



Agenda

Neighborhood Planning and Development Committee

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

Wednesday, October 6, 2021

1:30 PM

26th Floor, Council Chamber

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)

210884

Approving the plat of Westport Commons II, an addition in Jackson County, Missouri, on approximately 10.85 acres generally located at the southwest corner of E. 39th Street and Gillham Road, creating 4 lots for the purpose of creating a multi-family development; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents.

(CLD-FnPlat-2021-00024)

Attachments: [2021-00024 Ordinance Fact Sheet](#)

210885 Approving the plat of Lot 2, I-49 Industrial Center, an addition in Jackson County, Missouri, on approximately 71.86 acres generally located at the southeast corner of Botts Road and Missouri Highway 150, creating 1 lot and 1 tract for the purpose of creating a 1 lot industrial development; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2021-00025)

Attachments: [2021-00025 Ordinance Fact Sheet](#)

210886 Approving the plat of Green Hills Plaza Third Plat, an addition in Platte County, Missouri, on approximately 2.35 acres generally located on the south side of N.W. Barry Road and approximately 900 ft. east of N. Green Hills Road, creating 1 lot for the purpose of a 1 lot commercial subdivision; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2021-00032)

Attachments: [2021-00032 Ordinance Fact Sheet](#)

210887 Approving the plat of Briarcliff Apartments, an addition in Clay County, Missouri, on approximately 9.2 acres generally located on the southeast side of N.W. Briarcliff Parkway between N.W. 38th Street to the south and Highway 9 to the north, creating 2 lots for the purpose of creating a 255 unit multi-family development; accepting various easements and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2021-00034)

Attachments: [2021-00034 Ordinance Fact Sheet](#)

End of Consent(s)

210889 Accepting the recommendations of the Tax Increment Financing Commission as to the Sixth Amendment to the Platte Purchase Development Plan; approving the Sixth Amendment; and directing the City Clerk to send copies of this ordinance.

Attachments: [No Fact Sheet](#)

Shields

- [210890](#) Amending Committee Substitute for Ordinance No. 190407 that approved a preliminary development plan in District MPD on approximately 1.5 acres generally located on a portion of the block bounded by Broadway, W. 46th Street, Wornall Road, and W. 46th Terrace, to allow an approximately 265,000 square foot development, including two hotel towers, by repealing conditions 27 and 34 in Section A, enacting in lieu thereof new conditions 27 and 34 in Section A, and deleting conditions 32 and 33 in Section A. (CD-CPC-2019-00038)

Attachments: [No Fact Sheet](#)

Fowler, Bough and O'Neill

- [210891](#) Directing the City Manager to review the City Planning and Development Department's existing development review, approval and permitting processes and to make recommendations to improve the efficiency, timeliness and consistency of those processes and to report back to the City Council within 120 days.

Attachments: [No Fact Sheet - Resolution](#)

- [210892](#) Approving an amendment to a previously approved MPD plan in District MPD on about 55 acres generally bounded by E. 51st Street and Rockhurst Road on the north, E. 54th Street and E. 55th Street on the south, The Paseo on the east, and Troost Avenue on the west to allow for future building additions. (CD-CPC-2021-00130)

Attachments: [CD-CPC-2021-00130 FACTSHT](#)

- [210893](#) Approving a Council approved signage plan pursuant to Section 88-445-11 in District M1-5 on about 6 acres generally located at 3150 Mercier Avenue to allow for the rehabilitation of signs for the Downtown Business Park. (CD-CPC-2021-00121)

Attachments: [CD-CPC-2021-00121 FactSheet](#)

Robinson

- 210895** Authorizing an application to the Missouri Development Finance Board for the authorization of state tax credits in the amount not to exceed \$250,000.00 to support the Niles Home for Children Project; and authorizing the City Manager's Office to execute a tax credit agreement with the Missouri Development Finance Board in connection with the tax credits.

Attachments: [Niles Home for Children Fact Sheet FINAL](#)
[Niles Fiscal Note](#)

Robinson

- 210896** Declaring a portion of the property generally located within the Ridgeview Heights Apartments PIEA Project Area at 32nd and Hardesty, Kansas City, Jackson County, Missouri to be blighted and insanitary and in need of redevelopment and rehabilitation pursuant to the Missouri Planned Industrial Expansion Law, Sections 100.300-100.620, RSMo.

Attachments: [No Fact Sheet](#)

- 210898** Amending Chapter 88, Zoning and Development Code, Section 88-445-15.C.5, to revise the requirements for relocation of certain legal nonconforming signs in settlement of condemnation actions. (CD-CPC-2021-00146)

Attachments: [CD-CPC-2021-00146 Fact Sheet](#)

- 210900** Amending the Midtown Plaza Area Plan by changing the recommended land use from Residential Medium Density to Residential High Density on about .22 acres, generally located at 3933 Kenwood Ave, to allow for the development of three triplexes. (CD-CPC-2021-0012)

Attachments: [CD-CPC-2021-00120 FactSheet](#)

- 210901** Rezoning an area of about .22 areas generally located at 3933 Kenwood Avenue from R-5 to R-1.5 to allow for the development of three triplexes. (CD-CPC-2021-00119)

Attachments: [CD-CPC-2021-00119 FactSheet - Copy](#)

HELD IN COMMITTEE

ADDITIONAL BUSINESS

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

2. Closed Session

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

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

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

- Livestream on the city's website at www.kcmo.gov
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOublg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: http://kansascity.granicus.com/ViewPublisher.php?view_id=2

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



File #: 210884

ORDINANCE NO. 210884

Approving the plat of Westport Commons II, an addition in Jackson County, Missouri, on approximately 10.85 acres generally located at the southwest corner of E. 39th Street and Gillham Road, creating 4 lots for the purpose of creating a multi-family development; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2021-00024)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Westport Commons II, a subdivision in Jackson County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

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

Section 3. That the Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain Storm Water Detention Facilities Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

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

Section 5. That the City Clerk is hereby directed to record copies of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Jackson County, Missouri.

Section 6. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on September 7, 2021.

..end

Approved as to form and legality:

Eluard Alegre
Assistant City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

210884

Ordinance Number

Brief Title

Approving the plat of Westport Commons II, an addition in Kansas City, Jackson County, Missouri

<p>Specific Address Approximately 10.85 acres generally located at southwest corner of E. 39th Street and Gillham Road, creating 4 lots.</p>	<p>Sponsor</p>	<p>Jeffrey Williams, AICP, Director Department of City Planning & Development</p>
<p>Reason for Project This final plat application was initiated by HP Development Partners 2, LLC, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a multi-family development.)</p>	<p>Programs, Departments, or Groups Affected</p>	<p>City-Wide Council District(s) 4(JA) Shields - Bunch Other districts (school, etc.) Kansas City Missouri 110</p>
<p>Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p> <p>CONTROLLING CASE Ord. 181007 – On January 10, 2019 Council rezoned an area of about 9.5 acres generally located at 3907 Oak Street, at the southeast corner of 39th Street and McGee Street, from District R-2.5 to MPD to rehabilitate Westport High School and build additional multi-family residential units. (CD-CPC-2018-00138)</p>	<p>Applicants / Proponents</p>	<p>Applicant(s) HP Development Partners, LLC City Department City Planning and Development Other</p>
	<p>Opponents</p>	<p>Groups or Individuals None Known Basis of Opposition</p>
	<p>Staff Recommendation</p>	<p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</p>
	<p>Board or Commission Recommendation</p>	<p>By: City Plan Commission September 7, 2021 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</p>
	<p>Council Committee Actions</p>	<p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</p>

Details

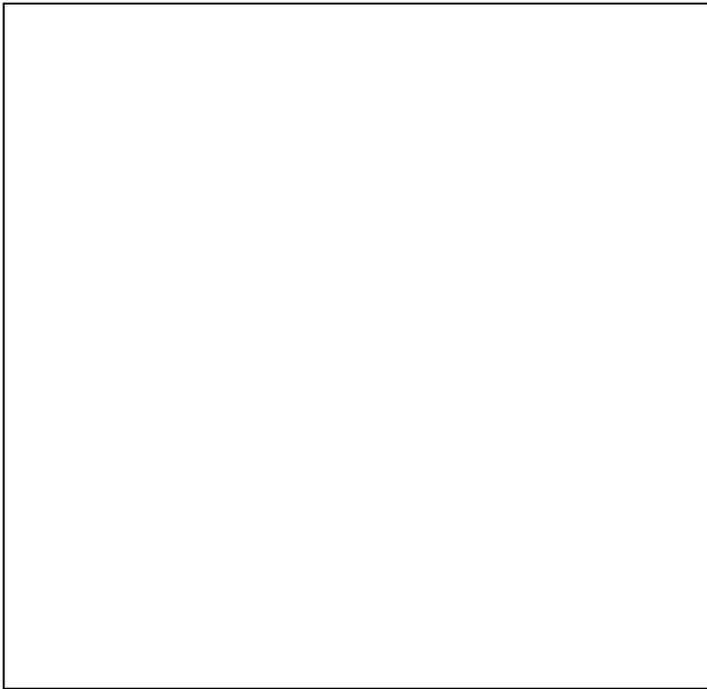
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Policy / Program Impact

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

Finances

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



How will this contribute to a sustainable Kansas City?	<p>This project consists of platting Westport Commons II consisting of 4 lots and 1 private open space tract for a commercial development on 11 acres of previously developed property. The first 1.5 inches of runoff will be detained on-site and the storm water detention facilities will assure that the pre-development peak discharge rate and volume will not be exceeded after development of the site. As part of the development, an assessment of the existing conditions of the perimeter curb and gutter, sidewalk and drive approaches will be made. Any of these elements found not in compliance with current City standards, must be removed and replaced. The removal and replacement of deteriorating infrastructure will eliminate erosion, discourage further deterioration and improve the overall aesthetics of the site.</p> <p>Written by Lucas Kaspar, PE</p>
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Project Start Date

Projected Completion or Occupancy Date

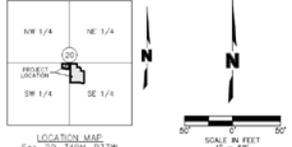
Fact Sheet Prepared by:
Thomas Holloway

Date: September 23, 2021

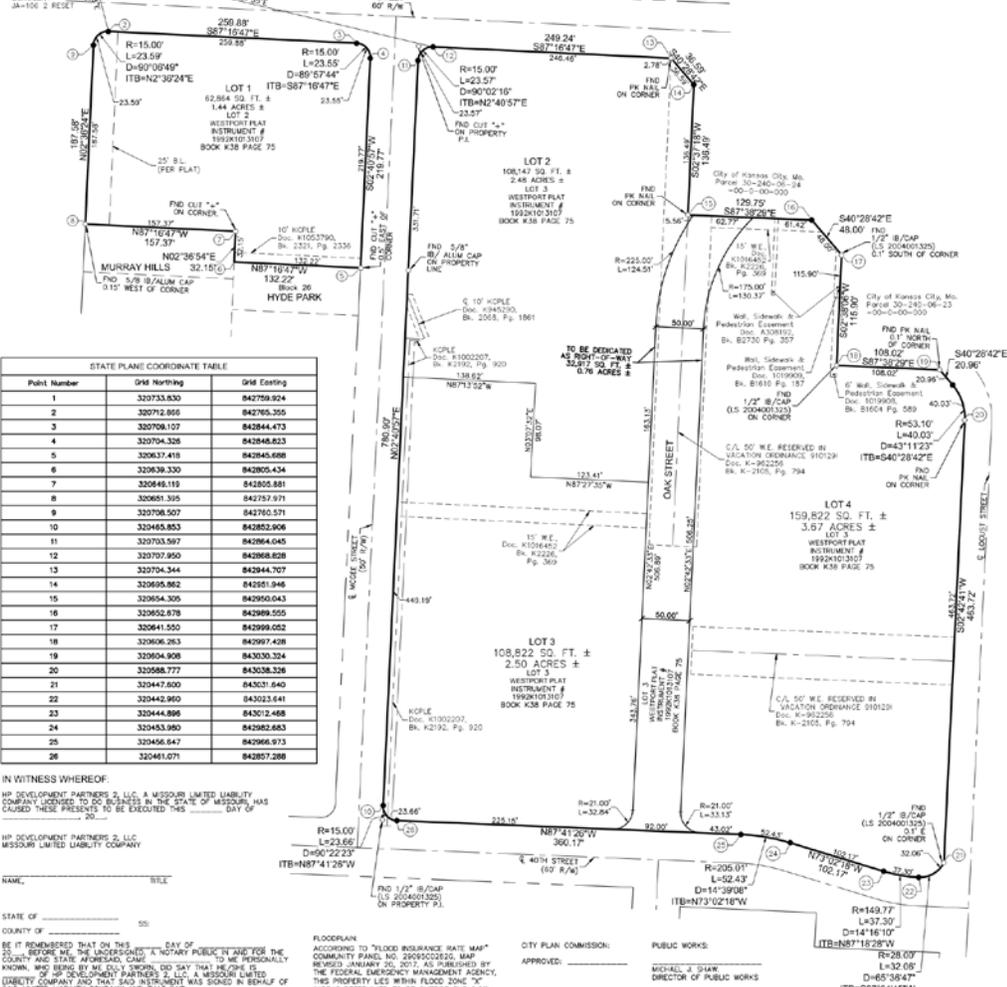
Reviewed by:
Lucas Kaspar, PE,
Land Development Division (LDD)
City Planning & Development

Reference or Case Numbers: CLD-FnPlat-2021-00024

FINAL PLAT OF
WESTPORT COMMONS II
S/4 & SE 1/4, SEC. 20, T49N, R33W
KANSAS CITY, JACKSON COUNTY, MISSOURI



LOCATION MAP
Sec. 20, T49N, R33W
(N.T.S.)
N 32°33'33.00"
E 84°27'59.82"
MONUMENT
JA-100 2 RESET



STATE PLANE COORDINATE TABLE

Point Number	Old Northing	Old Easting
1	320733.830	842759.824
2	320712.855	842765.355
3	320706.107	842844.473
4	320704.326	842848.633
5	320637.418	842845.688
6	320636.330	842805.434
7	320645.119	842805.881
8	320661.305	842757.071
9	320708.507	842780.571
10	320445.853	842822.906
11	320703.597	842864.045
12	320707.950	842868.828
13	320704.344	842844.707
14	320695.862	842851.946
15	320654.305	842950.043
16	320652.878	842989.555
17	320641.550	842999.052
18	320608.263	842997.408
19	320604.808	843030.324
20	320598.777	843038.326
21	320447.800	843031.840
22	320442.960	843023.641
23	320444.896	843021.468
24	320453.980	842982.683
25	320456.547	842966.973
26	320461.071	842897.288

IN WITNESS WHEREOF:
HP DEVELOPMENT PARTNERS 2, L.L.C. A MISSOURI LIMITED LIABILITY COMPANY LICENSED TO DO BUSINESS IN THE STATE OF MISSOURI HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS _____ DAY OF _____ 20____.

HP DEVELOPMENT PARTNERS 2, L.L.C.
MISSOURI LIMITED LIABILITY COMPANY

NAME: _____ TITLE: _____

STATE OF _____ CO. _____

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____ BEFORE ME THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE aforesaid, DID SAY THAT HE/SH/IT IS THE PERSONAL REPRESENTATIVE OF HP DEVELOPMENT PARTNERS 2, L.L.C. A MISSOURI LIMITED LIABILITY COMPANY AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID LIMITED LIABILITY COMPANY AND THAT SAID ACKNOWLEDGEMENT SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY.

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

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

PROPERTY DESCRIPTION:
ALL OF LOT 2, WESTPORT PLAT, A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI, RECORDED AS DOCUMENT NUMBER 1990010107 IN BOOK K38 AT PAGE 75 AT THE JACKSON COUNTY RECORDER OF DEEDS OFFICE.
ALL OF LOT 3, WESTPORT PLAT, A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI, RECORDED AS DOCUMENT NUMBER 1992010107 IN BOOK K38 AT PAGE 75 AT THE JACKSON COUNTY RECORDER OF DEEDS OFFICE.

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

SURVEYORS NOTES:
1. PROPERTY INFORMATION REFERENCING THIS SURVEY WAS TAKEN FROM THE COMMITMENT FOR TITLE INSURANCE REPORT, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. KC3-044706-KCTC, WITH AN EFFECTIVE DATE OF DECEMBER 23, 2023 AT 8:00 A.M.
2. BEARINGS USED HEREON ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD 1983, WEST ZONE USING MISSOURI DEPARTMENT OF NATURAL RESOURCES MONUMENT "JA-100 2 RESET" WITH A GRID FACTOR OF 0.999922. ALL COORDINATES SHOWN ARE IN METERS.
3. THE TERM PER PLAT IS IN REFERENCE TO WESTPORT PLAT RECORDED AS INSTRUMENT NUMBER 1992010107 IN BOOK K38 PAGE 75, JACKSON COUNTY MISSOURI.

DEVELOPER:
HP DEVELOPMENT PARTNERS 2, L.L.C.
5116 MERRICK STREET
KANSAS CITY, MISSOURI
816-808-2956

FLOODPLAIN
ACCORDING TO "FLOOD INSURANCE RATE MAP" COMMUNITY FLOOD MAP NO. 2005000205, MAP REVISION JANUARY 20, 2017, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PROPERTY LIES WITHIN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).

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

CITY PLAN COMMISSION: _____ PUBLIC WORKS: _____
APPROVED: _____ MICHAEL A. SHAW
DIRECTOR OF PUBLIC WORKS

CITY COUNCIL: _____
THIS IS TO CERTIFY THAT THE WITHIN PLAT WAS DULY SUBMITTED TO AND APPROVED BY THE COUNCIL OF KANSAS CITY, MISSOURI, BY ORDINANCE NO. _____ DULY AUTHENTICATED AS PASSED THIS _____ DAY OF _____

QUYNEN LUCAS MAYOR
MARLYN SANDERS CITY CLERK

VINCENT E. BRICE JACKSON COUNTY ASSESSMENT DEPARTMENT

THIS PLAT AND SURVEY OF WESTPORT COMMONS II WERE EXECUTED BY OLSSON, 1301 BURLINGTON STREET #100, NORTH KANSAS CITY, MISSOURI 64116.

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

OLSSON, MO C.S. 368
JASON R. BOLSSON, MO PLS 2002014092
SEPTEMBER 8, 2023
JROUDER@OLSSON.COM



SHEET
1 of 1



File #: 210885

ORDINANCE NO. 210885

Approving the plat of Lot 2, I-49 Industrial Center, an addition in Jackson County, Missouri, on approximately 71.86 acres generally located at the southeast corner of Botts Road and Missouri Highway 150, creating 1 lot and 1 tract for the purpose of creating a 1 lot industrial development; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2021-00025)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Lot 2, I-49 Industrial Center, a subdivision in Jackson County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

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

Section 3. That the Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain Storm Water Detention Facilities Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

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

Section 5. That the City Clerk is hereby directed to record copies of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Jackson County, Missouri.

Section 6. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on August 17, 2021.

..end

Approved as to form and legality:

Eluard Alegre
Assistant City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

210885

Ordinance Number

Brief Title

Approving the plat of Lot 2, I-49 Industrial Center, an addition in Kansas City, Jackson County, Missouri

<p>Specific Address Approximately 71.86 acres generally located at the southeast corner of Botts Road and Missouri Highway 150, creating 1 lot and 1 tract.</p>	<p>Sponsor</p>	<p>Jeffrey Williams, AICP, Director Department of City Planning & Development</p>
<p>Reason for Project This final plat application was initiated by Platform Ventures LLC, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 1 lot industrial development.)</p>	<p>Programs, Departments, or Groups Affected</p>	<p>City-Wide Council District(s) 6(JA) Bough - McManus Other districts (school, etc.) Grandview 130</p>
<p>Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p> <p>CONTROLLING CASE Case No CD CPC 2020 00074 – Ordinance No. 210652 passes by City Council on August 12, 2021, approved a Development Plan for the "I 49 Industrial Center" a logistics and warehousing facility on about 100.9 acres generally located at southeast corner of Botts Rd and M 150 Hwy.</p>	<p>Applicants / Proponents</p>	<p>Applicant(s) Platform Ventures, LLC City Department City Planning and Development Other</p>
	<p>Opponents</p>	<p>Groups or Individuals None Known Basis of Opposition</p>
	<p>Staff Recommendation</p>	<p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</p>
	<p>Board or Commission Recommendation</p>	<p>By: City Plan Commission August 17, 2021 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</p>
	<p>Council Committee Actions</p>	<p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</p>

Details

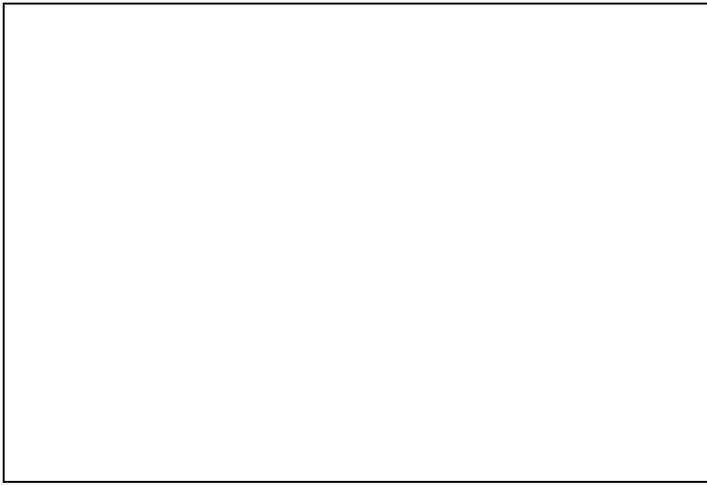
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Policy / Program Impact

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

Finances

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



How will this contribute to a sustainable Kansas City?	<p>This project consists of public and private improvements for a single lot industrial development on previously undeveloped property. There is an existing stormwater detention facility constructed by an earlier plat. The storm water facilities will reduce the overall storm water volume and attenuate the peak runoff rate to less than existing conditions. This development will increase the tax base for the developed lot.</p> <p>Written by Lucas Kaspar, PE</p>
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Project Start Date

Projected Completion or Occupancy Date

Fact Sheet Prepared by:
Thomas Holloway

Date: September 23, 2021

Reviewed by:
Lucas Kaspar, PE,
Land Development Division (LDD)
City Planning & Development

Reference or Case Numbers: CLD-FnPlat-2021-00025



File #: 210886

ORDINANCE NO. 210886

Approving the plat of Green Hills Plaza Third Plat, an addition in Platte County, Missouri, on approximately 2.35 acres generally located on the south side of N.W. Barry Road and approximately 900 ft. east of N. Green Hills Road, creating 1 lot for the purpose of a 1 lot commercial subdivision; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2021-00032)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

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

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Section 6. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on September 7, 2021.

..end

Approved as to form and legality:

Eluard Alegre
Assistant City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

210886

Ordinance Number

Brief Title

Approving the plat of Green Hills Plaza Third Plat, an addition in Kansas City, Platte County, Missouri

<p>Specific Address Approximately 0.28 acres generally located on the south side of NW Barry Road and approximately 900 ft. east of N. Green Hills Road, creating 1 lot.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Sponsor</td> <td>Jeffrey Williams, AICP, Director Department of City Planning & Development</td> </tr> <tr> <td>Programs, Departments, or Groups Affected</td> <td>City-Wide Council District(s) 2(PL) Fowler - Loar Other districts (school, etc.) Platte County R-III</td> </tr> <tr> <td>Applicants / Proponents</td> <td>Applicant(s) GH14 LLC City Department City Planning and Development Other</td> </tr> <tr> <td>Opponents</td> <td>Groups or Individuals None Known Basis of Opposition</td> </tr> <tr> <td>Staff Recommendation</td> <td><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</td> </tr> <tr> <td>Board or Commission Recommendation</td> <td>By: City Plan Commission September 7, 2021 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</td> </tr> <tr> <td>Council Committee Actions</td> <td><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</td> </tr> </table>	Sponsor	Jeffrey Williams, AICP, Director Department of City Planning & Development	Programs, Departments, or Groups Affected	City-Wide Council District(s) 2(PL) Fowler - Loar Other districts (school, etc.) Platte County R-III	Applicants / Proponents	Applicant(s) GH14 LLC City Department City Planning and Development Other	Opponents	Groups or Individuals None Known Basis of Opposition	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:	Board or Commission Recommendation	By: City Plan Commission September 7, 2021 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions	Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass
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Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass														
<p>Reason for Project This final plat application was initiated by GH14 LLC, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 1 lot subdivision.)</p>															
<p>Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p> <p>CONTROLLING CASE Case No. 14868-P & 14868-P-1 –Ordinance No. 170981 passed by City Council on December 12, 2017, rezoned about 7 acres generally located at the southeast corner of NW Barry Road and N. Green Hills Road, from District B3-3 to B4-1, and approved a development plan on about 14 18 acres to allow for 70,000 square foot office/retail development on five (5) lots.</p>															

Details

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Policy / Program Impact

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

Finances

Cost & Revenue Projections – Including Indirect Costs N/A	
Financial Impact N/A	
Fund Source and Appropriation Account Costs N/A	
Is it good for the children?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
How will this contribute to a sustainable Kansas City?	<p>This project consists of platting to create a single lot for a commercial development on approximately 2.4 acres. The pre-development peak discharge rate and volume for storm water will not be exceeded after development of the site.</p> <p>Written by Lucas Kaspar, PE</p>

Project Start Date

Projected Completion or Occupancy Date

Fact Sheet Prepared by:
Thomas Holloway

Date: September 23, 2021

Reviewed by:
Lucas Kaspar, PE,
Land Development Division (LDD)
City Planning & Development

Reference or Case Numbers: CLD-FnPlat-2021-00032



File #: 210887

ORDINANCE NO. 210887

Approving the plat of Briarcliff Apartments, an addition in Clay County, Missouri, on approximately 9.2 acres generally located on the southeast side of N.W. Briarcliff Parkway between N.W. 38th Street to the south and Highway 9 to the north, creating 2 lots for the purpose of creating a 255 unit multi-family development; accepting various easements and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2021-00034)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

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

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

Section 4. That the City Clerk is hereby directed to record copies of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Clay County, Missouri.

Section 5. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on September 7, 2021.

..end

Approved as to form and legality:

Eluard Alegre
Assistant City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

210887

Ordinance Number

Brief Title

Approving the plat of Briarcliff Apartments, an addition in Kansas City, Clay County, Missouri

<p>Specific Address Approximately 9.2 acres generally located on the southeast side of NW Briarcliff Parkway between NW 38th Street to the south and Hwy 9 to the north, creating 2 lots.</p>	<p>Sponsor Jeffrey Williams, AICP, Director Department of City Planning & Development</p>
<p>Reason for Project This final plat application was initiated by Briarcliff KC QOB, LLC in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 255 unit multi-family development.)</p>	<p>Programs, Departments, or Groups Affected City-Wide Council District(s) 4(CL) Shields - Bunch Other districts (school, etc.) North Kansas City 250</p>
<p>Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p> <p>CONTROLLING CASE Case No. 10579-URD – City Council Ordinance 64369 passed August 3, 1989, rezoned the property bounded by N.W Vivion Road on the north, Highway 169 on the east, and Highway 9 on the south from Districts RA (agricultural), R1a and R1b (one family dwelling), C1 (neighborhood retail business), M1 (light industrial), and MP (planned industrial) to District URD (urban redevelopment district) and approved an urban redevelopment plan for a mixed use development consisting of 258 single family homes, 185 condominium units, a 400-room hotel, a 40,000 sq. ft. athletic club, 877,000 sq. ft. of office space, and 230,000 sq. ft. of retail space</p>	<p>Applicants / Proponents Applicant(s) Briarcliff KC QOB, LLC City Department City Planning and Development Other</p> <p>Opponents Groups or Individuals None Known Basis of Opposition</p> <p>Staff Recommendation <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</p> <p>Board or Commission Recommendation By: City Plan Commission September 7, 2021 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</p> <p>Council Committee Actions <input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</p>

Details

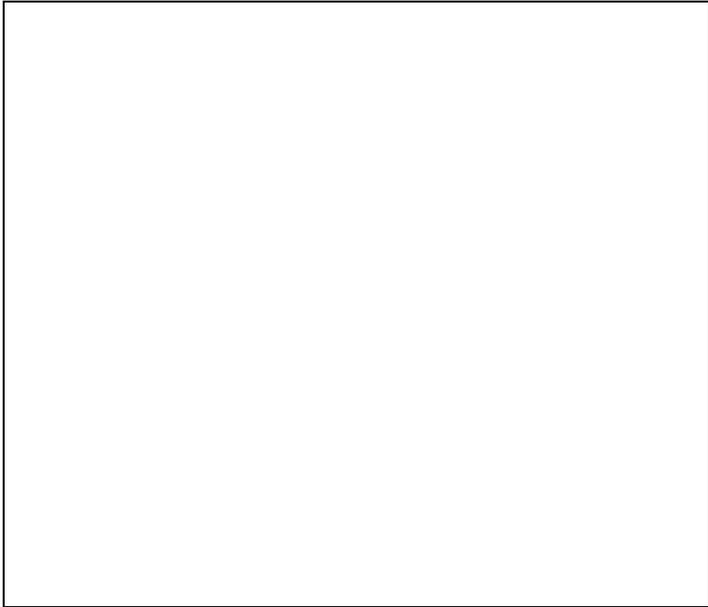
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Policy / Program Impact

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

Finances

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



How will this contribute to a sustainable Kansas City?	<p>This project consists of platting to create two residential lots for 255 multi-family units on 9.2 acres of previously undeveloped parcels. The proposed development will increase the area of impervious surfaces through the use of pavement and buildings. The existing peak rate of storm water discharge and total runoff volume discharging the property will be maintained after development. This development will increase the tax base for the developed lots and will provide ample permanent greenspace within the development.</p> <p>Written by Lucas Kaspar, PE</p>
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Project Start Date

Projected Completion or Occupancy Date

Fact Sheet Prepared by:
Thomas Holloway

Date: September 23, 2021

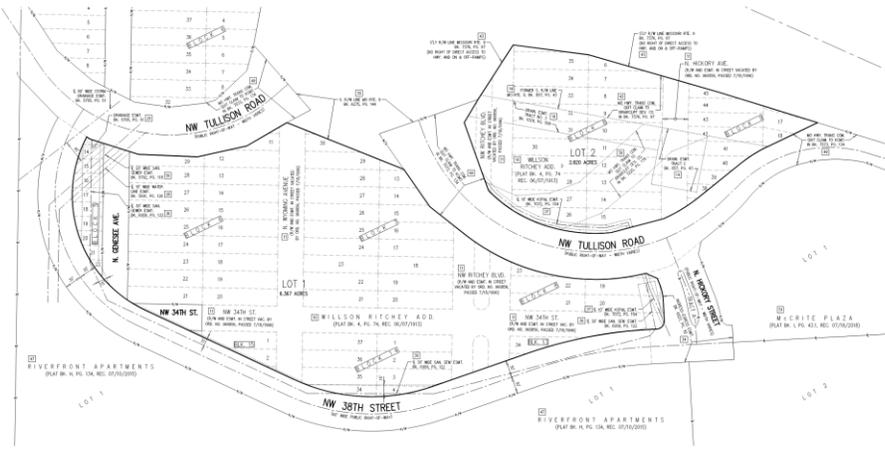
Reviewed by:
Lucas Kaspar, PE,
Land Development Division (LDD)
City Planning & Development

Reference or Case Numbers: CLD-FnPlat-2021-00034

**FINAL PLAT OF
BRIARCLIFF APARTMENTS**
A SUBDIVISION IN KANSAS CITY, CLAY COUNTY, MISSOURI
NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 50, RANGE 33



- SUBMITTER'S NOTES:**
1. THE SUBDIVISION IS SHOWN AS A SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 50, RANGE 33, CLAY COUNTY, MISSOURI.
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PLAT OF "BRIARCLIFF APARTMENTS" SUBDIVISION IS BASED ON AN ACTUAL SURVEY MADE UNDER MY DIRECT SUPERVISION AND THIS DATE, [DATE], 2021. ON EXCESS COVERED SURFACE TRANSMITTING THE PROPERTY'S BOUNDARIES, CORNERS, PERMITS, ETC. THROUGHOUT THE SURVEY. THE SURVEYOR HAS REVIEWED THE PROFESSIONAL ENGINEER'S AND LAND SURVEYOR'S AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES' PLANNING STATE THAT HAVE COMPLIED WITH ALL STATUTE, ORDINANCE AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

FOR REVIEW

DATE: _____
 SURVEYOR: [NAME], MISSOURI LICENSE NO. [NUMBER]

TALIAFERRO & BROWNE, INC.
 CONSULTING ENGINEERS-SURVEYORS
 1800 E. 94th STREET, KANSAS CITY, MO, 64114
 816-885-5468 FAX 816-885-0810

SUBMITTAL DATE: 07-16-2021

SHEET 3 OF 3



File #: 210889

ORDINANCE NO. 210889

Accepting the recommendations of the Tax Increment Financing Commission as to the Sixth Amendment to the Platte Purchase Development Plan; approving the Sixth Amendment; and directing the City Clerk to send copies of this ordinance.

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

WHEREAS, on July 14, 2016, the City Council accepted the recommendation of the Commission and passed Ordinance No. 160415 approving the Platte Purchase Development Plan (the “Redevelopment Plan”) and designating a Redevelopment Area; and

WHEREAS, the City Council has amended the Redevelopment Plan five times; and

WHEREAS, a Sixth Amendment to the Redevelopment Plan (“Sixth Amendment”) was proposed to the Commission and the Commission, having been duly constituted and its members appointed, after proper notice was given, met in public hearing, and, after receiving the comments of all interested persons and taxing districts, closed the public hearing September 14, 2021, and adopted Resolution No. 9-5-21 (“Resolution”) recommending approval of the Sixth Amendment; and

WHEREAS, the proposed Sixth Amendment provides for (1) modifications to the description of the public improvements to be implemented pursuant to the Plan; 2) modifications to the Site Plan, (3) modifications to the Budget of Redevelopment Project Costs; (4) modifications to the Sources of Funds, (5) modifications to the Development Schedule and (6) such other changes to the Plan and the Exhibits thereto made necessary by the foregoing modifications; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the recommendations of the Commission concerning the Sixth Amendment (the “Sixth Amendment”) to the Platte Purchase Development Plan (the

“Redevelopment Plan”) are hereby accepted, and the Sixth Amendment, a copy of which is attached hereto, is hereby approved.

Section 2. That all terms used in this ordinance, not otherwise defined herein, shall be construed as defined in the Act.

Section 3. That the City Council hereby finds, in connection with its consideration of the Sixth Amendment, that:

- (a) The Redevelopment Area described in the Redevelopment Plan, as amended by the Sixth Amendment, is an economic development area and the redevelopment will not be used solely for development of commercial businesses which unfairly compete in the local economy and the Redevelopment Plan, as amended by the Sixth Amendment, is in the public interest because it will discourage commerce, industry or manufacturing from moving their operations to another state; or result in increased employment in the municipality; or result in preservation or enhancement of the tax base of the municipality.
- (b) The Redevelopment Area has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan, as amended by the Sixth Amendment.
- (c) The Redevelopment Plan, as amended by the Sixth Amendment, conforms to the comprehensive plan for the development of the City as a whole.
- (d) The area selected for the Redevelopment Projects include only those parcels of real property and improvements thereon which will be directly and substantially benefited by the improvements.
- (e) The estimated dates of completion of each respective Redevelopment Project and retirement of obligations incurred to finance Redevelopment Project Costs, have been stated in the Redevelopment Plan, as amended by the Sixth Amendment, and are not more than 23 years from the passage of any ordinance approving a Redevelopment Project authorized by the Redevelopment Plan.
- (f) The Redevelopment Plan, as amended by the Sixth Amendment, includes a plan for relocation assistance for business and residences.
- (g) A cost-benefit analysis, in this case a tax impact analysis, showing the impact of the implementation of the Redevelopment Plan, as amended by the Sixth Amendment, on each taxing district at least partially within the boundaries of the Redevelopment Area has been prepared in accordance with the Act and has not been modified by virtue of the Sixth Amendment.

- (h) The Redevelopment Plan, as amended by the Sixth Amendment, does not include the initial development or redevelopment of any gambling establishment.

Section 4. That the Commission is authorized to issue obligations in one or more series of bonds secured by the Platte Purchase Account of the Special Allocation Fund to finance Redevelopment Project Costs identified by the Redevelopment Plan and, subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of, land or other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the Commission determines, to enter into such contracts and take all such further actions as are reasonably necessary to achieve the objectives of the Redevelopment Plan pursuant to the power delegated to it by the City. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to Sections 99.800 to 99.865 of the Act, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Section 5. That the City Council approves the pledge of all funds that are deposited into the Platte Purchase Account of the Special Allocation Fund to the payment of Redevelopment Project Costs within the Redevelopment Area and authorizes the Commission to pledge such funds on its behalf.

Section 6. That the City Clerk shall transmit a copy of this ordinance to Platte County, Missouri.

..end

Approved as to form and legality:

Katherine Chandler
Associate City Attorney

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

210889



File #: 210890

ORDINANCE NO. 210890

Amending Committee Substitute for Ordinance No. 190407 that approved a preliminary development plan in District MPD on approximately 1.5 acres generally located on a portion of the block bounded by Broadway, W. 46th Street, Wornall Road, and W. 46th Terrace, to allow an approximately 265,000 square foot development, including two hotel towers, by repealing conditions 27 and 34 in Section A, enacting in lieu thereof new conditions 27 and 34 in Section A, and deleting conditions 32 and 33 in Section A. (CD-CPC-2019-00038)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Committee Substitute for Ordinance No. 190407 is hereby amended by repealing conditions 27 and 34 in Section A, enacting new conditions 27 and 34 in Section A to read as stated below, and deleting conditions 32 and 33 in Section A:

- 27. Prior to certificate of occupancy, at the intersection of 47th Street and Broadway, the developer shall construct bump outs on all four corners of the intersection and pedestrian refuge islands in the middle of 47th Street, and the existing left turn for buses only shall be maintained, and the improvements shall be subject to the review and approval of the Public Works Department.
- 34. Prior to certificate of occupancy, the developer shall modify the intersection of 47th Street and Central Street so as to add to the existing island providing a pedestrian refuge and additional landscape area, subject to the review and approval of the Public Works Department.

Section B. That all conditions contained in Committee Substitute for Ordinance No. 190407 not repealed by this ordinance remain in effect.

..end

Approved as to form and legality:

 Sarah Baxter
 Assistant City Attorney

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

210890



File #: 210891

RESOLUTION NO. 210891

Directing the City Manager to review the City Planning and Development Department's existing development review, approval and permitting processes and to make recommendations to improve the efficiency, timeliness and consistency of those processes and to report back to the City Council within 120 days.

WHEREAS, the City Planning and Development Department guides future development in the City by focusing on two main areas, planning services and development services; and

WHEREAS, in planning services, staff manage development policy, conduct research and support the City's long-term vision; and

WHEREAS, in development services, staff issue permits, review plans and enforce development policy; and

WHEREAS, providing efficient planning and development services is essential to support residential, business and economic development in the City; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

That the City Manager is directed to review the City Planning and Development Department's existing development review, approval and permitting processes and to make recommendations to improve the efficiency, timeliness and consistency of those processes and report back to the City Council within 120 days.

..end

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

210891



File #: 210892

ORDINANCE NO. 210892

Approving an amendment to a previously approved MPD plan in District MPD on about 55 acres generally bounded by E. 51st Street and Rockhurst Road on the north, E. 54th Street and E. 55th Street on the south, The Paseo on the east, and Troost Avenue on the west to allow for future building additions. (CD-CPC-2021-00130)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved Master Planned Development in District MPD (Master Planned Development) on about 55 acres generally bounded by E. 51st Street and Rockhurst Road on the north, E. 54th Street and E. 55th Street on the south, The Paseo on the east, and Troost Avenue on the west t, and more specifically described as follows:

TRACT 1: All that part of the Northwest 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning on the East line of Troost Avenue where it is intersected by the South line of Rockhurst Road; thence Easterly along the South line of Rockhurst Road to the West line of Lydia Avenue; thence South along the West line of Lydia Avenue to the North line of 53rd Street; thence West along the North line of 53rd Street (and its Westerly prolongation) to the East line of Troost Avenue; thence North along the East line of Troost Avenue to the place of beginning, together with the North 1/2 of vacated 53rd Street lying East of Troost Avenue and West of Virginia Avenue, vacated by Ordinance No. 50439 and Ordinance No. 931343, and together with the West 1/2 of Lydia Avenue lying South of 52nd Street and North of 53rd Street vacated by Ordinance No. 921233.

TRACT 2: Lots 1 to 10, inclusive, and Lot 12, except that part of said lots in The Paseo, and Lots 13 to 24, inclusive, subject to the right of way of 52nd Street over the North 25 feet, more or less, of said Lot 24, South Paseo Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, together with the North 1/2 of vacated 53rd Street lying South of and adjacent to Lots 12 and 13, vacated by Ordinance No. 931343, and together with the East 1/2 of Lydia Avenue lying South of 52nd Street and North of 53rd Street, adjacent to Lots 13 through 24, inclusive, vacated by Ordinance No. 921333.

TRACT 3: Lot 11, except that part of said lot in The Paseo, South Paseo Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 4: Lots 25 through 28, inclusive, together with the East 1/2 of that part of vacated Tracy Avenue which lies West and adjacent; Lots 29 through 33, inclusive, together with the West 1/2 of that part of vacated Tracy Avenue which lies East and adjacent; Lots 36 through 42, inclusive, together with the East 1/2 of that part of vacated Forest Avenue, which lies West and adjacent; Lots 43 through 49, inclusive, together with the West 1/2 of that part of vacated Forest Avenue which lies East and adjacent; and Lots 50 through 56, inclusive; Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 5: Lots 18 through 22, inclusive, together with the East 1/2 of that part of vacated Forest Avenue which lies West and adjacent; Lots 23 through 27, inclusive, together with the West 1/2 of that part of vacated Forest Avenue which lies East and adjacent; and Lots 43 and 44, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 6: That part of vacated 53rd Street, in Kansas City, Jackson County, Missouri, described as follows: Beginning at the intersection of the centerline of said vacated 53rd Street with the East line of Troost Avenue; thence East along said centerline to its intersection with the Northerly prolongation of the East line of Lot 28, Fred P. Schell Highlands, which is a subdivision in said City, County and State; thence South along said Northerly prolongation to the Northeast corner of said Lot 28; thence West, along the North line of said Lot 28 and its Westerly prolongation, said line being the South line of said vacated 53rd Street, to its intersection with the East line of Troost Avenue; thence North along said East line to the point of beginning.

Said Tracts 1 through 6, inclusive, also being described as follows:

All that part of the Northwest Quarter of Section 33, Township 49 North, Range 33 West, in Kansas City, Jackson County, Missouri, described as follows: Commencing at the point of intersection of the South line of Rockhurst Road with the East line of Troost Avenue, said point being the point of beginning of the herein described tract; thence Easterly along the South line of Rockhurst Road on a curve to the right having a back tangent bearing (bearing system is assumed) of North 75 degrees 11 minutes 00 seconds East, a radius of 2470 feet, a central angle of 30 degrees 08 minutes 38 seconds, a distance of 1299.49 feet to the centerline of vacated Lydia Street; thence North 0 degrees 00 minutes 09 seconds West along said centerline, a distance of 6.09 feet to the Westerly prolongation of the South line of 52nd Street; thence North 89 degrees 51 minutes 44 seconds East, along said prolongation and South line of 295.99 feet (Plat=296 feet) to the West line of "The Paseo"; thence South 0 degrees 00 minutes 09 seconds East along said West line, a distance of 638.73 feet (Plat=638.76 feet) to the centerline of vacated 53rd Street; thence South 89 degrees 51 minutes 47 seconds West

along said centerline; a distance of 265.99 feet (Plat=266 feet) to the Southerly prolongation of the East line of vacated Lydia Street; thence North 0 degrees 00 minutes 09 seconds West along said prolongation, a distance of 25.00 feet to the point of intersection of the North line of vacated 53rd Street with the East line of vacated Lydia Street; thence South 89 degrees 51 minutes 47 seconds West along the Westerly prolongation of the North line of vacated 53rd Street, a distance of 30 feet to the centerline of vacated Lydia Street; thence North 0 degrees 00 minutes 09 seconds West along said centerline, a distance of 5.00 feet to the Easterly prolongation of the North line of 53rd Street; thence South 89 degrees 49 minutes 04 seconds West along said prolongation and North line, a distance of 356.20 feet to the Northerly prolongation of the West line of Virginia Avenue; thence South 0 degrees 01 minutes 14 seconds West along said prolongation, a distance of 30.00 feet to the centerline of vacated 53rd Street; thence South 89 degrees 49 minutes 04 seconds West along said centerline, a distance of 140.57 feet (Plat=140.56 feet) to the Northerly prolongation of the rear lot lines of Lots 25 through 28, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri; thence South 0 degrees 01 minutes 12 seconds West along said prolongation and rear lot lines, a distance of 244.59 feet (Plat and Measured) to the Southeast corner of said Lot 25; thence South 89 degrees 49 minutes 34 seconds West along the South line of said Lot 25 and the Westerly prolongation thereof, a distance of 165.57 feet (Plat and Measured) to the centerline of vacated Tracy Avenue; thence South 0 degrees 01 minutes 09 seconds West along said centerline, a distance of 50.14 feet to the Easterly prolongation of Lot 33 said Fred P. Schell Highland; thence South 89 degrees 49 minutes 45 seconds West along said prolongation and South line, a distance of 161.80 feet (Plat=161.81 feet) to the Southwest corner of said Lot 33; thence South 0 degrees 00 minutes 59 seconds West along the East line of Lots 36 and 37 said Fred P. Schell Highlands and along the East line of Lots 18 through 22, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, a distance of 348.42 feet (Plat=348.25 feet) to the Southeast corner of Lot 18, said point also being on the North line of 54th Street; thence South 89 degrees 51 minutes 13 seconds West along said North line of 54th Street, also being the South line of Lots 18 and 27 said C.H. Luce's Second Addition, a distance of 323.56 feet (Plat=323.62 feet) to the Southwest corner of said Lot 27; thence North 0 degrees 00 minutes 36 seconds East along the West line of Lots 25 to 27, said C.H. Luce's Second Addition, a distance of 148.21 feet (Plat 148.15 feet) to the Northwest corner of said Lot 25, also being the Southeast corner of Lot 43 said C.H. Luce's Second Addition; thence South 89 degrees 49 minutes 47 seconds West along the South line of said Lot 43, a distance of 136.79 feet (Plat=138.81 feet) to the Southwest corner of said Lot 43, also being the East line of Troost Avenue, thence North 0 degrees 00 minutes 23 seconds East along the East line of Troost Avenue, also being the West line of Lots 43 through 44, said C.H. Luce's Second Addition and the West line of Lots 50 through 56, Fred P. Schell Highlands and the Northerly prolongation thereof, a distance of 524.66 feet (Plat=524.49 feet) to the point of intersection of the North line of vacated 53rd Street with the East line of

Troost Avenue; thence North 0 degrees 00 minutes 14 seconds East along the East line of Troost Avenue, a distance of 612.44 feet to the Point of Beginning.

TRACT 7 (not shown on survey): The South 35 feet of the North 40 feet of Lot 31, in C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 8: Beginning at a point on the East Side of Lydia Avenue, 36 feet South of the South line of Fifty-Third Street; thence running South along the East line of Lydia Avenue, 32 feet; thence East parallel with the South line of Fifty-Third Street, 133.10 feet; thence North parallel with the East line of Lydia Avenue 32 feet; thence West parallel with the South line of Fifty-Third Street 133.10 feet to the Point of Beginning. All in Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri.

TRACT 9: Part of the Northwest quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, described as follows: Beginning on the East line of Lydia Avenue at a point 100 feet South of the South line of 53rd Street; thence running South along the East line of Lydia Avenue 32 feet; thence East and parallel with the South line of 53rd Street, 133.10 feet; thence North parallel with the East line of Lydia Avenue, 32 feet; thence North parallel with the East line of Lydia Avenue, 32 feet; thence West parallel with the South line of 53rd Street, 133.10 feet to the point of beginning all in Kansas City, Jackson County, Missouri.

TRACT 10: Part of the Southeast quarter (S.E. quarter) of the Northwest quarter (N.W. quarter) of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri described as follows: Beginning at a point on the East line of Lydia Avenue, 164 feet South of the South line of 53rd Street. This running South along the East line of Lydia Avenue 32 feet; thence East on a parallel with the South line of 53rd Street 133.10 feet; thence North parallel with the East line of Lydia Avenue 32 feet; thence West and parallel with the South line of 53rd Street 133.10 feet to beginning.

TRACT 11: Part of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, described as follows: Beginning on the East line of Lydia Avenue at a point 196 feet South of the South line of 53rd Street; thence South along the East line of Lydia Avenue 32 feet; thence East 133.10 feet; thence North 32 feet; thence West 133.10 feet to the point of beginning, in Kansas City, Jackson County, Missouri.

TRACT 12: A part of the Northwest quarter of Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue, 228 feet South of the South line of 53rd Street; thence South 32 feet to a

point; thence East 133.10 feet to a point; thence North 32 feet to a point; thence West 133.10 feet to the point of beginning.

TRACT 13: All that part of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, described as follows: Begin at a point on the East line of Lydia Avenue 324 feet South of the South line of 53rd Street, thence South 32 feet to a point, thence East 133.10 feet to a point, thence North 32 feet to a point, thence West 133.10 feet to a place of beginning, in Kansas City, Jackson County, Missouri.

TRACT 14: Part of the Northwest quarter of the Southwest quarter of the Northwest quarter of Section 33, Township 49, Range 33, described as follows: Beginning on the East line of Lydia Avenue at a point 356 feet South of the South line of 53rd Street, thence running South along the East line of Lydia Avenue 32 feet; thence East parallel with the South line of 53rd Street; 133.10 feet; thence North and parallel with the East line of Lydia Avenue 32 feet; thence West parallel with the South line of 53rd Street to point of beginning.

TRACT 15: Beginning on the East line of Lydia Avenue, at a point 388 feet South of the South line of 53rd Street; thence running South along the East line of Lydia Avenue; 32 feet, thence East parallel with the South line of 53rd Street, 133.10 feet; thence North parallel with the East line of Lydia Avenue, 32 feet; thence West parallel with the South line 53rd Street to the point of beginning, begin part of the Northwest quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, except that part in roads.

TRACT 16: Beginning on the East line of Lydia Avenue at a point 420 feet South of the South line of 53rd Street; thence running South along the East line of Lydia Avenue 32 feet; thence East parallel with the South line of 53rd Street, 132.50 feet; thence North parallel with the East line of Lydia Avenue 32 feet; thence West parallel with the South line of 53rd Street, 132.50 feet to point of beginning, in Kansas City, Jackson County, Missouri, being part of the Northwest quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri.

TRACT 17: Part of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue 548 feet South of the South line of 53rd Street, as now established; thence South 32 feet to a point; thence East 133.10 feet to a point; thence North 32 feet to a point; thence West to a point of beginning.

TRACT 18: That part of the Northwest quarter of Section 33. Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue, 452 feet South of the

South line of 53rd Street as now established; thence South 32 feet to a point; thence East 133.10 feet to a point; thence North 32 feet to a point; thence West 133.10 feet to beginning.

TRACT 20: Beginning at a point on the East line of Lydia Avenue, 580 feet South of the South line of 53rd Street, thence South 33.44 feet to a point; thence East 133.10 feet to a point, thence North 33.44 feet to a point; thence West 133.10 feet to the point of beginning, being a part of the Southeast quarter of the Northwest quarter of Section 33, Township 49, Range 33, Kansas City, Jackson County, Missouri.

FOR INFORMATION ONLY: The applicant advises the property address to be 5347 Lydia.

TRACT 21: Part of the Northwest quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri described as follows: Beginning in the West line of The Paseo at a point 100 feet North of the North line of 54th Street and running thence North along the West line of The Paseo, 52.24 feet; thence West 137.9 feet; thence South 52.26 feet to a point 100 feet North of said North line of 54th Street; thence East 137.9 feet to the point of beginning.

TRACT 22: Lot 6, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 23: The North 17 and two third feet of Lot 8 and the South 16 and one third feet Lot 9, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 24: The South 32 and one third feet of Lot 8, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 25: The North 8.4 feet of Lot 7 and all of Lot 8, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 26: Lot 5 and the South 8.3 feet of Lot 6, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 27: Lot 36, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 28: Lot 34, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 29: Lots 3 and 4, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 30: Lots 1 and 2, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 31: The South 14 feet of Lot 4 and the North 19 feet of Lot 5, Fred P. T2122-0480BSchell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 32: The South 33 feet of the North 36 feet of Lot 4, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 33: The South 30 feet of Lot 3 and the North 3 feet of Lot 4, Fred P. Schell Highlands, a subdivision in Kansas City; Jackson County, Missouri.

TRACT 34: The South 11 feet of Lot 2 and the North 20 feet of Lot 3, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 35: The South 33 feet of the North 39 feet of Lot 2, Fred P. Schell Highlands, subdivision in Kansas City, Jackson County, Missouri.

TRACT 36: The North half of Lot 15, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 37: Lot 3, Elm Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 38: Lot 17, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 39: Lot 16, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 40: The South half of Lot 15, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 41: The South 10 feet of Lot 1 and the North 25 feet of Lot 2, and the West 1/2 of vacated Tracy Avenue, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 42: The North 33 and one third feet of Lot 34, together with the East half of vacated Tracy Avenue lying West of and adjacent thereto, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 43: All of Lots 40, 41 and 42, C. H. Luce's Second Addition, a subdivision of land in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning at the Southwest corner of said Lot

40; thence due North along the East line of Troost Avenue, as now established, a distance of 148.16 feet to the Northwest corner of said Lot 42; thence North 89 degrees 50 minutes 40 seconds East along the North line of said Lot 42, a distance of 136.81 feet to the Northeast corner thereof; thence due South along the East lines of said Lots 42, 41 and 40 a distance of 148.16 feet to the Southeast corner of said Lot 40, said corner being on the North line of 54th Street, as now established; thence South 89 degrees 50 minutes 40 seconds West along the last said North line a distance of 136.81 feet to the point of beginning.

TRACT 44 (not shown on survey): Lot 28, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, and the South half of vacated 54th Street lying north of and adjacent to said lot.

TRACT 45 (not shown on survey): The North 35 feet of Lot 29, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 55 (not shown on survey): Lots 57 and 106, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 56 (not shown on survey): Lot 58, The Plat of Lots 1 to 62, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; and Lots 85 and 86, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 72: Lots 59 and 60, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 73: Lots 61 and 62, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri. The North 25 feet of Lot 64, and the South 10 feet of Lot 65, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

The South 35 feet of Lot 63, Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri.

The North 15 feet of Lot 63 and the South 20 feet of Lot 64, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

The North 25 feet of Lot 64 and the South 10 feet of Lot 65, Plat of Lots 64 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri.

The North 35 feet of Lot 65 of the Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 74: The South 35 feet of Lot 66, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 75: The North 10 feet of Lot 66 and the South 25 feet of Lot 67, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 76: The North 15 feet of Lot 67 and the South 20 feet of Lot 68, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 77: The North 20 feet of Lot 68 and the South 15 feet of Lot 69, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 78: The North 25 feet of Lot 69 and the South 10 feet of Lot 70, The Plat of Lots 63 to 150, Rockhurst Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 79: Lots 34, 35, 36, 37, 38 and 39, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 80: The North 35 feet of Lot 21, and all of Lots 22, 23 and 24, Etzold Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 81: All of Lots 19 and 20, and the South 15 feet of Lot 21, Etzold Place, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 90 (not shown on survey): The South 30 feet of Lot 30 and the North 5 feet of Lot 31, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 91 (not shown on survey): The South 15 feet of Lot 29 and the North 20 feet of Lot 30, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 92 (not shown on survey): Lot 17, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 93 (not shown on survey): Lot 16, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 94 (not shown on survey): Lot 15, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri according to the recorded plat thereof.

TRACT 95 (not shown on survey): Lot 14, C.H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri according to the recorded plat thereof.

TRACT 124: All that part of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning at a point 25 feet North and 296 feet East of the Southwest corner of the Northwest 1/4 of the southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Missouri; thence North along a line of 296 feet from and parallel to the West line of said 1/4 1/4 Section, a distance of 50 feet; thence West along a line 75 feet from and parallel to the East and West center line of said Southeast 1/4 of Northwest 1/4 of Section 33, Township 49, Range 33, a distance of 138.5 feet; thence South along a line 157.5 feet from and parallel to the West line of said 1/4 1/4 Section, a distance of 50 feet; thence East along a cline 25 feet from and parallel to the East and West center line of said Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, a distance of 138.5 feet to place of beginning, except the West .6 feet thereof.

TRACT 125: All that part of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning at a point 75 feet North and 296 feet East of the Southwest corner of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of said Section 33; thence North along a line 296 feet from and parallel to the West line of said Quarter Section a distance of 50 feet; thence West along a line 125 feet from and parallel to the East and West center line of said Southeast Quarter of the Northwest Quarter of said Section 33 a distance of 138.5 feet; thence South along a line 157.5 feet from and parallel to the West line of said Quarter Section a distance of 50 feet; thence East along a line 75 feet from and parallel to the East and West center line of said Southeast Quarter of the Northwest Quarter of said Section 33, a distance of 138.5 feet to the place of beginning.

TRACT 126: All that part of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning in the West line of Paseo 152.24 feet North of the North line of 54th Street; thence north 50.5 feet; thence West 137.9 feet; thence South 50.5 feet; to a point 152.26 feet North of the said North line of 54th Street; thence East 137.9 feet, to the point of beginning.

TRACT 127: The Northwest Quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

Beginning in the West line of Paseo 202.74 feet North of the North line of 54th Street; thence North 50.5 feet; thence West 137.9 feet; thence South 50.5 feet to a point 202.76 feet North of said North line of 54th Street; thence East 137.9 feet to the point of beginning.

TRACT 128: All that part of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning in the West line of The Paseo, 253.24 feet North of the North line of 54th Street; thence North 53.5 feet; thence West 137.9 feet; thence South 53.5 feet to a point 253.26 feet North of the North line of 54th Street; thence East 137.9 feet to the point of beginning.

TRACT 129: (Amended) Part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 49, Range 33; Beginning at the intersection of the South line of 53rd Street with the East line of Lydia Avenue; thence running South along the East line of Lydia Avenue 36 feet; thence running East parallel with the South line of 53rd Street 133.10 feet; thence North parallel with the East line of Lydia Avenue 36 feet to the South line of 53rd Street; thence West along the South line of 53rd Street to point of beginning, in Kansas City, Jackson County, Missouri; together with the South 1/2 of vacated 53rd Street lying North of and adjacent thereto.

TRACT 130: Part of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the east line of Lydia Avenue 68 feet south of the South line of 53rd Street and running thence South 32 feet to a point; thence East 133.10 feet to a point; thence North 32 feet to a point; thence West 133.10 feet to the point of beginning.

TRACT 131: Part of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, described as follows: Beginning on the East line of Lydia Avenue at a point 132 feet South of the South line of 53rd Street; thence running South along the East line of Lydia Avenue, 32 feet; thence East parallel with the South line of 53rd Street, 133.10 feet; thence North parallel with the East line of Lydia Avenue, 32 feet; thence West parallel with the South line of 53rd Street, 133.10 feet to point of beginning, in Kansas City, Jackson County, Missouri.

TRACT 132: A part of the Northwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue, 260 feet South of the South line of 53rd Street; thence South 32 feet to a point; thence East 133.10 feet to a point; thence North 32 feet to a point; thence West 133.10 feet to the point of beginning.

TRACT 133: All that part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue 292 feet south of the South line of 53rd Street; thence East 133.10 feet; thence South 32 feet; thence West 133.10 feet; thence North 32 feet to the point of beginning.

TRACT 134: Part of the West 1/2 of the West 1/2 of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, particularly described as follows: Beginning in the east line of Lydia Avenue at a point 484 feet South of the South line of 53rd Street, as said streets are now established in said city, and running thence South along the East line of Lydia Avenue 32 feet; thence East parallel with the South line of 53rd Street, 132.5 feet; thence North parallel with the East line of Lydia Avenue 32 feet; thence West parallel with the South line of 53rd Street 132.5 feet to the place of beginning.

TRACT 135: Part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Lydia Avenue, five hundred sixteen (516) feet South of the south line of 53rd Street, as now established; thence South thirty-two (32) feet; thence East one hundred thirty-three and ten hundredths (133.10) feet; thence North thirty-two (32) feet; thence West one hundred thirty-three and ten hundredths (133.10) feet to point of beginning.

TRACT 136: The South 50 feet of Lot 3, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri.

TRACT 137: Lot 2, and the North 13.92 feet of Lot 3, except that part in street, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 138: Lot 1, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 139: The South 33 1/2 feet of Lot 7, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 140: The South 16.67 feet of Lot 6 and the North 16.67 feet of Lot 7, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 141: The North 33.33 feet of Lot 6, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 142: The South 31 feet of Lot 5, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 143: All of the South 27 feet of Lot 1 and the North 6 feet of Lot 2, and the West 12 feet of the North 42.65 feet of Lot 1, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 144: The North 42.65 feet of the East 128.56 feet of Lot 1, FRED P. SCHELL HIGHLANDS, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 145: Lot 14, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 146: Lot 13, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 147: Lot 12, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 148: Lot 11, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 149: Lot 10, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 150: The North 33 1/3 feet of Lot 9, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 151: The North 16.7 feet of Lot 6, and the South 16.6 feet of Lot 7, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 152: Lot 35, The Sycamores, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 153: Lots 1 and 2, Elm Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 154: Lot 12, and the South 8 1/3 feet of Lot 11, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 155: All of the South 16 2/3 feet of Lot 10 and all of the North 16 2/3 feet of Lot 11, Cherry Stake Grove Park, an addition in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 156: Lot 9, and the North 8 1/3 feet of Lot 10, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 157: Lot 21, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 158: Lot 20, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 159: Lot 19, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 160: Lot 18, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 161: Lot 24, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 162: The North 37.5 feet of Lot 23, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 163: The North 25 feet of Lot 22 and the South 12.5 feet of Lot 23, Fred P. Schell Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 164: Lot 16, except the South 12 1/2 feet thereof, Cherry Stake Grove Park; and the South 25 feet of Lot 22, Fred P. Schell Highlands, both being subdivisions in Kansas City, Jackson County, Missouri, according to the recorded plats thereof.

TRACT 165: Lot 15, and the South 12 1/2 feet of Lot 16, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 166: Lots 13 and 14, and together with the East 1/2 of the vacated Tracy Avenue adjoining said lots, Cherry Stake Grove Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 167: Lot 36, Lots 19 to 36, both inclusive, Elm Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 168: The North 10 feet of Lot 34 and all of Lot 35, Lots 19 to 36, both inclusive, Elm Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 169: Lot 34, except the North 10 feet thereof, Elm Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying West and adjacent to said premises.

TRACT 170: Lot 5, except the North 10 feet of C. H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 171: The North 10 feet of Lot 5, and the South 40 feet of Lot 4, C. H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 172: The South 35 feet of Lot 3 and the North 10 feet of Lot 4, C. H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 173: The South 25 feet of Lot 2 and the North 15 feet of lot 3, of C. H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 174: The North 40 feet of Lot 1, C. H. Luce's Second Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 175: Lot 35, EXCEPT the North 16 2/3 feet thereof, Fred P. Schell's Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 176: The South 16 2/3 feet of Lot 34 and the North 16 2/3 feet of Lot 35, Fred P. Schell's Highlands, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof; together with the vacated portion of vacated Tracy Avenue lying East and adjacent to said premises.

TRACT 177: Lot 1, and the South 1/2 of the vacated 53rd Street lying North of and adjoining said lot, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 178: Lot 2, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 179: Lot 3, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 180: Lot 4, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 181: Lot 5, Jewell's First Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 182: All that part of vacated Virginia Avenue from the North line of 54th Street to the South line of 53rd Street, now vacated, vacated 53rd Street from the West line of Virginia Avenue to the East line of Lydia Avenue, and vacated Lydia Avenue from the South line of 53rd Street, now vacated to the North line of 54th Street; all as vacated by Ordinance No. 030120, and filed as Document No. 2003K0074084.

TRACT 183: All that part of vacated 54th Street from the East line of Troost to the West line of Forest Avenue, as vacated by Ordinance No. 990752, filed June 22, 1999, as Document No. 1999K0035830.

is hereby approved, subject to the following conditions:

1. The developer shall receive approval of a MPD final plan from the City Plan Commission prior to issuance of building permit.
2. 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.

3. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
4. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
5. The developer shall integrate into the existing light system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
6. The developer shall 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.
7. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
8. The developer shall submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all

development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.

9. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
10. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
11. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
12. 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)
13. 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)
14. 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)
15. The turning radius for Fire Department access roads is 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
16. Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
17. 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).
18. The developer shall submit plans to Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and streetlighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks and Recreation Department standards.

19. The developer shall submit a streetscape plan with a street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
20. The developer shall fully comply with the parkway and boulevard standards of 88-323.
21. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages, as required by the Parks and Recreation Department, prior to recording the plat or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
22. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to certificate of occupancy.
23. A traffic impact study may be required as the future residence halls are constructed.
24. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
25. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
26. The developer shall submit an analysis by a registered Professional Engineer in Missouri to verify adequate capacity of the existing water mains and verify fire flow capacity prior to the issuance of new water service permits. Depending on adequacy of the existing water mains, upsizing or extending mains and/or other improvements may be required.

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

Section B. That the Council finds and declares that before taking any action on the

proposed amendment hereinabove, all public notices and hearings required by the Zoning Ordinance have been given and had.

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney

COMMUNITY PROJECT/ZONING

210892

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2021-00130

Brief Title Approval Deadline

To consider amending a previously approved MPD Development in district MPD on about 55 acres, to allow for axisiting and additional uses with the Rockhurst University campus.

Details

Specific Address

Generally bordered by E. 51st Street and Rockhurst Road on the north, E. 54th Street and E. 55th Street on the south, The Paseo on the east, and Troost Avenue on the west

Reason for Legislation

That allows for and amendment to the existing Rockhurst University MPD preliminary development plan to allow future additions to the campus.

Discussion

SEE ATTACHED STAFF REPORT.

Positions/Recommendations

Sponsor	Jeffrey Williams, AICP, Director Department of City Planning and Development
Programs, Departments, or Groups Affected	4th District (Shields & Bunch)
Applicants / Proponents	Applicant Rockhurst University 1100 Rockhurst Road Kansas City, MO 64110 City Department City Development Other
Opponents	Groups or Individuals Basis of opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission (8-0) 09-07-2021 By Aye: (Allender, Baker, Beaseley, Crowl, Enders, Hill, Rojas, <input type="checkbox"/> For <input type="checkbox"/> Against No action taken <input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

Details

--

Policy/Program Impact

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

Finances

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

Fact Sheet Prepared By:

Olofu O. Agbaji
Staff Planner

Date: 09-20-21

Initial application filed: 07-18-2021

Revised plans submitted: 09-17-2021

Reviewed by:

Joseph Rexwinkle, AICP, Division Manager
Development Management

Date: 09-20-21

Reference Numbers

Case No. CD-CPC-2021-00130



File #: 210893

ORDINANCE NO. 210893

Approving a Council approved signage plan pursuant to Section 88-445-11 in District M1-5 on about 6 acres generally located at 3150 Mercier Avenue to allow for the rehabilitation of signs for the Downtown Business Park. (CD-CPC-2021-00121)

WHEREAS, the proposed signage plan is located at 3150 Mercier Avenue; and

WHEREAS, DTBP, LLC, has proposed a signage plan which will allow for rehabilitation of signs for the Downtown Business Park; and

WHEREAS, the City Plan Commission on September 7, 2021, recommended that the signage plan be approved; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a Council approved signage plan is hereby approved for the DTBP, LLC, on approximately 6 acres generally located at 3150 Mercier Avenue.

Section B. That a copy of the Council Approved Signage Plan is on file in the City Clerk's office with this ordinance and is made a part hereof.

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

*Sarah Baxter
Assistant City Attorney*

COMMUNITY PROJECT/REZONING

210893

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2021-00121

Brief Title

An ordinance to approve a Signage plan to rehabilitate four signs on about 6 acres generally located at 3150 Mercier Ave. (CD-CPC-2021-00121)

Details

Location: Generally located 3150 Mercier Ave.
Reason for Legislation: A Council Approved Signage Plan provides a means for defining common sign regulations for large or unique developments, to encourage maximum incentive and latitude in the design and display of signs and to achieve, not circumvent, the intent of 88-445 of the Kansas City Zoning and Development Code.
<p>PLAN REVIEW</p> <p>The applicant is proposing to rehabilitate existing signage to improve visibility for the tenants.</p> <p><i>Council Approved Signage Plan Analysis.</i></p> <p>A Council Approved Signage Plan shall comply with the following standards:</p> <p>88-445-11-E.1 The Plan shall comply with the purpose of this chapter and the overall intent of this section.</p> <p><i>Rehabilitating the existing signage preserves the site's property values by preventing unsightly signage that can have a blighting influence on the City. AN</i></p> <p>88-445-11-E.2 The signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Council Approved Signage Plan, to the structures and/or developments they identify, and to surrounding development and neighborhoods.</p> <p><i>Signs proposed in the plan are in harmony with each other and the branding of the Downtown Business Park. AN</i></p> <p>88-445-11-E.3 The signs will not create a safety or traffic hazard.</p> <p><i>Signs proposed are not anticipated to create a safety or traffic hazard. Applicant notes "they will be easy to read and provided lighting to allow for easier readability at night." AN</i></p> <p>88-445-11-E.4 The plan shall accommodate</p>

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	4 th District (Shields, Bunch)
Applicants / Proponents	<p>Applicant Chris Tschirhart Copaken-Brooks 1100 Walnut St STE 2000 Kansas City, MO 64134</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>City Plan Commission (6-1) 09-07-2021 By Aye: Allender, Baker, Beasley, Enders, Hill, Rojas; Nay: Sadowski</p> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p>

future revisions that may be required because of changes in use or tenants.

Signs proposed include panels, which are easily replaceable based on tenant changes. AN

88-445-11-E.5 The plan shall comply with the standards of this chapter. Except for a Council Approved Signage Plan for any property zoned R, flexibility is allowed with regard to sign area, number, location, duration, type, and/or height to the extent that the Council Approved Signage Plan will enhance the overall development and will more fully accomplish the purposes of this chapter.

Nonconforming signs that were otherwise lawful at the time of installation may be continued. AN

88-445-11-E.6 Banner signs shall only be allowed if attached to light poles with frames on the top and bottom of the banners.

No banner signs are requested in this signage plan. AN

88-445-11-E.7 Neither the proposed message to be displayed nor the character of the use on the property may be a factor in the decision to approve the signage plan.

Acknowledged. AN

88-445-11-E.8 A Council Approved Signage Plan for any property zoned R submitted in accordance with 88-445-11-B.2 must comply with the following and is not subject to the flexibility of 88-445-11-E.5 (above)

N/A

Requested Deviations.

See Staff Report.

Do not pass

Policy or Program Change

Yes

No

Operational Impact Assessment

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

Continued from Page 2

Fact Sheet Prepared By: **Date:** 09-17-2021

Ahna Nanoski, AICP
Lead Planner

Reviewed By: **Date:** 09/20/2021

Joe Rexwinkle, AICP
Division Manager
Development Management

Initial Application Filed: 07-01-2021

City Plan Commission: 09-07-2021

Revised Plans Filed: NA

Reference Numbers:

Case No. CD-CPC-2021-00121



File #: 210895

ORDINANCE NO. 210895

Authorizing an application to the Missouri Development Finance Board for the authorization of state tax credits in the amount not to exceed \$250,000.00 to support the Niles Home for Children Project; and authorizing the City Manager's Office to execute a tax credit agreement with the Missouri Development Finance Board in connection with the tax credits.

WHEREAS, Niles Home for Children ("Niles"), located at 1911 E. 23rd Street, Kansas City, Missouri, in the 3rd Council District, was originally established in 1924 and later opened its behavioral healthcare residential center in the 1960s and Niles Prep Day Treatment in 1987; and

WHEREAS, Niles provides intensive therapeutic intervention in a safe and structured environment; and

WHEREAS, in 2017, Niles joined KVC Health Systems, determining that this alliance provided Niles the opportunity to focus on strengthening and expanding programs, enhancing program quality, and realigning fiscal sustainability; and

WHEREAS, KVC Niles/KVC Missouri is raising funds for a campaign of at least \$1 million to provide significant facility remodeling to address critical issues like sewer line, roof, electrical, playground/outdoor fitness space, to add bedrooms, and to facilitate significant program expansions in Missouri along its continuum of care (the "Project"); and

WHEREAS, Niles is seeking expansion of additional program areas that increase the success of youth once they are discharged from Niles. These program expansion services include treatment foster care and aftercare services; and

WHEREAS, in total, this Project represents \$1 million dollars of new investment in the facility and building conservation; and

WHEREAS, construction of this Project, estimated to require \$1,047,000.00 of investment, is to commence in early 2022 and has a target completion date of December 2022, contingent on remaining fundraising; and

WHEREAS, the Project will result in the addition of 25 employees to accommodate these program expansions increasing revenue by \$1.3 million annually, an ability to recruit and train treatment foster home providers which expand service delivery for children discharging from Niles to a less restrictive environment, and provide aftercare services to youth and families to assist in smoother transitions from the facility to their home community; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF KANSAS CITY:

Section 1. That the Council authorizes the City Manager to submit an application to the Missouri Development Finance Board (“MDFB”) in the amount of \$250,000.00 for tax credits under the Contribution for Tax Credit program to assist in fundraising and financing for the Niles Project.

Section 2. That the Council authorizes the City Manager to execute a tax credit agreement with the MDFB for the issuance of tax credits by the MDFB in the amount of \$250,000.00. Such agreement is approved in such form as the City Manager shall determine to be appropriate for the purposes contemplated by this ordinance.

Section 3. That the Council finds and determines that the project will significantly benefit the City and the State, the benefits derived by the State are expected to exceed the benefits provided in the tax credit agreement, and the project would not proceed without the assistance provided by the MDFB.

..end

Approved as to form and legality:

Emalea Kaye Black
Assistant City Attorney

GENERAL Resolution Fact Sheet

Sponsored by CM Robinson

Brief Title: Authorizing an application to the Missouri Development Finance Board for the preliminary authorization of state tax credits in the amount not to exceed \$250,000.00 to support the Niles Home for Children project; and authorizing the City Manager’ Office to execute a tax credit agreement with the Missouri Development Finance Board in connection with the tax credits

Approval Deadline:

Reason: Approving the City Manager to file an application for contribution tax credits in the amount not to exceed \$250,000.00 with the Missouri Development Finance Board for financing the Niles Home for Children project through the State’s Tax Credit for Contribution Program.

If the City’s application is approved, this resolution will authorize the City Manager to execute a tax credit agreement in connection with the issuances of state tax credits.

Details

Reason for Legislation

Approving the City Manager to file an application for contribution tax credits in the amount not to exceed \$250,000.00 with the Missouri Development Finance Board for financing the Niles Home for Children project through the State’s Tax Credit for Contribution Program. If the City’s application is approved, this resolution will authorize the City Manager to execute a tax credit agreement in connection with the issuances of state tax credits.

These MDFB tax credits will help leverage over \$1 million dollars in funding for facility remodeling to addresses critical issues like sewer line, roof, playground/outdoor space, and parking lot improvements, and to facilitate significant program expansions in Missouri along their continuum of care.

Discussion (explain all financial aspects of the proposed legislation, including future implications, any direct/indirect costs, specific account numbers, ordinance references, and budget page numbers.)

Niles Home for Children, located at 1911 E. 23rd Street, Kansas City, MO, in the 3rd Council District, is requesting tax credits in order to facilitate facility remodeling to addresses critical issues like sewer line, roof, playground/outdoor space, and parking lot improvements, and to facilitate significant program expansions in Missouri along their continuum of care. This project is anticipated to create 25 new permanent jobs at an average salary of \$50,000 and 15 temporary construction jobs at an average salary of \$50,000.

Construction of this Project, estimated to require \$1,047,000.00 of investment, is to commence in early 2022 and has a target completion date of December 2022, contingent on remaining fundraising

Niles’ legacy as a safe haven for children began in 1883 when Samuel Eason, an African American bricklayer, began caring for homeless/orphaned youth in his neighborhood near the historic 18th and Vine area. In the 1960s, Niles evolved to a psychiatric residential treatment center to serve children with emotional challenges. In 1987, Niles Prep behavioral

Positions/Recommendations

Sponsor	Robinson
Programs, Departments, or Groups Affected	City Manager’s Office, Finance Department
Applicants / Proponents	Applicant City Department City Manager’s Office,
Opponents	Other Groups or Individuals
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Action	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

management and day treatment was created to serve Niles residents and assist under resourced local schools by supporting students needing academic, emotional and behavioral intervention.

Recommendation

This resolution will authorize the City Manager to file an application for contribution tax credits in the amount not to exceed \$250,000.00 with the Missouri Development Finance Board for financing the Niles Home for Children Project through the State’s Tax Credit for Contribution Program. This Resolution only provides support from the City for MDFB to consider the application but does not obligate the City to any funding commitments.

If the City’s application is approved, this resolution will authorize the City Manager to execute a tax credit agreement in connection with the issuances of state tax credits.

Financing/Incentive Package

Policy or Program Change

No Yes

Operational Impact Assessment

Finances

Costs & Revenue Projections - Including Indirect Costs

Financial Impact

Fund Source(s) and Appropriation Account Codes

Is this Ordinance or Resolution Good for the Children

Applicable Dates:

Prepared by: Kerrie Tyndall, City Manager’s Office

Reviewed by:

Reference Numbers

LEGISLATION IN BRIEF:
 Authorizing an application to the Missouri Development Finance Board for the authorization of state tax credits in the amount not to exceed \$250,000.00 to support the Niles Home for Children Project; and authorizing the City Manager's Office to execute a tax credit agreement with the Missouri Development Finance Board in connection with the tax credits.

What is the purpose of this legislation? OPERATIONAL

For the purpose of authorizing expenditures new or planned to conduct municipal services

Does this legislation spend money? <i>See Section 00: " Notes" Below</i>	NO	Yes/No
Does this legislation estimate new Revenues? 0	NO	Yes/No
Does this Legislation Increase Appropriations?	NO	Yes/No
Are costs associated with this legislation ongoing (Yes)? Or one-time (No) <i>See Section 00: " Notes" Below</i>	NO	Yes/No

Section 00: Notes:
This authorizes an application for state tax credits in the amount of \$250,000 to be distributed to the Niles Project for qualifying project expenses. No City funds will be spend on this project.

Five years of operational costs for ongoing programs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?					
FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
Section 02: If applicable, where will new revenues be estimated?					
FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
Section 03: If applicable, where will appropriations be increased?					
FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
NET IMPACT ON OPERATIONAL BUDGET				\$ -	\$ -
<i>RESERVE STATUS:</i>					

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

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
TOTAL REV		-	-	-	-	-	-	-
TOTAL EXP		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NET Per-YEAR IMPACT		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NET IMPACT (SIX YEARS)		-						



File #: 210896

ORDINANCE NO. 210896

Declaring a portion of the property generally located within the Ridgeview Heights Apartments PIEA Project Area at 32nd and Hardesty, Kansas City, Jackson County, Missouri to be blighted and insanitary and in need of redevelopment and rehabilitation pursuant to the Missouri Planned Industrial Expansion Law, Sections 100.300-100.620, RSMo.

WHEREAS, the Planned Industrial Expansion Authority of Kansas City, Missouri (the “Authority”) did prepare or cause to be prepared a qualification analysis for a portion of the property generally located within the Ridgeview Heights Apartments PIEA Project Area at 32nd and Hardesty, Kansas City, Jackson County, Missouri (the “Project Area”), said Project Area being legally described on the attached Exhibit A; and

WHEREAS, on September 7, 2021, the Authority adopted Resolution No. 2180 finding the Area obsolete, decadent, blighted, substandard, and insanitary pursuant to Article VI, section 21 and Article X, section 7 of the Missouri Constitution, finding the Area blighted, insanitary and an undeveloped industrial area pursuant to Section 100.310, RSMo., and approving and recommending to the City Council that the Area be so designated; and

WHEREAS, on October __, 2021, the City Plan Commission reviewed and recommended approval and a finding of the Area as a Blighted Area; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council declares the Project Area to be a Blighted Area in need of industrial development as defined in Section 100.310, RSMo, which constitutes an economic or social liability or a serious and growing menace, which is injurious to the public health, safety, morals, economy and welfare of the residents of Kansas City, and finds that the elimination or prevention of the detrimental conditions in such area by the commercial development of such area is necessary and in the interest of the public health, safety, morals, economy and welfare of such residents.

Section 2. That the Council has duly made the findings necessary for compliance with Section 100.300-100.620, RSMo.

..end

Approved as to form and legality:

Katherine Chandler
Assistant City Attorney

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

210896



File #: 210898

ORDINANCE NO. 210898

Amending Chapter 88, Zoning and Development Code, Section 88-445-15.C.5, to revise the requirements for relocation of certain legal nonconforming signs in settlement of condemnation actions. (CD-CPC-2021-00146)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, zoning and Development Code, is hereby amended by repealing Section 88-445-15.C.5, Relocation for Public Purpose, and enacting in lieu thereof a new section of like number and subject matter to read as follows:

5. RELOCATION FOR PUBLIC PURPOSE

Notwithstanding the specific provision in 3, above, or any other provision in this Chapter concerning signs, a nonconforming sign may be moved to another location without conforming to the provisions of this chapter under the following conditions:

- a. An eminent domain action has been filed in court by the City to effect the removal of the sign, or the sign is under threat of condemnation by the City.
- b. The relocation of the sign is necessary to accommodate a public purpose in the construction or improvement of facilities of public interest.
- c. The sign will be relocated on the same or adjoining property as the existing current site, as necessary to resolve any public purpose concerns, but will not be moved more than 300 feet. "Property" as used herein means a lot as shown on a plat of a subdivision recorded or registered pursuant to statute or a parcel of land as designated by the property owner to be used, developed or built upon as a unit under single ownership or control.
- d. The relocation of the sign must be in conjunction with the removal of one or more legally nonconforming outdoor advertising sign(s) (including structures), which removal meets one of the following two criteria:
 1. a single sign is to be removed which contains at least two sign faces, each of which is at least 100% as large as the largest sign face on the sign being relocated, and is located on property zoned B-1, B-2, or B-3, or

2. more than one sign is to be removed and at least one of the signs to be removed contains a sign face that is at least 247 square feet in size, and the cumulative sign face square footage being removed equals or exceeds at least 125% of cumulative square footage of the signface(s) of the sign being relocated. The sign face square footage will be calculated by adding the square footage of each face of a multi-faced sign.
- e. The sign will not be enlarged, including its sign face, height and width. The sign may be externally illuminated if the sign was externally illuminated before being relocated, and an electrical permit may be issued for such illumination. Electronic, digital or tri-vision sign faces will be allowed on the relocated sign if and to the extent that electronic, digital or tri-vision sign faces existed on the sign being relocated.
- f. The relocation and sign removal must be approved by the Board of Zoning Adjustment, after written notice is provided to any registered neighborhood group or business association with boundaries within 500 feet of the sign proposed to be relocated, considering the following criteria:
 1. The removal of the proposed sign or signs will have a greater positive impact on the improvement of the city's residential and commercial neighborhoods than would the removal of the sign proposed to be relocated because of the signs' relative locations, with at least the following factors being considered:
 - a. The removal of signs in less intensive zoning districts will have a greater positive impact.
 - b. The removal of signs nearer residential properties will have a greater positive impact.
 - c. Signs located within 500 feet of any residentially used or zoned property, any institutional use, or any boulevard, park or parkway have an adverse impact on neighborhoods.
 - d. The Board of Zoning Adjustment shall consider the impact of the proposed relocation and removal on scenic, natural, historic or other features in the areas surrounding the signs.
 2. The sign or signs to be removed are not abandoned, as defined in 88-445-15.C.6, below;
 3. The sign or signs to be removed have contained paid advertising in the last 90 days and therefore are not "blank" as defined in 88-445-14.
- g. Reserved.

- h. Relocations under this section of signs which are not outdoor advertising signs, as defined in 88-810-1770, are not subject to the conditions set forth in 88-445-15.C.5.d and 88-445-15.C.5.f.
- i. The relocation of the sign must be approved as part of, and must resolve the actual or threatened eminent domain action. Nothing in this section will be deemed to eliminate or reduce the City Attorney's discretion in its representation of the City in any eminent domain action.

Section 2. 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.

Joseph Rexwinkle, Secretary
City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney

COMMUNITY PROJECT/REZONING

210898

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2021-00146

Brief Title

A request to amend Chapter 88, non-conforming sign section to allow for other types of signs to be relocated that are a part of an eminent domain action.

Details

Location: City Wide
Reason for Legislation: To allow for non-conforming signs subject to eminent domain action to be relocated.
<p>PLAN REVIEW</p> <p>Staff is requesting that additional language be considered within the nonconforming section of the sign code specifically related to "Relocation For Public Purpose". Currently the code permits billboards to be relocated within 300' of an existing location if it is part of an eminent domain action that has been filed and the relocation of the sign is necessary to accommodate a public purpose in the construction or improvement of facilities of public interest. The new language would allow for other types of nonconforming signs to be relocated for the same purpose and within the same distance. The proposed language does not require the Board of Zoning Adjustment to approve it or for the removal of additional signs as is required for billboards. The proposed language is highlighted in red below.</p> <p>CPC RECOMMENDATION</p> <p>On September 21, 2021 the CPC recommended approval of CD-CPC-2021-00146 without conditions.</p>

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	City Wide
Applicants / Proponents	<p>Applicant</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>City Plan Commission (8-0) 05-04-2021</p> <p>By Beasley, Crowl, Enders, Hill, Rojas, Allender, Sadowski, Baker</p> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

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

Finances

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

Continued from Page 2

Fact Sheet Prepared By:

Date: 09-28-2021

Diane Binckley
Deputy Director

Reviewed By:

Date: 09-28-2021

Diane Binckley
Deputy Director

Reference Numbers:

Case No. CD-CPC-2021-00146

Initial Application Filed:

City Plan Commission: 09-21-2021

Revised Plans Filed: N/A



File #: 210900

RESOLUTION NO. 210900

Amending the Midtown Plaza Area Plan by changing the recommended land use from Residential Medium Density to Residential High Density on about .22 acres, generally located at 3933 Kenwood Ave, to allow for the development of three triplexes. (CD-CPC-2021-0012

WHEREAS, an application was submitted to the City Planning and Development Department to amend the Midtown Plaza Area Plan by changing the recommended land use from Residential Medium Density to Residential High Density on about .22 acres, generally located at 3933 Kenwood Ave, to allow for the development of three triplexes; and

WHEREAS, The City Plan Commission considered such amendment to the Proposed Land Use plan and Map on September 21, 2021; and

WHEREAS, after all interested persons were given an opportunity to present testimony, the City Plan Commission did on September 21, 2021 recommend approval of the proposed amendment to the Midtown Plaza Area Plan; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section A. That the Recommended Land Use Map in the Midtown Plaza Area Plan is hereby amended by changing the recommended land use from Residential Medium Density to Residential High Density on about .22 acres, generally located at 3933 Kenwood Ave, to allow for the development of three triplexes.

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

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

..end

COMMUNITY PROJECT/REZONING

210900

Ordinance Fact Sheet

Case No. CD-CPC-2021-00120

Brief Title

A resolution to approve an amendment to the Midtown/Plaza Area Plan by changing the recommended land use from Residential Medium Density to Residential High Density on about .22 acres generally located at 3933 Kenwood Ave. (CD-CPC-2021-00120)

Ordinance Number

Details

Location: Generally located 3933 Kenwood Ave.

Reason for Legislation: Area Plan Amendment requires City Council approval.

PLAN REVIEW
Area Plan Amendment and Rezoning Analysis.

In reviewing and making decisions on proposed zoning map amendments, the City Planning and Development Director, City Plan Commission, and City Council must consider at least the following factors:

88-515-08-A. Conformance with adopted plans and planning policies;
The proposed Area Plan Amendment would change the future land use designation to Residential High Density. "There is a strong desire to see this (multifamily) reinvestment continue and spread further within the sub-area." (Midtown/Plaza Area Plan) The architectural character of the proposed project is also in conformance with the area plan. AN

88-515-08-B. Zoning and use of nearby property;
Property to the west is zoned R-1.5. AN

88-515-08-C. Physical character of the area in which the subject property is located;
The surrounding area features a mix of housing types. The rezoning will not alter the physical characteristics of the area. AN

88-515-08-D. Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;
Currently, Gillam Rd and E 39th St are well-traveled routes. There is adequate public

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	4 th District (Shields, Bunch)
Applicants / Proponents	<p>Applicant James (Alex) Hilton Grandbridge Real Estate Capital 2001 Shawnee Mission Pkwy Mission Woods, KS 66205</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>City Plan Commission (6-0) 09-21-2021 By Aye: Allender, Baker, Enders, Hill, Sadowski, Beasley, Rojas</p> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p>

infrastructure to serve the development allowed by the rezoning. AN

88-515-08-E. Suitability of the subject property for the uses to which it has been restricted under zoning regulations;

The uses associated with the R- zoning districts (residential) are suitable for the area. AN

88-515-08-F. Length of time the subject property has remained vacant as zoned;

N/A. AN

88-515-08-G. The extent to which approving the rezoning will detrimentally affect nearby properties; and

The proposed rezoning will not detrimentally affect nearby properties. AN

88-515-08-H. The gain, if any, to the public health, safety, and welfare due to the denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

Denial of the rezoning might affect the redevelopment of the existing property, thus the vacant and deteriorating structures that currently sit on the property may remain. AN

	<input type="checkbox"/> Do not pass
Policy or Program Change	<input type="checkbox"/> Yes <input type="checkbox"/> No
Operational Impact Assessment	

Finances

Cost & Revenue Projections – Including Indirect Costs	
Financial Impact	
Funding Source(s) and	

--

Appropriation Account Codes	

Continued from Page 2

Fact Sheet Prepared By:	Date: 09-30-2021		
Ahna Nanoski, AICP Lead Planner			
Reviewed By:	Date: 09-30-2021	Initial Application Filed:	07-01-2021
Joe Rexwinkle, AICP Division Manager Development Management		City Plan Commission:	09-21-2021
		Revised Plans Filed:	NA
Reference Numbers:			
Case No. CD-CPC-2021-00120			



File #: 210901

ORDINANCE NO. 210901

Rezoning an area of about .22 acres generally located at 3933 Kenwood Avenue from R-5 to R-1.5 to allow for the development of three triplexes. (CD-CPC-2021-00119)

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-1300, rezoning an area of approximately .22 acres generally located at 3933 Kenwood Avenue from District R-5 to R-1.5, said section to read as follows:

Section 88-20-A-1300. That an area legally described as:

Lots 30 thru 32, Block 1, Vanderbilt Place, a subdivision in Kansas City, Jackson County, Missouri.

is hereby rezoned from District R-5 to District R-1.5, all as shown outlined on a map marked Section 88-20-A-1300, 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 in accordance with Section 88-20 thereof.

Section B. That a development plan for the area legally described above is hereby approved, to allow for the development of three triplexes, 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 certificate of occupancy.
2. Mechanical equipment and utility cabinets shall comply with 88-425-08-B and 88-425-08-D.
3. Staff would recommend the applicant use similar exterior materials and paint colors that are on the buildings at 3915-23 Kenwood to allow the modern design to blend in with the neighborhood.

4. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
5. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
6. The developer shall submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
7. 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.
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 must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval for the

maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.

10. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
11. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
12. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
13. 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)
14. 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)
15. 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).
16. The turning radius for Fire Department access roads is 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
17. 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)
18. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to certificate of occupancy.
19. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney

COMMUNITY PROJECT/REZONING

210901

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2021-00119

Brief Title

An ordinance to approve a Development Plan to allow for the development of three triplexes on about .22 acres generally located at 3933 Kenwood Ave. (CD-CPC-2021-00119)

Details

Location: Generally located 3933 Kenwood Ave.
Reason for Legislation: A Development plan review allows for the City Council to review plans proposing significant development, to determine whether such plans further the purposes of this zoning and development code.
<p>PLAN REVIEW</p> <p>As noted on the submitted plans, the development comprises of three triplexes in a modern architecture design. The three triplexes face Gillham Park and Kenwood Ave. Parking is located in the rear of the property, access from an alley.</p> <p><i>Building Type- Specific (88-100), Use Regulations (88-300), and Development Standards (88-400)</i></p> <p>See Staff Report</p> <p><i>City Plan Commission: Approval Subject to Conditions as reflected in the conditions below.</i></p> <ol style="list-style-type: none"> 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 Certificate of Occupancy. 2. Mechanical equipment and utility cabinets shall comply with 88-425-08-B and 88-425-08-D. 3. Historic Preservation The two houses are part of the South Hyde Park Historic District. The district is only on the national register and not on the local, so no review is required by the Historic Preservation commission. Though not a requirement, staff would recommend the applicant use similar exterior materials and paint colors that are on the buildings at 3915-23 Kenwood to allow the modern design to blend in with the neighborhood. 4. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district,

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	4 th District (Shields, Bunch)
Applicants / Proponents	<p>Applicant James (Alex) Hilton Grandbridge Real Estate Capital 2001 Shawnee Mission Pkwy Mission Woods, KS 66205</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>City Plan Commission (6-0) 09-21-2021 By Aye: Allender, Baker, Enders, Hill, Sadowski, Beasley, Rojas</p> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.

5. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
6. The developer shall submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.
7. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
8. The developer must 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.

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

Finances

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

Continued from Page 2

9. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.
10. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
11. The expectation is the project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
12. Fire hydrant distribution shall follow IFC-2018 Table C102.1
13. 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)
14. 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)
15. 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).
16. The turning radius for fire department access roads is 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
17. 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)
18. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to certificate of occupancy.
19. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations.
<https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Service-Lines.pdf>

Fact Sheet Prepared By:

Date: 09-24-2021

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Date:

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