

### Agenda - Final

### **Neighborhood Planning and Development Committee**

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

Wednesday, June 8, 2022

1:30 PM

26th Floor, Council Chamber

### https://us02web.zoom.us/j/84530222968

PUBLIC OBSERVANCE OF MEETINGS

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

Any closed session may be held via teleconference.

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

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link: https://us02web.zoom.us/j/84530222968

Beginning of Consent(s)

220462

Approving the plat of Harmon Acres, an addition in Clay County, Missouri, on approximately 16.47 acres generally located on the east side of N. Brooklyn Avenue approximately 500 feet north of N.E. 92nd Street, creating 2 lots for the purpose of a 2 lot single family home subdivision; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00009)

Attachments: 220462 Fact Sheet

220463

Approving the plat of Brandom Estates, an addition in Clay County, Missouri, on approximately 9.46 acres generally located west of the intersection of N.W. 74th Street and North Broadway, creating 2 lots for the purpose of a 2 lot residential subdivision; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00018)

Attachments: 220463 Fact Sheet

220464

Approving the plat of Kellybrook Sixth Plat, an addition in Clay County, Missouri, on approximately 26.82 acres generally located south of N.E. 108th Street and east of N. Eastern Avenue, creating 75 lots and 5 tracts for the purpose of a 75 lot single family home subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00001)

Attachments: 220464 Fact Sheet

220467

Approving the plat of Holly Farms - Third Plat, an addition in Clay County, Missouri, on approximately 14.852 acres generally located at the southern terminus of N. Holly Street approximately 125 feet south of N.W. 106th Street, creating 46 lots and 1 tract for the purpose of a 46 lot single family home subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00006)

Attachments: 220467 Fact Sheet

220468

Approving the plat of Blue River Commerce Center Fourth Plat, an addition in Jackson County, Missouri, on approximately 14.3 acres generally located at northeast corner of E. Bannister Road and Troost Avenue, creating 1 lot for the purpose of a 1 lot industrial subdivision; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00007)

Attachments: 220468 Fact Sheet

220469

Approving the plat of Tremont Square East 2nd Plat, an addition in Platte County, Missouri, on approximately 5.86 acres generally located at the northeast corner of N. Chatham Avenue and N.W. Prairie View Road, creating 4 lots and 3 tracts for the purpose of a 4 lot commercial subdivision; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00008)

Attachments: 220469 Fact Sheet

220470

Approving the plat of Green Hills Plaza Fourth Plat, an addition in Platte County, Missouri, on approximately 2.61 acres generally located at the southeast corner of N. Green Hills Road and N.W. Barry Road, creating 2 lots for the purpose of a 2 lot commercial subdivision; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00011)

Attachments: 220470 Fact Sheet

End of Consent(s)

220471

Rezoning an area on about 1.162 acres generally located at 900 N.E. Barry Road from District R-2.5 to District B1-1 to allow for a day care center use. (CD-CPC-2022-00026)

Attachments: 220471 Fact Sheet

220472

Vacating Norton Avenue between E. 38th Street on the north and E. 39th Street on the south; and directing the City Clerk to record certain documents. (CD-ROW-2021-00038)

Attachments: 220472 Fact Sheet

220479

Rezoning an area on about 52 acres generally located on the west side of N. Brighton Avenue in between N.E. 60th Terrace to the north and N.E. 57th Street to the south from District R-6 (Residential 6) to MPD (Master Planned Development) District and a preliminary development plan, which also acts as a preliminary plat to allow construction of 300 residential units on about 52 acres generally located on the west side of N. Brighton Avenue in between N.E. 60th Terrace to the north and N.E. 57th Street to the south. (CD-CPC-2022-00021)

Attachments: 220479 Fact Sheet

220480

Rezoning an area of about 36 acres generally located at the northeast corner of I-435 and Wilson Road from District MPD to Districts M1-5 and US. (CD-CPC-2022-00043)

Attachments: 220480 Fact Sheet

220481

Approving the First Amendment of the Habitat for Humanity Scattered Site Urban Renewal Plan generally bounded by 24th Terrace on the north, 25th Street on the south, Walrond Avenue on the east and Bellefontaine Avenue on the west, pursuant to the Land Clearance for Redevelopment Authority Law

Attachments: 220481 No Fact Sheet

220483

Accepting and approving the recommendations of the Tax Increment Financing Commission of Kansas City as to the Revised Thirteenth Amendment to the Parvin Road Corridor Tax Increment Financing Plan

Attachments: 220483 Fact Sheet

### HELD IN COMMITTEE

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

**220453** 

Detaching approximately 103 acres generally located at 4200 Bong Street from Kansas City, upon the annexation of said property by the City of Belton. (CD-CPC-2021-00197)

Attachments: 220453 FactSheet

#### ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Neighborhood Planning and Development Committee issues.

### 2. Closed Session

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

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

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

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



414 E. 12th Street Kansas City, MO 64106

### **Legislation Text**

File #: 220462

#### ORDINANCE NO. 220462

Approving the plat of Harmon Acres, an addition in Clay County, Missouri, on approximately 16.47 acres generally located on the east side of N. Brooklyn Avenue approximately 500 feet north of N.E. 92nd Street, creating 2 lots for the purpose of a 2 lot single family home subdivision; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00009)

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

Section 1. That the plat of Harmon Acres, 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 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 3. 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 4.	That the Council finds that	the City Plan	Commission has	duly recommended
its approval of this	s plat on March 15, 2022.			

.end	
	Approved as to form and legality:
	Eluard Alegre Associate City Attorney

### **Ordinance Fact Sheet**

Ordinance Number	

**Brief Title** 

Approving the plat of Harmon Acres, an addition in Kansas City, Clay County, Missouri

# Specific Address Approximately 16.47 acres generally located on the east side of N. Brooklyn Avenue approximately 500 feet north of N.E. 92nd Street, creating 2 lots. Reason for Project This final plat application was initiated by James D. Harmon and Jean M. Harmon, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 2 lot single family home subdivision.) Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda. CONTROLLING CASE Case No. CD-CPC-2021-00090 - Ordinance No. 211112 passed by City Council on January 6, 2022, approved a Preliminary Plat in District R-80 (Residential 80) creating

two residential lots, and granted waivers to public improvements on about 18 acres generally

located at the northeast corner of NE 92nd Street and N. Brooklyn Avenue.

Sponsor	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected	City-Wide
	Council District(s) 1(CL) Hall – O'Neil
	Other districts (school, etc.) North Kansas City 250
Applicants / Proponents	Applicant(s) James D. Harmon and Jean M. Harmon
	City Department City Planning and Development
	Other
Opponents	Groups or Individuals None Known
	Basis of Opposition
Staff Recommendation	For Against Reason Against:
Board or Commission Recommendation	By: City Plan Commission December 7, 2021
	☐ Approval ☐ Denial ☐ Approval, with conditions
Council Committee Actions	□ Do Pass □ Do Pass (as amended) □ Committee Sub. □ Without Recommendation □ Hold □ Do not pass

Details	Policy / Program Impact		
	Policy or Program Change	No ☐ Yes	
	Operational Impact Assessment		
	Finances		
	Cost & Revenue Projections – Including Indirect Costs		
	N/A Financial Impact		
	N/A		
	Fund Source and Appropriation Account Costs		

	How will this contribute to a sustainable Kansas City?	This project consists of platting for two private lots on approximately 16.47 acres of previously undeveloped property. The improvements will improve the overall aesthetics of the site and benefit the family environment for the developer.  Written by Lucas Kaspar, PE
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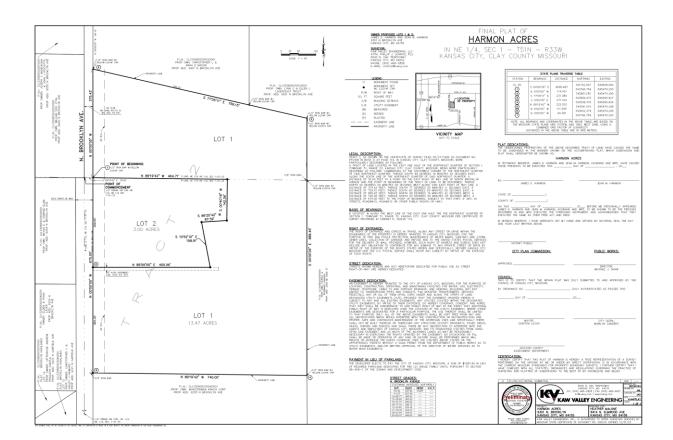
**Project Start Date** 

**Projected Completion or Occupancy Date** 

Fact Sheet Prepared by: Thomas Holloway **Date:** May 19, 2022

Reviewed by:

Joe Rexwinkle Land Development Division (LDD)
City Planning & Development





414 E. 12th Street Kansas City, MO 64106

### **Legislation Text**

File #: 220463

#### ORDINANCE NO. 220463

Approving the plat of Brandom Estates, an addition in Clay County, Missouri, on approximately 9.46 acres generally located west of the intersection of N.W. 74th Street and North Broadway, creating 2 lots for the purpose of a 2 lot residential subdivision; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00018)

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

Section 1. That the plat of Brandom Estates, 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 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 3. 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 4.	That the Council	finds that	the City P	lan Comm	ission has	duly re	commende	d
its approval of this	s plat on April 19,	2022.						

.end	
	Approved as to form and legality:
	Eluard Alegre Associate City Attorney

### **Ordinance Fact Sheet**

Ordinance Number	

**Brief Title** 

Approving the plat of Brandom Estates, an addition in Kansas City, Clay County, Missouri

### Specific Address

Approximately 9.46 acres generally located west of the intersection of Northwest 74th Street and North Broadway, creating 2 lots.

### Reason for Project

This final plat application was initiated by Susan Brandom, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 2 lot single family home subdivision.)

#### Discussion

This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.

#### CONTROLLING CASE

CD-CPC-2021-00195, Brandom Acres Preliminary Plat - Ordinance No. 220161 passed by City Council on February 17, 2022, approved an interjurisdictional preliminary plat for Brandom Acres within the cities of Gladstone, Missouri and Kansas City, Missouri in District R-80 (Residential 80) on about 8 acres (9.5 acres total) generally located at the northwest corner of N.W. 74th Street and N. Broadway, creating two residential lots.

city, Clay County	,
Sponsor	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected	City-Wide  Council District(s) 2(CL) Loar - Fowler
	Other districts (school, etc.) North Kansas City 250
Applicants /	Applicant(s)
Proponents	Susan Brandom
	City Department City Planning and Development
	Other
Opponents	Groups or Individuals
	None Known
	Basis of Opposition
Staff Recommendation	For Against Reason Against:
Board or Commission Recommendation	By: City Plan Commission April 19, 2022
	<ul><li>□ Approval</li><li>□ Denial</li><li>☑ Approval, with conditions</li></ul>
Council Committee Actions	☐ Do Pass ☐ Do Pass (as amended) ☐ Committee Sub. ☐ Without Recommendation ☐ Hold ☐ Do not pass

Details	Policy / Program Impact		
	Policy or Program Change	No ☐ Yes	
	N/A		
	Operational Impact Assessment		
	N/A		
	Finances		
	Cost & Revenue Projections – Including Indirect Costs		
	N/A Financial Impact		
	N/A		
	Fund Source and Appropriation Account Costs		
	N/A		
	Is it good for the children?		
	Ham with day.		
	How will this contribute to a sustainable Kansas City?	This project consists of platting for two private lots on approximately 9.46 acres of previously developed property. The improvements will improve the overall aesthetics of the site.	
		Written by Lucas Kaspar, PE	

### **Project Start Date**

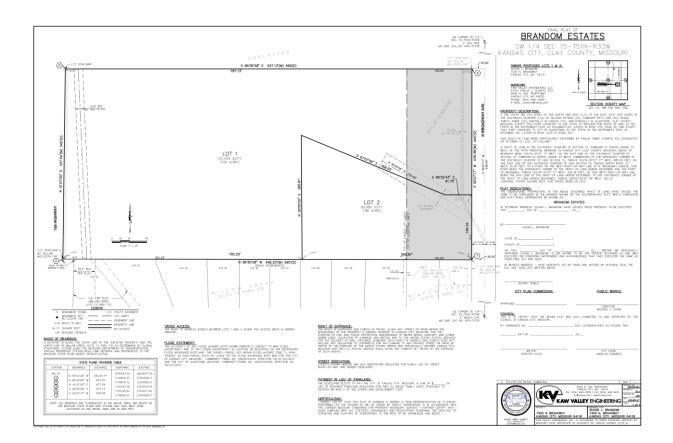
### **Projected Completion or Occupancy Date**

Fact Sheet Prepared by: Thomas Holloway **Date:** May 19, 2022

Reviewed by: Joe Rexwinkle

Land Development Division (LDD)

City Planning & Development





414 E. 12th Street Kansas City, MO 64106

### **Legislation Text**

File #: 220464

#### ORDINANCE NO. 220464

Approving the plat of Kellybrook Sixth Plat, an addition in Clay County, Missouri, on approximately 26.82 acres generally located south of N.E. 108th Street and east of N. Eastern Avenue, creating 75 lots and 5 tracts for the purpose of a 75 lot single family home subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00001)

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

Section 1. That the plat of Kellybrook Sixth 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 and BMP 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 February 15, 2022.

.end	
	Approved as to form and legality:
	Eluard Alegre
	Associate City Attorney

### **Ordinance Fact Sheet**

Ordinance Number	

**Brief Title** 

Approving the plat of Kellybrook Sixth Plat, an addition in Kansas City, Clay, Missouri

# Specific Address Approximately 26.82 acres generally located south of N.E. 108th Street and east of N. Eastern Avenue, creating 75 lots and 5 tracts. Reason for Project This final plat application was initiated by Star Development Company, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 75 lot single family subdivision.) Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.

**Case No. 10988-CUP-5** – Ordinance 071163, passed by the City Council on December 6, 2007 approved a preliminary community unit project plan on about 207.7 acres generally located at the southeast corner of NE 108th Street and N. Eastern Avenue in District R-1a (one-family dwellings, medium density), to allow for 465 existing and proposed single-family lots, private open space and an elementary school. Current approved plan.

Sponsor	
эропзог	Jeffrey Williams, AICP, Director
	Department of City Planning &
	Development
Programs, Departments, or	O'C. Wills
Groups Affected	City-Wide
	Council District(s) 1(CL) O'Neill - Hall
	Other districts (school, etc.)
	Liberty 230
Applicants /	Applicant(s)
Proponents	Star Development Corporation
	City Department
	City Planning and Development
	Other
Opponents	Groups or Individuals
	None Known
	Basis of Opposition
Staff Recommendation	For
Recommendation	Against
	Reason Against:
Board or	By: City Plan Commission
Commission Recommendation	February 15, 2022
	Approval
	Denial Approval, with conditions
Council Committee	NA Approval, with conditions
Actions	☐ Do Pass
	Do Pass (as amended)
	Committee Sub.  Without Recommendation
	I I I WITHOUT RECOMMENDATION
	Hold

Details	Policy / Program Ir	npact
	Policy or Program Change	No ☐ Yes
	Operational Impact Assessment N/A	
	Finances	
	Cost & Revenue Projections – Including Indirect Costs	
	N/A Financial Impact	
	N/A	
	Fund Source and Appropriation Account Costs	
	Is it good for the children?	

How will this contribute to a sustainable Kansas City?

This project consists of public and private improvements for a 75 lot single-family residential development, five private open space tracts and two storm water detention tracts on approximately 27 acres of previously undeveloped property. These facilities will reduce the overall storm water volume and attenuate the peak runoff rate to less than existing conditions. The private open space will also retain much of the existing natural vegetation and natural waterways. Runoff from within the development will be conveyed in an enclosed storm sewer system and released into the detention facilities. Common areas will be maintained by the homeowners' association through a covenant agreement. Modern and safe, walkable streets with sidewalks, curb and gutter and street lights will be constructed. New sanitary sewers will be constructed that will minimize infiltration and inflow within the system conveyed to the treatment facility. Homeowners must adhere to the codes, covenants and restrictions prepared for the project to assure ongoing maintenance and upkeep of their personal residences and common properties. This development will increase the tax base for the developed lots and will provide ample permanent greenspace within the development.

Written by Lucas Kaspar, PE

**Project Start Date** 

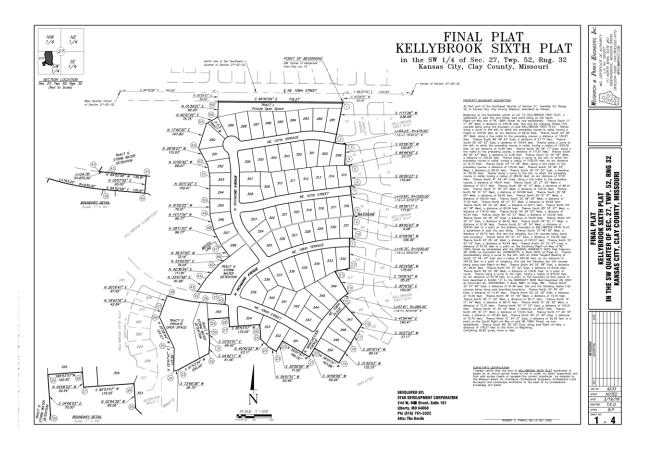
**Projected Completion or Occupancy Date** 

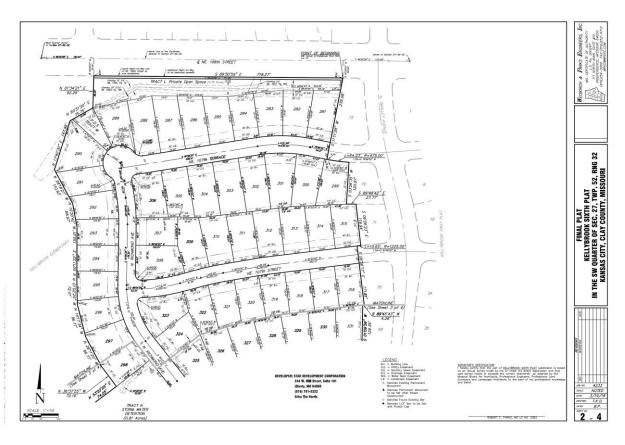
Fact Sheet Prepared by: Date: May 20, 2022

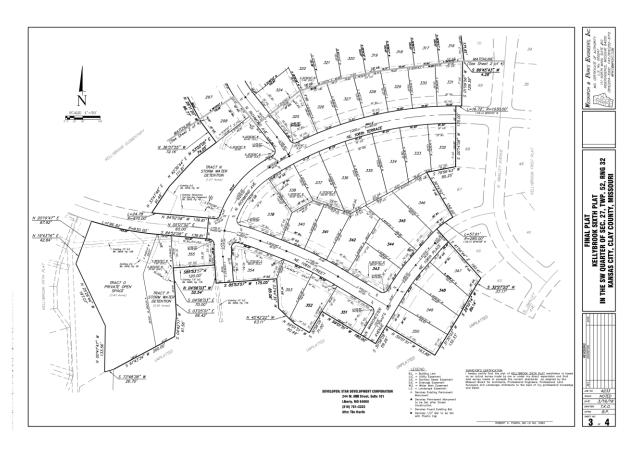
Thomas Holloway

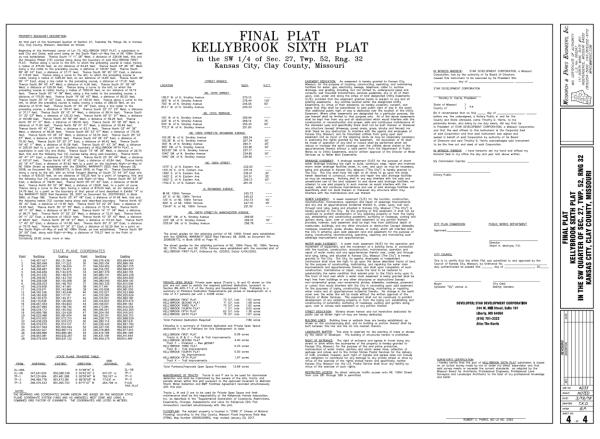
Reviewed by:

Lucas Kaspar, PE, Land Development Division (LDD) City Planning & Development











414 E. 12th Street Kansas City, MO 64106

### Legislation Text

**File #:** 220467

#### ORDINANCE NO. 220467

Approving the plat of Holly Farms – Third Plat, an addition in Clay County, Missouri, on approximately 14.852 acres generally located at the southern terminus of N. Holly Street approximately 125 feet south of N.W. 106th Street, creating 46 lots and 1 tract for the purpose of a 46 lot single family home subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00006)

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

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

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

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

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

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

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

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on April 19, 2022.

Approved as to form and legality:
Eluard Alegre Associate City Attorney

### **Ordinance Fact Sheet**

Ordinance Number	

**Brief Title** 

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

#### Specific Address

Approximately 14.852 acres generally located at the southern terminus of N. Holly St. approximately 125 feet south of N.W. 106th St, creating 46 lots and 1 tract

### Reason for Project

This final plat application was initiated by Clayton Properties Group, Inc., in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 46 lot single family home subdivision.)

#### Discussion

This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.

#### **CONTROLLING CASE**

Case No. SD 1446B - Preliminary Plat - Holly Farms – Ordinance No. 180023 passed by City Council on January 25, 2018 approved a preliminary plat on about 62 acres in District R-7.5 (Residential-7.5) generally located on the south side of NW Shoal Creek Parkway, approximately 2,000 feet west of US Hwy 169, creating 146 single family lots and 6 tracts.

ii ixansas City, Cia	y County, Missouri
Sponsor	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected	City-Wide  Council District(s) 2(CL) Loar - Fowler  Other districts (school, etc.)  North Kansas City 250
Applicants / Proponents	Applicant(s) Clayton Properties Group, Inc. City Department City Planning and Development Other
Opponents	None Known  Basis of Opposition
Staff Recommendation	For Against Reason Against:
Board or Commission Recommendation	By: City Plan Commission December 7, 2021  Approval Denial
Council Committee Actions	Approval, with conditions  Do Pass Do Pass (as amended) Committee Sub. Without Recommendation Hold Do not pass

Details	Policy / Program Impact
	Policy or Program Change  N/A  No Yes
	Operational Impact Assessment N/A
	Finances
	Cost & Revenue Projections – Including Indirect Costs
	N/A Financial Impact
	N/A
	Fund Source and Appropriation Account Costs
	Is it good for the children? Yes No

How will this contribute to a sustainable Kansas City?

This project consists of public and private improvements for a 46 lot single-family residential development, A private open space tract on approximately 14.852 acres of previously undeveloped property. The private open space will also retain much of the existing natural vegetation and natural waterways. 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 permanent greenspace within the development.

Written by Lucas Kaspar, PE

**Project Start Date** 

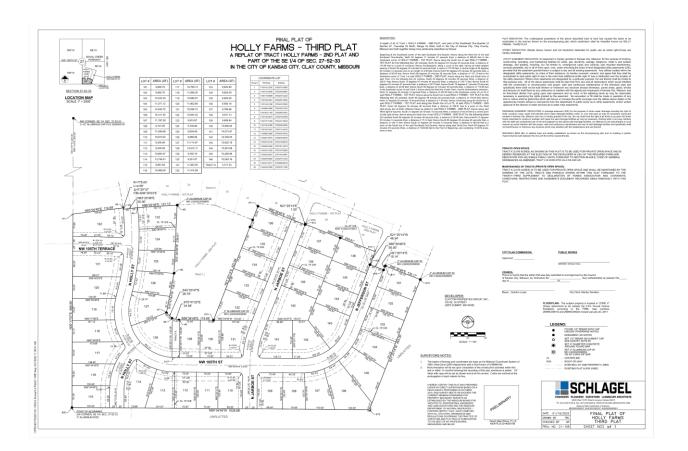
**Projected Completion or Occupancy Date** 

Fact Sheet Prepared by: Date: May 23, 2022

Thomas Holloway

Reviewed by:

Joe Rexwinkle Land Development Division (LDD) City Planning & Development





414 E. 12th Street Kansas City, MO 64106

### **Legislation Text**

File #: 220468

#### ORDINANCE NO. 220468

Approving the plat of Blue River Commerce Center Fourth Plat, an addition in Jackson County, Missouri, on approximately 14.3 acres generally located at northeast corner of E. Bannister Road and Troost Avenue, creating 1 lot for the purpose of a 1 lot industrial subdivision; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00007)

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

Section 1. That the plat of Blue River Commerce Center Fourth Plat, a subdivision in Jackson County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

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

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

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

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

Section 6. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on March 15, 2022.

.end	
	Approved as to form and legality:
	Eluard Alegre Associate City Attorney

# **Ordinance Fact Sheet**

Ordinance Number	

**Brief Title** 

Approving the plat of Blue River Commerce Center Fourth Plat, an addition in Kansas City, Jackson County, Missouri

# Specific Address

Approximately 14.3 acres generally located at the northeast corner of E. Bannister Road and Troost Avenue, creating 2 lots and 1 tract.

#### Reason for Project

This final plat application was initiated by Port Authority of Kansas City, Missouri, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 1 lot industrial subdivision.)

#### Discussion

This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.

#### CONTROLLING CASE

Case No. CD-CPC-2019-00228 - Ordinance No. 200542 passed by the City Council on August 8, 2020, rezoned about 230 acres from District M3-5 (Manufacturing 3) to District UR (Urban Redevelopment), and approved a development plan that allows for redevelopment of the existing Bannister Federal Complex and construction of 2.6 million square feet of manufacturing/ warehousing facilities with 1,730 parking spaces, on 9 lots and five (5) tracts in multiple on about 229 generally located at the northeast corner of E. Bannister Road and Troost Avenue.

,	
Sponsor	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected  Applicants / Proponents	City-Wide  Council District(s) 5(JA) Barnes, Parks-Shaw  Other districts (school, etc.) Center 120  Applicant(s) Port Authority of Kansas City, Missouri  City Department City Planning and Development  Other
Opponents	Groups or Individuals None Known  Basis of Opposition
Staff Recommendation	For Against Reason Against:
Board or Commission Recommendation	By: City Plan Commission  March 15, 2022  Approval Denial Approval, with conditions
Council Committee Actions	□ Do Pass □ Do Pass (as amended) □ Committee Sub. □ Without Recommendation □ Hold □ Do not pass

Details	Policy / Program Impact	
	Policy or Program Change	
	Operational Impact Assessment N/A	
	Finances	
	Cost & Revenue Projections – Including Indirect Costs N/A	
	Financial Impact	
	N/A Fund Source and Appropriation Account Costs	
	Is it good for the children?  Yes  No	
	<u>(                                    </u>	

How will this contribute to a sustainable Kansas City?

This is the third plat within this Blue River Commerce Center development. This plat proposes one lot which is about 14.3 acres. The lots will house the buildings for manufacturing, warehousing and distribution facility. The developed lots will increase the tax base for the City and improve the aesthetics of the site.

Written by Lucas Kaspar, PE

**Project Start Date** 

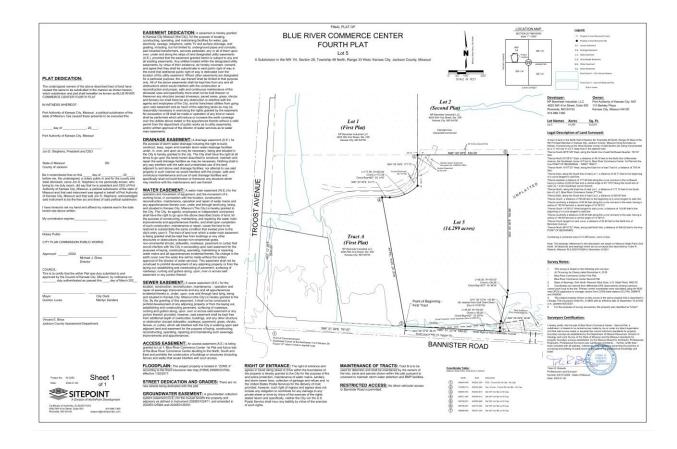
**Projected Completion or Occupancy Date** 

Fact Sheet Prepared by: Date: May 23, 2022

Thomas Holloway

Reviewed by:

Joe Rexwinkle Land Development Division (LDD) City Planning & Development





414 E. 12th Street Kansas City, MO 64106

## Legislation Text

File #: 220469

#### ORDINANCE NO. 220469

Approving the plat of Tremont Square East 2nd Plat, an addition in Platte County, Missouri, on approximately 5.86 acres generally located at the northeast corner of N. Chatham Avenue and N.W. Prairie View Road, creating 4 lots and 3 tracts for the purpose of a 4 lot commercial subdivision; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00008)

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

Section 1. That the plat of Tremont Square East 2nd Plat, a subdivision in Platte 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.

#### **File #:** 220469

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

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

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

Section 6. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on March 15, 2022.

.end 	
	Approved as to form and legality:
	Eluard Alegre Associate City Attorney

Kansas City Page 2 of 2

# **COMMUNITY PROJECT/ZONING**

## **Ordinance Fact Sheet**

L	
Ordinance Number	

**Brief Title** 

Approving the plat of Tremont Square East 2ND Plat, an addition in Kansas City, Platte County, Missouri

# Specific Address Approximately 5.86 acres generally located at the northeast corner of N. Chatham Ave. and N.W. Prairie View Rd, creating 4 lots and 2 tracts. Reason for Project This final plat application was initiated by Tremont KC Two, LLC in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 4 lot commercial subdivision.) Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda.

#### **CONTROLLING CASE**

Case No. 7588-P-47 -- Ord. No 160885 -- A request to approve an amendment to a previously approved development plan on approximately 30 acres generally located at the southeast corner of N.W. 64th Street and N. Chatham Avenue, to allow construction of retail/ commercial space in District B2-2 (Neighborhood Business 2)

Sponsor	
•	Jeffrey Williams, AICP, Director
	Department of City Planning &
	Development
Programs, Departments, or	
Groups Affected	City-Wide
	Council District(s) 2(PL) Loar - Fowler
	Other districts (school, etc.) Park Hill
Applicants / Proponents	Applicant(s) Tremont KC Two, LLC
	City Department
	City Planning and Development
	Other
Opponents	Groups or Individuals
	None Known
	Basis of Opposition
Staff Recommendation	For
	Against Reason Against:
	3
Board or	By: City Plan Commission
Commission Recommendation	March 15, 2022
	Approval
	Denial
Council Committee	Approval, with conditions
Council Committee Actions	☐ Do Pass
	Do Pass (as amended)
	Committee Sub.  Without Recommendation
	Hold
	Do not pass

Details	Policy / Program Impact
	Policy or Program Change  N/A  No Yes
	Operational Impact Assessment N/A
	Finances
	Cost & Revenue Projections – Including Indirect Costs N/A
	Financial Impact
	N/A Fund Source and Appropriation Account Costs
	Is it good for the children?  No

How will this contribute to a sustainable Kansas City?	This project consists of platting private improvements for 4 commercial lot on 5.86 acres of previously developed property. The pre-development storm water peak discharge rate and volume will not be exceeded after development of the site. The improvements will improve the overall aesthetics of the site.
	Written by Lucas Kaspar, PE

**Project Start Date** 

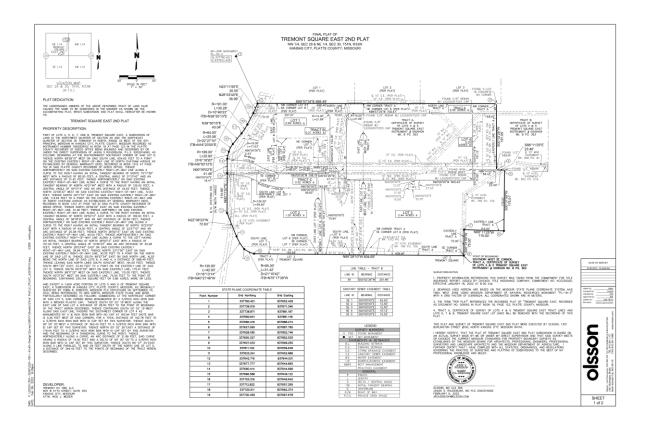
**Projected Completion or Occupancy Date** 

Fact Sheet Prepared by: **Date:** May 23, 2022

Thomas Holloway

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

Reference or Case Numbers: CLD-FnPlat-2022-00008





414 E. 12th Street Kansas City, MO 64106

## **Legislation Text**

**File #:** 220470

#### ORDINANCE NO. 220470

Approving the plat of Green Hills Plaza Fourth Plat, an addition in Platte County, Missouri, on approximately 2.61 acres generally located at the southeast corner of N. Green Hills Road and N.W. Barry Road, creating 2 lots for the purpose of a 2 lot commercial subdivision; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2022-00011)

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

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

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

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

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

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

Section 6. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on May 3, 2022.

.end		
	Approved as to form and legality:	
	Eluard Alegre Associate City Attorney	-

Kansas City Page 2 of 2

# **COMMUNITY PROJECT/ZONING**

## **Ordinance Fact Sheet**

Ordinance Number	

**Brief Title** 

Approving the plat of Green Hills Plaza Fourth Plat, an addition in Kansas City, Platte County, Missouri

# Specific Address Approximately 2.61 acres generally located on the southeast corner of North Green Hills Road and Northwest Barry Road, creating 2 lots Reason for Project This final plat application was initiated by GH14 LLC, in order to subdivide the property in accordance with the city codes and state statutes. (The developer intends to construct a 2 lot commercial subdivision.) Discussion This is a routine final plat ordinance that authorizes staff to continue to process the plat for recording. This plat can be added to the consent agenda. CONTROLLING CASE Case No. 14868-P & 14868-P-1 -Ordinance No. 170981 passed by City Council on December 12, 2017, rezoned

about 7 acres generally located at the southeast corner of NW Barry Road and N. Green Hills Road, from District B3-3 to B4-1, and approved a development plan on about 14 18 acres to allow for 70,000 square foot office/retail development on five (5) lots.

effrey Williams, AICP, Director epartment of City Planning & evelopment  ty-Wide  puncil District(s) 2(PL) Fowler - Loar  ther districts (school, etc.) atte County R-III pplicant(s) H14 LLC  ty Department ity Planning and Development  ther
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oups or Individuals
one Known
asis of Opposition
For Against Reason Against:
y: City Plan Commission Tay 3, 2022
Approval Denial Approval, with conditions
Do Pass Do Pass (as amended) Committee Sub. Without Recommendation Hold Do not pass

Details	Policy / Program Impact		
	Policy or Program Change	No □ Yes	
	N/A		
	Operational Impact Assessment		
	N/A		
	Finances		
	Cost & Revenue Projections – Including Indirect Costs		
	N/A		
	Financial Impact		
	N/A		
	Fund Source and		
	Appropriation Account Costs		
	N/A		
	Is it good for the children?	∑ Yes ☐ No	
	How will this contribute to a sustainable Kansas City?	This project consists of platting to create a single lot for a commercial development on approximately 2.6 acres. The predevelopment peak discharge rate and volume for storm water will not be exceeded after development of the site.  Written by Lucas Kaspar, PE	

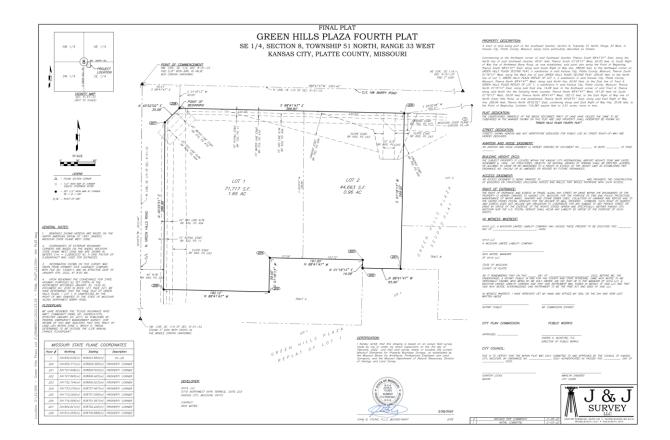
## **Project Start Date**

## **Projected Completion or Occupancy Date**

Fact Sheet Prepared by: Thomas Holloway **Date:** May 23, 2022

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

Reference or Case Numbers: CLD-FnPlat-2022-00011





414 E. 12th Street Kansas City, MO 64106

## **Legislation Text**

File #: 220471

#### ORDINANCE NO. 220471

Rezoning an area on about 1.162 acres generally located at 900 N.E. Barry Road from District R-2.5 to District B1-1 to allow for a day care center use. (CD-CPC-2022-00026)

#### 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-1327, rezoning an area of approximately 1.162 acres generally located at 900 N.E. Barry Road from District R-2.5 (Residential 2.5) to District B1-1 (Neighborhood Business 1), said section to read as follows:

Section 88-20A-1327. That an area legally described as:

808-900 N.E. Barry Rd Dr George Bilbert Sub Tract A & prt SE 1/4 NE 1/4 Sec 11 51 33 beg on s li sd 1/4 1/4 767.19 ft w of se cor th n 305 ft th w 143 ft th s 305 ft to sd s li th e 143 ft to beg exc prt in rd

is hereby rezoned from District R-2.5 (Residential 2.5) to District B1-1 (Neighborhood Business 1), all as shown outlined on a map marked Section 88-20A-1327, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

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

end			
I hereby certify that as required bordinance was duly advertised and public he	by Chapter 88, Code of Ordinances, earings were held.	the	foregoing
	Secretary, City Plan Commission		_
	Approved as to form and legality:		

Kansas City Page 1 of 2

File #: 220471

Sarah Baxter Assistant City Attorney

Kansas City Page 2 of 2

# **COMMUNITY PROJECT/REZONING**

**Ordinance Fact Sheet** 

CD-CPC-2022-00026 Case No.

**Brief Title** 

A request to approve a rezoning from district R-2.5 (Residential 2.5) to district B1-1 (Neighborhood Business 1) to allow for Day Care Center use on about 1.162 acres generally located at 900 NE Barry Rd. (CD-CPC-2022-00026)

Details	
Location: generally located at 900 NE Barry Rd	
Reason for Legislation: Rezoning requires City Counc approval	il
See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.	a
See attached City Plan Commission Disposition Letter for the Commission's recommended conditions (if any).	:r
SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:  No changes following City Plan Commission	

Positions/Recommendations				
Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development			
Programs, Departments or Groups Affected	1 <sup>st</sup> District O'Neill & Hall			
Applicants / Proponents	Applicant Ryan Jordan Wildflower Montessori  City Department City Planning & Development Other			
Opponents	Groups or Individuals  Basis of Opposition			
Staff Recommendation	X For Against Reason Against			
Board or Commission Recommendation	City Plan Commission 6-0 on 5/17/2022  By Allender, Baker, Beasley, Enders, Hill, Rojas  X 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
Fact Sheet Prepared By: Genevieve Kohn Planner	Date:	5/19/2022		
			Initial Application Filed:	2/17/2022
Reviewed By:	Date:	5/19/2022	City Plan Commission Action:	5/17/2022
Joe Rexwinkle			Revised Plans Filed:	N/A
Division Manager			On Schedule:	no
			Off Schedule Reason:	Case was originally scheduled for April 5 <sup>th</sup> CPC meeting but delayed because staff was made aware of an illegal private sanitary sewer connection at the property that was installed prior to the current ownership. The applicant needed time to obtain legal representation to prepare all the necessary easement and shared utility agreements.

**Reference Numbers:** 

CD-CPC-2022-00026



414 E. 12th Street Kansas City, MO 64106

## **Legislation Text**

**File #:** 220472

#### ORDINANCE NO. 220472

Vacating Norton Avenue between E. 38<sup>th</sup> Street on the north and E. 39<sup>th</sup> Street on the south; and directing the City Clerk to record certain documents. (CD-ROW-2021-00038)

#### 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 19th day of October, 2021, a petition was filed with the City Clerk of Kansas City by Anderson Engineering for the vacation of all of Norton Avenue, from the north right-of-way line of 39th Street, north to the south right-of-way line of 38th Street, said right-of-way to be vacated being part of the Northeast Quarter of Section 22, Township 49 North, Range 33 West, in the City of 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 all of Norton Avenue, from the north right-of-way line of 39th Street, north to the south right-of-way line of 38th Street, said right-of-way to be vacated being part of the Northeast Quarter of Section 22, Township 49 North, Range 33 West, in the City of Kansas City, Jackson County, Missouri; be and the same is hereby vacated. However, the City of Kansas City reserves an easement and the right to locate, construct and maintain (or to authorize any franchised utility to locate, construct and maintain) conduits, water, gas and sewer pipes, poles and wire, or any of them over, under, along and across the above-described property. The City of Kansas City shall have at all times the right to go upon the above-described property to construct, maintain and repair the same; and nothing in this vacation action shall be construed so as to grant any right to use the above-described property in any manner as would interfere with the construction or reconstruction and proper, safe and continuous maintenance of the aforesaid uses, and specifically, there shall not be built thereon or thereover any structure (except driveways, paved areas, grass, shrubs and fences) without first securing the written approval of the Director of Public Works; is hereby approved, subject to the following conditions:

- 1. A utility easement shall be retained for the entirety of the area to be vacated.
- 2. An access easement shall be retained for the entirety of the area to be vacated.
- 3. No buildings shall be constructed over any water services department easement or infrastructure.

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
Joseph Rexwinkle, AICP

Kansas City Page 2 of 3

# Secretary, City Plan Commission

STATE OF MISSOURI )
COUNTY OF) ss.
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
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

Kansas City Page 3 of 3

# **COMMUNITY PROJECT/REZONING**

#### **Ordinance Fact Sheet**

Case No. CD-ROW-2020-00038

**Brief Title** 

Vacation of Norton Avenue generally located to the south of Guinotte Avenue in between N. Olive Street to the west and N. Wabash Street to the east.

#### **Details**

#### Location:

Generally located between E. 38<sup>th</sup> Street on the north and E. 39<sup>th</sup> Street on the south, east of Jackson Avenue and west of Myrtle Avenue.

#### **Reason for Legislation:**

To allow for the vacation of unimproved Norton Avenue between E. 38<sup>th</sup> Street on the north and E. 39<sup>th</sup> Street on the south.

#### **CITY PLAN COMMISSION**

The City Plan Commission heard this case on January 18, 2022. The Commission recommended approval of the vacation with three conditions.

#### **BRIEF PROJECT DESCRIPTION**

The area to be vacated is an unbuilt portion of Norton Avenue and is located north of E. 39th Street between Myrtle Avenue to the west and Jackson Avenue to the east. The subject site will only extend northward to the south right-of-way line of E. 38th Street. The applicant is intending to vacate the alley in order to provide additional developable property for the Bodhi development on the to the east. The Bodhi development will consist of 7 multifamily residential structures with a total of 53 units. The applicant does not intend to develop within the street in the future. It has been requested by Water Services staff that a utility easement be retained and that no buildings shall be constructed over the easement or WSD infrastructure.

The City Plan Commission recommended approval of this vacation, subject to the following condition:

- 1. A utility easement shall be retained for the entirety of the area to be vacated.
- 2. An access easement shall be retained for the entirety of the area to be vacated.
- 3. No buildings shall be constructed over any WSD easement or infrastructure.

Ordinance Number	

Positions/Recomm	mendations		
Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development		
Programs, Departments or Groups Affected	3 <sup>rd</sup> District (Ellington & Robinson)		
Applicants / Proponents	Applicant Trevor Fox Anderson Engineering 941 W 141 <sup>st</sup> Terr Kansas City, MO 66221  City Department City Planning & Development		
Opponents	Groups or Individuals  Basis of Opposition		
Staff Recommendation	X For  Against  Reason Against		
Board or Commission Recommendation	City Plan Commission (8-0) 01-18-22  By Allender, Baker, Beasley, Crowl, Enders, Hill, Rojas, Sadowski  For Against No Action Taken  X 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	
Policy or Program Yes No	
Operational Impact Assessment	
Finances	
Cost & Revenue Projections – Including Indirect Costs	
Financial Impact	
Funding Source(s) and	

				Appropriation Account Codes	
Continued from Page 2					
Fact Sheet Prepared By: Olofu Agbaji Staff Planner	Date:	04-22-22			
Reviewed By: Zach Nelson Planner Development Management	Date:	05-2-22	Initi	al Application Filed:	10-19-21

**Reference Numbers:** 

Case No. CD-ROW-2021-00038



414 E. 12th Street Kansas City, MO 64106

## Legislation Text

File #: 220479

#### ORDINANCE NO. 220479

Rezoning an area on about 52 acres generally located on the west side of N. Brighton Avenue in between N.E. 60th Terrace to the north and N.E. 57th Street to the south from District R-6 (Residential 6) to MPD (Master Planned Development) District and a preliminary development plan, which also acts as a preliminary plat to allow construction of 300 residential units on about 52 acres generally located on the west side of N. Brighton Avenue in between N.E. 60th Terrace to the north and N.E. 57th Street to the south. (CD-CPC-2022-00021)

#### 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-1328, rezoning an area of approximately 52 acres generally located on the west side of N. Brighton Avenue in between N.E. 60th Terrace to the north and N.E. 57th Street to the south from District R-6 (Residential 6) to MPD (Master Planned Development) District and a preliminary development plan, which also acts as a preliminary plat to allow construction of 300 residential units on about 52 acres generally located on the west side of N. Brighton Avenue in between N.E. 60th Terrace to the north and N.E. 57th Street to the south, said section to read as follows:

Section 88-20A-1328. That an area legally described as:

A tract of land in the Southwest Quarter of Section 29, Township 51 North, Range 32 West of the 5th Principal Meridian of Kansas City, Clay County, Missouri being bounded and described as follows: Beginning at the northeast corner of Lot 140, Brookhill - Fourth Plat a subdivision of land in said Kansas City recorded as Document No. F-71295 in Book 22 at page 64 in Clay County Recorder of Deeds Office said point also being a point on the south line of Carriage Hills Estates -Fourth Plat, a subdivision of land in said Kansas City recorded as Document No. L-79472 in Cabinet D in Sleeve 20 in said Clay County Recorder of Deeds Office also being the northwest corner of the east half of said Southwest Quarter; thence South 89 degrees 34 minutes 29 seconds East (North 89 degrees 34 minutes 16 seconds West plat) on said south line of said Carriage Hills Estates - Fourth Plat also being the south line of Carriage Hills Estates - Fifth Plat, a subdivision of land in said Kansas City recorded as Document No. M-08888 in Book D at page 41 in said Clay County Recorder of Deeds Office and its easterly extension also being the north line of said Southwest Quarter, 1253.55 feet to the northwest corner of existing right-of-way line of N. Brighton Ave. as established by General

Warranty Deed recorded as Document No. 2006053446 in Book 5571 at page 153 in said Clay County Recorder of Deeds Office; thence South 00 degrees 08 minutes 32 seconds West (North 00 degrees 08 minutes 04 seconds East deed), on said existing westerly right-of-way line, 1233.99 feet (1234.00 feet deed); thence South 01 degrees 07 minutes 48 seconds West (North 01 degrees 07 minutes 20 seconds East deed), on said existing westerly right-of-way 571.57 feet (571.67 feet deed) to the southwest corner of said existing westerly right-of-way line also being a point on the north line of Eagle Heights, a subdivision of land in said Kansas City Recorded as Document No. F-59655 in Book 22 at page 39 in said Clay County Recorder of Deeds Office

is hereby rezoned from District R-6 (Residential 6) to MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A-1328, 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. Receive approval of a street naming plan by the Street Naming Committee prior to applying for a final plat.
- 2. 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.
- 3. 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.
- 4. The developer shall subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and the developer shall be responsible for all costs associated with subordination activities now and in the future.
- 5. The developer shall dedicate additional right-of-way for the west side of N. Brighton Avenue as required by the adopted Major Street Plan and/or Chapter 88 so as to provide a minimum of 50 feet of right-of-way as measured from the

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- centerline, and ensure right-of-way dedication is adequate for any proposed road improvements as required by the Public Works Department adjacent to this project. This right-of-way may already exist based on a Public Works project, but needs to be shown on the plans.
- 6. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
- 7. The developer shall design and construct N. Jackson Drive/N.E. 59th Terrace to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
- 8. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
- 9. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
- 10. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
- 11. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
- 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 submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.

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- 14. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
- 15. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.
- 16. The developer shall submit 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.
- 17. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with Section 88-415 requirements.
- 18. The developer shall grant on City approved forms, a stream buffer easement to the City as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
- 19. The developer shall obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
- 20. The developer shall show the limits of the 100-year floodplain plus the 1 foot freeboard on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.
- 21. The developer must submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.
- 22. 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.
- 23. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.

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- 24. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to building permit.
- 25. 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.
- 26. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat.
- 27. The applicant shall continue working with staff on improving building articulation facing N. Brighton prior to approval of an MPD final plan.
- 28. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) 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) Required Fire Department access roads are an all-weather surface. (IFC-2012: § 503.2.3)
- 29. 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)
- 30. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
- 31. 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 recording the final plat or certificate of occupancy, whichever comes first.
- 32. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way
- 33. The developer shall construct a northbound left turn lane on Brighton Avenue at N.E. 59th Terrace with at least 150 feet of storage plus taper. This additional turn lane shall be constructed prior to a certificate of occupancy for any of the proposed homes.
- 34. The developer shall provide a geotechnical analysis of erosion hazard potential for areas where any improvements or public right-of-way dedications are

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..end

proposed within stream buffer zones or adjacent to the outside of stream meanders, including areas outside of the stream buffer outer zone, as appropriate and required by good engineering practices, to assess potential threats of future stream meander, cut, or erosion endangering or damaging facilities, structures, or property.

- 35. 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.
- 36. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
- 37. The developer shall submit water main extension drawings for public water mains, fire hydrants and related appurtenances prepared by a registered professional engineer in Missouri to the water main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.

A copy of said 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.

of Ordinances, the foregoing ordinance
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Cita Dia a Campiania
ry, City Plan Commission
ed as to form and legality:
axter nt City Attorney

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## **COMMUNITY PROJECT/REZONING**

#### **Ordinance Fact Sheet**

CD-CPC-2022-00021 Case No.

**Brief Title** 

Redwood at N Brighton - A request to approve a rezoning from R-6 (Residential 6) to MPD (Master Planned Development) District and a preliminary development plan, which also acts as a preliminary plat to allow construction of 300 residential units on about 52 acres generally located on the west side of N Brighton Avenue in between NE 60th Terrace to the north and NE 57th Street to the south. (CD-CPC-2022-00021)

#### **Details**

**Location:** generally located on the west side of N Brighton Avenue in between NE 60th Terrace to the north and NE 57th Street to the south

Reason for Legislation: Rezoning and development 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:**

• No changes following City Plan Commission

Ordinance Number	

Positions/Recomi	nendations				
Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development				
Programs, Departments or Groups Affected	1 <sup>st</sup> District O'Neill & Hall				
Applicants / Proponents	Applicant Adam DeGonia McClure  City Department				
	City Planning & Development  Other				
Opponents	Groups or Individuals Brookhill HOA				
Орронент	Basis of Opposition Traffic, speeding on proposed road				
Staff Recommendation	X For  Against  Reason Against				
Board or Commission Recommendation	City Plan Commission 6-0 on 5/17/2022  By Allender, Baker, Beasley, Enders, Hill, Rojas  For Against No Action Taken  X For, with revisions or conditions (see details column for conditions)				
	Do Pass				
Council Committee Actions	Do Pass (as amended)  Committee Sub.				
	Without Recommendation 65				

					Do not pass
Fact Sheet Prepared By: Genevieve Kohn Planner	Date:	5/18/2022			
				pplication Filed:	2/12/2022
Reviewed By:	Date:	5/18/2022	-	nmission Action:	5/17/2022
Joe Rexwinkle			Rev	ised Plans Filed:	5/6/2022
Division Manager				On Schedule:	no
			Off S	chedule Reason:	Case was originally scheduled for April 5 <sup>th</sup> CPC meeting but delayed in their attempt to seek a waiver from the Transportation and Development Committee to narrow the proposed extension of N Jackson Dr as a public

road. Additionally, there was time delay due to efforts in coordinating with Parks to come up with potential options for trails to use towards



414 E. 12th Street Kansas City, MO 64106

## **Legislation Text**

File #: 220480

#### ORDINANCE NO. 220480

Rezoning an area of about 36 acres generally located at the northeast corner of I-435 and Wilson Road from District MPD to Districts M1-5 and US. (CD-CPC-2022-00043)

#### 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-1324, rezoning from District MPD (Master Planned District) to Districts M1-5 (Manufacturing) and US (Underground Storage) on about 36 acres generally located at the northeast corner of I-435 and Wilson Road, said section to read as follows:

Section 88-20A-1324 That an area legally described as:

All of Tract 1, Lot 1 Mo-Kan Teamster's apprenticeship training facility final plat a subdivision of land in Kansas City, Jackson County, Missouri, lying within the city limits of Kansas City, Jackson County, Missouri.

is hereby rezoned from District MPD (Master Planned District) to Districts M1-5 (Manufacturing) and US (Underground Storage), all as shown outlined on a map marked Section 88-20A-1324, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

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

end			
	y certify that as required by Chapter 88, Code of Ordinances, to duly advertised and public hearings were held.	the :	foregoing
	Joseph Rexwinkle, AICP		_

Kansas City Page 1 of 2

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter Assistant City Attorney

Kansas City Page 2 of 2

# **COMMUNITY PROJECT/ZONING**

## **Ordinance Fact Sheet**

Case No. CD-CPC-2022-00043

**Brief Title Approval Deadline** 

Rezoning from District MPD (Master Planned District) to District M1-5 (Manufacturing) and US (Underground Storage) on about 36 acres generally located at the northeast corner of I-435 and Wilson Road (portions within the City of Independence).

# **Details Specific Address** 8610 Wilson Ave Reason for Legislation To consider approval of a rezoning from District MPD (Master Planned District) to District M1-5 (Manufacturing) and US (Underground Storage) on about 36 acres generally located at the northeast corner of I-435 and Wilson Road (portions within the City of Independence). **Discussion** SEE ATTACHED CPC STAFF REPORT.

**Ordinance Number** 

Positions/Recomme	ndations
Sponsor	Jeffrey Williams, AICP, Director Department of City Planning and Development
Programs, Departments, or Groups Affected	4th District (Shields & Bunch)
Applicants / Proponents	Applicant Steve Warger  City Department City Development Other
Opponents	Groups or Individuals  Basis of opposition
Staff Recommendation	X For Against Reason Against
Board or Commission Recommendation	City Plan Commission (6-0) 04-05-2022  By Aye: (Allender, Baker, Crowl, Enders, Hill, and Rojas.)  X 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

Details	Policy/Program impact
	Policy or Program Change No Yes
	Operational
	Impact
	Assessment
	Finances
	Cost & Revenue
	Projections
	Including Indirect
	Costs
	Financial Impact
	Fund Source (s)
	and Appropriation
	Account Codes

Fact Sheet Prepared By: Date: 5-2-2022

Matthew W. Barnes Staff Planner

Date:

Reviewed by:
Joseph Rexwinkle, AICP, Division Manager

Development Management

Reference Numbers

Case No. CD-CPC-2022-00043

Initial application filed: 3-13-22 Revised Plans Recieved: N/A



414 E. 12th Street Kansas City, MO 64106

## **Legislation Text**

File #: 220481

#### ORDINANCE NO. 220481

Approving the First Amendment of the Habitat for Humanity Scattered Site Urban Renewal Plan generally bounded by 24th Terrace on the north, 25th Street on the south, Walrond Avenue on the east and Bellefontaine Avenue on the west, pursuant to the Land Clearance for Redevelopment Authority Law

WHEREAS, the Habitat for Humanity Scattered Site Urban Renewal Plan was approved by Ordinance 090794 in 2009 to facilitate single-family construction and rehabilitation by Kansas City's Habitat For Humanity, and most of the projects have been completed, but some undeveloped parcels have been sold; and

WHEREAS it is desirable and in the public interest that the Land Clearance for Redevelopment Authority of Kansas City, Missouri submit the First Amendment of the Habitat for Humanity Scattered Site Urban Renewal Plan to remove two parcels; and

WHEREAS, the Land Clearance for Redevelopment Authority has recommended approval of the First Amendment of the Habitat for Humanity Scattered Site Urban Renewal Plan to facilitate the sale and redevelopment of two parcels without the use of property tax abatement; NOW, THEREFORE,

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

Section 1. That the First Amendment of the Habitat for Humanity Scattered Site Urban Renewal Plan, which amends the Plan's legal description to remove two parcels legally described as vacant lot Arcade Place, north 33 1/3 feet of Lot 87, Kansas City, Jackson County, Missouri (3320 Tracy Avenue) and vacant lot Arcade Place, north 16 2/3 feet of Lot 86, south 16 2/3 feet of Lot 87, Kansas City, Jackson County, Missouri (3322 Tracy Avenue), is hereby approved.

Approved as to form and legality:
Emalas Plask
Emalea Black Assistant City Attorney

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No Fact Sheet for Ord.

220481



# Kansas City

414 E. 12th Street Kansas City, MO 64106

# **Legislation Text**

File #: 220483

#### ORDINANCE NO. 220483

Accepting and approving the recommendations of the Tax Increment Financing Commission of Kansas City as to the Revised Thirteenth Amendment to the Parvin Road Corridor Tax Increment Financing Plan

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

WHEREAS, on December 14, 2000, the City Council passed Ordinance No. 001638 which accepted the recommendations of the Commission and approved the Parvin Road Corridor Tax Increment Financing Plan ("Redevelopment Plan") and designated the redevelopment area described therein to be an economic development area (the "Redevelopment Area"); and

WHEREAS, the City Council, by Committee Substitute to Ordinance No. 010360, accepted the recommendations of the Commission and approved the First Amendment to the Redevelopment Plan on June 7, 2001, which provides for the expansion of the Redevelopment Area; and

WHEREAS, no Second Amendment to the Redevelopment Plan was presented for approval; and

WHEREAS, the City Council, by Ordinance No. 070412, accepted the recommendations of the Commission and approved the Third Amendment to the Redevelopment Plan on April 26, 2007, which provides for the removal of Redevelopment Project 3C; and

WHEREAS, the City Council, by Committee Substitute for Ordinance No. 090261, accepted the recommendations of the Commission and approved the Fourth Amendment to the Redevelopment Plan on April 16, 2009, which provides for certain modifications to the Budget of Redevelopment Project Costs; and

WHEREAS, the City Council, by Ordinance No. 090544, accepted the recommendations of the Commission and approved the Fifth Amendment to the Redevelopment Plan on July 16,

2009, which provides for an additional section of Parvin Road to be improved between Skiles Avenue and Kentucky Avenue; and

WHEREAS, the City Council, by Ordinance No. 100165, accepted the recommendations of the Commission and approved the Sixth Amendment to the Redevelopment Plan on March 11, 2010, which provides for which provides for certain modifications to the Budget of Redevelopment Project Costs; and

WHEREAS, the City Council, by Ordinance No. 120173, accepted the recommendations of the Commission and approved the Seventh Amendment to the Redevelopment Plan on March 1, 2012, which provides for certain modifications to the Budget of Redevelopment Project Costs; and

WHEREAS, the City Council, by Ordinance No. 130407, accepted the recommendations of the Commission and approved the Eighth Amendment to the Redevelopment Plan on May 30, 2013, which provides for (1) modifications to the budget of Redevelopment Project Costs, (2) and expansion of the Redevelopment Area, (3) an expansion of Redevelopment Project Area 4, (4) modifications to the Acquisition & Disposition Exhibit to include additional properties for acquisition; and

WHEREAS, the City Council, by Committee Substitute for Ordinance No. 140912, accepted the recommendations of the Commission and approved the Ninth Amendment to the Redevelopment Plan on November 6, 2014, which provides for an expansion of Redevelopment Project Areas 3B-1, 3B-2 and 4; and

WHEREAS, the City Council, by Ordinance No. 170873, accepted the recommendations of the Commission and approved the Tenth Amendment to the Redevelopment Plan on November 9, 2017, which provides for (1) modifications to the description of the public improvements and (2) Enhanced Enterprise Zone Tax Abatement; and

WHEREAS, the City Council, by Ordinance No. 190799, accepted the recommendations of the Commission and approved the Eleventh Amendment to the Redevelopment Plan on October 17, 2019, which provides for (1) modifications to the boundaries of the Redevelopment Area, (2) modifications to the boundaries of Redevelopment Project Areas 3A and 4, (3) modifications to the anticipated employment totals within Redevelopment Project Areas 3A and 4, (4) modifications to the anticipated construction totals within Redevelopment Project Areas 3A and 4 and (5) modifications to the tax increment financing projections within Redevelopment Project Areas 3A; and

WHEREAS, the City Council, by Ordinance No. 210587 approved the Twelfth Amendment to the Redevelopment Plan on July 22, 2021, which provides for certain modifications to the Budget of Redevelopment Project Costs; and

WHEREAS, an Thirteenth Amendment to the Redevelopment Plan ("Thirteenth Amendment") was proposed to the Commission and the Commission, having been duly constituted and its members appointed, after proper notice was given, met in public hearing, and

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after receiving the comments of all interested persons and taxing districts, closed the public hearing May 10, 2022, and adopted Resolution No. 5-17-22 ("Resolution") recommending approval of the Thirteenth Amendment, which provides (1) modifications to the description of public improvements and (2) modifications to the Budget of Redevelopment Project Costs; and

WHEREAS, subsequent to the Commission's adoption of the Resolution, certain amendments were made to the Thirteenth Amendment, including the incorporation of certain conditions to the City's contribution toward the payment of certain Redevelopment Project Costs (collectively, the "Additional Modification"); and

WHEREAS, the Additional Modification does not enlarge the exterior boundaries of the Redevelopment Area, and does not affect the general land uses established in the Original Redevelopment Plan or change the nature of any Redevelopment Project, and notice of such amendments was duly given as required by the TIF Act; and

NOW, THEREFORE,

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

Section 1. That the recommendations of the Commission concerning the Thirteenth Amendment (the "Thirteenth Amendment") to the Parvin Road Corridor Tax Increment Financing Plan (the "Redevelopment Plan"), as set forth in the Resolution, including the Additional Modification, are hereby accepted, and the Thirteenth Amendment, 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 Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865, RSMo ("Act").

Section 3. That the City Council hereby finds, in connection with its consideration of the Thirteenth Amendment, that:

(a) the Redevelopment Plan, as amended by the Thirteenth Amendment and together with the Additional Modification contained therein, sets forth in writing a general description of the program to be undertaken to accomplish its objectives, including the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, evidence of commitments to financing the redevelopment project costs, the most recent equalized assessed valuation of the property within the Redevelopment Area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to Section 99.845, RSMo., an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the Redevelopment Area

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- (b) Good cause has been shown for the Thirteenth Amendment and that the findings of the City Council in Ordinance No. 001638, Second Committee Substitute for Ordinance No. 010360, Ordinance No. 070412, Committee Substitute for Ordinance No. 090261, Ordinance No. 090544, Ordinance No. 100165, Ordinance No. 120173, Ordinance No. 130407, Committee Substitute No. 140912, Ordinance No. 170873, Ordinance No. 190799 and Ordinance No. 210587 are not affected by the Thirteenth Amendment and apply equally to the Thirteenth Amendment.
- (c) The Redevelopment Area described in the Redevelopment Plan, as amended, is an economic development area and the following factors are hereby found to exist within the Redevelopment Area, to-wit:
  - (i) Lack of major roadways within the Redevelopment Area; and
  - (ii) Rugged topography (steep slopes, valleys, cliffs, etc.) which will increase the costs of adequate public infrastructure.
- (d) The Redevelopment Area 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 Thirteenth Amendment and such fact is acknowledged by the Redeveloper in an affidavit included in the Redevelopment Plan.
- (e) The Redevelopment Plan, as amended by the Thirteenth Amendment, conforms to the comprehensive plan for the development of the City as a whole.
- (f) The areas selected for Redevelopment Projects include only those parcels of real property and improvements therein which will be directly and substantially benefited by the Redevelopment Project improvements.
- (g) The estimated dates of completion of the respective Redevelopment Projects and retirement of obligations incurred to finance Redevelopment Project Costs have been stated in the Redevelopment Plan, as amended by the Thirteenth Amendment, and are not more than 23 years from the passage of any ordinance approving a Redevelopment Project within the Redevelopment Area.
- (h) A plan has been developed for relocation assistance for businesses and residences.
- (i) A cost benefit analysis showing the impact of the implementation of the Redevelopment Plan, as amended by the Thirteenth Amendment, on each taxing district which is at least partially within the boundaries of the Redevelopment Area has been prepared in accordance with the Act.

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- (j) The Redevelopment Plan, as amended by the Thirteenth Amendment, does not include the initial development or redevelopment of any gambling establishment.
- (k) A study has been completed and the findings of such study satisfy the requirements provided under Section 99.810.1, RSMo.

Section 4. That the Commission is authorized to issue obligations in one or more series of bonds secured by the Parvin Road Corridor Tax Financing Plan Account of the Special Allocation Fund to finance Redevelopment Project Costs identified by the Redevelopment Plan, as amended by the Thirteenth Amendment and, subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of land or other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the Commission determines, to enter into such contracts and take all such further actions as are reasonably necessary to achieve the objectives of the Redevelopment Plan. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to Sections 99.800 to 99.865 of the Act, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Section 5. That the City Council approves the pledge of all funds that are deposited into the Parvin Road Corridor Tax Increment Financing Plan Account of the Special Allocation Fund to the payment of Redevelopment Project Costs identified by the Redevelopment Plan, as amended by the Thirteenth Amendment and authorizes the Commission to pledge such funds on its behalf...end

Approved as to form and legality:
Emalea Black
Assistant City Attorney

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#### **GENERAL Ordinance Fact Sheet Resolution Number Brief Title** Approval Deadline Reason Parvin Road Corridor Tax **Increment Financing Plan** 13th Amendment Details Positions/Recommendations Specific Address Sponsor The Parvin Road Corridor Tax Increment Financing Redevelopment Plan (the "Redevelopment Plan") proposes to expand and improve the public infrastructure within an approved Redevelopment Area (as Programs, described below), as necessary, to accommodate an expansion of Departments. the existing above-ground industrial park and its underground Council District 1: In District: Heather Hall, At or Groups industrial and commercial complex known as the Subtropolis, Large: Kevin O'Neill; NKC Schools; Clay County together with all appurtenances necessary to adequately address Affected the existing conditions qualifying the Redevelopment Area as an Economic Development Area. The proposed infrastructure improvements include constructing and/or improving roadways, curbing, traffic signals, storm sewers, water lines, utilities and related **Applicant:** Tax Increment Financing Applicants / items necessary to adequately serve the expansion of the **Proponents** Commission development complex. **City Department:** Other: The Redevelopment Area described by the Plan, as amended, is an area generally bound by N.E. 48th Street, Pravin Road and the boundary of Kansas City on the north, the boundary of Kansas City and the railroad tracks on the east, Missouri Route 210 and the railroad tracks on the south and North Bennington Avenue on the west in Kansas City, Clay Opponents **Groups or Individuals** County, Missouri. None known Basis of opposition Reason For Legislation The Thirteenth Amendment shall provide for (1) modifications to the description of Project Improvements, X For (2) modifications to the Site Plan, (3) modifications to the Recommendation Estimated Redevelopment Project Costs, (4) modifications Against Reason Against to the Sources of Funds, (5) modifications to the Board or Redevelopment Schedule and (6) the inclusion of all Tax Increment Financing Com. Commission conforming changes within the Exhibits to the Plan that are Resolution Recommendation in furtherance of the foregoing modifications. Against No action taken For, with revisions or conditions (see details column for conditions) Discussion (explain all financial aspects of the proposed legislation, including future Council implications, any direct/indirect costs, specific account numbers, ordinance references, Committee Actions and budget page numbers.) Do pass The purpose of the 13th Amendment is to modify the budget of Redevelopment Project Costs without modifying the total amount of the budget. Do pass (as amended) Committee Sub. Without Recommendation Hold Do not pass (Continued on next page)

Details

Statutory Findings: It is Staff's recommendation that the 13th Other Findings: Amendment does not alter the previous required statutory findings made by the Commission and the City. Specifically, Economic Development Area: The 13th Amendment does not alter the Commission's and City's 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 Policy/Program Impact anticipated to be developed without the adoption of tax increment Policy or Program financina. X No Yes Change Finding the Area Conforms to the City's Comprehensive Plan: The changes contemplated by the 13th Amendment are of a nature that they do not alter the Commission's and City's previous Operational finding that the Redevelopment Plan conforms to the City's Impact FOCUS Plan and the applicable Area Plan. Assessment Redevelopment Schedule: The 13th Amendment does not alter the Commission's and City's finding that the estimated date of completion of any redevelopment project described by the Redevelopment Plan and retirement of obligations incurred to finance redevelopment project costs identified by the Redevelopment Plan shall not occur later than twenty-three (23) Finances years after such redevelopment project is approved by ordinance. Cost & Revenue N/A Relocation Plan: The changes contemplated by the 13th Projections --Amendment are of a nature that they do not alter the previous Including Indirect relocation assistance plan that is a part of the Redevelopment Costs Plan. The 13th Amendment does not contemplate the relocation of any businesses or residents. Gambling Establishment: The 13th Amendment does not include development or redevelopment of any gambling establishment. Acquisition by Eminent Domain: The 13th Amendment does not contemplate that any property located within a Redevelopment Financial Impact Project Area will be acquired by eminent domain later than five (5) years from the adoption of the Ordinance approving such Redevelopment Project. Fund Source (s) and Appropriation Account Codes Yes. Proposed 13th Amendment will lead to the Is this Ordinance or construction of important infrastructure Resolution Good for the improvements including roadway improvements Children? and increase job opportunities. **Applicable Dates:** Fact Sheet Prepared by: David Leader, Development Services Specialist, Economic Development Corporation of Kansas City, MO Reviewed by:

Reference Numbers



# Kansas City

414 E. 12th Street Kansas City, MO 64106

# Legislation Text

File #: 220364

#### ORDINANCE NO. 220364

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### <u>Chapter 1</u>, **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:

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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

GROUN D SNOW	WIND DESIGN			SEISMI C	C FROM	AGE		
LOAD °	Speed d (MPH )	Topograph ic Effects <sup>k</sup>	ts k l wind   ne Debris   CAT		Weatherin Frost Iine depth	Termite		
20 psf	115	No	No	No	A	Severe	36"	Modera te 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 <u>Chapter</u> 28	1000 F-days	54.2 F

#### MANUAL J DESIGN CRITERIA n

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#### File #: 220364

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

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

Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident web
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.

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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.

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**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 ¾") 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 (¾") 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.

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**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.

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- **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

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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.

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**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

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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:

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**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 reminder 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

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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.

<u>Table R402.4.1.1. Under 'Walls'.</u> 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			

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Approved as to form and legality:

Eluard Alegre Associate City Attorney

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# **GENERAL**

# **Ordinance Fact Sheet**

220364	

**Ordinance Number** 

Brief Title	Approval Deadline	Reason	
Amending Chapter 18 Code of		Amending of Chapt	er 18, Article III, Section 18-57 and Article XIV,
Ordinances to update the City's		Section 18-367, en	titled "Adoption of International Building Code;
Energy Conservation Code.		amended"	
Details		Positions/Recommend	ations
Reason for Legislation Amending various parts of Chapter 18	3. Article III. Section 18-57	Sponsor	Councilmember Bough
and Article XIV, Section 18-367, entitl International Building Code (2018); ar City's Energy Conservation Code.	ed "Adoption of	Programs, Departments, or Groups Affected	City Planning and Development Office of Environmental Quality
		Applicants / Proponents	Applicant
			City Department
			Other
Details:		Opponents	Groups or Individuals
The KCMO 2008 Climate Protection Plan buildings and structures in the City as cor concomitant result in significant greenho passed Resolution No. 200005 updating in	nsumers of energy and the use gas emissions. Kansas City ts Climate Protection and		Basis of opposition
Resiliency Plan with goals to reduce greet 100% from the electricity sector by 2030, reduction from municipal operations by 2 neutral by 2040 in order to protect the heresidents, and adopting modern building meeting this goal.	100% greenhouse gas 2022, and to become climate ealth and welfare of all our	Staff Recommendation	For Against Reason Against
Ordinance No. 200418 was introduced or Kansas City Building and Rehabilitation Co		Board or	
editions of the currently adopted, nation	, -	Commission	Ву
for use in building construction. The 2021 Conservation Code ("IECC") with a Zero-C to be available by the International Code	Code Appendix was scheduled	Recommendation	For Against No action taken
replace the 2018 IECC as the most up to o model energy code; and			For, with revisions or conditions (see details column for conditions)
The Council passed Resolution No. 20044 continued commitment to climate action		Council Committee	Do pass
consideration of an update to the City's e 2021 version of the International Energy	energy efficiency code until the	Actions	Do pass (as amended)
Zero-Code Appendix was released. Becau regulations results in costs for training an	nd communication, the City		Committee Sub.
would save money by moving directly to adopting the 2018 IECC and then later ad			Without Recommendation
The adoption of Resolution No. 200449 a of residents, stakeholder and City staff in			Hold
language of this proposed ordinance to u efficiency code.			Do not pass (Continued on reverse side)

Details
The adoption of Resolution No. 200449 allowed for further engagement of residents, stakeholder and City staff in the process of developing the language of this proposed ordinance to update the City's energy efficiency code.
Is it good for the children? Yes.
<b>How will this contribute to a sustainable Kansas City?</b> By assisting the City in meeting its Climate Protection Plan Goals.
Applicable Dates:
Fact Sheet Prepared by:
leffrey Williams Date

Policy/Program Impact

Financial Impact

Fund Source (s) and Appropriation Account Codes

Policy or Program Change	☐ No	X Yes	
Oppositional			
Operational Impact			
Assessment			
Finances			
Cost & Revenue			
Projections			
Including Indirect			
Costs			

(Use this space for further discussion, if necessary)

Jeffrey Williams

City Planning and Development Director

4/21/2022

Reviewed by:

Eluard Alegre Date

Law Department 4/21/2022

Reference Numbers



# Kansas City

414 E. 12th Street Kansas City, MO 64106

# **Legislation Text**

File #: 220453

#### ORDINANCE NO. 220453

Detaching approximately 103 acres generally located at 4200 Bong Street from Kansas City, upon the annexation of said property by the City of Belton. (CD-CPC-2021-00197)

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

Section A. That the following property, generally located at 4200 Bong Street, and more specifically described as follows:

All land enclosed with the following description: All that part of the Southeast Quarter of Section 3, and all that part of the Southwest Quarter of Section 2, all in Township 46, Range 33, Cass County, Missouri described as follows: Commencing at the Southwest corner of said Southeast Quarter of Section 3; thence South 85 degrees 17 minutes 51 seconds East along the South line of said Southeast Quarter, a distance of 218.15 feet to the true point of beginning of the tract of land to be herein described; thence South 20 degrees 27 minutes 00 seconds West, 30.87 feet to a point on the South Right of Way line of Markey Road; thence along said South Right of Way line South 85 degrees 21 minutes 09 seconds East, 237.00 feet; thence North 2 degrees 48 minutes 37 seconds East, a distance of 1797.00 feet; thence South 70 degrees 23 minutes 06 seconds East, a distance of 1111.68 feet; thence North 80 degrees 38 minutes 14 seconds East, a distance of 458.02 feet to a point on the Westerly line of Fairchild Drive and 30 feet westerly of the centerline thereof; thence Southeasterly along a curve to the left having a radius of 5772.93 feet and an initial tangent bearing of South 16 degrees 33 minutes 55 seconds East, and arc distance of 108.43 feet to a point on the north line of Bong Street and 35 feet Northerly of the centerline thereof; thence South 18 degrees 03 minutes 56 seconds East, a distance of 65.00 feet to a point on the South line of said Bong Street, thence North 71 degrees 56 minutes 04 seconds East along the South line of said Bong Street, a distance 500.64 feet; thence North 25 degrees 24 minutes 22 seconds West, 30.33 feet; thence South 71 degrees 53 minutes 31 seconds West, 68.67 feet; thence North 13 degrees 09 minutes 26 seconds West, 865.49 feet; thence South 77 degrees 24 minutes 54 seconds West, 432.55 feet to a point on a curve, said curve having a radius of 5772.93 feet, and at this point.

is hereby declared to be detached by the City of Kansas City, Missouri upon the annexation of the same property by the City of Belton, Missouri, according to the terms of Section 71.011 RSMo, subject to the following condition:

1. That the City of Belton dedicate easements for all water and sewer infrastructure in the area to be de-annexed to the satisfaction of the Water Services Department prior to passage of this ordinance.

Section B. That the City of Belton, Missouri shall file a certified copy of this ordinance simultaneously with the filing of a certified copy of the related annexation ordinance adopted by the City of Belton in the office of the County Clerk of Cass County, the Cass County Assessor, the Recorder of Deeds of Cass County, and Clerk of the Circuit Court of Cass County, at the cost of the City of Belton.

.end	
	Approved as to form and legality:
	Sarah Baxter Assistant City Attorney

Kansas City Page 2 of 2

# **COMMUNITY PROJECT/REZONING**

**Ordinance Fact Sheet** 

**Case No.** CD-CPC-2021-00157

**Brief Title** 

An ordinance to de-annex about 103 acres of Kansas City, MO property generally located at 4200 Bong St, to detach a portion of the Eagles' Landing Golf Course. (CD-CPC-2021-00197)

#### Details

Details		
Location: Generally located at 4200 Bong St.		
Reason for Legislation: De-annexation requires 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		

OMMISSION:

The Water Services Department receive

 The Water Services Department received the water easement requested.

#### **CITY PLAN COMMISSION RECOMMENDATION:**

Approval Subject to Conditions

- 1. Please provide information about any and all existing easements for water and sewer assets within the de-annexation area. It is anticipated that KC Water will require all water distribution mains and appurtenances and sewer collection infrastructure to have dedicated easements if the de-annexation moves ahead. KCMO Public Works Department has facilities or interests within the right-of-way but has no objects to the proposed vacation.
- 2. The City must have the recorded easement documents prior to approval or passage of the de-annexation ordinance.

## 220453

**Ordinance Number** 

Positions/Recomm	nendations			
Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development			
Programs, Departments, or Groups Affected	6 <sup>th</sup> District (Bough, McManus)			
Applicants / Proponents	Applicant Greg Rokos 506 Main St Belton, MO 64012  City Department City Planning & Development Other			
Opponents	Groups or Individuals  Basis of Opposition			
Staff Recommendation	X For Against Reason Against –			
Board or Commission Recommendation	City Plan Commission (6-0) 04-16-2022  By Nay: Allender, Baker, Crowl, Enders, Hill, Rojas  X 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			
	9			

Policy or Program Yes No
Operational Impact Assessment
Finances
Cost & Revenue Projections – Including Indirect Costs
Financial Impact
Funding Source(s) and

				Appropriation Account Codes	
Fact Sheet Prepared By:	Date:	05-12-2022			
Ahnna Nanoski, AICP Lead Planner  Reviewed By: Joe Rexwinkle, AICP Division Manager Development Management	Date:		City Pla Tota	itial Application Filed: n Commission Action: Revised Plans Filed: al Days in City Review: s in Applicant's Hand:	10-19-2021 04-19-2022 NA 30 103

**Reference Numbers:** 

Case No. CD-CPC-2021-00197