



Agenda

Neighborhood Planning and Development Committee

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

Wednesday, March 8, 2023

1:30 PM

26th Floor, Council Chamber

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

PUBLIC OBSERVANCE OF MEETINGS

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

Any closed session may be held via teleconference.

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

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

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

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

Beginning of Consent(s)

City Plan Commission and Director of City Planning & Development

[230205](#)

Sponsor: Director of City Planning and Development Department

Approving the plat of 152 South Apartments, an addition in Platte County, Missouri, on approximately 22.556 acres generally located at Missouri 152 and N. Platte Purchase Drive, creating 1 lot and 3 tracts for the purpose of a 341 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-2022-00044)

Attachments: [2022-00044 Docket Memo](#)

End of Consent(s)

Tax Increment Financing Commission and City Manager's Office

[230212](#) Sponsor: City Manager

Approving the Thirteenth Amendment to the North Oak Tax Increment Financing Plan and directing the City Clerk to send a copy of this ordinance to the County of Clay County, Missouri.

Attachments: [North Oak 13th Amendment - Docket Memo](#)

City Manager's Office and Planned Industrial Expansion Authority (PIEA)

[230213](#) Sponsor: City Manager

Approving the 45th and Troost PIEA General Development Plan on approximately 1.08 acres generally located at the southwest corner of 45th and Troost Avenue, and declaring said area to be blighted and in need of redevelopment and rehabilitation. (CD-CPC-2019-00065)

Attachments: [Docket Memo -](#)

Bough

[230215](#) Sponsor: Councilmember Andrea Bough

Amending Chapter 10, Code of Ordinances, by repealing Section 10-106, Extended hours permits, and enacting in lieu thereof a new section of like number and subject matter that redefines the eligible neighbors who are notified and allowed to respond to a sales-by-drink licensee's application for an extended hours permit.

Attachments: [Docket Memo Template - 10-106 - 2-28-2023](#)

City Plan Commission and Director of City Planning & Development

[230216](#) Sponsor: Director of City Planning and Development Department

Approving a major amendment to a nonresidential development plan in District DC-15 on about 1.6 acres generally located at W. 12th Street and Broadway Boulevard to construct a parking lot and demolish an existing building. (CD-CPC-2023-00007)

Attachments: [Docket Memo](#)

Fowler and Loar

[230217](#) Sponsor(s): Councilmembers Dan Fowler and Teresa Loar

Amending the Major Street Plan to change and amend the street typology of N. Line Creek Parkway from N.W. Barry Road to N.W. 68th Street from parkway to local link. (CD-CPC-2023-)

Attachments: [No Fact Sheet](#)

HELD IN COMMITTEE

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: [220961 Docket Memo](#)

Shields and Bunch

[221085](#) Sponsors: Councilmembers Katheryn Shields and Eric Bunch

RESOLUTION - Determining the compliance of the Union Hill "353" Redevelopment Project located south of Union Cemetery, and north of E. 31st Street, between Main Street on the west and Gillham Road on the east, and authorizing issuance of a Certificate of Completion to the Phoenix Redevelopment Corporation for the Union Hill Redevelopment Project.

Attachments: [Docket Memo 221085 1.23.2023](#)

Director of City Planning & Development and City Plan Commission

[230198](#) Sponsor: Director of City Planning and Development Department

Rezoning an area of about 0.98 acres generally located at 400 Main street from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), and approving a development plan that also serves as a preliminary plat. (CD-CPC-2022-00174)

Attachments: [Docket Memo Templatev28](#)
[EV3065-SLBE Contract Review Request Form REV.](#)
[10.26.2022 - Fillable-signed](#)

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.



File #: 230205

ORDINANCE NO. 230205

Sponsor: Director of City Planning and Development Department

Approving the plat of 152 South Apartments, an addition in Platte County, Missouri, on approximately 22.556 acres generally located at Missouri 152 and N. Platte Purchase Drive, creating 1 lot and 3 tracts for the purpose of a 341 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-2022-00044)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of 152 South Apartments, 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 January 17, 2023.

..end

Approved as to form:

Eluard Alegre
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

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

The applicant is seeking approval of a final plat in District R-1.5, on the west side of N. Platte Purchase Drive between Mo 152 and NW 87th Terrace on about 22.6 acres, creating one lot

Discussion

CD-CPC-2022-00029 - A request to approve a development plan and a preliminary plat to create one (1) lot and four (4) tracts for multi-family residential uses containing 333 units on about 22.33 acres generally located at MO 152 and N. Platte Purchase Drive was approved by Council on May 19, 2022.

Fiscal Impact

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

2. What is the funding source?

NA

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

NA

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

NA

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

NA

Office of Management and Budget Review

(OMB Staff will complete this section.)



City of Kansas City, Missouri

Docket Memo

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

Additional Discussion (if needed)

NA

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

Prior Legislation

See CPC Staff Report

Service Level Impacts

See CPC Staff Report.

Other Impacts

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



City of Kansas City, Missouri

Docket Memo

NA

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

NA

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

The development proposes dense residential units with a focus on varying modes of transportation.

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

NA

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")?

NA



File #: 230212

ORDINANCE NO. 230212

Sponsor: City Manager

Approving the Thirteenth Amendment to the North Oak Tax Increment Financing Plan and directing the City Clerk to send a copy of this ordinance to the County of Clay County, Missouri.

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 February 24, 2005, the City Council of Kansas City, Missouri (the “Council”) passed Committee Substitute for Ordinance No. 050104, which accepted the recommendations of the Commission and approved the North Oak Tax Increment Financing Plan (the “Redevelopment Plan”) and designated the Redevelopment Area described therein to be a blighted area (the “Redevelopment Area”); and

WHEREAS, on July 20, 2006, the Council passed Committee Substitute for Ordinance No. 060534 approving the First Amendment to the North Oak Tax Increment Financing Plan, which provides for (A) the expansion of the Redevelopment Area by adding a 32 acre parcel for development into retail space and (B) a change in designation of the Redevelopment Area from a blighted area to a conservation area; and

WHEREAS, a second amendment to the Redevelopment Plan (the “Second Amendment”) was presented to the Commission but was never approved; and

WHEREAS, on October 11, 2007, the Council passed Committee Substitute for Ordinance No. 070996 approving the Third Amendment to the Redevelopment Plan, which provides for expansion of the Redevelopment Area by including the east side of the 4200 block of North Oak Trafficway as Redevelopment Project 2B, which is to be developed into retail uses; and

WHEREAS, on October 1, 2009, the Council passed Committee Substitute for Ordinance No. 090832 approving the Fourth Amendment to the Redevelopment Plan, which provides for

(A) the creation of a benefit area for the purposes of establishing a housing and infrastructure program and (B) revisions to the budget to include funding for design streetscape improvements; and

WHEREAS, on February 11, 2010, the Council passed Ordinance No. 100083 approving the Fifth Amendment to the Redevelopment Plan, which provides for certain modifications to the Budget of Redevelopment Project Costs attached to the Redevelopment Plan; and

WHEREAS, on September 30, 2010, the Council passed Ordinance No. 100705 approving the Sixth Amendment to the Redevelopment Plan, which provides for certain modifications to the Budget of Redevelopment Project Costs attached to the Redevelopment Plan; and

WHEREAS, on March 1, 2012, the Council passed Ordinance No. 120172 approving the Seventh Amendment to the Redevelopment Plan, which provides for certain modifications to the Budget of Redevelopment Project Costs attached to the Redevelopment Plan; and

WHEREAS, on September 8, 2016, the Council passed Ordinance No. 160670 approving the Eighth Amendment to the Redevelopment Plan, which provides for certain modifications to the public improvements, Budget of Redevelopment Project Costs and creates the Neighborhood Infrastructure and Site Program; and

WHEREAS, on October 5, 2017, the Council passed Ordinance No. 170739 approving the Ninth Amendment to the Redevelopment Plan, which provides for the addition of guidelines for the North Oak Façade and Site Program; and

WHEREAS, on February 1, 2018, the Council passed Ordinance No. 180053 approving the Tenth Amendment to the Redevelopment Plan, which provides for modifications to the description of the Project Improvements and the Budget of Redevelopment Project Costs; and

WHEREAS, on August 27, 2020, the Council passed Ordinance No. 190925 approving the Eleventh Amendment to the Redevelopment Plan, which provides for modifications to the Budget of Redevelopment Project Costs and Sources of Funds and the Specific Objectives of the Redevelopment Plan to provide for streetscape and trail improvements along N. Troost Trail; and

WHEREAS, on August 11, 2022, the Council passed Ordinance No. 220665 approving the Twelfth Amendment to the Redevelopment Plan, which provides for modifications to the boundaries of the Redevelopment Area, description of public improvements described by the Redevelopment Plan, Budget of Redevelopment Project Costs, Source of Funds, and Development Schedule; and

WHEREAS, the Thirteenth Amendment to the North Oak Tax Increment Financing Plan (the “Thirteenth Amendment”) modifies Exhibit 13 of the plan, the “Façade and Site Improvement Guidelines” described therein and such change does 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 Thirteenth 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 Committee Substitute for Ordinance Nos. 050104, 060534, 070996, and 090832, Ordinance No. 100083, Ordinance No. 100705, Ordinance No. 120172, Ordinance No. 160670, Ordinance No. 170739, Ordinance No. 180053, Ordinance No. 190925, and Ordinance No. 220665 with respect to the Redevelopment Plan are not affected by the Thirteenth Amendment and apply equally to the Thirteenth Amendment;
- (b) The Redevelopment Area, as amended, is a conservation 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 Thirteenth Amendment;
- (c) The Redevelopment Plan, as amended by the Thirteenth 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 Thirteenth 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 Thirteenth 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 Thirteenth 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 Thirteenth 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 Thirteenth 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, as amended, 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: Please Select

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

Consideration of the Thirteenth Amendment to the North Oak Tax Increment Financing Plan.

Discussion

The 13th Amendment to the North Oak TIF Plan amends Exhibit 13 - "North Oak Façade and Site Program Guidelines" to increase the maximum amount of money the advisory committee may grant a single project from \$20,000 to \$50,000. The North Oak TIF Advisory Committee considered this change, and voted unanimously to approve it. Staff has reviewed this change and recommends approval.

Fiscal Impact

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

2. What is the funding source?

N/A – This is a rule change to a Façade and Site Improvement Program. Any money spent is funds that have been set aside for the operation of this program.

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

N/A

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

N/A

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

Does not generate or spend revenue. Only changes a rule in the Façade and Site Program Guidelines that dictates the amount of funding that may be spent on a single project.



City of Kansas City, Missouri

Docket Memo

Office of Management and Budget Review

(OMB Staff will complete this section.)

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

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

Prior Legislation

050104, 060534, 070996, 090832, 100083, 100705, 120172, 160670, 170739, 180053, 190925, 220665

Service Level Impacts

N/A

City of Kansas City, Missouri

Docket Memo

Other Impacts

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

None. Potentially encourages additional businesses to utilize façade and site improvement program money to invest in their property and adding additional curb appeal.

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

Advisory Group and NNI, Inc. have been advertising the program.

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

Yes; enticing businesses to utilize program funding to clean up their appearance, can keep the area operating and not fall into decay or blight.

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

This does not apply to the activities of the TIF Commission.

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")?

The TIF Commission complies with the Code of Ordinances Chapter 3.



File #: 230213

ORDINANCE NO. 230213

Sponsor: City Manager

Approving the 45th and Troost PIEA General Development Plan on approximately 1.08 acres generally located at the southwest corner of 45th and Troost Avenue, and declaring said area to be blighted and in need of redevelopment and rehabilitation. (CD-CPC-2019-00065)

WHEREAS, the Planned Industrial Expansion Authority of Kansas City, Missouri (“Authority”) did prepare or cause to be prepared the 45th and Troost PIEA General Development Plan and recommended that the Council approve the finding of blight and approve the General Development Plan for the area; and

WHEREAS, the City Plan Commission has reviewed and recommended approval of the finding of blight of the 45th and Troost PIEA General Development Plan on September 21, 2021, as evidenced by its disposition of the case and its written recommendations submitted to the City; and

WHEREAS, Section 100.400, RSMo, authorizes the Council to make a finding that an area is a blighted area and approve a general development plan for such area if the Council finds that the plan is feasible and in conformity with the general plan for the development of the community as a whole; and

WHEREAS, on October 6, 2016, the City did pass Second Committee Substitute for Ordinance No. 160383, as amended, which enacted guidelines on the City’s use of abated and exempted real property taxes in funding economic development projects; and

WHEREAS, Section 9 of Ordinance No. 160383, as amended, as modified by Second Committee Substitute for Ordinance 200497, as amended, provides that notwithstanding the guidelines set forth therein, the Council retains its discretion to authorize the capture and redirection, or abatement or exemption, in whole or in part, of ad valorem real property taxes to the full extent authorized by any provision of law; and

WHEREAS, City Code §3-622(d), provides prevailing wage requirements for certain construction projects and development plans, and further provides for the waiver of said requirements, giving particular consideration to the enumerated extraordinary qualifications.; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council declares the area of approximately 1.08 acres generally located the southwest corner of 45th and Troost Avenue, and more specifically described by metes and bounds on Exhibit A attached hereto and incorporated herein by reference, to be a blighted area as defined in Section 100.310, RSMo, and more specifically finds that there is a predominance of insanitary and unsafe conditions, deterioration of site improvements, and the existence of conditions which endanger life and property by fire and other causes in such planning area and as a result of the predominance of those conditions the planning area in its present condition and use constitutes an economic and social liability and a serious menace to the public health, safety, morals, and welfare.

Section 2. That the 45th and Troost PIEA General Development Plan prepared by the Authority and recommended to the Council is intended to and shall affect and be applicable to only the real property specifically described in Section 1 above and is hereby approved. A copy of said General Development Plan is attached to this ordinance and is made a part hereof.

Section 3. That the Council has duly made the findings necessary for compliance with Section 100.300-100.620, RSMo.

Section 4. That the General Development Plan is hereby found to be feasible and in conformance with the general plan for the development of the community as a whole.

Section 5. That the ad valorem tax exemption benefits as authorized in Section 100.570, RSMo, are hereby extended to the plan area to the extent and in the manner as provided for in said General Development Plan, and subject to the execution of a development agreement with the Planned Industrial Expansion Authority of Kansas City, Missouri, and the developer.

Section 6. That pursuant to Section 9 of Second Committee Substitute for Ordinance No. 160383, as amended, as modified by Section E of Second Committee Substitute for Ordinance 200497, as amended, the City Council hereby authorizes the abatement of ad valorem real property taxes to the full extent authorized by Section 100.570, RSMo, with respect to any project in the plan area providing affordable housing or housing at deeper levels of affordability, as defined in Code §74-11.

Section 7. That pursuant to and in accordance with City Code §3-622(d), the City Council recognizes that the projects in the 45th and Troost PIEA General Development Plan that provide affordable housing or housing at deeper levels of affordability, as defined in Code §74-11, are eligible for the waiver of prevailing wage requirements and confirms the PIEA's authority to issue such a waiver for qualifying projects.
..end

I hereby certify that as required by Chapter 100, RSMo, as amended, all public notices have been given and public hearings held, as required by law.

Approved as to form:

Emalea Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution # 230213

Submitted Department/Preparer:

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

The legislation approves the 45th and Troost PIEA General Development Plan on approximately 1.08 acres generally located at the southwest corner of 45th and Troost Avenue, and declaring said area to be blighted and in need of redevelopment and rehabilitation.

Discussion

The site is within the Midtown/ Plaza Area Plan which recommends Mixed Use Neighborhood land use for the subject property. The proposed development plan is in conformance with the Area Plan land use recommendation. This incentive plan also has an accompanying UR development plan as required by the zoning and development code. The property owners may seek a tax abatement which provides for abatement for a period of time. Abatement for projects within the redevelopment area shall be subject to the provisions of Second Committee Substitute for Ordinance No. 160383, As Amended, and as may be further amended from time to time, which was adopted by the City Council on or about October 6, 2016. The real estate shall not receive greater than a seventy-five percent (70%) abatement of real property taxes for the first ten years and thirty-seven and one-half percent (30%) abatement for the following fifteen years. However this limitation may be waived with Council approval to allow for abatements that exceed this threshold for certain qualifying projects. It is anticipated that projects in the 45th and Troost General Development Plan area will qualify for the waiver with the satisfaction of providing affordable housing or housing at deeper levels of affordability, as defined in Code Section 74-11. The Planning Area is also included within the Brush Creek Corridor Tax Increment Financing Plan and the Troost Paseo Urban Renewal Area. The PIEA has the statutory right to exercise the power of eminent domain to acquire any real property it deems necessary for a project or for its purposes under this law upon the adoption by the PIEA of a resolution declaring that the acquisition of the real property described therein is necessary for such purposes. The PIEA does not anticipate exercising the power of eminent domain within the Planning Area, except possibly to clear title, and will limit the use of eminent domain to five (5) years from the approval of the Plan. Should eminent domain be necessary to acquire real property in the future, the Plan shall be amended and such amendment shall be considered and approved by the PIEA and the City Council. The PIEA shall observe its approved standard procedures for consideration of such amendments, including notices to owners(s) and developer(s). Any use of eminent domain shall satisfy the requirements of Chapter 523, RSMo. City Staff does not comment on whether the site is blighted or not, however a blight analysis prepared by Belke Appraisal & Consulting Services, Inc. determines that the plan area is blighted. The Board of Commissioners of the Planned Industrial Expansion Authority (PIEA) of Kansas City, Missouri approved the Blight Study and General Development Plan for the 45th and Troost PIEA Redevelopment Area. Further, the Board recommended to the City Council that the 45th and Troost PIEA Area be designated by ordinance as blighted, insanitary or an undeveloped



City of Kansas City, Missouri

Docket Memo

industrial area, as defined by RSMo sections 100.310(2), 100.310(11) and 100.310(18), and that the General Development Plan for the 45th and Troost PIEA Area be approved.

Fiscal Impact

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

2. What is the funding source?

[Click or tap here to provide fund name\(s\).](#)

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

No fiscal impact in the current fiscal year.

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

A future fiscal impact will arise with approval of redevelopment proposals by the Planned Industrial Expansion Authority (PIEA) and Chapter 353 Tax Abatement treatment. Such tax abatement on real property will consist of the following: 1) 100% abatement for 10 years on amounts over the tax due on land for the year prior to the property being acquired by the redevelopment corporation; 2) The property is then eligible for an additional 50% abatement on the value of land and any improvements for the next 15 years. The tax abatement for this plan shall be consistent with the Second Committee Substitute for Ordinance No. 200497, which capped the abatement at seventy percent (70%) of real property taxes for the first ten years and thirty percent (30%) for the following 5 years. However this limitation may be waived with Council approval to allow for abatements that exceed this threshold for certain qualifying projects. It is anticipated that projects in the 45th and Troost General Development Plan area will qualify for the waiver with the satisfaction of providing affordable housing or housing at deeper levels of affordability, as defined in Code Section 74-11. Each project will undergo a financial analysis prior to incentives being awarded. PIEA approves incentives through its board, however other elements of the projects (design standards, etc.) will require council approval.

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

The legislation itself does not generate revenue, leverage outside funding, or deliver a return on investment. In the future with the approval of redevelopment proposals by the Planned Industrial Expansion Authority (PIEA) tax revenue will be generated dependent on the terms of a development agreement between the PIEA and the developer. That said, the legislation positions the blighted and under-utilized propoerty to be eligible for a return on investment, and at the very



City of Kansas City, Missouri

Docket Memo

least could generate 50%-70% property tax revenues beginning in a project's eleventh year and all property tax revenues at the beginning of a project's twenty-fifth year. A project would also generate new sales tax, earnings tax, utility tax, and personal property tax revenues upon completion of the development, in addition to affordable housing and the elimination of blight that has a negative impact on surrounding property values. Potential redevelopment projects at the least would likely be financed with a combination of private equity, debt, and perhaps other outside funding sources not yet identified. A return on investment will only occur upon the implementation of a future redevelopment proposal and will be dependent on the terms of the development agreement between the PIEA and the developer and the timing of implementation.

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 - 1. Increase affordable housing supply to meet demands of a diverse population. 2. Broaden the capacity and innovative use of funding sources for affordable housing - b) Align developer incentives with affordable housing production and commitment; c) Utilize Brownfield assistance programs to facilitate and support development of new infill affordable housing in established neighborhoods or on repurposed property. 3. Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures. INFRASTRUCTURE AND ACCESSIBILITY - 1. Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system - d) Utilize the City's Transit Oriented Development Policy to encourage higher density for new housing developments within close proximity of frequent public transit service.

Prior Legislation

Ordinance Nos. 160383 and 200497 as relates to the use of development incentives and Ordinance No. 220700 as relates to the City's Affordable Housing Set Aside.



City of Kansas City, Missouri

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Service Level Impacts

This legislation will have no impact on service levels. Subsequent redevelopment within the plan area will have impacts on traffic and possibly other services that will not exceed levels prescribed by the City.

Other Impacts

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

This legislation itself has no health impacts but will allow for the elimination of blight and environmental liabilities that will improve the quality of life for all in the immediate vicinity of the planning area. The implementation of future redevelopment proposals will abide by all local, state and federal laws and in doing so will minimize and/or eliminate any negative health impacts as required, including the remediation of property contamination with the assistance of the City's Brownfields Office that is already underway.

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

Not applicable.

3. Is this legislation good for the children?

Yes.

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

The legislation itself allows for, but does not guarantee, the potential redevelopment of currently blighted properties and subsequent provision of dense affordable housing in a transit corridor that will utilize green design, materials and equipment.



File #: 230215

ORDINANCE NO. 230215

Sponsor: Councilmember Andrea Bough

Amending Chapter 10, Code of Ordinances, by repealing Section 10-106, Extended hours permits, and enacting in lieu thereof a new section of like number and subject matter that redefines the eligible neighbors who are notified and allowed to respond to a sales-by-drink licensee's application for an extended hours permit.

WHEREAS, Section 10-214 requires the City to notify eligible neighbors of various matters concerning licenses for alcoholic beverages, including extended hours permits, and to allow such eligible neighbors to submit a response indicating whether they support or oppose such license or permit; and

WHEREAS, the City reviews responses from eligible neighbors, in accordance with Section 10-214, to determine whether the proposed license or permit cannot be issued because it is likely to interfere with or be detrimental to the rights or interests of the neighboring community; and

WHEREAS, Section 10-106(d) currently states that, for applications for 3:00 a.m. extended hours permits, any property owner is considered to be an eligible neighbor if they are within 1500 feet of the proposed premises; and

WHEREAS, the City's Regulated Industries Division has found that property owners farther away from the site of a proposed extended hours permit express fewer and less serious concerns compared to those property owners in closer proximity to the restaurant or bar seeking such permit; and

WHEREAS, City previously defined eligible neighbors for an extended hours permit at a minimum of 30 eligible voters within 500 feet of the proposed permit site, and increased the radius by segments of 100 feet not to exceed 1,500 feet until a minimum of 30 eligible voters were found; and

WHEREAS, City's Regulated Industries Division believes that a return to the previous definition of eligible neighbors for extended hours permits would be more effective in targeting responses from property owners who would more readily face the potential impacts of such permits; and NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 10, Code of Ordinances of Kansas City, Missouri, is hereby amended by repealing Section 10-106, Extended hours permits, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 10-106. Extended hours permits.

(a) *Convention trade area 3:00 a.m. closing permit—Eligibility.*

(1) A convention trade area 3:00 a.m. closing permit, authorized by RSMo § 311.174, authorizes the licensee who holds a section 10-102, 10-103, 10-134 or 10-135 sales-by-drink license to remain open between 1:30 a.m. and 3:00 a.m., if they meet the location requirement outlined in section 10-212, and:

- a. The applicant's business is located within the convention trade area. Pursuant to RSMo § 311.174, the city's convention trade area is hereby designated as all that territory within the corporate limits of the city; and
- b. The director determines that the extended hours permit is not likely to interfere with or be detrimental to the rights or interests of the neighboring community, pursuant to section 10-212; and either
- c. The applicant's business is a convention hotel or motel, defined as any structure, or building, under one management, which contains rooms furnished for the accommodation or lodging of guests, with or without meals being so provided, and kept, used, maintained, advertised or held out to the public as a place where sleeping accommodations are sought for pay or compensation by transient guests or permanent guests, and having more than 100 bedrooms furnished for the accommodation of such guests, provided that a hotel or motel with less than 100 bedrooms furnished for accommodation that has a current convention trade area 3:00 a.m. closing permit which is located more than 1.5 drivable miles from a convention hotel or motel will be allowed to maintain its convention trade area 3:00 a.m. closing permit as long as all other requirements of this chapter have been met; or
- d. The applicant's annual gross sales at said business for the year immediately preceding the application for a 3:00 a.m. closing permit equals \$125,000.00 or more; provided, however, that the director may waive the foregoing gross sales requirement for a business located in the downtown economic entertainment district if requested by the applicant and the request is supported by documentation that the business should produce annual gross sales equal to \$125,000.00 or more.

(2) Package sales. No retail licensee holding a convention trade area 3:00 a.m. closing permit pursuant to this section, nor employee of the licensee, shall sell, give away, otherwise dispose of or allow the removal from the licensed premises any alcoholic beverages in the original package or suffer the same to be done on or about the licensed premises between the hours of 1:30 a.m. and 6:00 a.m.

- (3) Notwithstanding the limitations contained in this section, the director may waive the gross sales requirement for an establishment that held a convention trade area 3:00 a.m. closing permit in the year immediately prior, if the applicant provides documentation that the licensed establishment was closed or had reduced sales in the year immediately prior because of an event or occurrence outside of the control of the applicant that resulted in a state of emergency lasting more than two weeks, as declared by the Mayor or governor of Missouri.

(b) *Temporary 3:00 a.m. closing permit—Eligibility.*

- (1) A temporary 3:00 a.m. closing permit, authorized by RSMo § 311.088, authorizes the licensee who holds a section 10-102, 10-103, 10-134 or 10-135 sales-by-drink license to remain open between 1:30 am. and 3:00 a.m. within one 24-hour period if they meet the location requirements as outlined in section 10-212.
- (2) *Package sales.* No retail licensee holding a temporary 3:00 a.m. closing permit pursuant to this section, nor employee of the licensee, shall sell, give away, otherwise dispose of or allow the removal from the licensed premises any alcoholic beverages in the original package or suffer the same to be done on or about the licensed premises between the hours of 1:30 a.m. and 6:00 a.m.

(c) *Nonprofit organization 6:00 a.m. closing permit—Eligibility.*

- (1) A nonprofit organization 6:00 a.m. closing permit authorized by RSMo § 311.174 authorizes a licensee who holds a section 10-102, 10-103, 10-134 or 10-135 sales-by-drink license to remain open between 1:30 a.m. and 6:00 a.m., if they meet the location requirements as outlined in section 10-212., and:
- a. The applicant is a nonprofit organization exempt from federal income taxes under section 501(C)(7) of the Internal Revenue Code of 1986 as amended; and
 - b. The applicant is located in a building designated as a National Historic Landmark by the United States Department of Interior; and
 - c. The applicant's business is located within the convention trade area. Pursuant to RSMo § 311.174, the city's convention trade area is hereby designated as all that territory within the corporate limits of the city.

(d) For applications for 3:00 a.m. closing permits, the eligible neighbors under sections 10-212 and 10-214 shall be a minimum of 30 property parcels that are wholly within or intersected by a radius of 500 feet from the proposed premises, and, for any premises that does not either intersect or include the boundaries of a minimum of 30 property parcels within a radius of 500 feet, the radius will be increased by segments of 100 feet not to exceed 1,500 feet until the premises is intersected by or within the boundaries of a minimum of 30 property parcels.
..end

Approved as to form:

Bret Kassen
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

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

This proposed change redefines the eligible neighbors who are notified and allowed to respond to a sales-by-drink licensee’s application for an extended hours permit in order to obtain information from those property owners who would be most greatly impacted by such permits.

Discussion

The City’s Regulated Industries Division has found that property owners farther away from the site of a proposed extended hours permit express fewer and less serious concerns compared to those property owners in closer proximity to the restaurant or bar seeking such permit.

Fiscal Impact

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

2. What is the funding source?

Not applicable.

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

This proposed legislation will not come at a cost.

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?

No.

Office of Management and Budget Review

(OMB Staff will complete this section.)



City of Kansas City, Missouri

Docket Memo

- 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 (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

Prior Legislation

The City previously defined eligible neighbors for an extended hours permit at a minimum of 30 eligible voters within 500 feet of the proposed permit site, and increased the radius by segments of 100 feet not to exceed 1,500 feet until a minimum of 30 eligible voters were found.

Service Level Impacts

None.

Other Impacts

City of Kansas City, Missouri

Docket Memo

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

None when compared to the legislation that is currently in place.

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

The Alcoholic Beverage Advisory Group unanimously voted to approve the recommendation that the City Council adopt this proposed ordinance. The Alcoholic Beverage Advisory Group is comprised of five representatives from the liquor industry that hold liquor licenses, three representatives from neighborhoods, one representative from the clergy, one attorney representing Kansas City neighborhoods, one attorney who represents at least 5 liquor license holders and one representative of a school district whose borders overlap KansasCity, Missouri.

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

By improving the extended hours liquor licensing process.

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")?

Click or tap here to enter text.



File #: 230216

ORDINANCE NO. 230216

Sponsor: Director of City Planning and Development Department

Approving a major amendment to a nonresidential development plan in District DC-15 on about 1.6 acres generally located at W. 12th Street and Broadway Boulevard to construct a parking lot and demolish an existing building. (CD-CPC-2023-00007)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a nonresidential development plan in District DC-15 (Downtown Core) on about 1.6 acres generally located at W. 12th Street and Broadway Boulevard, and more specifically described as follows:

416 W 12th St SE 1/4 NE 1/4 Sec 6 49 33 beg nw cor 12th St & Broadway at pt 30 ft n & 40 ft w of se cor sd 1/4 1/4 th n 270 ft th w 260 ft th s 270 ft to n li 12th St th e to beg including vac allies.

is hereby approved, subject to the following conditions:

1. All mechanical equipment and dumpsters shall be screened pursuant to 88-425-08.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
3. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
4. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
5. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the

approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.

6. Prior to the issuance of any building permit the plan shall comply with 88-450.
7. Ordinance No. 220265, including all conditions provided therein, shall remain in full force and effect.
8. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
9. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
10. The developer shall extend all fire protection systems into the new addition. (IFC-2018 § 901.4)
11. The developer shall submit plans to the Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and street lighting on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per the Parks and Recreation Department standards.
12. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
13. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages, as required by the Parks and Recreation Department, prior to recording the plat or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.

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

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

..end

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

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney

City of Kansas City, Missouri



Docket Memo

Ordinance/Resolution # TMP-2830

Submitted Department/Preparer: City Planning

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

SPONSOR: DIRECTOR OF CITY PLANNING AND DEVELOPMENT

A request to approve a major amendment to a nonresidential development plan to construct a parking lot and demolish an existing building in district DC-15 on about 1.6 acres generally located at W. 12th Street and Broadway Boulevard. (CD-CPC-2023-00007)

Discussion

See CPC staff report

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?
N/A
4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
N/A
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
N/A

Office of Management and Budget Review

(OMB Staff will complete this section.)

City of Kansas City, Missouri



Docket Memo

- 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 (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

See CPC staff report

Service Level Impacts

See CPC staff report

Other Impacts

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

This is a zoning ordinance and has not been evaluated against this subject matter.



City of Kansas City, Missouri

Docket Memo

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

This is a zoning ordinance and has not been evaluated against this subject matter.

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

This is a zoning ordinance and has not been evaluated against this subject matter.

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

This is a zoning ordinance and has not been evaluated against this subject matter.

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")?

This is a zoning ordinance and has not been evaluated against this subject matter.



File #: 230217

ORDINANCE NO. 230217

Sponsor(s): Councilmembers Dan Fowler and Teresa Loar

Amending the Major Street Plan to change and amend the street typology of N. Line Creek Parkway from N.W. Barry Road to N.W. 68th Street from parkway to local link. (CD-CPC-2023-_____)

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

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

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

WHEREAS, the review includes recommendations for revisions to the Major Street Plan to change and amend the street typology from a parkway to a local link for N. Line Creek Parkway from N.W. Barry Road to N.W. 68th Street; and

WHEREAS, the City Plan Commission has reviewed the proposed amendment to the Major Street Plan and, pursuant to public notice and hearing, did on _____, 2023, recommend _____ of the revisions to the Major Street Plan and the City Council has considered said recommendation and hereby _____ certain revisions to the Major Street Plan, specifically to change and amend the street typology from a parkway to a local link

for N. Line Creek Parkway from N.W. Barry Road to N.W. 68th Street as shown on the map and Appendix A attached hereto; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Major Street Plan of Kansas City is hereby amended to change and amend the street typology from a parkway to a local link for N. Line Creek Parkway from N.W. Barry Road to N.W. 68th Street on the map and Appendix A, attached hereto.

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

Section 3. That the Council hereby 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 89, Revised Statutes of Missouri, the foregoing Major Street Plan amendments were duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney

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

230217



File #: 220961

COMMITTEE SUBSTITUTE FOR 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 cover 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, which established a goal of 35 percent tree 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. That Chapter 88, Code of Ordinances, is hereby amended by enacting new sections 88-424-01 through 88-424-13, 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 which is to preserve and enhance the city's tree canopy cover, certain criteria are followed. 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. Additionally, this section furthers other proposed and city council approved plans including the Climate Protection and Resiliency Plan, the IBC Energy Code, 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 the 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 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 as required by 88-424-02, Applicability, 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 tree 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 an SAF certified forester, ISA certified arborist, professional landscape architect, or a professional engineer 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, special use permit, or preliminary plat, as defined in this chapter.

88-424-02-C. Application for building permit (site plan approval, per 88-530) disturbing more than 10,000 sq. ft. 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, and 88-410 Open Space Developments and Conservation Developments.*

88-424-03 - EXEMPTIONS

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

88-424-03-B. Projects not listed in the Applicability section above.

88-424-03-C. Projects in which no tree canopy cover will be impacted or removed, certified by a statement submitted by an SAF certified forester, ISA certified arborist, professional landscape architect, or a professional engineer 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 Tree Canopy Preservation & Expansion.

88-424-03-E. 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-F. 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-G. 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-H. Existing orchards, nurseries, or tree farms, where product is removed for sale and replaced, unless such use is ceased for future development.

88-424-03-I. 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-J. 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.

88-424-03-K. A development plan (including rezoning to UR or MPD), project plan, special use permit, or preliminary plat that has been previously approved; or an application for approval of such that has been deemed complete and is proceeding through the approval process.

88-424-03-L. Removal of canopy cover to construct or dedicate land to rights-of-way as determined by the major street plan.

88-424-04 - PROTECTED TREE CANOPY COVER

Areas of contiguous tree canopy cover of one acre or more on the entire development site 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 per 88-424-05 or payment of money in lieu per 88-424-12 shall be required.

88-424-05 – MITIGATION

Preservation of tree canopy cover is prioritized. If preservation cannot be achieved, mitigation shall be required.

88-424-05-A. Mitigation may be achieved either through on-site planting of trees at the rate specified in 88-424-07 or by payment to the Capital Improvement Sales Tax Fund-Tree Planting at a rate per caliper inch of tree as determined by the city forester, per 88-424-13. Any combination of on-site planting of trees or payment may be utilized.

88-424-05-B. Offsets to required mitigation are as follows:

1. Trees planted as required by 88-425 Landscaping and Screening may be counted toward caliper inches required for mitigation.
2. Undisturbed acreage within required stream buffers may offset total acreage of canopy cover removed.

3. Mitigation shall not be required for removal of tree canopy cover within utility easements as shown on the approved final plat.

88-424-05-C. Trees planted to meet mitigation requirements shall be 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. Beyond trees to be planted as required by 88-425 Landscaping and Screening, trees planted to achieve mitigation shall be planted in areas of the site where they will achieve the highest environmental benefits of tree canopy cover, such as within stream buffers, riparian areas, detention areas, or areas of steep slope that cannot be developed.

88-424-06 - REQUIRED PLANS

88-424-06-A. Plan Preparation

The plan must be prepared by an ISA certified arborist, an SAF certified forester, a professional engineer, or a professional landscape architect registered in the State of Missouri. The two plans required – Existing Conditions Tree Plan and 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 and contiguous tree canopy cover of one acre or greater across the entire development site area.
2. 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). This information shall also be shown on the landscaping plan required per 88-425 Landscaping and Screening.

1. Site layout.
2. Areas of existing tree canopy cover to remain.
3. Areas of existing tree canopy cover to be removed, denoting contiguous tree canopy acreage to one decimal point.
4. Note stating that no mitigation shall be required if contiguous tree canopy cover is less than one acre.
5. Information regarding any required mitigation per 88-424-07, including:

- a. chart showing acreage of contiguous tree canopy of one acre or greater to be removed and required caliper inches for mitigation;
 - b. location of trees to be planted, denoting trees required to meet 88-425 Landscaping and Screening and those planted to further meet required mitigation;
 - c. if offset for stream buffers is utilized, show location and acreage of all zones, including any additional acreage required for stream buffer mitigation; and
 - d. payment to the Capital Improvement Sales Tax Fund-Tree Planting when used for full mitigation efforts or in combination with planting mitigation.
6. Any additional information, such as the intent to apply for alternative compliance per 88-424-10.
 7. Any additional information as required by the city planning and development department director.

88-424-06-D. Plan Review Considerations

The following factors should be considered during preparation of the plan. City planning and development staff may consider these factors and any other relevant information when evaluating the 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. 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.
6. Whether alternative construction methods are proposed to reduce the impact of development on existing trees.

7. The need to remove the tree or group of trees for the purpose of installing, repairing, replacing, or maintaining essential public utilities.
8. The effects of proposed mitigation involving planting of replacement trees.
9. Compliance with other chapters of the Kansas City Code of Ordinances and adopted city plans and policies.
10. The extent to which development of the site and the enforcement of this chapter may be impacted by state and federal regulations.
11. Any relationships or impacts to other projects or development.

88-424-06-E. Plan Approval

If the decision-making body for any development plan per 88-517, project plan per 88-518, master planned development per 88-520, special use permit per 88-525, urban redevelopment district per 88-260, and site plan per 88-530 finds that trees were removed prior to application filing or approval of said plan as a means of circumventing the requirements of this ordinance, such action shall be grounds for disapproval of said application.

88-424-07 - MITIGATION RATE

88-424-07-A. The following mitigation rate is applicable to tree canopy cover removed. Required mitigation shall be calculated as follows:

- 1. First, calculate the total acreage of contiguous canopy cover to be removed on the entire development site. Subtract total acreage of the stream buffer offset per 88-424-05-B that will remain undisturbed.*
- 2. Second, multiple the acreage calculated in step one by 0.35.*
- 3. Third, multiple the acreage calculated in step two by 300 caliper inches.*
- 4. The final result is the number of caliper inches required for mitigation. Caliper inches of trees planted shall satisfy this requirement, meaning, a two-inch caliper tree shall satisfy two inches of required mitigation.*

88-424-07-B. Open Space Developments and Conservation Developments

Mitigation rates shall be reduced by 50% for trees removed if a development plan is approved pursuant to 88-410 Open Space Developments and Conservation Developments.

88-424-08 - COMPLIANCE

Prior to issuance of a final certificate of occupancy, all trees shown on the approved tree preservation/mitigation and landscape plans must be in place and in vigorous growing condition, as certified by a sealed letter submitted by an SAF certified forester, an ISA certified arborist, or a professional landscape architect licensed in the State of Missouri. Further, if any easements are platted or dedicated, copies of the recorded easements and as-built drawings shall be submitted, showing location of the stream buffer and all preserved tree areas.

88-424-09 – IMPLEMENTATION OF PLANS AND AGREEMENTS

88-424-09-A. Preservation and Protection Under Approved Plan

Trees planted or preserved in accordance with the approved e preservation and protection plan, mitigation plan, and landscape plan per 88-425 are protected in perpetuity, platting of tree preservation tracts or easements is required with preliminary plat submittal. Location of these tracts or easements and language shall be shown on all approved plans, preliminary plat, and final plat.

1. Areas within which tree canopy cover is to be preserved shall be platted as “tree preservation tracts or easements.”
2. Areas within which trees are to be planted to meet required mitigation shall be platted as “tree preservation tracts or easements” and shown on approved plans and on the final plat. Individual trees to be planted per an approved landscape plan per 88-425 are not required to be in tracts or easements.

88-424-10 ADMINISTRATIVE ADJUSTMENTS FOR ALTERNATIVE COMPLIANCE

88-424-10-A. The city planning and development department director is authorized to approve an administrative adjustment allowing for alternative compliance with the tree preservation and protection standards of this article.

88-424-10-B. Alternative compliance may be approved when the city planning and development department director determines that the proposed alternative would be at least as effective as strict compliance in meeting the overall intent of the standards.

88-424-10-C. Alternative compliance may also be approved when the city planning and development department director determines that:

1. Conditions and circumstances upon which the waiver or modification is sought are not caused by the applicant; and
2. That alternative preservation will be provided to off-set the waiver or reduction in otherwise applicable standards.

88-424-11 TREE PROTECTION MEASURES AND PROHIBITIONS

A preliminary site inspection at the time of site disturbance permit approval will be conducted by the city planning and development department to ensure compliance with the tree preservation and protection plan.

88-424-11-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" DBH 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.*

88-424-11-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.

88-424-11-C. Additional Measures

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

88-424-12 Payment in Lieu of Planting Trees as Required with Mitigation

88-424-12-A. Notwithstanding anything contained in 88-424, the developer may elect, at the time of preliminary plat application, to pay money to the Capital Improvement Sales Tax Fund-Tree Planting in lieu of, or in combination with planting trees on-site.

88-424-12-B. When a developer elects to pay money in lieu of planting for mitigation, the required payment must be deposited prior to recording the subdivision plat or minor subdivision or (if platting or minor subdivision is not required) receiving a certificate of occupancy.

88-424-12-C. Calculation of payment to meet mitigation requirements shall be as follows:

1. The payment for trees removed is based upon the number of tree caliper inches required for mitigation, multiplied by the average cost per caliper inch for trees, including planting and maintenance, per acre of tree 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 cost per caliper inch will be reviewed annually by the city forester and adjusted accordingly.

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

88-424-13-A. Purpose

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

88-424-13-B. Expenditures

Money in the Capital Improvement Sales Tax Fund-Tree Planting may be used only as follows:

1. To plant trees and maintain newly established trees on public property, including within street rights-of-way. Planting trees includes the cost of materials and labor necessary to install and maintain a tree during the warranty period.

2. Expenditures may include but are not limited to labor, materials, maintenance, administration, education, and outreach for both City staff and contracted services.

88-424-13-C. Payment

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

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

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

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

Section 2. That Section 88-810, Definitions, is hereby amended 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.

88-810-385 - CONTIGUOUS CANOPY COVER

Trees having crowns that touch or having trunks within 50 feet of another.

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.

88-810-708 - ISA

International Society of Arboriculture

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 replacement of trees removed during development to lessen the loss of tree canopy cover. Mitigation may be met by planting of trees on-site or by payment to the Capital Improvement Sales Tax Fund-Tree Planting, or a combination thereof.

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 intended for preservation, 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."

88-810-1478 - SAF

Society of American Foresters.

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 tree canopy cover 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.

88-810-2166.2 - TREE PRESERVATION AND PROTECTION PLAN

A plan that delineates areas of the 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 Section 88-425-10-G. related to credits for landscaping requirements from existing vegetation be repealed.

Section 4. That this ordinance shall have a delayed effective date of 30 days after Council approval.

Section 5. 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 6. 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



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

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

Discussion

This legislation amends Chapter 88 of the Code of Ordinances by adding new sections which support the Urban Forest Master Plan, the Kansas City Climate Protection and Resiliency Plan, and other City Council-approved plans related to preserving and enhancing the city's tree canopy.

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?
N/A
- 4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
N/A
- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
N/A

City of Kansas City, Missouri

Docket Memo



Office of Management and Budget Review

(OMB Staff will complete this section.)

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

Additional Discussion (if needed)

There is no fiscal impact, General Fund or otherwise.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies

Prior Legislation

Resolution No. 200143

Service Level Impacts

N/A

City of Kansas City, Missouri

Docket Memo



Other Impacts

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

While a healthy and robust urban tree canopy has a significant impact on air and water quality, neighborhood walkability, and visual aesthetics.

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

N/A

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

By regulating the preservation, protection, planting, maintenance, and removal of trees this legislation supports the environmental benefits of stormwater management, air quality, carbon sequestration, and more.

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

N/A

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")?

N/A



File #: 221085

RESOLUTION NO. 221085

Sponsors: Councilmembers Katheryn Shields and Eric Bunch

RESOLUTION - Determining the compliance of the Union Hill “353” Redevelopment Project located south of Union Cemetery, and north of E. 31st Street, between Main Street on the west and Gillham Road on the east, and authorizing issuance of a Certificate of Completion to the Phoenix Redevelopment Corporation for the Union Hill Redevelopment Project.

WHEREAS, the City Council passed Ordinance No. 52129 on November 20, 1980, which approved the development plan submitted by Union Hill Redevelopment Corporation (“UHRC”) for the redevelopment of that area generally located south of Union Cemetery, and north of E. 31st Street, between Main Street on the west and Gillham Road on the east; and

WHEREAS, on December 16, 1980 the UHRC was designated as the Developer of the Union Hill Redevelopment Plan (the “Plan”); and

WHEREAS, UHRC amended the Plan three times, October 20, 1983 by Ordinance No. 55680, November 21, 1985 by Ordinance No. 58712, and May 1, 1987 by Ordinance No. 60879; and

WHEREAS, UHRC assigned that portion of the Plan known as “The Residence Inn Tract,” which was approved by Ordinance No. 61307, passed August 6, 1987; and

WHEREAS, UHRC assigned the remaining interest in rights under the Plan to the Phoenix Redevelopment Corporation (“Phoenix”), which was approved by Ordinance No. 61877, as amended, passed December 17, 1987; and

WHEREAS, Phoenix’s Amended and Restated Plan was approved by Ordinance No. 63243, passed November 3, 1988; and

WHEREAS, on January 6, 1989 Phoenix and the City entered into the Fourth Supplemental Contract designating Phoenix as the manager of the Amended and Restated Plan; and

WHEREAS, Phoenix submitted its First Amendment to the Amended and Restated Plan September 27, 1999, which was approved March 27, 2003 by Ordinance No. 030254; and

WHEREAS, on March 27, 2003 the City also approved a District URD Plan for approximately 52 acres that included the Union Hill Redevelopment Plan area; and

WHEREAS, on April 24, 2013 the City Planning and Development Department administratively approved an amendment to the URD Plan and the Amended 353 Plan for “The Founders Phase II” including 2980 Gillham (McGee Bldg.), 3000 Gillham (Campbell Bldg.), 3020 Gillham (McCoy Bldg.), 230 E. 30th Street (Taylor Bldg.), 300 E. 30th Street (Ragan Bldg.), 109 E. 30th Street, 111 E. 30th Street, 114 E. 30th Street., 3010 McGee Street, 3012 McGee Street, 3014 McGee Street, 3005 McGee Street, 3015 McGee Street, 3017 McGee Street, 3019 McGee Street, 3021 McGee Street, 3008 DeGroff Way, 3012 DeGroff Way; and

WHEREAS, Phoenix has requested a Certificate of Completion for Phoenix’s Amended and Restated Plan for the project area, pursuant to Section 36.11(d) of the Code of Ordinances in effect at all times the Plan was adopted and amended; and

WHEREAS, the project proposed the redevelopment of real property within the Union Hill Amended and Restated Redevelopment Plan (“Amended Plan”) in three phases, each with a separate time for completion of construction, as set forth in the Amended Plan; and

WHEREAS, Phoenix’s Robert Frye, who has planned, designed and managed Phoenix’s project since 1988, has certified that the improvements have been completed in compliance with the approved Amended Plan; and

WHEREAS, on _____, the City Plan Commission reviewed the Amended Plan and determined that the construction proposed by the Amended Plan for the Union Hill Redevelopment Project has been substantially accomplished and has recommended the City Council authorize the issuance of a Certificate of Full Completion to Phoenix Redevelopment Corporation for the project; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section A. That the Council finds and determines that the projects proposed by the Amended Union Hill Redevelopment Plan have been completed and that the construction follows the Amended Plan.

Section B. That the Council hereby authorizes the Director of the Department of City Development to issue a Certificate of Full Completion to Phoenix Redevelopment Corporation pursuant to the terms and conditions of the development plan and redevelopment contract and pursuant to Section 36.11(d), Code of Ordinances of the City of Kansas City, Missouri, for the project known as the Union Hill Redevelopment Project.

..end



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

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

Determining the compliance of the Union Hill “353” Redevelopment Project and authorizing issuance of a Certificate of Completion to the Phoenix Redevelopment Corporation for the Union Hill Redevelopment Project..

Discussion

Determining the compliance of the Union Hill “353” Redevelopment Project located south of Union Cemetery, and north of E. 31st Street, between Main Street on the west and Gillham Road on the east, and authorizing issuance of a Certificate of Completion to the Phoenix Redevelopment Corporation for the Union Hill Redevelopment Project. There is no fiscal impact associated with this resolution.

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?

N/A

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

N/A

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

NO



City of Kansas City, Missouri

Docket Memo

Office of Management and Budget Review

(OMB Staff will complete this section.)

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

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

Prior Legislation

Ordinance No. 52129 (1980); Ordinance No. 55680 (1983); Ordinance No. 58712 (1985); Ordinance No. 60879 (1987); Ordinance No. 61307 (1987); Ordinance No. 61877 (1987); Ordinance No. 63243 (1988); Ordinance No. 030254 (2003)

Service Level Impacts



City of Kansas City, Missouri

Docket Memo

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?
N/A
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
N/A
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?
N/A
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")?
N/A



File #: 230198

ORDINANCE NO. 230198

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 0.98 acres generally located at 400 Main street from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), and approving a development plan that also serves as a preliminary plat. (CD-CPC-2022-00174)

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-1373 rezoning an area of about 0.98 acres located at 400 Main Street from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) said section to read as follows:

Section 80-20A-1373, That an area legally described as:

All of Lots 165 through 169, Block 17, Old Town, a subdivision in Kansas City, Jackson County, Missouri.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 80-20A-1373, 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 proposed development is located in an area where the Charles B. Wheeler Downtown Airport (MKC) height zoning restrictions apply. No structure in this area should be constructed which exceeds these restrictions. Given the potential height and proximity of this plan to MKC, the proposed development will exceed FAR Part 77, Objects Affecting Navigable Airspace, standards. The proponent/developer has filed an on-line Form 7460-1, Notice of Proposed Construction or Alteration, for permanent vertical improvements or new structures and shall receive a Determination of No Hazard to Air Navigation from the FAA. Temporary cranes used for construction activities extending higher than the proposed top elevation of the building will need to be evaluated for

compliance with FAR Part 77 standards as well. The FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website can be accessed at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>. Aviation recommends the proponent/developer provide the FAA with a 1A survey accuracy statement assuming the highest horizontal and vertical tolerance was used for this design. This information certifies the ground elevations the developer has portrayed within the plans are to higher level of accuracy. Per OEAAA, if this accuracy statement is not provided, an adjustment commensurate with a 50 foot vertical buffer is applied to the development. This information can be referenced at: <https://oeaaa.faa.gov/oeaaa/external/content/surveyAccuracy.jsp> The proponent/developer is recommended to comply with Chapters 3, 4, and 5 of FAA Advisory Circular (AC) 70/7460-1, Obstruction Marking and Lighting, as amended. KCAD is actively working with the FAA to address airspace restrictions in the River Market that will allow vertical development while at the same time ensuring airspace surfaces are maintained according to FAA criteria.

2. The developer shall continue to work with staff to find opportunities to activate 5th Street and provide alternatives that will allow for the construction materials to better match the character of the neighborhood prior to submittal of the final UR plan.
3. That 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 provide a lighting plan in compliance with Section 88-430 of the Code at the time of UR final plan.
5. The developer shall continue to work with the Public Works Department and the Kansas City Streetcar Authority regarding the redesign of inlets serving Main Street and 5th Street to ensure adequate drainage is provided to maintain streetcar operations.
6. The developer shall submit a detailed list of landscaping materials with the submittal of the UR final plan. Staff is strongly encouraging the developer provide native vegetation throughout the site.
7. The developer shall meet the requirements in Section 88-420-17-B-4 regarding no idle or idle free zone signage in all off-street loading zones.
8. The developer shall include an alternative compliance plan sheet providing alternatives for the required screening of the mechanical equipment located in the alley (on the west side of the building) at the time of UR final plan.

9. The developer shall secure approval of a UR final plan from the Development Management Division staff prior to a building permit.
10. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.
11. 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.
12. The plan is revised to show short-term bicycle parking as required of 88-420-09. The developer is missing two short term bicycle parking spaces on the site plan, the missing spaces shall be included on the final UR plan.
13. The developer shall submit plans showing compliance with the lighting requirements listed in Section 88-420-15-D at the time of final UR plan.
14. The developer shall continue to work with the Public Works Department and the Kansas City Streetcar Authority regarding the KC Streetcar Overhead Contact System (OCS) for the streetcar.
15. The developer shall continue to work with staff to provide alternatives to the vast areas of blank concrete proposed for the first couple floors of the building. Alternatives shall be submitted at the time of UR final plan submittal.
16. 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.
17. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, as shown on the approved street plans and to a tie-in point with the existing sidewalks and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
18. 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.
19. 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.

20. 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.
21. The developer shall request the Land Development Division to initiate an ordinance to establish or re-establish the grade on existing streets that are being improved where existing grades change by more than 6 inches and the grades have been previously established.
22. 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.
23. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
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, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
25. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
26. 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)
27. 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)
28. Required Fire Department access roads shall be an all-weather surface (IFC-2012: § 503.2.3) and all Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 §7.5.5) Required Fire Department access roads shall be designed to

- support a fire apparatus with gross axle weight of 85,000 pounds (IFC-2018: § 503.2.3) and shall provide fire lane signage on fire access drives.
29. The fire access lane from 3rd Street is allowed to be 18' 8", the fire access lane shall be marked with signage and striping.
 30. The proposed building shall have a Fire Department access road within 150 feet of any exterior portion of the structure. (IFC-2018: § 503.1.1)
 31. 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)
 32. Buildings which have an occupiable floor greater than 75 feet above grade shall meet high-rise requirements.
 33. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 40 feet (12 192mm) in height above the lowest level of Fire Department vehicle access. Such standpipes shall be provided with Fire Department hose connections at locations adjacent to stairways complying with Section 3311.1. As construction progresses, such standpipes shall be extended to within one floor of the highest point of construction having secured decking or flooring. (IFC-2018 3313.1)
 34. The developer has indicated a payment of cash-in-lieu to satisfy the parkland dedication requirements of 88-408. 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.
 35. 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.
 36. 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.
 37. The developer shall submit water main extension drawings for a new fire hydrant 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. [Limiting planters near water mains to 6" x 4' curbs and short fences.]

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:

Sarah Baxter
Senior Associate City Attorney

City of Kansas City, Missouri



Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

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

The applicant is seeking approval of a rezoning from district Urban Redevelopment (UR) to district Urban Redevelopment (UR) to approve a development plan acting as a preliminary plat.

Discussion

The proposed development will have 300 residential units, amenities, ground level retail/office space, and 307 parking spaces including street parking and public parking. The developer is proposing 15% of the units will be affordable. Currently, the project does not have FAA approval regarding the height. There will be pedestrian connections to neighboring developments that ensure pedestrian safety. The development ensures safe and efficient vehicular access. During the City Plan Commission meeting, public testimony and the Commissioner's expressed concern regarding the lack of parking that is being provided by the developer. The motion to recommend denial was passed 4:3.

Fiscal Impact

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

2. What is the funding source?

NA

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

NA

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

NA

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

NA



City of Kansas City, Missouri

Docket Memo

Office of Management and Budget Review

(OMB Staff will complete this section.)

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

Additional Discussion (if needed)

NA

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

Prior Legislation

See CPC Staff Report

Service Level Impacts

See CPC Staff Report.

Other Impacts

City of Kansas City, Missouri

Docket Memo



1. What will be the potential health impacts to any affected groups?
NA
2. How have those groups been engaged and involved in the development of this ordinance?
NA
3. How does this legislation contribute to a sustainable Kansas City?
The development proposes dense residential units with a focus on varying modes of transportation.
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?
NA
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")?
NA

**Civil Rights & Equal Opportunity Department
Economic Equity & Inclusion
Small Local Business Enterprise (SLBE) Contract Review Request**

Date: 1/25/2023
Form Prepared By: Karen Wang

Contract/Project Number: EV3065	Project Name: Community Land Trust (CLT) Services RFP
Estimated Cost ¹ : 155,000	Project Manager: Kyle Elliot

Funding: City State Federal CO-OP Grant: Other:

Prevailing Wage: Yes No

Davis-Bacon: Yes No

Presenting to Council¹: Yes No

Public Works Sidewalk Project: Yes No

Water Services Department Engineering Professional Services (SLBE-WSDEPS) Project: Yes No

Estimated Number of Project Days: 4 year	Anticipated Solicitation Date: as soon as possible
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Contract Type:

Construction Design-Build Design Professional Professional Services

General Service Concession Other Goods & Services Non-Municipal Agency

Co-Operative Revenue Sharing Facilities Maintenance/Repair/Renovation

Other:

Description of Contract (Provide Details):

The consultant selected for this RFP will be performing tasks on behalf of the City of Kansas City, MO, by analyzing Community Land Trust (CLT) models that best meet the City's requirements. The consultant will research CLT's from other cities and from neighborhoods within Kansas City and recommend which CLT model will work for the City of Kansas City. The consultant's report will include the type of governance structure for a City of Kansas City CLT and a 12-month startup strategy, a three-year business plan and an action specific implementation plan with details on time, cost and responsible actors defined. The selected supplier will not be eligible to provide any services for the selected CLT model.

Pursuant to RSMo. Section 610.021(11) & (12) documents related to bids will not be made available until bids are completed.

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

SLBE Limited Solicitation

10% Pre-Payment²

5% Bid Incentive³

Exempt Waiver Approved Waiver Denied N/A

Reason for Waiver:

Electronic Record? Yes No

CREO Signature:  Date: 2/17/2023

FOR DEPARTMENT USE ONLY - CONTRACOR INFORMATION
Enter selected firm below and return a copy of this page to CREO KC.

Company:	Contact:
Address:	Phone Number:
Contract Value:	Vendor No.

Department Signature: _____ Date: _____

1 Construction or construction supply contract estimated less than \$300,000 or non-construction contract less than \$160,000.
2 Pre-Payment of up to 10% of the contract amount to be paid by City upon NTP as set out in the contract documents.
3 Bid Incentive not to exceed 5% and not applicable to any contract requiring the payment of prevailing wages.



