



Agenda

Neighborhood Planning and Development Committee

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

Wednesday, June 29, 2022

1:30 PM

26th Floor, Council Chamber

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

PUBLIC OBSERVANCE OF MEETINGS

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

Any closed session may be held via teleconference.

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

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

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

Fowler

[220554](#)

Rezoning an approximately 24 acre tract of land generally located at the northeast corner of N.W. 72nd Street and N.W. Waukomis Drive from Districts R-2.5 and R-7.5 to District MPD, and approving a MPD development plan that serves as a preliminary plat allowing for a mix of uses that includes residential, office, conference facilities, and the preservation and protection of natural resource areas and granting deferral of required subdivision improvements pursuant to 88-405-22. (CD-CPC-2020-00138)

Attachments: [No Fact Sheet](#)

Shields

[220555](#)

Rezoning an area of about 21.85 acres generally located within the West Bottoms area from Districts DX-10, M3-5, and UR to District UR, and approving a development plan which also serves as a preliminary plat to allow for a multi-phase mixed-use redevelopment, including a hotel. (CD-CPC-2022-00078)

Attachments: [No Fact Sheet](#)

HELD IN COMMITTEE

Bough, Bunch and Robinson

220364

Amending Chapter 18, Code of Ordinances, by repealing Article III, Section 18-57 entitled "Adoption of International Residential Code (2018); amendments" and Article XIV, Section 18-367 entitled "Adoption of International Energy Conservation Code (2012); amendments" and enacting, in lieu thereof, new sections of like number and subject matter that update the City's Energy Conservation Code.

Attachments: [220364 fact sheet](#)

220425

Reducing an appropriation in the amount of \$783,266.00 in the Central City Economic Development Sales Tax Fund; appropriating \$783,266.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with GEM Theater Cultural and Performing Arts Center, Inc in the amount of \$783,266.00 for the purpose of constructing an affordable housing development located at 2033 Vine Street.

Attachments: [FACT SHEET - 21 Vine Live Work Townhomes](#)
[FISCAL NOTE 21 VINE](#)
[Approp Admin - TMP - 1794](#)

220426

Reducing an appropriation in the amount of \$1,500,000.00 in the Central City Economic Development Sales Tax Fund; appropriating \$1,500,000.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with Ivanhoe Neighborhood Council in the amount of \$1,500,000.00 for the purpose of constructing a transitional housing development located at 2005 East 35th Street.

Attachments: [FACT SHEET - Heroes Home Gate Transitional Home Expansion](#)
[FISCAL NOTE HHG](#)

- 220429** Reducing an appropriation in the amount of \$668,232.00 in the Central City Economic Development Sales Tax Fund; appropriating \$668,232.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with Monarque Advisory, LLC, in the amount of \$668,232.00 for the purpose of redeveloping and constructing affordable housing development located at 2904 E. 23rd Street and 2914 E. 23rd Street.

Attachments: [Fact Sheet - CCED Monarque](#)
[Fiscal Note - CCED Monarque](#)

Shields

- 220454** Amending Chapter 88, Code of Ordinances, by repealing Sections 88-420-16, Alternative Compliance Parking Plans; 88-516, Plan Review; 88-530, Site Plan Review and Approval; and 88-570, Administrative Adjustments; and enacting in lieu thereof new sections of like number and subject matter for the purpose of providing a mechanism for property owners to elect to receive notice of certain administrative decisions regarding property within 300 feet of an owner's property.

Attachments: [No Fact Sheet](#)

- 220505** Approving a rezoning on about 0.87-acres generally located at the south-east corner of E 50th Street and Prospect Avenue from District B3-2 (Community Business) to District B4-2 (Heavy Business Commercial). (CD-CPC-2021-00245).

Attachments: [Fact Sheet Rezoning 5021 Prospect.pdf](#)
[220505 Fiscal Note](#)

- 220506** RESOLUTION - Approving an amendment to the Swope Area Plan on about 0.87 acres generally located at the southeast corner of the intersection of E. 50th Street and Prospect Avenue by changing the recommended land use from office to commercial to allow a plumbing business to continue to operate. (CD-CPC-2022-00035).

Attachments: [Fact Sheet APA 5021 Prospect.pdf](#)
[220506 Fiscal Note](#)

220520 Approving an amendment to a previously approved UR Plan in District UR (Urban Redevelopment), which also serves as a preliminary plat to allow for changes to phases 3 and 4 of the approved plan on about 5.16 acres generally bordered by W. 34th Street on the north, W. 34th Terrace on the south, Broadway Boulevard on the east and Pennsylvania Avenue on the west. (CD-CPC-2021-00222)

Attachments: [CD-CPC-2021-00222 Fact Sheet](#)
[220520 Fiscal Note](#)

220525 RESOLUTION - Approving an amendment to the Midtown Plaza Area Plan on about 1.5 acres generally located on the east side of Pennsylvanian Avenue between W. 34th Street on the north and W. 34th Terrace on the south by changing the recommended land use from residential medium density to residential high density use for the Midtown Plaza. (CD-CPC-2022-00027)

Attachments: [CD-CPC-2021-00222 Fact Sheet](#)
[220525 Fiscal Note](#)

Loar

220529 Rezoning an approximately 86 acre tract of land generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive from B3-3 and AG-R to B3-3 and approving a development plan for the same which also serves as a preliminary plat to allow for 762,000 square foot of mixed office/commercial development on 12 Lots and 4 tracts. (CD-CPC-2020-00065 and CD-CPC-2020-00067)

Attachments: [Fact Sheet-220529](#)
[Fiscal Note-220529](#)

Loar

220530 Approving a Council approved signage plan for the Ambassador/Chaves Development to allow a comprehensive sign plan associated with the development of property generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive. (CD-CPC-2020-00066)

Attachments: [Fact Sheet-220530](#)
[Fiscal Note-220530](#)

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 #: 220554

ORDINANCE NO. 220554

Rezoning an approximately 24 acre tract of land generally located at the northeast corner of N.W. 72nd Street and N.W. Waukomis Drive from Districts R-2.5 and R-7.5 to District MPD, and approving a MPD development plan that serves as a preliminary plat allowing for a mix of uses that includes residential, office, conference facilities, and the preservation and protection of natural resource areas and granting deferral of required subdivision improvements pursuant to 88-405-22. (CD-CPC-2020-00138)

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-1334, , rezoning an approximately 24-acre tract of land generally located at the northeast corner of N.W. 72nd Street and N.W. Waukomis Drive, from Districts R-2.5 (Residential 2.5) and R-7.5 (Residential 7.5) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A-1334. That an area legally described as:

The Southerly 593.05 feet of the Southeast Quarter of Section 17, Township 51, Range 33, Kansas City, Platte County, Missouri, lying East of Missouri State Highway AA and except that part conveyed to Benjamin Lee Danley and Lucille Frances Danley, husband and wife, by deed recorded December 15, 1955, in Book 191 at page 468, described as follows: Beginning at a 3/4" rod in South Section line 1227.56 feet West of said Southeast Quarter of Section 17 Township 51, Range 33; thence North at right angles to the South Section line 377.47 feet to a 3/4" rod; thence West parallel with the South section line 318 feet to the center line of Kansas City and Barry Road, said point being in the center line of AA Highway; thence Southerly and Southeasterly along the center line of Kansas City and Barry Road 372.18 feet to the center line of said Kansas City and Barry Road extending Southeasterly; thence Southeasterly 68.81 feet to the South section line; thence East along the South section line 123 feet to the point of beginning, except that part in roads. Except that part, if any deeded to the City of Kansas City for Road Right of Way recorded in Book 1157 at Page 341 as Document No. 2010005906.

The Southwest Quarter of the Southeast Quarter, Section 17, Township 51, Range 33, Kansas City, Platte County, Missouri, Beginning at a 3/4" rod in South Section line 1227.56 feet West of said Southeast Quarter of Section 17,

Township 51, Range 33; thence North at right angles to the South Section line 377.47 feet to a 3/4" rod; thence West parallel with the South section line 318 feet to the center line of Kansas City and Barry Road, said point being in the center line of AA Highway; thence Southerly and Southeasterly along the center line of Kansas City and Barry Road 372.18 feet to center line of said Kansas City and Barry Road extending Southeasterly; thence Southeasterly 68.81 feet to the South section line; thence East along the South section line 123 feet to the point of beginning, except that part in roads. Except that part, if any deeded to the City of Kansas City for Road Right of Way recorded in Book 1157 at Page 341 as Document No. 2010005906 and in Book 1157 at Page 339 as Document No. 2010005904.

A tract of land in the Southwest Quarter of Section 16, Township 51 North, Range 33 West, in Kansas City, Platte County, Missouri, described as follows: Beginning at the Southwest corner of said Southwest Quarter; thence North 00 degrees 36 minutes 02 seconds East, along the West line of said Southwest Quarter, 573.05 feet; thence South 89 degrees 04 minutes 30 seconds East, parallel with the South line of said Southwest Quarter, 715.00 feet; thence South 00 degrees 36 minutes 02 seconds West, parallel with the West line of said Southwest Quarter, 168.05 feet; thence North 89 degrees 04 minutes 30 seconds West, parallel with the South line of said Southwest Quarter, 320.0 feet; thence South 22 degrees 07 minutes 14 seconds West 327.12 (Deed-327 feet more or less); thence North 89 degrees 04 minutes 30 seconds West, parallel with the South line of said Southwest Quarter, 225.00 feet; thence South 00 degrees 36 minutes 02 seconds West, parallel with the West line of said Southwest Quarter, 100.00 feet to the South line of said Southwest Quarter; thence North 89 degrees 04 minutes 30 seconds West, along said South line, 50.00 feet to the point of beginning.

Together with a Utility and Road Easement over part of the Southeast Quarter of Section 17, Township 51, Range 33, in Kansas City, Platte County, Missouri, described as follows: Beginning at the Southeast corner of said Southeast Quarter; thence North 89 degrees 09 minutes 49 seconds West, along the South line of said Southeast Quarter, 115.00 feet; thence North 57 degrees 39 minutes 17 seconds East, 137.04 feet to a point on the East line of said Southeast Quarter; thence South 00 degrees 36 minutes 02 seconds West, along said East line, 75.00 feet to the point of beginning of said Utility and Road Easement, as established by the instrument dated December 4, 1992, filed December 7, 1992, as Document No. 18058, in Book 782, Page 357.

is hereby rezoned from Districts R-2.5 (Residential 2.5) and R-7.5 (Residential 7.5) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A-1334, 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 which also serves as a preliminary plat, subject to the following conditions:

1. The City Council hereby grants the following deviations pursuant to Section 88-405-25, finding that full compliance with the following subdivision design and improvement standards of this Chapter is impossible or impractical given the topographical conditions and anticipated uses for the property:
 - a. A deviation of the requirements of Section 88-405-10-I relating to the required centerline radius of horizontal curves for the curve along N.W. 72nd Street turning into N. Robinhood Lane along the southeast corner of the property to allow a waiver to maintain the existing 210 degrees for N.W. 72nd Street as it curves into N. Robinhood Lane.
 - b. A deviation of the requirements of Section 88-405-10-G relating to the maximum grade of N.W. 72nd Street to allow a waiver to maintain the existing grade of approximately 12.75% for N.W. 72nd Street.
2. The developer shall submit a final MPD Plan to the City Plan Commission indicating detailed architectural plans with materials (color and renderings), plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero footcandles at the property lines prior to issuance of a building permit.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
4. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
5. 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.
6. The developer shall obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.

7. For each phase of the proposed development, developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine the adequacy of receiving systems as required by the Land Development Division, prior to issuance of a building permit to construct improvements within that phase.
8. 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.
9. The developer shall grant a BMP and/or a surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
10. The developer shall submit a traffic study memorandum to the City's Public Works Department regarding the coordination and timing to construct traffic related improvements with each proposed phase of the development plan. Construction of the proposed access drives and the half street improvements to N.W. 72nd Street shall be coordinated to match the requirements of the phasing shown by the traffic study. Contact Land Development prior to submitting a building permit application to construct any building improvements in Phases 3 or 4 to confirm what public improvements are required due to the traffic study.
11. The developer shall show and label the final stream buffer zones on the subdivision plat within a private open space tract, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
12. 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.
13. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
14. The developer shall show the limits of the 100-year floodplain 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.
15. 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 Section 88-415 requirements.

16. 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.
17. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
18. The developer shall follow the Kansas City, Missouri rules and regulations for domestic water and fire service lines.
19. Stormwater management facilities, such as detention basins, BMPs, engineered surface water conveyance paths outside of right-of-way, which serve multiple lots or tracts, shall be privately maintained, located on separate tract(s), and covered by maintenance covenant(s) to be administered through the platting process.
20. The developer shall submit verification of vertical and horizontal sight distance for the new proposed eastern drive connection to N.W. 72nd Street 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 for buildings or improvements constructed in Phases 3 or 4 as identified in the development plan.
21. Pursuant to Section 88-405-22, the Council authorizes the unsecured deferral of the condition that developer improve the north half of N.W. 72nd Street to residential local standards, as required by Chapter 88 and as modified by the approved waivers in Section B.1. of this Ordinance, to current standards including curbs, gutters, sidewalks, streetlights, and relocating any utilities as may be necessary, until such time as the developer submits an application for a building permit to construct any building improvements within Phases 3 or 4 of the development plan. The developer shall obtain the required permit from the Land Development Division for the half-street improvements to N.W. 72nd Street prior to issuance of a building permit to construct any building improvements within Phases 3 or 4 of the development plan. Any right-of-way required as part of the construction of N.W. 72nd Street shall be donated to the City by deed or by the final plat.

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

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

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

220554



File #: 220555

ORDINANCE NO. 220555

Rezoning an area of about 21.85 acres generally located within the West Bottoms area from Districts DX-10, M3-5, and UR to District UR, and approving a development plan which also serves as a preliminary plat to allow for a multi-phase mixed-use redevelopment, including a hotel. (CD-CPC-2022-00078)

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-1335, rezoning an area of approximately 21.85 acres generally located within the West Bottoms area from Districts DX-10 (Downtown Mixed-Use – 10, M3-5 (Manufacturing 3–5), and UR (Urban Redevelopment) to District UR (Urban Redevelopment) , said section to read as follows:

Section 88-20A-1335. That an area legally described as:

A tract of land being part of the Northeast Quarter, the Southwest Quarter, the Southeast Quarter of the Northwest Quarter of Section 6, Township 49 North, Range 33 West, Turner and Co's Addition, Part of Blocks 39, 40, 42, 43, 44, 45, 53, 54, 57 and 58, West Kansas Addition part of Blocks 28 and 29, all in the City of Kansas City, Jackson County, Missouri described as: Beginning at the northwest corner of Lot 16, of Block 3 of West Kansas 2nd addition in said Southwest Quarter; thence North 03°17'20" East 35.35 feet to the southwest corner of Block 58 of said Turner and Co's Addition; thence North 02°01'25" East 414.37 feet to the southwest corner of Lot 32 of Block 44 of said Turner and Co's Addition; thence North 87°40'37" West along the south line of said Block 45 and the extension thereof, 293.28 feet to a point on the east line of the Southeast Quarter of said Northwest Quarter; thence South 01°56'54" West along the east line of the Southeast Quarter of said Southwest Quarter 2.30 feet; thence North 87°14'33" West 38.24 feet to a point 2.01 feet south of the south line of said Block 45; thence North 01°55'20" East 61.92 feet; thence North 64°55'20" East 43.05 feet to a point on the east line of the Southeast Quarter of said Northwest Quarter, said point being 79.72 feet north of the south line of said Block 45; thence North 65°18'55" East 19.42 feet to a point on the west line of Lot 25 of said Block 45; thence North 63°05'10" East 27.43 feet to a point on the east line of Lot 25 of said Block 45, 18.69 feet south of the northeast corner of Lot 25 of said Block 45; thence North 74°37'13" East 25.15 feet to a point on the east line of Lot 24 of said

Block 45, 11.03 feet south of the northeast corner of Lot 24 of said Block 45; thence North 02°02'41" East 11.03 feet to the northeast corner of Lot 24 of said Block 45; thence South 87°39'09" East along the north line of Lot 23 of said Block 45, 9.84 feet; thence North 02°20'59" East 10.00 feet to a point on the south line of Lot 10 of said Block 45; thence North 60°08'56" East along the southerly line of the Union Pacific Railroad Company, 186.23 feet to a point on the east line of Lot 16 of said Block 45, said point being 21.59 feet south of the northeast corner of Lot 16 of said Block 45; thence North 86°40'53" East 60.17 feet to a point on the west line of Lot 1 of said Block 44; thence North 45°53'39" East 21.67 feet to a point on the north line of Lot 1 of said Block 44; thence North 51°13'28" East 106.53 feet to a point on the south line of Block 39 of said Turner and Co's Addition; thence South 87°41'45" East 144.31 feet to the southeast corner of Lot 23 of said Block 39; thence North 02°11'01" East along the east line of said Lot 23 86.70 feet to a point on the southerly right of way of the Union Pacific Railroad; thence North 61°16'47" East along the southerly right of way of said Union Pacific Railroad, 223.37 feet; thence South 87°44'54" East 60.49 feet to a point on the west line of Lot 3 of Block 40 of said Turner and Co's Addition; thence North 02°07'16" East 50.00 feet to the northwest corner of said Lot 3; thence South 87°44'54" East along the north line of said Lot 3, 20.36 feet; thence North 61°34'43" East 137.22 feet to a point on the south line of Block 29 of said West Kansas Addition; thence South 87°44'54" East 78.65 feet to the southeast corner of Lot 23 of said Block 29; thence North 02°14'35" East along the east line of said Lot 23, 46.64 feet to a point on the southerly right of way line of said Union Pacific Railroad; thence North 61°36'35" East along the southerly right of way line of said Union Pacific Railroad 371.36 feet to a point on the west line of the Northeast Quarter of said Section 6, thence North 62°00'01" East along the southerly right of way line of said Union Pacific Railroad, 711.10 feet; thence South 28°01'41" East 88.22 feet to a point on the north right of way line of Bruce Forester Viaduct; thence South 61°56'44" West along the north right of way line of said Bruce Forester Viaduct, 284.38 feet; thence North 27°48'46" West along the north right of way line of said Bruce Forester Viaduct, 0.39 feet; thence South 62°11'14" West along the north line of said Bruce Forester Viaduct, 231.79 feet; thence westerly along a curve to the right having a radius of 340.00 feet and an arc length of 175.51 feet; thence North 87°49'35" West 3.28 feet; thence South 60°32'12" West 48.72 feet to a point on the west line of said Northeast Quarter; thence South 01°55'54" West along the west line of said Northeast Quarter, 87.66 feet; thence South 48°21'39" East 33.26 feet to a point on the north right of way of St. Louis Ave. as now established; thence South 42°11'21" West along the north right of way line of said St. Louis Ave., 105.23 feet; thence North 87°44'54" West along the north right of way line of said St. Louis Ave., 78.00 feet to a point on the east line of Santa Fe Street as now established; thence South 02°14'17" West along the east line of said Santa Fe Street 387.93 feet to the northwest corner of Block 42 of said Turner and Co's Addition; thence South 87°58'19" East 122.02 feet to the northeast corner of Lot 5 of said Block 42, said point being on the west line of the Northeast Quarter of said Section 6; thence North 50°11'21" East along the south right of way line of Union Ave., 258.03 feet; thence South 39°53'30"

East 102.55 feet; thence South 50°11'21" West parallel with the south right of way line of said Union Ave., 250.65 feet; thence South 37°32'32" West 80.98 feet; thence South 49°27'54" West 35.74 feet to a point on the west line of the Northeast Quarter of said Section 6, point also being the southeast corner of Lot 6 of Block 42 of said Turner and Co's Addition; thence North 87°53'02" West 123.19 feet to the southwest corner of said Lot 6, said point being on the east right of way line of said Santa Fe Street; thence South 02°12'54" West along the east right of way line of said Santa Fe Street, 366.14 feet; thence South 24°50'22" West 194.76 feet to a point on the south right of way line of 12th Street in the Southwest Quarter of said Section 6; thence North 87°25'13" West along the south right of way line of said 12th Street, 448.86 feet to the northeast corner of Lot 1, Block 3 West Kansas 2nd Addition; thence North 87°25'28" West 383.69 feet to the point of beginning.

A tract of land being part of the Northeast Quarter of Section 6, Township 49 North, Township 33 West, in the City of Kansas City, Jackson County, Missouri described as: Commencing at the southwest corner of the Northeast Quarter of said Section 6; thence South 87°21'11" East along the south line of said Northeast Quarter, 91.21 feet; thence North 02°38'49" East 30.00 feet to a point on the north right of way line of West 12th Street and the point of beginning; thence North 15°37'19" East 406.35 feet; thence South 87°21'11" East 339.92 feet; thence South 15°37'19" West 406.35 feet to a point on the north right of way line of said West 12th Street; thence North 87°21'11" West 339.92 feet to the point of beginning.

Except Lots 1 through 8, Block 43; Lots 6, 7, 8 in Block 44; Lots 14, 15, 16 and the north half of alley adjacent to said lots also Lots 17, 18 and the south half of alley adjacent to lots in Block 53; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, the south half of Lots 13, 14, 15, 16, Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, the east 4.95 of Lot 26, Lots 31, 32, and the 10.0' alley in Block 54, in Turner and Co's Addition to said City of Kansas City. Containing in all 21.85 acres of land more or less.

is hereby rezoned from Districts DX-10 (Downtown Mixed-Use – 10, M3-5 (Manufacturing 3-5), and UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1335, 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 that will also serve as a preliminary plat for the area legally described above is hereby approved, subject to the following conditions:

1. Plan sheets may be submitted in "concept" form for a development plan if the applicant 1) expressly consents to subsequent project plan approval wherein a detailed form of the same sheets is required, and 2) the applicant submits design standards to regulate the design of all buildings (along with transparency) within

the plan area ensuring such buildings are harmonious in their design and materiality.

2. Administrative adjustments for alternative compliance are approved pursuant to 88-425-23 for the submitted street tree plan to satisfy landscaping requirements and will be maintained or replaced on the subject site.
3. An administrative adjustment to the screening of mechanical/utility equipment standards is approved to selectively exempt lots. Noting, screening of mechanical/utility equipment will be designed wherever possible as part of each building proposed and will be subject to final review and approval by the City Planning and Development Department and Historic Preservation review.
4. All signage must comply with 88-445.
5. There is currently a pending application to list the area as part of the West Bottoms Historic District. Staff would recommend documentation of any listed building to be demolished in coordination with the City Historic Preservation Office for the types of information to be included in the final documentation.
6. 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.
7. 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.

8. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
9. The developer shall submit plans for approval and permitting by the Land Development Division prior to beginning construction in the public right-of-way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
10. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division. Any improvements would be required at the time outlined in the study or prior to a certificate of occupancy for the applicable project phase, if not specified.
11. 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.
12. 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.
13. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
14. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
15. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3)
16. 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)
17. Required Fire Department access roads shall be signed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)

18. 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)
19. 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)
20. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
21. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1) and (NFPA1221)
22. For buildings under 30 feet, required Fire Department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in clearance height. Check with Streets & Traffic (Kansas City, Missouri Public Works) or Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1)
23. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
24. 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 2022 acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to a certificate of occupancy for each phase/building.
25. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
26. 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.

27. The developer shall complete the Traffic Impact Study (study) as required by the Public Works Department and shall complete any traffic signal improvements that may be required as a result of the study. Any improvements would be required at the time outlined in the study or prior to a certificate of occupancy for the applicable project phase, if not specified.

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

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

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

220555



File #: 220364

ORDINANCE NO. 220364

Amending Chapter 18, Code of Ordinances, by repealing Article III, Section 18-57 entitled “Adoption of International Residential Code (2018); amendments” and Article XIV, Section 18-367 entitled “Adoption of International Energy Conservation Code (2012); amendments” and enacting, in lieu thereof, new sections of like number and subject matter that update the City’s Energy Conservation Code.

WHEREAS, the City Council adopted an update to the Kansas City Building and Rehabilitation Code, Chapter 18 of the Code of Ordinances (the “Building Code”) with Committee Substitute for Ordinance No. 120375, on May 24, 2012; and

WHEREAS, Ordinance No. 200418 was passed on June 18, 2020, to update the Building Code by adopting the latest editions of the currently adopted, nationally recognized model codes for use in building construction; and

WHEREAS, the KCMO 2008 Climate Protection Plan recognizes the large role of buildings and structures in the City as consumers of energy and the concomitant result in significant greenhouse gas emissions; and

WHEREAS, Kansas City is a signatory to the “We Are Still In” commitment supporting climate action to meet the goals of the Paris Climate Accord; and

WHEREAS, Kansas City passed Resolution No. 200005 updating its Climate Protection and Resiliency Plan with goals to reduce greenhouse gas emissions citywide 100% from the electricity sector by 2030, 100% greenhouse gas reduction from municipal operations by 2022, and to become climate neutral by 2040 in order to protect the health and welfare of all our residents, and adopting modern building codes is instrumental in meeting this goal; and

WHEREAS, energy codes play a key role in meeting carbon reductions because buildings account for nearly 45% of carbon emissions in the U.S.; and

WHEREAS, the 2021 International Energy Conservation Code (“IECC”) with a Zero-Code Appendix was scheduled to be available by the International Code Council in the fall of 2020 to replace the 2018 IECC as the most up to date version of America’s model energy code; and

WHEREAS, because implementing new code regulations results in costs for training and communication, the City would save money by moving directly to the 2021 IECC instead of first adopting the 2018 IECC and then later adopting the 2021 IECC; and

WHEREAS, the Council passed Resolution No. 200449 that expressed the Council's continued commitment to climate action and its desire to delay consideration of an update to the City's energy efficiency code until the 2021 version of the IECC with a Zero-Code Appendix was released in the fall of 2020; and

WHEREAS, the adoption of Resolution No. 200449 allowed for further engagement of residents, stakeholders and City staff in the process of developing language associated with updating the City's energy efficiency code; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 18, Article III, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 18-57 and enacting, in lieu thereof, a new section of like number and subject matter to read as follows:

Article III. RESIDENTIAL CODE FOR ONE- AND TWO FAMILY DWELLINGS

Sec. 18-57. Adoption of the International Residential Code (2018); amendments.

The International Residential Code (2018), promulgated by the International Code Council, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of this section. Provisions of this article are in addition to the provisions of the International Residential Code. The following provisions coinciding with provisions of the International Residential Code supersede, delete or add text where indicated, to the corresponding provisions of the International Residential Code:

All references within the model codes to any building, electrical, gas, mechanical, plumbing, sewage disposal, elevator, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, gas, mechanical, plumbing, sewage disposal, elevator, energy conservation, or existing building code specifically adopted by reference in articles II through XIV of this chapter.

[Chapter 1, Scope and Administration](#), is deleted. See article I of this chapter.

For temporary erosion and sediment control requirements see section 3307.2 of article II of this chapter.

R202 DEFINITIONS — The following definitions have been revised or added (remainder of section R202 unamended):

TOWNHOUSE. A single-family dwelling unit, in which each unit extends from foundation to roof and with a yard or public way on at least two sides, constructed:

In a group of three or more attached units; or,

In a group of two attached units where a property line exists between the units on the underlying parcels.

WATER SERVICE PIPE. The pipe from the water main or other source of potable water supply to the first shut-off valve downstream of all of the following (as applicable): 1. the point of entrance into the building; 2. the water meter; or 3. the service backflow prevention device.

The following table found in the referenced model code is amended as follows:

Table R301.2 (1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD ^o	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM		
	Speed ^d (MPH)	Topographic Effects ^k	Special wind Region ^l	Windborne Debris zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c
20 psf	115	No	No	No	A	Severe	36"	Moderate to Heavy

WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
6°F	Yes	See Ordinance Chapter 28	1000 F-days	54.2 F

MANUAL J DESIGN CRITERIA ⁿ

Elevation	Latitude	Winter heating	Summer cooling	Altitude correction factor
909	39° N	4° F	96° F	—

Indoor design temperature	Design temperature cooling	Heating temperature difference
72° F	75°	68° F

Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wet bulb
21° F	15	7.5	75° F

Daily range	Winter humidity	Summer Humidity
High	50%	30%

(See 2018 International Residential Code for footnotes.)

The following subsection found in the referenced model code is amended as follows:

R302.2.2 (Common Walls, Townhouses). Amend "Item 1" of this section as follows (remainder of this section is unchanged). [This amendment made pursuant to Missouri Statute RSMO 67.281.]

1. Where a fire sprinkler system in accordance with P2904 is provided, the common wall shall be not less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code.

R302.13 Fire protection of floors is deleted.

The following subsection found in the referenced model code is amended as follows:

R303.4 Mechanical ventilation. Where the air infiltration rate of a dwelling unit is 3 air changes per hour or less where tested with a blower door at a pressure of 0.2 inch w.c. (50 Pa) in accordance with Section N1102.4.1.2, the dwelling unit shall be provided with whole-house ventilation in accordance with Section M1505.4.

The following section found in the referenced model code is amended as follows:

R313 AUTOMATIC FIRE SPRINKLER SYSTEMS. A builder of a one- or two-family dwelling or townhouse shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the dwelling or townhouse. The purchaser shall have the right to choose or decline to install a fire sprinkler system. [This notification requirement is provided in accordance with, and shall expire in conjunction with, Missouri Statute (RSMO 67.281).]

The following section found in the referenced model code is amended as follows:

R322 Flood-Resistant Construction. See Code of Ordinances, [Chapter 28](#) - Floodplain Management.

The following section is added to the referenced model code:

R328 Moved Structures. See Article XIII of this Chapter.

The following section is added to the referenced model code:

R329 Physical Security

R329.1 Purpose. The purpose of this Section is to establish minimum standards that incorporate physical security to make dwelling units resistant to unlawful entry.

R329.1.1 Scope. This section shall apply to all dwelling unit exterior doors.

Exceptions:

1. Vehicle access doors.
2. Storm or screen doors.

R329.2 Doors. Doors shall comply with Sections R329.2.1 through R329.2.3.

R329.2.1 Wood doors. Wood doors shall be of solid core construction such as high-density particleboard, solid wood, or wood block core with a minimum nominal thickness of one and three-fourths inches (1 3/4") at any point.

Exception: Solid wood panels shall be a minimum of one inch (1") thick. The tapered portion of the panel that inserts into the groove of the door shall be a minimum of one-quarter inch ($\frac{1}{4}$ ") thick. The groove shall be a dado groove or applied molding construction. The groove shall be a minimum of one-half inch ($\frac{1}{2}$ ") in depth.

R329.2.2 Steel doors. Steel doors shall be a minimum nominal thickness of one and three-fourths inches ($1\frac{3}{4}$ ") and shall have a minimal skin thickness of 24 gauge.

R329.2.3 Fiberglass doors. Fiberglass doors shall be a minimum nominal thickness of one and three fourths inches ($1\frac{3}{4}$ ") and shall have a minimum skin thickness of one-sixteenth inch ($1/16$ ").

R329.3 Door frames. Door frames shall comply with Sections R326.3.1 through R326.3.4 and shall be installed in accordance with the manufacturer's installation instructions. Door frames shall be installed prior to rough-in inspection.

R329.3.1 Wall framing at door openings. Door frames shall be set in openings constructed with double studs on each side. Doors with sidelights shall have double stud construction on each side of the door and on each side of the sidelight(s). Horizontal blocking shall be placed between studs at the door lock height for three (3) stud spaces on each side of the door opening.

Exception: Installations provided with alternative reinforcing methods as approved by the building official where it is determined that such alternative methods are at least the equivalent of that prescribed with respect to strength and safety.

R329.3.2 Wood frames. Door jambs shall be a minimum nominal thickness of three fourths inches ($\frac{3}{4}$ ") and shall be installed with solid backing in a manner so no void exists between the strike side of the jamb and the frame opening for a vertical distance of twelve inches (12") each side of the strike. Filler material shall consist of solid wood blocking.

Exception: Installations provided with alternative reinforcing methods as approved by the building official where it is determined that such alternative methods are at least the equivalent of that prescribed with respect to strength and safety.

R329.3.3 Steel frames. Steel door frames shall be constructed of 18 gauge or heavier steel with reinforcement at the hinges and strikes. Steel frames shall be anchored to the wall in accordance with manufacturer specifications.

R329.3.4 Sliding doors. Sliding door assemblies shall be installed to prevent the removal of the panels and the glazing from the exterior. Shims or screws shall be installed in the upper track of doors that slide on the bottom track or doors shall be provided with equivalent protection as approved by the building official.

R329.4 Door hardware. Door hardware shall comply with Sections R326.4.1 through R326.4.7.

R329.4.1 Hinges. Hinges for swinging doors shall comply with the following:

- A. A minimum of three (3) four inch (4") hinges shall be installed on each swinging door.
- B. Each hinge shall be attached to the frame with at least two (2) screws, not less than three inches (3") in length and penetrating at least one inch (1") into the nearest stud. Solid wood fillers or shims shall be used to eliminate any space between the wall structure and door frame behind each hinge.

Exception: Installations provided with alternative reinforcing methods as approved by the building official where it is determined that such alternative methods are at least the equivalent of that prescribed with respect to strength and safety.

- C. Hinges for out-swinging doors shall be equipped with mechanical interlock to preclude the removal of the door from the exterior.

R329.4.2 Locks. Swinging doors shall be provided with a single-cylinder deadbolt locking device (keyed on exterior only) with a minimum projection of one inch (1"). The deadbolt shall penetrate at least three-fourths inch (3/4") into the strike receiving the projected bolt. The cylinder shall have a twist-resistant, tapered hardened steel cylinder guard. The cylinder shall have a minimum of five (5) pin tumblers, shall be connected to the inner portion of the lock by solid metal connecting screws at least one-fourth inch (1/4") in diameter and two and one-fourth inches (2-1/4") in length. The bolt assembly (bolt housing) unit shall be of single piece construction. All deadbolts shall meet ANSI grade 2 specifications.

Exception: Doors with integral multi-point locking devices.

R329.4.3 Strike plates. The deadbolt strike plate shall be a minimum of 18 gauge metal with four offset screw holes. The strike plate shall be attached to the door jamb with four screws not less than three inches (3") in length, and penetrating at least one inch (1") into the nearest stud.

Exception: Installations provided with alternative reinforcing methods as approved by the building official where it is determined that such alternative methods are at least the equivalent of that prescribed with respect to strength and safety.

R329.4.4 Door edge protector. A metal L-shaped or U-shaped door edge protector, or escutcheon plate, shall be installed around the bolt projection of the deadbolt to protect the door's edge.

R329.4.5 Double doors. The inactive leaf of a double swinging door shall be provided with flush bolts having an engagement of not less than one inch into the head and threshold of the door frame.

R329.4.6 Sliding doors. All sliding glass doors shall be equipped with a secondary locking device consisting of a metal pin, a surface mounted bolt assembly, or other equivalent device as approved by the building official. Where used, metal pins shall be installed at the intersection of the inner and outer panels of the inside door and shall not penetrate the frame's exterior surface.

R329.5 Entry vision and glazing. All main or front entry doors to dwelling units shall be arranged so that the occupant has a view of the area immediately outside the door without opening the door. The view may be provided by a door viewer having a field of view not less than 180 degrees or through windows or view ports.

R329.6 Exterior Lighting. In addition to the lighting outlet requirements of Section E3903, exterior lighting shall be provided in accordance with this section.

R329.6.1 Front and street side exterior lighting. All front and streetside door entrances shall be protected with a minimum of one lighting outlet providing a minimum of 60 watt lighting (or energy efficient equivalent).

R329.6.2 Rear exterior lighting. Dwelling units with windows or doors on the rear of the structure within eight feet (8') of grade or adjacent walking surface accessible from grade shall be equipped at the rear with a minimum of one lighting outlet of the flood light type providing a minimum of 65 watt lighting (or energy efficient equivalent) .

R329.6.3 Lighting protection. Lighting outlets required by this section shall be located a minimum of eight feet (8') above grade or adjacent walking surface accessible from grade, or shall be of a type manufactured such that the light bulb is not readily accessible.

The following subsection found in the referenced model code is amended as follows:

R404.4 Retaining Walls. Retaining walls that are not laterally supported at the top and that retain in excess of 48 inches (610 mm) of unbalanced fill, that support a surcharge, or are adjacent to a public right-of-way shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against lateral sliding and overturning. This section shall not apply to foundation walls supporting buildings.

The following exception is added to the referenced model code:

R405.1, Exception 2. A filter membrane is not required where the gravel or crushed stone drain extends at least eighteen inches (18") above the top of the footing, or where

the perforated pipe is covered with at least eighteen inches (18") of washed gravel or crushed stone.

The following subsection found in the referenced model code is amended as follows:

R602.6.1, Figure R602.6.1 Drilling and notching of top plate. Where piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie of not less than 0.054 inch thick (1.37 mm) (16 ga) and 1 1/2 inches (38 mm) wide shall be fastened across and to the plate at each side of the opening with not less than four 10d (0.148 inch diameter) nails having a minimum length of 1-1/2 inches (38 mm) at each side, or equivalent (or as required by the product listing, evaluation report, or manufacturer's instructions, where applicable). The metal tie must extend a minimum of 6 inches past the opening. See Figure R602.6.1.

Exception: When the entire side of the wall with the notch or cut is covered by wood structural panel sheathing.

The following exception is added to the referenced model code:

R703.7.2 Plaster, Exception. Plaster installed per an approved listing or evaluation report.

The following subsection found in the referenced model code is amended as follows:

R801.3 Roof drainage. All dwellings shall have a controlled method of water disposal from roofs that will collect and discharge all roof drainage to the ground surface not less than 3 feet (1524 mm) from foundation walls or to an approved drainage system.

The following subsection is added to the referenced model code:

R901.2 Restrictive covenants. It shall be unlawful for any individual or organization to establish or enforce restrictive covenants which prohibit or effectively prevent the owner of a one- or two-family dwelling or townhouse from using any types of shingles for roof covering materials allowed by this code, including wood shingle, wood shake shingle, composition, slate, tile, clay, or concrete. Nothing in this ordinance shall prohibit a homes association, if it determines to do so, from adopting restrictive covenants or otherwise governing the use of such roofing materials only to the extent of regulating the colors, styles, or dimensions of roofing materials, or other aesthetic factors. Notwithstanding any existing procedural provisions governing the time period for consideration of amendments of restrictive covenants by home associations to the contrary, a home association, if it determines to do so, may amend their restrictive covenants to provide for such aesthetic regulations for a period of 180 days from the effective date of this ordinance. Any such amendments after that 180 day period of time shall be subject to any procedural requirements set forth in such covenants.

Chapter 11 is deleted. See Article XIV of this chapter for adoption of IECC 2021.

Part V, Chapter 12, Mechanical Administration, is deleted.

The following exception is added to the referenced model code:

M1602.2, Prohibited Sources (Return Air), Item #4, Exception #3. Closets with a minimum floor area of 24 square feet and minimum interior dimension 4 feet, and that are conditioned by a source of supply air.

Sections M2001, M2002, M2003, and G2452 (Boilers) are deleted.

Part VII, Chapter 25, Plumbing Administration, is deleted.

The following subsection is added to the referenced model code:

P2602.1.1. For the purpose of this section, available means located in a public way or easement abutting the subject property and within 200 feet of the proposed building.

The following subsection found in the referenced model code is amended as follows:

P2706.1.2 Standpipes. Standpipes for automatic clothes washers shall extend a minimum of 30 inches (762 mm) and a maximum of 48 inches (1219 mm) above the finished floor. The trap for a clothes washer standpipe shall be installed at a maximum of 12 inches (305 mm) above the finished floor. Access shall be provided to all standpipe traps and drains for rodding.

P2706.1.2.1 Laundry tray connection. A laundry tray waste line is permitted to connect into a standpipe for the automatic clothes washer drain. The standpipes shall not be less than 30 inches (762 mm) as measured from the crown weir. The outlet of the laundry tray shall be a maximum horizontal distance of 30 inches (762 mm) from the standpipe trap.

The following subsection is added to the referenced model code:

P2901.3. References in this code to water service piping shall apply only to water service piping connected to a private source of water supply. All water service piping connected to the public water supply is under the jurisdiction of the Department of Water Services.

The following subsection found in the referenced model code is amended as follows:

P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by a double check valve assembly or a reduced pressure principle backflow preventer. Where chemicals are introduced into the

system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

The following subsection found in the referenced model code is amended as follows:

P2903.8.2 Minimum size. The minimum size of individual distribution lines shall be ½" (12.7 mm). Certain fixtures such as one-piece water closets and whirlpool bathtubs shall require a larger size where specified by the manufacturer. If a water heater is fed from one end of a cold water manifold, the manifold shall be one size larger than the water heater feed.

Table P3002.2 Building Sewer Pipe. Delete "PS 25, SDR 41 (PS 28), PS 35, SDR 35 (PS 46), PS 50, PS 100" from "Polyvinyl chloride (PVC) plastic pipe in sewer and drain diameters". (Remainder of Table unamended.)

The following exception is added to the referenced model code:

P3008.1 Sewage backflow, Exception. The backwater valve is not required unless the structure is connected to a combination storm/sanitary sewer, or the structure or the next downstream sewer manhole is located in the regulatory floodplain.

The following subsection is added to the referenced model code:

P3105.4 Floor drain. A floor drain (where used as such) need not be vented, provided it is within 25 feet of a three-inch stack or horizontal drain which has at least a three-inch-diameter vent extension through the roof.

The following subsection found in the referenced model code is amended as follows:

P3114.3 Where permitted. Vents may terminate to an air admittance valve under the following conditions:

- (1) For sinks located where there is no wall accessible from the sink location (e.g. island sinks); or where access to the vent system would require notching or boring of studs in excess of the limitations of section R602.6.
- (2) In existing construction, where the existing vent system is not accessible to the fixture location without the removal of finish materials or other existing construction.

E3901.12 HVAC outlet is deleted.

The following subsection found in the referenced model code is amended as follows:

E3902.2 (Garage and accessory building receptacles), Exception. Receptacles utilizing the provisions of this exception shall be permanently marked to indicate "[Type of equipment] Only - No GFCI Protection".

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. A dedicated receptacle supplying only a garage door opener.
3. A dedicated receptacle supplying only a refrigerator and/or freezer.

The following subsection found in the referenced model code is amended as follows:

E3902.5 (Unfinished basement receptacles), Exception. Receptacles utilizing the provisions of this exception shall be permanently marked to indicate "[Type of equipment] Only - No GFCI Protection".

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. A dedicated receptacle supplying only a sump pump.
3. A dedicated receptacle supplying a refrigerator and/or freezer.

The following subsection found in the referenced model code is amended as follows:
E3902.16 Arc-fault circuit-interrupter protection. Branch circuits that supply 120-volt, single-phase, 15- and 20-ampere outlets installed in bedrooms shall be protected by any of the following: [The remainder of the section remains unamended.]

Part X, Appendices: The following appendix chapters are hereby adopted:

Appendix I, Private Sewage Disposal. See Article VIII of this chapter.

Appendix Q, Tiny Houses

Section 2. That Chapter 18, Article XIV, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 18-367 and enacting, in lieu thereof, a new section of like number and subject matter to read as follows:

ARTICLE XIV. ENERGY CONSERVATION CODE

Sec. 18-367. Adoption of International Energy Conservation Code (2021); amendments.

The International Energy Conservation Code (2021), promulgated by the International Code Council, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of this section. Provisions of this article are

in addition to the provisions of the International Energy Conservation Code. The following provisions coinciding with provisions of the International Energy Conservation Code supersede, or delete, when indicated, the corresponding provisions of the International Energy Conservation Code.

In addition, the IECC Appendix CC: Zero Energy Commercial Building Provisions is an option for builders to voluntarily implement.

All references within the model codes to any building, electrical, gas, mechanical, plumbing, sewage disposal, elevator, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, gas, mechanical, plumbing, sewage disposal, elevator, energy conservation, or existing building code specifically adopted by reference in articles II through XIV of this chapter.

Chapter 1 [CE], **SCOPE AND ADMINISTRATION** is deleted. See Article I of this chapter.

C405.12 Electrical for future use on new buildings with electrical services

- 1. Provide 2-inch conduit run up to attic for future photovoltaic systems.**
- 2. Provide 2-inch conduit run into parking areas for future electric vehicle charging stations.**

Chapter 1 [RE], **SCOPE AND ADMINISTRATION** is deleted. See Article I of this chapter.

Table R402.4.1.1. Under 'Walls'. Amend first sentence to read: "Corners and headers shall be sealed and the junction of the foundation and sill plate shall be sealed."

R403.3.7, Exception. In IRC projects building framing cavities may be used as ducts or plenums where sealed to prevent leakage through the thermal envelope.

R404.4 Electrical for future use on new buildings with electrical services

- 1. Provide 2-inch conduit run up to attic for future photovoltaic systems.**
- 2. Provide 2-inch conduit run into garage areas for future electric vehicle charging stations.**

Section 3. Pursuant to Section 67.280, Revised Statutes of Missouri, the Council finds that a copy of the model code proposed for adoption was filed with the City Clerk and made available for public use, inspection, and examination at least 90 days prior to the adoption of this ordinance.

Section 4. Compliance with the changes made to Chapter 18 with this ordinance is mandatory for applications made on or after 90 days after the effective date of this ordinance (such date, the "Grace Period End Date"). Until the Grace Period End Date, applicants may choose to have applications reviewed under this ordinance provided that if an applicant so chooses, the application must comply with this ordinance in its entirety.

..end

Approved as to form and legality:

Eluard Alegre
Associate City Attorney

GENERAL

Ordinance Fact Sheet

220364

Ordinance Number

Brief Title

Amending Chapter 18 Code of
Ordinances to update the City's
Energy Conservation Code.

Approval Deadline

Reason

Amending of Chapter 18, Article III, Section 18-57 and Article XIV,
Section 18-367, entitled "Adoption of International Building Code;
amended"

Details

Reason for Legislation

Amending various parts of Chapter 18, Article III, Section 18-57 and Article XIV, Section 18-367, entitled "Adoption of International Building Code (2018); amendments" to update the City's Energy Conservation Code.

Details:

The KCMO 2008 Climate Protection Plan recognizes the large role of buildings and structures in the City as consumers of energy and the concomitant result in significant greenhouse gas emissions. Kansas City passed Resolution No. 200005 updating its Climate Protection and Resiliency Plan with goals to reduce greenhouse gas emissions citywide 100% from the electricity sector by 2030, 100% greenhouse gas reduction from municipal operations by 2022, and to become climate neutral by 2040 in order to protect the health and welfare of all our residents, and adopting modern building codes is instrumental in meeting this goal.

Ordinance No. 200418 was introduced on June 4, 2020, to update the Kansas City Building and Rehabilitation Code by adopting the latest editions of the currently adopted, nationally recognized model codes for use in building construction. The 2021 International Energy Conservation Code ("IECC") with a Zero-Code Appendix was scheduled to be available by the International Code Council in the fall of 2020 to replace the 2018 IECC as the most up to date version of America's model energy code; and

The Council passed Resolution No. 200449 that expressed the Council's continued commitment to climate action and its desire to delay consideration of an update to the City's energy efficiency code until the 2021 version of the International Energy Conservation Code with a Zero-Code Appendix was released. Because implementing new code regulations results in costs for training and communication, the City would save money by moving directly to the 2021 IECC instead of first adopting the 2018 IECC and then later adopting the 2021 IECC.

The adoption of Resolution No. 200449 allowed for further engagement of residents, stakeholder and City staff in the process of developing the language of this proposed ordinance to update the City's energy efficiency code.

Positions/Recommendations

Sponsor	Councilmember Bough
Programs, Departments, or Groups Affected	City Planning and Development Office of Environmental Quality
Applicants / Proponents	Applicant City Department Other
Opponents	Groups or Individuals Basis of opposition
Staff Recommendation	<input 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 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

(Continued on reverse side)

Details

The adoption of Resolution No. 200449 allowed for further engagement of residents, stakeholder and City staff in the process of developing the language of this proposed ordinance to update the City's energy efficiency code.

Is it good for the children? Yes.

How will this contribute to a sustainable Kansas City? By assisting the City in meeting its Climate Protection Plan Goals.

Policy/Program Impact

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

Finances

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

(Use this space for further discussion, if necessary)

Applicable Dates:

Fact Sheet Prepared by:

Jeffrey Williams Date

City Planning and Development Director 4/21/2022

Reviewed by:

Eluard Alegre Date

Law Department 4/21/2022

Reference Numbers



Legislation Text

File #: 220425

ORDINANCE NO. 220425

Reducing an appropriation in the amount of \$783,266.00 in the Central City Economic Development Sales Tax Fund; appropriating \$783,266.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with GEM Theater Cultural and Performing Arts Center, Inc in the amount of \$783,266.00 for the purpose of constructing an affordable housing development located at 2033 Vine Street.

WHEREAS, GEM Theater Cultural and Performing Arts Center, Inc (“Developer”) has proposed to construct the 21 Vine Live/Work Townhomes, a residential facility which includes 5 residential units to be located in Wendell Phillips neighborhood along East 21st Street and Vine Street (the “Project Site”); and

WHEREAS, Developers proposal will provide 3 units of affordable housing for families, and 2 market rate units of affordable housing for families with incomes between 40% - 60% of AMI; and

WHEREAS, Developers proposal includes two-bedroom 2½ bathrooms, a studio working spaces, covered garages, and walkout balconies; and

WHEREAS, the Developer’s proposal contemplates a financing package that includes Central City Economic Development Sales Tax Funds; and

WHEREAS, the Developer requested a public contribution of \$783,266.00 and the Central City Economic Development Sales Tax Board has recommended that funding be approved in the amount of \$783,266.00; and

WHEREAS, the project serves a predominantly public municipal purpose because, without limitation, completion of the project (i) enhances the tax base of the Project Site; (ii) retains and generates jobs; (iii) promotes economic development in the area of the City in which the Project Site is located, and promotes consideration of areas of the City that the City Council has determined to be blighted as a location for business operations; (iv) results in generation of tax revenues to the City from the conduct of business and other activities in the City that would not otherwise occur; (v) serves as a catalyst for additional investment in and further redevelopment and rehabilitation of the area of the City in which the Project Site is located; and (vi) furthers the City’s policy of encouraging economic stability and growth; and

WHEREAS, the City desires to encourage the Developer to carry out the project for the purpose of realizing these predominantly public purposes by entering into an agreement to contribute certain revenues in an amount needed to cause the project to be undertaken and attract the necessary private investment; and

WHEREAS, the contributions contemplated by the Funding Agreement are limited to those which have been determined to be needed for the purpose of ensuring that the project proceeds, and but for their contribution, the project would not proceed, to the detriment of the public interest; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the appropriation in the following account of the Central City Economic Development Sales Tax Fund, Fund No. 2200, is hereby reduced by the following amount:

23-2200-552047-B Contractual Services
\$783,266.00

Section 2. That the following amount is hereby appropriated from the Unappropriated Fund Balance of the Central City Economic Development Sales Tax Fund, Fund No. 2200, to the following account:

23-2200-555998-B-619080- 5521VNLVWKTH 21 Vine Live
\$783,266.00

Section 3. That the Director of the Housing and Community Development Department is hereby authorized to execute a Funding Agreement with GEM Theater Cultural and Performing Arts Center, Inc for the purposes contemplated herein in an amount not to exceed \$783,266.00, to be paid from funds previously appropriated to Account No. 23-2200-555998-B-619080- 5521VNLVWKTH in the Central City Economic Development Sales Tax Fund.

Section 4. That the City Manager is directed to negotiate a funding agreement that: 1) provides for compliance with any applicable provisions of the Missouri Prevailing Wage Law and any applicable provisions of the City's Contracting Program Requirements set out in Article IV, Chapter 3, Code of Ordinances, including, but not limited to, the provisions concerning affirmative action, Minority and Women's Business Enterprises and the Small Local Business Enterprises program; and 2) requires the disclosure of total project funding sources and projected costs and periodic reporting of project progress.

..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:

Joseph Guarino
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	220425	
		Approval Deadline:		
LEGISLATION IN BRIEF:				
What is the reason for this legislation?		Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use		
		Sponsor(s)		
		Programs, Departments, or Groups Affected		
		Sub-Program in Budget (page #)		
		Applicants/ Proponents	City Department	
			Other	
		Staff Recommendation		
		Board or Commission Recommendation		
		Future Impacts		
		Cost of Legislation current Fiscal Year		
Costs in Future Fiscal Years?				
Annual Revenue Increase/Decrease				
Applicable Dates:				
Prepared by:				
Date Prepared:				
Reviewed by:				
Date Reviewed				
Reference Numbers				
Discussion (including relationship to other Council acitons)				
Citywide Business Plan Goal				
Citywide Business Plan Objective				
Citywide Business Plan Strategy				

<h1>LEGISLATIVE FISCAL NOTE</h1>	LEGISLATION NUMBER:	<h2>220425</h2>					
LEGISLATION IN BRIEF:							
Reducing an appropriation in the amount of \$783,266.00 in the Central City Economic Development Sales Tax Fund; appropriating \$783,266.00 from the unappropriated fund balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with GEM Theater Cultural and Performing Arts Center, Inc in the amount of \$783,266.00 for the purpose of constructing an affordable housing development located at 2033 Vine Street.							
What is the purpose of this legislation?	OPERATIONAL						
<i>The legislation reduces appropriations in the "Contractual Services" fund and appropriates the funds into the project fund.</i>							
Does this legislation spend money? See Sections 01, 02 and 03 for sources of funding	YES	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) See Section 00: "Notes" Below	NO	Yes/No					
Section 00: Notes:							
Funds were appropriated to a placeholder account in the FY2022-23 Budget and are being allocated to project 5521VNLVWKTH for the purpose of entering into an agreement with GEM Theater Cultural and Performing Arts Center. The net impact on the FY2022-23 Budget is zero.							
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 22-23	FY 23-24 EST		
2200	552047	B		783,266			
Section 02: If applicable, where will new revenues be estimated?							
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23	FY 23-24 EST		
Section 03: If applicable, where will appropriations be increased?							
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23	FY 23-24 EST		
NET IMPACT ON OPERATIONAL BUDGET				783,266.00	-		
				RESERVE STATUS:			
SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)							
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
TOTAL REV		-	-	-	-	-	-
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
TOTAL EXP		-	-	-	-	-	-
NET Per-YEAR IMPACT		-	-	-	-	-	-
NET IMPACT		-					

REVIEWED BY	James Sturdevant	DATE	5/11/2022
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JOURNAL ID:

2023

738,266.00

5/11/2022



Legislation Text

File #: 220426

ORDINANCE NO. 220426

Reducing an appropriation in the amount of \$1,500,000.00 in the Central City Economic Development Sales Tax Fund; appropriating \$1,500,000.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with Ivanhoe Neighborhood Council in the amount of \$1,500,000.00 for the purpose of constructing a transitional housing development located at 2005 East 35th Street.

WHEREAS, Ivanhoe Neighborhood Council (“Developer”) has proposed to construct the Heroes Home Gate Transitional Home Expansion a residential facility which includes 24 residential units to be located in Ivanhoe neighborhood along East 35th Street and Euclid Avenue (the “Project Site”); and

WHEREAS, Developers proposal will provide 24 transitional units for veterans at no cost to the veterans; and

WHEREAS, Developers proposal includes lead-contaminated soil remediation, site preparation, new public, and building construction; and

WHEREAS, the Developer’s proposal contemplates a financing package that includes Central City Economic Development Sales Tax Funds; and

WHEREAS, the Developer requested a public contribution of \$1,500,000.00 and the Central City Economic Development Sales Tax Board has recommended that funding be approved in the amount of \$1,500,000.00; and

WHEREAS, the project serves a predominantly public municipal purpose because, without limitation, completion of the project (i) enhances the tax base of the Project Site; (ii) retains and generates jobs; (iii) promotes economic development in the area of the City in which the Project Site is located, and promotes consideration of areas of the City that the City Council has determined to be blighted as a location for business operations; (iv) results in generation of tax revenues to the City from the conduct of business and other activities in the City that would not otherwise occur; (v) serves as a catalyst for additional investment in and further redevelopment and rehabilitation of the area of the City in which the Project Site is located; and (vi) furthers the City's policy of encouraging economic stability and growth; and

WHEREAS, the City desires to encourage the Developer to carry out the project for the purpose of realizing these predominantly public purposes by entering into an agreement to contribute certain revenues in an amount needed to cause the project to be undertaken and attract

the necessary private investment; and

WHEREAS, the contributions contemplated by the Funding Agreement are limited to those which have been determined to be needed for the purpose of ensuring that the project proceeds, and but for their contribution, the project would not proceed, to the detriment of the public interest; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the appropriation in the following account of the Central City Economic Development Sales Tax Fund, Fund No. 2200, is hereby reduced by the following amount:

23-2200-552047-B	Contractual Services	\$1,500,000.00
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Section 2. That the following amount is hereby appropriated from the Unappropriated Fund Balance of the Central City Economic Development Sales Tax Fund, Fund No. 2200, to the following account:

23-2200-555998-B-619080-55HHGTTRHMEX	Heroes Home Gate	\$1,500,000.00
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Section 3. That the Director of the Housing and Community Development Department is hereby authorized to execute a Funding Agreement with Ivanhoe Neighborhood Council for the purposes contemplated herein in an amount not to exceed \$1,500,000.00, to be paid from funds previously appropriated to Account No. 23-2200-555998-B-619080-55HHGTTRHMEX in the Central City Economic Development Sales Tax Fund.

Section 4. That the City Manager is directed to negotiate a funding agreement that: 1) provides for compliance with any applicable provisions of the Missouri Prevailing Wage Law and any applicable provisions of the City's Contracting Program Requirements set out in Article IV, Chapter 3, Code of Ordinances, including, but not limited to, the provisions concerning affirmative action, Minority and Women's Business Enterprises and the Small Local Business Enterprises program; and 2) requires the disclosure of total project funding sources and projected costs and periodic reporting of project progress.

..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:

Joseph Guarino
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	220426
		Approval Deadline:	
LEGISLATION IN BRIEF:			
What is the reason for this legislation?	Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use		
	Sponsor(s)		
	Programs, Departments, or Groups Affected		
	Sub-Program in Budget (page #)		
	Applicants/ Proponents	City Department	
		Other	
	Staff Recommendation		
	Board or Commission Recommendation		
	Future Impacts		
	Cost of Legislation current Fiscal Year		
Costs in Future Fiscal Years?			
Annual Revenue Increase/Decrease			
Applicable Dates:			
Prepared by:			
Date Prepared:			
Reviewed by:			
Date Reviewed			
Reference Numbers			
Discussion (including relationship to other Council acitons)			
	Citywide Business Plan Goal		
	Citywide Business Plan Objective		
Citywide Business Plan Strategy			

<h1>LEGISLATIVE FISCAL NOTE</h1>	LEGISLATION NUMBER:	<h2>220426</h2> TMP-1796					
LEGISLATION IN BRIEF:							
Reducing an appropriation in the amount of \$1,500,000.00 in the Central City Economic Development Sales Tax Fund; appropriating \$1,500,000.00 from the unappropriated fund balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with Ivanhoe Neighborhood Council in the amount of \$1,500,000.00 for the purpose of constructing a transitional housing development located at 2005 East 35th Street.							
What is the purpose of this legislation?	OPERATIONAL						
The legislation reduces appropriations in the "Contractual Services" fund and appropriates the funds into the project fund.							
Does this legislation spend money? See Sections 01, 02 and 03 for sources of funding	YES	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) See Section 00: " Notes" Below	NO	Yes/No					
Section 00: Notes:							
This ordinance moves \$1,500,000 from the Central City Economic Development Fund placeholder account to a specific project approved by the Central City Economic Development Sales Tax Board. The net impact on the FY 2022-23 Budget is zero.							
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 22-23	FY 23-24 EST		
2200	552047	619080		1,500,000			
Section 02: If applicable, where will new revenues be estimated?							
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23	FY 23-24 EST		
Section 03: If applicable, where will appropriations be increased?							
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23	FY 23-24 EST		
NET IMPACT ON OPERATIONAL BUDGET				-	-		
				RESERVE STATUS:			
SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)							
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
TOTAL REV		-	-	-	-	-	-
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
TOTAL EXP		-	-	-	-	-	-
NET Per-YEAR IMPACT		-	-	-	-	-	-
NET IMPACT		-					

REVIEWED BY

Tanner Owens

DATE

5/11/2022



File #: 220429

ORDINANCE NO. 220429

Reducing an appropriation in the amount of \$668,232.00 in the Central City Economic Development Sales Tax Fund; appropriating \$668,232.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with Monarque Advisory, LLC, in the amount of \$668,232.00 for the purpose of redeveloping and constructing affordable housing development located at 2904 E. 23rd Street and 2914 E. 23rd Street.

WHEREAS, Monarque Advisory, LLC (“Developer”) has proposed to construct the Washington Wheatley Development Project, a residential facility which includes 8 residential units to be located in Washington Wheatley neighborhood along East 23rd Street and Agnes Avenue (the “Project Site”); and

WHEREAS, Developers proposal will provide 8 units of affordable housing for families with incomes at 80% of AMI; and

WHEREAS, development will include two-bedrooms with two-bathroom units, parking, curbs and sidewalks, landscape, framing, drywall, electrical, lighting, plumbing, HVAC, sheetrock, flooring, windows, decks and solar panels; and

WHEREAS, the Developer’s proposal contemplates a financing package that includes Central City Economic Development Sales Tax Funds; and

WHEREAS, the Developer requested a public contribution of \$668,232.00 and the Central City Economic Development Sales Tax Board has recommended that funding be approved in the amount of \$668,232.00; and

WHEREAS, the project serves a predominantly public municipal purpose because, without limitation, completion of the project (i) enhances the tax base of the Project Site; (ii) retains and generates jobs; (iii) promotes economic development in the area of the City in which the Project Site is located, and promotes consideration of areas of the City that the City Council has determined to be blighted as a location for business operations; (iv) results in generation of tax revenues to the City from the conduct of business and other activities in the City that would not otherwise occur; (v) serves as a catalyst for additional investment in and further redevelopment and rehabilitation of the area of the City in which the Project Site is located; and (vi) furthers the City's policy of encouraging economic stability and growth; and

WHEREAS, the City desires to encourage the Developer to carry out the project for the purpose of realizing these predominantly public purposes by entering into an agreement to contribute certain revenues in an amount needed to cause the project to be undertaken and attract the necessary private investment; and

WHEREAS, the contributions contemplated by the Funding Agreement are limited to those which have been determined to be needed for the purpose of ensuring that the project proceeds, and but for their contribution, the project would not proceed, to the detriment of the public interest; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the appropriation in the following account of the Central City Economic Development Sales Tax Fund, Fund No. 2200, is hereby reduced by the following amount:

23-2200-552047-B	Contractual Services	\$668,232.00
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Section 2. That the following amount is hereby appropriated from the Unappropriated Fund Balance of the Central City Economic Development Sales Tax Fund, Fund No. 2200, to the following account:

23-2200-555998-B-619080-55MNQADVDEV	Monaque Advisory Dev.	\$668,232.00
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Section 3. That the Director of the Housing and Community Development Department is hereby authorized to execute a Funding Agreement with Monarque Advisory, LLC for the purposes contemplated herein in an amount not to exceed \$668,232.00, to be paid from funds previously appropriated to Account No. 23-2200-555998-B-619080-55MNQADVDEV in the Central City Economic Development Sales Tax Fund.

Section 4. That the City Manager is directed to negotiate a funding agreement that: 1) provides for compliance with any applicable provisions of the Missouri Prevailing Wage Law and any applicable provisions of the City's Contracting Program Requirements set out in Article IV, Chapter 3, Code of Ordinances, including, but not limited to, the provisions concerning affirmative action, Minority and Women's Business Enterprises and the Small Local Business Enterprises program; and 2) requires the disclosure of total project funding sources and projected costs and periodic reporting of project progress.

..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:

Joseph Guarino
Senior Associate City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	220429
		Approval Deadline:	
LEGISLATION IN BRIEF:			
What is the reason for this legislation?	Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use		
	Sponsor(s)		
	Programs, Departments, or Groups Affected		
	Sub-Program in Budget (page #)		
	Applicants/ Proponents	City Department	
		Other	
	Staff Recommendation		
	Board or Commission Recommendation		
	Future Impacts		
	Cost of Legislation current Fiscal Year		
Costs in Future Fiscal Years?			
Annual Revenue Increase/Decrease			
Applicable Dates:			
Prepared by:			
Date Prepared:			
Reviewed by:			
Date Reviewed			
Reference Numbers			
Discussion (including relationship to other Council acitons)			
Citywide Business Plan Goal			
Citywide Business Plan Objective			
Citywide Business Plan Strategy			

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220429					
LEGISLATION IN BRIEF:							
Reducing an appropriation in the amount of \$668,232.00 in the Central City Economic Development Sales Tax Fund; appropriating \$668,232.00 from the unappropriated fund balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with Monarque Advisory, LLC in the amount of \$668,232.00 for the purpose of redeveloping and constructing affordable housing development located at 2904 E 23rd Street and 2914 E 23rd Street.							
What is the purpose of this legislation?	OPERATIONAL						
The legislation reduces appropriations in the placeholder Central City Economic Development Sales Tax Fund (CCED) account and appropriates to the CCED Board approved project. The ordinance authorizes a funding agreement to be negotiated up to the amount designated in the ordinance for purpose indicated.							
Does this legislation spend money? See Sections 01, 02 and 03 for sources of funding	<input type="button" value="YES"/>	Yes/No					
Does this legislation estimate new Revenues? 0	<input type="button" value="NO"/>	Yes/No					
Does this Legislation Increase Appropriations?	<input type="button" value="NO"/>	Yes/No					
Are costs associated with this legislation ongoing (Yes)? Or one-time (No) See Section 00: " Notes" Below	<input type="button" value="NO"/>	Yes/No					
Section 00: Notes:							
This ordinance moves \$668,232 from the Central City Economic Development Fund placeholder account and appropriates to a specific project approved by the Central City Economic Development Sales Tax Board. The net impact on the FY 2022-23 Budget is zero.							
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 22-23	FY 23-24 EST		
2200	552047	B		668,232			
Section 02: If applicable, where will new revenues be estimated?							
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23	FY 23-24 EST		
Section 03: If applicable, where will appropriations be increased?							
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23	FY 23-24 EST		
NET IMPACT ON OPERATIONAL BUDGET				-	-		
RESERVE STATUS:							
SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)							
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
1000	General Fund						
2200	Central City						
1000							
1000							
TOTAL REV		-	-	-	-	-	-
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
1000	General Fund						
2200	Central City	-					
1000							
1000							
TOTAL EXP		-	-	-	-	-	-
NET Per-YEAR IMPACT		-	-	-	-	-	-
NET IMPACT		-					
REVIEWED BY		Krista Morrison		DATE		5/20/2022	



File #: 220454

ORDINANCE NO. 220454

Amending Chapter 88, Code of Ordinances, by repealing Sections 88-420-16, Alternative Compliance Parking Plans; 88-516, Plan Review; 88-530, Site Plan Review and Approval; and 88-570, Administrative Adjustments; and enacting in lieu thereof new sections of like number and subject matter for the purpose of providing a mechanism for property owners to elect to receive notice of certain administrative decisions regarding property within 300 feet of an owner's property.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, Code of Ordinances, is hereby amended by repealing Sections 88-420-16, Alternative Compliance Parking Plans; 88-516, Plan Review; 88-530, Site Plan Review and Approval; and 88-570, Administrative Adjustments, and enacting in lieu thereof new sections of like number and subject matter, to read as follows:

88-420-16 - ALTERNATIVE COMPLIANCE PARKING PLANS

88-420-16-A. SCOPE

This section authorizes several alternatives to strict compliance with the standards of this article.

88-420-16-B. APPLICABILITY

Applicants seeking approval of an alternative compliance parking plan must secure approval of such plan in accordance with the provisions of this section.

88-420-16-C. CONTENTS

Alternative compliance parking plans must be submitted in a form established by the city planning and development director and made available to the public. At a minimum, such plans must detail the type of alternative proposed and the rationale for such a proposal, including any supporting research or documentation required by the director.

88-420-16-D. REVIEW AND APPROVAL PROCEDURE

Applications for alternative compliance parking plans constitute an application for a site plan approval under Section 88-530. The city planning and development director is authorized to approve, approve with conditions, or deny alternative compliance parking plans in accordance with the site plan review procedure of 88-530.

88-420-16-E. RECORDING

The city planning and development director is authorized to require that an attested copy of an approved alternative compliance parking plan be filed with the appropriate county recorder of deeds office whenever the director deems necessary to ensure long-term availability and viability of the alternative parking arrangement. When recording of an agreement is required by the city planning and development director, no building permit, parking facilities permit, or occupancy certificate may be issued without proof of recordation.

88-420-16-F. VIOLATIONS

Violations of an approved alternative compliance parking plan will be considered violations of this zoning and development code and be subject to the penalty and enforcement provisions of 88-615.

88-420-16-G. APPROVAL CRITERIA

The city planning and development director is authorized to approve an alternative compliance parking plan if the applicant demonstrates to the satisfaction of the city planning and development director that the proposed plan:

1. will comply with all applicable requirements of this section;
2. will not adversely affect surrounding neighborhoods;
3. will not adversely affect traffic congestion and circulation; and
4. will have a positive effect on the economic viability or appearance of the project or on the environment.

88-420-16-H. AUTHORIZED ALTERNATIVES

The city planning and development director is authorized to approve alternative compliance parking plans for the following:

1. Shared parking (See 88-420-16-I);
2. Off-site parking (See 88-420-16-J);
3. Special facilities for cyclists (See 88-420-16-K);
4. Valet parking (See 88-420-16-L);
5. Transportation demand management programs (See 88-420-16-M);
6. Transit accessibility (See 88-420-16-N);
7. Pervious parking surfaces (See 88-420-16-O);
8. Car-share vehicle spaces (See 88-420-16-P); and
9. Gravel parking (See 88-420-16-Q).

88-420-16-I. SHARED PARKING

1. DESCRIPTION

Shared parking represents an arrangement in which two or more uses with different peak parking periods (hours of operation) use the same off-street parking spaces to meet their off-street parking requirements.

2. AUTHORIZATION AND CRITERIA

- a. The city planning and development director is authorized to approve an alternative compliance parking plan allowing shared parking arrangements for uses with different hours of operation.
- b. The city planning and development director may permit up to 100% of the parking required for one use to be supplied by the off-street parking spaces provided for another use if the city planning and development director determines that the various activities will have peak parking demands at different periods of the day or week.
- c. In order to approve an alternative compliance parking plan for shared parking, the city planning and development director must find, based on competent evidence provided by the applicant, that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed.
- d. A request for approval of a shared parking arrangement must be accompanied by such information determined by the city planning and development director to be necessary to evaluate the peak parking demand characteristics or difference in hours and/or days of operation, including, but not limited to, a description of the uses and their operational characteristics, a development plan, and a parking study prepared by a licensed professional traffic engineer or equivalent qualified professional which justifies the reduction in parking requested.

3. LOCATION OF SHARED PARKING FACILITY

A use for which shared parking is proposed must be located within 1,000 feet walking distance of the shared parking, measured from the entrance of the use to the nearest parking space within the shared parking facilities.

4. AGREEMENT

An agreement providing for the shared use of parking areas, executed by the parties involved, must be filed with the city planning and development director in a form approved by the city planning and development director. Shared parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use served by the parking. If a shared parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this article.

88-420-16-J. OFF-SITE PARKING

The city planning and development director may permit any off-street parking spaces to be located on a remote and separate lot from the lot on which the principal use is located, subject to the standards of this section.

1. LOCATION

No off-site parking space may be located more than 1,000 feet from the primary entrance of the use served, measured along the shortest legal, practical walking route. This distance limitation may be waived by the city planning and development director if adequate assurances are offered that van or shuttle service will be operated between the shared lot and the principal use.

2. ZONING CLASSIFICATION

Off-site parking areas are accessory to the principal uses that the parking spaces serve. Off-site parking areas require the same or a more intensive zoning classification than that required for the most intensive of the uses served by the off-site parking area unless approved as a special use pursuant to 88-525.

3. OFF-SITE PARKING AGREEMENT

An agreement providing for the use of off-site parking, executed by the parties involved, must be filed with the city planning and development director, in a form approved by the city planning and development director. Off-site parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use served by the parking. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this article.

4. EXEMPTION

Off-site parking in facilities in O, B, D, and M districts which meet the location and zoning classification requirements indicated in this section and which are in the same ownership as the lot to be served will not require approval of an alternative compliance parking plan per 88-420-15.

88-420-16-K. SPECIAL FACILITIES FOR BICYCLISTS

The city planning and development director may authorize up to a 15% reduction in the number of required off-street parking spaces for developments or uses that make special provisions to accommodate bicyclists. Examples of eligible accommodations include enclosed bicycle lockers, employee shower facilities, dressing areas for employees, and on-site public bicycle sharing stations. A reduction in required vehicle parking does not entitle the applicant to a reduction in required bicycle parking.

88-420-16-L. VALET PARKING

The city planning and development director may authorize valet parking as a means of satisfying up to 100% of otherwise applicable off-street parking ratios. In order to approve an alternative parking plan for valet parking the city planning and development director

must determine that the proposal satisfies the approval criteria of 88-420-15-G and that the valet parking will not cause interference with the public use of rights-of-way or imperil public safety.

88-420-16-M. TRANSPORTATION DEMAND MANAGEMENT PROGRAMS

The city planning and development director may authorize up to a 50% reduction in the number of required off-street parking spaces for large employers (150 employees or more) that institute and commit to maintain a transportation demand management program, in accordance with the standards of this section.

1. **REQUIRED STUDY**

The applicant must submit a report to the city planning and development director that clearly indicates the types of transportation demand management activities and measures proposed.

2. **TRANSPORTATION MANAGEMENT ACTIVITIES**

The following transportation demand management activities may qualify for a reduction in otherwise required off-street parking ratios:

- a. The appointment of a transportation coordinator with responsibility for disseminating information on transit, ride-sharing and other alternative transportation options.
- b. The institution of off-peak work schedules, allowing employees to arrive at times other than the peak morning commute period. The peak morning commute period is defined as 7:00—9:00 a.m.
- c. The provision of specially marked spaces for each registered car pool and vanpool vehicles.
- d. The provision of cash or in-kind financial incentives for employees commuting by car pool, vanpool, and public transit.

88-420-16-N. TRANSIT ACCESSIBILITY

The city planning and development director may authorize up to a 25% reduction in office parking ratios for uses located within 1,000 feet of a transit stop with 30-minute or more frequent service during the hours of 7:00 a.m. to 9:00 a.m. This reduction may not be applied in conjunction with the special rapid transit provisions of 88-420-04-J.

88-420-16-O. PERVIOUS PARKING SURFACES

The city planning and development director may authorize a portion of required off-street parking spaces to be provided on pervious surfaces if the city planning and development director finds that such spaces will be used only intermittently, either for special events or for seasonal peak parking demands or overflows in patronage of the principal use or uses.

1. The decision of the city planning and development director must indicate what number or percentage of required parking spaces may be provided on pervious surfaces.

2. The city planning and development director is authorized to determine acceptable pervious surfaces.
3. Parking spaces, aisles, etc. must be marked by flags, biodegradable dyes or paints, or some other method that does not kill grass or plants.
4. Pervious parking areas must be adequately drained.

88-420-16-P. CAR-SHARE VEHICLES

The city planning and development director may authorize a portion of a development's required off-street parking to be met by providing car-share vehicle parking on the development site, as follows:

1. For any development, one parking space or up to 5% of the total number of required spaces, whichever is greater, may be reserved for use by car-share vehicles. The number of required parking spaces may be reduced by one space for every parking space that is leased by a car-share program for use by a car-share vehicle. Parking for car-share vehicles may be provided in any non-required parking space.
2. For any development that (a) is required to provide 20 or more spaces and (b) provides one or more spaces for car-share vehicles, the number of required parking spaces may be reduced by 3 spaces for each reserved car-share vehicle parking space or by 15% of the total number of required spaces, whichever is less. An agreement between the property owner and a car-share program must be filed with the city planning and development director, in a form approved by the city planning and development director. The parking reduction will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the car-share vehicles. If the agreement lapses or is no longer valid, then the normally required parking spaces must be provided as otherwise required by this article.

88-420-16-Q GRAVEL PARKING

The city planning and development director may authorize a portion of a development's off-street parking and vehicular use areas to be gravel on the development site, as follows:

1. Gravel vehicular use areas shall only be permitted in districts M3 and M4.
2. Gravel is prohibited in any required setback or within 10 feet of any property or right-of-way line, whichever is greater.
3. Gravel is not permitted on a lot adjacent to an R, B, O, D, M1 or M2 district, unless such lot is in the floodplain.
4. Gravel may not be used for parking intended for use by the public.
5. Gravel is not permitted on any lot or portion of a lot with a slope greater than 4 to

6. Gravel surfaces shall comply with the standards of 88-420-15-M.

88-516-08 - PLAN APPROVAL NOTED

88-516-08-A. City council approval of a development plan per 88-517 shall be indicated on the zoning map by the letter "p" following the district classification.

88-516-08-B. Building permit application constitutes site plan (88-530) review and approval and is subject to the site plan review procedure of 88-530.

88-530 - SITE PLAN REVIEW AND APPROVAL

88-530-01 - INTENT

Site plan review is a procedure that allows for administrative review of detailed site plans to determine whether such plans comply with city regulations and policies. A building permit application and an alternative parking plan application, each constitutes a site plan review application, including any such application submitted in connection with a development plan or project plan or property subject to a development plan under 88-517 or a project plan under 88-518.

88-530-02 APPLICABILITY

Site plan review is required for all development that is not subject to development plan review under 88-517 or project plan review under 88-518.

88-530-03 DECISION-MAKING AUTHORITY

The city planning and development director has final decision-making authority on site plan applications. No public hearing is required.

88-530-04 REVIEW AND ACTION

A building permit application constitutes site plan review application. The planning and development director must review each complete application for site plan approval and take one of the following actions:

1. approve the application;
2. identify those revisions or modifications that would allow approval of the application;
3. approve the application with conditions;
4. disapprove the application; or
5. forward the application to the city plan commission for review and action.

88-530-05 - APPEALS OF SITE PLAN DECISIONS

88-530-05-A. Appeals of the city planning and development director's decision on a site plan application may be taken to the city plan commission by any aggrieved person by filing a notice of appeal with the city planning and development director. Appeals must be filed within the later of 15 calendar days of the date of the city planning and

development director's decision or, if applicable, 15 calendar days of the date notice of such decision has been provided by the director in accordance with Section 88-530-05-C .

88-530-05-B. The city plan commission's decision may be appealed by any aggrieved person to the board of zoning adjustment by filing a notice of appeal with the city planning and development director. Appeals must be filed within 15 calendar days of the city plan commission decision.

88-530-05-C. In the event an owner, or its representative, of property located within 300 feet of the subject property of a site plan has submitted in writing to the city planning and development director a request for notice of a director's decision on a currently pending site plan application or future filed site plan application for the subject property, the city planning and development director shall provide written notice of such decision to such property owner. The written request for notice submitted by or on behalf of a property owner must identify the subject property, the name of the property owner requesting notice, the property owned by such property owner located within 300 feet of the subject property, and the address of the property owner to which notice of the director's decisions is to be sent. Any such request for notice by or on behalf of a property owner shall expire one year following the submittal of such request to the planning and development director; provided that such property owner may submit another request for notice in the manner as provided in this section.

88-570 - ADMINISTRATIVE ADJUSTMENTS

88-570-01 INTENT

Administrative adjustments are intended to provide a streamlined approval procedure for minor modifications of selected zoning and development code standards. Administrative adjustments are further intended to:

88-570-01-A. allow development that is in keeping with the general purpose and intent of development regulations and the established character of the area in which it is located;

88-570-01-B. provide flexibility that will help promote rehabilitation and reuse of existing buildings when such flexibility will not adversely affect nearby properties or neighborhood character; and

88-570-01-C. provide flexibility for new construction when necessary to address unusual development conditions when such flexibility is in keeping with the general purpose and intent of development regulations and will not adversely affect other properties or surrounding neighborhood character.

88-570-02 APPLICABILITY; AUTHORIZED ADMINISTRATIVE ADJUSTMENTS

The city planning and development director has the authority to review and approve the following administrative adjustments:

88-570-02-A. P/O DISTRICT—BUILDING LOCATION STANDARDS

1. The city planning and development director is authorized to approve an administrative adjustment to the building placement standards of 88-230-03-A.

2. Such an administrative adjustment may be approved only when the city planning and development director determines that useable public spaces or pedestrian amenities (e.g., extra-wide sidewalk, plaza with seating or outdoor dining area) will be provided between the building and the street.

88-570-02-B. P/O DISTRICT—TRANSPARENT WINDOW STANDARDS

1. The city planning and development director is authorized to approve an administrative adjustment to the ground-floor transparency standards of 88-230-03-B.
2. Such an administrative adjustment may be approved only when the city planning and development director determines that (1) such a reduction will be offset by the provision of other pedestrian amenities or building or site design features that are not otherwise required by this zoning and development code.

88-570-02-C. P/O DISTRICT—DOOR AND ENTRANCE STANDARDS

1. The city planning and development director is authorized to approve an administrative adjustment to the door and entrance standards of 88-230-03-C.
2. Such an administrative adjustment may be approved only when the city planning and development director determines that a safe pedestrian walkway not exceeding 20 feet in length is provided between the building entrance and the sidewalk abutting street.

88-570-02-D. P/O DISTRICT—DRIVEWAY AND VEHICLE ACCESS STANDARDS

1. The city planning and development director is authorized to approve an administrative adjustment to the driveway and vehicle access standards of 88-230-03-E.
2. Such an administrative adjustment may be approved only when the city planning and development director determines, in consultation with other appropriate city officials that access to the subject lot cannot be safely accommodated by alley or side (non-pedestrian) street access.

88-570-02-E. GROUND-FLOOR COMMERCIAL SPACE

The city planning and development director is authorized to approve an administrative adjustment to reduce the ground-floor commercial floor area requirement of 88-120-07 by up to 20%.

88-570-02-F. BICYCLE PARKING

1. The city planning and development director is authorized to approve an administrative adjustment reducing the number of bicycle spaces required under 88-420-09.

2. Such an administrative adjustment may be approved only when the city planning and development director determines that use will generate reduced bicycle traffic or that it would be impossible to provide bicycle parking at the subject location.

88-570-02-G. LANDSCAPING

The city planning and development director is authorized to approve administrative adjustments to otherwise applicable landscape standards, as expressly authorized in 88-425-13.

88-570-02-H. MINOR AMENDMENTS TO APPROVED DEVELOPMENT PLANS

Unless otherwise expressly stated in this zoning and development code or as part of the final action to approve a development plan, the city planning and development director is authorized to approve an administrative adjustment allowing minor amendments to approved development plans. For the purpose of this provision, minor amendments are changes that:

1. do not increase building coverage by more than 10%, cumulative;
2. do not increase the cumulative floor area by more than 10% or 1,500 square feet, whichever is less;
3. do not increase building height by more than 10% or 6 feet, whichever is less;
4. do not increase the total cumulative impervious surface coverage by more than 10% or 2,000 square feet, whichever is less;
5. do not involve extensive site modifications;
6. do not increase the number of dwelling units or residential occupancy by more than 10%; or
7. do not, in the determination of the city planning and development director, have impacts that warrant city plan commission, city council, or board of zoning adjustment review of the application.

88-570-02-I. TRAIL ENCROACHMENTS INTO STREAMSIDE BUFFER ZONE

The city planning and development director is authorized to approve an administrative adjustment allowing paved or unpaved trails to encroach into the streamside zone (See 88-415-05-A.1). Administrative adjustments for (paved or unpaved) trail encroachments into the streamside zone may be approved only when the city planning and development director determines that alternative alignments are not feasible due to topography, the presence of existing structures such as bridges or flood control levees, the inability to acquire property to accommodate other trail alignments, or when that the trail represents the termini of existing trails and trail rights-of-way. Streambanks and natural resource areas affected by allowed encroachments must be stabilized in accordance with the city's Standards, Specifications and Design Criteria, and natural resources must be mitigated in accordance with 88-415-07-C and 88-415-08-B.4.

88-570-02-J. NONCONFORMITIES

The city planning and development director is authorized to approve an administrative adjustment allowing expansion of a nonconforming use into another part of the same building, in accordance with Section 88-610-04-C.

88-570-02-K. SIGNS

The city planning and development director is authorized to approve an administrative adjustment to allow an electronic, digital or motorized wall sign that is directed toward the interior of a site that is at least 3 acres and that meets each of the following standards:

1. The sign is not visible from any other site or any right of way.
2. The design of the sign is compatible with the design of the development and the other existing signs on the site.
3. The sign will not negatively impact the use or enjoyment of any other property.

88-570-03 APPLICATION FILING

Complete applications for administrative adjustments must be filed with appropriate personnel in the city planning and development department.

88-570-04 REVIEW AND DECISION—CITY PLANNING AND DEVELOPMENT DIRECTOR

The city planning and development director must review each application for an administrative adjustment and act to approve the application, approve the application with conditions, deny the application, or refer the application to the board of zoning adjustment. The city planning and development director's decision to approve or deny must be based on the approval criteria of 88-570-05. If referred to the board of zoning adjustment, the matter must be processed as a zoning variance request in accordance with 88-565.

88-570-05 APPROVAL CRITERIA

Administrative adjustments may be approved by the city planning and development director only when the city planning and development director determines that any specific approval criteria associated with the authorized administrative adjustment and the following general approval criteria have been met:

88-570-05-A. the requested administrative adjustment is consistent with all relevant purpose and intent statements of this zoning and development code, including the intent statement of 88-570-01;

88-570-05-B. the requested administrative adjustment will have no appreciable adverse impact on the health, safety, or general welfare of surrounding property owners or the general public; and

88-570-05-C. any adverse impacts resulting from the administrative adjustment will be mitigated to the maximum extent feasible.

88-570-06 CONDITIONS OF APPROVAL

In granting an administrative adjustment, the city planning and development director may impose conditions upon the subject property that are necessary to reduce or minimize any potentially adverse impacts on other property in the neighborhood, and to carry out the stated purpose and intent of this zoning and development code.

88-570-07 – NOTICE AND APPEALS

88-570-07-A. In the event an owner, or its representative, of property located within 300 feet of the subject property of an administrative adjustment has submitted in writing to the city planning and development director a request for notice of a director's decision on a currently pending application or future application of an administrative adjustment for the subject property, the city planning and development director shall provide written notice of such decision to such property owner. The written request for notice submitted by or on behalf of a property owner must identify the subject property, the name of the property owner requesting notice, the property owned by such property owner located within 300 feet of the subject property, and the address of the property owner to which notice of the director's decisions is to be sent. Any such request for notice by or on behalf of a property owner shall expire one year following the submittal of such request to the planning and development director; provided that such property owner may submit another request for notice in the manner as provided in this section.

88-570-07-B. Final decisions of the city planning and development director may be appealed to the board of zoning adjustment by any person aggrieved by the decision by filing a notice of appeal with the city planning and development director. Appeals must be filed within the later of 15 calendar days of the date of the city planning and development director's decision or, if applicable, 15 calendar days of the date notice of such decision has been provided by the director in accordance with Section 88-570-07-A. Appeals of decisions on administrative adjustments will be heard by the board of zoning adjustment as zoning variance requests.

88-570-08 REPORTING

The city planning and development director must provide a report to the board of zoning adjustment on a regular basis describing the number, nature and disposition of administrative adjustment requests acted on by the city planning and development director since the last report was given to the board of zoning adjustment.

..end

Approved as to form and legality:

Sarah Baxter

Assistant City Attorney

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

220454



Legislation Text

File #: 220505

ORDINANCE NO. 220505

Approving a rezoning on about 0.87-acres generally located at the south-east corner of E 50th Street and Prospect Avenue from District B3-2 (Community Business) to District B4-2 (Heavy Business Commercial). (CD-CPC-2021-00245).

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 88-20A-1329, rezoning an area of approximately 0.87 acres generally located at the south-east corner of E 50th Street and Prospect Avenue from District B3-2 (Community Business (dash 2)) to District B4-2 (Heavy Business/Commercial (dash 2)), said section to read as follows:

Section 88-20A-1329. That an area legally described as:

TRACT 3:

The North 100 feet of the South 200 feet of the following describe Tract, measured on the east line of Prospect Avenue, part of the Southwest Quarter of the Southwest Quarter of Section 27, Township 49, Range 33, Beginning at a point on the South line of 50th Street at East line of Prospect Avenue; thence East along the South line of 50th Street, 131.61 feet; thence South 303.68 feet to the Northeast corner of Lot 48 Elm Heights, an addition in Kansas City, Missouri; thence West along the North line of said Lot 48, 131.59 feet to the East line of Prospect Avenue or Northwest corner of said Lot 48; thence North along the East line of Prospect Avenue, 303.67 feet to point of beginning, in Kansas City, Jackson County, Missouri.

EXCEPT

Commencing at the Northwest corner of Lot 48 Elm Heights, an addition in Kansas City Jackson County, Missouri, and at the East Right-of-Way line of Prospect Avenue; thence North 02 degrees 18 minutes 19 seconds East along said East Right-of-Way line, 140.00 feet; thence South 87 degrees 14 minutes 08 seconds East, 71.60 feet to the Point of Beginning; thence continuing South 87 degrees 14 minutes 08 seconds East, 60.00 feet; thence North 02 degrees 18 minutes 11 seconds East, 60.00 feet; thence North 87 degrees 14 minutes 08 seconds West, 60.00 feet; thence South 02 degrees 18 minutes 11 seconds West, 60.00 feet to the Point of Beginning.

EXCEPT

Commencing at the Northwest corner of Lot 48 Elm Heights, an addition in Kansas City, Jackson County, Missouri, and at the East Right-of-Way line of Prospect Avenue; thence North 02 degrees 18 minutes 19 seconds East along said East Right-of-Way line, 169.62 feet; thence South 87 degrees 14 minutes 08 seconds East, 81.85 feet to the Point of Beginning; thence continuing South 87 degrees 14 minutes 08 seconds East, 10.00 feet; thence South 02 degrees 45 minutes 52 seconds West, 10.00 feet; thence North 87 degrees 14 minutes 08 seconds West, 10.00 feet; thence North 02 degrees 45 minutes 52 seconds East, 10.00 feet to the Point of Beginning.

TRACT 4:

All of the South 100 feet of the following described tract measured on the East line of Prospect Avenue, part of the Southwest quarter of the Southwest Quarter of Section 27, Township 49, Range 33, in Kansas City, Missouri, beginning at a point on the South line of 50th Street at the East line of Prospect Avenue; thence East along the South line of 50th Street, 131.61 feet; thence South 303.68 feet to the Northeast corner of Lot 48, Elm Heights, an addition in Kansas City, Missouri; thence West along the North line of said Lot 48, 131.59 feet to the East line of Prospect Avenue or the Northwest corner of said Lot 48; thence North along the East line of Prospect Avenue 303.67 feet to the point of beginning.

is hereby rezoned from District B3-2 (Community Business (dash 2)) to District B4-2 (Heavy Business/Commercial (dash 2)), all as shown on a map marked Section 88-20A-1329, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

Ordinance Fact Sheet

Case No. CD-CPC-2021-00245

Brief Title

A request to approve a rezoning from district B3-2 to B4-2 on about 0.87 acres generally located at 5021 Prospect Avenue

220505

Ordinance Number

Details

Location: 5021 Prospect Avenue

Reason for Legislation: Zoning Map Amendments require Council approval.

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

See attached City Plan Commission Disposition Letter for the Commission's recommended conditions

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	3 rd District (Ellington, Robinson)
Applicants / Proponents	Applicant Jeff Schroeder Herman Scharhag Architects City Department City Planning & Development Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission (7-0) 05-17-2022 By Allender, Baker, Beasley, Crawl, Enders, Hill, Rojas <input checked="" 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 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

Policy or Program
Change

☐

Yes

☐

No

Operational
Impact
Assessment

Finances

Cost & Revenue
Projections –
Including Indirect
Costs

Financial Impact

Funding Source(s)
and
Appropriation
Account Codes

Fact Sheet Prepared By: **Date:** 6/06/2022
Jared Clements
Staff Planner

Reviewed By: **Date:** 6/06/2022
Joseph Rexwinkle
Development Management

Initial Application Filed: 12-23-2021
City Plan Commission: 5/17/2022
Revised Plans Filed: N/A

Reference Numbers:
Case No. CD-CPC-2021-00245

<h1>LEGISLATIVE FISCAL NOTE</h1>	LEGISLATION NUMBER:	220505						
LEGISLATION IN BRIEF:								
Approving a rezoning on about 0.87-acres generally located at the south-east corner of E 50th Street and Prospect Avenue from District B3-2 (Community Business) to District B4-2 (Heavy Business Commercial). (CD-CPC-2021-00245).								
What is the purpose of this legislation?	LEGISLATIVE							
<i>for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank</i>								
Sections 01-04 should be blank. See section 00 for more information	<input type="button" value="YES"/>	Yes/No						
	<input type="button" value="NO"/>	Yes/No						
	<input type="button" value="NO"/>	Yes/No						
	<input type="button" value="NO"/>	Yes/No						
Section 00: Notes:								
<i>There is no Fiscal Impact at this time.</i>								
FINANCIAL IMPACT OF LEGISLATION								
Section 01: If applicable, where are funds appropriated in the current budget?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>			
Section 02: If applicable, where will new revenues be estimated?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>			
Section 03: If applicable, where will appropriations be increased?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>			
NET IMPACT ON OPERATIONAL BUDGET				-	-			
				<i>RESERVE STATUS:</i>				
SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)								
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
TOTAL REV		-	-	-	-	-	-	-
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
TOTAL EXP		-	-	-	-	-	-	-
NET Per-YEAR IMPACT		-	-	-	-	-	-	-
NET IMPACT (SIX YEARS)		-						
REVIEWED BY		James Sturdevant			DATE		6/14/2022	



Legislation Text

File #: 220506

RESOLUTION NO. 220506

RESOLUTION - Approving an amendment to the Swope Area Plan on about 0.87 acres generally located at the southeast corner of the intersection of E. 50th Street and Prospect Avenue by changing the recommended land use from office to commercial to allow a plumbing business to continue to operate. (CD-CPC-2022-00035).

WHEREAS, on October 2, 2014 the City Council by Resolution 140770 adopted the Swope Area Plan; and

WHEREAS, after further review it has been deemed appropriate to amend the Swope Area Plan as it affects that area of approximately 0.87 acres generally located at the southeast corner of the intersection of E. 50th Street and Prospect Avenue by changing the recommended land use from office to commercial; and

WHEREAS, the City Plan Commission considered such amendment to the Proposed Land Use Map on May 17, 2022 and

WHEREAS, after all interested persons were given an opportunity to present testimony, the City Plan Commission did on May 17, 2022. recommend approval of the proposed amendment to Swope Area Plan; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section A. That the Swope Area Plan is hereby amended as to the Proposed Land Use Plan and Map for that area of approximately 0.87 acres generally located at the southeast corner of the intersection of E. 50th Street and Prospect Avenue by changing the recommended land use from office to commercial.

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

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

..end

COMMUNITY PROJECT/REZONING

Ordinance Fact Sheet

Case No. CD-CPC-2021-00245 & CD-CPC-2022-00035

Brief Title

A request to approve an amendment to the Swope Area Plan from Office to Commercial on about 0.87 acres generally located at 5021 Prospect Avenue

220506

Ordinance Number

Details

Location: 5021 Prospect Avenue

Reason for Legislation: Area Plan Amendments require Council approval.

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

See attached City Plan Commission Disposition Letter for the Commission's recommended conditions

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	3 rd District (Ellington, Robinson)
Applicants / Proponents	Applicant Jeff Schroeder Herman Scharhag Architects City Department City Planning & Development Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission (7-0) 05-17-2022 By Allender, Baker, Beasley, Crowl, Enders, Hill, Rojas <input checked="" 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 Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation

Continued from Page 1

	<input type="checkbox"/> Hold
	<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	
--	--	--

Fact Sheet Prepared By:	Date: 6/06/2022	Initial Application Filed: 2/28/2022
Jared Clements Staff Planner	Date: 6/06/2022	City Plan Commission: 5/17/2022
Reviewed By:	Revised Plans Filed: N/A	
Joseph Rexwinkle Development Management		
Reference Numbers:		
Case No. CD-CPC-2022-00035		

<h1>LEGISLATIVE FISCAL NOTE</h1>	LEGISLATION NUMBER:	220506						
LEGISLATION IN BRIEF:								
RESOLUTION - Approving an amendment to the Swope Area Plan on about 0.87 acres generally located at the southeast corner of the intersection of E. 50th Street and Prospect Avenue by changing the recommended land use from office to commercial to allow a plumbing business to continue to operate. (CD-CPC-2022-00035).								
What is the purpose of this legislation?	LEGISLATIVE							
<i>for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank</i>								
Sections 01-04 should be blank. See section 00 for more information	<input type="button" value="YES"/>	Yes/No						
	<input type="button" value="NO"/>	Yes/No						
	<input type="button" value="NO"/>	Yes/No						
	<input type="button" value="NO"/>	Yes/No						
Section 00: Notes:								
There is no Fiscal Impact at this time.								
FINANCIAL IMPACT OF LEGISLATION								
Section 01: If applicable, where are funds appropriated in the current budget?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
Section 02: If applicable, where will new revenues be estimated?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
Section 03: If applicable, where will appropriations be increased?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
NET IMPACT ON OPERATIONAL BUDGET				-	-			
				RESERVE STATUS:				
SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)								
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL REV		-	-	-	-	-	-	-
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL EXP		-	-	-	-	-	-	-
NET Per-YEAR IMPACT		-	-	-	-	-	-	-
NET IMPACT (SIX YEARS)		-						
REVIEWED BY		James Sturdevant		DATE		6/14/2022		



File #: 220520

ORDINANCE NO. 220520

Approving an amendment to a previously approved UR Plan in District UR (Urban Redevelopment), which also serves as a preliminary plat to allow for changes to phases 3 and 4 of the approved plan on about 5.16 acres generally bordered by W. 34th Street on the north, W. 34th Terrace on the south, Broadway Boulevard on the east and Pennsylvania Avenue on the west. (CD-CPC-2021-00222)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a previously approved UR development plan is hereby amended to allow for changes to phases 3 and 4 of the approved plan on about 5.16 acres generally bordered by W. 34th Street on the north, W. 34th Terrace on the south, Broadway Boulevard on the east and Pennsylvania Avenue on the west, and more specifically described as follows:

All that part of Lot PE-2, K.C. Life Addition, a Subdivision in Kansas City, Jackson County, Missouri, and all that part of Lots 7 and 8, in Block 10, Amended Plat of McGee's Summit, a Subdivision in Kansas City, Jackson County, Missouri, and all that part of Lots 7, 8, 9, 10, 11 and 12, Mary A. Morley Place, a Subdivision in Kansas City, Jackson County, Missouri, and all that part of Lots 8, 9, 10, 11 and 12, in Rowell's Annex, a Subdivision in Kansas City, Jackson County, Missouri, and all that part of Washington Street (Public Street 50 feet wide), described as follows:

Point of beginning; thence S 87°07'57" E, along Southerly right-of-way line of W. 34th Street (Public Street 60 feet wide), a distance of 221.50 feet to a point on the centerline of Washington Street (Public Street 50 feet wide); thence S 2°39'17" W, departing the said Southerly right-of-way line of W. 34th Street, along the said centerline of Washington Street, a distance of 123.50 feet to a point on the Northerly line of said Lot PE-2, K.C. Life Addition; thence S 87°07'57" E, departing said centerline of Washington Street, along said Northerly line of Lot PE-2, K.C. Life Addition, a distance of 345.36 feet to a point on the Westerly right-of-way line of Broadway Boulevard (Public Street 99 feet wide); thence S 2°33'55" W, along said Westerly right-of-way line of Broadway Boulevard, a distance of 335.00 feet to a point on the centerline of W. 34th Street Terrace (Public Street 30 feet wide); thence N 87°07'57" W, departing said Westerly right-of-way line of Broadway Boulevard, along said centerline of W. 34th Street Terrace, a distance of 320.88 feet to a point where the said centerline of W. 34th Street Terrace intersects with the Easterly right-of-way line of said Washington

Street; thence N 2°39'17" E, departing said centerline of W. 34th Street Terrace, along said Easterly right-of-way line of Washington Street, a distance of 15.19 feet to a point on the Northerly right-of-way line of said W. 34th Street Terrace; thence N 87°10'18" W, departing said Easterly right-of-way line of Washington Street, along said Northerly right-of-way line of W. 34th Street Terrace, a distance of 271.50 feet to a point on the Easterly right-of-way line of Pennsylvania Avenue (Public Street Variable width); thence N 2°39'17" E, departing said Northerly right-of-way line of W. 34th Street Terrace, along said Easterly right-of-way line of Pennsylvania Avenue, a distance of 443.50 to the point of beginning. Containing 224,703.30 square feet or 5.16 acres, more or less.

subject to the following conditions:

1. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat.
2. 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.
3. The developer shall secure approval of a final development plan from the Development Management Division staff prior to a building permit.
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 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.
6. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.

7. 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
8. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
9. The developer shall 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.
10. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
11. The developer shall submit covenants, conditions, and restrictions to the Land Development Division for approval by the Law Department 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.
12. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
13. The south half of West 34th Street shall be improved to City standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
14. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
15. The east half of Pennsylvania Avenue shall be improved to City standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical

grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.

16. The north half of West 34th Terrace shall be improved to City standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
17. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
18. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
19. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site.
20. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
21. 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. The developer intends to pay money-in-lieu of dedication. The amount due shall be based upon the (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to a certificate of occupancy.
22. 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
23. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.

A copy of said 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 development plan 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, AICP
Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

Ordinance Fact Sheet

Case No. CD-CPC-2021-00222 & CD-CPC-2022-00027

Brief Title

To approve an amendment to a previously approved UR development Plan to allow for changes to phases 3 and 4 and to approve an amendment to the Midtown Plaza Area Plan.

Details

Location: 3420 Broadway Blvd - generally bordered by W. 34th Street on the north, W. 34th Terrace on the south, Broadway Boulevard on the east and Pennsylvania Avenue on the west.
Reason for Legislation: Development plans and Area Plan amendments requires City Council approval.
<p>See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.</p> <p>SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:</p> <ul style="list-style-type: none"> Applicant submitted revised plan per staff recommendation. <p>CITY PLAN COMMISSION RECOMMENDATION: Approval subject to the following corrections and conditions:</p> <ol style="list-style-type: none"> The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat. 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 Certificate of Occupancy. The developer shall secure approval of a final development plan from Development Management Division staff prior to building permit. The owner/developer must submit plans for grading, siltation, and erosion control to 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. 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. 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.

Ordinance Number

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 MGE Capital, LLC 8501 Wilshire Blvd Ste 240 Beverly Hills, CA 90211</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals None</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 (7-0) 04-05-2022 By Aye: Allender, Baker, Crawl, Enders, Rojas, Sadowski & Beasley</p> <p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<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>

CONDITIONS:

- Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
7. 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
 8. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
 9. The developer must 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.
 10. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
 11. 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.
 12. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
 13. That the south half of West 34th Street shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
 14. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.
 15. That the east half of Pennsylvania Avenue shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
 16. That the north half of West 34th Terrace shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
 17. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
 18. Fire hydrant distribution shall follow IFC-2018 Table C102.1
 19. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site.
 20. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
 21. 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. The developer intends to pay
 22. money-in-lieu of dedication. 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. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way
 24. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations. Prior to C of O.

Fact Sheet Prepared By:

Olofu Agbaji
Lead Planner

Date:

05-02-22

Reviewed By:

Joseph Rexwinkle, AICP
Division Manager
Development Management
Division.

Date:

05-05-22

Initial Application Filed: 12-01-2021

City Plan Commission Action: 04-05-2022

Revised Plans Filed: 04-13-2022

Total Days in City Review:

**Total Days in Applicant's
Hands:**

Reference Numbers:

Case No. CD-CPC-2021-00222

Case No. CD-CPC-2022-00027

<h1>LEGISLATIVE FISCAL NOTE</h1>	LEGISLATION NUMBER:	220520						
LEGISLATION IN BRIEF:								
Approving an amendment to a previously approved UR Plan in District UR (Urban Redevelopment), which also serves as a preliminary plat to allow for changes to phases 3 and 4 of the approved plan on about 5.16 acres generally bordered by W. 34th Street on the north, W. 34th Terrace on the south, Broadway Boulevard on the east and Pennsylvania Avenue on the west. (CD-CPC-2021-00222)								
What is the purpose of this legislation?	ECONOMIC DEVELOPMENT							
<i>For the purpose of entering an agreement between the city and third party for the attraction or retention of economic activity for the purpose of economic development.</i>								
Does this legislation spend money appropriated in the current fiscal year? What is the city's obligation in future fiscal Years (See Section 04)	NO	Yes/No						
Does this Legislation estimate new revenue in the current Fiscal Year? What is the city's gross new revenue in future Fiscal Years? (See Section 01)	NO	Yes/No						
0	NO	Yes/No						
0	NO	Yes/No						
0	NO	Yes/No						
Section 00: Notes:								
No anticipated fiscal impact.								
0								
FINANCIAL IMPACT OF LEGISLATION								
Section 01: If applicable, where are funds appropriated in the current budget?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
Section 02: If applicable, where will new revenues be estimated?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
Section 03: If applicable, where will appropriations be increased?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
NET IMPACT ON OPERATIONAL BUDGET				-	-			
				RESERVE STATUS:				
SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)								
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL REV		-	-	-	-	-	-	-
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL EXP		-	-	-	-	-	-	-
NET Per-YEAR IMPACT		-	-	-	-	-	-	-
NET IMPACT (SIX YEARS)		-						
REVIEWED BY		Esther Swanson		DATE		6/21/2022		

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User select from menu
Calculated Field



File #: 220525

RESOLUTION NO. 220525

RESOLUTION - Approving an amendment to the Midtown Plaza Area Plan on about 1.5 acres generally located on the east side of Pennsylvanian Avenue between W. 34th Street on the north and W. 34th Terrace on the south by changing the recommended land use from residential medium density to residential high density use for the Midtown Plaza. (CD-CPC-2022-00027)

WHEREAS, on January 7, 2016, the City Council by Resolution No. 150899 adopted the Midtown Plaza Area Plan; and

WHEREAS, after further review it has been deemed appropriate to amend the Midtown Plaza Area Plan as it affects that area of approximately 1.5 acres generally located on the east side of Pennsylvanian Avenue between W. 34th Street on the north and W. 34th Terrace on the south by changing the recommended land use from residential medium density to residential high density use; and

WHEREAS, the City Plan Commission considered such amendment to the Proposed Land Use Map on April 5, 2022; and

WHEREAS, after all interested persons were given an opportunity to present testimony, the City Plan Commission did on April 5, 2022, recommend approval of the proposed amendment to Midtown Plaza Area Plan; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section A. That the Midtown Plaza Area Plan is hereby amended as to the Proposed Land Use Plan and Map for that area of approximately 1.5 acres generally located on the east side of Pennsylvanian Avenue between W. 34th Street on the north and W. 34th Terrace on the south by changing the recommended land use from residential medium density to residential high density use.

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 amendment hereinabove, all public notices have been given and hearings have been held as required by law.

..end

COMMUNITY PROJECT/REZONING

Ordinance Fact Sheet

Case No. CD-CPC-2021-00222 & CD-CPC-2022-00027

Brief Title

To approve an amendment to a previously approved UR development Plan to allow for changes to phases 3 and 4 and to approve an amendment to the Midtown Plaza Area Plan.

Details

Location: 3420 Broadway Blvd - generally bordered by W. 34th Street on the north, W. 34th Terrace on the south, Broadway Boulevard on the east and Pennsylvania Avenue on the west.

Reason for Legislation: Development plans and Area Plan amendments requires City Council approval.

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

SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

- Applicant submitted revised plan per staff recommendation.

CITY PLAN COMMISSION RECOMMENDATION:

Approval subject to the following corrections and conditions:

1. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat.
2. 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 Certificate of Occupancy.
3. The developer shall secure approval of a final development plan from Development Management Division staff prior to building permit.
4. The owner/developer must submit plans for grading, siltation, and erosion control to 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 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.
6. 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.

220525

Ordinance Number

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	4 th District (Shields & Bunch)
Applicants / Proponents	Applicant MGE Capital, LLC 8501 Wilshire Blvd Ste 240 Beverly Hills, CA 90211 City Department City Planning & Development Other
Opponents	Groups or Individuals None
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission (7-0) 04-05-2022 By Aye: Allender, Baker, Crawl, Enders, Rojas, Sadowski & Beasley <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

CONDITIONS:

- Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
7. 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
 8. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
 9. The developer must 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.
 10. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
 11. 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.
 12. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
 13. That the south half of West 34th Street shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
 14. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.
 15. That the east half of Pennsylvania Avenue shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
 16. That the north half of West 34th Terrace shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
 17. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
 18. Fire hydrant distribution shall follow IFC-2018 Table C102.1
 19. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site.
 20. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
 21. 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. The developer intends to pay
 22. money-in-lieu of dedication. 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. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way
 24. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations. Prior to C of O.

Fact Sheet Prepared By:

Olofu Agbaji
Lead Planner

Date:

05-02-22

Reviewed By:

Joseph Rexwinkle, AICP
Division Manager
Development Management
Division.

Date:

05-05-22

Initial Application Filed: 12-01-2021

City Plan Commission Action: 04-05-2022

Revised Plans Filed: 04-13-2022

Total Days in City Review:

**Total Days in Applicant's
Hands:**

Reference Numbers:

Case No. CD-CPC-2021-00222

Case No. CD-CPC-2022-00027

<h1>LEGISLATIVE FISCAL NOTE</h1>	LEGISLATION NUMBER:	220525						
LEGISLATION IN BRIEF:								
Approving an amendment to the Midtown Plaza Area Plan on about 1.5 acres generally located on the east side of Pennsylvanian Avenue between W. 34th Street on the north and W. 34th Terrace on the south by changing the recommended land use from residential medium density to residential high density use for the Midtown Plaza. (CD-CPC-2022-00027)								
What is the purpose of this legislation?	ECONOMIC DEVELOPMENT							
<i>For the purpose of entering an agreement between the city and third party for the attraction or retention of economic activity for the purpose of economic development.</i>								
Does this legislation spend money appropriated in the current fiscal year? <i>What is the city's obligation in future fiscal Years (See Section 04)</i>	<input type="button" value="NO"/>	Yes/No						
Does this Legislation estimate new revenue in the current Fiscal Year? <i>What is the city's gross new revenue in future Fiscal Years? (See Section 01)</i>	<input type="button" value="NO"/>	Yes/No						
0	<input type="button" value="NO"/>	Yes/No						
0	<input type="button" value="NO"/>	Yes/No						
0	<input type="button" value="NO"/>	Yes/No						
Section 00: Notes:								
<i>There is no predictable fiscal impact.</i>								
0								
FINANCIAL IMPACT OF LEGISLATION								
Section 01: If applicable, where are funds appropriated in the current budget?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
Section 02: If applicable, where will new revenues be estimated?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
Section 03: If applicable, where will appropriations be increased?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
NET IMPACT ON OPERATIONAL BUDGET				-	-			
RESERVE STATUS:								
SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)								
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL REV		-	-	-	-	-	-	-
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL EXP		-	-	-	-	-	-	-
NET Per-YEAR IMPACT		-	-	-	-	-	-	-
NET IMPACT (SIX YEARS)		-						
REVIEWED BY		Esther Swanson		DATE		6/21/2022		

User entered field
User select from menu
Calculated Field



File #: 220529

ORDINANCE NO. 220529

Rezoning an approximately 86 acre tract of land generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive from B3-3 and AG-R to B3-3 and approving a development plan for the same which also serves as a preliminary plat to allow for 762,000 square foot of mixed office/commercial development on 12 Lots and 4 tracts. (CD-CPC-2020-00065 and CD-CPC-2020-00067)

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-1333 rezoning an approximately 86 acre tract of land generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive from B3-3 (Community Business) and AG-R (Agricultural/Residential) to B3-3 (Community Business), said section to read as follows:

Section 88-20A-1333. That an area legally described as:

All of Lot 1, Tract A, Tract B, and Tract C of the Replat of Lot 1, Farmland Industries Corporate Headquarters, a subdivision in Kansas City, Platte County, Missouri, and all that part of the south half of Section 14, Township 52 North, Range 34 West, Kansas City, Platte County, Missouri, being described as follows: Beginning at the southwest corner of said Lot 1; thence South 08°55'08" West, a distance of 87.83 feet; thence North 78°14'48" West, a distance of 38.48 feet; thence northwesterly along a curve to the right being tangent to the last described course, having a radius of 550.00 feet, an arc distance of 307.39 feet; thence North 46°13'28" West, a distance of 550.05 feet; thence northwesterly along a curve to the right being tangent to the last described course, having a radius of 1355.00 feet, an arc distance of 350.39 feet; thence North 31°24'29" West, a distance of 494.31 feet; thence North 33°09'34" West, a distance of 167.47 feet; thence North 34°54'56" West, a distance of 210.59 feet; thence North 37°31'25" West, a distance of 579.37 feet; thence North 35°40'37" East, a distance of 265.58 feet to a point on the southerly right of way line of Interstate 435 at a point 223.00 feet right of the southerly lane Centerline Station 681+58.90; thence North 77°32'06" East, along said southerly right of way line, a distance of 264.66 feet to a point being 96.00 right of the Interstate 435 southerly lane Centerline Station 683+91.10; thence South 73°47'20" East, continuing along said right of way line, a distance of 214.53 feet to a point being 96.00 feet right of Interstate 435 southerly lane Centerline Station 686+05.63, and 150.00 feet right of Centerline

Station 686+05.63; thence South 60°40'17" East, continuing along said right of way line, a distance of 66.09 feet to a point being 165.00 feet right of Interstate 435 Centerline Station 686+70; thence South 80°42'00" East, continuing along said right of way line, a distance of 332.42 feet to a point being 125.00 feet right of Interstate 435 Centerline Station 690+00; thence South 73°47'20" East, continuing along said right of way line, a distance of 300.00 feet to a point being 125.00 feet right of Interstate 435 Centerline Station 693+00; thence South 67°08'04" East, continuing along said right of way line, a distance of 302.03 feet to a point being 160.00 feet right of Interstate 435 Centerline Station 696+00; thence South 73°47'20" East, continuing along said right of way line, a distance of 500.00 feet to a point being 160.00 feet right of Interstate 435 Centerline Station 701+00; thence South 76°39'05" East, continuing along said right of way line, a distance of 200.25 feet to a point being 150.00 feet right of Interstate 435 Centerline Station 703+00; thence South 73°47'20" East, continuing along said right of way line, a distance of 304.12 feet to the northwest corner of a tract of land described in Book 1312 at page 421; thence South 15°07'15" West, along the westerly line of said tract, a distance of 28.20 feet; thence southerly, continuing along said westerly line, along a curve to the left being tangent to the last described course, having a radius of 414.24 feet, an arc distance of 173.86 feet to the northeasterly corner of the N. Ambassador Drive right of way as shown on said Replat of Lot 1; thence South 79°29'38" West, along the northerly right of way line of said N. Ambassador Drive, a distance of 102.00 feet to the northwesterly corner of said right of way; thence southerly, along the westerly right of way line of said N. Ambassador Drive, along a curve to the left having an initial tangent bearing of South 10°30'22" East, a radius of 550.00 feet, an arc distance of 36.52 feet; thence South 14°18'36" East, a distance of 63.29 feet; thence South 25°16'16" East, a distance of 42.44 feet to a point on the east line of said Lot 1; thence southerly, along said line, along a curve to the left being tangent to the last described course, having a radius of 552.00 feet, an arc distance of 61.08 feet; thence South 31°36'41" East, continuing along said line and along the east line of said tract a, a distance of 378.75 feet; thence southerly, continuing along the east line of said Tract A, the east line of said Lot 1 and the east line of said Tract B, along a curve to the right being tangent to the last described course, having a radius of 648.00 feet, an arc distance of 356.90 feet; thence South 00°03'15" East, continuing along the east line of said Tract B, and along the east line of said Tract C, a distance of 237.99 feet; thence southerly, continuing along said line, along a curve to the right being tangent to the last described course, having a radius of 186.00 feet, an arc distance of 17.73 feet; thence South 05°24'22" West, continuing along said line, a distance of 128.05 feet; thence southerly, continuing along said line, along a curve to the left being tangent to the last described course, having a radius of 214.00 feet, an arc distance of 20.39 feet; thence South 00°03'15" East, continuing along said line, a distance of 179.69 feet to the southeasterly corner of said Tract C; thence North 87°56'42" West, along the southerly line of said Tract C, a distance of 244.17 feet; thence North 63°01'24" West, continuing along said line, a distance of 201.49 feet; thence South 78°06'10" West, along the southerly line of said Lot 1, a distance of 154.60

feet; thence North 89°41'11" West, continuing along said line, a distance of 360.00 feet; thence North 77°47'52" West, continuing along said line, a distance of 81.71 feet to the point of beginning.

is hereby rezoned from District B3-3 (Community Business) and AG-R (Agricultural/Residential) to District B3-3 (Community Business) all as shown outlined on a map marked Section 88 -20A-1333, 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 vacate any of the existing right-of-way for N.W. 122nd Court as determined necessary in association with any future final plats.
2. Airspace Evaluation - The proposed development is located in an area where the Kansas City International Airport (MCI) height zoning restrictions apply and is situated in close proximity to an instrument approach area. Given the proximity of this plan to MCI, the proposed development will exceed FAR Part 77, Objects Affecting Navigable Airspace, standards. The proponent/developer shall file an on-line Form 7460-1, Notice of Proposed Construction or Alteration, for permanent vertical structures and receive a Favorable Determination from the FAA. Temporary cranes used for construction activities extending higher than the proposed top elevation of any building will need to be evaluated for compliance with FAR Part 77 standards as well. The FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website can be accessed at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>. In addition, the proponent/developer is recommended to review the City's Airport Height Zoning Ordinance No. 040342 and associated maps. The proponent/developer is recommended to comply with Chapters 3, 4, 5, 12 of FAA Advisory Circular (AC) 70/7460-1L, Obstruction Marking and Lighting, as applicable.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
4. The developer shall submit a street naming plan prior to issuance of the first building permit within this development or prior to mylar approval of the first plat, whichever occurs first. (5/12/2022)
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 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.
7. 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.
8. 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.
9. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
10. The developer shall provide acceptable easement and secure permits to relocated sanitary sewers out from under proposed buildings and structures, while continuing to ensure individual service is provided to all proposed lots as required by the Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.
11. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
12. 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.

13. 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.
14. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
15. 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.
16. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
17. 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.
18. 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.
19. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, as shown on the approved street plans for and to a tie-in point with the existing sidewalks at N. Ambassador Drive and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
20. Fire Department access roads shall be provided prior to construction/demolition projects begin. (JFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5).
21. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2012 § D105).

22. 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).
23. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1).
24. All construction shall be in compliance of the applicable building codes which are in effect at the time of construction and shall be built under valid building permits issued by the City Planning and Development Department. (IFC-2018 § 102.4).
25. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. (IFC-2012: § D104.3).
26. Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2012: § D104.1).
27. The developer shall provide more than one fire access road into the large parking area. (IFC-2012 § 503.1.2).
28. The south access road to the existing building shall be maintained. (IFC-2012 § D104.3).
29. The developer shall construct the portion of trail along project area as outlined in the Trails KC plan prior to a certificate of occupancy. Said trail shall be 10' in width and concrete in material.
30. 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.
31. The proposed access to N.W. Cookingham Drive as well as the proposed modifications to N.W. Cookingham Drive are to be completed as shown in the accepted Traffic Safety and Operations Report.
32. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
33. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
34. The existing service lines on "Lot 1" will be required to be killed and new connections to be made on the south side of building.

35. The developer shall submit water main extension plans for the public streets 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.

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

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	220529
		Approval Deadline:	
LEGISLATION IN BRIEF:			
What is the reason for this legislation?	Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use		
	Sponsor(s)		
	Programs, Departments, or Groups Affected		
	Sub-Program in Budget (page #)		
	Applicants/ Proponents	City Department	
		Other	
	Staff Recommendation		
	Board or Commission Recommendation		
	Future Impacts		
	Cost of Legislation current Fiscal Year		
Costs in Future Fiscal Years?			
Annual Revenue Increase/Decrease			
Applicable Dates:			
Prepared by:			
Date Prepared:			
Reviewed by:			
Date Reviewed			
Reference Numbers			
Discussion (including relationship to other Council actions)			
	Citywide Business Plan Goal		
	Citywide Business Plan Objective		
	Citywide Business Plan Strategy		

<h2>LEGISLATIVE FISCAL NOTE</h2>	LEGISLATION NUMBER:							
LEGISLATION IN BRIEF:								
Rezoning an approximately 86 acre tract of land generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive from B3-3 and AG-R to B3-3 and approving a development plan for the same which also serves as a preliminary plat to allow for 762,000 square foot of mixed office/commercial development on 12 Lots and 4 tracts.								
What is the purpose of this legislation?	ECONOMIC DEVELOPMENT							
<i>For the purpose of entering an agreement between the city and third party for the attraction or retention of economic activity for the purpose of economic development.</i>								
Does this legislation spend money appropriated in the current fiscal year? <i>What is the city's obligation in future fiscal Years (See Section 04)</i>	<div style="border: 1px solid black; padding: 2px 10px;">NO</div>	Yes/No						
Does this Legislation estimate new revenue in the current Fiscal Year? <i>What is the city's gross new revenue in future Fiscal Years? (See Section 01)</i>	<div style="border: 1px solid black; padding: 2px 10px;">NO</div>	Yes/No						
	<div style="border: 1px solid black; padding: 2px 10px;">NO</div>	Yes/No						
	<div style="border: 1px solid black; padding: 2px 10px;">NO</div>	Yes/No						
Section 00: Notes:								
<i>It is possible that there will be a fiscal impact in the future, however, this is not something that we have enough information to predict at this time.</i>								
FINANCIAL IMPACT OF LEGISLATION								
Section 01: If applicable, where are funds appropriated in the current budget?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
Section 02: If applicable, where will new revenues be estimated?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
Section 03: If applicable, where will appropriations be increased?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
NET IMPACT ON OPERATIONAL BUDGET				-	-			
<i>RESERVE STATUS:</i>								
SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)								
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL REV		-	-	-	-	-	-	-
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL EXP		-	-	-	-	-	-	-
NET Per-YEAR IMPACT		-	-	-	-	-	-	-
NET IMPACT (SIX YEARS)		-						
REVIEWED BY	Robyn Cottin			DATE	6/21/2022			



Legislation Text

File #: 220530

ORDINANCE NO. 220530

Approving a Council approved signage plan for the Ambassador/Chaves Development to allow a comprehensive sign plan associated with the development of property generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive. (CD-CPC-2020-00066)

WHEREAS, the Ambassador/Chaves Development proposes approval of a comprehensive sign plan associated with a development on approximately 86 acres for mixed office and commercial use; and

WHEREAS, the City Plan Commission on May 17, 2022, 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 Ambassador/Chaves Development of approximately 86 acres generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive in District B3-3 subject to the following conditions:

1. If the associated Development Plan (CD-CPC-2020-00067) should expire, this associated Council approved signage plan shall be deemed expired as well.
2. The proposed oversized monument signs shall not be constructed until the associated lot or tract of land where the sign will be placed is platted.
3. No oversized monument sign permit shall be issued until permits for Phase 1 of the development are issued to construct either necessary infrastructure or building permits.

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
Senior Associate City Attorney

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

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220530						
LEGISLATION IN BRIEF:								
<p style="text-align: center;">Approving a Council approved signage plan for the Ambassador/Chaves Development to allow a comprehensive sign plan associated with the development of property generally located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive.</p>								
What is the purpose of this legislation?	LEGISLATIVE							
<i>for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank</i>								
Sections 01-04 should be blank. See section 00 for more information	<input type="text" value="NO"/>	Yes/No						
	<input type="text" value="NO"/>	Yes/No						
	<input type="text" value="NO"/>	Yes/No						
	<input type="text" value="NO"/>	Yes/No						
Section 00: Notes:								
<p style="text-align: center;">It is possible that there will be a fiscal impact in the future, however, this is not something that we have enough information to predict at this time.</p>								
FINANCIAL IMPACT OF LEGISLATION								
Section 01: If applicable, where are funds appropriated in the current budget?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>			
Section 02: If applicable, where will new revenues be estimated?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>			
Section 03: If applicable, where will appropriations be increased?								
FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>			
NET IMPACT ON OPERATIONAL BUDGET				-	-			
RESERVE STATUS:								
SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)								
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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TOTAL REV		-	-	-	-	-	-	-
FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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TOTAL EXP		-	-	-	-	-	-	-
NET Per-YEAR IMPACT		-	-	-	-	-	-	-
NET IMPACT (SIX YEARS)		-						
REVIEWED BY		Robyn Cottin		DATE		6/21/2022		