



## 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, September 15, 2021**

**1:30 PM**

**26th Floor, Council Chamber**

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#### PUBLIC OBSERVANCE OF MEETINGS

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

Any closed session may be held via teleconference.

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

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

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

#### Beginning of Consent(s)

#### [210762](#)

Approving the plat of Brooke Hills Third Plat, an addition in Clay County, Missouri, on approximately 19.29 acres generally located at 5801 N.E. 119th Street or south of the intersection of N.E. 119th Street and N. Wheeling Avenue, creating 58 lots for the purpose of creating a 58 lot single family subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents.  
(CLD-FnPlat-2020-00034)

**Attachments:** [2020-00034 Ordinance Fact Sheet](#)

End of Consent(s)

**210750** Approving the Twenty-First Amendment to the Shoal Creek Parkway Tax Increment Financing Plan; and directing the City Clerk to send a copy of this ordinance to Clay County.

**Attachments:** [21st Amendment Fact Sheet](#)  
[TMP-0871 Fiscal Note.pdf](#)

**210757** Accepting and approving a grant award agreement in the amount of \$720,826.00 with the Missouri Department of Health and Human Services to provide funding for COVID-19 response; estimating and appropriating \$720,826.00 in the Health Grants Fund; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

**Attachments:** [Crisis Cooperative Agreement FY22 - Fact Sheet](#)  
[Crisis Cooperative Agreement FY22 - Fiscal Note](#)  
[Crisis Cooperative Agreement FY22 - Budget](#)  
[Approp. Admin Crisis Coop Agreement](#)

#### **Parks-Shaw**

**210765** Authorizing the City Manager to execute an Intergovernmental Cooperative Agreement with the Land Bank of Kansas City, Missouri to support and undertake administrative and operational staffing and other services on behalf of the Land Bank.

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

#### **Ellington**

**210766** Appropriating \$300,000.00 in the Central City Economic Development Fund; supporting the Vineyard Neighborhood Association's housing rehabilitation program to support eligible rehabilitation expenses for low to moderate income homeowners in the Vineyard Neighborhood; and authorizing the Director of Housing and Community Development Department to enter into a contract with the Vineyard Neighborhood Association. \*\* This item will be held for 1 week\*\*

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

HELD IN COMMITTEE

- 210189** Vacating a portion of E. 23rd Street in Districts R-0.5 and DC-15 generally located just north of Children's Mercy Hospital, to allow for the hospital to eliminate the need for certain encroachment permits and the associated ongoing fees for existing pedestrian bridges and future building footprints and directing the City Clerk to record certain documents. (1752-V)

**Attachments:** [Fact Sheet](#)  
[StaffReport](#)  
[Survey](#)  
[Exhibit A](#)

**Bough**

- 210565** Amending Chapter 74, Code of Ordinances, by enacting a new Article VII that establishes the City's comprehensive policy for the approval of new community improvement districts and existing community improvement districts; and repealing Second Committee Substitute for Resolution No. 120605 and Resolution No. 130844.

**Attachments:** [fact sheet](#)  
[CID Ordinance Fact Sheet - FINAL](#)

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.



## Legislation Text

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**File #: 210762, Version: 1**

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### ORDINANCE NO. 210762

Approving the plat of Brooke Hills Third Plat, an addition in Clay County, Missouri, on approximately 19.29 acres generally located at 5801 N.E. 119th Street or south of the intersection of N.E. 119th Street and N. Wheeling Avenue, creating 58 lots for the purpose of creating a 58 lot single family subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2020-00034)

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

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

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

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

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

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

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

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on December 12, 2020.

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Approved as to form and legality:

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Eluard Alegre  
Assistant City Attorney

# COMMUNITY PROJECT/ZONING

## Ordinance Fact Sheet

Ordinance Number

**Brief Title**

Approving the plat of Brooke Hills Third Plat, an addition in Kansas City, Clay County, Missouri

<p><b>Specific Address</b> Approximately 19.29 acres located at 5801 N.E. 119th St, or generally located south of the intersection of N.E. 119th St and N. Wheeling Ave, creating 58 lots and no tracts.</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> 1(CL) Hall – O’Neill  <b>Other districts (school, etc.)</b> North Kansas City 250</td> </tr> <tr> <td><b>Applicants / Proponents</b></td> <td><b>Applicant(s)</b> Robertson Properties, Inc.  <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"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <b>Reason Against:</b></td> </tr> <tr> <td><b>Board or Commission Recommendation</b></td> <td><b>By: City Plan Commission</b>  December 1, 2020  <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> 1(CL) Hall – O’Neill  <b>Other districts (school, etc.)</b> North Kansas City 250	<b>Applicants / Proponents</b>	<b>Applicant(s)</b> Robertson Properties, Inc.  <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"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <b>Reason Against:</b>	<b>Board or Commission Recommendation</b>	<b>By: City Plan Commission</b>  December 1, 2020  <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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<p><b>Reason for Project</b> This final plat application was initiated by Robertson Properties, Inc., in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 58 lot single family subdivision.)</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>Case No. 12615-CUP-2</b> – City Council Committee Substitute Ordinance No. 021275, passed on April 30, 2003, approved a preliminary community unit project plan in District R-1a (one-family dwellings, medium density) on approximately 206.9 acres generally located on both the south/west side of NE Sherman Road, approximately 1400 feet north of NE LP Cookingham Drive (Missouri Route 291), and on the west side of N Eastern Avenue, approximately 600 feet north of NE L.P. Cookingham Drive (Missouri Route 291), to allow construction of 334 single family lots, 109 single villas, and 206 townhouse units. <b>(Current approved preliminary development plan. Lowry Meadows)</b></p>															

**Details**

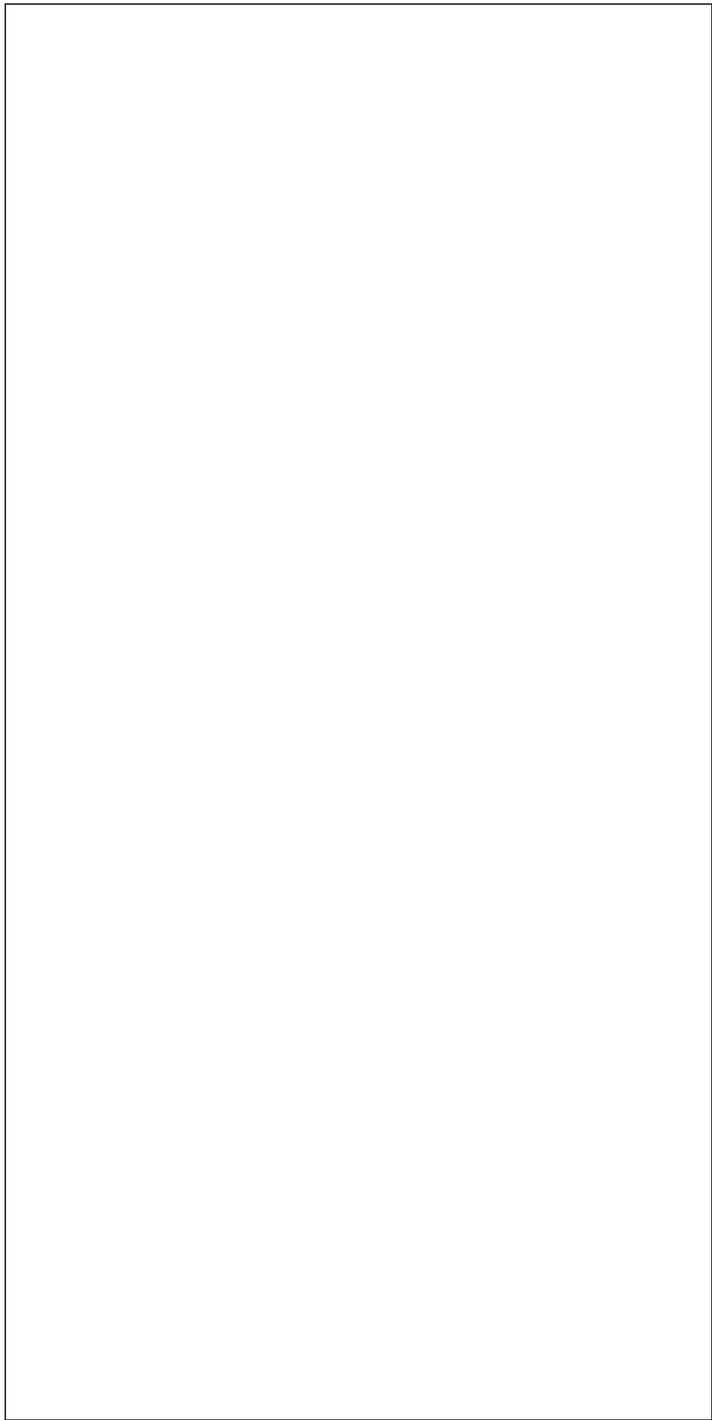
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**Policy / Program Impact**

<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 public and private improvements for a 58 lot single-family residential development, on approximately 19.29 acres of previously undeveloped property. There is also an existing stormwater detention facility constructed by an earlier plat. These facilities will reduce the overall storm water volume and attenuate the peak runoff rate to less than existing conditions. The private open space will also retain much of the existing natural vegetation and natural waterways. Runoff from within the development will be conveyed in an enclosed storm sewer system and released into the detention facilities. Common areas will be maintained by the homeowners' association through a covenant agreement. Modern and safe, walkable streets with sidewalks, curb and gutter and street lights will be constructed. New sanitary sewers will be constructed that will minimize infiltration and inflow within the system conveyed to the treatment facility. Homeowners must adhere to the codes, covenants and restrictions prepared for the project to assure ongoing maintenance and upkeep of their personal residences and common properties. This development will increase the tax base for the developed lots and will provide ample permanent greenspace within the development.</p> <p>Written by Lucas Kaspar, PE</p>
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**Project Start Date**

**Projected Completion or Occupancy Date**

**Fact Sheet Prepared by:**  
Thomas Holloway

**Date:** June 8, 2021

**Reviewed by:**  
Lucas Kaspar, PE,

Land Development Division (LDD)  
City Planning & Development

**Reference or Case Numbers: CLD-FnPlat-2020-00034**







Legislation Text

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**File #: 210750, Version: 1**

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ORDINANCE NO. 210750

Approving the Twenty-First Amendment to the Shoal Creek Parkway Tax Increment Financing Plan; and directing the City Clerk to send a copy of this ordinance to Clay County.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), the City Council of Kansas City, Missouri (the "Council") by Ordinance No. 54556 passed on November 24, 1982, and thereafter repealed and amended in certain respects by Committee Substitute for Ordinance No. 911076, as amended, passed on August 29, 1991, Ordinance No. 100089, passed on January 28, 2010, Ordinance No. 130986, passed on December 19, 2013, and Committee Substitute for Ordinance No. 140823, as amended, passed on June 18, 2015 (the "Authorizing Ordinances") created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, on November 10, 1994, the Council passed Ordinance No. 941443, which accepted the recommendations of the Commission as to the approval of Shoal Creek Parkway Tax Increment Financing Plan (the "Redevelopment Plan" or "Plan") and the designation of the Redevelopment Area described thereby as an economic development area, and authorized the Commission to take all such action as may be needed to effectuate the Redevelopment Plan; and

WHEREAS, the Plan has been amended 20 times; and

WHEREAS, the proposed Twenty-First Amendment ((A) incorporates as an improvement the design and construction of Maplewoods Parkway, beginning at N.E. 112th Street and extending north to and including the intersection at N.E. Cookingham Drive (B) modifies the Budget of Redevelopment Project Costs, (C) modifies the Sources of Funds; and (D) modifies the Development Schedule; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Twenty-First Amendment to the Shoal Creek Parkway Tax Increment Financing Plan, a copy of which is attached hereto, is hereby approved.

Section 2. That all terms used in this Ordinance, not otherwise defined herein, shall be construed as defined in the Act.

Section 3. That the Council finds that:

- (a) Good cause has been shown for amendment of the Redevelopment Plan, and that the previous findings of the City Council with respect to the Redevelopment Plan are not affected by the Twenty-First Amendment and apply equally to the Twenty-First Amendment;

- (b) The Redevelopment Area, as amended, is an economic development area, as a whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan, as amended by the Twenty-First Amendment, and the utilization of tax increment financing;
- (c) The areas selected as Redevelopment Projects include only those parcels of real property and improvements which will be directly and substantially benefited by the public improvements described by the Redevelopment Plan, as amended by the Twenty-First Amendment;
- (d) The Redevelopment Plan, as amended by the Twenty-First Amendment, and each Redevelopment Project, conform to the comprehensive plan for the development of the City as a whole;
- (e) The estimated dates of completion of the respective Redevelopment Projects and retirement of any obligations incurred to finance Redevelopment Project Costs have been stated in the Redevelopment Plan, as amended by the Twenty-First Amendment, and are not more than 23 years from the passage of any ordinance approving a Redevelopment Project authorized by the Plan, as amended;
- (f) A plan has been developed for relocation assistance for businesses and residences;
- (g) The Twenty-First Amendment does not include the initial development or redevelopment of any gambling establishment; and
- (h) A study has been completed and the findings of such study satisfy the requirements set out in subdivision (1) of Section 99.810, RSMo.
- (i) The Twenty-First Amendment does not provide for the adoption of an Ordinance approving any Redevelopment Project later than ten (10) years from the adoption of the plan.
- (j) The Twenty-First Amendment does not contemplate that any property located within a Redevelopment Project Area will be acquired by eminent domain by the Commission later than five (5) years from the adoption of the Ordinance approving such Redevelopment Project.
- (k) The Twenty-First Amendment does not alter the previous cost-benefit analysis previously incorporated within the Redevelopment Plan and approved by the City, which assesses the economic impact of the Plan on each affected Taxing District and provides sufficient information to evaluate whether the Redevelopment Projects, as proposed by the Plan, are financially feasible.

Section 4. That the Clerk is hereby directed to send a copy of this ordinance to Clay County.

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Approved as to form and legality:

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Katherine Chandler  
Assistant City Attorney

# GENERAL

## Ordinance Fact Sheet

Ordinance Number

<b>Brief Title</b>	<b>Approval Deadline</b>	<b>Reason</b>
<b>Twenty-First Amendment to the Shoal Creek Parkway TIF Plan</b>		

Details	Positions/Recommendations														
<p><b>Specific Address</b></p> <p>The Redevelopment Area is generally bound by on the north by NE Cookingham Drive and Missouri Route 291, on the east by the Kansas City – Liberty city limits and Missouri Route 291, on the south by the Kansas City- Pleasant Valley city limits and on the west by Maplewoods Parkway in Kansas City, Clay County, Missouri.</p> <p><b>Reason For Legislation</b></p> <p>The Twenty-First Amendment (the "Twenty-First Amendment") to the TIF Plan provides for certain modifications to the description of public improvements in the Plan, the Budget of Redevelopment Project Costs, the Sources of Funds, and certain exhibits to and sections of the Plan that are in furtherance of the foregoing.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><b>Sponsor</b></td> <td>Tax Increment Financing Commission</td> </tr> <tr> <td><b>Programs, Departments, or Groups Affected</b></td> <td></td> </tr> <tr> <td><b>Applicants / Proponents</b></td> <td> <b>Applicant</b>                      Tax Increment Financing Commission   <b>City Department</b>   <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</b>  <input type="checkbox"/> For   <input type="checkbox"/> Against   <input checked="" type="checkbox"/> No action taken   <input type="checkbox"/> For, with revisions or conditions                      (see details column for 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>	Tax Increment Financing Commission	<b>Programs, Departments, or Groups Affected</b>		<b>Applicants / Proponents</b>	<b>Applicant</b> Tax Increment Financing Commission  <b>City Department</b>  <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</b> <input type="checkbox"/> For <input type="checkbox"/> Against <input checked="" 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
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<p>The City Council approved the TIF Plan by Ordinance No. 941443 and the Plan has been amended 20 times.</p> <p>The Twenty-First Amendment incorporates the recommendations made the Shoal Creek Advisory Committee and accepted by the TIF Commission at its July meeting, namely, the addition of the following:</p> <p>Improvement X - the design and construction of Maplewoods Parkway, beginning at NE 112th Street and extending north to and including the intersection at NE Cookingham Drive which is estimated to cost \$7,500,000, of which \$7,500,000 is eligible to be reimbursed with economic activity taxes.</p> <p>The Twenty-First Amendment also increases the budget for the installation of traffic signal at the intersection of NE 108<sup>th</sup> Street and NE Cookingham Drive (Improvement U) by \$50,000, to \$122,500. This is due to a cost overrun. It is anticipated that the City will reimburse the Commission for this outlay from MoDOT's cost share.</p> <p>The Twenty-First Amendment does not alter or modify the intent of the TIF Plan, except for those changes specifically mentioned herein.</p> <ul style="list-style-type: none"> <li><b>Economic Development Area:</b> The Twenty-First Amendment does not alter the previous finding that the Redevelopment Area on the whole is an economic development area and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed "but for" the adoption of tax increment financing.</li> </ul>															

(Continued on reverse side)

**Details**

- **Finding the Area Conforms to the City's Comprehensive Plan:** The changes contemplated by the Twenty-First Amendment are of a nature that they do not alter the TIF Commission's and Council's previous finding that the TIF Plan conforms with the City's FOCUS Plan.
- **Cost Benefit Analysis:** The changes contemplated by the Twenty-First Amendment are of a nature that they do not alter the TIF Commission's and City's Cost Benefit Analysis incorporated within the TIF Plan.
- **Redevelopment Schedule:** All Redevelopment Projects, including those contemplated by the Twenty-First Amendment, are to be completed no later than twenty-three (23) years from the adoption of the ordinances approving the Redevelopment Projects.
- **Relocation Plan:** The changes contemplated by the Twenty-First Amendment are of a nature that they do not alter the previous relocation assistance plan that is a part of the TIF Plan. The Twenty-First Amendment does not contemplate the relocation of any businesses or residents.
- **Gambling Establishment:** The Twenty-First Amendment does not include development or redevelopment of any gambling establishment.
- **Acquisition by Eminent Domain:** This Twentieth Amendment does not contemplate that any property located within a Redevelopment Project Area will be acquired by eminent domain later than five (5) years from the adoption of the Ordinance approving such Redevelopment Project.
- **Date to Adopt Redevelopment Project:** The Twentieth Amendment does not provide for the adoption of an Ordinance approving any Redevelopment Project later than ten (10) years from the adoption of the Plan.

**Policy/Program Impact**

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

**Finances**

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Fund Source (s) and Appropriation Account Codes</b>	Funding Sources will be private investment, Economic Activity Taxes and other public financing sources, including a cost share agreement with MoDOT.
<b>Is this Ordinance or Resolution Good for the Children?</b>	Yes. Proposed Twenty-First Amendment will lead to the development of the Shoal Creek Area, creation of new jobs and improvement of the quality of life in the City of Kansas City.

**Applicable Dates:**

**Fact Sheet Prepared by:**  
Heather A. Brown, Executive Director, Tax Increment Financing Commission

**Reviewed by:**

**Reference Numbers**





Legislation Text

File #: 210757, Version: 1

ORDINANCE NO. 210757

Accepting and approving a grant award agreement in the amount of \$720,826.00 with the Missouri Department of Health and Human Services to provide funding for COVID-19 response; estimating and appropriating \$720,826.00 in the Health Grants Fund; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY

Section 1. That a grant award agreement between the City of Kansas City, Missouri, acting through its Director of Health, and the Missouri Department of Health and Human Services, whereby the Missouri Department of Health and Human Services will provide funding, for the period beginning March 16, 2020 to March 15, 2022, to assure adequate local public health response to the COVID-19 pandemic, for a total amount not to exceed \$720,826.00, is hereby accepted and approved. A copy of the award agreement, in substantial form, is attached hereto and made a part hereof by reference.

Section 2. That revenue in the following account of the Health Grants Fund is hereby estimated in the following amount:

22-2480-500001-480015-G50544022	Crisis Cooperative Agreement	\$720,826.00
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Section 3. That the sum of \$720,826.00 is hereby appropriated from the Unappropriated Fund Balance of the Health Grants Fund to the following accounts:

22-2480-505440-A-G50544022	Crisis Cooperative Agreement	\$499,231.00
22-2480-505440-B-G50544022	Crisis Cooperative Agreement	<u>221,595.00</u>
	TOTAL	\$720,826.00

Section 4. That the Director of Health is hereby authorized to expend the sum of \$720,826.00 from funds appropriated to Account No. 22-2480-505440-G50544022 for the aforesaid agreement.

Section 5. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(B) of the City Charter and shall take effect in accordance with Section 503 of the City Charter.

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

incurred.

---

Tammy L. Queen  
Director of Finance

Approved as to form and legality:

---

Joseph Guarino  
Assistant City Attorney

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

LEGISLATION IN BRIEF:

Crisis Cooperative Agreement

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

*For Accepting financial contributions from Federal State and/or third parties to fund municipal programs. Programs supported by grants may require matching contributions from the City, or for the City to pay for program activities beyond the lifespan of the grant.*

**Does this grant require a match?** NO Yes/No  
*See Section 01 for the City's Grant Match in the Current Fiscal year*

**Does this legislation estimate Grant Revenues?** YES Yes/No  
*See Section 02 for the New Estimated Revenues by Year.*

**Does this legislation estimate Grant Appropriations?** YES Yes/No  
*See Section 03 Below, Note all future Revenues in Section 04.*

**Does this grant create an ongoing expense for the city?** NO Yes/No  
*See Section 04 for five years of ongoing operational Impacts.*

**Section 00: Notes:**

If this grant is renewable, we do not assume that it will renew. If it is not, the city assumes the full cost in out years.

**FINANCIAL IMPACT OF LEGISLATION**

**Section 01: If applicable, where are funds appropriated in the current budget?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

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

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
2480	500001	480015	G50544022	720,826.00	

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

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
2480	505440	Various	G50544022	720,826.00	

**NET IMPACT ON OPERATIONAL BUDGET** **RESERVE STATUS:** **REVENUE SUPPORTED**

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

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
2480	Health Grants	720,826						
1000		-						
1000		-						
1000		-						
<b>TOTAL REV</b>		<b>720,826</b>	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
2480	Health Grants	720,826						
1000								
1000								
1000								
<b>TOTAL EXP</b>		<b>720,826</b>	-	-	-	-	-	-

**NET Per-YEAR IMPACT** -

**NET IMPACT ( SIX YEARS)** -

### Crisis Cooperative Agreement

<b>Object Line</b>	<b>FY22</b>	<b>Total</b>
A01100 Wages, Regular, Full	\$499,231.00	\$499,231.00
<b>A Personal Services</b>	<b>\$499,231.00</b>	<b>\$499,231.00</b>
B18560 Health Services	\$221,595.00	\$221,595.00
<b>B Contractual Services</b>	<b>\$221,595.00</b>	<b>\$221,595.00</b>
<b>TOTAL</b>	<b>\$720,826.00</b>	<b>\$720,826.00</b>

### Crisis Cooperative Agreement

<b>Revenues</b>		Current Budget	Revised	Dollar
<u>Account Number</u>	<u>Revenue Account Title</u>	<u>Estimate</u>	<u>Estimate</u>	<u>Change</u>
22-2480-500001-480015-G50544022	Crisis Cooperative Agreement	\$ -	\$ 720,826.00	\$ 720,826.00

<b>Appropriations</b>		Current	Revised	Dollar
<u>Account Number</u>	<u>Appropriation Account Title</u>		<u>Estimate</u>	<u>Change</u>
22-2480-505440-A-G50544022	Crisis Cooperative Agreement	\$ -	\$ 499,231.00	\$ 499,231.00
22-2480-505440-B-G50544022	Crisis Cooperative Agreement	\$ -	\$ 221,595.00	\$ 221,595.00
		<b>\$ -</b>	<b>\$ 720,826.00</b>	<b>\$ 720,826.00</b>







## Legislation Text

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**File #: 210765, Version: 1**

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### ORDINANCE NO. 210765

Authorizing the City Manager to execute an Intergovernmental Cooperative Agreement with the Land Bank of Kansas City, Missouri to support and undertake administrative and operational staffing and other services on behalf of the Land Bank.

WHEREAS, Revised Missouri Statutes Section 141.980 permitted the City to establish by ordinance a land bank agency for the management, sale, transfer, and other disposition of interests in real estate owned by such land bank agency; and

WHEREAS, on September 20, 2012, the City passed Committee Substitute for Ordinance No. 120779 (“Authorizing Ordinance”) establishing the Land Bank of Kansas City, Missouri (“Land Bank”); and

WHEREAS, former members of the City Council authorized prior Intergovernmental Cooperative Agreements in the form of Ordinance No. 130195, passed on March 28, 2013, and Ordinance No. 160210, passed on April 7, 2016 and such prior Intergovernmental Cooperative Agreements were executed respectively on April 8, 2013 and April 25, 2016, between the Land Bank and the City, the terms of which have ended; and

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of City to continue to support the Land Bank in its operations and to enter into another Intergovernmental Cooperative Agreement to achieve that interest substantially in the form of earlier executed Intergovernmental Cooperative Agreements; NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to execute an Intergovernmental Cooperative Agreement with the Land Bank outlining the terms and conditions by which the City will support and undertake administrative and operational staffing and other services for the benefit of the Land Bank. Such Intergovernmental Cooperative Agreement will be substantially in the form on file with this Ordinance. A copy of the Agreement, once signed by the Land Bank and the City Manager, will be on file with the Director of the Housing and Community Development Department.

Section 2. Upon the adoption of the City’s budget for the fiscal year starting May 1, 2022, the City Manager will advise the Land Bank of the funds allocated to it for use upon the terms and conditions set forth in the Intergovernmental Cooperative Agreement.

Section 3. The Intergovernmental Cooperative Agreement will be for an initial term not to exceed April 30, 2022, subject to termination with sixty (60) days’ notice, and further subject to the appropriations of funds by the City as more fully set forth in the Intergovernmental Cooperative Agreement.

Section 4. The Intergovernmental Agreement will automatically renew for five additional terms of one

year each commencing on the first day of the fiscal year unless either party elects to not renew the Agreement at least sixty (60) days prior to the termination date.

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Approved as to form and legality:

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Amelia McIntyre  
Associate City Attorney

**No Fact Sheet  
Provided for  
Resolution No.**

**210765**



Legislation Text

**File #: 210766, Version: 1**

ORDINANCE NO 210766

Appropriating \$300,000.00 in the Central City Economic Development Fund; supporting the Vineyard Neighborhood Association’s housing rehabilitation program to support eligible rehabilitation expenses for low to moderate income homeowners in the Vineyard Neighborhood; and authorizing the Director of Housing and Community Development Department to enter into a contract with the Vineyard Neighborhood Association. \*\*  
**This item will be held for 1 week\*\***

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the sum of \$300,000.00 is appropriated from the Unappropriated Fund Balance of the Central City Economic Development Fund to the following account:

22-2200-55xxxx-B	Vineyard Neighborhood Association	\$300,000.00
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Section 2. That the Director of Housing and Community Development Department is designated as requisitioning authority for 22-2200-55xxxx-B.

Section 3. That the Director of Housing and Community Development Department is authorized to enter into a contract with the Vineyard Neighborhood Association for \$300,000.00.

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

\_\_\_\_\_  
Tammy L. Queen  
Director of Finance

Approved as to form:

\_\_\_\_\_  
Joseph Guarino  
Assistant City Attorney

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

**210766**



## Legislation Text

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**File #: 210189, Version: 1**

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### ORDINANCE NO. 210189

Vacating a portion of E. 23rd Street in Districts R-0.5 and DC-15 generally located just north of Children's Mercy Hospital, to allow for the hospital to eliminate the need for certain encroachment permits and the associated ongoing fees for existing pedestrian bridges and future building footprints and directing the City Clerk to record certain documents. (1752-V)

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

Section 1. That the Council of Kansas City does hereby find and declare that on the 14th day of April, 2017, a petition was filed with the City Clerk of Kansas City by BSA LifeStructures for the vacation of E. 23rd Street from the east right-of-way of Locust Street to the west right-of-way line of Holmes Street, Section 8, Township 49, Range 33, all in Kansas City, Jackson County, Missouri, giving the distinct description of the street to be vacated, and also the names of the persons and corporations owning or claiming to own the property fronting thereon, and that the consent of the persons and corporations owning or claiming to own three-fourths of the front feet of the property immediately adjoining said street has been obtained in writing, that said consent has been acknowledged as deeds are acknowledged, and was duly filed with the petition for such vacation in the City Clerk's Office.

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

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

Section 4. That E. 23rd Street from the east right-of-way of Locust Street to the west right-of-way line of Holmes Street, Section 8, Township 49, Range 33, all in Kansas City, Jackson County, Missouri, be and the same is hereby vacated. The vacation is subject to the following conditions:

- a. That a utility easement is retained for all AT&T, Google Fiber, Time Warner Cable, KC Water, KC Streetlighting, Spire, and Evergy facilities and that the facilities are protected.
- b. That an access easement be retained for KC Water Services and KCMO Fire, and that unfettered ingress/egress is retained.
- c. That all streetlight facilities be maintained by the applicant or removed at the owner's expense.
- d. The area to be vacated shall be maintained to fire access road specifications (IFC -2012 § 507.5.4).

- e. No permanent obstructions may be built or erected as to obstruct any part of the fire access road (IFC- 2012 § 503.4).
- f. Fire Department access shall be maintained to all fire hydrants, building and fire protection appliances/features found on the surrounding buildings (IFC-2012 § 507.5.4).

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

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

Approved as to form and legality:

\_\_\_\_\_  
 Sarah Baxter  
 Assistant City Attorney

Approved by the City Plan Commission

\_\_\_\_\_  
 Secretary

STATE OF MISSOURI )  
 ) ss.  
 COUNTY OF \_\_\_\_\_ )

On the day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County, personally appeared to me known to be the City Clerk of Kansas City, Missouri, in the above and foregoing ordinance mentioned, and acknowledged the said ordinance to be the act and deed of said Kansas City, duly passed by the Council of said City, and became effective as herein stated.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at my office in Kansas City, Missouri, the day and year first above written.

My term expires \_\_\_\_\_, 20 .

Notary Public within and for County, Missouri

IN RECORDER'S OFFICE

STATE OF MISSOURI )

) ss.

COUNTY OF \_\_\_\_\_ )

I, the undersigned, Recorder of Deeds within and for the County aforesaid, do hereby certify that the foregoing instrument of writing was on the day of \_\_\_\_\_, A.D. 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ minutes M., duly filed for record in this office, and with certificate of acknowledgment thereon endorsed, is recorded in the records of this office in Book \_\_\_\_\_, at page \_\_\_\_\_.

In Testimony Whereof, I hereunto set my hand and affix the seal of said office at Kansas City, Missouri, this day and year last aforesaid.

\_\_\_\_\_  
Recorder

By \_\_\_\_\_  
Deputy

# COMMUNITY PROJECT/REZONING

**210189**

Ordinance Number

## Ordinance Fact Sheet

**Case No.** 1752-V

### Brief Title

A request to vacate a portion of E. 23rd Street in Districts R-0.5 and DC-15 generally located just north of Children's Mercy Hospital, to allow for the hospital to eliminate the need for certain encroachment permits and the associated ongoing fees for existing pedestrian bridges and future building footprints.

### Details

<b>Location:</b> Generally located just north of 2401 Gillham Road
<b>Reason for Legislation:</b> To allow for the applicant to eliminate the need for certain encroachment permits and the associated ongoing fees for existing pedestrian bridges and future building footprints.
<b>CITY PLAN COMMISSION</b> The City Plan Commission heard this case on September 15, 2020. The Commission recommended approval of the vacation with two conditions.
<b>BRIEF PROJECT DESCRIPTION</b> The area to be vacated is located just north of Children's Mercy Hospital within the Hospital Hill neighborhood and to the immediate south of an area maintained by KCMO Parks. The existing right-of-way is part of E. 23rd Street. The applicant has stated that the intent of this vacation is not to close or abandon the street but to allow the hospital to maximize the use of the adjacent property, allow for continuous connection on campus, and still maintain the street for public use. Easements for public access and utilities, and emergency traffic are anticipated. The vacation of this right-of-way will eliminate the need for certain encroachment permits and the associated ongoing fees for existing pedestrian bridges and future building footprints. Ultimately, the vacation would allow the applicant to develop or utilize the unencumbered adjacent property without additional fees or permits. In conclusion, staff is in support of this vacation.  The City Plan Commission recommended approval of this vacation, subject to one condition.
<b>RECOMMENDATION:</b> Staff recommends approval of Case No. 1752-V with the following conditions: <ol style="list-style-type: none"> <li>1. That a utility easement is retained for all AT&amp;T, Google Fiber, Time Warner Cable, KC Water, KC Streetlighting, Spire, and Evergy facilities and that the facilities are protected.</li> <li>2. That an access easement be retained for KC Water Services and KCMO Fire, and that unfettered ingress/egress is retained.</li> <li>3. That all streetlight facilities be maintained by the applicant or removed at the owner's expense.</li> <li>4. The area to be vacated shall be maintained to fire access road specifications IFC-2012 § 507.5.4.</li> </ol>

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	4th District (Shields, Bunch)
<b>Applicants / Proponents</b>	<b>Applicant</b> Jackie Foy BSA LifeStructures 6601 College Blvd, Suite #100 Overland Park, KS 66211  <b>City Department</b> City Planning & Development
<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 (7-1) 09-15-20 By Allender, Baker, Beasley, Crowl, Enders, Hill, 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>

5. No permanent obstructions may be built or erected as to obstruct any part of the fire access road (IFC-2012 § 503.4).

6. Fire Department access shall be maintained to all fire hydrants, building and fire protection appliances/features found on the surrounding buildings (IFC-2012 § 507.5.4).

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

--

Appropriation Account Codes	

**Continued from Page 2**

<b>Fact Sheet Prepared By:</b>	Zach Nelson Staff Planner	<b>Date:</b> 09-15-20	
<b>Reviewed By:</b>	Zach Nelson Planner Development Management	<b>Date:</b> 09-18-20	<b>Initial Application Filed:</b> 04-14-17
<b>Reference Numbers:</b>	Case No. 1752-V		



# CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri

Department of City Planning and Development  
Development Management Division

414 E 12<sup>th</sup> Street, 15<sup>th</sup> Floor  
Kansas City, Missouri 64108  
[www.kcmo.org/planning](http://www.kcmo.org/planning)

## Project

**Vacation of Portion of 23<sup>rd</sup> Street**

**Hearing Date** September 15, 2020

Item #	Case	Request
#7	1752-V	Vacation

Item #	Staff Recommendation(s)
#7	Approval with Conditions

## Applicant

Jackie Foy  
BSA LifeStructures  
6601 College Blvd, Suite #100  
Overland Park, KS 66211

**Location** 23<sup>rd</sup> Street just north of 2401  
Gillham Rd

**Area** About 1 acre

**Zoning** R-0.5, DC-15

**Council District** 4th

**County** Jackson

**School District** KCMO 110

## Surrounding Land Uses

**North:** KCMO Park, zoned R-0.5 and DC-15

**East:** Truman Medical Center, zoned R-0.5

**South:** Children's Mercy Hospital, zoned R-0.5

**West:** Open space and Crown Center, zoned R-0.5

## Land Use Plan

The Greater Downtown Area Plan recommends Downtown Core land uses. The request conforms to this recommendation.

## Major Street Plan

This proposed area of 23<sup>rd</sup> Street is not identified on the Major Street Plan.

## APPROVAL PROCESS



## PUBLIC HEARING REQUIRED

Yes

## NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing is not required for vacations, therefore notice is not sent.

## REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 does not apply to this request.

## SUMMARY OF REQUEST

Applicant is seeking approval of a street vacation.

## PURPOSE

The vacation will eliminate the need for certain encroachment permits and the associated ongoing fees for existing pedestrian bridges and future building footprints. Ultimately the vacation would allow the owner to develop or utilize the unencumbered adjacent property without additional fees or permits, which requires approval of the above-referenced request.

## EXISTING CONDITIONS

The area to be vacated is a portion of 23<sup>rd</sup> Street in between Holmes Avenue to the east and Locust Street to the west. The Children's Mercy Hospital campus is to the immediate south of the area to be vacated. There is park property to the north and west of the site.

## NEARBY DEVELOPMENTS

The Children's Mercy Hospital campus currently has ongoing construction for a new research tower.

## KEY POINTS

- The applicant intends to vacate a portion of E. 23<sup>rd</sup> Street.

## PLAN REVIEW

The area to be vacated is located just north of Children's Mercy Hospital within the Hospital Hill neighborhood and to the immediate south of an area maintained by KCMO Parks. The existing right-of-way is part of E. 23<sup>rd</sup>

Street. The applicant has stated that the intent of this vacation is not to close or abandon the street but to allow the hospital to maximize the use of the adjacent property, allow for continuous connection on campus, and still maintain the street for public use. Easements for public access and utilities, and emergency traffic are anticipated. The vacation of this right-of-way will eliminate the need for certain encroachment permits and the associated ongoing fees for existing pedestrian bridges and future building footprints. Ultimately, the vacation would allow the applicant to develop or utilize the unencumbered adjacent property without additional fees or permits.

### **STREET, ALLEY OR PLAT VACATIONS**

In order to determine that no private rights will be unreasonably injured or endangered by the vacation and the public will suffer no unreasonable loss or inconvenience, the city planning and development director, city plan commission, and city council must consider at least the following factors:

**88-560-10-A. All property owners adjacent to the right-of-way shall have legal access to another public right-of-way. Such access shall be physically feasible and shall not result in an unreasonable burden or unsafe conditions on the alternate right-of-way.**

The only adjacent property owners are the applicant (Children's Mercy Hospital) and KCMO Parks, and both will still have access to their sites.

**88-560-10-B. The retention of the public right-of-way or subdivision serves no current purposes and no future useful public purpose is anticipated.**

The current right-of-way serves as an east-west local street for the general public.

**88-560-10-C. The vacation will not result in a violation of 88-405.**

The vacation will not be in violation of 88-405.

**88-560-10-D. The vacation shall not disrupt the constructed street network or reduce existing physical connectivity.**

The vacation will not disrupt the street network or physical connectivity. The Children's Mercy campus will still have access from several other streets.

**88-560-10-E. The vacation shall not result in a dead-end street or alley.**

The proposed vacation will not result in a dead-end street or alley.

**88-560-10-F. The vacation shall not result in street traffic being routed through an alley.**

No traffic will be routed through an alley as a result of this vacation.

**88-560-10-G. The vacation shall not vacate half the width of a street or alley.**

The full width of the streets will be vacated.

**88-560-10-H. The right-of-way to be vacated is not on the Major Street Plan.**

The area being vacated is not on the Major Street Plan.

### **PROFESSIONAL STAFF RECOMMENDATION**

City Planning and Development Staff **recommends approval subject to the following conditions:**

1. That a utility easement is retained for all AT&T, Google Fiber, Time Warner Cable, KC Water, KC Streetlighting, Spire, and Evergy facilities and that the facilities are protected.
2. That an access easement be retained for KC Water Services and KCMO Fire, and that unfettered ingress/egress is retained.
3. That all streetlight facilities be maintained by the applicant or removed at the owner's expense.
4. The area to be vacated shall be maintained to fire access road specifications IFC-2012 § 507.5.4.
5. No permanent obstructions may be built or erected as to obstruct any part of the fire access road (IFC-2012 § 503.4).

6. Fire Department access shall be maintained to all fire hydrants, building and fire protection appliances/features found on the surrounding buildings (IFC-2012 § 507.5.4).

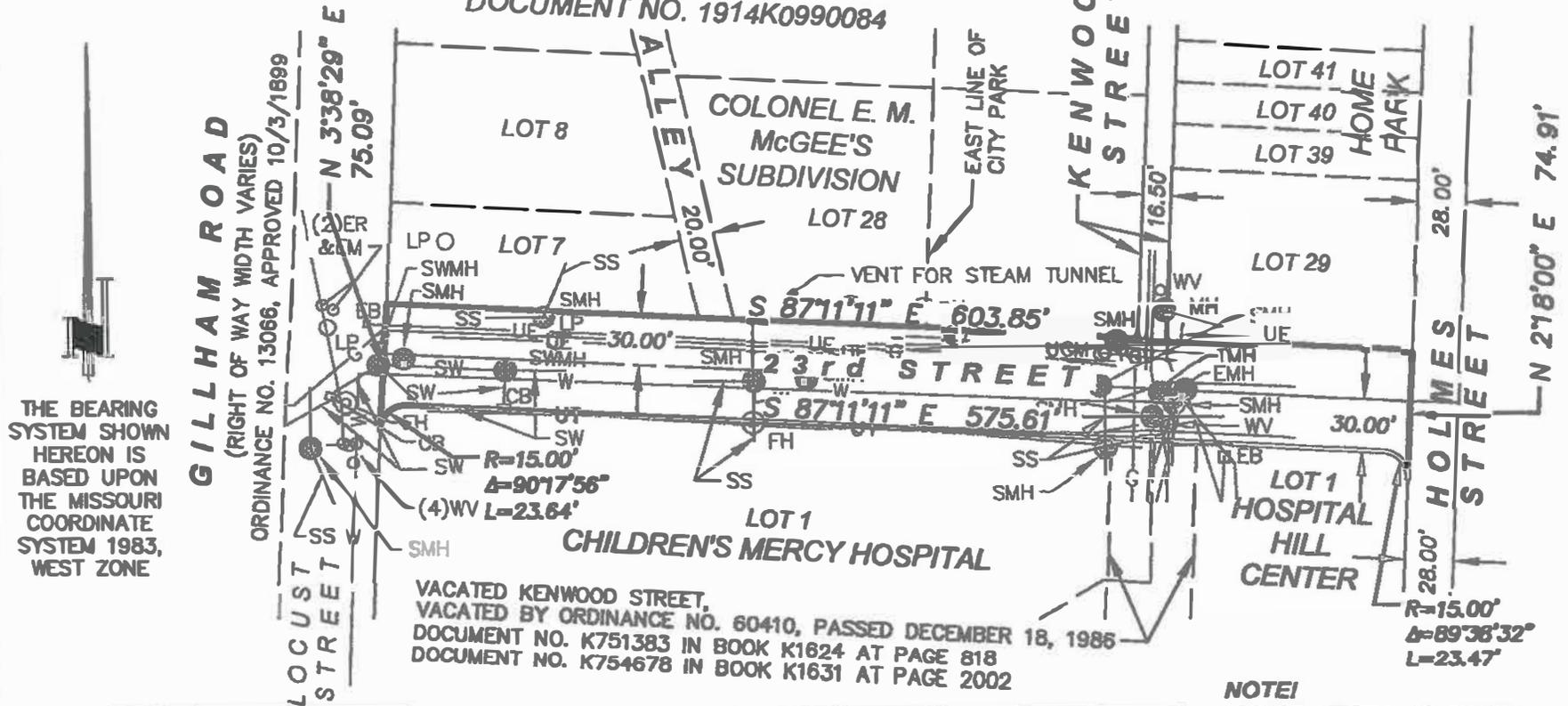
Respectfully Submitted,



Zach Nelson  
Staff Planner

8-49-33  
 17-03-41994-1  
 41994-23rdStVac.dwg

CITY PARK  
 BOOK B-1559 PAGE 464  
 DOCUMENT NO. 1914K0990084



THE BEARING SYSTEM SHOWN HEREON IS BASED UPON THE MISSOURI COORDINATE SYSTEM 1983, WEST ZONE

VACATED KENWOOD STREET,  
 VACATED BY ORDINANCE NO. 60410, PASSED DECEMBER 18, 1985  
 DOCUMENT NO. K751383 IN BOOK K1624 AT PAGE 818  
 DOCUMENT NO. K754678 IN BOOK K1631 AT PAGE 2002

NOTE!  
 LOCUST STREET, AS SHOWN HEREON, WAS PLACED UNDER CONTROL OF BOARD OF PARK COMMISSIONERS BY ORDINANCE NO. 9536, APPROVED 8/9/1911, AS A PART OF GILLHAM ROAD.

**ANDERSON**  
 SURVEY COMPANY  
 203 N. W. EXECUTIVE WAY  
 LEE'S SUMMIT, MISSOURI 64063  
 (816) 248-5050

MISSOURI CERTIFICATE OF AUTHORITY, 000076



JAMES S. ANDERSON, PLS #1726

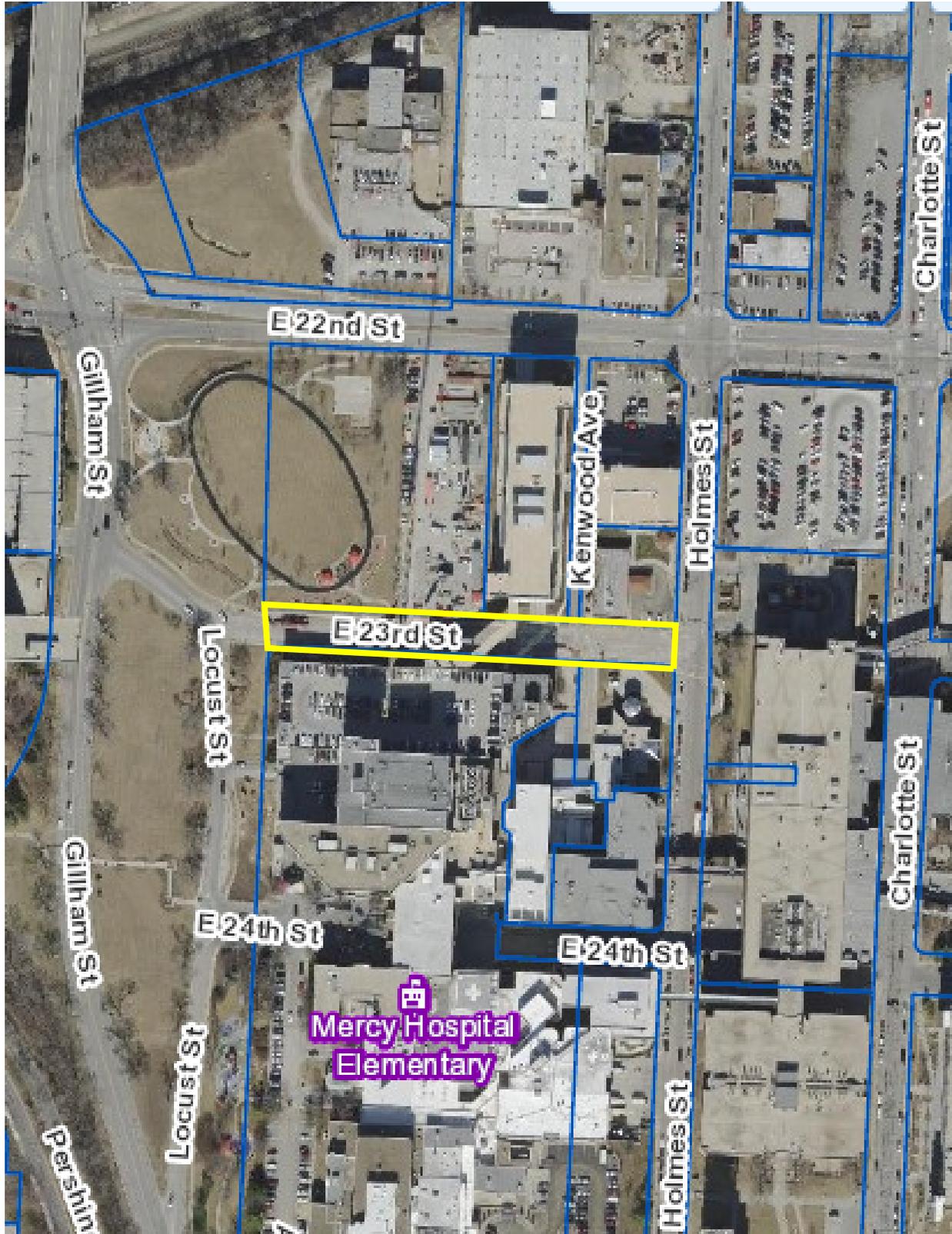
**EXHIBIT A - VACATION OF 23rd STREET**

FOR: CHILDREN'S MERCY HOSPITAL  
 2401 GILLHAM ROAD  
 KANSAS CITY, MISSOURI 64108  
 DATE: MARCH 8, 2017

PROJECT LOCATION:  
 KANSAS CITY  
 JACKSON COUNTY  
 MISSOURI

RECEIVED  
 APR 14 2017  
 SCALE 1" = 100 FEET  
 CITY DEVELOPMENT  
 SCALE IN FEET

# Exhibit A





Legislation Text

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**File #: 210565, Version: 1**

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ORDINANCE NO. 210565

Amending Chapter 74, Code of Ordinances, by enacting a new Article VII that establishes the City’s comprehensive policy for the approval of new community improvement districts and existing community improvement districts; and repealing Second Committee Substitute for Resolution No. 120605 and Resolution No. 130844.

WHEREAS, the Community Improvement District Act, Section 67.1401, RSMo, et seq., (“CID Act”) allows property owners to voluntarily form a district in which certain taxes and special assessments are levied in return for local benefits; and

WHEREAS, the City Council is charged by the CID Act with conducting a public hearing for determining whether a lawfully petitioned community improvement district (“CID”) should be established; and

WHEREAS, Second Committee Substitute for Resolution No. 120605 was adopted by the City Council on March 7, 2013, for the purpose of establishing the City’s policy for approval of new CIDs; and

WHEREAS, Resolution No. 130844 was adopted on November 7, 2013, and amended said policy; and

WHEREAS, Resolution No. 200309 was adopted on April 30, 2020, and directed the City Manager to make recommendations to the City’s existing CID policy to ensure existing policy adequately reflected Council’s priorities and provided sufficient guidance to Council in approving new CIDs; and

WHEREAS, the City Manager engaged and surveyed community stakeholders and presented its recommendations to Council focusing on limiting the sales tax burden, reducing the use of single parcel CIDs, increasing the public benefit, and improving transparency and communication; and

WHEREAS, this ordinance reflects a comprehensive City CID policy that consolidates prior policy directive and adopted resolutions with the City Manager’s recommendations; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the following Resolutions are hereby repealed in their entirety:

- (a) Second Committee Substitute for Resolutions No. 120605; and
- (b) Resolution No. 130844.

Section 2. That Chapter 74, Code of Ordinances of Kansas City, Missouri, is hereby amended by enacting a new Article VII entitled “Community Improvement Districts” to read as follows:

CHAPTER 74

ARTICLE VII.  
COMMUNITY IMPROVEMENT DISTRICTS

**Sec. 74-301. Generally.**

(a) *Purpose.* A community improvement district (“CID”) is a separate legal entity, either a political subdivision or not-for-profit corporation, which is established to pay for public improvements or private projects through a sales and use tax, special assessment, or real property tax.

(b) *Application.* The provisions contained in this Article are in addition to any requirements contained in the Community Improvement District Act, Sections 67.1401 to 67.1571, RSMo.

(c) *Consideration by Council.* Prior to approving a petition to establish a CID, City Council shall consider, among other things, the benefit to the public, tax burden and fiscal impact, overlapping economic development districts, and alignment with City goals.

**Sec. 74-302. Requirements to Establish a CID.**

(a) *Petition.* The petition shall:

- (1) Inform the property owners of the right to initiate a petition to terminate the proposed CID as provided by section 67.1481, RSMo.
- (2) Provide that the City Auditor shall have the right to examine or audit the records of the CID and shall require that the CID make such records available to the City Auditor within ten (10) days after a written request for the same is made.
- (3) Estimate the revenue to be used for benefits to the public and describe such benefits.

(b) *Blight Determination.* Any CID requesting a finding of blight or relying on a prior determination of blight for the purposes of exercising the additional powers under Section 67.1461.2, RSMo., shall submit with its petition:

- (1) A blight study, outlining the blighting factors and conditions, which blight study shall have been completed no more than five (5) years prior to the date upon which the petition is submitted to the city clerk, and which shall identify, to the extent reasonably deemed possible by the consultant doing the blight study, the owner(s) of the property at such time as the blighting factors and conditions might reasonably have been determined to first occur and remain unabated; and
- (2) Official documentation notarized by the county wherein the CID is proposed to be located, denoting the total assessed valuation of each parcel located within the proposed CID for each of the five (5) immediately preceding tax years; and
- (3) An itemized construction budget, with respect to any proposed physical improvements, that is structured to address and remediate the cited blighting factors and conditions identified in the

submitted blight study. Such budget shall specify which expenditures are associated with exterior improvements, public improvements, or other improvements, and shall prioritize the completion of the exterior improvements and public improvements above all others; and

- (4) A time schedule clearly setting forth timelines for commencement and completion of remediation of cited blighting factors or conditions; and
- (5) A schedule of the capital maintenance outlays, for no less than the five (5) year period immediately preceding the submission of the petition, with respect to any buildings or portions thereof cited as being blighting factors or condition; provided however, if the owner of any such building or portions thereof shall have owned the premises for less than the five-year period, then the information provided may be limited to such lesser period of ownership. For purposes of this provision, any current property owner sharing one or more common partners, members, directors or officers with any immediately preceding property owner(s) shall be deemed the same owner(s).

(c) *Cooperative Agreement.* Each CID shall enter into a cooperative agreement with the City that addresses, among other things, requirements of this chapter and state statute. If the CID is established as a political subdivision and takes title to any real property, whether by purchase, gift, grant, bequest, devise or otherwise, the agreement shall address, or shall be amended to address, whether and to what extent the CID shall be required to make payments in lieu of taxes.

### Sec. 74-303. Restrictions on Establishment of a CID

(a) *Overlap.* A petition to approve a CID where there is an existing CID within the boundaries of the proposed CID may be approved if either:

- (1) The combined CID sales tax rate would not exceed one percent (1%) and the petition includes a resolution from the board of directors of the existing CID supporting the formation of the proposed CID; or
- (2) The City Council approves with a supermajority vote of at least nine (9) votes.

(b) *Board Composition.* No CID shall be approved unless at least one (1) board member is a member or representative of a neighborhood association or other community group existing within or adjacent to the boundaries of the proposed CID. Such board member shall have no financial interest in any real property or business operating within the CID.

(c) *Term.*

- (1) Single-owner or single-parcel CIDs shall be limited to an initial term of five years with options for up to three (3) subsequent 5-year renewals upon Council approval based on performance and demonstration of on-gong financial need.
- (2) All other CIDs shall be limited to a term of twenty years.
  - a. Notwithstanding the foregoing, if the petition provides that sales tax revenue will be used to repay debt issued to fund capital improvements, blight removal, or both, the term may

exceed twenty (20) years, subject to any limits provided for by existing Missouri statute.

(d) *Community Benefits for CIDs.* No CID shall be approved unless such shall obligate itself, within the petition, to execute an agreement with the City wherein the CID shall dedicate at least ten percent (10%) of the CID's total projected sales tax revenues over the initial term of the CID for community benefits as identified at the establishment of the CID. The CID petitioners shall confer with the City to develop a plan to utilize such revenues to provide additional services which would provide a benefit to the community in which the CID is located.

(e) *Pre-Existing Blight.* The City Council shall not approve any CID requesting a finding of blight or relying on a prior determination of blight for the purposes of exercising the additional powers under Section 67.1461.2, RSMo. with respect to any parcel within a proposed CID's boundaries still owned by the owner(s) of the property at such time as the blighting factors and conditions might reasonably have been determined to first occur and remain unabated. For purposes of this provision, any current property owner sharing one or more common partners, members, directors or officers with the property owner(s) identified as being responsible for the blighting factors and conditions shall be deemed the same owner(s) for purposes of this exclusion.

(f) *Interior Private Blight.* Any CID established as a political subdivision and authorized to use public revenues to remediate blighting conditions located on the interior of any private property shall not fund more than twenty-five percent (25%) of the costs allocable to such remediation from public revenues.

(g) *City Manager Execution.* The City Manager shall not execute any petition on behalf of the City as a property owner seeking to establish a CID unless authorized by the City Council.

#### **Sec. 74-304. Reporting Requirements.**

(a) Annual reports and proposed annual budgets submitted to the City pursuant to Section 67.1471, RSMo, shall, among other things, provide a detailed breakdown of the CID revenue used or to be used toward public infrastructure improvements, exterior improvements, interior improvements, and other improvements and services.

(1) Annual reports shall also include the name, position, organization, title, and contact information of each current board member to be entered into the City's Granicus board and commissions system. Additionally, the annual report shall identify the member or representative of a neighborhood association or other community group required by Section 74-303(b), if applicable.

(b) The City Clerk shall notify the City Council by communications to be included on the City Council's agenda each time a CID files its proposed annual budget and annual report with the City Clerk.

(c) City staff shall annually report to the Neighborhood, Planning, and Development Committee on or around October 1 of each year those CIDs that failed to submit their proposed annual budgets and annual reports within the time limits provided by Section 67.1471, RSMo, whether the work performed conformed to previously submitted budgets, and whether the CID adhered to the terms of its cooperative agreement with the City.

(d) When requested by a councilmember, CIDs will be given the opportunity to appear before the Neighborhood, Planning, and Development Committee to report on its activities.

**Sec. 74-305. Fees and Fines.**

(a) *Fees.*

(1) Upon receipt of an invoice from the City, each CID shall reimburse the City for the reasonable and actual expenses incurred by the City to:

a. Review budgets and reports of the CID required to be submitted to the City annually and report to City Council regarding such review; and

b. Review and approve the petition of a CID formed after passage of this ordinance.

c. Review and approve the amended petition of an existing CID.

(2) Such reimbursement shall not exceed one and one-half percent (1.5%) of the revenues collected by the CID in the preceding year.

(b) *Fines.* Any CID that fails to submit its proposed annual budgets and annual reports within the timeframe provided by Section 67.1471, RSMo. shall be subject to a fine of \$100 for every thirty (30) days delinquent, up to a maximum total fine of \$3,000.

(c) *Ineligibility.* Any CID with unpaid fees or fines pursuant to this section shall be ineligible to amend its petition, including to extend its term, until such fees or fines have been paid.

Section 3. That Sections 74-302 and 74-303 shall not apply to any proposed CID having submitted its petition to the City Clerk prior to the date upon which this ordinance is adopted; or any proposed CID having begun circulation of its petition prior to the date upon which this ordinance is adopted as attested to by a person directing that the petition be submitted to the City Clerk, and provided further that such petition is submitted within ninety (90) days following the date upon which this ordinance is adopted. Instead, such proposed CIDs must comply with any City polices in effect prior to adoption of this ordinance.

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Approved as to form and legality:

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Eluard Alegre  
Assistant City Attorney



# GENERAL Ordinance Fact Sheet

<b>Brief Title:</b>	<b>Approval Deadline</b>
Amending Chapter 74, Code of Ordinances, by enacting Sections 74-301 through 74-305 for the purpose of establishing the City's comprehensive policy for Community Improvement District formation, powers, and duties.	

<b>Reason:</b>
To codify existing CID policies and new recommendations based on staff, Council, and community input.

<b>Details</b>
<p><b>Reason for Legislation:</b></p> <p>To codify existing CID policies and new recommendations based on staff, Council, and community input.</p> <p><b>Discussion (explain all financial aspects of the proposed legislation, including future implications, any direct/indirect costs, specific account numbers, ordinance references, and budget page numbers.)</b></p> <p>The City first enacted its Community Improvement District policy in 2002 as a tool for redevelopment and neighborhood stabilization. CIDs have come under greater scrutiny in recent years with increased use, especially in the case of single-beneficiary CIDs. Resolution 160784 directed the City Manager to propose amendments to the City's CID policy, resulting in an October 2017 policy proposal memo. Recently, Resolution 200309 called upon the City Manager to make CID policy recommendations informed by community stakeholders' feedback. Since this resolution was passed, the City Planning and Development Department, Office of Economic Development, and DataKC have worked together to synthesize a list of policy proposals. Some of the major changes are as follows:</p> <ol style="list-style-type: none"> <li>1. <b>Sec. 74-302</b> Requiring additional documentation for any proposed CID requesting a blight determination including a blight study, documentation from the county denoting the valuation of parcels of land in the proposed boundaries, a construction budget, and capital maintenance layouts.</li> <li>2. <b>Sec. 74-303</b> Imposing additional requirements for overlapping CIDs, board member composition, single beneficiary CIDs, and use of revenue.</li> <li>3. <b>Sec. 74-305</b> Establishing a fee structure to reimburse the City for costs associated with reviewing CID petitions and reports, as well as a fine structure for failure to submit annual reports.</li> </ol>

<b>Positions/Recommendations</b>	
<b>Sponsor</b>	Councilwoman Bough
<b>Programs, Departments, or Groups Affected</b>	
<b>Applicants / Proponents</b>	
<b>Opponents</b>	
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken  <input type="checkbox"/> For, with revisions or conditions ( see details column for conditions)
<b>Board or Commission Recommendation</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
<b>Council Committee Action</b>	

	<p><b>Policy or Program Change</b></p> <p><b>Operational Impact Assessment</b></p> <p><b>Finances</b></p> <p><b>Costs &amp; Revenue Projections - Including Indirect Costs</b></p> <p><b>Financial Impact</b></p> <p><b>Fund Source(s) and Appropriation Account Codes</b></p> <p><b>Is this Ordinance or Resolution Good for the Children</b></p>	<p><input type="checkbox"/> No    <input type="checkbox"/> Yes</p>

**Applicable Dates:**

**Prepared by:** Luke Smith, City Manager's Office

**Reviewed by:** Kerrie Tyndall, City Manager's Office, Eluard Alegre, Law

**Reference Numbers**