



Agenda

Neighborhood Planning and Development Committee

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

Wednesday, August 3, 2022

1:30 PM

26th Floor, Council Chamber

PUBLIC OBSERVANCE OF MEETINGS

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

Any closed session may be held via teleconference.

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

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

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

220620

Approving the plat of Hills of Montclair - Fourth Plat, an addition in Clay County, Missouri, on approximately 23.07 acres generally located on the west side of Northeast Cookingham Road approximately 400 feet south of North Flintlock Road, creating 69 lots and 3 tracts for the purpose of a 69 lot single family home subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00004)

Attachments: [2022-00004 Ordinance Fact Sheet](#)

220630 Authorizing the Director of City Planning and Development to apply for and accept a United States Environmental Protection Agency Brownfields Revolving Loan Fund (RLF) Supplemental Grant in the amount of \$3,900,000.00; estimating and appropriating revenue in the amount of \$3,900,000.00 in certain Brownfield Revolving Loan Funds; and authorizing the execution of a cooperative agreement with the U.S. Environmental Protection Agency.

Attachments: [General Ord. Fact Sheet \(2022 KCMO Supp. RLF\)2](#)
[Fiscal Note \(Supplemental RLF FY22\)](#)
[Approp Admin - TMP - 2040](#)
[Approp Admin Rev - TMP - 2040](#)

220631 Authorizing the Director of City Planning and Development to apply for and accept a United States Environmental Protection Agency Brownfields Revolving Loan Fund (RLF) Coalition Supplemental Grant in the amount of \$1,000,000.00; estimating and appropriating revenue in the amount of \$1,000,000.00 in certain Brownfield Revolving Loan Funds; and authorizing the execution of a cooperative agreement with the U.S. Environmental Protection Agency.

Attachments: [General Ord. Fact Sheet \(2022 Coalition Supp. RLF\)2](#)
[Fiscal Note \(Supplemental Coalition RLF FY22\)](#)
[220631 Appropriation](#)
[Approp Admin Rev - TMP - 2044](#)
[Approp Admin - TMP - 2044](#)

220632 Accepting a United States Environmental Protection Agency Brownfields Community-Wide Assessment Grant in the amount of \$500,000.00, estimating revenue in the amount of \$500,000.00 in the Brownfields Fund, appropriating funds to certain accounts within the Brownfields Fund and designating requisitioning authority.

Attachments: [General Ord. Fact Sheet \(Community-wide\)](#)
[Fiscal Note \(Community-wide Assessment\)](#)
[Approp Admin - TMP - 2048](#)
[Approp Admin Rev - TMP - 2048](#)

- [220633](#) Accepting a United States Environmental Protection Agency Brownfields Site-specific Assessment Grant in the amount of \$350,000.00; estimating revenue in the amount of \$350,000.00 in the Brownfields Fund; appropriating funds to certain accounts within the Brownfields Fund; and designating requisitioning authority.

Attachments: [General Ord. Fact Sheet \(Site-specific Assessment\)](#)
[Fiscal Note \(Site-specific Assessment\)](#)

- [220638](#) Amending the Main Corridor Overlay District, which was created by Committee Substitute for Ordinance No. 171037 and includes design and use regulations for property generally located along Main Street from 27th Street on the north to Emanuel Cleaver II on the south, to permit a drive-through restaurant to be redeveloped with dual drive-through lanes. (CD-CPC-2022-00048). *** This item will be held until August 10, 2022***

Attachments: [CD-CPC-2022-00048 Fact Sheet - Text Amendment](#)

- [220639](#) Approving/Denying a MPD Final Plan in District MPD for Woodhaven, First Plat, on about 19.44 acres generally located at 3201 N.W. 100th Street containing 80 single family residential lots. (CD-CPC-2022-00066)

Attachments: [Fact Sheet](#)

Lucas, Robinson and Bough

- [220642](#) Accepting the recommendations of the Housing Trust Fund Advisory Board; appropriating \$7,953,360 from the Unappropriated Fund Balance in the Affordable Housing Trust Fund; reducing the \$7,953,360 from the Affordable Housing Trust Fund; authorizing the Director of the Housing and Community Development Department execute various funding agreements and expend up to \$7,953,360 from funds appropriated to the Housing Trust Funds in Fund No. 2490; and requiring certain contract provisions.

Attachments: [No Fact Sheet 220642](#)

HELD IN COMMITTEE

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](#)

O'Neill

- [220442](#) Declaring the City's support of balanced energy options that achieve climate goals inclusive of natural gas and renewable natural gas strategies, its commitment to considering the inequities of higher energy costs upon marginalized communities and its opposition to legislation or policies that eliminate energy options for local energy consumers by mandating certain fuel sources or energy-specific technologies.

Attachments: [220442 No Fact Sheet](#)

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](#)

- [220583](#) Rezoning an area of about 2,100 square feet generally located at the terminus of E. 89th Terrace east of Westridge Road from District R-80 to District R-7.5 and approving a revised preliminary plat in District R-7.5 on about 13 acres to allow for 25 detached lots. (CD-CPC-2022-00046 & CD-CPC-2021-00247)

Attachments: [CD-CPC-2021-00247 Factsheet.pdf](#)

- [220601](#) Vacating a portion of Myrtle Avenue on about 0.53 acres in District R-6 (Residential dash 6) generally located in between E. 52nd Street to the north and E. 53rd Street to the south, and directing the City Clerk to record certain documents. (CD-ROW-2021-00012).

Attachments: [Fact Sheet.pdf](#)

- 220612** Amending Chapter 18, Code of Ordinances, by repealing Sections 18-10, Unsafe structures and equipment, 18-20, Fees, and 18-21, Inspections, and enacting in lieu thereof new sections of like number and subject matter to update the City's periodic building inspection protocols and conduct a one-time inspection of the structural adequacy of each building within the City greater than four stories in height as defined by the current building code and built prior to 1950.
****This item will be held until August 10, 2022****

Attachments: [fact sheet](#)
[220612com](#)

Parks-Shaw

- 220616** Reducing appropriations in the American Rescue Plan Fund by \$1,000,000.00 and appropriating that amount from the Unappropriated Fund Balance of the American Rescue Plan Fund to the contractual services account in the American Rescue Plan Fund: designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date. ***This item will be held until August 10, 2022***

Attachments: [Ordinance Fact Sheet ReBuild Home Repair Final](#)
[220616 Fiscal Note 7.15.2022](#)
[220616 Admin Approp 7.15.2022](#)
[Fiscal Note - ReBuild Minor Home Repair](#)

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 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 #: 220620

ORDINANCE NO. 220620

Approving the plat of Hills of Montclair – Fourth Plat, an addition in Clay County, Missouri, on approximately 23.07 acres generally located on the west side of Northeast Cookingham Road approximately 400 feet south of North Flintlock Road, creating 69 lots and 3 tracts for the purpose of a 69 lot single family home subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00004)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

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

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

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

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

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

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on April 5, 2022.

..end

Approved as to form and legality:

Eluard Alegre
Associate City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

220620

Ordinance Number

Brief Title

Approving the plat of Hills of Montclair – Fourth Plat, an addition in Kansas City, Clay County, Missouri

<p>Specific Address Approximately 23.07 acres generally located on the west side of Northeast Cookingham Road approximately 400 feet south of North Flintlock Road creating 69 lots and 3 tracts</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Sponsor</td> <td>Jeffrey Williams, AICP, Director Department of City Planning & Development</td> </tr> <tr> <td>Programs, Departments, or Groups Affected</td> <td>City-Wide Council District(s) 1(CL) Hall – O’Neill Other districts (school, etc.) Liberty 230</td> </tr> <tr> <td>Applicants / Proponents</td> <td>Applicant(s) Robertson Construction, LLC City Department City Planning and Development Other</td> </tr> <tr> <td>Opponents</td> <td>Groups or Individuals None Known Basis of Opposition</td> </tr> <tr> <td>Staff Recommendation</td> <td><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</td> </tr> <tr> <td>Board or Commission Recommendation</td> <td>By: City Plan Commission April 5, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</td> </tr> <tr> <td>Council Committee Actions</td> <td><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</td> </tr> </table>	Sponsor	Jeffrey Williams, AICP, Director Department of City Planning & Development	Programs, Departments, or Groups Affected	City-Wide Council District(s) 1(CL) Hall – O’Neill Other districts (school, etc.) Liberty 230	Applicants / Proponents	Applicant(s) Robertson Construction, LLC City Department City Planning and Development Other	Opponents	Groups or Individuals None Known Basis of Opposition	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:	Board or Commission Recommendation	By: City Plan Commission April 5, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions	Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass
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<p>Reason for Project This final plat application was initiated by Robertson Construction, LLC, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 69 lot single family home subdivision.)</p>															
<p>Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p> <p>CONTROLLING CASE Case No. 11771-CUP-6-AA – Update to the development plan for the Hills of Montclair in District R-7.5 (Residential) on about 107 acres generally located on the west side of Northeast Cookingham Road approximately 400 feet south of North Flintlock Road.</p>															

Details

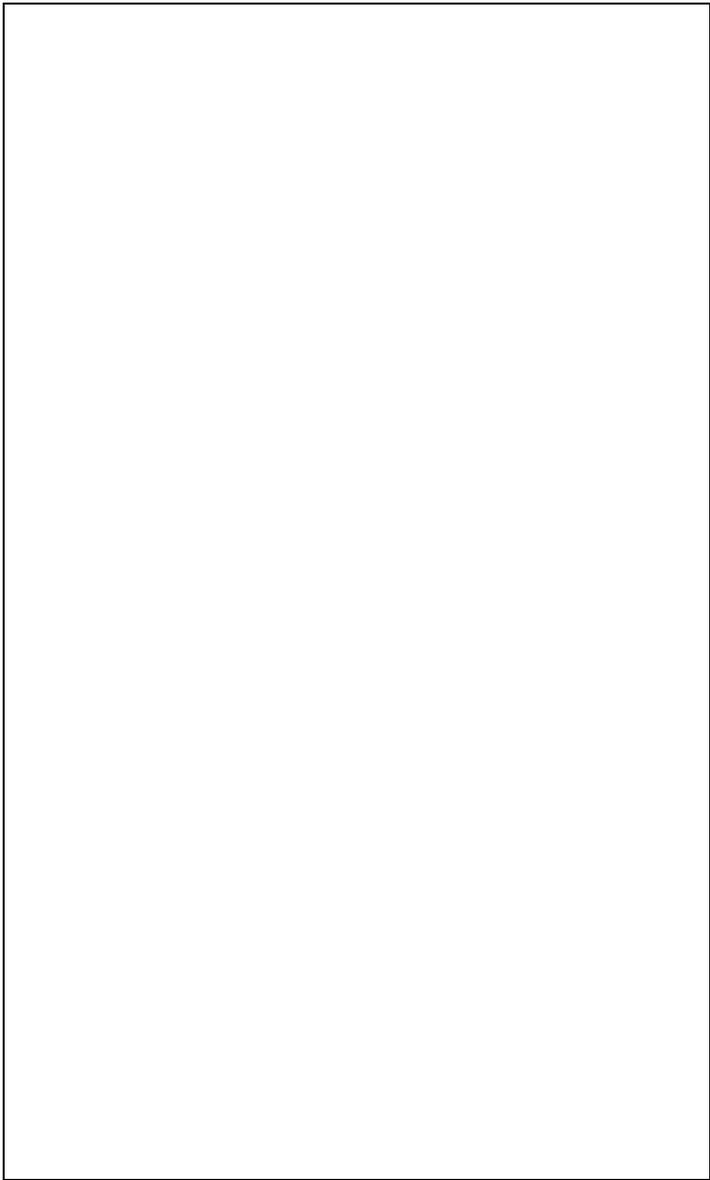
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Policy / Program Impact

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

Finances

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



How will this contribute to a sustainable Kansas City?	<p>This project consists of public and private improvements for a 69 lot single-family residential development, and two private open space tracts on approximately 23.07 acres of previously undeveloped property. These facilities will reduce the overall storm water volume and attenuate the peak runoff rate to less than existing conditions. The private open space will also retain much of the existing natural vegetation and natural waterways. Runoff from within the development will be conveyed in an enclosed storm sewer system and released into the detention facilities. Common areas will be maintained by the homeowners' association through a covenant agreement. Modern and safe, walkable streets with sidewalks, curb and gutter and street lights will be constructed. New sanitary sewers will be constructed that will minimize infiltration and inflow within the system conveyed to the treatment facility. Homeowners must adhere to the codes, covenants and restrictions prepared for the project to assure ongoing maintenance and upkeep of their personal residences and common properties. This development will increase the tax base for the developed lots and will provide ample permanent greenspace within the development.</p> <p>Written by Lucas Kaspar, PE</p>
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Project Start Date

Projected Completion or Occupancy Date

Fact Sheet Prepared by:
Thomas Holloway

Date: June 30, 2022

Reviewed by:
Joe Rexwinkle
Land Development Division (LDD)
City Planning & Development

Reference or Case Numbers: CLD-FnPlat-2022-00004



File #: 220630

ORDINANCE NO. 220630

Authorizing the Director of City Planning and Development to apply for and accept a United States Environmental Protection Agency Brownfields Revolving Loan Fund (RLF) Supplemental Grant in the amount of \$3,900,000.00; estimating and appropriating revenue in the amount of \$3,900,000.00 in certain Brownfield Revolving Loan Funds; and authorizing the execution of a cooperative agreement with the U.S. Environmental Protection Agency.

WHEREAS, the City accepted a Brownfields Cleanup Revolving Loan Fund (“Brownfield RLF”) grant in 2000 from the U.S. Environmental Protection Agency (“EPA”) in the amount of \$500,000.00 as authorized by Ordinance No. 001210; and

WHEREAS, the City created the Kansas City Brownfields RLF Program to make loans and subgrants of RLF grant funds for the cleanup of Brownfield sites in Kansas City, Missouri; and

WHEREAS, the City in 2007 accepted supplemental funding from the EPA in the amount of \$500,000.00 to increase capitalization of the Kansas City Brownfields Revolving Loan Fund as authorized by Ordinance No. 070894; and

WHEREAS, the City in 2010 accepted additional supplemental funding from the EPA in the amount of \$600,000.00 and American Revitalization and Recovery Act funding in the amount of \$560,000.00 to increase capitalization of the Kansas City Brownfields Revolving Loan Fund as authorized by Ordinance No. 100138; and

WHEREAS, the City in the years 2012, 2014, 2015, 2016, 2018 and 2019 accepted additional supplemental funding from the EPA in a total amount of \$1,823,841.00 to increase capitalization of the Kansas City Brownfields Revolving Loan Fund, as authorized by Ordinance Nos. 120849 and 140732, Resolution No. 150693, and Ordinance Nos. 160539, 180581, 190633 and 190773, respectively; and

WHEREAS, the Brownfield RLF grant is an important source of low-interest, partially-forgivable loan capital that can be used to finance the cleanup of abandoned and underutilized properties, to help create jobs and new economic opportunities for economically distressed communities in Kansas City; and

WHEREAS, the EPA has offered the City a Supplemental RLF Grant in the amount of \$3,900,000.00 for the Kansas City Brownfields RLF Program conditional upon the submittal of

an application for funding and the execution of a separate EPA Cooperative Agreement governing use of the funds; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The Director of the Department of City Planning and Development is authorized to apply for and accept a Supplemental Brownfield RLF Grant from the EPA in the amount of \$3,900,000.00.

Section 2. That revenue in the following account of the Brownfield Revolving Loan Fund is estimated in the following amount:

23-2550-640001-476722-G64SBRLF	Supplemental Brownfield RLF Grant	\$3,900,000.00
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Section 3. That the sum of \$3,900,000.00 is appropriated from the Unappropriated Fund Balance of the Revolving Loan Fund to the following account:

23-2550-645020-A-G64SBRLF	Supplemental Brownfield RLF Grant	\$ 351,000.00
23-2550-645020-B-G64SBRLF	Supplemental Brownfield RLF Grant	<u>3,549,000.00</u>
	TOTAL	\$3,900,000.00

Section 4. That the Director of City Planning and Development is authorized to enter into an amended cooperative agreement with the U.S. Environmental Protection Agency governing the use of the grant funds. A copy of the amendment, in substantial form is on file in the office of the Director of City Development.

..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.

Tammie Queen
Director of Finance

Approved as to form and legality:

Matthew Cooper
Associate City Attorney

GENERAL

Ordinance Fact Sheet

220630

Ordinance Number

Brief Title: Authorize Application/Acceptance Supplemental Brownfields RLF Grant
Approval Deadline: 7/21/22

Reason: Accept Brownfields RLF Grant

Details

Positions / Recommendations

<p>Reason for Legislation Authorizing the Director of City Planning and Development to apply for and accept a United States Environmental Protection Agency Brownfields Revolving Loan Fund (RLF) Supplemental Grant in the amount of \$3,900,000.00; estimating and appropriating revenue in the amount of \$3,900,000.00 in certain Brownfield Revolving Loan Funds; and authorizing the execution of a cooperative agreement with the U.S. Environmental Protection Agency.</p>	<p>Sponsor(s)</p>										
<p>Discussion <i>(including relationship to other Council actions)</i> Ordinance authorizes the Director of the Department of City Planning and Development on behalf of the City to apply for and accept from the U.S. Environmental Protection Agency a \$3,900,000.00 Supplemental RLF Grant for cleanup of brownfield sites in Kansas City.</p> <p>Brownfield RLF funds previously awarded by EPA have been accepted by Committee Sub. For Ord. No. 001210; Ord. Nos. 070894, 100138, 120849, 140732; Res. No. 150693; Ord. Nos. 160539, 180581, 190633, and 190773.</p>	<p>Programs, Departments, or Groups Affected</p>										
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Details

Policy / Program Impact

<p>EPA has offered the City a Supplemental RLF Grant of \$3,900,000.00 for cleanup on eligible brownfield properties in Kansas City. The funds will be maintained as a separate grant but added to the Kansas City RLF Program to create a total capitalized amount of \$7,850,107.00. When added to current unobligated funds and program income, the new program balance would be approximately \$4,232,855.00. The new grant term is five years.</p> <p>All grant revenues and activities will be administered by the Department of City Planning and Development. The ordinance estimates revenue in the amount of \$3,900,000.00 and appropriates the same amount, and authorizes the Director of City Planning and Development to enter into a federal cooperative agreement with EPA.</p> <p>No matching funds are required for this grant.</p> <p>EPA has requested submission of the new grant application by 7/30/2022.</p> <p><u>Is it good for the children?</u> Yes. The proposed ordinance will facilitate the cleanup and beneficial reuse of a prominent and blighted brownfield property within the City that is known to contain contaminants that could potentially</p> <p><u>How will this contribute to a sustainable Kansas City?</u> Brownfield redevelopment promotes the beneficial reuse of underutilized and contaminated properties. It makes use of previously depreciated capital investment and infrastructure, promotes environmental cleanup, and improves neighborhoods in which the property is located. The ordinance directly furthers these goals.</p>	<p>Policy or Program Change</p> <p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</p>	
	<p>Operational Impact Assessment</p>	
	<p>Finances</p>	
	<p>Cost and Revenue Projections</p>	<p>Cost of Legislation \$3,900,000.00</p> <p>Increase/Decrease in Revenue Expected Annually One-time increase \$3,900,000.00</p>
	<p>Fund Sources</p>	<p>23-2550-645020-G64SBRLF</p>

Applicable Dates:

July 28, 2022

Fact Sheet Prepared By:

Andrew Bracker, Brownfields Coordinator

Reviewed By:

Kyle Elliott, City Planning & Development

Reference Numbers: Committee Sub. For Ord. No. 001210; Ord. Nos. 070894, 100138, 120849, 140732; Res. No. 150693; Ord. Nos. 160539, 180581, 190633, and 190773.

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220630

LEGISLATION IN BRIEF:

Authorizing the Director of City Planning and Development to apply for and accept a United States Environmental Protection Agency Brownfields Revolving Loan Fund (RLF) Supplemental Grant in the amount of \$3,900,000.00; estimating and appropriating revenue in the amount of \$3,900,000.00 in certain Brownfield Revolving Loan Funds; and authorizing the execution of a cooperative agreement with the U.S. Environmental Protection Agency.

What is the purpose of this legislation?

OPERATIONAL

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

Does this legislation spend money?

YES

Yes/No

See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues?

YES

Yes/No

See Section 02 for new revenue estimates

Does this Legislation Increase Appropriations?

YES

Yes/No

See Section 03 for increases in appropriations

Are costs associated with this legislation ongoing (Yes)? Or one-time (No)

NO

Yes/No

See Section 00: " Notes" Below

Section 00: Notes:

Applying for/Accepting a \$3,900,000 Supplemental RLF Grant from U.S. Environmental Protection Agency for Brownfields Revolving Loan Fund

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 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
2550	640001	476722	G64SBRLF	3,900,000	

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
2550	645020	601100	G64SBRLF	351,000	
2550	645020	619080	G64SBRLF	3,549,000	

NET IMPACT ON OPERATIONAL BUDGET

RESERVE STATUS:

REVENUE SUPPORTED

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
2550	Brownfield Revolving Loan	3,900,000						
TOTAL REV		3,900,000	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2550	Brownfield Revolving Loan	351,000						
2550	Brownfield Revolving Loan	3,549,000						
TOTAL EXP		3,900,000	-	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-	-
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NET IMPACT (SIX YEARS)	-
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REVIEWED BY

James Sturdevant

DATE

7/19/2022



File #: 220631

ORDINANCE NO. 220631

Authorizing the Director of City Planning and Development to apply for and accept a United States Environmental Protection Agency Brownfields Revolving Loan Fund (RLF) Coalition Supplemental Grant in the amount of \$1,000,000.00; estimating and appropriating revenue in the amount of \$1,000,000.00 in certain Brownfield Revolving Loan Funds; and authorizing the execution of a cooperative agreement with the U.S. Environmental Protection Agency.

WHEREAS, the City accepted a Brownfields Revolving Loan Fund Coalition Grant (“Coalition RLF”) in 2020 from the U.S. Environmental Protection Agency (“EPA”) on behalf of coalition including Jackson County, Missouri and the Unified Government of Wyandotte County/Kansas City, Kansas, in the amount of \$800,000.00 as authorized by Ordinance No. 200610; and

WHEREAS, the City created the Kansas City Regional Brownfields Coalition RLF Program to make loans and subgrants of RLF grant funds for the cleanup of Brownfield sites in respective jurisdictions of the coalition members; and

WHEREAS, the Brownfield Coalition RLF is an important source of low-interest, partially-forgivable loan capital that can be used to finance the cleanup of abandoned and underutilized properties, to help create jobs and new economic opportunities for economically distressed communities in Kansas City; and

WHEREAS, the EPA has offered the City a Supplemental RLF Grant in the amount of \$1,000,000.00 for the Coalition RLF Program conditional upon the submittal of an application for funding and the execution of a separate EPA Cooperative Agreement governing use of the funds; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The Director of the Department of City Planning and Development is authorized to apply for and accept a Supplemental Brownfield Coalition RLF Grant from the EPA in the amount of \$1,000,000.00.

Section 2. That revenue in the following account of the Brownfield Revolving Loan Fund is estimated in the following amount:

23-2550-640001-476722-G64SCRLF	Supplemental Coalition RLF Grant	\$1,000,000.00
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Section 3. That the sum of \$1,000,000.00 is appropriated from the Unappropriated Fund Balance of the Revolving Loan Fund to the following account:

23-2550-645020-A- G64SCRLF	Supplemental Coalition RLF Grant	\$ 90,000.00
23-2550-645020-B- G64SCRLF	Supplemental Coalition RLF Grant	<u>910,000.00</u>
	TOTAL	\$1,000,000.00

Section 4. That the Director of City Planning and Development is authorized to enter into an amended cooperative agreement with the U.S. Environmental Protection Agency governing the use of the grant funds. A copy of the amendment, in substantial form is on file in the office of the Director of City Development.

..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.

Tammie Queen
Director of Finance

Approved as to form and legality:

Matthew Cooper
Associate City Attorney

GENERAL Ordinance Fact Sheet

Ordinance Number

Brief Title: Authorize Application/Acceptance Supplemental Coalition RLF Grant
Approval Deadline: 7/21/22

Reason: Accept Brownfields Coalition RLF Grant

Details

Positions / Recommendations

<p>Reason for Legislation Authorizing the Director of City Planning and Development to apply for and accept a United States Environmental Protection Agency Brownfields Revolving Loan Fund (RLF) Coalition Supplemental Grant in the amount of \$1,000,000.00; estimating and appropriating revenue in the amount of \$1,000,000.00 in certain Brownfield Revolving Loan Funds; and authorizing the execution of a cooperative agreement with the U.S. Environmental Protection Agency.</p>	<p>Sponsor(s)</p>										
<p>Discussion <i>(including relationship to other Council actions)</i> Ordinance authorizes the Director of the Department of City Planning and Development on behalf of the City to apply for and accept from the U.S. Environmental Protection Agency a \$1,000,000.00 Coalition Supplemental RLF Grant for cleanup of brownfield sites in Kansas City, Missouri; Jackson County, Missouri; and, Unified Government of Wyandotte County/Kansas City, Kansas.</p> <p>Brownfield RLF funds previously awarded by EPA have been accepted by Ord. No. 200610.</p>	<p>Programs, Departments, or Groups Affected</p>										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;">Applicants/Proponents</td> <td style="padding: 5px;"> <p>Applicant</p> <p>City Department Planning & Development</p> <p>Other</p> </td> </tr> <tr> <td style="padding: 5px;">Opponents</td> <td style="padding: 5px;"> <p>Groups or Individuals</p> <p>Basis of Opposition</p> </td> </tr> <tr> <td style="padding: 5px;">Staff Recommendation</td> <td style="padding: 5px;"> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reasons Against:</p> </td> </tr> <tr> <td style="padding: 5px;">Board or Commission Recommendation</td> <td style="padding: 5px;"> <p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions</p> </td> </tr> <tr> <td style="padding: 5px;">Council Committee Action</td> <td style="padding: 5px;"> <p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass</p> </td> </tr> </table>	Applicants/Proponents	<p>Applicant</p> <p>City Department Planning & Development</p> <p>Other</p>	Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>	Staff Recommendation	<p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reasons Against:</p>	Board or Commission Recommendation	<p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions</p>	Council Committee Action	<p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass</p>
Applicants/Proponents	<p>Applicant</p> <p>City Department Planning & Development</p> <p>Other</p>										
Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>										
Staff Recommendation	<p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reasons Against:</p>										
Board or Commission Recommendation	<p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions</p>										
Council Committee Action	<p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass</p>										

Details

Policy / Program Impact

<p>EPA has offered the City a Supplemental RLF Grant of \$1,000,000.00 for cleanup on eligible brownfield properties in Kansas City. The funds will be maintained as a separate grant but added to the Kansas City RLF Program to create a total capitalized amount of \$1,800,000.00. When added to current unobligated funds and program income, the new program balance would be approximately \$2,300,000.00. The new grant term is five years.</p> <p>All grant revenues and activities will be administered by the Department of City Planning and Development. The ordinance estimates revenue in the amount of \$1,000,000.00 and appropriates the same amount, and authorizes the Director of City Planning and Development to enter into a federal cooperative agreement with EPA.</p> <p>No matching funds are required for this grant.</p> <p>EPA has requested submission of the new grant application by 7/30/2022.</p> <p><u>Is it good for the children?</u> Yes. The proposed ordinance will facilitate the cleanup and beneficial reuse of a prominent and blighted brownfield property within the City that is known to contain contaminants that could potentially</p> <p><u>How will this contribute to a sustainable Kansas City?</u> Brownfield redevelopment promotes the beneficial reuse of underutilized and contaminated properties. It makes use of previously depreciated capital investment and infrastructure, promotes environmental cleanup, and improves neighborhoods in which the property is located. The ordinance directly furthers these goals.</p>		Policy or Program Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
		Operational Impact Assessment	
		Finances	
		Cost and Revenue Projections	Cost of Legislation \$1,000,000.00 Increase/Decrease in Revenue Expected Annually One-time increase \$1,000,000.00
	Fund Sources	23-2550-645020-G64SCRLF	

Applicable Dates:

July 28, 2022

Fact Sheet Prepared By:

Andrew Bracker, Brownfields Coordinator

Reviewed By:

Kyle Elliott, City Planning & Development

Reference Numbers: Ord. No. 200610.

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220631

LEGISLATION IN BRIEF:

Authorizing the Director of City Planning and Development to apply for and accept a United States Environmental Protection Agency Brownfields Revolving Loan Fund (RLF) Coalition Supplemental Grant in the amount of \$1,000,000.00; estimating and appropriating revenue in the amount of \$1,000,000.00 in certain Brownfield Revolving Loan Funds; and authorizing the execution of a cooperative agreement with the U.S. Environmental Protection Agency.

What is the purpose of this legislation?

OPERATIONAL

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

Does this legislation spend money?

YES

Yes/No

See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues?

YES

Yes/No

See Section 02 for new revenue estimates

Does this Legislation Increase Appropriations?

YES

Yes/No

See Section 03 for increases in appropriations

Are costs associated with this legislation ongoing (Yes)? Or one-time (No)

NO

Yes/No

See Section 00: " Notes" Below

Section 00: Notes:

Applying for/Accepting a \$1,000,000 Supplemental Coalition RLF Grant from U.S. Environmental Protection Agency for Brownfields Revolving Loan Fund

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 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
2550	640001	476722	G64SCRLF	1,000,000	

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
2550	645020	601100	G64SCRLF	90,000	
2550	645020	619080	G64SCRLF	910,000	

NET IMPACT ON OPERATIONAL BUDGET

RESERVE STATUS:

REVENUE SUPPORTED

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
2550	Brownfield Revolving Loan	1,000,000						
TOTAL REV		1,000,000	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2550	Brownfield Revolving Loan	90,000						
2550	Brownfield Revolving Loan	910,000						
TOTAL EXP		1,000,000	-	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-	-
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NET IMPACT (SIX YEARS)	-
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REVIEWED BY

James Sturdevant

DATE

7/19/2022



File #: 220632

ORDINANCE NO. 220632

Accepting a United States Environmental Protection Agency Brownfields Community-Wide Assessment Grant in the amount of \$500,000.00, estimating revenue in the amount of \$500,000.00 in the Brownfields Fund, appropriating funds to certain accounts within the Brownfields Fund and designating requisitioning authority.

WHEREAS, on November 10, 2021, as authorized by Resolution No. 211012, an application for a Brownfields Community-Wide Assessment Grant (“Grant”) for the assessment of the Priority Site: Parade Park Homes South Site, and other non-priority sites including targeted located in Kansas City, Missouri was submitted to the United States Environmental Protection Agency (“EPA”); and

WHEREAS, on May 13, 2022, EPA announced the award of a Brownfields Community-Wide Assessment Grant to the City of Kansas City, Missouri in the amount of \$500,000.00; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of the Department of City Planning and Development is authorized to accept from the EPA a Brownfields Community-Wide Assessment Grant in the total amount of \$500,000.00.

Section 2. That revenue in the following account of the Brownfields Fund is estimated in the following amount:

23-2550-640001-476722-G64CWAG *Community-Wide Assessment*
\$500,000.00

Section 3. That \$500,000.00 is appropriated from the Unappropriated Fund Balance of the Brownfields Fund to the following accounts:

23-2550-645020-A-G64CWAG *Community-Wide Assessment* \$
53,653.00

23-2550-645020-B-G64CWAG *Community-Wide Assessment*
446,347.00

TOTAL

\$500,000.00

Section 4. That the Director of the Department of City Planning and Development is designated requisitioning authority for Account No. 23-2550-645020.

..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:

Matthew Cooper
Assistant City Attorney

GENERAL

Ordinance Fact Sheet

220632

Ordinance Number

Brief Title: Accept Brownfields Community-wide Assessment Grant
Approval Deadline: 7/21/22

Reason: Accept Brownfields Assessment Grant

Details

Positions / Recommendations

<p>Reason for Legislation Accepting a United States Environmental Protection Agency Brownfields Community-wide Assessment Grant in the amount of \$500,000.00, estimating revenue in the amount of \$500,000.00 in the Brownfields Fund, appropriating funds to certain accounts within the Brownfields Fund and designating requisitioning authority.</p>	<p>Sponsor(s)</p>										
<p>Discussion <i>(including relationship to other Council actions)</i> Ordinance authorizes the Director of the Department of City Planning and Development on behalf of the City to accept from the U.S. Environmental Protection Agency a \$500,000.00 Brownfields Community-wide Assessment Grant for assessment of the Parade Park Homes South Site and other eligible sites located in Kansas City, Missouri.</p> <p>This grant application was authorized by Resolution 211012, adopted November 10, 2021.</p>	<p>Programs, Departments, or Groups Affected</p>										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;">Applicants/Proponents</td> <td style="padding: 5px;"> <p>Applicant</p> <p>City Department Planning & Development</p> <p>Other</p> </td> </tr> <tr> <td style="padding: 5px;">Opponents</td> <td style="padding: 5px;"> <p>Groups or Individuals</p> <p>Basis of Opposition</p> </td> </tr> <tr> <td style="padding: 5px;">Staff Recommendation</td> <td style="padding: 5px;"> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reasons Against:</p> </td> </tr> <tr> <td style="padding: 5px;">Board or Commission Recommendation</td> <td style="padding: 5px;"> <p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions</p> </td> </tr> <tr> <td style="padding: 5px;">Council Committee Action</td> <td style="padding: 5px;"> <p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass</p> </td> </tr> </table>	Applicants/Proponents	<p>Applicant</p> <p>City Department Planning & Development</p> <p>Other</p>	Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>	Staff Recommendation	<p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reasons Against:</p>	Board or Commission Recommendation	<p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions</p>	Council Committee Action	<p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass</p>
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Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>										
Staff Recommendation	<p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reasons Against:</p>										
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Council Committee Action	<p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass</p>										

Details

Policy / Program Impact

<p>The City, through the Department of City Planning & Development, will be the sole federal recipient and administrator of the EPA grant. The grant award of \$500,000 is intended for hazardous waste and petroleum site assessment of the Priority Site: Parade Park Homes South Site in Kansas City, Missouri, which consists of Tracts C, D, E & H of Parade Plaza Resurvey. Grant funds can also be used to address other non-priority sites located in Kansas City, Missouri. The Targeted Community includes certain Opportunity Zone designated census tracts of Kansas City, Missouri.</p> <p>No matching funds are required for this grant.</p> <p>EPA has requested submission of the new grant application by 7/30/2022.</p> <p><u>Is it good for the children?</u> Yes. The proposed ordinance will facilitate the cleanup and beneficial reuse of a prominent and blighted brownfield property within the City that is known to contain contaminants that could potentially</p> <p><u>How will this contribute to a sustainable Kansas City?</u> Brownfield redevelopment promotes the beneficial reuse of underutilized and contaminated properties. It makes use of previously depreciated capital investment and infrastructure, promotes environmental cleanup, and improves neighborhoods in which the property is located. The ordinance directly furthers these goals.</p>		<p>Policy or Program Change</p> <p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</p>
		<p>Operational Impact Assessment</p>
	<p>Finances</p>	
	<p>Cost and Revenue Projections</p>	<p>Cost of Legislation \$500,000.00</p> <p>Increase/Decrease in Revenue Expected Annually One-time increase \$500,000.00</p>
		<p>Fund Sources</p> <p>23-2550-645020-G64CWA</p>

Applicable Dates:

July 28, 2022

Fact Sheet Prepared By:

Andrew Bracker, Brownfields Coordinator

Reviewed By:

Kyle Elliott, City Planning & Development

Reference Numbers: Res. No. 211012.

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220632

LEGISLATION IN BRIEF:

Accepting a United States Environmental Protection Agency Brownfields Community-Wide Assessment Grant in the amount of \$500,000.00, estimating revenue in the amount of \$500,000.00 in the Brownfields Fund, appropriating funds to certain accounts within the Brownfields Fund and designating requisitioning authority.

What is the purpose of this legislation?

OPERATIONAL

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

Does this legislation spend money?

YES

Yes/No

See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues?

YES

Yes/No

See Section 02 for new revenue estimates

Does this Legislation Increase Appropriations?

YES

Yes/No

See Section 03 for increases in appropriations

Are costs associated with this legislation ongoing (Yes)? Or one-time (No)

NO

Yes/No

See Section 00: " Notes" Below

Section 00: Notes:

Accepting a \$500,000 Brownfields Community-wide Assessment Grant from U.S. Environmental Protection Agency for Parade Park Homes South Site and other eligible sites.

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 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
2550	640001	476722	G64CWAG	500,000	

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
2550	645020	601100	G64CWAG	53,653	
2550	645020	619080	G64CWAG	446,347	

NET IMPACT ON OPERATIONAL BUDGET

RESERVE STATUS:

REVENUE SUPPORTED

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
2550	Brownfield Revolving Loan	500,000						
TOTAL REV		500,000	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2550	Brownfield Revolving Loan	53,653						
2550	Brownfield Revolving Loan	446,347						
TOTAL EXP		500,000	-	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-	-
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NET IMPACT (SIX YEARS)	-
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REVIEWED BY

James Sturdevant

DATE

7/19/2022



APPROPRIATION TRANSACTION
CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: City Planning

BUSINESS UNIT: KCMBU DATE: 7/19/2022 JOURNAL ID:

LEDGER GROUP: ADMIN BUDGET PERIOD: FY23

Table with 5 columns: FUND, DEPT ID, ACCOUNT, PROJECT, AMOUNT. Contains two rows of data: (2550, 645020, 601100, G64CWAG, 53,653.00) and (2550, 645020, 619080, G64CWAG, 446,347.00).

TOTAL 500,000.00

DESCRIPTION: Accepting a United States Environmental Protection Agency Brownfields Community-Wide Assessment Grant in the amount of \$500,000.00, estimating revenue in the amount of \$500,000.00 in the Brownfields Fund, appropriating funds to certain accounts within the Brownfields Fund and designating requisitioning authority.

APPROVED BY: James Sturdevant DATE: 7/7/2022 APPROVED BY: DEPARTMENT HEAD DATE:



File #: 220633

ORDINANCE NO. 220633

Accepting a United States Environmental Protection Agency Brownfields Site-specific Assessment Grant in the amount of \$350,000.00; estimating revenue in the amount of \$350,000.00 in the Brownfields Fund; appropriating funds to certain accounts within the Brownfields Fund; and designating requisitioning authority.

WHEREAS, on November 10, 2021, as authorized by Resolution No. 211012, an application for a Brownfields Site-specific Assessment Grant (“Grant”) for the assessment of the Parade Park Homes site located in Kansas City, Missouri was submitted to the United States Environmental Protection Agency (“EPA”); and

WHEREAS, on May 13, 2022, EPA announced the award of a brownfields Site-specific Assessment Grant to the City of Kansas City, Missouri in the amount of \$350,000.00; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of the Department of City Planning and Development is authorized to accept from the EPA a Brownfields Site-specific Assessment Grant for the assessment of the Parade Park Homes Site in the total amount of \$350,000.00.

Section 2. That revenue in the following account of the Brownfields Fund is estimated in the following amount:

23-2550-640001-476722-G64PPHA	Parade Park Homes Assessment	
		\$350,000.00

Section 3. That \$350,000.00 is appropriated from the Unappropriated Fund Balance of the Brownfields Fund to the following accounts:

23-2550-645020-A-G64PPHA	Parade Park Homes Assessment	
		\$
44,919.00		
23-2550-645020-B-G64PPHA	Parade Park Homes Assessment	
<u>305,081.00</u>		
	TOTAL	\$350,000.00

Section 4. That the Director of the Department of City Planning and Development is designated requisitioning authority for Account No. 23-2550-645020.

..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:

Matthew Cooper
Assistant City Attorney

GENERAL

Ordinance Fact Sheet

220633

Ordinance Number

Brief Title:
Accept Brownfields Site-Specific
Assessment Grant

Approval Deadline:
7/21/22

Reason:
Accept Brownfields Assessment Grant

Details

Positions / Recommendations

<p>Reason for Legislation Accepting a United States Environmental Protection Agency Brownfields Site-specific Assessment Grant in the amount of \$350,000.00, estimating revenue in the amount of \$350,000.00 in the Brownfields Fund, appropriating funds to certain accounts within the Brownfields Fund and designating requisitioning authority.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px;">Sponsor(s)</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Programs, Departments, or Groups Affected</td> </tr> <tr> <td style="width: 30%; padding: 5px;">Applicants/Proponents</td> <td style="padding: 5px;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Applicant</td> </tr> <tr> <td style="padding: 5px;">City Department Planning & Development</td> </tr> <tr> <td style="padding: 5px;">Other</td> </tr> </table> </td> </tr> <tr> <td style="padding: 5px;">Opponents</td> <td style="padding: 5px;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Groups or Individuals</td> </tr> <tr> <td style="padding: 5px;">Basis of Opposition</td> </tr> </table> </td> </tr> <tr> <td style="padding: 5px;">Staff Recommendation</td> <td style="padding: 5px;"> <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reasons Against: </td> </tr> <tr> <td style="padding: 5px;">Board or Commission Recommendation</td> <td style="padding: 5px;"> <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions </td> </tr> <tr> <td style="padding: 5px;">Council Committee Action</td> <td style="padding: 5px;"> <input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass </td> </tr> </table>	Sponsor(s)		Programs, Departments, or Groups Affected		Applicants/Proponents	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Applicant</td> </tr> <tr> <td style="padding: 5px;">City Department Planning & Development</td> </tr> <tr> <td style="padding: 5px;">Other</td> </tr> </table>	Applicant	City Department Planning & Development	Other	Opponents	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Groups or Individuals</td> </tr> <tr> <td style="padding: 5px;">Basis of Opposition</td> </tr> </table>	Groups or Individuals	Basis of Opposition	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reasons Against:	Board or Commission Recommendation	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions	Council Committee Action	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass
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<p>Discussion <i>(including relationship to other Council actions)</i> Ordinance authorizes the Director of the Department of City Planning and Development on behalf of the City to accept from the U.S. Environmental Protection Agency a \$350,000.00 Brownfields Site-specific Assessment Grant for assessment of the Parade Park Homes North Site in Kansas City, Missouri.</p> <p>This grant application was authorized by Resolution 211012, adopted November 10, 2021.</p>																				

Details

Policy / Program Impact

<p>The City, through the Department of City Planning & Development, will be the sole federal recipient and administrator of the EPA grant. The grant award of \$350,000 is intended for hazardous waste and petroleum site assessment of the Parade Park Homes North Site in Kansas City, Missouri, which consists of Tracts A, B, F & G of Parade Plaza Resurvey. The grant is specific to this site and cannot be used on another site or properties.</p> <p>No matching funds are required for this grant.</p> <p>EPA has requested submission of the new grant application by 7/30/2022.</p> <p><u>Is it good for the children?</u> Yes. The proposed ordinance will facilitate the cleanup and beneficial reuse of a prominent and blighted brownfield property within the City that is known to contain contaminants that could potentially</p> <p><u>How will this contribute to a sustainable Kansas City?</u> Brownfield redevelopment promotes the beneficial reuse of underutilized and contaminated properties. It makes use of previously depreciated capital investment and infrastructure, promotes environmental cleanup, and improves neighborhoods in which the property is located. The ordinance directly furthers these goals.</p>		Policy or Program Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
		Operational Impact Assessment	
		Finances	
		Cost and Revenue Projections	<p>Cost of Legislation \$350,000.00</p> <p>Increase/Decrease in Revenue Expected Annually One-time increase \$350,000.00</p>
		Fund Sources	23-2550-645020-G64PPH

Applicable Dates:

July 28, 2022

Fact Sheet Prepared By:

Andrew Bracker, Brownfields Coordinator

Reviewed By:

Kyle Elliott, City Planning & Development

Reference Numbers: Res. No. 211012.

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220633

LEGISLATION IN BRIEF:

Accepting a United States Environmental Protection Agency Brownfields Site-specific Assessment Grant in the amount of \$350,000.00, estimating revenue in the amount of \$350,000.00 in the Brownfields Fund, appropriating funds to certain accounts within the Brownfields Fund and designating requisitioning authority.

What is the purpose of this legislation?

OPERATIONAL

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

Does this legislation spend money?

YES

Yes/No

See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues?

YES

Yes/No

See Section 02 for new revenue estimates

Does this Legislation Increase Appropriations?

YES

Yes/No

See Section 03 for increases in appropriations

Are costs associated with this legislation ongoing (Yes)? Or one-time (No)

NO

Yes/No

See Section 00: " Notes" Below

Section 00: Notes:

Accepting a \$350,000 Brownfields Site-specific Assessment Grant from U.S. Environmental Protection Agency for Parade Park Homes North Site

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 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
2550	640001	476722	G64PPHA	350,000	

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
2550	645020	601100	G64PPHA	44,919	
2550	645020	619080	G64PPHA	305,081	

NET IMPACT ON OPERATIONAL BUDGET

RESERVE STATUS:

REVENUE SUPPORTED

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
2550	Brownfield Revolving Loan	350,000						
TOTAL REV		350,000	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2550	Brownfield Revolving Loan	44,919						
2550	Brownfield Revolving Loan	305,081						
TOTAL EXP		350,000	-	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-	-
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NET IMPACT (SIX YEARS)	-
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REVIEWED BY

James Sturdevant

DATE

7/19/2022



File #: 220638

ORDINANCE NO. 220638

Amending the Main Corridor Overlay District, which was created by Committee Substitute for Ordinance No. 171037 and includes design and use regulations for property generally located along Main Street from 27th Street on the north to Emanuel Cleaver II on the south, to permit a drive-through restaurant to be redeveloped with dual drive-through lanes. (CD-CPC-2022-00048). *** This item will be held until August 10, 2022***

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 amending a Special Character Overlay District for the Main Corridor, which was created by Committee Substitute for Ordinance No. 171037, for an area generally along Main bounded by 27th street on the north and Emmanuel Cleaver II on the south, said section legally described as:

2727 Main / Vac Lot 2720 Grand Blvd / vac lot Union Terminal Add Lots 125 thru 169 exc prt in Grand Blvd & all vac alleys within sd tract & prt vac Grand Blvd ly e & adj sd Lots 132 thru 146

Sec 17-49-33 NE 1/4 NW 1/4 Union Terminal Add Lots 105-122 & s 10' of Lot 123 (ex pt sd lot in row) & vac 28th St ly no of & adj sd Lot 122

2805-07 Grand Blvd Union Terminal Add all Lots 170 thru 175 exc prt in Grand

2813-15 Main / Lots 176 177 & 178 Union Terminal

2819 Main / Lots 179 180 & 181 Union Terminal

2825 Main / Lots 182 thru 185 & n 18 1/2 ft Lot 186 Union Terminal Add

2837 Main / S 6 1/2 ft Lot 186 and all Lots 187 & 188 Union Terminal Add

2841 Main / All Lots 189 & 190 Union Terminal

2836-38 Warwick Tfwy Union Terminal Lots 103 & 104

All lots within Union Hill 5th Plat

All lots within 2900 Walnut Townhomes All lots within Litchfield Place

All lots within Walter Place

All lots within Union Hill Inn Plaza

Sec 17-49-33 SE 1/4 NW 1/4 Dunveigh Heights Lots 25-30 & Lot 32 & n 15' of Lot 42 & all of Lot 43 & vac alleys

Sec 17-49-33 SE 1/4 NW 1/4 Dunveigh Heights Lot 33 & W 1/5 vac alley ly e of & adj

3013 Main / Dunveigh Heights / Lot 34 & W 1/2 vac alley e of & adj 3015

Main / Dunveigh Heights / Lot 35 & W 1/2 vac alley e of & adj

3017-19 Main / Dunveigh Heights / Lots 36 & 37 (exc s .50 ft) & W 1/2 vac alley e of & adj

3012 Walnut / Dunveigh Heights / Lot 41 & s 10.00 ft of Lot 42 & E 1/2 vac alley w of & adj

3014 Walnut / Dunveigh Heights / Lot 40 & E 1/2 vac alley w of & adj

Dunveigh Heights Lots 38 & 39 & E 1/2 vac alley w of & adj

3021 Main / n 24 1/4 ft Lot 35 also s 6 inches of Lot 37 Dunveigh Heights Warwick Ridge

Warwick Ridge – Lots 9, 10, 25-46,

Withers Addition – 11-13, 24-26

312 E 31st St / Lots 3020 & 3022 DeGroff Way DeGroff Place – Block 2, Lots 1-11, Block 1, Lots 1-20 Lynns Addition, Tract A, Lots 1-30

Zahls Addition, Tract B, Lots 1-20

South View Subdivision, Lots 1-4 Southview Subdivision Lots 53, 54 Midtown

Marketplace Lots 3-5 Halsey & Dudley's Addition 5-6 Longmedow

Condominium Lot 1

Chadwick's 2nd Add---th e 120' of Lots 5 & 6 & th pt Lots 7 & 9 thru 12 all daf: beg at a pt of intersec of e row li of Main St & s row li 34th Ter. th e alg s row li sd 34th Ter 266.63' th s 00 deg 07 min 01 sec e 87.40' th n 89 deg 45 min 07 sec w 159.04' th n 13.51' th n 89 deg 34 min 55 sec w 107.62' to e row li Main St th n alg sd e row li 74' to pob (known as parcel 1 cert sur T41 pg-68)

Sec 17-49-33 SE 1/4 SW 1/4 Hyde Park Lots 1 & 2 Blk 11 & S 1/2 vac alley n & adj to sd lots & Chadwick's 2nd Add Lots 7, 8 & N 1/2 vac alley ly s & adj (ex e 12.3' thereof)

3 E Armour Blvd Hyde Park s 154.3 ft Lots 1-3 & s 154.28 ft Lots 4 & 5 all Lot 6 & E 1/2 Lot A

Hyde Park Lot 21 w 134.6 ft Lot A Blk 18 3517 Main / Lots 19 & 20 Blk 18 Hyde Park

3527-31 Main Hyde Park w 110 ft Lots 17 & 18 Blk 18

3537-43 Main Hyde Park Lots 14 thru 16 Blk 18

Hyde Park, Blocks 19, Lots 13-24

Hyde Park, Block 34, Lots 13-24

Hyde Park, Block 35, Lots 7-12

Hyde Park, Blocks 52, Lots 2-12

3901-11 Main Subd of John Harris Estate prt Lot 4 beg se cor 39th & Main th s a dist 210 ft th e 209.47 ft th n 210 ft to n li 39th St th w to pob

17-19 E 39th St/Vac lot Hyde Park s 105 ft Lot 1 Blk 28

3912 Walnut/Vac lot Hyde Park Lot 2 Blk 28

Hyde Park---All Lot 3 & pt Lots 4 & 5 & all Lots 6 & 7 Nlk 28 & pt Lot 4 John Harris Est daf: beg nw cor Lot 3 Hyde Park th e 115.5' th s 327' mol th w 66.66' th n 50' th w 53.88' th n 100' th e 5' th n 50' th e 45' th n 15' th e 12.99' th n 35' th w 12.99' th n 9.47' th w 45' th n 65' to pob

3917-21 Main Prt John Harris Estate Sub of Lot 4 daf: beg at pt on e li Main St 210 ft s of s li 39th St th e 121.5 ft th s 19.75 ft th w 121.5 ft to e li Main St th n 19.75 ft to pob also n 32.5 ft Lot 3 Blk 28 Hyde Park exc e 91.00 ft of n 32.5 ft sd Lot 3 esc s 11.5 ft of n 32.5 ft of w 17 ft of e 108 ft sd Lot 3

3923-25 Main / 45.25 ft frt one li Main St bet pts 229.75 & 275 ft s of present s li 39th St & rng e 121.5 ft prt of Lot 4 Sub of John Harris Est

3927 Main / 60 ft frt on e li of Main St bet pts 275 & 335 ft s of present s li 39th St & rng e 121.5 ft part Lot 4 Sub of John Harris Est

Hyde Park prt of Lots 4 & 5 Blk 28 beg on w li sd Lot 4 at a pt 10 ft n of sw cor th e to a pt 70.05 ft w of e li sd Lot 4 th s 9.47 ft th e 12.99 ft th s 35.53 ft th w 12.97 ft th s 15.07 ft to s li sd Lot 5 th w to sw cor sd Lot 5 th n alg w li sd Lots 60 ft to beg

3931 Main / 25 ft frt on e li of Main St bet pts 335 & 360 ft s of present s li 39th St & rung e 121.5 ft part Lot 4 Sub of John Harris Est

3933 Main Sub of John Harris Est prt Lot 25 ft frt on e li Main St bet pts 360 & 385 ft s of s li 39th St & rung e 121.5 ft

3935-41 Main Sub of John Harris Estate prt of Lot 4 beg on e li Main St 415 ft s of n li SW 1/4 Sec 20 49 33 th e 116.5 ft th s 100 ft th w to ely li Main St th nwly alg sd ely li 12.09 ft th n alg e li Main St 89.06 ft to beg

3943-45 Main Sub of John Harris Estates prt of Lot 4 beg 485 ft s of s li 39th St & 66.66 ft w of w li Walnut St th w to ely li Main St th sely alg sd ely li to n li Klein Place th e alg sd n li to a pt 66.66 ft w of w li Walnut St th n 50 ft to beg

3947 Main / All Lots 1 & 2 Klein Place 3951-57 Main St / Lots 3 4 & 5 Klein Place

3967 Main Klein Place all of Lots 6 & 12 & all of Lot 14 ly n of li drn at r/a with e li of sd Lot & 90.8 ft n of se cor

10 E 40th St Klein Place all Lot 14 ly s of li drn at r/a with e li of sd lot & 90.8 ft n of se cor

11 E 40th St & 4005-41 Main /Church & Parish House & School Grand Avenue Highlands Lots 1 & 2 exc prt in st & e 123.8 ft Lots 3 thru 5 & e 114.22 ft of w 123.72 ft of s 25 ft Lot 5 & all Lots 6 thru 8 exc prt in st also Weaver Place Lots 1 thru 5

Sec 20-49-33 SE 1/4 SW 1/4 Grand Avenue Highlands w 133.63' of Lot 49 & e 28.67' of w 162.3' of n 100' of Lot 49 also Lots 13 & 14, D S Longs Sub of Lots 50-59 incl (ex pt in Main)

4201 Main St Office Depot Center Lot 1

4231 Main D S Longs Sub of Lots 50 to 59 incl of Grand Ave Highlands Lots 1 thru 5 exc prts in st

D S Longs Sub of Lots 50 to 59 of Grand Ave Highlands n 33.33 ft of Lot 23

4210 Walnut D S Longs Sub of Lots 50 to 59 of Grand Ave Highlands s 6.67 ft of Lot 23 & n 16.67 ft of Lot 24

D S Longs Sub of Lots 50 to 59 of Grand Ave Highlands s 33.33 ft of Lot 24

Long's D S Sub Lots 25, 26, 27 & 28 both incl of Lots 50 & 59 Grand Ave Highlands---all of Lots 25 & 26 & pt of Lot 27 D S Longs Subd of Lots 50 to 59 both incl Grand Ave Highlands daf: beg at th ne cor of sd Lot 25 th s 00 deg 03 min 22 sec w 116.36' th s 89 deg 44 min 47 sec w 133.17' th n 00 deg 03 min 22 sec e 116.36' th n 89 deg 44 min 47 sec e 133.17' to pob (known as Tr-1 cert sur T-37 pg-38)

Long's D S Sub Lots 25, 26, 27 & 28 both incl of Lots 50 & 59 Grand Ave Highlands all of Lots 25 & 26 & pt of Lot 27 D S Longs Subd of Lots 50 to 59 both incl Grand Ave Highlands daf: beg at th ne cor of sd Lot 25 th s 00 deg 03 min 22 sec w 116.36' to tru pob th s 00 deg 03 min 22 sec w 83.46' th s 89 deg 44 min 47 sec w 133.17' th n 00 deg 03 min 22 sec e th s 89 deg 44 min 47 sec w 133.17' to tru pob (known as Tr-2 cert sur T-37 pg-38)

100-110 E 43rd St 4241-49 Walnut D S Longs Sub of Lots 50 to 59 incl of Grand Ave Highlands Lots 29 & 30 & s 16 2/3 ft Lot 31

4303 Walnut West Estate Lot 43 & prt NE 1/4 NW 1/4 Sec 29 49 33 beg at ne cor sd Lot 43 th s to se cor th e to w li of vac alley th n alg sd w li to s li 43rd St th w to beg

4301-07 Main West Estate all of Lots 15 & 16 & 26 & W 1/2 vac alley ly e of & adj sd Lots 15 & 16 & E 1/2 vac alley w of & adj sd Lot 26

4309 Main West Estate all Lots 17 thru 19 & w 1/2 vac alley ly e & adj sd lots also Lots 27 thru 29 & e 1/2 vac alley ly w & adj sd lots

Sec 29-49-33 NE 1/4 NW 1/4 Quik Trip #184 First Plat Lot 1 4401 Main/Vac lot West Estate Lot 24

4400 Walnut/Vac lot West Estate Lot 35 4405 Main/Vac lot West Estate Lot 25

4404 Walnut/Vac lot West Estate Lot 36

4409 Main/Vac lot West Estate Main Street Add Lot 1 Lot 2 exc s 5.23 ft Blk 1 Main St Add also w 90.67 ft of n 42.83 ft Lot 37

4406 Walnut/Vac lot West Estate e 128.56 ft of n 35 ft Lot 37

4408 Walnut/Vac lot West Estate e 128.56 ft of s 10.99 ft Lot 37 e 128.56 ft of n 20 ft Lot 38

4411 Main Main Street Add s 5.23 ft of Lot 2 all Lot 3 & n 16.98 ft of Lot 4 Blk 1 & s 2.83 ft of w 90.67 ft of Lot 37 & w 90.67 ft of Lot 38 of West Estate

4410 Walnut/Vac lot West Estate e 128.56 ft of s 30 ft Lot 38

4419-21 Main/Vac lot West Estate Main St Add s 14.02 ft Lot 4 all Lots 5 & 6 n 23.98 ft Lot 7 Blk 1 & w 80.12 ft Lots 39 & 40 4414 Walnut/Vac lot West Estate e 139.11 ft Lot 39 4418 Walnut/Vac lot West Estate e 139.11 ft Lot 40

4425-27 Main/Vac lot West Estate Main Street Add s 7.02 ft Lot 7 all Lots 8-9 & 10 Blk 1 w 72.12 ft Lots 41 & 42

4435 Main Main Plaza 1st Plat Lot 1 exc beg se cor sd lot th n alg e li 174.29 ft th n 87 deg 24 min 18 sec w 250 ft to w li of sd lot th s alg sd w li 196.93 ft th sely on cur to lt alg swly li sd lot 23.98 ft th ely alg sly li sd lot 238.26 ft to beg

4445 Main Main Plaza 1st Plat prt of Lot 1 beg se cor sd lot th n alg e li 174.29 ft th n 87 deg 24 min 18 sec w 250 ft to w li sd lot th s alg sd w li 196.93 ft th sely on cur to lt alg swly li sd lot a dist of 23.98 ft th ely alg sly li sd lot 238.26 ft to beg

4501 Main Plaza Inn Tr 1

4535 Walnut Plaza Inn Tract 2

4545-47 Main / Southmoreland Amend Plat Sub Lot 6 beg at pt 4.5 ft s of nw cor Lot 10 th s 60 ft to pt 14.5 ft s of nw cor Lot 9 th e 175 ft th n 60 ft th w 175 ft to beg part of Lots 3-4-9 & 10 Southmoreland Amend Plat Sub Lot 6

32 E 46th St / Youth Activity Complex South Moreland Amend Plat Sub Lot 6 all exc w 25 ft Lots 2 thru 6

Sec 29-49-33 SE 1/4 NW 1/4 Ponce de Leon Condominiums Tr A common area

Sec 29-49-33 SE 1/4 NW 1/4 Ponce de Leon Condominiums Lot 1 common area

4601 Main / Church Southmoreland Amend Plat beg at se cor 46th & Main St th s alg e li Main St 84.74 ft th sely alg a li which defl to left 24 deg 38 min 50 sec from e li sd Main St 65 ft th sely alg a li which defl to left 23 deg 25 min 30 sec from last desc course 72.43 ft to apt which is 222.5 ft n of n li Brush Creek Blvd & 81 ft e of e li Main St th e at r/a to e li Main St 86 ft th n & parl to e li Main St 23 ft th nely alg a li which deflects to right 5 deg 18 min 40 sec from last desc course 133.88 ft to pt in s li sd 46th St th wly alg s li sd 46th St 183.33 ft to pt of beg part Lot 12

Prt SE 1/4 NW 1/4 Sec 29 49 33 beg 40 ft e & 85 ft n of sw cor th n 250 ft th se 280 ft th w 120 ft to beg

2 Brush Creek Blvd Southmoreland Amend Plat beg on n li Brush Creek Blvd 943.72 ft w of e li of NW 1/4 Sec 29 49 33 th w on sd n li to inter with e ly li of r/w of kc w pt belt ry co th nwly algsd e li of r/w to inter of e li of Main St th n on e li Main St to pt 84.74 ft s of s li 46th St th sely alg a li deflect to left 24 deg 38 min 55 sec from e li Main St 65 ft th sely alg a li deflect to left 23 deg 25 min 30 sec from last desc course 72.43 ft to pt 222.25 ft n of n li Brush Creek Blvd & 81 ft e of e li Main St th e at r/a to e li Main St 86 ft th n & parl e li Main St 23 ft th alg a li deflect to right 5 deg 18 min 40 sec fmm last course to pt 70 ft sly of s li 46th St th s 69 deg 9 min 45 sec e 94.8 ft th s 59 deg 26 min 30 sec e 105.56 ft th s 54 deg e 125.92 ft th sly 36.92 ft to a pt 831.72 ft w of e li sd 1/4 sec & 110.18 ft n of n li Brush Creek Blvd th nwly 65 ft m/l to pt 125 ft n of Brush Creek Blvd th w parl n li Brush Creek Blvd

4400 Main Sec 29 Twp 49 Rng 33 pt of W 1/2 NW 1/4 & pt of Lots 11-20 Main St add daf beg nw cor Lot 1 West Estate th swly alg curv to ri 850 ft mol th sely alg a curv to lf 42 ft mol th w 30.11 ft th sly alg curv to lf 824.61 ft th sely 309.09 ft th s alg w row li Main St 167.99 ft th nw 461.81 ft th nwly alg curv to ri 1168.15 ft mol th cont nly alg curv to lf 810 ft mol th e 112 ft mol to pob

Fountainview 2nd Plat Tr A Fountainview 2nd Plat Lots 1-3

4408 Main St Main Street Add Lots 1-20 Blk 2 & all vac alley within sd lots exc prt of Lots 11-20 in rr r/w & Southmoreland Plat No 2 prt of Lot 13 ly e of rr r/w & n 40 ft of lot 14 ly e of ffr/w

Sec 29-49-33 Main Street Add pt of Lots 11-20, Blk 2 & pt of W 1/2 of NW 1/4 all daf: beg sw cor of n 40' of Lot 14, Southmoreland Plat No 2, th w 10.04', th nly alg curv to ri 279.81', th ne 11.45', th nely alg curv to lf 321.38', th e 10.02', th swly alg curv to ri 323.96', th sw 11.45', th sly alg curv to lf 277.21' to pob & vac alley ly e & adj & vac alley ly s of Lot 14, West Est

4406 Main / Lot 14 West Estate

1-15 W 44th St West Estate s 39 ft Lot 13

4326 Main/Vac lot West Estate Lots 10-11 & n 31 ft of Lot 12 4322-24 Main West Estate Lot 9

4318 Main / Lot 8 West Estate

4314 Main West Estate all Lot 6 & E 1/2 vac alley ly w & adj also all Lot 7 & S 1/2 vac alley ly n & adj

4300-04 Main West Estate e 95 ft Lots 4 & 5

15 W 43rd St West Estate w 25 ft of Lots 4 & 5 & e 1/2 vac aly w of & adj

21 W 43rd St West Estates Lots 1-3 & w 1/2 vac aly e of & adj & n 1/2 vac aly s of & adj

Stephens & Smith's Sub Amended Plat---Lots 12-15 (ex pt in rd)

4212 Main/Parking Stephens & Smiths Sub Amend Plat w 130.5 ft Lot 11 4210

Main / W 130.5 ft Lot 10 Stephens & Smiths Sub Amend Plat

4200 Main / Lots 8 & 9 Stephens & Smiths Sub Amend Plat

16-18 W 43rd St / E 41.5 ft Lot 16 & e 34.61 ft Lot 17 also 35 sq ft at sw of e 34.61 ft Lot 17 Stephen & Smiths Sub Amend Plat

20 W 43rd / W 88.5 ft of s 60 ft Lot 16 Stephens & Smiths Sub Amend Plat

4225 Baltimore / W 88.5 ft of n 2.87 ft Lot 16 w 95.39 ft Lot 17 except 35 sq ft in se cor sd tract Stephens & Smiths Sub Amend Plat

4221 Baltimore Stephens & Smith Sub Lot 18 Amend Plat

4219 Baltimore/Vac lot Stephens & Smiths Sub Amended Plat s 33 1/3 ft of Lot 19

4209-15 Baltimore / N 16 2/3 ft Lot 19 all Lot 20 & s 37.5 ft of Lot 21 Stephens & Smiths Sub Amend Plat

4205-07 Baltimore / N 12 1/2 ft Lot 21 s 40 ft Lot 22 Stephens & Smiths Sub Amend Plat

4201-03 Baltimore Stephens & Smiths Sub Amend Plat n 10 ft Lot 22 all Lot 23

12 W Vietnam Vet Mem Dr Amended Plat of Stephens & Smiths Sub Lots 24 & 25 exc n 10 ft of sd Lot 25

4120 Main / Lots 6 & 7 Stephens & Smith Sub Amend Plat 4116 Main Stephens & Smiths Sub Amend Plat w 130.5 ft Lot 5

4104-4114 Main Amended Plat of Stephens & Smiths Sub s 14.66 ft Lot 1 & all Lots 2 thru 4 exc prt in Main

4102 Main / N 32.34 ft of s 47 ft meas on e li of Lot 1 exc part in Main St Stephens & Smiths Sub Amend Plat also sly 1/2 vac alley ly nly & adj

4100 Main & 4103-05 Central Boggs Add to Westport ely 30 ft of sly 20 ft Lot 9 & ely 30 ft of nly 10 ft Lot 10 & sly 60 ft Lot 10 & Amended Plat of Stephens & Smiths Sub n 60.8 ft meas on e li Lot 1 & Bonhams Add Lot a exc prt in st also all vac n & s alley & nly 1/2 vac e & w alley ly within sd tract

4101 Central Boggs Add to Westport wly 120 ft of sly 20 ft Lot 9 wly 120 ft of nly 10 ft Lot 10

4050 Main Bonhams Add to Westport Prt Lots 3 thru 8 daf: beg at a pnt on th s li sd Lot 3 9.5 ft w of original se cor sd lot 3 sd pnt being th inter n li 41st st & w li Main St as now established th n alg w li Main St 126.11 ft th w 56.80 ft to a pnt 126.02 ft n of n li 41st St th s parl to w li Main St 24.81 ft th e parl to n li 41st St 3.80 ft th s parl t w li Main St 101.21 ft to n li 41st St th e alg n li 41st St 53 ft to pob (exc prt in sts)

4040 Main Sub of Lots 2 3 4 5 10 11 12 & 13 Hunters Heights Lots 8 thru 12 & Hunters Heights Lots 8 & 9 th prt ly e of Baltimore Ave & Lots 6 & 7 (exc prt in Main St) & Bonhams Add to Westport Lots 8 thru 10 & prt Lots 3 thru 7 daf: beg n li 41st St 53 ft w of Main St row li th n parl to w li Main St 101.21 ft th w parl to n li 41st St 3.80 ft th n parl to w li Main St to n li Lot 7 th w to w li Bonhams Add to Westport th s to n li 41st St th e to pob & all vac aly ly within desc Tr 3 w 40th Way Sub of Lots 2 3 4 5 10 11 12 & 13 Hunters Heights Lot 7

4000-22 Main Dickinson Place s 20 ft of w 140.5 ft of lot 1 & w 140.5 ft of Lots 2 thru 5 & w 140.5 ft Lot 6 & 8.5 ft strip ly s & adj sd Lot 6 & n 45 ft of e 140 ft of Lot 8 & e 40 ft of Lots 10 & 11 & e 40 ft of s 20 ft of Lot 12 also Hunters Heights Lots 1 & 14 & Sub of Lots 2 3 4 5 10 11 12 & 13 Hunters Heights Lots 1 thru 6 exc prt in st

4017 Baltimore Dickinson Place e 140 ft Lot 7 & s 5 ft of e 140 ft Lot 8 & a strip 8.5 ft wide ly s of & adj e 140 ft of Lot 7

4001 Baltimore & 35 W 40th St Dickinson Place e 140 ft Lot 9 & e 100 ft of w 110 ft Lots 10 & 11 & e 100 ft of w 110 ft of s 20 ft Lot 12

2 W 40th St / Kearney Heights beg at inters of new w li of Main St with s li of Kearney Hgts th w 130 ft & th n 109.6 ft th nely at r/a to the tangent in w li of old Main St to new w li of Main St th sly along wly li Main St to beg except pt in 40th St

Kearney Heights / Beg on n li 40th St 131.95 ft w of w li Main St th n 99.6 ft th nwly 150.6 ft to s li Westport Ave th swly 64.93 ft to e li Baltimore th s 189.83 ft to n li 40th St th e 146.49 ft to pob part of Lots 7 8 9 10 & A Kearney Heights

Kearney Heights beg on sly li Westport Ave 26.5 ft wly from ne cor Lot 6 Kearney Hgts th swly along sly li of old Westport Ave 64.57 ft th sly at r/a to Westport Ave 160 ft th nely parl to sly li Westport Ave 66.18 ft th nwly to beg exc pt condemned & taken to widen Westport Ave

3948 Main Kearney Heights beg on s li of Old Westport Ave 26.5 ft swly of ne cor of lot 6 th nely alg sly of Old Westport Ave 137.53 ft th on curve to right rad 50 ft to an inters li with li drn 9 1/2 ft w of w li of Main St in Dickinson Pl prod n th s on sd li prod n to n li of land formerly owned by Neekoosa Paper Co th sw on li drn at r/a to ely of Kearney Heights 76 ft m/l th nwly on li drn atr/a to sly li of Westport Ave to pt of beg exc prt condemned & taken to widen Westport Ave

18 Westport Rd/Church Whittier Place all Lot 3 (exc prt in Baltimore Ave)

20 Westport Rd / Lot 2 Whittier Place 16 Westport Rd Whittier Place Lot 1

8 Westport Rd/Church & Parking Whittier Place Lot 5 & Mendelsmurray Hill Add Lots 4 & 8 Blk 1 & Hyde Park Lots 6 & 7

3921 Baltimore/Church Whittier Place all Lot 4 (exc prt in Baltimore Ave)

14 Westport Rd Cor Plat of the Amend Plat of Mendels Murray Hill Lot 3 Blk 1

3934-36-38-40 Main / Beg 64.25 ft s of ne cor Lot 1 th nwly to sw cor Lot 1 th sely to se cor Lot 1 thence n 16.98 ft to beg part of Lot 1 & all Lot 2 Blk 1 Cor Plat of the Amended Plat of Mendels Murray Hill

3902 Main Hyde Park Lots 1-5 Blk 45 & pt Lot 1 Blk 1 Mendel's Murray Hill
Sub daf: beg ne cor sd lot th s 64.23 ft th nwly to pt on w li of Lot 1 sd pt
being 36.5 ft s of nw cor th of th n to nw cor lot 1 th e 150 ft to pob

19-21-25 W 39th St all exc prt in st of Lots 8 9 and 10 Blk 45 Hyde Park

3914-24 Baltimore / Parking lot Hyde Park s 31 ft of e 80 ft lot 4 s 28 ft of w
50 ft Lot 4 all Lot 5 Blk 46 & Corr Plat of Amend Plat of Mendels Murray
Hill all Lot 1 Blk 2 & Whittier Place all Lot 6

3906 Baltimore Hyde Park e 54 ft of Lots 1 thru 3 & e 54 ft of n 19 ft of Lot
4 Blk 46

Hyde Park w 76 ft of n 19 ft Lot 4 Blk 46 & w 50 ft of 3 s ft of n 22 ft of sd
lot & blk

105-07 W 39th St Hyde Park w 76 ft of Lots 1 thru 3 & e 32.5 ft of Lots 8 thru
10 Blk 46

115-17 W 39th St Hyde Park e 50 ft of w 100 ft Lots 8 9 10 Blk 46

119 W 39th St Hyde Park w 50 ft of Lots 8 9 & 10 Blk 46

3915 Wyandotte/Parking lot Hyde Park Lot 7 Blk 46

3900 Wyandotte Sub of John Harris Est s 70 ft of n 100 ft of e 120 ft Lot 7 & s
50 ft of n 150 ft of e 140 ft Lot 7

3909 Central / S 50 ft of n 150 ft of w 100 ft of e 240 ft Lot 7 Sub of John
Harris Est

3903 Central / S 37.5 ft of n 100 ft of w 120 ft of e 240 ft Lot 7 Sub of John
Harris Est

3901 Central / S 32.5 ft of n 62.5 ft of w 120 ft of e 240 ft Lot 7 Sub of John
Harris Est

3906 Central John Harris Add to Westport e 96.75 ft of n 5 1/3 ft Lot 15 & e
96.75 ft Lot 18 & e 96.75 ft of s 57 ft Lot 19

John Harris Add to Westport w 60 ft of n 5 1/3 ft Lot 15 & w 60 ft of s
61.75 ft Lot 18

309 W 39th St / E 30 ft of w 60 ft of n 10 2/3 ft Lot 18 e 30 ft of w 60 ft of s 57
ft Lot 19 John Harris Add to Westport

311 W 39th St / W 30 ft of n 10 2/3 ft Lot 18 w 30 ft of s 57 ft Lot 19 John Harris Add to Westport

220-226 W 39th St Arnolds Resurvey of T G Cross-S Add to Westport n 50 ft of w 105.167 ft of Lot 7 & all of Lots 8 & 9

3836 Wyandotte Arnolds Resurvey of T G Cross-S Add to Westport Lot 4

3840-42 Wyandotte Arnolds Resurvey of T G Cross-S Add to Westport Lot 5

212 W 39th St Arnolds Resurvey of T G Cross-S Add to Westport n 50 ft of w 39 ft Lot 6 e 24 ft of n 50 ft Lot 7

204 W 39th St Arnolds Resurvey of T G Cross-S Add to Westport all n 50 ft of e 90.02 ft of Lot 6

3841 Wyandotte / Lot 8 Blk 43 Hyde Park

3845-47 Wyandotte / Hyde Park Lot 7 Blk 43

100-08 W 39th St / Lots 5 & 6 Blk 43 Hyde Park

14-16 W 39th St / W 100 ft Lot 7 & w 100 ft of s 11.41 ft & n 38.59 ft Lot 8 & s 11 ft Lot 9 Blk 44 Hyde Park

10 W 39th St Hyde Park w 50 ft of s 11.58 ft Lot 5 & w 50 ft Lot 6 e 20 ft Lot 7 s 11.58 ft of e 20 ft Lot 8 Blk 44

2-8 W 39th St & 3850 Main Hyde Park s 11.58 ft of e 110 ft Lot 5 e 110 ft Lot 6 Blk 44

Hyde Park all Lot 1 & n 48.42 ft Lot 2

3838 Main / S 11.58 ft Lot 4 n 38.42 ft Lot 5 Blk 44 Hyde Park

3834 Main / S 11.58 ft Lot 3 n 38.42 ft Lot 4 Blk 44 Hyde Park

3820 Main / Lot 4 Blk 39 Hyde Park

3816 Main / Lot 3 Blk 39 Hyde Park

3814 Main / S 10 ft Lot 1 & all Lot 2 Blk 39 Hyde Park

Sec 20-49-33 SW 1/4 NW 1/4 Hyde Park n 50' Lot 1 Blk 39 & s 15' of Lot 1 Blk 50 & e 100' n 83.42' of Lot 1 Blk 50

11-15 W 38th St Hyde [ark n 83.42 ft of e 45 ft of w 60 ft Lot 1 Blk 50 Hyde

Park, Block 47, Lots 1-12

Valentine Addition, Block 1, Lots 1-6

Hyde Park, Block 30, Lots 1-6

Hyde Park, Block 10, Lots 1-11

Hyde Park, Block 3, Lots 1-15

Hyde Park, Block 2, Lots 1-18

3200 Main St / McGees Summit Amended Plat all Lots 1 & 2 & prt of Lots 3 thru 5 Blk 2 daf beg 90 ft ne of sw cor sd Lot 3 th n 128 ft th w 110.53 ft th n 102 ft th w 32 ft m/l th n 288 ft th e 287.50 ft th s 475.30 ft th sw 152.53 ft to pob

20 W Linwood Blvd Amended Plat of McGees Summit prt Lots 3 & 4 Blk 2 beg nw cor Lot 4 th e alg n li sd lot 225 ft th s 102 ft th e 110.53 ft th s 133.21 ft to Linwood Blvd th swly alg n r/w li to sw cor Lot 4 th n 345.6 ft to beg

114 W Linwood Blvd Ross Sub of Lots 6 & 7 Blk 2 of McGees Summit all Lots 1 thru 5 & s 1/2 vac alley ly n & adj

124 W Linwood Blvd Ross Sub of Lots 6 & 7 Blk 2 of McGees Summit all Lots 6 & 7 exc n 65 ft also exc prt in sts

Ross Sub of Lots 6 & 7 Blk 2 of McGees Summit all n 65 ft Lots 6 & 7 & s 1/2 vac alley ly n & adj

3161 Wyandotte Ross Sub of Lots 6 & 7 Blk 2 of McGees Summit all Lots 8 thru 13 & n 1/2 vac alley ly s & adj

3141 Wyandotte/Vehicle Maintenance Facility Amended Plat of McGees Summit all Lots 8 & 9 & all Lot 5 exc e 57 ft Blk 2

100 W 31st Ter Amend Plat of McGees Summit prt of Lots 3 thru 7 Blk 1 daf beg 203 ft m/l e of nw cor sd Lot 7 th e 293 ft th s 200 ft th e 305.51 ft th s 84 ft th w 597.50 ft th n 289 ft to pob

3125 Wyandotte Amended Plat of McGees Summit Lots 6 & 7 Blk 1 exc e 117 ft sd lots also exc beg pt n li sd Lot 7 a dist of 117 ft wly of ne cor sd Lot 7 th

sly parle li sd Lot 7 a dist of 87.54 ft th n 87 deg 22 min 49 sec w 162.05 ft pt w li sd Lot 7 th nly alg sd w li 95.87 ft th ely alg n li sd lot to pob

3118 Main Amended Plat of McGees Summit Tract B on cert of survey of Lot 2 3 & 5 Blk 1 filed as Docmt K1140849 in Bk S4 at pg 75 on 5-20-94

3100 Main St /McGees Summit Amended Plat pt of Lots 1 2 & 5 Blk 1 daf: beg 40 ft s & 19.50 ft w of ne cor of sd Lot 1 sd pt also being sw cor of 31st St & Main St th s 183.95 ft th w 145 ft th n 2 ft mol th w 89.74 ft

ths 122.50 ft th w 70.50 ft th n 200 ft th w 25 ft th n 106.94 ft th e 330.50 ft to pob

3111 Wyandotte Amended Plat of McGees Summit prt Lot 7 Blk 1 daf beg ne cor sd lot th wly alg n li sd lot a dist of 117 ft th s 02 deg 27 min 15 sec w parl e li sd lot a dist of 17.39 ft to pob th sly parl sd e li 70.15 ft th n 87 deg 22 min 49 sec w 162.05 ft pt w li sd lot th nly alg sd w li 95.87 ft to nw cor sd lot th ely alg n li sd lot a dist of 111.06 ft th sly parl e li sd lot a dist of 17.38 ft th ely 88 ft to pob

211 W 31st St McGees Summit Amended Plat prt Lot 8 Blk 1 daf beg nw cor sd Lot 8 th e 168 ft m/l th s 112 ft th w 115 ft th nw 125 ft to pob

111 W 31st St Amended Plat of McGees Summit w 155 ft of e 205 ft of s 112 ft of Lot 8 Blk 1 also prt of Lot 7 Blk 1 beg on n li sd Lot 7 at a pt 117 ft w of ne cor th s 2 deg 27 min 15 sec w 17.39 ft th n 87 deg 08 min 57 sec w 88 ft th n 2 deg 27 min 15 sec e 17.38 ft to n li sd lot 7 th e alg sd n li 88 ft to beg

101 W 31st St / S 112 ft of n 142 ft of w 75 ft Lot 4 e 50 ft of s 112 ft Lot 8 Blk 1 Amended Plat of McGees Summit

31 W 31st St McGees Summit Amended Plat e 50 ft of s 114 ft of n 144 ft Lot 4 Blk 1

McGees Summit Amended Plat w 25 ft of s 114 ft of n 144 ft Lot 5 Blk 1

Mount Auburn, Block 2, Lots 1-46

Mounty Auburn, Block 3, Lots 4-44

2940 Main / Lots 19 to 24 incl also n 5 ft vac 30th St s of & adj Lot 24 Blk 1 Mount Auburn

Park Reserve Condominiums Units 2101-2308 Park Reserve Yosemite

Condominiums---Lot 1

Park Reserve Condominiums Units 1001-1504 common element.

This amendment to the Main Corridor Overlay District, is shown outlined on a map marked Section 88-20A1134, which is attached hereto and made a part hereof, 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.

MAIN CORRIDOR OVERLAY DISTRICT (MCO)

1. Introduction

a. Purpose

The Main Corridor Overlay (MCO) aims to provide for a cohesive development pattern along Main Street and major intersecting corridors. The following regulations create design standards that promote the use of transit, context sensitive density, pedestrian friendly spaces, and overall design excellence. Uses are regulated by this overlay to ensure compatibility between transit and adjacent uses. This overlay generally extends along Main from Pershing Road to Emanuel Cleaver II Boulevard.

b. Applicability

- i. The standards of this article apply to all development in the Main Corridor Overlay District, provided that the provisions of this ordinance shall not apply to pending applications submitted under the current provisions of the Main Street Special Review District that were filed prior to December 21, 2017. Any pending applications filed prior to December 21, 2017 shall be required to comply with the existing provisions of Committee Substitute for Ordinance No. 110040. This document establishes the development standards that vary from the underlying base zoning for the properties in the Main Corridor Overlay District. All provisions described below as regulatory in nature have the same force and effect as, but are variations from, the standards set forth in Chapter 88 - Zoning and Development Code.
- ii. If provisions of this overlay district are inconsistent with Chapter 88, the provisions of this overlay district shall apply.
- iii. If provisions of this overlay district are inconsistent with a Historic Overlay District, the provisions of the Historic Overlay District shall apply.
- iv. Existing MPD and UR districts are exempt from the standards of this document. However, when new MPD or UR plans are adopted or amendments are made to existing MPD or UR plans the standards of this document shall be met. Restaurants, as defined in Chapter 88, zoning and development code, with a single lane drive-through which existed in MPD or UR districts prior to January 18, 2017 that are rebuilt in substantially the same footprint may construct dual drive-through lanes when the existing restaurant is demolished and rebuilt, the requirements of Section 1.b.vii and Section 3 notwithstanding. The City Council may authorize a rebuilt restaurant meeting the foregoing

criteria to deviate from the lot and building standards contained in Section 4 of this Main Corridor Overlay as part of a development plan approval process pursuant to Section 88-517-09 of the zoning and development code.

- v. Buildings listed on the National Register of Historic Places and following the Secretary of the Interior's Standards through the National Parks Service shall be exempt from the Lot & Building Standards, Architectural Materials, Façade Articulation and Composition and Transparency standards of this overlay.
- vi. Permits may be issued for previously approved site-specific development plans that were approved prior to the effective date of the Main Corridor Overlay in accordance with the previously approved plan without compliance with the Main Corridor Overlay. Compliance with use regulations, architectural materials and signage shall be required. For purposes of this section, "site-specific development plans" are plans or plats submitted by a landowner or an authorized representative describing with reasonable certainty the type and intensity of development for a specific parcel of property and that have been approved by the city plan commission, board of zoning adjustment and/or city council. Such plans may be in the form of preliminary subdivision plats or plans, final subdivision plats or plans, development plans, plans approved by the Main Street Special Review District, or other similar plans, as determined by the city planning and development director.
- vii. Other than as set forth below, the underlying zoning and the regulations and standards included in the Zoning and Development Code, Chapter 88, prescribed for the areas rezoned to this overlay district shall remain unchanged and shall continue to apply.
 - 1. **New Development**
Full compliance with this article applies to all new buildings constructed within this district.
 - 2. **Enlargements and Expansions**
Full compliance with this article applies only to the enlargement or expansion area.
 - 3. **Façade Changes**
Compliance with this article applies to façade changes to existing buildings.
 - 4. **Change of Use or Occupancy**
Compliance with use standards apply whenever the use or occupancy of a property changes.
 - 5. **Signage**

Compliance with signage standards apply when a sign permit is required.

2. Zone Descriptions (see map)

a. **Neighborhood Main Street**

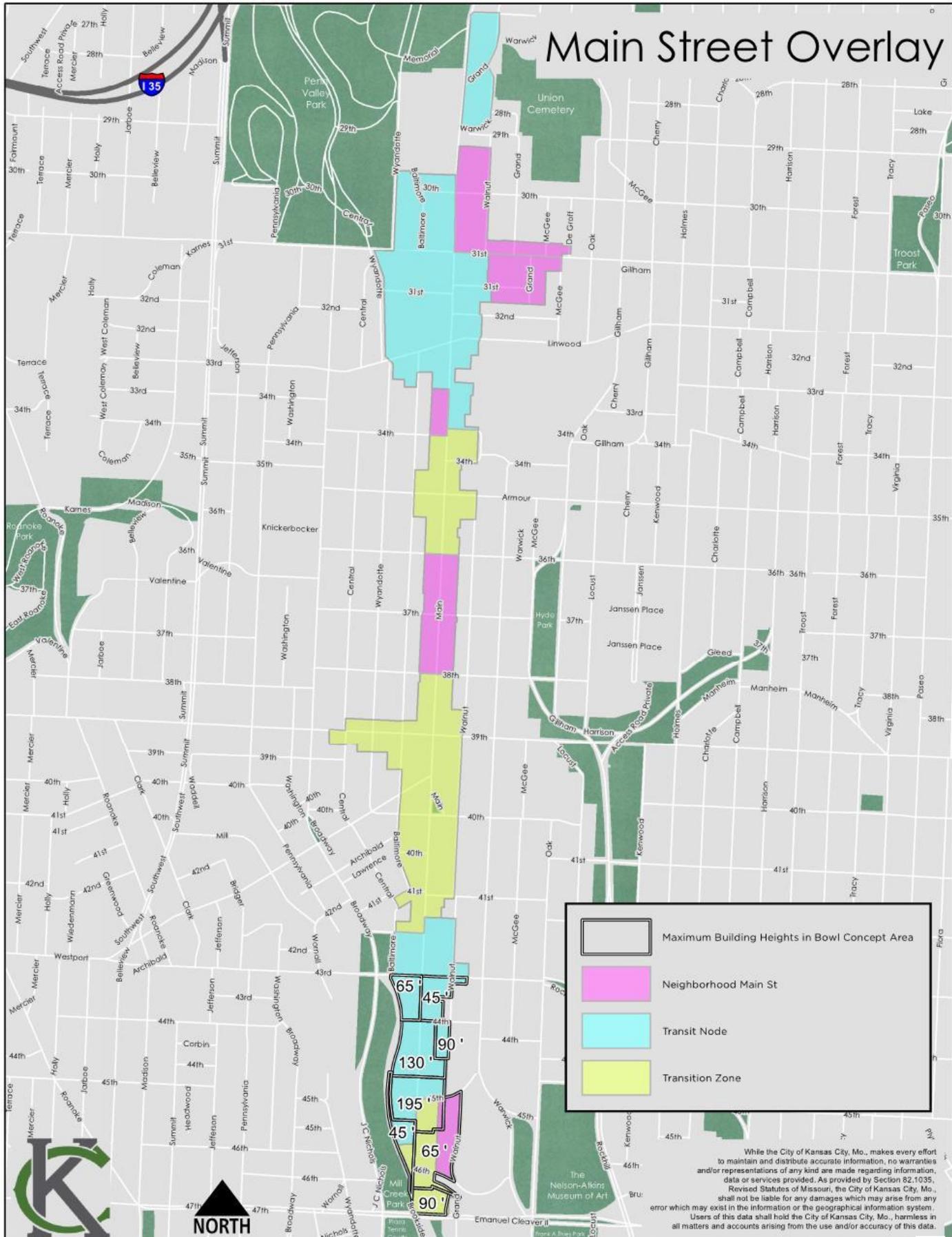
Neighborhood Main Streets provide a diverse critical mass of walkable services for adjacent neighborhoods. These areas anchor residential neighborhood reinvestment and revitalization and restore the vibrant walkable character of the corridor and adjacent neighborhoods.

b. **Transit Nodes**

Transit nodes are centered around a rapid transit stop. Transit nodes encourage an appropriate mixture of density and uses around rapid transit stops to increase ridership and support transit investments. These nodes are characterized by compact development that facilitates access between rapid transit stops and nearby residential, commercial, civic, recreational, and institutional uses.

c. **Transitional Zones**

Transitional zones provide a balanced transition from Transit Nodes to Neighborhood Main Streets.



3. USES

a. **Use Specific Standards**

i. **Drive-Through Facilities**

In addition to 88-340 Drive-Through Facilities and in order to apply for a Special Use Permit for a Drive-Through the following standards must be met, except where a single lane drive-through restaurant which existed in a MPD or UR district prior to January 18, 2017 creates dual drive-through lanes as part of a restaurant rebuild as allowed pursuant to Section 1.b.iv of this Main Corridor Overlay:

1. Drive-through facilities are only permitted within Neighborhood Main Street Districts.
2. Drive-through facilities shall be limited as accessory uses to financial services uses. Drive-through facilities serving other uses are prohibited.
3. Drive-through uses shall only be permitted on a corner lot.
4. Street access to drive-through lanes shall be offset by at least 15 feet to prevent vehicles from stacking onto Main Street or any cross street.
5. No more than one curb cut shall be granted per street frontage for any use with a drive-through.

ii. **Tavern or Nightclub**

1. Approval of a Special Use Permit is required for any Tavern or Nightclub with a gross floor area equal to or greater than 3,000 square feet.

iii. **Shelter or Boarding**

1. Shelters or Boarding facilities shall not have any outdoor kennels. Outdoor play areas are allowed but shall not exceed 1,000 square feet.
2. Outdoor play areas shall be located in the rear yard and shall be secured with a solid six (6) foot fence.

iv. **Non-Accessory Parking**

1. Non-accessory parking is only permitted within a parking garage. Surface parking lots shall not be allowed as non-accessory parking.

v. **Gasoline and Fuel Sales**

- No such establishment shall be located within 2,000 feet of another gasoline or fuel sales establishment within the overlay district.

MAIN CORRIDOR OVERLAY USE TABLE													
Use Category <i>specific use type</i>	O	B1	B2	B3	B4	M1	M2	M3	M4	Use-Specific Standards			
RESIDENTIAL	O	B1	B2	B3	B4	M1	M2	M3	M4	Use-Specific Standards			
Household Living										88-110-04 88-110-06-C 88-323			
<i>Single family home</i>	P	P	P	P	P	S	S	S	S	88-323			
<i>In single-purpose residential building</i>	–	P	P	P	P	P	P	P	P	88-323			
<i>Above ground floor (in mixed-use building)</i>	P	P	P	P	P	P	P	P	P	88-323			
Group Living										88-350			
<i>Group home</i>	S	S	S	S	S	S	S	S	S	88-350			
<i>Domestic violence residence</i>	P	P	P	P	P	S	S	S	S	88-350			
<i>Domestic violence shelter</i>	P	P	P	P	P	S	S	S	S	88-350			
<i>Nursing home</i>	P	P	P	P	P	S	S	S	S	88-350			
<i>Fraternity, sorority, dormitory</i>	P	P	P	P	P	S	S	S	S	88-350			
<i>Convent/Monastery</i>	P	P	P	P	P	S	S	S	S	88-350			
PUBLIC/CIVIC	O	B1	B2	B3	B4	M1	M2	M3	M4	Use-Specific Standards			
Bicycle Sharing Facilities	P	P	P	P	P	P	P	P	P	88-322			
Club, Lodge, or Fraternal Organization	P	P	P	P	P	P	P	P	P				
College/University	P	P	P	P	P	P	P	P	P				
Day Care													
<i>Home-based (1–5)</i>	P	P	P	P	P	P	P	P	P				
<i>Family (up to 10)</i>	P	P	P	P	P	P	P	P	P				
<i>Group (up to 20)</i>	P	P	P	P	P	P	P	P	P				
<i>Center (21+)</i>	P	P	P	P	P	P	P	P	P				
Detention and Correctional Facilities	–	–	–	–	–	–	–	–	–	88-335			
Halfway House	–	–	–	–	–	–	–	–	–	88-352			
Hospital	S	P	P	P	P	P	P	P	P				
Library/Museum/Cultural Exhibit	P	P	P	P	P	–	–	–	–				

Park/Recreation (except as noted below)	P	P	P	P	P	P	P	P	P	
<i>Community center</i>	P	P	P	P	P	P	P	P	P	
<i>Homes association amenities</i>	P	P	P	P	P	P	P	P	P	88-805-03-H
Religious Assembly	P	P	P	P	P	P	P	P	P	
Safety Services										
<i>Fire station</i>	P	P	P	P	P	P	P	P	P	
<i>Police station</i>	P	P	P	P	P	P	P	P	P	
<i>Ambulance service</i>	S	S	S	S	S	P	P	P	P	
School	P	P	P	P	P	P	P	P	P	
Utilities and Services (except as noted below)	S	S	S	S	S	S	S	S	S	
<i>Basic, minor</i>	P	P	P	P	P	P	P	P	P	
COMMERCIAL	O	B1	B2	B3	B4	M1	M2	M3	M4	Use-Specific Standards
Adult Business										88-310
<i>Adult media store</i>	-	-	-	-	-	-	-	-	-	88-310
<i>Adult motion picture theater</i>	-	-	-	-	-	-	-	-	-	88-310
<i>Sex shop</i>	-	-	-	-	-	-	-	-	-	88-310
Animal Services										88-315
<i>Sales and grooming</i>	-	P	P	P	P	P	P	P	P	88-315
<i>Shelter or boarding</i>	-	-	P	P	P	P	P	P	P	88-315 MCO Us Specific Standards
<i>Stable</i>	-	-	-	-	-	-	-	-	-	88-315
<i>Veterinary office</i>	-	-	P	P	P	P	P	P	P	88-315
Artist Work or Sales Space	P	P	P	P	P	P	P	P	P	
Building Maintenance Service	-	-	-	P	P	P	P	P	P	
Business Equipment Sales and Service	-	-	P	P	P	P	P	P	P	
Business Support Service (except as noted below)	-	-	-	P	P	P	P	P	P	
<i>Day labor employment agency</i>	-	-	-	-	-	-	-	-	-	88-331
Communications Service Establishments	-	-	-	P	P	P	P	P	P	
Drive-Through Facility	-	-	-	S	S	S	S	S	S	88-340 MCO Us Specific Standards
Eating and Drinking Establishments										

<i>Restaurant</i>	P	P	P	P	P	P	P	P	P
<i>Tavern or nightclub</i>	-	-	-	P/S	P/S	P/S	P/S	P/S	P/S
<i>Smoking lounge</i>	-	-	-	-	-	-	-	-	-
Entertainment and Spectator Sports									
<i>Indoor small venue (1-149 capacity)</i>	-	-	S	P	P	P	P	P	P
<i>Indoor medium venue (150-499 capacity)</i>	-	-	S	S	S	S	S	S	S
<i>Indoor large venue (500+ capacity)</i>	-	-	-	S	S	S	S	S	S
<i>Outdoor (all sizes)</i>	-	-	-	S	S	S	S	S	S
Financial Services									
<i>Bank</i>	P	P	P	P	P	P	P	P	P
<i>Pawn shop</i>	-	-	-	-	-	-	-	-	-
<i>Savings and loan association</i>	P	P	P	P	P	P	P	P	P
<i>Short-term loan establishment</i>	-	-	-	-	-	-	-	-	-
Food and Beverage Retail Sales	-	-	S	P	P	P	P	P	P
Funeral and Interment Service									
<i>Cemetery/columbarium/mausoleum</i>	-	-	-	-	-	-	-	-	-
<i>Crematory</i>	-	S	S	-	-	-	-	-	-
<i>Undertaking</i>	-	S	P	S	S	S	S	S	S
Gasoline and Fuel Sales	-	-	-	-	-	-	-	-	-
Lodging									
<i>Bed and breakfast</i>	-	P	P	P	P	-	-	-	-
<i>Hotel/motel</i>	-	-	-	P	P	P	P	P	P
<i>Recreational vehicle park</i>	-	-	-	-	-	-	-	-	-
Mobile Vendor Park	-	-	P	P	P	P	P	P	P
Office, Administrative, Professional or General	P	P	P	P	P	P	P	P	P
Office, Medical (except as noted below)	P	P	P	P	P	P	P	P	P
<i>Blood/plasma center</i>	-	-	-	-	-	-	-	-	-
Parking, Accessory	P	P	P	P	P	P	P	P	P
Parking, Non-accessory	-	-	-	P	P	P	P	P	P
Personal Improvement Service	P	P	P	P	P	P	P	P	P
Repair or Laundry Service, Consumer	-	P	P	P	P	P	P	P	P
Research Service	P	P	P	P	P	P	P	P	P

MCO Us
Specific
Standards

88-325

88-345

88-345

88-345

88-345

88-323

88-320

88-323 & 8
378

88-358

88-323

3biv

Retail Sales	-	P	P	P	P	P	P	P	P	
<i>Outdoor Retail Sales – Class A</i>	-	-	-	P	P	P	P	P	P	88-366-01
<i>Outdoor Retail Sales – Class B</i>	-	-	-	-	-	-	-	-	-	88-366-02
Reuse of designated historic landmark (local or national) if proposed use is not permitted	P/S	P/S	P/S	S	S	S	S	S	S	88-367
Sports and Recreation, Participant										
<i>Indoor</i>	-	P	P	S	S	S	S	S	S	
<i>Outdoor</i>	-	-	-	S	S	S	S	S	S	
Vehicle Sales and Service										
<i>Car wash/cleaning service</i>	-	-	-	-	-	-	-	-	-	
<i>Heavy equipment sales/rental</i>	-	-	-	-	-	-	-	-	-	
<i>Light equipment sales/rental (indoor)</i>	-	-	-	-	-	-	-	-	-	88-323
<i>Light equipment sales/rental (outdoor)</i>	-	-	-	-	-	-	-	-	-	
<i>Motor vehicle repair, limited</i>	-	-	-	-	-	-	-	-	-	88-323
<i>Motor vehicle repair, general</i>	-	-	-	-	-	-	-	-	-	88-323
<i>Vehicle storage/towing</i>	-	-	-	-	-	-	-	-	-	88-375
INDUSTRIAL	O	B1	B2	B3	B4	M1	M2	M3	M4	Use-Specific Standards
Junk/Salvage Yard	-	-	-	-	-	-	-	-	-	88-425-09
Manufacturing, Production and Industrial Service										
<i>Artisan (except as noted below)</i>	-	P	P	P	P	P	P	P	P	
<i>Artisanal Food and Beverage Manufacturing</i>	-	P	P	P	P	P	P	P	P	88-318
<i>Catering Establishments</i>	-	S	S	S	P	P	P	P	P	88-318
<i>Limited</i>	-	-	-	-	-	S	S	S	S	
<i>General</i>	-	-	-	-	-	-	-	-	-	88-323
<i>Intensive</i>	-	-	-	-	-	-	-	-	-	
Mining and Quarrying	-	-	-	-	-	-	-	-	-	88-355
Recycling Service										
<i>Limited</i>	-	-	-	-	-	-	-	-	-	
<i>General</i>	-	-	-	-	-	-	-	-	-	
Self-Storage Warehouse	-	-	-	-	-	-	-	-	-	88-323 & 88-369
Warehousing, Wholesaling, Storage, and Freight Movement										
<i>Indoor</i>	-	-	-	-	-	-	-	-	-	88-323

<i>Outdoor</i>	-	-	-	-	-	-	-	-	-	88-323 & 88-378
Waste-Related Use										
<i>Composting Facility</i>	-	-	-	-	-	-	-	-	-	88-328
<i>Demolition debris landfill</i>	-	-	-	-	-	-	-	-	-	88-380
<i>Solid waste separation facility</i>	-	-	-	-	-	-	-	-	-	88-380
<i>Transfer station</i>	-	-	-	-	-	-	-	-	-	88-380
AGRICULTURE	O	B1	B2	B3	B4	M1	M2	M3	M4	Use-Specific Standards
Agriculture, Animal	-	-	-	-	-	-	-	-	-	*Chapter 14
Agriculture, Crop	-	-	-	-	-	-	-	-	-	88-312-01
Agriculture, Urban										
<i>Home garden</i>	P	P	P	P	P	P	P	P	P	88-312-02-A
<i>Community garden</i>	P	P	P	P	P	P	P	P	P	88-312-02-B
<i>Community-supported agriculture (CSA) farm</i>	P	P	P	P	P	P	P	P	P	88-312-02-C
ACCESSORY SERVICES	O	B1	B2	B3	B4	M1	M2	M3	M4	Use-Specific Standards
Wireless Communication Facility										
<i>Freestanding</i>	-	-	P	P	P	P	P	P	P	88-385
<i>Co-located antenna</i>	P	P	P	P	P	P	P	P	P	88-385

4. LOT AND BUILDING STANDARDS

- a. The following Lot and Building Standards apply to all new construction within the overlay district:

LOT AND BUILDING STANDARDS	
Lot Size	None
Floor Area Ratio	<u>Neighborhood Main Street:</u> Refer to underlying zoning <u>Transitional Zones:</u> <ul style="list-style-type: none"> • Minimum: 0.5 <u>Transit Nodes:</u> <ul style="list-style-type: none"> • Minimum: 1.0
Minimum Frontage	70 percent
Max. Front Yard Setback	<u>Neighborhood Main Street:</u> 10 feet <u>Transitional Zones:</u> 5 feet <u>Transit Nodes:</u> 0 feet
Max. Street-side Setback	<u>Neighborhood Main Street:</u> 10 feet <u>Transitional Zones:</u> 5 feet <u>Transit Nodes:</u> 0 feet
Min. Rear Yard Setback	

Abutting a non-residential district	0 feet
Abutting residential district	<p><u>Neighborhood Main Street:</u> refer to underlying zoning district.</p> <p><u>Transitional Zones:</u> 15 feet for first 3 stories. The fourth story and above shall be setback an additional 10 feet. Any story greater than 8 stories shall be setback an additional 10 feet.</p> <p><u>Transit Nodes:</u> 15 feet for first 3 Stories. The fourth story and above shall be setback an additional 10 feet. Any story greater than 8 stories shall be setback an additional 10 feet.</p>
Abutting an alley (any zoning district)	0 feet
Height on Main Street	<p><u>Neighborhood Main Street:</u></p> <ul style="list-style-type: none"> • Minimum 2 stories • Maximum 5 stories <p><u>Transitional Zones:</u></p> <ul style="list-style-type: none"> • Minimum 2 stories • Maximum 10 stories <p><u>Transit Nodes:</u></p> <ul style="list-style-type: none"> • Minimum 3 stories • Maximum 15 stories <p><u>BOWL CONCEPT AREA:</u></p> <ul style="list-style-type: none"> •Maximum building heights shall not exceed heights specified in areas labeled “Maximum Building Heights in Bowl Concept Area.”

b. Exceptions to Lot & Building Standards

- i. Features allowed to be setback greater than the maximum allowed setback include:

EXCEPTIONS TO THE LOT AND BUILDING STANDARDS		
Feature	Maximum percent of façade	Maximum setback
Changes in façade setback from the maximum allowed setback	Fronting street: 50 percent Fronting side yard: 75 percent	5 ft.
Recessed primary entrance	25 percent	5 ft.
Patio (see patio standards below)	60 percent	15 ft.

- ii. No more than 75 percent of the front façade shall be set back more than the maximum allowed setback.

5. ARCHITECTURAL MATERIALS

- a. **Permitted Material**
Materials identified with a “PM” are Primary Materials and allowed on all stories and facades of a structure.
- b. **Permitted Secondary Material**
Materials identified with a “SM” are Secondary Materials and allowed on the second story and above of a structure or for the required building elements. Permitted secondary materials may be used as an accent material on the first story and shall not encompass more than 20 percent of the first story façade.
- c. **Prohibited Materials**
Materials identified with an “-“ are expressly prohibited.
- d. **Material Transition**
Primary and secondary front façade materials shall wrap at the corners a minimum of 10 feet on the side facades.
- e. **Material Preservation**
Preservation or restoration of original facade materials is desired in existing structures. Applied ‘faux’ facades or other not permitted non-original materials shall not be used and should be removed when renovations occur.
- f. **Determination of Most Similar Material**
When a specific material cannot be readily classified, the city planning and development director is authorized to determine the most similar, thus most appropriate, material based on the following considerations:
 - i. the appearance of the material;
 - ii. the durability of the material;
 - iii. the method of installing the material;
 - iv. the location of the material; and
 - v. information provided by the International Building Code.

ALLOWED ARCHITECTURAL MATERIALS		
Material	Façade Fronting:	
	Front and Street-side Yard	Side and Rear Yard
Brick	PM	PM
Stone	PM	PM
Cast stone	PM	PM
Glass	PM	PM

Terra cotta	PM	PM
Tile	SM	PM
Concrete		
>> Cast-in-place concrete – smooth/no texture	-	PM
>> Cast-in-place concrete – textured or patterned	SM	PM
>> Pre-cast concrete	PM	PM
Stucco	SM	PM
Metal	SM	PM
Wood (rough sawn wood is not permitted)	SM	PM
Fiber cement		
>> Fiber cement panels	PM	PM
>> Fiber cement clapboard siding	SM	PM
Fiberglass replication	SM	PM
Concrete masonry unit	-	-
Split faced block	-	SM
Glass block	-	SM
EIFS	-	SM

6. FAÇADE ARTICULATION AND COMPOSITION

a. Building Elements

Building element standards apply to front and street-side facades.

- i. All buildings shall include at least two of the following elements:
 - 1. Two or more exterior finishes (i.e. materials)
 - 2. Two or more changes in roof lines
 - 3. Changes in façade setbacks no greater than 5 feet
 - 4. Bay windows
 - 5. Canopies and/or awnings
 - 6. Pilasters or columns

7. Water Tables
 8. Balconies
 9. Patio
- ii. Single-purpose residential buildings with three or more units shall provide outdoor spaces for residents. Residential buildings and uses shall include one or more of the following features on the front façade:
1. **Porches**- Porches are generally slightly above grade with an ornamental rail separating the porch from adjoining grade. Porches must have a minimum depth of 6 feet and shall span at least 50 percent of the front façade width.
 2. **Balconies** - Balconies are outdoor spaces above the ground floor. Balconies must have a guard rail enclosing the usable area. Juliet balconies shall not count toward this requirement.
 3. **Stoops** - Stoops are unenclosed steps and landings providing access to a primary entrance. Stoops must have an ornamental metal rails and masonry cheek walls not exceeding 1 foot in height above the corresponding step. One stoop is required per front façade ground level unit. A minimum of 3 stoops is required to meet this requirement.
- b. **Doors and Entrances**
- i. Primary entrances shall provide direct public access from Main Street to individual shops or businesses, lobby entrances, or to individual dwelling units. Primary entrances shall also be required for the following intersecting streets within the overlay boundaries: 31st Street, Linwood Boulevard, Armour Boulevard, 39th Street, Westport Road, 43rd Street and Emanuel Cleaver II Boulevard. On corner lots, entrances at building corners may be used to satisfy this requirement.
 - ii. Primary entrances must be accentuated with two or more of the following architectural features:
 1. Change in building material
 2. Tile flooring
 3. Recessed entrance (setback no greater than 5 feet) with sidelight windows
 4. Transom windows and/or sidelight windows
 5. Porticos

6. Canopies and/or awnings
 7. Projecting signage
 8. Decorative lighting
- iii. Residential primary entrances shall not exceed 36 inches above grade. Non-residential primary entrances shall not exceed 12 inches above grade.

c. **Patios**

- i. Up to 60 percent of a façade may be setback a maximum of 15 feet to allow for a patio.
- ii. Patios may be used for Outdoor Retail - Class A, dining or gathering space. Patios may not be used for outdoor storage.
- iii. Patios may be roofed with a permanent structure attached to the principal structure. No tents or other temporary structures shall be erected within the patio.
- iv. Patios must be enclosed with a permanent rail or wall constructed of metal, masonry, or wood and shall be no taller than 3 feet in height.

7. TRANSPARENCY

- a. At least 60 percent of the façade fronting Main, between 3 feet and 10 feet above the sidewalk must be comprised of windows that allow clear views of indoor space or product display areas. On corner lots, this 60 percent transparency requirement applies only along Main. The minimum transparency standard for facades fronting streets other than those listed above is 40 percent, between 3 feet and 10 feet. Facades fronting parkways and boulevards shall comply with the standards set forth in 88-323 “Boulevard and Parkway Standards.”
- b. Buildings used solely for residential purposes may reduce their transparency to 40 percent on the first story, measured between 3 ½ feet above the finished floor and the interior ceiling.
- c. The minimum transparency for the second story and above must be 40 percent on any façade fronting a street.
- d. Display windows that do not provide views into the interior of the building may be counted towards satisfying up to 50 percent of the minimum ground-level transparency requirements, provided that they are internally illuminated and are at least 3 feet in depth.
- e. For non-residential structures, the bottom of any window or product display window used to satisfy the ground-level transparency requirements shall not be more than 3.5 feet above the adjacent sidewalk.

- f. The bottom of any window used to satisfy transparency requirements for stories above the ground-level shall not be more than 3.5 feet above the interior floor.
- g. No existing building shall be altered in such a way that reduces transparency below the required or existing amount.
- h. Illumination of windows, display windows and primary entrances shall not have any effects of movement, flashing, scintillation, rolling, dissolving, fading or similar effects.
- i. No obstructions shall be placed on the outside of the window or door, including but not limited to bars, solid screens, signage, and shutters. Boards may be utilized in compliance with Chapter 48 (Nuisances). Required transparency shall not be obstructed by interior signage.

8. PARKING AND LOADING

In addition to the standards of 88-420 Parking and Loading, the following standards apply in the Main Overlay District:

- a. Any off-street parking provided must be located behind the building, in the side yard, within or under the building. Parking is not allowed in the street-side yard or front yard. Off-street parking shall be located no closer to an adjacent street than the front building line nearest the parking. On a boulevard, parking located on the side of a building shall be set back a minimum of 10 feet behind the front building line or 30 feet from the right-of-way, whichever is greater.
- b. Tenant spaces shall be included on the ground level of parking garage facades fronting Main. Spaces accommodating these uses shall have a minimum depth of 20 ft. and span a minimum of 50 percent of the total garage frontage.
- c. When available, access shall be taken from side streets or alleys.
- d. Vehicular egress shall only allow right-out traffic.
- e. Vehicular Access Points on the same property shall be spaced at least 100 feet apart. The number of allowed vehicular access points shall not exceed the following table:

ALLOWED VEHICULAR ACCESS POINTS	
Frontage	Allowed Curb Cuts
<150 ft.	1
151-500 ft.	2
501 ft. – 1,000 ft.	3
1,001 ft. <	One additional curb cut per 500 feet of frontage

9. SCREENING, FENCING AND WALLS

- a. In addition to 88-425-08 Screening of Containers and Mechanical/Utility Equipment the following standards must be met:
 - i. Dumpsters and ground level mechanical/utility equipment must be located in the rear yard or can be located in the side yard if setback 20 feet from Main. Dumpsters and ground level mechanical/utility equipment shall not be located in the front or street-side setback.
 - ii. Dumpsters shall be no closer to the street than the front building line.
 - iii. Screening materials must be the same as the primary building materials.
 - iv. Access for dumpsters and mechanical/utility equipment must be shared with any access for required parking.

- b. Fencing and walls within the overlay district shall comply with the following standards:
 - i. No fence over 6 feet shall be erected on any lot.
 - ii. On a boulevard fencing must be of steel, iron, concrete, stone, or brick. Wood picket, stockade or chain link fencing is not permitted, per the Boulevard and Parkway Standards in Section 88-323.
 - iii. Within 20 feet of the Main Street right-of-way lines:
 - 1. Fencing must meet or exceed 80 percent transparency.
 - 2. Freestanding walls shall not exceed 36 inches in height. Fencing or a combination of fencing and a freestanding wall shall not exceed 48 inches in height.
 - 3. Retaining walls adjacent to Main Street shall not exceed 48 inches in height.
 - 4. Freestanding and retaining walls shall be constructed of brick, pre-cast concrete, cast-in-place concrete-textured, stone or cast stone.
 - 5. Chain link, vinyl, plastic, wood, and similar materials are prohibited.
 - iv. Barbed-wire, razor wire, metal sheeting and similar materials are prohibited fencing materials.
 - v. The finished side of the fence or wall must face the adjacent property or the street.
 - vi. Patios shall be enclosed in accordance with 5(c) of this overlay.

- vii. At a minimum, a 36 inch tall decorative fence made of wrought iron or other metal picket shall be provided to enclose vehicular use areas from public right-of-ways. Said fence shall be located within the required perimeter landscape buffer strip.

- c. When a vehicular use area is adjacent to a public right-of-way or a residential district, perimeter landscaping in accordance with 88-425-05 must be provided to provide physical and visual separation. Landscape buffer strips shall have a minimum depth of 5 feet. This requirement applies only when there are no intervening buildings between the right-of-way and the vehicular use area.

10. SIGNAGE

- a. One wall sign; one awning, canopy or marquee sign; and one projecting sign per tenant with customer entrance are permitted, covering a maximum of 10 percent per tenant elevation.

- b. Monument signs are prohibited, unless on a lot with a minimum of 100 feet of frontage and applies with at least one of the following criteria:
 - i. The lot is developed with an existing principal structure is setback at least 30 feet from the property line adjacent to Main Street.

 - ii. The lot has an existing pole sign. The pole sign may be replaced with a monument sign.

 - iii. The sign is attached to or incorporated into freestanding wall or retaining wall.

 - iv. The site is a contributing official local or national historic landmark or a contributing building within an official local or national historic district.

- c. When allowed, one monument sign is permitted per street frontage. Monument signs shall not exceed 20 square feet in area and 4 feet in height. Monument signs shall be constructed of primary materials matching the principal building. Content shall consist of pin-mounted channel letters, die cut graphics, and/or engraved text. The area surrounding the monument sign shall be landscaped. Monument signs shall be setback in accordance with one of the following standards:
 - i. On interior lots, monument signs shall be setback a minimum of five feet.

 - ii. On corner lots, monument signs shall be setback a minimum of 10 feet. Signs have a lesser setback if the proposed sign will not block any site distance triangles.

 - iii. When attached to wall or fence, signs may not extend above the top of the wall or fence. Monument signs may not project more than 3 inches from the face of the wall or fence.

- d. A projecting sign mounted perpendicular to a building wall shall not exceed 12 square feet in area; if mounted radially on a building corner, it shall not exceed 24

square feet in area. The sign shall not exceed 50 percent of its projecting distance in thickness. Projecting signs shall not project more than 4 feet from the building face, with a minimum clearance of 8 feet. On building corners, the sign shall not project more than 5 feet. No more than 50 percent of a projecting sign shall project above the parapet of the building.

- e. Wall signs shall be die cut and/or channel letter signs. Signs located on the ground level of the building shall be pin-mounted. Raceway-mounted channel letter signs are allowed on the second story and above. Raceways shall be painted or designed to match the material on which the sign is affixed.
- f. Incidental signs are permitted in the district, according to the standards of 88-445-08-G.
- g. Hand-painted wall signs are allowed subject to administrative approval by the director of city planning and development. On the front or street-side façade of a building, hand-painted signs may not exceed 10 percent of the wall area and count as one wall sign per 10a. Hand-painted signage located on a non-street side façade shall not exceed 50 percent of the façade area and shall be the only sign on that facade.
- h. Historical wall signs, hand-painted signs, neon signs, and projecting signs that advertise closed or off-site businesses may remain and shall not count toward any signage requirements if established more than 50 years from the date of application. Historical signs may be removed and reinstalled for restoration. Retention of historical signs must receive approval by the director of city planning and development. In no case shall a pylon sign be considered a historical sign.
- i. Roof signs are allowed within transit nodes. Roof signs shall be die cut and/or channel letter signs. Supporting structures must consist of the fewest number of supporting members without embellishments. Roof signs are permitted on buildings if the top of the highest portion of the roof is at least 30 feet above grade. The maximum horizontal dimension of a roof sign may not exceed 50 percent of the width of the wall it most closely parallels or 20 feet, whichever is less. The maximum height of a roof sign and its supporting structure may not exceed 6 feet, measured from the elevation of top of the highest parapet to the top of the sign. Roof signs shall not be constructed of wood.
- j. Signs on the ground level shall be indirectly or halo lit. Signs on the second story and above may be internally lit, indirectly or halo lit. Sign lighting shall not exceed 1 foot candle measured from the property line.
- k. Animated neon signs may be permitted with administrative approval of the director of city planning and development.

1. Electronic, digital, and/or motorized signs, and outdoor advertising signs are prohibited within the district.

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

220638

Ordinance Number

Ordinance Fact Sheet

Case No. CD-CPC-2022-00048

Brief Title

A Zoning and Development Code Text Amendment to amend the Main Street Overlay District to permit a drive-through restaurant to be redeveloped with dual lanes.

Details

Location: Generally located along Main Street, 27th Street on the north to Emanuel Cleaver II on the south.

Reason for Legislation: Zoning and Development Code Amendments are approved by City Council.

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

See attached City Plan Commission Disposition Letter for the Commission's recommended conditions (if any).

SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

Conditions #1 and #2, listed in the CPC Disposition Letter, have been resolved.

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected	Council District, 4 th Shields, Bunch
Applicants / Proponents	Applicant Mark Bryant Rouse Frets White Goss City Department City Planning & Development Other
Opponents	Groups or Individuals One individual appeared during City Plan Commission public hearing. Written public testimony is attached to the City Plan Commission (CPC) staff report, and communications received after CPC are attached to the Council packet. Basis of Opposition Conflicts between vehicular-oriented uses and mass transportation/pedestrian standards of the Main Street Corridor.
Staff Recommendation	<input type="checkbox"/> For <input checked="" type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission 4-1 6/21/2022 By Beasley, Baker, Crawl, Enders, Sadowski <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

Continued from Page 2

Fact Sheet Prepared By:

Ahna Nanoski, AICP
Lead Planner

Date: 6/30/2022

Reviewed By:

Joe Rexwinkle, AICP
Manager, Development
Management Division

Date:

Initial Application Filed: 2/28/2022

City Plan Commission Action: 6/21/2022

Revised Plans Filed: N/A

On Schedule: No

Off Schedule Reason: The language of the proposed amendment was revised multiple times between City Staff and the applicant.

Reference Numbers:

Case No. CD-CPC-2022-00048



File #: 220639

ORDINANCE NO. 220639

Approving/Denying a MPD Final Plan in District MPD for Woodhaven, First Plat, on about 19.44 acres generally located at 3201 N.W. 100th Street containing 80 single family residential lots. (CD-CPC-2022-00066)

WHEREAS, on April 14, 2022, the City Council, with passage of Committee Substitute for Ordinance No. 220269, approved the rezoning of about 152 acres generally located on the south side of N.W. 100th Street between Green Hills Road to the west and N. Platte Purchase Drive to the east from Districts AG-R and R-7.5 to District MPD (Master Planned Development), and approved a preliminary development plan to create 468 residential units and other amenities; and

WHEREAS, Ashlar Homes, LLC, subsequently filed an application for approval of a final MPD development plan for Woodhaven First Plat; and

WHEREAS, on June 7, 2022, the City Plan Commission denied approval of the final MPD development plan; and

WHEREAS, Section 88-520-04-D.2 provides that in the event the CPC does not approve a final MPD development plan, the property owner may appeal the decision to the City Council within 60 days; and

WHEREAS, on June 8, 2022, Ashlar Homes submitted a letter to the City stating it wished to appeal the CPC’s decision to the City Council; and

WHEREAS, Section 88-520-04-D.2 provides that in the event an appeal is filed, a public hearing must be scheduled with such notice as is required for the MPD rezoning and preliminary development plan approval; and

WHEREAS, with passage of Resolution 220611, the City Council designated the Planning, Zoning and Economic Development Committee as the body that will hold the hearing; and

WHEREAS, the Planning, Zoning and Economic Development Committee does hereby recommend to the City Council that the final MPD development plan for Woodhaven First Plan be _____; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a MPD Final Plan in District MPD for Woodhaven, First Plat, on about 19.44 acres generally located at 3201 N.W. 100th Street and more specifically described as follows:

A portion of the Southeast Quarter of the Southwest Quarter of Section 33, Township 52 North, Range 33 West, and a portion of the fractional Northwest quarter of Section 4, Township 51 North, Range 33 West, in the City of Kansas City, Platte County, Missouri, described as follows: Beginning at the southeast corner the Southwest Quarter of said Section 33; thence, along the south line of the Southwest Quarter of said Section 33, South 89°59'03" West, 220.00 feet to the true point of beginning; thence, South 32°24'42" West, 645.16 feet to the beginning of a tangent curve to the left; thence, southwesterly along the arc of last said curve, having a radius of 874.00 feet, through a central angle of 07°25'58", an arc distance of 113.38 feet; thence, South 89°59'03" West, 776.39 feet to the beginning of a tangent curve to the right; thence, northwesterly along the arc of last said curve, having a radius of 610.00 feet, through a central angle of 44°43'41", an arc distance of 476.20 feet; thence, North 44°42'45" East, 130.00 feet to the beginning of a non-tangent curve, concave northeasterly, whose center bears North 44°42'45" East, 480.00 feet; thence, northwesterly along the arc of last said curve, having a radius of 480.00 feet, through a central angle of 07°45'59", an arc distance of 65.06 feet; thence, North 52°28'43" East, 179.18 feet; thence, North 22°06'38" West, 79.94 feet to the beginning of a tangent curve to the right; thence, northwesterly along the arc of last said curve, having a radius of 290.00 feet, through a central angle of 11°32'07", an arc distance of 58.39 feet; thence, North 88°51'31" East, 125.16 feet; thence, North 01°11'12" West, 39.67 feet; thence, North 88°48'48" East, 50.00 feet; thence, North 89°59'03" East, 885.75 feet; thence, North 34°46'48" East, 135.09 feet; thence, North 32°24'42" East, 135.00 feet; thence, North 57°22'05" West, 0.23 feet; thence, North 32°37'55" East, 60.00 feet; thence, North 32°24'42" East, 66.08 feet; thence, South 57°35'18" East, 165.00 feet; thence, south 32°24'42" West, 1.71 feet; thence, South 57°35'18" East, 145.00 feet; thence, South 32°24'42" West, 141.81 feet to the true point of beginning, Prepared by Anne M. Smoke, Missouri PLS 2016019010, on May 3, 2022. Contains 19.44 acres, more or less.

is hereby _____, subject to the following conditions:

1. That Committee Substitute for Ordinance No. 220269, including all conditions provided therein, shall remain in full force and effect.
2. Public improvements (utility extensions and streets) in tracts ad/rights-of-way shall be constructed/completed prior to recording the final plat.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in

accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.

4. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
5. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
6. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)
7. Required Fire Department access roads are an all-weather surface. (IFC-2012: § 503.2.3).
8. 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)
9. Required Fire Department access roads are designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
10. Dead end Fire Department access road(s) in excess of 150 feet shall be provided with an approved turn around feature (i.e., cul-de-sac, hammerhead). Dead-end streets in excess of 150 feet in length resulting from a “phased” project shall provide an approved temporary turn around feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5)

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter

Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220639

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2022-00066

Brief Title

A request to approve an MPD Final Plan in district MPD for Woodhaven, First Plat containing 80 single family residential lots on about 19.44 acres generally located at 3201 NW 100th St (CD-CPC-2022-00066)

Details

Location: generally located at 3201 NW 100th St

Reason for Legislation: Appeal of City Plan Commission decision

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 (if any).

SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

- During the Plan Commission meeting on June 7th:
- Staff recommended approval with conditions to the plan commission, as the MPD Final Plan is in conformance with the approved preliminary development plan and deviations granted by Ordinance 220269
 - The Commissioners were not supportive of deviations
 - The Commissioners and Joe Rexwinkle went over the deviations approved by Council. Commissioners asked questions of the applicant
 - Motion to approve with conditions: failed

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	2 nd District Loar and Fowler
Applicants / Proponents	Applicant Tyler Wysong Kimley-Horn 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 2-6 on 6/7/2022 Voting Aye: Baker, Enders Voting Nay: Allender, Beasley, Crowl, Hill, Rojas, Sadowski <input type="checkbox"/> For <input checked="" 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

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	<input type="checkbox"/> Do not pass
--	--------------------------------------

Fact Sheet Prepared By: Genevieve Kohn Planner	Date: 6/10/2022	Initial Application Filed: 4/28/2022
Reviewed By: Joe Rexwinkle Division Manager	Date: 6/10/2022	City Plan Commission Action: 6/7/2022
		Revised Plans Filed: 5/23/2022
		On Schedule: yes
		Off Schedule Reason:
Reference Numbers: CD-CPC-2022-00066		



File #: 220642

ORDINANCE NO. 220642

Accepting the recommendations of the Housing Trust Fund Advisory Board; appropriating \$7,953,360 from the Unappropriated Fund Balance in the Affordable Housing Trust Fund; reducing the \$7,953,360 from the Affordable Housing Trust Fund; authorizing the Director of the Housing and Community Development Department execute various funding agreements and expend up to \$7,953,360 from funds appropriated to the Housing Trust Funds in Fund No. 2490; and requiring certain contract provisions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, 26 applications were received in response to the Housing Trust Fund RFP that was released on March 3, 2022 and closed on April 28, 2022; and

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

WHEREAS, in addition to the priorities named in the ordinance, the Housing Trust Fund Advisory Board considered project readiness, creativity, capacity of applicant, financial feasibility, household income requirements, affordability, and the overall impact on the housing stock in their review of applications; and

WHEREAS, the allocation plan recommended by the Housing Trust Fund Advisory Board would support the creation or preservation of 456 affordable homes, for an average investment of \$23,159 from the Housing Trust Fund per unit; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the recommendations of the Housing Trust Fund Advisory Board from the Housing Trust Fund RFP that was issued on March 3, 2022 are hereby accepted.

Section 2. That the sum of \$7,953,360 is hereby appropriated from the Unappropriated Fund Balance in the Affordable Housing Trust Fund.

Section 3. That the Director of the Housing and Community Development Department is hereby authorized to expend up to \$7,953,360 from funds appropriated to the Housing Trust Funds in Account No. 2490, and to negotiate and execute funding agreements with the following contractors:

Palestine Economic Development Corporation—Palestine Gardens North Rehabilitation	\$1,700,000.00
Parade Park Homes—Parade Park	350,000.00
Missouri Housing Partners, LLC—Greenwood Senior Apartments	500,000.00
Missouri Housing Partners, LLC—Blue Hills Townhomes	600,000.00
Ivanhoe Neighborhood Council—Garfield East Senior Cottages	370,360.00
The Lykins Neighborhood Trust—Lykins Neighborhood Trust	383,000.00
Amethyst Place—Amethyst Place Expansion at 2770 Tracy	500,000.00
Ivanhoe Neighborhood Council—Heroes Home Gate Campus	725,000.00
The Whole Person, Inc.—The Prospect at 35th	1,000,000.00
KC MASS Services, LLC—Synergy Services Domestic Violence Housing	750,000.00
Community LINC—Community LINC Housing Proof of Concept	161,000.00
Westside Housing Organization—Health and Environmental Resiliency	350,000.00
Habitat for Humanity Kansas City—Revitalization Homeownership Project	114,000.00
Marlborough Community Land Trust—Marlborough Townhomes	<u>450,000.00</u>
TOTAL	\$7,953,360.00

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

- (a) projects (and associated spending of Housing Trust Fund dollars) must start within 12 months of contract execution, or else the funds must be returned to the City to be used in future Housing Trust Fund allocations.
- (b) Contractors are to provide a monthly status report and narrative on the challenges, if any, on the status of the project due to the requirements in the American Rescue Plan.

Section 5. That the Housing Trust Fund contract with Parade Park Homes is only authorized if the Director of Housing and Community Development determines that Parade Park Homes has entered into a contractual relationship with a developer, consistent with the direction

provided in Ordinance No. 220184, which previously authorized funds for the redevelopment of affordable units at Parade Park Homes and included the same contingency.
..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

No
Fact
Sheet
Provided
For
Ordinance
220642



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				



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				



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
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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? YES Yes/No
See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues? NO Yes/No
0

Does this Legislation Increase Appropriations? NO Yes/No

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) NO Yes/No
See Section 00: " Notes" Below

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

	-	-
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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 #: 220442

RESOLUTION NO. TMP-1853

Declaring the City's support of balanced energy options that achieve climate goals inclusive of natural gas and renewable natural gas strategies, its commitment to considering the inequities of higher energy costs upon marginalized communities and its opposition to legislation or policies that eliminate energy options for local energy consumers by mandating certain fuel sources or energy-specific technologies.

WHEREAS, state legislatures, state agencies and local municipalities across the United States are increasingly proposing new legislation and regulations eliminating energy options for local energy consumers by mandating only certain energy sources to power buildings and public and private fleets as a strategy to achieve climate goals; and

WHEREAS, clean, affordable and reliable energy is crucial to the health, safety and well-being of Kansas City, Missouri, residents, particularly the most vulnerable who live on fixed and limited incomes, including seniors and working families who are struggling financially; and

WHEREAS, the need for clean, affordable and reliable energy to attract and retain businesses, create jobs and spur economic development is vital to our city's success in a highly competitive and increasingly regional and global marketplace; and

WHEREAS, the City of Kansas City, Missouri, and its residents and businesses value energy options, policies and investments that most affordably and efficiently enable them to support local energy and climate goals and objectives; and

WHEREAS, the City opposes any mandate that eliminates energy options for local energy consumers as such policies suppress economic development and innovation, reduce reliability, disregard fiscal responsibility, impede energy efficiency and unnecessarily increase costs for residents and businesses; and

WHEREAS, this resolution supports the efforts of all industries within the energy sector that are working toward the goal of carbon neutrality via a balanced approach to meeting local and state environmental goals, and moreover, this resolution opposes legislation and policies that would eliminate energy options for local energy consumers with respect to building and vehicle energy resources and technologies; and

WHEREAS, the City understands that its social, environmental and economic resilience rely upon diverse energy options, and that relying on a single energy source increases vulnerabilities to climate change, natural disasters, system failures, global and domestic energy

instability, and that a diversity of energy delivery systems and resources contribute to greater reliability and community resilience; and

WHEREAS, the City understands the need for sustainability and is committed to achieving its climate goals, but resolves to maintain the flexibility to do so in a manner that best serves the needs of its residents and businesses; and

WHEREAS, in the pursuit of an inclusive, equitable approach toward innovative, data driven and practical strategies to maximize the benefits obtained from all energy sources, including natural gas and renewable natural gas, the City will encourage the balanced use of all sources of energy to meet the energy needs of the city and to avert undesirable environmental and economic consequences of dependence on a single source of energy as the City pursues the reduction of greenhouse gas emissions and other relevant climate protection and resiliency goals; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

That the City supports balanced energy options that provide the City, its residents, and its businesses with the decision-making authority and resources necessary to achieve climate goals inclusive of natural gas and renewable natural gas strategies, technologies and solutions; the City will duly consider the inequity of higher energy costs and emissions upon marginalized communities least able to withstand their impact; and the City opposes any legislation or policy that eliminates energy options for local energy consumers by mandating certain fuel sources or energy-specific technologies for the powering of buildings, fueling of vehicles or generation of power within the City.

..end

**No Fact Sheet
for
Resolution
220442**



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



File #: 220583

ORDINANCE NO. 220583

Rezoning an area of about 2,100 square feet generally located at the terminus of E. 89th Terrace east of Westridge Road from District R-80 to District R-7.5 and approving a revised preliminary plat in District R-7.5 on about 13 acres to allow for 25 detached lots. (CD-CPC-2022-00046 & CD-CPC-2021-00247)

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-1336 rezoning an area of about 2,100 square feet generally located at the terminus of E. 89th Terrace east of Westridge Road from District R-80 (Residential 80) to District R-7.5 (Residential 7.5) and approving a revised preliminary plat in District R-7.5 (Residential R-7.5) on about 13 acres to allow for 25 detached lots, said section to read as follows:

Section 88-20A-1336. That an area legally described as:

A tract of land in the Southwest Quarter of Section 22, Township 48, Range 32, in Kansas City, Jackson County, Missouri described as follows: commencing at the Southeast corner of the Southwest Quarter of said Section 22; thence North 2°32'12" East, along the East line of said Southwest Quarter-Section, a distance of 597.21 feet; to the true point of beginning of the Tract herein described; thence North 2°32'12" East, along the East line of said Southwest Quarter-Section, a distance of 39.22 feet; thence South 82°27'14" West, a distance of 5.60 feet; Thence North 72°31'41" West, a distance of 130.86 feet; thence South 63°08'17" East, a distance of 58.48 feet; thence South 56°08'23" East, a distance of 92.09 feet to the point of beginning. Containing 2104 square feet more or less.

is hereby rezoned from District R-80 (Residential 80) to District R-7.5 (Residential 7.5), all as shown outlined on a map marked Section 88-20A-1336, 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 preliminary plat for the area legally described as:

A tract of land in the Southwest Quarter and the Southeast Quarter of Section 22, Township 48, Range 32, in Kansas City, Jackson County, Missouri described as

follows: Beginning at the Southwest corner of the Southeast Quarter of said Section 22; thence North 2°32'12" East, along the West line of said Southeast Quarter-Section, a distance of 257.73 feet (this and the following six (6) courses being along the Easterly boundary of Villa Meadows 1st Plat, a subdivision in said City and State); thence North 56°08'23" West, a distance of 211.69 feet; thence North 59°43'35" West, a distance of 80.16 feet; thence North 63°08'17" West, a distance of 160.00 feet; thence North 26°51'43" East, a distance of 120.00 feet; thence South 63°08'17" East, a distance of 7.41 feet; thence North 26°51'43" East, a distance of 170.00 feet; thence South 63°08'17" East, a distance of 153.00 feet; thence South 72°31'41" East, a distance of 130.86 feet; thence North 82°27'14" East, a distance of 58.38 feet; thence North 64°01'27" East, a distance of 151.50 feet; thence North 55°06'39" East, a distance of 65.81 feet; thence North 34°12'36" East, a distance of 164.76 feet; thence North 70°41'48" East, a distance of 81.88 feet; thence North 81°04'44" East, a distance of 70.65 feet; thence North 69°40'04" East, a distance of 71.79 feet; thence North 55°57'54" East, a distance of 52.82 feet; thence North 88°22'02" East, a distance of 111.32 feet; thence South 70°48'53" East, a distance of 111.75 feet; thence South 18°17'36" East, a distance of 94.09 feet; thence South 5°13'21" East, a distance of 86.24 feet; thence South 35°23'29" West, a distance of 97.28 feet; thence South 55°38'54" West, a distance of 161.94 feet; thence South 46°43'02" West, a distance of 314.62 feet; thence South 35°34'34" West, a distance of 70.73 feet; thence South 33°51'37" West, a distance of 160.00 feet; thence South 23°42'03" West, a distance of 54.68 feet; thence South 1°32'57" East, a distance of 72.32 feet; thence South 3°31'12" West, a distance of 86.15 feet to a point on the South line of said Southeast Quarter-Section; thence North 86°30'24" West, along said South line, a distance of 301.54 feet to the point of beginning. Containing 12.97 acres, more or less.

is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
2. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat.
3. The developer shall submit a street naming plan to the Development Management Division prior to issuance of a building permit. The street naming plan shall be approved prior to Mylar approval of the final plat.
4. The developer shall submit a project plan to the City Plan Commission for all private open space tracts indicating plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero footcandles at the property lines prior to Mylar approval or issuance of a building

permit.

5. The developer shall place signs at the entrance to East 89th Terrance off of Westridge Road stating “No Construction Traffic”.
6. The developer shall ensure all construction traffic utilizes the 20-foot emergency access road from Brickyard Road to access the site until the end of construction as defined by when the last lot is sodded.
7. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right of way dedications for the planned project without the prior written consent of the Land Development Division.
8. The developer shall subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and the developer shall be responsible for all costs associated with subordination activities now and in the future.
9. 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.
10. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
11. The 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 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.

13. 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
14. 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.
15. 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.
16. 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.
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 pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
19. The developer shall obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
20. The developer shall submit a preliminary stream buffer plan prior to approval of the special use/development/rezoning plan in accordance with the Section 88-415 requirements.
21. The developer shall show the limits of the 100-year floodplain plus the 1-foot freeboard on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.
22. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the

- buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.
23. The developer shall grant on City approved forms, a stream buffer easement to the City or 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.
 24. The developer shall provide an erosion hazard analysis for areas where any improvements or public right-of-way dedications are proposed within stream buffer zones or adjacent to the outside of stream meanders as required by the Water Services Department.
 25. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC 2018 § 507.1)
 26. Fire hydrant distribution shall follow IFC 2018 Table C102.1.
 27. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC 2018 § 501.4 and 3312.1; NFPA 2013 § 8.7.2)
 28. Dead end Fire Department access road(s) in excess of 150 feet shall be provided with an approved turnaround feature (i.e., cul-de-sac, hammerhead). Dead end streets in excess of 150 feet in length resulting from a “phased” project shall provide an approved temporary turnaround feature (i.e., cul-de-sac, hammerhead). (IFC 2018: § 503.2.5)
 29. 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)
 30. One and two family residential developments exceeding 30 dwelling units shall have at least two separate and approved fire apparatus access roads (IFC 2018: § D107.1) 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 2018: § D104.3)
 31. 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.
 32. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash in lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash in lieu of dedicating all or a portion of the required area, the amount due

shall be based upon the (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to recording the final plat.

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 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. The proposed water mains shall be designed and constructed with a minimum of 10' of horizontal separation to existing and proposed parallel water and sewer mains. (Lots 30, 31, 37, and 38)
35. Water main easements shown on the final approved water main extension plans shall be shown on the final plat prior to the Kansas City Water Services Department approval.

A copy of said preliminary plat 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.

Joseph Rexwinkle, AICP
Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220583

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2021-00247 & CD-CPC-2022-00046

Brief Title

Rezoning & Preliminary Plat for Villa Meadows

Details

Location: 12402 Brickyard Rd
Reason for Legislation: Rezoning and preliminary plats (when waivers are required) require City 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 (if any).
SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:
<ul style="list-style-type: none"> • None

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP City Planning & Development Director
Programs, Departments or Groups Affected	5 th (Barnes, Parks-Shaw)
Applicants / Proponents	Applicant Don Hathaway Weiskirch & Parks City Department City Planning & Development Other
Opponents	Groups or Individuals None 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 on 6-7-22 By (Crowl, Sadowski, Allender, Rojas, Hill, Beasley and Baker; Enders abstained) <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input checked="" type="checkbox"/> For, with revisions or conditions (see city plan commission disposition letter 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

Fact Sheet Prepared By: **Date:** 7/8/22

Matthew Barnes
Planner

Reviewed By: **Date:** 7/8/22

Joseph Rexwinkle
Division Manager

Initial Application Filed: 3/22/22

City Plan Commission: 5/3/22; revised plans requested

City Plan Commission Action: 6/7/22

Revised Plans Filed: 6/15/22

On Schedule: No

Off Schedule Reason: CPC requested revisions on 5/3/22

Reference Numbers:

CD-CPC-2021-00247 & CD-CPC-2022-00046



File #: 220601

ORDINANCE NO. 220601

Vacating a portion of Myrtle Avenue on about 0.53 acres in District R-6 (Residential dash 6) generally located in between E. 52nd Street to the north and E. 53rd Street to the south, and directing the City Clerk to record certain documents. (CD-ROW-2021-00012).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that on the 6th day of April, 2021, a petition was filed with the City Clerk of Kansas City by Bob Langenkamp for the vacation of a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 34, Township 49 North, Range 33 West, in Kansas City, Jackson County, Missouri, being more particularly described as dedicated Myrtle Street at a location between 52nd Street and 53rd Street, commencing at the southeast corner of Lot 71 of the Mountain View Plat; thence North 02°30'25.44" East, 603.360 feet, along the east property lines of Lots 58-71 of the Mountain View Plat; thence South 87°29'34.56" East, 25 feet; thence South 02°30'25.44" West, 299.881 feet along the west property line of Lot 11 of the Mountain View Plat; thence South 87°22'52.12" East, 25.00 feet; thence South 02°30'25.44" West, 303.431 feet, along the west property line of Lot 11 of the Mountain View Plat; thence North 87°29'34.56" West 50.00 feet, to the point of beginning, containing 22,670 square feet, more or less, giving the distinct description of the tract of land to be vacated, and also the names of the persons and corporations owning or claiming to own the property fronting thereon, and that the consent of the persons and corporations owning or claiming to own three-fourths of the front feet of the property immediately adjoining said tract of land has been

obtained in writing, that said consent has been acknowledged as deeds are acknowledged, and was duly filed with the petition for such vacation in the City Clerk's Office.

Section 2. That the Council finds that the City Plan Commission has duly endorsed its approval of this Ordinance hereon.

Section 3. That the Council finds that no private rights will be unreasonably injured or endangered by this vacation and that the public will suffer no unreasonable loss or inconvenience thereby.

Section 4. That a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 34, Township 49 North, Range 33 West, in Kansas City, Jackson County, Missouri, being more particularly described as dedicated Myrtle Street at a location between 52nd Street and 53rd Street, commencing at the southeast corner of Lot 71 of the Mountain View Plat; thence North 02°30'25.44" East, 603.360 feet, along the east property lines of Lots 58-71 of the Mountain View Plat; thence South 87°29'34.56" East, 25 feet; thence South 02°30'25.44" West, 299.881 feet along the west property line of Lot 11 of the Mountain View Plat; thence South 87°22'52.12" East, 25.00 feet; thence South 02°30'25.44" West, 303.431 feet, along the west property line of Lot 11 of the Mountain View Plat; thence North 87°29'34.56" West 50.00 feet, to the point of beginning, containing 22,670 square feet, more or less, be and the same is hereby vacated. However, the City of Kansas City reserves an easement and the right to locate, construct and maintain (or to authorize any franchised utility to locate, construct and maintain) conduits, water, gas and sewer pipes, poles and wire, or any of them over, under, along and across the above-described property. The City of Kansas City shall have at all times the right to go upon the above-described property to construct, maintain and repair the same; and nothing in this vacation action shall be construed so as to grant any right to use the above-described property in any manner as would interfere with the construction or reconstruction and proper, safe and continuous maintenance of the aforesaid uses, and specifically, there shall not be built thereon or thereover any structure (except driveways, paved areas, grass, shrubs and fences) without first securing the written approval of the Director of Public Works, subject to the following conditions:

- A. The applicant shall have their licensed master plumber secure a kill permit from Kansas City Water for the private 2" water main in the south portion of Myrtle Avenue prior to approval of the vacation by City Council.
- B. The applicant shall remove streetlight facilities for poles SDI0125 & SDI0126 at the expense of the applicant prior to release of the vacation for recording. The removal of these facilities shall not impact any other streetlights along E. 53rd Street. The applicant shall coordinate the disconnection of the existing lighting circuit to any adjacent poles with the Public Works Streetlight Maintenance Supervisor. All Kansas City, Missouri equipment must be returned to their maintenance contractor, who at the time of the passage of this ordinance is Black and McDonald.

STREET OR ALLEY VACATION

Ordinance Number

Ordinance Fact Sheet

Case No. CD-ROW-2021-00012

A request to vacate a portion of Myrtle Avenue on about 0.53 acres between E. 52nd Street and E. 53rd Street.

Details

Location: A request to vacate a portion of Myrtle Avenue on about 0.53 acres in District R-6 (Residential dash 6) generally located in between E. 52nd Street to the north and E. 53rd Street to the south.

Reason for Legislation: A request to approve a right-of-way vacation requires approval from city council.

The Commission recommended that this application be approved with conditions:

1. The applicant shall have their licensed master plumber secure a kill permit from KC Water for the private 2" water main in the South portion of Myrtle Avenue prior to approval of the vacation by City Council.
2. The developer shall coordinate with KCMO Public Works Street Lighting Services to come to an agreement prior to ordinance request regarding streetlight poles SD|0125 & SD|0126.

In the time since the CPC hearing, the applicant has worked with the Public Works Streetlights group to agree upon the following revision of condition 2:

2. The applicant shall remove streetlight facilities for poles SDI0125 & SDI0126 at the expense of the applicant prior to release of the vacation for recording. The removal of these facilities shall not impact any other streetlights along E 53rd street. The applicant shall coordinate the disconnection of the existing lighting circuit to any adjacent poles with the Public Works Streetlight Maintenance Supervisor. All KCMO equipment must be returned to their maintenance contractor, who at the time of the passage of this ordinance is Black and McDonald.

See staff report for details.

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	5 th District (Parks-Shaw, Barnes)
Applicants / Proponents	Applicant Bob Langenkamp Community Builders of KC 4001 Blue Parkway, KCMO, 64130 City Department City Planning & Development Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against
Board or Commission Recommendation	City Plan Commission (5-0) 07-05-2022 By Baker, Beasley, Crowl, Rojas, Sadowski <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

Continued from Page 1

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

Finances

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

--

Appropriation Account Codes

Continued from Page 2

<p>Fact Sheet Prepared By: Jared Clements, AICP Planner</p>	<p>Date: 07/11/2022</p>	<p>Initial Application Filed: 04/06/2021</p>
<p>Reviewed By: Joe Rexwinkle, AICP Division Manager Development Management</p>	<p>Date: 07/11/2022</p>	<p>City Plan Commission: 07/05/2022</p> <p>Revised Plans Filed: N/A</p>
<p>Reference Numbers: Case No. CD-ROW-2021-00012</p>		



File #: 220612

ORDINANCE NO. 220612

Amending Chapter 18, Code of Ordinances, by repealing Sections 18-10, Unsafe structures and equipment, 18-20, Fees, and 18-21, Inspections, and enacting in lieu thereof new sections of like number and subject matter to update the City’s periodic building inspection protocols and conduct a one-time inspection of the structural adequacy of each building within the City greater than four stories in height as defined by the current building code and built prior to 1950.

This item will be held until August 10, 2022

WHEREAS, the City Council passed Resolution No. 210581 directing the City Manager to review Kansas City’s current policies related to inspection of building structures owned or leased by the City and engage with stakeholders who could provide recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis; and

WHEREAS, the scope of this policy review was expanded to identify recommendations on current policies related to the inspections of privately owned structures in addition to City owned or leased structures; and

WHEREAS, City staff has engaged with stakeholders who provided recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis; and

WHEREAS, City staff also reviewed current City requirements for inspections of existing buildings, reviewed periodic building inspections requirements from other cities and identified time and cost factors associated with proposed revisions to current periodic inspection standards; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 18, Code of Ordinances, is hereby amended by repealing Sections 18-10, 18-20 and 18-21 and enacting, in lieu thereof, new sections of like number and subject matter to read as follows:

CHAPTER 18

**ARTICLE I.
IN GENERAL**

Sec. 18-10. Unsafe structures and equipment.

(a) *General.* No person, firm, corporation, partnership, association, organization or governmental agency properly regulated by the city shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, maintain or own any building, building use, structure, sign, appendage or building service equipment in an unsafe manner.

(b) *Conditions.* Structures or equipment which are or hereafter become unsafe, unsanitary or deficient because of, but not limited to, incapability to carry the loads for which it was designed, inadequate means of egress facilities, inadequate light and ventilation, or inadequate life-safety systems; or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare due to inadequate maintenance, dilapidation, obsolescence, fire, disaster, damage, failure or abandonment; or which involve illegal or improper use or occupancy; or are defined as a dangerous building or structure by Chapter 56 of the City Code; or are defined as unsafe by any other City codes and ordinances; shall be deemed unsafe. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry may be deemed unsafe by the building official.

(c) *Notice.* If an unsafe condition is found, the building official may serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

(d) *Method of service.* Such notice shall be deemed properly served if a copy thereof is: (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

(e) *Restoration.* The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of section 18-4(b) of this chapter and *International Existing Building Code*, as amended. The preparation of a plan to restore a structure or equipment to a safe condition must be prepared by a licensed design professional and include at minimum the identification of structural deficiencies, required structural

improvements and a timeline in which the required repairs are to take place. Once the required repairs or modifications have been completed, the licensed design professional that prepared the restoration plan shall certify all required repairs and alterations have been completed, and upon determination of the building official, the City shall then issue a letter of acceptance of repairs or modifications and the structure shall be allowed to be occupied.

(f) *Maintenance of signs.* All signs, together with all of their supports, braces, guys and anchors, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Signs which no longer advertise a bona fide business, product or service shall be removed by the owner, agent or person having the beneficial use of the premises upon which such sign may be found within 30 days after vacating the premises.

(g) *Unsafe underground spaces, buildings, structures.* All unsafe underground spaces, buildings, structures or portions thereof are regulated as provided in subsections (a) and (b) of this section.

(h) *Emergency measures.* Where it reasonably appears there is an immediate danger to the health, safety or welfare of any person, the building official may take emergency measures to vacate and repair or demolish an unsafe building, building use, structure, sign or appendage. The structure or that part of the structure that is ordered vacated shall remain unused and unoccupied by either persons or vehicles until the building official has determined that the requirements of subsection (e) are met.

Sec. 18-20. Fees.

(a) *Generally.* Fees relating to work regulated by this chapter shall be assessed in accordance with the provisions of this section and section 18-21. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

(b) *Permit fees.*

(1) *Valuation of construction.* The determination of the value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the permit and plan review fees shall be the total value of all construction work for which the permit is issued. Separate values or valuations shall be computed and separate permits shall be obtained and separate plan review fees shall be paid for each building or structure included in an application for permits. Fees

may be waived at the discretion of the building official during times of declared emergency.

- (2) *One- and two-family detached dwelling building, mechanical, plumbing, electrical, elevator and fire protection permit fees.* One- and two-family detached dwelling building, mechanical, plumbing, electrical, elevator and fire protection permit fees are as follows:

Total Valuation Fee

\$0.00--\$1,000.00.....

\$52.00

\$1,001.00--\$2,000.00.....

\$58.00

\$2,001.00--\$100,000.00:

For the first \$2,000.00.....

\$58.00

*Plus, for each additional \$1,000.00 or fraction thereof,
to and including \$100,000.00*

\$4.33

\$100,001.00 and over:

For the first \$100,000.00.....

\$483.00

Plus, for each additional \$1,000.00 or fraction thereof.....

\$1.41

In addition to the above fees, during the period of time beginning on October 1, 2012, and ending on September 30, 2013, a surcharge of \$50.00 will be applied to each building permit issued for the construction of a new one- or two-family detached dwelling. Proceeds from this fee will be applied to a sample testing program for building envelope and duct system leakage testing in accordance with Article III of this chapter.

- (3) *Building, mechanical, plumbing, electrical, elevator and fire protection permit fees for other than one- and two-family detached dwellings.* Building, mechanical, plumbing, electrical, elevator and fire protection permit fees for other than one- and two-family detached dwellings are as follows:

Total Valuation Fee

\$0.00--\$500.00..... \$
52.00

\$501.00--\$2,000.00.....
\$93.00

\$2,001.00--\$200,000.00:

For the first \$2,000.00.....
\$93.00

Plus, for each additional \$1,000.00 or fraction thereof,
to and including \$200,000.00
\$14.00

\$200,001.00--\$1,000,000.00:

For the first \$200,000.....
\$2,774.00

Plus, for each additional \$1,000.00 or fraction thereof,
to and including \$1,000,000.00.....
\$9.00

\$1,000,001.00 and over:

For the first \$1,000,000.00
\$9,965.00

Plus, for each additional \$1,000.00 or fraction thereof.....
\$3.90

(4) Demolition permit fees. Demolition permit fees are as follows:

a. One- and two-family dwellings and detached accessory
buildings per building
\$90.00

b. All other structures.....
\$221.00

c. Pre-demolition inspection fee. A pre-demolition inspection fee
shall be paid to the building official prior to a pre-demolition

inspection being performed. The pre-demolition inspection fee shall not apply towards the demolition permit fee and shall be assessed as follows:

*One and two family detached dwellings per building:.....
\$38.00*

*All other buildings per building:
\$106.00*

(5) **Sign permit fees.** Sign permit fees are as follows: Type of Sign Fee

a. **Combination and freestanding signs:**

1. *Up to and including 20 square feet.....
\$142.00*

2. *And for each additional 20 square feet
or fraction thereof.....
\$24.00*

b. **Flat wall signs:**

1. *Up to and including 300 square feet.....
\$141.00*

2. *And for each additional 300 square feet
or fraction thereof.....
\$24.00*

c. **Marquees: Each marquee.....
\$467.00**

d. **Roof signs:**

1. *For surface area not to exceed 300 square feet.....
\$467.00*

2. *And for each additional 300 square feet
or fraction thereof.....
\$118.00*

e. **Temporary signs (displayed not longer than 60 days):**

*Each sign.....
\$54.00*

f. Outdoor Advertising Signs:

Fees shall be calculated as required for freestanding signs. Each face of such signs shall be calculated separately for permit fee calculations.

Outdoor advertising sign pre-permit inspection fee. An outdoor advertising sign pre-permit inspection fee shall be paid to the building official prior to an outdoor advertising sign pre-permit inspection being performed. The outdoor advertising sign pre-permit inspection fee shall not apply as part of the sign permit fee.

*Each sign.....
\$337.00*

(6) *Supplementary permit fees.* The fee for a supplementary permit to cover any additional value not included in the original permit shall be the difference between the fee paid for the original permit and the fee which would have been required had the original permit included the entire value. The minimum supplemental permit fee assessed shall be \$54.00.

(7) *Partial permit fees.* When a permit for the construction of part of a building, structure, or building service equipment is requested by the applicant, fees shall be determined in accordance with section 18-20(b)(2) and (3), based on the valuation of work to be performed, as separate permit fees and not as supplementary fees. The minimum fee for a partial permit shall be \$83.00.

(8) *Fast Track Permit Fees.* The fee for a fast track permit issued prior to approval of plans review shall be \$ 80.00. The Fast Track Permit Fee shall be in addition to all other fees due.

(9) *Building moving permit fee.* The fee for a building moving permit shall be \$221.00.

(10) *Building moving pre-permit inspection fee.* A building moving pre-permit inspection fee shall be paid to the building official prior to a building moving pre-permit inspection being performed. The building moving pre-permit inspection fee shall be in addition to all other fees due.

*Each building
.....\$106.00*

(c) *Construction document review fees.*

- (1) *Initial construction document review fee.* For other than one- and two-family dwellings, when a construction document is required to be submitted, a construction document review fee shall be paid to the building official at the time of submitting the construction documents for review. Such construction document review fee shall be one-half of the permit fee and shall be a credit toward the total fee when the permit is issued.

- (2) *Resubmittal construction document review fees.* When previously identified deficiencies remain uncorrected on subsequent submittals or when items certified on the Checklist for Building Permit Construction Document Submittal as being provided are omitted, a resubmittal construction document review fee shall be assessed at the time of resubmittal of the discipline. This fee shall be one eighth of the total permit fee for resubmittal deficiencies. The fee for certified checklist omissions shall be \$ 75.00. Such resubmittal construction document review fee shall not apply as a credit toward the total permit fee. Maximum resubmittal fee shall be as follows:
 - a. One- and two-family dwelling construction document.....
\$30.00
 - b. Other than one- and two-family dwelling construction
document.
\$295.00

- (3) *Changes to previously reviewed plans.* Review of such changes shall be assessed a fee as follows:
 - a. *Minor reviews*
\$54.00
 - b. Major reviews 1/2 of initial construction document review
fee paid.

The director or designee shall have the authority to determine the extent of the changes requested and the fee which shall apply. This fee shall be in addition to any other fees required.

- (4) *Scheduled express review fees.* When scheduled express review is requested by the applicant, a fee of \$ 30.00 for one- and two-family dwellings and a fee of \$ 75.00 for all other structures shall be assessed. Such fees shall be in addition to required permit fees. Eligibility for scheduled express review service shall be determined by the building official based on the complexity of the review and availability of staff to perform the review.

- (5) *Priority Project review fee.* When priority status is requested by the applicant, a fee of 2 times the permit fee shall be assessed. Eligibility for priority status shall be determined by the building official based on the complexity of the project and availability of staff to perform the review.
- (6) *Master Plan Review without permit application.* When a Master Plan is submitted for review without a corresponding permit application, a fee of one-half the normal permit fee shall be assessed. This fee shall not be credited to future permit applications.
- (7) *Optional preliminary code review design meetings.* When requested by the applicant, preliminary code review meetings may be conducted and a fee shall be assessed for other than one- and two-family detached dwellings as follows:
 - a. *One- and two-family dwellings*
..... *no fee*
 - b. *Proposed design less than 20,000 square feet*..... *\$ 75.00*
 - c. *Proposed design 20,000 square feet to 40,000 square feet*..... *\$147.00*
 - d. *Proposed design more than 40,000 square feet*.....
\$222.00
- (8) *Re-review and stamping of lost construction documents to replace applicant's reviewed field set of construction documents.* Such review and stamping shall be assessed a fee of 25% of the initial construction document review fee paid with a minimum fee of \$ 50.00. The maximum fee paid shall be \$ 561.00. Such fees shall be in addition to other required permit fees.
- (9) *Stamping of additional sets of construction documents.* One set of reviewed construction documents shall be provided to the applicant upon permit issuance. Stamping of additional sets of construction documents at the applicant's request shall be assessed a fee of \$ 24.00 per set.
- (10) *Nighttime building permits.* The application fee for a nighttime building permit shall be \$ 68.00. Such fees shall be in addition to other required permit fees.
- (11) *Occupant load certificate fee.* When requested by the applicant, the occupant load of a building or portion of a building will be calculated and

a fee shall be assessed of \$143.00.

(12) *Replacement of occupant load certificate or certificate of occupancy.* When requested by the applicant, a replacement copy of a previously issued occupant load certificate or certificate of occupancy, if located, will be generated. A fee shall be assessed of..... \$36.00 per request.

(13) *Floodplain certificate fee.* The application fee for a floodplain certificate shall be assessed as follows:

- a. One- and two-family dwelling floodplain certificate..... \$
54.00
- b. Other than one- and two-family dwelling floodplain
certificates \$
112.00

(14) *Code compliance verification letter fee.* When requested by the applicant, information related to the status of property with regard to building code and land use regulations will be retrieved and transmitted to the applicant and a fee shall be assessed of \$143.00.

(15) *Address change processing fee.* When requested by the property owner, address changes in compliance with addressing standards shall be processed and a fee shall be assessed as follows:

- a. One and two family detached dwellings per building:
\$36.00
- b. All other buildings per building:
..... \$143.00

(d) *Expiration of permit.* The fee to renew an expired permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that any suspension or abandonment of the work has not exceeded one year.

(e) *Commencement of work without permit.*

(1) Wherever any work for which a permit is required by this article has been commenced without first obtaining a permit, a special investigation may be made before a permit is issued for such work.

(2) Where work for which any permit is required by this article is started prior to obtaining the permit, the fee specified for such permit shall be tripled.

This provision shall not be construed as permission to begin work without the required permit except as follows:

- a. In case of an emergency as set forth in section 18-16(a)(1)b.; or
- b. In case the work is being done at a one-family dwelling by the person who owns and occupies such dwelling and the permit is applied for before the end of the workday following notification.

(f) *Fee refunds.* Where no portion of the plan review for an application has been commenced, or where no portion of the work covered by a permit issued by the building official has been commenced, the applicant may request in writing that the application or permit be canceled and the plan review or permit fee be refunded. The applicant shall then be entitled to a refund of 90 percent of the applicable fee actually paid, except that a full refund will be made when the fee was paid or collected in error. Refunds will not be made for fees representing work having been done prior to the time the fee refund request is made. Under any circumstance, fee refund requests must be made within 180 days after the date of payment if no permit is obtained, or 30 days after the permit is canceled or expired.

(g) *Fee for certificate of occupancy.*

(1) *Fee for certificate of occupancy not related to work under a building permit.* Where a certificate of occupancy is required other than in connection with work under a building permit, the person applying for the certificate shall, at the time of filing application therefore, pay to the building official a fee as required for a team inspection in section 18-20 (h). If it is determined that work requiring a permit is necessary for issuance of the certificate, this fee shall be applied toward the permit fee.

(2) *Temporary certificate of occupancy fees.* When a temporary certificate of occupancy is requested by the applicant in connection with work under a building permit and conditions warrant issuance of a temporary certificate of occupancy pursuant to section 18-23(d) of this chapter, a fee shall be assessed according to the following schedule:

- a. Residential one- and two-family dwellings, townhouses and associated accessory structures:

1st temporary certificate..... \$
0.00

2nd and subsequent certificates.....
\$222.00 2nd and subsequent certificates when certificate is
over

5 working days expired.....
\$444.00

b. All other structures:

1st temporary certificate.....
\$0.00

2nd and subsequent certificates.....
\$444.00 2nd and subsequent certificates when certificate is
over

5 working days expired.....
\$888.00

The Building Official is authorized to develop written procedures by which the renewal fee may be waived due to special circumstances.

(h) *Inspection fees.*

- (1) *Certificate of inspection for underground spaces.* Inspection and certification of underground space pursuant to section 18-21(g)(2) of this chapter shall be performed by the building official upon payment of a fee of \$ 368.00 payable upon application for certificate of inspection.
- (2) *Certificate of inspection for elevators.* The fee for the administration of and or inspections and testing of elevator equipment pursuant to section 18-21(g)(1) of this chapter shall be of \$ 135.00 for the first three floors, or 30 feet of travel, plus \$11.00 for each additional three floors, or 30 feet of travel or fraction thereof. The elevator equipment owner or maintainer shall remit these fees within 60 days of billing. The elevator equipment inspection and tests shall not be scheduled or performed until these fees have been received. Failure to remit these fees within the 60 days will result in a \$ 17.00 additional administrative fee associated with the cost of the re-billing process for each piece of elevator equipment being billed. All called-for inspections or tests to be performed by Department of City Planning and Development inspectors shall be subject to a minimum fee of \$ 34.00 per each piece of elevator equipment scheduled for inspection and test, if the inspection test is not made or is not completed and the Department of City Planning and Development inspector has appeared at the inspection test site, ready to inspect or observe the test, or the scheduled inspection and test is either canceled or rescheduled less than three working days prior to the scheduled date. Payment of fees associated with the failure to perform an inspection and test scheduled with Department of City planning and development inspectors is the responsibility of the registered elevator contractor who scheduled the elevator equipment inspection and test. All fees outlined above are due and payable to the Department of City planning and development even when the inspection and testing is performed by a qualified person authorized by the enforcing authority.

- (3) *Fee for follow-up inspection per state requirements.* The fee for a follow-up inspection of elevator equipment by city personnel pursuant to the Elevator Safety Act and Rules of the State of Missouri shall be \$ 73.00. The fee shall be waived if the inspection is performed at the same time as a follow-up inspection pursuant to section 18-21(g)(1) of this code. The fee, when required, shall be paid before the follow-up inspection is performed.

- (4) *Certificate of inspection for communication towers.* Inspection and certification of communication towers pursuant to section 18-21(g)(3) of this chapter shall be completed by the building official upon payment of a fee of \$ 147.00 payable upon application for certificate of inspection.

- (5) *Certificate of inspection for parking station structures, privately owned pedestrian bridges, and structure supported pools.* Inspection and certification of parking station structures, pedestrian bridges, and structure supported pools pursuant to section 18-21(g) of this chapter, shall be completed by the building official upon payment of a fee of \$ 295.00 payable upon application for certification of inspection. *Reinspection fees.* When work for which an inspection is requested is not complete (not ready when inspector arrives) or when deficiencies identified on two previous inspection events have not been completed a fee of \$ 75.00 shall be assessed and no further inspections shall be completed until such fee is paid.

- (6) *Inspections outside of normal business hour fees.* When the permit holder requests inspections outside of normal business hours, a fee of \$ 60.00 per hour, to include travel time, with a minimum fee of \$ 238.00 shall be assessed for such service. Eligibility for inspections outside of normal business hours shall be determined by the building official based upon the nature of inspections requested and the availability of staff to perform the inspections.

- (7) *Team inspection fee.* When requested by the applicant, the building official may conduct a team inspection of a site/building for the purpose of providing the applicant a written assessment of code issues which may assist the applicant in planning a project or in problem solving. Eligibility for team inspections shall be determined by the building official based upon the nature of inspections requested and the availability of staff to perform the inspections. A fee, payable prior to the inspection being performed, shall be assessed as follows:
 - a. *Buildings/projects less than 20,000 square feet.....*
\$299.00

 - b. *Buildings/projects 20,000 square feet to 40,000 square feet*

..... \$396.00

c. Buildings/projects more than 40,000 square feet.....
\$495.00

(8) *Electrical service reconnect fee:* When a request is made by a property owner for an inspection of an existing electrical service for the purpose of approving the electric utility connection, a fee of \$ 54.00 shall be assessed. If it is found that work requiring an electrical permit is required, this fee may be credited toward the permit fee.

Exception: Reconnection of a service due to a fire occurring within the 90 days prior to the request.

(i) *Code modification request fees.* Code modification requests (CMR) submitted pursuant to section 18-6 of this chapter shall be assessed the following fees:

(1) *One- and two-family dwellings per dwelling unit.....*
\$53.00

(2) All other structures per building or tenant space,
whichever is greater..... \$
112.00

(3) When multiple units of one and two-family dwellings are submitted for the same project in the same request, or when multiple buildings or tenant spaces for all other structures are submitted for the same project in the same request, the maximum fee will be...
..... \$590.00

(4) Requirements contained in Article XII, contractors, division 3,
licensing.....
. \$53.00

(j) *Building and fire codes board of appeals fees.*

(1) *One- and two-family dwellings per dwelling unit.....*
\$53.00

(2) All other structures per building or tenant space,
whichever is greater.....
\$112.00

(3) When multiple units for one- and two-family dwellings are submitted for the same the same project, in the same request, or when multiple buildings or tenant spaces for all other structures are submitted for the

same project in the same request, the maximum fee will be..... \$590.00

(4) Requirements contained in Article XII, contractors, division 3, licensing.....
. \$53.00

(5) Continuance requested by appellant..... one half of original filing fee

(6) No filing fee will be charged for appeals of decisions on code modification requests.

(7) Special exception to issuance of floodplain certificate.....
\$112.00

(k) *Contractor license application fee*..... \$60.00

(l) *Contractor license fees. The quadrennial fees for contractor licenses shall be*.....
\$181.00

See Sec. 18-327 for list of applicable license classes.

Contractor license fees shall not be refundable.

(m) *Certificate of qualification application fee*..... \$60.00

(n) *Certificate of qualification renewal fee.* The quadrennial renewal fee for all certificates of qualification shall be \$ 181.00, except that the certificate fee shall be waived for employees of the city who work for the city as tradesmen or inspectors. Certificates of qualification shall be *issued at no charge for the first four years and shall be renewed quadrennial thereafter at the rate established by this chapter.*

(o) *Encroachment fees.*

(1) *Encroachment permit application fee.* Applications submitted pursuant to section 18-40 (Chapter 32 of the *International Building Code*, as amended) of this chapter for approval of private use of public property shall be assessed an application fee of \$147.00. This fee is not intended to represent any rental or other payments that may also be required by the city.

(2) *Encroachment license fee.* Encroachment into the right-of-way will be subject to the imposition of an annual license fee of \$ 63.00 plus \$0.63

per square foot of encroachment. Aerial (over seven feet above grade) or underground encroachments shall be charged \$ 63.00 plus \$0.31 per square foot. Encroachments granted to the State of Missouri and the United States will not require payment of an encroachment fee because it is in the public interest to permit such encroachments without additional costs to these public entities.

(p) *Adjustment of fees.* The city manager shall have the authority to adjust the fees listed above, except Sections 18-20(b)(2) and 18-20(b)(3), to reflect the change in the consumer price index (all items/all urban consumers/Kansas City, Missouri/Kansas) published by the United States Department of Labor, Bureau of Labor Statistics. The adjustments, if any, shall be made annually by the city manager in conjunction with the adoption of the annual budget of the city by filing a notice with the city clerk.

Sec. 18-21. Inspections.

(a) *Authority of building official; duties of permittee.*

- (1) All construction or work for which a permit is required under this chapter shall be subject to inspection by the building official, and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection as specified in section 18-22.
- (2) Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this chapter or of any other ordinances. Inspections presuming to give authority to violate or cancel the provisions of this chapter or any other ordinances shall not be valid.
- (3) It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the city shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.
- (4) A survey of the lot may be required by the building official to verify that the structure is located in accordance with approved plans.
- (5) It shall be the duty of the permit applicant to install and maintain effective erosion and sediment control measures as specified in section 3307 of the *International Building Code*, as adopted by Article II of this chapter. Should it be found that required erosion and sedimentation control measures have not been installed, the building official may refuse any inspection requests for work requiring inspections until such time as the site complies with the requirements of this chapter. Should it be found that the installed erosion and sediment control measures are ineffective

or are not being maintained properly, the building official shall give notice to the permit holder. Subsequent inspections may be refused if the erosion and siltation control measures are ineffective, or not being maintained.

- (6) Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

(b) *Inspection requests.* It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

(c) *Approval of successive portions of work, final inspection.*

- (1) Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that the portion of the construction or demolition is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the construction or demolition fails to comply with this chapter. Any portions which do not comply shall not be covered or concealed until authorized by the building official.
- (2) There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.

(d) *Required inspections.*

- (1) Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building official.
- (2) The building official, upon notification from the permit holder or permit holder's agent, shall make the following inspections and shall either approve that portion of the construction or demolition as completed or shall notify the permit holder or his agent wherein the construction fails to comply with this chapter:
 - a *Footing or foundation inspection.* A footing and foundation inspection shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job;

except, where concrete is ready-mixed in accordance with ASTM C94, the concrete need not be on the job. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.

- b. *Concrete slab or under-floor inspection.* Concrete slab and under-floor inspections shall be made after all in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is poured or floor sheathing installed, including the subfloor.
- c. *Prebackfill.* A prebackfill inspection shall be made after the foundation drainage and damproofing systems are complete and prior to backfilling.
- d. *Rough-in inspection.* A rough-in inspection shall be made after such work as framing, fireblocking, roof, piping, vents, ductwork, chimneys, wiring, etc., are in place and prior to concealment.
- e. *Fire resistive rated assembly.* A fire resistive rated assembly inspection shall be made at such time so as to verify that the construction of each fire resistive rated assembly is in accordance with its listing.
- f. *Fire-resistant penetrations.* An inspection shall be made of the firestopping or fireblocking of all penetrations, joints, etc., prior to concealment.
- g. *Masonry throat inspection.* For masonry fireplaces only, a masonry throat inspection shall be made after the firebox is built and the 1st flue liner is in place. Construction of chimney may not continue until this inspection is approved.
- h. *Utility connection inspections.* Gas or electric service inspections shall be made prior to connection to the utility source. See Section 18-11 of this article.
- i. *Performance tests.* Performance tests shall be conducted by the permit holder as required by this chapter, or as otherwise required by the building official.
- j. *Demolition (basement and sewer) inspection.* A basement and sewer inspection shall be made prior to the filling of the excavation and/or final grading of the property.

- k. *Final inspection.* A final inspection shall be made after all work under permit has been completed for the building, tenant space or demolition.

(e) *Other inspections.* In addition to the inspections specified in subsection (d) of this section, the building official may make or require other inspections of any construction or demolition work to ascertain compliance with the provisions of this chapter or any other ordinances.

(f) *Building service equipment inspections.* The requirements of this section shall not be considered to prohibit the operation of any building service equipment installed to replace existing building service equipment serving an occupied portion of the building if a request for inspection of such building service equipment has been filed with the building official not more than 48 hours after such replacement work is completed, and before any portion of such building service equipment is concealed by any permanent portion of the building.

(g) *Periodic inspections.*

(1) *Elevators.*

- a. *Generally.* All elevator equipment, vertical and inclined, shall be inspected as required by Article IX of this chapter.
- b. *Issuance of certificate of inspection.* Where the inspections and tests indicate that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this article, and the plans and specifications are filed, the building official shall issue a certificate of inspection to the owner of the elevator or the owner's agent. Such certificate shall be kept posted on the elevator. In the case of escalators and manlifts, such certificate shall be posted in a conspicuous place adjacent to the entrance of each escalator or manlift. No elevator, dumbwaiter, escalator, moving walk, workmen's hoist, manlift, chairlift or wheelchair lift which is covered by this chapter shall be used without such certificate. The owner, tenant, occupant or maintainer of property on which elevator equipment is being operated shall be responsible for the following use of such elevators: Freight elevators shall be ridden by the operator and freight handler persons only, and no-rider elevators shall not be ridden by persons.
- c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the equipment is not in compliance with this chapter or that the fee for any required inspection or test has not been paid.

- d. *Fees for tests and inspections.* Fees for tests and inspections shall be as provided in section 18-20 of this chapter.
 - e. *Limited certificates.* The building official may permit the temporary use of any equipment regulated by this chapter during the installation, alteration or repair, under the authority of a limited certificate issued for each class of service. Such limited certificate shall not be issued until the equipment has been tested under contract load and the car or counterweight safeties, terminal-stopping devices and other safety equipment has been tested and found to be safe for the class of service. Equipment operating under the authority of a limited certificate may be shut down or be subject to a double inspection fee if repairs or other requirements have not been completed in a timely manner.
- (2) *Underground space.*
- a. *Generally.* All new and existing underground spaces shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the underground space is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.
 - b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or the owner's agent. Such certificate shall be maintained in an appropriate location.
 - c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
 - d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in section 18-20 of this chapter.
- (3) *Communication towers for television and radio transmission or reception.*

- a. *Generally.* All new and existing structures shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.
 - b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or the owner's agent. Such certificate shall be maintained in an appropriate location.
 - c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
 - d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in section 18-20 of this chapter.
- (4) *Parking station structures.*
- a. *Generally.* Each owner of a structure that contains a parking station with occupiable spaces above them, including multilevel parking station structures and single level parking station structures with occupiable space above, in its 15th year of age and every five years thereafter shall cause it to be inspected for structural adequacy by a registered professional engineer licensed in the State of Missouri. A form known as the Parking Structure Periodic Inspection Report shall be completed, sealed by the professional engineer who performed the inspection, and submitted to the city planning and development director to verify the conditions found. The Parking Structure Periodic Inspection Report shall be submitted by June 1st of the sixteenth year and every five years thereafter.
 - b. *Issuance of certificate of inspection.* If the Parking Structure Periodic Inspection Report certifies that all applicable structural elements are satisfactory or if the Parking Structure Periodic Inspection Report certifies that there are some limited concerns and

the professional engineer certifies that the structure has sound structural integrity, and should be considered safe for occupancy, then the city planning and development director shall issue a letter of acceptance. Such letters of acceptance shall expire five years from the date they are issued. Letters of acceptance may be revoked before expiration by the city planning and development director if the condition of the structure becomes unsafe.

- c. *Revocation of certificate of inspection.* If the Parking Structure Periodic Inspection Report indicates that the parking structure or part of the structure is unsafe or incapable of carrying the loads for which it was designed without repairs or modifications, the city planning and development director may require the owner to immediately vacate the entire structure or that part of the structure which is deemed unsafe. The structure or that part of the structure that is ordered vacated shall remain unused and unoccupied by either persons or vehicles until proper repairs or modifications render the structure safe and the opinion as required in (b) by the professional engineer is given. Once the required repairs or modifications have been completed and the professional engineer certifies that it has sound structural integrity and should be considered safe for occupancy, the city planning and development director shall issue a letter of acceptance as required in (b) and the structure shall be allowed to be occupied.
- d. *Fee for certificate of inspection.* Fees for the letter of acceptance shall be as provided in section 18-20 of this chapter.

(5) *Privately owned pedestrian bridges*

- a. *Generally.* All new and existing pedestrian bridges shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.
- b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or

the owner's agent. Such certificate shall be maintained in an appropriate location.

- c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
- d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in section 18-20 of this chapter.

(6) Non-ground supported swimming pools on or in a structure

- a. *Generally.* All new and existing non-ground supported swimming pools that are on or in a structure shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.
- b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or the owner's agent. Such certificate shall be maintained in an appropriate location.
- c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
- d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in [section 18-20](#) of this chapter.

(7) One-time structural adequacy inspection of certain existing structures

The City shall conduct a one-time inspection of the structural adequacy of each building within the City greater than four stories in height as defined by the current building code and built prior to 1950, based upon its type of construction. The criteria to identify the structures requiring such an

inspection, and the manner and method of structural assessment to be performed, will be determined by the building official no later than 45 days after the effective date of this ordinance. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair or modification before such certification can be given. The report and a \$500.00 report certification fee must be submitted within six months of the effective date of this ordinance; failure to do so is a violation per section 18-13.

..end

Approved as to form and legality:

Eluard Alegre
Associate City Attorney

GENERAL

Ordinance Fact Sheet

220612

Ordinance Number

Brief Title	Approval Deadline
<p>Amending Chapter 18 Code of Ordinances to update the City's periodic building inspection protocols and require a one-time structural adequacy inspection of certain buildings.</p>	<p> </p>

Reason

Amending Chapter 18, Code of Ordinances, by repealing Section 18-10 . – Unsafe structures and equipment, Section 18-20. – Fees and Section 18-21. – Inspections, and enacting in lieu thereof new sections of like number and subject matter to update the City's periodic building inspection protocols and conduct a one-time inspection of the structural adequacy of each building within the City greater than four stories in height as defined by the current building code and built prior to 1950.

Details

Amending Sections 18-10, 18-20 and 18-21 of the Code to include periodic inspections of additional structure and building types including certain parking station structures, privately owned pedestrian bridges and non-ground supported swimming pools, and to require the one-time inspection of the structural adequacy of buildings within the City greater than four stories in height as defined by the current building code and built prior to 1950, based upon their type of construction.

Positions/Recommendations

Sponsor	City Manager Brian Platt
Programs, Departments, or Groups Affected	City Planning and Development General Services
Applicants / Proponents	<p>Applicant</p> <p>City Department</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>Basis of opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>By</p> <p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do pass</p> <p><input type="checkbox"/> Do pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

Details:

The City Council passed Resolution No. 210581 to review Kansas City's current policies related to inspection of building structures owned or leased by the City and engage with stakeholders who can provide recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis.

The scope of this policy review was expanded to identify recommendations on current policies related to the inspections of building structures privately owned structures in addition to City owned or leased structures

City staff has engaging with stakeholders who provided recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis.

City Staff in developing additional periodic building inspection protocols reviewed current KCMO Requirements for inspections of existing buildings, reviewed periodic building inspections requirements from other cities, and identify time and cost factors associated with proposed revisions to current periodic inspection standards.

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 220612

Amending Chapter 18, Code of Ordinances, by repealing Sections 18-10, Unsafe structures and equipment, 18-20, Fees, and 18-21, Inspections, and enacting in lieu thereof new sections of like number and subject matter to update the City's periodic building inspection protocols and conduct a one-time inspection of the structural adequacy of each building within the City greater than four stories in height as defined by the current building code and built prior to 1950.

WHEREAS, the City Council passed Resolution No. 210581 directing the City Manager to review Kansas City's current policies related to inspection of building structures owned or leased by the City and engage with stakeholders who could provide recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis; and

WHEREAS, the scope of this policy review was expanded to identify recommendations on current policies related to the inspections of privately owned structures in addition to City owned or leased structures; and

WHEREAS, City staff has engaged with stakeholders who provided recommendations on appropriate safety protocols to ensure the structures are safe for occupancy on a regular basis; and

WHEREAS, City staff also reviewed current City requirements for inspections of existing buildings, reviewed periodic building inspections requirements from other cities and identified time and cost factors associated with proposed revisions to current periodic inspection standards; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 18, Code of Ordinances, is hereby amended by repealing Sections 18-10, 18-20 and 18-21 and enacting, in lieu thereof, new sections of like number and subject matter to read as follows:

CHAPTER 18

**ARTICLE I.
IN GENERAL**

Sec. 18-10. Unsafe structures and equipment.

(a) *General.* No person, firm, corporation, partnership, association, organization or governmental agency properly regulated by the city shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, maintain or own any

building, building use, structure, sign, appendage or building service equipment in an unsafe manner.

(b) *Conditions.* Structures or equipment which are or hereafter become unsafe, unsanitary or deficient because of, but not limited to, incapability to carry the loads for which it was designed, inadequate means of egress facilities, inadequate light and ventilation, or inadequate life-safety systems; or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare due to inadequate maintenance, dilapidation, obsolescence, fire, disaster, damage, failure or abandonment; or which involve illegal or improper use or occupancy; or are defined as a dangerous building or structure by Chapter 56 of the City Code; or are defined as unsafe by any other City codes and ordinances; shall be deemed unsafe. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry may be deemed unsafe by the building official.

(c) *Notice.* If an unsafe condition is found, the building official may serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

(d) *Method of service.* Such notice shall be deemed properly served if a copy thereof is: (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

(e) *Restoration.* The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of section 18-4(b) of this chapter and *International Existing Building Code*, as amended. The preparation of a plan to restore a structure or equipment to a safe condition must be prepared by a licensed design professional and include at minimum the identification of structural deficiencies, required structural improvements and a timeline in which the required repairs are to take place. Once the required repairs or modifications have been completed, the licensed design professional that prepared the restoration plan shall certify all required repairs and alterations have been completed, and upon determination of the building official, the City shall then issue a letter of acceptance of repairs or modifications and the structure shall be allowed to be occupied.

(f) *Maintenance of signs.* All signs, together with all of their supports, braces, guys and anchors, shall be kept in repair and in proper state of preservation. The display surfaces of all

signs shall be kept neatly painted or posted at all times. Signs which no longer advertise a bona fide business, product or service shall be removed by the owner, agent or person having the beneficial use of the premises upon which such sign may be found within 30 days after vacating the premises.

(g) *Unsafe underground spaces, buildings, structures.* All unsafe underground spaces, buildings, structures or portions thereof are regulated as provided in subsections (a) and (b) of this section.

(h) *Emergency measures.* Where it reasonably appears there is an immediate danger to the health, safety or welfare of any person, the building official may take emergency measures to vacate and repair or demolish an unsafe building, building use, structure, sign or appendage. The structure or that part of the structure that is ordered vacated shall remain unused and unoccupied by either persons or vehicles until the building official has determined that the requirements of subsection (e) are met.

Sec. 18-20. Fees.

(a) *Generally.* Fees relating to work regulated by this chapter shall be assessed in accordance with the provisions of this section and section 18-21. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

(b) *Permit fees.*

(1) *Valuation of construction.* The determination of the value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the permit and plan review fees shall be the total value of all construction work for which the permit is issued. Separate values or valuations shall be computed and separate permits shall be obtained and separate plan review fees shall be paid for each building or structure included in an application for permits. Fees may be waived at the discretion of the building official during times of declared emergency.

(2) *One- and two-family detached dwelling building, mechanical, plumbing, electrical, elevator and fire protection permit fees.* One- and two-family detached dwelling building, mechanical, plumbing, electrical, elevator and fire protection permit fees are as follows:

Total Valuation Fee

\$0.00--\$1,000.00..... \$ 52.00

\$1,001.00-\$2,000.00..... \$58.00

\$2,001.00-\$100,000.00:

For the first \$2,000.00..... \$58.00

Plus, for each additional \$1,000.00 or fraction thereof,
to and including \$100,000.00 \$4.33

\$100,001.00 and over:

For the first \$100,000.00..... \$483.00

Plus, for each additional \$1,000.00 or fraction thereof..... \$1.41

In addition to the above fees, during the period of time beginning on October 1, 2012, and ending on September 30, 2013, a surcharge of \$50.00 will be applied to each building permit issued for the construction of a new one- or two-family detached dwelling. Proceeds from this fee will be applied to a sample testing program for building envelope and duct system leakage testing in accordance with Article III of this chapter.

- (3) *Building, mechanical, plumbing, electrical, elevator and fire protection permit fees for other than one- and two-family detached dwellings.* Building, mechanical, plumbing, electrical, elevator and fire protection permit fees for other than one- and two-family detached dwellings are as follows:

Total Valuation Fee

\$0.00-\$500.00..... \$ 52.00

\$501.00-\$2,000.00..... \$93.00

\$2,001.00-\$200,000.00:

For the first \$2,000.00..... \$93.00

Plus, for each additional \$1,000.00 or fraction thereof,
to and including \$200,000.00 \$14.00

\$200,001.00-\$1,000,000.00:

For the first \$200,000..... \$2,774.00

Plus, for each additional \$1,000.00 or fraction thereof,
to and including \$1,000,000.00..... \$9.00

\$1,000,001.00 and over:

For the first \$1,000,000.00 \$9,965.00

Plus, for each additional \$1,000.00 or fraction thereof..... \$3.90

(4) *Demolition permit fees.* Demolition permit fees are as follows:

a. One- and two-family dwellings and detached accessory buildings per building \$90.00

b. All other structures..... \$221.00

c. *Pre-demolition inspection fee.* A pre-demolition inspection fee shall be paid to the building official prior to a pre-demolition inspection being performed. The pre-demolition inspection fee shall not apply towards the demolition permit fee and shall be assessed as follows:

One and two family detached dwellings per building..... \$38.00

All other buildings per building:..... \$106.00

(5) *Sign permit fees.* Sign permit fees are as follows: Type of Sign Fee

a. Combination and freestanding signs:

1. Up to and including 20 square feet..... \$142.00

2. And for each additional 20 square feet or fraction thereof..... \$24.00

b. Flat wall signs:

1. Up to and including 300 square feet..... \$141.00

2. And for each additional 300 square feet or fraction thereof Amending Chapter 18, Code of Ordinances, by repealing Sections 18-10, Unsafe structures and equipment, 18-20, Fees, and 18-21, Inspections, and enacting in lieu thereof new sections of like number and subject matter to update the City’s periodic building inspection protocols and conduct a one-time inspection of the structural adequacy of each building within the City greater than four stories in height as defined by the current building code and built prior to 1950. \$24.00

c. Marquees: Each marquee..... \$467.00

- d. Roof signs:
 - 1. For surface area not to exceed 300 square feet..... \$467.00
 - 2. And for each additional 300 square feet
or fraction thereof..... \$118.00

- e. Temporary signs (displayed not longer than 60 days):
 - Each sign..... \$54.00

- f. Outdoor Advertising Signs:

Fees shall be calculated as required for freestanding signs. Each face of such signs shall be calculated separately for permit fee calculations.

Outdoor advertising sign pre-permit inspection fee. An outdoor advertising sign pre-permit inspection fee shall be paid to the building official prior to an outdoor advertising sign pre-permit inspection being performed. The outdoor advertising sign pre-permit inspection fee shall not apply as part of the sign permit fee.

Each sign..... \$337.00

- (6) *Supplementary permit fees.* The fee for a supplementary permit to cover any additional value not included in the original permit shall be the difference between the fee paid for the original permit and the fee which would have been required had the original permit included the entire value. The minimum supplemental permit fee assessed shall be \$54.00.
- (7) *Partial permit fees.* When a permit for the construction of part of a building, structure, or building service equipment is requested by the applicant, fees shall be determined in accordance with section 18-20(b)(2) and (3), based on the valuation of work to be performed, as separate permit fees and not as supplementary fees. The minimum fee for a partial permit shall be \$83.00.
- (8) *Fast Track Permit Fees.* The fee for a fast track permit issued prior to approval of plans review shall be \$ 80.00. The Fast Track Permit Fee shall be in addition to all other fees due.
- (9) *Building moving permit fee.* The fee for a building moving permit shall be \$221.00.
- (10) *Building moving pre-permit inspection fee.* A building moving pre-permit inspection fee shall be paid to the building official prior to a building moving

pre-permit inspection being performed. The building moving pre-permit inspection fee shall be in addition to all other fees due.

Each building.....\$106.00

(c) Construction document review fees.

(1) Initial construction document review fee. For other than one- and two-family dwellings, when a construction document is required to be submitted, a construction document review fee shall be paid to the building official at the time of submitting the construction documents for review. Such construction document review fee shall be one-half of the permit fee and shall be a credit toward the total fee when the permit is issued.

(2) Resubmittal construction document review fees. When previously identified deficiencies remain uncorrected on subsequent submittals or when items certified on the Checklist for Building Permit Construction Document Submittal as being provided are omitted, a resubmittal construction document review fee shall be assessed at the time of resubmittal of the discipline. This fee shall be one eighth of the total permit fee for resubmittal deficiencies. The fee for certified checklist omissions shall be \$ 75.00. Such resubmittal construction document review fee shall not apply as a credit toward the total permit fee. Maximum resubmittal fee shall be as follows:

- a. One- and two-family dwelling construction document..... \$30.00
- b. Other than one- and two-family dwelling construction document..... \$295.00

(3) Changes to previously reviewed plans. Review of such changes shall be assessed a fee as follows:

- a. Minor reviews..... \$54.00
- b. Major reviews 1/2 of initial construction document review fee paid.

The director or designee shall have the authority to determine the extent of the changes requested and the fee which shall apply. This fee shall be in addition to any other fees required.

(4) Scheduled express review fees. When scheduled express review is requested by the applicant, a fee of \$ 30.00 for one- and two-family dwellings and a fee of \$ 75.00 for all other structures shall be assessed. Such fees shall be in addition to required permit fees. Eligibility for scheduled express review service shall be determined by the building official based on the complexity of the review and

availability of staff to perform the review.

- (5) *Priority Project review fee.* When priority status is requested by the applicant, a fee of 2 times the permit fee shall be assessed. Eligibility for priority status shall be determined by the building official based on the complexity of the project and availability of staff to perform the review.
- (6) *Master Plan Review without permit application.* When a Master Plan is submitted for review without a corresponding permit application, a fee of one-half the normal permit fee shall be assessed. This fee shall not be credited to future permit applications.
- (7) *Optional preliminary code review design meetings.* When requested by the applicant, preliminary code review meetings may be conducted and a fee shall be assessed for other than one- and two-family detached dwellings as follows:
 - a. One- and two-family dwellings..... no fee
 - b. Proposed design less than 20,000 square feet.....\$ 75.00
 - Proposed design 20,000 square feet to 40,000 square feet..... \$147.00
 - d. Proposed design more than 40,000 square feet..... \$222.00
- (8) *Re-review and stamping of lost construction documents to replace applicant's reviewed field set of construction documents.* Such review and stamping shall be assessed a fee of 25% of the initial construction document review fee paid with a minimum fee of \$ 50.00. The maximum fee paid shall be \$ 561.00. Such fees shall be in addition to other required permit fees.
- (9) *Stamping of additional sets of construction documents.* One set of reviewed construction documents shall be provided to the applicant upon permit issuance. Stamping of additional sets of construction documents at the applicant's request shall be assessed a fee of \$ 24.00 per set.
- (10) *Nighttime building permits.* The application fee for a nighttime building permit shall be \$ 68.00. Such fees shall be in addition to other required permit fees.
- (11) *Occupant load certificate fee.* When requested by the applicant, the occupant load of a building or portion of a building will be calculated and a fee shall be assessed of \$143.00.
- (12) *Replacement of occupant load certificate or certificate of occupancy.* When requested by the applicant, a replacement copy of a previously issued occupant load certificate or certificate of occupancy, if located, will be generated. A fee

shall be assessed of..... \$36.00 per request.

(13) *Floodplain certificate fee.* The application fee for a floodplain certificate shall be assessed as follows:

- a. One- and two-family dwelling floodplain certificate..... \$ 54.00
- b. Other than one- and two-family dwelling floodplain certificates..... \$ 112.00

(14) *Code compliance verification letter fee.* When requested by the applicant, information related to the status of property with regard to building code and land use regulations will be retrieved and transmitted to the applicant and a fee shall be assessed of \$143.00.

(15) *Address change processing fee.* When requested by the property owner, address changes in compliance with addressing standards shall be processed and a fee shall be assessed as follows:

- a. One and two family detached dwellings per building:.... \$36.00
- b. All other buildings per building:..... \$143.00

(d) *Expiration of permit.* The fee to renew an expired permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that any suspension or abandonment of the work has not exceeded one year.

(e) *Commencement of work without permit.*

(1) Wherever any work for which a permit is required by this article has been commenced without first obtaining a permit, a special investigation may be made before a permit is issued for such work.

(2) Where work for which any permit is required by this article is started prior to obtaining the permit, the fee specified for such permit shall be tripled. This provision shall not be construed as permission to begin work without the required permit except as follows:

- a. In case of an emergency as set forth in section 18-16(a)(1)b.; or
- b. In case the work is being done at a one-family dwelling by the person who owns and occupies such dwelling and the permit is applied for before the end of the workday following notification.

(f) *Fee refunds.* Where no portion of the plan review for an application has been

commenced, or where no portion of the work covered by a permit issued by the building official has been commenced, the applicant may request in writing that the application or permit be canceled and the plan review or permit fee be refunded. The applicant shall then be entitled to a refund of 90 percent of the applicable fee actually paid, except that a full refund will be made when the fee was paid or collected in error. Refunds will not be made for fees representing work having been done prior to the time the fee refund request is made. Under any circumstance, fee refund requests must be made within 180 days after the date of payment if no permit is obtained, or 30 days after the permit is canceled or expired.

(g) *Fee for certificate of occupancy.*

(1) *Fee for certificate of occupancy not related to work under a building permit.* Where a certificate of occupancy is required other than in connection with work under a building permit, the person applying for the certificate shall, at the time of filing application therefore, pay to the building official a fee as required for a team inspection in section 18-20 (h). If it is determined that work requiring a permit is necessary for issuance of the certificate, this fee shall be applied toward the permit fee.

(2) *Temporary certificate of occupancy fees.* When a temporary certificate of occupancy is requested by the applicant in connection with work under a building permit and conditions warrant issuance of a temporary certificate of occupancy pursuant to section 18-23(d) of this chapter, a fee shall be assessed according to the following schedule:

a. Residential one- and two-family dwellings, townhouses and associated accessory structures:

1st temporary certificate.....	\$ 0.00
2nd and subsequent certificates.....	\$222.00
2nd and subsequent certificates when certificate is over 5 working days expired.....	\$444.00

b. All other structures:

1st temporary certificate.....	\$0.00
2nd and subsequent certificates.....	\$444.00
2nd and subsequent certificates when certificate is over 5 working days expired.....	\$888.00

The Building Official is authorized to develop written procedures by which the renewal fee may be waived due to special circumstances.

(h) *Inspection fees.*

- (1) *Certificate of inspection for underground spaces.* Inspection and certification of underground space pursuant to section 18-21(g)(2) of this chapter shall be performed by the building official upon payment of a fee of \$ 368.00 payable upon application for certificate of inspection.
- (2) *Certificate of inspection for elevators.* The fee for the administration of and or inspections and testing of elevator equipment pursuant to section 18-21(g)(1) of this chapter shall be of \$ 135.00 for the first three floors, or 30 feet of travel, plus \$11.00 for each additional three floors, or 30 feet of travel or fraction thereof. The elevator equipment owner or maintainer shall remit these fees within 60 days of billing. The elevator equipment inspection and tests shall not be scheduled or performed until these fees have been received. Failure to remit these fees within the 60 days will result in a \$ 17.00 additional administrative fee associated with the cost of the re-billing process for each piece of elevator equipment being billed. All called-for inspections or tests to be performed by Department of City Planning and Development inspectors shall be subject to a minimum fee of \$ 34.00 per each piece of elevator equipment scheduled for inspection and test, if the inspection test is not made or is not completed and the Department of City Planning and Development inspector has appeared at the inspection test site, ready to inspect or observe the test, or the scheduled inspection and test is either canceled or rescheduled less than three working days prior to the scheduled date. Payment of fees associated with the failure to perform an inspection and test scheduled with Department of City planning and development inspectors is the responsibility of the registered elevator contractor who scheduled the elevator equipment inspection and test. All fees outlined above are due and payable to the Department of City planning and development even when the inspection and testing is performed by a qualified person authorized by the enforcing authority.
- (3) *Fee for follow-up inspection per state requirements.* The fee for a follow-up inspection of elevator equipment by city personnel pursuant to the Elevator Safety Act and Rules of the State of Missouri shall be \$ 73.00. The fee shall be waived if the inspection is performed at the same time as a follow-up inspection pursuant to section 18-21(g)(1) of this code. The fee, when required, shall be paid before the follow-up inspection is performed.
- (4) *Certificate of inspection for communication towers.* Inspection and certification of communication towers pursuant to section 18-21(g)(3) of this chapter shall be completed by the building official upon payment of a fee of \$ 147.00 payable upon application for certificate of inspection.
- (5) *Certificate of inspection for parking station structures, privately owned pedestrian bridges, and structure supported pools.* Inspection and certification of parking station structures, pedestrian bridges, and structure supported pools pursuant to section 18-21(g) of this chapter, shall be completed by the building official upon payment of a fee of \$ 295.00 payable upon application for certification of inspection. *Reinspection fees.* When work for which an inspection is requested is not complete (not ready when inspector arrives) or when deficiencies identified on two previous inspection events have not been completed a fee of \$ 75.00 shall be assessed and no further inspections shall be

completed until such fee is paid.

(6) *Inspections outside of normal business hour fees.* When the permit holder requests inspections outside of normal business hours, a fee of \$ 60.00 per hour, to include travel time, with a minimum fee of \$ 238.00 shall be assessed for such service. Eligibility for inspections outside of normal business hours shall be determined by the building official based upon the nature of inspections requested and the availability of staff to perform the inspections.

(7) *Team inspection fee.* When requested by the applicant, the building official may conduct a team inspection of a site/building for the purpose of providing the applicant a written assessment of code issues which may assist the applicant in planning a project or in problem solving. Eligibility for team inspections shall be determined by the building official based upon the nature of inspections requested and the availability of staff to perform the inspections. A fee, payable prior to the inspection being performed, shall be assessed as follows:

a. Buildings/projects less than 20,000 square feet..... \$299.00

Buildings/projects 20,000 square feet to 40,000 square feet \$396.00

c. Buildings/projects more than 40,000 square feet..... \$495.00

(8) *Electrical service reconnect fee:* When a request is made by a property owner for an inspection of an existing electrical service for the purpose of approving the electric utility connection, a fee of \$ 54.00 shall be assessed. If it is found that work requiring an electrical permit is required, this fee may be credited toward the permit fee.

Exception: Reconnection of a service due to a fire occurring within the 90 days prior to the request.

(i) *Code modification request fees.* Code modification requests (CMR) submitted pursuant to section 18-6 of this chapter shall be assessed the following fees:

(1) One- and two-family dwellings per dwelling unit..... \$53.00

(2) All other structures per building or tenant space,
whichever is greater..... \$ 112.00

(3) When multiple units of one and two-family dwellings are submitted for the same project in the same request, or when multiple buildings or tenant spaces for all other structures are submitted for the same project in the same request, the maximum fee will be... .. \$590.00

(4) Requirements contained in Article XII, contractors, division 3,

licensing..... \$53.00

(j) *Building and fire codes board of appeals fees.*

(1) One- and two-family dwellings per dwelling unit..... \$53.00

(2) All other structures per building or tenant space,
whichever is greater..... \$112.00

(3) When multiple units for one- and two-family dwellings are submitted for the same the same project, in the same request, or when multiple buildings or tenant spaces for all other structures are submitted for the same project in the same request, the maximum fee will be..... \$590.00

(4) Requirements contained in Article XII, contractors, division 3,
licensing..... \$53.00

(5) Continuance requested by appellant..... one half of original filing fee

(6) No filing fee will be charged for appeals of decisions on code modification requests.

(7) Special exception to issuance of floodplain certificate..... \$112.00

(k) *Contractor license application fee*..... \$60.00

(l) *Contractor license fees.* The quadrennial fees for contractor licenses shall be..... \$181.00

See Sec. 18-327 for list of applicable license classes.

Contractor license fees shall not be refundable.

(m) *Certificate of qualification application fee*..... \$60.00

(n) *Certificate of qualification renewal fee.* The quadrennial renewal fee for all certificates of qualification shall be \$ 181.00, except that the certificate fee shall be waived for employees of the city who work for the city as tradesmen or inspectors. Certificates of qualification shall be issued at no charge for the first four years and shall be renewed quadrennial thereafter at the rate established by this chapter.

(o) *Encroachment fees.*

(1) *Encroachment permit application fee.* Applications submitted pursuant to section 18-40 (Chapter 32 of the *International Building Code*, as amended) of

this chapter for approval of private use of public property shall be assessed an application fee of \$147.00. This fee is not intended to represent any rental or other payments that may also be required by the city.

- (2) *Encroachment license fee.* Encroachment into the right-of-way will be subject to the imposition of an annual license fee of \$ 63.00 plus \$0.63 per square foot of encroachment. Aerial (over seven feet above grade) or underground encroachments shall be charged \$ 63.00 plus \$0.31 per square foot. Encroachments granted to the State of Missouri and the United States will not require payment of an encroachment fee because it is in the public interest to permit such encroachments without additional costs to these public entities.

(p) *Adjustment of fees.* The city manager shall have the authority to adjust the fees listed above, except Sections 18-20(b)(2) and 18-20(b)(3), to reflect the change in the consumer price index (all items/all urban consumers/Kansas City, Missouri/Kansas) published by the United States Department of Labor, Bureau of Labor Statistics. The adjustments, if any, shall be made annually by the city manager in conjunction with the adoption of the annual budget of the city by filing a notice with the city clerk.

Sec. 18-21. Inspections.

(a) *Authority of building official; duties of permittee.*

- (1) All construction or work for which a permit is required under this chapter shall be subject to inspection by the building official, and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection as specified in section 18-22.
- (2) Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this chapter or of any other ordinances. Inspections presuming to give authority to violate or cancel the provisions of this chapter or any other ordinances shall not be valid.
- (3) It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the city shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.
- (4) A survey of the lot may be required by the building official to verify that the structure is located in accordance with approved plans.
- (5) It shall be the duty of the permit applicant to install and maintain effective erosion and sediment control measures as specified in section 3307 of the *International Building Code*, as adopted by Article II of this chapter. Should it be found that required erosion and sedimentation control measures have not been

installed, the building official may refuse any inspection requests for work requiring inspections until such time as the site complies with the requirements of this chapter. Should it be found that the installed erosion and sediment control measures are ineffective or are not being maintained properly, the building official shall give notice to the permit holder. Subsequent inspections may be refused if the erosion and siltation control measures are ineffective, or not being maintained.

- (6) Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

(b) *Inspection requests.* It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

(c) *Approval of successive portions of work, final inspection.*

- (1) Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that the portion of the construction or demolition is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the construction or demolition fails to comply with this chapter. Any portions which do not comply shall not be covered or concealed until authorized by the building official.
- (2) There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.

(d) *Required inspections.*

- (1) Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building official.
- (2) The building official, upon notification from the permit holder or permit holder's agent, shall make the following inspections and shall either approve that portion of the construction or demolition as completed or shall notify the permit holder or his agent wherein the construction fails to comply with this chapter:
 - a. *Footing or foundation inspection.* A footing and foundation inspection shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any

required forms shall be in place prior to inspection. All materials for the foundation shall be on the job; except, where concrete is ready-mixed in accordance with ASTM C94, the concrete need not be on the job. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.

- b. *Concrete slab or under-floor inspection.* Concrete slab and under-floor inspections shall be made after all in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is poured or floor sheathing installed, including the subfloor.
- c. *Prebackfill.* A prebackfill inspection shall be made after the foundation drainage and damproofing systems are complete and prior to backfilling.
- d. *Rough-in inspection.* A rough-in inspection shall be made after such work as framing, fireblocking, roof, piping, vents, ductwork, chimneys, wiring, etc., are in place and prior to concealment.
- e. *Fire resistive rated assembly.* A fire resistive rated assembly inspection shall be made at such time so as to verify that the construction of each fire resistive rated assembly is in accordance with its listing.
- f. *Fire-resistant penetrations.* An inspection shall be made of the firestopping or fireblocking of all penetrations, joints, etc., prior to concealment.
- g. *Masonry throat inspection.* For masonry fireplaces only, a masonry throat inspection shall be made after the firebox is built and the 1st flue liner is in place. Construction of chimney may not continue until this inspection is approved.
- h. *Utility connection inspections.* Gas or electric service inspections shall be made prior to connection to the utility source. See Section 18-11 of this article.
- i. *Performance tests.* Performance tests shall be conducted by the permit holder as required by this chapter, or as otherwise required by the building official.
- j. *Demolition (basement and sewer) inspection.* A basement and sewer inspection shall be made prior to the filling of the excavation and/or final grading of the property.
- k. *Final inspection.* A final inspection shall be made after all work under permit has been completed for the building, tenant space or demolition.

(e) *Other inspections.* In addition to the inspections specified in subsection (d) of this section, the building official may make or require other inspections of any construction or demolition work to ascertain compliance with the provisions of this chapter or any other ordinances.

(f) *Building service equipment inspections.* The requirements of this section shall not be considered to prohibit the operation of any building service equipment installed to replace existing building service equipment serving an occupied portion of the building if a request for inspection of such building service equipment has been filed with the building official not more than 48 hours after such replacement work is completed, and before any portion of such building service equipment is concealed by any permanent portion of the building.

(g) *Periodic inspections.*

(1) *Elevators.*

- a. *Generally.* All elevator equipment, vertical and inclined, shall be inspected as required by Article IX of this chapter.
- b. *Issuance of certificate of inspection.* Where the inspections and tests indicate that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this article, and the plans and specifications are filed, the building official shall issue a certificate of inspection to the owner of the elevator or the owner's agent. Such certificate shall be kept posted on the elevator. In the case of escalators and manlifts, such certificate shall be posted in a conspicuous place adjacent to the entrance of each escalator or manlift. No elevator, dumbwaiter, escalator, moving walk, workmen's hoist, manlift, chairlift or wheelchair lift which is covered by this chapter shall be used without such certificate. The owner, tenant, occupant or maintainer of property on which elevator equipment is being operated shall be responsible for the following use of such elevators: Freight elevators shall be ridden by the operator and freight handler persons only, and no-rider elevators shall not be ridden by persons.
- c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the equipment is not in compliance with this chapter or that the fee for any required inspection or test has not been paid.
- d. *Fees for tests and inspections.* Fees for tests and inspections shall be as provided in section 18-20 of this chapter.
- e. *Limited certificates.* The building official may permit the temporary use of any equipment regulated by this chapter during the installation,

alteration or repair, under the authority of a limited certificate issued for each class of service. Such limited certificate shall not be issued until the equipment has been tested under contract load and the car or counterweight safeties, terminal-stopping devices and other safety equipment has been tested and found to be safe for the class of service. Equipment operating under the authority of a limited certificate may be shut down or be subject to a double inspection fee if repairs or other requirements have not been completed in a timely manner.

(2) *Underground space.*

- a. *Generally.* All new and existing underground spaces shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the underground space is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.
- b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or the owner's agent. Such certificate shall be maintained in an appropriate location.
- c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
- d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in section 18-20 of this chapter.

(3) *Communication towers for television and radio transmission or reception.*

- a. *Generally.* All new and existing structures shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.

- b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or the owner's agent. Such certificate shall be maintained in an appropriate location.
 - c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
 - d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in section 18-20 of this chapter.
- (4) *Parking station structures.*
- a. *Generally.* Each owner of a structure that contains a parking station with occupiable spaces above them, including multilevel parking station structures and single level parking station structures with occupiable space above, in its 15th year of age and every five years thereafter shall cause it to be inspected for structural adequacy by a registered professional engineer licensed in the State of Missouri. A form known as the Parking Structure Periodic Inspection Report shall be completed, sealed by the professional engineer who performed the inspection, and submitted to the city planning and development director to verify the conditions found. The Parking Structure Periodic Inspection Report shall be submitted by June 1st of the sixteenth year and every five years thereafter.
 - b. *Issuance of certificate of inspection.* If the Parking Structure Periodic Inspection Report certifies that all applicable structural elements are satisfactory or if the Parking Structure Periodic Inspection Report certifies that there are some limited concerns and the professional engineer certifies that the structure has sound structural integrity, and should be considered safe for occupancy, then the city planning and development director shall issue a letter of acceptance. Such letters of acceptance shall expire five years from the date they are issued. Letters of acceptance may be revoked before expiration by the city planning and development director if the condition of the structure becomes unsafe.
 - c. *Revocation of certificate of inspection.* If the Parking Structure Periodic Inspection Report indicates that the parking structure or part of the structure is unsafe or incapable of carrying the loads for which it was designed without repairs or modifications, the city planning and development director may require the owner to immediately vacate the entire structure or that part of the structure which is deemed unsafe. The

structure or that part of the structure that is ordered vacated shall remain unused and unoccupied by either persons or vehicles until proper repairs or modifications render the structure safe and the opinion as required in (b) by the professional engineer is given. Once the required repairs or modifications have been completed and the professional engineer certifies that it has sound structural integrity and should be considered safe for occupancy, the city planning and development director shall issue a letter of acceptance as required in (b) and the structure shall be allowed to be occupied.

- d. *Fee for certificate of inspection.* Fees for the letter of acceptance shall be as provided in section 18-20 of this chapter.

(5) *Privately owned pedestrian bridges*

- a. *Generally.* All new and existing pedestrian bridges shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.
- b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or the owner's agent. Such certificate shall be maintained in an appropriate location.
- c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
- d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in section 18-20 of this chapter.

(6) *Non-ground supported swimming pools on or in a structure*

- a. *Generally.* All new and existing non-ground supported swimming pools that are on or in a structure shall be inspected for structural adequacy at least once every five years. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found on each occasion. The report shall be certified by a professional engineer

registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair before such certification can be given.

- b. *Issuance of certificate of inspection.* Where the inspection indicates that the installation is in a safe operating condition, and, in the case of a new installation, conforms to this chapter and this article, a certificate of inspection shall be issued to the owner or the owner's agent. Such certificate shall be maintained in an appropriate location.
- c. *Revocation of certificate of inspection.* Any certificate issued may be revoked if it is determined that the installation is not in compliance with this chapter or that the fee for certificate of inspection has not been paid.
- d. *Fee for certificate of inspection.* Fees for certificate of inspection shall be as provided in section 18-20 of this chapter.

(7) One-time structural adequacy inspection of certain existing structures

The City shall conduct a one-time inspection of the structural adequacy of each building within the City greater than four stories in height as defined by the current building code and built prior to 1950, based upon its type of construction. The criteria to identify the structures requiring such an inspection, and the manner and method of structural assessment to be performed, will be determined by the building official no later than 45 days after the effective date of this ordinance. A report of the findings of such inspection shall be submitted to the building official to verify the conditions found. The report shall be certified by a professional engineer registered to practice in the state. The report shall state that, in the opinion of the professional engineer, the structure is safe and in such condition that it is capable of carrying the loads for which it was originally designed without any repairs or modifications, or what areas require repair or modification before such certification can be given. The report and a \$500.00 report certification fee must be submitted within six months of the effective date of this ordinance; failure to do so is a violation per section 18-13.

Approved as to form and legality:

Eluard Alegre Associate City Attorney



File #: 220616

ORDINANCE NO. 220616

Reducing appropriations in the American Rescue Plan Fund by \$1,000,000.00 and appropriating that amount from the Unappropriated Fund Balance of the American Rescue Plan Fund to the contractual services account in the American Rescue Plan Fund: designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date. *****This item will be held until August 10, 2022*****

WHEREAS, the City received Federal stimulus under the American Rescue Plan Act (ARP) which can be allocated to improve housing; and

WHEREAS, the City allocated \$15 million of ARP dollars to the ReBuild KC Grant program; and

WHEREAS, the City received more than 1,200 applications for assistance requesting more than \$264 million in funding, including 141 applications for minor home repair; and

WHEREAS, these applications were reviewed by a comprehensive team of City staff; and

WHEREAS, after reviewing applications staff recommends that \$1,000,000.00 be allocated to fund the Minor Home Repair Program, which can use existing processes to allocate and monitor needed home repairs; and

WHEREAS, these costs are eligible for fund under ARP guidelines using expenditure category, 2.18 Housing Support: Other Housing Assistance. The following data would need to be tracked to meet the requirements:

- Number of homes repaired
- Households that can remain in the same home once repairs are made
- Plumbing, electrical, roofs or other major repairs completed
- Number of homes made newly accessible to individuals with disabilities
- Homeowners must be current on their mortgage and all taxes; and

WHEREAS, an additional \$1,000,000.00 in funding will make it possible to provide home repair service to all approved homeowner applications; and

WHEREAS, the additional funding will allow repairs which increases housing energy efficiency and energy conservation; and

WHEREAS, most of these home improvement services are critical to the residents' ability to stay in their homes; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the appropriation in the following account of the American Rescue Plan Fund, Fund No. 2585, is hereby reduced by the following amount:

23-2585-575003-B-G57TEMP	Rebuild KC	\$1,000,000.00
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Section 2. That the following amount is hereby appropriated from the Unappropriated Fund Balance of the American Rescue Plan Fund, Fund No. 2585, to the following account:

23-2585-555313-B-G55MHRARP	Minor Home Repair	\$1,000,000.00
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Section 3. That the Director of Housing and Community Development is designated as requisitioning authority for Account No. 23-2585-555313.

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

..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:

Emalea Black
Associate City Attorney

GENERAL

Ordinance Fact Sheet

220616

Ordinance Number

Brief Title:

Approval Deadline:

Reason:

Details

Positions / Recommendations

<p>Reason for Legislation</p> <p>This program will provide additional funds to the Housing Department’s Minor Home Repair program to provide additional home repair services to ReBuild KC applicants meeting the criteria for the American Rescue Plan Fund and the department’s criteria. Funds will be used for repairs which are critical for the residents ability to stay in their homes, and may increase housing energy efficiency and energy conservation.</p>	<p>Sponsor(s)</p> <p>Programs, Departments, or Groups Affected Neighborhood Services Department Housing and Community Services Department</p>										
<p>Discussion <i>(including relationship to other Council actions)</i></p> <p>The Minor Home Repair program annually has more applicants than it can fund. This appropriation for additional funds for home repairs that have not been able to be addressed by the City’s existing program. These repairs are allowed under Section 2 of the ARPA Expenditure Guidelines handbook, specifically expenditure category 2.18 and must meet the ARPA requirement listed in this ordinance.</p> <p>Is it good for the children? Yes</p> <p>How will this contribute to a sustainable Kansas City? Existing housing stock will be preserved, while allowing residents to stay in their homes and maintain the integrity of their neighborhoods.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Applicants/Proponents</td> <td style="width: 50%; padding: 5px;"> <p>Applicant Neighborhood Services Housing and Community Services Department</p> <p>City Department</p> <p>Other</p> </td> </tr> <tr> <td style="padding: 5px;">Opponents</td> <td style="padding: 5px;"> <p>Groups or Individuals</p> <p>Basis of Opposition None Known</p> </td> </tr> <tr> <td style="padding: 5px;">Staff Recommendation</td> <td style="padding: 5px;"> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reasons Against:</p> </td> </tr> <tr> <td style="padding: 5px;">Board or Commission Recommendation</td> <td style="padding: 5px;"> <p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions</p> </td> </tr> <tr> <td style="padding: 5px;">Council Committee Action</td> <td style="padding: 5px;"> <p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass</p> </td> </tr> </table>	Applicants/Proponents	<p>Applicant Neighborhood Services Housing and Community Services Department</p> <p>City Department</p> <p>Other</p>	Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition None Known</p>	Staff Recommendation	<p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reasons Against:</p>	Board or Commission Recommendation	<p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions</p>	Council Committee Action	<p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass</p>
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Details**Policy / Program Impact**

		Policy or Program Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
		Operational Impact Assessment	
	Finances		
		Cost and Revenue Projections	Cost of Legislation Increase/Decrease in Revenue Expected Annually
		Fund Sources	2585-575003-B-G57TEMP \$1,000,000

Applicable Dates:**Fact Sheet Prepared By:****Reviewed By:****Reference Numbers**

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220616
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LEGISLATION IN BRIEF:

Reducing appropriations in the American Rescue Plan Fund by \$1,000,000.00 and appropriating that amount from the Unappropriated Fund Balance of the American Rescue Plan Fund to the contractual services account in the American Rescue Plan Fund: designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

What is the purpose of this legislation? OPERATIONAL

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

Does this legislation spend money? Yes/No

See Section 00: " Notes" Below

Does this legislation estimate new Revenues? Yes/No

See Section 00: " Notes" Below

Does this Legislation Increase Appropriations? Yes/No

See Section 00: " Notes" Below

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) Yes/No

See Section 00: " Notes" Below

Section 00: Notes:

This program will provide additional funds to the Housing Department's Minor Home Repair program to provide additional home repair services to ReBuild KC applicants meeting the criteria for the American Rescue Plan Fund and the department's criteria. Funds will be used for repairs which are critical for the residents ability to stay in their homes, and may increase housing energy efficiency and energy conservation.

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 BUD	FY 23-24 EST
2585	575003	619960	G57TEMP	1,000,000.00	

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
2585	555313	619080	G55MHPARP	1,000,000.00	

NET IMPACT ON OPERATIONAL BUDGET

RESERVE STATUS: **DRAW ON RESERVES**

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
2585	American Rescue Plan	1,000,000	-	-	-	-	-	-
	TOTAL EXP	1,000,000	-	-	-	-	-	-

NET Per-YEAR IMPACT (1,000,000) - - - - -

NET IMPACT (SIX YEARS) **(1,000,000.00)**

REVIEWED BY Esther Swanson DATE 7/15/2022

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220616
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LEGISLATION IN BRIEF:
 This program will provide additional funds to the Housing Department's Minor Home Repair program to provide additional home repair services to ReBuild KC applicants meeting the criteria for the American Rescue Plan Fund and the department's criteria. Funds will be used for repairs which are critical for the residents ability to stay in their homes, and may increase housing energy efficiency and energy conservation.

What is the purpose of this legislation? OPERATIONAL

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

Does this legislation spend money? NO Yes/No
See Section 00: " Notes" Below

Does this legislation estimate new Revenues? NO Yes/No
 0

Does this Legislation Increase Appropriations? NO Yes/No

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) NO Yes/No
See Section 00: " Notes" Below

Section 00: Notes:

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 BUD	FY 23-24 EST
2585	575003	B	G57TEMP	1,000,000.00	

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

	-	-	
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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
2585	American Rescue Plan							
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
		1,000,000						
TOTAL EXP		1,000,000	-	-	-	-	-	-

NET Per-YEAR IMPACT (1,000,000) - - - - - -

NET IMPACT (SIX YEARS) (1,000,000.00)

REVIEWED BY DATE 7/28/2022

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