



Agenda

Neighborhood Planning and Development Committee

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

Wednesday, August 10, 2022

1:30 PM

26th Floor, Council Chamber

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

PUBLIC OBSERVANCE OF MEETINGS

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

Any closed session may be held via teleconference.

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

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

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

BEGINNING OF CONSENT(s)

[220651](#)

Approving the plat of Davidson Farms, Third Plat, an addition in Clay County, Missouri, on approximately 34.81 acres generally located on the north side of Northeast 76th Street, between North Flintlock on the east and Northeast Shoal Creek Parkway on the west, creating 69 lots and 1 tract 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-2021-00058)

Attachments: [2021-00058 Ordinance Fact Sheet](#)

[220652](#) Approving the plat of Northview Valley Third Plat, an addition in Clay County, Missouri, on approximately 30.45 acres generally located at on the east side of N. Brighton Avenue, between N.E. 92nd Street on the north and N.E. Barry Road on the south, creating 62 lots and 4 tracts for the purpose of a 62 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-2020-00030)

Attachments: [2020-00030 Ordinance Fact Sheet](#)

[220653](#) Approving the plat of I-49 Industrial Center First Plat, an addition in Jackson County, Missouri, on approximately 38.8 acres generally located at 3301 E. 147th Street, creating two lots and one tract for the purpose of an industrial development; accepting various easements; authorizing the Director of City Planning and Development to execute and accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2020-00036)

Attachments: [2022-00026 Ordinance Fact Sheet](#)

END OF CONSENT(s)

[220654](#) Amending Chapter 10, Code of Ordinances, by repealing Section 10-134, Downtown Economic Entertainment District, and enacting in lieu thereof new sections of like number and subject matter.

Attachments: [Fact Sheet Downtown EED](#)
[Fiscal Note Downtown EED](#)

[220655](#) Vacating two north-south alleys generally located between Highland Avenue and Woodland Avenue, between E 24th Street and E 24th Terrace, and E 24th Terrace and E 25th Street respectively, with the first alley vacation to the north being in the Mount Evanston Plat and the second alley vacation to the south being in the Cowherds Vine Addition Plat; and directing the City Clerk to record certain documents. (CD-ROW-2021-00039)

Attachments: [CD-ROW-2021-00039 Fact Sheet](#)

[220656](#) Approving a preliminary plat in District MPD (Master Planned Development) on about 24.24 acres generally located at E. 52nd Terrace and Belmont Avenue. (CD-CPC-2022-00055).

Attachments: [Fact Sheet](#)

[220657](#) Rezoning an area of about .6 acres generally located at 707 W. 47th St from District R-0.5 to District B2-2 to re-establish a restaurant on the subject site. (CD-CPC-2022-00065)

Attachments: [CD-CPC-2022-00065 Fact Sheet](#)

[220661](#) Approving an amendment to the Kansas City Major Street Plan by updating the alignment of Tiffany Springs Parkway and Line Creek Parkway, and changing the name of Swope Parkway and J.C. Nichols Parkway within the plan. (CD-CPC-2021-00189)

Attachments: [CD-CPC-2021-00189 Fact Sheet](#)

[220662](#) Waiving certain provisions of Section 74-3 “Application for approval of development plan; amendments” of the Code of Ordinances, for the Westside Owner-Occupant Residential Property Chapter 353 Development Plan to simplify the notice requirements

Attachments: [No Fact Sheet](#)

[220664](#) Rezoning an area of about 24 acres generally located at 6200 E. Bannister Road from UR (Urban Redevelopment) to UR (Urban Redevelopment) and approving a UR development plan and preliminary plat for 342 residential units. (CD-CPC-2022-00098).

Attachments: [Fact Sheet](#)

[220665](#) Accepting the recommendations of the Tax Increment Financing Commission as to the Twelfth Amendment to the North Oak Tax Increment Financing Plan; and approving the Twelfth Amendment to the North Oak Tax Increment Financing Plan.

Attachments: [North Oak TIF Plan - FACT SHEET](#)
[EXHIBIT 5 - North Oak - Budget for 12th Amendment](#)

HELD IN COMMITTEE

Bough, Bunch and Robinson

- [220364](#) Amending Chapter 18, Code of Ordinances, by repealing Article III, Section 18-57 entitled “Adoption of International Residential Code (2018); amendments” and Article XIV, Section 18-367 entitled “Adoption of International Energy Conservation Code (2012); amendments” and enacting, in lieu thereof, new sections of like number and subject matter that update the City’s Energy Conservation Code.****This item will be held until August 24, 2022****

Attachments: [220364 fact sheet](#)

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. ****This item will be held until August 24, 2022****

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](#)

Fowler

- [220554](#) Rezoning an approximately 24 acre tract of land generally located at the northeast corner of N.W. 72nd Street and N.W. Waukomis Drive from Districts R-2.5 and R-7.5 to District MPD, and approving a MPD development plan that serves as a preliminary plat allowing for a mix of uses that includes residential, office, conference facilities, and the preservation and protection of natural resource areas and granting deferral of required subdivision improvements pursuant to 88-405-22. (CD-CPC-2020-00138)

Attachments: [No Fact Sheet](#)

[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](#)

[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.

Attachments: [fact sheet](#)

Parks-Shaw

[220615](#) Approving various infrastructure projects as part of the ReBuild KC grant program.

Attachments: [Ordinance Fact Sheet ReBuild Infrastructure Final](#)
[220615 Fiscal Note 7.15.2022](#)

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.

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](#)

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).

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

ADDITIONAL BUSINESS

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

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

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

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

Adjournment



File #: 220651

ORDINANCE NO. 220651

Approving the plat of Davidson Farms, Third Plat, an addition in Clay County, Missouri, on approximately 34.81 acres generally located on the north side of Northeast 76th Street, between North Flintlock on the east and Northeast Shoal Creek Parkway on the west, creating 69 lots and 1 tract 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-2021-00058)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

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

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

Section 4. That the Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain Storm Water 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 May 3, 2022.

..end

Approved as to form and legality:

Eluard Alegre
Associate City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

220651

Ordinance Number

Brief Title

Approving the plat of Davidson Farms, Third Plat, an addition in Kansas City, Clay County, Missouri

<p>Specific Address Approximately 34.81 acres generally located on the north side of Northeast 76th Street, between North Flintlock on the east and Northeast Shoal Creek Parkway on the west creating 69 lots and 1 tract</p>	<p>Sponsor Jeffrey Williams, AICP, Director Department of City Planning & Development</p>
<p>Reason for Project This final plat application was initiated by YDO, 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>Programs, Departments, or Groups Affected City-Wide Council District(s) 1(CL) Hall – O’Neill Other districts (school, etc.) Liberty 230</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>Applicants / Proponents Applicant(s) YDO, LLC City Department City Planning and Development Other</p>
<p>CONTROLLING CASE Case No. 12417-P-28 – On August 7, 2018 the City Plan Commission approved a project plan, which serves as a Neighborhood Plan and a preliminary plat in District SC (Shoal Creek), to allow for 430 single family lots, 52 multi-family units (475 total units) and 20 tracts in 10 phases.</p>	<p>Opponents Groups or Individuals None Known Basis of Opposition</p>
	<p>Staff Recommendation <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</p>
	<p>Board or Commission Recommendation By: City Plan Commission May 3, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</p>
	<p>Council Committee Actions <input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</p>

Details

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

	<p>How will this contribute to a sustainable Kansas City?</p>	<p>This project consists of public and private improvements for a 69 lot and 1 tract single-family residential development, on approximately 34.81 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. 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: July 19, 2022

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

Reference or Case Numbers: CLD-FnPlat-2021-00058



File #: 220652

ORDINANCE NO. 220652

Approving the plat of Northview Valley Third Plat, an addition in Clay County, Missouri, on approximately 30.45 acres generally located at on the east side of N. Brighton Avenue, between N.E. 92nd Street on the north and N.E. Barry Road on the south, creating 62 lots and 4 tracts for the purpose of a 62 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-2020-00030)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Northview Valley Third 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 5. 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 8. That the Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain Storm Water Detention and BMP Facilities Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

Section 9. 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 10. 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 11. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on October 6, 2020.

..end

Approved as to form and legality:

Eluard Alegre
Associate City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

220652

Ordinance Number

Brief Title

Approving the plat of Northview Valley Third Plat an addition in Kansas City, Clay County, Missouri

<p>Specific Address Approximately 30.45 acres generally located on the east side of N. Brighton Avenue, between N.E. 92nd Street on the north and N.E. Barry Road on the south.</p>	<p>Sponsor Jeffrey Williams, AICP, Director Department of City Planning & Development</p>
<p>Reason for Project This final plat application was initiated by Barry Ridge Homes, LLC, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 62 lot single family home subdivision.</p>	<p>Programs, Departments, or Groups Affected City-Wide Council District(s) 1(CL) Hall – O’Neill Other districts (school, etc.) North Kansas City 250</p>
<p>Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p>	<p>Applicants / Proponents Applicant(s) Barry Ridge Homes, LLC City Department City Planning and Development Other</p>
<p>CONTROLLING CASE Case No. 13528-CUP-1 – Ordinance No. 060594 passed by City Council on June 15, 2006, approved a preliminary Community Unit Project Plan in District R-1a (One family dwelling unit), to allow for 102 single family lots and several tracts.</p>	<p>Opponents Groups or Individuals None Known Basis of Opposition</p>
	<p>Staff Recommendation <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</p>
	<p>Board or Commission Recommendation By: City Plan Commission October 6, 2020 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</p>
	<p>Council Committee Actions <input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</p>

Details

Policy / Program Impact

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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

	<p>How will this contribute to a sustainable Kansas City?</p>	<p>This project consists of public and private improvements for a 62 lot single-family residential development, on approximately 30.45 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: July 21, 2022

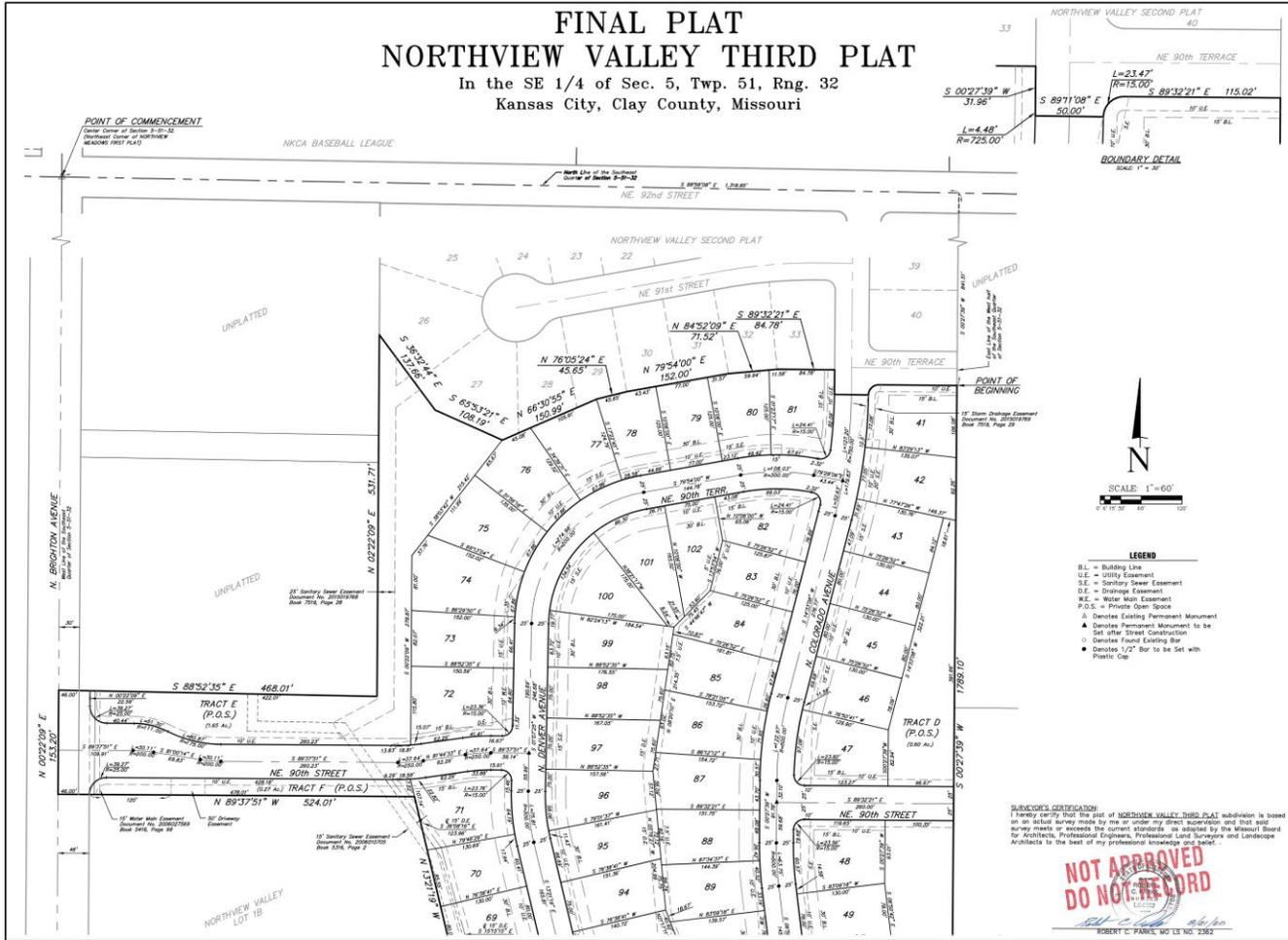
Reviewed by:
Joe Rexwinkle
Land Development Division (LDD)
City Planning & Development

Reference or Case Numbers: CLD-FnPlat-2020-00030

FINAL PLAT

NORTHVIEW VALLEY THIRD PLAT

In the SE 1/4 of Sec. 5, Twp. 51, Rng. 32
Kansas City, Clay County, Missouri



WEINROTH & PARK ENGINEERS, INC.
MO. CERTIFICATE OF AUTHORITY
111 NORTH MAIN, SUITE #100
KANSAS CITY, MISSOURI 64101
(816)254-5000 FAX (816)254-9712
www.wepco.com

FINAL PLAT
NORTHVIEW VALLEY THIRD PLAT
SE 1/4 OF SECTION 5, TWP. 51, RING. 32
KANSAS CITY, CLAY COUNTY, MISSOURI

DATE	
BY	
REVISION	
JOB NO.	4264
DATE	NOTED
DATE	8/21/20
DRAWN	T.K.O.
CHECKED	B.P.
SHEET NO.	2 OF 3

FINAL PLAT

NORTHVIEW VALLEY THIRD PLAT

In the SE 1/4 of Sec. 5, Twp. 51, Rng. 32
Kansas City, Clay County, Missouri



SECTION LOCATION
Section 5, Twp. 51, Rng. 32
(Not to Scale)

PROPERTY BOUNDARY DESCRIPTION

All that part of the Southeast Quarter of Section 5, Township 51, Range 32, in Kansas City, Clay County, Missouri, described as follows:

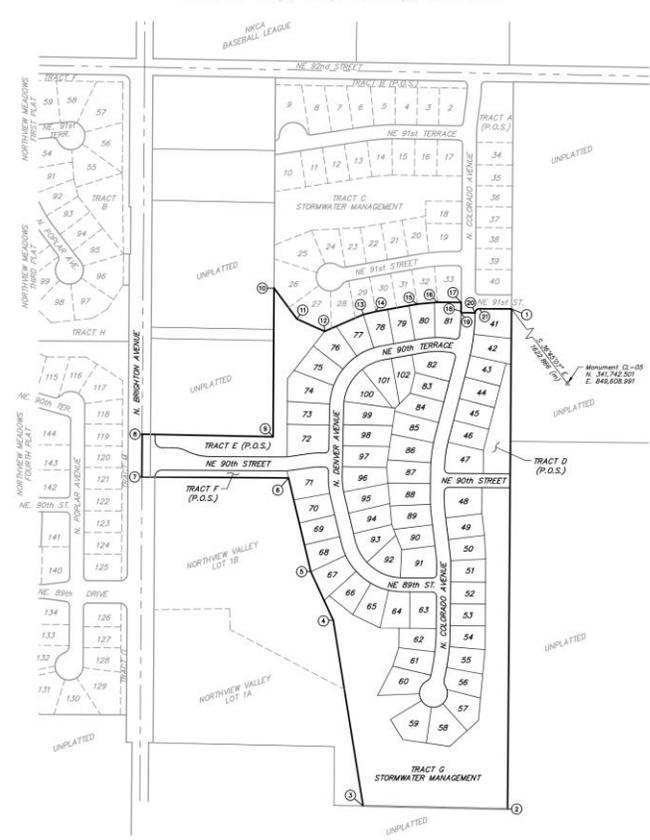
Commencing at the center of said section 5, said point also being the Northeast Corner of NORTHVIEW MEADOWS FIRST PLAT, a subdivision of land in said city and State;

Thence South 85°58'00" East, along the North line of said Southeast Quarter-Section, a distance of 138.85 feet to the East Line of the West Half of said Southeast Quarter-Section; Thence South 02°27'39" West, along said East Line, a distance of 845.31 feet to the Southwest corner of NORTHVIEW VALLEY SECOND PLAT, a subdivision in said city and State, said point also being the Point of Beginning; Thence continuing South 02°27'39" West, along said East Line, a distance of 1789.10 feet to a point on the South Line of said Southeast Quarter-Section; Thence North 88°47'31" West, along said South Line, a distance of 516.35 feet to the Southwest corner of NORTHVIEW VALLEY LOT 1, a subdivision in said city and State; Thence North 09°07'37" West, a distance of 672.56 feet, this line and the following three (3) courses being along said Plat; Thence North 24°46'42" West, a distance of 181.71 feet; Thence North 13°27'19" West, a distance of 344.80 feet; Thence North 82°27'39" West, a distance of 24.01 feet; a point on the West Line of said Southeast Quarter-Section, said point also being on the centerline of N. Brighton Avenue; Thence North 02°27'39" East, along said West Line, a distance of 132.20 feet to the Northwest corner of the Southwest Quarter of said Southeast Quarter-Section; Thence North 85°37'50" East, along the North Line of said Quarter-Section, a distance of 488.01 feet; Thence North 02°27'39" East, a distance of 431.71 feet to the Southwest corner of said NORTHVIEW VALLEY SECOND PLAT; Thence South 30°32'44" East, a distance of 137.66 feet, this line and the following seven (7) courses being along said Plat; Thence South 82°32'31" East, a distance of 128.19 feet; Thence North 66°20'50" East, a distance of 150.99 feet; Thence North 78°32'24" East, a distance of 45.65 feet; Thence North 79°54'00" East, a distance of 152.00 feet; Thence North 84°32'09" East, a distance of 71.52 feet; Thence North 80°23'01" East, a distance of 84.78 feet; Thence South 02°27'39" West, a distance of 31.98 feet to a point of survey, Thence South, along said curve to the right, having a radius of 723.00 feet, an arc distance of 4.48 feet; Thence South 89°17'08" East, along a line radial to the preceding course, a distance of 30.30 feet to a point on a curve; Thence, Necessarily along said curve to the right, to which the preceding course is radial, having a radius of 15.00 feet, an arc distance of 23.47 feet to a point of tangency; Thence South 89°22'27" East, a distance of 115.00 feet to the Point of Beginning.

Containing 30.40 acres, more or less.



- LEGEND**
- B.L. = Building Line
 - U.L. = Utility Easement
 - S.E. = Sanitary Sewer Easement
 - D.E. = Drainage Easement
 - M.E. = Major Easement
 - P.O.S. = Private Open Space
 - Δ = Existing Permanent Monument
 - ▲ = Denotes Permanent Monument to be Set after Street Construction
 - = Denotes Found Existing B.V.
 - = Denotes 1/2" B.V. to be Set with Plastic Cap



LOCATION	STREET GRADES	ELEV.	V.C.T.
6 NE 90th Terrace	N. COLORADO AVENUE	933.84	---
281.21' South of E of NE 90th Terrace		979.05	---
281.21' South of E of NE 90th Terrace		961.50	---
98.21' South of E of NE 90th Terrace		941.50	---
1814.14' South of E of NE 90th Terrace		922.02	---
NE 90th TERRACE / N. DENVER AVENUE / NE 89th STREET			
E. N. Colorado Avenue		983.33	---
75.00' West of E of N. Colorado Avenue		983.77	50'
525.00' Southwest of E of N. Colorado Avenue		954.00	50'
E. NE 90th Street		949.28	---
113.04' South of E. NE 90th Street		947.00	20'
386.04' South of E. NE 90th Street		937.82	30'
73.32' West of E of N. Colorado Avenue		948.82	30'
E. N. Colorado Avenue		938.83	---
NE 90th STREET (West)			
E. N. Brighton Avenue		963.78	---
125.00' East of E of N. Brighton Avenue		963.28	60'
325.00' East of E of N. Brighton Avenue		946.13	50'
520.00' East of E of N. Brighton Avenue		945.86	60'
650.00' East of E of N. Brighton Avenue		948.38	30'
E. N. Denver Avenue		949.28	---
NE 90th STREET (East)			
E. N. Colorado Avenue		957.99	---
245.00' East of E of N. Colorado Avenue		958.51	30'
245.00' East of E of N. Colorado Avenue		948.78	70'
320.00' East of E of N. Colorado Avenue		952.91	---

NOTE:
The bearings and coordinates shown herein are based on the MISSOURI STATE PLANE COORDINATE SYSTEM (1983 and its Amendment), WEST ZONE and are tied to Station CL-03 of the Kansas City Metro Control Project using a combined grid factor of 0.999923. The coordinates are listed in meters.

Point	Northing	Easting	Point	Northing	Easting
1	343,042.795	848,637.846	12	343,019.344	848,334.276
2	342,998.888	848,476.225	13	343,040.027	848,489.896
3	342,955.088	848,476.225	14	343,040.027	848,489.896
4	342,703.974	848,443.717	15	343,040.027	848,581.941
5	342,708.309	848,418.218	16	343,040.027	848,581.941
6	342,658.053	848,394.844	17	343,040.027	848,581.941
7	342,659.083	848,235.245	18	343,040.027	848,581.941
8	342,606.271	848,235.245	19	343,040.027	848,581.941
9	342,613.474	848,178.128	20	343,040.027	848,581.941
10	343,063.819	848,378.197	21	343,040.027	848,602.893
11	343,033.814	848,404.180			

DEVELOPED BY:
Barry Ridge Homes, LLC
8901 N. Brighton Avenue
Kansas City, MO. 64156

SUBVEYOR'S CERTIFICATION
I hereby certify that the plat of NORTHVIEW VALLEY THIRD PLAT subdivision is based on an actual survey made by me or under my direct supervision and that said survey meets or exceeds the current standards as adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to the best of my professional knowledge and belief.



WEINROTH & PARKS ENGINEERS, INC.
MO. CERTIFICATE OF AUTHORITY
111 NORTH MAIN, SUITE #700
KANSAS CITY, MO. 64102
(816)241-5000 FAX (816)241-9712
www.wpe.com

FINAL PLAT
NORTHVIEW VALLEY THIRD PLAT
SE 1/4 OF SECTION 5, TWP. 51, RING. 32
KANSAS CITY, CLAY COUNTY, MISSOURI

DATE	
BY	
REVISION	
JOB NO.	426-4
DATE	NOTED
DATE	8/21/20
DRAWN	T.K.O.
CHECKED	B.P.
SHEET NO.	3
	1 of 3



File #: 220653

ORDINANCE NO. 220653

Approving the plat of I-49 Industrial Center First Plat, an addition in Jackson County, Missouri, on approximately 38.8 acres generally located at 3301 E. 147th Street, creating two lots and one tract for the purpose of an industrial development; accepting various easements; authorizing the Director of City Planning and Development to execute and accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2020-00036)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

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

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

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

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

Section 6. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on November 17, 2020.

..end

Approved as to form and legality:

Eluard Alegre
Associate City Attorney

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

220653

Ordinance Number

Brief Title

Approving the plat of I-49 Commerce Center, First Plat an addition in Kansas City, Jackson County, Missouri

<p>Specific Address Approximately 57.25 acres generally located along East 155th Street approximately 1,000 feet west of US 71 Highway</p>	<p>Sponsor</p>	<p>Jeffrey Williams, AICP, Director Department of City Planning & Development</p>
<p>Reason for Project This final plat application was initiated by Northpoint Development in order to subdivide the property in accordance with the city codes and state statutes. (a 1 lot office and warehouse subdivision)</p>	<p>Programs, Departments, or Groups Affected</p>	<p>City-Wide Council District(s) 6(JA) Bough - McManus Other districts (school, etc.) Grandview 130</p>
<p>Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.</p>	<p>Applicants / Proponents</p>	<p>Applicant(s) Northpoint Development City Department City Planning and Development Other</p>
<p>CONTROLLING CASE Case No. CD-CPC-2022-00025 – Ordinance 220448 was approved by City Council on May 26, 2022 creating a development plan which also serves as a preliminary plat, in District M2-5 (Manufacturing) to allow for 1.3 million square foot of office and warehouse development on three (3) lots and one (1) tract.</p>	<p>Opponents</p>	<p>Groups or Individuals None Known Basis of Opposition</p>
	<p>Staff Recommendation</p>	<p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against:</p>
	<p>Board or Commission Recommendation</p>	<p>By: City Plan Commission July 19, 2022 <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</p>
	<p>Council Committee Actions</p>	<p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</p>

Details

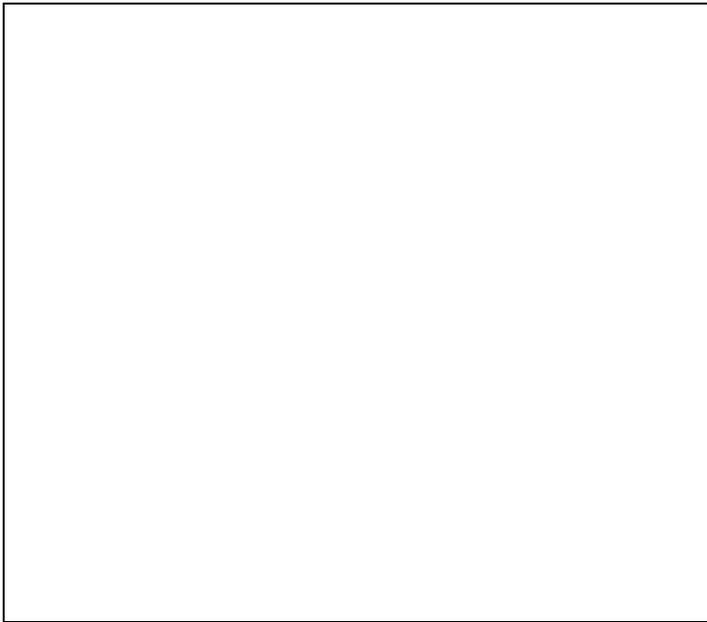
--

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 private improvements for an industrial development on a previously undeveloped 57.25 acre site. The I-49 Commerce Center 1st Plat creates one lot and one tract. The peak rate of storm water discharge and total runoff volume discharging to the public storm sewers will be maintained after re-development. The improvements will improve the overall aesthetics of the site and increase the tax base for the City.</p> <p>Written by Lucas Kaspar, PE</p>
---	--

Project Start Date

Projected Completion or Occupancy Date

Fact Sheet Prepared by:
Thomas Holloway

Date: July 29, 2022

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

Reference or Case Numbers: CLD-FnPlat-2022-00026



File #: 220654

ORDINANCE NO. 220654

Amending Chapter 10, Code of Ordinances, by repealing Section 10-134, Downtown Economic Entertainment District, and enacting in lieu thereof new sections of like number and subject matter.

WHEREAS, the downtown economic entertainment district was designated as a redevelopment area under the Missouri Downtown Economic and Rural Economic Stimulus Act; and

WHEREAS, the City wishes to continue to encourage and support the growth of business activity within the redevelopment area; and

WHEREAS, the downtown economic entertainment district is organized into promotional association subzones; and

WHEREAS, the City Council passed Ordinance No. 051425 which established the boundaries of each promotional association subzone;

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 10, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 10-134, Downtown Economic Entertainment District, and enacting in lieu thereof new sections of like number and subject matter. to read as follows:

Sec. 10-134. Downtown economic entertainment district.

(a) *Purpose.* This section permits the director to issue an annual liquor license for the sale and consumption of alcoholic beverages by the drink for retail from one or more portable bars within the promotional association sub-zones of the downtown economic entertainment district until 3:00 a.m. on Monday through Saturday and from 6:00 a.m. on Sunday to 1:30 a.m. on Monday, to a person acting on behalf of or designated by a promotional association, who possesses the qualifications required by this chapter.

(b) *Definitions.*

(1) *Downtown economic entertainment district* means the area located in the city's "central business district," which is the historic core locally known as the city's downtown area, that contains a combination of entertainment venues, bars, nightclubs, and restaurants, and that is designated as a redevelopment area by the

governing body of the city under the state Downtown and Rural Economic Stimulus Act.

- (2) *Central business district* for this chapter means the area bounded by the Missouri River on the north, the Linwood Boulevard on the south, Cleveland on the east and Broadway, along the Heart of America Bridge to the Missouri River on the west.
- (3) *Common area* means any area designated as a common area in a development plan for the downtown economic entertainment district approved by the governing body of the city, any area of a public right-of-way that is adjacent to or within the downtown economic entertainment district when it is closed to vehicular traffic and any other area identified in the development plan where a physical barrier precludes motor vehicle traffic and limits pedestrian accessibility.
- (4) *Portable bar* means any bar, table kiosk, cart, or stand that is not a permanent fixture and can be moved from place to place.
- (5) *Promotional association* means an association incorporated in the state which is organized or authorized by one or more property owners located within the downtown economic entertainment district who own or otherwise control not less than 100,000 square feet of premises designed, constructed, and available for lease for bars, nightclubs, restaurants and other entertainment venues for the purpose of organizing and promoting activities within the downtown economic entertainment district.
 - a. For purposes of determining ownership or control as set forth in this subdivision, the square footage of premises used for residential, office, or retail uses, (other than bars, night clubs, restaurants, and other entertainment venues), parking facilities and hotels within the downtown economic entertainment district shall not be used in the calculation of square footage.

(c) *Designated redevelopment areas.*

- (1) The city's central business district area is hereby designated as the downtown economic entertainment district.
- (2) The following areas are each designated as promotional association sub-zones:
 - a. The *Downtown Power and Light sub-zone* bounded by the Missouri River on the north, by I-70 to I-35 at Holmes to I-670 on the south, Troost Avenue on the east and Broadway on the west.
 - b. The *Performing Arts sub-zone* bounded by 9th Street on the north, 18th Street on the south, Broadway on the west, and Troost on the east.

- c. The *Crossroads sub-zone* bounded by I-70 to I-35 at Holmes to I-670 on the north, Troost Avenue on the east, the KC Terminal Railway tracks on the south, and Broadway on the west.
- d. The *18th and Vine sub-zone* bounded by Truman Road on the north, Woodland on the east, 19th Street on the south, and Paseo Boulevard on the west.
- e. *Liberty Union Crown sub-zone* bounded by 27th Street on the south, 20th Street on north, Cherry on the east and Summit Street on the west.
- f. *Historical Union Hill subzone* bounded by Linwood on the south, 27th Street on the north, Cherry Avenue on the east and Broadway on the west.

Additional areas may be designated as common area sub-zones as determined by the mayor and city council.

..end

Approved as to form and legality:

Chivonne J. Scott
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	220654	
		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 #: 220655

ORDINANCE NO. 220655

Vacating two north-south alleys generally located between Highland Avenue and Woodland Avenue, between E 24th Street and E 24th Terrace, and E 24th Terrace and E 25th Street respectively, with the first alley vacation to the north being in the Mount Evanston Plat and the second alley vacation to the south being in the Cowherds Vine Addition Plat; and directing the City Clerk to record certain documents. (CD-ROW-2021-00039)

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 21st day of October, 2021, a petition was filed with the City Clerk of Kansas City by Taliaferro & Browne, Inc., for the vacation of the north-south alley between 24th Street and 24th Terrace, lying between Highland Avenue and Woodland Avenue; together with the north-south alley between 24th Terrace and 25th Street, lying between Highland Avenue and Woodland Avenue, giving the distinct description of the alleys 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 alleys 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 the north-south alley between 24th Street and 24th Terrace, lying between Highland Avenue and Woodland Avenue; together with the north-south alley between 24th Terrace and 25th Street, lying between Highland Avenue and Woodland Avenue, 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:

1. The developer shall retain utility easement and protect facilities for Evergy.
2. The developer shall retain utility easement and protect facilities for AT&T or have the cable moved at their own expense.
3. The developer shall relocate facilities for Charter.
4. The developer shall retain utility easement and protect facilities for Kansas City, Missouri Water Services Department.
5. The developer shall retain a utility easement and protect facilities for, or return utilities to Kansas City, Missouri Public Works Department, as long as the vacancy does not impact other streetlights.

Section 5. That the City Clerk of Kansas City, Missouri, be and she is hereby authorized and directed to acknowledge this ordinance as deeds are acknowledged, and to cause this ordinance and the consent of property owners hereinbefore referred to, to be filed for record in the Recorder's Office in Jackson County, Missouri.

Section 6. All Ordinances or parts of Ordinances in conflict with this Ordinance are, in so much as they conflict with this Ordinance, hereby repealed.

..end

Recorder

By _____
Deputy

RIGHT OF WAY VACATION

Ordinance Fact Sheet

Case No. CD-ROW-2021-00039

Brief Title

An ordinance to vacate two North-South alleys generally located between Highland Avenue and Woodland Avenue, between E 24th Street and E 24th Terrace, and E 24th Terrace and E 25th Street respectively, with the first alley vacation to the north being in the MOUNT EVANSTON PLAT and the second alley vacation to the South being in the COWHERDS VINE ADD PLAT. (CD-ROW-2021-00039)

Details

Location: 2401 Highland Ave Kansas City, MO 64108

Reason for Legislation: ROW Vacations require City Council approval.

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

SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

- N/A

CITY PLAN COMMISSION RECOMMENDATION:

Approval subject to the following conditions

- The developer shall retain utility easement and protect facilities for Evergy.
- The developer shall retain utility easement and protect facilities for AT&T or have the cable moved at their own expense.
- The developer shall relocate facilities for Charter.
- The developer shall retain utility easement and protect facilities for KCMO Water Services Department.
- The developer shall retain utility easement and protect facilities for, or return utilities to KCMO Public Works Department, as long as the vacancy does not impact other streetlights.

220655

Ordinance Number

Positions/Recommendations

Sponsors

Jeffrey Williams, AICP, Director Department of City Planning & Development

Programs, Departments or Groups Affected

3rd District
Brandon Ellington
Melissa Robinson

Applicants / Proponents

Applicant Lamin Nyang
Taliaferro & Browne

City Department
City Planning & Development
Other

Opponents

Groups or Individuals
N/A

Basis of Opposition
N/A

Staff Recommendation

For
 Against

Reason Against

Board or Commission Recommendation

City Plan Commission 5-0 07-05-2022
By (Allender, Baker, Beasley, Crowl, and Enders)
 For **Against** **No Action Taken**

Council Committee Actions

For, with revisions or conditions
(see details column for conditions)
 Do Pass
 Do Pass (as amended)
 Committee Sub.
 Without Recommendation
 Hold



File #: 220656

ORDINANCE NO. 220656

Approving a preliminary plat in District MPD (Master Planned Development) on about 24.24 acres generally located at E. 52nd Terrace and Belmont Avenue. (CD-CPC-2022-00055).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a preliminary plat in District MPD (Master Planned Development), and more specifically described as follows:

5926-28 E 52nd Ter prt W 1/2 NW 1/4 Sec 36 49 33 beg 1723.92 ft s & 1316.04 ft e of nw cor sd 1/2 1/4 th n 898.92 ft th w 785.05 ft th n to sely r/w of KC & Grandview RR th swly alg sd r/w to a pt 180 ft e of w li sd 1/2 1/4 ths 180 ft e & parl with sd w lito a pt 1723.92 ft s of n li sd 1/2 1/4 th e to beg.

is hereby approved, subject to the following conditions:

1. The developer shall provide a BMP easement and ensure access to detention facility is provide per APWA 5608 requirements prior to recording the final plat.
2. The developer shall dedicate additional right-of-way for East 52nd Terrace as required by Chapter 88 so as to provide a minimum of 40 feet of right-of-way as measured from the centerline.
3. 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.
4. 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.

5. 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.
6. East 52nd Terrace shall be improved to City standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks on one side of the street, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining required permits from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
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 enter into a deferral agreement for the street improvements to Belmont Avenue along the platted frontage as required by Chapter 88 prior to recording the final plat. The secured deferral agreement shall be for a period until further improvements occur on the property or the property directly to the north, or until street improvements occur on the opposite side of the street, whichever occurs first.
9. The developer shall construct a cul-de-sac and dedicate street right-of-way for the required cul-de-sac to the City as required by the Land Development Division, prior to recording the plat.
10. 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.
11. 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.
12. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
13. 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.

14. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
15. If new residential living units are proposed, 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. 2021 park rate is utilized from plan approval of CD-CPC-2021-00018. Should the developer elect to provide private open space, said space shall be platted into private open space tracts and provide recreational amenities beneficial to residents. This requirement shall be satisfied prior to recording the final plat or a certificate of occupancy, whichever is applicable to the project.
16. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to certificate of occupancy.
17. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

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

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220656

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2022-00055

Brief Title

A request to approve a preliminary plat in District MPD (Master Planned Development) on about 24.24 acres generally located at E. 52nd Terrace and Belmont Avenue (CD-CPC-2022-00055).

Details

Location: 5928 E. 52nd Terrace

Reason for Legislation: Approval of a preliminary plat requires 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:

- Staff is seeking that condition #1 is removed as the applicant is providing BMPs on-site and will comply with stormwater standards.

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	5 th District (Barnes, Parks-Shaw)
Applicants / Proponents	<p>Applicant Matthew Gibbs BHC Rhodes</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	Groups or Individuals N/A
	Basis of Opposition N/A
Staff Recommendation	<input checked="" type="checkbox"/> For
	<input type="checkbox"/> Against
	Reason Against
Board or Commission Recommendation	City Plan Commission (7-0) (07-19-2022) By (Allender, Baker, Beasley, Crowl, Enders, Hill, 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

Fact Sheet Prepared By: Andrew Clarke
Staff Planner
Date: 07/20/2022

Reviewed By: Joseph Rexwinkle
Division Manager
Date: 07/20/2022

Initial Application Filed: 04-14-2022
City Plan Commission 07-19-2022
Action: Approval with conditions
Revised Plans Filed: 07-20-2022
On Schedule: No
Off Schedule Reason: Applicant could not acquire adjacent property required to construct public improvements

Reference Numbers:
Case No. CD-CPC-2022-00055



File #: 220657

ORDINANCE NO. 220657

Rezoning an area of about .6 acres generally located at 707 W. 47th St from District R-0.5 to District B2-2 to re-establish a restaurant on the subject site. (CD-CPC-2022-00065)

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-1341 rezoning an area of about .6 acres located at 707 W. 47th Street from Districts R-0.5 (Residential 0.5) to District B2-2 (Neighborhood Business (Dash 2)), said section to read as follows:

Section 88-20A-1341. That an area legally described as:

707 W 47th St / Church Sunday School Offices Book Store & Residence Penn Park, 120 ft frt on w li new Jefferson St ly n of a li drwn 120 ft s & parl to s li 47th St & rng w to alley next e of Summit St being Lots 18 19 & prt 20 & irreg land e of & adj.

is hereby rezoned from Districts R-0.5 (Residential 0.5) to District B2-2 (Neighborhood Business (Dash 2)), all as shown outlined on a map marked Section 88-20A-1341, 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 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

220657

Ordinance Fact Sheet

Case No. CD-CPC-2022-00065

Brief Title

The applicant is seeking approval of a rezoning from R-0.5 to B2-2 to re-establish a restaurant on the subject site.

Ordinance Number

Details

Location: 707 W 47 th St
Reason for Legislation: Zoning Map Amendments (rezonings) are approved by City Council.
<p>See attached City Plan Commission Staff Report for a detailed description and analysis of the proposal.</p> <p>See attached City Plan Commission Disposition Letter for the Commission's recommended conditions (if any).</p> <p>SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:</p>

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected	Council District, 4 th Bunch, Shields
Applicants / Proponents	<p>Applicant Rebecca Martin McDowell, Rice, Smith, & Buchanan</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals None.</p> <p>Basis of Opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>City Plan Commission 7-0 6/21/2022 By Allender, Baker, Beasley, Crowl, Enders, Hill, Sadowski</p> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

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Continued from Page 2

Fact Sheet Prepared By: **Date:** 7/21/2022

Ahna Nanoski, AICP
Lead Planner

Reviewed By: **Date:**
Joe Rexwinkle, AICP
Manager, Development
Management Division

Initial Application Filed: 4/21/2022

City Plan Commission Action: 7/19/2022

Revised Plans Filed: N/A

On Schedule: No

Off Schedule Reason: The applicant put the project on hold to engage with the public/local stakeholder groups.

Reference Numbers:

Case No. CD-CPC-2022-00065



File #: 220661

ORDINANCE NO. 220661

Approving an amendment to the Kansas City Major Street Plan by updating the alignment of Tiffany Springs Parkway and Line Creek Parkway, and changing the name of Swope Parkway and J.C. Nichols Parkway within the plan. (CD-CPC-2021-00189)

WHEREAS, on May 3, 2011, the City Council by Resolution No. 175-S-30 adopted the Kansas City Major Street Plan; and

WHEREAS, after further review it has been deemed appropriate to amend the Kansas City Major Street Plan as it affects the Kansas City metro area by updating the alignment of Tiffany Springs Parkway, updating the alignment of Line Creek Parkway, changing the name of Swope Parkway to Dr. Martin Luther King Jr Boulevard, and changing the name of J.C. Nichols Parkway to Mill Creek Parkway within the plan, and

WHEREAS, after all interested persons were given an opportunity to present testimony, the City Plan Commission did on March 1, 2022, recommend approval of the proposed amendment to the Kansas City Major Street Plan; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Kansas City Major Street Plan is hereby amended, detailed in the staff report and additional exhibit presented.

Section 2. That the amendment to the Kansas City Major Street Plan is consistent and complies with the FOCUS Kansas City Plan, adopted on October 30, 1997, by Committee Substitute for Resolution No. 971268, and is adopted as a supplement to the FOCUS Kansas City Plan.

Section 3. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices have been given and hearings have been held as required by law.

..end

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220661

Ordinance Fact Sheet

Case No. CD-CPC-2021-00189

Brief Title

The City Planning and Development Department is proposing to amend the Kansas City Major Street Plan to update several street name changes and the re-alignment of Tiffany Springs Parkway (in between N Revere Ave and NW 100th St) and Line Creek Parkway (in between NW 100th St and NW Fountain Hills Drive).

Ordinance Number

Details

Location: Kansas City, MO metro area
Reason for Legislation: Area Plan Amendments are approved by City Council.
<p>See attached City Plan Commission Staff Report for a detailed description and analysis of the proposal.</p> <p>See attached City Plan Commission Disposition Letter for the Commission's recommended conditions (if any).</p> <p>SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:</p> <ol style="list-style-type: none"> 1. A map correctly illustrating the re-alignment of Tiffany Springs Parkway and Line Creek Parkway was updated on 7/28/2022.

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected	Council District, 2 nd O'Neill, Loar Council District, 4 th Bunch, Shields Council District, 3 rd Ellington, Robinson Council District, 5 th Barnes, Parks-Shaw
Applicants / Proponents	<p>Applicant Jeffrey Williams, AICP, Director Department of City Planning & Development</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals None.</p> <hr/> <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	City Plan Commission 7-0 3/01/2022 By Baker, Beasley, Crowl, Enders, Hill, Rojas, Sadowski <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee	<p><input type="checkbox"/> Do Pass</p>

Actions	
<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: Ahnna Nanoski, AICP Lead Planner	Date: 7/29/2022	
Reviewed By: Joe Rexwinkle, AICP Manager, Development Management Division	Date:	Initial Application Filed: 10/11/2021 City Plan Commission Action: 03/01/2022 Revised Plans Filed: Yes On Schedule: No Off Schedule Reason: A map correctly illustrating the re-alignment of Tiffany Springs Parkway and Line Creek Parkway was updated on 7/28/2022.
Reference Numbers: Case No. CD-CPC-2021-00189		



File #: 220662

ORDINANCE NO. 220662

Waiving certain provisions of Section 74-3 “Application for approval of development plan; amendments” of the Code of Ordinances, for the Westside Owner-Occupant Residential Property Chapter 353 Development Plan to simplify the notice requirements

WHEREAS, §§ 353.010 et seq. authorizes the City to approve of urban renewal plans for the development of blighted areas; and

WHEREAS, the City has enacted §§ 74-1 through 74-10 of the Code of Ordinances providing a process for the review of 353 plans and requiring that an urban renewal corporation submit certain documents to the 353 Advisory Board at the time of the application; and

WHEREAS, § 74-3(a)(5) of the Code requires an applying urban renewal corporation to certify they have “given written notice to each person or entity having any recorded property interest and to each occupant and business in the project area at the address of such occupant or business within the area encompassed by the development plan;” and

WHEREAS, the Westside Redevelopment Corporation has prepared the Westside Owner-Occupant Residential Property Chapter 353 Development Plan (the “Plan”) for submission to the 353 Advisory Board; and

WHEREAS, the Westside Redevelopment Corporation is requesting to waive § 74-3(a)(5) of the Code for the Plan; and

WHEREAS, the Plan is intended to address the rapid gentrification and displacement of long-term owner-occupants in the Westside neighborhood; and

WHEREAS, the Plan only provides abatement for owner-occupied residential property; and

WHEREAS, notification under § 74-3(a)(5) requires notice to interest holders of properties that do not qualify for the Plan, like, unimproved lots, which is excessively costly and unnecessary given that properties do not qualify; and

WHEREAS, Developer has previously notified (1) each owner of improved real property in the area encompassed by the Plan at the address for such owner as reported by the Jackson County Assessment Department, and (2) each occupant and business in the area encompassed by the Plan at the address of such occupant or business; and

WHEREAS, notification can be made to those who have a recorded interest in qualifying parcels at the time the owner-occupant applies to participate in the Plan; and

WHEREAS, the City Council believes that the notice requirements of § 74-3(a)(5) are overly burdensome in this particular context and that later, more tailored notification is sufficient; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That § 74-3(a)(5) of the Code of Ordinances, which requires an urban redevelopment corporation to provide “Certification that the urban redevelopment corporation has given written notice to each person or entity having any recorded property interest and to each occupant and business in the project area at the address of such occupant or business within the area encompassed by the development plan” with an application to the Kansas City Chapter 353 Advisory Board is hereby waived for the Westside Owner-Occupant Residential Property Chapter 353 Development Plan, if the plan is submitted to the 353 Advisory Board by January 30, 2023.

..end

Approved as to form and legality:

Emalea Black
Associate City Attorney

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

220662



File #: 220664

ORDINANCE NO. 220664

Rezoning an area of about 24 acres generally located at 6200 E. Bannister Road from UR (Urban Redevelopment) to UR (Urban Redevelopment) and approving a UR development plan and preliminary plat for 342 residential units. (CD-CPC-2022-00098).

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-1342 rezoning an area of about 24 acres located at 6200 E. Bannister Road from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) said section to read as follows:

Sec. 88-20A-1342. That an area legally described as:

TRACT 1: Intentionally omitted

TRACT 2: The South One-Half of a tract of land in the Southeast Quarter of the Northwest Quarter of Section 25, Township 48, Range 33, in Kansas City, Jackson County, Missouri and described as follows: Beginning at the northwest corner of said Quarter Quarter Section and running then East 661.41 feet; thence South 1320.97 feet; thence West 661.14 feet to the southwest corner of said Quarter Quarter Section; thence North 1321.22 feet to the point of beginning, being Lot 3 in Sechrest Estate, Commissioner’s Plat, except that part in roads, less and except: Part of the Southeast Quarter of the Northwest Quarter of Section 25, Township 48, Range 33, including a part of Lot 3, Sechrest Estate, a subdivision in Kansas City, Jackson County, Missouri described as follows: Beginning a the Southwest Quarter (should be corner) of said Quarter Quarter Section; thence east along the south line of said Quarter Quarter Section 330 feet; thence north parallel with the west line of said Quarter Quarter Section 335 feet; thence west parallel with the south line of said Quarter Quarter Section 330 feet to the west line of said Quarter Quarter Section; thence south along said west line 335 feet to the point of beginning, except that part in Bannister Road.

TRACT 3: All that part of Lot 4, lying Westerly of the right of way of the Kansas City Southern Railroad, of the Subdivision of Sechrest Estate, according to the recorded plat thereof made a part of the Commissioner’s Report in Cause No. 2482, Mary Amanda Talley, et al. v. William Zimmerman, in the Circuit Court of

Jackson County, Missouri, at Independence, of record in the Recorder's Office at Kansas City in Book B-1405 at page 171 as Document No. 846683, situate in Kansas City, Jackson County, Missouri. Less and except: The north 70 feet of the following described land: Beginning 786 feet north and 209.09 feet east of the southwest corner of said Lot 4; thence East 209.09 feet; thence North 534.81 feet to the north line of said Lot 4; thence West 209.09 feet; thence South 534.89 feet to the point of beginning, being the same land conveyed to the City of Kansas City, Missouri for park purposes by Deed recorded as Document No. K-1060221 in Book K-2338 at page 1784. Also less and except: The South 200 feet of the North 270 feet of the following described: Beginning 786 feet north and 239.09 feet east of the southwest corner of said Lot 4; thence East 179.09 feet; thence North 534.81 feet to the north line of said Lot 4; thence West 179.09 feet; thence South 534.89 feet to the point of beginning, being the same land conveyed to the City of Kansas City, Missouri for park purposes by Deed recorded as Document No. K-1112959 in Book K-2484 at page 1118. Also less and except: The North 70 feet of the following described land: Beginning 786 feet north of southwest corner of said Lot 4; thence East 209.09 feet; thence North 534.81 feet to the north line of said Lot 4; thence West 209.09 feet; thence South 534.89 feet to the Point of Beginning, being the same land conveyed to the City of Kansas City, Missouri for park purposes by Deed recorded as Document No. K-1112960 in Book K-2484 at page 1122. Also less and except: The North three hundred seventy-five (375) feet of the at part of Lot Four, lying Westerly of the right of way of the Kansas City Southern Railroad, of the subdivision if Sechrest Estate, according to the recorded plat thereof, made a part of Commissioner's Report in Cause No. 24821, Mary Amanda Talley, et al. v. William Zimmerman, in the Circuit Court of Jackson County, Missouri, at Independence, of record in the Recorder's Office at Kansas City in Book B-1405 at page 171 as Document No. 846683, situated in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point seven hundred eighty six (786) feet north of the southwest corner of said (Lot) Four (4); thence east four hundred eighteen and eighteen hundredths (418.18) feet to the true point of beginning; thence east one hundred sixty nine and fifteen hundredths (169.15) feet more or less to the west right of way of the Kansas City Southern Railroad; thence northeasterly along said right of way line five hundred thirty seven and thirteen hundredths (537.13) feet more or less to the north line of said Lot Four (4); thence west along said north line of said Lot Four (4) two hundred and twenty (220) feet more or less to the northeast corner of Schumacher Park; thence southerly along the east boundary line of Schumacher Park and its prolongation five hundred thirty-four and eight-one hundredths (534.81) feet more or less to the point of beginning.

TRACT 4: A tract of land in the Southwest Quarter of the Northwest Quarter of Section 25, Township 48, Range 33, in Kansas City, Jackson County, Missouri, described as follows: Beginning at the southeast corner of said Quarter Quarter Section; thence north along the east line of said Quarter Quarter Section 75 feet; thence west, parallel to the south line of said Quarter Quarter Section, 165 feet; thence south parallel with the east line of said Quarter Quarter Section 75 feet to the south line thereof; thence east along said south line 165 feet to the point of beginning, except that part in Bannister Road.

TRACT 5: Part of the Southeast Quarter of the Northwest Quarter of Section 25, Township 48, Range 33, including a part of Lot 3, Subdivision of Sechrest Estate, a subdivision all in Kansas City, Jackson County, Missouri, described as follows: Beginning at the southwest corner of said Quarter Quarter Section, thence east along the south line of said Quarter Quarter Section, 330 feet; thence north parallel with the west line of said Quarter Quarter Section 335 feet; thence west parallel with the south line of said Quarter Quarter Section, 330 feet to the west line of said Quarter Quarter Section; thence south along said west line 335 feet to the point of beginning, except that part in Bannister Road.

TRACT 6: The north three hundred seventy-five (375) feet of that part of Lot Four (4), lying westerly of the right of way of the Kansas City Southern Railroad, of the subdivision of Sechrest Estate, according to the recorded plat thereof, made a part of the Commissioner's Report in Cause No. 24821, Mary Amanda Talley, et al. v. William Zimmerman, in the Circuit Court of Jackson County, Missouri, at Independence, of record in the Recorder's Office at Kansas City in Book B-1405 at page 171 as Document No. 846683, situated in Kansas City, Jackson County, Missouri, described as follows: Beginning at a point seven hundred eighty-six (786) feet north of the southwest corner of said Lot Four (4); thence east four hundred eighteen and eighteen hundredths (418.18) feet to the true point of beginning; thence east one hundred sixty-nine and fifteen hundredths (169.15) feet more or less to the west right of way line of the Kansas City Southern Railroad; thence northeasterly along said right of way line five hundred thirty-seven and thirteen hundredths (537.15) feet more or less to the north line of said Lot Four (4); thence west along said north line of said Lot Four (4) two hundred twenty (220) feet more or less to the northeast corner of Schumacher Park; thence southerly along the east boundary line of Schumacher Park and its prolongation five hundred thirty-four and eighty-one hundredths (534.81) feet more or less to the point of beginning.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1342, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy. A photometric plan shall show spillover light.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
3. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
4. The developer shall secure approval of a UR final plan from Development Management Division staff prior to a building permit.
5. All ground and roof mounted utility cabinets shall be screened from public view pursuant to 88-425-08-B.
6. 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.
7. The developer shall coordinate with the Public Works Department to resolve all traffic safety related corrections along Bannister Road prior to a final certificate of occupancy.
8. The developer shall coordinate with Kansas City Water to resolve the stormwater review correction prior to ordinance request.
9. The developer shall dedicate additional right-of-way for Bannister Road as required by the adopted major street plan so as to provide a minimum of 50 feet of right-of-way as measured from the centerline, along those areas being platted, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the major street plan prior to the City Plan Commission approval.
10. 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.

11. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
12. 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.
13. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
14. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
15. The south half of E. 93rd Street shall be improved as required by Chapter 88, to current standards, including curb, gutter, relocating any utilities as may be necessary and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
16. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
17. 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.
18. The developer shall submit a plan for approval and permitting by the Land Development Division prior to beginning construction of the improvements in the public right-of-way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.

19. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
20. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
21. 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.
22. The developer shall grant any BMP and/or surface drainage easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
23. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
24. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
25. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
26. 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)
27. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3)
28. 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)
29. Required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
30. 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)

31. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
32. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
33. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to recording the final plat or a certificate of occupancy, whichever is applicable to the project.
34. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way along E. 93rd Street and Bannister Road.
35. A parks permit shall be obtained for any work/trail connection in Schumacher Park.
36. 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.
37. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
38. A full flow fire meter will be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.
39. The developer shall submit water main extension drawings for the proposed public main along Bannister Road between Belmont and White Avenues. Plans shall be prepared by a registered professional engineer in Missouri and submitted to the water main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.

A copy of said UR development plan and preliminary plat is on file in the office of the City

Clerk with this ordinance and 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 Ordinance have been given and had.

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

COMMUNITY PROJECT/REZONING

220664

Ordinance Fact Sheet

Case No. CD-CPC-2022-00098

Brief Title

A request to approve a UR Development Plan and Preliminary Plat for 342 residential units on about 24 acres generally located between Bannister Road and E. 93rd Street (CD-CPC-2022-00098).

Ordinance Number

Details

Location: 6200 E. Bannister Road
Reason for Legislation: Approval of a rezoning to UR development plan requires City Council approval
<p>See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.</p> <p>See attached City Plan Commission Disposition Letter for the Commission’s recommended conditions (if any).</p> <p>SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:</p> <ul style="list-style-type: none"> Staff removed condition #7 from the CPC staff report per the CPC’s recommendation. Staff revised condition #8 from the CPC staff report when the applicant uploaded revised plans. Condition #10 from the CPC staff report was resolved prior to NPD with the applicants revised plans

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	5 th District (Barnes, Parks-Shaw)
Applicants / Proponents	<p>Applicant Patricia Jensen Rouse Frets White Goss Gentile Rhodes, P.C.</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals N/A</p> <p>Basis of Opposition N/A</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>City Plan Commission (5-0) (07-19-2022) By (Allender, Beasley, Enders, Hill, Sadowski)</p> <p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

Fact Sheet Prepared By:

Date:

07/20/2022

Andrew Clarke
Staff Planner

Reviewed By:

Date:

07/20/2022

Joseph Rexwinkle
Division Manager

Initial Application Filed: 05-27-2022

City Plan Commission 07-19-2022

Action: Approval with conditions

Revised Plans Filed: 07-20-2022

On Schedule: Yes

Off Schedule Reason:

Reference Numbers:

Case No. CD-CPC-2022-00098



File #: 220665

ORDINANCE NO. 220665

Accepting the recommendations of the Tax Increment Financing Commission as to the Twelfth Amendment to the North Oak Tax Increment Financing Plan; and approving the Twelfth Amendment to the North Oak Tax Increment Financing Plan.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “Act”), and Ordinance No. 545556 adopted on November 24, 1982, as amended by Committee Substitute for Ordinance No. 911076 adopted on August 29, 1991, by Ordinance No. 100089 adopted on January 28, 2010, by Ordinance No. 130986 adopted on December 19, 2013 and by Committee Substitute for Ordinance No. 140823 adopted on June 18, 2015 (collectively, the “Enabling Ordinances”) the City Council of Kansas City, Missouri created the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”); and

WHEREAS, on February 24, 2005, the City Council of Kansas City, Missouri (the “Council”) passed Committee Substitute for Ordinance No. 050104, which accepted the recommendations of the Commission and approved the North Oak Tax Increment Financing Plan (the “Redevelopment Plan”) and designated the Redevelopment Area described therein to be a blighted area (the “Redevelopment Area”); and

WHEREAS, on July 20, 2006, the Council passed Committee Substitute for Ordinance No. 060534 approving the First Amendment to the North Oak Tax Increment Financing Plan, which provides for (A) the expansion of the Redevelopment Area by adding a 32 acre parcel for development into retail space and (B) a change in designation of the Redevelopment Area from a blighted area to a conservation area; and

WHEREAS, a second amendment to the Redevelopment Plan (the “Second Amendment”) was presented to the Commission but was never approved; and

WHEREAS, on October 11, 2007, the Council passed Committee Substitute for Ordinance No. 070996 approving the Third Amendment to the Redevelopment Plan, which provides for expansion of the Redevelopment Area by including the east side of the 4200 block of North Oak Trafficway as Redevelopment Project 2B, which is to be developed into retail uses; and

WHEREAS, on October 1, 2009, the Council passed Committee Substitute for Ordinance No. 090832 approving the Fourth Amendment to the Redevelopment Plan, which provides for (A) the creation of a benefit area for the purposes of establishing a housing and infrastructure

program and (B) revisions to the budget to include funding for design streetscape improvements; and

WHEREAS, on February 11, 2010, the Council passed Ordinance No. 100083 approving the Fifth Amendment to the Redevelopment Plan, which provides for certain modifications to the Budget of Redevelopment Project Costs attached to the Redevelopment Plan; and

WHEREAS, on September 30, 2010, the Council passed Ordinance No. 100705 approving the Sixth Amendment to the Redevelopment Plan, which provides for certain modifications to the Budget of Redevelopment Project Costs attached to the Redevelopment Plan; and

WHEREAS, on March 1, 2012, the Council passed Ordinance No. 120172 approving the Seventh Amendment to the Redevelopment Plan, which provides for certain modifications to the Budget of Redevelopment Project Costs attached to the Redevelopment Plan; and

WHEREAS, on September 8, 2016, the Council passed Ordinance No. 160670 approving the Eighth Amendment to the Redevelopment Plan, which provides for certain modifications to the public improvements, Budget of Redevelopment Project Costs and creates the Neighborhood Infrastructure and Site Program; and

WHEREAS, on October 5, 2017, the Council passed Ordinance No. 170739 approving the Ninth Amendment to the Redevelopment Plan, which provides for the addition of guidelines for the North Oak Façade and Site Program; and

WHEREAS, on February 1, 2018, the Council passed Ordinance No. 180053 approving the Twelfth Amendment to the Redevelopment Plan, which provides for modifications to the description of the Project Improvements and the Budget of Redevelopment Project Costs; and

WHEREAS, on August 27, 2020, the Council passed Ordinance No. 190925 approving the Eleventh Amendment to the Redevelopment Plan, which provides for modifications to the Budget of Redevelopment Project Costs and Sources of Funds and the Specific Objectives of the Redevelopment Plan to provide for streetscape and trail improvements along N. Troost Trail; and

WHEREAS, a Twelfth Amendment to the Redevelopment Plan (“Twelfth Amendment”) was proposed to the Commission and the Commission, having been duly constituted and its members appointed, after proper notice was given, met in public hearing on July 12, 2022, and after receiving the comments of all interested persons and taxing districts, closed the public hearing, approved the Twelfth Amendment to the Redevelopment Plan and recommended that the City Council do the same; and

WHEREAS, the Twelfth Amendment to the Redevelopment Plan provides Plan (a) modifications to the boundaries of Redevelopment Area, (b) modifications to the description of public improvements described by the Redevelopment Plan, (c) modifications to the Budget of Redevelopment Project Costs, (d) modifications to the Sources of Funds and (e) modifications to

the Development Schedule and (E) the inclusion of all conforming changes within the Redevelopment Plan s; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the recommendations of the Commission concerning the Twelfth Amendment as set forth in Resolution 7-5-22, are hereby accepted and the Twelfth Amendment is hereby approved and adopted as valid.

Section 2. That all terms used in this ordinance, not otherwise defined herein, shall be construed as defined in Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “Act”).

Section 3. That the Council hereby finds that:

- (a) The findings of the Council in Committee Substitute for Ordinance Nos. 050104, 060534, 070996, and 090832, Ordinance No. 100083, Ordinance No. 100705, Ordinance No. 120172, Ordinance No. 160670, Ordinance No. 170739, Ordinance No. 180053 and Ordinance No. 190925 with respect to the Redevelopment Plan are not affected by the Twelfth Amendment and apply equally to the Twelfth Amendment;
- (b) The Redevelopment Area, as amended, is a conservation area, as a whole, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan, as amended, by the Twelfth Amendment;
- (c) The Redevelopment Plan, as amended by the Twelfth Amendment, includes a detailed description of the factors that qualify the Redevelopment Area as a conservation area and an affidavit as required by Section 99.810.1(1), RSMo;
- (d) The Redevelopment Plan, as amended by the Twelfth Amendment, conforms to the comprehensive plan for the development of the City as a whole;
- (e) The areas selected for Redevelopment Projects described by the Redevelopment Plan, as amended by the Twelfth Amendment, include only those parcels of real property and improvements therein which will be directly and substantially benefited by the Redevelopment Project improvements;
- (f) The estimated dates of completion of the respective Redevelopment Projects and retirement of obligations incurred to finance Redevelopment Project Costs, have been stated in the Redevelopment Plan, as amended by the Twelfth Amendment, and are not more than 23 years from the passage of any ordinance approving each applicable Redevelopment Project authorized by the Redevelopment Plan and located within the Redevelopment Area, as amended;

- (g) A plan has been developed for relocation assistance for businesses and residences;
- (h) The Twelfth Amendment does not alter the cost benefit analysis attached to the Redevelopment Plan showing the impact of the Redevelopment Plan, as amended, on each taxing district which is at least partially within the boundaries of the Redevelopment Area has been prepared in accordance with the Act;
- (i) The Twelfth Amendment does not include the initial development or redevelopment of any gambling establishment; and
- (j) A study has been completed and the findings of such study satisfy the requirements provided under Section 99.810.1, RSMo.

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

Section 5. That pursuant to the provisions of the Redevelopment Plan, as amended, the Council approves the pledge of all payments in lieu of taxes and economic activity taxes generated within Redevelopment Projects that are deposited into the Special Allocation Fund(s) established in connection with each Redevelopment Project described by the Redevelopment Plan to the payment of Redevelopment Project Costs, and authorizes the Commission to pledge such funds on its behalf.

..end

Approved as to form and legality:

Emalea K. Black
Associate City Attorney

GENERAL

Ordinance Fact Sheet

220665

Ordinance Number

Brief Title	Approval Deadline	Reason
Twelfth Amendment to the North Oak TIF Plan		

Details

Specific Address
 The North Oak TIF Plan, after passage of this amendment, will consist of 5 noncontiguous areas which are generally defined as:
 (1) an area generally bounded by NE 43rd Street on the north, property line of the old Farmland Building (3301 North Oak Trafficway) on the south, the western property line of commercial properties facing North Oak Trafficway on the west and the eastern property line of commercial properties facing North Oak Trafficway on the east;
 (2) an area generally bounded by southern boundary of the existing Baptist Seminary buildings on the north, Vivion Road on the south, western boundary of a tract commonly known as the President's house on the east and North Oak Trafficway on the west;
 (3) an area generally bounded by Interstate 29 on the north, the City limits of Kansas City, Missouri on the south, Interstate 35 on the east, and Main Street on the west;
 (4) an area generally bounded by two properties on the south side of Vivion Road, bounded by NE 47th Street on the west, I-29 on the on the south and north and the property line of the YMCA property line facility located at 1101 NE 47th Street on the west; and
 (5) an area that begins on Vivion Rd, approximately 100 feet west of the intersection of N Highland Ave, and continues east on Vivion Rd until terminating after the intersection of Vivion Rd, NE Gaddy Rd, and N Garfield Ave, all approximately 80 feet wide, all within Kansas City, Clay County, Missouri (collectively, the "Redevelopment Area").

Reason for Legislation

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

The City Council approved the North Oak TIF Plan by its passage of Committee Substitute for Ordinance No. 050104, which has been subsequently amended 11 times by the City Council's passage of a series of ordinances.

Proposed Twelfth Amendment to the North Oak TIF Plan:

The 12th Amendment provides for the following:
 +\$200,000 to Public Improvement "Sidewalk (N. Holmes South of Greenfield to 42nd)"
 +\$175,000 to Public Improvement "Gorman Park Pool Construction"
 +\$450,000 to Public Improvement "Public Infrastructure (Roads, sidewalks, curbs, sewers)"
 +\$350,000 for a new Public Improvement described as "Intersection at NE 48th St & NE Vivion Road"
 *A new noncontiguous area is added to the plan ("Intersection at NE 48th St & NE Vivion Road"), making the plan consist of 5 total noncontiguous areas.
 *Inclusion of area map that shows all noncontiguous areas of the North Oak TIF Plan.

Positions/Recommendations

Sponsor	TIF Commission
Programs, Departments, or Groups Affected	
Applicants / Proponents	Applicant Tax Increment Financing Commission North Oak TIF Advisory Committee City Department 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	By Tax Increment Financing Com. Resolution <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 on reverse side)

Details

Recommendation: Staff and the TIFC recommend approval of the Twelfth Amendment to the North Oak TIF Plan.

Policy/Program Impact

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

Finances Cost & Revenue Projections -- Including Indirect Costs	Total Project Costs AND Super TIF Reimbursable Project Costs will increase by a total of \$1,175,000.
Financial Impact	
Fund Source (s) and Appropriation Account Codes	Public Funding Sources will be Super TIF.
Is this Ordinance or Resolution Good for the Children?	Yes.

Applicable Dates:

Approved by TIF Commission on 7/12/22

Fact Sheet Prepared by:

David Leader, Development Services Specialist, Economic Development Corporation of Kansas City

Reviewed by:

Reference Numbers

**North Oak Corridor TIF Plan
Twelfth Amendment**

	Project Costs	TIF Reimbursable	STIF Reimbursable
Projects 1 & 2			
TIF Staff/Legal/Administrative Expenses ¹	\$ 350,000	\$ 350,000	
Survey Consulting Service	2,800	2,800	
Building Purchase/Rehabilitation/Tenant Improvements	17,000,000	1,980,000	
Furniture, Fixture and Equipment	13,000,000	-	
Infrastructure improvements ²	3,944,800	3,944,800	
Streetscape Design	500,000	140,040	
Subtotal	\$ 34,797,600	\$ 6,417,640	
Projects 3-6			
Development Costs			
Land Costs			
Land	\$ 8,219,880	\$ 2,840,252	\$ -
Total Land Costs	\$ 8,219,880	\$ 2,840,252	\$ -
Hard Costs			
Anchor Retail Shell	\$ 8,100,000	\$ -	\$ -
Anchor Retail Building Upgrades	675,000	-	-
Anchor Retail Sitework	1,950,000	-	-
Junior Box Shell	1,540,000	-	-
Junior Box Façade Upgrades	173,582	173,582	-
Buildings Constructed on Pad Sites - Shell	7,500,000	-	-
Pad Site - Sitework/Landscaping	2,040,000	-	-
Site/Landscape (Continental Engineering Estimate)	4,962,594	3,078,979	-
Total Hard Costs	\$ 26,941,176	\$ 3,252,561	\$ -
Soft Costs			
Professional Services Fees	\$ 2,120,000	\$ -	\$ -
Financing Cost	6,496,599	6,496,599	
Interest Carry	1,272,000	-	-
Points	232,000	-	-
Closing - Loan and Land	75,000	-	-
Development Fee	1,200,000	-	-
Preliminary Studies	25,000	-	-
Taxes During Construction	15,000	-	-
TIF Commission Fees	250,000	250,000	-
Investment Banking Fee (IRR C&P)	480,940	-	-
Contingency	2,300,000	304,500	-
Total Soft Costs	\$ 14,466,539	\$ 7,051,099	\$ -
Public Improvements			
Park Land Dedication	\$ 229,900	\$ 229,900	\$ -
Additional Vivion Road ROW	405,000	405,000	-
Wetland Mitigation	14,991	14,991	-
Replace Water Main at Oak & Vivion that Frequently Breaks	108,624	108,624	-
Replace Overhead Electric Lines with Underground Lines	106,442	106,442	-
Sidewalks along Vivion Road and North Oak	71,837	71,837	-
Ornamental Perimeter Lighting	153,419	153,419	-
Offsite Road Improvements	390,100	390,100	-
Extraordinary Cost of Runoff Detention	1,230,269	1,230,269	-
North Oak Corridor Housing & Infrastructure Program - ENCORE	1,000,000	1,000,000	
North Troost Trail - Design and Construction	430,000		430,000
Gorman Park Pool Construction	1,530,000		1,530,000
Public Infrastructure (Roads, Sidewalks, Curbs, Sewar Lines)	919,381		919,381
YMCA - Costs of Acquisition and Demolition	278,408		278,408
Sidewalk (NE 45th Street and NE 45th Terrace)	100,000		100,000
Sidewalk (N. Holmes south of Greenfield to 42nd Street)	450,000		450,000
Intersection at NE 48th Street and NE Vivion Road	350,000		350,000
North Oak Façade and Site Program	210,000		210,000
Total Public Improvements Costs	\$ 7,978,371	\$ 3,710,582	\$ 4,267,789
Subtotal	\$ 57,605,966	\$ 16,854,494	\$ 4,267,789
TOTAL	\$ 92,403,566	\$ 23,272,134	\$ 4,267,789

ASSUMPTIONS:

In addition, 5% of the annual PILOTS and Economic Activity Taxes deposited in the Special Allocation Fund shall be retained by the TIF Commission or the City (as the case may be) to cover incidental expenses incurred by the TIF Commission and the City that relate to the

Twelfth Amendment

Project Costs	TIF Reimbursable	STIF Reimbursable
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be determined and allocated prior to allocation of any other reimbursable costs.

1 This amount is an estimated total budget for plan and project administration expenses to be reimbursed to the selected consultant and the TIF Commission. The selected consultants will submit annually a budget for plan and project administration expenses which will be reviewed and approved by the TIF Commission.

2 Yet to be determined. They will be based on the recommendations of the North Oak Corridor Land Use & Development Plan.

5/26/2022

Added \$200,000 to 'Sidewalk (N. Holmes south of Greenfield to 42nd Street)'

Added \$175,000 to Gorman Park Pool Construction



File #: 220364

ORDINANCE NO. 220364

Amending Chapter 18, Code of Ordinances, by repealing Article III, Section 18-57 entitled “Adoption of International Residential Code (2018); amendments” and Article XIV, Section 18-367 entitled “Adoption of International Energy Conservation Code (2012); amendments” and enacting, in lieu thereof, new sections of like number and subject matter that update the City’s Energy Conservation Code.***This item will be held until August 24, 2022***

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

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

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

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

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

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

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

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

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

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

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

GROUND D SNOW LOAD °	WIND DESIGN				SEISMI C DESIG N CATE- GORY f	SUBJECT TO DAMAGE FROM		
	Speed d (MPH)	Topograph ic Effects k	Specia l wind Regio n l	Windbor ne Debris zone m		Weatherin g a	Frost line depth b	Termite c
20 psf	115	No	No	No	A	Severe	36"	Moderate to Heavy

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

MANUAL J DESIGN CRITERIA n

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

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

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

Daily range	Winter humidity	Summer Humidity
High	50%	30%

(See 2018 International Residential Code for footnotes.)

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

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

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

R302.13 Fire protection of floors is deleted.

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

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

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

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

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

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

The following section is added to the referenced model code:

R328 Moved Structures. See Article XIII of this Chapter.

The following section is added to the referenced model code:

R329 Physical Security

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

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

Exceptions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Exception: Doors with integral multi-point locking devices.

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

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

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

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

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

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

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

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

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

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

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

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

The following exception is added to the referenced model code:

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

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

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

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

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

The following exception is added to the referenced model code:

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

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

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

The following subsection is added to the referenced model code:

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

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

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

The following exception is added to the referenced model code:

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

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

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

The following subsection is added to the referenced model code:

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

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

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

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

The following subsection is added to the referenced model code:

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

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

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

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

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

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

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

The following exception is added to the referenced model code:

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

The following subsection is added to the referenced model code:

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

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

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

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

E3901.12 HVAC outlet is deleted.

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

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

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

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

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

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

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

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

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

Appendix Q, Tiny Houses

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

ARTICLE XIV. ENERGY CONSERVATION CODE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

..end

Approved as to form and legality:

Eluard Alegre
Associate City Attorney

GENERAL

Ordinance Fact Sheet

220364

Ordinance Number

Brief Title	Approval Deadline
Amending Chapter 18 Code of Ordinances to update the City's Energy Conservation Code.	

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

Details

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

Positions/Recommendations

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

Details:

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

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

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

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

(Continued on reverse side)



File #: 220442

RESOLUTION NO. 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. ******This item will be held until August 24, 2022******

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 #: 220554

ORDINANCE NO. 220554

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

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A-1334, , rezoning an approximately 24-acre tract of land generally located at the northeast corner of N.W. 72nd Street and N.W. Waukomis Drive, from Districts R-2.5 (Residential 2.5) and R-7.5 (Residential 7.5) to District MPD (Master Planned Development), said section to read as follows:

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

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

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

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

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

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

is hereby rezoned from Districts R-2.5 (Residential 2.5) and R-7.5 (Residential 7.5) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A-1334, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

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

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

7. For each phase of the proposed development, developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine the adequacy of receiving systems as required by the Land Development Division, prior to issuance of a building permit to construct improvements within that phase.
8. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
9. The developer shall grant a BMP and/or a surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
10. The developer shall submit a traffic study memorandum to the City's Public Works Department regarding the coordination and timing to construct traffic related improvements with each proposed phase of the development plan. Construction of the proposed access drives and the half street improvements to N.W. 72nd Street shall be coordinated to match the requirements of the phasing shown by the traffic study. Contact Land Development prior to submitting a building permit application to construct any building improvements in Phases 3 or 4 to confirm what public improvements are required due to the traffic study.
11. The developer shall show and label the final stream buffer zones on the subdivision plat within a private open space tract, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
12. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
13. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
14. The developer shall show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.
15. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the

buffer zones due to construction activities on the site, in accordance with Section 88-415 requirements.

16. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
17. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations.
18. The developer shall follow the Kansas City, Missouri rules and regulations for domestic water and fire service lines.
19. Stormwater management facilities, such as detention basins, BMPs, engineered surface water conveyance paths outside of right-of-way, which serve multiple lots or tracts, shall be privately maintained, located on separate tract(s), and covered by maintenance covenant(s) to be administered through the platting process.
20. The developer shall submit verification of vertical and horizontal sight distance for the new proposed eastern drive connection to N.W. 72nd Street to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy for buildings or improvements constructed in Phases 3 or 4 as identified in the development plan.
21. Pursuant to Section 88-405-22, the Council authorizes the unsecured deferral of the condition that developer improve the north half of N.W. 72nd Street to residential local standards, as required by Chapter 88 and as modified by the approved waivers in Section B.1. of this Ordinance, to current standards including curbs, gutters, sidewalks, streetlights, and relocating any utilities as may be necessary, until such time as the developer submits an application for a building permit to construct any building improvements within Phases 3 or 4 of the development plan. The developer shall obtain the required permit from the Land Development Division for the half-street improvements to N.W. 72nd Street prior to issuance of a building permit to construct any building improvements within Phases 3 or 4 of the development plan. Any right-of-way required as part of the construction of N.W. 72nd Street shall be donated to the City by deed or by the final plat.

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

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

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney

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

220554



File #: 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 #: 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.

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
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.	

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	Applicant City Department 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	By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

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.



File #: 220615

ORDINANCE NO. 220615

Approving various infrastructure projects as part of the ReBuild KC grant program.

WHEREAS, the City received Federal stimulus under the American Rescue Plan Act (ARP); 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 applications for much needed infrastructure improvements; and

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

WHEREAS, after reviewing applications staff recommends that approximately \$5.1 million be allocated to 17 infrastructure improvement projects; and

WHEREAS, the infrastructure improvements will improve public health and safety within several City neighborhoods; and

WHEREAS, the projects meet the ARP categories of 2.22 Strong Healthy Communities, 2.35 Aid to Tourism and Travel, and 5.6 Stormwater; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the following infrastructure projects are hereby approved, and the Director of the Neighborhood Services Department is directed to work with the necessary City department to effectuate the following projects which collectively will not exceed \$5,100,000.00 of total expenditures for these projects:

Project Name	Bucket	Category
North Lakes Neighborhood Tree Safety & Erosion project	Infrastructure	Infrastructure - Stormwater
Main Street Streetscape Repairs	Infrastructure	Infrastructure - Streetscape

Big Blue Battlefield Park	Infrastructure	Infrastructure - Park
Red Bridge Rd Repair of storm water drain	Infrastructure	Infrastructure - Stormwater
South Vine Streetscape @ 2000 Vine to 22nd Street	Infrastructure	Infrastructure - Streetscape
NE 48th Street Safety Improvements	Infrastructure	Infrastructure - Streets
Paseo Stairs Reimagined	Infrastructure	Infrastructure - Boulevard
Broadway curb & sidewalk repairs	Infrastructure	Infrastructure - Sidewalks
Hyde Park Traffic Calming and Street Safety Study	Infrastructure	Infrastructure - Traffic Mgmt
Pennsylvania Pedestrian Improvements	Infrastructure	Infrastructure - Bike/Pedestrian
Westport Pedestrian Lighting	Infrastructure	Infrastructure - Streetlights
Main Street frontage lane & parking improvements	Infrastructure	Infrastructure - Streets
West Westport Rd Pedestrian Improvement	Infrastructure	Infrastructure - Bike/Pedestrian
17th and Madison Sidewalk Repair and Green Infrastructure	Infrastructure	Infrastructure - Stormwater
Platte Ridge Neighborhood Improvements	Infrastructure	Infrastructure - Sidewalks
Volker Sidewalk Improvements	Infrastructure	Infrastructure - Sidewalks
43rd st/Westport Rd Pedestrian Island	Infrastructure	Infrastructure - Bike/Pedestrian

Section 2. The following account of previously appropriated funds will be used to fund the projects identified in Section 1 up to the maximum amount of \$5,100,000:

23-2585-575003-B-G57TMP ReBuild KC \$5,100,000.00

..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
Assistant City Attorney

GENERAL

Ordinance Fact Sheet

220615

Ordinance Number

Brief Title:

Approval Deadline:

Reason:

Details

Positions / Recommendations

<p>Reason for Legislation</p> <p>Authorizing the Director of Neighborhoods to enter into negotiations and analysis of the infrastructure projects recommended through the ReBuild KC grant program. These 17 projects have been recommended by residents as high priority and high need projects. The projects will repair sidewalks and streetscapes, improve lighting, improve bicycle and pedestrian safety, add green infrastructure, repair stormwater systems, and enhance parks.</p>	<p>Sponsor(s)</p>								
<p>Discussion <i>(including relationship to other Council actions)</i></p> <p>These projects were submitted by ReBuild KC grant applicants. Applicable departments responsible for the public areas indicated in the proposals will oversee the projects to ensure compliance with existing standards. Project costs were estimated as part of the proposals and will be further validated by City department staff. These repairs are allowed under Sections 2 and 5 of the ARPA Expenditure Guidelines handbook.</p> <p>Is it good for the children? Yes</p> <p>How will this contribute to a sustainable Kansas City?</p> <p>The recommended projects will contribute to sustaining infrastructure of transportation systems, enhance streetscapes and green infrastructure, and repair vital stormwater management systems, as well as creating more sustainable park environments.</p>	<p>Programs, Departments, or Groups Affected</p> <p>Neighborhood Services Department</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-G57TMP Not to Exceed \$5,100,000 total expenditure

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



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.

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 (including relationship to other Council actions)</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>
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>										
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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**

		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				-	-
<i>RESERVE STATUS:</i>					

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

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
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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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>	<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%;"> <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%;"> <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%;"> <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%;"> <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 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>																				

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>
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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</p> <p><input type="checkbox"/> Against</p> <p>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</p> <p><input type="checkbox"/> No Action Taken</p> <p><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</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Substitute</p> <p><input type="checkbox"/> No Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><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</p> <p><input type="checkbox"/> Against</p> <p>Reasons Against:</p>	Board or Commission Recommendation	<p><input type="checkbox"/> For <input type="checkbox"/> Against</p> <p><input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions</p>	Council Committee Action	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Substitute</p> <p><input type="checkbox"/> No Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do Not Pass</p>
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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>		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 \$500,000.00</p> <p>Increase/Decrease in Revenue Expected Annually One-time increase \$500,000.00</p>
		Fund Sources	23-2550-645020-G64CWA

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



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>	<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 \$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>	<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</p> <p><input type="checkbox"/> Against</p> <p>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</p> <p><input type="checkbox"/> No Action Taken</p> <p><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</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Substitute</p> <p><input type="checkbox"/> No Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><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</p> <p><input type="checkbox"/> Against</p> <p>Reasons Against:</p>	Board or Commission Recommendation	<p><input type="checkbox"/> For <input type="checkbox"/> Against</p> <p><input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions</p>	Council Committee Action	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Substitute</p> <p><input type="checkbox"/> No Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do Not Pass</p>
Applicants/Proponents	<p>Applicant</p> <p>City Department Planning & Development</p> <p>Other</p>										
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Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reasons Against:</p>										
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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>		<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 \$350,000.00</p> <p>Increase/Decrease in Revenue Expected Annually One-time increase \$350,000.00</p>
		<p>Fund Sources</p> <p>23-2550-645020-G64PPH</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:

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).

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**

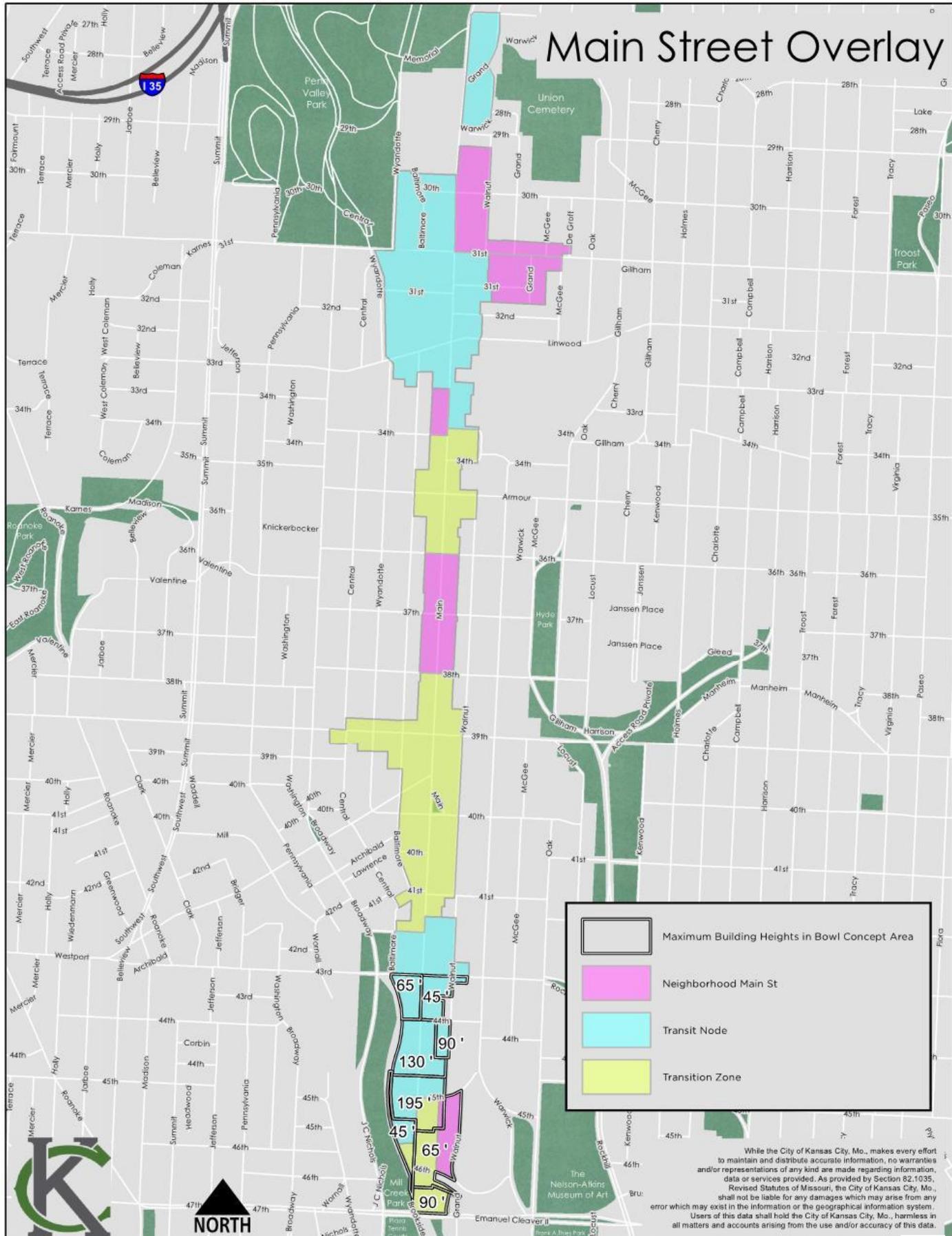
Neighborhood Main Streets provide a diverse critical mass of walkable services for adjacent neighborhoods. These areas anchor residential neighborhood reinvestment and revitalization and restore the vibrant walkable character of the corridor and adjacent neighborhoods.

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