



Agenda

Neighborhood Planning and Development Committee

Chairperson Ryana Parks-Shaw

Vice Chair Eric Bunch

Councilmember Nathan Willett

Councilmember Melissa Patterson Hazley

Wednesday, November 29, 2023

1:30 PM

26th Floor, Council Chamber

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

PUBLIC OBSERVANCE OF MEETINGS

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

Any closed session may be held via teleconference.

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

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

Beginning of Consent(s)

End of Consent(s)

Director of Housing and Community Development

[230949](#)

Sponsor: Director of Housing and Community Development Department

Estimating and appropriating \$575,000.00 in the Domestic Violence Grant Fund; and authorizing the City Manager to accept a 36-month grant renewal administered by the Department of Justice Office on Violence Against Women, in the amount of \$575,000.00 to fund the Community Arrest Program.

Attachments: [Community Arrest Program Docket Memo](#)
[G55CAP23 Admin Approp FY2024](#)

Lucas

[230962](#) Sponsor: Mayor Quinton Lucas

Accepting the recommendations of the Housing Trust Fund Advisory Board; appropriating \$9,000,000.00 from the Unappropriated Fund Balance in the Housing Trust Fund; authorizing the Director of the Housing and Community Development Department to execute various HTF Round III funding agreements and expend up to \$9,000,000.00 from funds appropriated in the Housing Trust Fund; and requiring certain contract provisions.

Attachments: [No Docket Memo 230962](#)

Lucas and Patterson Hazley

[230969](#) Sponsor: Mayor Quinton Lucas

RESOLUTION - Directing the City Manager to launch a Contract Assistance Team pilot program to facilitate increased efficiency and cross-departmental coordination in the execution of funding agreements authorized by the Council.

Attachments: [No Docket Memo 230969](#)
[230969-230970-230971 MQL and MPH Contracting](#)
[Presentation 11.29.23](#)

Lucas and Patterson Hazley

[230970](#) Sponsor: Mayor Quinton Lucas and Councilperson Melissa Patterson Hazley

RESOLUTION - Directing the City Manager to develop a common application for housing and economic development funds administered by the City and report back to Council within 90 days.

Attachments: [No Docket Memo 230970](#)
[230969-230970-230971 MQL and MPH Contracting](#)
[Presentation 11.29.23](#)

Lucas and Patterson Hazley

[230971](#) Sponsor: Mayor Quinton Lucas and Councilperson Melissa Patterson Hazley

RESOLUTION - Directing the City Manager to update the process by which funding agreements are established for non-federal economic development funds administered by the City and to report back to the Council within 90 days.

Attachments: [No Docket Memo 230971](#)
[230969-230970-230971 MQL and MPH Contracting](#)
[Presentation 11.29.23](#)

Rogers

[230978](#) Sponsor: Councilmember Wes Rogers

RESOLUTION - Amending the KCIA Area Plan by amending the Proposed Land Use Plan and Map for an approximately 30 acre tract of land generally located north of Highway I-435 and south of N.W. Cookingham Drive (2801 N.W. Cookingham Drive) by changing the recommended land use designation from "mixed use community" to "commercial/industrial." (CD-CPC-2023-00139)

Attachments: [Docket Memo 230978](#)

Rogers

[230979](#) Sponsor: Councilmember Wes Rogers

Rezoning an area of about 30 acres generally located north of Highway I-435 and south of N.W. Cookingham Drive (2801 N.W. Cookingham Drive) from District AG-R to District M2-3 and approving a preliminary development plan which also serves as a preliminary plat for a data center development consisting of two lots and two tracts. (CD-CPC-2023-00138 and CD-CPC-2023-00140)

Attachments: [Docket Memo 230979](#)

HELD IN COMMITTEE

City Plan Commission

[230936](#) Sponsor: Director of City Planning and Development Department

Amending Chapter 88, the Zoning and Development Code, for the purpose of creating a process to allow persons with disabilities to apply for a reasonable accommodation to the Zoning and Development Code, by enacting a new Section 88-571, Relief for Reasonable Accommodation, and by repealing Sections 88-805-02, Residential Use Group, and 88-810-700, Household, and enacting in lieu thereof new sections of like number and subject matter for the purpose of ensuring the City's regulations are in compliance with federal law.

Attachments: [RA & Group Home Docket Memo.docx](#)

Director of City Planning & Development and City Plan Commission

[230937](#)

Sponsor: Director of City Planning and Development Department

Approving the Westside Heritage Urban Renewal Plan on approximately 736 acres on an area generally bounded by I-670 on the north, Broadway/Southwest Boulevard/Southwest Trafficway on the east, W. 31st Street on the south, and the Stateline/25th Street/Kansas City Terminal Railway tracks on the west, pursuant to Land Clearance Redevelopment Authority Law. (CD-CPC-2023-00141)

Attachments: [Docket Memo - WHURP](#)

ADDITIONAL BUSINESS

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

CID Annual Report presentation in accordance with Ordinance Number 210565

2. Closed Session

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

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

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

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

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

Adjournment



File #: 230949

ORDINANCE NO. 230949

Sponsor: Director of Housing and Community Development Department

Estimating and appropriating \$575,000.00 in the Domestic Violence Grant Fund; and authorizing the City Manager to accept a 36-month grant renewal administered by the Department of Justice Office on Violence Against Women, in the amount of \$575,000.00 to fund the Community Arrest Program.

WHEREAS, the City of Kansas City, Missouri is required by the Charter to approve spending and authorize contract spending for the Community Arrest program; and

WHEREAS, the City of Kansas City, Missouri contracts with Rose Brooks Center to work with the Kansas City Police Department and the Jackson County Prosecutor’s Office to improve criminal justice responses to domestic violence, dating violence, sexual assault, and stalking; and

WHEREAS, approval from Council is needed to reflect the correct budget amount in the Domestic Violence Grant Fund; and

WHEREAS, this grant funding will cover the time period from October 1, 2023 to September 30, 2026; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That revenue is estimated to the following account in the following amount:

24-2470-550001-479415-G55CAP23	Community Arrest Program	\$575,000.00
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Section 2. That the sum of \$575,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Domestic Violence Grant Fund in the following account:

24-2470-555100-B-G55CAP23	Community Arrest Program	\$575,000.00
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Section 3. That the Director of Housing and Community Development is hereby designated the requisitioning authority for Account No. 24-2470-555100-G55CAP23.

..end

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

Tammy L. Queen
Director of Finance

Approved as to form:

Joseph A. Guarino
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 230949

Submitted Department/Preparer: Housing

Revised 10/23/23

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

Executive Summary

Estimating and appropriating \$575,000.00 in the Domestic Violence Grant Fund; authorizing the City Manager to accept a 36-month grant renewal administered by the Department of Justice Office on Violence Against Women, in the amount of \$575,000.00 to fund the Community Arrest Program and designating requisitioning authority.

Discussion

This ordinance approves funding for a contract between the City of Kansas City, Missouri, and the Rose Brooks Center to continue work with the Kansas City Police Department and the Jackson County Prosecutor's Office to improve the criminal justice response to domestic violence, dating violence, sexual assault, and stalking.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Domestic Violence Shelter Fund (2470) via a grant from Department of Justice
3. How does the legislation affect the current fiscal year?
Funds were made available in October of 2023
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Funds are available for a three-year period, ending in September 2026.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
This legislation uses grant funding to support programs.

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

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

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

- 1. View the [FY23 Citywide Business Plan](#)
- 2. Which CWBP goal is most impacted by this legislation?
Housing and Healthy Communities (Press tab after selecting.)
- 3. 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

Ord. No. 170953

Service Level Impacts

This legislation provides funding for a contract renewal with Rose Brooks Center to fund a program that provides criminal justice response to victims of domestic violence.

Other Impacts

- 1. What will be the potential health impacts to any affected groups?
This legislation accepts and appropriates funding used to help victims of domestic violence.

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 this legislation create or preserve new housing units?

No

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

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

Please provide reasoning why not:

N/A

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

No

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

No



File #: 230962

ORDINANCE NO. 230962

Sponsor: Mayor Quinton Lucas

Accepting the recommendations of the Housing Trust Fund Advisory Board; appropriating \$9,000,000.00 from the Unappropriated Fund Balance in the Housing Trust Fund; authorizing the Director of the Housing and Community Development Department to execute various HTF Round III funding agreements and expend up to \$9,000,000.00 from funds appropriated in the Housing Trust Fund; and requiring certain contract provisions.

WHEREAS, on December 20, 2018, by Committee Substitute for Ordinance No. 180719, the City Council established the Housing Trust Fund to implement neighborhood revitalization, housing development, and preservation projects proposed by the City and in coordination with private developers that are undertaking projects in alignment with the City's Housing policy; and

WHEREAS, on June 20, 2019, by Committee Substitute for Resolution No. 190022, the City Council adopted the Five-Year Housing Policy, which set forth five bold ideas to include the creation/preservation of 5,000 additional single family and multifamily housing units by December 2023 and to establish a \$75 million catalytic housing development (trust) fund to create and preserve units; and

WHEREAS, on May 27, 2021, by Ordinance No. 210392, the City Council adopted the City's stimulus spending plan "RecoverKC" in which the City Council allocated \$12,500,000.00 to the Housing Trust Fund; and

WHEREAS, on November 4, 2021, by Committee Substitute for Ordinance 210873, As Amended, the City Council amended Section 2-1693, "Housing Trust Fund" and replaced it with a new Section 2-1693 for the purpose of establishing the Housing Trust Fund Board to review Housing Trust Fund applications, with reporting requirements, funding allocation direction and prioritization of fund use; and

WHEREAS, Section 2-1693(c)(3) sets forth the following funding minimum allocations in determining awards to applicants:

(a) A minimum of 20% of awards shall be made for Affordable Rental Preservation, at or below 60% AMFI.

(b) A minimum of 20% of awards shall be made for Affordable Rental Creation, at or below 60% AMFI

(c) A minimum of 10% of awards shall be made to create/support Dedicated Transitional Housing and Permanent Supportive Housing for the Homeless; and

(d) A minimum of 10% of awards shall be made for Homeownership support programs and/or retention programs for residents at income levels below 60% AMFI. Programs that provide a path for resident tenants to transition to ownership shall be eligible; and

WHEREAS, Section 2-1693(c)(4) sets forth the following maximum awards to each project based on percent of total development costs:

(a) The maximum award given to for-profit developers is 20% of the development cost (loan) or 10% for a grant;

(b) The maximum award given to non-profit developers is 30% of the development cost (loan) or 15% for a grant; and

WHEREAS, the Housing Trust Fund Advisory Board was to prioritize projects that maximize:

(a) Total number of months of affordability, with longer periods of guaranteed affordability given higher priority;

(b) Affordability threshold, with higher priority for projects at that serve very low income (50% of Area Median Family Income (AMFI) and extremely low income (30% of Area Median Family Income) households;

(c) Number of affordable units created per HTF dollar invested; and

(d) Projects which include a higher percentage of units suitable for families (2 or more bedrooms); and

(e) Social housing opportunities such as cooperatives, community land trusts, and other options that allow for long-term community affordability; and

WHEREAS, 32 applications were received in response to the Housing Trust Fund RFP that was released on July 24, 2023 and closed on August 30, 2023; and

WHEREAS, the Housing Trust Fund Advisory Board met three times between September and October to review and prioritize applications, ultimately reaching a unanimous recommendation for the Council, which is reflected in this ordinance; and

WHEREAS, in addition to the priorities named in the ordinance, the Housing Trust Fund Advisory Board considered project readiness, creativity, capacity of applicant, financial

feasibility, household income requirements, affordability, and the overall impact on the housing stock in their review of applications; and

WHEREAS, the Round III allocation plan recommended by the Housing Trust Fund Advisory Board would support the creation and preservation of 893 affordable homes; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the recommendations of the Housing Trust Fund Advisory Board from the Housing Trust Fund Round III RFP that was issued on July 24, 2023 are hereby accepted.

Section 2. That the sum of \$9,000,000.00 is hereby appropriated from the Unappropriated Fund Balance in the Housing Trust Fund, Fund No. 2490:

23-2490-552046-B Economic Development \$9,000,000.00

Section 3. That the Mayor is hereby authorized to expend up to \$9,000,000.00 from funds appropriated to the Housing Trust Funds in Fund No. 2490, and to negotiate and execute funding agreements with the following contractors:

Applicant	Project Name	Funding Award
Pedcor Investments, LLC	Trails at Bannister Apartment Homes	\$ 1,000,000.00
Taliaferro & Browne, Inc./Fulson Housing Group	Prospect Summit Townhomes	\$ 750,000.00
Metro Lutheran Ministry & Consolidated Housing Solutions	Prospect at 35th	\$ 859,001.00
McCormack Baron Salazar, Inc.	Jazz District III	\$ 1,850,000.00
By Purpose Productions	KC Urban Core Homeownership Fund	\$ 400,000.00
Jerusalem Farm	Northeast Community Land Trust	\$ 230,000.00
Arnold Development Group, LLC	Historic Northeast Lofts	\$ 1,575,000.00
Flaherty & Collins Development, LLC	Jazz Hill Homes	\$ 300,000.00
Synergy Services, Inc.	Forest Hill Village	\$ 800,000.00
KCPS	DeLano Youth Housing and Supportive Services Redevelopment	\$ 1,235,999.00
TOTAL		\$ 9,000,000.00

Section 4. That all Housing Trust Fund contracts are to include a requirement that:

(a) projects (and associated spending of Housing Trust Fund dollars) must start within 12 months of contract execution, or else the funds must be returned to the City to be used in future Housing Trust Fund allocations.

..end

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

Tammy L. Queen
Director of Finance

Approved as to form:

Joseph A. Guarino
Senior Associate City Attorney

**No Docket
Memo Provided
for Ordinance
No.
230962**



File #: 230969

RESOLUTION NO. 230969

Sponsor: Mayor Quinton Lucas and Councilperson Melissa Patterson Hazley

RESOLUTION - Directing the City Manager to launch a Contract Assistance Team pilot program to facilitate increased efficiency and cross-departmental coordination in the execution of funding agreements authorized by the Council.

WHEREAS, the City administers a variety of grant and loan programs that are awarded via solicitation processes; and

WHEREAS, proposals received through those solicitation processes undergo rigorous evaluation by City staff, oversight boards, and the City Council before projects are selected to receive funding; and

WHEREAS, there are many City departments involved in executing funding agreements after funds are authorized by Council, including but not limited to the Civil Rights and Equal Opportunities (CREO), Law, Procurement, and Finance Departments, in addition to the department running the solicitation process; and

WHEREAS, the number of projects receiving funds via solicitation has increased in recent years, as increased funds have been made available through programs like CCED, the Housing Trust Fund, Rebuild KC, and Violence Prevention; and

WHEREAS, there has been substantial variation in the length of the process to execute contracts and distribute funds after they are authorized by Council; and

WHEREAS, delays in the disbursement of these funds can halt important projects and disrupt their ability to secure other financing needed to complete the work; and

WHEREAS, different software solutions and systems for managing contracting processes have been built over time as new programs were created; and

WHEREAS, a new project management model could more proactively identify potential delays and facilitate increased cross-departmental coordination and transparency in addressing issues that may emerge through the contracting process; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is directed to establish a Contract Assistance Team pilot program for upcoming grant solicitations, such as the Housing Trust Fund or CCED.

- a. *Purpose.* The Contract Assistance Team shall be charged with overseeing the timely execution of funding agreements authorized by Council as a result of a solicitation.
- b. *Membership.* The Contract Assistance Team shall be composed of City staff and shall include at least one representative from the Civil Rights and Equal Opportunities (CREO), Law, Procurement, and Finance Departments, in addition to representatives from the department charged with running the solicitation.
- c. *Duties.* The Contract Assistance Team shall have the following duties.
 - (1) Conduct regular project management meetings to track the status of all contract processes, identify issues that could cause the delay of contracts, and implement solutions to address those issues.
 - (2) Identify or develop a shared systems and software for tracking project statuses, such that they may be more easily monitored and reported upon.
 - (3) Provide recommendations to the City Manager and Council on opportunities to improve the City's processes for distributing funds for community-based projects.
- d. *Reporting.* The Contract Assistance Team shall provide monthly reports to the City Manager and Council on the status of all contracts that have been authorized via solicitation until all contracts from that solicitation are complete.

Section 2. That the City Manager is directed to report back to the Council within 90 days on the establishment of the Contract Assistance Team and which upcoming solicitation(s) it will be deployed to oversee. Additionally, the City Manager is directed to report back to Council on the impact of the Contract Assistance Team and recommend whether the practice should continue beyond a pilot program.

..end

**No Docket
Memo Provided
for Ordinance
No.
230969**



File #: 230970

RESOLUTION NO. 230970

Sponsor: Mayor Quinton Lucas and Councilperson Melissa Patterson Hazley

RESOLUTION - Directing the City Manager to develop a common application for housing and economic development funds administered by the City and report back to Council within 90 days.

WHEREAS, the City administers a variety of funds to support housing and economic development, including the Central City Economic Development Sales Tax, the Housing Trust Fund, the HOME Investment Partnerships Program, and the Community Development Block Grant Program; and

WHEREAS, the demand for each of these funding sources continues to exceed availability, meaning applicants may have to apply multiple times for various funds to be successful; and

WHEREAS, the City has articulated priorities around achieving deep levels of affordability and redevelopment of areas experiencing blight and vacancy with these funds; and

WHEREAS, projects reflecting those priorities often need to layer or “stack” multiple funding sources in order to cover costs; and

WHEREAS, each program currently has its own application but each asks for very similar information; and

WHEREAS, applying for these funds can be costly for applicants, particularly as the applications become more complex; and

WHEREAS, confusion around application requirements can lead to delays in application timelines, which ultimately delay the timely disbursement of funds; and

WHEREAS, this presents an opportunity for a common, standardized application to enable projects to be eligible for multiple funding sources with one application, subject to the review of each program’s existing advisory bodies; and

WHEREAS, gathering more standardized information during the application stage can reduce unnecessary bureaucracy and enable more standardized contracting, invoicing, and reporting on the back-end; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is directed to develop a common application for housing and economic development funds administered by the City, including but not limited to the Central City Economic Development Sales Tax, the Housing Trust Fund, the HOME Investment Partnerships Program, and the Community Development Block Grant Program.

Section 2. That the City Manager is directed to evaluate and recommend any administrative or legislative changes needed, such as the purchase of software packages, to effectively implement the common application.

Section 3. That the City Manager is directed to vet the application with the relevant advisory boards prior to finalization.

Section 4. That the City Manager is directed to report back to the Council within 90 days.

..end

**No Docket Memo
Provided for
Resolution No.
230970**



File #: 230971

RESOLUTION NO. 230971

Sponsor: Mayor Quinton Lucas and Councilperson Melissa Patterson Hazley

RESOLUTION - Directing the City Manager to update the process by which funding agreements are established for non-federal economic development funds administered by the City and to report back to the Council within 90 days.

WHEREAS, a key benefit of local funds for economic development is the increased flexibility the City is able to offer to recipients, relative to more stringent federal requirements; and

WHEREAS, City-administered funds that contribute to economic development currently include the Central City Economic Development Sales Tax, Housing Trust Fund, and Public Improvements Advisory Committee funds; and

WHEREAS, it is the City's desire to operate transparently and efficiently on behalf of its residents; and

WHEREAS, providing clarity about terms and conditions associated with City-controlled funds as part of the application for those funds can increase transparency and reduce inefficiencies in the contracting process after funding has been authorized; and

WHEREAS, applying Civil Rights and Equal Opportunity (CREO) goals upfront during Request for Proposal (RFP) processes helps ensure proposals for these funds are prepared to meet or exceed our goals for access, equity, and inclusion in any resulting contracts; and

WHEREAS, Ordinance No. 230316 established construction timeline applications for projects receiving City incentives, including grants or City-backed financing; and

WHEREAS, timely and accurate expenditures of City funds for economic development are important to maintain the integrity of those funds; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is directed to conduct a review of the City's current terms and conditions for funding agreements in order to identify opportunities to streamline language, remove unnecessary burdens, and create a standard set of terms and conditions that may serve as a baseline for future funding agreements.

Section 2. That the City Manager is directed to include language reflecting the required construction timelines established in Ordinance No. 230316 in those standard terms and conditions, as well as language allowing for the claw-back of funds if recipients do not begin work on the project for which the funds were awarded within 12 months of contract execution to the extent practicable.

Section 3. That the City Manager is directed to work with the Civil Rights and Equal Opportunity (CREO) Department to include standard language regarding workforce and prevailing wage requirements and to develop standard CREO goals for each RFP process awarding City-controlled funds for economic development purposes.

Section 4. That the City Manager is directed to publish the resulting standard terms and conditions and CREO goals on the City's website and incorporate them into RFPs designed to distribute local economic development funds when they are released.

Section 5. That the City Manager is directed to report back to the Council within 90 days.

..end

**No Docket Memo
Provided for
Resolution No.
230971**



File #: 230978

RESOLUTION NO. 230978

Sponsor: Councilmember Wes Rogers

RESOLUTION - Amending the KCIA Area Plan by amending the Proposed Land Use Plan and Map for an approximately 30 acre tract of land generally located north of Highway I-435 and south of N.W. Cookingham Drive (2801 N.W. Cookingham Drive) by changing the recommended land use designation from "mixed use community" to "commercial/industrial." (CD-CPC-2023-00139)

WHEREAS, an application was submitted by GBA Realty, LLC to amend the KCIA Area Plan by amending the Proposed Land Use Plan and Map for an approximately 30 acre tract of land generally located north of Hwy I-435 and south of NW Cookinham Drive (2801 NW Cookingham Drive) by changing the recommended land use designation from "Mixed Use Community" to "Commercial/Industrial"; and

WHEREAS, the City Plan Commission considered such amendment to the Proposed Land Use Plan and Map on November 7, 2023; and

WHEREAS, after all interested persons were given an opportunity to present testimony, the City Plan Commission did on November 7, 2023, recommend approval of the proposed amendment to the KCIA Area Plan; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section A. That the KCIA Area Plan is hereby amended by changing the Proposed Land Use Plan and Map for an approximately 30 acre tract of land generally located north of Highway I-435 and south of N.W. Cookingham Drive (2801 N.W. Cookingham Drive) from "mixed use community" to "commercial/industrial." A copy of the amendment to the KCIA Area Plan is attached hereto as Exhibit A and is incorporated herein by reference.

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

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

..end



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 230978

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Amending the KCIA Area Plan by amending the Proposed Land Use Plan and Map for an approximately 30 acre tract of land generally located north of Hwy I-435 and south of NW Cookingham Drive (2801 NW Cookingham Drive) by changing the recommended land use designation from "Mixed Use Community" to "Commercial/Industrial." (CD-CPC-2023-00139)

Discussion

"Utilizing planning approaches..." from the CWBP was chosen as most applicable to this resolution, as the proposal was reviewed by current and long range planning staff. Although this was the most applicable selection, the resolution does not ensure sustainable housing or promote wellbeing.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this is a resolution amending recommended future land use within the KCIA Area Plan for the subject site.
3. How does the legislation affect the current fiscal year?
Not applicable as this is a resolution amending recommended future land use within the KCIA Area Plan for the subject site.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable as this is a resolution amending recommended future land use within the KCIA Area Plan for the subject site

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Not applicable as this is a resolution amending recommended future land use within the KCIA Area Plan for the subject site.

Office of Management and Budget Review

(OMB Staff will complete this section.)

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

Additional Discussion (if needed)

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

Citywide Business Plan (CWBP) Impact

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

Prior Legislation

None

Service Level Impacts

No impact expected.

Other Impacts

1. What will be the potential health impacts to any affected groups?
This resolution amends recommended future land use within the KCIA Area Plan, which has not been evaluated for its health impact.

2. How have those groups been engaged and involved in the development of this ordinance?
This resolution and accompanying requires public engagement prior to a recommendation from City Plan Commission. The developer held a public engagement meeting on 9/19/2023.

3. How does this legislation contribute to a sustainable Kansas City?
The resolution is an example of how the City is adapting to changes in development patterns, which contributes to the sustainability of the city.

4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

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

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

Please provide reasoning why not:

Not applicable as this is a resolution amending recommended future land use within the KCIA Area Plan for the subject site.

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

No(Press tab after selecting)

Click or tap here to enter text.

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



File #: 230979

ORDINANCE NO. 230979

Sponsor: Councilmember Wes Rogers

Rezoning an area of about 30 acres generally located north of Highway I-435 and south of N.W. Cookingham Drive (2801 N.W. Cookingham Drive) from District AG-R to District M2-3 and approving a preliminary development plan which also serves as a preliminary plat for a data center development consisting of two lots and two tracts. (CD-CPC-2023-00138 and CD-CPC-2023-00140)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A____ rezoning an area of about 30 acres generally located north of Highway I-435 and south of N.W. Cookingham Drive (2801 N.W. Cookingham Drive) from District AG-R (Agricultural) to District M2-3 (Manufacturing 2-3), said section to read as follows:

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

That part of the East 32 acres of the Northwest 1/4 together with that part of the west 32.29 acres of the Northeast 1/4 of Section 21, Township 52 North, Range 33 West of the 5th Principal Meridian, Kansas City, Platte County, Missouri, which lies southerly of Missouri State Highway No. 291 and northerly of Interstate Highway No. 435, described as follows: Commencing at the northwest corner of said Northwest 1/4; thence North 89°33'48" East on the north line of said Northwest 1/4, 2644.88 feet to an axle at the apparent northeast corner of said Northwest 1/4; thence South 0°14'35" West on the east line of said Northwest 1/4, 25.00 feet to the point of beginning on the south right-of-way line of Cookingham Drive; thence North 89°24'05" East on said south right-of-way line, 209.70 feet to the south right-of-way line of Missouri Highway Route 291; thence South 0°47'11" East on said south right-of-way line, 9.53 feet to a point 30.00 feet left of centerline highway station 665+00; thence South 77°57'48" East on said south right-of-way line, 135.17 feet to a point 60.00 feet left of centerline highway station 664+10 back = 663 +68.2 ahead; thence North 89°12'49" East on said south right-of-way line, 185.61 feet to the east line of said west 32.29 acres; thence South 0°09'10" West on said east line,

1233.67 feet to the north right-of-way line of Interstate Highway Route 435; thence North 88°59'07" West on said north right-of-way line, 529.74 feet to the east line of said Northwest 1/4; thence continuing North 88°59'07" West on said north right-of-way line, 529.24 feet to the west line of said east 32 acres; thence North 0°08'21" East on said east line, 1243.85 feet to the south right-of-way line of said Cookingham Drive being 25.00 feet south from, as measured perpendicular to, the north line of said Northwest 1/4; thence North 89°33'48" East on said south right-of-way line, 531.49 feet to the point of beginning.

is hereby rezoned from District AG-R (Agricultural) to District M2-3 (Manufacturing 2-3), as shown outlined on a map marked Section 88-20A____, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan which will also serve as a preliminary plat for the area legally described above is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
2. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
3. 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.
4. The developer shall submit an affidavit, completed by an ISA certified arborist, an SAF certified forester, a professional engineer, or a landscape architect licensed in the State of Missouri, verifying that all trees preserved and all trees planted to meet mitigation required of the approved plan, whichever is applicable, has been installed or preserved in accordance with the plan and is healthy prior to a certificate of occupancy.
5. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
6. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and

acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.

7. The developer shall submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape improvements in the public right-of-way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
8. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.
9. The developer shall provide dimensions for existing N.W. Cookingham Drive right-of-way to confirm sufficiency in accordance with the major street plan, or dedicate additional right-of-way as required by the adopted major street plan and/or Chapter 88 so as to provide a minimum of 60 feet of right-of-way as measured from the centerline, along those areas being platted.
10. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
11. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, provide a copy of the MDNR submitted Storm Water Pollution Prevention Plan (SWPP) and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
12. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
13. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
14. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.

15. 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)
16. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA 241-2013 § 8.7.2) Fire hydrant distribution shall follow IFC-2018 Table C102.1.
17. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1) All Fire Department Connections (FDC) shall be threaded connections, Storz connections are not allowed in the City of Kansas City, Missouri (IFC-2018 § 903.3.6; NFPA 13-2010 § 6.8.1).
18. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
19. Security gates which span across a fire access road shall provide a means for emergency operation. Electric gates shall require a siren sensor device typically referred to as a “yelp gate” (IFC-2018 § 503.6).
20. A required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Required Fire Department access roads shall designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
21. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
22. Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1) Buildings exceeding 62,000 square feet in area shall have at least two means of fire apparatus access (IFC-2018: § D104.2) Due to the size of each of the building both entrances off of Cookingham shall be present for the first phase.
23. The developer shall be responsible for tree preservation in an easement or platted tract, mitigation planting, or payment of cash-in-lieu of preservation or mitigation planting, or any combination thereof in accordance with 88-424. Should the developer choose to pay cash-in-lieu of preservation or mitigation of all or a

portion of the required area, the amount due shall be based upon the rate specified in 88-424. This requirement shall be satisfied prior to a certificate of occupancy.

24. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
25. Water/Sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
26. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
27. A full flow fire meter shall be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.
28. No water service tap permits will be issued until the public water main is released for taps.
29. The developer shall submit water main extension drawings prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations. These plans shall cover any new public water mains and public fire hydrants at 300' spacing. Developer shall provide Kansas City Water Services staff grading plans within the existing water main easement for review and approval prior to commencing grading work within the easement, and the grading shall maintain a minimum of 60" of cover over the existing 24" water transmission main. All other construction within the existing 24" transmission main easement shall meet the easement requirements.
30. 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.
31. The developer shall provide acceptable easements for the public sewers serving the development.
32. The developer shall obtain temporary construction easements from the adjacent property owners prior to issuance of permits for any offsite work.
33. The developer shall grant any BMP and/or surface drainage easements to the City as required by the Land Development Division and the Kansas City Water

Services department, prior to recording the plat or issuance of any building permits.

34. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
35. The developer shall submit a final stream buffer plan to the Land Development Division and the Kansas City Water Services Department for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.
36. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and Land Development Division, prior to issuance of any stream buffer permits.
37. The developer shall obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
38. Storm water detention basins that serve more than one lot will be required to be platted in a storm water detention tract and be covered by a Covenant to Maintain Storm Water Detention and BMP Facilities document prior to recording the final plat.

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 #: 230979

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Executive Summary

Rezoning an area of about 30 acres generally located north of Hwy I-435 and south of NW Cookingham Drive (2801 NW Cookingham Drive) from District AG-R (Agricultural) to District M2-3 (Manufacturing 2-3) and approving a preliminary development plan which also serves as a preliminary plat for a data center development consisting of two lots and two tracts. (CD-CPC-2023-00138 and CD-CPC-2023-00140).

Discussion

"Utilizing planning approaches..." from the CWBP was chosen as most applicable to this ordinance, as the proposal was reviewed by current and long rang planning staff. Although this was the most applicable selection, the ordinance does not ensure sustainable housing or promote wellbeing.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable as this is a zoning ordinance authorizing physical development of subject property and allowed uses on subject property.
3. How does the legislation affect the current fiscal year?
Not applicable as this is a zoning ordinance authorizing physical development of subject property and allowed uses on subject property.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
The proposed ordinance dedicates public right-of-way as required by the Major Street Plan and authorizes construction of public infrastructure at the

developer's expense. Once completed, the infrastructure will be accepted by the city and become the City's responsibility to maintain.

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

This ordinance authorizes physical development of the subject property, which may generate revenue.

Office of Management and Budget Review

(OMB Staff will complete this section.)

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

Additional Discussion (if needed)

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

Citywide Business Plan (CWBP) Impact

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

Prior Legislation

None

Service Level Impacts

No impact expected.

Other Impacts

1. What will be the potential health impacts to any affected groups?
This zoning ordinance authorizes physical development of subject property and allowed uses on subject property, which has not been evaluated for its health impact.
2. How have those groups been engaged and involved in the development of this ordinance?
This ordinance requires public engagement prior to a recommendation from City Plan Commission. The developer held a public engagement meeting on 9/19/2023.
3. How does this legislation contribute to a sustainable Kansas City?
There proposed legislation does not greatly contribute to a sustainable Kansas City as it is adding impervious surface and creating few jobs for the size of the development. The location is appropriate for the use, but this project did not go above and beyond in an particular aspect of sustainability.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

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

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

Please provide reasoning why not:

Not applicable as this is a zoning ordinance authorizing physical development of subject property and allowed uses on subject property.

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

No(Press tab after selecting)

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

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



File #: 230936

ORDINANCE NO. 230936

Sponsor: Director of City Planning and Development Department

Amending Chapter 88, the Zoning and Development Code, for the purpose of creating a process to allow persons with disabilities to apply for a reasonable accommodation to the Zoning and Development Code, by enacting a new Section 88-571, Relief for Reasonable Accommodation, and by repealing Sections 88-805-02, Residential Use Group, and 88-810-700, Household, and enacting in lieu thereof new sections of like number and subject matter for the purpose of ensuring the City's regulations are in compliance with federal law.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. Amending Chapter 88, the Zoning and Development Code, for the purpose of creating a process to allow persons with disabilities to apply for a reasonable accommodation to the Zoning and Development Code, by enacting a new Section 88-571, Relief for Reasonable Accommodation, said section to read as follows:

88-571 RELIEF FOR REASONABLE ACCOMMODATION

88-571-01 – INTENT

It is the policy of the City of Kansas City, Missouri, pursuant to the federal Fair Housing Amendments Act of 1988, Title II of the Americans with Disabilities Act, and applicable state laws, to provide individuals with disabilities relief from requirements of this zoning and development code, city policies, and administrative practices to ensure equal access to housing and to facilitate the development of housing for individuals with disabilities.

Nothing in this section requires persons with disabilities or operators of group homes for persons with disabilities acting or operating in accordance with applicable zoning, licensing or land use laws or practices to seek reasonable accommodation under this Section.

88-571-03 – Requesting Reasonable Accommodations

To make specific housing available to one (1) or more individuals with disabilities, a disabled person or a person acting on his/her behalf at his/her request (collectively, the "applicant") may request a reasonable accommodation in the form of relief from any standard of this zoning and development code, adopted city policy, or administrative practice of the city applicable to such housing.

1. A request by an applicant for reasonable accommodation requesting relief from any requirement of this zoning and development code, adopted city policy, or administrative procedure shall be made orally or in writing on a reasonable accommodation request form provided by the city planning and development director. The form shall contain:
 - a. Name and address of the individual or entity requesting reasonable accommodation. If the applicant is applying on behalf of an individual with a disability, the name and address of the individual with a disability shall also be provided;
 - b. Address of the property for which the accommodation is requested;
 - c. The name, phone number, and address of the owner of the fee interest of the property (if other than the applicant);
 - d. Attestation that the applicant is (a) an individual with a disability, (b) applying on behalf of an individual with a disability, or (c) a developer or provider of housing for one or more individuals with a disability;
 - e. The nature of the disability that requires the reasonable accommodation. In the event that the specific individuals who are expected to reside at the property are not known to the applicant in advance of making the application, the applicant shall not be precluded from filing the application but shall submit details describing the range of disabilities that prospective residents are expected to have to qualify for the housing. The applicant shall notify the department in the event the residents at the location are not within the range described. The department shall then determine if an amended application and subsequent determination of reasonable accommodation is appropriate;
 - f. The specific type of accommodation requested by the applicant, applicable sections of this zoning and development code, policy titles, and practices for which the accommodation is sought. To the extent practicable, this portion should include information concerning the impact of the reasonable accommodation on the adjoining properties and area, the number of people who are expected to be availing themselves of the reasonable accommodation, the estimated number of people in an average week who will be necessary to provide services to the person(s) with disabilities at the property on an on-going basis, whether or not this type of reasonable accommodation is required to obtain a license from any State or County authority to operate, and any other information the applicant thinks would assist in determining the reasonableness of the accommodation;

- g. Documentation that the specific accommodation(s) requested by the applicant is necessary for the individual(s) with the disability to use and enjoy the dwelling, or is necessary to make the development of housing for individuals with disabilities financially or practically feasible.

- h. The applicant should also note, if known, whether this accommodation requires any additional permits or licensure (e.g. business license); and
- i. Whether the accommodation requested may be necessary to afford one (1) or more disabled persons equal opportunity to use and enjoy a specific dwelling.
- j. Any other information that the code administrator or department concludes is necessary in order to make the findings required by this Section.

The city planning and development department will provide the assistance necessary to an applicant in making a request for reasonable accommodation, including information which the department deems necessary to complete a reasonable accommodation request form. Upon the City's receipt of the necessary information to process the applicant's request for reasonable accommodation, the department shall use the information to complete a reasonable accommodation request form. When the department prepares a request for reasonable accommodation form in response to an oral request the form shall be presented to the requester for their input and approval.

- 2. The department will provide the assistance necessary to any applicant wishing to appeal a denial of a request for reasonable accommodation to ensure the process is accessible to the applicant. The applicant is entitled to be represented at all stages of the proceedings identified in this Section by a person designated by the applicant.
- 3. Should the information provided by the applicant to the department include medical information or records of the applicant, including records indicating the medical condition, diagnosis or medical history of the applicant, the department will treat such medical information as confidential.
- 4. The department shall provide written notice to the applicant, and any person designated by the applicant to represent the applicant in the application proceeding, of any request received by the department for disclosure of the medical information or documentation which the applicant has provided. The department will cooperate with the applicant, to the extent allowed by law, in actions initiated by the applicant to oppose the disclosure of such medical information or documentation.
- 5. All medical information or records of the applicant will be destroyed by the City after the time for appeal of the decision has expired.i98o

88-571-04 – Reviewing Authority

- 1. Requests for reasonable accommodation made pursuant to this section shall be

reviewed by the city planning and development director, using the criteria set forth in 88-571-05.

2. The city planning and development director shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application, and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth in 88-571-05.
3. If necessary to reach a determination on the request for reasonable accommodation, the city planning and development director may request further information from the applicant consistent with applicable fair housing laws, specifying in detail the information that is required. The applicant shall have fifteen (15) days after the date of the request for additional information to provide the requested information. In the event a request for additional information is made, the 30-day period to issue a written determination shall be stayed. The city planning and development director shall issue a written determination within thirty (30) days after receipt of the additional information. If the applicant fails to provide the requested additional information within the 15-day period, the director shall issue a written determination within thirty (30) days after expiration of the 15-day period.

88-571-05 – Required Findings

1. The written decision to grant, grant with modifications or conditions, or deny a request for reasonable accommodation shall be consistent with applicable fair housing laws and based upon the following factors:
 - a. Whether the housing that is the subject of the request for reasonable accommodation will be used by an individual with a disability protected under the applicable fair housing laws.
 - b. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the applicable fair housing laws.
 - c. Whether the requested accommodation would impose an undue financial or administrative burden on the city.
 - d. Whether the requested accommodation would require a fundamental alteration in the nature of the zoning and development code or building program.
 - e. Whether the requested accommodation would, under the specific facts of the case, result in a threat to the health or safety of other individuals or substantially damage the property of others.
2. Factors for Consideration – Necessity. The city planning and development director may consider, but is not limited to, the following factors in determining whether the

requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling:

- a. Whether the requested accommodation will affirmatively enhance the quality of life of one or more individuals with a disability.
 - b. Whether the individual(s) with a disability will be denied an equal opportunity to enjoy the housing type of their choice absent the accommodation.
 - c. In the case of developers or providers of housing for individuals with disabilities, whether the requested accommodation is necessary to make a facility or facilities of a similar nature or operation economically viable in light of the relevant market and market participants.
 - d. In the case of developers or providers of housing for individuals with disabilities, whether the existing supply of facilities of a similar nature and operation in the community is sufficient to provide individual(s) with a disability an equal opportunity to live in a residential setting.
3. Factors for Consideration – Fundamental Alteration/Reasonableness. The city planning and development director may consider, but is not limited to, the following factors in determining whether the requested accommodation would require a fundamental alteration in the nature of a city program:
- a. Whether the requested accommodation would fundamentally alter the character of a neighborhood.
 - b. Whether the accommodation would result in a substantial increase in traffic or insufficient parking.
 - c. Whether granting the requested accommodation would substantially undermine any express purpose of any of the city’s comprehensive plan or the intent of this zoning and development code.
 - d. In the case of a developer or provider of housing for individuals with disabilities, whether the requested accommodation would create an institutionalized environment due to the number of, and distance between, facilities that are similar in nature.
4. In making the findings, the director may approve alternative reasonable accommodations that provide an equivalent level of benefit to the applicant with respect to (a) enabling the individual(s) with the disability to use and enjoy the dwelling, or (b) making the development of housing for individuals with disabilities financially or practically feasible.

88-571-06 – Written Decision

1. The written decision of the city planning and development director on a request for reasonable accommodation shall explain the basis of the decision, including those criteria in 88-571-05 which were dispositive. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeal process set forth in 88-571-07. The notice of decision shall be sent to the applicant by certified mail.
2. The written decision of the director shall be final unless an applicant files an appeal to the Board of Zoning Adjustment in accordance with 88-571-07.
3. If the city planning and development director fails to render a written decision on the request for reasonable accommodation within the thirty (30) day period established by 88-571-04, the request shall be deemed granted.

88-571-07 – Appeals

1. Within fifteen (15) days of the date of the city planning and development director's decision, an applicant may appeal an adverse decision to the board of zoning adjustment as set forth in 88-575.
2. If an individual needs assistance in filing an appeal on an adverse decision, the city planning and development director shall provide or arrange for assistance to ensure that the appeals process is accessible. All applicants are entitled to be represented at all stages of the appeal proceeding by a person designated by the applicant.
3. All appeals shall contain a written statement of the grounds for the appeal. Any personal information related to the disability status identified by an applicant as confidential shall be retained and transmitted in a manner so as to protect the privacy rights of the applicant and shall not be made available for public inspection.
4. In considering an appeal of the decision of the director, the board of zoning adjustment shall consider (a) the application requesting a reasonable accommodation, (b) the director's decision, (c) the applicant's written statement on the grounds for appeal, and (d) the provisions of this Section, in order to determine whether the director's decision was consistent with applicable fair housing laws and the required findings established in 88-571-05.
5. There shall be no fee to appeal a decision issued under 88-571-06.

88-571-08 – Expiration

1. Any approval granted for a reasonable accommodation in accordance with this Section shall expire twenty-four (24) months from the effective date of the approval unless:
 - a. Construction of the approved work has commenced in accordance with an approved building permit, where applicable.
 - b. A certificate of occupancy for the approved work has been issued.

- c. The use authorized by the reasonable accommodation is legally established.
 - d. An extension of time has been granted by the director in accordance with 88-571-08(2).
2. The director may approve up to three (3), one-year extensions of time for an approval of a reasonable accommodation, upon a showing of good cause by the applicant for each such extension. Any request for an extension of time for an approval of a reasonable accommodation shall be made in writing to the director at least thirty (30) days prior to the expiration date.

88-571-09 – Future Interest of Accommodation

Any accommodation granted to an individual with a disability shall be considered personal to that individual and shall not run with the land. Accordingly, the director (or the board of zoning adjustment on appeal) may condition the approval of any such accommodation on (a) removal of any improvements constructed pursuant to the accommodation, where the removal would not constitute an unreasonable financial burden, when the need for which the accommodation was granted no longer exists; (b) time limits and/or expiration of the accommodation, when the need for which the accommodation was granted no longer exists; or (c) recordation of a covenant, building restriction, or deed restriction putting prospective buyers of the subject property on notice regarding the personal nature of the accommodation and any conditions relating thereto.

88-571-10 – Resubmission

No request for reasonable accommodation that has been denied in whole or in part may be resubmitted within one (1) year of the date of the denial, except upon a showing of materially changed conditions.

88-571-11 – Modification

Any request to modify an approved accommodation shall be treated as a new application unless, in the opinion of the director, the requested modification results in only a minor change, is within the authority of the director to approve, and is consistent with the original approval.

88-571-12 – Fees

The city shall not impose any additional fees or costs in connection with a request for reasonable accommodation under the provisions of this section or an appeal of a denial of such request by the city planning and development director. Nothing in this section obligates the city to pay an applicant's attorney fees or costs.

88-571-13 – Stay of Enforcement

While an application for reasonable accommodation or appeal of a denial of said application is pending, the city will not enforce the subject zoning ordinance against the applicant. All other laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

88-571-14 – Record-Keeping

The city planning and development director shall maintain records of all oral and written requests submitted under the provisions of this section and the city's responses thereto, as required by State law.

Section B. Repealing Sections 88-805-02, Residential Use Group, and 88-810-700 Household and enacting in lieu thereof new sections of like number and subject matter for the purpose of ensuring the City's regulations are in compliance with federal law. .

88-805-02 RESIDENTIAL USE GROUP

The residential use group includes uses that provide living accommodations to one or more persons. The group includes two use categories: household living and group living.

88-805-02-A. HOUSEHOLD LIVING

Residential occupancy of a dwelling unit by a household with tenancy arranged on a basis of 30 consecutive days or more.

88-805-02-B. GROUP LIVING

Residential occupancy of a structure by other than a "household," typically providing communal kitchen/dining facilities. Examples of group living uses include but are not limited to fraternities, sororities, convents, monasteries, nursing homes and the following specific use types:

1. GROUP HOME

A single dwelling occupied on a permanent basis by a group of unrelated persons with disabilities, including those recovering from alcoholism or addiction to drugs. Group homes may also be occupied by paid staff and caregivers. It expressly excludes halfway houses for alcoholics, drug addicts, prisoners or juvenile delinquents. Group homes for eight or fewer unrelated persons with disabilities, with up to two additional persons acting as houseparents or guardians, are considered "households" and are allowed as-of-right in all districts that allow household living uses.

2. DOMESTIC VIOLENCE RESIDENCE

A residential building in which temporary housing is provided for up to 8 persons who are victims of domestic violence. Any children or support staff using sleeping accommodations at a domestic violence residence will be counted in determining maximum occupancy.

3. DOMESTIC VIOLENCE SHELTER

A building in which temporary housing is provided for more than 8 persons who are victims of domestic violence.

4. NURSING HOME

As defined in Chapter 198, RSMO.

5. CONVENT/MONASTERY

A residential building housing persons (such as nuns or monks) under religious vows.

88-810-700 - HOUSEHOLD

A household is any of the following:

- a. An individual; or
- b. Two or more persons related by blood, marriage, or adoption; or
- c. A group of not more than five persons, excluding servants, who need not be related by blood or marriage, living together and subsisting in common as a separate nonprofit housekeeping unit which provides one kitchen; or
- d. A group of eight or fewer unrelated disabled persons, including those recovering from alcoholism or addiction to drugs, which may include two additional persons acting as houseparents or guardians who need not be related to each other or to any of the disabled persons residing in the home.

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

..end

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

Joseph Rexwinkle, AICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 230936

Submitted Department/Preparer: City Planning

Revised 8/3/23

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

Executive Summary

This is an amendment to the zoning and development code proposed by the Law Department as part of a settlement of a lawsuit.

Discussion

Under federal law the city must provide reasonable accommodation to all persons with a disability when such persons formally request such. The city does comply with this as a matter of practice, however the zoning and development code contain no language outlining the request process or expressly authorizing the city planning and development director to grant relief from standards of the zoning and development code if such relief is necessary to provide the reasonable accommodation requested. This amendment provides such a process and authorizes the director to grant relief when necessary to provide accommodation. It also clarifies the definition of group living so that it matches federal law. The existing definition of group home states that group homes are for disabled persons but expressly excludes alcoholics and drug addicts (who are not actively using) which is in conflict with federal law because both are considered disabilities.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
None identified.
3. How does the legislation affect the current fiscal year?
Unknown.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Unknown. While CPD staff currently provide reasonable accommodation it is typically in the form of providing the accommodation during a public hearing, rather than for relief from a zoning standard and is done informally (i.e. no

records are collected, no application form, etc.). The typical process for obtaining relief from a zoning standard is pursuing a variance from the Board of Zoning Adjustment, which is an approximately 5 week process from beginning to end. The applicant must prove hardship or practical difficulty to obtain the variance. A disabled person requiring such relief would usually receive the variance due to their being disabled. It is possible, though unlikely, this will result in an increased workload for CPD and we are not permitted to collect a fee for this service.

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

No. It is CPD's understanding that federal law prohibits us from collecting a fee for this service.

Office of Management and Budget Review

(OMB Staff will complete this section.)

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

Additional Discussion (if needed)

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

Citywide Business Plan (CWBP) Impact

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

None.

Service Level Impacts

The amendment would formalize the existing accommodations process, providing for an application procedure for requesting reasonable accommodation and require the department to retain certain records regarding such requests. This will increase workload for the department, but the extent to which it will affect the department's service delivery is unknown. Such provisions are not customary in other city's zoning codes so it is not something easily compared.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Unknown.
2. How have those groups been engaged and involved in the development of this ordinance?
This is an amendment initiated from the settlement of a lawsuit.
3. How does this legislation contribute to a sustainable Kansas City?
Unknown.
4. Department staff certifies the submission of any applicable Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), Non-Discrimination documents, and Letters of Intent to Subcontract (LOIs) to CREO prior to the legislation entry request in Legistar.

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

No(Press tab after selecting)

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

No(Press tab after selecting)



File #: 230937

ORDINANCE NO. 230937

Sponsor: Director of City Planning and Development Department

Approving the Westside Heritage Urban Renewal Plan on approximately 736 acres on an area generally bounded by I-670 on the north, Broadway/Southwest Boulevard/Southwest Trafficway on the east, W. 31st Street on the south, and the Stateline/25th Street/Kansas City Terminal Railway tracks on the west, pursuant to Land Clearance Redevelopment Authority Law. (CD-CPC-2023-00141)

WHEREAS, Section 99.430, RSMo, provides that a legislative body may approve a declaration of blight and approve an urban renewal plan for the same area simultaneously; and

WHEREAS, it is desirable and in the public interest that the Land Clearance for Redevelopment Authority of Kansas City, Missouri submit an Urban Renewal Plan for an area generally bounded by I-670 on the north, Broadway/Southwest Boulevard/Southwest Trafficway on the east, W/ 31st Street on the south, and the Stateline/25th Street/Kansas City Terminal Railway tracks on the west, and

WHEREAS, the Land Clearance for Redevelopment Authority has found the area to be blighted due to the insanitary or unsafe conditions, deterioration of site improvements, and a combination of such factors so as to constitute an economic or social liability to the public health, safety, morals or welfare; and

WHEREAS, the Land Clearance for Redevelopment Authority has recommended and determined that the Westside Heritage Urban Renewal Plan area be eligible for tax abatement and, if necessary, the exercise of eminent domain by the Land Clearance for Redevelopment Authority; and

WHEREAS, the City Plan Commission has reviewed and provided no recommendation of the Westside Heritage Urban Renewal Plan on October 17, 2023; 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 No. 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 proposed Westside Heritage Urban Renewal Plan area, an area generally bounded by I-670 on the north, Broadway/Southwest Boulevard/Southwest Trafficway on the east, W. 31st Street on the south, and the Stateline/25th Street/Kansas City Terminal Railway tracks on the west, and more specifically described as found on exhibit A attached hereto, is a blighted area and in need of redevelopment and rehabilitation and is appropriate for an Urban Renewal Project, and that the undertaking by the Land Clearance for Redevelopment Authority of Kansas City, Missouri, of surveys and plans for an urban renewal project of a character contemplated by Section 99.430, Revised Statutes of Missouri, as amended, and the proposed urban renewal are hereby approved.

Section 2. That the Council has duly made the findings necessary for compliance with Section 99.320 and 99.430, Revised Statutes of Missouri, as amended.

Section 3. That the Urban Renewal Plan which is known as the Westside Heritage Urban Renewal Plan, a copy of which is on file in the office of the City Clerk with this ordinance is incorporated herein by reference, is hereby approved including, if necessary, the power of eminent domain. Z

Section 4. That the Urban Renewal Plan is hereby found to be feasible and in conformance with the Master Plan for the development of the community as a whole.

Section 5. That pursuant to and in accordance with Section 9 of Ordinance No. 160383, as amended, as modified by 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 99.700, RSMo.

Section 6. That pursuant to and in accordance with City Code § 3-622(d), the City Council recognizes that the projects located in the Westside Heritage Urban Renewal Plan that provide affordable housing or housing at deeper levels of affordability, as defined in Code § 74-11, support affordable housing and extremely affordable housing as defined in Code § 3-622(d)(2), connect residents living in a continuously distressed census tracts to new employment opportunities as defined in Code § 3-622(d)(3), OR involve the renovation or rehabilitation of a historic structure, as provided in Code § 3-622(d)(4), are eligible for the waiver of prevailing wage requirements and confirms the LCRA's authority to issue such a waiver for qualifying projects.

..end

Approved as to form:

Emalea Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 230937

Submitted Department/Preparer: City Planning

Revised 8/3/23

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

Executive Summary

A request to approve a the Westside Heritage Urban Renewal Plan and declare the area blighted and insanitary and in need of redevelopment and rehabilitation as required by the Land Clearance for Redevelopment Authority Law of Missouri, Section 99.300 on approximately 736 acres on an area generally bounded by I-670 on the north, Broadway/Southwest Boulevard/Southwest Trafficway on the east, W 31st Street on the south, and the Stateline/ 25th St./Kansas City Terminal Railway tracks on the west. (CD-CPC-2023-00141)

Discussion

The intent of the Westside Heritage Urban Renewal Plan is to stabilize and maintain the presence of long-term low- and moderate-income homeowners and long-term homeowners.

In order to stabilize and maintain the presence of long-term, low- and moderate-income homeowners within the Plan Area, the Plan sets forth the following eligibility and minimum investment criteria for the implementation of the Plan by eligible applicants:

1. Homeowners must demonstrate that they have owned and resided in the property for at least ten (10) consecutive years prior to the date of application for tax abatement;
2. Eligible homeowners must document that they meet the criteria as a low- or moderate-income person at the time of application for tax abatement;
3. Eligible homeowners must document that at least \$3,500.00 of physical improvements (notwithstanding the requirements of the Authority's Workable Program) have been or is the process of being completed at the time of application for tax abatement; and, further,
4. That at least 25% of funds spent are for improvements made or being made for exterior physical improvements.

These criteria are intended to reduce or eliminate the economic pressure of the ongoing gentrification of the Westside on the existing long-term, low- or moderate-income homeowners in the Plan Area.

The following types of entities shall also be eligible for tax abatement under the specified conditions:

1. Mixed-use properties with two (2) or more apartments and multifamily properties shall be eligible for property tax abatement if 50% or more of the apartments are leased to low- or moderate-income residents at the time of application and throughout the term of the tax abatement;
2. Rental single-family homes owned by long-term residents and occupied by low- or moderate-income residents of a family member;
3. Commercial properties owned by long-term (10 or more years) residents of the Westside neighborhood;
4. Vacant land owned by long-term, low- or moderate-income residents, provided, however, said vacant land must remain vacant throughout the term of the tax abatement except for the property owners use for agricultural uses; and
5. Any property placed into a community land trust intended for the creation or preservation of affordable housing.

The additional eligible property owners are intended to stabilize and maintain existing affordable rental housing, protect commercial properties owned by long-term neighborhood residents, reduce economic pressures on long-term, low- or moderate-income residents that own vacant land, and to encourage the maintenance and expansion of the number of affordable housing units within the Plan Area.

Property owners that do not meet these criteria shall not be eligible for tax abatement under the provisions of this Plan. Any tax abatement awarded shall terminate upon the sale, transfer, or lease to non-family persons or entities or if the dwelling is demolished. Projects seeking tax abatement under the provisions of this Plan must be approved within five years of the date of this Plan's approval by City Council.

At the City Plan Commission hearing on September 19, 2023, the City Plan Commission recommended a continuance of the Plan to October 17, 2023 to allow time for additional public engagement meetings. At the City Plan Commission on October 17, 2023 the Commission discussed the definition of blight, the public engagement process, and the contents of the Plan. After public testimony and discussion, the Commissioner's made a motion of No Recommendation for the application. There were multiple public comments made both in support and opposition of the project; written statements from the City Plan Commission hearing on September 19, 2023 and October 17, 2023 are attached to the ordinance.

Fiscal Impact

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

2. What is the funding source?

No City funding is required. Private equity and debt will be used to finance all home rehabilitation activities contemplated.

3. How does the legislation affect the current fiscal year?
No. Eligible properties will receive 10 years abatement of the increased property taxes resulting from construction or rehabilitation work.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
No. Eligible properties will receive 10 years abatement of the increased property taxes resulting from construction or rehabilitation work. Properties receiving tax abatement will continue to pay property taxes on their “frozen” assessed values.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Eligible projects will use private equity and debt to finance their projects. No new revenues will be generated until the end of the 10 year property tax abatements.

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

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

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Housing and Healthy Communities (Press tab after selecting.)
3. 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

None.

Service Level Impacts

Residents within the Westside Heritage Urban Renewal Plan area will apply for tax abatement. Any application that meets the requirements for a Development Plan or Rezoning per Chapter 88, Kansas City Code of Ordinances, shall require approval of a rezoning to district UR along with the concurrent approval of a preliminary development plan and final plan as set forth in the same chapter.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Housing stability is critical to the physical health and emotional well-being of our community's low- and moderate-income residents.
2. How have those groups been engaged and involved in the development of this ordinance?
The Hispanic Economic Development Corporation, in consultation with a variety of neighborhood residents, is the proponent of the Westside Heritage Urban Renewal Plan.
3. How does this legislation contribute to a sustainable Kansas City?
The removal of blight through housing rehabilitation by low- and moderate income homeowners will lead to the retention of existing housing throughout the Westside neighborhood.
4. Does this legislation create or preserve new housing units?
Yes (Press tab after selecting)

Total Number of Units 100

Number of Affordable Units 100

No, the legislation will not create new housing units. It will preserve existing housing units through the removal of blight and rehabilitation activities. Approximately 100 units of existing affordable housing will be preserved.

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

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

Please provide reasoning why not:

Privately-financed housing rehabilitation activities are not subject to this requirement.

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

No(Press tab after selecting)

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

No(Press tab after selecting)