



Agenda

Neighborhood Planning and Development Committee

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

Wednesday, December 7, 2022

1:30 PM

26th Floor, Council Chamber

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

PUBLIC OBSERVANCE OF MEETINGS

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

Any closed session may be held via teleconference.

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

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:
<https://us02web.zoom.us/j/84530222968>

*****Public Testimony is Limited to 2 Minutes*****

Beginning of Consent(s)

Director of City Planning & Development and Barnes Jr.

[221019](#)

Sponsor: Director of City Planning and Development Department

Approving the plat of Tiffany Springs Plaza - Second Plat, an addition in Platte County, Missouri, on approximately 1.092 acres generally located at the northwest corner of Northwest Old Tiffany Springs Road and North Congress Avenue, creating 1 lots for the purpose of a 1 lot commercial 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-2022-00038)

Attachments: [2022-00038 Ordinance Fact Sheet](#)

Director of City Planning & Development and Barnes Jr.

[221020](#)

Sponsor: Director of City Planning and Development Department

Approving the plat of Twin Creeks Village, an addition in Platte County, Missouri, on approximately 9.224 acres generally located the southeast corner of North Line Creek Parkway and Northwest Old Tiffany Springs Road, creating 1 lot for the purpose of a 240 unit multi-family 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-2202-00037)

Attachments: [2022-00037 Ordinance Fact Sheet](#)

Director of City Planning & Development and Barnes Jr.

[221021](#)

Sponsor: Director of City Planning and Development Department

Approving the plat of Hunt Midwest Business Park-Seventh Plat, an addition in Clay County, Missouri, on approximately 267.957 acres generally located on both sides of N.E. 48th Street, between Arlington Avenue on the east and I-435 on the west, creating 4 lots and 2 tracts for the purpose of a 4 lot industrial and commercial 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-2022-00036)

Attachments: [2022-00036 Ordinance Fact Sheet](#)

Director of City Planning & Development and Barnes Jr.

[221022](#)

Sponsor: Director of City Planning and Development Department

Approving the plat of Staley Farms - Fourteenth Plat, an addition in Clay County, Missouri, on approximately 25.65 acres generally located at the northeast corner of Northeast Staley Farms Drive and Northeast 100th Street, creating 52 lots and 1 tract for the purpose of creating a 52 lot single family home subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00039)

Attachments: [2022-00039 Ordinance Fact Sheet](#)

End of Consent(s)

City Manager's Office

[221025](#) Sponsor: City Manager's Office

Estimating revenue in the General Fund in the amount of \$3,500,000.00 from the Midtown Tax Increment Financing Plan and appropriating same to support the Armour Troost mixed-use redevelopment project.

Attachments: [TMP-2509 docket memo](#)

City Plan Commission and Barnes Jr.

[221027](#) Sponsor: Director of City Planning and Development Department

Rezoning an area of about 64 acres generally located at the southwest corner of I-435 and N.W. Skyview Avenue from District AG-R to District M2-5 to allow for future industrial and commercial development. (CD-CPC-2022-00170).

Attachments: [Fact Sheet](#)

Barnes Jr. and Director of City Planning & Development

[221028](#) Sponsor: Director of City Planning and Development Department

Rezoning an area of about 1.92 acres generally located at 240 Oak Street from District UR to District UR, and approving a preliminary residential development plan. (CD-CPC-2022-00164)

Attachments: [Third & Grand Factsheet](#)

City Plan Commission and Barnes Jr.

[221029](#) Sponsor: Director of City Planning and Development Department

Approving an amendment to the Country Club/Waldo Area Plan on about 1.11 acres generally located at the southeast corner of State Line Road and W. 76th Street by changing the recommended land use from residential medium density to mixed use community for the 1500 Meadow Lake Parkway Project. (CD-CPC-2022-00191)

Attachments: [Area Plan Amendment Fact Sheet](#)

Director of City Planning & Development and Barnes Jr.

[221030](#) Sponsor: Director of City Planning and Development Department

Approving a development plan in District B3-2 on about 6.4 acres generally located at the southwest corner of N.W. Barry Road and N. Platte Purchase Drive to allow for the construction of a multi-unit building containing 162 units for age-restricted housing. (CD-CPC-2022-00162)

Attachments: [Fact Sheet](#)

Parks-Shaw and Lucas

[221031](#) Sponsor: Councilmember Ryana Parks-Shaw and Mayor Quinton Lucas

Authorizing the City Manager to enter into a contract with the Kansas City EDC Loan Corporation to establish a \$500,000.00 small business and entrepreneurial support organization grant and loan program.

Attachments: [No Fact Sheet](#)

Director of City Planning & Development and Barnes Jr.

[221032](#) Sponsor: Director of City Planning and Development Department

Approving a development plan in District B3-2 on about 3.63 acres generally located at 1500 Meadow Lake Parkway to allow for a mixed-use development, including retail, office and restaurant space, a parking garage, and 220 residential units. (CD-CPC-2022-00173)

Attachments: [1500 Meadow Lake FS](#)

Hall and Lucas

[221033](#) Sponsor: Councilmember Heather Hall and Mayor Quinton Lucas

Accepting the recommendations of the Tax Increment Financing Commission of Kansas City as to the Eighth Amendment to the Arlington Road Tax Increment Financing Plan; approving the Eighth Amendment to the Arlington Road Tax Increment Financing Plan; and directing the City Clerk to transmit copies of this Ordinance.

Attachments: [No Fact Sheet](#)

Hall and Lucas

[221034](#) Sponsor: Councilmember Heather Hall and Mayor Quinton Lucas

Approving and designating Redevelopment Project Area J2 of the Arlington Road Tax Increment Financing Plan as a Redevelopment Project Area; and adopting tax increment financing therefore.

Attachments: [No Fact Sheet](#)

Hall and Lucas

[221035](#) Sponsor: Councilmember Heather Hall and Mayor Quinton Lucas

Approving and designating Redevelopment Project Area A3 of the Arlington Road Tax Increment Financing Plan as a Redevelopment Project Area; and adopting tax increment financing therefore.

Attachments: [No Fact Sheet](#)

Barnes Jr.

[221036](#) Sponsor: Council Member Lee Barnes, Jr.

Approving the First Amendment to the Overlook Tax Increment Financing Plan.

Attachments: [Docket Memo 221036 \(Overlook 1st Amend\)](#)
[Overlook 1st Amendment - Fact Sheet](#)

HELD IN COMMITTEE

Bough, Shields and Bunch

[220729](#) Amending the Plaza Bowl Overlay, which was created by Committee Substitute for Ordinance No. 190100, which includes use and height regulations for the area generally located on the south and north sides of W. 47th Street (extending northerly to the north side of W. 46th Terrace), between Madison Avenue on the west and J.C. Nichols Parkway on the east, in order to establish standards for granting deviations..

Attachments: [No Fact Sheet](#)

Director of City Planning & Development

[220936](#)

Sponsor: Director of City Planning and Development Department

Approving a rezoning of about 2.17 acres generally located at 5220 Troost Avenue between E. 53rd Street to the south, E 52nd Street to the north, and Rockhill Road to the west from District R-1.5 to District B1-5 without a plan. (CD-CPC-2022-00114) **Item will be held until 12/14/22**

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

Lucas

[220961](#)

Sponsor: Mayor Quinton Lucas

Amending Chapter 88, Code of Ordinances, by enacting new Sections 88-424-01 through 88-424-11, Tree Preservation and Protection; and amending Section 88-810 by adding and inserting definitions applicable to this new code section.

Attachments: [No Fact Sheet](#)

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](#)

ADDITIONAL BUSINESS

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

2. Closed Session

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

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

The city provides several ways for residents to watch City Council meetings: • Livestream on the city's website at www.kcmo.gov

• Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOuBlg4fok>

• Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.

• To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: http://kansascity.granicus.com/ViewPublisher.php?view_id=2

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

Adjournment



File #: 221019

ORDINANCE NO. 221019

Sponsor: Director of City Planning and Development Department

Approving the plat of Tiffany Springs Plaza – Second Plat, an addition in Platte County, Missouri, on approximately 1.092 acres generally located at the northwest corner of Northwest Old Tiffany Springs Road and North Congress Avenue, creating 1 lots for the purpose of a 1 lot commercial 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-2022-00038)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Tiffany Springs Plaza – Second Plat, a subdivision in Platte County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

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

Section 3. That the 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 4. 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 Platte County, Missouri.

Section 5. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on November 15, 2022.

..end

Approved as to form:

Eluard Alegre
Associate City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

221019

Ordinance Number

Brief Title

Approving the plat of Tiffany Springs Plaza – Second Plat an addition in Kansas City, Platte County, Missouri

<p>Specific Address Approximately 1.092 acres generally located at the northwest corner of Northwest Old Tiffany Springs Road and North Congress Avenue</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Sponsor</td> <td>Jeffrey Williams, AICP, Director Department of City Planning & Development</td> </tr> <tr> <td>Programs, Departments, or Groups Affected</td> <td>City-Wide Council District(s) 2(PL) Loar - Fowler Other districts (school, etc.) Park Holl</td> </tr> <tr> <td>Applicants / Proponents</td> <td>Applicant(s) S&M Stores LLC, City Department City Planning and Development Other</td> </tr> <tr> <td>Opponents</td> <td>Groups or Individuals None Known Basis of Opposition</td> </tr> <tr> <td>Staff Recommendation</td> <td><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</td> </tr> <tr> <td>Board or Commission Recommendation</td> <td>By: City Plan Commission December 15, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</td> </tr> <tr> <td>Council Committee Actions</td> <td><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</td> </tr> </table>	Sponsor	Jeffrey Williams, AICP, Director Department of City Planning & Development	Programs, Departments, or Groups Affected	City-Wide Council District(s) 2(PL) Loar - Fowler Other districts (school, etc.) Park Holl	Applicants / Proponents	Applicant(s) S&M Stores LLC, City Department City Planning and Development Other	Opponents	Groups or Individuals None Known Basis of Opposition	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:	Board or Commission Recommendation	By: City Plan Commission December 15, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions	Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass
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<p>Reason for Project This final plat application was initiated by S&M Stores LLC, in order to subdivide the property in accordance with the city codes and state statutes. The developer intends to construct a 1 lot commercial subdivision.</p>															
<p>Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p> <p>CONTROLLING CASE Case No. CD-SUP-2022-00034– On September 22, 2022 the Board of Zoning adjustment approved a Special Use Permit is District B3- 3 on about 1 acre generally located at the northwest corner of Northwest Old Tiffany Springs Road and North Congress Avenue to allow for the use of Fuel Sales and Service. This application also served as the Preliminary Plat.</p>															

Details

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Policy / Program Impact

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

Finances

Cost & Revenue Projections – Including Indirect Costs	
N/A	
Financial Impact	
N/A	
Fund Source and Appropriation Account Costs	
N/A	
Is it good for the children?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
How will this contribute to a sustainable Kansas City?	<p>This project consists of platting to create a single lot for a commercial development on approximately 1.092 acres. The pre-development peak discharge rate and volume for storm water will not be exceeded after development of the site.</p> <p>Written by Lucas Kaspar, PE</p>

Project Start Date

Projected Completion or Occupancy Date

Fact Sheet Prepared by:

Thomas Holloway

Date: November 21, 2022

Reviewed by:

Joe Rexwinkle

Land Development Division (LDD)

City Planning & Development

Reference or Case Numbers: CLD-FnPlat-2022-00038



File #: 221020

ORDINANCE NO. 221020

Sponsor: Director of City Planning and Development Department

Approving the plat of Twin Creeks Village, an addition in Platte County, Missouri, on approximately 9.224 acres generally located the southeast corner of North Line Creek Parkway and Northwest Old Tiffany Springs Road, creating 1 lot for the purpose of a 240 unit multi-family 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-2202-00037)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Twin Creeks Village, a subdivision in Platte County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

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

Section 3. That the 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 Platte County, Missouri.

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

..end

Approved as to form:

Eluard Alegre
Associate City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

221020

Ordinance Number

Brief Title

Approving the plat of Twin Creeks Village Plat an addition in Kansas City, Platte County, Missouri

<p>Specific Address Approximately 9.224 acres generally located at the southeast corner of North Line Creek Parkway and Northwest Old Tiffany Springs Road</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Sponsor</td> <td>Jeffrey Williams, AICP, Director Department of City Planning & Development</td> </tr> <tr> <td>Programs, Departments, or Groups Affected</td> <td>City-Wide Council District(s) 2(PL) Loar - Fowler Other districts (school, etc.) Platte County R-III</td> </tr> <tr> <td>Applicants / Proponents</td> <td>Applicant(s) 3C Holdings, LLC, City Department City Planning and Development Other</td> </tr> <tr> <td>Opponents</td> <td>Groups or Individuals None Known Basis of Opposition</td> </tr> <tr> <td>Staff Recommendation</td> <td><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</td> </tr> <tr> <td>Board or Commission Recommendation</td> <td>By: City Plan Commission November 15, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</td> </tr> <tr> <td>Council Committee Actions</td> <td><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</td> </tr> </table>	Sponsor	Jeffrey Williams, AICP, Director Department of City Planning & Development	Programs, Departments, or Groups Affected	City-Wide Council District(s) 2(PL) Loar - Fowler Other districts (school, etc.) Platte County R-III	Applicants / Proponents	Applicant(s) 3C Holdings, LLC, City Department City Planning and Development Other	Opponents	Groups or Individuals None Known Basis of Opposition	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:	Board or Commission Recommendation	By: City Plan Commission November 15, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions	Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass
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<p>Reason for Project This final plat application was initiated by 3c Holdings, LLC, in order to subdivide the property in accordance with the city codes and state statutes. The developer intends to construct a 240 unit multi-family subdivision</p>															
<p>Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p> <p>CONTROLLING CASE Case No. CD-CPC-2019-00202 – Ordinance 200596 passed by City Council on August 6, 2022 rezoned approximately 487 acres from Districts B2-2 (Neighborhood Business 2), AG-R (Agricultural Residential), R-6 (Residential 6), and R-7.5 (Residential 7.5) to District MPD (Master Planned Development), which will also serve as a preliminary plat, for Twin Creeks Village to allow a mixture of commercial, recreational, educational, civic and residential uses on about 500 acres generally located north of Missouri Highway 152 in between N. Line Creek Parkway to the west and Platte Purchase Drive to the east.</p>															

Details

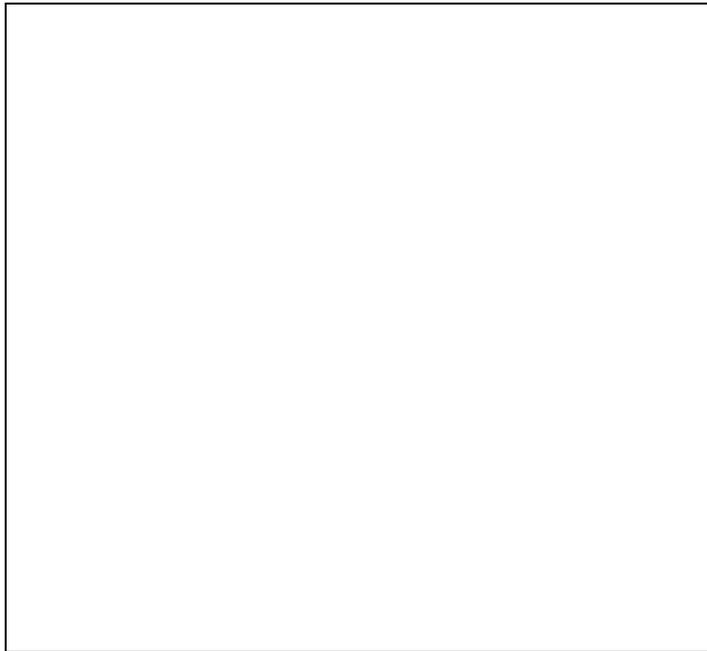
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Policy / Program Impact

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

Finances

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



How will this contribute to a sustainable Kansas City?	<p>This project consists of public and private improvements for a multifamily residential development on a previously undeveloped site to create 240 multi-family units. The proposed development will significantly increase the area of impervious surfaces. The peak rate of storm water discharge and total runoff volume will be maintained after development. Water quality treatment will be provided with onsite BMP's. The development will improve the aesthetics of the site and increase the tax base for the City.</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: November 21, 2022

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

Reference or Case Numbers: CLD-FnPlat-2022-00037



File #: 221021

ORDINANCE NO. 221021

Sponsor: Director of City Planning and Development Department

Approving the plat of Hunt Midwest Business Park-Seventh Plat, an addition in Clay County, Missouri, on approximately 267.957 acres generally located on both sides of N.E. 48th Street, between Arlington Avenue on the east and I-435 on the west, creating 4 lots and 2 tracts for the purpose of a 4 lot industrial and commercial 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-2022-00036)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Hunt Midwest Business Park-Seventh Plat, a subdivision in Clay County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

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

Section 3. That the 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 Clay County, Missouri.

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

..end

Approved as to form:

Eluard Alegre
Associate City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

221021

Ordinance Number

Brief Title

Approving the plat of Hunt Midwest Business Park-Seventh Plat an addition in Kansas City, Clay County, Missouri

<p>Specific Address Approximately 267.957 acres generally located on both sides of NE 48th Street, between Arlington Avenue on the east and I-435 on the west</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 Hunt Midwest Real Estate Development, Inc. in order to subdivide the property in accordance with the city codes and state statutes. The developer intends to construct a 4 lot industrial and commercial subdivision.</p>	<p>Programs, Departments, or Groups Affected</p>	<p>City-Wide Council District(s) 1(CL) Hall – O’Neill Other districts (school, etc.) North Kansas City 250</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-2021-00155– On October 20, 2022 the City Plan Commission approved a Preliminary Plat in District UR creating 4 lots and 2 tracts on about 273 acres generally located on both sides of NE 48th Street, between Arlington Avenue on the east and I-435 on the west.</p>	<p>Applicants / Proponents</p>	<p>Applicant(s) Hunt Midwest Real Estate Development, Inc. City Department City Planning and Development Other</p>
	<p>Opponents</p>	<p>Groups or Individuals None Known 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 November 15, 2022 <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

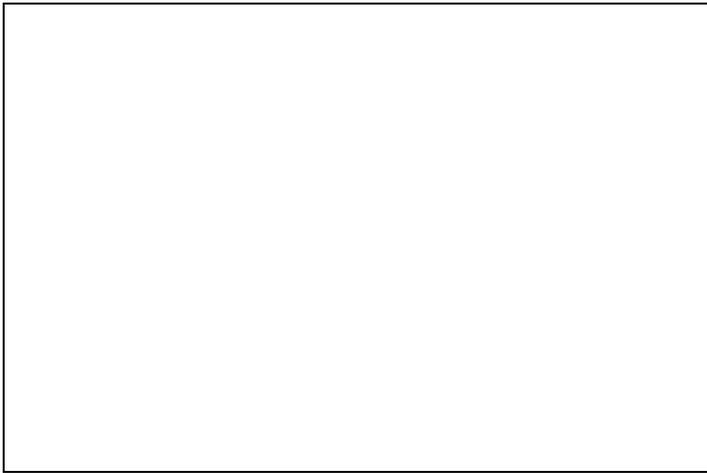
--

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?	The project through areas designated for stormwater detention/BMP will mitigate storm water runoff quantity and quality before re-entry into the natural drainage system. This will consequently reduce the impact of new impervious infrastructure by limiting post-development peak discharge rate and total runoff volume to that of pre-development conditions Written by Terry Thomas, PE
---	---

Project Start Date

Projected Completion or Occupancy Date

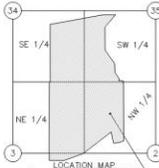
Fact Sheet Prepared by:
Thomas Holloway

Date: November 29, 2022

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

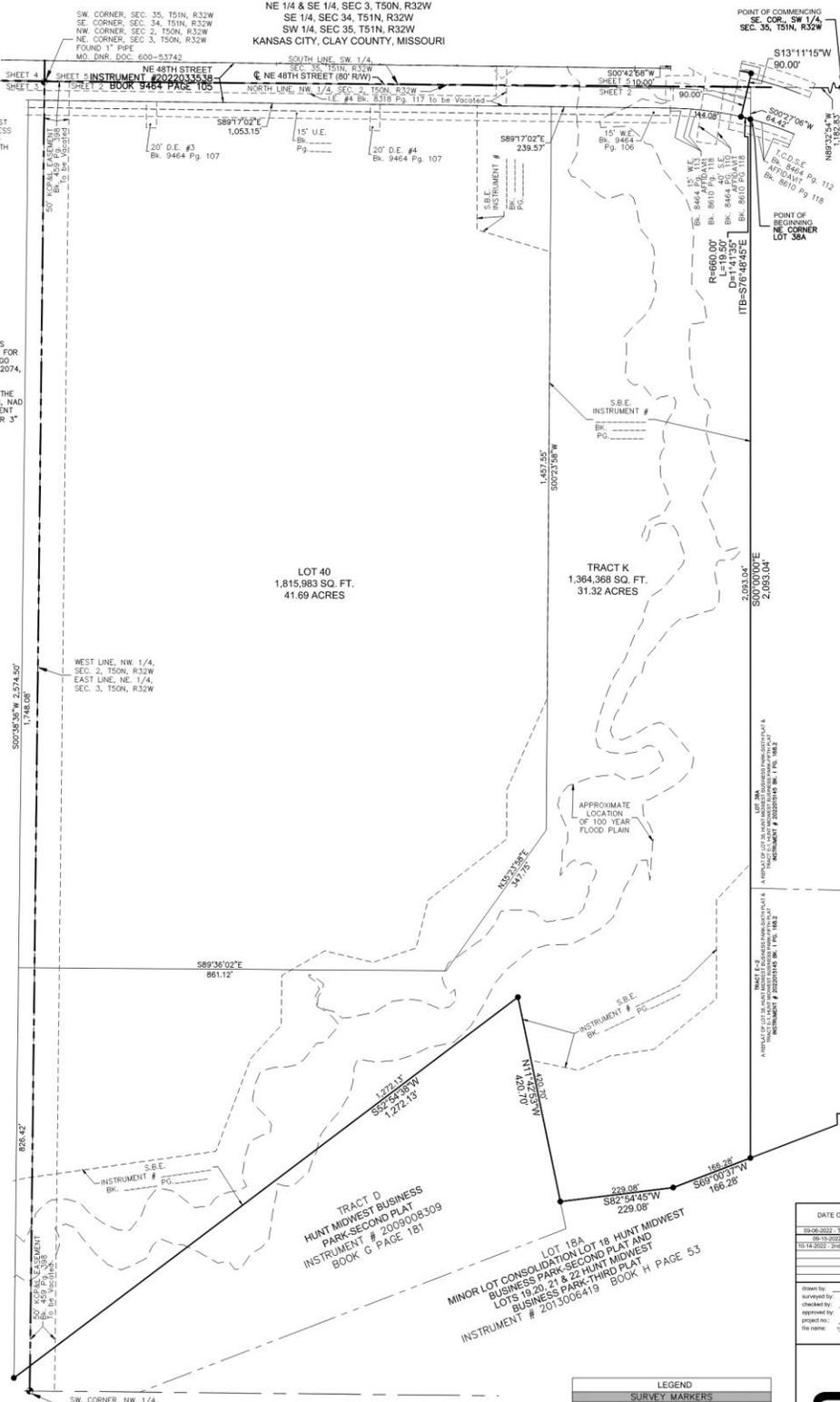
Reference or Case Numbers: CLD-FnPlat-2022-00036

FINAL PLAT OF
HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT
NW 1/4, SEC 2, T50N, R32W
NE 1/4 & SE 1/4, SEC 3, T50N, R32W
SW 1/4, SEC 34, T51N, R32W
SW 1/4, SEC 35, T51N, R32W
KANSAS CITY, CLAY COUNTY, MISSOURI



SURVEYORS NOTES:

- PROPERTY INFORMATION REFERENCING THIS SURVEY WAS TAKEN FROM THE COMMITMENT FOR TITLE INSURANCE REPORT, ISSUED BY CHICAGO TITLE INSURANCE COMPANY, FILE NO. K02222074, EFFECTIVE AUGUST 29, 2022 AT 8:00 A.M.
- BEARINGS USED HEREON ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD 1983, WEST ZONE USING MISSOURI DEPARTMENT OF NATURAL RESOURCES MONUMENT "BUSTER 3" WITH A GRID FACTOR OF 0.9999005. ALL COORDINATES SHOWN ARE IN METERS.



DATE OF SURVEY	
10-06-2022	To 10:00 AM for Review
09-15-2022	1st Submittal
10-14-2022	2nd Submittal (Final-CPL)
Drawn by:	MSD
Reviewed by:	BNOCGMSZ
Checked by:	JMS
Approved by:	JMS
Project no.:	A210545
File name:	A210545.dwg

LEGEND	
SURVEY MARKERS	
○	FIND FOUND MONUMENT
●	SCR SECTION CORNER
●	SET SET MONUMENT
BOUNDARIES	
---	SECTION LINE
EASEMENTS & SETBACKS	
S.D.E.	SURFACE DRAINAGE EASEMENT
D.E.	STORM DRAINAGE EASEMENT
I.E.	INGRESS/EGRESS EASEMENT
S.B.E.	STREAM BUFFER EASEMENT
S.E.	SANITARY SEWER EASEMENT
T.C.D.S.E.	TEMPORARY CUL-DE-SAC EASEMENT
W.E.	WATER EASEMENT
GENERAL	
○	CENTERLINE
L	DELTA / CENTRAL ANGLE
D	ARC DISTANCE
I.T.B.	INITIAL TANGENT BEARING
R	RADIUS
R/W	RIGHT OF WAY

Olsson, Land Surveying - MO 286, 478, 141, 140 Certificate of Authority 0010102
North, Normal, CO, MO 64116
FAX: 816.361.1808
www.olson.com

SHEET
2 of 6

THIS PLAT AND SURVEY OF HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT WERE EXECUTED BY OLSSON, 1301 BURLINGTON STREET #100, NORTH KANSAS CITY, MISSOURI 64116.

I HEREBY CERTIFY THAT THE PLAT OF HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT SUBDIVISION IS 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 AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL SURVEYORS AND LANDSCAPE ARCHITECTS AND THE MISSOURI DEPARTMENT OF AGRICULTURE. 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.

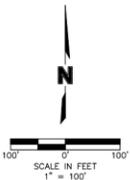
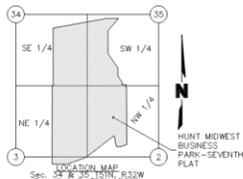


OLSSON, MO CLS 366
JASON S. ROUBIDUSH, MO PLS 2002014092
OCTOBER 14, 2022
jroube@olson.com

DEVELOPER:
HUNT MIDWEST REAL
ESTATE DEVELOPMENT, INC.
8300 NE UNDERGROUND DRIVE
KANSAS CITY, MO 64161
816-455-2500

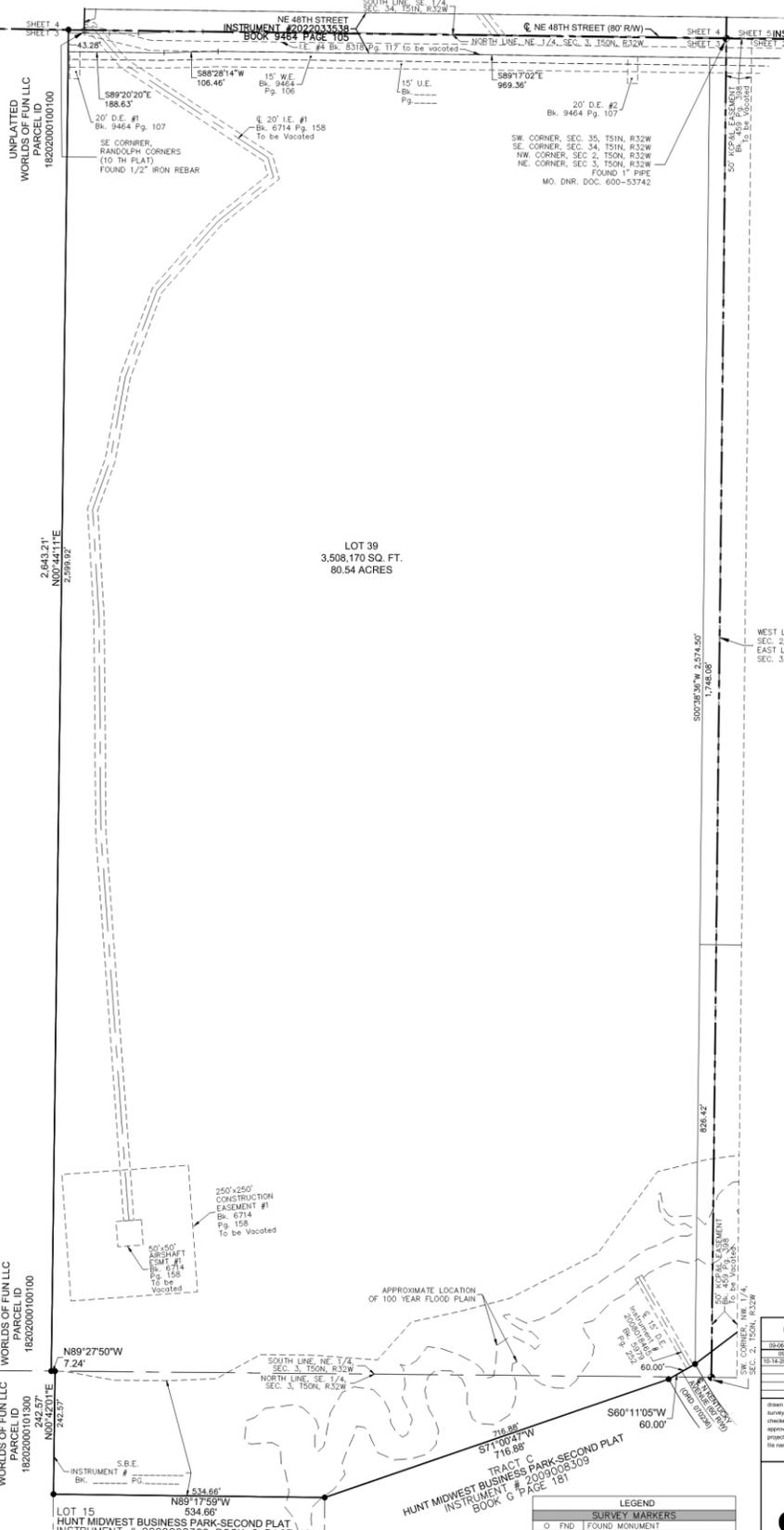
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DATE: Oct 14, 2022 1:45PM
USER: melloughy

**FINAL PLAT OF
HUNT MIDWEST BUSINESS
PARK-SEVENTH PLAT**
NW 1/4, SEC 2, T50N, R32W
NE 1/4 & SE 1/4, SEC 3, T50N, R32W
SE 1/4, SEC 34, T51N, R32W
SW 1/4, SEC 35, T51N, R32W
KANSAS CITY, CLAY COUNTY, MISSOURI



SURVEYORS NOTES:

- PROPERTY INFORMATION REFERENCING THIS SURVEY WAS TAKEN FROM THE COMMITMENT FOR TITLE INSURANCE REPORT, ISSUED BY CHICAGO TITLE INSURANCE COMPANY, FILE NO. KC222074, EFFECTIVE AUGUST 29, 2022 AT 8:00 A.M.
- BEARINGS USED HEREON ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD 1983, WEST ZONE USING MISSOURI DEPARTMENT OF NATURAL RESOURCES MONUMENT "BUSTER 3" WITH A GRID FACTOR OF 0.9999005. ALL COORDINATES SHOWN ARE IN METERS.



DATE OF SURVEY

10-06-2022	To: 11/09/2022
09-19-2022	1st Submittal
10-14-2022	2nd Submittal (Final/CP)

Drawn by: **MSD**
 Surveyed by: **BRNOGAMANT**
 Checked by: **JPB**
 Approved by: **JES**
 Project no.: **A2105455**
 File name: **vmlat_a2105455.dwg**

LEGEND	
○	FND FOUND MONUMENT
⊙	SCR SECTION CORNER
●	SET SET MONUMENT
BOUNDARIES	
---	SECTION LINE
EASEMENTS & SETBACKS	
S.D.E.	SURFACE DRAINAGE EASEMENT
D.E.	STORM DRAINAGE EASEMENT
I.E.	INGRESS/EGRESS EASEMENT
S.B.E.	STREAM BUFFER EASEMENT
S.E.	SANITARY SEWER EASEMENT
T.C.D.S.E.	TEMPORARY CUL-DE-SAC EASEMENT
W.E.	WATER EASEMENT
GENERAL	
⊙	CENTERLINE
L	DELTA / CENTRAL ANGLE
D	ARC DISTANCE
I.T.B.	INITIAL TANGENT BEARING
R	RADIUS
R/W	RIGHT OF WAY

Olsson
 Olsson, Land Surveying - MO 266, KS 14, MO Certificate of Authority 001052
 1000 North Lincoln Street, Suite 100
 North Kansas City, MO 64116
 Phone: 816.351.1800
 Fax: 816.351.1808
 www.olson.com

SHEET 3 of 6

THIS PLAT AND SURVEY OF HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT WERE EXECUTED BY OLSSON, 1301 BURLINGTON STREET #100, NORTH KANSAS CITY, MISSOURI 64116.

I HEREBY CERTIFY THAT THE PLAT OF HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT SUBDIVISION IS 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 AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL SURVEYORS AND LANDSCAPE ARCHITECTS AND THE MISSOURI DEPARTMENT OF AGRICULTURE. 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.

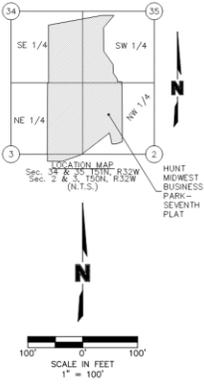


DEVELOPER:
 HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.
 8300 NE UNDERGROUND DRIVE
 KANSAS CITY, MO 64161
 816-455-2500

OLSSON, MO CLS 366
 JASON S. ROUBERUSH, MO PLS 2002014092
 OCTOBER 14, 2022
 jrouberush@olsson.com

DWG: F:\2021\04501-05000\021-04545-A\0-Design\Survey\SRVY\Sheets\Final Plat\J_PPLAT_A2105455.dwg
 USER: mellohughy
 DATE: Oct 14, 2022 1:48PM

FINAL PLAT OF
HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT
 NW 1/4, SEC 2, T50N, R32W
 NE 1/4 & SE 1/4, SEC 3, T50N, R32W
 SE 1/4, SEC 34, T51N, R32W
 SW 1/4, SEC 35, T51N, R32W
 KANSAS CITY, CLAY COUNTY, MISSOURI



SURVEYORS NOTES:
 1. PROPERTY INFORMATION REFERENCING THIS SURVEY WAS TAKEN FROM THE COMMITMENT FOR TITLE INSURANCE REPORT, ISSUED BY CHICAGO TITLE INSURANCE COMPANY, FILE NO. K02220074, EFFECTIVE AUGUST 29, 2022 AT 8:00 A.M.
 2. BEARINGS USED HEREON ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD 1983, WEST ZONE USING MISSOURI DEPARTMENT OF NATURAL RESOURCES MONUMENT "BUSTER 3" WITH A GRID FACTOR OF 0.9999005. ALL COORDINATES SHOWN ARE IN METERS.

UNPLATTED
 CITY OF KANSAS CITY
 PARCEL ID 1482000700100

UNPLATTED
 HUNT MIDWEST REAL
 ESTATE DEVELOPMENT, INC.
 PARCEL ID 18202000101300

TRACT L
 1,447,835 SQ. FT.
 33.24 ACRES

LOT 41
 2,417,218 SQ. FT.
 55.49 ACRES

SE CORNER,
 RANDOLPH CORNERS
 (10 TH PLAT)
 FOUND 1/2" IRON REBAR

RANDOLPH CORNERS
 (10 TH PLAT)
 BOOK 12 PAGE 58

S89°12'28"E
 31.02'

THIS PLAT AND SURVEY OF HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT WERE EXECUTED BY OLSSON, 1301 BURLINGTON STREET #100, NORTH KANSAS CITY, MISSOURI 64116.

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OLSSON, MO CLS 366
 JASON S. ROUBESH, MO PLS 200014092
 OCTOBER 14, 2022
 jroubesh@olsson.com

DEVELOPER:
 HUNT MIDWEST REAL
 ESTATE DEVELOPMENT, INC.
 8300 NE UNDERGROUND DRIVE
 KANSAS CITY, MO 64161
 816-455-2500

LEGEND	
○	FND FOUND MONUMENT
●	SCR SECTION CORNER
●	SET SET MONUMENT
BOUNDARIES	
---	SECTION LINE
EASEMENTS & SETBACKS	
S.D.E.	SURFACE DRAINAGE EASEMENT
D.E.	STORM DRAINAGE EASEMENT
I.E.	INGRESS/EGRESS EASEMENT
S.B.E.	STREAM BUFFER EASEMENT
S.E.	SANITARY SEWER EASEMENT
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W.E.	WATER EASEMENT
GENERAL	
⊙	CENTERLINE
Δ	DELTA / CENTRAL ANGLE
D	ARC DISTANCE
I.T.B.	INITIAL TANGENT BEARING
R	RADIUS
R/W	RIGHT OF WAY

DATE OF SURVEY	
09-08-2022	To HMM for Review
09-10-2022	For Signature
10-14-2022	Final Signature (Per C-24)

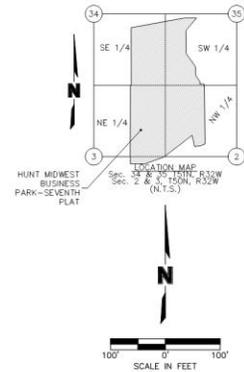
Drawn by: NBS
 Surveyed by: ENCG/MSZ
 Checked by: JRS
 Approved by: JRS
 Project no: A22-0545
 File name: V:\PLAT_A220545.dwg

Olsson, Land Surveyors, 1400 North 14th Street, Suite 100, North Kansas City, MO 64116
 816.391.1177
 Fax: 816.391.1188
 www.olsson.com

SHEET
 4 of 6

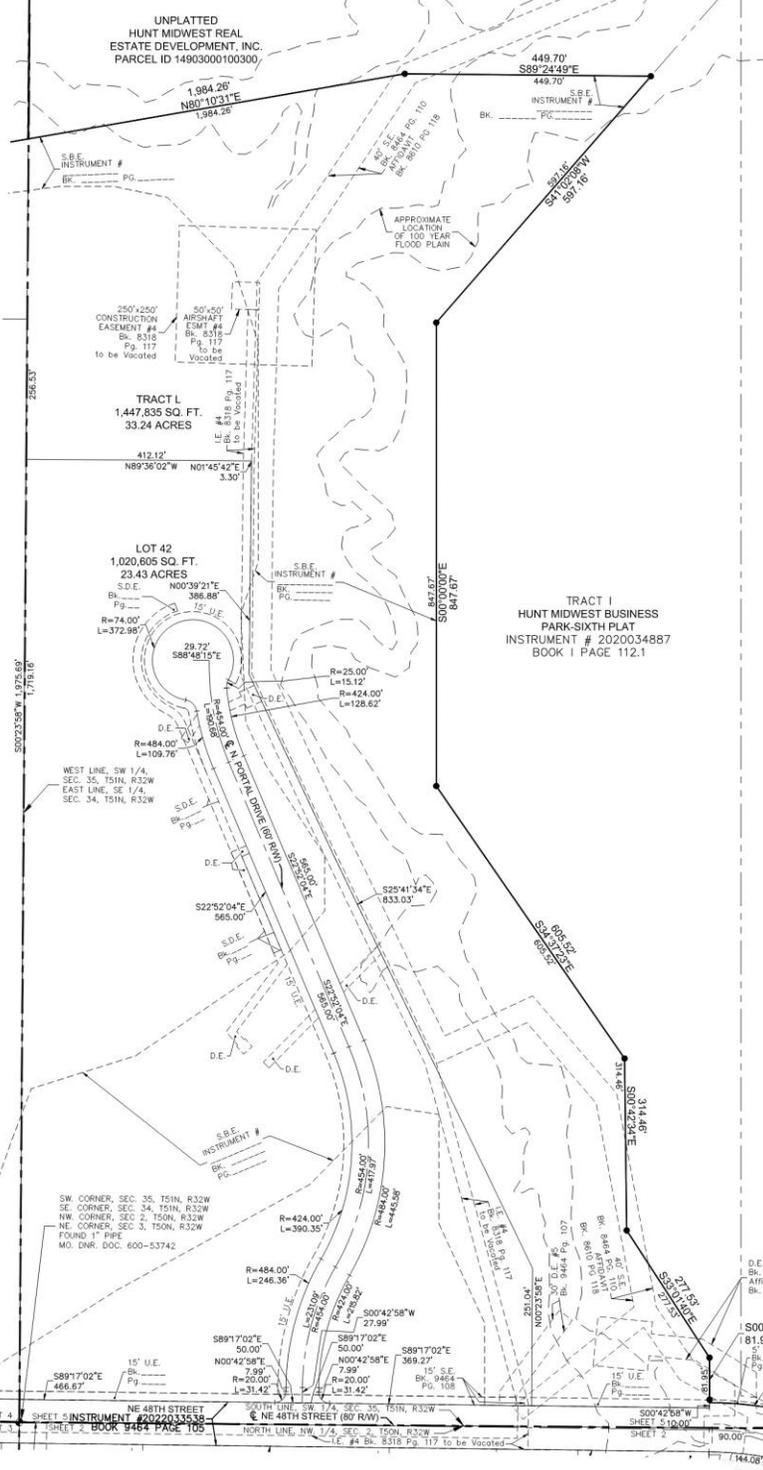
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 DATE: Oct 14, 2022 1:49PM

**FINAL PLAT OF
HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT**
NW 1/4, SEC. 2, T50N, R32W
NE 1/4 & SE 1/4, SEC. 3, T50N, R32W
SE 1/4, SEC. 34, T51N, R32W
SW 1/4, SEC. 35, T51N, R32W
KANSAS CITY, CLAY COUNTY, MISSOURI



SURVEYORS NOTES:

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USER: malloughby
DATE: Oct 14, 2022 1:47PM
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DEVELOPER:
HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.
8300 NE UNDERGROUND DRIVE
KANSAS CITY, MO 64181
816-450-2500

OLSSON, MO GLS 366
JASON S. ROUDEBUSH, MO PLS 2002014092
OCTOBER 14, 2022
Jroudebush@olsson.com

LEGEND	
SURVEY MARKERS	
○	FND FOUND MONUMENT
⊙	SCR SECTION CORNER
●	SET SET MONUMENT
BOUNDARIES	
---	SECTION LINE
EASEMENTS & SETBACKS	
S.D.E.	SURFACE DRAINAGE EASEMENT
D.E.	STORM DRAINAGE EASEMENT
I.E.	INGRESS EGRESS EASEMENT
S.B.E.	STREAM BUFFER EASEMENT
S.E.	SANITARY SEWER EASEMENT
T.C.D.S.E.	TEMPORARY CUL-DE-SAC EASEMENT
W.E.	WATER EASEMENT
GENERAL	
⊕	CENTERLINE
Δ	DELTA / CENTRAL ANGLE
D	ARC DISTANCE
I.T.B.	INITIAL TANGENT BEARING
R	RADIUS
R/W	RIGHT OF WAY

DATE OF SURVEY	
09-06-2022	To HWY for Review
09-15-2022	1st Submittal
10-14-2022	2nd Submittal (Final CIP)
Drawn by: 8889	
Reviewed by: BNOGDGND	
Checked by: JRS	
Approved by: JRS	
Project No: A2104545	
File Name: PLAT_A2104545.dwg	

olsson

Olsson, Land Surveying - MO 296, 471, 14, MO Certificate of Authority 001002
Jason S. Roudebush, Professional Engineer - MO 000000020
North Kansas City, MO 64116 FAX: 816.361.1000 www.olsson.com

SHEET 5 of 6

FINAL PLAT OF
HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT
 NW 1/4, SEC 2, T51N, R32W
 NE 1/4 & SE 1/4, SEC 3, T50N, R32W
 SE 1/4, SEC 34, T51N, R32W
 SW 1/4, SEC 35, T51N, R32W
 KANSAS CITY, CLAY COUNTY, MISSOURI

IN WITNESS WHEREOF:

HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC., A MISSOURI CORPORATION LICENSED TO DO BUSINESS IN THE STATE OF MISSOURI, HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS _____ DAY OF _____, 20____.

HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.
 A MISSOURI CORPORATION

MICHAEL BELL, SENIOR VICE PRESIDENT

STATE OF _____ SS:
 COUNTY OF _____

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, CAME MICHAEL BELL, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS SENIOR VICE PRESIDENT OF HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC., A MISSOURI CORPORATION, AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION AND THAT SAID MICHAEL BELL ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION.

IN WITNESS WHEREOF:

I HAVE HEREIN SET MY HAND AND AFFIXED MY NOTARIAL SEAL IN THE DATE HEREIN LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

CITY PLAN COMMISSION:

APPROVED: _____

PUBLIC WORKS:

MICHAEL L. SHAW
 DIRECTOR OF PUBLIC WORKS

CITY 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. _____ DULY AUTHENTICATED AS PASSED THIS _____ DAY OF _____, 20____.

QUINTON LUCAS
 MAYOR

MARILYN SANDERS
 CITY CLERK

PLAT DEDICATION:

THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS:

HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT

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

WATER MAIN EASEMENT — A WATER MAIN EASEMENT (W.E.) FOR THE OPERATION AND MOVEMENT OF EQUIPMENT, AND THE MOVEMENT OF A WORKING FORCE, IN CONNECTION WITH THE LOCATION, CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, OPERATION AND REPAIR OF WATER MAINS AND ANY APPURTENANCES THERETO OVER, UNDER AND THROUGH LAND LYING, BEING, AND SITUATED IN KANSAS CITY, MISSOURI (THE CITY) IS HEREBY GRANTED TO THE CITY, ITS AGENTS, EMPLOYEES OR INDEPENDENT CONTRACTORS SHALL HAVE THE RIGHT TO GO UPON THE ABOVE DESCRIBED TRACTS OF LAND, FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, AND REPAIRING THE WATER MAIN IMPROVEMENTS AND APPURTENANCES THERETO, AND SHALL UPON COMPLETION OF SUCH CONSTRUCTION, MAINTENANCE OR REPAIR, CAUSE THE LAND TO BE RESTORED TO SUBSTANTIALLY THE SAME CONDITION THAT EXISTED PRIOR TO THE CITY'S ENTRY UPON IT. THE TRACT OF LAND OVER WHICH A WATER MAIN EASEMENT IS BEING GRANTED SHALL BE KEPT FREE FROM BUILDINGS OR ANY OTHER STRUCTURES OR OBSTRUCTIONS (EXCEPT NON-ORNAMENTAL GRASS, NON-ORNAMENTAL SHRUBS, SIDEWALKS, ROADWAYS, DRIVEWAYS) THAT WOULD INTERFERE WITH THE CITY IN EXCAVATING UPON SAID EASEMENT FOR THE PURPOSES OF LAYING, CONSTRUCTING, OPERATING, MAINTAINING OR REPAIRING WATER MAINS AND ALL APPURTENANCES INCIDENTAL THERETO. NO CHANGE IN THE EARTH COVER OVER THE WATER USE WILL BE MADE WITHOUT THE WRITTEN APPROVAL OF THE DIRECTOR OF WATER SERVICES. THIS EASEMENT SHALL NOT BE CONSTRUED TO PROHIBIT DEVELOPMENT OF ANY ADJOINING PROPERTY OR FROM THE LAYING OUT, ESTABLISHING AND CONSTRUCTING OF PAVEMENT, SURFACING OF ROADWAYS, CURBING AND GUTTERS ALONG, UPON, OVER OR ACROSS SAID EASEMENT OR ANY PORTION THEREOF.

DRAINAGE EASEMENT:

A DRAINAGE EASEMENT (D.E.) FOR THE PURPOSE OF STORM WATER DRAINAGE INCLUDING THE RIGHT TO BUILD, CONSTRUCT, KEEP, REPAIR AND MAINTAIN STORM WATER DRAINAGE FACILITIES UNDER, IN, OVER, AND UPON AS MAY BE NECESSARY, BEING AND SITUATED IN KANSAS CITY, MISSOURI (THE CITY) IS HEREBY GRANTED TO THE CITY. THE CITY SHALL HAVE THE RIGHT AT ALL TIMES TO GO UPON THE LANDS 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.

SEWER EASEMENT:

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

STREET DEDICATION:

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

FLOODPLAIN:

ACCORDING TO "FLOOD INSURANCE RATE MAP" COMMUNITY PANEL NO. 29095001610, MAP REVISED JANUARY 20, 2017, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS SUBJECT PROPERTY LINES WITH FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND ZONE "A1" (THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR. THE LANDS HEREIN PLATTED LIE TOTALLY OR PARTIALLY WITHIN THE LIMITS OF THE REGULATORY FLOODPLAIN, AS DESIGNATED ON THE OFFICIAL FLOODPLAIN DOCUMENTS AND ARE SUBJECT TO THE RESTRICTIONS OF CHAPTER 28, CODE OF ORDINANCES OF KANSAS CITY, MISSOURI, AND ARE FURTHER SUBJECT TO THE RESTRICTIONS OF CHAPTER 17 - FEDERAL INSURANCE ADMINISTRATION, SUBCHAPTER B - NATIONAL FLOOD INSURANCE PROGRAM FOR ELIGIBILITY THEREOF. HOWEVER, DUE TO CHANGE IN CIRCUMSTANCES, THE BOUNDARIES AS SHOWN HEREON MAY BE MODIFIED FROM TIME TO TIME. THEREFORE, SPECIFIC INFORMATION CONCERNING THE LOCATION OF THE FLOODPLAIN BOUNDARIES SHOULD BE ASCERTAINED AT THE PERTINENT TIME FROM THE APPROPRIATE AUTHORITIES, THE CITY OF KANSAS CITY, MISSOURI AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

RIGHT OF ENTRANCE:

The right of entrance and egress in travel along any street or drive within the boundaries of the property is hereby granted to Kansas City, Missouri, for the purpose of fire and police protection, maintenance of water mains, sanitary and storm sewer lines, collection of garbage and refuse and to the United States Postal 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 Kansas City, Missouri nor the U.S. Postal Service shall incur any liability by virtue of the exercise of such rights.

MAINTENANCE OF TRACTS:

TRACT K (31.32 ACRES) AND TRACT L (33.24 ACRES) ARE TO BE USED FOR STORM WATER DETENTION AND SHALL BE MAINTAINED BY THE OWNERS OF THE LOTS, TRACTS, AND PARCELS SHOWN WITHIN THIS PLAT PURSUANT TO THE COVENANT TO MAINTAIN STORM WATER DETENTION AND BMP FACILITIES PLAT OF HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT.

STREET GRADES:

STREET GRADES FOR A PORTION OF NE 48TH STREET WERE UNAVAILABLE THROUGH A SEARCH OF CITY ORDINANCES.

STREET GRADES FOR A PORTION OF N. KENTUCKY AVENUE HAVE BEEN PREVIOUSLY BEEN ESTABLISHED BY HUNT MIDWEST BUSINESS PARK - SECOND PLAT ORDINANCE NUMBER 070263 BEING PASSED ON MARCH 8, 2007.

SURVEYORS NOTES:

- PROPERTY INFORMATION REFERENCE THIS SURVEY WAS TAKEN FROM THE COMMITMENT FOR TITLE INSURANCE REPORT, ISSUED BY CHICAGO TITLE INSURANCE COMPANY, FILE NO. KC222074, EFFECTIVE AUGUST 29, 2022 AT 8:00 A.M.
- BEARINGS USED HEREON ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD 1983, WEST ZONE USING MISSOURI DEPARTMENT OF NATURAL RESOURCES MONUMENT "BUSTER 3" WITH A GRID FACTOR OF 99999005. ALL COORDINATES SHOWN ARE IN METERS.

N. PORTAL AVENUE:

GRADE POINT	ELEV.	DESC.	V.C.T.
10+59.82	837.97	START	
10+61.17	837.99	VPC	
11+14.74	838.40	HIGH POINT	
11+23.67	838.40	VPI	125.00'
11+86.17	837.68	VPT	
12+62.50	836.16	VPC	
13+25.00	834.91	VPI	125.00'
13+97.50	831.16	VPT	
16+41.12	815.94	END SECTION 1	
		TRANSITION TO SECTION 2	
18+13.86	805.57	END SECTION 2	
		TRANSITION TO SECTION 1	
18+87.50	801.16	VPC	
19+04.02	800.18	BEGN SECTION 1	
19+50.00	797.41	VPI	125.00'
20+12.50	794.80	VPT	
22+85.00	783.03	VPC	
23+50.00	780.74	VPI	
23+79.61	781.27	LOW POINT	
23+87.37	781.29	END SECTION 2	
24+05.00	781.43	VPT	
24+72.55	782.31	CENTER OF CUL-DE-SAC	

THIS PLAT AND SURVEY OF HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT WERE EXECUTED BY OLSSON, 1301 BURLINGTON STREET #100, NORTH KANSAS CITY, MISSOURI 64116.

I HEREBY CERTIFY THAT THE PLAT OF HUNT MIDWEST BUSINESS PARK-SEVENTH PLAT SUBDIVISION IS 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 AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL SURVEYORS AND LANDSCAPE ARCHITECTS AND THE MISSOURI DEPARTMENT OF AGRICULTURE. 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.



OLSSON, MO CLS 366
 JASON S. ROUBUSH, MO PLS 2002014092
 OCTOBER 14, 2022
 jroubush@olsson.com

DATE OF SURVEY	
09-06-2022	To MHM by Review
09-15-2022	To Submitter
10-14-2022	2nd Submitter (Per-CPL)

drawn by: ADP
 reviewed by: RYNDALM
 checked by: ADP
 approved by: ADP
 project no.: A214056
 file name: h_mpl_plat1022.dwg

Olsson, Land Surveying - MO REG. #14, 14,800 Certificate of Authority 001002
 8300 NE UNDERGROUND DRIVE
 KANSAS CITY, MO 64161
 FAX: 816.361.1888
 www.olsson.com

DEVELOPER:
 HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.
 8300 NE UNDERGROUND DRIVE
 KANSAS CITY, MO 64161
 816-455-2500

SHEET
 6 of 6

BWD: F:\2021\04501-05000\021-04545-A\02-Design\Survey\SRVY\Sheets\Final\Plat_V_PPLAT_A214056.dwg
 USER: mcloughy
 DATE: Oct 14, 2022 1:49pm



File #: 221022

ORDINANCE NO. 221022

Sponsor: Director of City Planning and Development Department

Approving the plat of Staley Farms – Fourteenth Plat, an addition in Clay County, Missouri, on approximately 25.65 acres generally located at the northeast corner of Northeast Staley Farms Drive and Northeast 100th Street, creating 52 lots and 1 tract for the purpose of creating a 52 lot single family home subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00039)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

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

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

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

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

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

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on November 15, 2022.

..end

Approved as to form:

Eluard Alegre
Associate City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

221022

Ordinance Number

Brief Title

Approving the plat of Staley Farms – Fourteenth Plat an addition in Kansas City, Jackson County, Missouri

<p>Specific Address Approximately 25.65 acres generally located at the northeast corner of Northeast Staley Farms Drive and Northeast 100th Street</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 5px;">Sponsor</td> <td style="padding: 5px;">Jeffrey Williams, AICP, Director Department of City Planning & Development</td> </tr> <tr> <td style="padding: 5px;">Programs, Departments, or Groups Affected</td> <td style="padding: 5px;"> City-Wide Council District(s) 1(PL) Hall – O’Neill Other districts (school, etc.) North Kansas City 250 </td> </tr> <tr> <td style="padding: 5px;">Applicants / Proponents</td> <td style="padding: 5px;"> Applicant(s) Don Julian Builders, Inc. City Department City Planning and Development Other </td> </tr> <tr> <td style="padding: 5px;">Opponents</td> <td style="padding: 5px;"> Groups or Individuals None Known Basis of Opposition </td> </tr> <tr> <td style="padding: 5px;">Staff Recommendation</td> <td style="padding: 5px;"> <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against: </td> </tr> <tr> <td style="padding: 5px;">Board or Commission Recommendation</td> <td style="padding: 5px;"> By: City Plan Commission November 15, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions </td> </tr> <tr> <td style="padding: 5px;">Council Committee Actions</td> <td style="padding: 5px;"> <input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass </td> </tr> </table>	Sponsor	Jeffrey Williams, AICP, Director Department of City Planning & Development	Programs, Departments, or Groups Affected	City-Wide Council District(s) 1(PL) Hall – O’Neill Other districts (school, etc.) North Kansas City 250	Applicants / Proponents	Applicant(s) Don Julian Builders, Inc. City Department City Planning and Development Other	Opponents	Groups or Individuals None Known Basis of Opposition	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:	Board or Commission Recommendation	By: City Plan Commission November 15, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions	Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass
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Board or Commission Recommendation	By: City Plan Commission November 15, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions														
Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass														
<p>Reason for Project This final plat application was initiated by Don Julian Builders Inc. in order to subdivide the property in accordance with the city codes and state statutes. The Developer intends to construct a 52 lot single family home subdivision.</p>															
<p>Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p> <p>CONTROLLING CASE Case No. CD-AA-2022-00265 – On October 13, 2022 a Minor Amendment to the Staley Farms Development plan on about 570 acres generally located at 3100 NE 100th Street was approved.</p>															

Details

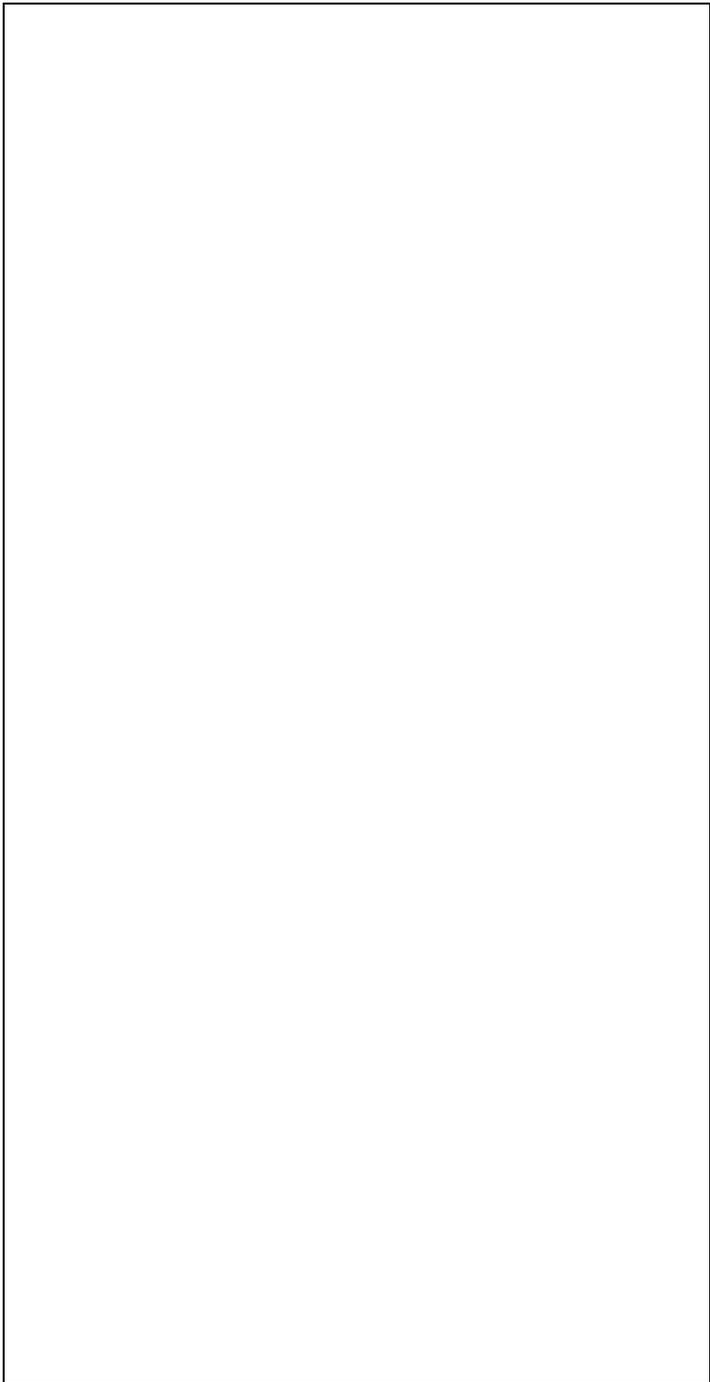
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Policy / Program Impact

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

Finances

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



How will this contribute to a sustainable Kansas City?	<p>This project consists of public and private improvements for a 52 lot single-family residential development, on approximately 25.65 acres of previously undeveloped property. These facilities will reduce the overall storm water volume and attenuate the peak runoff rate to less than existing conditions. The private open space will also retain much of the existing natural vegetation and natural waterways. Runoff from within the development will be conveyed in an enclosed storm sewer system and released into the detention facilities. Common areas will be maintained by the homeowners' association through a covenant agreement. Modern and safe, walkable streets with sidewalks, curb and gutter and street lights will be constructed. New sanitary sewers will be constructed that will minimize infiltration and inflow within the system conveyed to the treatment facility. Homeowners must adhere to the codes, covenants and restrictions prepared for the project to assure ongoing maintenance and upkeep of their personal residences and common properties. This development will increase the tax base for the developed lots and will provide ample permanent greenspace within the development.</p> <p>Written by Lucas Kaspar, PE</p>
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Project Start Date

Projected Completion or Occupancy Date

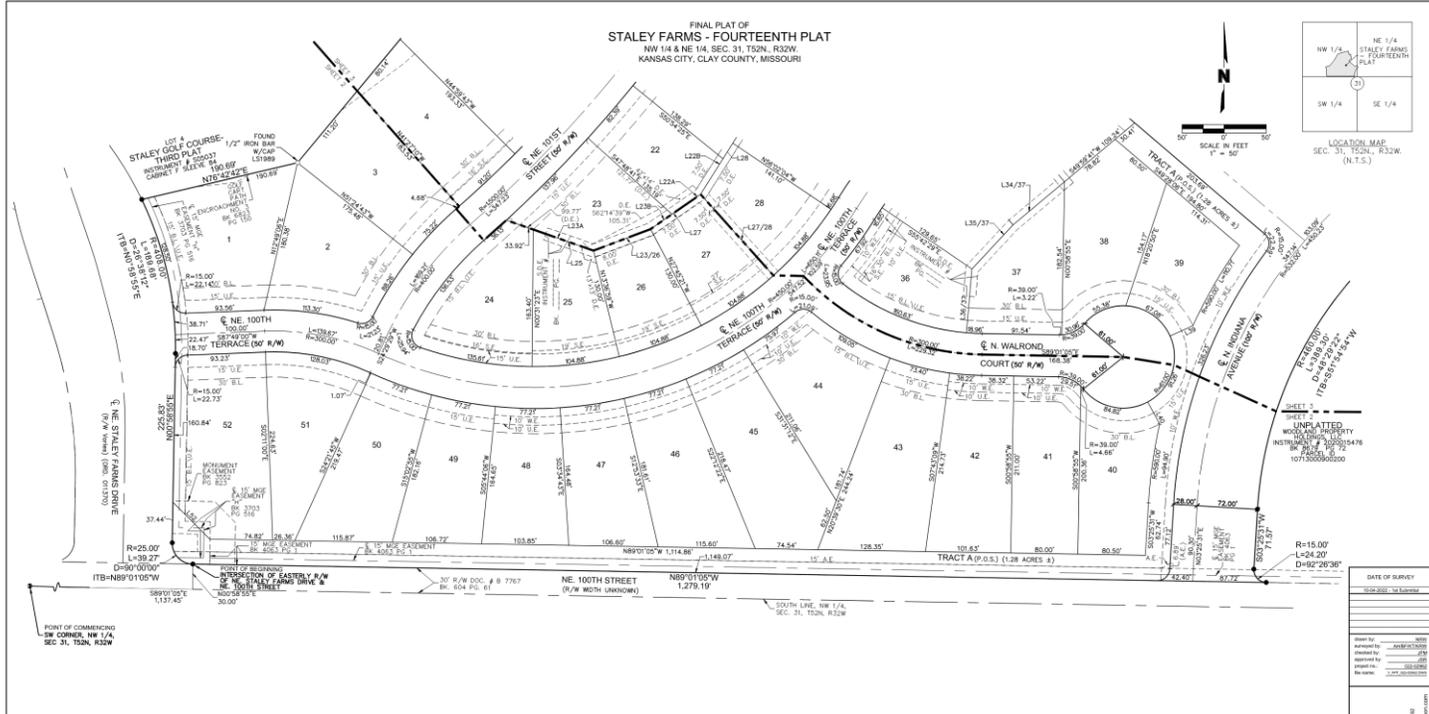
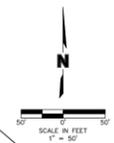
Fact Sheet Prepared by:
Thomas Holloway

Date: November 21, 2022

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

Reference or Case Numbers: CLD-FnPlat-2022-00039

FINAL PLAT OF
STALEY FARMS - FOURTEENTH PLAT
 NW 1/4 & NE 1/4, SEC. 31, T22N, R32W
 KANSAS CITY, CLAY COUNTY, MISSOURI



THIS PLAT AND SURVEY OF STALEY FARMS - FOURTEENTH PLAT WERE EXECUTED BY OLSSON, 1301 BURLINGTON STREET #100, NORTH KANSAS CITY, MISSOURI 64116.

I HEREBY CERTIFY THAT THE PLAT OF STALEY FARMS - FOURTEENTH PLAT SUBDIVISION IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY METS OR EXCEEDS THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL SURVEYORS AND LANDSCAPE ARCHITECTS AND THE MISSOURI DEPARTMENT OF AGRICULTURE. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATING OF SUBDIVISIONS TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

OLSSON, MO CLS 346
 JOHN ROEDERER, MO PLS 3002014092
 OCTOBER 4, 2022
 JROEDERER@OLSSON.COM

LOT LINE ID	BEARING	DISTANCE
L22A	N5510.28°E	41.52
L22B	N3214.20°E	201.17
L23A	S70°42'45"E	110.00
L23B	N5510.28°E	22.50
L33/28	N69°18'30"E	72.82
L33	S70°42'45"E	78.10
L37	N5510.28°E	72.82
L37/28	N41°54'42"E	120.00
L28	N3214.20°E	72.50
L34/37	S49°38'41"W	80.00
L35/37	N42°57'12"E	91.86
L36/37	N49°45'08"E	76.37
L39	N69°18'30"E	30.00
L40	S28°28'33"E	30.00
L52	S45°52'22"E	82.30

DEVELOPER:
 DON JULIAN BUILDERS, INC.
 1933 W. 100TH STREET
 LENEXA, KS 66219
 913-884-6300

LEGEND	
○	FOUND MONUMENT
●	SECTION CORNER
○	SET MONUMENT
—	BOUNDARIES
—	SECTION LINE
A.E.	ACCESS EASEMENT
B.E.	BIKING SETBACK
D.E.	STORM DRAINAGE EASEMENT
S.E.	SURFACE DRAINAGE EASEMENT
S.E.	SEMI-ANNUAL SEWER EASEMENT
U.E.	UTILITY EASEMENT
W.E.	WATER EASEMENT
GENERAL	
C	CENTERLINE
R/W	RIGHT OF WAY
P.O.S.	PRIVATE OPEN SPACE
BR	BROOK
PS	PAGE

SURVEYORS NOTES:

1. PROPERTY INFORMATION REFERENCING THIS SURVEY WAS TAKEN FROM THE COMMITMENT FOR TITLE INSURANCE REPORT ISSUED BY SECURITY TITLE OF KANSAS CITY - NORTH, TITLE INS. SPOKESROOM, EFFECTIVE SEPTEMBER 12, 2022 AT 8:00 A.M.

2. BEARINGS USED HEREON ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM, MO-1983, BEC. STATE (2018) MISSOURI DEPARTMENT OF NATURAL RESOURCES MONUMENT "01-03 RESET" WITH A GRID FACTOR OF 0.9999958. ALL COORDINATES SHOWN ARE IN METERS.

DATE OF SURVEY	10/04/2022
DRAWN BY	ANDREW WOODS
CHECKED BY	JESSE
APPROVED BY	ANDREW WOODS
DATE OF PLOTTING	10/11/2022
PLotted	ANDREW WOODS
INSTRUMENT NO.	10715000902020

olsson

1301 Burlington Street, Suite 100, North Kansas City, MO 64116
 Phone: 816.351.1333 Fax: 816.351.1334

SHEET 2 of 4

FINAL PLAT OF
STALEY FARMS - FOURTEENTH PLAT
 NW 1/4 & NE 1/4, SEC. 31, T25N, R32W,
 KANSAS CITY, CLAY COUNTY, MISSOURI



LEGEND

SURVEY MARKERS

- END OF LINE MEASUREMENT
- SECTION CORNER
- SET MONUMENT
- BOUNDARY

EASEMENTS & UTILITIES

- A.E. ACCESS EASEMENT
- S.S. MAILING SERVICE
- S.D.E. STORM DRAINAGE EASEMENT
- S.F.E. SURFACE DRAINAGE EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- U.E. UTILITY EASEMENT
- W.E. WATER EASEMENT

GENERAL

- C. CENTERLINE
- M.W. RIGHT OF WAY
- P.O.S. PRIVATE OPEN SPACE
- F.S. FENCE
- P.S. PAVE

SURVEYORS NOTES:

1. PROPERTY INFORMATION REFERENCING THIS SURVEY WAS TAKEN FROM THE COMMENTS FOR THE INSURANCE POLICY ISSUED BY SECURITY TITLE OF KANSAS CITY - NORTH, TITLE NO. 020909866, EFFECTIVE SEPTEMBER 12, 2022 AT 8:00 A.M.

2. BEARINGS USED HEREON ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM (NAD 83), WEST ZONE USING MISSOURI DEPARTMENT OF NATURAL RESOURCES MONUMENT "C-223 REBE" WITH A GRID FACTOR OF 0.9999966. ALL COORDINATES SHOWN ARE IN METERS.

THIS PLAT AND SURVEY OF STALEY FARMS - FOURTEENTH PLAT WERE EXECUTED BY OLSSON, 1300 BURLINGTON STREET #100, NORTH KANSAS CITY, MISSOURI 64116.

I HEREBY CERTIFY THAT THE PLAT OF STALEY FARMS - FOURTEENTH PLAT SUBDIVISION IS 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 AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL SURVEYORS AND LANDSCAPE ARCHITECTS AND THE MISSOURI DEPARTMENT OF AGRICULTURE. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES AND RESOLUTIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATING OF SUBDIVISIONS TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.



OLSSON, MO 015 166
 1300 BURLINGTON, MO PLS 2002014092
 OCTOBER 4, 2022
 MOLEDSH@OLSSON.COM

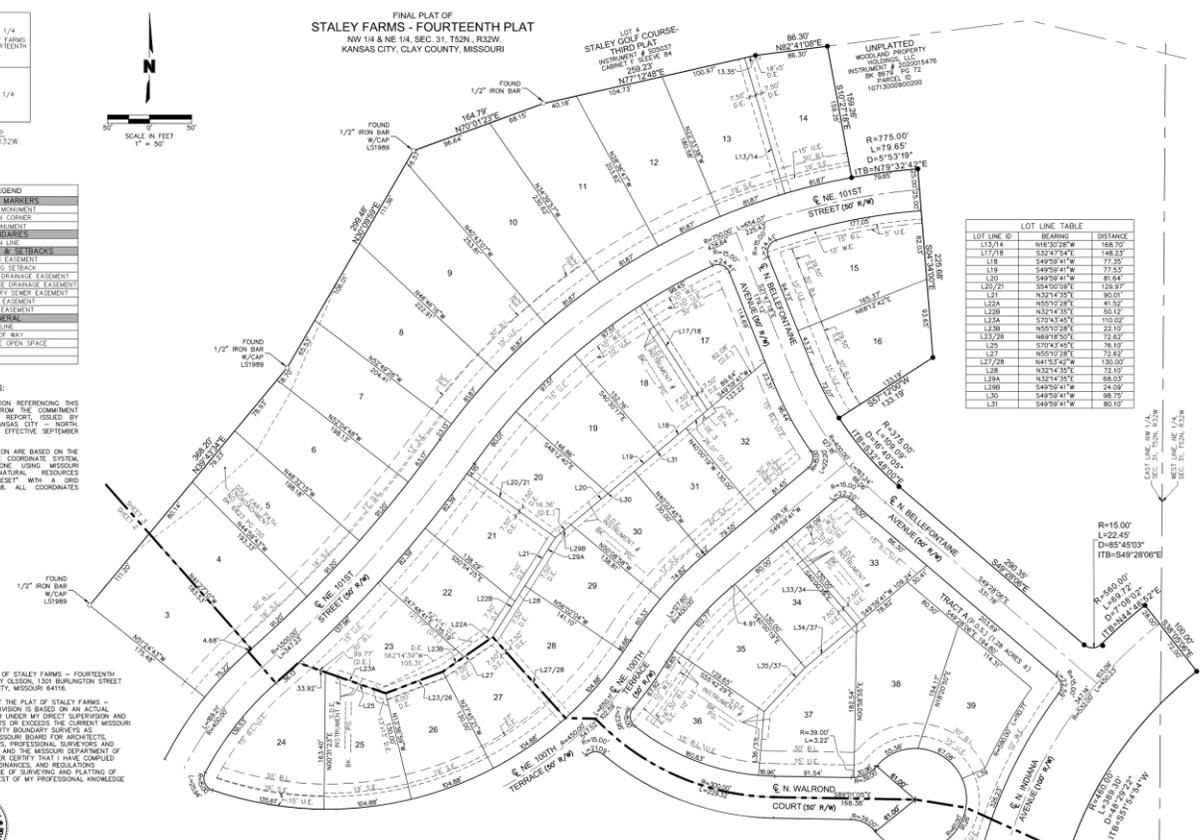
STORM DRAINAGE EASEMENT TABLE

EASEMENT ID	BEARING	DISTANCE
DE-1	S33°17'43"E	8.00'
DE-2	N07°12'59"E	15.00'
DE-3	S32°07'47"E	8.00'

DEVELOPER:
 DON ALAN BUILDERS, INC.
 1050 W 103RD STREET
 LENEXA, KS 66219
 913-894-4300

LOT LINE TABLE

LOT LINE ID	BEARING	DISTANCE
L13/14	N16°30'28"W	168.30'
L17/18	S33°17'43"E	148.13'
L18	S49°59'41"W	77.35'
L19	S49°59'41"W	77.53'
L20	S49°59'41"W	81.84'
L20/21	S04°00'00"W	129.97'
L21	N33°14'35"E	90.01'
L22	N05°10'28"E	41.92'
L23	N33°14'35"E	50.12'
L24	S74°43'45"E	110.02'
L25	N05°10'28"E	22.19'
L26	N05°10'28"E	75.82'
L27/28	N05°10'28"E	120.00'
L29	N05°10'28"E	72.10'
L30	N33°14'35"E	68.03'
L31	S49°59'41"W	24.99'
L32	S49°59'41"W	86.75'
L31	S49°59'41"W	80.10'



DATE OF SURVEY: _____
 TITLE OF SURVEY: _____

Drawn by: _____
 Checked by: _____
 Reduced by: _____
 Plotted by: _____

olsson

1300 BURLINGTON STREET, SUITE 100, NORTH KANSAS CITY, MISSOURI 64116
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SHEET 3 OF 4



File #: 221025

ORDINANCE NO. 221025

Sponsor: City Manager's Office

Estimating revenue in the General Fund in the amount of \$3,500,000.00 from the Midtown Tax Increment Financing Plan and appropriating same to support the Armour Troost mixed-use redevelopment project.

WHEREAS, the Midtown Redevelopment Tax Increment Financing Plan (the "Midtown TIF") was approved by the City Council upon recommendation of the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission") and pursuant to the Real Property Tax Increment Allocation and Redevelopment Act, Section 99.800 to 99.865, as amended, (the "TIF Act") by passage of Committee Substitute for Ordinance No. 930666, as amended by Ordinance No. 941127, and has since been amended three times by Ordinance No. 950731 and Committee Substitutes for Ordinance Nos. 991390 and 001466; and

WHEREAS, Ordinance No. 170132 authorized the City to issue its Special Obligation Refunding Bonds (Midtown Redevelopment Project), Series 2017D (the "Series 2017D Bonds" or the "Bonds") in the original aggregate principal amount of \$16,185,000 pursuant to a Trust Indenture dated as of March 1, 2017 (the "Indenture") by and between the City and UMB Bank, N.A. (the "Trustee") to provide funds (a) to refund the outstanding Series 2007A Bonds maturing in years 2018 through 2022 (the "Refunded Bonds") and (b) to pay certain costs related to the issuance of the Bonds; and

WHEREAS, the Trustee forwarded \$11,328,394.83 of excess revenues to the Commission following the final bond maturity date of April 1, 2022; and

WHEREAS, the Commission distributed \$7,788,399.19 of surplus incremental revenues from the Midtown TIF to the City; and

WHEREAS, the Commission distributed \$2,120,559.72 of surplus payments in-lieu of taxes (PILOTs) from the Midtown TIF to the Jackson County Collector (the "Collector") to distribute to the affected taxing jurisdictions, and of which \$376,326.99 was distributed to the City; and

WHEREAS, the Commission distributed \$2,268,378.79 of surplus incremental revenues from the Midtown TIF, which were deposited in the TIF Special Allocation Fund following the final bond maturity date, to the City for a total of \$10,433,105.00 in surplus revenues; and

WHEREAS, Committee Substitute for Ordinance No. 180514 authorized the City Manager to enter into a funding agreement with the Planned Industrial Expansion Authority of Kansas City, Missouri (“PIEA”) in an amount not to exceed \$3,500,000.00 for blight remediation in the Armour-Gilham PIEA Planning Area (the “Authorized Agreement”); and

WHEREAS, the Authorized Agreement was drafted and distributed to the parties, but was not executed; and

WHEREAS, the City now desires to execute the Authorized Agreement to provide the previously approved support for the Armour Troost mixed-use residential and commercial redevelopment project (the “Project”); NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the revenue in the following account of the General Fund, No. 1000, is hereby estimated in the following amount:

23-1000-120000-480560	Contr-TIF District	\$3,500,000.00
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Section 2. That the sum of \$3,500,000.00 is hereby appropriated from the Unappropriated Fund Balance of the General Fund to the following account in the General Fund:

23-1000-642102-610700	Midtown Housing Contributions	\$3,500,000.00
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..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:

Emalea K. Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Finance

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

Executive Summary

Estimating revenue in the General Fund in the amount of \$3,500,000 from the Midtown Tax Increment Financing Plan and appropriating same to support the Armour Troost mixed-use redevelopment project.

Discussion

The City Council previously authorized the City Manager to enter into a funding agreement with the Planned Industrial Expansion Authority (PIEA) with the passage of ordinance 180514. The agreement calls for surplus revenues from the Midtown TIF plan to be used to provide support for the Armour Troost mixed-use redevelopment project. The revenue has been received by the City, and the parties now desire to execute the agreement.

Fiscal Impact

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

2. What is the funding source?

Surplus funds from the Midtown TIF are being estimated/appropriated to the general fund.

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

The ordinance appropriates funds required by an agreement between the City and PIEA related to the Armour Troost mixed-use residential and commercial redevelopment project.

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

No

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



City of Kansas City, Missouri

Docket Memo

The project is anticipated to cost approximately \$80 million, the balance of the funding will come from non-City sources.

Budget Review

(Staff will complete this section.)

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

Additional Discussion (if needed)

The project includes new construction of one multifamily residential building at 520 E Armour Boulevard and four mixed use retail and residential buildings on each of the four corners of Armour Boulevard and Troost Avenue. The project will contribute to the revitalization of the City's Armour and Troost corridors. The project is located within the Armour-Gillham Plan area, which was approved and designated a blighted area by City Council by ordinance 060105. Amendments to the plan were subsequently approved by City Council by ordinances 110024 and 140089.

Citywide Business Plan Impact

Invest in neighborhood stabilization to reduce blight, ensure sustainable housing, and improve the well-being of residents while sustaining their diverse cultures.

Prior Legislation

Ordinance 180514

Service Level Impacts

N/A

Other Impacts

- 1. What will be the potential health impacts to any affected groups?
None
- 2. How have those groups been engaged and involved in the development of this ordinance?



City of Kansas City, Missouri

Docket Memo

N/A

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

The legislation will allow the City to assist a development project that will increase the amount of housing units within the Armour-Gillham Plan Area.

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

Yes

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

Yes



File #: 221027

ORDINANCE NO. 221027

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 64 acres generally located at the southwest corner of I-435 and N.W. Skyview Avenue from District AG-R to District M2-5 to allow for future industrial and commercial development. (CD-CPC-2022-00170).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. 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-1367 rezoning an area of about 64 acres generally located at the southwest corner of I-435 and N.W. Skyview Avenue from District AG-R (Agricultural Residential) to M2-5 (Manufacturing 2 dash 5), said section to read as follows:

Section 80-20A-1367. That an area legally described as:

All that part of the Northwest Quarter of Section 19 Township 52 Range 33, Kansas City, Platte County, Missouri described as follows; Beginning at the Southwest corner of the Northwest Quarter of said Section 19; thence North 00 degrees 32 minutes 30 seconds East, along the West line of the Northwest quarter of said Section 19 a distance of 1171.65 feet to the Southerly right of way line of Interstate 435; thence North 89 degrees 54 minutes 02 seconds East, along said right of way line, a distance of 1219.81 feet; thence continuing along said right of way line South 79 degrees 47 minutes 40 seconds East, a distance of 1118.03 feet, thence continuing along said right of way line South 34 degrees 00 minutes 24 seconds East, a distance of 366.83 feet to the Westerly right of way line of Northwest Skyview Avenue; thence South 00 degrees 21 minutes 16 seconds West, along said right of way line a distance of 120.00 feet; thence continuing along said right of way line, South 06 degrees 31 minutes 21 seconds East, a distance of 450.93 feet; thence continuing along said right of way line South 03 degrees 41 minutes 16 seconds West, a distance of 100.36 feet to the South line of the Northwest Quarter of said Section 19; thence South 89 degrees 55 minutes 31 seconds West along said line, a distance of 2580.43 feet to the Point of beginning.

is hereby rezoned from AG-R (Agricultural Residential) to M2-5 (Manufacturing 2 dash 5), all as shown outlined on a map marked Section 80-20A-1367, 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 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:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

221027

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2022-00170

Brief Title

A request to approve a rezoning without plan from District AG-R to District M2-5 on about 64 acres generally located at the southwest corner of I-435 and NW Skyview Avenue. (CD-CPC-2022-00170)

Details

<p>Location: generally located at the southwest corner of I-435 and NW Skyview Avenue</p>
<p>Reason for Legislation: Rezoning requires City Council approval</p>
<p>See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.</p> <p>See attached City Plan Commission Disposition Letter for the Commission’s recommended conditions (if any).</p> <p>SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:</p> <ul style="list-style-type: none"> • None

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	2 nd District Loar & Fowler
Applicants / Proponents	<p>Applicant Tyler Wysong Kimley-Horn</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <hr/> <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 on 11/15/2022 Voting: Allender, Baker, Crowl, Enders, Hill, Rojas, Sadowski</p> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions (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> <p><input type="checkbox"/> Do not pass</p>

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Fact Sheet Prepared By: Genevieve Kohn Planner	Date: 11/21/2022		
Reviewed By: Joe Rexwinkle Division Manager	Date: 11/21/2022	Initial Application Filed: 9/23/2022 City Plan Commission Action: 11/15/2022 Revised Plans Filed: N/A On Schedule: No Off Schedule Reason: The applicant needed more time to complete the public engagement requirement.	
Reference Numbers: CD-CPC-2022-00170			



File #: 221028

ORDINANCE NO. 221028

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 1.92 acres generally located at 240 Oak Street from District UR to District UR, and approving a preliminary residential development plan. (CD-CPC-2022-00164)

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-1368 rezoning an area of about 1.92 acres located at 240 Oak Street from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) said section to read as follows:

80-20A-1368 That an area legally described as:

All of Lots 298 thru 302 and Lots 349 thru 353, Block 32, Town of Kansas, commonly called Old Town, a subdivision of land in the Southeast Quarter of Section 32 Township 50 North, Range 33 West of the 5th Principal Meridian in Kansas City, Jackson County, Missouri, including that portion of vacated alleyway, except those parts of said lots now in Grand Avenue and the Right-of-Way of the Kansas City Southern Railway Company, being bounded and described by or under the direct supervision of Jason S Roudebush, P.L.S. 2002014092, as follows: Beginning at the Southeast corner of said Lot 353, said point also being a point on the existing Northerly Right-of-Way line of 3rd Street as now established; thence South 75°36'11" West on the South line of said Lots 353 and 298 and said existing Northerly Right-of-Way line, 299.13 feet to the Southwest corner of said Lot 298 also being a point on the existing Easterly Right-of-Way line of Grand Ave. as now established; thence North 14°32'52" West on the West line of said Lot 298 and 299 and said existing Easterly Right-of-Way line, 135.85 feet to the Northwest corner of said Lot 299, also being the Southwest corner of said Lot 300; thence North 09°20'10" East on the West line of said Lots 300 thru 302 and said existing Easterly Right-of-Way line, 179.76 feet to the Northwest corner of said Lot 302 also being a point on the existing Southerly Right-of-Way line of 2nd Street as now established; thence North 75°42'27" East on the North line of said Lots 302 and 349 and said existing Southerly Right-of-Way line, 226.32 feet to the Northeast corner of said Lot 349 also being a point on the existing Westerly Right-of-Way line of Oak Street as

now established; thence South 14°33'12" East on the Easterly line of said Lots 349 thru 353 and said existing Westerly Right-of-Way line, 300.00 feet to the point of beginning. Containing 83,823 square feet or 1.92 acres, more or less.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 80-20A-1368, 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, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
2. The developer shall secure approval of a UR final plan from the Development Management Division staff prior to building permit.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
4. The developer shall submit an exterior lighting plan (including lights over entrances and garage egress and ingress) in compliance with Section 88-430 of the Code at the time of UR final development plan.
5. The developer shall be required to submit a photometric plan at the time of UR final plan in compliance with 88-430-06.
6. Signage has not been reviewed with this submittal, all signage shall conform to 88-445 and shall require a sign permit prior to installation.
7. The developer shall, as required by the Director of Public Works at time of building permit, install or make payment in-lieu for the full cost of bicycle parking, street trees, and sidewalks as required by Chapter 88. If payments are made in-lieu, an independent cost estimate of the improvements shall be provided by the Director.
8. Deviations to the prohibition of a parking garage on a boulevard and to the required improvement of a parking garage with retail, office, residential, or other uses are hereby granted. The developer shall propose aesthetic improvements to the garage's frontage along Grand as required by the City Planning and Development Department and the Parks and Recreation Department.

9. The developer shall work with staff to identify building materials, fenestration, architectural details or lighting, art or a combination thereof, to improve the pedestrian experience along the ground level of the garage along all street frontages, giving greater emphasis to Grand Boulevard, and depict such details on the final UR plan submittal.
10. The developer shall continue to work with KCATA, Public Works, and the Streetcar Authority regarding infrastructure and installation timelines.
11. 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.
12. 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.
13. 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 Department staff during the plan review process. 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.
14. 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.
15. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.

16. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
17. 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)
18. 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)
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 turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
21. Required Fire Department access roads shall be an all-weather surface (IFC-2012: § 503.2.3) and shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Required Fire Department access roads shall designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
22. The developer shall pay money-in-lieu of parkland dedication as indicated on plans based upon the 2022 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to a certificate of occupancy.
23. The developer shall submit a streetscape plan for Grand Boulevard as part of their final UR plan submittal.
24. 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 prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.

25. The developer shall enter into an encroachment and indemnification agreement, in a form acceptable to KC Water, prior to platting or to the issuance of building permits, whichever occurs first.
26. No water service line will be less than 1-1/2” in diameter where three or more units or a commercial building will be served by one domestic service line and meter.
27. 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.
28. 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.
29. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
30. 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. The plans should at a minimum show installing a new fire hydrant on 3rd Street between Grand and Oak. Water Main extensions and relocations (kcwater.us)

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 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

COMMUNITY PROJECT/REZONING

221028

Ordinance Fact Sheet

Ordinance Number

Case No. (CD-CPC-2022-00164)

Brief Title

Approving a re-zoning to district UR (Urban Redevelopment) from district UR (Urban Redevelopment) and approving a preliminary residential development plan on about 1.92 acres generally located at 240 Oak Street. (CD-CPC-2022-00164)

Details

Location: Generally located at 240 Oak 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:

- Condition 8 was revised to clarify that the deviations requested are granted and the proposed aesthetic improvements be reviewed and approved by the City Planning Department and the Parks Department.
- Condition 12 was removed.
- Condition 24 was removed.
- Condition 27 was revised to provide clarifying language.

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 Henry Klover Klover Architects, Incorporated 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: 11-22-2022		
Reviewed By: Joseph Rexwinkle	Date: 11-28-2022	Initial Application Filed: 09-09-2022 City Plan Commission Action: 11-01-2022 Revised Plans Filed: NA On Schedule: No Off Schedule Reason: The application was on schedule for the City Plan Commission meeting.	
Reference Numbers: Case No. CD-CPC-2022-00164			



File #: 221029

RESOLUTION NO. 221029

Sponsor: Director of City Planning and Development Department

Approving an amendment to the Country Club/Waldo Area Plan on about 1.11 acres generally located at the southeast corner of State Line Road and W. 76th Street by changing the recommended land use from residential medium density to mixed use community for the 1500 Meadow Lake Parkway Project. (CD-CPC-2022-00191)

WHEREAS, on February 22, 2018 the City Council by Resolution No.180106 adopted the Country Club/Waldo Area Plan; and

WHEREAS, after further review it has been deemed appropriate to amend the Country Club/Waldo Area Plan as it affects that area of approximately 1.11 acres generally located at the southeast corner of State Line Road and W. 76th Street by changing the recommended land use from residential medium density to mixed use community; and

WHEREAS, the City Plan Commission considered such amendment to the Proposed Land Use Map on November 15, 2022 and

WHEREAS, after all interested persons were given an opportunity to present testimony, the City Plan Commission did on November 15, 2022, recommend approval of the proposed amendment to Country Club/Waldo Area Plan; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section A. That the Country Club/Waldo Area Plan is hereby amended as to the Proposed Land Use Plan and Map for that area of approximately 1.11 acres generally located at the southeast corner of State Line Road and W. 76th Street by changing the recommended land use from residential medium density to mixed use community.

Section B. That the amendment to the Country Club/Waldo Area Plan is consistent and complies with the FOCUS Kansas City Plan, adopted on October 30, 1997, by Committee Substitute for Resolution No. 971268, and is adopted as a supplement to the FOCUS Kansas City Plan.

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

..end

COMMUNITY PROJECT/REZONING

221029

Ordinance Fact Sheet

Ordinance Number

Case No. (CD-CPC-2022-00191)

Brief Title

Approving an amendment to the Country Club/Waldo Area Plan on about 1.11 acres generally located at the southeast corner of State Line Road and W 76th Street by changing the recommended land use from Residential Medium Density to Mixed Use Community for the 1500 Meadow Lake Parkway Project (CD-CPC-2022-00191)

Details

Location: Generally located at 1500 Meadow Lake Parkway

Reason for Legislation: Area Plan Amendments 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:

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP Director Department of City Planning & Development
Programs, Departments or Groups Affected	6 th (Bough and McManus)
Applicants / Proponents	Applicant Henry Klover Klover Architects, Incorporated 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 7-0 By Allender, Baker, Crowl, Enders, Hill, Rojas, Sadowski <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input 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

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	<input type="checkbox"/> Do not pass
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Fact Sheet Prepared By: **Date:** 11-23-2022

Larisa Chambi
Planner

Reviewed By: **Date:** 11-28-2022

Joseph Rexwinkle

Initial Application Filed: 10-25-2022

City Plan Commission Action: 11-15-2022

Revised Plans Filed: NA

On Schedule: Yes

Off Schedule Reason:

Reference Numbers:

Case No. CD-CPC-2022-00191



File #: 221030

ORDINANCE NO. 221030

Sponsor: Director of City Planning and Development Department

Approving a development plan in District B3-2 on about 6.4 acres generally located at the southwest corner of N.W. Barry Road and N. Platte Purchase Drive to allow for the construction of a multi-unit building containing 162 units for age-restricted housing. (CD-CPC-2022-00162)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District B3-2 on an approximately 6.4 acre tract of land generally located at the southwest corner of N.W. Barry Road and N. Platte Purchase Drive , and more specifically described as follows:

A tract of land in the Fractional Southwest Quarter of Section 10, being in Township 51, Range 33, Kansas City, Platte County, Missouri, being bounded and described as follows: Commencing at the northwest corner of said fractional southwest quarter; thence South 00 degrees 32 minutes 47 seconds West, along the west line of said Fractional Southwest Quarter, 36.17 feet to a point on the southerly right-of-way line of N.W. Barry Road, as now established, said point being the true point of beginning of the tract to be herein described; thence easterly, along said southerly right-of-way line, along a curve to the left, having an initial tangent bearing of North 86 degrees 44 minutes 05 seconds East, a radius of 1,669.87 feet and a central angle of 03 degrees 20 minutes 05 seconds, which chord bears north 85 degrees 03 minutes 51 seconds east, a chord distance of 97.18 feet, through an arc distance of 97.19 feet (deed-97.20'); thence North 83 degrees 23 minutes 48 seconds East, along said southerly right-of-way line, 18.16 feet; thence easterly, along said southerly right-of-way line, along a curve to the right, tangent to the last described course, having a radius of 2,948.00 feet and a central angle of 02 degrees 04 minutes 12 seconds, which chord bears North 84 degrees 25 minutes 54 seconds East, a chord distance of 106.49 feet, through an arc distance of 106.50 feet; thence easterly, along said southerly right-of-way line, along a curve to the left, having a common tangent with the last described course, a radius of 3,052.00 feet and a central angle of 02 degrees 08 minutes 58 seconds, which chord bears North 84 degrees 23 minutes 30 seconds East, a chord distance of 114.49 feet, through an arc distance of 114.50 feet; thence easterly, along said southerly right-of-way line, along a curve to the right, having a common tangent with the last described course, a radius of 1,132.00 feet and a central angle of 07 degrees 26 minutes 58 seconds, which chord bears North 87

degrees 02 minutes 30 seconds East, a chord distance of 147.08 feet, through an arc distance of 147.18 feet; thence South 89 degrees 14 minutes 01 seconds East, along said southerly right-of-way line, 191.96 feet (deed-191.66') to a point on the westerly right-of-way line of N. Platte Purchase Drive, as now established; thence southeasterly, along said westerly right-of-way line, along a curve to the right, tangent to the last described course, having a radius of 26.00 feet and a central angle of 89 degrees 24 minutes 12 seconds, which chord bears South 44 degrees 32 minutes 24 seconds East, a chord distance of 36.58 feet, through an arc distance of 40.57 feet (deed-40.72'); thence South 00 degrees 09 minutes 42 seconds West, along said westerly right-of-way line, 123.67 feet; thence southerly, along said westerly right-of-way line, along a curve to the right, tangent to the last described course, having a radius of 1,000.00 feet and a central angle of 10 degrees 43 minutes 04 seconds, which chord bears South 05 degrees 31 minutes 14 second West, a chord distance of 186.79 feet, through an arc distance of 187.06 feet; thence south 10 degrees 52 minutes 46 seconds west, along said westerly right-of-way line, 35.14 feet (deed-34.23'); thence southerly, along said westerly right-of-way line, along a curve to the right, tangent to the last described course, having a radius of 500.00 feet and a central angle of 13 degrees 48 minutes 46 seconds, which chord bears South 17 degrees 47 minutes 09 seconds West, a chord distance of 120.25 feet, through an arc distance of 120.54 feet (deed-120.55'); thence South 24 degrees 41 minutes 24 seconds West, along said westerly right-of-way line, 6.93 feet to the northeast corner of Lot 1, Barry Woods Station, a subdivision in Kansas City, Platte County, Missouri; thence South 89 degrees 06 minutes 34 seconds West, along the north line of said Lot 1, 333.48 feet to the southeast corner of Tract 1 of Platte Purchase Plaza First Plat as shown in Plat Book 20, page 14; thence along the eastern and north lines of said Tract 1 the following courses and distances: North 00 degrees 53 minutes 36 seconds West, a distance of 184.72 feet; along a non-tangent curve to the left having a radius of 1,000.00 feet, with a central angle 00 degrees 30 minutes 32 seconds, which chord bears South 86 degrees 49 minutes 36 seconds West, a chord distance of 8.88 feet, through an arc distance of 8.88 feet; and along a reverse curve to the right having a radius of 5,000.00 feet, with a central angle of 03 degrees 21 minutes 02 seconds, which chord bears South 88 degrees 14 minutes 51 seconds West, a chord distance of 292.35 feet, through an arc distance of 292.39 feet to the eastern line of Section 9; thence along said eastern line North 00 degrees 32 minutes 47 seconds East, a distance of 283.92 feet to the point beginning. The above described tract of land containing 6.394 acres is based upon an actual boundary survey executed by Cole and Associates, Inc. during the month of June 2022 and is subject to all easements, restrictions, reservations and conditions of record, if any.

is hereby approved, subject to the following conditions:

1. All signage shall conform to 88-445 and shall require a sign permit prior to installation.

2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
3. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
4. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
5. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
6. The developer shall submit a detailed micro storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division showing compliance with the current, approved macro study on file with the City and with current adopted standards in effect at the time of submission, including water quality BMP's, prior to approval and issuance of any building permits to construct improvements on the site or prior to recording the plat, whichever occurs first. The developer shall verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and the developer shall construct any other improvements as required by the Land Development Division as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.
7. 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.
8. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
9. 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.

10. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
11. The developer shall provide acceptable easements for any deep sewers where proposed fill is added or where the sewer will be further obstructed by surface improvements and that a structural analysis be provided to confirm adequate structural integrity for the proposed loading conditions of this plan, and secure permits and provide City approved executed and recorded easement prior to adding fill or constructing surface obstructions as required by the Land Development Division.
12. 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.
13. 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.
14. 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.
15. 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.
16. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018§ 507.1)

17. 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)
18. A required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3). Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5). Required Fire Department access roads shall designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
19. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
20. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to recording the final plat or a certificate of occupancy, whichever occurs first.
21. 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.
22. The developer shall make sure the street trees shown along Platte Purchase do not cause issues with sight distance at the proposed driveway.
23. A full flow fire meter will be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.
24. Water/sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
25. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
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 submit WME plans for the new FH's along N.E. Barry Road and N. Platte Purchase Drive to meet 300' max. spacing.

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

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

..end

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

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

221030

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2022-00162

Brief Title

A request to approve a Development Plan in District B3-2 to allow for the construction of multi-unit building containing 162 units for age-restricted housing on about 6.4 acres generally located at the southwest corner of NW Barry Road and N Platte Purchase Drive. (CD-CPC-2022-00162)

Details

Location: generally located at the southwest corner of NW Barry Rd and N Platte Purchase Dr

Reason for Legislation: Development plans requires City Council approval

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

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

SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

- Staff requested conditions #6 and #10 (in the staff report) be removed at the Plan Commission hearing. The Commission voted to remove the conditions on the basis that they are not applicable. Existing rights of way are fully built out and no traffic study was required for this project.
 #6: “The developer must dedicate additional right of way for as required by the adopted Major Street Plan and/or Chapter 88 so as to provide the minimum required right of way as measured from the centerline, and ensure right of way dedication is adequate for any proposed road improvements as required by Public Works Department adjacent to this project.”
 #10: “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.”

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	2 nd District Loar & Fowler
Applicants / Proponents	Applicant Lindsey Diekemper Cole & Associates Inc. City Department City Planning & Development Other
Opponents	Groups or Individuals
	Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission 7-0 on 11/15/2022 Voting: Allender, Baker, Crowl, Enders, Hill, Rojas, Sadowski <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold

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	<input type="checkbox"/> Do not pass
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Fact Sheet Prepared By: Genevieve Kohn Planner	Date: 11/21/2022	Initial Application Filed: 8/29/2022
Reviewed By: Joe Rexwinkle Division Manager	Date: 11/21/2022	City Plan Commission Action: 11/15/2022
		Revised Plans Filed: 10/03/2022
		On Schedule: No
		Off Schedule Reason: The applicant requested the case be continued from the 10/18/22 CPC meeting to the 11/15/22 CPC meeting to allow more time to review their geotech reports.
Reference Numbers: CD-CPC-2022-00162		



File #: 221031

ORDINANCE NO. 221031

Sponsor: Councilmember Ryana Parks-Shaw and Mayor Quinton Lucas

Authorizing the City Manager to enter into a contract with the Kansas City EDC Loan Corporation to establish a \$500,000.00 small business and entrepreneurial support organization grant and loan program.

WHEREAS, the City Council desires to establish the Kansas City Small Business and Entrepreneurial Support Organizations Grant and Loan Program (the “Program”) that will provide funding to help small businesses and entrepreneurial support organizations, operating within city limits of Kansas City, Missouri, to continue to finance operational expenses, including during unprecedented periods of economic stress, all of which serve a public purpose; and

WHEREAS, the Kansas City EDC Loan Corporation (the “EDCLC”), is a Missouri nonprofit corporation specializing in the origination and underwriting of loans with the mission to help small business and entrepreneurial support organizations grow, expand, and retain jobs in Kansas City, Missouri, and is uniquely positioned to deliver the Program for the City; and

WHEREAS, the City allocated \$500,000.00 of its Tranche 2 allocation of American Rescue Plan Act funds to be used for Small Business Recovery; and

WHEREAS, the City’s allocation to the Program will allow the EDCLC to leverage additional lending capital but that any City funds will be disbursed only in a grant program in conformance with applicable law; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That any solicitation requirements for the procurement of a small business and entrepreneurial support organizations grant and loan program contract are waived.

Section 2. That the City Manager is authorized to enter into a contract with EDCLC to establish a \$500,000.00 small business and entrepreneurial support organization grant and loan program from funds previously appropriated to Account No. 23-2585-571040-B. The contract, approved in substantial form, is on file with office of the Director of the Neighborhoods Department.

..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:

Matthew Gigliotti
City Attorney

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

221031



File #: 221032

ORDINANCE NO. 221032

Sponsor: Director of City Planning and Development Department

Approving a development plan in District B3-2 on about 3.63 acres generally located at 1500 Meadow Lake Parkway to allow for a mixed-use development, including retail, office and restaurant space, a parking garage, and 220 residential units. (CD-CPC-2022-00173)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District B3-2 (Community Business dash 2) on about 3.63 acres generally located at 1500 Meadow Lake Parkway, and more specifically described as follows:

A replat of part of Lot A and Lots 1, 2, 3, 4, and 5 of Meadow Lakes, a subdivision in the City of Kansas City, Jackson Count, Missouri.

is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
2. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
3. Signage has not been reviewed with this submittal, all signage shall conform to 88-445 and shall require a sign permit prior to installation.
4. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.

5. The developer shall 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.
6. 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.
7. 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.
8. The developer shall petition for the vacation of the sanitary sewer easement as shown on the development plan and relocate sewers as required by the Departments of Water Services, the Land Development Division, and Development Services, prior to recording the final plat.
9. 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.
10. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
11. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, and to a tie-in point with the existing sidewalks and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
12. The developer shall provide acceptable easement and secure permits to relocated sanitary sewers out from under proposed buildings and structures, while continuing to ensure individual service is provided to all proposed lots as required by the Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.

13. 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 Public Works staff during the plan review process.
14. 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.
15. 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.
16. 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.
17. 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.
18. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
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. 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 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)
22. A required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) The required Fire Department access roads shall designed to support a fire apparatus with gross axle weight of 85,000 pounds (IFC-2018: § 503.2.3) and shall provide fire lane signage on fire access drives.
23. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
24. 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)
25. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to a certificate of occupancy.
26. 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
27. Plans for proposed on-street parking shown on 76th Street shall be submitted to the Public Works Department for review and approval.
28. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

29. 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.

30. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.

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

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

..end

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

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

221032

Ordinance Fact Sheet

Case No. (CD-CPC-2022-00173)

Brief Title

A request to approve a Residential Development Plan in district B3-2 on about 3.63 acres generally located at 1500 Meadow Lake Parkway (CD-CPC-2022-00173)

Ordinance Number

Details

Location: Generally located at 1500 Meadow Lake Parkway

Reason for Legislation: 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:

- Condition No. 5 regarding the revision to the parking spaces along the north of the lot was satisfied prior to ordinance request.

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP Director Department of City Planning & Development
Programs, Departments or Groups Affected	6 th (Bough and McManus)
Applicants / Proponents	Applicant Henry Klover Klover Architects, Incorporated 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 7-0 By Allender, Baker, Crowl, Enders, Hill, Rojas, Sadowski <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input checked="" type="checkbox"/> For, with revisions or conditions
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: **Date:** 11-17-2022

Larisa Chambi
Planner

Reviewed By: **Date:** 11-21-2022

Joseph Rexwinkle

Initial Application Filed: 09-23-2022

City Plan Commission Action: 11-15-2022

Revised Plans Filed: 11-17-2022

On Schedule: Yes

Off Schedule Reason:

Reference Numbers:

Case No. CD-CPC-2022-00173



File #: 221033

ORDINANCE NO. 221033

Sponsor: Councilmember Heather Hall and Mayor Quinton Lucas

Accepting the recommendations of the Tax Increment Financing Commission of Kansas City as to the Eighth Amendment to the Arlington Road Tax Increment Financing Plan; approving the Eighth Amendment to the Arlington Road Tax Increment Financing Plan; and directing the City Clerk to transmit copies of this Ordinance.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “Act”), the City Council of Kansas City, Missouri by Ordinance No. 54556 passed on November 24, 1982, and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, As Amended, passed on August 29, 1991, Ordinance No. 100089, As Amended, passed on January 28, 2010, and Ordinance No. 130986, passed on December 19, 2013 and Committee Substitute for Ordinance No. 140823, as Amended on, June 18, 2015, created the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”); and

WHEREAS, the City Council, by Committee Substitute for Ordinance No. 140916, accepted the recommendations of the Commission, approved the Arlington Road Tax Increment Financing Plan (“Plan”) and designated a Redevelopment Area; and

WHEREAS, the City Council, by Ordinance No. 150758, accepted the recommendations of the Commission, and approved the First Amendment to the Plan on September 17, 2015; and

WHEREAS, the City Council, by Ordinance No. 160241, accepted the recommendations of the Commission, and approved the Second Amendment to the Plan on April 17, 2016; and

WHEREAS, the City Council, by Ordinance No. 170865, accepted the recommendations of the Commission, and approved the Third Amendment to the Plan on November 9, 2017; and

WHEREAS, the City Council, by Ordinance No. 180280, accepted the recommendations of the Commission, and approved the Fourth Amendment to the Plan on June 21, 2018; and

WHEREAS, the City Council, by Ordinance No. 190996, accepted the recommendations of the Commission, and approved the Fifth Amendment to the Plan on December 19, 2019; and

WHEREAS, the City Council, by Ordinance No. 210981, accepted the recommendations of the Commission, and approved the Sixth Amendment to the Plan on November 10, 2021; and

WHEREAS, the City Council, by Ordinance No. 220090, accepted the recommendations of the Commission, and approved the Seventh Amendment to the Plan on February 3, 2022

WHEREAS, an Eighth Amendment to the Plan (“Eighth Amendment”) was proposed to the Commission and the Commission, after proper notice was given, met in public hearing, and after receiving the comments of all interested persons and taxing districts, closed the public hearing November 8, 2022, and adopted Resolution No. 11-__-22 recommending approval of the Eighth Amendment to the Plan; and

WHEREAS, the Eighth Amendment provides for (1) the addition of legal descriptions for Redevelopment Project Area A3 and Redevelopment Project Area J2; (2) certain modifications to the Site Maps, and (3) the inclusion of all conforming changes within the Exhibits to the Plan that are in furtherance of the foregoing modifications; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the recommendations of the Commission concerning the Seventh Amendment to the Plan (the “Eighth Amendment”) to the Arlington Road Tax Increment Financing Plan are hereby accepted, a copy of which is attached hereto, is hereby approved and adopted as valid.

Section 2. That all terms used in this ordinance, not otherwise defined herein, shall be construed as defined in the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865, RSMo (“Act”).

Section 3. That the City Council hereby finds that good cause has been shown for the Eighth Amendment of the Plan and that the findings of the Council in Ordinance Nos. 140916, No. 150758, No. 160241, No. 170865, No. 180280, No. 190996, Ordinance No. 210981 and Ordinance No. 220090, except as expressly modified by the Eighth Amendment, are not affected by the Eighth Amendment and apply equally to the Eighth Amendment.

Section 4. That the Eighth Amendment does not alter the previous findings of the City Council as follows:

- a. The Redevelopment Area as a whole is an economic development area, as defined in Section 99.805 of the Act, has not been subject to growth and development through investment by private enterprise, and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan. The lack of sufficient street improvements, interchanges, and other infrastructure has inhibited the development of the Redevelopment Area.
- b. The Plan, as amended by the Eighth Amendment, conforms to the comprehensive plan for the development of the City as a whole.

- c. The areas selected for Redevelopment Projects include only those parcels of real property and improvements thereon which will be directly and substantially benefited by the Redevelopment Project Improvements.
- d. The estimated dates of completion of the Redevelopment Projects and retirement of obligations incurred to finance Redevelopment Project Costs have been stated in the Plan, as amended by the Eighth Amendment, and are not more than 23 years from the passage of any ordinance approving a Redevelopment Project within the Redevelopment Area.
- e. The Plan, as amended by the Eighth Amendment, includes a plan for relocation assistance for businesses and residences.
- f. A cost-benefit analysis showing the impact of the Plan, as amended by the Eighth Amendment, on each taxing district which is at least partially within the boundaries of the Redevelopment Area has been prepared in accordance with the Act.
- g. The Plan, as amended by the Eighth Amendment, does not include the initial development or redevelopment of any gambling establishment.
- h. A study has been completed and the findings of such study satisfy the requirements provided under Section 99.810, RSMo.

Section 5. That the Commission is authorized to issue obligations in one or more series of bonds secured by the Arlington Road Tax Financing Plan Account of the Special Allocation Fund to finance Redevelopment Project Costs identified by the Plan, as amended by the Eighth Amendment, and, subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of land or other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the Commission determines, to enter into such contracts and take all such further actions as are reasonably necessary to achieve the objectives of the Plan, as amended by the Eighth Amendment. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to Sections 99.800 to 99.865 of the Act, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Section 6. That the City Council approves the pledge of all funds that are deposited into the Arlington Road Tax Increment Financing Plan Account of the Special Allocation Fund to the payment of Redevelopment Project Costs identified by the Plan, as amended by the Eighth Amendment, and authorizes the Commission to pledge such funds on its behalf.

..end

Approved as to form:

Emalea Black
Associate City Attorney

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

221033



File #: 221034

ORDINANCE NO. 221034

Sponsor: Councilmember Heather Hall and Mayor Quinton Lucas

Approving and designating Redevelopment Project Area J2 of the Arlington Road Tax Increment Financing Plan as a Redevelopment Project Area; and adopting tax increment financing therefore.

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 by Ordinance No. 54556 passed on November 24, 1982, and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, As Amended, passed on August 29, 1991, Ordinance No. 100089, As Amended, passed on January 28, 2010, Ordinance No. 130986, passed on December 19, 2013 and Committee Substitute for Ordinance No. 140823, as amended, on June 18, 2015, created the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”); and

WHEREAS, the City Council, by Committee Substitute for Ordinance No. 140916, accepted the recommendations of the Commission and approved the Arlington Road Tax Increment Financing Plan (“Plan”) and designated a Redevelopment Area; and

WHEREAS, the City Council, by Ordinance No. 150758, accepted the recommendations of the Commission and approved the First Amendment to the Plan on September 17, 2015; and

WHEREAS, the City Council, by Ordinance No. 160241, accepted the recommendations of the Commission and approved the Second Amendment to the Plan on April 17, 2016; and

WHEREAS, the City Council, by Ordinance No. 170865, accepted the recommendations of the Commission and approved the Third Amendment to the Arlington Road Tax Increment Financing Plan on November 9, 2017; and

WHEREAS, the City Council, by Ordinance No. 180280, accepted the recommendations of the Commission and approved the Fourth Amendment to the Arlington Road Tax Increment Financing Plan on June 21, 2018; and

WHEREAS, the City Council, by Ordinance No. 190996, accepted the recommendations of the Commission, and approved the Fifth Amendment to the Plan on December 19, 2019; and

WHEREAS, the City Council, by Ordinance No. 210981, accepted the recommendations of the Commission, and approved the Sixth Amendment to the Plan on November 10, 2021; and

WHEREAS, the City Council, by Ordinance No. 220090, accepted the recommendations of the Commission, and approved the Seventh Amendment to the Plan on February 3, 2022

WHEREAS, an Eighth Amendment to the Plan (“Eighth Amendment”) and a new Redevelopment Project Area J2 were each proposed to the Commission and the Commission, after proper notice was given, met in public hearing, and after receiving the comments of all interested persons and taxing districts, closed the public hearing on November 8, 2022, and adopted Resolution No. 11-___-22 recommending approval of the Eighth Amendment and Resolution No. 11-__- 22 recommending the approval and designation of Redevelopment Project Area J2; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

Section 2. That the area selected for Redevelopment Project Area J2 is legally described as follows:

A tract of land in the Northwest Quarter of Section 2 and the Northeast Quarter of Section 3 Township 50 North, Range 32 West of the 5th Principal Meridian in Kansas City, Clay County, Missouri being bounded and described as TIF boundary as follows: Commencing at the Southeast corner of the Southwest Quarter of said Section 2; thence North 00°40'32" East, on the East line of said Southwest Quarter of said Section 2, a distance of 2,633.25 feet to the Northeast corner of said Southwest Quarter, also being the Southeast corner of the Northwest Quarter of said Section 2; thence North 00°35'30" East, on the East line of said Northwest Quarter, 725.02 feet; thence, leaving said East line on a bearing perpendicular to the previous call, North 89°24'30" West, 2,460.86 feet to the Point of Beginning of the tract of land to be herein described; thence North 89°19'48" West, 1,493.69 feet; thence North 00°55'38" East, 825.12 feet; thence South 89°19'48" East, 1,489.99 feet; thence South 00°40'12" West, 825.12 feet to the Point of Beginning. Containing 1,230,943 square feet or 28.26 acres, more or less. (“Project Area J2”).

Section 3. That tax increment allocation financing is hereby adopted for taxable real property in the above described area selected for Project Area J2. After the total equalized assessed valuation of the taxable real property in Project Area J2 exceeds the certified total initial equalized assessed valuation of the taxable real property in Project Area J2, 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 the Project Area J2 shall be allocated to and, when collected, shall be paid by the Clay County Collector and the City Treasurer to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;
2. Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for Project Area J2 over and above the initial equalized assessed value of each such unit of property in the area selected for Project Area J2 shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payments in lieu of taxes 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 and certain taxing districts, and which are generated by economic activities within the area selected for Project Area J2 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:

Emalea Black
Associate City Attorney

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

221034



File #: 221035

ORDINANCE NO. 221035

Sponsor: Councilmember Heather Hall and Mayor Quinton Lucas

Approving and designating Redevelopment Project Area A3 of the Arlington Road Tax Increment Financing Plan as a Redevelopment Project Area; and adopting tax increment financing therefore.

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 by Ordinance No. 54556 passed on November 24, 1982, and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, As Amended, passed on August 29, 1991, Ordinance No. 100089, As Amended, passed on January 28, 2010, Ordinance No. 130986, passed on December 19, 2013 and Committee Substitute for Ordinance No. 140823, as amended, on June 18, 2015, created the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”); and

WHEREAS, the City Council, by Committee Substitute for Ordinance No. 140916, accepted the recommendations of the Commission and approved the Arlington Road Tax Increment Financing Plan (“Plan”) and designated a Redevelopment Area; and

WHEREAS, the City Council, by Ordinance No. 150758, accepted the recommendations of the Commission and approved the First Amendment to the Plan on September 17, 2015; and

WHEREAS, the City Council, by Ordinance No. 160241, accepted the recommendations of the Commission and approved the Second Amendment to the Plan on April 17, 2016; and

WHEREAS, the City Council, by Ordinance No. 170865, accepted the recommendations of the Commission and approved the Third Amendment to the Arlington Road Tax Increment Financing Plan on November 9, 2017; and

WHEREAS, the City Council, by Ordinance No. 180280, accepted the recommendations of the Commission and approved the Fourth Amendment to the Arlington Road Tax Increment Financing Plan on June 21, 2018; and

WHEREAS, the City Council, by Ordinance No. 190996, accepted the recommendations of the Commission, and approved the Fifth Amendment to the Plan on December 19, 2019; and

WHEREAS, the City Council, by Ordinance No. 210981, accepted the recommendations of the Commission, and approved the Sixth Amendment to the Plan on November 10, 2021; and

WHEREAS, the City Council, by Ordinance No. 220090, accepted the recommendations of the Commission, and approved the Seventh Amendment to the Plan on February 3, 2022

WHEREAS, an Eighth Amendment to the Plan (“Eighth Amendment”) and a new Redevelopment Project Area A3 were each proposed to the Commission and the Commission, after proper notice was given, met in public hearing, and after receiving the comments of all interested persons and taxing districts, closed the public hearing on November 8, 2022, and adopted Resolution No. 11-___-22 recommending approval of the Eighth Amendment and Resolution No. 11-__-22 recommending the approval and designation of Redevelopment Project Area A3; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

Section 2. That the area selected for Redevelopment Project Area A3 is legally described as follows:

A tract of land in the Southwest Quarter of Section 2, Township 50 North, Range 32 West of the 5th Principal Meridian in Kansas City, Clay County, Missouri being bounded and described as TIF boundary as follows: Commencing at the Southeast corner of said Southwest Quarter; thence North 00°40'32" East, on the East line of said Southwest Quarter, 840.88 feet; thence, leaving said East line on a bearing perpendicular to the previous call, North 89°19'28" West, 1,637.43 feet to the Point of Beginning of the tract of land to be herein described; thence North 89°14'23" West, 169.56 feet; thence North 00°48'10" East, 303.60 feet; thence South 89°37'34" East, 169.56 feet; thence South 00°48'10" West, 304.74 feet to the Point of Beginning. Containing 51,575 square feet or 1.18 acres, more or less. (“Project Area A3”).

Section 3. That tax increment allocation financing is hereby adopted for taxable real property in the above described area selected for Project Area A3. After the total equalized assessed valuation of the taxable real property in Project Area A3 exceeds the certified total initial equalized assessed valuation of the taxable real property in Project Area A3, 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 the

Project Area A3 shall be allocated to and, when collected, shall be paid by the Clay County Collector and the City Treasurer to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

2. Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for Project Area A3 over and above the initial equalized assessed value of each such unit of property in the area selected for Project Area A3 shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payments in lieu of taxes 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 and certain taxing districts, and which are generated by economic activities within the area selected for Project Area A3 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:

Emalea Black
Associate City Attorney

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

221035



File #: 221036

ORDINANCE NO. 221036

Sponsor: Councilmember Lee Barnes, Jr.

Approving the First Amendment to the Overlook Tax Increment Financing Plan.

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

WHEREAS, on December 3, 2020, the City Council of Kansas City, Missouri (the “Council”) passed Ordinance No. 200942 which accepted the recommendations of the Commission and approved the Overlook Tax Increment Financing Plan (the “Redevelopment Plan”) and designated the Redevelopment Area described therein to be a blighted area (the “Redevelopment Area”); and

WHEREAS, the First Amendment to the Redevelopment Plan modifies the Estimated Redevelopment Project Costs, the Sources to Fund such Redevelopment Project Costs and the Development Schedule described therein and such changes do not alter the exterior boundaries of the Redevelopment Area or enlarge the exterior boundary of any Redevelopment Project Area described by the Redevelopment Plan, affect the general land uses described by the Redevelopment Plan or change the nature of any Redevelopment Project described by the Redevelopment Plan; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The First Amendment, as attached hereto, is hereby approved and adopted as valid.

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

Section 3. That the Council hereby finds that:

- (a) The findings of the Council in Ordinance No. 200942 with respect to the Plan are not affected by the First Amendment and apply equally to the First Amendment;
- (b) The Redevelopment Area, as amended, is a Blighted area, as a whole, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan, as amended, by the First Amendment;
- (c) The Redevelopment Plan, as amended by the First Amendment, includes a detailed description of the factors that qualify the Redevelopment Area as a conservation area and an affidavit as required by Section 99.810.1(1), RSMo;
- (d) The Redevelopment Plan, as amended by the First Amendment, conforms to the comprehensive plan for the development of the City as a whole;
- (e) The areas selected for Redevelopment Projects described by the Redevelopment Plan, as amended by the First Amendment, include only those parcels of real property and improvements therein which will be directly and substantially benefited by the Redevelopment Project improvements;
- (f) The estimated dates of completion of the respective Redevelopment Projects and retirement of obligations incurred to finance Redevelopment Project Costs, have been stated in the Redevelopment Plan, as amended by the First Amendment, and are not more than 23 years from the passage of any ordinance approving each applicable Redevelopment Project authorized by the Redevelopment Plan and located within the Redevelopment Area, as amended;
- (g) A plan has been developed for relocation assistance for businesses and residences;
- (h) The First Amendment does not alter the cost benefit analysis attached to the Redevelopment Plan showing the impact of the Redevelopment Plan, as amended, on each taxing district which is at least partially within the boundaries of the Redevelopment Area has been prepared in accordance with the Act;
- (i) The First Amendment does not include the initial development or redevelopment of any gambling establishment; and
- (j) A study has been completed and the findings of such study satisfy the requirements provided under Section 99.810.1, RSMo.

Section 4. That the Commission is authorized to issue obligations in one or more series of bonds secured by the Special Allocation Fund(s) established in connection with each Redevelopment Project described by the Redevelopment Plan to finance Redevelopment Project Costs and subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of, land or other property, real or

personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the Commission determines, to enter into such contracts and undertake all such further actions as are reasonably necessary to achieve the objectives of the Redevelopment Plan, as amended, pursuant to the power delegated to it in the Enabling Ordinances. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to Sections 99.800 through 99.865, RSMo, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

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

..end

Approved as to form:

Emalea Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

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

Executive Summary

Approving the First Amendment to the Overlook Tax Increment Financing Plan.

Discussion

The First Amendment to the Overlook TIF Plan amends the plan to reflect changes to the budget for an additional contribution of \$150,000 from the Central City Economic Development Tax and a reduction to developer debt/ equity source of funds. The additional contribution will be applied to site prep. Total redevelopment project costs do not change.

The amendment also modifies the Redevelopment Schedule to reflect a more accurate construction timeline extending the completion date for Projects Improvements to 2025.

Fiscal Impact

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

2. What is the funding source?

N/A

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

No.

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

Approval of the First Amendment does not have a fiscal impact to the City as the overall Plan budget remains the same as contemplated in the original agreement.

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

City of Kansas City, Missouri



Docket Memo

N/A

Budget Review

(Staff will complete this section.)

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

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan Impact

Housing and Healthy Communities; Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures.

Prior Legislation

Ordinance No. 200942

Service Level Impacts

N/A

Other Impacts

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

Click or tap here to enter text.

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

Click or tap here to enter text.

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

Click or tap here to enter text.

City of Kansas City, Missouri



Docket Memo

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

Click or tap here to enter text.

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

Click or tap here to enter text.

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



File #: 220729

ORDINANCE NO. 220729

Amending the Plaza Bowl Overlay, which was created by Committee Substitute for Ordinance No. 190100, which includes use and height regulations for the area generally located on the south and north sides of W. 47th Street (extending northerly to the north side of W. 46th Terrace), between Madison Avenue on the west and J.C. Nichols Parkway on the east, in order to establish standards for granting deviations..

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 & Development Code, is hereby amended by approving the Special Character Overlay District, for the area generally located on the south and north sides of 47th Street (extending northerly to the north side of 46th Terrace), between Madison Avenue on the west and J.C. Nichols Parkway on the east, said section legally described as:

800 W 47th St Bunker Hill all of Lots 20-29 & vac alley & Lots 30 & 31 & E 1/2 of vac alley ly w of & adj & Lots 32-36 (ex w 3.64') Blk 16

770 W 47th St Plaza Steppes all of Lot 1

720 W 47th St Plaza Steppes 2nd Plat Lot 2

700 W 47th St Plaza Steppes 2nd Plat Lot 3

612-20 W 47th St Home Place prt Lot 26 daf beg at ne cor 47th & Jefferson St th n to n li sd Lot 26 th e 162.5 ft th s to n li 47th St th swly to beg

604 W 47th St /Church Sunday School Offices Home Place w 120 ft of e 146 ft ly n of 47th St Lot 26

605 W 47th St NE 1/4 SE 1/4 Sec 30 49 33 begat inters of w li Penn Ave wi s li 47th St & rng s alg w li Penn Ave 150 ft to pt th rng w at rt ang last desc course to pt of inters wi e li Jefferson St th rng n alg e li Jefferson to pt of inters wi s li of 47th St th nely alg s li 47th St to beg

1104 411-W 46th Ter Townsend Place Condominium Unit 1104 on Cert of Survey of Unit 1100-B filed as Docmt #K915384 in Bk S-3 at pg 48 on 3-1-1990 also 1/46% interest of common areas

1003 411-W 46th Ter Townsend Place Condominium Unit 1003 on Cert of Survey of Unit 1000-B filed as Docmt #K908263 in Bk S-3 at pg 44 on 12-29-1989 & 1/46% interest of common areas

300B 411-W 46th Ter Townsend Place Condominium Unit 303 on Cert of Survey of Unit 300-B filed as Docmt IS 9511 in Bk S-5 on pg 12 on 01-20-95

304 Townsend Place Condominium Unit 304 on Cert of Survey of Unit 300-B filed as Docmt IS9511 in Bk S-5 on pg 12 on 01-20-95

1004 411-W 46th Ter Townsend Place Condominium Unit 1004 on Cert of Survey of Unit 1000-B filed as Docmt #K908263 in Bk S-3 at pg 33 on 12-29-1989 & 1/46% interest of common areas

1101 411-W 46th Ter Townsend Place Condominium Unit 1101 on Cert of Survey of Unit 1100-A filed as Docmt K1081089 in Book S-4 at pg 45 on 5-21-1993 also 1/46th interest of common areas

702 411-W 46th Ter Townsend Place Condominium Unit 702 & 1/46% interest

501 411-W 46th Ter Townsend Place Condominium Unit 501 on Cert of Survey of Unit 500-A filed as Docmt K1084523 in Bk S-7 at pg 67 on 01-04-94 also 1/45% interest of common elements

1102 411-W 46th Ter Townsend Place Condominium Unit 1102 on Cert of Survey of Unit 1100-A filed as Docmt K1081089 in Book S-4 at pg 45 on 5-21-1993 also 1/46th interest of common areas

101 411-W 46th Ter Townsend Place Condominium Unit 101 exercise room common area

903 411-W 46th Ter Townsend Place Condominium Unit 903 on Cert of Survey of Unit 900-B filed as Docmt K-1000668 in Bk S-3 at pg 100 on 12-10-1991 also 1/46 interest of common areas

1203 411-W 46th Ter Townsend Place Condominium Unit 1203 on Cert of Survey of Unit 1200-B filed as Docmt #K921098 in Bk S-3 at pg 58 on 4-17-1990 also 1/46% interest of common areas

704 411-W 46th Ter Townsend Place Condominium Unit 704 & 1/46% interest of common areas

904 411-W 46th Ter Townsend Place Condominium Unit 904 on Cert of Survey of Unit 900-B filed as Docmt K-1000668 in Bk S-3 at pg 100 on 12-10-1991 also 1/46% interest of common areas

201 Townsend Place Condo Unit 201 on Cert of Survey of Unit 200-A filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

301 411-W 46th Ter Townsend Place Condominium Unit 301 on Cert of Survey of Unit 300-A filed as Docmt K-1036426 in Bk S-4 at pg 22 on 8-5-1992 also 1/46% interest of common areas

302 411-W 46th Ter Townsend Place Condominium Unit 302 on Cert of Survey of Unit 300-A filed as Docmt K-1036426 in Bk S-4 at pg 22 on 8-5-1992 also 1/46% interest of common areas

502 411-W 46th Ter Townsend Place Condominium Unit 502 on Cert of Survey of Unit 500-A filed as Docmt K1084523 in Bk S-4 on pg 68 on 01-04-94 also 1/45% interest of common elements

1103 411-W 46th Ter Townsend Place Condominium Unit 1103 on Cert of Survey of Unit 1100-B filed as Docmt #K915384 in Bk S-3 at pg 48 on 3-1-1990 also 1/46% interest of common areas

402 411-W 46th Ter Townsend Place Condominium Unit 402 on Cert of Survey of Unit 400-A filed as Docmt K-1081093 in Book S-4 at pg 47 on 5-21-1993 also 1/46th interest of common areas

701 411-W 46th Ter Townsend Place Condominium Unit 701 & 1/46% interest of common areas

803 411-W 46th Ter Townsend Place Condominium Unit 803 on Cert of Survey of Unit 800-B filed as Docmt #K910341 in Bk S-3 at pg 46 on 1-18-1990 also 1/46% interest of common areas

602 411-W 46th Ter Townsend Place Condominium Unit 602 on Cert of Survey of Unit 600-A filed as Docmt 1081091 in Book S-4 at pg 46 on 5-21-1993 also 1/46th interest of common areas

403 411-W 46th Ter Townsend Place Condominium Unit 403 on Cert of Survey of Unit 400-B filed as Docmt K1038009 in Book S-4 at pg 53 on 8-31-93 also 1

503 411-W 46th Ter Townsend Place Condominium Unit 503 on Cert of Survey of Unit 500-B filed as Docmt K-961154 in Bk S-3 at pg 83 on 3-4-1991 also 1/46% interest of common areas

804 411-W 46th Ter Townsend Place Condominium Unit 804 on Cert of Survey of Unit 800-B filed as Docmt #K910341 in Bk S-3 at pg 46 on 1-18-1990 also 1/46% interest of common areas

100 411-W 46th Ter Townsend Place Condominium Unit 100 & 1/46% interest of common areas

401 411-W 46th Ter Townsend Place Condominium Unit 401 on Cert of Survey of Unit 400-A filed as Docmt K-1081093 in Book S-4 at pg 47 on 5-21-1993 also 1/46th interest of common areas

504 411-W 46th Ter Townsend Place Condominium Unit 504 on Cert of Survey of Unit 500-B filed as Docmt K-961154 in Bk S-3 at pg 83 on 3-4-1991 also 1/46% interest of common areas

1001 411-W 46th Ter Townsend Place Condominium Unit 1001 on Cert of Survey of Unit 1000-A filed as Docmt K1143929 in Bk S-4 on pg 77 on 06-06-94 also 1/45% interest of common elements

404 411-W 46th Ter Townsend Place Condominium Unit 404 on Cert of Survey of Unit 400-B filed as Docmt 1038009 in Book S-4 at pg 53 on 8-31-1993 also 1/46th interest of common areas

900A 411-W 46th Ter Townsend Place Condominium Unit 900-A & 1/23% interest of common areas

801 411-W 46th Ter Townsend Place Condominium Unit 801 on Cert of Survey of Unit 800-A filed as Docmt K1084523 in Bk S-4 on pg 68 on 01-04-94 also 1/45% interest of common element

1204 411-W 46th Ter Townsend Place Condominium Unit 1204 on Cert of Survey of Unit 1200-B filed as Docmt #K921098 in Bk S-3 at pg 58 on 4-17-1990 also 1/46% interest of common areas

200B 411-W 46th Ter /Townsend Place Condo Unit 203 on Cert of Survey of Unit 200-B filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

604 411-W 46th Ter Townsend Place Condominium Unit 604 on Cert of Survey of Unit 600-B filed as Docmt #K935460 in Bk S-3 at pg 68 on 8-2-1990 also 1/46% interest of common areas

601 411-W 46th Ter Townsend Place Condominium Unit 601 on Cert of Survey of Unit 600-A filed as Docmt 1081091 in Book S-4 at pg 46 on 5/21/1993 also 1/46th interest of common areas

Sec 30-49-33 SE 1/4 NE 1/4 Townsend Place Condominium common area

1201 411-W 46th Ter Townsend Place Condominium Unit 1201 on Cert of Survey of Unit 1200-A filed as Docmt K-980721 in Bk S-3 at pg 93 on 7-17-1991 also 1/46% interest of common areas

1202 411-W 46th Ter Townsend Place Condominium Unit 1202 on Cert of Survey of Unit 1200-A filed as Docmt K-980721 in Bk S-3 at pg 93 on 7-17-1991 also 1/46% interest of common areas

202 411-W 46th St/Townsend Place Condominium Unit 202 on Cert of Survey of Unit 200-A filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

204 Townsend Place Condo Unit 204 on Cert of Survey of Unit 200-B filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

802 411-W 46th Ter Townsend Place Condominium Unit 802 on Cert of Survey of Unit 800-A filed as Docmt K1084523 in Bk S-4 on pg 68 on 01-04-94 also 1/45% interest of common elements

1002 411-W 46th Ter Townsend Place Condominium Unit 1002 on Cert of Survey of Unit 1000-A filed as Docmt K1143929 in Bk S-4 on pg 77 on 06-06-94 also 1/45% interest of common elements

603 411-W 46th Ter Townsend Place Condominium Unit 603 on Cert of Survey of Unit 600-B filed as Docmt #K935460 in Bk S-3 at pg 68 on 8-2-1990 also 1/46% interest of common areas

703 411-W 46th Ter Townsend Place Condominium Unit 703 & 1/46% interest of common areas

411 W 46th Ter Ste 201: Townsend Place Condo Unit 201 on Cert of Survey of Unit 200-A filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

4615 Broadway Wornall Park Lot 56 exc s 5 ft deeded by Ord 61597 dated 10-15-1987 to City for 46th Ter

330 W 46th Ter Broadway Plaza Condominiums Lot 1 Common Area

310 W 46th Ter Broadway Plaza Condominiums Units 101 thru 116 Units 201 thru 216 Units 301 thru 316 (all in Lot 1)

630 Wornall Rd Wornall Park Lots 66 & 67 also NE 1/2 vac alley ly nwly & adjsd lot

333 W 46th Ter the Neptune Condominiums Common Area Lot 1

300 W 46th Ter the Neptune Condominium Units 201-212, 214-225, 301-312, 314-325, 401-412, 414-425, 501- 512, 514-525

4635 Wyandotte / 120 W 47th St n 127.25 ft Lot 67 Country Club Plaza

18 W 47th St /Lot 68 Countryclub Plaza

4620 J C Nichols Pky & 210 W 46th Ter Country Club Plaza Lot 80

The Plaza Bowl Overlay District is outlined on a map marked Section 88-20A1186, attached hereto and made a part hereof, 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 the regulations applicable to property within the Plaza Bowl Overlay District are as follows:

Plaza Bowl Overlay District

Background

Since its development nearly 100 years ago, the Plaza area has been an important internationally recognized historic area due to the unique architecture and design, mix of thriving residential, commercial, cultural and educational uses, continuous care by its property ownership, and city-wide public interest in maintaining this cultural icon.

The Midtown / Plaza Area Plan (MPAP) recognizes that the Country Club Plaza is a significant community asset and a regional business, residential, cultural, and educational district that requires careful consideration of permitted uses and building heights in order to strengthen and further complement the existing built environment.

After years of effort by property owners, residents, consultants, and staff, the revised Midtown / Plaza Area Plan was adopted in January 2016. An immediate implementation measure of The Plan was to codify the building height recommendations of the Bowl Concept in the Country Club Plaza and adjacent area.

Prior to the 2016 adoption of the MPAP, a similar recommendation was made in the original Plaza Urban Design & Development Plan which was adopted in 1989. The Bowl Concept emerged to protect the Plaza area. The original mixed use area, developed in the 1920's and 30's, included retail, office, and residential uses. Low-rise buildings formed the base or "heart" of the historic area, and higher buildings were gradually built on the hills surrounding it.

The original Plaza Plan and the 2016 revision both recommend continuation of this design concept, referred to as the "Bowl Concept," through the regulation of building heights in the Plaza area. For certain properties on Main Street, building heights have

been established through the Main Corridor Overlay. For properties within the Country Club Plaza, height and use regulations are established by a 2016 text amendment to the Zoning & Development Code that was enacted at the request of the previous owner of the Country Club Plaza and continues to be supported by the current owner. The Plaza Bowl Overlay Height and Use Boundary map depicts appropriate building heights for locations within the overlay.

Plaza Bowl Overlay

The Plaza Bowl Overlay focuses on the “base of the bowl” – those areas immediately adjacent to the Country Club Plaza shopping area. The Bowl Concept consists of a series of roughly concentric circles around the base of the Plaza. There are approximately 660 parcels within the boundaries of the entire Bowl Concept and around 350 owners of those parcels.

On March 13, 2017, the Midtown / Plaza Area Plan Implementation Committee created the Bowl Implementation Committee. City staff suggested some initial phases and provided mapping to show impacts to specific properties. After several months of study, the Committee decided to phase implementation and focus on the next concentric circle of land adjacent to the base of the bowl (the Plaza) along 47th Street. This overlay, following the 2016 text amendment and the Main Corridor Overlay is the next phase of the implementation of the MPAP for the Plaza.

The proposed overlay would:

- i. Designate building heights for each parcel.
- ii. Specify whether land uses are permitted outright, allowed with special use permit approval, or prohibited.

1. Purpose

The purpose of the Plaza Bowl Overlay is to establish land use regulations and limit building heights for an area generally located on the south and north sides of 47th Street (extending northerly to the north side of 46th Terrace), between Madison Avenue on the west, and J.C. Nichols Parkway on the east. These restrictions may be more prohibitive than those of the underlying zoning.

According to the Midtown / Plaza Area Plan, the primary goal of the plan and overlay is to:

Preserve the original and unique planning and urban design concepts that embody the Country Club Plaza and surrounding area. The Bowl Concept is one of the most important urban design concepts for the area which describes the conscious transition of building heights from the low-rise buildings of the Country Club Plaza to buildings of increasing height as they are placed on the surrounding hills.

This overlay is also intended to:

Maintain and promote the economic vitality of the area;

Encourage preservation of the area's rare, unique, historical and distinctive character; and,

Stabilize property values and reduce investment risks;

Establish known ground rules for development, redevelopment and infill projects that developers, the city and the community can follow and base investment decisions on; and

Otherwise promote the health, safety, morals, and general welfare of the city.

A majority of the Plaza is currently zoned for heavy commercial development, specifically B4 (Heavy Business/Commercial), which permits a wide variety of commercial and light industrial uses, some of which would not be appropriate for the area.

Additionally, property zoned B4 has intensifier of "-5", which equates to no maximum height requirement, (unless dictated by the maximum floor area ratio of 6.0.) The map would establish maximum, and in some cases, minimum building heights. A zoning overlay may be more restrictive in regard to land uses and building heights than the B4-5 allowances.

Certain properties within the overlay are zoned UR (Urban Redevelopment), for which a specific development plan has been approved by the City Council. Until such time the UR plan is amended, or the property is rezoned to a different classification, the UR plan remains intact.

Other properties currently zoned R-0.5 or B-1, if redeveloped, may necessitate rezoning and submittal of a development or project plan or require special use permit approval. At that time, height restrictions of the Plaza Bowl Overlay would apply.

Applicability

Compliance with provisions of the Plaza Bowl Overlay is required as follows:

- a. Regulations of the Plaza Bowl Overlay apply to all properties within the boundaries of the overlay as shown on the map. The Plaza Bowl Overlay establishes certain land use regulations and height restrictions that may vary from the underlying base zoning for the properties in the Plaza Bowl Overlay District. All provisions described below as regulatory in nature have the same force and effect as, but may be variations from, those set forth in Chapter 88, Zoning & Development Code.
- b. Provisions are applicable as follows:
 - i. New Development: Full compliance with provisions of this overlay applies to all new buildings constructed within this district.
 - ii. Building Enlargements and Expansions: Full compliance with provisions of this overlay applies only to the enlargement or expansion area.
 - iii. Change of Use or Occupancy: Compliance with use standards apply whenever the use or occupancy of a property changes.
- c. Permits may be issued for previously approved site-specific development plans that were approved prior to the effective date of the Plaza Bowl Overlay, in accordance with the previously approved plan and without compliance to the Plaza Bowl Overlay. Compliance with use regulations shall be required.
- d. In consideration of the bowl concept -- which analyzed unique features of the area including natural topography, view corridors, and the built environment -- deviation to 88-610 Nonconformities is offered. All existing structures whose heights exceed those prescribed by the Plaza Bowl Overlay as of the date of ordinance approving this overlay will be allowed to remain. For such structures, permits may be issued for replacement or reconstruction to the height existing; provided, that the envelope of the existing building shall be retained in regard to, but not limited to, building form and scale, including footprint, setbacks, and step-backs. Compliance with the use regulations of the Plaza Bowl Overlay shall be required.
- e. Existing development on properties zoned UR shall comply with the approved UR development plan and shall therefore be exempt from the regulations of this document. However, if property is rezoned or an amendment to an approved development plan is required, regulations of this document shall be met.
- f. Pursuant to Chapter 88, Code of Ordinances, 88-517 Development Plan Review and Approval, 88-518 Project Plan Review and Approval, and 88-520 Master Planned Developments, and notwithstanding Sec. 88-517-09-C, the City Council may approve reasonable deviations to the height limitations set forth by this overlay, in

conjunction with an approved development plan or project plan, if the proposed use is consistent with the zoning of the property as allowed under this overlay district ordinance.

In acting on a request for a deviation, the City Council must consider the following factors: whether the proposed additional height is based on reasonably necessary and demonstrated need or hardship due to life safety, engineering, construction or restoration reasons and otherwise not attributable to conditions created by the applicant; and (ii) whether the proposed additional height will adversely affect any neighboring or nearby properties.

In no event shall the City Council grant a deviation in excess of the lesser of 10% of the height limitations set forth in this ordinance, or six feet, or which shall add any occupiable floor space.

Any deviations from the height restrictions shall be specifically called out as deviations and described on the development plan, project plan or master development plan and will not be considered to be approved unless so stated.

- g. Other than as set forth by this overlay, the underlying zoning and the regulations and standards included in Chapter 88, Zoning & Development Code, prescribed for the areas rezoned to this overlay district shall remain unchanged and shall continue to apply.
- h. Unless otherwise allowed by this section, provisions of Chapter 88, Code of Ordinances, 88-610, Nonconformities, are applicable.
- i. If provisions of this overlay district are inconsistent with Chapter 88, the provisions of this overlay district shall apply.

5. Governance

This overlay district is a Special Character Overlay (SC/O) which is outlined in Section 88-205 of Chapter 88, Code of Ordinances. The establishment of the overlay district is in accordance with the text amendment procedures of 88-510 (to establish the applicable regulations) and the zoning map amendment procedures 88-515 (to establish the district on the zoning map).

This commitment to protecting the Plaza area and guiding new development is supported by the community as well as Chapter 88, Code of Ordinances. Section 88-205-01, states: "Overlay districts are for areas of the city that have unique qualities requiring special treatment or locations where special approaches to development may be warranted. They are established as a means of addressing specific aspects of land use control or development design that transcend base zoning district provisions."

The Zoning & Development Code at Section 88-610-05 - Nonconforming Structures dictates when reconstruction (possibly to a height in excess of that permitted by the overlay) may occur due accidental damage or destruction.

6. Plaza Bowl Overlay Uses

Uses regulated by the Plaza Bowl Overlay are shown in the following table, which will replace the use table for properties within this district.

In order to promote activity at street level, the intent is to encourage development of uses such as retail, restaurant, and similar uses on the ground floor of buildings. These uses typically have points of ingress/egress, transparent storefronts and display windows, outdoor dining establishments, and other uses that encourage activity. These uses will be permitted outright.

Other uses, such as residential, office, and entertainment venues, are not typically active on the ground floors or, due to their nature, require blank walls without fenestration. These uses will require special use permit for some ground level functions. This will allow staff to review proposed design for points of ingress/egress, transparency (windows), interest in façade (to ensure pleasurable pedestrian experience/non-monotonous building wall), etc. Other uses will require special use permit approval due to their nature and effect on adjoining properties.

Finally, certain uses that are not appropriate will be prohibited.

a. PLAZA BOWL OVERLAY USE TABLE

Uses are allowed within the Plaza Bowl Overlay in accordance with Table 120-1, below.

b. USE CLASSIFICATION SYSTEM

Chapter 88, Code of Ordinances, classifies uses into "use groups," "use categories," and "specific use types." These are described and defined in [Section 88-805](#). The first column lists the groups, categories, and types allowed.

c. PERMITTED USES

Uses identified with a "P" 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 Chapter 88, Code of Ordinances.

d. SPECIAL USES

Uses identified with an "SUP" may be allowed if reviewed and approved in accordance with any special use permit procedures of [Chapter 88, Code of Ordinances, Section 88-525](#). Special uses are subject to compliance with the use standards identified in the final column of the table and all other applicable standards of Chapter 88, Code of Ordinances.

e. PROHIBITED USES

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

f. **USE STANDARDS**

The "use standards" column 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 approval by a special use permit.

Plaza Bowl Overlay Use Table

USE GROUP

Use Category
specific use type

Use-Specific Standard

RESIDENTIAL

Single Family Dwelling
In single-purpose residential building
In mixed-use building

Group Living

PUBLIC/CIVIC

Bicycle-Sharing Facility

Club, Lodge, or Fraternal Organization

College/University

Day Care

Home-based (1-5)

Family (up to 10)

Group (up to 20)

Center (21+)

Hospital

Library/Museum/Cultural Exhibit

Prohibited	
Permitted	88-323
Permitted	
SUP	
Permitted	88-322
SUP on Ground Floor Permitted Above Ground Floor	88-365
SUP on Ground Floor Permitted Above Ground Floor	88-365

SUP on Ground Floor Permitted Above Ground Floor	
SUP on Ground Floor Permitted Above Ground Floor	88-330-01
SUP on Ground Floor Permitted Above Ground Floor	88-330-02
SUP on Ground Floor Permitted Above Ground Floor	88-330-02
SUP on Ground Floor Permitted Above Ground Floor	
Permitted	88-365

Plaza Bowl Overlay Use Table

USE GROUP

Use Category
specific use type

Park/Recreation
Religious Assembly
Fire station
Police station
Ambulance service

School

Utilities and Services (except as noted below)
Basic, minor

COMMERCIAL

Adult Business
Adult media store
Adult motion picture theater
Sex shop

Animal Service
Sales and grooming
Shelter or boarding
Stable
Veterinary Office

Artist Work or Sales Space

Building Maintenance Service

Business Equipment Sales and Service

Business Support Service(except as noted below)
Day labor employment agency

Communications Service Establishments

Drive-Through Facility

Eating and Drinking Establishments (except as noted below)
Tavern or nightclub

Entertainment and Spectator Sports

Indoor small venue (1–149 capacity)

Use-Specific Standard

Permitted	
Permitted	88-365
Prohibited	
Permitted	88-365
Prohibited	
SUP on Ground Floor Permitted Above Ground Floor	88-365
SUP	
Permitted	88-425-08-B

Prohibited	
Prohibited	
Prohibited	

Permitted	88-315
Prohibited	
Prohibited	
Permitted	88-315
Permitted	
SUP	
Permitted	
Permitted	
Prohibited	
Permitted	
Permitted	88-338 & 88-340
Permitted	
Permitted	

SUP on Ground Floor Permitted Above Ground Floor	
--	--

Plaza Bowl Overlay Use Table

USE GROUP

Use Category
specific use type

**Use-Specific
Standard**

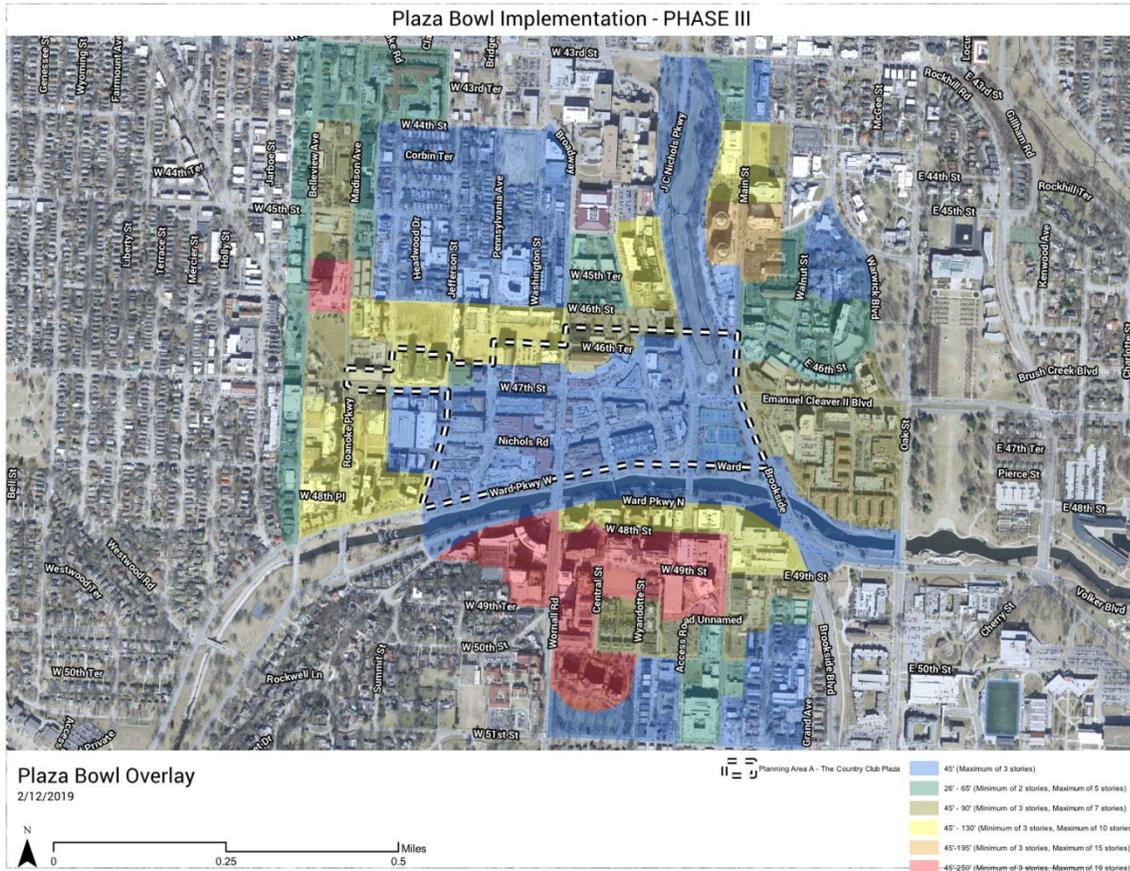
<i>Indoor medium venue (150–499 capacity)</i>	SUP on Ground Floor Permitted Above Ground Floor	
<i>Indoor large venue (500+ capacity)</i>	SUP on Ground Floor Permitted Above Ground Floor	
<i>Outdoor (all sizes)</i>	SUP	
Financial Services (except as noted below)	Permitted	
<i>Pawn shop</i>	Prohibited	
<i>Short-term loan establishment</i>	Prohibited	
Food and Beverage Retail Sales	Permitted	
Funeral and Interment Service		
<i>Cemetery/columbarium/mausoleum</i>	Prohibited	
<i>Cremating</i>	Prohibited	
<i>Undertaking</i>	Prohibited	
Gasoline and Fuel Sales	SUP	
Lodging		
<i>Bed and breakfast</i>	SUP on Ground Floor Permitted Above Ground Floor	88-320
<i>Hotel/motel</i>	Permitted	
<i>Recreational vehicle park</i>	Prohibited	
Mobile Vendor Park	Prohibited	
Office, Administrative, Professional or General	Permitted	
Office, Medical	Permitted	
<i>Blood/plasma center</i>	SUP	
Parking, Accessory	Permitted	88-323
Parking, Non-accessory	Permitted	
Personal Improvement Service	Permitted	
Repair or Laundry Service, Consumer	Permitted	
Research Service	Permitted	
Retail Sales	Permitted	
Reuse of designated historic landmark (local or national)	Permitted/ SUP	
Sports and Recreation, Participant		
<i>Indoor</i>	Permitted	

Plaza Bowl Overlay Use Table

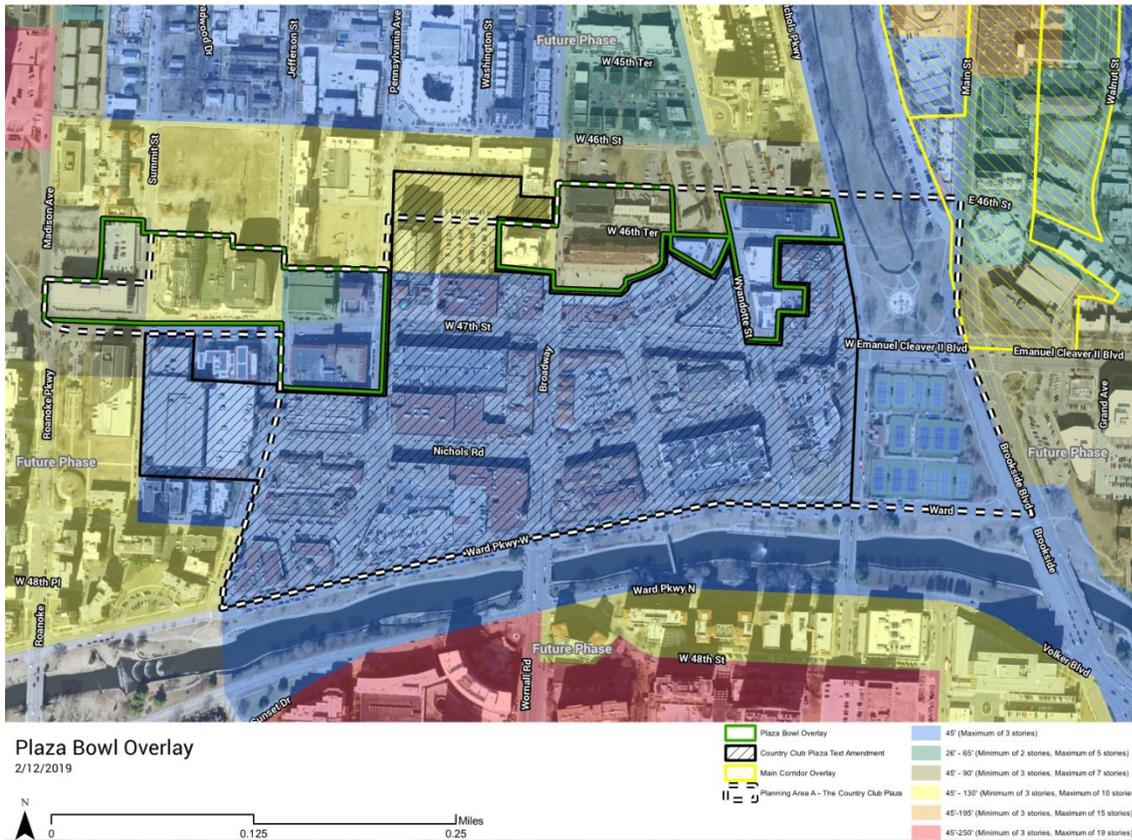
USE GROUP

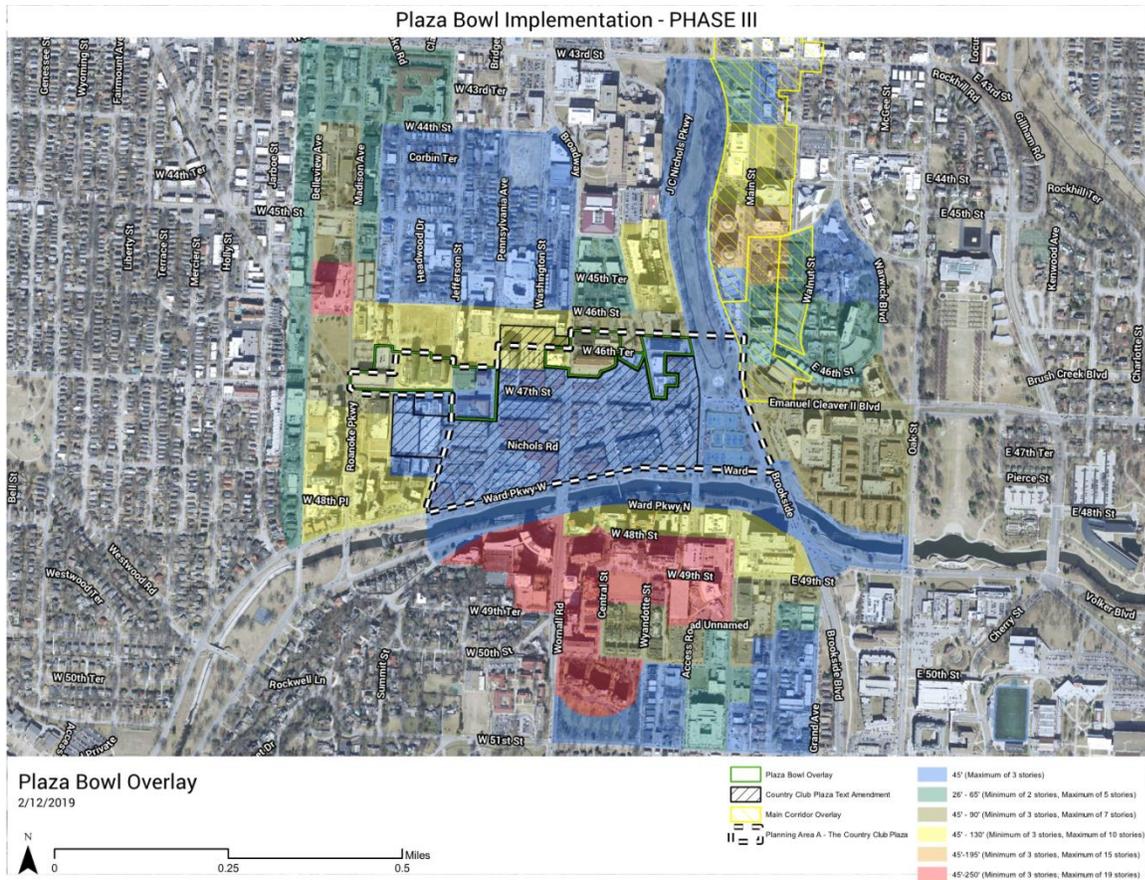
Use Category
specific use type

	Use-Specific Standard	
<i>Outdoor</i>	Permitted	
Vehicle Sales and Service		
<i>Car wash/cleaning service</i>	Permitted if within a parking structure, otherwise SUP	
<i>Heavy equipment sales/rental</i>	Prohibited	
<i>Light equipment sales/rental (indoor)</i>	Permitted	
<i>Light equipment sales/rental (outdoor)</i>	Permitted if within a parking structure, otherwise SUP	
<i>Motor vehicle repair, limited</i>	SUP	
<i>Motor vehicle repair, general</i>	SUP	
<i>Vehicle storage/towing</i>	Prohibited	
INDUSTRIAL		
Manufacturing, Production and Industrial Service		
<i>Artisan</i>	Permitted	
<i>Artisanal Food and Beverage Manufacturing</i>	Permitted	
<i>Catering Establishments</i>	Permitted	
<i>Limited</i>	Prohibited	
<i>General</i>	Prohibited	
<i>Intensive</i>	Prohibited	
Outdoor Display		
<i>Class A</i>	Permitted	88-435-02
<i>Class B</i>	Prohibited	
Outdoor Storage		
<i>Principal</i>	Prohibited	
<i>Accessory</i>	Prohibited	
Recycling Service		
<i>Limited</i>	Prohibited	
Residential Storage Warehouse	Prohibited	
Warehousing, Wholesaling, Freight Movement		
<i>Indoor</i>	Prohibited	
<i>Outdoor</i>	Prohibited	



Plaza Bowl Implementation - PHASE III







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 Chapter 88, Code of Ordinances have been given and had.

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney

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

220729



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) ****Item will be held until 12/14/22****

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



File #: 220961

ORDINANCE NO. 220961

Sponsor: Mayor Quinton Lucas

Amending Chapter 88, Code of Ordinances, by enacting new Sections 88-424-01 through 88-424-11, Tree Preservation and Protection; and amending Section 88-810 by adding and inserting definitions applicable to this new code section.

WHEREAS, this purpose of this legislation is to support and complement other City development requirements, with a focus on achieving baseline tree preservation and total tree canopy on a site, considering the anticipated use and level of development; and

WHEREAS, the intent of this ordinance is to preserve and advance the aesthetic, economic, and environmental benefits of the urban forest, by protecting trees, and mitigating any unnecessary removal of trees; and

WHEREAS, trees provide multiple benefits such as stormwater management, runoff infiltration and air quality improvement that will take replacement trees decades to match, making them critical to retain; and

WHEREAS, a healthy tree canopy enhances the City’s natural beauty and improves health, safety, and general welfare of Kansas City residents; and

WHEREAS, to further the intent of this ordinance is to preserve and enhance the City’s tree canopy cover; and ensure that certain criteria are followed including the Urban Forest Master Plan, adopted by City Council Resolution No. 200143 on May 21, 2020, established a goal of 35 percent canopy cover for the City and this is affirmed by Kansas City’s Climate Protection and Resiliency Plan.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Amending Chapter 88, Code of Ordinances, by enacting new sections 88-424-01 through 88-424-11, Tree Preservation and Protection to read as follows:

88-424. TREE PRESERVATION AND PROTECTION

88-424-01. SCOPE AND PURPOSE

The intent of this section is to preserve and advance the aesthetic, economic, and environmental benefits of a high-quality urban forest, by protecting trees and mitigating any

unnecessary removal of trees. Trees provide multiple benefits such as stormwater management, runoff infiltration, and air quality improvement that will take replacement trees decades to match, making them critical to retain. Further, a healthy tree canopy cover enhances the city's natural beauty and improves health, safety, and general welfare of Kansas City residents.

To further the intent of this section is to preserve and enhance the city's tree canopy cover and ensure that certain criteria are followed including the Urban Forest Master Plan, adopted by City Council Resolution No. 200143 on May 21, 2020, established a goal of 35 percent tree canopy cover for the city. This is affirmed by Kansas City's Climate Protection and Resiliency Plan. This section furthers other proposed and city council approved plans such as the Climate Protection and Resiliency Plan, the IBC Energy Code, the Urban Forest Master Plan, and the proposed KC Spirit Playbook.

This section sets forth regulations for the preservation, protection, planting, maintenance, and removal of trees within the city, to accomplish the following objectives:

88-424-01-A. Preserve character of Kansas City's existing tree canopy cover by preventing indiscriminate removal or destruction of trees.

88-424-01- B. Acknowledge the environmental benefits of and site design that retains existing tree canopy cover and requires additional landscaping during development.

88-424-01-C. Retain protected trees and limit unnecessary removal prior to and during development by establishing tree protection measures during development.

88-424-01-D. Allow mitigation or payment to the Capital Improvement Sales Tax Fund-Tree Planting appropriation pursuant to 88-424-02 while emphasizing the difficulty in replacing trees.

88-424-01-E. Support ecosystem services and natural environments, protect riparian banks and beds to prevent erosion and sedimentation, filter and control stormwater, reduce carbon sequestration, and improve energy conservation through canopy shade.

88-424-01-F. Encourage walking and activities and enable activity in neighborhoods to provide "eyes on the street" to assist with crime mitigation.

88-424-01-G. Enhance transition to and enable compatibility between varying land uses, buffer noise, and provide visual screening.

88-424-01-H. Protect and enhance property values, maintain investment by the private sector and the city, further stimulate economic activity, and encourage beautification.

88-424-02. APPLICABILITY

Requirements of this section are applicable to requests for the following permits and approvals in conjunction with land disturbance and development, as follows:

88-424-02-A. Any permit for land/site disturbance, including utility plans, which involves clearing, cutting, grubbing, or grading on one acre or more. No permit shall be issued prior to approval of the tree preservation and protection plan and certification by a licensed professional landscape architect registered in the State of Missouri stating that tree protection measures have been implemented on the site.

88-424-02-B. Development of property requiring development plan (including UR, MPD, and Major Amendments), project plan, minor amendment, special use permit, preliminary plat, or final plat approval, as defined in this chapter.

88-424-02-C. Application for building permit (site plan approval, pursuant to 88-530) disturbing more than 10,000 square feet. of property but not requiring a development plan, project plan, preliminary plat, or final plat approval, unless a tree preservation and protection plan has been approved for a larger area that includes the subject site.

88-424-02-D. *This section does not supersede, and shall be implemented in accordance with, other provisions of this chapter including 88-415, Stream Buffers, and 88-425, Landscaping.*

88-424-03 EXEMPTIONS

88-424-03-A. Application for building permit for a single family detached house on a previously platted lot.

88-424-03-B. Projects not listed in 88-424-02.

88-424-03-C. Projects in which no tree canopy cover will be impacted or removed, certified by a statement submitted by a licensed professional landscape architect registered in the State of Missouri. The statement shall be placed on required plans and plats.

88-424-03-D. City capital improvement projects which are subject to provisions of (Administrative Regulation) AR 5-7.

88-424-03-E. Emergency repairs performed by the city to repair infrastructure, alleviate flooding, or as otherwise determined.

88-424-03-F. Emergency tree removal due to storm damage, accidental causes, or to ensure public safety when pruning is impractical, as determined by the city forester.

88-424-03-G. Tree removal on properties owned by the Kansas City Aviation Department, where such removal is required by Federal Aviation Administration or Transportation Security Administration regulations.

88-424-03-H. Pruning or removal by public utilities of trees that encroach upon electric, telephone, or cable television transmission lines, or gas, sewer, or water pipes; as specified by Federal or State regulations, or by agreements with the City.

88-424-03-I. Orchards, nurseries, or tree farms, where product is removed for sale and replaced, unless such use is ceased for future development.

88-424-03-J. Owners and occupants of premises containing a dwelling structure, performing regular maintenance and cultivation of trees on the premises as required by 48-29 and 48-30 of the Kansas City Code of Ordinances.

88-424-03-K. Owners and occupants of non-residential premises performing regular maintenance and cultivation of trees on the premises as required by 56-433 of the Kansas City Code of Ordinances.

88-424-04. PROTECTED TREE CANOPY COVER

Tree canopy cover within the following areas shall be preserved and protected. However, if proposed development of the property cannot be designed to allow preservation of all or portions of the existing tree canopy cover, mitigation pursuant to 88-424-05 shall be required.

88-424-04-A. Buffer Areas

Buffer areas are positioned around the perimeter of the development, except for that portion of the property adjacent to right-of-way, along which no buffer area is required. The width of the buffer area varies according to adjacency or non-adjacency to residential. Buffer area that is:

1. Adjacent to land that is residentially zoned, or intended for residential use pursuant to the city's comprehensive plan. Buffer area width shall be shown as 30 feet, encompassing all trees with trunks located within 30 feet of the property line.
2. Not adjacent to residential land, as defined above. Buffer area width shall be shown as 20 feet, encompassing all trees with trunks located within 20 feet of the property line.

88-424-04-B. Remainder of Site

All trees that are within a tree canopy cover area and that are located upon that portion of the site that is not within a buffer area as defined above.

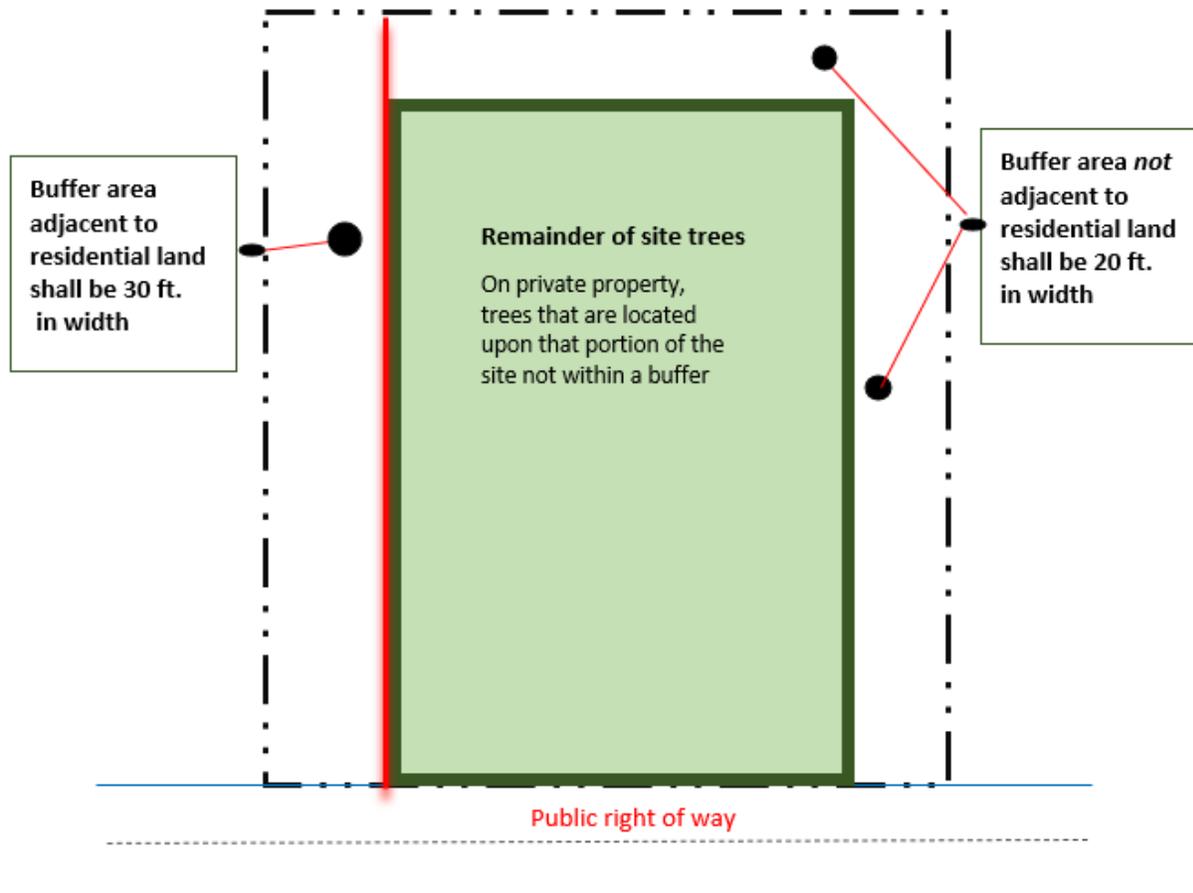


Diagram 1

88-424-05. MITIGATION

1. Mitigation may be achieved either through on-site planting of trees at the rate specified in 88-424-07, Table 1, Mitigation Rate for Trees Removed, or by payment to the Capital Improvement Sales Tax Fund-Tree Planting appropriation at a rate determined by the city forester.
2. Trees to be planted to meet mitigation requirements shall be those species native to the region or native cultivars, when available, or selected from the city's list of approved tree species. Species selection shall be based upon the amount of space available for proper growth on the site and provide desired diversity. Trees shall be planted in areas of the site where they will achieve the highest environmental benefits of tree canopy cover.

88-424-06 TREE PRESERVATION AND PROTECTION PLAN REQUIRED

88-424-06-A. Plan Preparation

The plan must be prepared by a licensed professional landscape architect registered in the State of Missouri. The two plans required – the Existing Conditions Tree Plan and the Tree Preservation and Mitigation Plan – may be combined.

88-424-06-B. Plan Content for Existing Conditions Tree Plan

The plan shall portray and denote areas of existing tree canopy cover, specifically:

1. Cloud showing all existing tree canopy of one acre or greater and with canopy closure of 20 percent or greater.
2. Tree canopy cover located within buffer areas as described in 88-424-04.
3. Tree canopy cover located upon the remainder of the site, meaning that portion of the site that is not within a buffer area as described in 88-424-04.
4. Trees within right-of-way adjacent to the property's frontage.
5. Any additional information as required by the city planning and development department director.

88-424-06-C. Plan Content for Tree Preservation and Mitigation Plan

The plan shall include information as required above, with additional information regarding mitigation (if mitigation is required):

1. Site layout, with required buffer areas and remainder of site identified.
2. Areas of existing tree canopy cover to remain.
3. Areas of existing tree canopy cover to be removed, with the following denoted:
 - a. Crown closure percentage category, with acreage to one decimal point denoted for each category, pursuant to 88-424-07, Table 1.
 - b. Tree canopy cover areas that span buffer areas and remainder of site shall be separated into subareas for purposes of calculating required mitigation.
4. Note stating that no mitigation shall be required if all trees within areas containing tree canopy of one acre or greater and with canopy closure of 20 percent or greater are to remain.
5. Information regarding any required mitigation pursuant to 88-424-07, showing:

- a. location of trees to be replaced; and/or
 - b. chart showing acreage of each crown closure percentage category, with canopy acres removed, and required caliper inches (based upon 88-424-07, Table 1);
 - c. payment to the Capital Improvement Sales Tax Fund-Tree Planting appropriation;
 - d. note stating that all dead and diseased trees within the required buffer shall be removed, if tree canopy cover is to remain within the buffer.
6. Any additional information as required by the city planning and development department director.

88-424-06-D. Tree Preservation and Protection Plan Review Criteria

Staff may consider the following factors and any other relevant information when evaluating a tree preservation and protection plan.

1. The desirability of preserving a tree or group of trees by reason of age, location, size, species, or significance, including native trees.
2. The general health and condition of the tree or group of trees or the presence of any insect, disease, injury, or hazard.
3. Whether the design incorporates the required tree preservation priorities.
4. The extent to which the area would be subject to environmental degradation due to removal of the tree or group of trees.
5. Impact upon endangered plants and animals.
6. The impact of the reduction in tree cover on adjacent properties, surrounding neighborhoods, the property on which the tree or group of trees is located, and adjacent right of way.
7. Whether alternative construction methods are proposed to reduce the impact of development on existing trees.
8. The need to remove the tree or group of trees for the purpose of installing, repairing, replacing, or maintaining essential public utilities.
9. The effects of proposed mitigation involving planting of replacement trees.

10. Compliance with other chapters of the Kansas City Code of Ordinances and adopted city plans and policies.
11. The extent to which development of the site and the enforcement of this chapter are impacted by state and federal regulations.
12. Any relationships or impacts to other projects or development.

88-424-07 MITIGATION RATES FOR TREES REMOVED

The following mitigation rates are applicable only to tree canopy cover areas removed from the remainder of site (site that is not within the buffer areas). For trees removed from buffer areas, as shown on the plan, rates will be two times the caliper inches required in this table.

Crown Closure % Categories	Multiplier x 300 Trees per Acre*	Caliper Inches Required per each Canopy Acre Removed
81-100%	1.0	300
61-80%	0.7	210
41-60%	0.5	150
20-40%	0.3	90

Table 1

Note: Caliper inches of mitigation trees planted shall count toward caliper inches required. For example, a two-inch caliper tree planted suffices for two caliper inches required.

88-424-08. COMPLIANCE WITH TREE PRESERVATION AND PROTECTION PLAN

Prior to the issuance of a final certificate of occupancy, all trees shown on the approved mitigation and landscape plans must be in place and healthy, as certified by a sealed letter submitted by a registered landscape architect licensed in the State of Missouri.

88-424-09. TREE PROTECTION MEASURES AND PROHIBITIONS

A preliminary site inspection followed by periodic inspections will be conducted by the city to ensure compliance with the tree preservation and protection plan.

88-424-09-A. Tree Protection Measures

All trees to remain, per the approved tree preservation and protection plan, shall be protected during construction by fencing and barriers as shown on the approved tree preservation and protection plan and on construction documents. All measures shall be erected and in place prior to commencement of any land disturbance, demolition, or construction activity. Protective/temporary fencing shall be required for all

protected trees to remain to prevent infringement on the root system from any construction-related activities.

- 1. The protective fencing shall be installed at the dripline of the tree or 1' for every 1" diameter at breast height away from the trunk, whichever is greater.*
- 2. The fencing shall remain in place until all other construction-related activity has been completed or final grade achieved and until final landscaping has been completed.*

88-424-09-B. Prohibited Activities

The following activities are prohibited within the protective fencing area:

1. Storage of materials for construction.
2. Collection of waste accumulated due to excavation, demolition, or construction activities.
3. Cleaning of equipment or depositing materials or liquids, including but not limited to paint, solvents, asphalt, concrete, or mortar.
4. Attachment of signs, wires, nails, or similar materials to a protected tree.
5. Vehicular and construction equipment traffic or parking.
6. Grade changes, including filling or excavating or other land disturbance;
7. Soil compaction within the drip line of the area resulting from vehicular traffic or storage of equipment.

88-424-09-C. Additional Measures

Other protective measures may be required, based upon the individual characteristics of the site and the proposed construction methods.

88-424-10. Payment in Lieu of Planting Trees as Required with Mitigation

88-424-10-A Notwithstanding anything contained in 88-424, the developer may elect, at any time before approval of the preliminary plat by the development review committee or the city plan commission, to pay money to the tree planting fund in lieu of planting trees as required with mitigation.

88-424-10-B Calculation of Tree Mitigation Requirements as shown in Table 88-424-07, as follows:

1. The payment for trees removed is based upon the number of tree caliper inches required multiplied by the average cost per caliper inch replacement trees, including planting and maintenance, per acre of canopy cover removed.
2. The tree replacement cost per caliper inch is established by wholesale tree prices and the average costs of current tree planting contract rates, and will include all costs for materials, labor, maintenance, and warranty.
3. The average tree replacement cost per caliper inch will be reviewed annually, or as determined necessary, by the city forester and adjusted accordingly.

88-424-11. Capital Improvement Sales Tax Fund-Tree Planting Appropriation

88-424-11-A. Purpose. The purpose of the Capital Improvement Sales Tax Fund-Tree Planting appropriation is to facilitate tree planting, to ensure mitigation or tree replacement when tree preservation or tree mitigation standards are not met on a particular development site, and to advance the City's goals for the urban forest and intend to achieve equitable distribution of tree-related benefits across the City.

88-424-11-B. Expenditures. Money in the Capital Improvement Sales Tax Fund-Tree Planting appropriation may be used only as follows:

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

88-424-11-C. Contributions. Contributions to the Capital Improvement Sales Tax Fund-Tree Planting appropriation may occur through a number of means, including:

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

88-424-11-D. Administration of the Capital Improvement Sales Tax Fund-Tree Planting Appropriation. The Tree Planting appropriation is under the requisitioning authority and administered by the Director of Parks and Recreation and shall be maintained in a dedicated separate account and is independent of the general fund. Any balance in the

Capital Improvement Sales Tax Fund-Tree Planting appropriation will be carried forward into subsequent fiscal years.

Section 2. Amending Section 88-810, Definitions, by adding and inserting definitions applicable to the new code section set forth in Section 1 as follows:

88-810. DEFINITIONS

88-810-275. CANOPY

The combined crowns of all trees on a tract of land.

88-810-351. COMPACTION

The densification of a fill by mechanical means.

88-810-401. CROWN CLOSURE

The ground area covered by the vertically projected crowns of the tree cover upon the ground; and amount of shading provided by the tree canopy over land.

88-810-431. CUTTING

Chopping, shearing, or shredding a tree, beyond removal of the crown, often performed with the intent of destroying the tree to remove roosting habitat of certain species in advance of development. Does not include trimming or pruning.

88-810-513. DIAMETER BREAST HEIGHT (DBH)

The diameter of a tree measured at a point 4.5 feet above the ground. If a tree splits into multi-trunks, the trunk is measured at its narrowest point below the split.

88-810-523. DRIP LINE

The area encircling the base of a tree, the minimum extent of which is delineated by a vertical line extending from the outermost tips of the tree branches down to the ground.

88-810-682.1. GRADING

Any excavating or filling of earth materials or any combination thereof.

88-810-715. LAND DISTURBANCE

Any activity that changes the physical conditions of landform, vegetation, and hydrology. Such activities include, but not limited to clearing, removal of vegetation, stripping, grading, grubbing, excavating, filling, logging, and storing of materials.

88-810-885.1. MITIGATION

The planting of trees on-site to lessen the loss of canopy and environmental damage caused by the removal of or injury to protected trees, as determined by the approved tree preservation and protection plan, during development.

88-810-935. NATIVE SPECIES

Any plant occurring naturally in within the region and not introduced by man;

indigenous.

88-810-1335. PROTECTED TREE

A tree of specified DBH, location on the site, or significance as identified on the approved tree preservation and protection plan.

88-810-1336. PRUNING

Removal of tree limbs to standards set forth by ANSI A300. At no time shall topping, tipping or flush cutting of trees be deemed a form of “pruning.”

88-810-1409. REFORESTATION

The act of planting trees in accordance with mitigation.

88-810-2031. STREET TREE

A tree located within the public right of way and planted between the curb and sidewalk, within a tree well located on a sidewalk, or within a tree easement in or adjacent to the public right of way.

88-810-2161. TOPPING

The cutting back of limbs to stubs within the tree’s crown, to such a degree as to remove the normal canopy and disfigure the tree; or the cutting back of limbs or branches to lateral branches that are less than one-half of the diameter of the limb or branch that is cut. Also referred to as stubbing, dehorning, pollarding, and heading.

88-810-2166. TREE

Any self-supporting woody perennial plant, usually having a main stem or trunk and several branches, and at maturity normally attaining a trunk diameter greater than 3 inches at DBH and a height of over 10 feet.

88-810-2166.1. TREE CANOPY COVER

Grouping of trees of one acre or larger in area with a crown closure of twenty percent or greater.

88-810-2166.2. TREE PRESERVATION AND PROTECTION PLAN

A plan that delineates areas of the site (buffer and remainder of site) and identifies protected trees to be preserved or be removed. The plan sets forth measures to be taken to ensure protection and survivability of trees to be saved, prior to and during construction.

88-810-2166.3. TREE PROTECTION

Fencing, barriers, or other measures intended to protect those trees to remain, including soil and root structure below, per the approved tree preservation and protection plan, construction documents, and ANSI A300 Construction Management Standard – Part 5

(2019).

88-810-2166.4. TREE REMOVAL

Removal of a tree(s), through either direct or indirect actions including, but not limited to, clearing, topping, or cutting, causing irreversible damage to the health of the tree(s).

Section 3. That the Council finds and declares that before taking any action on the proposed amendment to Chapter 88 hereinabove, all public notices have been given and hearings have been held as required by law.

Section 4. The City Manager is hereby directed to report back to the Neighborhood Planning and Development Committee one year after the passage of this ordinance to review the impact of this ordinance.

..end

Approved as to form:

Sarah Baxter
Senior Associate City Attorney

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

220961



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
	88-120-07	Ground-Floor Commercial Floor Space	133

	88-120-08	Indoor/Outdoor Operations	133
88-130 Downtown Districts			133
	88-130-01	Districts	133
	88-130-02	Purpose	134
	88-130-03	Eligibility for D Zoning	135
	88-130-04	Uses	135
	88-130-05	Lot and Building Standards	141
	88-130-06	Ground-Floor Commercial Floor Space	143
	88-130-07	Floor Area and Building Height Bonuses for Public Benefits	143
88-140 Manufacturing Districts			143
	88-140-01	Purpose	143
	88-140-02	Districts	143
	88-140-03	Uses	144
	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

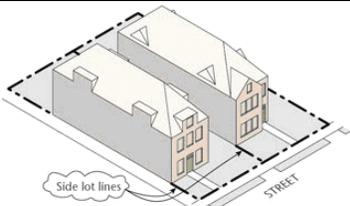
P = permitted building type - = prohibited building type

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.)										

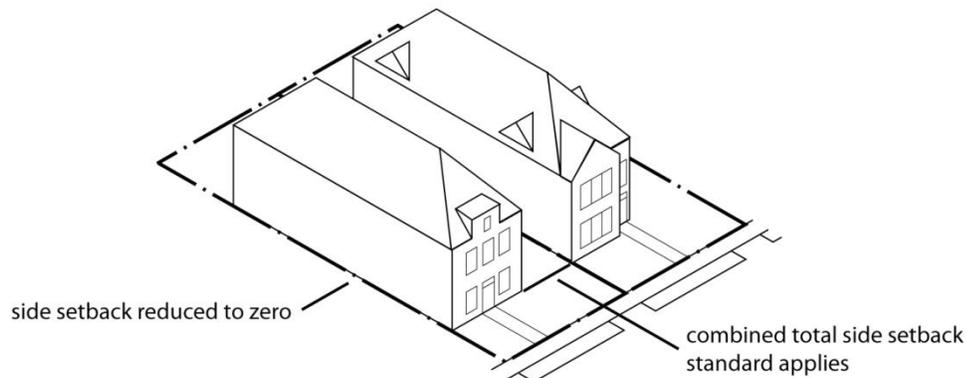
» Maximum	35	35	35	35	35	50	60	60	120	200
¹ Required building setback shall be per this table or the platted building line, whichever is greater.										
² Any residential unit having less than 350 sq. ft. per unit as of January 1, 2011, shall be considered conforming.										

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

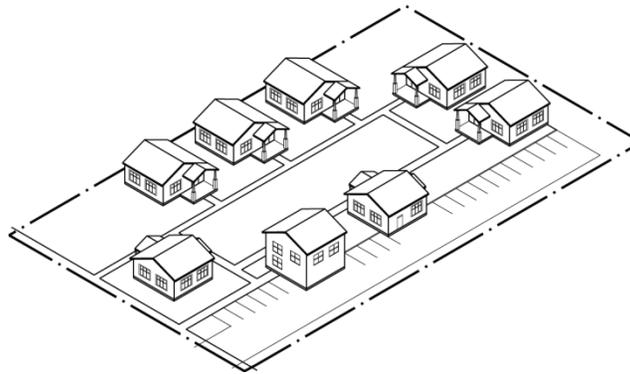
along the outer perimeter of the cottage house development site. When vehicular access to a cottage housing development is from an alley, a 4-foot minimum rear setback is allowed. All buildings within the cottage house development must be separated by a minimum distance of 10 feet.

(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.

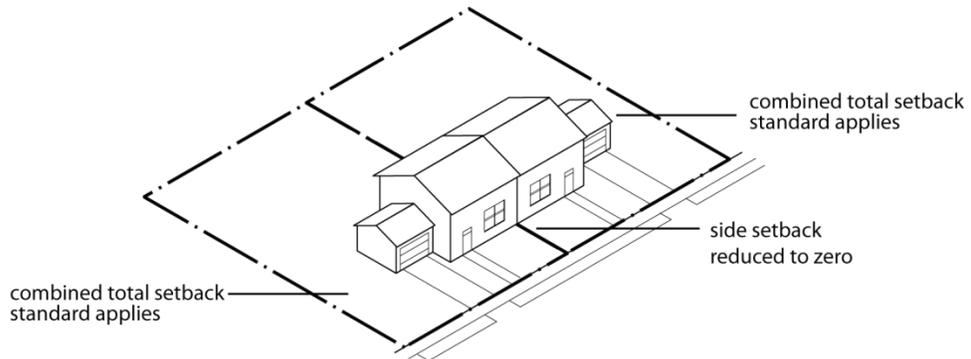
All cottages must have a roofed porch at least 80 square feet in area with a minimum dimension of 8 feet on any side.

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.

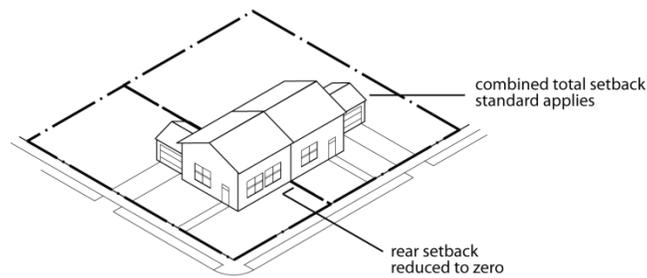
- (a) The minimum lot width for an attached house is 18 feet.
- (b) The minimum lot area per unit requirements of 88-110-06-B (*Table 110-2*) apply to attached house projects on a project-wide basis, meaning that the total area of the attached house site, including common areas comprising up to 20% of 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.

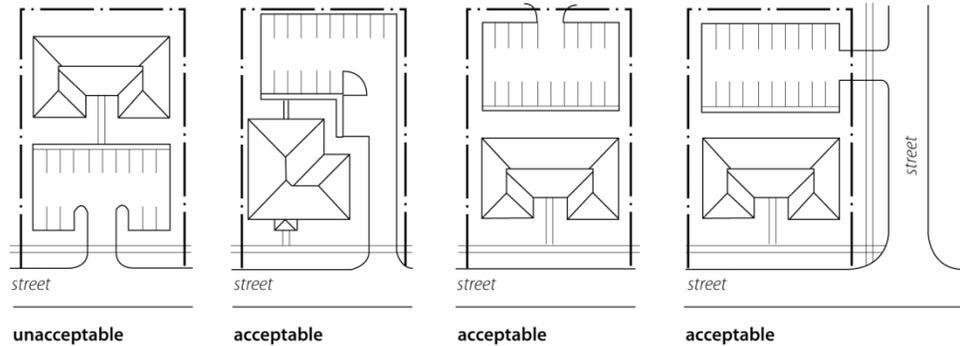
- (b) The corner lot must comply with the minimum lot area standard of the subject zoning district. No lot with less than 3,000 square feet of lot area may be used for the corner lot option.
- (c) Each dwelling unit within the two-unit house or semi-attached house must have its address and main entrance 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

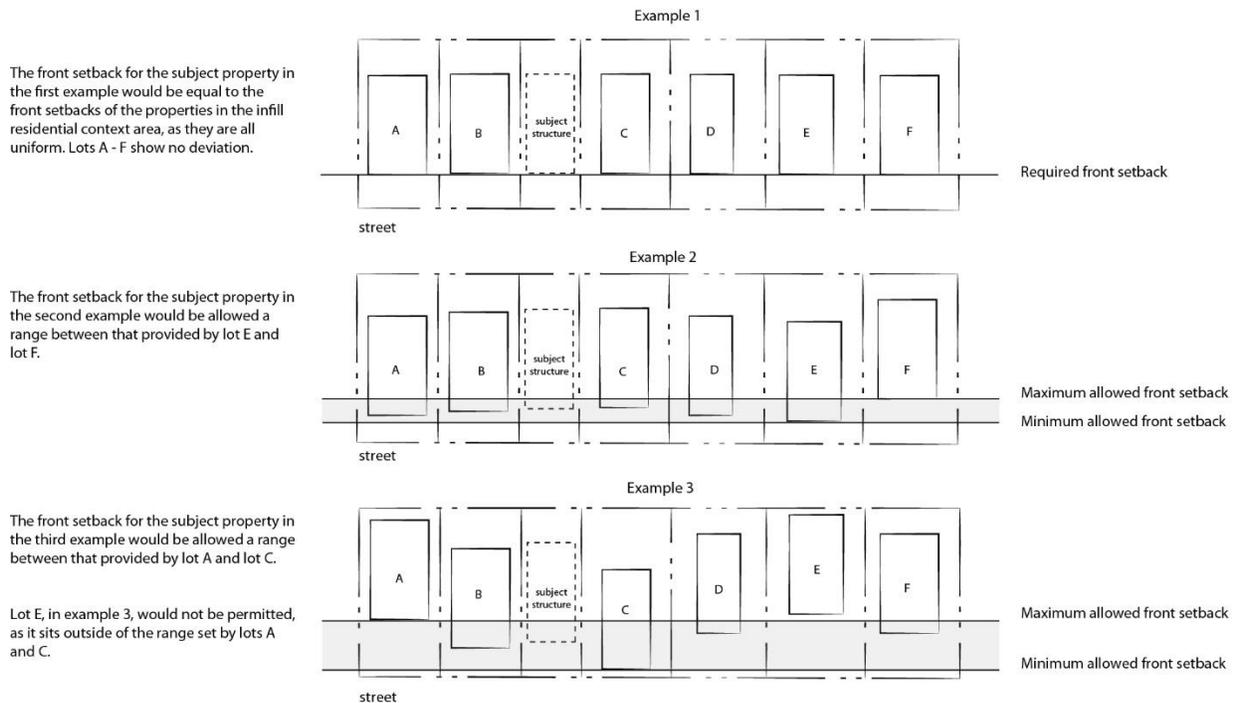
- a) The following standards shall apply to all residential districts – R-80, R-10, R-7.5, R-6, R-5, R-2.5, R-1.5, R-0.75, R-0.5, and R-0.3.
- b) Required building setback shall be pursuant to this section or the platted building line, whichever is greater.

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.

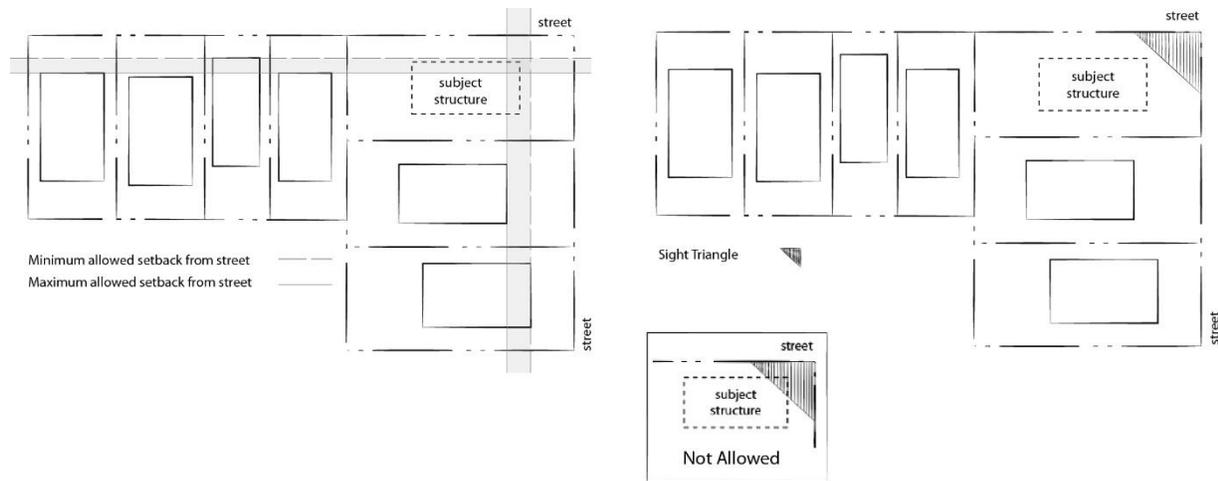
3. BUILDING DEPTH DIMENSIONAL STANDARDS

- 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.

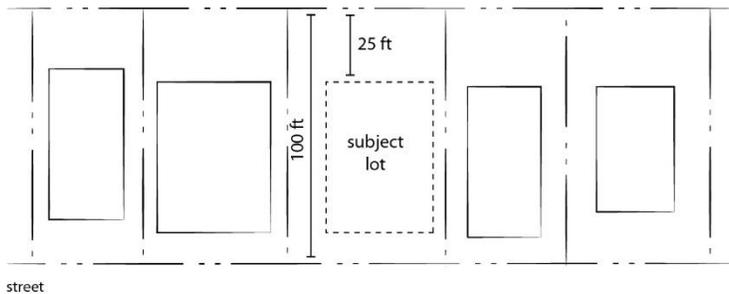


- b) **FRONT SETBACK RANGE FOR CORNER LOTS** - On corner lots, a building shall be setback no less than nor greater than that provided by the existing residential buildings on both block faces (Figure 1); however, in no case shall it encroach the sight triangle (Figure 2).

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.



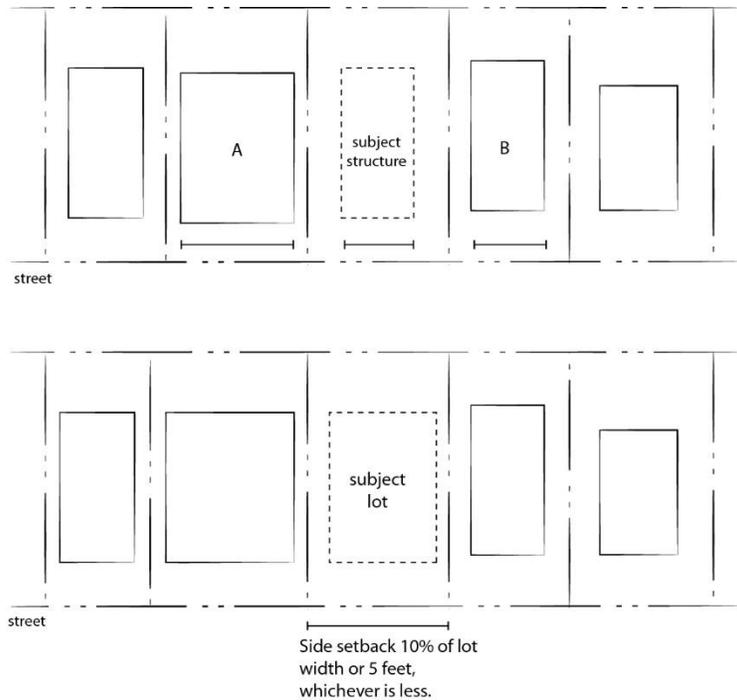
4. BUILDING WIDTH DIMENSIONAL STANDARDS

- 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.



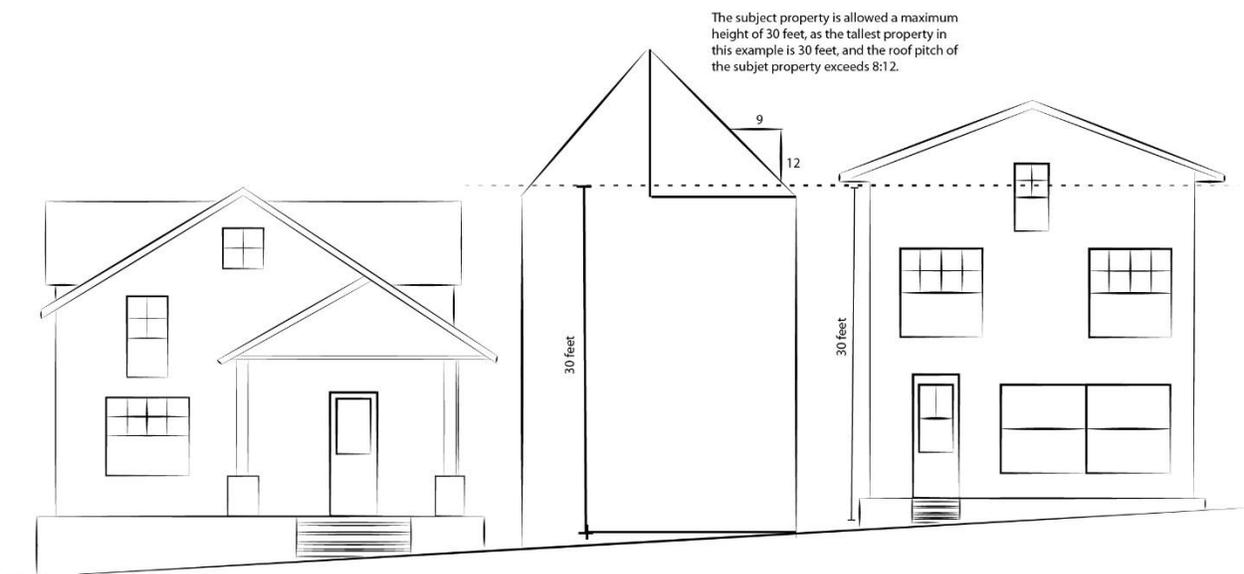
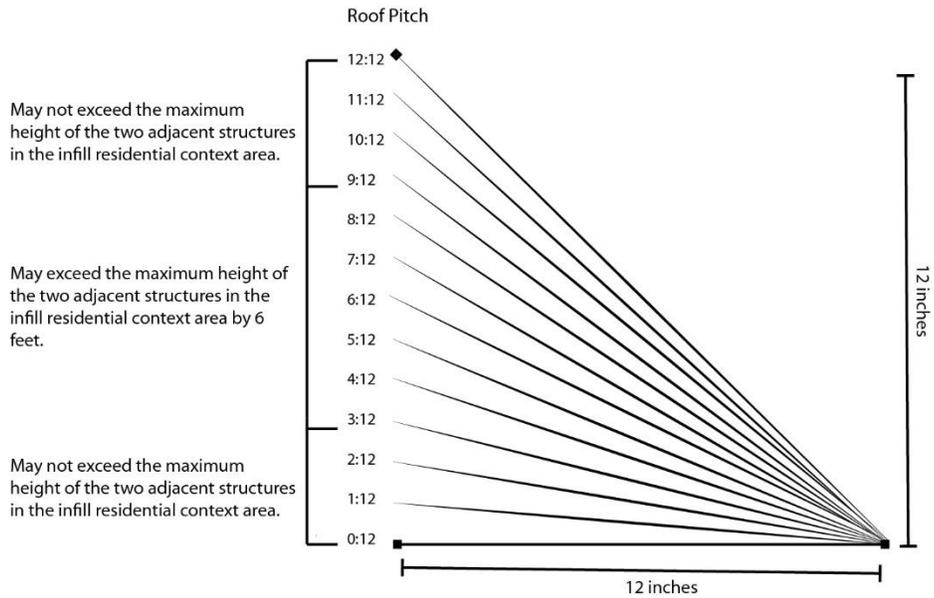
5. LOT COVERAGE STANDARDS

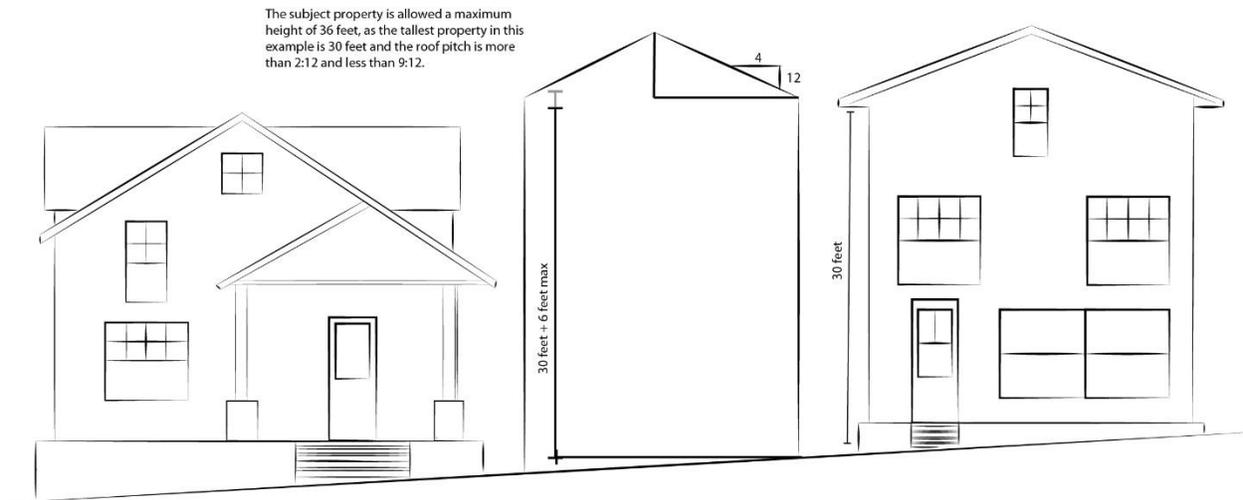
- a) MAXIMUM BUILDING COVERAGE –50% of the lot area.
- b) MAXIMUM IMPERVIOUS SURFACE COVERAGE – The maximum impervious surface coverage shall not exceed 75% of the lot area.

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

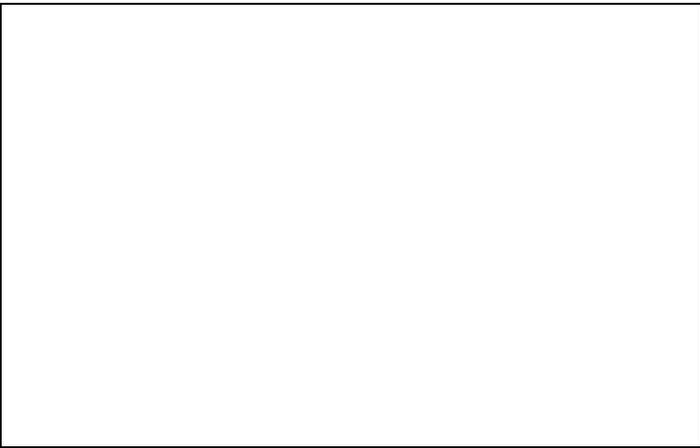
whether the subject property was occupied or resold at the completion of the permitted work

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

a. Clarify example images to improve readability

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	<p>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</p> <p>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</p> <p>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</p> <p>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.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. Implement pilot applications by neighborhood, block, or specific application type <ol style="list-style-type: none"> 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	<p>City Plan Commission 6-0 10-04-2022 By Allender, Baker, Crowl, Enders, Hill and Rojas</p> <p><input checked="" 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	<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