



## Agenda

### Neighborhood Planning and Development Committee

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

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Wednesday, August 24, 2022

1:30 PM

26th Floor, Council Chamber

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<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>

\*\*\*\*Public Testimony is Limited to 2 Minutes\*\*\*\*

#### Beginning of Consent(s)

#### [220718](#)

Approving the plat of Vivion Plaza, an addition in Clay County, Missouri, on approximately 4.06 acres generally located at the intersection of N.E. Vivion Road and N. Antioch Road, creating 2 lots for the purpose of a 2 lot commercial subdivision; accepting various easements; and directing the City Clerk to record this ordinance and attached documents.  
(CLD-FnPlat-2022-00025)

**Attachments:** [2022-00025 Ordinance Fact Sheet](#)

[220719](#) Approving the plat of Wonderland Apartments, an addition in Jackson County, Missouri, on approximately 1.022 acres generally located at the northeast corner of Broadway Boulevard and West 20th Street, creating 1 lot for the purpose of a multi-family housing development; accepting various easements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00027)

**Attachments:** [2022-00027 Ordinance Fact Sheet](#)

End of Consent(s)

[220717](#) Approving the petition to establish the Freight House Community Improvement District; establishing the Freight House Community Improvement District generally located at W. 22nd Street and Main Street in Kansas City, Jackson County, Missouri; requiring the annual submission of certain records; and directing the City Clerk to report the creation of the District to the Missouri Department of Economic Development and the Missouri State Auditor.

**Attachments:** [Freight House CID ORD FACTSHEET](#)

[220720](#) Rezoning an area of about 1.3 acres generally located at the northeast corner of Belleview Avenue and W. 48th Street from District MPD and District R-1.5 to District MPD, and approving a preliminary development plan to allow the construction of a mixed-use building containing 317 dwelling units and retail/restaurant space. (CD-CPC-2022-00107)

**Attachments:** [Fact Sheet](#)

[220722](#) Amending Ordinance No. 190328 by repealing Condition 16 contained in Section B, which required the developer to secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development, because the developer no longer has access to public water mains. (CD-CPC-2018-00229)

**Attachments:** [CD-CPC-2018-00229 Fact Sheet 2022](#)

[220728](#) Approving a development plan in District DC-15 on about 1.31 acres generally bounded at 500 E. 8th Street between Admiral Boulevard to the north, Cherry Street to the east, Locust Street to the west, and E. 8th Street to the south in Rices Addition Plat for the conversion of the former ATT building into 263 residential units. (CD-CPC-2022-00089)

**Attachments:** [CD-CPC-2022-00089 Fact Sheet](#)

**Bough, Shields and Bunch**

- [220729](#) Amending the Plaza Bowl Overlay, which was created by Committee Substitute for Ordinance No. 190100, which includes use and height regulations for the area generally located on the south and north sides of W. 47th Street (extending northerly to the north side of W. 46th Terrace), between Madison Avenue on the west and J.C. Nichols Parkway on the east, in order to establish standards for granting deviations..

**Attachments:** [No Fact Sheet](#)

- [220730](#) Approving the Main Street - ABC/35 Block Urban Renewal Area Plan on approximately 2.4 acres generally located at 3244 Main and 3634 Main Street; and declaring said area to be blighted and in need of redevelopment and rehabilitation. (CD-CPC-2022-00094)

**Attachments:** [No Fact Sheet](#)

HELD IN COMMITTEE

**Bough, Bunch and Robinson**

- [220364](#) Amending Chapter 18, Code of Ordinances, by repealing Article III, Section 18-57 entitled "Adoption of International Residential Code (2018); amendments" and Article XIV, Section 18-367 entitled "Adoption of International Energy Conservation Code (2012); amendments" and enacting, in lieu thereof, new sections of like number and subject matter that update the City's Energy Conservation Code.

**Attachments:** [220364 fact sheet](#)

**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](#)

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

**Attachments:** [Fact Sheet](#)

- 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](#)

- 220688** Estimating revenues and appropriating funds in the amount of \$8,397,188.00 in the HOME Partnership Program from the American Rescue Plan; authorizing the Director of Housing and Community Development to execute contracts for HOME Partnership Program/American Rescue Plan (ARP) activities to be known as "HOME/ARP" funding activities; and designating requisitioning authority.

**Attachments:** [HOME-ARP Fact Sheet](#)  
[Fiscal Note](#)  
[Ordinance Approp Admin](#)

#### 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](mailto: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](http://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](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



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**File #: 220718**

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ORDINANCE NO. 220718

Approving the plat of Vivion Plaza, an addition in Clay County, Missouri, on approximately 4.06 acres generally located at the intersection of N.E. Vivion Road and N. Antioch Road, creating 2 lots for the purpose of a 2 lot commercial subdivision; accepting various easements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00025)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

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

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

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

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

..end

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Approved as to form and legality:

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Eluard Alegre  
Associate City Attorney

# COMMUNITY PROJECT/ZONING

## Ordinance Fact Sheet

220718

Ordinance Number

**Brief Title**

Approving the plat of Vivion Plaza Plat an addition in Kansas City, Clay County, Missouri

<p><b>Specific Address</b> Approximately 4.06 acres generally located at the intersection of N.E. Vivion Road and N. Antioch Road. Creating 2 lots.</p>	<p><b>Sponsor</b></p>	<p>Jeffrey Williams, AICP, Director Department of City Planning &amp; Development</p>
<p><b>Reason for Project</b> This final plat application was initiated by Planet Partners, LLC in order to subdivide the property in accordance with the city codes and state statutes. The developer intends to create a 2 lot commercial Subdivision</p>	<p><b>Programs, Departments, or Groups Affected</b></p>	<p><b>City-Wide</b>  <b>Council District(s)</b> 1(CL) O’Neill - Hall  <b>Other districts (school, etc.)</b> North Kansas City 250</p>
<p><b>Discussion</b> 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><b>CONTROLLING CASE</b> CD-CPC-2021-00230 – Rezoning an area of about .6 acres generally located at 2415 NE Vivion Rd from District B1-1 to District B2-1 to allow for the development of a drive-through facility. APPROVED</p>	<p><b>Applicants / Proponents</b></p>	<p><b>Applicant(s)</b> Planet Partners, LLC  <b>City Department</b> City Planning and Development  <b>Other</b></p>
<p><b>Opponents</b></p>	<p><b>Groups or Individuals</b> None Known  <b>Basis of Opposition</b></p>	
<p><b>Staff Recommendation</b></p>	<p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <b>Reason Against:</b></p>	
<p><b>Board or Commission Recommendation</b></p>	<p><b>By: City Plan Commission</b> July 5, 2022  <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</p>	
<p><b>Council Committee Actions</b></p>	<p><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</p>	

**Details**

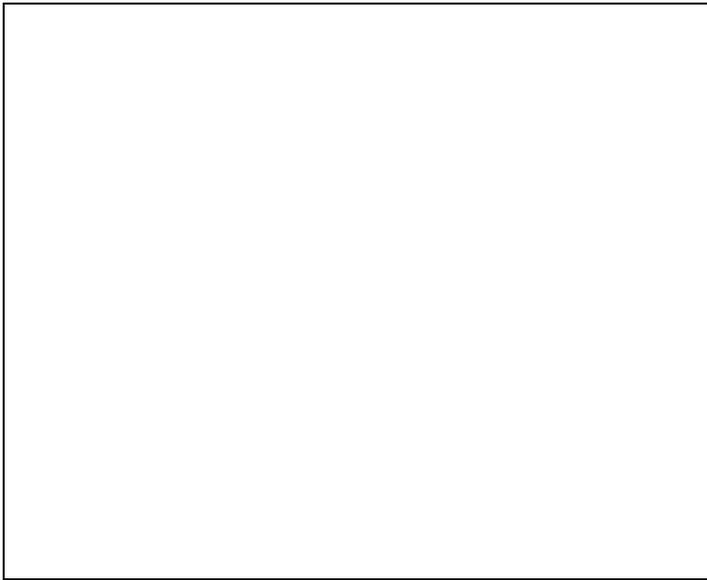
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**Policy / Program Impact**

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

**Finances**

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



<b>How will this contribute to a sustainable Kansas City?</b>	<p>This project consists of platting for a 2 lot commercial development, on 4.06 acres of previously developed property. The storm water detention facilities will reduce the overall storm water volume and attenuate the peak runoff rate to less than existing conditions. This development will increase the tax base for the developed lots.</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:** August 16, 2022

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

**Reference or Case Numbers:** CLD-FnPlat-20222-00025

FINAL PLAT OF  
**VIVION PLAZA**  
SE 1/4 SEC 36-T51N-R33W  
KANSAS CITY, CLAY COUNTY, MISSOURI

TITLE COMMITMENT SCHEDULE A DESCRIPTION

THE SUPER FOOD BARN NO. 4112, A SUBDIVISION IN KANSAS CITY, CLAY COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, RECORDED ON JULY 16, 1985 AS DOCUMENT NO. F1866, IN PLAT BOOK 20, AT PAGE 35 AND 36.

THE PART OF LOT 16, BLOCK 2, ANTOCH ACRES, A SUBDIVISION OF LAND IN KANSAS CITY, CLAY COUNTY, MISSOURI, AND ANY PART LIND OUTSIDE OF LOT 16 IN SECTION 36, TOWNSHIP 51 NORTH, RANGE 33 WEST, RANGE CITY, CLAY COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHERLY MOST CORNER OF LOT 15, SUPER FOOD BARN NO. 4112, A SUBDIVISION IN KANSAS CITY, CLAY COUNTY, MISSOURI, SAID POINT ALSO BEING ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE VIVION ROAD AS DESCRIBED IN BOOK 206 AT PAGE 12 AND IN BOOK 697 AT PAGE 172; THENCE SOUTH 62 DEGREES 45 MINUTES 10 SECONDS EAST (SOUTH 62 DEGREES 45 MINUTES 25 SECONDS EAST) ALONG THE NORTHEASTERLY LINE OF SAID LOT 15 A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING OF THE TRACT; THENCE SOUTH 62 DEGREES 45 MINUTES 10 SECONDS EAST (SOUTH 62 DEGREES 45 MINUTES 25 SECONDS EAST) ALONG THE NORTHEASTERLY LINE OF SAID LOT 15 A DISTANCE OF 47.33 FEET; THENCE NORTH 40 DEGREES 43 MINUTES 43 SECONDS EAST; ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID SUPER FOOD BARN NO. 4112, CONTINUING ALONG SAID LINE A DISTANCE OF 15.00 FEET; THENCE NORTH 42 DEGREES 42 MINUTES 27 SECONDS EAST, CONTINUING ALONG SAID LINE AND ALONG THE NORTHERLY ANTOCH ROAD, A DISTANCE OF 108.33 FEET; THENCE SOUTH 80 DEGREES 55 MINUTES 38 SECONDS WEST, CONTINUING ALONG SAID LINE AND WESTERLY RIGHT OF WAY LINE A DISTANCE OF 37.91 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 15; THENCE NORTH 62 DEGREES 45 MINUTES 10 SECONDS WEST (NORTH 62 DEGREES 45 MINUTES 55 SECONDS WEST) ALONG THE NORTHEASTERLY LINE OF SAID LOT 15 A DISTANCE OF 164.22 FEET TO THE POINT OF BEGINNING.

**PLAT DEDICATION:**  
THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACT OF LAND HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS:  
**VIVION PLAZA**  
IN TESTIMONY WHEREOF, PLAINET PARTNERS, LLC HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY: GREG HENSON, MANAGING PARTNER  
PLAINET PARTNERS, LLC  
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME PERSONALLY APPEARED GREG HENSON, WHO BEING BY ME SWORN DULY SAY HE IS A MANAGING PARTNER AND REPRESENTATIVE WAS SWORN TO BEHALF OF SAID CORPORATION BY AND TO SEAL THE DAY AND YEAR LAST WRITTEN ABOVE.

MY WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIRED BY NOTARIAL SEAL THE DAY AND YEAR LAST WRITTEN ABOVE.  
NOTARY PUBLIC

**COUNCIL:**  
BY ORDINANCE NO. \_\_\_\_\_ DULY AUTHENTICATED AS PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MAYOR: QUINTON LUCAS  
CITY CLERK: MARILYN SANDERS  
JACKSON COUNTY ASSESSMENT DEPARTMENT

**CITY PLAN COMMISSION:** PUBLIC WORKS  
APPROVED: MICHAEL J. SHAW

**STATE PLANE TRAVERSE TABLE**

STATION	BEARING	DISTANCE	NORTHING	EASTING
CG-02	S 03°40'57" W	9,184.24	108831.42	277491.64
	N 49°42'12" E	427.27	108966.08	277423.69
	S 03°04'41" E	16,327	109042.33	277467.69
	N 49°47'04" E	47.37	109024.98	277466.32
	N 40°26'10" W	35.07	109026.48	277468.33
	N 49°42'14" E	15.07	109026.99	277468.59
	S 60°43'18" E	99.41	109036.38	277473.21
	S 09°53' W	97.97	109037.77	277480.92
	S 09°53' W	86.47	109039.54	277488.08
	S 02°21' E	200.07	109070.43	277486.71
	S 75°12'00" W	86.81	109073.37	277486.28
	N 20°40'40" W	165.97	109076.78	277486.68
	S 49°36'41" W	9.79	109076.69	277485.76
	N 40°26'10" W	35.07	109087.93	277485.27
	S 01°02'04" W	150.12	109085.60	277441.83
	S 01°02'04" W	150.12	109086.08	277442.69

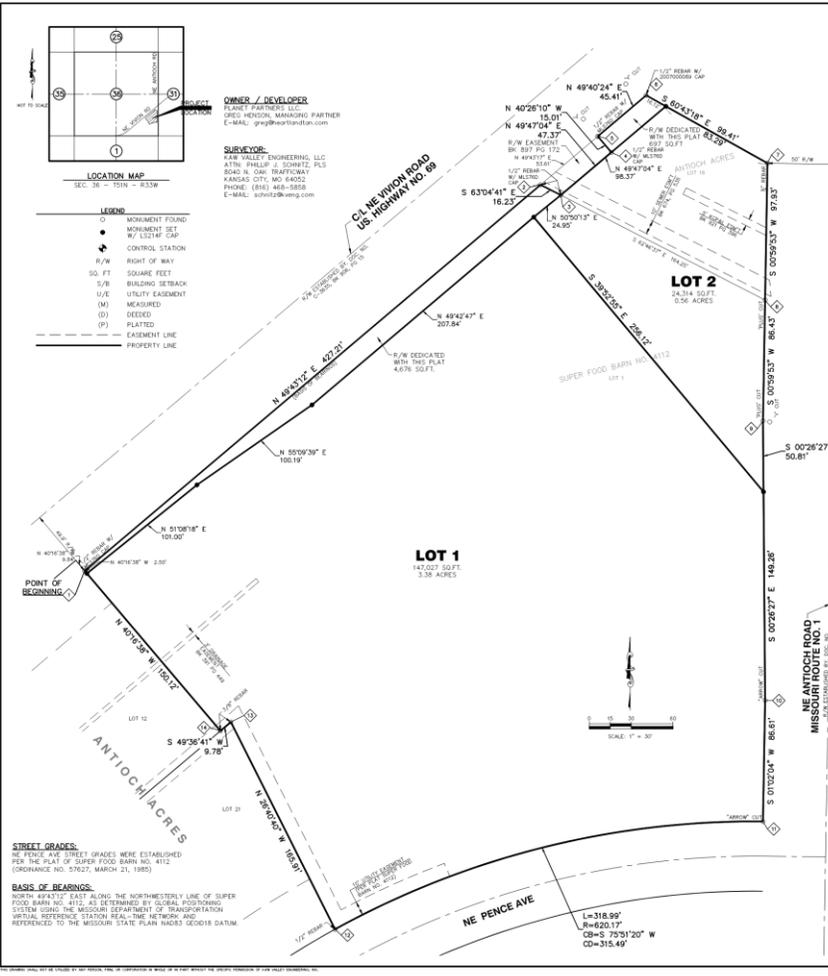
NOTE: ALL BEARINGS AND DISTANCES IN THE ABOVE TABLE ARE BASED ON THE MISSOURI STATE PLANE GRID SYSTEM, AND 1983 WEST ZONE, USING A COMBINED GRID FACTOR OF 1.00000009.

**RIGHT OF ENTRANCE:**  
THE RIGHT OF ENTRANCE AND EGRESS IN TRAVEL ALONG ANY STREET OR DRIVE WITHIN THE SUBDIVISION OF THE PROPERTY IS HEREBY GRANTED TO KANSAS CITY, MISSOURI, FOR THE PURPOSES OF FIRE AND POLICE PROTECTION, MAINTENANCE OF WATER MAINS, SANITARY AND STORM SEWER LINES, COLLECTION OF GARBAGE AND REUSE AND TO THE UNITED STATES POSTAL SERVICES FOR THE DELIVERY OF MAIL, PROVIDED, HOWEVER, SUCH RIGHT OF ENTRY AND EGRESS DOES NOT INCLUDE ANY OBSTRUCTION TO THE EXERCISE OF THE RIGHTS STATED HEREIN AND SPECIFICALLY, NEITHER KANSAS CITY, MISSOURI NOR THE U.S. POSTAL SERVICE SHALL WAIVE ANY LIABILITY BY VIRTUE OF THE EXERCISE OF SUCH RIGHTS.

**FLOOD STATEMENTS:**  
THE EXISTENCE OF ANY FLOOD HAZARD DATA SHOWN HEREON IS SUBJECT TO MAP SCALE AND ACCURACY OF SUCH DATA. FLOOD HAZARD DATA IS NOT GUARANTEED BY THE REFERENCED FLOOD INSURANCE RATE MAP. THE SURVEYED PROPERTY LIES WITHIN FLOOD HAZARD ZONE "X", WHICH INDICATES SAID PROPERTY PLOTS BY SCALE ON THE FLOOD INSURANCE RATE MAP 2805050410, EFFECTIVE ON 01/20/2017.

**CERTIFICATION:**  
I HEREBY CERTIFY THAT THIS PLAT OF VIVION PLAZA IS HEREBY A TRUE REPRESENTATION OF A SURVEY PERFORMED ON THE GROUND BY ME OR UNDER MY DIRECT SUPERVISION, IS IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS, I FURTHER CERTIFY THAT I HAVE OBSERVED THE LOCATION, GRADES, AND ELEVATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Board of City Planning  
KANSAS CITY, MO 64118  
PH: (816) 465-5800 FAX: (816) 465-4051  
KAW VALLEY ENGINEERING  
1100 S. W. 11TH AVENUE, SUITE 100  
KANSAS CITY, MISSOURI 64118  
KAW VALLEY ENGINEERING, INC.  
1100 S. W. 11TH AVENUE, SUITE 100  
KANSAS CITY, MISSOURI 64118  
PH: (816) 465-5800 FAX: (816) 465-4051  
E-MAIL: greg@kawvalley.com





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**File #: 220719**

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ORDINANCE NO. 220719

Approving the plat of Wonderland Apartments, an addition in Jackson County, Missouri, on approximately 1.022 acres generally located at the northeast corner of Broadway Boulevard and West 20th Street, creating 1 lot for the purpose of a multi-family housing development; accepting various easements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00027)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Wonderland Apartments, 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 and/or accept any and all agreements necessary to clear the title of any right of way, utility easements or other public property dedicated on the plat.

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

Section 5. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on August 2, 2022.

..end

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Approved as to form and legality:

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Eluard Alegre  
Associate City Attorney

# COMMUNITY PROJECT/ZONING

## Ordinance Fact Sheet

**220719**

Ordinance Number

**Brief Title**

Approving the plat of Wonderland Apartments Plat an addition in Kansas City, Jackson County, Missouri

<p><b>Specific Address</b> Approximately 1.022 acres generally located at the northeast corner of Broadway Boulevard and West 20th Street. Creating 1 Lot</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;"><b>Sponsor</b></td> <td>Jeffrey Williams, AICP, Director Department of City Planning &amp; Development</td> </tr> <tr> <td><b>Programs, Departments, or Groups Affected</b></td> <td><b>City-Wide</b>  <b>Council District(s)</b> 4(JA) Robinson - Shields  <b>Other districts (school, etc.)</b> Kansas City Missouri 110</td> </tr> <tr> <td><b>Applicants / Proponents</b></td> <td><b>Applicant(s)</b> Denalli III, LLC  <b>City Department</b> City Planning and Development  <b>Other</b></td> </tr> <tr> <td><b>Opponents</b></td> <td><b>Groups or Individuals</b> None Known  <b>Basis of Opposition</b></td> </tr> <tr> <td><b>Staff Recommendation</b></td> <td><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <b>Reason Against:</b></td> </tr> <tr> <td><b>Board or Commission Recommendation</b></td> <td><b>By: City Plan Commission</b> August 2, 2022  <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions</td> </tr> <tr> <td><b>Council Committee Actions</b></td> <td><input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</td> </tr> </table>	<b>Sponsor</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development	<b>Programs, Departments, or Groups Affected</b>	<b>City-Wide</b>  <b>Council District(s)</b> 4(JA) Robinson - Shields  <b>Other districts (school, etc.)</b> Kansas City Missouri 110	<b>Applicants / Proponents</b>	<b>Applicant(s)</b> Denalli III, LLC  <b>City Department</b> City Planning and Development  <b>Other</b>	<b>Opponents</b>	<b>Groups or Individuals</b> None Known  <b>Basis of Opposition</b>	<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <b>Reason Against:</b>	<b>Board or Commission Recommendation</b>	<b>By: City Plan Commission</b> August 2, 2022  <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> Approval, with conditions	<b>Council Committee Actions</b>	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass
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<b>Council Committee Actions</b>	<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><b>Reason for Project</b> This final plat application was initiated by Denalli III, LLC in order to subdivide the property in accordance with the city codes and state statutes. The Developer intends to construct a 209 unit multi-family development.</p>															
<p><b>Discussion</b> 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><b>CONTROLLING CASE</b> Case No. 14767 UR Plan- Ordinance NO. 170060 approved a rezoning of an area of approximately .99 acres generally located on the east side of Broadway Boulevard between West 19th Terrace on the north and West 20th Street on the south from District M1-5 to District UR and approving a development plan that allows for an apartment building with 228 units and a parking garage.</p>															

**Details**

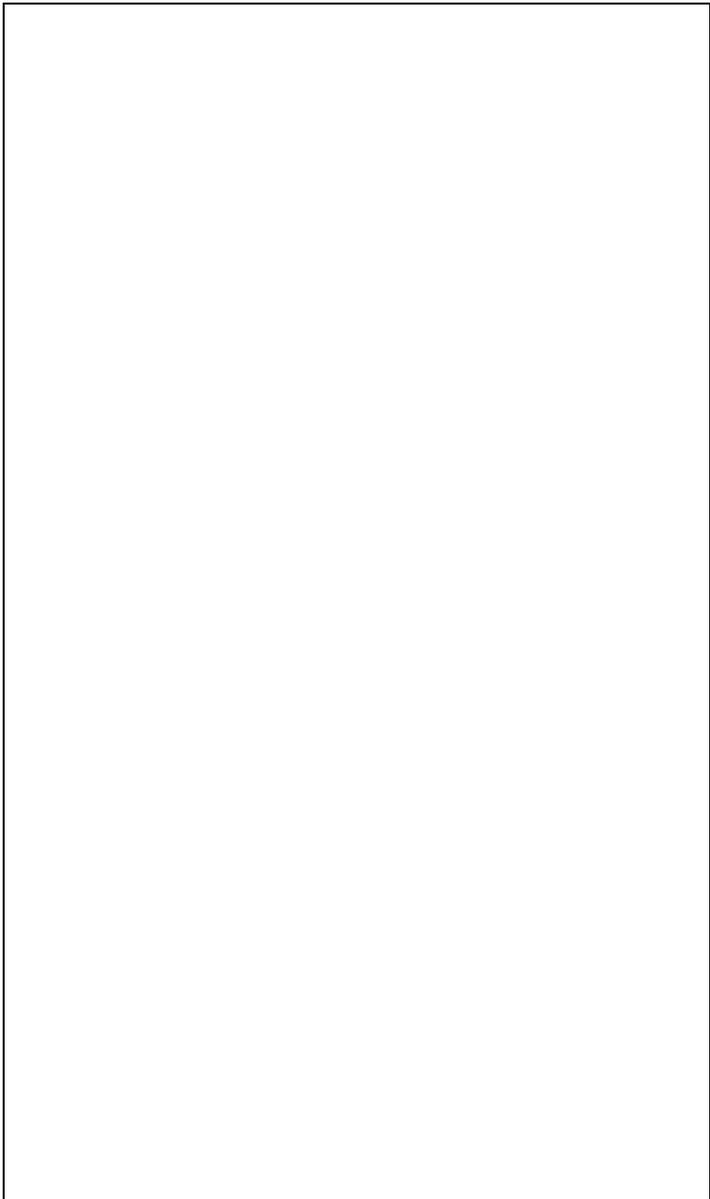
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**Policy / Program Impact**

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

**Finances**

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



<b>How will this contribute to a sustainable Kansas City?</b>	<p>This project consists of platting private improvements for the creation of 209 multi-family residential units on previously developed property. The first 1.5 inches of runoff will be detained on site via an underground system. The stormwater detention facility will assure that the pre-development peak discharge rate and volume will not be exceeded after development of the site. As part of the development, an assessment of the existing conditions of the perimeter curb and gutter, sidewalk and drive approaches will be made. Any of these elements found not in compliance with current City standards, must be removed and replaced. The removal and replacement of deteriorating infrastructure will eliminate erosion, discourage further deterioration and improve the overall aesthetics of the site. Sanitary sewer improvements will also be made to the public system to serve the development. This development will improve the existing site while providing an increased tax base for the City.</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:** August 16, 2022

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

**Reference or Case Numbers:** CLD-FnPlat-2022-00027





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**File #:** 220717

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ORDINANCE NO. 220717

*Approving the petition to establish the Freight House Community Improvement District; establishing the Freight House Community Improvement District generally located at W. 22nd Street and Main Street in Kansas City, Jackson County, Missouri; requiring the annual submission of certain records; and directing the City Clerk to report the creation of the District to the Missouri Department of Economic Development and the Missouri State Auditor.*

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

*Section 1. That the petition to establish the Freight House Community Improvement District (the "District") as a political subdivision in accordance with Sections 67.1401 through 67.1571, RSMo, otherwise known as the Missouri Community Improvement District Act (the "Act"), and which is attached to this ordinance as Exhibit 1, is hereby approved in its entirety.*

*Section 2. That the District is hereby established for the purposes set forth in the petition, which the District shall have all the powers and authority authorized by the petition, the Act, and by law, and shall continue to exist for a period of twenty (20) years, unless extended pursuant to Section 67.1481.6, RSMo and Section 74-302 of the Kansas City Code of Ordinances.*

*Section 3. That the District shall annually submit its proposed budget, annual report and copies of written resolutions passed by the District's board to the City pursuant to Section 67.1471, RSMo.*

*Section 4. That upon the effective date of this ordinance, the City Clerk is hereby directed to report the creation of the District to the Missouri Department of Economic Development and state auditor pursuant to Section 67.1421.6, RSMo, by sending a copy of this ordinance to said entities.*

*Section 5. That the District shall enter into a cooperative agreement with the City, the form of which shall be substantially similar to that which is attached to this ordinance as Exhibit 2.*

..end

Approved as to form and legality:

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Eluard Alegre  
Associate City Attorney

220717

Ordinance Number

Approval Reason

**Freight House**

**COMMUNITY IMPROVEMENT DISTRICT**

Positions/Recommendations

<b>Reason for Legislation</b>	<b>Sponsor</b>	
<p>Establishing the Freight House Community Improvement District; generally located at W. 22nd Street and Main Street in Kansas City, Jackson County, Missouri; requiring the annual submission of certain records; and directing the</p>	<b>Programs Affected</b>	City Planning & Development Department
	<b>Applicant Proponents</b>	<p>City Department City Planning &amp; Development Department</p> <p>Other</p>
<b>Discussion</b> (explain all financial aspects of the proposed legislation,	<b>Opponent Groups or Individuals</b>	None Known
	<b>Basis of opposition</b>	
<p>This Ordinance, pursuant to the Community Improvement District Act (Act) contained in Section 67 RSMo., approves the Petition and establishes the Freight House Community Improvement District as a political subdivision of the State of Missouri.</p>	<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
	<b>Board or Commission Recommendation</b>	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
<p>The District has the powers and authority to levy a sales tax of up to one percent (1.0%) on the selling of tangible personal</p>	<b>Council Committee</b>	<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

Do not pass

(Continued on reverse side)

**Policy/Program Impact**

<p>The revenues generated within the District will be used for the benefit of those within the District by providing ongoing services related to security, marketing, annual maintenance, and to provide funding for the financing, design, construction, demolition, removal, renovation, reconstruction, or rehabilitation of certain public improvements or portions thereof.</p> <p>The estimated five year costs for the District Services are approximately one million two hundred thirty one thousand dollars (\$1,231,000). Capital Improvements are projected to cost six hundred thousand dollars</p>	<p><b>Policy or Program Change</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</p>
	<p><b>Operational Impact Assessment</b>   None</p>
	<p><b>Finances</b></p> <p><b>Cost &amp; Revenue Projection Including Costs</b>   None</p> <p><b>Financial</b>   NA</p>
	<p><b>Fund Source and Approval Account</b>   NA C</p> <p><b>Is this Ordinance a Resolution for the change?</b>   Yes, The improvements provided by the District will improve the economic viability and security of the District and surrounding community.</p>

Matthew Wilks, Development Specialist



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**File #: 220720**

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ORDINANCE NO. 220720

Rezoning an area of about 1.3 acres generally located at the northeast corner of Belleview Avenue and W. 48th Street from District MPD and District R-1.5 to District MPD, and approving a preliminary development plan to allow the construction of a mixed-use building containing 317 dwelling units and retail/restaurant space. (CD-CPC-2022-00107)

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-1344, rezoning an area of approximately 1.3 acres generally located at the northeast corner of Belleview Avenue and W. 48th Street from District MPD (Master Planned Development) and District R-1.5 (Residential 1.5) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A-1344. That an area legally described as:

TRACT 1: Lots 93 and 94, and the south 10 feet of Lot 95, Penn Park, a subdivision in Kansas City, Jackson County, Missouri, together with the west 1/2 of the vacated alley lying east of and adjacent to said Lot 94 and the south 10 feet of Lot 95.

TRACT 2: Lot 96 and the north 30 feet of Lot 95, Penn Park, a subdivision in Kansas City, Jackson County, Missouri, together with the west 1/2 of the vacated alley lying east of and adjacent to said lots.

TRACT 3: Lot 97, Penn Park, a subdivision in Kansas City, Jackson County, Missouri, together with the west 1/2 of the vacated alley lying east of and adjacent.

TRACT 4: Lot 98, Penn Park, a subdivision in Kansas City, Jackson County, Missouri, together with the west 1/2 of the vacated alley lying east of and adjacent.

TRACT 5: Lot 99, Penn Park, a subdivision in Kansas City, Jackson County, Missouri, together with the west 1/2 of the vacated alley lying east of and adjacent.

TRACT 6: Lot 100, Penn Park, a subdivision in Kansas City, Jackson County, Missouri, together with the west 1/2 of the vacated alley lying east of and adjacent.

TRACT 7: Lot 101, Penn Park, a subdivision in Kansas City, Jackson County, Missouri, together with the west 1/2 of the vacated alley lying east of and adjacent.

TRACT 8: The east 1/2 of the vacated alley lying west of and adjacent to Lots 82, 83 and 84, Penn Park, a subdivision of land in Kansas City, Jackson County, Missouri, also described as follows: All that part of the existing 15 foot alley lying adjacent to Lots 82 thru 84, Penn Park, a subdivision of land in Kansas City, Jackson County, Missouri, being bounded and described as follows: Beginning at the northwest corner of said Lot 82; thence South 02°31'53" West, along the west line of said Lots 82 thru 84, 120.00 feet to the southwest corner of said Lot 84; thence North 87°28'07" West, 7.50 feet; thence North 02°31'53" East 120.00 feet; thence South 87°28'07" East, 7.50 feet to the point of beginning.

is hereby rezoned from MPD (Master Planned Development) and District R-1.5 (Residential 1.5) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A-1344, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

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

1. The developer shall submit 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.
2. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
4. The developer shall submit 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.

5. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to building permit. Features needing further collaboration during the MPD final plan process: pedestrian/amenity areas with additional planters, murals/artwork, characteristics of the Plaza (tiles, southwest theme), architectural design/ materials and metal screening of parking garage, landscaping and other decorative planting elements on and adjacent to the building.
6. Updated lighting plan in compliance with Section 88-430 shall be provided at the time of MPD final plan submittal.
7. The developer shall obtain approval of the traffic impact study by the Public Works Department allowing two-way traffic on W. 48th Street between Belleview Avenue and Roanoke Parkway prior to approval of an MPD final plan.
8. The developer shall cause the lots to be combined prior to issuance of a certificate of occupancy for any building permits.
9. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the disturbed area to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
10. 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.
11. The developer shall submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.

12. The developer shall submit a plan for approval and permitting by the Land Development Division prior to beginning construction of any 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.
13. 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.
14. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
15. 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)
16. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
17. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)
18. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1) and (NFPA1221)
19. Buildings which have an occupiable floor greater than 75 feet above grade shall meet high-rise requirements.
20. The developer shall provide fire lane signage on fire access drives.
21. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. 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 (2020) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to recording the final plat or a certificate of occupancy, whichever is applicable to the project.

22. 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.
23. Recreational amenity space serving to satisfy the parkland dedication requirements shall be platted into private open space tract(s) via final plat.
24. The developer shall maintain tree grates so that they are kept up to accessibility standards.
25. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
26. No water service line will be less than 1-1/2" in diameter where three or more units or commercial building will be served by one domestic service line and meter.
27. 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.
28. All existing service lines shall be killed at the main.

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

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

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Senior Associate City Attorney

# COMMUNITY PROJECT/REZONING

**220720**

## Ordinance Fact Sheet

**Ordinance Number**

**Case No.** CD-CPC-2022-00107

### Brief Title

A request to approve a Rezoning to MPD (Master Planned Development) from District MPD and District R-1.5 and approving a preliminary development plan to allow the construction of a mixed-use building containing 317 dwelling units and retail/restaurant space on about 1.3 acres generally located at the northeast corner of Belleview Ave and W 48th St.

### Details

**Location:** generally located at the northeast corner of Belleview Ave and W 48th St.

**Reason for Legislation:** Rezoning and preliminary MPD plans 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:

- Condition #8 in the CPC Disposition Letter was added by the Commission at staff's request. The applicant submitted revised plans prior to request for ordinance, therefore the condition has been satisfied and does not appear in the ordinance.

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	4 <sup>th</sup> District Shields & Bunch
<b>Applicants / Proponents</b>	<b>Applicant</b> Sean Slattery Eldorado Inc  <b>City Department</b> City Planning & Development <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>
	<b>Basis of Opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	City Plan Commission 6-0 on 8/2/2022 By Allender, Baker, Crawl, Enders, Rojas, Sadowski <input type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <input type="checkbox"/> <b>No Action Taken</b> <input checked="" type="checkbox"/> <b>For, with revisions or conditions</b> (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> <b>Do Pass</b> <input type="checkbox"/> <b>Do Pass (as amended)</b> <input type="checkbox"/> <b>Committee Sub.</b> <input type="checkbox"/> <b>Without Recommendation</b> <input type="checkbox"/> <b>Hold</b>

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	<input type="checkbox"/> Do not pass
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<b>Fact Sheet Prepared By:</b> Genevieve Kohn Planner	<b>Date:</b> 8/9/2022	<b>Initial Application Filed:</b> 6/10/2022
<b>Reviewed By:</b> Joe Rexwinkle Division Manager	<b>Date:</b> 8/9/2022	<b>City Plan Commission Action:</b> 8/2/2022
		<b>Revised Plans Filed:</b> 8/9/2022
		<b>On Schedule:</b> On schedule for CPC, slight delay for NPD
		<b>Off Schedule Reason:</b> Revised plans were required prior to request for ordinance. Upon receiving revised plans the ordinance was filed on 8/9/2022, whereas the request would have been submitted by 8/5/2022 to stay on schedule for final Council approval.
<b>Reference Numbers:</b> CD-CPC-2022-00107		



**File #: 220722**

ORDINANCE NO. 220722

Amending Ordinance No. 190328 by repealing Condition 16 contained in Section B, which required the developer to secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development, because the developer no longer has access to public water mains. (CD-CPC-2018-00229)

WHEREAS, on May 9, 2019, the City Council passed Ordinance No. 190328, approving a rezoning on about 0.42 acres generally located west of N. Church Road between N.E. 76th Street to the north and North Flintlock Road to the south from District B2-2 to B4-2, and approving a development plan on about 4.3 acres that also serves as a preliminary plan to allow for the construction of a self-storage facility; and

WHEREAS, Condition No. 16 in Section B of Ordinance No. 190328 required the developer to 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 are required by the Land Development Division, prior to recording the plat or issuance of building permit; and

WHEREAS, the City Council desires to remove this condition from the development plan because of actions granted to adjacent developers with Ordinance No. 211034 no longer allows access to extend public mains to the site; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Ordinance No. 190328, passed May 9, 2019, is hereby amended by repealing Condition 16 contained in Section B

Section B. That all other sections and conditions of Ordinance No. 190328 not repealed shall remain in effect.

..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:

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Sarah Baxter  
Senior Associate City Attorney

# COMMUNITY PROJECT/REZONING

**220722**

## Ordinance Fact Sheet

**Case No.** CD-CPC-2019-00031 and CD-CPC-2018-00229

### Brief Title

Amending Ordinance No. 190328 by repealing Condition 16 contained in Section B, which required the developer to secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development, because of actions granted to adjacent development, this developer no long have access to extend public mains. (CD-CPC-2018-00229)

**Ordinance Number**

### Details

<b>Location:</b> Generally located at the southwest corner of NE 76 <sup>th</sup> Street and N. Church Road
<b>Reason for Legislation:</b> Rezoning and development plans require Council approval.
<p><b>Brief Summary:</b> See attached City Plan Commission report.</p> <p>On December 9, 2021 the City Council approved Ordinance 211034 which allowed the property located at 7535 N Flintlock Rd. a waiver for the requirement of the property to connect to sewer, thus precluding the ability of the property approved by ordinance 190328 to connect to a sewer main. The applicant is seeking the removal of Condition No. 16.</p>

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	1 <sup>st</sup> District (O'Neill, Hall)
<b>Applicants / Proponents</b>	<p><b>Applicant</b> Brian Combs 8500 NE 89<sup>th</sup> Place Kansas City, MO 64157</p> <p><b>City Department</b> City Planning &amp; Development</p> <p><b>Other</b></p>
<b>Opponents</b>	<b>Groups or Individuals</b>
	<b>Basis of Opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	<p>City Plan Commission (7-0) 04-16-2019 By Archie, Baker-Hughes, Crowl, Dameron, Macy, Henderson, May</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>
<b>Council Committee Actions</b>	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold

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Continued from Page 1

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

**Finances**

<b>Cost &amp; Revenue Projections – Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Funding Source(s) and</b>	

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Appropriation Account Codes	

**Continued from Page 2**

<b>Fact Sheet Prepared By:</b>	Date: 08-12-2022		
Matthew Barnes Staff Planner			
<b>Reviewed By:</b>	Date: 08-12-2022	<b>Initial Application Filed:</b>	02-20-2019
Joseph Rexwinkle Development Management		<b>City Plan Commission:</b>	04-16-2019
		<b>Revised Plans Filed:</b>	N/A
<b>Reference Numbers:</b>			
Case No. CD-CPC-2019-00031 and CD-CPC-2018-00229			



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**File #: 220728**

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ORDINANCE NO. 220728

Approving a development plan in District DC-15 on about 1.31 acres generally bounded at 500 E. 8th Street between Admiral Boulevard to the north, Cherry Street to the east, Locust Street to the west, and E. 8th Street to the south in Rices Addition Plat for the conversion of the former ATT building into 263 residential units. (CD-CPC-2022-00089)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District DC-15 (Downtown Core) on about 1.31 acres generally bounded at 500 E. 8th Street between Admiral Boulevard to the north, Cherry Street to the east, Locust Street to the west, and E 8th Street to the south in Rices Addition Plat, and more specifically described as follows:

A tract of land, being all or parts of lots 1, 2, 3, 4, 5, 6, 20, 21, 22, 23 and 24, block 7, rice's addition, a subdivision in the Kansas City, Jackson County, Missouri, according to the recorded plat thereof, and the vacated alley lying adjacent to said lots, more particularly described as beginning at a point on the South line of Admiral Boulevard 103 feet East of the East line of Locust Street, run thence East along the South line of Admiral Boulevard a Distance of 54.13 feet to a point in the center line of the vacated North and South alley next West of Cherry street; thence South along said center line a distance of 13 feet; thence East along the South line of admiral Boulevard as projected Westward from its intersection with the West line of Cherry Street a distance of 157.12 feet, more or less, to said point of intersection in the West line of Cherry Street; thence South along the West line of Cherry Street, a distance of 250 feet, more or less, to the North line of 8th street; thence West along the North line of 8th street, a distance of 233.25 feet to a point located 81 feet east of the intersection of the North Line of 8th Street with the East line of locust Street; and thence Northerly along a straight line to a point on the South line of Admiral Boulevard 103 feet East of the East line of Locust Street, the point of beginning.

Is hereby approved, subject to the following conditions:

1. The building is using the Historic Rehabilitation Tax credit program as part of the redevelopment. The rehabilitation will comply with the Secretary of the Interior's Standards for Rehabilitation.

2. Any signage proposed by the developer shall comply with Section 88-445 of the Zoning and Development Code.
3. The developer shall update the paint on the existing penthouse mechanical utility screening.
4. Administrative adjustments for alternative compliance are approved pursuant to 88-425 of the Zoning and Development Code to allow the current landscaping on the site (19 existing trees) to satisfy landscaping requirements and will be maintained or replaced on the subject site.
5. The developer shall make sure exterior lighting complies with standards outlined in Section 88-430 of the Zoning and Development Code.
6. The developer shall demonstrate compliance with fire flow requirements as set forth in Appendix B of the International Fire Code 2018 prior to issuance of the building permit. (IFC-2018 § 507.1)
7. 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)
8. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
9. 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)
10. Buildings which have an occupiable floor greater than 75 feet above grade shall meet high-rise requirements.
11. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1 and NFPA1221)
12. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to a certificate of occupancy. At 263 units the fee will equate to \$202,678.88.

13. No water service line will be less than 1-1/2" in diameter where three or more units or commercial building will be served by one domestic service line and meter.
14. When an existing building is being renovated, being changed in use or occupancy, or is undergoing a building addition, and the existing water service line(s) will be reused, the water service line(s) and related appurtenances shall meet the most current version of Kansas City Water rules and regulations.
15. The developer shall perform a water flow test to ensure there is adequate water pressure to serve the development prior to the issuance of the building permit.
16. The developer shall demonstrate that water and fire service lines meet current Water Services Department rules and regulations prior to a certificate of occupancy.

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

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

..end

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

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Senior Associate City Attorney

# DEVELOPMENT PLAN

## Ordinance Fact Sheet

**Case No.** CD-CPC-2022-00089

### Brief Title

A request to approve a Development Plan for the conversion of the former ATT building into 263 residential units on about 1.31 acres generally located at 500 E 8th St between Admiral Blvd to the North, Cherry St to the East, Locust St to the West, and E 8<sup>th</sup> St to the South in RICES ADD plat. (CD-CPC-2022-00089)

### Details

**Location:** 500 E 8<sup>th</sup> St, Kansas City, MO 64106

**Reason for Legislation:** Development Plans 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 building is using the Historic Rehabilitation Tax credit program as part of the redevelopment. The rehabilitate will comply with the Secretary of the Interior's Standards for Rehabilitation.
- Any signage proposed by the developer shall comply with section 88-445 of the Zoning and Development Code.
- The developer shall update the paint on the existing penthouse mechanical utility screening.
- Administrative adjustments for alternative compliance are approved pursuant to 88-425 of the Zoning and Development Code to allow the current landscaping on the site (19 existing trees) to satisfy landscaping requirements and will be maintained or replaced on the subject site.
- The developer shall make sure exterior lighting complies with standards outlined in section 88-430 of the Zoning and Development Code.
- The developer shall demonstrate compliance with fire flow requirements as set forth in Appendix B of the International Fire Code 2018 prior to issuance of the building permit. (IFC-2018 § 507.1)
- 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)
- Fire hydrant distribution shall follow IFC-2018 Table C102.1. 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)
- Buildings which have an occupiable floor greater

**220728**

**Ordinance Number**

### Positions/Recommendations

#### Sponsors

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

#### Programs, Departments or Groups Affected

4<sup>th</sup> District  
Katheryn Shields  
Eric Bunch

#### Applicants / Proponents

**Applicant** Mike Dinkins  
Clockwork

**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, Crowl, Enders, Rojas, and Sadowski)  
 **For**  **Against**  **No Action Taken**  
 **For, with revisions or conditions**  
(see details column for conditions)

#### Council Committee Actions

**Do Pass**  
 **Do Pass (as amended)**  
 **Committee Sub.**  
 **Without Recommendation**  
 **Hold**  
 **Do not pass**

than 75 feet above grade shall meet high-rise requirements.

10. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1) and (NFPA1221).
11. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to certificate of occupancy. At 263 units the fee will equate to \$202,678.88.
12. No water service line will be less than 1-1/2" in diameter where three or more units or Commercial building will be served by one domestic service line and meter.
13. When an existing building is being renovated, is being changed in use or occupancy, or is undergoing a building addition, and the existing water service line(s) will be reused, the water service line(s) and related appurtenances shall meet the most current version of KC Water Rules and Regulations.
14. The developer shall perform a water flow test to ensure there is adequate water pressure to serve the development prior to the issuance of the building permit.
15. The developer shall demonstrate that water and fire service lines meet current Water Services Department [Rules and Regulations](#). Prior to Certificate of Occupancy.

**Fact Sheet Prepared By:**

Najma Muhammad  
Planner

**Date:** August 5, 2022

**Reviewed By:**

Joseph Rexwinkle  
Division Manager

**Date:**

**Initial Application Filed:**

May 25, 2022

**City Plan Commission**

August 2, 2022

**Action:**

Approval with Conditions

**Revised Plans Filed:**

July 27, 2022

**On Schedule:**

Yes

**Off Schedule Reason:**

N/A

**Reference Numbers:**

Case No.



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**File #: 220729**

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ORDINANCE NO. 220729

Amending the Plaza Bowl Overlay, which was created by Committee Substitute for Ordinance No. 190100, which includes use and height regulations for the area generally located on the south and north sides of W. 47th Street (extending northerly to the north side of W. 46th Terrace), between Madison Avenue on the west and J.C. Nichols Parkway on the east, in order to establish standards for granting deviations..

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 & Development Code, is hereby amended by approving the Special Character Overlay District, for the area generally located on the south and north sides of 47th Street (extending northerly to the north side of 46th Terrace), between Madison Avenue on the west and J.C. Nichols Parkway on the east, said section legally described as:

800 W 47th St Bunker Hill all of Lots 20-29 & vac alley & Lots 30 & 31 & E 1/2 of vac alley ly w of & adj & Lots 32-36 (ex w 3.64') Blk 16

770 W 47th St Plaza Steppes all of Lot 1

720 W 47th St Plaza Steppes 2nd Plat Lot 2

700 W 47th St Plaza Steppes 2nd Plat Lot 3

612-20 W 47th St Home Place prt Lot 26 daf beg at ne cor 47th & Jefferson St th n to n li sd Lot 26 th e 162.5 ft th s to n li 47th St th swly to beg

604 W 47th St /Church Sunday School Offices Home Place w 120 ft of e 146 ft ly n of 47th St Lot 26

605 W 47th St NE 1/4 SE 1/4 Sec 30 49 33 begat inters of w li Penn Ave wi s li 47th St & rng s alg w li Penn Ave 150 ft to pt th rng w at rt ang last desc course to pt of inters wi e li Jefferson St th rng n alg e li Jefferson to pt of inters wi s li of 47th St th nely alg s li 47th St to beg

1104 411-W 46th Ter Townsend Place Condominium Unit 1104 on Cert of Survey of Unit 1100-B filed as Docmt #K915384 in Bk S-3 at pg 48 on 3-1-1990 also 1/46% interest of common areas

1003 411-W 46th Ter Townsend Place Condominium Unit 1003 on Cert of Survey of Unit 1000-B filed as Docmt #K908263 in Bk S-3 at pg 44 on 12-29-1989 & 1/46% interest of common areas

300B 411-W 46th Ter Townsend Place Condominium Unit 303 on Cert of Survey of Unit 300-B filed as Docmt IS 9511 in Bk S-5 on pg 12 on 01-20-95

304 Townsend Place Condominium Unit 304 on Cert of Survey of Unit 300-B filed as Docmt IS9511 in Bk S-5 on pg 12 on 01-20-95

1004 411-W 46th Ter Townsend Place Condominium Unit 1004 on Cert of Survey of Unit 1000-B filed as Docmt #K908263 in Bk S-3 at pg 33 on 12-29-1989 & 1/46% interest of common areas

1101 411-W 46th Ter Townsend Place Condominium Unit 1101 on Cert of Survey of Unit 1100-A filed as Docmt K1081089 in Book S-4 at pg 45 on 5-21-1993 also 1/46th interest of common areas

702 411-W 46th Ter Townsend Place Condominium Unit 702 & 1/46% interest

501 411-W 46th Ter Townsend Place Condominium Unit 501 on Cert of Survey of Unit 500-A filed as Docmt K1084523 in Bk S-7 at pg 67 on 01-04-94 also 1/45% interest of common elements

1102 411-W 46th Ter Townsend Place Condominium Unit 1102 on Cert of Survey of Unit 1100-A filed as Docmt K1081089 in Book S-4 at pg 45 on 5-21-1993 also 1/46th interest of common areas

101 411-W 46th Ter Townsend Place Condominium Unit 101 exercise room common area

903 411-W 46th Ter Townsend Place Condominium Unit 903 on Cert of Survey of Unit 900-B filed as Docmt K-1000668 in Bk S-3 at pg 100 on 12-10-1991 also 1/46 interest of common areas

1203 411-W 46th Ter Townsend Place Condominium Unit 1203 on Cert of Survey of Unit 1200-B filed as Docmt #K921098 in Bk S-3 at pg 58 on 4-17-1990 also 1/46% interest of common areas

704 411-W 46th Ter Townsend Place Condominium Unit 704 & 1/46% interest of common areas

904 411-W 46th Ter Townsend Place Condominium Unit 904 on Cert of Survey of Unit 900-B filed as Docmt K-1000668 in Bk S-3 at pg 100 on 12-10-1991 also 1/46% interest of common areas

201 Townsend Place Condo Unit 201 on Cert of Survey of Unit 200-A filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

301 411-W 46th Ter Townsend Place Condominium Unit 301 on Cert of Survey of Unit 300-A filed as Docmt K-1036426 in Bk S-4 at pg 22 on 8-5-1992 also 1/46% interest of common areas

302 411-W 46th Ter Townsend Place Condominium Unit 302 on Cert of Survey of Unit 300-A filed as Docmt K-1036426 in Bk S-4 at pg 22 on 8-5-1992 also 1/46% interest of common areas

502 411-W 46th Ter Townsend Place Condominium Unit 502 on Cert of Survey of Unit 500-A filed as Docmt K1084523 in Bk S-4 on pg 68 on 01-04-94 also 1/45% interest of common elements

1103 411-W 46th Ter Townsend Place Condominium Unit 1103 on Cert of Survey of Unit 1100-B filed as Docmt #K915384 in Bk S-3 at pg 48 on 3-1-1990 also 1/46% interest of common areas

402 411-W 46th Ter Townsend Place Condominium Unit 402 on Cert of Survey of Unit 400-A filed as Docmt K-1081093 in Book S-4 at pg 47 on 5-21-1993 also 1/46th interest of common areas

701 411-W 46th Ter Townsend Place Condominium Unit 701 & 1/46% interest of common areas

803 411-W 46th Ter Townsend Place Condominium Unit 803 on Cert of Survey of Unit 800-B filed as Docmt #K910341 in Bk S-3 at pg 46 on 1-18-1990 also 1/46% interest of common areas

602 411-W 46th Ter Townsend Place Condominium Unit 602 on Cert of Survey of Unit 600-A filed as Docmt 1081091 in Book S-4 at pg 46 on 5-21-1993 also 1/46th interest of common areas

403 411-W 46th Ter Townsend Place Condominium Unit 403 on Cert of Survey of Unit 400-B filed as Docmt K1038009 in Book S-4 at pg 53 on 8-31-93 also 1

503 411-W 46th Ter Townsend Place Condominium Unit 503 on Cert of Survey of Unit 500-B filed as Docmt K-961154 in Bk S-3 at pg 83 on 3-4-1991 also 1/46% interest of common areas

804 411-W 46th Ter Townsend Place Condominium Unit 804 on Cert of Survey of Unit 800-B filed as Docmt #K910341 in Bk S-3 at pg 46 on 1-18-1990 also 1/46% interest of common areas

100 411-W 46th Ter Townsend Place Condominium Unit 100 & 1/46% interest of common areas

401 411-W 46th Ter Townsend Place Condominium Unit 401 on Cert of Survey of Unit 400-A filed as Docmt K-1081093 in Book S-4 at pg 47 on 5-21-1993 also 1/46th interest of common areas

504 411-W 46th Ter Townsend Place Condominium Unit 504 on Cert of Survey of Unit 500-B filed as Docmt K-961154 in Bk S-3 at pg 83 on 3-4-1991 also 1/46% interest of common areas

1001 411-W 46th Ter Townsend Place Condominium Unit 1001 on Cert of Survey of Unit 1000-A filed as Docmt K1143929 in Bk S-4 on pg 77 on 06-06-94 also 1/45% interest of common elements

404 411-W 46th Ter Townsend Place Condominium Unit 404 on Cert of Survey of Unit 400-B filed as Docmt 1038009 in Book S-4 at pg 53 on 8-31-1993 also 1/46th interest of common areas

900A 411-W 46th Ter Townsend Place Condominium Unit 900-A & 1/23% interest of common areas

801 411-W 46th Ter Townsend Place Condominium Unit 801 on Cert of Survey of Unit 800-A filed as Docmt K1084523 in Bk S-4 on pg 68 on 01-04-94 also 1/45% interest of common element

1204 411-W 46th Ter Townsend Place Condominium Unit 1204 on Cert of Survey of Unit 1200-B filed as Docmt #K921098 in Bk S-3 at pg 58 on 4-17-1990 also 1/46% interest of common areas

200B 411-W 46th Ter /Townsend Place Condo Unit 203 on Cert of Survey of Unit 200-B filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

604 411-W 46th Ter Townsend Place Condominium Unit 604 on Cert of Survey of Unit 600-B filed as Docmt #K935460 in Bk S-3 at pg 68 on 8-2-1990 also 1/46% interest of common areas

601 411-W 46th Ter Townsend Place Condominium Unit 601 on Cert of Survey of Unit 600-A filed as Docmt 1081091 in Book S-4 at pg 46 on 5/21/1993 also 1/46th interest of common areas

Sec 30-49-33 SE 1/4 NE 1/4 Townsend Place Condominium common area

1201 411-W 46th Ter Townsend Place Condominium Unit 1201 on Cert of Survey of Unit 1200-A filed as Docmt K-980721 in Bk S-3 at pg 93 on 7-17-1991 also 1/46% interest of common areas

1202 411-W 46th Ter Townsend Place Condominium Unit 1202 on Cert of Survey of Unit 1200-A filed as Docmt K-980721 in Bk S-3 at pg 93 on 7-17-1991 also 1/46% interest of common areas

202 411-W 46th St/Townsend Place Condominium Unit 202 on Cert of Survey of Unit 200-A filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

204 Townsend Place Condo Unit 204 on Cert of Survey of Unit 200-B filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

802 411-W 46th Ter Townsend Place Condominium Unit 802 on Cert of Survey of Unit 800-A filed as Docmt K1084523 in Bk S-4 on pg 68 on 01-04-94 also 1/45% interest of common elements

1002 411-W 46th Ter Townsend Place Condominium Unit 1002 on Cert of Survey of Unit 1000-A filed as Docmt K1143929 in Bk S-4 on pg 77 on 06-06-94 also 1/45% interest of common elements

603 411-W 46th Ter Townsend Place Condominium Unit 603 on Cert of Survey of Unit 600-B filed as Docmt #K935460 in Bk S-3 at pg 68 on 8-2-1990 also 1/46% interest of common areas

703 411-W 46th Ter Townsend Place Condominium Unit 703 & 1/46% interest of common areas

411 W 46<sup>th</sup> Ter Ste 201: Townsend Place Condo Unit 201 on Cert of Survey of Unit 200-A filed as Docmt K1195443 in Bk S-5 on pg 19 also 1/45 % interest of common areas

4615 Broadway Wornall Park Lot 56 exc s 5 ft deeded by Ord 61597 dated 10-15-1987 to City for 46th Ter

330 W 46th Ter Broadway Plaza Condominiums Lot 1 Common Area

310 W 46th Ter Broadway Plaza Condominiums Units 101 thru 116 Units 201 thru 216 Units 301 thru 316 (all in Lot 1)

630 Wornall Rd Wornall Park Lots 66 & 67 also NE 1/2 vac alley ly nwly & adjsd lot

333 W 46th Ter the Neptune Condominiums Common Area Lot 1

300 W 46th Ter the Neptune Condominium Units 201-212, 214-225, 301-312, 314-325, 401-412, 414-425, 501- 512, 514-525

4635 Wyandotte / 120 W 47th St n 127.25 ft Lot 67 Country Club Plaza

18 W 47th St /Lot 68 Countryclub Plaza

4620 J C Nichols Pky & 210 W 46th Ter Country Club Plaza Lot 80

The Plaza Bowl Overlay District is outlined on a map marked Section 88-20A1186, attached hereto and made a part hereof, is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That the regulations applicable to property within the Plaza Bowl Overlay District are as follows:

### **Plaza Bowl Overlay District**

#### **Background**

*Since its development nearly 100 years ago, the Plaza area has been an important internationally recognized historic area due to the unique architecture and design, mix of thriving residential, commercial, cultural and educational uses, continuous care by its property ownership, and city-wide public interest in maintaining this cultural icon.*

*The Midtown / Plaza Area Plan (MPAP) recognizes that the Country Club Plaza is a significant community asset and a regional business, residential, cultural, and educational district that requires careful consideration of permitted uses and building heights in order to strengthen and further complement the existing built environment.*

*After years of effort by property owners, residents, consultants, and staff, the revised Midtown / Plaza Area Plan was adopted in January 2016. An immediate implementation measure of The Plan was to codify the building height recommendations of the Bowl Concept in the Country Club Plaza and adjacent area.*

*Prior to the 2016 adoption of the MPAP, a similar recommendation was made in the original Plaza Urban Design & Development Plan which was adopted in 1989. The Bowl Concept emerged to protect the Plaza area. The original mixed use area, developed in the 1920's and 30's, included retail, office, and residential uses. Low-rise buildings formed the base or "heart" of the historic area, and higher buildings were gradually built on the hills surrounding it.*

*The original Plaza Plan and the 2016 revision both recommend continuation of this design concept, referred to as the "Bowl Concept," through the regulation of building heights in the Plaza area. For certain properties on Main Street, building heights have*

*been established through the Main Corridor Overlay. For properties within the Country Club Plaza, height and use regulations are established by a 2016 text amendment to the Zoning & Development Code that was enacted at the request of the previous owner of the Country Club Plaza and continues to be supported by the current owner. The Plaza Bowl Overlay Height and Use Boundary map depicts appropriate building heights for locations within the overlay.*

## **Plaza Bowl Overlay**

*The Plaza Bowl Overlay focuses on the “base of the bowl” – those areas immediately adjacent to the Country Club Plaza shopping area. The Bowl Concept consists of a series of roughly concentric circles around the base of the Plaza. There are approximately 660 parcels within the boundaries of the entire Bowl Concept and around 350 owners of those parcels.*

*On March 13, 2017, the Midtown / Plaza Area Plan Implementation Committee created the Bowl Implementation Committee. City staff suggested some initial phases and provided mapping to show impacts to specific properties. After several months of study, the Committee decided to phase implementation and focus on the next concentric circle of land adjacent to the base of the bowl (the Plaza) along 47<sup>th</sup> Street. This overlay, following the 2016 text amendment and the Main Corridor Overlay is the next phase of the implementation of the MPAP for the Plaza.*

The proposed overlay would:

- i. Designate building heights for each parcel.
- ii. Specify whether land uses are permitted outright, allowed with special use permit approval, or prohibited.

### **1. Purpose**

*The purpose of the Plaza Bowl Overlay is to establish land use regulations and limit building heights for an area generally located on the south and north sides of 47th Street (extending northerly to the north side of 46th Terrace), between Madison Avenue on the west, and J.C. Nichols Parkway on the east. These restrictions may be more prohibitive than those of the underlying zoning.*

According to the Midtown / Plaza Area Plan, the primary goal of the plan and overlay is to:

Preserve the original and unique planning and urban design concepts that embody the Country Club Plaza and surrounding area. The Bowl Concept is one of the most important urban design concepts for the area which describes the conscious transition of building heights from the low-rise buildings of the Country Club Plaza to buildings of increasing height as they are placed on the surrounding hills.

This overlay is also intended to:

Maintain and promote the economic vitality of the area;

Encourage preservation of the area's rare, unique, historical and distinctive character; and,

Stabilize property values and reduce investment risks;

Establish known ground rules for development, redevelopment and infill projects that developers, the city and the community can follow and base investment decisions on; and

Otherwise promote the health, safety, morals, and general welfare of the city.

*A majority of the Plaza is currently zoned for heavy commercial development, specifically B4 (Heavy Business/Commercial), which permits a wide variety of commercial and light industrial uses, some of which would not be appropriate for the area.*

*Additionally, property zoned B4 has intensifier of "-5", which equates to no maximum height requirement, (unless dictated by the maximum floor area ratio of 6.0.) The map would establish maximum, and in some cases, minimum building heights. A zoning overlay may be more restrictive in regard to land uses and building heights than the B4-5 allowances.*

Certain properties within the overlay are zoned UR (Urban Redevelopment), for which a specific development plan has been approved by the City Council. Until such time the UR plan is amended, or the property is rezoned to a different classification, the UR plan remains intact.

Other properties currently zoned R-0.5 or B-1, if redeveloped, may necessitate rezoning and submittal of a development or project plan or require special use permit approval. At that time, height restrictions of the Plaza Bowl Overlay would apply.

## **Applicability**

Compliance with provisions of the Plaza Bowl Overlay is required as follows:

- a. Regulations of the Plaza Bowl Overlay apply to all properties within the boundaries of the overlay as shown on the map. The Plaza Bowl Overlay establishes certain land use regulations and height restrictions that may vary from the underlying base zoning for the properties in the Plaza Bowl Overlay District. All provisions described below as regulatory in nature have the same force and effect as, but may be variations from, those set forth in Chapter 88, Zoning & Development Code.
- b. Provisions are applicable as follows:
  - i. New Development: Full compliance with provisions of this overlay applies to all new buildings constructed within this district.
  - ii. Building Enlargements and Expansions: Full compliance with provisions of this overlay applies only to the enlargement or expansion area.
  - iii. Change of Use or Occupancy: Compliance with use standards apply whenever the use or occupancy of a property changes.
- c. Permits may be issued for previously approved site-specific development plans that were approved prior to the effective date of the Plaza Bowl Overlay, in accordance with the previously approved plan and without compliance to the Plaza Bowl Overlay. Compliance with use regulations shall be required.
- d. In consideration of the bowl concept -- which analyzed unique features of the area including natural topography, view corridors, and the built environment -- deviation to 88-610 Nonconformities is offered. All existing structures whose heights exceed those prescribed by the Plaza Bowl Overlay as of the date of ordinance approving this overlay will be allowed to remain. For such structures, permits may be issued for replacement or reconstruction to the height existing; provided, that the envelope of the existing building shall be retained in regard to, but not limited to, building form and scale, including footprint, setbacks, and step-backs. Compliance with the use regulations of the Plaza Bowl Overlay shall be required.
- e. Existing development on properties zoned UR shall comply with the approved UR development plan and shall therefore be exempt from the regulations of this document. However, if property is rezoned or an amendment to an approved development plan is required, regulations of this document shall be met.
- f. Pursuant to Chapter 88, Code of Ordinances, 88-517 Development Plan Review and Approval, 88-518 Project Plan Review and Approval, and 88-520 Master Planned Developments, and notwithstanding Sec. 88-517-09-C, the City Council may approve reasonable deviations to the height limitations set forth by this overlay, in

conjunction with an approved development plan or project plan, if the proposed use is consistent with the zoning of the property as allowed under this overlay district ordinance.

In acting on a request for a deviation, the City Council must consider the following factors: whether the proposed additional height is based on reasonably necessary and demonstrated need or hardship due to life safety, engineering, construction or restoration reasons and otherwise not attributable to conditions created by the applicant; and (ii) whether the proposed additional height will adversely affect any neighboring or nearby properties.

In no event shall the City Council grant a deviation in excess of the lesser of 10% of the height limitations set forth in this ordinance, or six feet, or which shall add any occupiable floor space.

Any deviations from the height restrictions shall be specifically called out as deviations and described on the development plan, project plan or master development plan and will not be considered to be approved unless so stated.

- g. Other than as set forth by this overlay, the underlying zoning and the regulations and standards included in Chapter 88, Zoning & Development Code, prescribed for the areas rezoned to this overlay district shall remain unchanged and shall continue to apply.
- h. Unless otherwise allowed by this section, provisions of Chapter 88, Code of Ordinances, 88-610, Nonconformities, are applicable.
- i. If provisions of this overlay district are inconsistent with Chapter 88, the provisions of this overlay district shall apply.

## **5. Governance**

This overlay district is a Special Character Overlay (SC/O) which is outlined in Section 88-205 of Chapter 88, Code of Ordinances. The establishment of the overlay district is in accordance with the text amendment procedures of 88-510 (to establish the applicable regulations) and the zoning map amendment procedures 88-515 (to establish the district on the zoning map).

This commitment to protecting the Plaza area and guiding new development is supported by the community as well as Chapter 88, Code of Ordinances. Section 88-205-01, states: "Overlay districts are for areas of the city that have unique qualities requiring special treatment or locations where special approaches to development may be warranted. They are established as a means of addressing specific aspects of land use control or development design that transcend base zoning district provisions."

The Zoning & Development Code at Section 88-610-05 - Nonconforming Structures dictates when reconstruction (possibly to a height in excess of that permitted by the overlay) may occur due accidental damage or destruction.

**6. Plaza Bowl Overlay Uses**

Uses regulated by the Plaza Bowl Overlay are shown in the following table, which will replace the use table for properties within this district.

In order to promote activity at street level, the intent is to encourage development of uses such as retail, restaurant, and similar uses on the ground floor of buildings. These uses typically have points of ingress/egress, transparent storefronts and display windows, outdoor dining establishments, and other uses that encourage activity. These uses will be permitted outright.

Other uses, such as residential, office, and entertainment venues, are not typically active on the ground floors or, due to their nature, require blank walls without fenestration. These uses will require special use permit for some ground level functions. This will allow staff to review proposed design for points of ingress/egress, transparency (windows), interest in façade (to ensure pleasurable pedestrian experience/non-monotonous building wall), etc. Other uses will require special use permit approval due to their nature and effect on adjoining properties.

Finally, certain uses that are not appropriate will be prohibited.

**a. PLAZA BOWL OVERLAY USE TABLE**

Uses are allowed within the Plaza Bowl Overlay in accordance with Table 120-1, below.

**b. USE CLASSIFICATION SYSTEM**

Chapter 88, Code of Ordinances, classifies uses into "use groups," "use categories," and "specific use types." These are described and defined in [Section 88-805](#). The first column lists the groups, categories, and types allowed.

**c. PERMITTED USES**

Uses identified with a "P" are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of Chapter 88, Code of Ordinances.

**d. SPECIAL USES**

Uses identified with an "SUP" may be allowed if reviewed and approved in accordance with any special use permit procedures of [Chapter 88, Code of Ordinances, Section 88-525](#). Special uses are subject to compliance with the use standards identified in the final column of the table and all other applicable standards of Chapter 88, Code of Ordinances.

**e. PROHIBITED USES**

Uses not listed in the table and those identified with a "-" are expressly prohibited.

f. **USE STANDARDS**

The "use standards" column identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is permitted as-of-right or requires approval by a special use permit.

**Plaza Bowl Overlay Use Table**

**USE GROUP**

**Use Category**  
*specific use type*

**Use-Specific Standard**

**RESIDENTIAL**

*Single Family Dwelling*  
*In single-purpose residential building*  
*In mixed-use building*

**Group Living**

**PUBLIC/CIVIC**

**Bicycle-Sharing Facility**

**Club, Lodge, or Fraternal Organization**

**College/University**

**Day Care**

*Home-based (1-5)*

*Family (up to 10)*

*Group (up to 20)*

*Center (21+)*

**Hospital**

**Library/Museum/Cultural Exhibit**

<b>Prohibited</b>	
<b>Permitted</b>	<b>88-323</b>
<b>Permitted</b>	
<b>SUP</b>	
<b>Permitted</b>	
<b>SUP on Ground Floor</b>	<b>88-322</b>
<b>Permitted Above Ground Floor</b>	<b>88-365</b>
<b>SUP on Ground Floor</b>	<b>88-365</b>
<b>Permitted Above Ground Floor</b>	

<b>SUP on Ground Floor</b>	
<b>Permitted Above Ground Floor</b>	
<b>SUP on Ground Floor</b>	<b>88-330-01</b>
<b>Permitted Above Ground Floor</b>	
<b>SUP on Ground Floor</b>	<b>88-330-02</b>
<b>Permitted Above Ground Floor</b>	
<b>SUP on Ground Floor</b>	<b>88-330-02</b>
<b>Permitted Above Ground Floor</b>	
<b>SUP on Ground Floor</b>	
<b>Permitted Above Ground Floor</b>	
<b>Permitted</b>	<b>88-365</b>

**Plaza Bowl Overlay Use Table**

**USE GROUP**

**Use Category**  
*specific use type*

**Park/Recreation**  
**Religious Assembly**  
*Fire station*  
*Police station*  
*Ambulance service*

**School**  
**Utilities and Services** (except as noted below)  
*Basic, minor*

**COMMERCIAL**

**Adult Business**  
*Adult media store*  
*Adult motion picture theater*  
*Sex shop*

**Animal Service**  
*Sales and grooming*  
*Shelter or boarding*  
*Stable*  
*Veterinary Office*

**Artist Work or Sales Space**

**Building Maintenance Service**

**Business Equipment Sales and Service**

**Business Support Service**(except as noted below)  
*Day labor employment agency*

**Communications Service Establishments**

**Drive-Through Facility**

**Eating and Drinking Establishments** (except as noted below)  
*Tavern or nightclub*

**Entertainment and Spectator Sports**

*Indoor small venue (1–149 capacity)*

**Use-Specific Standard**

Permitted	
Permitted	88-365
Prohibited	
Permitted	88-365
Prohibited	
SUP on Ground Floor Permitted Above Ground Floor	88-365
SUP	
Permitted	88-425-08-B

Prohibited	
Prohibited	
Prohibited	

Permitted	88-315
Prohibited	
Prohibited	
Permitted	88-315
Permitted	
SUP	
Permitted	
Permitted	
Prohibited	
Permitted	
Permitted	88-338 & 88-340
Permitted	
Permitted	

SUP on Ground Floor Permitted Above Ground Floor	
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**Plaza Bowl Overlay Use Table**

**USE GROUP**

**Use Category**  
*specific use type*

	<b>Use-Specific Standard</b>	
<i>Indoor medium venue (150–499 capacity)</i>	<b>SUP on Ground Floor Permitted Above Ground Floor</b>	
<i>Indoor large venue (500+ capacity)</i>	<b>SUP on Ground Floor Permitted Above Ground Floor</b>	
<i>Outdoor (all sizes)</i>	<b>SUP</b>	
<b>Financial Services</b> (except as noted below)	<b>Permitted</b>	
<i>Pawn shop</i>	<b>Prohibited</b>	
<i>Short-term loan establishment</i>	<b>Prohibited</b>	
<b>Food and Beverage Retail Sales</b>	<b>Permitted</b>	
<b>Funeral and Interment Service</b>		
<i>Cemetery/columbarium/mausoleum</i>	<b>Prohibited</b>	
<i>Cremating</i>	<b>Prohibited</b>	
<i>Undertaking</i>	<b>Prohibited</b>	
<b>Gasoline and Fuel Sales</b>	<b>SUP</b>	
<b>Lodging</b>		
<i>Bed and breakfast</i>	<b>SUP on Ground Floor Permitted Above Ground Floor</b>	<b>88-320</b>
<i>Hotel/motel</i>	<b>Permitted</b>	
<i>Recreational vehicle park</i>	<b>Prohibited</b>	
<b>Mobile Vendor Park</b>	<b>Prohibited</b>	
<b>Office, Administrative, Professional or General</b>	<b>Permitted</b>	
<b>Office, Medical</b>	<b>Permitted</b>	
<i>Blood/plasma center</i>	<b>SUP</b>	
<b>Parking, Accessory</b>	<b>Permitted</b>	<b>88-323</b>
<b>Parking, Non-accessory</b>	<b>Permitted</b>	
<b>Personal Improvement Service</b>	<b>Permitted</b>	
<b>Repair or Laundry Service, Consumer</b>	<b>Permitted</b>	
<b>Research Service</b>	<b>Permitted</b>	
<b>Retail Sales</b>	<b>Permitted</b>	
<b>Reuse of designated historic landmark (local or national)</b>	<b>Permitted/ SUP</b>	
<b>Sports and Recreation, Participant</b>		
<i>Indoor</i>	<b>Permitted</b>	

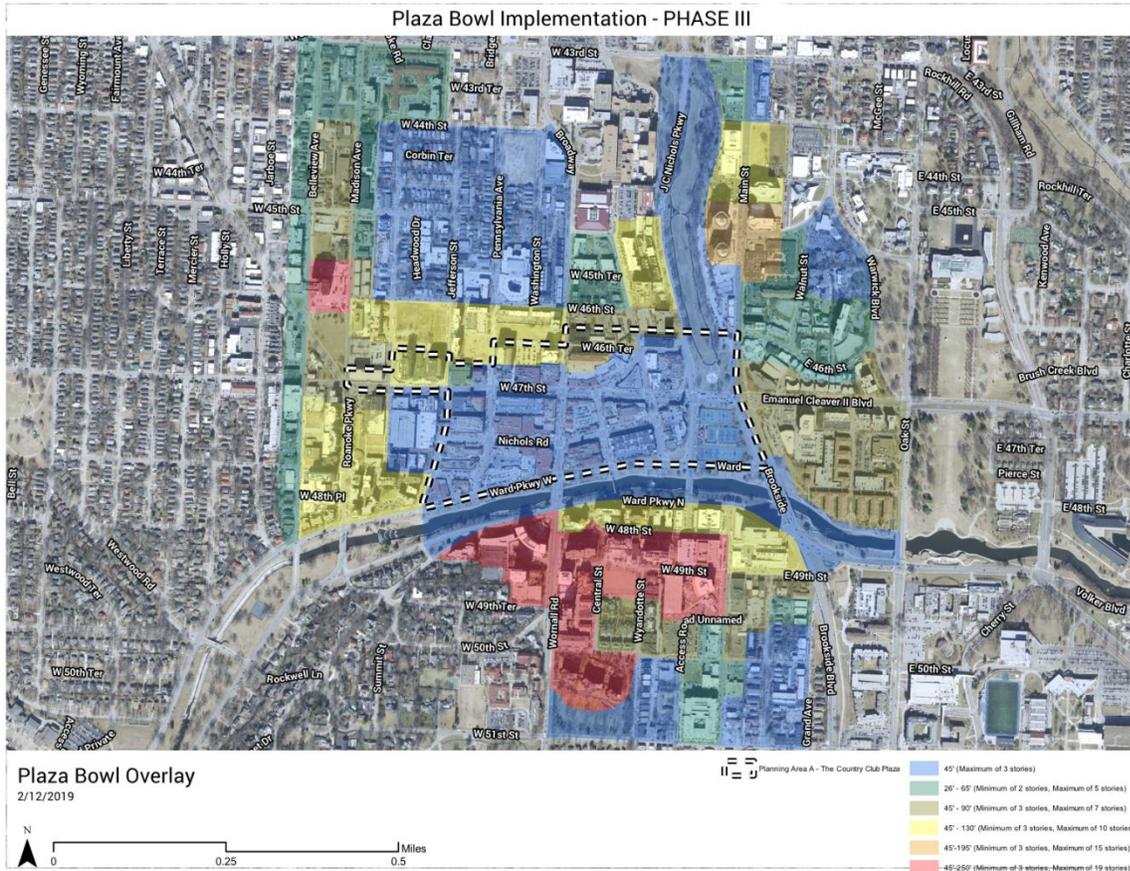
**Plaza Bowl Overlay Use Table**

**USE GROUP**

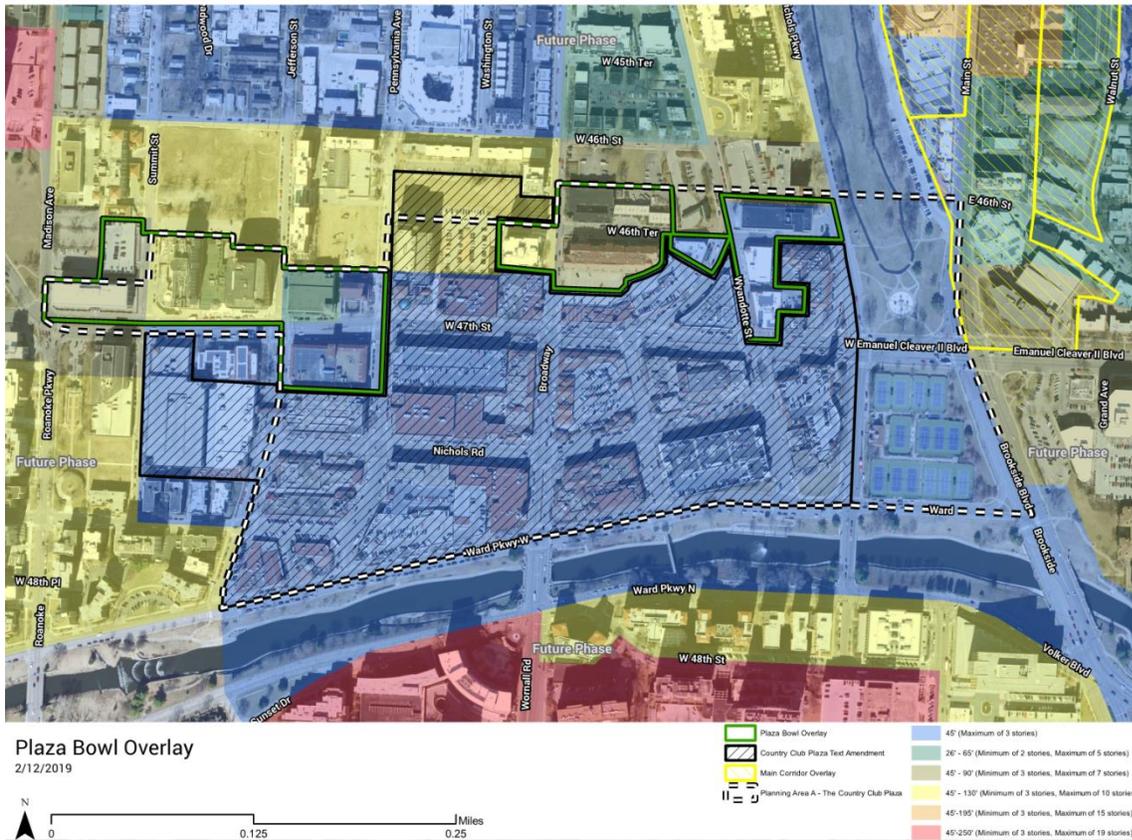
**Use Category**  
*specific use type*

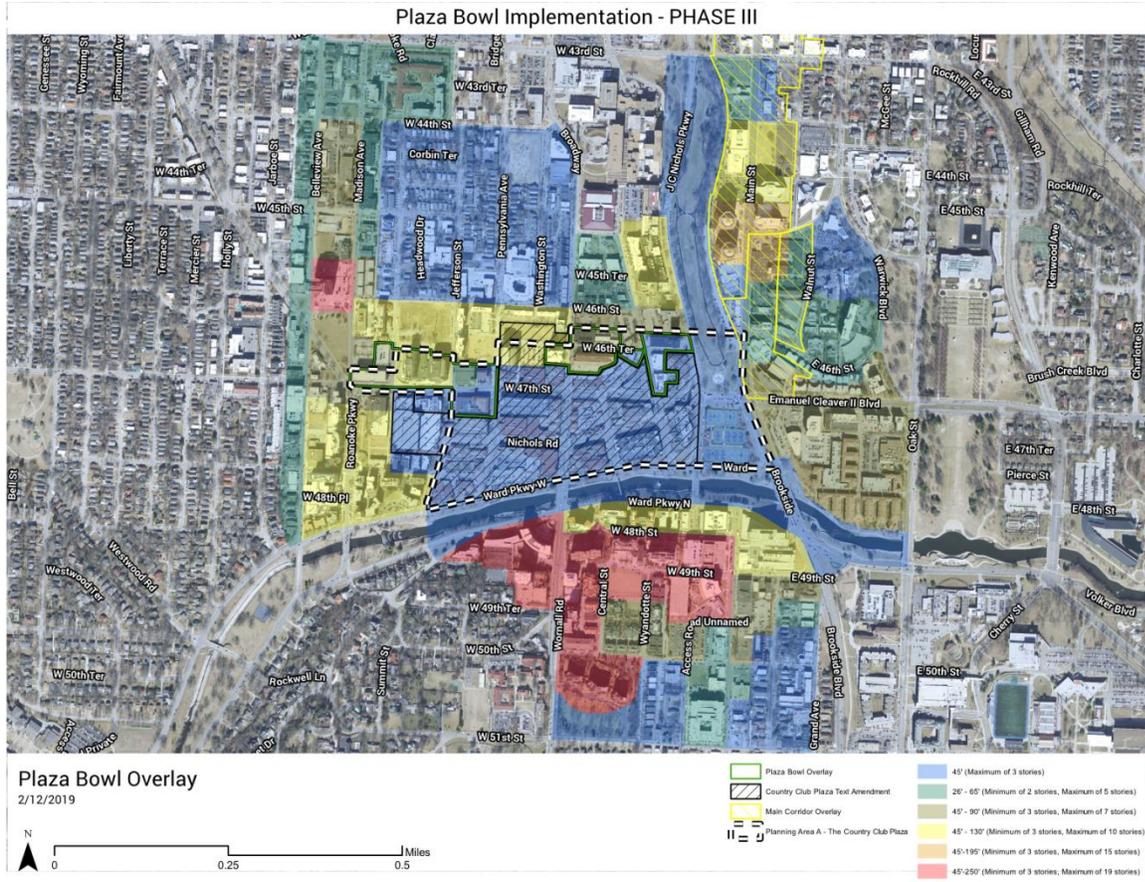
	Use-Specific Standard	
<i>Outdoor</i>	Permitted	
<b>Vehicle Sales and Service</b>		
<i>Car wash/cleaning service</i>	Permitted if within a parking structure, otherwise SUP	
<i>Heavy equipment sales/rental</i>	Prohibited	
<i>Light equipment sales/rental (indoor)</i>	Permitted	
<i>Light equipment sales/rental (outdoor)</i>	Permitted if within a parking structure, otherwise SUP	
<i>Motor vehicle repair, limited</i>	SUP	
<i>Motor vehicle repair, general</i>	SUP	
<i>Vehicle storage/towing</i>	Prohibited	
<b>INDUSTRIAL</b>		
<b>Manufacturing, Production and Industrial Service</b>		
<i>Artisan</i>	Permitted	
<i>Artisanal Food and Beverage Manufacturing</i>	Permitted	
<i>Catering Establishments</i>	Permitted	
<i>Limited</i>	Prohibited	
<i>General</i>	Prohibited	
<i>Intensive</i>	Prohibited	
<b>Outdoor Display</b>		
<i>Class A</i>	Permitted	88-435-02
<i>Class B</i>	Prohibited	
<b>Outdoor Storage</b>		
<i>Principal</i>	Prohibited	
<i>Accessory</i>	Prohibited	
<b>Recycling Service</b>		
<i>Limited</i>	Prohibited	
<b>Residential Storage Warehouse</b>	Prohibited	
<b>Warehousing, Wholesaling, Freight Movement</b>		
<i>Indoor</i>	Prohibited	
<i>Outdoor</i>	Prohibited	





Plaza Bowl Implementation - PHASE III







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 Chapter 88, Code of Ordinances have been given and had.

..end

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

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter  
Assistant City Attorney

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

**220729**



**File #: 220730**

ORDINANCE NO. 220730

Approving the Main Street – ABC/35 Block Urban Renewal Area Plan on approximately 2.4 acres generally located at 3244 Main and 3634 Main Street; and declaring said area to be blighted and in need of redevelopment and rehabilitation. (CD-CPC-2022-00094)

WHEREAS, Section 99.430, RSMo, provides that a legislative body may approve a declaration of blight and approve an urban renewal plan for the same area simultaneously; and

WHEREAS, it is desirable and in the public interest that the Land Clearance for Redevelopment Authority of Kansas City, Missouri submit an Urban Renewal Plan for the historic and distressed properties along Main Street; and

WHEREAS, the Land Clearance for Redevelopment Authority has found said area to be blighted due to the insanitary or unsafe conditions, deterioration of site improvements, and a combination of such factors so as to constitute an economic or social liability to the public health, safety, morals or welfare; and

WHEREAS, the Land Clearance for Redevelopment Authority has recommended and determined that the Main Street – ABC/36 Block Urban Renewal Plan area be eligible for tax abatement and, if necessary, the exercise of eminent domain by the Land Clearance for Redevelopment Authority; and

WHEREAS, the City Plan Commission reviewed and recommended approval of the Main Street – ABC/35 Block Urban Renewal Plan on July 19, 2022; NOW, THEREFORE,

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

Section 1. That the proposed Urban Renewal area an area generally consisting of two scattered sites on the west side of Main Street located between Linwood Boulevard on the north, Main Street on the east, W. 37th Street on the south, and Baltimore Avenue on the west, and more specifically located at 3240-3244 Main Street (Project Area 1) and at 3620-3636 Main Street, 2 W. 37th Street, and at 3633-3635 Baltimore Avenue (Project Area 2), and more specifically described as:

Parcel 1 (Project Area 1):

Lot 3, except the North 4 feet thereof, Block 2, Hyde Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, together with an easement for private alley or passageway appurtenant to the

above-described property over the North 4 feet of said Lot 3 and appurtenant to the premises in question on the North as described in instrument recorded in Book B-1303, Page 363, in the Office of the Recorder of Deeds of Jackson County, Missouri, at Kansas City.

Parcel 2 (Project Area 1)

Lot 4, and the North 1/2 of LOT 5, Block 2, Hyde Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

Parcel 3 (Project Areas 2)

Lots 5 and 6, Block 1, Hyde Park Annex, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

Parcel 4 (Project Area 2)

Lot 4, Block 1, Hyde Park Annex, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

Parcel 5 (Project Area 2)

Lots 5 & 6, Block 30, Hyde Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

Parcel 6 (Project Area 2)

Lots 5 & 6, Block 30, Hyde Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

Parcel 7 ( Project Area 2)

Lots 1, 2, and 3, Valentine Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

Parcel 8 ( Project Area 2)

Lots 4 and 5, Valentine Addition, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

is a blighted area and in need of redevelopment and rehabilitation and is appropriate for an Urban Renewal Project, and that the undertaking by the Land Clearance for Redevelopment Authority of Kansas City, Missouri, of surveys and plans for an urban renewal project of a character contemplated by Section 99.430, Revised Statutes of Missouri, as amended, and the proposed urban renewal area is hereby approved.

Section 2. That the Council has duly made the findings necessary for compliance with Sections 99.320 and 99.430, Revised Statutes of Missouri, as amended.

Section 3. That the Urban Renewal Plan which is known as the Main Street – ABC/36 Block Urban Renewal Plan, a copy of which is on file in the office of the City Clerk with this ordinance and is incorporated herein by reference, is hereby approved including, if necessary, the power of eminent domain.

Section 4. That pursuant to Section 9 of Second Committee Substitute for Ordinance No. 160383, as amended, the City Council hereby authorizes the abatement of ad valorem real property taxes to the full extent authorized by the Land Clearance for Redevelopment Authority Law with respect to any project qualifying for Jobs-Based or Site-Based “High Impact” designation as determined by the AdvanceKC Scorecard, derived from the City Council’s

Economic Development and Incentive Policy, or located in a severely distressed census tract that has continuously maintained such status for not less than ten (10) years immediately prior to the effective date of the request.

Section 5. That said Urban Renewal Plan is hereby found to be feasible and in conformance with the Master Plan for the development of the community as a whole.

..end

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Approved as to form and legality:

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Emalea Black  
Assistant City Attorney

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

**220730**



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**File #: 220364**

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ORDINANCE NO. 220364

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

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

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

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

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

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

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

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

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

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

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

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WINTER DESIGN TEMP <sup>e</sup>	ICE BARRIER UNDERLAYMENT REQUIRED <sup>h</sup>	FLOOD HAZARDS <sup>g</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>
6°F	Yes	See Ordinance <a href="#">Chapter 28</a>	1000 F-days	54.2 F

**MANUAL J DESIGN CRITERIA<sup>n</sup>**

Elevation	Latitude	Winter heating	Summer cooling	Altitude correction factor
<a href="#">909</a>	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:

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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**

<b>Sponsor</b>	Councilmember Bough
<b>Programs, Departments, or Groups Affected</b>	City Planning and Development Office of Environmental Quality
<b>Applicants / Proponents</b>	<b>Applicant</b>  City Department  Other
<b>Opponents</b>	<b>Groups or Individuals</b>  Basis of opposition
<b>Staff Recommendation</b>	<input type="checkbox"/> For <input type="checkbox"/> Against Reason Against
<b>Board or Commission Recommendation</b>	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)
<b>Council Committee Actions</b>	<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 #: 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

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

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Senior Associate City Attorney

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

**220554**



**File #: 220639**

ORDINANCE NO. 220639

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

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

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

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

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

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

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

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

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

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

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

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

is hereby \_\_\_\_\_, subject to the following conditions:

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

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

4. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
5. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
6. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)
7. Required Fire Department access roads are an all-weather surface. (IFC-2012: § 503.2.3).
8. Fire Department access roads shall be provided prior to construction/ demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5)
9. Required Fire Department access roads are designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
10. Dead end Fire Department access road(s) in excess of 150 feet shall be provided with an approved turn around feature (i.e., cul-de-sac, hammerhead). Dead-end streets in excess of 150 feet in length resulting from a “phased” project shall provide an approved temporary turn around feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5)

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

..end

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

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter

Senior Associate City Attorney

# COMMUNITY PROJECT/REZONING

**220639**

## Ordinance Fact Sheet

**Ordinance Number**

**Case No.** CD-CPC-2022-00066

### Brief Title

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

### Details

**Location:** generally located at 3201 NW 100<sup>th</sup> St

**Reason for Legislation:** Appeal of City Plan Commission decision

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

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

### SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

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

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	2 <sup>nd</sup> District Loar and Fowler
<b>Applicants / Proponents</b>	<b>Applicant</b> Tyler Wysong Kimley-Horn  <b>City Department</b> City Planning & Development <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>
	<b>Basis of Opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	City Plan Commission 2-6 on 6/7/2022 Voting Aye: Baker, Enders Voting Nay: Allender, Beasley, Crowl, Hill, Rojas, Sadowski <input type="checkbox"/> <b>For</b> <input checked="" type="checkbox"/> <b>Against</b> <input type="checkbox"/> <b>No Action Taken</b> <input type="checkbox"/> <b>For, with revisions or conditions</b> (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> <b>Do Pass</b> <input type="checkbox"/> <b>Do Pass (as amended)</b> <input type="checkbox"/> <b>Committee Sub.</b> <input type="checkbox"/> <b>Without Recommendation</b> <input type="checkbox"/> <b>Hold</b>

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	<input type="checkbox"/> Do not pass
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<b>Fact Sheet Prepared By:</b> Genevieve Kohn Planner	<b>Date:</b> 6/10/2022	<b>Initial Application Filed:</b> 4/28/2022
<b>Reviewed By:</b> Joe Rexwinkle Division Manager	<b>Date:</b> 6/10/2022	<b>City Plan Commission Action:</b> 6/7/2022
		<b>Revised Plans Filed:</b> 5/23/2022
		<b>On Schedule:</b> yes
		<b>Off Schedule Reason:</b>
<b>Reference Numbers:</b> CD-CPC-2022-00066		



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**File #: 220661**

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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 Sope Parkway to Dr. Martain 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

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Approved as to form and legality:

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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 100<sup>th</sup> St) and Line Creek Parkway (in between NW 100<sup>th</sup> St and NW Fountain Hills Drive).

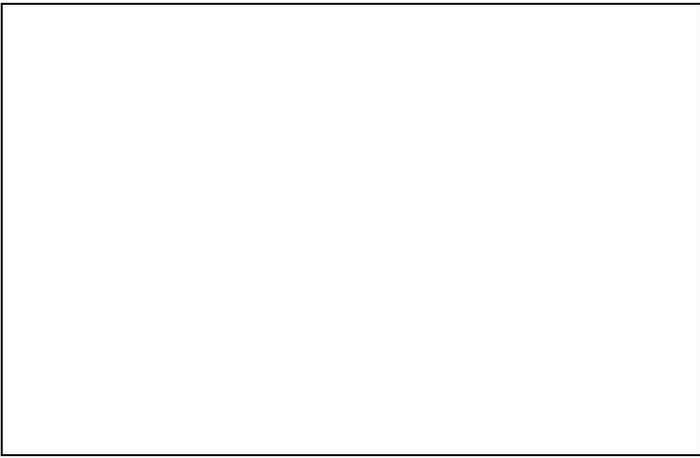
**Ordinance Number**

### Details

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

### Positions/Recommendations

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

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



**File #: 220688**

ORDINANCE NO. 220688

Estimating revenues and appropriating funds in the amount of \$8,397,188.00 in the HOME Partnership Program from the American Rescue Plan; authorizing the Director of Housing and Community Development to execute contracts for HOME Partnership Program/American Rescue Plan (ARP) activities to be known as “HOME/ARP” funding activities; and designating requisitioning authority.

WHEREAS, the Coronavirus Aid, Relief and Economic Security Act (CARES Act) was passed by Congress and signed into law by the President on March 27, 2020, to make available supplemental funding for the HOME Partnership Program; and

WHEREAS, cities were disproportionately hit hard by the pandemic, affecting the most vulnerable residents in Kansas City, Missouri; and

WHEREAS, the HOME-ARP funding gives entitlement cities the flexibility to best meet the needs of people experiencing or at risk of experiencing homelessness, including through development of affordable housing, tenant-based rental assistance, supportive services, development of affordable housing, tenant-based rental assistance, supportive services, and acquisition and development of non-congregate shelter units and funds must be spent by 2030; and

WHEREAS, execution of contracts will provide needed funding for the production and preservation of affordable housing and supportive services, including services defined as: (1) Homeless Prevention and Housing Counseling, (2) the Purchase and Development of Non-Congregate Shelter (as defined in the Emergency Solutions Grants [ESG] Program), (3) permanent funding under the Continuum of Care Program and (4) Affordable Housing under the HOME Program, to benefit very low-to-moderate income persons; NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the revenue is estimated in the following account of the HOME-ARP Program Fund in the following amount:

23-2940-550001-476050-G55HOMEARP	HOME Revenues	\$8,397,188.00
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Section 2. That the sum of \$8,397,188.00 is hereby appropriated from the Unappropriated Fund Balance to the following accounts in the HOME Partnership Program Fund:

23-2940-555301-A-G55HOMEARP	HOME	\$1,259,578.00
23-2940-555317-B-G55HOMEARP	Housing Development	6,637,610.00
23-2940-555308-B-G55HOMEARP	Homeless Prevention	<u>500,000.00</u>
	TOTAL	\$8,397,188.00

Section 3. That the Director of Housing and Community Development Department is hereby authorized to execute contracts and expend up to \$419,859.00 from funds appropriated in Account 23-2940-555301-A to satisfy the costs of the HOME/ARP Block Grant for Administrative Purposes.

Section 4. That the Director of Housing and Community Development Department shall provide a HOME/ARP Plan as outlined and approved by the Department of Housing and Urban Development Department (HUD) prior to authorization to spend the remaining funding for administration and to execute contracts for the remaining expenditures in the form of contracts.

Section 5. That the Director of Housing and Community Development Department is hereby designated the requisitioning authority for Account Nos. 23-2940-555301, 23-2940-555317, and 23-2940-555308.

..end

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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.

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Tammy L. Queen  
Director of Finance

Approved as to form and legality:

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Joseph A. Guarino  
Senior Associate City Attorney

<b>LEGISLATIVE FACT SHEET</b>		Legislation Number:	<b>220688</b>	
		Approval Deadline:		
LEGISLATION IN BRIEF:				
What is the reason for this legislation?		<b>Fact Sheet Color Codes</b>		
		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		
		<b>Future Impacts</b>		
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)				
<b>Citywide Business Plan Goal</b>				
<b>Citywide Business Plan Objective</b>				
<b>Citywide Business Plan Strategy</b>				

**LEGISLATION IN BRIEF:**

Estimating revenues and appropriating funds in the amount of \$8,397,188.00 in the HOME Partnership Program from the American Rescue Plan; authorizing the Director of Housing and Community Development to execute contracts for HOME Partnership Program/American Rescue Plan (ARP) to be known as "HOME/ARP" funding activities; and designating requisiting authority.

**What is the purpose of this legislation?** OPERATIONAL

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

<b>Does this legislation spend money?</b> <i>See Sections 01, 02 and 03 for sources of funding</i>	<input type="checkbox"/> YES	Yes/No
<b>Does this legislation estimate new Revenues?</b> <i>See Section 02 for new revenue estimates</i>	<input type="checkbox"/> YES	Yes/No
<b>Does this Legislation Increase Appropriations?</b> <i>See Section 03 for increases in appropriations</i>	<input type="checkbox"/> YES	Yes/No
<b>Are costs associated with this legislation ongoing (Yes)? Or one-time (No)</b> <i>See Section 00: " Notes" Below</i>	<input type="checkbox"/> NO	Yes/No

**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

**Section 02: If applicable, where will new revenues be estimated?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
2940	550001	476050	G55HOMEARP	8,397,188.00	

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

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
2940	555301	601100	G55HOMEARP	1,259,578	
2940	555317	619080	G55HOMEARP	6,637,610	
2940	555308	619080	G55HOMEARP	500,000	

**NET IMPACT ON OPERATIONAL BUDGET** REVENUE SUPPORTED

*RESERVE STATUS:*

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

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2940	HOME Investment Fund	8,397,188						
<b>TOTAL REV</b>		<b>8,397,188</b>	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2940	HOME Investment Fund	8,397,188						
<b>TOTAL EXP</b>		<b>8,397,188</b>	-	-	-	-	-	-

<b>NET Per-YEAR IMPACT</b>	-	-	-	-	-	-	-
<b>NET IMPACT ( SIX YEARS)</b>	-						

REVIEWED BY Robin Flaherty DATE 8/9/2022



