

## **Agenda**

## **Neighborhood Planning and Development Committee**

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

Wednesday, March 9, 2022

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)

#### Hall

220218

Approving the plat of Sara's Meadow - First Plat, an addition in Clay County, Missouri, on approximately 66.35 acres generally located on the east side of N. Reinking Road, the west side of N. Eastern Avenue, at the midpoint south of N.E. 108th Street and north of N.E. Shoal Creek Parkway, creating 103 lots for the purpose of constructing single family homes and 7 tracts for the purpose of private open space and storm water detention; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00005)

Attachments: 2022-00005 Ordinance Fact Sheet

End of Consent(s)

220209

Consenting to the rate of front foot special assessment to be levied by the Westport Special Business District; consenting to the proposed uses of the revenues produced therefrom; estimating and appropriating revenue in the amount of \$42,000.00 in the Westport Special Business District Fund; re-estimating and re-appropriating the remaining uncollected revenues and unexpended and unencumbered appropriations to the 2022-23 Fiscal Year; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

Attachments: 2022 Westport SBD Fact Sheet FINAL Westport SBD 2022 Fiscal Note

220210

Consenting to the rate of front foot special assessment to be levied by the Union Hill Special Business District; consenting to the proposed uses of the revenues produced therefrom; estimating and appropriating revenue in the amount of \$64,000.00 in the Union Hill Special Business District Fund; re-estimating and re-appropriating the remaining uncollected revenues and unexpended and unencumbered appropriations to the 2022-23 Fiscal Year; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

<u>Attachments</u>: <u>UNION HILL FINAL Fact Sheet</u>
Union Hill SBD 2022 Fiscal Note

220212

Approving a Kansas City Brownfields Regional Coalition Revolving Loan Fund Program loan application submitted by Zhou B Art Center LLC for remediation of the former Crispus Attucks Elementary School in the amount of \$200,000.00; authorizing the Director of City Planning and Development to execute the necessary loan documents; and recognizing this ordinance as having an accelerated effective date.

<u>Attachments</u>: <u>Fact Sheet (Zhou B Art Center)</u> <u>Fiscal Note (Zhou B Art Center)</u>

#### O'Neill

220213

Rezoning an approximately 3.3 acre tract of land generally located at the southwest corner of N.E. 96th Street and Interstate 435 from R-80 to AG-R and approving a development plan for a second building to be constructed for the use of horticultural services/lawn care and landscaping services. (CD-CPC-2021-00190 and CD-CPC-2021-00191)

**Attachments:** No Fact Sheet

HELD IN COMMITTEE

#### **Bough**

**211122** 

Amending Chapter 88, Code of Ordinances, by repealing Section 88-605-03, Street Naming Committee, and enacting in lieu thereof a new section of like number and subject matter for the purpose of requiring City Council approval for the renaming of streets.

Attachments: CD-CPC-2021-00204 Fact Sheet

#### ADDITIONAL BUSINESS

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

#### 2. Closed Session

- Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
- Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate:
- Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
- Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
- Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
- Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
- Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.
- 3. Those who wish to comment on proposed ordinances can email written testimony to public.testimony@kcmo.org. Comments received will be distributed to the committee and added to the public record by the clerk.

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

- Livestream on the city's website at www.kcmo.gov
- Livestream on the city's YouTube channel at https://www.youtube.com/watch?v=3hOuBlq4fok
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: http://kansascity.granicus.com/ViewPublisher.php?view\_id=2

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

Adjournment



414 E. 12th Street Kansas City, MO 64106

#### **Legislation Text**

File #: 220218

#### ORDINANCE NO. 220218

Approving the plat of Sara's Meadow – First Plat, an addition in Clay County, Missouri, on approximately 66.35 acres generally located on the east side of N. Reinking Road, the west side of N. Eastern Avenue, at the midpoint south of N.E. 108th Street and north of N.E. Shoal Creek Parkway, creating 103 lots for the purpose of constructing single family homes and 7 tracts for the purpose of private open space and storm water detention; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00005)

#### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Sara's Meadow – First Plat, a subdivision in Clay County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

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

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

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

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

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

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on March 1, 2022.

.end	
	Approved as to form and legality:
	Eluard Alegre Assistant City Attorney

## **COMMUNITY PROJECT/ZONING**

## **Ordinance Fact Sheet**

220218

Ordinance Number

**Brief Title** 

Approving the plat of Sara's Meadows - First Plat, an addition in Kansas City, Clay County, Missouri

#### Specific Address

Approximately 66.35 acres generally located on the east side of N. Reinking Road, the west side of N. Eastern Avenue, at the midpoint south of N.E. 108th Street and north of N.E. Shoal Creek Parkway, creating 103 lots and 7 tracts.

#### Reason for Project

This final plat application was initiated by Star Development Corporation, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct 103 single family homes.)

#### 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.

Case No. 12123-CUP-1 - Ordinance No. 071102 was passed by the City Council on November 8, 2007 and approved an amendment to a preliminary community unit project plan in District R-1a on an approximately 121 acre tract of land generally located on the east side of NE Reinking Road at proposed NE 100th Terrace, allowing for 224 single-family lots in five phases.

Case No. 10988-P-2 - Ordinance No. 990159 was passed by the City Council on March 25, 1999 and rezoned 460.27 acres located east and west of proposed N Eastern Avenue south of NE 108thStreet from District R-1 family dwellings, low density), to R-1a (one-family dwellings, medium density).

Case No. 12123-CUP – Ordinance No. 990161 was passed by the City Council on March 25, 1999 and approved a preliminary community unit project plan for 285 single-family lots on 120.76 acres located on the west side of proposed N Eastern Avenue about 2,600 feet south of NE 108th Street in District R-1a.

Sponsor	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected  Applicants / Proponents	City-Wide  Council District(s) 1(CL) Hall – O'Neill  Other districts (school, etc.)  North Kansas City  Applicant(s)  Star Development Corporation
	City Department City Planning and Development Other
Opponents	None Known  Basis of Opposition
Staff Recommendation	For Against Reason Against:
Board or Commission Recommendation	By: City Plan Commission March 1, 2022  Approval Denial Approval, with conditions
Council Committee Actions	Do Pass Do Pass (as amended) Committee Sub. Without Recommendation Hold Do not pass

Details	Policy / Program Ir	npact
	Policy or Program Change	No ☐ 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	
	Is it good for the children?	

How will this contribute to a sustainable Kansas City?

This project consists of public and private improvements for a single-family residential development on previously undeveloped property. Proposed storm water management facilities will reduce the overall storm watervolume and attenuate the peak runoff rate to less than existing conditions. The private open space will also retain much of the existing natural vegetation and natural waterways. Runoff from within the development will be conveyed in an enclosed storm sewer system and released into the detention facilities. Common areas will be maintained by the homeowners' association through a covenant agreement. Modern and safe, walkable streets with sidewalks, curb and gutter and street lights will be constructed. New sanitary sewerswill be constructed that will minimize infiltration and inflow within the system conveyed to the treatment facility. Homeowners must adhere to the codes, covenants and restrictions prepared for theproject to assure ongoing maintenance and upkeep of their personal residences and common properties. This development will increase the tax base for the developed lots and will provide ample permanent greenspace within the development.

Written by Brett Cox, PE

**Project Start Date** 

**Projected Completion or Occupancy Date** 

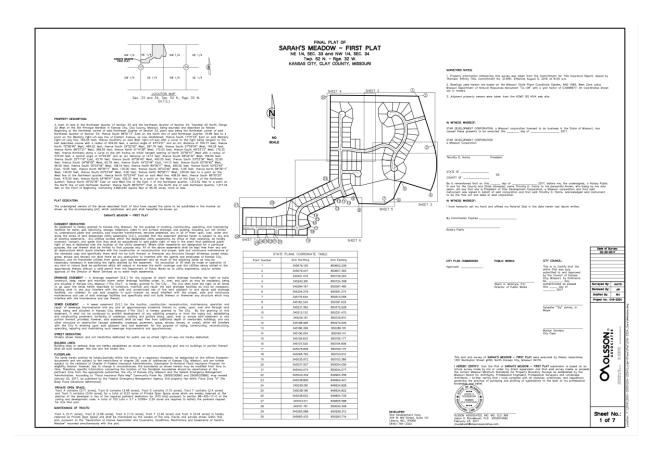
Fact Sheet Prepared by: Date: March 3, 2022

Thomas Holloway

Reviewed by:

Joe Rexwinkle Land Development Division (LDD) City Planning & Development

Reference or Case Numbers: CLD-FnPlat-2022-00005





414 E. 12th Street Kansas City, MO 64106

### **Legislation Text**

File #: 220209

#### ORDINANCE NO. 220209

Consenting to the rate of front foot special assessment to be levied by the Westport Special Business District; consenting to the proposed uses of the revenues produced therefrom; estimating and appropriating revenue in the amount of \$42,000.00 in the Westport Special Business District Fund; re-estimating and re-appropriating the remaining uncollected revenues and unexpended and unencumbered appropriations to the 2022-23 Fiscal Year; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

#### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Council consents to a front foot special assessment of \$2.50 per abutting foot of the lots, tracts and parcels of land within the Westport Special Business District abutting on public streets, roads and highways therein.

Section 2. That the City Council consents to the use of the revenue derived from such front foot special assessment for the maintenance and operation of the lighting fixtures, brick entry monuments, and related purposes, as set forth in the Budget submitted by the Westport Special Business District.

Section 3. That the revenue in the following account of the Westport Special Business District Fund is hereby estimated in the following amount:

22-6800-120000-484000

Collections from Assessments

\$42,000.00

Section 4. That the sum of \$42,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Westport Special Business District Fund to the following account in the Westport Special Business District Fund:

22-6800-121060-B

Westport SBD - Admin

\$42,000.00

Section 5. That any remaining uncollected revenue estimates in the 2021-22 Fiscal Year in the Westport Special Business District Fund are authorized to be re-estimated to the same accounts in the 2022-23 Fiscal Year except for the following revenue account:

22-6800-129921-484000

Collections from Assessments

#### File #: 220209

Section 6. That the unexpended and unencumbered balances in the following account for the 2021-22 Fiscal Year in the Westport Special Business District Fund are appropriated to the same account in the 2022-23 Fiscal Year except for the following account:

22-6800-129921

Finance

Section 7. That the Director of Finance is hereby designated as requisitioning authority for Account No. 22-6800-121060.

Section 8. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter in that it appropriates money and shall take effect in accordance with that section.

end				

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

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Chivonne Scott
Assistant City Attorney

	Lagialatian Number	220209			
LEGISLATIVE FACT SHEET	Legislation Number: Approval Deadline:	220203			
LEGISLATION IN BRIEF:	Approval Bedanie.				
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What is the reason for this legislation?	Fact Sh	neet Color Codes			
	Use	r Entered Field			
		elect From Menu			
		or OMB Use			
		Sponsor(s)			
	Programs, Depar	tments, or Groups Affected			
	Sub-Progra	am in Budget (page #)			
		City Department			
Discussion (including relationship to other Council	Applicants/				
actions)	Proponents	Other			
	Staff Recommendation				
	Board or Commission Recommendation				
	Future Impacts				
	Cost of Legislation current Fiscal Year				
	Costs in Future Fiscal Years?				
Citywide Business Plan Goal	Annual Revenue				
	Increase/Decrease				
Citywide Business Plan Objective	Applicable Dates:				
	Prepared by:				
20. 11. 2. 1. 2. 2.	Date Prepared:				
Citywide Business Plan Strategy	Reviewed by:				
	Date Reviewed Reference Numbers				
	Reference Numbers				

LEGISLATIVE FISCAL NOTE					ATION 1BER:	22	20209		
LEG	ISLATION II	N BRIEF:							
Estima	Estimating and appropriating revenue for Westport Special District Fund and re-estimating and re-appropriating the remaining uncollected revenue and unexpected and encumbered appropriations to FY22-23.								
What	is the purp	ose of this le					OPERATIONAL		
			For the purpose of author	izing expenditures new	or planned to co	onduct municipal	services		
Does	s this legislo	ation spend	money?					YES	Yes/No
See	e Sections 0	1, 02 and 03	for sources of fund	ling			-		_
Does	s this legislo	ation estima	te new Revenues?					YES	Yes/No
		-	enue estimates	_			r		7
	_		se Appropriations:					YES	Yes/No
		•	s in appropriations nis legislation ongo		a tima (Na)	1	ſ	NO	] <sub>Vaa</sub> / <sub>Na</sub>
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	n 00: Notes		.10 **						
			going programs should	ne revenue produced	d. All funds are on 04 below.	allocated in FY		Business Distri	ct, and to the
Section	n 01: If ann	licable who	re are funds appro						
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	10112	<i>DEI 110</i>	7.0000111	TROJECT		11212	12 000	1122	23 231
Sectio	n 02: If app	licable, whe	re will new revenu	es be estimated	l?				
	FUND	DEPTID	ACCOUNT	PROJECT		FY 21-2	22 BUD	FY 22	-23 EST
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Sectio			re will appropriati		<del>1</del> ?				
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FUND	FUND	NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
6800	Westpo	rt Fund	42,000						
		TOTAL REV	42,000	-	-	-	-	-	-
FUND	FUND		FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
6800	Westpo	rt Fund	42,000						
	T	OTAL EXP	42,000	-	-	-	-	-	-
NET	Per-YEAR	IMPACT	-	-		-	-		_
NE	T IMPACT	( SIX YEARS)						-	
REVIE	WED BY	R	obyn Cottin		DATE		3/1/2	2022	



414 E. 12th Street Kansas City, MO 64106

## **Legislation Text**

File #: 220210

#### ORDINANCE NO. 220210

Consenting to the rate of front foot special assessment to be levied by the Union Hill Special Business District; consenting to the proposed uses of the revenues produced therefrom; estimating and appropriating revenue in the amount of \$64,000.00 in the Union Hill Special Business District Fund; re-estimating and re-appropriating the remaining uncollected revenues and unexpended and unencumbered appropriations to the 2022-23 Fiscal Year; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

#### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Council consents to a front foot special assessment of \$3.25 per abutting foot of the lots, tracts and parcels of and land within the Union Hill Special Business District abutting on public streets, roads and highways therein.

Section 2. That the City Council consents to the use of the revenue derived from such front foot special assessment for the maintenance and operation of the lighting fixtures, brick entry monuments, and related purposes, as set forth in the Budget submitted by the Union Hill Special Business District.

Section 3. That the revenue in the following account of the Union Hill Special Business District Fund is hereby estimated in the following amount:

22-6810-120000-484000

Collections from Assessments

\$64,000.00

Section 4. That the sum of \$64,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Union Hill Special Business District Fund to the following account in the Union Hill Special Business District Fund:

22-6810-121070-B

Union Hill SBD - Admin

\$64,000.00

Section 5. That any remaining uncollected revenue estimates in the 2021-22 Fiscal Year in the Union Hill Special Business District Fund are authorized to be re-estimated to the same accounts in the 2022-23 Fiscal Year except for the following revenue account:

22-6810-129921-484000

Collections from Assessments

#### File #: 220210

Section 6. That the unexpended and unencumbered balances in the following account for the 2021-22 Fiscal Year in the Union Hill Special Business District Fund are appropriated to the same account in the 2022-23 Fiscal Year except for the following account:

22-6810-129921

Finance

Section 7. That the Director of Finance is hereby designated as requisitioning authority for Account No. 22-6810-121070.

Section 8. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter in that it appropriates money and shall take effect in accordance with that section.

end			

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

Tammy L. Queen Director of Finance

Approved as to form and legality:

Chivonne Scott
Assistant City Attorney

	Legislation Number:	220210			
LEGISLATIVE FACT SHEET	Approval Deadline:				
LEGISLATION IN BRIEF:					
What is the reason for this legislation?	Fact Sh	eet Color Codes			
		r Entered Field			
		elect From Menu			
		or OMB Use			
		Sponsor(s)			
	Programs, Depart	ments, or Groups Affected			
	Sub-Progra	am in Budget (page #)			
		City Department			
Discussion (including relationship to other Council	Applicants/				
actions)	Proponents	Other			
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	Staff Recommendation				
	Board or Commission Recommendation				
	Future Impacts				
	Tuture impacts				
	Cost of Legislation current Fiscal Year				
	Costs in Future Fiscal Years?				
Citywide Business Plan Goal	Annual Revenue				
	Increase/Decrease				
Citywide Business Plan Objective	Applicable Dates:				
	Prepared by:				
	Date Prepared:				
Citywide Business Plan Strategy	Reviewed by:				
	Date Reviewed				
	Reference Numbers				

LEGISLATIVE FISCAL NOTE					LATION <b>220210</b>				
LEG	ISLATION II	N BRIEF:			14014				
Estima	Estimating and appropriating revenue for Union Hill Special District Fund and re-estimating and re-appropriating the remaining uncollected revenue and unexpected and encumbered appropriations to FY22-23.								
What	is the purp	ose of this l	egislation?				OPERATIONAL		
			For the purpose of author	rizing expenditures new	or planned to co	onduct municipal	services		
Does	s this legisl	ation spend	money?					YES	Yes/No
			3 for sources of fund	_			ı		1
	_		ate new Revenues?					YES	Yes/No
		-	venue estimates	•			i	VEC	1 .
	_		<b>ase Appropriations</b> es in appropriations				l	YES	Yes/No
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Soctio	n O1. If ann	dicable wh	ere are funds appro	ANCIAL IMPACT					
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Ī	10110	DELLID	ACCOUNT	TROJECT		11212	22 000	1122	23 231
Sectio	n 02: If app	licable, who	ere will new revenu	es be estimated	i?				
	FUND	DEPTID	ACCOUNT	PROJECT		FY 21-2	22 BUD	FY 22-	23 EST
	6810	120000	484000			64,00	00.00		
Sectio	n 03: If app	olicable, who	ere will appropriati	ons be increased	<del>!</del> ?				
ı	FUND	DEPTID	ACCOUNT	PROJECT		FY 21-2	22 BUD	FY 22-	23 EST
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FUND	FUND	NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
6810	Union F	Hill Fund	64,000						
		TOTAL REV	64,000	-	-	=	-	=	=
FUND	FUND		FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
6810	Union F	iiii Fund	64,000						
-									
	Т	OTAL EXP	64,000		-	-	-	-	-
NET	Per-YEAR	IMPACT	_	-	-	_	-	-	-
NE	T IMPACT	( SIX YEARS)	•					-	
REVIE	WED BY	F	Robyn Cottin		DATE		3/1/2	2022	



414 E. 12th Street Kansas City, MO 64106

#### **Legislation Text**

File #: 220212

#### ORDINANCE NO. 220212

Approving a Kansas City Brownfields Regional Coalition Revolving Loan Fund Program loan application submitted by Zhou B Art Center LLC for remediation of the former Crispus Attucks Elementary School in the amount of \$200,000.00; authorizing the Director of City Planning and Development to execute the necessary loan documents; and recognizing this ordinance as having an accelerated effective date.

..end

WHEREAS, a Brownfields Revolving Loan Fund (RLF) Program has been established by the City of Kansas City, Missouri (the "City"), and the U.S. Environmental Protection Agency (EPA) has awarded Brownfields RLF grant funds to the City in the amount of \$3,950,107.00, and the City has entered into Federal Cooperative Agreement No. BF-97700901 with EPA (the "Kansas City RLF"); and

WHEREAS, on October 9, 2020 the Kansas City Brownfields Commission (the "Commission") received the application of ZB AC, LLC to the Kansas City RLF Program for a loan in an amount up to \$500,000.00 to abate asbestos containing materials, lead-based paint and other hazardous substances from the structure known as the former Crispus Attucks Elementary School, located at 1818 East 19th Street, Kansas City, MO 64108 (the "Site"); and

WHEREAS, on October 18, 2021, the Commission adopted Resolution 001-2021 recommending approval of an RLF loan to ZB AC, LLC in the amount of \$300,000.00 to remediate the Site, representing in effect an increase by \$200,000.00 in the amount of the RLF loan previously approved by Commission Resolution 002-2020; and

WHEREAS, on November 4, 2021, finding all conditions of Resolution 001-2021 having been met, the City Council adopted Committee Substitute for Ordinance 210988 approving a loan from the Kansas City RLF to ZB AC LLC in the amount of \$300,000.00; and

WHEREAS, the Kansas City Regional Brownfields Coalition Revolving Loan Fund has been established by the City of Kansas City, Missouri (the "City"), together with Unified Government of Wyandotte County/Kansas City, Kansas and Jackson County, Missouri as members of a coalition (the "Coalition RLF"); and

WHEREAS, on October 1, 2020, the U.S. Environmental Protection Agency (EPA) awarded Brownfields RLF grant funds to the Coalition RLF in the amount of \$800,000.00, and the City has entered into Federal Cooperative Agreement No. BF-97782201 with EPA; and

WHEREAS, on February 2, 2022, the Commission received the application of Zhou B Art Center, LLC, successor in interest to ZB AC, LLC, for a loan from the Coalition RLF in the amount of \$200,000.00; and

WHEREAS, the eligible costs for remediation of the Site, and related design, oversight and public notice requirements, are estimated to exceed \$600,000.00, not including structural demolition, renovation and new construction costs unrelated to the remediation of hazardous substances; and

WHEREAS, in order to comply with the requirement of Federal Cooperative Agreement No. BF-97782201 that all Coalition RLF funded cleanup work be protective of human health and the environment, a Remedial Action Plan (RAP) for the Site has been approved by the Brownfields Voluntary Cleanup Program (BVCP) through the Missouri Department of Natural Resources (MDNR); and

WHEREAS, there currently remains an unobligated fund balance of \$663,645.00 available for loans in the Coalition RLF grant account; and

WHEREAS, the applicant has provided information regarding their updated redevelopment plan and how it is expected to produce long term cultural, business, educational, health and economic benefits for the 18th & Vine Jazz District, the surrounding communities and for Kansas City as a whole; and

WHEREAS, on February 22, 2022, the Brownfields Commission adopted Resolution No. 001- 2022 recommending that the City Council approve an RLF Loan from the Regional Brownfields Coalition RLF Loan Program to Zhou B Art Center, LLC in the amount of \$200,000.00 for the cleanup of the Site ("RLF Loan"), subject to the preconditions that: (1) the EPA confirms eligibility of the loan under the Federal Cooperative Agreement; (2) the City's loan consultant reviews the current and updated financial information submitted by ZB AC, LLC and provides a basic financial re-evaluation of the loan satisfactory to the City and the Commission; and

WHEREAS,	the first precondition	has been m	net by the	communication	from Susan	Klein,
EPA Region 7 dated	, 2022;	and	-			

WHEREAS, the second precondition has been met by the City's loan consultant providing a basic financial re-evaluation of the RLF Loan satisfactory to the City and the Commission, dated February 14, 2022; and

WHEREAS, ZB AC, LLC has secured construction loan financing, state and federal historic preservation tax credits, and equity partner contributions to the project, and has provided cash flow projections demonstrating how the project is expected to generate sufficient revenues to cover its brownfields loan and other debt service obligations; and

WHEREAS, ZB AC, LLC has provided an updated redevelopment plan with information on how the project is expected to produce long term cultural, business, educational, health and economic benefits for the 18th & Vine Jazz District, the surrounding communities and for Kansas City as a whole; NOW, THEREFORE,

#### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The application of Zhou B Art Center, LLC for an RLF Loan from the Kansas City Regional Brownfields Coalition RLF Program for the Project is approved for an amount not to exceed \$200,000.00 and funded from funds previously appropriated in the following account:

22-2550-645020-B-G64RBRLF

**EPA-Brownfields RLF** 

\$200,000.00

Section 2. The Director of City Planning and Development is authorized to execute with ZB AC, LLC, the site owner Zhou B Art Center of Kansas City, LLC, and related entities the necessary loan documents to memorialize, issue, and secure the RLF Loan, all in accordance with the terms and conditions of the City's Cooperative Agreement with USEPA governing the RLF Program. Copies of the loan documents, approved in substantial form, are on file with the City Planning and Development Department.

Section 3. The Director of City Planning and Development is authorized to take such necessary further acts related to the RLF Loan and loan documents all consistent with this ordinance.

Section 4. That this ordinance appropriating money is recognized as an ordinance with an accelerated effective date as provided in Section 503(a)(3) of the City Charter and shall take effect in accordance with Section 503, City Charter.

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

Tammy L. Queen Director of Finance

Approved as to form and legality:

Matthew Cooper Assistant City Attorney

Kansas City Page 3 of 4

21

LEGISLATIVE FACT SHEET	Legislation Number:	220212
	Approval Deadline:	
LEGISLATION IN BRIEF:		
What is the reason for this legislation?	Fact Sh	neet Color Codes
	Use	r Entered Field
		elect From Menu
		or OMB Use
		Sponsor(s)
	Programs, Depar	tments, or Groups Affected
	Sub-Progra	am in Budget (page #)
		City Department
Discussion (including relationship to other Council	Applicants/	
actions)	Proponents	Other
	Staff Recommendation	
	Board or Commission	
	Recommendation	
	Fut	ture Impacts
	Cost of Legislation current Fiscal Year	
	Costs in Future Fiscal Years?	
Citywide Business Plan Goal	Annual Revenue	
	Increase/Decrease	
Citywide Business Plan Objective	Applicable Dates:	
	Prepared by:	
	Date Prepared:	
Citywide Business Plan Strategy	Reviewed by:	
	Date Reviewed	
	Reference Numbers	

LEGISLATIVE FISCAL NOTE						ATION IBER:		<b>220212</b> TMP - 1550	
LEG	LEGISLATION IN BRIEF:								
	Approving a Kansas City Brownfields Regional Coalition Revolving Loan Fund Program Ioan application submitted by Zhou B Art Center LLC for remediation of the former Crispus Attucks Elementary School in the amount of \$200,000.00; authorizing the Director of City Planning and Development to execute the necessary Ioan documents; and recognizing this ordinance as having an accelerated effective date.								
What			legislation?	, 5			OPERATIONAL		
	For the purpose of authorizing expenditures new or planned to conduct municipal services								
				izing expenditures new	or planned to co	onduct municipal	services	V50	
	_	ation spend	-	I*				YES	Yes/No
			3 for sources of fund	_			i	NO	
	s this legisi	ation estim	ate new Revenues?					NO	Yes/No
0 <b>Doe</b> s	s this Legisl	ation Incre	ase Appropriations	,				NO	Yes/No
	_								
			this legislation ongo	oing (Yes)? Or o	ne-time (No	)		NO	Yes/No
		): " Notes" E	Below						
Sectio	n 00: Notes	<u>s:</u>							
_			RLF Loan Program to Zh			of \$200,000.00	for the cleanu	o of the Site ("F	RLF Loan")
Five yea	ers of operation	nal costs for c	ongoing programs should						
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Sectio			ere will new revenu		d?	EV 24.1	22 0110	EV 22	22 555
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FUND	FUND	NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
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FUND	FUND	NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
2550	Brownfield Re	evolving Loan	200,000						
	T	OTAL EXP	200,000		<u> </u>	-	-	-	-
NET	Per-YEAR	IMPACT	(200,000)	-	-	-	-	-	-
NE	T IMPACT	( SIX YEARS	5)				(2	200,000.00)	

DATE

REVIEWED BY

James Sturdevant

2/28/2022



414 E. 12th Street Kansas City, MO 64106

### **Legislation Text**

File #: 220213

#### ORDINANCE NO. 220213

Rezoning an approximately 3.3 acre tract of land generally located at the southwest corner of N.E. 96th Street and Interstate 435 from R-80 to AG-R and approving a development plan for a second building to be constructed for the use of horticultural services/lawn care and landscaping services. (CD-CPC-2021-00190 and CD-CPC-2021-00191)

#### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A\_\_\_\_ rezoning an approximately 3.3 acre tract of land generally located at the southwest corner of N.E. 96th Street and Interstate 435 from R-80 (Residential dash 80) to AG-R (Agricultural Residential), said section to read as follows:

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

All that part of the Northeast Quarter of Section 5, Township 51, Range 32, Kansas City, Clay County, Missouri; described as follows: commencing at the Northeast corner of the Northeast Quarter of said Section 5, thence North 89 degrees 20 minutes 00 seconds West, along the North line of the Northeast Quarter of said Section 5, a distance of 1212.31 feet; thence South 00 degrees 07 minutes 53 seconds West, a distance of 158.34 feet, to the Point of Beginning of the tract of land herein to be described, said point also being on the Northerly Right-of-way line of Northeast 96th Street; thence South 66 degrees 12 minutes 14 seconds East, along said Right-of-way line, a distance of 37.63 feet; thence continuing along said Right-of-way line, Easterly, along a curve to the Left, being tangent to the last described course, having a radius of 555.00 feet, an arc distance of 221.83 feet; thence South 00 degrees 06 minutes 52 seconds West, a distance of 554.92 feet; thence North 89 degrees 52 minutes 07 seconds West, a distance of 250.00 feet; thence North 00 degrees 07 minutes 53 seconds East, a distance of 616.65 feet, to the Point of Beginning. Said tract contains 3. 30 Acres, more or less

is hereby rezoned from District R-80 (Residential dash 80) to AG-R (Agricultural Residential), all as shown outlined on a map marked Section 88 -20A\_\_\_\_, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

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

- 1. The developer shall submit a minor subdivision plat to create the new lot for the horticultural/lawn care and landscape building.
- 2. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.
- 3. The developer shall show the limits of the 100-year floodplain plus the 1 foot freeboard on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.
- 4. 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.
- 5. 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.
- 6. The developer shall grant on City approved forms a stream buffer easement to the City as required by Chapter 88 and the Land Development Division prior to issuance of any stream buffer permits.
- 7. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.
- 8. The developer shall obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
- 9. 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.
- 10. The developer shall submit documentation verifying the compliance of the proposed septic system with current City building codes as part of the building plan review. If the proposed septic system cannot meet either the building code or Missouri Department of Natural Resources (MDNR) requirements, the developer shall be responsible for providing sewer service by other means which may require the extension of a public sanitary sewer main.
- 11. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
- 12. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
- 13. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
- 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 project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1).
- 16. Fire hydrant distribution shall follow IFC-2018 Table C102.1
- 17. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2).
- 18. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
- 19. The developer shall grant the City any necessary easements for future construction of N.E. Shoal Creek Parkway at the time the parkway is constructed.
- 20. The developer shall submit water main extension drawings prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City water rules and regulations for water main extensions and relocations.

#### File #: 220213

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

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

end 	
, ,	s required by Chapter 88, Code of Ordinances, the foregoing d and public hearings were held.
	Secretary, City Plan Commission
	Approved as to form and legality:
	Sarah Baxter Assistant City Attorney

# No Fact Sheet Provided for Ordinance No.

**220213** 



414 E. 12th Street Kansas City, MO 64106

### **Legislation Text**

File #: 211122

#### ORDINANCE NO. 211122

Amending Chapter 88, Code of Ordinances, by repealing Section 88-605-03, Street Naming Committee, and enacting in lieu thereof a new section of like number and subject matter for the purpose of requiring City Council approval for the renaming of streets.

#### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, Code of Ordinances, is hereby amended by repealing Section 88-605-03, Street Naming, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

#### 88-605-03 - STREET NAMING COMMITTEE

#### 88-605-03-A. ESTABLISHMENT AND PURPOSE

There is hereby established a street naming committee with the prime function of assigning names to the public and private streets.

#### 88-605-03-B. MEMBERSHIP

The following individuals are members of the street naming committee:

- 1. city planning and development director;
- 2. public works director;
- 3. parks and recreation director;
- 4. fire chief;
- 5. police chief.

#### 88-605-03-C. EX OFFICIO MEMBERS

The following are ex officio members of the street naming committee:

- 1. U.S. post office; and
- 2. other agencies as deemed necessary by the city planning and development director to render a complete and competent review of proposed street names.

#### 88-605-03-D. PROCEDURES

The city planning and development director is the chairperson of the street naming committee. The chair's function is to coordinate committee activities. The committee shall review requests to rename streets and make recommendations to the city council when needed. The committee shall assign street names as part of the subdivision plat approval process. The chair must inform the developer of recommendations by the committee and must present recommendations to the city plan commission or the city council, as necessary.

#### 88-605-03-E. HONORARY STREET NAMES

Honorary street names may be used to honor neighborhood and local leaders, community activists, and state and national figures. The following guidelines apply.

#### 1. CONSIDERATION OF NOMINEES

The nominating person or organization must prepare an autobiography or historical statement of the proposed recipient of the honorary street name designation. The statement should outline the historical or cultural significance of the nominated person, place, or event to the community and to the city. Attached to the autobiography or historical statement should be a map indicating where the honorary street name is being requested and additional information as to why the identified section of street is appropriate.

#### 2. **PETITION OF SUPPORT**

The nominating person or organization must include with the request package a petition of support for the proposed honorary street name. The petition must be signed by no fewer than 50 residents of the city, and must also include at least 75% of the property owners abutting that section of the street proposed to be honored. Special circumstances regarding street segment length or location, etc., will be considered by the city council on a case-by-case basis.

#### 3. CONSIDERATION BY THE STREET NAMING COMMITTEE

The nomination request package must be referred to the street naming committee for review. After the street naming committee reviews the application, a report discussing the validity of the petition and the anticipated costs that will be incurred to carry out the request must be prepared and submitted to the city council. The city council may act to approve or deny the application. A simple majority vote is required by city council.

#### 4. FINANCIAL BURDEN

The costs of fabrication and installation of the honorary signs as well as all future maintenance and replacement of the signs will be the responsibility of the nominating person or group.

#### 5. PLACEMENT AND DESIGN OF SIGNS

Honorary street name signs may not exceed the regulatory size of a green guide street sign. The department of public works has sole authority for the fabrication and installation of honorary street name signs in the city.

#### 6. TERMINATION OF AN HONORARY STREET NAME DESIGNATION

The city may choose at any time and for any reason to discontinue any honorary street name designation by approval of the city council. Should all of the signs become missing or vandalized and remain so for a period of one year with no remedy, the designation will be considered abandoned. The city will not replace or repair any honorary signs without compensation.

## 7. HONORARY STREET NAME AS ALIAS FOR OFFICIAL STREET NAME

The honorary street name must be logged as an alias in the city's emergency communications system and by the U.S. Postal Service for mail delivery purposes.

#### 88-605-03-F. STREET RENAMING

Street renaming is a process to establish a new name for a street that has already been given a street name by an approved plat, by the street naming committee or by the city council.

#### 1. **CONSIDERATION OF RE-NAMING**

The city council or the Parks Board in the case of streets under their jurisdiction may initiate renaming of a street. The city planning and development director may initiate renaming only in the instance of fixing an error. A statement outlining the need to rename a street and a map indicating where the street renaming is being requested shall be provided.

#### 2. CONSIDERATION BY THE STREET NAMING COMMITTEE

The application must be referred to the street naming committee for review. After the street naming committee reviews the application, a report discussing the impacts on the property owners, the anticipated costs that will be incurred to carry out the request and a recommendation must be prepared and submitted to the city council.

#### 3. **NOTICE OF HEARING**

Notice of the city council public hearing must be sent by the initiator by U.S. mail, first class at least 13 days before the date of the hearing to all property owners adjacent to the section of street proposed to be renamed, any registered neighborhood organization and/or registered civic organization whose boundaries include the subject street, and all owners of property within 300 feet of the street to be renamed. Addresses must be based on the latest available, city-maintained property ownership information. The mailed notice shall indicate the date, time and place of the public hearing, describe the requested action to be taken, indicate where to obtain additional information, and provide contact or other information sufficient for those interested to determine when the city council will hold its hearing on the re-naming.

#### 4. HEARING AND FINAL ACTION

#### File #: 211122

Following the close of the public hearing, the city council may act to approve or deny the proposed renaming. A simple majority vote is required by city council.

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 law have been given and had.

end			
I hereby certify that as required ordinance was duly advertised and public h	by Chapter 88, Code of Ordinances, earings were held.	the	foregoing
	Secretary, City Plan Commission	_	
	Approved as to form and legality:		
	Sarah Baxter		
	Assistant City Attorney		

## **COMMUNITY PROJECT/REZONING**

#### **Ordinance Fact Sheet**

CD-CPC-2021-00204 Case No.

**Brief Title** 

A request to amend Chapter 88, street naming to clarify the processfor street renaming and approvals for honorary street namingallow for other types of signs to be relocated that are a part of an eminent domain action.

**Details** 

Location: City Wide
<b>Reason for Legislation:</b> To amend Chapter 88, Street Naming to clarify the process for street re-naming and approvals for honorary street naming.
PLAN REVIEW
The proposed code amendment began based on direction from CS Resolution 200838, which directed staff to amend Chapter 88 to provide process for re-naming of streets and for approving authority for honorary street names. The proposed amendment provides a formal process for re-naming of streets including notification of all adjacent landowners and everyone within 300' of the street to be renamed. The city council and the parks board (when streets under their jurisdiction) can initiate renaming a street. City Planning Director has the
authority to apply only if the change is to fix an error on a plat. The street naming committee shall review and make
recommendation to the city council. Notice shall be made to all adjacent property owners and owners withing 300' of the
street. The council shall have a public hearing and then with a

#### **CPC RECOMMENDATION**

On December 7, 2021 the CPC recommended approval of CD-CPC-2021-00204 without conditions.

The other adjustment is requiring honorary street names be approved by the city council. This is to ensure those being honored meet the city council's desire for individuals that were leaders, community activist or state and national leaders.

simple majority vote, choose to approve or deny.

211122

**Ordinance Number** 

Positions/Recomm	mendations
Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	City Wide
Applicants / Proponents	City Department City Planning & Development Other
Opponents	Groups or Individuals  Basis of Opposition
Staff Recommendation	X For Against Reason Against
Board or Commission Recommendation	City Plan Commission (6-0) 12-07-2021  By Beasley, Crowl, Enders, Hill, Rojas, Allender  X For Against No Action Taken  For, with revisions or conditions (see details column for conditions)
Council Committee Actions	Do Pass  Do Pass (as amended)  Committee Sub.  Without Recommendation  Hold  Do not pass
	34

Continued from Page 1	Policy or Program Change	Yes No
	Operational Impact Assessment	
	Finances	
	Cost & Revenue Projections – Including Indirect Costs	
	Financial Impact	
	Funding Source(s) and	

				Account Codes		
0 11 10 0 0						
Continued from Page 2						
Fact Sheet Prepared By:	Date:	12-15-2021				
Diane Binckley						
Deputy Director						
				pplication Filed:		
Reviewed By:	Date:	12-15-2021	City P	lan Commission:	12-07-2021	
Diane Binckley			Rev	ised Plans Filed:	N/A	

Deputy Director
Reference Numbers:

Case No. CD-CPC-2021-00204

Appropriation