that meets the criteria of a Type 1 Minor Subdivision as stated above which results in a net reduction in the number of lots (i.e., a lot consolidation) shall be exempt from this process and may combine by deed at the appropriate county recorder’s office so long as the resulting lots meet the requirements of this zoning and development code, and that the deed is provided to the city planning and development director for mapping purposes prior to recording.

88-535-03 AUTHORITY TO FILE

Minor subdivision applications may be filed only by the subject landowner or the subject landowner's authorized agent.

88-535-04 APPLICATION FILING

Complete applications for minor subdivisions must be filed with appropriate personnel in the city planning and development department. Minor subdivision surveys must contain all graphical submittal data as required for final plats.

88-535-05 REVIEW AND DECISION—CITY PLANNING AND DEVELOPMENT DIRECTOR

The city planning and development director must review each application for minor subdivision approval using the criteria provided below and act to approve, approve with conditions, deny, or refer the application to the city plan commission. If referred to the city plan commission, the city plan commission may act to approve, approve with conditions, or deny the application. The city plan commission may also act to continue the matter for further deliberation.

88-535-05-A. REVIEW CRITERIA FOR TYPE 1, TYPE 2, AND TYPE 3 MINOR SUBDIVISIONS

The city planning and development director is authorized to approve a Type 1, Type 2, or Type 3 Minor Subdivision when:

1. The subdivision meets the eligibility criteria of 88-535-01-A; and
2. The subdivision complies with all applicable provisions of this zoning and development code; and
3. The subdivision complies with the Major Street Plan; and
4. That proposed lots which are greater than one acre in area do not exceed a lot depth to lot width ratio of 3:1; and
5. Dedication of rights-of-way and easements, if required, are made by separate instrument, and accepted by the City Council as required by this zoning and development code prior to recording the minor subdivision; and
6. The proposed subdivision does not adversely affect the remainder of the parcel.

88-535-05-B. REVIEW CRITERIA FOR TYPE 4 MINOR SUBDIVISIONS

The city planning and development director is authorized to approve a Type 4 Minor Subdivision (condominium plat) when it complies with all the following requirements:

1. the plat must comply with the preliminary plat and/or plan that was approved for the overall development, including any limits on the maximum number of condominium units allowed;

2. the plat must conform to the requirements of Section 448.2-109, RSMo;
3. the plat must show the footprint of the buildings and the building identification system;
4. the plat must include a permanent benchmark and references to the survey monuments by a metes and bounds description;
5. the plat must include the owner's signature;
6. the plat must include the names, addresses and phone numbers of the owners and the company preparing the condominium plat;
7. the plat must include the surveyor's seal, signature and certification;
8. the plat must include the exact dimensions of the condominium units;
9. the plat must show the location of the common elements and limited common elements;
10. the plat submission must include a chronology chart referencing the building number, plat book and page, and date of any previously recorded condominium plats when there are multiple condominium plats;
11. the plat submission must include the declaration of condominium or amendment to the declaration;
12. the plat may not be approved until all required dedications of public rights-of-way and easements, if any, are made and accepted by the city council; and
13. the plat may not be approved until the city planning and development department has received confirmation that any required parkland or private open space dedication or payments in lieu of parkland have been completed.

88-535-06 RECORDING

Upon approval of a minor subdivision, the land survey/condominium plat must be recorded in the office of the appropriate county recorder of deeds. Recording must occur within 90 days of the date of approval by the city planning and development director.

88-535-07 APPEALS

88-535-07-A. If the city planning and development director disapproves the minor subdivision or approves the minor subdivision with conditions or modifications, the applicant may appeal the city planning and development director's decision to the city plan commission by filing a notice of appeal with the city planning and development

director. Appeals must be filed within 15 calendar days of the date of the city planning and development director's decision.

88-535-07-B. Appeals of the city plan commission's decision, in the case of a minor subdivision appealed to the city plan commission, may be appealed to the city council by filing a notice of appeal with the city planning and development director. Appeals must be filed within 15 calendar days of the city plan commission decision.

Section 4. Amending Section 88-810, Definitions, by adding and inserting definitions applicable to the new code sections established by Section 1 of this ordinance; and repealing Section 88-810-980, nonconforming lot, and enacting in lieu thereof a section of like number and subject matter, such definitions to read as follows:

DEFINITIONS

88-810-705 IMPERVIOUS COVER

The total amount of a lot's impervious surface.

88-810-706 IMPERVIOUS SURFACE

Any area covered by a roof, concrete, or asphalt surface.

88-810-712 INFILL RESIDENTIAL DEVELOPMENT

Infill residential development shall mean any residential development (whether existing, new construction, or modification to an existing residential structure) on an infill residential lot.

88-810-713 INFILL RESIDENTIAL CONTEXT AREA

Any lot lying in whole or in part within 200 ft of an infill residential lot and located on the same block face as an infill residential lot.

88-810-748 LOT, INFILL RESIDENTIAL

Any lawfully created lot that is zoned residential and meets one or more of the following criteria:

- 1) Described by deed or plat recorded prior to March 1, 1954, or
- 2) Annexed into the corporate limits of Kansas City prior to March 1, 1954.

Infill residential lots are not subject to the lot consolidation provisions contained in Section 88-610-03-C of this zoning and development code.

88-810-980 - NONCONFORMING LOT

For lots that are not infill residential lots, a nonconforming lot is a lawfully created lot, shown on a plat or survey map recorded in the appropriate recorder of deeds office that does not comply with the most restrictive minimum lot area or lot width standards of the zoning district in which the lot is now located. An infill residential lot that either exceeds or does not meet the minimum lot area or lot width range of the relevant infill residential context area is a nonconforming lot.

Section 5. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by law have been given and had.

..end

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

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney

TEXT AMENDMENT

Ordinance Fact Sheet

Case No. CD-CPC-2021-00214

Brief Title

Amending Chapter 88, the Zoning and Development Code, through revisions, clarifications, and other administrative changes throughout the chapter in accordance with the Zoning & Development Code periodic review and special purpose amendments process. (CD-CPC-2021-00214)

Details

Location: City wide

Reason for Legislation: To amend Chapter 88, through revisions, clarifications, and other administrative changes throughout the chapter in accordance with the Zoning & Development Code periodic review.

PLAN REVIEW

1. LOT AND BUILDING STANDARDS

- Provide new lot and building standards for lots platted or annexed prior to January 1, 1954
- Allow for contextually appropriate development for new and existing homes

2. MINOR SUBDIVISION AMENDMENTS

- Clarifying Language
- Establish naming conventions for minor subdivision types
- Allow for the re-establishment of previously platted lot lines
- Allow for up to 15 lots to be subdivided through the minor subdivision process

SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

- The applicant made revisions to grammar and clarity to the text, as well as edited the supporting images.

CITY PLAN COMMISSION RECOMMENDATION:

Approval subject to the following condition

1. The City Planning and Development Director shall review the projects built under the proposed infill residential development standards within the next 7 months and present findings to the Council in June of 2023 to assess whether there is a need for changes.

220997

Ordinance Number

Positions/Recommendations

Sponsors

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

Programs, Departments or Groups Affected

City wide

Applicants / Proponents

Applicant

City Department

City Planning & Development

Other

Opponents

Groups or Individuals

KCNAC

Basis of Opposition

Conditions:

1. Separate minor subdivision amendments into a separate ordinance to clarify this amendment will apply to all residential lots and is not limited to the 1954 definition of the Infill Lot & Building standards.

a. Restate Type 3 to include compliance with the public engagement requirements of 88-505-12.

2. Look back must also include a presentation to the KCNAC board and at a general meeting of the KCNAC.

a. Case references in study period must include not only filing status of applicant but

whether the subject property was occupied or resold at the completion of the permitted work

3. Evaluate height calculation methodology to establish where height measurement is based.

a. Clarify example images to improve readability

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4. Restate garage door width restriction to allow tuck-under garages with minimal sidewalk impacts; coordinate language with item #3 to avoid conflict and consider referencing building width and not ground-level façade

5. Remove detached garage restriction; the ADU ordinance allows detached accessory dwelling units on all residential lots, which either creates a conflict or renders this restriction irrelevant

6. Define impervious cover by % of perviousness, not material, i.e. pavers and concrete are available in both pervious and impervious versions, technology is constantly changing

7. Clarify 88-420-04-P to apply to a single lot (i.e. multi-family building) or remove. There is no consensus around removing parking requirements on detached dwelling unit (single-family) lots/building projects.

Recommendations:

1. Implement pilot applications by neighborhood, block, or specific application type
 - a. Design implementation to prioritize empty lots and protect existing housing stock
 - b. Partner with applicant(s) and neighborhood organizations
 - c. Analyze outcomes and incorporate findings to refine code language
2. Waive fees for owner/occupied applications with claw-backs
3. Review ADU language to coordinate housing strategy priorities and eliminate conflicts.

Staff Recommendation	<input checked="" type="checkbox"/>	For			
	<input type="checkbox"/>	Against			
			Reason Against		

Board or Commission Recommendation	City Plan Commission 6-0 10-04-2022				
	By Allender, Baker, Crowl, Enders, Hill and Rojas				
	<input checked="" type="checkbox"/>	For	<input type="checkbox"/>	Against	<input type="checkbox"/>
		<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: Najma Muhammad
Planner
Date: November 7, 2022

Reviewed By: Joseph Rexwinkle
Division Manager
Date:

Initial Application
Filed: November 17, 2021
City Plan Commission October 04, 2022
Action: Approval with Conditions
Revised Plans Filed: N/A
On Schedule: N/A
Off-Schedule Reason: N/A

Reference Numbers:
Case No. CD-BZA-2021-00214



File #: 200712

ORDINANCE NO. 200712

Approving and designating Project 1 of the 40 Highway & Noland Road Tax Increment Financing Plan as a Redevelopment Project; and adopting tax increment financing therefor.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “Act”), the City Council of Kansas City, Missouri created the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”); and

WHEREAS, the City Council approved the 40 Highway & Noland Road Tax Increment Financing Plan (the “Redevelopment Plan”) and designated the Redevelopment Area as a blighted area; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

Section 2. That the area selected for Project 1 legally described as follows:

A Parcel of land being a part of Tract I, Plaza 40 Shopping Center - Phase 1, and Tract V, Plaza 40 Shopping Center - Phase 2, subdivisions of land in the Southwest Quarter of Section 26, Township 49 North, Range 32 West of the Fifth Principal Meridian, in Jackson County, Missouri, said Parcel, being a part of the City of Kansas City, more particularly described as follows:

(For course orientation the bearings in this description are based on the East line of said Tract I having a bearing of South 02 degrees 07 minutes 36 seconds West, as determined by Global Positioning Systems observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

Commencing at the Northeast corner of Tract I, Plaza 40 Shopping Center – Phase 1, monumented by a found cotton gin spindle; thence South 02 degree 07 minutes 36 seconds West, 383.94 feet, on the East line of said Tract I, to the point of beginning of said Parcel herein described; thence continuing South 02 degrees 07 minutes 36 seconds West, 265.16 feet, on said East line, to the beginning of a tangent curve concave to the East, having a radius of 995.40 feet; thence Southerly and Southeasterly on said curve, to the left, an arc length of 180.85 feet, said curve having a chord bearing South 03 degrees 04 minutes 40 seconds East, and a chord distance of 180.60 feet, to the Southeast corner of said Tract I, Plaza 40 Shopping Center - Phase 1, said corner monumented by a found 1/2-inch reinforcing rod; thence North 87 degrees 04 minutes 59 seconds West, 795.41 feet, on

the South line of said Tract I, and it's Westerly prolongation, to a point intersecting a building seam delineating smaller retail spaces and larger manufacturing space; thence North 02 degrees 06 minutes 08 seconds East, 430.24 feet, along said building seam and its Southerly and Northerly prolongations; thence South 88 degrees 09 minutes 10 seconds East, 779.15 feet, along a line lying ± 3.5 feet Northerly of the face of said larger manufacturing building, to the point of beginning, said Parcel containing 7.85 acres more or less.

is approved and designated by the 40 Highway & Noland Road Increment Financing Plan as Project 1.

Section 3. That tax increment allocation financing is hereby adopted for taxable real property in the above described area selected for Project 1. After the total equalized assessed valuation of the taxable real property in Project 1 exceeds the certified total initial equalized assessed valuation of the taxable real property in Project 1, the ad valorem taxes, and payment in lieu of taxes, if any, arising from the levies upon the taxable real property in such project by taxing districts and tax rates determined in the manner provided in subsection 2 of Section 99.855 each year after the effective date of the ordinance until redevelopment project costs have been paid shall be divided as follows:

1. That portion of taxes levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the area selected for Project 1 shall be allocated to and, when collected, shall be paid by the Jackson County Collector and the City Treasurer to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing

2. Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for Project 1 over and above the initial equalized assessed value of each such unit of property in the area selected for the Project 1 shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payments in lieu of taxes, which are necessary to the payment of Project 1 Costs identified by the Redevelopment Plan, into a special fund called the "Special Allocation Fund" of the City for the purpose of paying Redevelopment Project Costs and obligations incurred in the payment thereof. Any payments in lieu of taxes which are not paid within sixty (60) days of the due date shall be deemed delinquent and shall be assessed a penalty of one percent (1%) per month.

Section 4. That in addition to the payments in lieu of taxes described in subsection 2 of Section 3 above, fifty percent (50%) of the total additional revenue from taxes which are imposed by the City or taxing districts, and which are generated by economic activities within the area selected for Project 1 over the amount of such taxes generated by economic activities within such area in the calendar year prior to the passage of this ordinance, while tax increment financing remains in effect, but excluding certain taxes, fees and special assessments specifically identified by the Act, other than payments in lieu of taxes, shall be allocated to, and paid by the collecting officer to the City Treasurer or other designated financial officer of the City, who shall deposit such funds, which are necessary to the payment of Redevelopment Project Costs identified by the Redevelopment Plan, in a separate segregated account within the Special Allocation Fund for the purpose of paying Redevelopment Project Costs.

..end

Approved as to form and legality:

Katherine Chandler
Assistant City Attorney

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

200712



File #: 200713

ORDINANCE NO. 200713

Approving and designating Project 2 of the 40 Highway & Noland Road Tax Increment Financing Plan as a Redevelopment Project; and adopting tax increment financing therefor.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “Act”), the City Council of Kansas City, Missouri created the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”); and

WHEREAS, the City Council approved the 40 Highway & Noland Road Tax Increment Financing Plan (the “Redevelopment Plan”) and designated the Redevelopment Area as a blighted area; NOW,

THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

Section 2. That the area selected for Project 2, legally described as follows:

A Parcel of land being a part of Tract I, Plaza 40 Shopping Center - Phase 1, and Tract V, Plaza 40 Shopping Center - Phase 2, subdivisions of land in the Southwest Quarter of Section 26, Township 49 North, Range 32 West of the Fifth Principal Meridian, in Jackson County, Missouri, said Parcel, being a part of the City of Kansas City, more particularly described as follows:

(For course orientation the bearings in this description are based on the East line of said Tract I having a bearing of South 02 degrees 07 minutes 36 seconds West, as determined by Global Positioning Systems observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

Commencing at the Northeast corner of Tract I, Plaza 40 Shopping Center - Phase 1, monumented by a found cotton gin spindle; thence South 02 degrees 07 minutes 36 seconds West, 383.94 feet, on the East line of said Tract I, to the point of beginning of said Parcel herein described; thence North 88 degrees 09 minutes 10 seconds West, 779.15 feet, along a line lying ± 3.5 feet Northerly of the face of a larger manufacturing building, to a point intersecting the Northerly prolongation of a building seam delineating said larger manufacturing space and smaller retail spaces; thence North 02 degrees 06 minutes 08 seconds East, 348.33 feet, along said Northerly prolongation, to the corporate city limits line of Kansas City, Missouri; thence South 87 degrees 03 minutes 19 seconds East, 779.36 feet, on

said city limits line, to the East line of said Tract I, Plaza 40 Shopping Center - Phase 1; thence South 02 degrees 07 minutes 36 seconds West, 333.40 feet; on said East line, to the point of beginning, said Parcel containing 6.10 acres more or less.

is approved and designated by the 40 Highway & Noland Road Increment Financing Plan as Project

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

1. That portion of taxes levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the area selected for Project 2 shall be allocated to and, when collected, shall be paid by the Jackson County Collector and the City Treasurer to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing

2. Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for Project 2 over and above the initial equalized assessed value of each such unit of property in the area selected for the Project 2 shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payments in lieu of taxes, which are necessary to the payment of Project 2 Costs identified by the Redevelopment Plan, into a special fund called the "Special Allocation Fund" of the City for the purpose of paying Redevelopment Project Costs and obligations incurred in the payment thereof. Any payments in lieu of taxes which are not paid within sixty (60) days of the due date shall be deemed delinquent and shall be assessed a penalty of one percent (1%) per month.

Section 4. That in addition to the payments in lieu of taxes described in subsection 2 of Section 3 above, fifty percent (50%) of the total additional revenue from taxes which are imposed by the City or taxing districts, and which are generated by economic activities within the area selected for Project 2 over the amount of such taxes generated by economic activities within such area in the calendar year prior to the passage of this ordinance, while tax increment financing remains in effect, but excluding certain taxes, fees and special assessments specifically identified by the Act, other than payments in lieu of taxes, shall be allocated to, and paid by the collecting officer to the City Treasurer or other designated financial officer of the City, who shall deposit such funds, which are necessary to the payment of Redevelopment Project Costs identified by the Redevelopment Plan, in a separate segregated account within the Special Allocation Fund for the purpose of paying Redevelopment Project Costs.

..end

Approved as to form and legality:

Katherine Chandler

Assistant City Attorney

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

200713



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
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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	-	-
<i>RESERVE STATUS:</i>		

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 Sean Carroll DATE 10/11/2022



File #: 220722

ORDINANCE NO. 220722

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

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

WHEREAS, Condition No. 16 in Section B of Ordinance No. 190328 required the developer to secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems are required by the Land Development Division, prior to recording the plat or issuance of building permit; and

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

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220722

Ordinance Fact Sheet

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

Brief Title

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

Ordinance Number

Details

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

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	1 st District (O'Neill, Hall)
Applicants / Proponents	<p>Applicant Brian Combs 8500 NE 89th Place Kansas City, MO 64157</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals</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 (7-0) 04-16-2019 By Archie, Baker-Hughes, Crowl, Dameron, Macy, Henderson, May</p> <p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
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>

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Appropriation Account Codes	

Continued from Page 2

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



File #: 220936

ORDINANCE NO. 220936

Sponsor: Director of City Planning and Development Department

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

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A-1359, rezoning an area of approximately 2.17 acres generally located at 5220 Troost Avenue between E. 53rd Street to the south, E 52nd Street to the north, and Rockhill Road to the west from District R-1.5 (Residential 1.5) to District B1-5 (Neighborhood Business 1 (Dash 5)), said section to read as follows:

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

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

is hereby rezoned from Districts R-1.5 (Residential 1.5) to District B1-5 (Neighborhood Business 1 (Dash 5)), all as shown outlined on a map marked Section 88-20A-1359, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

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

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

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

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

DEVELOPMENT PLAN

Ordinance Fact Sheet

Case No. CD-CPC-2022-00114

Brief Title

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

Details

Location: 5220 Troost Ave Kansas City, MO 64110

Reason for Legislation: Rezoning require City Council approval.

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

SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

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

CITY PLAN COMMISSION RECOMMENDATION:

Approval subject to the following conditions

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

220936

Ordinance Number

Positions/Recommendations

Sponsors

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

Programs, Departments or Groups Affected

4th District
Katheryn Shields
Eric Bunch

Applicants / Proponents

Applicant Steven Foutch
FBKC Sports Management, LLC

City Department
City Planning & Development
Other

Opponents

Groups or Individuals
N/A

Basis of Opposition
N/A

Staff Recommendation

For
 Against

Reason Against

Board or Commission Recommendation

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

For Against No Action Taken

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

Council Committee Actions

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

Najma Muhammad
Planner

Reviewed By:

Date:

Joseph Rexwinkle
Division Manager

Initial Application Filed: June 23, 2022

City Plan Commission October 04, 2022

Action: Approval with Modifications

Revised Plans Filed: N/A

On Schedule: Yes

Off-Schedule Reason: N/A

Reference Numbers:

Case No. CD-BZA-2022-00114