



CITY COUNCIL Regular Meeting

December 16, 2024

6:00 PM, Council Chambers - 111 E. Maple Ave.

To view a Council meeting agenda, visit <https://independencemo.portal.civicclerk.com/> and select 'Most Recent Council Agenda'.

INVOCATION

1. Tim Allison, Chaplain for the Visiting Nurse Association Hospice will give the invocation

THE PLEDGE OF ALLEGIANCE

ROLL CALL

CITIZEN REQUESTS

PROCLAMATIONS

CONSENT AGENDA

Reports and Recommendations of the City Manager

1. Council action is requested to add Stumpy Tree Service as an additional contractor for the 2024-25 Abatement Services for the Community Development Department.
2. Council action to issue a purchase order to Miracle Recreation Equipment Co. in the amount of \$101,118, for playground equipment for Rotary Park for the Parks|Recreation|Tourism Department.
3. Council action is requested authorizing a change order to the contract with the Kansas City Area Transportation Authority for the purpose of providing transit services through December 31, 2024, in the amount of \$150,000.

RESOLUTIONS

1. 24-797 A Resolution appointing Kevin Baird to the Park Commission
2. 24-798 A Resolution appointing Cassandra Krul to the Sustainability Commission
3. 24-799 A Resolution reappointing Dennis Tharp and appointing John Powell to the Street Improvement Oversight Committee
4. 24-780 A Resolution reappointing Bruce Frakes to the Public Safety Tax Oversight Committee
5. 24-781 A Resolution appointing Teri Mertel to the Public Utilities Advisory Board
6. 24-782 A Resolution appointing Cindy McClain to the Board of Adjustment

REGULAR AGENDA

PUBLIC HEARING(S)

1. A public hearing for the application to rezone the properties at 10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue from C-2 (General Commercial) to R-6 (Single-Family Residential); to rezone the properties at 10321, 10323, 10325 and 10327 E. 18th Street S. from C-2 (General Commercial) to R-12 (Two-Family Residential); and to rezone the property at 1803 S. Ash Avenue from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential). ***New Information Only.***

24-121 **2R** An ordinance approving a rezoning from District C-2 (General Commercial) and District R-12 (Two-Family Residential) to District R-6 (Single-Family Residential) and R-12 (Two-Family Residential) for the properties along 18th Street and Ash Avenue in Independence, Missouri. **2R**

2. A public hearing for the application to rezone the property at 2301 S. Crysler Avenue from R-6 (Single-Family Residential) and I-1 (Industrial) to R-6 (Single-Family Residential). ***New Information Only.***

24-122 **2R** An ordinance approving a rezoning from District I-1 (Industrial) and District R-6 (Single-Family Residential) to District R-6 (Single Family Residential) for the properties at 2301 S. Crysler Avenue. **2R**

3. A public hearing for the amendment to the Unified Development Ordinance, Chapter 14, of the Independence City Code relating to trash haulers. ***Full Public Hearing.***

24-123 **2R** An ordinance amending the Unified Development Ordinance,

Chapter 14, of the Independence City Code pertaining to trash haulers. **2R**

ORDINANCES

1. 24-111 **2R** An ordinance amending Article 1, “Property Maintenance Code,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Property Maintenance Code and making other necessary revisions. **2R**
2. 24-112 **2R** An ordinance amending Article 4, “Plumbing Code,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Plumbing Code and making other necessary revisions. **2R**
3. 24-113 **2R** An ordinance amending Article 5, “Building Code,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Building Code and making other necessary revisions. **2R**
4. 24-114 **2R** An ordinance amending Article 6, “Mechanical Code,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Mechanical Code and making other necessary revisions. **2R**
5. 24-115 **2R** An ordinance amending Article 7, “Electrical Code,” of Chapter 4 of the Independence City Code, and adopting the 2023 Edition of the National Electric Code and making other necessary revisions. **2R**
6. 24-116 **2R** An ordinance amending Article 12, “Existing Building Code,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Existing Building Code and making other necessary revisions. **2R**
7. 24-117 **2R** An ordinance amending Article 13, “Residential Code,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Residential Code with 2024 Energy Code amendments and making other necessary revisions. **2R**
8. 24-118 **2R** An ordinance amending Article 14, “Fuel Gas Code,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Fuel Gas Code and making other necessary revisions. **2R**
9. 24-119 **2R** An ordinance adding Article 17, “Energy Conservation Code – Commercial Provisions,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Energy Conservation Code and making other necessary revisions. **2R**
10. 24-120 **2R** An ordinance amending Chapter 9, “Fire Code,” of the Independence City Code and adopting the 2024 Edition of the International Fire Code and making

other necessary revisions. **2R**

11. 24-124 **2R** An ordinance calling for an election to authorize the issuance of General Obligation bonds for the City of Independence, Missouri. **2R**

FIRST READING(S)

1. 24-125 **1R** An ordinance authorizing the acceptance of funding from the U.S. Department of Justice, Bureau of Justice Assistance, Office of Justice Programs, FY 2024 Byrne Discretionary Grant Program, through a Subrecipient Award from the Mid America Regional Council, which allocates \$457,425.00 to the City of Independence, Missouri, to expand the use of Automated License Plate Readers; appropriating the necessary funds; and authorizing future change orders and appropriations for the same project. **1R**
2. 24-126 **1R** An ordinance approving a Final Plat for McBee Acres, in Independence, Missouri. **1R**
3. 24-127 **1R** An ordinance approving a rezoning from District R-12 (Two-Family Residential) to District C-2 (General Commercial) for the property at 2131 S. Scott Avenue. **1R**
4. 24-128 **1R** An ordinance approving a rezoning from District C-2 (General Commercial) to District R-30/PUD (High Density Residential/Planned Unit Development) and approving a Preliminary Development Plan for the property located at 19300 E. 37th Terrace S. **1R**
5. 24-129 **1R** An ordinance approving a rezoning from District R-30/PUD (High-Density Residential Planned Unit Development) to District C-2 (General Commercial) for the properties at 17200 E. Medical Center Parkway, 17203 & 17221 E. 23rd Street. **1R**
6. 24-130 **1R** An ordinance authorizing an amendment to the contract with the Missouri Department of Health and Senior Services to provide financial assistance for the Local Public Health Agency Accreditation Assistance Grant Program for one additional year for the period of December 1, 2023, through November 30, 2025; authorizing future change orders for additional funding and/or time extensions for the same project; and authorizing certain future appropriations. **1R**

INFORMATION ONLY

1. The Municipal Services Department is requesting a \$50,000 increase in expenditures for sanitary sewer pipe and related fittings against purchase order 25000236 with Blue Springs Winwater. The total of the purchase order increased to \$149,000.00.

2. ***Please Note:*** *In accordance with RSMo. 610.021, the City Council may convene in an Executive Session during or after the meeting, in the Council Chambers and move to Conference Room D for the closed meeting, on matters of litigation, legal action, and/or attorney client communications, as permitted by Sec. 610.021(1), on matters of personnel, as permitted by Sec. 610.021(3) and personnel records, as permitted by 610.021(13), on matters of contracts, as permitted by 610.021(12), on matters of real estate, as permitted by 610.021(2) and/or matters of labor negotiations, as permitted by 610.021(9).*

COUNCILMEMBER COMMENTS

ADJOURNMENT

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested to add Stumpy Tree Service as an additional contractor for the 2024-25 Abatement Services for the Community Development Department.

Recommendations:

Staff recommends approval to add this additional contractor.

Background:

Monaco Property Services and DuPree Landscaping & Lawn Care currently assists the City with abatements on properties with property maintenance violations and dangerous building board ups.

Monaco Property Services was awarded a contract in December 2021 while DuPree Landscaping & Lawn Care was awarded a contract in March 2023. This request would enable abatement services to continue without a pause from the contractor.

The Community Development Department needs multiple contractors for these services due to the number of abatements. These blanket Purchase Orders would allow the Community Development Department to have a purchase order open for Monaco Property Services, DuPree Landscaping & Lawn Care and Stumpy Tree Service. Funds will be distributed among these contractor(s) as needed to meet abatement demand.

Approval of this item would authorize change orders up to an additional ten percent of the purchase order amount (\$30,000), provided appropriations are available.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$300,000. Funding for the property maintenance violation abatements was included in the 2024/25 adopted budget, page 97, account 0024411-5226 (Professional Services) for \$250,000. The additional \$50,000 for boarding up dangerous buildings come from ARP funds (0614401-5226 and the Dangerous Building budget, page 102, account 0024431-5226).

Council Action:

REVIEWERS

Tom Scannell
Jeremy Cover
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Monaco Property Services Introduction
2. DuPree Landscaping & Lawn Care Job Performance List
3. Stumpy Tree Service Introduction

Letter Of Intent to Bid on Grounds Restoration and Abatements

Monaco Property Services is a locally owned and family operated company in Independence Missouri. We have been in business since 2017. We have experience in mowing, trash removal, boarding up structures including HUD requirements, commercial property maintenance and landscaping services. Our owner/operator is CDL Class A qualified, and our employees are background checked, and drug tested during the hiring process.

We own all our equipment and have a salvage license in the State of Missouri.

Equipment List

60 HP Tractor With Lane Shark and Brush Hog

Flail Mower

Weed Eaters (5)

Brush Knife

Ride On Brush Hogs (3)

Dump Trailers (2)

1 Ton Trucks (2)

½ Ton Truck

Mowing Trailer

Chainsaws (3)

Pole Saw

Drills/ Saws (bord ups) (6)

Dingo Skid Steer (with bucket and grapple)

Finish Mowers (4)

Thank You,

Shelby Monaco

DLLC - DuPree Landscaping & Lawn Care, LLC
791 E
Warren St Gardner KS

Jase Properties		Jeff Bolden jproperties2everestkc.net 913-486-7031 962-9211	04/2006 to date 913-	Apartment complex complete grounds maintenance		Private Contract
Olathe Cemetery	City of Olathe KS	Brian Nigles bnigles@olatheks.org 913-238-1205	04/2008 to date	Trimming of approximately 8350 headstones & 28 acres		Municipal Contract
Fort Scott National Cemetery	Fort Scott	Brett Geneva Brett.Geneva@va.gov 913-683-2283	04/2010 to 2019	Grounds maintenance of 18 acres & trimming of approximately 5600 headstones	VA78616C0008	Federal Contract
IA033	USARC Des Moines IA	James Ganzley james.e.ganzley.civ@mail.mil	4/2016 to 03/2019	Mowing & trimming of 12 acres	W911SA16P0078	Federal Contract
UT003	USARC Logan UT	Lynn Herman lynn.m.herman.civ@mail.mil	5/2017 to date	Mowing & trimming of 12 acres	W911SA17P3002	Federal Contract
WI092	USARC Hammond WI	Lynn Herman lynn.m.herman.civ@mail.mil	5/2017 to date	Mowing & trimming of 12 acres / Snow removal	W911SA17P3001 / W911SA-23-P-3002	Federal Contract
US Coast Guard Sector Field Office Galveston TX	US Coast Guard	Reginald Henderson reginald.b.henderson@uscg.mil 757-628- 4129	2/2017 to 12/31/2021	Mowing & trimming of 12 acres	HSCG8417CAA8516	Federal Contract
Des Moines Ia VA	Des Moines IA			Snow removal	VA263-16-Q-0859	Federal Contract
Iowa City VA	Iowa City IA			Snow Removal	36C26323P1096	
MO76	Kansas City MO			Snow Removal Ground Maintenance		
MO01	Belton MO			Snow Removal	W911SA-23-P-3006	Federal Contract
Water Facilities	Lee Summit Mo	Matt Yates Matthew.Yates@cityofls.net 816.969.1966	4/01-2022 to Date	Grounds Maintenance		Municipal Contract
City of Kansas City Parks	Kansas City MO	Wilkes, Arnold <Arnold.Wilkes@kcmo.org> Mobile: 816-937-4510 Desk: 816-513-8567 Fax: 816-513-8574	4/01-2022 to Date	Ground Maintenance 120 acres	Parks Mowing	Municipal Contract
Lee Summit Police Department Properties		Mark Liebig mark.liebig@cityofls.net 816.969.1758	04/15/2024 to date	Ground Maintenance		Municipal Contract
City Of Independence	Independence MO	Hollie Allerson <hallerson@indepmo.org>	04/01/2023 to 11/01/2024	Abatement Properties		Municipal Contract

Stumpy Tree Service

Owner: Lance Malmberg
Contact info: (425) 233-9933
malmberglance@gmail.com
1109 NW Conway Ct.
Blue Springs, MO 64015

Introduction:

My name is Lance Malmberg, I am the owner of Stumpy Tree Service and I'm a general contractor. I have been in business since January of 2012, Most of my work started as residential jobs and soon transitioned to municipal contracts. During that time, I have acquired many skills and equipment to complete the tasks and jobs that different cities and counties have requested to be performed. Last year I moved to Blue Springs, MO and have moved my business there. My list of equipment I own consists of push mowers/riding mowers, flail mower with tractor, excavator with grapple and bucket attachments, loader, chainsaws, stump grinder, 2 trucks, one dump truck, two trailers one 20' and a 12' trailer. I'm also a certified crane operator, certified diver and ISA certified tree climber....I have all the tools and experience to complete any of the task required in the RFP.

References:

Ryan Rutkosky City of Puyallup WA D (253) 841-5473 C (253) 381-7902

Tim Hagan Pierce County WA (253) 341-8156

Jon Genske City of Puyallup WA (253) 293-0885

Ian Gray City of Renton, WA (425) 430-6605 (206) 445-5349

Lizzy Stone City of Mercer Island, WA (206) 507- 3796

Knut Hanson, Contractor (425) 922-8978

Joe Jones Contractor (253) 389-9573

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action to issue a purchase order to Miracle Recreation Equipment Co. in the amount of \$101,118, for playground equipment for Rotary Park for the Parks|Recreation|Tourism Department.

Recommendations:

Council approval to issue purchase order to Miracle Recreation Equipment Co.

Background:

The playground at Rotary Park is twenty-four years old, and at the end of its useful life. Due to age, we are unable to obtain replacement parts. This purchase will replace the playground with a new, modern playground.

Approval of this item authorizes change orders up to ten (10) percent of the authorized amount, providing appropriations are available.

This will be purchased using Sourcewell Contract #38294. Per section 8.06.004, Paragraph 4, of the City Code states competitive bidding is not required when purchases are made through a cooperative contractor established by a government purchasing entity or cooperative. The cooperative bids used have been established pursuant to RSMo.70.220 or generally accepted purchasing practices through the competitive bidding process.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City totals \$101,118. Funding is included in the FY2024-25 budget, page 140, account number 0597059-5406.

Council Action:

Department / Contact	Parks, Recreation and Tourism /
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REVIEWERS

Morris Heide

Jeremy Cover
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Independence-Rotary Playground Quote



Miracle Recreation Equip. Co.
878 E. US Hwy 60
Monett, MO 65708
1-888-458-2752

QUOTE: R0022244122
CUSTOMER: 6405A04
Project: R0022_45573634477_01

Prepared For:

William Feltrop
CITY OF INDEPENDENCE
Attn: Accounts Payable
P.O BOX 1019
INDEPENDENCE, MO 64051
816-447-2740 (phone)
WFeltrop@indepmo.org

Project Name & Location:

Attn: Rotary Park Op1 + Adult
Fit - 11-15-24
Rotary Park
Independence, MO 64052

Prepared by:

Custom Play Systems

1024 SE Carmine Ct
Blue Springs, MO 64014 USA
(816) 795-7795 (phone)
(816) 795-7795 (fax)
playgroundbill@gmail.com

Ship To Address:

William Feltrop
City of Independence
Parks Department
320 e Lexington Ave.
Independence, MO 64050
816-447-2740 (phone)
WFeltrop@indepmo.org

End User:

William Feltrop
CITY OF INDEPENDENCE
Attn: Accounts Payable
P.O BOX 1019
INDEPENDENCE, MO 64051
816-447-2740 (phone)
WFeltrop@indepmo.org

Quote Number: R0022244122
Quote Date: 11/15/2024
Valid For: 30 Days From Quote Date

2-12 Playground

Product line: TotsChoice
Age group: 2-12

Components

Part Number	Description	Qty	Weight	Unit Price	Total
304	TEN SPIN	1	1,000.00	4,288.00	4,288.00
467	INTERSECTION CLIMBER	1	250.00	4,200.00	4,200.00
7185019	TRIANGLE DECK (ATTACHES TO 3 POSTS)	1	75.00	899.00	899.00
7185029	SQUARE DECK (ATTACHES TO 4 POSTS)	3	100.00	1,151.00	3,453.00
7185039	1/2 HEX FULL DECK (ATTACHES TO 4 POSTS)	2	125.00	1,526.00	3,052.00
7185494	3 1/2" OD X 118" POST (4' DK)	3	40.00	242.00	726.00
718552	3 1/2" OD X 130" POST (3' TO 5' DKS)	4	40.00	378.00	1,512.00
718572	3 1/2" OD X 138" POST ROOF (3'DK OR LESS)	6	40.00	260.00	1,560.00
718573	3 1/2" OD X 162" POST ROOF (3'6" TO 5'DK)	4	50.00	313.00	1,252.00
7186615	DNA CLIMBER (5' DK)	1	2,000.00	4,930.00	4,930.00
7186706	CHAMII LEFT SECTION	2	60.00	708.00	1,416.00
7186706	CHAMII LEFT SECTION	2	60.00	708.00	1,416.00
718670M21	CHAMII DBL SLIDE ENTRY/EXIT (5'-6'6" DK)	1	290.00	3,517.00	3,517.00
7186933	HEX CLIMBER TO 3' DK	1	45.00	998.00	998.00
718700	5' SIDE-BY-SIDE SLIDE,CANOPY (3' DK)	1	150.00	2,187.00	2,187.00
7187142HB	FIRE TRUCK 1/2 PANEL (BELOW DECK)	1	50.00	1,034.00	1,034.00

11/15/2024
QUOTE: R0022244122

Page 1 of 5

718721	CANYON CLIMBER (3' & 5' DECK)	1	90.00	1,890.00	1,890.00
7187306	HEXAGON TREEHOUSE ROOF	1	390.00	3,275.00	3,275.00
718731	TRAP DOOR CLIMBER (3' & 5' DK)	1	95.00	1,642.00	1,642.00
7187721	BONGO PERCH (STATIONARY)	4	15.00	269.00	1,076.00
7187721	BONGO PERCH (STATIONARY)	4	15.00	269.00	1,076.00
718796P1	BELL (POST MOUNT)	1	10.00	225.00	225.00
7188053	HULA CLIMBER GRND TO 3' DK	1	90.00	1,857.00	1,857.00
7188109	ADA STAIRS BETWEEN DECKS W/1' RISE	2	110.00	1,484.00	2,968.00
7188161	WIRE MESH ENCLOSURE	3	25.00	860.00	2,580.00
7188172B	BENCH PANEL (BELOW DECK)	1	50.00	1,373.00	1,373.00
71885139	SQ TRSFR POINT, CL HR (3' DK)	1	225.00	3,597.00	3,597.00
7188614	60" SQUARE ROOF-SHINGLE, DOUBLE WALL	1	135.00	1,546.00	1,546.00
71887530	LOOK-OUT BUBBLE PANEL 30 DEGREE	1	55.00	1,244.00	1,244.00
718908	SPIDER CLIMBER (3, 5' OR 6' DK)	1	60.00	1,431.00	1,431.00
8030565MR	TEETER SPIN	1	440.00	4,950.00	4,950.00
8181	BOULDER CLIMBING TUNNEL	1	400.00	5,625.00	5,625.00
925920Z	TOUCH UP PAINT KIT - FREESTANDING (NO PRICE)	1	0.00	0.00	0.00

RiskSign_Included

Product line: Freestanding

Age group:

Components

Part Number	Description	Qty	Weight	Unit Price	Total
787Z	RISK MANAGEMENT SIGN - ENGLISH (NO PRICE)	1	0.00	0.00	0.00

Fitness-Sale

Product line: Freestanding

Age group:

Components

Part Number	Description	Qty	Weight	Unit Price	Total
4541	(454S005J) CROSSWAY CLIMBER LARGE	1			
4543	(454S005J) CHAOS CLIMBER	1			
4544	(454S005J) TAPERED TOWER	1			
4545	(454S005J) BREAKAWAYS (BASE 4X)	1			
4546	(454S005J) SPRAWL WALL	1			
454S005J	SALE - CHAMPION TREK	1	3,645.00	30,099.00	30,099.00
714552	(454S005J) 5" OD X 136" POST (3' TO 5' DKS)	4			
714692425	(454S005J)	1			

11/15/2024

QUOTE: R0022244122

Page 2 of 5

714999Z	AIRTIME CLIMBER CUSTOMER SERVICE KIT (NO PRICE)	1	0.00	0.00	0.00
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Adult Fitness

Product line: Freestanding

Age group: 13+

Components

Part Number	Description	Qty	Weight	Unit Price	Total
160001	ADULT FITNESS COURSE, STEP UP	1	100.00	907.00	907.00
160002	ADULT FITNESS COURSE, LEG LIFT	1	50.00	434.00	434.00
160011	ADULT FITNESS COURSE, CHIN UP	1	100.00	713.00	713.00
160015	ADULT FITNESS COURSE, VERTICAL CLIMB	1	150.00	1,657.00	1,657.00

Additional Items

Part Number	Description	Qty	Weight	Unit Price	Total
105295	BAG ZIPLOCK 12" X 14" X 4MIL(OFFICE USE)	1	0.00	0.00	0.00
925961	THUMB DRIVE 2GB - MREC	1	0.00	0.00	0.00
INSTALL BOOK	INSTALL BOOK FOR PP ORDERS	1	0.00	0.00	0.00

Totals:

Equipment Weight:	11,870.00 lbs
Equipment List:	\$106,605.00
Discount Amount:	-\$22,580.44
Equipment Price:	\$84,024.56
Freight:	\$2,093.44
Installation:	\$15,000.00
SubTotal:	\$101,118.00
Estimated Sales Tax*:	\$0.00
Grand Total:	\$101,118.00

Notes:

Sourcewell Account # 38294

10 Days of Supervised Installation - Option 2 at \$1,500.00 per day = \$15,000.00

Ship Last week of February 2025

This Quote shall not become a binding contract until signed and delivered by both Customer and Miracle Recreation Equipment Company ("Miracle"). Sales Representative is not authorized to sign this Quote on behalf of Miracle or Customer, and signed Quotes cannot be accepted from Sales Representative. To submit this offer, please sign below and forward a complete signed copy of this Quote directly to "Miracle Sales

11/15/2024

QUOTE: R0022244122

Page 3 of 5

Administration" via fax (417) 235-3551 or email: orders@miraclerec.com. Upon acceptance, Miracle will return a fully-signed copy of the Quote to Customer (with copy to Sales Representative) via fax or email.

THIS QUOTE IS LIMITED TO AND GOVERNED BY THE TERMS CONTAINED HEREIN. Miracle objects to any other terms proposed by Customer, in writing or otherwise, as material alterations, and all such proposed terms shall be void. Customer authorizes Miracle to ship the Equipment and agrees to pay Miracle the total amount specified. Shipping terms are FOB the place of shipment via common carrier designated by Miracle. Payment terms are Net-30 days from invoice date with approved credit and all charges are due and payable in full at PO Box 734154, Dallas, TX 75373-4154, unless notified otherwise by Miracle in writing. Customer agrees to pay all additional service charges for past due invoices. Customer must provide proper tax exemption certificates to Miracle, and shall promptly pay and discharge all otherwise applicable taxes, license fees, levies and other impositions on the Equipment at its own expense. Purchase orders and payments should be made to the order of Miracle Recreation Equipment Company.

Quote Number: R0022244122 **Quote Date:** 11/15/2024 **Equipment:** \$106,605.00 **Grand Total:** \$101,118.00

CUSTOMER HEREBY SUBMITS ITS OFFER TO PURCHASE THE EQUIPMENT ACCORDING TO THE TERMS STATED IN THIS QUOTE AND SUBJECT TO FINAL APPROVAL BY MIRACLE.

Submitted By **Printed Name and Title** **Date**
THE FOREGOING QUOTE AND OFFER ARE HEREBY APPROVED AND ACCEPTED BY MIRACLE RECREATION EQUIPMENT
By:

Date:

ADDITIONAL TERMS & CONDITIONS OF SALE

1. Use & Maintenance. Customer agrees to regularly inspect and maintain the Equipment, and to provide, inspect and maintain appropriate safety surfacing under and around the Equipment, in accordance with Miracle's product literature and the most current Consumer Product Safety Commission Handbook for Public Playground Safety.

2. Default, Remedies & Delinquency Charges. Customer's failure to pay any invoice when due, or its failure to otherwise comply with the terms of this Quote, shall constitute a default under all unsatisfied invoices ("Event of Default"). Upon an Event of Default, Miracle shall have all remedies available to it at law or equity, including, without limitation, all remedies afforded a secured creditor under the Uniform Commercial Code. Customer agrees to assist and cooperate with Miracle to accomplish its filing and enforcement of mechanic's or other liens with respect to the Equipment or its location or its repossession of the Equipment, and Customer expressly waives all rights to possess the Equipment after an Event of Default. All remedies are cumulative and not alternative, and no exercise by Miracle of a remedy will prohibit or waive the exercise of any other remedy. Customer shall pay all reasonable attorneys fees plus any costs of collection incurred by Miracle in enforcing its rights hereunder. Subject to any limitations under law, Customer shall pay to Miracle as liquidated damages, and not as a penalty, an amount equal to 1.5% per month of any payment that is delinquent in such month and is not received by Miracle within ten (10) days after the date on which due.

3. Limitation of Warranty/ Indemnity. MIRACLE MAKES NO EQUIPMENT WARRANTIES EXCEPT FOR THOSE STANDARD WARRANTIES ISSUED WITH THE EQUIPMENT, WHICH ARE INCORPORATED HEREIN BY THIS REFERENCE. MIRACLE SPECIFICALLY DISCLAIMS ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND ANY LIABILITY FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES. CUSTOMER AGREES TO DEFEND, INDEMNIFY AND SAVE MIRACLE HARMLESS FROM ALL CLAIMS OF ANY KIND FOR DAMAGES OF ANY KIND ARISING OUT OF CUSTOMERS ALTERATION OF THE EQUIPMENT, ITS FAILURE TO MAINTAIN THE EQUIPMENT, ITS FAILURE TO PROPERLY SUPERVISE EQUIPMENT USE, OR ITS FAILURE TO PROVIDE AND MAINTAIN APPROPRIATE TYPES AND DEPTHS OF SAFETY SURFACING BENEATH AND AROUND THE EQUIPMENT IN ACCORDANCE WITH MIRACLES INSTALLATION AND OWNERS MANUALS AND THE MOST CURRENT CONSUMER PRODUCT SAFETY COMMISSION HANDBOOK FOR PUBLIC PLAYGROUND SAFETY.

4. Restrictions. Until all amounts due hereunder are paid in full, Customer shall not: (i) permit the Equipment to be levied upon or attached under any legal process; (ii) transfer title to the Equipment or any of Customer's rights therein; or (iii) remove or permit the removal of the Equipment to any location not specified in this Quote.

5. Purchase Money Security Interest. Customer hereby grants, pledges and assigns to Miracle, and Miracle hereby reserves a purchase money security interest in, the Equipment in order to secure the payment and performance in full of all of Customer's obligations hereunder. Customer agrees that Miracle may file one or more financing statements, in order to allow it to perfect, acquire and maintain a superior security interest in the Equipment.

6. Choice of Law and Jurisdiction. All agreements between Customer and Miracle shall be interpreted, and the parties' obligations shall be governed, by the laws of the State of Missouri without reference to its choice of law provisions. Customer hereby consents to the personal jurisdiction of the state and federal courts located in the city and county of St. Louis, Missouri.

7. Title; Risk of Loss; Insurance. Miracle Retains full title to all Equipment until full payment is received by Miracle. Customer assumes all risk of loss or destruction of or damage to the Equipment by reason of theft, fire, water, or any other cause, and the occurrence of any such casualty shall not relieve the Customer from its obligations hereunder and under any invoices. Until all amounts due hereunder are paid in full, Customer shall insure the Equipment against all such losses and casualties.

8. Waiver; Invalidity. Miracle may waive a default hereunder, or under any invoice or other agreement between Customer and Miracle, or cure such a default at Customer's expense, but shall have no obligation to do either. No waiver shall be deemed to have taken place unless it is in

11/15/2024

Page 4 of 5

QUOTE: R0022244122

writing, signed by Miracle. Any one waiver shall not constitute a waiver of other defaults or the same kind of default at another time, or a forfeiture of any rights provided to Miracle hereunder or under any invoice. The invalidity of any portion of this Quote shall not affect the force and effect of the remaining valid portions hereof.

9. Entire Agreement; Amendment; Binding Nature. This fully-executed Quote, as supplemented by Change Orders and invoices containing exact amounts of estimates provided herein, constitutes the complete and exclusive agreement between the parties. A Change Order is a written instrument signed by the Customer and Miracle stating their agreement as to any amendment in the terms of this Quote. Customer acknowledges that Change Orders may result in delays and additional costs. The parties agree that all Change Orders shall include appropriate adjustments in price and time frames relating to any requested amendments. Upon full execution, this Quote shall be binding upon and inure to the benefit of the parties and their successors and assigns.

10. Counterparts; Electronic Transmission. This Quote, any invoice, and any other agreement between the parties, may be executed in counterparts, each of which shall constitute an original. The facsimile or other electronic transmission of any signed original document and retransmission of any signed facsimile or other electronic transmission shall be the same as the transmission of an original. At the request of either party, the parties will confirm facsimile or other electronically transmitted signatures by signing an original document.

Rev E 021815

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested authorizing a change order to the contract with the Kansas City Area Transportation Authority for the purpose of providing transit services through December 31, 2024, in the amount of \$150,000.

Recommendations:

Staff recommends approval.

Background:

This change would increase the contract amount by \$150,000. The increase is due to increased paratransit ridership.

The City of Independence currently contracts with the Kansas City Area Transportation Authority (KCATA) to provide fixed route service between the Transit Center and downtown Kansas City as well as the required complementary paratransit within the City limits of Independence and between Independence and Kansas City and intra-city senior transit services.

In July 2024, the City Council approved a contract with KCATA in the amount of \$492,299 and authorized additional funding of \$49,229 for minor change orders as deemed appropriate.

The City's cost for paratransit services is based on passenger trips. The contract estimates the number of annual passenger trips based on trends in the service. During the current contract, paratransit ridership in the City has continued to increase. This ridership increase has necessitated this increase to the contract amount by an additional \$150,000 for a total cost of \$691,528.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City totals \$691,528. Funding for transportation services is included in the Fiscal Year 2024-2025 Transportation section of the Community Development budget page 100, account number 0024414-5226.

Council Action:

**Department /
Contact**

Community Development /

REVIEWERS

Tom Scannell
Jeremy Cover
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

None

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-797 A Resolution appointing Kevin Baird to the Park Commission

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

**Department /
Contact**

Council and Board /

REVIEWERS

Zachary Walker
Susanne Holland

ATTACHMENTS:

1. K Barid Appt Park Comm 12.2.24

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION APPOINTING KEVIN BAIRD AS A MEMBER OF THE PARK
COMMISSION OF THE CITY OF INDEPENDENCE, MISSOURI

WHEREAS, the City Council of the City of Independence, Missouri, has established a Park Commission within the City of Independence by the provisions in Article 9 of Chapter 1 of the “Code of the City of Independence, Missouri”; and,

WHEREAS, the resignation of a member has created a vacancy; and,

WHEREAS, the City Council deems it necessary and advisable to appoint Kevin Baird to said Independence Park Commission because of their qualities of leadership temperance, judgment, and interest in promoting public education, use and knowledge regarding the City’s Parks and Recreation Programs; and,

WHEREAS, said individual is qualified to serve, according to the Charter and ordinances of this City and the Council does hereby affirm the individual appointments made by each Councilmember;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri, hereby appoints the following individual to the Park Commission of the City of Independence, Missouri, each to serve without compensation for the indicated term or until duly succeeded by another person properly appointed and qualified:

<u>Name</u>	<u>Address</u>	<u>Term Expires</u>
Kevin Baird	2312 Viking Drive	9/1/2026

PASSED THIS _____ DAY OF DECEMBER, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-798 A Resolution appointing Cassandra Krul to the Sustainability Commission

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

**Department /
Contact**

Council and Board /

REVIEWERS

Zachary Walker
Susanne Holland

ATTACHMENTS:

1. C. Krul appt 12.2.24 Res

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION APPOINTING CASSANDRA KRUL TO THE SUSTAINABILITY
COMMISSION OF THE CITY OF INDEPENDENCE

WHEREAS, the Sustainability Commission was created on September 17, 2018, by Resolution No. 6367 to advise the City Council on information regarding sustainable growth and development, the preservation of natural resources, strategies around litter reduction and recycling, and additional things that contribute to enhancing the appearance of the public realm; and

WHEREAS, due to the expiration of a term, one vacancy has been created; and,

WHEREAS, the City Council deems it necessary and advisable to appoint Cassandra Krul as a member of the Sustainability Commission of the City of Independence, Missouri, and;

WHEREAS, said individual is duly qualified to so serve, according to the Charter and ordinances of this City;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri, hereby appoints the following person(s) to the Sustainability Commission of the City of Independence, Missouri, each to serve without compensation for the indicated term or until duly succeeded by another person properly appointed and qualified:

<u>Name</u>	<u>Address</u>	<u>Term Expires</u>
Cassandra Krul	10114 E. 11 th St. South	10/1/2026

PASSED THIS _____ DAY OF DECEMBER, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-799 A Resolution reappointing Dennis Tharp and appointing John Powell to the Street Improvement Oversight Committee

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

**Department /
Contact**

Council and Board /

REVIEWERS

Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Tharp and Powell Res 2024

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION REAPPOINTING DENNIS THARP AND APPOINTING JOHN POWELL
TO THE STREET IMPROVEMENT OVERSIGHT COMMITTEE

WHEREAS, the City Council of the City of Independence, pursuant to Resolution No. 4530, passed on the 20th day of July, 1998, created the Street Improvement Oversight Committee within and for the City of Independence, Missouri; and,

WHEREAS, by passage of Resolution 4538, on September 8, 1998, the City Council named the first seven members of the Street Improvement Oversight Committee; and,

WHEREAS, due to the expiration of terms of office, vacancies have been created; and

WHEREAS, the City Council deems it advisable to reappoint Dennis Tharp and appoint John Powell to said Street Improvement Oversight Committee because of their qualities of leadership, temperance, judgment, and interest in promoting public education regarding street projects, and appropriate expenditure of the City's Capital Improvement Sales Tax; and,

WHEREAS, said individual is qualified to serve, according to the Charter and ordinances of this City, and the Council wishes to affirm the individual appointment; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri, hereby appoint the following individuals to the Street Improvement Oversight Committee of the City of Independence, Missouri, to serve without compensation for the indicated term or until duly succeeded by another person properly appointed and qualified:

<u>Name</u>	<u>Address</u>	<u>Term Expires</u>
Dennis Tharp	3700 S. Grand Ave.	10/1/2025
John Powell	18009 E. 29 th Terr Ct South	10/1/2026

PASSED THIS _____ DAY OF DECEMBER, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-780 A Resolution reappointing Bruce Frakes to the Public Safety Tax Oversight Committee

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

**Department /
Contact**

Council and Board /

REVIEWERS

Zachary Walker
Susanne Holland

ATTACHMENTS:

1. B Frakes Reappt Res to PSTOC

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION REAPPOINTING BRUCE FRAKES AS A MEMBER OF THE PUBLIC
SAFETY TAX OVERSIGHT COMMITTEE OF THE CITY OF INDEPENDENCE,
MISSOURI

WHEREAS, the City Council of the City of Independence, Missouri, did pursuant to Resolution No. 5075, passed on the 17th day of May 2004, create the Public Safety Tax Oversight Committee within and for the City of Independence, Missouri, and,

WHEREAS, Bruce Frakes was a member of the Public Safety Tax Oversight Committee, and his term has expired, and

WHEREAS, the City Council deems it advisable to reappoint Bruce Frakes to said Public Safety Tax Oversight Committee because of their qualities of leadership, temperance, judgment, and interest in promoting education regarding purchase, construction, repair, maintenance, reconstruction of facilities and equipment and training, as well as observation of the collection and expenditures of the Fire Protection Sales Tax, the Public Safety Capital Improvements Sales Tax and the Use Tax for police personnel; and,

WHEREAS, said individual is duly qualified to serve, according to the Charter and ordinances of this City, and the Council affirms the individual appointments made by each council member.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri, hereby reappoints the following individual to the Public Safety Tax Oversight Committee to serve without compensation for the indicated term or until duly succeeded by another person properly appointed and qualified:

<u>Name</u>	<u>Address</u>	<u>Term Expires</u>
Bruce Frakes	14509 E. 44 th St. South	November 15, 2026

PASSED THIS _____ DAY OF DECEMBER 2024 BY THE CITY COUNCIL OF THE
CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-781 A Resolution appointing Teri Mertel to the Public Utilities Advisory Board

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

**Department /
Contact**

Council and Board /

REVIEWERS

Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Mertel Appt Res PUAB 2024

PUAB
Appt. T. Mertel
12/16/24

BILL NO. _____
RESOLUTION NO. _____

A RESOLUTION APPOINTING TERI MERTEL AS A MEMBER OF THE PUBLIC UTILITIES ADVISORY BOARD OF THE CITY OF INDEPENDENCE, MISSOURI.

WHEREAS, the City Council of the City of Independence, Missouri, did pursuant to Ordinance No. 427, passed on the 27th day of September, 1963, as amended (Section 1.14.001 of the City Code), and the City Charter, Article 3, Section 3/15, create the Public Utilities Advisory Board (PUAB) of the City of Independence, Missouri; and,

WHEREAS, one resignation of a term limit has created a vacancy; and

WHEREAS, the City Council deems it necessary and advisable to appoint Teri Mertel to said Public Utilities Advisory Board to fill said vacancy because of their qualities of leadership, temperance and judgment; and,

WHEREAS, said individual is duly qualified to so serve, according to the Charter and ordinances of this City, and the City Council wishes to affirm this appointment by Councilmember Jared Fears.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri, hereby appoints the following individual(s) to the Public Utilities Advisory Board, to serve without compensation for the indicated term or until duly succeeded by another person properly appointed and qualified:

Name	Address	Term Expiration	Appointed By
Teri Mertel	13704 E. 39th St. S 64055	7/01/2028	Councilmember Vaught

PASSED THIS ____ DAY OF DECEMBER, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-782 A Resolution appointing Cindy McClain to the Board of Adjustment

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

**Department /
Contact**

Council and Board /

REVIEWERS

Zachary Walker
Susanne Holland

ATTACHMENTS:

1. C McClain Res for Appt Board of Adjustment

Board of Adjustment
Appt. C. McClain
12/16/24 SH

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION APPOINTING CINDY MCCLAIN AS A MEMBER OF THE BOARD OF
ADJUSTMENT OF THE CITY OF INDEPENDENCE, MISSOURI.

WHEREAS, the City Council of the City of Independence, Missouri, did, pursuant to ordinance No. 427 passed on the 27th day of September 1963, as amended (Section 1.19.001 of the City Code), and the City Charter, Article 12, Section 12.5 and 12.6 create the Board of Adjustment of the City of Independence, Missouri; and,

WHEREAS, due to a resignation, a vacancy has been created; and,

WHEREAS, the City Council deems it advisable to appoint Cindy McClain to the Board of Adjustment because of their qualities of leadership, temperance, and judgment; and,

WHEREAS, said individual is duly qualified to so serve, according to the Charter and ordinances of this City; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri, hereby appoints the following individual to the Board of Adjustment, to serve without compensation for the indicated term or until duly succeeded by another person properly appointed and qualified:

Name	Term Expiration Date
Cindy McClain	7/1/2028

PASSED THIS ____ DAY OF DECEMBER 2024 BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

A public hearing for the application to rezone the properties at 10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue from C-2 (General Commercial) to R-6 (Single-Family Residential); to rezone the properties at 10321, 10323, 10325 and 10327 E. 18th Street S. from C-2 (General Commercial) to R-12 (Two-Family Residential); and to rezone the property at 1803 S. Ash Avenue from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential). ***New Information Only.***

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

Department / Contact	Community Development /
---------------------------------	-------------------------

REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. 10-29-24 Public Notice Submitted to Examiner

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Examiner** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(816) 254-8600**.

Notice ID: VO9zgbRkthGAyUMfC8Hh | **Proof Updated: Oct. 08, 2024 at 12:32pm CDT**
Notice Name: 10/29 PC Ad

See Proof on Next Page

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Miranda Rice
mrice@indepmo.org
(816) 325-7109

FILING FOR

Examiner

Columns Wide: 1 **Ad Class:** Legals

Total Column Inches: 12.63

Number of Lines: 101

10/12/2024: Other 163.32

Subtotal	\$163.32
Tax	\$0.00
Processing Fee	\$0.00
Total	\$163.32

Notice of Public Hearing

Notice is hereby given that a public hearing will be held by the Independence City **Planning Commission** at 6 p.m., Tuesday, October 29, 2024, and by the Independence **City Council** at 6 p.m., Monday, December 16, 2024, in the Independence City Hall City Council Chambers (lower level, north entrance) 111 E. Maple Avenue, in Independence, Missouri on the following matter(s):

Case 24-100-24 – Rezoning – 2131 S. Scott Avenue – A request by Andrew Rocco Mazzella to rezone the property from R-12 (Two-Family Residential) to C-2 (General Commercial).

Case 24-100-25 – Rezoning – 2301 S. Crysler Avenue – A request by the City of Independence to rezone the property from R-6 (Single-Family Residential) and I-1 (Industrial) to R-6 (Single-Family Residential).

Case 24-100-17 – Rezoning – 18th Street - A request by the City of Independence to rezone the properties at 10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue from C-2 (General Commercial) to R-6 (Single-Family Residential); to rezone the properties at 10321, 10323, 10325 and 10327 E. 18th Street S. from C-2 (General Commercial) to R-12 (Two-Family Residential); and to rezone the property at 1803 S. Ash Avenue from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

Case 24-125-05 – Rezoning/PUD – 19300 E. 37th Terrace S. – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

The Planning Commission will conduct full public hearing on these applications. The City Council will only hear new information that was not presented at the Planning Commission's public hearing if such facts were not reasonably available at the time of the Planning Commission

hearing. Any new information proposed to be presented to the City Council must be submitted in writing to the Community Development Department and Law Department at least seven (7) days prior to the City Council meeting.

Case 24-175-08 – UDO Amendment #71 – The City proposes Amendment #71 of the Unified Development Ordinance pertaining to Trash Haulers.

The Planning Commission and City Council will conduct a full public hearing on this case.

Witness my hand this 7th day of October, 2024.

Tom Scannell, Community Development Director
The City of Independence, Missouri is an Equal Opportunity Employer/Contractor/MFD

Published in the Examiner, Oct 12, 2024

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City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-121 **2R** An ordinance approving a rezoning from District C-2 (General Commercial) and District R-12 (Two-Family Residential) to District R-6 (Single-Family Residential) and R-12 (Two-Family Residential) for the properties along 18th Street and Ash Avenue in Independence, Missouri. **2R**

Recommendations:

Commissioner O'Neill made a motion to recommend approval of the rezoning for 10120, 10124, 10125, 10200, 10201, 10202, and 10205 10321, 10323, 10325 and 10327 E. 18th Street S., and 1802 and 1803 S. Ash Avenue. A second to the motion was made by Commissioner Torres. The Independence Planning Commission voted as follows:

Commissioner Nesbitt – Yes

Commissioner Ferguson – Yes

Commissioner Ashbaugh – Yes

Commissioner Wiley – Yes

Commissioner O'Neill – Yes

Commissioner Torres – Yes

Commissioner Young – Yes

The motion passed and such application is forwarded to the City Council for its consideration. Staff recommends approval of this application.

Background:

A request by the City of Independence to rezone the properties at 10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue from C-2 (General Commercial) to R-6 (Single-Family Residential); to rezone the properties at 10321, 10323, 10325 and 10327 E. 18th Street S. from C-2 (General Commercial) to R-12 (Two-Family Residential); and to rezone the property at 1803 S. Ash Avenue from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

PROPERTY HISTORIES:

The properties included in this application for a rezoning were platted as part of two separate subdivisions—"Continuation of Maywood" (1887) that encompasses the lots north of 18th St and "South Maywood" (1922) that encompasses the lots south of 18th S. Lots 12 and 13 of "Continuation of Maywood" were replatted in 1904 as part of "Winn's Maywood Resurvey." This area would be annexed by Independence in 1948. Prior to the annexation of these two subdivisions, much of this area had already been developed with single-family houses.

At the time Independence adopted its Zoning District Map (Ordinance No. 1132) in 1965, the

properties part of this application that lie to the south of 18th St were designated C-2 (General Commercial) and the properties north of 18th St were designated C-3 (Commercial). In 1980, when Independence updated its Zoning District Map (Ordinance No. 6078), these properties were designated C-2 (General Commercial). The City adopted its Unified Development Ordinance (Ordinance No. 17339) in 2009, and these properties retained a C-2 (General Commercial) zoning classification. Since the City's adoption of its Zoning Ordinance, these properties have remained in a commercial zoning district.

PROPOSAL:

The City seeks to rezone properties part of this application to R-6 and R-12 to better conform with the existing land use and character of the surrounding neighborhood.

PHYSICAL CHARACTERISTICS OF PROPERTIES:

Residences in this existing commercial zoning district vary in age from 1910 to 1960--the existing single-family homes having been built by 1930. The single-family homes in this district are of similar size, age, and design. There are two duplexes east of the Kansas City Southern Railway that Jackson County property records indicate were constructed in 1961.

There is one commercial property in this zoning district located at 10211 E 18th St (South Maywood, Lot 98). Real estate records indicate this structure was built in 1935. This property is not part of this application for a rezoning, as the structure is commercial in character and design.

CHARACTERISTICS OF THE AREA:

This commercial zoning district runs along 18th St S about two blocks, bound generally by Maywood Ave on the west and Hardy Ave to the east. It is bisected by the Kansas City Southern Railway. The surrounding homes in this area are of similar size, age, and design.

Consistency with *Independence for All*, Strategic Plan:

This proposal conforms with Independence for All, Strategic Plan's objective, "Stabilize and revitalize neighborhoods." Rezoning these properties will ensure they remain residential in use.

Comprehensive Plan Guiding Land Use Principles for the Current Designation:

Imagine Independence Comprehensive Plan 2040 envisions the area west of the Kansas City Southern Railway to be designated for Residential Established Neighborhoods, while east of the railway is designated for Residential Urban Neighborhoods.

Construction of this neighborhood predominantly took place in the first half of the twentieth century. Rezoning these properties retains the historic character the neighborhood by aligning their land use with their current use. This rezoning supports the preservation and protection of this historic area.

Maintaining a commercial zoning classification for the property located at 10211 E 18th St S (South Maywood, Lot 98) maintains the unique and vibrant character of this area and promotes growth of small entrepreneurs.

Sub-Area Plans:

These properties are not located within any sub-area plan.

Zoning:

The R-6 (Single-Family Residential) zoning classification allows single-family detached

structures, while R-12 (Two-Family Residential) allows for two-family attached structures.

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

All utilities are already in place.

Floodplain/Stream Buffer:

A first order stream runs west along this section of 18th St and follows Maywood Ave to the south. This stream is part of the Rock Creek watershed—a tributary of the Missouri River.

Public Improvements:

No public improvements would be required.

CIP Investments:

Winner Rd Complete Streets is planned to begin in fiscal year 2024-2025 and end 2025-2026.

This project will improve both vehicular and non-motorized mobility for system users by connecting existing sidewalks, placing crosswalks and new pedestrian signals, and adding bike lanes to Winner Rd. from 24 Hwy to Hedges Avenue.

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

1. **Conformance of the requested zoning with the Comprehensive Plan.***The Comprehensive Plan envisions Residential Neighborhood and Residential Urban uses for the area. The Tools and Policies to promote community identity state the need to, "Support the preservation and protection of historic areas and properties." Staff feels single-family residential zoning is appropriate given the development of this area throughout the first half of the twentieth century.*
2. **Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.***The property is not within a sub-area plan area.*
3. **The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.***There are nearby R-12 zoned, single-family homes to the west, south and east and an R-30/PUD zoned to the north.*
4. **The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.***The proposed R-6 and R-12 zoning is compatible with the area's existing housing stock.*
5. **The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.***The C-2 zoning is not compatible with existing housing stock and uses in the area.*
6. **The length of time the subject property has remained vacant as zoned.***This is not applicable.*
7. **The extent to which approving the rezoning will detrimentally affect nearby properties.***The rezoning should have no detrimental effect on area properties.*

8. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

If rezoning is denied, the property owners and buyers may have trouble obtaining mortgages and making improvements. In addition, rezoning this area will reduce nonconformity, in accordance with City Code Article 8, Chapter 14.

Draft Planning Commission minutes are attached to this item.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Draft Ordinance 24-100-17
2. Staff Report 24-100-17_Draft
3. Narrative
4. Application
5. Notification Letters External
6. Addresses External
7. Notification Letters Internal
8. Addresses Internal
9. Notification Area Map
10. Notification Affidavit External
11. Notification Affidavit Internal
12. Comp Plan Map
13. Zoning Map

14. Planning Commission Meeting Minutes 10-29-24

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) AND DISTRICT R-12 (TWO-FAMILY RESIDENTIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) AND R-12 (TWO-FAMILY RESIDENTIAL) FOR THE PROPERTIES ALONG 18TH STREET AND ASH AVENUE IN INDEPENDENCE, MISSOURI.

WHEREAS, A request by the City of Independence to rezone the properties at 10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue from District C-2 (General Commercial) to District R-6 (Single-Family Residential); to rezone the properties at 10321, 10323, 10325 and 10327 E. 18th Street S. from District C-2 (General Commercial) to District R-12 (Two-Family Residential); and to rezone the property at 1803 S. Ash Avenue from District C-2 (General Commercial) and District R-12 (Two-Family Residential) to District R-6 (Single-Family Residential) was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the request on October 29, 2024, and rendered a report to the City Council recommending that the rezoning be approved by a vote of 7-0; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing and rendered a decision to approve the rezoning of the said property; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the rezoning was consistent with the review criteria in Section 14-701-02; and,

WHEREAS, no legal protests were signed, acknowledged, and presented for the application.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the following legally described property is hereby rezoned from District C-2 (General Commercial) and District R-12 (Two-Family Residential) to District R-6 (Single-Family Residential) and shall be subject to the regulations of said district:

WINNS MAYWOOD RESURVEY---E 40' OF W 60' OF LOT 13;

WINNS MAYWOOD RESURVEY---E 40' OF LOT 13

WINNS MAYWOOD RESURVEY---W 80' OF LOT 14

WINNS MAYWOOD RESURVEY---ALL (EX W 80') OF LOT 14

SOUTH MAYWOOD; LOT 154

SOUTH MAYWOOD; LOT 100

SOUTH MAYWOOD; LOT 99

SOUTH MAYWOOD; LOT 97

SOUTH MAYWOOD; PT LOTS 32 & 33 DAF: BEG NE COR LOT 32 TH NWLY 130.24' TO NW; COR LOT 33 TH S ALG W LI 119.38' TH E 115' MOL TO E LI LOT; 32 TH N 47.3' TO POB

SECTION 2. That the following legally described property is hereby rezoned from District C-2 (General Commercial) to District R-12 (Two-Family Residential) and shall be subject to the regulations of said district:

SOUTH MAYWOOD; PT LOT 34 DAF: BEG PT ON N LI LOT LY 57.3' W OF NE COR TH S; TO N LI ROW CHICAGO & ALTON RR TH NW ALG ROW TO NW COR TH E; 146.7' TO POB

SOUTH MAYWOOD; PT LOT 34 DAF: BEG NE COR TH W ALG N LI LOT 57.3' TH S TO PT; ON N ROW I CHICAGO & ALTON RR TH SELY ALG ROW LI TO SE COR; LOT TH N ALG E LI LOT 125' TO POB

SECTION 3. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 4. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 5. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

MEETING DATE: October 29, 2024

STAFF: Gabriel Glaser, Planner

PROJECT NAME: 18th Street Rezoning

CASE NUMBER/REQUEST: **Case 24-100-17 – Rezoning – 18th Street** – A request by the City of Independence to rezone the properties at 10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue from C-2 (General Commercial) to R-6 (Single-Family Residential); 10321, 10323, 10325 and 10327 E. 18th Street S. from C-2 (General Commercial) to R-12 (Two-Family Residential); and 1803 S. Ash Avenue from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

APPLICANT: City of Independence

PROPERTY LOCATION: 10120, 10124, 10125, 10200, 10201, 10202, 10205, 10321, 10323, 10325 and 10327 E 18th St S; and 1800, and 1803 S Ash Ave

SURROUNDING ZONING/LAND USE:

North: R-30/PUD (High Density Residential) and R-12 (Two-Family Residential) / Multi-Family Complex and single-family houses
E/S/W: R-12 (Two-Family Residential) / Single-family houses

PUBLIC NOTICE:

- Letters to property owners – September 25, 2024
- Public Notice published in the Independence Examiner – October 12, 2024
- Signs posted on property – October 11, 2024

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on December 2, 2024 and the public hearing/second reading on December 16, 2024.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A City rezoning for these properties from C-2 (General Commercial) to R-6 (Single-Family Residential) and R-12 (Two-Family Residential).

Current Zoning: C-2 (General Commercial)

Proposed Zoning: R-6 (Single-Family Residential) and
R-12 (Two-Family Residential)

Current Use: Single-Family Residential and Two-Family Residential

Continued Use: Single-Family Residential and Two-Family Residential

Zoning History:

The properties included in this application for a rezoning were platted as part of two separate subdivisions—"Continuation of Maywood" (1887) that encompasses the lots north of 18th St and "South Maywood" (1922) that encompasses the lots south of 18th S. Lots 12 and 13 of "Continuation of Maywood" were replatted in 1904 as part of "Winn's Maywood Resurvey." This area would be annexed by Independence in 1948. Prior to the annexation of these two subdivisions, much of this area would have already been developed with single-family houses.

At the time Independence adopted its Zoning District Map (Ordinance No. 1132) in 1965, the properties part of this application that lie to the south of 18th St were designated C-2 (General Commercial) and the properties north of 18th St were designated C-3 (Commercial). In 1980, when Independence updated its Zoning District Map (Ordinance No. 6078), these properties were designated C-2 (General Commercial). The City adopted its Unified Development Ordinance (Ordinance No. 17339) in 2009, and these properties retained a C-2 (General Commercial) zoning classification. Since the City's adoption of its Zoning Ordinance, these properties have remained in a commercial zoning district.

Proposal:

The City seeks to rezone properties part of this application to R-6 and R-12 to better conform with the existing land use and character of the surrounding neighborhood.

Physical Characteristics of Property:

Residences in this existing commercial zoning district vary in age from 1910 to 1960--the existing single-family homes having been built by 1930. The single-family homes in this district are of similar size, age, and design. There are two duplexes east of the Kansas City Southern Railway that Jackson County property records indicate were constructed in 1961.

There is one commercial property in this zoning district located at 10211 E 18th St (South Maywood, Lot 98). Real estate records indicate this structure was built in 1935. This property is not part of this application for a rezoning, as the structure is commercial in character and design.

Characteristics of the Area:

This commercial zoning district runs along 18th St S about two blocks, bound generally by Maywood Ave on the west and Hardy Ave to the east. It is bisected by the Kansas City Southern Railway. The surrounding homes in this area are of similar size, age, and design.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

This proposal conforms with Independence for All, Strategic Plan's objective, "Stabilize and revitalize neighborhoods." Rezoning these properties will ensure they remain residential in use.

Comprehensive Plan Tools and Policies for the Current Designation:

Imagine Independence Comprehensive Plan 2040 envisions the area west of the Kansas City Southern Railway to be designated for Residential Established Neighborhoods, while east of the railway is designated for Residential Urban Neighborhoods.

Construction of this neighborhood predominantly took place in the first half of the twentieth century. Rezoning these properties retains the historic character the neighborhood by aligning their land use with their current use. This rezoning supports the preservation and protection of this historic area.

Maintaining a commercial zoning classification for the property located at 10211 E 18th St S (South Maywood, Lot 98) maintains the unique and vibrant character of this area and promotes growth of small entrepreneurs.

Sub-Area Plans:

These properties are not located within any sub-area plan.

Zoning:

The R-6 (Single-Family Residential) zoning classification allows single-family detached structures, while R-12 (Two-Family Residential) allows for two-family attached structures.

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

All utilities are already in place.

Floodplain/Stream Buffer:

A first order stream runs west along this section of 18th St and follows Maywood Ave to the south. This stream is part of the Rock Creek watershed—a tributary of the Missouri River.

CIP Investments:

Winner Rd Complete Streets is planned to begin in fiscal year 2024-2025 and end 2025-2026. This project will improve both vehicular and non-motorized mobility for system users by connecting existing sidewalks, placing crosswalks and new pedestrian signals, and adding bike lanes to Winner Rd. from 24 Hwy to Hedges Avenue.

REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

1. Conformance of the requested zoning with the Comprehensive Plan.

The Comprehensive Plan envisions Residential Neighborhood and Residential Urban uses for the area. The Tools and Policies to promote community identity state the need to, "Support the preservation and protection of historic areas and properties." Staff feels single-family residential zoning is appropriate given the development of this area throughout the first half of the twentieth century.

2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.

The property is not within a sub-area plan area.

3. **The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.**

There are nearby R-12 zoned, single-family homes to the west, south and east and an R-30/PUD zoned to the north.

4. **The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.**

The proposed R-6 and R-12 zoning is compatible with the area's existing housing stock.

5. **The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.**

The C-2 zoning is not compatible with existing housing stock and uses in the area.

6. **The length of time the subject property has remained vacant as zoned.**

This is not applicable.

7. **The extent to which approving the rezoning will detrimentally affect nearby properties.**

The rezoning should have no detrimental effect on area properties.

8. **The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**

*If rezoning is denied, the property owners and buyers may have trouble obtaining mortgages and making improvements. In addition, rezoning this area will reduce nonconformity, in accordance with City Code **Article 8, Chapter 14**.*

EXHIBITS

1. Narrative
2. Application
3. Notification Letter External
4. Address List External
5. Notification Letter Internal
6. Address List Internal
7. Notification Area Map
8. Affidavit External
9. Affidavit Internal
10. Comprehensive Plan map
11. Zoning map



October 16, 2024

City Initiated Rezoning – 18th St Corridor

In June of 2024, an application for rezoning was submitted to City Staff by an individual who purchased a single-family home located within a C-2 (General Commercial) zoning district. They submitted an application for a rezoning to utilize an existing single-family home in a C-2 (General Commercial) zoning district as their residence. At that time, Staff recognized an opportunity for a City-initiated rezoning and alleviate the responsibility to rezone from the property owner.

Staff propose a City-initiated rezoning of properties along E 18th St S. This proposed rezoning would reduce nonconformity that currently exists pursuant to City Code **Article 8. – Nonconformities and Enforcement**. In addition, rezoning properties along this corridor will benefit the property owners. Lastly, rezoning these properties will bring the land use classification in conformity with the current actual land use. Failing to rezone these properties may have negative impacts on the community in the future.

We hope that you will carefully consider an application for a rezoning of properties within this corridor.

Sincerely,

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☒ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

City Initiated Rezoning - 18th Street Corridor

Project Name

10120, 10124, 10125, 10200, 10201, 10202, 10205, 10321, and 10325 E 18th St S; 1800 and 1803 S Ash Ave

Project Address/Location

N/A	3.84	9	Yes
Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Stream Buffer (Yes or No)
C-2 and R-12	R-6 and R-12	Single-Family; Two-Family	Single-Family; Two-Family
Existing Zoning	Proposed Zoning	Existing Land Use	Proposed Land Use

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☒ Completed & Signed Application Form ☐ Application Fee ☐ Cover Letter Describing Details of Project	☐ One 24" x 36" set of plans for Land Sub. & Site Dev. ☐ One PDF copy of a plat map or site plan ☐ Legal Description of the property in question
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Contact Information

Applicant

City of Independence

Name	Company
111 E Maple Ave, Independence, Mo 64050	
Address	
(816)325-7109	CDPlanning@indepmo.org
Phone	Email

Architect/Engineer/Surveyor/Other: _____

Name	Company
Address	
Phone	Email

Owner

N/A

Name	Company
Address	
Phone	Email

Architect/Engineer/Surveyor/Other: _____

Name	Company
Address	
Phone	Email

The applicant hereby agrees that the information provided above is accurate.

Applicant's Signature _____ Date _____

Owner's Signature _____ Date _____



October 9, 2024

Dear Property Owner:

The City of Independence is proposing to change the zoning classification of several properties located along the E. 18th Street S. corridor between S. Cedar Avenue (on the west) and S. Hardy Avenue (on the east).

You are receiving this notification because your property has been identified as being within 185 feet of the subject properties for rezoning.

The zoning of the properties listed below is sought to be changed from C-2 (General Commercial) to R-6 (Single-Family Residential) and R-12 (Two-Family Residential) to better match the use/zoning of surrounding properties. A map illustrating the lots to be proposed to be rezoned is on the reverse side of this letter.

The properties subject to the rezoning include:

- **10120, 10124, 10125, 10200, 10201, 10202, and 10205E. 18th Street S. and 1802 S. Ash Avenue** from C-2 (General Commercial) to R-6 (Single-Family Residential);
- **10321, 10323, 10325 and 10327 E. 18th Street S.** from C-2 (General Commercial) to R-12 (Two-Family Residential); and
- **1803 S. Ash Avenue** from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

The lots shaded red on the map are presently zoned C-2 (General Commercial) and have been for many years. The City is proposing to change the zoning of most of the the lots to **R-6 (Single-Family Residential)**, a zoning classification that would allow 1 single-family home per lot; and two of the lots to **R-12 (Two-Family Residential)**, a zoning classification that would allow 1 single or two-family home per lot.

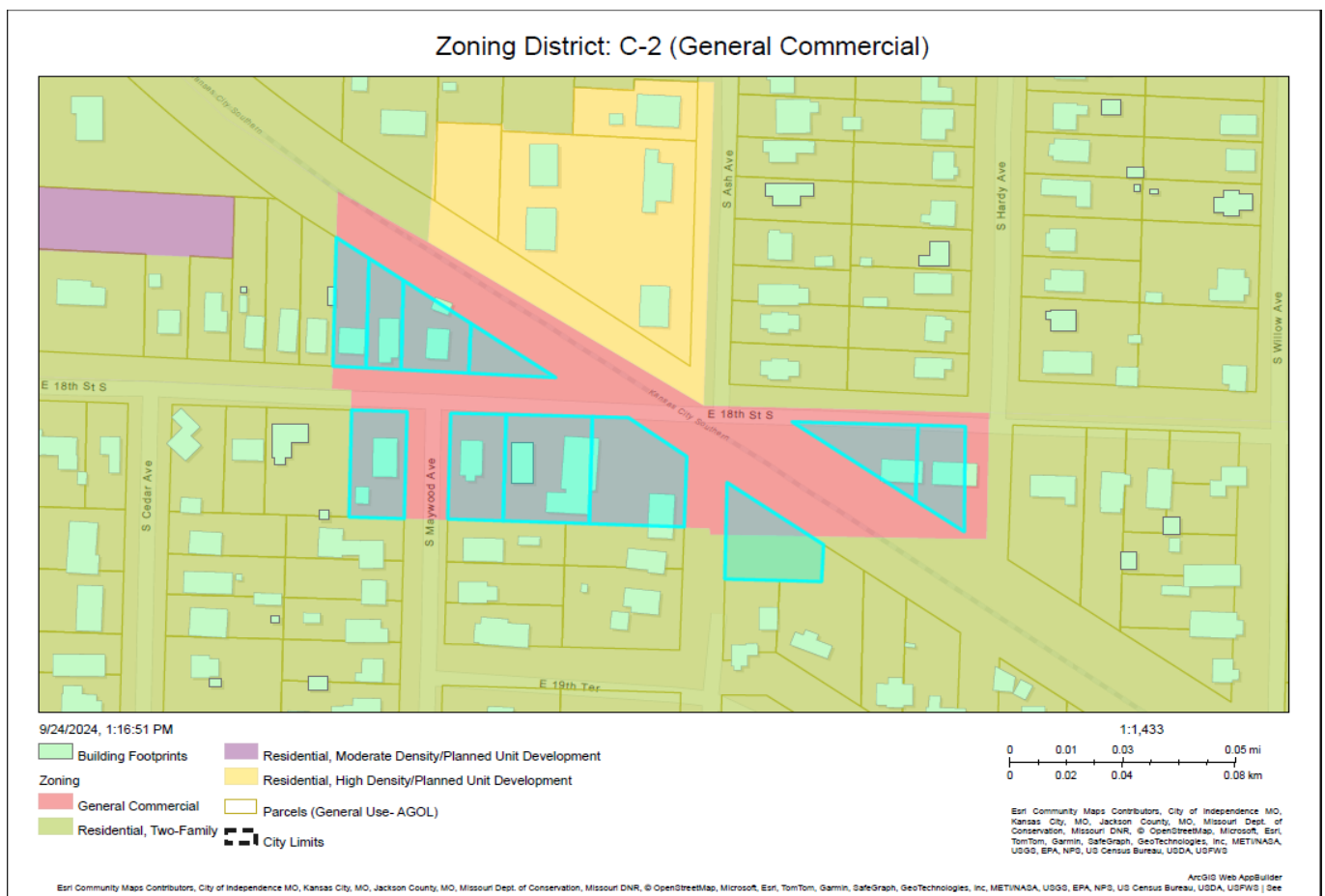
A formal public hearing on this rezoning will be held on **October 29, 2024** by the Independence Planning Commission at 6:00 p.m. The meeting will also be streamed on City 7 and YouTube. The City Council is scheduled to consider action on this request at its 6:00 p.m. meeting on December 16, 2024.

Property owners surrounding/adjacent to the area to be rezoned have a right to legally protest the application. Forms are available in the Community Development Department at City Hall.

If you have any questions regarding this matter, please feel free to contact me at (816) 325-7823 prior to the meetings and I can provide assistance and information you may need to have a full understanding of this request before the meetings.

Sincerely,

Brian L. Harker
Senior Planner



Property	Property Owner	Owner Address	City	State	ZIP Code
10101 E 18TH ST S	BIRCH MELISSA KATHRYN	10101 E 18TH ST S	INDEPENDENCE	MO	64052
10104 E 18TH ST S	EIGHT PACES LLC	PO BOX 262	KIRBYVILLE	MO	65679
10106 E 18TH ST S	C & C INVESTMENTS LLC	13040 CATALINA DR	LEAWOOD	KS	66209
10107 E 18TH ST S	TSCHIRHART CHRISTOPHER L JR	10107 E 18TH ST S	INDEPENDENCE	MO	64052
10108 E 18TH ST S	LAND TRUST OF JACKSON COUNTY MISSOURI	4035 CENTRAL ST	KANSAS CITY	MO	64111
10109 E 18TH ST S	COOPER STEVE W & BESSIE DIANNE	10109 E 18TH ST	INDEPENDENCE	MO	64052
10112 E 18TH ST S	REINVENT KC HOME PROPERTIES LLC	713 LINDENWOOD DR STE A	OLATHE	KS	66062
10116 E 18TH ST S	KBR PROPERTIES LLC	PO BOX 46704	KANSAS CITY	MO	64118
10117 E WINNER RD APT 4	CHARLES SFR LLC	PO BOX 1778	HIGLEY	AZ	85236
10125 E WINNER RD	BROWN MATTHEW RICHARD	10125 E WINNER RD	INDEPENDENCE	MO	64052
10211 E WINNER RD	JONES JEREMIAH & ATWOOD MINDI A	10211 WINNER RD	INDEPENDENCE	MO	64052
10300 E 19TH TER S	VICKERS KIMBERLY D	10300 E 19TH TER S	INDEPENDENCE	MO	64052
10302 E 19TH TER S	PRIME PROPERTY OPTIONS LLC	108 13TH AVE N	GREENWOOD	MO	64034
10318 E 19TH TER S	MINT HARBOR LLC	5200 S ULSTER ST UNIT 1810	GREENWOOD VILLAGE	CO	80111
10320 E 19TH TER S	BRAKELMAN RAINIER A	10320 E 19TH TER	INDEPENDENCE	MO	64052
10400 E 19TH TER S	O HARE ROBERT A	10400 E 19TH TER S	INDEPENDENCE	MO	64052
10407 E 18TH ST S	LASLEY HOYT L	10407 E 18TH ST S	INDEPENDENCE	MO	64052
10409 E 18TH ST S	MORLEY JAMES R & KAREN R	10409 E 18TH ST	INDEPENDENCE	MO	64052
1712 S ASH AVE APT 1	RT CAPITAL LLC	PO BOX 26513	KANSAS CITY	MO	64196
1717 S WAUBESA AVE	FISCHER ROBERT JOHNATHAN	1717 S WAUBESA AVE	INDEPENDENCE	MO	64052
1718 S HARDY AVE	DE VRIES E DAVID	1718 S HARDY	INDEPENDENCE	MO	64052
1719 S ASH AVE	HOOPER HOLDINGS LLC	90-1050 APAA ST	EWA BEACH	HI	96706
1720 S HARDY AVE	VINEBROOK HOMES BORROWER 1 LLC	3500 PARK CENTER DR STE 100	DAYTON	OH	45414
1721 S ASH AVE	NEWCOMB JIM	PO BOX 16763	RAYTOWN	MO	64133
1722 S HARDY AVE	BRAY MARY ANN	705 VINE ST	JOLIET	IL	60435
1725 S ASH AVE	NEWCOMB JAMES	P.O. BOX 16763	KANSAS CITY	MO	64133
1735 S HARDY AVE	SEARCY NAMON E	1618 S SWOPE DR	INDEPENDENCE	MO	64057
1745 S HARDY AVE	WILSON JAMES CLEO & GLEEMA LEE	1745 S HARDY AVE	INDEPENDENCE	MO	64052
1804 S ASH AVE	SDG INVESTMENTS LLC	1503 MAIN ST # 207	GRANDVIEW	MO	64030
1804 S MAYWOOD AVE	HAWKINS JOHN JR & VIRGINIA M	1804 MAYWOOD	INDEPENDENCE	MO	64052
1805 S CEDAR AVE	YATES JAMES Q	1805 S CEDAR	INDEPENDENCE	MO	64052
1806 S ASH AVE	MONDRAGON NOE P	902 S WESTOVER RD	BELTON	MO	64012

1807 S CEDAR AVE	YATES INZA MINNIE	1807 S CEDAR AVE	INDEPENDENCE	MO	64052
1809 S CEDAR AVE	SHEE HSAR KA PAW SHEE	1809 S CEDAR AVE	INDEPENDENCE	MO	64052
1809 S MAYWOOD AVE	SOLORZANO MARIA ELENA DIAZ	1809 S MAYWOOD AVE	INDEPENDENCE	MO	64052
1810 S MAYWOOD AVE	GARCIA CARIAS ARNOLDO	19200 E 12TH ST CT N	INDEPENDENCE	MO	64056
1811 S CEDAR AVE	LEIGH CHARLES R	1811 S CEDAR AVE	INDEPENDENCE	MO	64052
1811 S MAYWOOD AVE	CAMPUZANO RODOLFO & ALBERTA DIAZ DE	1811 S MAYWOOD AVE	INDEPENDENCE	MO	64052
1812 S MAYWOOD AVE	DURNELL RODNEY	15201 E 51ST ST	KANSAS CITY	MO	64136
1813 S MAYWOOD AVE	KC PRO HOMEBUYERS MO LLC	3225 MCLEOD DR STE 100	LAS VEGAS	NV	89121
1814 S MAYWOOD AVE	DURNELL RODNEY B	15201 E 51ST ST	KANSAS CITY	MO	64136
1900 S ASH AVE	BERMUDEZ GRANADOS CARLOS FEDERICO & GO	1904 S ASH AVE	INDEPENDENCE	MO	64052
1901 S ASH AVE	RB REAL ESTATE LLC	1901 S ASH AVE	INDEPENDENCE	MO	64052
NO ADDRESS ASSIGNED BY	BROWN MATTHEW R & BRIANNE L	10125 E WINNER RD	INDEPENDENCE	MO	64052



October 9, 2024

Dear Property Owner:

The City of Independence is proposing to change the zoning classification of several properties located along the E. 18th Street S. corridor between S. Cedar Avenue (on the west) and S. Hardy Avenue (on the east). The zoning of the properties listed below is sought to be changed to better match the use/zoning of surrounding properties. A map illustrating the lots to be proposed to be rezoned is on the reverse side of this letter.

The properties subject to this rezoning include:

- **10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue** from C-2 (General Commercial) to R-6 (Single-Family Residential);
- **10321, 10323, 10325 and 10327 E. 18th Street S.** from C-2 (General Commercial) to R-12 (Two-Family Residential); and
- **1803 S. Ash Avenue** from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

The lots shaded red on the map are presently zoned C-2 (General Commercial) and have been for many years. The City is proposing to change the zoning of the most of the lots to **R-6 (Single-Family Residential)**, a zoning classification that would allow 1 single-family home per lot; and two of the lots to **R-12 (Two-Family Residential)**, a zoning classification that would allow 1 single or two-family home per lot.

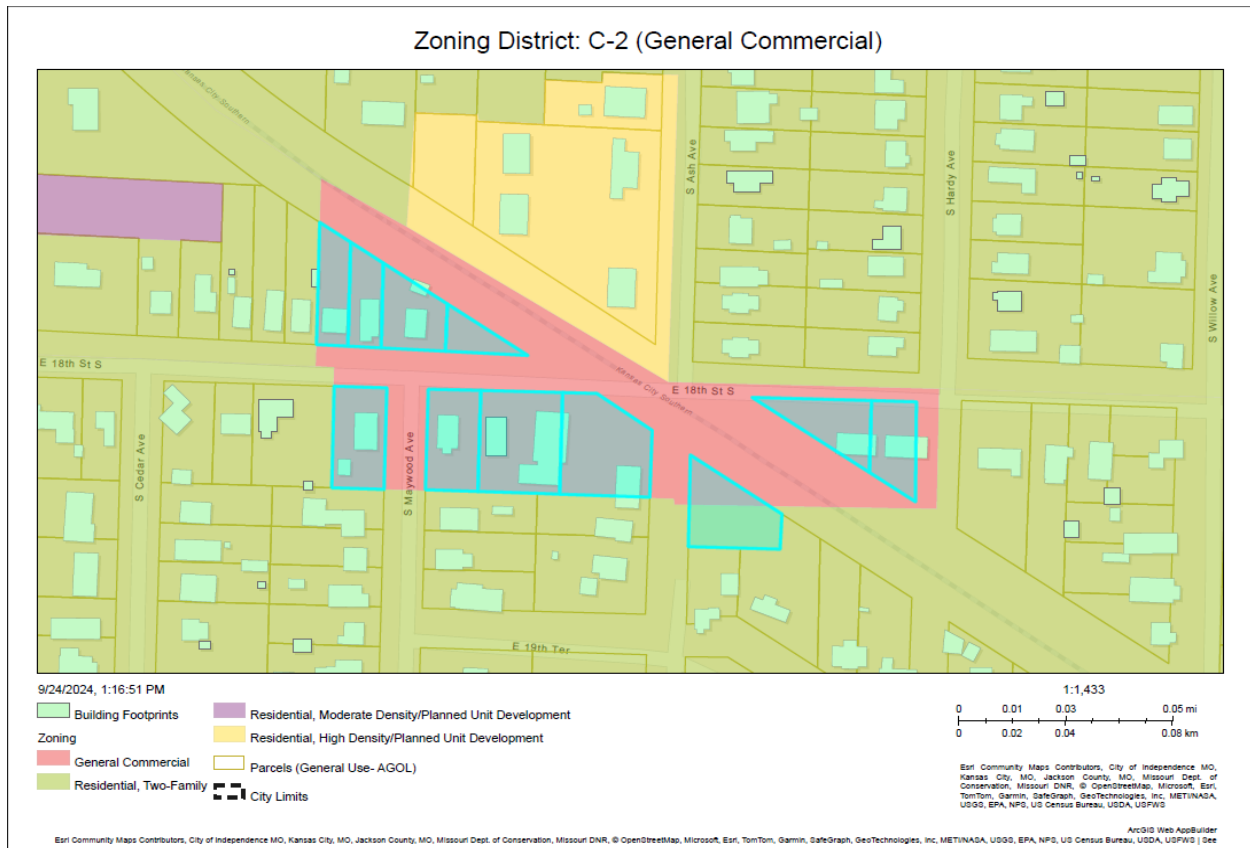
A formal public hearing on this rezoning will be held on **October 29, 2024** by the Independence Planning Commission at 6:00 p.m. The meeting will also be streamed on City 7 and YouTube. The City Council is scheduled to consider action on this request at its 6:00 p.m. meeting on December 16, 2024.

Property owners included in this rezoning have a right to legally protest the application. Forms are available in the Community Development Department at City Hall.

If you have any questions regarding this matter, please feel free to contact me at (816) 325-7823 prior to the meetings and I can provide assistance and information you may need to have a full understanding of this request before the meetings.

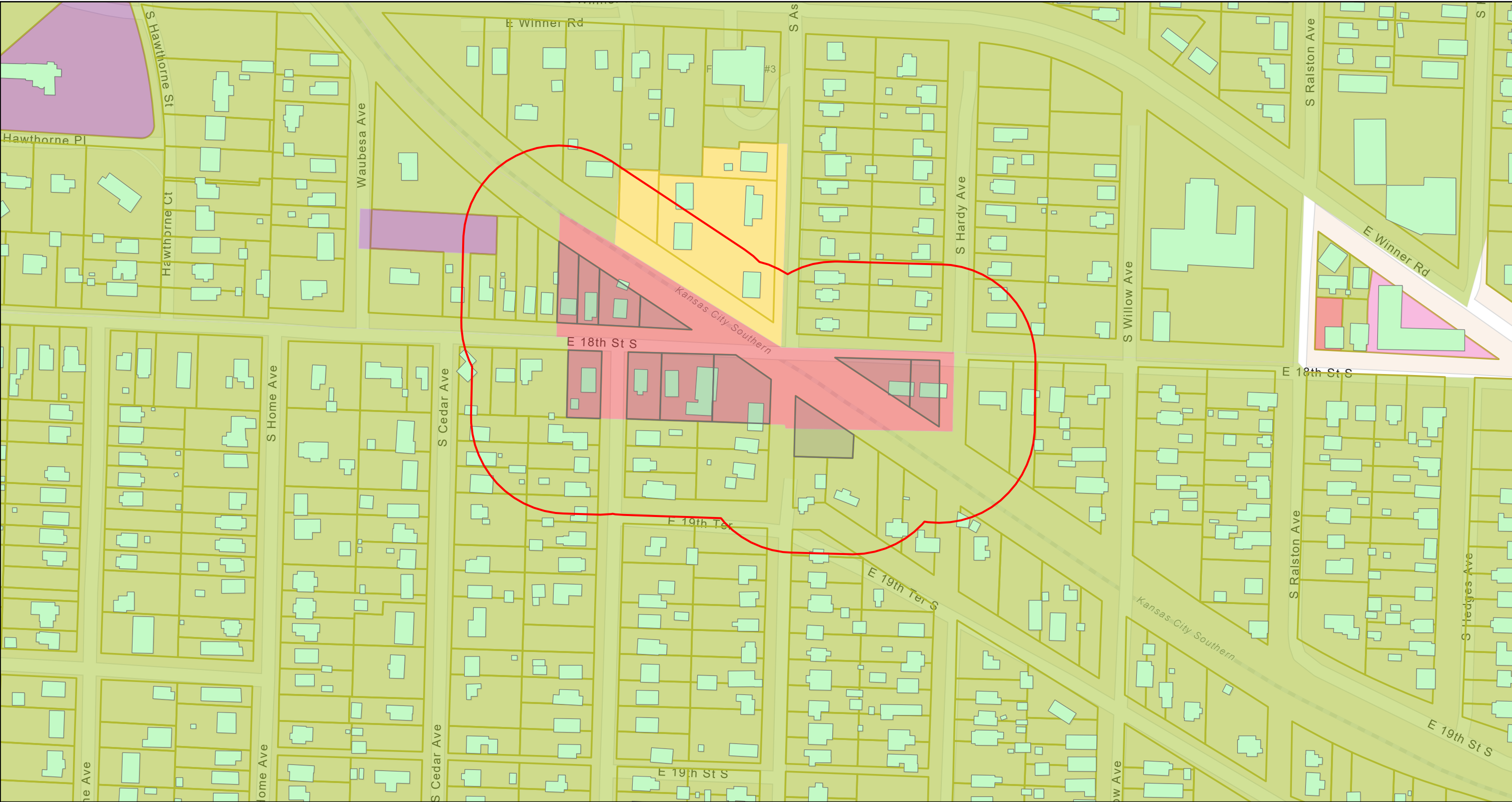
Sincerely,

Brian L. Harker
Senior Planner



Property Address	Property Owner	Owner Address	City	State	Zip Code
10125 E 18TH ST S	VB TWO LLC	3500 PARK CENTER DR STE 100	DAYTON	OH	45414
10120 E 18TH ST S	ROTHOVE GARY D & PAMELA S	11230 E 29TH ST S	INDEPENDENCE	MO	64052
10124 E 18TH ST S	PITCHFORD ERICKA	3437 BATES AVE	KANSAS CITY	MO	64128
10200 E 18TH ST S	TACTICALLY FIT	10200 E 18TH ST S	INDEPENDENCE	MO	64052
10201 E 18TH ST S	ECHOLS HAROLD	1001 N LAKE CITY BUCKNER RD	BUCKNER	MO	64016
10202 E 18TH ST S	RILEY JOHN	1729 QUINDARO BLVD	KANSAS CITY	KS	66104
10205 E 18TH ST S	PRATT CHRIS	10205 E 18TH ST	INDEPENDENCE	MO	64052
10321 E 18TH ST S	CHANCE SCOTT & JANICE	31305 E TRUMAN RD	BUCKNER	MO	64016
10325 E 18TH ST S	VILLA GLADIS MUNOZ	2340 NORTON AVE	KANSAS CITY	MO	64127
1800 & 1803 S ASH AVE	BROWN BRUCE & JANET	1802 S ASH	INDEPENDENCE	MO	64052

185ft Notification Area



9/24/2024, 12:06:50 PM

1:2,866

- Building Footprints

Zoning

General Commercial

Residential, Two-Family

Residential, Moderate Density/Planned Unit Development

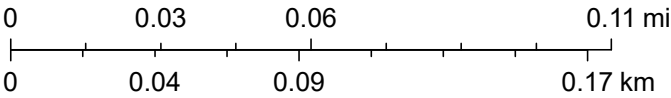
Residential, High Density/Planned Unit Development
- Arts District

Arts District/Special Use Permit(SUP)

Residential, Two-Family/Special Use Permit

Parcels (General Use- AGOL)

City Limits



Esri Community Maps Contributors, City of Independence MO, Kansas City, MO, Jackson County, MO, Missouri Dept. of Conservation, Missouri DNR, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 24-100-17 (External)

I, Miranda Rice, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 10 day of October, 2024.

Miranda Rice

Signature of Agent, Owner or Attorney

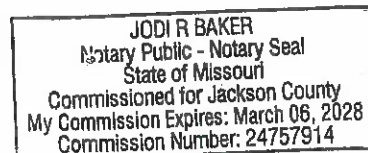
Subscribed and sworn to before me this 10 day of October, 2024.

Jodi R Baker

Notary Public

March 6, 2028

Commission Expiration Date



Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 24-100-17 (Internal)

I, Miranda Rice, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 10 day of October, 2024.

Miranda L Rice

Signature of Agent, Owner or Attorney

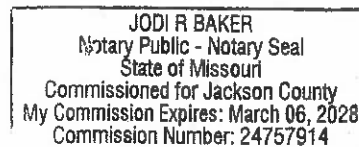
Subscribed and sworn to before me this 10 day of October, 2024.

Jodi R Baker

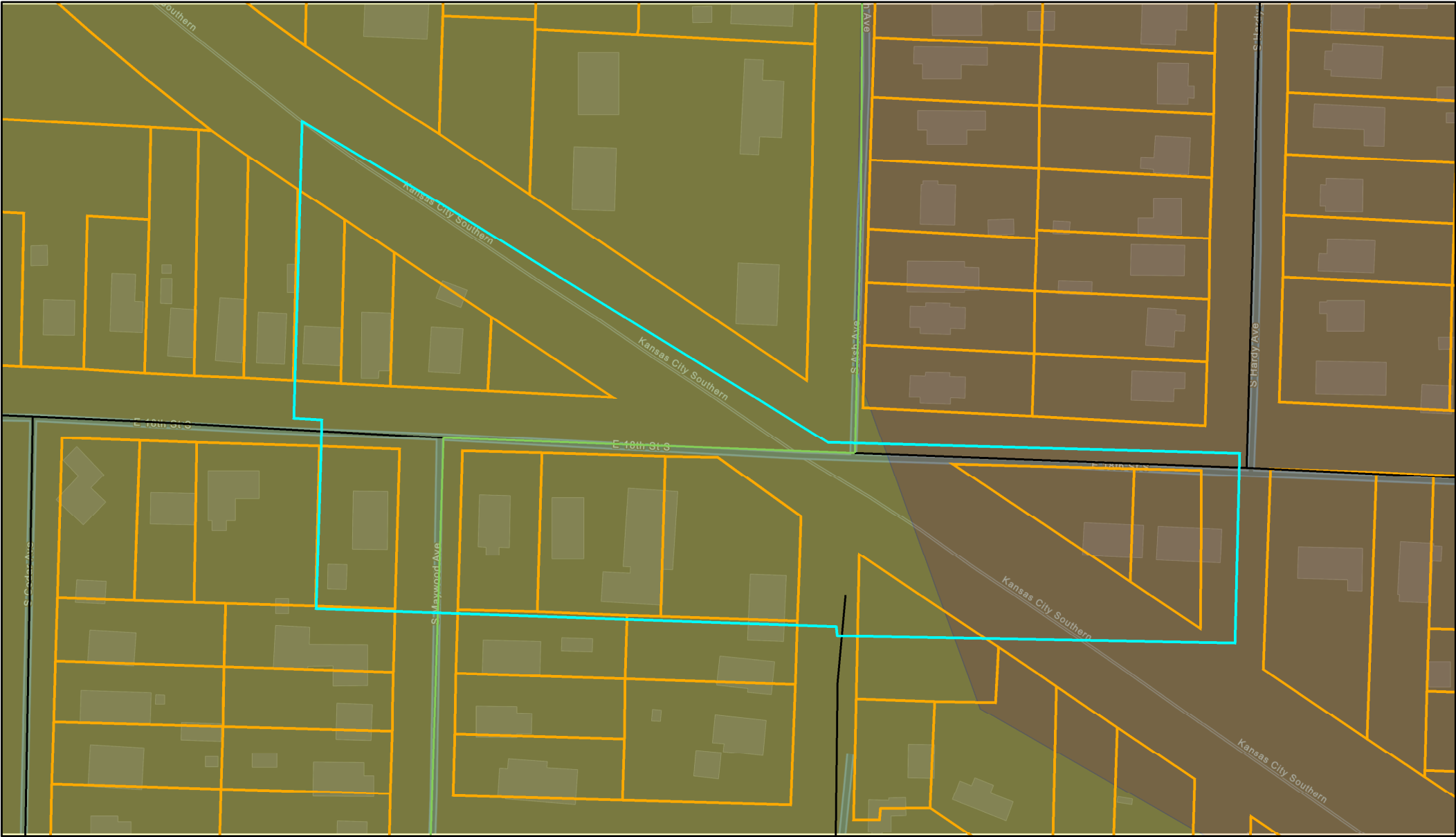
Notary Public

March 6, 2028

Commission Expiration Date

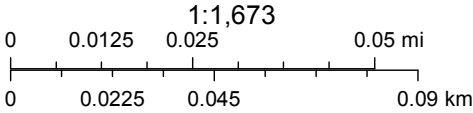


Comprehensive Plan - Proposed Land Use

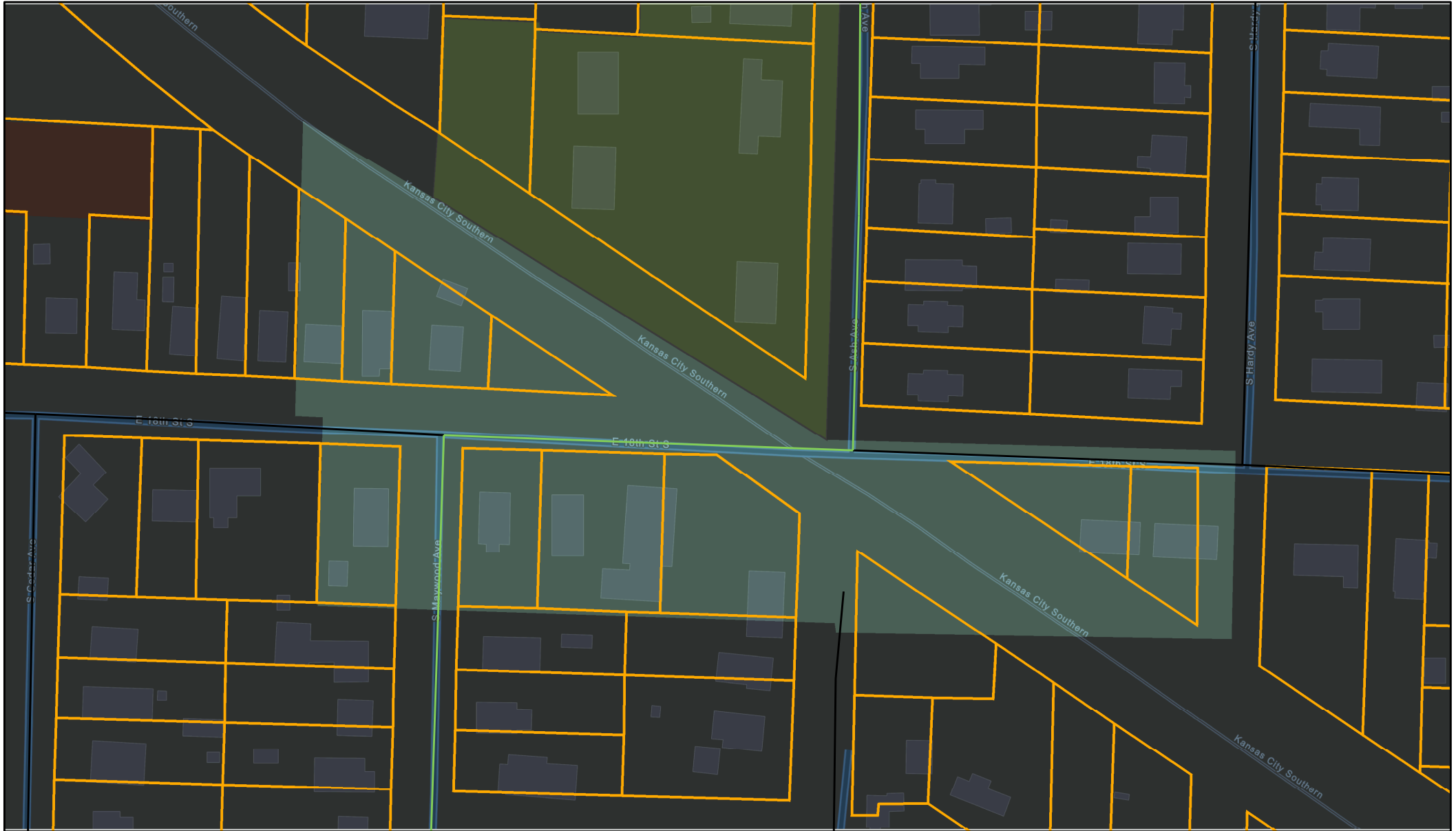


10/17/2024, 11:09:33 AM

- | | | |
|----------------|--------------------------------------|--------------------|
| Streets | Proposed Land Use (Comp Plan) | R-12 |
| Collector | Residential Neighborhoods | R-18/PUD |
| Local | Residential Urban Neighborhoods | R-30/PUD |
| Parcels | Zoning District | City Limits |
| | C-2 | |



Zoning Map



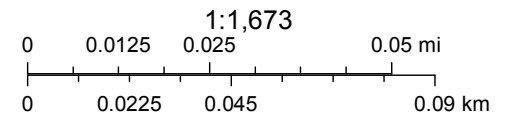
10/17/2024, 11:10:47 AM

Streets
 Collector
 Local

Parcels
 Zoning District
 C-2

R-12
R-18/PUD
R-30/PUD

City Limits





Planning Commission Minutes

October 29, 2024 6:00 PM

City Hall, 111 E. Maple Avenue (Ground Floor), Council Chambers

CALL TO ORDER

A meeting of the Planning Commission was held at 6:00 PM on 10/29/2024, in the 111 E Maple Avenue City Council Chambers, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - .

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

1. Planning Commission Minutes – October 15, 2024

Motion

Commissioner Edward Nesbitt made a motion to approve the Consent Agenda. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

CASE TO BE CONTINUED - STAFF RECOMMENDS THIS CASE BE CONTINUED TO THE NOVEMBER 19, 2024 MEETING.

- 1. Case 24-100-24 – Rezoning – 2131 S. Scott Avenue –** A request by Andrew Rocco Mazzella to rezone the property from R-12 (Two-Family Residential) to C-2 (General Commercial).

Motion

Commissioner Edward Nesbitt made a motion to continue the case to the November 19, 2024 meeting. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Continued Case 24-125-05 Rezoning/PUD – 19300 E 37th Terrace** – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

Motion

Commissioner Edward Nesbitt made a motion to continue the case to the November 19, 2024 meeting. Commissioner Virginia Ferguson seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

PUBLIC HEARINGS

1. **Continued Case 24-100-17 – Rezoning – 18th Street** – A request by the City of Independence to rezone the properties at 10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue from C-2 (General Commercial) to R-6 (Single-Family Residential); 10321, 10323, 10325 and 10327 E. 18th Street S. from C-2 (General Commercial) to R-12 (Two-Family Residential); and 1803 S. Ash Avenue from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

Staff Presentation

Gabe Glaser presented the case. Mr. Glaser presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Public Comments

No public comments.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Jose Torres seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Case 24-100-25 – Rezoning – 2301 S. Chrysler Avenue** – A request by the City to rezone the property from I-1 (Industrial) and R-6 (Single Family Residential) to R-6 (Single Family Residential).

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Commissioner Nesbitt expressed concern that this is a historic site for the City and questioned if it's considered historic. In response to Commissioner Nesbitt's question, Mr. Arroyo stated if the site is considered historic, any plans would have to go through the Heritage Commission. Mr.

Arroyo believes the school district plans to use the stadium and not tear it down. Commissioner Nesbitt stated he would like more details about their plans for this site.

Commissioner Ashbaugh questioned if the Parks Department is still providing upkeep of the property and if they're in favor of this rezoning. Mr. Arroyo said this request came from the City Manager's Office and the City is in favor of this rezoning. Commissioner Ashbaugh stated he would like to continue this case to get more information.

In response to Chairwoman Wiley's question, Mr. Harker noted the rezoning is not needed for a use change, it's only needed because each parcel can only have one zoning type, which this would correct.

Motion

Commissioner Eric Ashbaugh made a motion to continue this case to the November 19, 2024 meeting. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 5, No 2, Abstained 0.

OTHER BUSINESS

1. **Case 24-175-08 – UDO Amendment #71 – Trash Haulers** – The City proposes Amendment #71 of the Unified Development Ordinance pertaining to Trash Haulers.

Staff Presentation

Rick Arroyo presented the case. He stated when the UDO was adopted in 2009, there were no use regulations within Chapter 14 of the City Code for uses related to trash haulers or as reference within the code as refuse collection. Currently, only Chapter 19 – Transportation Article 5, outlines the application process for those wishing to operate a refuse collection business by obtaining a certificate of public convenience and necessity. Mr. Arroyo said the intent of this proposed amendment is to include use regulations for refuse collection business in Chapter 14 of the UDO. He noted this proposed amendment allows refuse collectors within the Industrial I-1 and I-2 zoning districts with the application of a Special Use permit as proposed in Section 14-302. Mr. Arroyo stated a new section, 14-428, has been proposed under Chapter 14, Article 4. This section provides the applicability, and procedures and standards for application of a refuse collection business use. Staff believes these proposed amendments will better serve our community and better regulate these uses.

In response to Commissioner Nesbitt's question, Mr. Arroyo said current trash haulers would be grandfathered in and would not be required to get this permit.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Eric Ashbaugh seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Training provided by Lauber Law**

Chairwoman Wiley noted that the training has been moved to the November 19, 2024 meeting.

ROUNDTABLE - NEXT MEETING NOVEMBER 19, 2024

Mr. Arroyo provided the Commission with information on the difference between Preliminary and Final Plats.

ADJOURNMENT

The meeting was adjourned at 6:47 p.m.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

A public hearing for the application to rezone the property at 2301 S. Crysler Avenue from R-6 (Single-Family Residential) and I-1 (Industrial) to R-6 (Single-Family Residential). ***New Information Only.***

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. 10-29-24 Public Notice Submitted to Examiner

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Examiner** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(816) 254-8600**.

Notice ID: VO9zgbRkthGAyUMfC8Hh | **Proof Updated: Oct. 08, 2024 at 12:32pm CDT**
Notice Name: 10/29 PC Ad

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Miranda Rice
mrice@indepmo.org
(816) 325-7109

FILING FOR

Examiner

Columns Wide: 1 **Ad Class:** Legals

Total Column Inches: 12.63

Number of Lines: 101

10/12/2024: Other 163.32

Subtotal	\$163.32
Tax	\$0.00
Processing Fee	\$0.00
Total	\$163.32

See Proof on Next Page

Notice of Public Hearing

Notice is hereby given that a public hearing will be held by the Independence City **Planning Commission** at 6 p.m., Tuesday, October 29, 2024, and by the Independence **City Council** at 6 p.m., Monday, December 16, 2024, in the Independence City Hall City Council Chambers (lower level, north entrance) 111 E. Maple Avenue, in Independence, Missouri on the following matter(s):

Case 24-100-24 – Rezoning – 2131 S. Scott Avenue – A request by Andrew Rocco Mazzella to rezone the property from R-12 (Two-Family Residential) to C-2 (General Commercial).

Case 24-100-25 – Rezoning – 2301 S. Chrysler Avenue – A request by the City of Independence to rezone the property from R-6 (Single-Family Residential) and I-1 (Industrial) to R-6 (Single-Family Residential).

Case 24-100-17 – Rezoning – 18th Street - A request by the City of Independence to rezone the properties at 10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue from C-2 (General Commercial) to R-6 (Single-Family Residential); to rezone the properties at 10321, 10323, 10325 and 10327 E. 18th Street S. from C-2 (General Commercial) to R-12 (Two-Family Residential); and to rezone the property at 1803 S. Ash Avenue from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

Case 24-125-05 – Rezoning/PUD – 19300 E. 37th Terrace S. – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

The Planning Commission will conduct full public hearing on these applications. The City Council will only hear new information that was not presented at the Planning Commission's public hearing if such facts were not reasonably available at the time of the Planning Commission

hearing. Any new information proposed to be presented to the City Council must be submitted in writing to the Community Development Department and Law Department at least seven (7) days prior to the City Council meeting.

Case 24-175-08 – UDO Amendment #71 – The City proposes Amendment #71 of the Unified Development Ordinance pertaining to Trash Haulers.

The Planning Commission and City Council will conduct a full public hearing on this case.

Witness my hand this 7th day of October, 2024.

Tom Scannell, Community Development Director
The City of Independence, Missouri is an Equal Opportunity Employer/Contractor/MFD

Published in the Examiner, Oct 12, 2024

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City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-122 **2R** An ordinance approving a rezoning from District I-1 (Industrial) and District R-6 (Single-Family Residential) to District R-6 (Single Family Residential) for the properties at 2301 S. Crysler Avenue. **2R**

Recommendations:

Commissioner Ashbaugh made a motion to recommend approval of case 24-100-25, the rezoning of 2301 S. Crysler Avenue. A second to the motion was made by Commissioner Nesbitt. The Independence Planning Commission voted as follows:

Commissioner Ashbaugh – Yes

Commissioner Ferguson – Yes

Commissioner McClain – Yes

Commissioner Nesbitt – Yes

Commissioner O'Neill – Yes

Commissioner Torres – Yes

Commissioner Wiley – Yes

The motion was approved, and the application is forwarded to the City Council for its consideration. Staff recommends approval of this application.

Background:**PROPOSAL:**

This is a request by the City of Independence to rezone the property from R-6 (Single-Family Residential) and I-1 (Industrial) to R-6 (Single-Family Residential). Although the property has a public use and the use is permitted in both I-1 and R-6 zonings, the UDO requires that there be only one zoning per lot, therefore the property when replatted needs to be rezoned.

ZONING HISTORY:

Prior to 2009 the I-1 (Industrial) portion of the property was zoned M-1 (Industrial) and the R-6 (Single-Family Residential) portion was zoned R-1b (Single-Family Residential). The R-1b (Single-Family Residential) portion of the property was zoned R-1 (Single-Family Residential) before 1980. The property was M-1 (Industrial) and R-1 (Single-Family Residential) from 1965 to 1980.

PROJECT DESCRIPTION:

The Independence School District is entering into an agreement with the City of Independence for Crysler Stadium and the adjoining parcel to the south.

BACKGROUND ON PROPERTY TRANSFER:

Recently, there has been very limited usage of this facility by local community groups. About three years ago, American Legion teams were using the stadium Mondays through Saturdays

for games, and Van Horn and Truman Varsity teams would sometimes use the field for their home games. For the summer 2023 season (the last season the Parks Recreation and Tourism Department operated the stadium), games were scheduled about a dozen times, but these were only make-up games for Queen City Baseball due to rainouts at the Mill Creek ballfields. Back in the summer of 2022 there were four or five Saturday/Sunday tournaments which would have been the last time the stadium generated revenue. The Parks, Recreation & Tourism Department has over \$1.2 million in identified capital funding needs for Crysler Stadium. Despite its history and nostalgia, it is difficult to justify investing that amount of capital in a facility that is used so minimally by the public.

In 2023 the Independence School District (ISD) approached the City about using Crysler Stadium as a home field for Van Horn High School, but did not want to invest their capital dollars in a facility the school district did not own.

Consequently, the ISD Superintendent reached out to the City to see if there was a way for ISD to use the facility for the Van Horn baseball team. About one year ago, the City Council approved a 12-month lease agreement between the City of Independence and the Independence School District for the use of Crysler Stadium. At the time, it was explained to the City Council that it was the desire of both parties to facilitate the transfer of Crysler Stadium to the Independence School District. Earlier this month, both parties extended the agreement by mutual consent for an additional 12-month period to allow the development agreement to be finalized.

ISD intends to continue use of the facility as a baseball field for Van Horn High School. The district does not intend to demolish the stadium. ISD spent a significant amount of manpower, hours, and money so the facility could be used last season. This included investing significant resources in facility enhancements, including turf maintenance, property maintenance, blight removal, and the impending replacement of the outfield scoreboard.

Because of these reasons, staff believes the transference of Crysler Stadium from the City of Independence to the Independence School District is beneficial to the citizens of the City and the residents of the school district.

PHYSICAL CHARACTERISTICS OF PROPERTY:

The property is already developed and is the site of a baseball stadium with grandstands, a concession area, paved parking lot, beach volleyball area and an undeveloped field to the southeast on an adjacent lot that will be joined with the main property in a single-lot plat. The south, southeast and east sides of the property have a perimeter of trees. The northwest corner of the property (where the parking lot sits) is almost entirely covered with pavement.

CHARACTERISTICS OF THE AREA:

The property sets southeast of a busy intersection, 23rd Street and Crysler Avenue. The 23rd Street corridor is predominately commercial uses. Southwest of the property is a national guard armory. South and Southeast of the property are single-family and multiple-family uses; however, a railroad right-of-way abuts immediately to the east separating the multiple-family residences and a church from the property.

ANALYSIS:**Consistency with *Independence for All*, Strategic Plan:**

The sale will improve public infrastructure and facilities.

Comprehensive Plan Tools and Policies for the Current Designation:

Support existing and expanded use of community facilities.

Sub-Area Plans:

The area is not covered by a sub-area plan.

Zoning:

Although the property has a public use that is permitted in both I-1 and R-6 zonings, the uses listed for the existing and proposed zonings are as follows. The I-1 (Industrial) zoning allows for warehousing, wholesaling, vehicle repair, small engine repair, vehicle storage, office use, government facilities, utilities and manufacturing. Allowed uses in R-6 districts include single-family homes, home based child-care, government facilities, churches, schools, utilities, cemeteries, crops, and gardening.

Platting:

The property consists of two unplatted tracts. A 5.987-acre tract, abutting the southeast corner of 23rd Street and Chrysler Avenue, containing a large parking lot, the stadium and a beach volleyball area and an undeveloped 3.014-acre tract to its southeast. These will be platted into one, single-lot subdivision (a Minor Subdivision) as part of the property's transference from the City of Independence to the Independence School District.

Historic and Archeological Sites:

While nostalgic and of cultural significance, the site is not significant enough to be designated as a historic property.

Public Utilities:

All utilities are available in nearby rights-of-way and easements.

Floodplain/Stream Buffer:

There is a 170-foot-wide Stream Buffer that runs through the middle of this property outside of the baseball field. In addition, a small portion of the northwest corner of the property lies within the FEMA defined floodplain.

CIP Investments:

The City does not have any capital improvements projects planned near this area.

Access and Sidewalks:

There is an existing sidewalk along 23rd Street and no driveway access from the property along that street. A continuous paved surface provides access to S. Chrysler Avenue and is contiguous with the "sidewalk" adjacent to the street.

Landscaping:

The northwest side of the property has little green space except abutting the 23rd Street right-of-way and adjacent to the beach volleyball courts. The stadium has green lawn areas and trees around its perimeter. The southeast tract is an undeveloped green space flanked by trees.

REVIEW CRITERIA:

Recommendations and decisions on rezoning applications must be based on consideration of all of the following criteria.

1. **Conformance of the requested zoning with the Comprehensive Plan.** *The Comprehensive Plan envisions Park uses for the area. The Tools and Policies state the need to, "Support existing and expanded use of community facilities as 'third places' where residents of all ages can connect with programming and services, volunteer opportunities and opportunities for civic engagement."*
2. **Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.** *There are no sub-area plans for the vicinity.*
3. **The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.** *There are nearby R-6 zoned homes to the south and R-18/PUD zoned properties to the east.*
4. **The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.** *The proposed R-6 zoning is compatible with the area's existing neighborhood.*
5. **The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.** *The I-1 (Industrial) zoning is not compatible with the surrounding retail, government, religious and residential uses.*
6. **The length of time the subject property has remained vacant as zoned.** *This statement is not applicable to this case.*
7. **The extent to which approving the rezoning will detrimentally affect nearby properties.** *The additional R-6 zoning to the tract should have no detrimental effect on area properties. ISD will be able to continue using the Stadium for the Van Horn High School baseball team.*
8. **The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.** *If rezoning is denied, the property cannot be replatted per Code. Transferring Chrysler Stadium from the City to the Independence School District is beneficial to the citizens of the City and the residents of the school district.*

Draft Planning Commission minutes are attached to this Council agenda item.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Draft Ordinance 24-100-25
2. Staff Report 24-100-25
3. Narrative
4. Application
5. Notification Letter 24-100-25
6. 185ft Notification Area Map
7. Address List
8. Notification Affidavit 24-100-25
9. Final Plat
10. Comp Plan Map
11. Zoning Map
12. Planning Commission Meeting Minutes 11-19-24

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT I-1 (INDUSTRIAL) AND DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) TO DISTRICT R-6 (SINGLE FAMILY RESIDENTIAL) FOR THE PROPERTIES AT 2301 S. CRYSLER AVENUE.

WHEREAS, an application submitted by Brandon Fryer requesting approval of a rezoning from District I-1 (Industrial) and District R-6 (Single-Family Residential) to District R-6 (Single-Family Residential) for the properties at 2301 S. Crysler Avenue was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the request on November 19, 2024, and rendered a report to the City Council recommending the rezoning be approved by a vote of 7-0; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the rezoning was consistent with the review criteria in Section 14-701-02; and,

WHEREAS, no legal protests were signed, acknowledged, and presented for the application; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing, and rendered a decision to approve the rezoning of the said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the following legally described property is hereby rezoned from District I-1 (Industrial) and District R-6 (Single-Family Residential) to District R-6 (Single-Family Residential) and shall be subject to the regulations of said district:

A tract of land located in the Northwest Quarter of the Southeast Quarter of Section 10, Township 49 North, Range 32 West of the Fifth Principal Meridian, all in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri PLS-2018016442, on August 7, 2024 as follows:

Commencing at the Center corner of Section 10, thence South 01°39'31" West, along the West line of the Southeast Quarter, 45.43 feet; thence departing said West line, South 88°20'29" East, 40.00 feet to the Point of Beginning, said point being the intersection of the East right-of-way line of South Crysler Avenue and the South right-of-way line of West 23rd Street as both now

established in August 2024.

From the Point of Beginning, thence South 87°05'30" East, along said South right-of-way line, 342.22 feet; thence South 87°06'30" East, along said South right-of-way line, 389.98 feet to the West right-of-way line of the Kansas City Southern Railroad (formerly known as the Gulf Mobile and Ohio Railroad) as now established in August 2024; thence, departing the said South right-of-way line, southeasterly on a non-tangent curve to the right, along said West right-of-way line, having an arc length of 100.85 feet, a radius of 1382.69 feet, and a chord that bears South 16°55'24" East, 100.83 feet; thence South 14°50'02" East, along said West right-of-way line, 500.00 feet; thence southeasterly on a tangent curve to the left, along said West right-of-way line, having an arc length of 358.72 feet, a radius of 2915.04 feet, and a chord that bears South 18°21'33" East, 358.49 feet to the Northeast corner of Lot 3, ALHAMBRA HEIGHTS RESURVEY, a subdivision in the City of Independence, County of Jackson, State of Missouri and recorded in the Jackson County Recorder of Deeds' office in Book 25, Page 67 (Instrument No. 1961I0777994); thence, departing said West right-of-way line, North 87°13'43" West, along the North line of said subdivision, 345.09 feet to the Southeast corner of a Tract of land recorded in a Special Warranty Deed in Book 1033, Page 727 in the Jackson County Recorder of Deeds' office; thence North 01°39'31" East, along the West line of said Tract, 529.66 feet; thence North 87°13'43" West, along the North line of said Tract, 583.92 feet to the East right-of-way line of South Crysler Avenue as now established in August 2024; thence North 01°39'31" East, along said East right-of-way line, 377.84 feet to the Point of Beginning containing 392,051 square feet or 9.000 acres.

SECTION 2. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 3. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 4. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

MEETING DATE: November 19, 2024

STAFF: Brian L. Harker, Senior Planner

PROJECT NAME: Crysler Stadium

CASE NUMBER/REQUEST: **Case 24-100-25 – Rezoning – 2301 S. Crysler Avenue** – A request by the City to rezone the property from I-1 (Industrial) and R-6 (Single Family Residential) to R-6 (Single Family Residential).

APPLICANT: City of Independence

PROPERTY LOCATION: 2301 S. Crysler Avenue

SURROUNDING ZONING/LAND USE:

North: C-2/SP (General Commercial/Special Use)...auto sales/repair
C-2 (General Commercial)...single-family homes

East: C-2 (General Commercial)...church
R-18/PUD (Moderate Density Residential/Planned Unit Development)...four-plexes

South: R-6 (Single-Family Residential)...single-family homes

West: R-6 (Single-Family Residential)...national guard armory
I-1 (Industrial)...veterinary clinic
C-2 (General Commercial)...pharmacy

PUBLIC NOTICE:

- Letters to property owners – October 10, 2024
- Public Notice published in the Independence Examiner – October 12, 2024
- Signs posted on property – October 11, 2024

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on December 2, 2024 and the public hearing/second reading on December 16, 2024.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: The Independence School District is entering an agreement with the City of Independence for Crysler Stadium and the adjoining parcel to the south.

Current Zoning:	I-1 (Industrial) and R-6 (Single-Family Residential)	Proposed Zoning:	R-6 (Single-Family Residential)
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Current and Continuing Use: Baseball stadium and beach volleyball court

Background on Property Transfer:

Recently, there has been very limited usage of this facility by local community groups. About three years ago, American Legion teams were using the stadium Mondays through Saturdays for games, and Van Horn and Truman Varsity teams would sometimes use the field for their home games. For the summer 2023 season (the last season the Parks Recreation and Tourism Department operated the stadium), games were scheduled about a dozen times, but these were only make-up games for Queen City Baseball due to rainouts at the Mill Creek ballfields. Back in the summer of 2022 there were four or five Saturday/Sunday tournaments which would have been the last time the stadium generated revenue. The Parks, Recreation & Tourism Department has over \$1.2 million in identified capital funding needs for Crysler Stadium. Despite its history and nostalgia, it is difficult to justify investing that amount of capital in a facility that is used so minimally by the public.

In 2023 the Independence School District (ISD) approached the City about using Crysler Stadium as a home field for Van Horn High School, but did not want to invest their capital dollars in a facility the school district did not own.

Consequently, the ISD Superintendent reached out to the City to see if there was a way for ISD to use the facility for the Van Horn baseball team. About one year ago, the City Council approved a 12-month lease agreement between the City of Independence and the Independence School District for the use of Crysler Stadium. At the time, it was explained to the City Council that it was the desire of both parties to facilitate the transfer of Crysler Stadium to the Independence School District. Earlier this month, both parties extended the agreement by mutual consent for an additional 12-month period to allow the development agreement to be finalized.

ISD intends to continue use of the facility as a baseball field for Van Horn High School. The district does not intend to demolish the stadium. ISD spent a significant amount of manpower, hours, and money so the facility could be used last season. This included investing significant resources in facility enhancements, including turf maintenance, property maintenance, blight removal, and the impending replacement of the outfield scoreboard.

Because of these reasons, staff believes the transference of Crysler Stadium from the City of Independence to the Independence School District is beneficial to the citizens of the City and the residents of the school district.

Zoning History:

Prior to 2009 the I-1 (Industrial) portion of the property was zoned M-1 (Industrial) and the R-6 (Single-Family Residential) portion was zoned R-1b (Single-Family Residential). The R-1b (Single-Family Residential) portion of the property was zoned R-1 (Single-Family Residential) before 1980. The property was M-1 (Industrial) and R-1 (Single-Family Residential) from 1965 to 1980.

Proposal:

This is a request by the City of Independence to rezone the property from R-6 (Single-Family Residential) and I-1 (Industrial) to R-6 (Single-Family Residential). Although the property has a

public use and the use is permitted in both I-1 and R-6 zonings, the UDO requires that there be only one zoning per lot, therefore the property when replatted needs to be rezoned.

Physical Characteristics of Property:

The property is already developed and is the site of a baseball stadium with grandstands, a concession area, paved parking lot, beach volleyball area and an undeveloped field to the southeast on an adjacent lot that will be joined with the main property in a single-lot plat. The south, southeast and east sides of the property have a perimeter of trees. The northwest corner of the property (where the parking lot sits) is almost entirely covered with pavement.

Characteristics of the Area:

The property sets southeast of a busy intersection, 23rd Street and Chrysler Avenue. The 23rd Street corridor is predominately commercial uses. Southwest of the property is a national guard armory. South and Southeast of the property are single-family and multiple-family uses; however, a railroad right-of-way abuts immediately to the east separating the multiple-family residences and a church from the property.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

The sale will improve public infrastructure and facilities.

Comprehensive Plan Tools and Policies for the Current Designation:

Support existing and expanded use of community facilities.

Sub-Area Plans:

The area is not covered by a sub-area plan.

Zoning:

Although the property has a public use that is permitted in both I-1 and R-6 zonings, the uses listed for the existing and proposed zonings are as follows. The I-1 (Industrial) zoning allows for warehousing, wholesaling, vehicle repair, small engine repair, vehicle storage, office use, government facilities, utilities and manufacturing. Allowed uses in R-6 districts include single-family homes, home based child-care, government facilities, churches, schools, utilities, cemeteries, crops, and gardening.

Platting:

The property consists of two unplatted tracts. A 5.987-acre tract, abutting the southeast corner of 23rd Street and Chrysler Avenue, containing a large parking lot, the stadium and a beach volleyball area and an undeveloped 3.014-acre tract to its southeast. These will be platted into one, single-lot subdivision (a Minor Subdivision) as part of the property's transference from the City of Independence to the Independence School District.

Historic and Archeological Sites:

While nostalgic and of cultural significance, the site is not significant enough to be designated as a historic property.

Public Utilities:

All utilities are available in nearby rights-of-way and easements.

Floodplain/Stream Buffer:

There is a 170-foot-wide Stream Buffer that runs through the middle of this property outside of the baseball field. In addition, a small portion of the northwest corner of the property lies within the FEMA defined floodplain.

CIP Investments:

The City does not have any capital improvements projects planned near this area.

Access and Sidewalks:

There is an existing sidewalk along 23rd Street and no driveway access from the property along that street. A continuous paved surface provides access to S. Chrysler Avenue and is contiguous with the “sidewalk” adjacent to the street.

Landscaping:

The northwest side of the property has little green space except abutting the 23rd Street right-of-way and adjacent to the beach volleyball courts. The stadium has green lawn areas and trees around its perimeter. The southeast tract is an undeveloped green space flanked by trees.

REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

1. Conformance of the requested zoning with the Comprehensive Plan.

The Comprehensive Plan envisions Park uses for the area. The Tools and Policies state the need to, “Support existing and expanded use of community facilities as ‘third places’ where residents of all ages can connect with programming and services, volunteer opportunities and opportunities for civic engagement.”

2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.

There are no sub-area plans for the vicinity.

3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.

There are nearby R-6 zoned homes to the south and R-18/PUD zoned properties to the east.

4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.

The proposed R-6 zoning is compatible with the area’s existing neighborhood.

5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.

The I-1 (Industrial) zoning is not compatible with the surrounding retail, government, religious and residential uses.

6. The length of time the subject property has remained vacant as zoned.

This statement is not applicable to this case.

7. The extent to which approving the rezoning will detrimentally affect nearby properties.

The additional R-6 zoning to the tract should have no detrimental effect on area properties. ISD will be able to continue using the Stadium for the Van Horn High School baseball team.

- 8. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**

If rezoning is denied, the property cannot be replatted per Code. Transferring Crysler Stadium from the City to the Independence School District is beneficial to the citizens of the City and the residents of the school district.

EXHIBITS

1. Narrative
2. Application
3. Notification letter
4. Notification Aera Map
5. Address List
6. Affidavit
7. Final Plat
8. Comprehensive Plan map
9. Zoning map

From: [Jim Holtcamp](#)
To: [Brian Harker](#)
Subject: RE: 24-3006 Crysler Stadium Minor Subdivision
Date: Monday, September 16, 2024 10:39:29 AM

Brian,

The City is interested in entering an agreement with the Independence School District for Crysler Stadium and the adjoining parcel to the south. Rather than writing several separate easements for our infrastructure we decided that it would be more cost effective to submit a plat and address the easements that way. Please let me know if you need anything else.
Thanks

Jim

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☐ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business ☐ Short-Term Rental	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

Crysler Stadium

Project Name

2301 S. Chrysler Avenue

Project Address/Location

	9-acres	1	Yes
Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Stream Buffer (Yes or No)
I-1 and R-6	R-6	stadium	stadium
Existing Zoning	Proposed Zoning	Existing Land Use	Proposed Land Use

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☐ Completed & Signed Application Form ☐ Application Fee ☐ Cover Letter Describing Details of Project	☐ One 24" x 36" set of plans for Land Sub. & Site Dev. ☐ One PDF copy of a plat map or site plan ☐ Legal Description of the property in question
---	---

Contact Information

Applicant

Jim Holtcamp	City of Independence
Name	Company
111 E. Maple	
Address	
816-325-7000	jholtcamp@indepmo.org
Phone	Email

Architect/Engineer/Surveyor/Other: _____

Name	Company
Address	
Phone	Email

Owner

City of Independence	
Name	Company
111E. Maple	
Address	
816-325-7000	
Phone	Email

Architect/Engineer/Surveyor/Other: _____

Name	Company
Address	
Phone	Email

The applicant hereby agrees that the information provided above is accurate.

Applicant's Signature _____ Date _____

Owner's Signature _____ Date _____

Appendix B - Property Owner Notification Letter

City of Independence, Missouri

Date: 10/10/2024

Case No. 24-100-25

Dear Property Owner:

This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission and the City Council will consider new information on the dates and times below.

Proposed Case Type (Check One):

- ☒ Rezoning ☐ Rezoning/PUD ☐ Special Use Permit
☐ Preliminary Development Plan

Proposed project description: Rezone from R-6 (Single Family Residential) and I-1 (Industrial) to

Applicant: City of Independence R-6 (Single-Family Residential)

Location of Property: 2301 S. Eryslar Avenue

Planning Commission Meeting Date: October 29, 2024 at 6:00 p.m.

City Council Meeting Date: December 16, 2024 at 6:00 p.m.

Location of public hearings: City Council Chambers, City Hall
111 E Maple Ave, Independence, Missouri, 64050

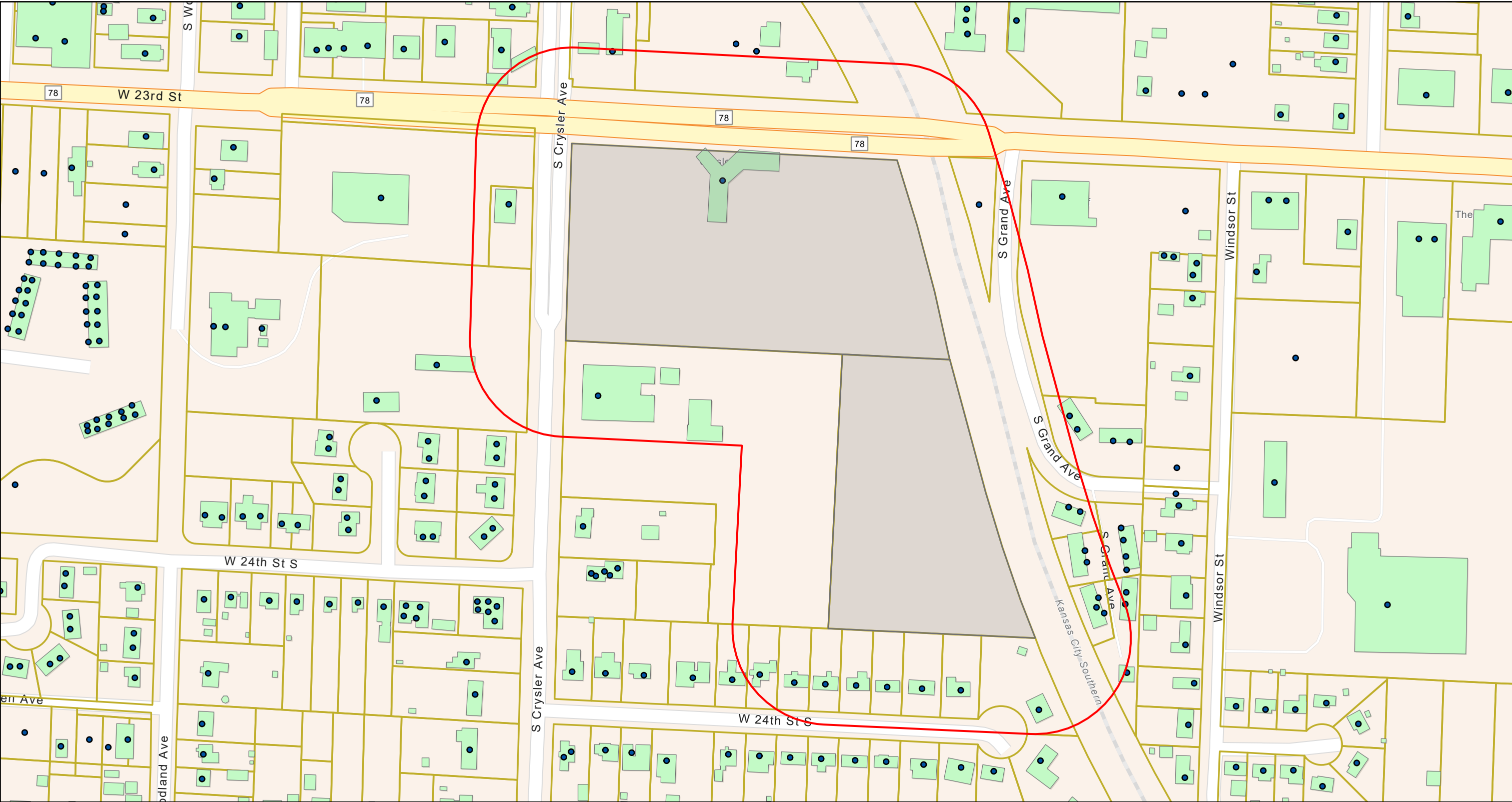
All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission).

REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.

Applicant (or Owner/Agent)

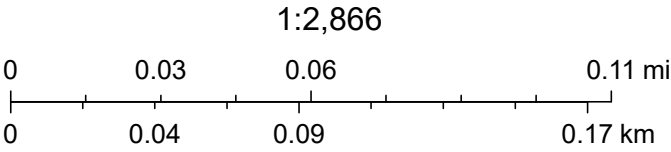
For more information, contact the Community Development Department at 816-325-7421.

185ft Notification Area - 2301 S Crysler



10/10/2024, 12:54:06 PM

- Addresses
- Building Footprints
- Parcels (General Use- AGOL)
- City Limits



Esri Community Maps Contributors, City of Independence MO, Kansas City, MO, Jackson County, MO, Missouri Dept. of Conservation, Missouri DNR, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Owner	Address	City
Shan, LLC	5401 E. Winner Road	Kansas City
Kay Lander	1101 S. Crysler Avenue	Independence
Sabrina D. Mitchell	1104 W. 23rd Street S.	Independence
BDA Properties, LLC	820 S. Riner Road	Buckner
Central Assembly of God	1009 W. 23rd Street S.	Independence
Shelly Sherman and She Zhou	7611 State Line, Unbit 268	Kansas City
Steven Lahue	2318 S. Grand Avenue	Independence
23 28 S. Grand Avenue, LLC	3225 McLead Drive, Suite 777	Las Vegas
The Crovo Family Trust	12099 Oakview Way	San Diego
Metzger Gary W. and Maria Del Carmen	2324 1/2 S. Grand Avenue	Independence
Meridan Equities, LLC	301 Jones Avenue	Warrensburg
Margaret Ann Hartshorn	1100 W. 24th Street S.	Independence
Stephan and Denise Bryant	1110 W. 24th Street S.	Independence
Roberts Investment Group, LLC	5101 Wyandotte, Apt 15	Kansas City
Russell D. Michael Trustee	10504 E. 20th Street S.	Independence
Kenneth L. and Michelle R. Hentz	1204 W. 24th Street S.	Independence
Cynthia Lynn Woodley and Beverly E. Lentz	1208 W. 24th Street S.	Independence
Maria Jesus and Richard Solis	1210 W. 24th Street S.	Independence
Harkosity, LLC	Four Embarcadaro Center, Ste 1400 #85	Sna Francisco
Jennifer L. Rodriguez	1218 W. 24th Street S.	Independence
State of Missouri	301 W. High Street, RM 590	Jefferson City
Kevin Frisbie Trustee	PO Box 520095	Independence
Animals Best Friends	PO Box 493	Independence
Cole CV Independence (W 23rd Street) MO, LLC	PO Box 1610	Cockeyville Hunt VA

State	Zip
MO	64127
MO	64052
MO	64050
MO	64016
MO	64055
MO	64114
MO	64055
NV	89121
CA	92128
MO	64055
MO	64093
MO	64052
MO	64052
MO	64112
MO	64052
MO	64052
MO	64052
MO	64052
CA	94111
MO	64052
MO	64102
MO	64052
MO	64051
MD	21030

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 24-100-25

I, Miranda Rice, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 10 day of October, 2024.

Miranda Rice

Signature of Agent, Owner or Attorney

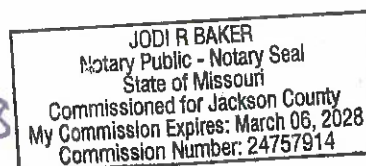
Subscribed and sworn to before me this 10 day of October, 2024.

Jodi R Baker

Notary Public

10/10/2024 March 6, 2028

Commission Expiration Date



MINOR SUBDIVISION
CRYSLER STADIUM

PART OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 49 NORTH, RANGE 32 WEST,
IN THE CITY OF INDEPENDENCE, COUNTY OF JACKSON, STATE OF MISSOURI



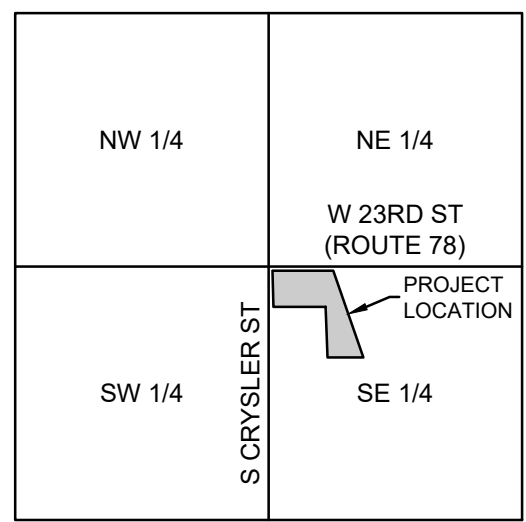
- NOTES:**
- Basis of Bearings: As determined by GPS observations, referenced to the Missouri State Plane Coordinate System, West Zone (NAD 83).
 - Error of Closure:
Precision, 1 part in: 419772.392'
Error distance: 0.008'
Error direction: N67° 18' 33.59"E
Perimeter: 3428.280'
 - All bearings and distances shown on this plat are measured unless otherwise noted.
 - Flood Plain Note: According to the F.E.M.A. Flood Insurance Rate Map Number 29095C0283G, revised 1/20/2017, this tract graphically lies in OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain; also in SPECIAL FLOOD HAZARD AREAS, ZONE A, defined without Base Flood Elevation (BFE).
 - There shall be no clearing, grading, construction, or disturbance of vegetation.
 - Any stream buffer shown hereon is subject to conservation easements that restrict disturbance and use of these areas.
 - The location and limits of the stream buffer shown hereon were provided by the City of Independence.

Missouri Geographic Reference
System Station: JA-133
North Coord. = 323,228.261 m East Coord. = 857,271.288 m
(1 meter = 3.28083333 feet) Grid Factor = 0.9998970

Plat Corners (State Plane Coordinates in Meters)		
Point No.	North	East
1	323296.409	855868.126
2	323291.117	855972.288
3	323286.659	856060.552
4	323257.259	856069.497
5	323109.953	856108.510
6	323006.255	856142.934
7	323011.343	856037.873
8	323172.698	856042.546
9	323181.302	855864.793

LEGEND:

- ▲ FOUND SECTION CORNER AS NOTED
- △ SET SECTION CORNER
- FOUND MONUMENT AS NOTED
- SET 1/2" X 24" REBAR WITH RIC
- MOCL52011003572 KSCLS234 CAP
- (M) MEASURED
- (P) PLATTED
- (D) DEED
- (GU/E) GENERAL UTILITY EASEMENT
- (A/E) ACCESS EASEMENT
- FIRST ORDER STREAMLINE ZONE
- FEMA ZONE LINE



LOCATION MAP
SECTION 10-T49N-R32W
Scale 1" = 2000'

BOUNDARY DESCRIPTION:

A tract of land located in the Northwest Quarter of the Southeast Quarter of Section 10, Township 49 North, Range 32 West of the Fifth Principal Meridian, all in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri PLS-2018016442, on August 7, 2024 as follows:

Commencing at the Center corner of Section 10, thence South 01°39'31" West, along the West line of the Southeast Quarter, 45.43 feet; thence departing said West line, South 88°20'29" East, 40.00 feet to the Point of Beginning, said point being the intersection of the East right-of-way line of South Chrysler Avenue and the South right-of-way line of West 23rd Street as both now established in August 2024.

From the Point of Beginning, thence South 87°05'30" East, along said South right-of-way line, 342.22 feet; thence South 87°06'30" East, along said South right-of-way line, 389.98 feet to the West right-of-way line of the Kansas City Southern Railroad (formerly known as the Gulf Mobile and Ohio Railroad) as now established in August 2024; thence, departing the said South right-of-way line, southeasterly on a non-tangent curve to the right, along said West right-of-way line, having an arc length of 100.85 feet, a radius of 1382.69 feet, and a chord that bears South 16°55'24" East, 100.83 feet; thence South 14°50'02" East, along said West right-of-way line, 500.00 feet; thence southeasterly on a tangent curve to the left, along said West right-of-way line, having an arc length of 358.72 feet, a radius of 2915.04 feet, and a chord that bears South 18°21'33" East, 358.49 feet to the Northeast corner of Lot 3, ALHAMBRA HEIGHTS RESURVEY, a subdivision in the City of Independence, County of Jackson, State of Missouri and recorded in the Jackson County Recorder of Deeds' office in Book 25, Page 67 (Instrument No. 19610777994); thence, departing said West right-of-way line, North 87°13'43" West, along the North line of said subdivision, 345.09 feet to the Southeast corner of a Tract of land recorded in a Special Warranty Deed in Book 1033, Page 727 in the Jackson County Recorder of Deeds' office; thence North 01°39'31" East, along the West line of said Tract, 529.66 feet; thence North 87°13'43" West, along the North line of said Tract, 583.92 feet to the East right-of-way line of South Chrysler Avenue as now established in August 2024; thence North 01°39'31" East, along said East right-of-way line, 377.84 feet to the Point of Beginning containing 392,051 square feet or 9,000 acres.

DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as:

"CRYSLER STADIUM"

The proprietors, successors, and assigns, of property described on this plat hereby dedicate for public use all land described on this plat as streets or public ways not heretofore dedicated. Acceptance of the dedication of land for public right-of-way purposes described on this plat is for the sole purpose of maintaining right-of-way and does not constitute acceptance of any terms or conditions set forth in any agreement not shown on this plat.

EXECUTION

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this ____ day of ____ 20__.

City Manager of the City of Independence

Zack Walker, City Manager

STATE OF _____)
COUNTY OF _____) SS

BE IT REMEMBERED, that on this ____ day of ____ 20__, before me a Notary Public in and for said County and State, came Zack Walker, City Manager of the City of Independence, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said corporation, and he duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

Notary Public My Appointment Expires: _____

APPROVALS

Approved by the City Council and Mayor of the City of Independence, Missouri, Pursuant to Ordinance No. 17339.

By: _____ Date: _____
City Clerk, Susanne Holland

By: _____ Date: _____
Community Development Director, Tom Scarnell

By: _____ Date: _____
Municipal Services Engineer, Alexander Lopez

Jackson County Assessment Department:

By: _____

Date: _____

Certification:

I hereby certify that this Boundary Survey is based upon an actual field survey performed by me or under my direct supervision during August 2024, and that said survey meets or exceeds the current Missouri Standards for Property Boundary Surveys, urban type property, as established by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects and the Department of Agriculture Land Survey Program of the State of Missouri.

DRAFT COPY

Randy G. Zerr, Missouri PLS-2018016442
RIC MO CLS-2011003572
rzerr@ric-consult.com

CRYSLER STADIUM

Prepared For:
CITY OF INDEPENDENCE
C/O JIM HOLT CAMP
111 EAST MAPLE AVENUE
INDEPENDENCE, MISSOURI 64050



102 Abbie Avenue 913.317.9500
Kansas City, Kansas 66103 www.ric-consult.com

Date of Preparation: AUGUST, 2024
Revised: SEPTEMBER, 2024

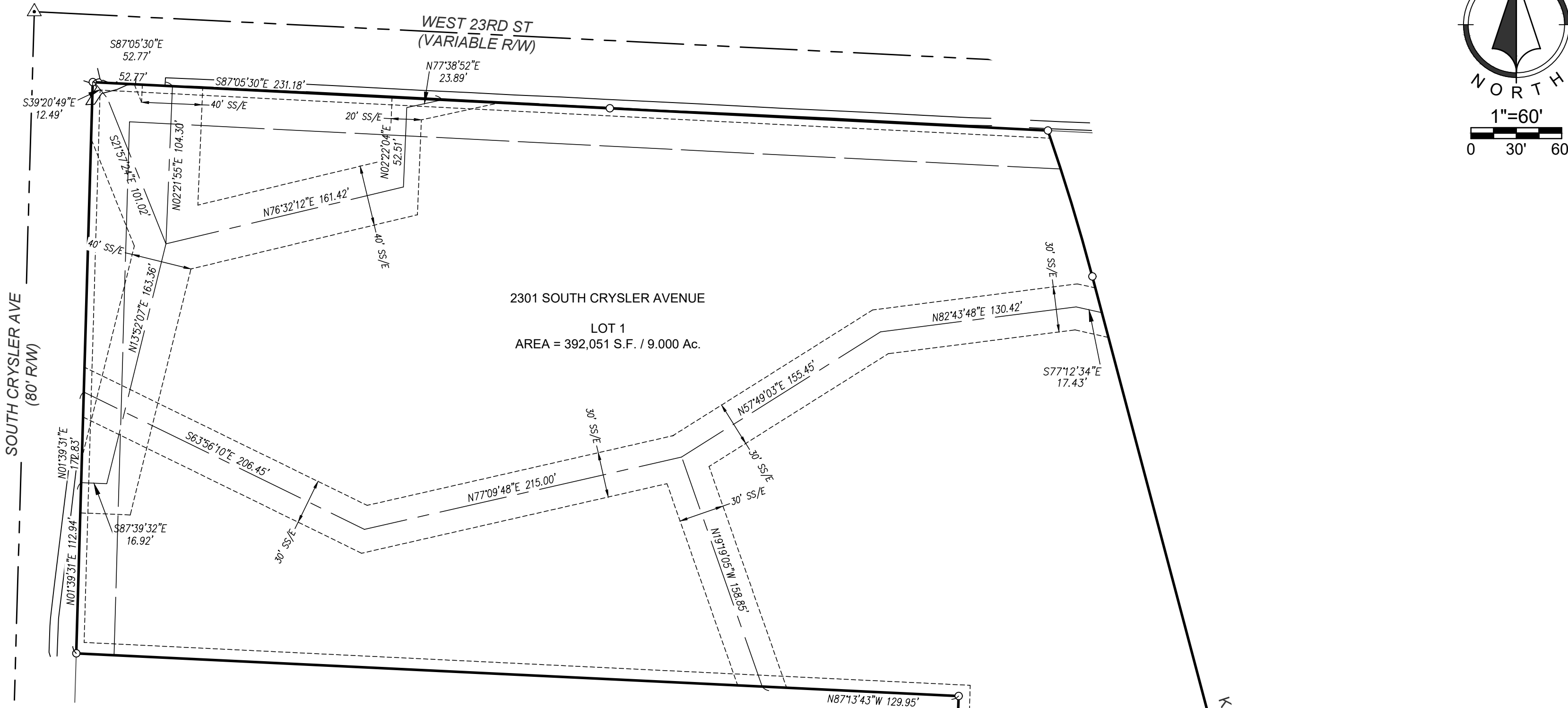
Certificates of Authorization:
Missouri CLS-2011003572; Kansas CLS-234

MINOR SUBDIVISION

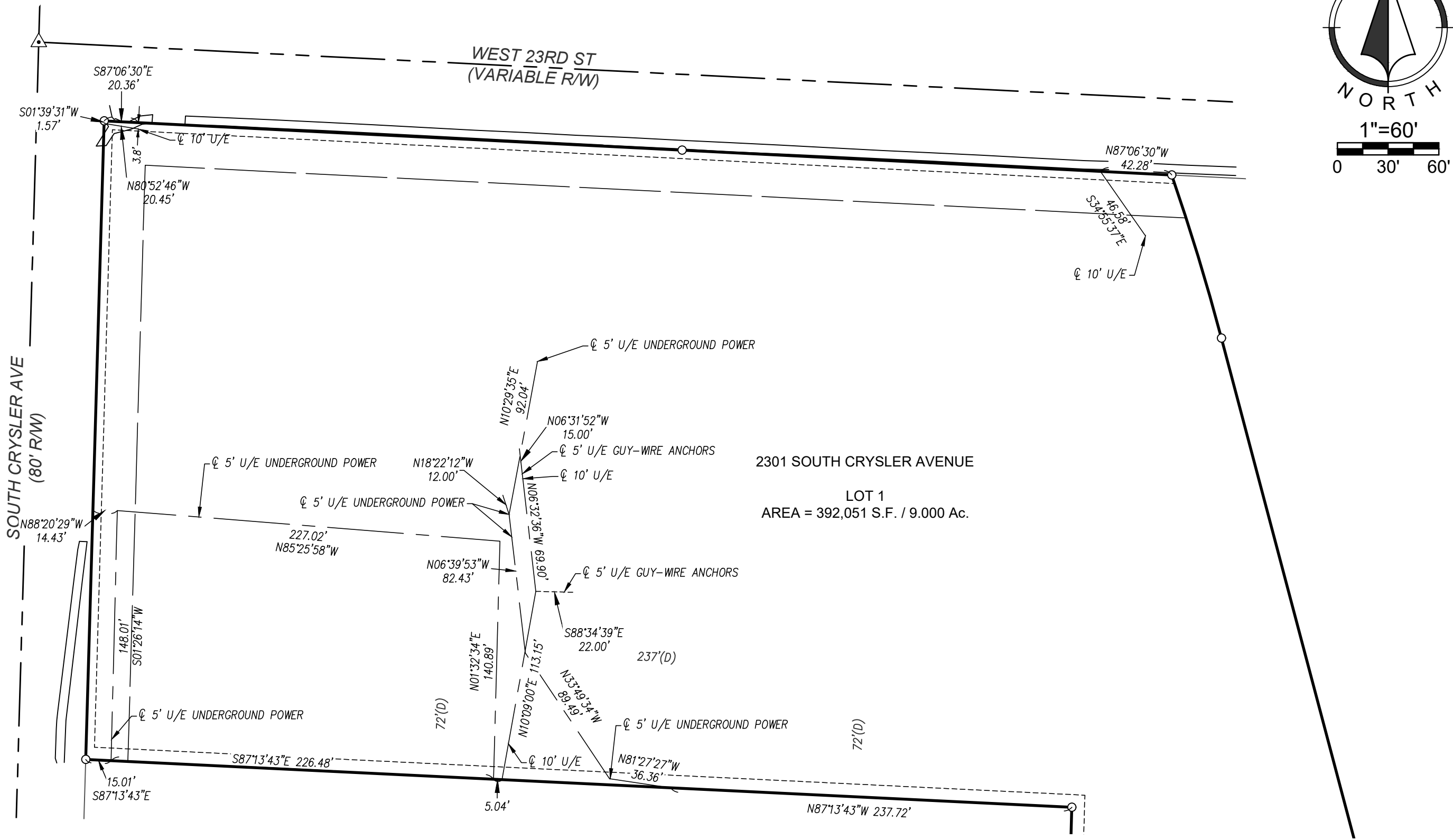
CRYSLER STADIUM

PART OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 49 NORTH, RANGE 32 WEST,
IN THE CITY OF INDEPENDENCE, COUNTY OF JACKSON, STATE OF MISSOURI

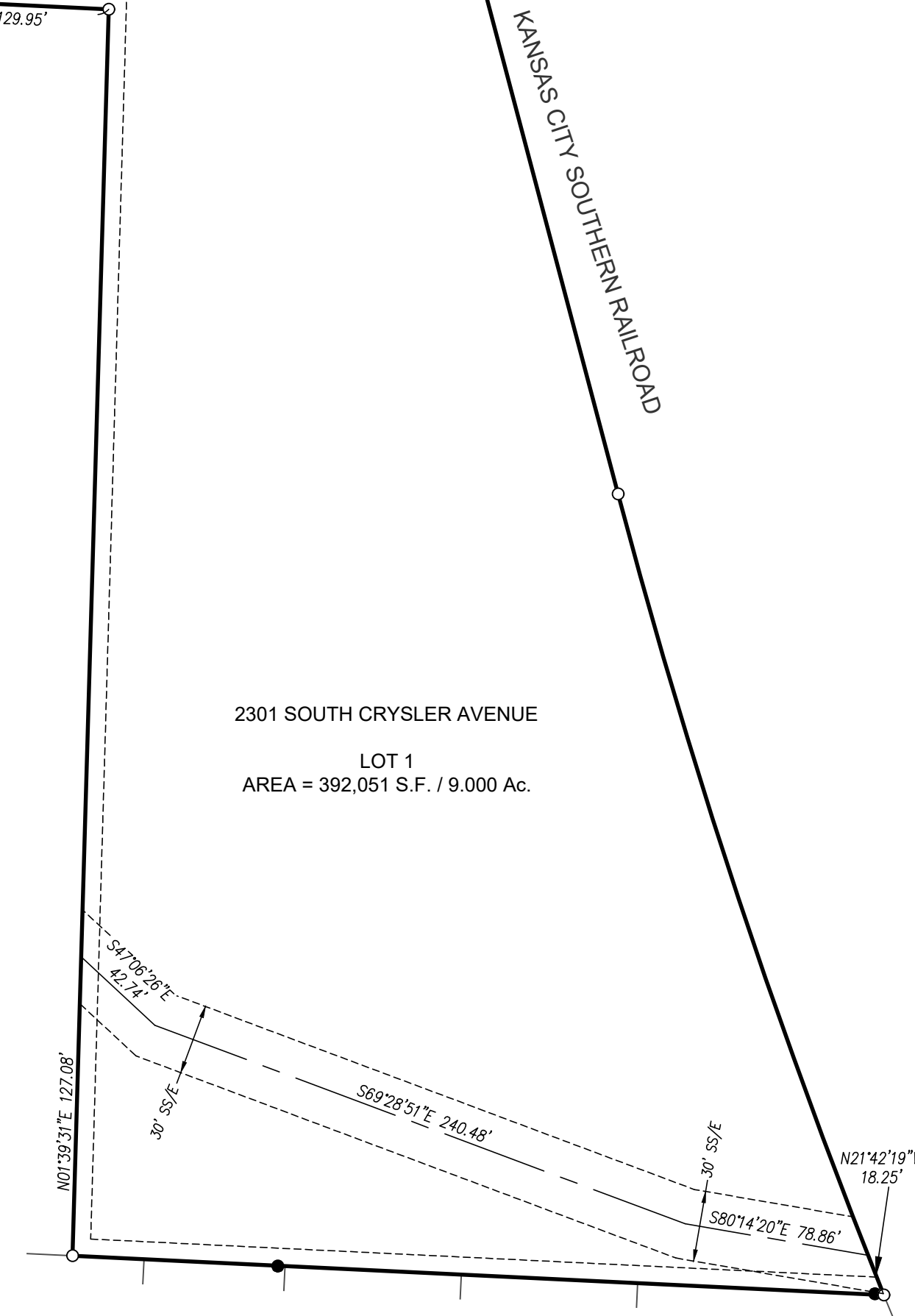
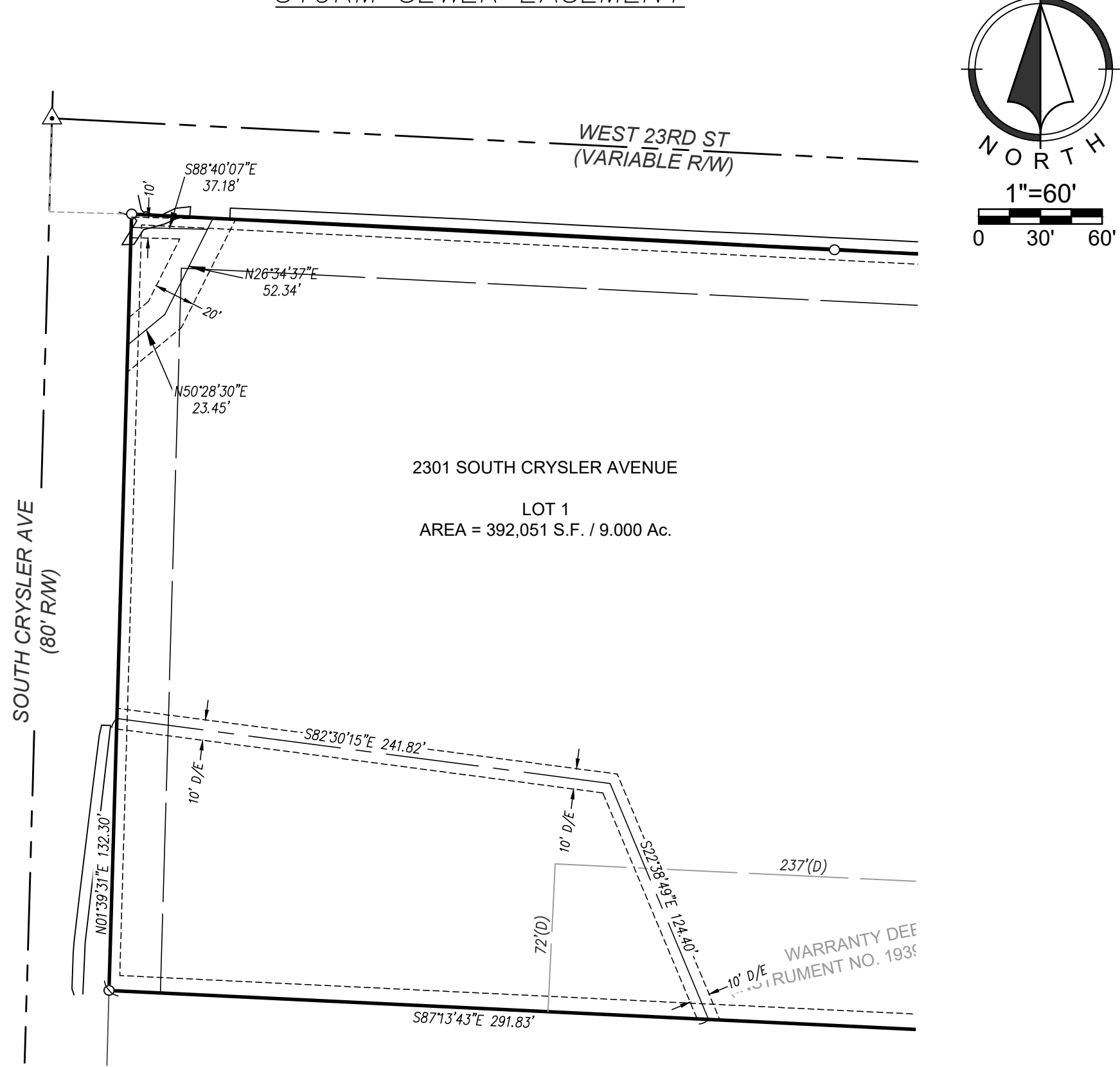
SANITARY SEWER EASEMENTS



ELECTRICAL POWER EASEMENTS

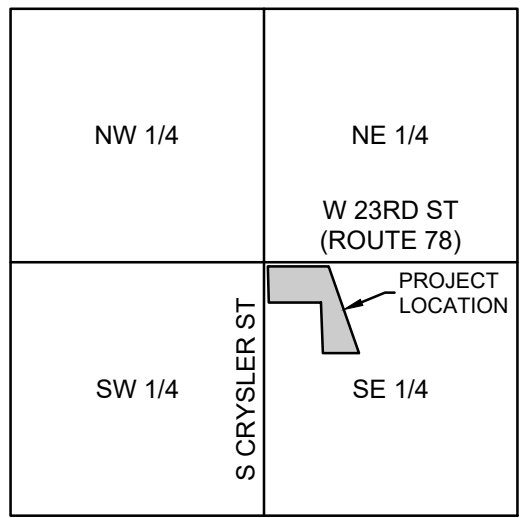


STORM SEWER EASEMENT



LEGEND:

- D/E DRAINAGE EASEMENT
SS/E SANITARY SEWER EASEMENT
U/E UTILITY EASEMENT



LOCATION MAP

SECTION 10-T49N-R32W
Scale 1" = 2000'

I hereby certify that this Boundary Survey is based upon an actual field survey performed by me or under my direct supervision during August 2024, and that said survey meets or exceeds the current Missouri Standards for Property Boundary Surveys, urban type property, as established by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects and the Department of Agriculture Land Survey Program of the State of Missouri.

DRAFT COPY

Randy G. Zerr, Missouri PLS-2018016442
RIC MO CLS-2011003572
rzerr@ric-consult.com

CRYSLER STADIUM

Prepared For:
CITY OF INDEPENDENCE
C/O JIM HOLT CAMP
111 EAST MAPLE AVENUE
INDEPENDENCE, MISSOURI 64050



102 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com

Date of Preparation:
AUGUST, 2024

Revised:
SEPTEMBER, 2024

Certificates of Authorization:
Missouri CLS-2011003572; Kansas CLS-234

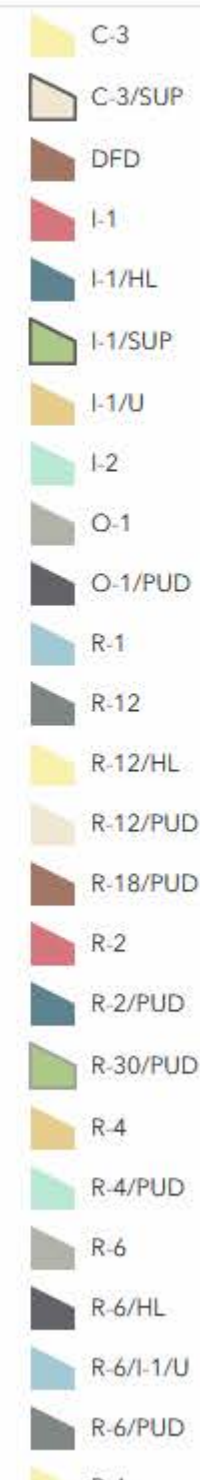
Public Safety

Fire Districts



Police Districts







Planning Commission Minutes

November 19, 2024 6:00 PM

City Hall, 111 E. Maple Avenue (Ground Floor), Council Chambers

CALL TO ORDER

A meeting of the Planning Commission was held at 6:00 PM on 11/19/2024, in the 111 E Maple Avenue City Council Chambers, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - .

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

Commissioner Nesbitt requested to pull Case 24-320-08 from the Consent Agenda.

1. Planning Commission Minutes – October 29, 2024

Motion

Commissioner Dan O'Neill made a motion to approve the Consent Agenda. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. Case 24-320-08 – Final Plat – McBee Acres – A request for Final Plat approval for McBee Acres generally located at the northwest corner of US 24 and Salem Drive.

In response to Commissioner Nesbitt's question, Gabe Glaser advised parking was addressed in the conditions.

Motion

Commissioner Eric Ashbaugh made a motion to approve the case. Commissioner Virginia Ferguson seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

PUBLIC HEARINGS

1. **Continued Case 24-125-05 Rezoning/PUD – 19300 E 37th Terrace** – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Harker reviewed the conditions of approval.

In response to Commissioner Nesbitt's question, Mr. Harker advised that there's a piece of City property between the right-of-way and the subject property. Commissioner Ashbaugh asked if the City maintains that piece of property between this development and the right-of-way. Mr. Arroyo stated he believes the City maintains the property and will continue to maintain the property.

Commissioner Nesbitt stated he would like to see electric vehicle charging stations required and questioned why we're allowing so few parking spots. Mr. Arroyo said electric vehicle charging stations are not required and there are challenges in requiring those with apartment buildings.

Mr. Arroyo stated the developer provided a plan that shows their anticipated parking needs and noted visitors wouldn't be able to park on the major streets around this development. Mr. Arroyo noted the parking ratio is 1.64 per unit.

Commissioner Nesbitt questioned why new apartments are being proposed when the Housing Study said the City no longer needs apartments. Mr. Arroyo stated the update to the Housing Study showed the City could use around 650 units before we reach saturation.

In response to Chairwoman Wiley's question, Mr. Arroyo stated they believe this development will be similar in height to the existing Pepperwood Apartments.

Applicant Comments

Clint Burkdoll, Olathe, KS, stated they're a local developer and said they would be willing to add some electric vehicle charging stations. He also noted they would be willing to mow the piece of City property. Mr. Burkdoll stated the site is steep and there are challenges with the topography, which is why it hasn't been developed yet.

Jason Osborne, Rosemann & Associates, 1526 Grand Blvd, Kansas City, said the garages will

hold standard trucks. Mr. Osborne said these would be market rate apartments and based their parking plan on existing developments.

In response to Commissioner Ashbaugh's question, Mr. Osborne stated they plan to have a valet trash service.

Public Comments

No public comments.

Commissioner Comments

Commissioner Nesbitt stated he would like a condition added that requires electric vehicle charging stations.

Motion

Commissioner Edward Nesbitt made a motion to approve the case, with conditions as outlined by staff and the added condition from Commissioner Nesbitt. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Continued Case 24-100-24 – Rezoning – 2131 S. Scott Avenue** – A request by Andrew Rocco Mazzella to rezone the property from R-12 (Two-Family Residential) to C-2 (General Commercial).

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

In response to Commissioner O'Neill's question, Mr. Harker stated it's a cleaning business.

Applicant Comments

Erwin Gard, 1040 SW Luttrell, Blue Springs, stated he's representing the applicant. Mr. Gard stated he believes the business does not store cleaning chemicals, but sells the cleaning supplies.

In response to Chairwoman Wiley's question, Mr. Gard said they will improve the sidewalk, curb and gutter along Scott and 23rd Street and noted the gravel will be removed.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

3. **Continued Case 24-100-25 – Rezoning – 2301 S. Crysler Avenue** – A request by the City to rezone the property from I-1 (Industrial) and R-6 (Single Family Residential) to R-6 (Single Family Residential).

Staff Presentation

Brian Harker presented updates for this case. He provided the Commission with a background on the use of the stadium. Mr. Harker stated in 2023, the Independence School District entered into a lease with the City and Van Horn High School baseball team started using the facility.

The Independence School District has invested funds to improve the property and seeks to enter into a Development Agreement with the City to continue use of the facility.

Public Comments

Beverly Lentz, 1208 W 24th St S, expressed concerns about environmental impact and the homeless population in that area.

Commissioner Comments

In response to Chairwoman Wiley's question, Mr. Harker confirmed this is a corrective rezoning so that both plots are zoned the same and will have the same address. Chairwoman Wiley thanked staff for answering all the questions that were presented at the last meeting.

Motion

Commissioner Eric Ashbaugh made a motion to approve the case. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

4. **Case 24-100-26 – Rezoning – 17200 E. Medical Center Pkwy, 17203 & 17221 E. 23rd Street** – A request by the City to rezone the property from R-30/PUD (High Density Residential/Planned Unit Development) to C-2 (General Commercial).

Staff Presentation

Gabe Glaser presented the case. Mr. Glaser presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Public Comments

Natalie Sevy, 17208 E 23rd St, stated she owns a property across the street from the Independence Utilities Center. She stated if there is going to be a jail on this property, she is opposed to this change.

Mr. Glaser noted this is a rezoning request and is not related to a future use of this property.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Edward Nesbitt

seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

OTHER BUSINESS

1. Training provided by Lauber Law

Jeremy Lauber provided training to the Planning Commission.

ROUNDTABLE - NEXT MEETING DECEMBER 10, 2024

Staff noted we currently don't have any cases for the December 10, 2024 Planning Commission meeting and we anticipate canceling that meeting.

ADJOURNMENT

The meeting was adjourned at 8:38 p.m.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

A public hearing for the amendment to the Unified Development Ordinance, Chapter 14, of the Independence City Code relating to trash haulers. ***Full Public Hearing.***

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. 10-29-24 Public Notice Submitted to Examiner

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Examiner** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(816) 254-8600**.

Notice ID: VO9zgbRkthGAyUMfC8Hh | **Proof Updated: Oct. 08, 2024 at 12:32pm CDT**
Notice Name: 10/29 PC Ad

See Proof on Next Page

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Miranda Rice
mrice@indepmo.org
(816) 325-7109

FILING FOR

Examiner

Columns Wide: 1 **Ad Class:** Legals

Total Column Inches: 12.63

Number of Lines: 101

10/12/2024: Other 163.32

Subtotal	\$163.32
Tax	\$0.00
Processing Fee	\$0.00
Total	\$163.32

Notice of Public Hearing

Notice is hereby given that a public hearing will be held by the Independence City **Planning Commission** at 6 p.m., Tuesday, October 29, 2024, and by the Independence **City Council** at 6 p.m., Monday, December 16, 2024, in the Independence City Hall City Council Chambers (lower level, north entrance) 111 E. Maple Avenue, in Independence, Missouri on the following matter(s):

Case 24-100-24 – Rezoning – 2131 S. Scott Avenue – A request by Andrew Rocco Mazzella to rezone the property from R-12 (Two-Family Residential) to C-2 (General Commercial).

Case 24-100-25 – Rezoning – 2301 S. Crysler Avenue – A request by the City of Independence to rezone the property from R-6 (Single-Family Residential) and I-1 (Industrial) to R-6 (Single-Family Residential).

Case 24-100-17 – Rezoning – 18th Street - A request by the City of Independence to rezone the properties at 10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue from C-2 (General Commercial) to R-6 (Single-Family Residential); to rezone the properties at 10321, 10323, 10325 and 10327 E. 18th Street S. from C-2 (General Commercial) to R-12 (Two-Family Residential); and to rezone the property at 1803 S. Ash Avenue from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

Case 24-125-05 – Rezoning/PUD – 19300 E. 37th Terrace S. – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

The Planning Commission will conduct full public hearing on these applications. The City Council will only hear new information that was not presented at the Planning Commission's public hearing if such facts were not reasonably available at the time of the Planning Commission

hearing. Any new information proposed to be presented to the City Council must be submitted in writing to the Community Development Department and Law Department at least seven (7) days prior to the City Council meeting.

Case 24-175-08 – UDO Amendment #71 – The City proposes Amendment #71 of the Unified Development Ordinance pertaining to Trash Haulers.

The Planning Commission and City Council will conduct a full public hearing on this case.

Witness my hand this 7th day of October, 2024.

Tom Scannell, Community Development Director
The City of Independence, Missouri is an Equal Opportunity Employer/Contractor/MFD

Published in the Examiner, Oct 12, 2024

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City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-123 **2R** An ordinance amending the Unified Development Ordinance, Chapter 14, of the Independence City Code pertaining to trash haulers. **2R**

Recommendations:

Commissioner Nesbit made a motion to recommend approval of case 24-175-08, UDO Amendment #71 Trash Haulers.

A second to the motion was made by Commissioner Ashbaugh. The Independence Planning Commission voted as follows:

Commissioner Ashbaugh – Yes

Commissioner Ferguson – Yes

Commissioner Nesbitt – Yes

Commissioner O'Neill – Yes

Commissioner Torres - Yes

Commissioner L. Wiley – Yes

Commissioner Young - Yes

The motion passed and the application is forwarded to the City Council for its consideration. Staff recommends approval of this application.

Background:

The City proposes Amendment #71 to the Unified Development Ordinance (UDO) pertaining to Trash Haulers.

PROPOSAL:

When the UDO was adopted in 2009, there were no use regulations within Chapter 14 of the City Code for uses related to trash haulers or as reference within the code as refuse collection. Currently, only Chapter 19 – Transportation Article 5, outlines the application process for those wishing to operate a refuse collection business by obtaining a certificate of public convenience and necessity.

The intent of this proposed amendment is to include use regulations for refuse collection business in Chapter 14 of the UDO.

This proposed amendment allows refuse collectors within the Industrial I-1 and I-2 zoning districts with the application of a Special Use permit as proposed in Section 14-302.

Included with this amendment is proposed Section 14-200-06 which provides a definition of Refuse Collectors.

Lastly, a new section, 14-428, has been proposed under Chapter 14, Article 4. This section

provides the applicability, and procedures and standards for application of a refuse collection business use.

Staff believes these proposed amendments will better serve our community and better regulate these uses.

Draft Planning Commission minutes are attached to this Council agenda item.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Draft Ordinance 24-175-08 Trash Haulers
2. Staff Report UDO Amendment #71 Trash Haulers
3. 14-200-06 Industrial Use Group
4. 14-302 - Industrial Districts
5. 14-428 - Refuse Collectors
6. Planning Commission Meeting Minutes 10-29-24

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE,
CHAPTER 14, OF THE INDEPENDENCE CITY CODE PERTAINING TO TRASH
HAULERS.

WHEREAS, the Unified Development Ordinance was approved by the City Council on
June 15, 2009, by Ordinance No. 17339 and became effective on July 1, 2009; and,

WHEREAS, after its adoption, policy issues to be addressed were discovered, and it was
decided to revise these items; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning
Commission held a public hearing for the consideration of the request on October 19, 2024, and
rendered a report to the City Council recommending the text amendment to the UDO be
approved by a vote of 7-0; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council
held a public hearing, and rendered a decision to approve the changes to the Unified
Development Ordinance; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined
that the request is consistent with the review criteria in Section 14-701-01-F.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 14-200-06 of Chapter 14, Unified Development Ordinance, is
hereby amended to read as follows:

“14-200-06 Industrial use group

**14-200-06-I. Refuse Collectors. Uses that engage in the business of collecting,
transporting, hauling, disposing of refuse over a regular route, operating inside the
corporate limits of the City of Independence within or without the City. Refuse
shall include putrescible animal or vegetable wastes resulting from the handling,
preparation, cooking and the consumption of food; all solid wastes; small tree limbs,
tree prunings, shrubbery trimmings, and small crating materials of wood and/or
cardboard; brush, wood, cardboard boxes, heavy yard trimmings which cannot be
conveniently cut into five foot lengths, discarded fence posts, old lumber, and other
earthen, wooden or metal materials; all organic or inorganic matter, which has been
discarded, damage thrown away or which no longer has value or use, or is
inoperative or unworkable.”**

SECTION 2. That Section 14-302 of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

“14-302 Industrial DISTRICTS

14-302-03-G.Use Standards. The "use standards" column of Table 302-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required. Variances to use standards are prohibited.”

Table 302-1 Industrial Districts Use Table				
P: Permitted	S: Special Use Permit Required	C: Conditional Uses		—: Not Allowed
<i>Use Category</i> <i>Specific use type</i>	Zoning District			Use Standards
	B-P/PUD	I-1	I-2	
INDUSTRIAL				
<u>Refuse Collectors</u>	=	S	S	<u>14-428</u>

SECTION 3. That a new Section 14-428 of Chapter 14, Unified Development Ordinance, is hereby added to read as follows:

“14-428 REFUSE COLLECTORS

14-428-01 Applicability

The standards of this article apply to refuse collectors, as defined by this ordinance with the exception of the following: businesses engaging in the local trucking of Roll-Off containers.

14-428-02 Procedure

The applicant shall file a special use permit application in conformance with the requirements of Section 14-704 and run concurrently with the Certificate of Public Convenience and Necessity in compliance with Chapter 19 Article 5. The application shall include, at a minimum, the information required by Chapter 19 Article 5 in addition to that required by Section 14-428-03.

14-428-03 Minimum Standards for refuse collectors

14-428-03-A. A development plan for the areas affected by the operation prepared by a registered professional engineer.

- 1. Boundaries of adjoining lands owned by persons other than the applicant and the existing uses of those lands.**
- 2. Present uses of the land.**
- 3. Location of all watercourses, bodies of water, green spaces, and public rights-of-way.**
- 4. A transportation study demonstrating truck routing and proposed mitigation measures for off-site street damage and traffic impacts**
- 5. Existing topography within the boundaries of the project area**
- 6. Proposed topography of land**
- 7. The proposed location of future roads, private or public, drainage courses and other proposed improvements.**

8. **Such other information as the approval authority may require and which examination of the application may reveal to be necessary in order to determine that the proposed operation will comply with the requirements of this ordinance.**
9. **Compliance with the Nonresidential Design Standards in Section 14-506 of this ordinance.**
10. **Compliance with Development Standards of Chapter 14 Article 5.**
11. **Proof of compliance with all applicable Federal and State regulations”**

SECTION 4. That all other parts and provisions of the City Code shall be in full force and effect unless previously or subsequently amended or repealed.

SECTION 5. That correction of any scriveners’ errors identified within these articles are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL
OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Words struck through are being removed by this ordinance and words underscored and bolded are being added by this ordinance.

MEETING DATE: October 29, 2024

STAFF: Rick Arroyo, Assistant Community Development Director

PROJECT NAME: UDO Amendment #71

CASE NUMBER / REQUEST: **Case 24-175-08 – UDO Amendment #71 – Trash Haulers** – The City proposes Amendment #71 of the Unified Development Ordinance pertaining to Trash Haulers.

APPLICANT: City of Independence

PUBLIC NOTICE:

- Public notice published in Independence Examiner – October 12, 2024

FURTHER ACTION:

Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on December 2, 2024 and the public hearing/second reading on December 16, 2024.

RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

The City proposes Amendment #71 to the Unified Development Ordinance (UDO) pertaining to Trash Haulers.

BACKGROUND & HISTORY:

When the UDO was adopted in 2009, there were no use regulations within Chapter 14 of the City Code for uses related to trash haulers or as reference within the code as refuse collection. Currently, only Chapter 19 – Transportation Article 5, outlines the application process for those wishing to operate a refuse collection business by obtaining a certificate of public convenience and necessity.

The intent of this proposed amendment is to include use regulations for refuse collection business in Chapter 14 of the UDO.

This proposed amendment allows refuse collectors within the Industrial I-1 and I-2 zoning districts with the application of a Special Use permit as proposed in Section 14-302.

Included with this amendment is proposed Section 14-200-06 which provides a definition of Refuse Collectors.

Lastly, a new section, 14-428, has been proposed under Chapter 14, Article 4. This section provides the applicability, and procedures and standards for application of a refuse collection business use.

Staff believes these proposed amendments will better serve our community and better regulate these uses.

EXHIBITS

1. Proposed 14-200-06 Industrial Use Group
2. Proposed 14-302 Industrial Districts
3. Proposed 14-428 Refuse Collectors

14-200-06 Industrial use group

The industrial use group includes uses that produce goods from extracted materials or from recyclable or previously prepared materials, including the design, storage and handling of these products and the materials from which they are produced. It also includes uses that store or distribute materials or goods in large quantities. The industrial use group includes the following use categories:

14-200-06-A.Junk/Salvage Yard. An open area where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to scrap iron and other metals, rags, and rubber tires. A junk or salvage yard includes an auto wrecking yard, but does not include waste-related uses or recycling facilities.

14-200-06-B.Manufacturing, Production and Industrial Services.

1. **Artisan.** On-site production of goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment. Typical uses include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts or very small-scale manufacturing uses that have no negative external impacts on surrounding properties.
2. **Computer Product Manufacturing.** Establishments that primarily build computers, computer peripherals, audio and video equipment and similar electronic products but not the manufacture of raw materials.
3. **Light.** Manufacturing of finished parts or products, primarily from previously prepared materials. Typical uses included building computers, computer peripherals, communications equipment, and similar electronic products but not the manufacture of raw materials. Assembly of electrical equipment, appliances and other manufacturing and production that typically have no negative external impacts on surrounding properties.
4. **Limited.** Manufacturing of finished parts or products, primarily from previously prepared materials. Typical uses include: printing and related support activities; machinery manufacturing; food manufacturing; computer and electronic product manufacturing/assembly; electrical equipment, appliance, component manufacturing/assembly; furniture and related product manufacturing/assembly; and other manufacturing and production establishments that typically have very few, if any, negative external impacts on surrounding properties.
5. **General.**
 - (a) Manufacturing of finished or unfinished products, primarily from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. Typical uses include: textile mills; textile product mills; apparel manufacturing; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; transportation equipment manufacturing; primary metal manufacturing; and fabricated metal product manufacturing.
 - (b) Industrial service firms engaged in the repair or servicing of industrial or commercial machinery, equipment, products or by-products. Typical uses include: welding shops; machine shops; industrial tool repair; fuel oil distributors; solid fuel yards; laundry, dry-cleaning and carpet cleaning plants; and photofinishing laboratories. Excludes uses classified as "repair or laundry services."
6. **Intensive.** Examples include manufacturing of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint,

lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials. Also includes smelting, animal slaughtering and oil refining.

14-200-06-C.Mining/Excavation. Mining or extraction of mineral or aggregate resources from the ground for off-site use. Examples include quarrying or dredging for sand, gravel or other aggregate materials; mining; and oil and gas drilling.

14-200-06-D.Recycling Service. Any building, portion of building or area in which recyclable material is collected, stored, or processed for the purpose of marketing the material for use as raw material in the manufacturing process of new, reused or reconstituted products. The stripping, dismantling or scrapping of motor vehicles or related equipment is considered a junk or salvage yard operation and not a recycling service.

1. **Limited.** A recycling facility in which recyclable materials are temporarily stored or collected, or processed by manual separation. (Note: consumer-oriented collection boxes for newspapers, cans and glass items are considered an accessory use and may be allowed in any zoning district.)
2. **General.** A recycling facility that, in addition to any activity permitted as part of a limited recycling service, engages in processing of recyclable materials such as cleaning, bundling, compacting or packing of recyclable materials.

14-200-06-E.Self-Storage Facility, Outdoor. Storage or warehousing service within a building for individuals to store personal effects and for businesses to store materials for operation of an industrial or commercial enterprise elsewhere, where such storage space is not used for any retail, manufacturing, wholesale, business, or service use.

Self-Storage Facility, Indoor. A fully enclosed self-storage facility with independent, enclosed units for individuals to store personal effects and for businesses to store materials for operation of an industrial or commercial enterprise located elsewhere, where such storage spaces are not used for any retail, manufacturing, wholesale, business, or service use.

14-200-06-F.Warehousing, Wholesaling and Freight Movement. Storage, wholesale sales and distribution of materials and equipment. Typical uses include storage warehouses, moving and storage firms, trucking or cartage operations, truck staging or storage areas, wholesale sales of materials and equipment to parties other than the general public.

14-200-06-G.Wholesaling and Warehousing. Wholesale sales, storage and distribution of materials and equipment to the public and to parties other than the general public.

14-200-06-H.Waste-Related Use. Uses that receive solid or liquid wastes or recyclable material from others for transfer to another location and use that collect sanitary wastes or recyclable material or that manufacture or produce goods or energy from the composting of organic material.

14-200-06-I.Refuse Collectors. Uses that engage in the business of collecting, transporting, hauling, disposing of refuse over a regular route, operating inside the corporate limits of the City of Independence within or without the City. Refuse shall include putrescible animal or vegetable wastes resulting from the handling, preparation, cooking and the consumption of food; all solid wastes; small tree limbs, tree prunings, shrubbery trimmings, and small crating materials of wood and/or cardboard; brush, wood, cardboard boxes, heavy yard trimmings which cannot be conveniently cut into five foot lengths, discarded fence posts, old lumber, and other earthen, wooden or metal materials; all organic or inorganic matter, which has been discarded, damage thrown away or which no longer has value or use, or is inoperative or unworkable.

(Ord. No. 18395; Ord. No. 19207, § 1, 4-19-2021; Ord. No. 19358, § 1, 8-1-2022)

14-302 INDUSTRIAL DISTRICTS

14-302-01 Districts

14-302-01-A.List. The city's industrial zoning districts are listed below. When this development ordinance refers to "industrial" zoning districts or "I" districts, it is referring to these districts.

Map Symbol	District Name
B-P/PUD	Business Park
I-1	Industrial
I-2	Heavy Industrial

(Ord. No. 19207, § 3, 4-19-2021)

14-302-02 Purpose

14-302-02-A.General. Independence's industrial (I) zoning districts are intended to accommodate business, manufacturing, warehousing, wholesale and industrial uses. The regulations are intended to promote the economic viability of manufacturing and industrial uses, encourage employment growth, and limit the encroachment of unplanned residential and other non-industrial development into industrial areas.

14-302-02-B.B-P/PUD District The B-P district is primarily intended to be attractive and appropriate locations for low-impact business and employment uses in a campus-like setting, typical of modern business and industrial parks. This zoning is intended to allow a mix of office, light assembly and manufacturing with limited retail service uses in a planned business park setting. This district is designed to provide for low density, high quality development with open spaces and increased amenities. The planned unit development (PUD) is to accommodate innovative development proposals or unique site conditions that cannot be readily addressed by other available development options. Planned unit development regulations are included in Article 14-902.

14-302-02-C.I-1 District. The I-1 district is primarily intended to accommodate low-, moderate-impact service industrial uses.

14-302-02-D.I-2 District. The I-2 district is primarily intended to accommodate high-impact industrial uses.

(Ord. No. 19207, § 3, 4-19-2021)

14-302-03 Uses

14-302-03-A.Use Table. Uses are allowed in I zoning districts in accordance with Table 302-1, below.

14-302-03-B.Use Classification System. For the purpose of this development ordinance, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in Article 14-200. The first column of Table 302-1 lists the groups, categories and types allowed in one or more I districts.

14-302-03-C.Permitted Uses. Uses identified with a "P" in Table 302-1 are permitted as-of-right in the subject zoning district, subject to compliance with all other applicable standards of this development ordinance.

14-302-03-D. Permitted Uses with Minimum Use Standards. Uses identified with a "C" in Table 302-1 are permitted as-of-right in the subject zoning district, subject to compliance with the Use Standards referenced in the right column of Table 302-1, and all other applicable standards of this development ordinance.

14-302-03-E. Special Uses. Uses identified with an "S" in Table 302-1 may be allowed if reviewed and approved in accordance with the special use procedures of Article 14-704.

14-302-03-F. Prohibited Uses. Uses not listed and those identified with a "—" are expressly prohibited.

14-302-03-G. Use Standards. The "use standards" column of Table 302-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required. Variances to use standards are prohibited.

Table 302-1 Industrial Districts Use Table					
P: Permitted		S: Special Use Permit Required		C: Conditional Uses	—: Not Allowed
Use Category Specific use type	Zoning District			Use Standards	
	B-P/PUD	I-1	I-2		
PUBLIC/CIVIC					
College/University	C	C	—	14-407	
Day Care	C	C	—	14-401	
Detention/Correctional Facility	—	—	S	14-407, 14-415	
Government Buildings/Facilities	P	P	P		
Hospital	C	—	—	14-407	
Religious Assembly	P	P	P		
Safety Service	C	C	—	14-407	
Utilities and Services					
Basic, minor	P	P	P		
All other utilities and services	P	P	P		
COMMERCIAL					
Animal Service					
Sales and grooming	—	—	—		
Shelter or boarding	—	P	—		
Veterinary	P	P	—		
Stable	—	P	—		
Artist Work Space	P	P	—		
Building Maintenance Service	P	P	—		
Business Equipment Sales and Service	P	P	—		
Business Support Service					
Day labor employment agency	—	P	—		
Employment agency	P	P	—		
All other business support service	P	P	—		
Carpet and Floor Covering Stores	P	—	—		
Communication Service	P	P	P		
Computer Product Manufacturing	P	—	—		
Conference and Retreat Center	P	—	—		
Construction Services					
No outdoor storage of equipment or materials	P	P	—		
With outdoor storage of equipment and materials	—	C	—	14-503	
Data Processing and Hosting	P	—	—		
Gasoline and Fuel Sales	C	C	—	14-403	

Health Club and Gyms	P	—	—	
Hotel	P	—	—	
HVAC and Electrical Equipment	P	—	—	
Marijuana Facilities				
Comprehensive marijuana cultivation facility	—	C	—	14-421
Medical marijuana cultivation facility	—	C	—	14-421
Comprehensive marijuana dispensary facility	—	—	—	14-421
Medical marijuana dispensary facility	—	—	—	14-421
Microbusiness dispensary	—	—	—	14-421
Medical marijuana infused products manufacturing facility	—	C	—	14-421
Comprehensive marijuana infused products manufacturing facility	—	C	—	14-421
Marijuana testing facility	C	C	—	14-421
Medical Services	P	—	—	
Office	P	P	—	
Parking, Non-accessory	P	P	P	
Repair or Laundry Service	P	P	—	
Research and Development	P	—	—	
Restaurants Sit-Down	P	—	—	
Retail Sales [1]	P	—	—	
Sports and Recreation, Participant				
Indoor	P	P	P	
Outdoor	—	—	—	
Vehicle Sales and Service				
Car wash/cleaning service	—	P	—	14-413
Heavy equipment sales/rental	—	P	—	
Motor vehicle repair, limited	—	C	—	14-418
Motor vehicle repair, general	—	C	—	14-418
All other vehicle sales/service	—	C	—	14-409
Vehicle Storage and Towing				
Vehicle storage/tow lots	—	C	—	14-408
Tow lot, limited	—	C	—	14-408
Tow service dispatch center	—	C	—	14-408
INDUSTRIAL				
Junk/Salvage Yard	—	—	—	
Manufacturing, Production and Industrial Service				
Artisan	P	P	—	
Light	P	P	—	
Limited	—	P	—	
General	—	P	P	
Intensive	—	—	S	
Mining/Excavation	—	—	S	14-414
Recycling Service				
Limited	—	P	P	
General	—	P	P	
Self-Storage Facility, Indoor	—	C	—	14-423

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(Supp. No. 6)

Self-Storage Facility, Outdoor	—	C	—	14-423
Warehousing, Wholesaling, Freight Movement				
Indoor	—	C	C	14-503
Outdoor	—	C	C	14-503
Wholesaling and Warehousing				
Indoor	C	—	—	14-302-04-B
Waste-related Use	—	—	—	
Refuse Collectors	—	<u>S</u>	<u>S</u>	14-428
OTHER				
Agriculture, Crop	P	P	—	
Agriculture, Urban				
Home Garden	P	P	P	
Community Garden	C	C	C	14-417
Wireless Communication Facility				
Cellular towers	C	C	C	14-410
Non-cellular towers (television, radio, microwave)	S	S	S	14-410
Outdoor Advertising	—	S	—	14-406

Notes to Table 302-1:

[1] Retail sales establishments may not exceed 5,000 square feet (gross floor area). Sales include commodities manufactured, processed, fabricated, assembled, warehoused or stored on the premises. Business machines or office supplies; sales and repair. Appliances; sales and repair. Electronics; sales and repair.

[2] Car wash cleaning services not allowed in BP.

(Ord. No. 17446; Ord. No. 17534; Ord. No. 17642; Ord. No. 17727; Ord. No. 17782; Ord. No. 17942; Ord. No. 17988; Ord. No. 18790; Ord. No. 19023; Ord. No. 19089; Ord. No. 19207, § 3, 4-19-2021; Ord. No. 19358, § 4, 8-1-2022; Ord. No. 19430, § 3, 4-17-2023)

14-302-04 Lot and building standards

14-302-04-A. Basic Standards. All development in I districts must comply with the lot and building standards of Table 302-2, except as otherwise expressly provided. Rules for measuring compliance with the lot and building standards established in Table 302-2 and applicable exceptions to the standards can be found in Article 14-202.

Table 302-2 Lot and Building Standards (I Districts)			
	B-P/PUD	I-1	I-2
Lot Size			
Min. lot area (square feet)	[2]	None	None
Min. lot width (feet)	[2]	None	None
Min. Exterior Setback			
Abutting residential district (feet)	100	25	25
Not abutting R district	25	25	25
Min. Interior Setback	25[1]	25[1]	35
Building Coverage			
Maximum (%)	[2]	50	50

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(Supp. No. 6)

Height			
Maximum	65	None	None

Notes to Table 302-2

- [1] Interior setbacks are required only when an I-zoned lot abuts an R-zoned lot. In such cases, the I-zoned lot must provide a minimum setback of 25 feet or the minimum setback required on the R-zoned lot, whichever provides the greater setback.
- [2] For Business Park PUD District standards, reference Article 14-302-04-D.

14-302-04-B.Warehousing in B-P Districts. Warehousing is limited to 50 percent of gross floor area. Buildings shall be designed in a manner that loading docks and dock doors are facing interior of the development. No loading dock shall be permitted to face any street. Other exterior service areas should be screened by either a building or screening wall that is integrated into the building design to not be noticeably visible to other zoning districts.

14-302-04-C.Development and Performance Standards in BP/PUD Districts.

1. Buildings should be designed in an attractive and interesting manner to define the image of the community with building materials and colors carried throughout the development area. Designs should provide visual interest and variety yet be consistent with the architectural character of the area.
2. Building facade materials shall consist of quality materials as noted in Article 14-506-01-B and meet the requirements of Article[s] 14-506-03-A [and] 14-506-01-C. Architectural details such as texture, pattern, color and building form used on the front facade shall be incorporated on all building facades.
3. All operations shall be conducted within a fully enclosed building and there shall be no overnight tractor trailer parking.
4. There shall be no outside storage of trailers, materials, products, or equipment, other than in trash receptacles which must be completely screened utilizing the same building materials as the main building, unless such outside storage is specifically approved as part of the development plan.
5. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or from high-temperature processes such as combustion or welding, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent or LED light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on a public street shall not exceed seven lux as measured from the center line of the street. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed two lux (Article 14-508-6) as measured from said property line. A photometric plan shall be provided and prepared by a lighting professional, professional engineer, architect or landscape architect.
6. A grounds maintenance and management plan and recorded covenants shall be submitted for approved that includes but not limited to irrigation sprinkler systems and landscaping maintenance and replacement.
7. A Business Park shall be developed by a single entity. Lots may be sold to separate users but the sale of lots must be accompanied by protective covenants assuring a high level of architecture, and site improvements in concurrence with the standards set forth in this code. The covenants shall include continued maintenance and at minimum have property owners' association, provisions for maintenance of individual sites and common areas, standards for finishing of buildings, and design

standards for signs. Such covenants shall be submitted with the application for a Business Park PUD zoning classification.

14-302-04-D. Development Dimensional Standards in BP/PUD Districts.

1. Minimum development size shall be 15 acres with minimum lot sizes of one acre.
2. Sites shall be limited to the lesser of five stories or 65 feet in height.
3. The floor area ratio (FAR) which is the number of square feet in a building divided by the square footage of the building lot shall be 0.25.
4. The maximum impervious cover, which means the total area of any surface that prevents the infiltration of water into the ground, such as roads, parking areas, concrete and buildings, shall not exceed 60 percent of the building lot with the exclusion of sidewalks in public rights-of-way or multi-use trails on public land or in public easement.
5. Parking decks (parking structures with vehicles under cover) shall be designed with adequate ingress and egress and complement the scale and facade of the principle structure and shall not exceed the height of the principle structure.

(Ord. No. 19036; Ord. No. 19207, § 3, 4-19-2021)

14-302-05 Other applicable regulations

Uses and development in I districts are subject to other standards including the following:

14-302-05-A. Parking and Loading. (See Article 14-501).

14-302-05-B. Landscaping and Screening. (See Article 14-503).

14-302-05-C. Signs. (See Article 14-504).

14-302-05-D. Accessory Uses and Structures. (See Article 14-400).

14-302-05-E. Sidewalks. Sidewalks are required for all developments in I districts. Sidewalks must be installed in the public right-of-way on both sides of all streets and must be constructed in accordance with Chapter 20, the Public Works Manual.

14-302-05-F. Principal Buildings. Principal uses must meet the definition of a "building." The following may not be used as principal buildings: mobile homes, camper trailers, or portable facilities on skids, wheels, or other moveable devices.

14-428 REFUSE COLLECTORS

14-428-01 Applicability

The standards of this article apply to refuse collectors, as defined by this ordinance with the exception of the following: businesses engaging in the local trucking of Roll-Off containers.

14-428-02 Procedure

The applicant shall file a special use permit application in conformance with the requirements of Section 14-704 and run concurrently with the Certificate of Public Convenience and Necessity in compliance with Chapter 19 Article 5. The application shall include, at a minimum, the information required by Chapter 19 Article 5 in addition to that required by Section 14-428-03.

14-428-03 Minimum Standards for refuse collectors

14-428-03-A. A development plan for the areas affected by the operation prepared by a registered professional engineer.

1. Boundaries of adjoining lands owned by persons other than the applicant and the existing uses of those lands.
2. Present uses of the land.
3. Location of all watercourses, bodies of water, green spaces, and public rights-of-way.
4. A transportation study demonstrating truck routing and proposed mitigation measures for off-site street damage and traffic impacts
5. Existing topography within the boundaries of the project area
6. Proposed topography of land
7. The proposed location of future roads, private or public, drainage courses and other proposed improvements.
8. Such other information as the approval authority may require and which examination of the application may reveal to be necessary in order to determine that the proposed operation will comply with the requirements of this ordinance.
9. Compliance with the Nonresidential Design Standards in Section 14-506 of this ordinance.
10. Compliance with Development Standards of Chapter 14 Article 5.
11. Proof of compliance with all applicable Federal and State regulations



Planning Commission Minutes

October 29, 2024 6:00 PM

City Hall, 111 E. Maple Avenue (Ground Floor), Council Chambers

CALL TO ORDER

A meeting of the Planning Commission was held at 6:00 PM on 10/29/2024, in the 111 E Maple Avenue City Council Chambers, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - .

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

1. **Planning Commission Minutes – October 15, 2024**

Motion

Commissioner Edward Nesbitt made a motion to approve the Consent Agenda. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

CASE TO BE CONTINUED - STAFF RECOMMENDS THIS CASE BE CONTINUED TO THE NOVEMBER 19, 2024 MEETING.

1. **Case 24-100-24 – Rezoning – 2131 S. Scott Avenue** – A request by Andrew Rocco Mazzella to rezone the property from R-12 (Two-Family Residential) to C-2 (General Commercial).

Motion

Commissioner Edward Nesbitt made a motion to continue the case to the November 19, 2024 meeting. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Continued Case 24-125-05 Rezoning/PUD – 19300 E 37th Terrace** – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

Motion

Commissioner Edward Nesbitt made a motion to continue the case to the November 19, 2024 meeting. Commissioner Virginia Ferguson seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

PUBLIC HEARINGS

1. **Continued Case 24-100-17 – Rezoning – 18th Street** – A request by the City of Independence to rezone the properties at 10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue from C-2 (General Commercial) to R-6 (Single-Family Residential); 10321, 10323, 10325 and 10327 E. 18th Street S. from C-2 (General Commercial) to R-12 (Two-Family Residential); and 1803 S. Ash Avenue from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

Staff Presentation

Gabe Glaser presented the case. Mr. Glaser presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Public Comments

No public comments.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Jose Torres seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Case 24-100-25 – Rezoning – 2301 S. Chrysler Avenue** – A request by the City to rezone the property from I-1 (Industrial) and R-6 (Single Family Residential) to R-6 (Single Family Residential).

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Commissioner Nesbitt expressed concern that this is a historic site for the City and questioned if it's considered historic. In response to Commissioner Nesbitt's question, Mr. Arroyo stated if the site is considered historic, any plans would have to go through the Heritage Commission. Mr.

Arroyo believes the school district plans to use the stadium and not tear it down. Commissioner Nesbitt stated he would like more details about their plans for this site.

Commissioner Ashbaugh questioned if the Parks Department is still providing upkeep of the property and if they're in favor of this rezoning. Mr. Arroyo said this request came from the City Manager's Office and the City is in favor of this rezoning. Commissioner Ashbaugh stated he would like to continue this case to get more information.

In response to Chairwoman Wiley's question, Mr. Harker noted the rezoning is not needed for a use change, it's only needed because each parcel can only have one zoning type, which this would correct.

Motion

Commissioner Eric Ashbaugh made a motion to continue this case to the November 19, 2024 meeting. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 5, No 2, Abstained 0.

OTHER BUSINESS

1. **Case 24-175-08 – UDO Amendment #71 – Trash Haulers** – The City proposes Amendment #71 of the Unified Development Ordinance pertaining to Trash Haulers.

Staff Presentation

Rick Arroyo presented the case. He stated when the UDO was adopted in 2009, there were no use regulations within Chapter 14 of the City Code for uses related to trash haulers or as reference within the code as refuse collection. Currently, only Chapter 19 – Transportation Article 5, outlines the application process for those wishing to operate a refuse collection business by obtaining a certificate of public convenience and necessity. Mr. Arroyo said the intent of this proposed amendment is to include use regulations for refuse collection business in Chapter 14 of the UDO. He noted this proposed amendment allows refuse collectors within the Industrial I-1 and I-2 zoning districts with the application of a Special Use permit as proposed in Section 14-302. Mr. Arroyo stated a new section, 14-428, has been proposed under Chapter 14, Article 4. This section provides the applicability, and procedures and standards for application of a refuse collection business use. Staff believes these proposed amendments will better serve our community and better regulate these uses.

In response to Commissioner Nesbitt's question, Mr. Arroyo said current trash haulers would be grandfathered in and would not be required to get this permit.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Eric Ashbaugh seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Training provided by Lauber Law**

Chairwoman Wiley noted that the training has been moved to the November 19, 2024 meeting.

ROUNDTABLE - NEXT MEETING NOVEMBER 19, 2024

Mr. Arroyo provided the Commission with information on the difference between Preliminary and Final Plats.

ADJOURNMENT

The meeting was adjourned at 6:47 p.m.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-111 **2R** An ordinance amending Article 1, "Property Maintenance Code," of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Property Maintenance Code and making other necessary revisions. **2R**

Recommendations:

Staff recommends approval of this item.

Background:

The 2024 International Property Maintenance Code (IPMC) is a comprehensive building code that establishes minimum regulations for property maintenance using prescriptive and performance related provisions. The International Property Maintenance Code is kept up to date through the review of proposed changes submitted by code officials, industry representatives, design professionals, and other interested parties. This 2024 Edition is fully compatible with all the International Codes, published by the International Code Council. Adoption of this code will adhere to Insurance Services Organization (ISO) requirements.

Updated editions of the IPMC are published on a three (3) year cycle. The City of Independence is currently using the 2021 International Property Maintenance Code, as we adopted it in 2022 to remove our antiquated city code version, as well as bring all the code collection together for ease of adoption each cycle. The 2024 IPMC is the latest version of the code.

There are no significant changes to this code for this adoption cycle, just a few items are amended to reflect our city code, and meet the expectations of the various City departments involved.

Emergency Justification:**Fiscal Impact:****Council Action:**

**Department /
Contact**

Community Development /

REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. IPMC Property Maintenance Code Amendments Draft Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 1, “PROPERTY MAINTENANCE CODE,” OF CHAPTER 4 OF THE INDEPENDENCE CITY CODE AND ADOPTING THE 2024 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND MAKING OTHER NECESSARY REVISIONS.

WHEREAS, The City Council of the City of Independence, Missouri desires to adopt the 2024 Edition of the International Property Maintenance Code now that copies have been on file with the City Clerk for ninety (90) days as required by R.S.Mo.67.280, and make other necessary revisions to Article 1 of Chapter 4;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 4.01.001, “Property Maintenance Code”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.01.001. Adoption of International Property Maintenance Code.
The International Property Maintenance Code, 2024~~14~~ Edition, as published by the International Code Council be and hereby is adopted as the Property Maintenance Code for the City of Independence, except such portions as are hereinafter deleted, modified or amended by this Article of the City Code.”

SECTION 2. That Section 4.01.002, “Additions, Insertions, Deletions, and Changes”, of the Independence City Code, be and is hereby amended, to read as follows:

“Sec. 4.01.002. - Additions, insertions, deletions, and changes.

Sec. 101.1 Amend to read as follows:

Sec. 101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Independence, Missouri, hereinafter referred to as 'this Code'.

Sec. 102.3 Amend to read as follows:

Sec. 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Plumbing Code and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Unified Development Ordinance.

Sec. 103.1 Amend to read as follows:

Sec. 103.1 Creation of agency. The Neighborhood Services Division of the City of Independence Community Development Department is hereby created and the official in charge thereof shall

be known as the Code Official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Sec. 104.1.1 Amend to read as follows:

Sec. 104.1.1 Reinspection Fee. The Code Official is authorized to assess a reinspection fee, per the City's Schedule of Fees, to make a third or subsequent inspection to gain correction of a violation of this code.

Sec. 105.5.1 Amend to read as follows:

Sec. 105.5.1 Method of Service.

A. Whenever the Code Official determines that there has been a violation of this Code, when applicable, notice shall be given to the owner, the occupant and the person or persons responsible therefore in the manner prescribed in this section. Orders, notices and hearing requirements for dangerous buildings shall comply with [Section 4.01.003](#).

B. Such notice prescribed in the preceding paragraph shall:

1. Be in writing;
 2. Include a description of the real estate sufficient for identification;
 3. Include a statement of the reason or reasons why the notice is being issued; and,
 4. Include a notice of an administrative hearing to be held after ten days' notice thereof.
- The notice shall also include a correction order that states the violation must be corrected no later than five days after the hearing, excepting hearing orders with a modified correction date. Furthermore, the notice shall state that if weeds or trash violations are not removed by the correction date, the City may remove or cause to be removed the nuisance and charge the owner for the abatement costs thereof, pursuant to Section 109.5.1. Failure to attend the administrative hearing shall constitute a waiver of all rights to an administrative hearing and determination of the matter.
- a. If the Code Official determines that the nuisance to be abated involves a significant property interest, a search warrant will be acquired for removal of such property. The search warrant will be served in accordance with legal procedure.
 - b. In determining whether a significant property interest is involved, the Code Official shall consider the following:

- (1) Weeds, weed cuttings, cut and/or fallen trees and shrubs, and overgrown vegetation and noxious weeds in excess of 7 inches are not normally a protected property interest.
- (2) Nuisance vehicles may be considered a protected property interest.
- (3) Household items, such as furniture, appliances, etc., in which there appears to be a continuing use and enjoyment, are normally a protected property interest. Household items that are normally kept inside a residence, that are left outside in the elements for longer than the allotted time for our recheck, are considered trash or rubbish (see number 4).
- (4) Rubbish, trash, debris, rocks, dead animals, etc., are not protected interests.

C. Such notice shall be deemed to be properly served if a copy thereof is (a) delivered to the owner, owner's representative and occupant personally; or (b) sent by first class mail addressed to the owner, owner's representative and occupant at the last known address (as reflected in the

Jackson County, Missouri tax records); or (c) by posting such notice in a conspicuous place in or about the premises effected by such notice.

D. If weeds are allowed to grow, or if refuse is allowed to accumulate, on the same property in violation of this Code more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of refuse, the required notice shall be:

1. For the second violation, the notice shall be sent in the manner prescribed in paragraph C above and state that if the weeds or refuse are not removed within seven days of issuance of said notice, the City may remove or cause to be removed the nuisance and charge the owner for the abatement costs thereof, pursuant to Section 109.5.1 (No hearing shall be required.).

2. For the third and subsequent violations, no additional notice shall be sent, and the City may remove or cause to be removed the nuisance and charge the owner for the abatement costs thereof, pursuant to Section 109.5.1. (No hearing or notice shall be required).

E. It shall be unlawful for the owner of any premises who has received a correction order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the correction order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any correction order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such correction order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such correction order or notice of violation.

F. The owner of any premises, any representative thereof, and the occupant of such premises is hereby charged with the duty of observing all of the requirements and provisions of this Code; and any or all of said persons and any person or persons causing or contributing to causing or bringing about any violation may be charged with the violation hereof and shall be equally liable.

1. It shall be the duty of the owner or occupant of the premises, or any authorized representative, or the person causing or maintaining such violation, to immediately abate the same after an order by the Code Official or Building Official in accordance with the terms prescribed in said order; and any failure to do so shall constitute a violation of this Code and subject such persons to the penalties herein prescribed.

2. Extension of Time to Perform Work. Upon receipt of an application from the person required to conform to the order and an agreement by such person for compliance with the order if allowed additional time, the Code Official may grant an extension of time, not to exceed an additional 180 days, within which to complete said abatement, repair, rehabilitation or demolition, if the Code Official determines that such an extension of time will not create or perpetuate a situation that is imminently dangerous to life or property. The Code Official's authority to extend time is limited to the abatement of the violation on the premises, the physical repair, rehabilitation, or demolition of the structure and will not in any way effect or extend the time to appeal the previous notice and order.

3. When there is an immediate danger to the health, life, safety, or welfare of any person because of a dangerous condition which exists in violation of this Code, the Code Official shall have the power to order the abatement or correction of such dangerous condition without notice or hearing. No appeal shall lie from an emergency order to the Board of

Building and Engineering Appeals. The cost of emergency abatement or correction shall be recovered or provided in Section 109.5.1.

G. Specific procedures for repairs must be followed:

1. The structure shall be repaired within the time specified by the Code Official, or it shall be temporarily closed in accordance with this Code. No person shall occupy, remain in, or enter any building which has been so posted or allow or permit such entry or occupancy by any other person until conditions necessitating the posting have been remedied, except that entry may be made to repair, demolish or remove such structure or to remove personal property.
2. Upon repair of any structure which has been posted by the Property Maintenance Code Official or the Building Official, an inspection shall be requested of and made by the Building Official or authorized representative. If such structure is determined to be fit for human occupancy, a certificate of occupancy so stating shall be issued.
3. All structures which are temporarily closed shall be closed and kept closed in accordance with these standards until the structure complies with the Building Code and Property Maintenance Code, or is demolished:
 - a. A permit shall be obtained from the Building Official before commencement of work.
 - b. All exterior openings are to be closed and the property owner or the owner's representative shall be responsible for maintaining secure windows, doors, and other openings.
 - c. Materials missing or broken shall be replaced by similar construction or may be replaced by solid wood construction of exterior grade plywood at least one-half-inch thick.
 - d. Materials approved by the Building Official may be used which provide equivalent protection to the building from those attempting to gain entrance.
 - e. Any material used to close openings in exterior walls of open buildings shall be neatly installed in a manner substantially in accordance with recognized levels of workmanship for the building construction industry.
 - f. All plywood shall be painted with two coats of exterior paint in a neutral color that blends inconspicuously with the exterior colors of the building.
 - g. The building or structure shall be baited for rodents and insects.
 - h. The roof shall be made watertight.
 - i. All loose and hanging exterior parts shall be removed.
 - j. All rubbish and garbage from the interior and exterior of the premises shall be removed.
4. In the event a building, temporarily closed as the result of an order of vacation by the Code Official or the Building Official, remains closed in excess of 150 days, a dangerous building case may be initiated against the structure to determine whether the structure should be demolished.
5. Any person effected by a decision of the Code Official, as issued under this Code, shall have the right to appeal to the Board of Building and Engineering Appeals as established in Section 107.

H. Repair or abatement by City: The Code Official may, in addition to any other remedy provided by this Code, cause a structure to be repaired or a violation abated to the extent

necessary to correct the conditions which render the structure or premises substandard. The cost of such repair or abatement shall be recovered as provided in Section 109.5.1.

1. Whenever any repair or abatement work is to be done pursuant to this Code, the Code Official shall request that the work be accomplished by City personnel or by private contract under direction of the Code Official. Plans and specifications therefore may be prepared by the Code Official or by an architectural or engineering firm that has been awarded a contract for such purpose.

Sec. 106.2 Alternative materials, design and methods of construction and equipment. Delete.

Sec. 106.3 Required testing. Delete.

Sec. 106.4 Used material and equipment. Delete.

Sec. 106.5 Approved materials and equipment. Delete.

Sec. 106.6 Research reports. Delete.

Sec. 107.1.1 Amend to read as follows:

Sec. 107.1.1 Board of Building and Engineering Appeals. The Board of Building and Engineering Appeals has been established per Section 108 of the International Property Maintenance Code.

Sec. 108.1 Amend to read as follows:

Sec. 108.1 Membership of board. The board of appeals shall consist of not less than five (5) members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The Code Official shall be an ex-officio member but shall not vote on any matter before the board. The board shall be appointed by the mayor of the City of Independence.

Sec. 109.4.1 Amend to read as follows:

Sec. 109.4.1 Violation responsibility.

A. The owner of the premises shall maintain the structures and exterior property in compliance with the requirements of this Code. A person shall not occupy as owner-occupant or permit another person to occupy premises which do not comply with the requirements of this Code.

1. Unless otherwise provided, every owner shall be responsible for complying with the requirements of this article even though a similar responsibility is also imposed on the occupant of the dwelling unit. Whenever a building contains more than one dwelling unit the owner shall be responsible for:

a. Extermination of insect or rodent infestation that extends beyond a single occupied dwelling unit. Whenever rodent infestation in a dwelling unit is caused by the failure of the owner to maintain such dwelling in a rodent proof condition, extermination thereof shall be the sole responsibility of the owner.

b. The installation, maintenance and proper operation of the electrical, plumbing, heating, cooling and ventilation systems within the building.

2. In multi-family dwellings the owner shall be responsible for supplying facilities or containers sufficient and adequate for the sanitary and safe storage and disposal of refuse.

3. Unless otherwise provided, every adult occupant of a dwelling unit shall be responsible for complying with the requirements of this article, even though a similar responsibility is

also imposed upon the owner. However, only the adult occupant of a dwelling unit shall have the responsibility for:

- a. Keeping the dwelling unit clean, sanitary and in a safe condition.
- b. Storing and disposing of all refuse and other organic wastes in the required manner.
- c. Furnishing and maintaining approved devices, equipment or facilities necessary to keep the dwelling unit safe and sanitary.
- d. Extermination of insects and rodents on the premises.
- e. Maintaining the dwelling unit in a condition so as not to breed insects and rodents or produce dangerous or noxious gases or odors.

B. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, occupy, let to another or occupy or permit another person to occupy any structure or equipment regulated by this code, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this Code, or to fail to obey a lawful order of the Code Official, or to remove or deface a placard or notice posted under the provisions of this Code.

1. No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the City or with any person who owns or holds any estate or interest in any premises which has been ordered abated, repaired, vacated or demolished under the provisions of this Code, or with any person to whom such premises has been lawfully sold pursuant to the provisions of this Code, whenever such officer, employee, contractor or authorized representative of this City, person having an interest or estate in such property or premises, or purchaser is engaged in the work of abating any violation, repairing, vacating and repairing, or demolishing any such structure pursuant to the provisions of this Code, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this Code.

C. Any person who shall violate a provision of this article shall, upon conviction thereof, be subject to a fine of not less than \$150.00 for the first conviction, a fine of not less than \$300.00 for the second conviction, and a fine of not less than \$500.00 for the third and subsequent convictions. In addition to, or in-lieu-of, such fines, such person may be required to complete a training course at a cost of \$50.00 per person per assigned training course regarding property maintenance and may be required to provide community service. Each day that a violation continues after due notice has been served shall be deemed a separate offense and a separate citation may be filed for said offense.

D. In case of any unlawful acts the Code Official shall institute an appropriate action or proceeding at law. Also, the Code Official shall ask the City Counselor to proceed at law or in equity against the person responsible for the violation for the purpose of ordering that person:

1. To restrain, correct or remove the violation or refrain from any further execution of work;
2. To restrain or correct the erection, installation, maintenance, repair or alteration of such structure;
3. To require the removal of work in violation;
4. To prevent the occupancy of the structure that is not in compliance with the provisions of this Code; or,
5. To pay all costs incurred in the enforcement of this Code against the property, including administrative costs and costs of remedying the violation.

Sec. 109.5.1 Amend to read as follows:

Sec. 109.5.1 Recovery of Costs.

A. The Code Official shall keep an itemized account of the expenses incurred in the abatement of any violation, repair or demolition of any building done pursuant to the provisions of this Code. Upon the completion of the work of the abatement, repair or demolition, said Code Official shall prepare, file, and certify with the Finance Director a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the work was performed, and the names and addresses of the persons entitled to notice pursuant to this Code.

B. Thereafter, the Finance Director shall cause a bill to be issued to the property owner seeking payment of the abatement, repair or demolition costs. If, after 30 days, the bill is not paid in full, then the Finance Director shall cause the certified costs to be included in a special tax bill for the property as hereafter provided.

C. The property owner may file a written protest on the grounds that a mistake or error was made in the calculation of costs in the bill. Such written protest must be filed with the Code Official within 30 days of the date that the Finance Director issued the abatement cost bill and shall contain a description of the effected property. The Code Official shall set a date and time to hear the protest. If the Code Official finds that a mistake or error has been made, the Code Official may make such revision, correction or modification in the bill as is necessary to remedy the mistake or error. The decision of the Code Official on the protest and the final bill amount shall be final. The property owner shall have 30 days from the date of the decision of the Code Official to pay the bill. If, after 30 days, the bill is not paid in full, then the Finance Director shall cause the certified costs to be included in a special tax bill for the property as hereafter provided.

D. A special tax bill shall be an assessment which is a lien against the lot or parcel of land assessed. The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be paramount to all other liens except for State, County and Municipal taxes, with which it shall be on a parity. The lien shall continue until the assessment and all interest due and payable are paid.

E. Copies of the assessment shall be given to the Jackson County Tax Collection Division, which shall add the amount of the assessment to the next regular tax bill levied against the parcel for Municipal purposes.

F. The amount of the assessment shall be collected at the same time and in the same manner as ordinary property taxes are collected; and shall be subject to the same penalties and procedure and sale in case of delinquency as provided for ordinary property taxes. All laws applicable to the levy, collection and enforcement of property taxes shall be applicable to this assessment.

G. All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the Finance Director who shall credit the same to the appropriate fund.

Sec. 111.1 Amend to read as follows:

Sec. 111.1 Unsafe conditions. When a structure or equipment is found by the Code Official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be found to be "Unsafe to Occupy" pursuant to the provisions of this code.

Sec. 111.1.1 Amend to read as follows:

Sec. 111.1.1 Unsafe structures. Unsafe structures will be handled in accordance with Municipal Code Section 4.01.004.

Sec. 111.3 Amend to read as follows:

Sec. 111.3 Record. The Code Official shall cause a report to be filed on an unsafe condition. The report shall state the nature of the unsafe condition.

Sec. 111.4 Amend to read as follows:

Sec. 111.4 Notice. Whenever the Code Official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Section 105.5.1.

Sec. 111.7 Placarding. Delete.

Sec. 111.8 Prohibited occupancy. Delete.

Sec. 112.5 Amend to read as follows:

Sec. 112.5. Cost of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. Recovery costs shall be per Section 109.5.1.

Sec. 112.6 Hearing. Delete.

Sec. 113 Demolition. Delete.

Sec. 202 Amend to read as follows:

Sec. 202 General Definitions.

ACTIVE AGRICULTURAL USE means the tilling of the soil, the raising of crops, horticulture, apiculture, livestock farming, the raising of small animals and poultry, dairying and animal husbandry.

APPROVED means to be approved by the Code Official.

BASEMENT or CELLAR means that portion of a structure which is partly or completely below grade.

BATHROOM means a room containing plumbing fixtures including a bathtub or shower.

BUILDING means an enclosed structure anchored to a permanent foundation and having exterior or party walls and a roof, designed for the shelter of persons, animals, or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building.

BUILDING CODE means the Building Code as officially adopted by the City Council and carried as Article 5 of this chapter and is for the regulation of construction, alteration, addition, repair, removal, demolition, location, occupancy and maintenance of buildings and structures.

BUILDING OFFICIAL mean the official who is charged with the administration and enforcement of the City's Building Code.

CERTIFIED LABORATORY means any laboratory certified by a state certification agency or board to sample, test, examine, and measure concentrations of hazardous and toxic chemicals.

CITY CODE means the Code of the City of Independence, Missouri.

CODE OFFICIAL, or PROPERTY MAINTENANCE CODE OFFICIAL means the official who is charged with the administration and enforcement of this Property Maintenance Code, or any duly authorized representative.

COLLECTION means the removal and transportation of refuse from its place of storage.

COMMERCIAL PREMISES means business properties including apartment buildings with three or more units.

CONDEMN means to adjudge unfit for occupancy.

CONSTRUCTION DOCUMENTS means all the written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of the project necessary for obtaining a building permit. The construction drawings shall be drawn to an appropriate scale.

DORMITORY means a space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group.

DWELLING UNIT means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EGRESS means a continuous and unobstructed means of exit to a public way and shall include intervening aisles, doors, doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exits passageways, exit courts, and yards.

ELECTRICAL CODE means the Electrical Code officially adopted by the City Council and carried as Article 7 of this chapter and is for the regulation of installation, alteration, addition, repair, removal, demolition, location, and maintenance of electrical service in buildings and structures.

EXIT WIDTH means a clear and unobstructed area provided for egress.

EXTERIOR PROPERTY means the open space on the premises and on adjoining property under the control of owners or operators of such premises.

EXTERMINATION means the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, or trapping; or by any other recognized and legal pest elimination method.

FAMILY means one or more persons who are related by blood or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than five persons (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities on a non-profit, cost sharing basis.

FIRE CODE means the Fire Code as officially adopted by the City Council and carried as Article 1 of Chapter 9 of the City Code and is for the detection and suppression of fire, or the ascertaining and correction of conditions which tend to cause fire or contribute to its spread.

GARBAGE means the putrescible animal and vegetable wastes resulting from the preparation, cooking, serving and consumption of food.

HABITABLE SPACE means space in a structure for living, sleeping, eating or cooking.

Bathrooms, toilet compartments, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces. No room shall be considered a habitable room which contains less than seventy (70) square feet of floor area.

HARBOR means any condition which provides shelter, food or protection and favors multiplication and continued existence.

HAZARDOUS or UNSANITARY PREMISES means those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant

water, combustible materials and similar materials or conditions which constitute fire, health, or safety hazards.

HOTEL means any building containing six or more guest rooms, intended or designed to be occupied, or which are rented or hired out to be occupied, for sleeping purposes by guests.

ILLEGAL DRUG MANUFACTURING or STORAGE SITE means any premises where evidence of illegal manufacture or storage of a controlled substance, as defined by SEC.

12.02.001 of the City Code, is found.

INFESTATION means the presence, within or contiguous to, a structure or premises of insects, rats, vermin, or other pests.

INSECTS means roaches, fleas, termites, lice, flies, ants, mosquitoes, bees, hornets, wasps and their larvae.

KITCHEN means any room used for the preparation of foods.

LET or LET FOR OCCUPANCY means to permit possession or occupancy of any dwelling by a person who is or is not the legal owner of a record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

LITTER means garbage, refuse, rubbish, and all other waste materials which have been thrown, deposited, scattered or otherwise not contained in a manner provided for in this Code.

MECHANICAL CODE means the Mechanical Code as officially adopted by the City Council and carried as Article 6 of this chapter and is for the regulation of installation, alteration, addition, repair, removal, demolition, location, and maintenance of mechanical systems including but not limited to heating, air conditioning, and ventilation.

MOTOR VEHICLE means any self-propelled vehicle, including but limited to cars, trucks, motorcycles and recreational vehicles.

MULTI-FAMILY DWELLING means a building or portion thereof arranged, intended, or designed for occupancy by three or more families, including apartment houses, garden apartment buildings, and apartment hotels.

NEWEL POSTS/SAFETY TERMINAL means the outermost projection of a stair step.

NOXIOUS GASES, FUMES and ODORS mean any airborne substance, whether visible or invisible and whether particulate or not, which causes nausea, vomiting, dizziness, headaches, eye or skin irritation or other physical injury to any person.

NOXIOUS PLANTS means poison ivy, poison oak, and poison sumac, at any height or state of maturity.

OCCUPANT means any person living or sleeping in a building; or having possession of a space within a building.

ONE-FAMILY DWELLING means a detached building arranged, intended or designed for occupancy by one family.

OPEN STORAGE means the storage of materials, goods, or merchandise that is either not intended for outside use or may be used for temporary outside uses but storage of which will cause it to become damaged, decayed, rotted, rusted or otherwise unusable stored in the elements of outdoors. The Code Official may determine which items are considered open storage as well.

OPENABLE AREA means that part of a window or door which is available for unobstructed ventilation, and which opens directly to the outdoors.

OWNER means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian

of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

OWNER'S REPRESENTATIVE means any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

PERSON means an individual, corporation, partnership or any other group acting as a unit.

PLUMBING means the practice, materials and fixtures utilized in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances within the scope of the plumbing code.

PLUMBING CODE means the Plumbing Code officially adopted by the City Council and carried as Article 4 of this chapter and is for the regulation of installation, alteration, addition, repair, removal, demolition, location, and maintenance of plumbing systems.

PLUMBING FIXTURE means a receptacle or device which is either permanently or temporarily connected to the water distribution system of the premises and demands a supply of water therefrom; or discharges wastewater, liquid-borne waste materials, or sewage either directly or indirectly to the drainage system of the premises; or which requires both a water supply connection and a discharge to the drainage system of the premises.

PREMISES means lot, plot or parcel of land including any structures thereon.

PUBLIC WAY means any street, alley, or similar parcel of land essentially unobstructed from the ground to the sky which is deeded, dedicated, or otherwise permanently appropriated to the public for public use and having a clear width of not less than ten feet (10').

RAT HARBORAGE means any condition which provides shelter, food or protection for rats, thus favoring their multiplication and continued existence in, under, or outside a structure of any kind.

RAT STOPPAGE means forms of rat-proofing to prevent the ingress of rats into buildings from the exterior or from one building to another. It consists essentially of the closing of all openings in the exterior walls, ground or first floors, basements, roofs and foundations that may be reached by rats from the ground by climbing or burrowing, with material or equipment impervious to rat gnawing.

REFUSE means waste materials in a solid or semi-solid state consisting of garbage, rubbish or a combination thereof.

RODENTS means rats and mice.

ROOMING HOUSE means a building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one-family dwelling or a two-family dwelling.

ROOMING UNIT means any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH means non-putrescible solid wastes consisting of combustible and/or noncombustible wastes, such as, but not limited to, ashes, cinders, sawdust, shavings, brush, paper, leather, mineral matter, excelsior, rags, cartons, boxes, leaves, wood, glass, and may include stones and rocks, and items not in good repair, rotten, infested or otherwise a matter of public health, safety and welfare, such as wearing apparel, bedding, crockery, appliances, machinery and machinery parts, tires, furniture and similar materials.

SEWAGE means any liquid waste containing human, animal or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution.

SLEEPING ROOM means a room whose principal use is for sleeping purposes only.

STAIR RUN means the distance measured horizontally between the vertical planes of the furthestmost projection of adjacent treads.

STAGNANT WATER means water, which is still, not flowing and running, or contains organic matter that is undergoing anaerobic decomposition.

STORE means to keep, permit or allow to remain upon a premises for a period of longer than seven (7) days.

STRUCTURE means that which is built or constructed or a portion thereof.

THICKETS means dense growths of wild shrubbery, and briar patches.

TOILET ROOM means a room containing a water closet or urinal but not a bathtub or shower.

TRASH means refuse.

TWO-FAMILY DWELLING means a building or portion thereof, arranged, intended, or designed for occupancy.

UNENCLOSED AREA means an area visible from adjacent public or private property that is not completely enclosed with a locked building or locked fenced area.

VENTILATION means the natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WEATHERING means deterioration, decay or damage caused by exposure to the elements.

WEEDS means all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

WORKMANLIKE means executed in a skilled manner, e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work.

YARD means an open space on the same lot with a structure.

YARD WASTE means leaves, grass clippings, yard and garden vegetation and Christmas trees. The term does not include stumps, roots or shrubs with intact root balls.

Sec. 302 Amend to read as follows:

Sec. 302 Exterior Property Areas.

Sec. 302.1 Sanitation. Exterior property, structures, and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition.

Sec. 302.2 Exterior Property Areas—Violations.

A. All structures and exterior property and premises shall be maintained in a clean, safe and sanitary condition.

1. It shall be unlawful for any person to store, for longer than seven days, any vehicle parts, machinery, implements, tires or tools; boxes, barrels, bottles, cans, drums, bricks, blocks or stones; lumber or building materials; cut brush, tree branches, limbs, or timber; furniture not designed for outdoor use, stoves, refrigerators or freezers or similar items; unless such items are stored within an enclosed building.

All items not stored within a building shall be maintained in good repair and shall not permit or allow infestation by insects or rodents. Wood which is cut in lengths and sizes suitable for use as firewood may be stored in an enclosed building or outside, if evenly stacked, twelve inches (12") off the ground or on a concrete pad, provided that no infestation by insects or rodents occurs and such wood is not located in a required front or side yard. Materials stored for purposes of construction on the premises may be stored for the length of time during which a valid building permit exists, so long as said materials are evenly stacked and no infestation by insects or rodents occurs.

2. Operable farm implements on a premises that is zoned for agricultural use shall be exempt from the prohibition on open storage contained in this section.
3. Industrial and commercial outdoor storage will be in accordance with the Unified Development Ordinance.
4. Nothing in this section shall be applied so as to prohibit the dumping of legal fill materials which is otherwise in compliance with the Code of the City of Independence, Missouri.
5. It shall be unlawful for any person to leave or permit to remain on any exterior property or within any unoccupied or abandoned structure under control of such person, or to leave in any dump, refuse center, or other place accessible to children, any abandoned, unattended, or discarded ice box, refrigerator, or other locking device which has an air-tight door or lid, snap-lock or other locking device which may not be released from the inside, without first removing said door or lid, snaplock, or other locking device from said ice box, refrigerator, or container. If found and no contact can be made with a responsible party, these items will be abated in an emergency fashion, at the discretion of the Code Official or their designee, and recovery of costs will be pursued.

B. All premises and exterior property shall be maintained free from:

1. Noxious plants, noxious weeds and thickets.
2. Premises and exterior property shall be maintained free from weeds or plant growth in excess of seven (7) inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 109.3 as prescribed by the authority having jurisdiction Section 105.5.1(B.4.). Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.
3. Nothing in this section shall be applied so as to prohibit:
 - a. The use of aquatic habitats, wildlife refuges, wetlands, authorized green belts for educational purposes, demonstration areas and flora treatment projects.
 - b. Active agricultural use of property that otherwise complies with applicable City Code and zoning provisions. However, a minimum cleared space or buffer of no less than twenty-five feet (25') from the property line shall be maintained along all property lines, except those property lines where the adjoining property is an active agricultural use.
 - c. Lots in excess of one acre or undeveloped lots not used for active agricultural use, or portions thereof, which are more than one hundred fifty feet (150') distance from any developed residential or commercial lot.
 - d. Wooded areas of land densely covered with trees, shrubs and vegetation where the land, trees, shrubs and vegetation are and continue to remain uncultivated.
4. Nothing in this section shall be applied so as to prohibit the maintenance of a compost pile on residential property, which compost pile contains only items such as leaves, clippings of grass and other lawn and garden vegetation, ashes and wood chips, which

items are not garbage or of such a nature as to spread or harbor disease, emit noxious gases, fumes or odors, or attract rodents, insects or other animals.

C. All premises, exterior property and structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

1. Whenever conditions inside or under any building or structure provide such extensive rodent-harborage that the Code Official deems it necessary to eliminate such harborage, he/she may require the owner and/or occupant to correct such rodent harborage as may be necessary in order to facilitate the eradication of rodents in a reasonable time.

D. **Towing:** Except as provided for in other regulations, no unlicensed motor vehicle or any motor vehicle in a state of major disassembly, disrepair, or in the process of being stripped or dismantled shall be parked, kept or stored in an unenclosed area for a period of greater than 7 days on any premises.

Exception: A vehicle of any type is permitted to undergo repair, including body work, provided that such work is performed inside a fully enclosed structure.

Exception: Motor vehicles may be stored upon the premises of a business when necessary to the duly licensed operation of such business, when storage is in conformance with other applicable provisions of the City Code.

Exception: Any motor vehicle, trailer, hauling trailer, recreational vehicle/ equipment, commercial vehicle/ equipment, temporary storage container, rail car, semi -trailer or similar containers (as determined by the Building Official) determined to be on real property in violations of City Code Chapters 4 and 14.

~~Exception: Any motor vehicle may be parked, kept or stored on the premises for a period of greater than 7 days provided that a permit has been obtained from the Code Enforcement Supervisor allowing the parking, keeping or storage of the vehicle. A permit may be issued for a period of up to one year when the following conditions are met:~~

- ~~1. The motor vehicle is a vehicle the parking of which is otherwise allowed in a residential area under the Code of the City of Independence; and~~
- ~~2. The vehicle is being restored or repaired and it is unfeasible to complete the restoration in seven (7) days; or, the owner of the motor vehicle is away from the City of Independence on duty with any branch of the Armed Forces of the United States; or illness or other extraordinary circumstances of the owner of the motor vehicle prevent the owner from completing repairs on, or the licensing of, said motor vehicle within seven (7) days; and~~
- ~~3. The motor vehicle has all major parts, such as chassis, windows, wheels, and tires; it is closed to the weather; and it is parked in a driveway or an area that is paved (asphalt or cement).~~
 - ~~a. Any permit granted by the Code Enforcement Supervisor shall be for only such period as is reasonably necessary to complete the necessary repair, restoration and licensing.~~

~~b. Towing of trailers and hauling trailers in violation—Refer to Unified development ordinance Section 14-501-09-H.~~

~~c. Towing of recreational vehicles/equipment in violation—Refer to Unified Development Ordinance Section 14-501-09-I.~~

~~d. Towing of commercial vehicles in violation—Refer to Unified Development Ordinance Section 14-501-09-E.~~

~~e. Towing of temporary storage containers, rail cars, semi-trailers and similar structures in violation—Refer to Unified Development Ordinance Section 14-400-07.~~

E. No person shall keep, permit or allow any opened, uncovered, or unprotected well or cistern; any well or cistern which contains human or animal wastes, or in which insects are bred, hatched or raised; or any well or cistern which harbors rodents. Any well or cistern containing water which a chemical or bacteriological analysis discloses to be unsafe for human consumption shall not be used as a source of drinking water.

F. It shall be unlawful for any person to keep, permit, allow or maintain upon any property owned, managed or occupied by him/her any goods, merchandise, clothing, furniture or other property containing the infectious agent of a communicable disease, where such communicable disease may be spread by contact with such property and adequate precautions have not been taken to prevent the spread of such communicable disease.

G. All exterior property and premises shall be free from any accumulation of rubbish or garbage and the interior of every structure shall be free from accumulation of garbage.

1. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers. It shall be prohibited for any person to deposit their refuse in containers not owned and/or rented by themselves or on premises other than their own, unless such premises are legally designated disposal areas.

a. The owner of every multi-family dwelling shall supply approved covered containers for rubbish, and the owner of the multi-family dwelling shall be responsible for the removal of rubbish.

b. All outside storage containers shall be made of material designed for refuse, except that yard waste may be stored in paper or plastic containers that are closed and intact.

c. All outdoor storage containers shall be of sufficient capacity and in sufficient number to accommodate and securely keep all refuse that may accumulate between collections. Residents of the premises where such containers are provided shall deposit any and all refuse accumulated on such premises in such containers and in no other place and shall place no more refuse therein than will be retained while such container is being handled in a reasonable manner. All containers shall be kept reasonably clean and free of any substance which would attract or breed flies, mosquitoes or any other insects. Containers shall not be stored in Front Yard or Side Yard, as defined in Chapter 14, that is abutting a street, except where terrain in other portions of the property prohibit container storage, and except on trash pickup day, as set out in Subsection I or as allowed by other sections of the City Code.

d. Highly flammable or explosive materials shall not be placed in containers for regular collection.

e. Nothing in this paragraph shall be construed to prohibit the use of bulk containers (dumpsters) for commercial premises.

f. Outdoor storage of refuse at single-family dwellings shall be in approved residential containers as regulated above. Outdoor residential containers must be leakproof and equipped with tight fitting lids. Indoor containers moved outdoors for pickup purposes may be disposable plastic bags of at least 1 mil thickness, or a fiberglass, metal, rubber or plastic container with tight fitting lids.

g. Roll-off trash containers between 10 to 40 cubic yards in size may be temporarily placed on residential property. Placement in the public right-of-way or on a public street requires a permit from the Public Works Department. Containers may be placed for a maximum of fifteen (15) days or, if needed for construction purposes, for the duration of an active City building permit. The container may only be used to temporarily store debris or refuse removed from the premises on which the roll-off container unit is sited. The container must be kept reasonably clean and sanitary, must be free from noxious odors, and must prohibit refuse from escaping.

H. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

1. The operator of every business producing garbage shall provide, and at all times cause to be utilized, leakproof approved containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

I. Refuse containers shall not be placed at a curb earlier than sixteen (16) hours prior to the time of scheduled collection. Refuse containers shall be removed from such curb no later than the same day as collection.

J. Nothing herein contained shall prohibit any person from collecting or disposing of recyclable materials, provided such activity is conducted in a sanitary and sightly manner that does not result in the infestation of insects, rodents or vermin and is in compliance with this Code.

K. Before any person can be charged in a court of competent jurisdiction with maintaining a violation of this section, the condition must have been determined by the Code Official to be a violation under this Code, and the person maintaining the violation has failed to abate the violation as ordered by the Code Official.

L. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

1. All fences and retaining walls on the premises shall be structurally sound and constructed of customary or normal fencing materials and maintained in a neat and safe manner. Wood materials, except self-preserved wood products including but not limited to Cedar, Redwood and treated wood, shall be protected against decay by use of paint or other preservative. They shall not encroach upon the public right of way. Fence materials which are split (other than a split rail fence), decayed, broken or loose shall be replaced. Fence supports shall be erect, and shall be replaced if they lean or buckle to such an extent that a plumb line passing through the center of gravity of the support falls outside of the outer third of its base. Fencing materials shall be firmly attached to fence supports.

2. Abatement/removal of fencing in violation - Abatement or removal of fencing that is in violation of the Uniform Development Ordinance, Section 14-400-02 will be completed

by city contractors, in accordance with Section 109.5, and the abatement costs are subject to recovery of costs, per Section 109.5.1.

M. All premises shall be graded and maintained to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Water retention areas and reservoirs must be approved by the City Engineer.

1. It shall be unlawful for any person to place, deposit or permit to be placed or deposited any solid materials of any kind or nature, into, along or across any stream, ditch, culvert, drainage pipe, watercourse or other drainage system so as to impede the flow of water, or any other material that would have the same effect.

2. No person shall cause, permit or allow any stagnant water to be upon premises owned, managed or occupied by him or her.

N. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be constructed and kept in a proper state of repair, and maintained free from weeds and hazardous conditions. Stairs shall comply with the requirements of Section 304.

O. This subsection prohibits those conditions which interfere with the public's health, safety, peace, comfort or convenience. It is not the intent of this subsection to prohibit those conditions which effect one individual, or a few individuals, as opposed to the public in general.

1. It shall be unlawful for any person to use, or to allow to be used, any premises owned, managed or occupied by him/her: (a) in any manner constituting a public nuisance as defined by common law or inequity jurisprudence; (b) in any manner constituting an attractive nuisance to children; (c) or in an unreasonable, unusual or unnatural manner so that it substantially impairs the ability of other persons to peacefully enjoy their property.

2. The ability of persons to peacefully enjoy their property is substantially impaired if a normal person would regard the invasion as definitely offensive, seriously annoying or intolerable, such that there results actual physical pain, inability to sleep, eat or breathe, or property damage.

3. In addition to all other factors, the following shall be considered in any determination as to whether a person's use of his/her property constitutes a nuisance: (a) location of the use; (b) character of the neighborhood; (c) nature of the use; (d) reasonableness of the use; (e) time(s) at which the use occurs; (f) social value or utility of the use; (g) the nature, extent, and frequency of the injury; (h) the effect upon enjoyment of life, health and property of those effected; and (i) the ability of either party to avoid the harm.

4. In addition to those conditions which satisfy the tests set out above for a nuisance, any use of a person's property which produces any of the following conditions shall be deemed a nuisance:

- a. Water pollution, as set out in Article 6 of Chapter 7 of the Independence City Code.

- b. Excessive noise, as set out in Article 10 of Chapter 7 of the Independence City Code.

5. A single isolated occurrence or act, which if regularly repeated would constitute a nuisance, is not a nuisance until it is repeated.

P. Signs in violation of the Unified Development Ordinance, Section 14-504 will be abated/removed in accordance with Section 109.5, and are subject to the recovery of costs, per Section 109.5.1.

Sec. 302.3 Sidewalks and driveways. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions and vegetation.

Sec. 302.4 Weeds. Delete.

Sec. 302.5 Rodent harborage. Delete.

Sec. 302.7 Accessory structures. Delete.

Sec. 302.8 Motor vehicles. Delete.

Sec. 303.2 Amend to read as follows:

Sec. 303.2 Enclosures. Private swimming pools, hot tubs and spas. Reference the International Residential Code (IRC).

Exception: Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

Sec. 304 Amend to read as follows:

Sec. 304 Exterior Structure.

A. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare, and every building shall be weather protected so as to provide shelter for the occupants against the elements.

B. Each structure to which a street number has been assigned shall have such number displayed in a position easily observed and readable from the opposite side of the public right-of-way. All numbers shall be in Arabic numerals at least three inches (3") high, with a minimum ½" stroke width.

C. All structural members shall be plumb, maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

1. Buildings or structures may be of any types of construction permitted by the Building Code. Roofs, floors, walls, foundations and all other structural components of buildings shall be capable of resisting any and all forces and loads to which they may be subjected. All structural elements shall be proportioned and joined in accordance with the stress limitations and design criteria as specified in the appropriate sections of the Building Code. Buildings of every permitted type of construction shall comply with the applicable requirements of the Building Code.

D. All foundation walls and chimneys shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents. The foundation elements shall adequately support the building at all points.

E. All exterior walls, including screened off areas, doors and windows, shall be plumb, free from holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration. If the exterior material is not naturally decay resistant, then proper surface coating shall mean either treatment with chemicals to prevent decay, painting, or similar surface treatment. If a surface coating has been applied above the foundation on any exterior material other than fired clay brick, including all other exterior material that is naturally decay resistant, then such surface coating shall be maintained as a complete surface coating without peeling, flaking, chipping, or wear that exposes the underlying exterior material, or the surface coating shall be completely removed. All wood shall be protected against termite damage and decay as provided in the Building Code.

F. The roof including soffit, fascia and flashing shall be sound, tight in a level plane, with straight lines, free from sags and spongy spots, and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof water shall not be discharged in a manner that creates damage to other property.

Downspouts and gutters, if provided, shall be firmly attached to the building, free of debris, and free of leakage.

G. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

H. All canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a safe and sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment. Projection of cornices, eaves, sills, chimneys, canopies, balconies and other ordinary building projections shall conform to the requirements of the Unified Development Ordinance of the City of Independence.

I. Pipes, ducts, conductors, fans or blowers shall not discharge noxious gases, fumes and odors, steam, vapor, hot air, grease, smoke, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another dwelling unit.

J. All chimneys, cooling towers, smokestacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

K. Every porch and interior and exterior stairs shall be so constructed as to be safe to use and capable of supporting the loads to which they are subjected. They shall be firmly fastened, maintained in sound condition and good repair. Treads, risers, handrails and balusters that are broken, warped or loose shall be repaired or replaced.

L. Every exterior opening shall be fitted with a window, door or basement hatchway cover, as appropriate, which shall be tight and maintained in sound condition and good repair to exclude wind and prevent the entrance of rodents, insects, rain and surface drainage water into the dwelling or building.

1. All glazing materials shall be maintained free from cracks and holes.

2. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

3. Every doorway which gives access from a habitable room or dwelling unit into a common passageway, hall, stairway or the exterior shall be fitted with a door equipped with hardware capable of ensuring security and privacy to the occupants of such habitable room or dwelling unit.

4. All windows shall be fully supplied with glass windowpanes or an approved substitute without open cracks or holes and held within a framework which is free from rotting, splitting or crumbling.

5. When present, awnings are to be kept free from holes and tears and securely anchored.

M. Every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food service areas, or any areas where products are to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting

screens of not less than 18 mesh per inch and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required for out-swinging doors or other types of openings which make screening impractical, provided other approved means, such as air curtains or insect repellent fans are employed.

N. All exterior doors and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and hotel unit shall tightly secure the door.

~~1. Every exterior door when closed shall fit well within its frame so as to exclude wind and rain as completely as possible from entering the dwelling or structure and shall be free from holes, rotting, buckling, and splitting. Every door hinge and door latch shall be structurally sound, free from rusting and crumbling, and firmly attached to the appropriate structure. Every door available as an exit shall be capable of being easily opened from the inside, and inside access to such doors shall not be blocked.~~

Sec. 304.10 – Amend to read as follows:

Sec. 304.10 - Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads. Treads, risers, that are broken, warped or loose shall be repaired or replaced.

Sec. 304.12 – Amend to read as follows:

Sec. 304.12 - Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition. Handrails and balusters that are broken, warped or loose shall be repaired or replaced.

1. Every exterior door when closed shall fit well within its frame so as to exclude wind and rain as completely as possible from entering the dwelling or structure and shall be free from holes, rotting, buckling, and splitting. Every door hinge and door latch shall be structurally sound, free from rusting and crumbling, and firmly attached to the appropriate structure. Every door available as an exit shall be capable of being easily opened from the inside, and inside access to such doors shall not be blocked.

Section 304.14 Insect screens. Delete

Sec. 305 Amend to read as follows:

Sec. 305 Interior Structure.

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

305.1.1 Interior Maintenance

1. The supporting structural members of every structure shall be maintained structurally sound, showing no evidence of rotting, breaking, splitting or buckling and be capable of supporting the imposed loads.
2. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.
3. Interior and exterior painted surfaces of dwellings and child and day care facilities, including fences and outbuildings, which contain lead in excess of the Federal guidelines as stated in the Federal Register: 24 CFR Part 38 and 40 CFR Part 745 shall be removed or covered in an approved manner. Any surface to be covered shall first be marked with warnings as to the lead content of such surface.

Sec. 306 Component Serviceability. Delete.

Sec. 308 Rubbish and Garbage. Delete.

Sec. 402 Amend to read as follows:

Sec. 402 Light.

A. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the Building Code shall be permitted. Every sleeping room below the fourth story shall have at least one operable window or door approved for emergency escape or rescue which shall open directly onto a public street, public alley, yard or exit court. The units shall be operable from the inside to provide a full clear opening without the use of separate tools. All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be twenty-four inches (24"). The minimum net clear openable width dimension shall be twenty inches (20"). When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than forty-four inches (44") above the floor. Bars, grilles, grates or similar devices may be installed on an emergency escape or rescue window or door, provided:

1. Such devices are equipped with approved release mechanism which are openable from the inside without the use of a key or special knowledge or effort.
2. All habitable rooms shall be provided with natural light by means of exterior glazed openings with an area not less than one-tenth (1/10) of the floor area of such rooms with a minimum of ten (10) square feet.
3. All bathrooms, toilet rooms, laundry rooms and similar rooms shall be provided with natural or mechanical ventilation by means of openable exterior openings with an area not less than one-twentieth of the floor area of such rooms with a minimum of one and one-half (1½) square feet.
4. Required exterior openings for natural light and ventilation shall open directly onto a street or public alley or a yard or court located on the same lot as the building; provided, however, that required windows may open into a roofed porch where the porch: (a) Abuts a street, yard, or court; and (b) Has a ceiling height of not less than seven feet (7'); and (c) Has the longer side at least sixty-five percent (65%) open and unobstructed.

B. Every common hall and stairway, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb or equivalent for each 200 square feet of floor area, provided that the spacing between lights shall not be greater than

30 feet. Every exterior stairway, other than in one- and two-family dwellings shall be illuminated with a minimum of 1 footcandle at floors, landings and treads.

C. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

D. Yards and courts will have the following required window openings.

1. Every yard shall be not less than three feet (3') in width for one-story and two-story buildings. For buildings more than 2 stories in height the minimum width of the yard shall be increased as the rate of one foot (1') for each additional story. Where yards completely surround the building, the required width may be reduced by one foot (1'). For buildings exceeding 14 stories in height, the required width of yard shall be computed on the basis of 14 stories.

2. Every court shall be not less than three feet (3') in width. Courts having windows opening on opposite sides shall be not less than six feet (6') in width. Courts bounded on three or more sides by the walls of the building shall be not less than ten feet (10') in length unless bounded on one end by a public way or yard. For buildings more than 2 stories in height the court shall be increased one foot (1') in width and two feet (2') in length for each additional story. For buildings exceeding 14 stories in height, the required dimensions shall be computed on the basis of 14 stories.

3. Adequate access shall be provided to the bottom of all courts for cleaning purposes. Every court more than 2 stories in height shall be provided with a horizontal air intake at the bottom not less than ten square feet in area and leading to the exterior of the building unless abutting a yard or public way. The construction of the air intake shall be as required for the court walls of the building, but in no case shall be less than one-hour fire resistive.

4. Responsibility - The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter, as well as the provisions of the rental ready program (City Code Article 15). should the property be leased.

Sec. 403 Amend to read as follows:

Sec. 403 Ventilation.

A. All habitable rooms within a dwelling unit shall be provided with natural ventilation by means of operable exterior openings with an area of not less than one-twentieth ($1/20$) of the floor area of such rooms with a minimum of five (5) square feet, subject to the provisions of the four prior subsections.

B. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by the prior subsection, except that a window shall not be required in spaces equipped with a mechanical ventilation system. Such system shall be capable of providing two (2) air changes per hour in all habitable rooms and in public corridors. One-fifth ($1/5$) of the air supply shall be taken from the outside. In bathrooms containing a bathtub or shower or combination thereof, laundry rooms, and similar rooms, a mechanical ventilation system connected directly to the outside capable of providing five (5) air changes per hour shall be provided. The point of discharge of exhaust air shall be at least five feet (5') from any mechanical ventilating intake. Bathrooms which contain only a water closet or lavatory or combination

thereof, and similar rooms may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

C. All cooking and heating equipment, components and accessories in every heating, cooking and water-heating device shall be maintained free from leaks and obstructions and kept functioning properly so as to be free from fire, health and accident hazards. All installations and repairs shall be made in an approved manner. Portable cooking equipment employing a flame is prohibited. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

D. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source.

Air shall be exhausted to the exterior and not be recirculated to any space.

E. Clothes dryer venting systems shall be independent of all other systems and shall be vented outdoors in accordance with the manufacturer's instructions.

Sec. 502 Amend to read as follows:

Sec. 502 Required Facilities.

A. Every dwelling unit shall contain within its walls at least one room, separate from the habitable rooms which affords privacy and is equipped with a water closet and a lavatory. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located.

1. A bathroom or water closet compartment which is accessory to a dwelling unit shall not open directly into nor shall be used in conjunction with a place of business.

B. At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units. Access to such water closet may not be through another rooming unit.

C. A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

1. Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler, or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

D. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. Every water closet, bathtub or shower shall be installed in a room which will afford privacy to the occupant.

E. Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

F. Toilet facilities shall have access from within the employees' regular working area. The required toilet facilities shall be located not more than one story above or below the employee's regular working area and the path of travel to such facilities shall not exceed a distance of five hundred (500'). Employee facilities shall either be separate facilities or public customer facilities.

1. Facilities that are required for employees in storage structures or kiosks, and which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of five hundred (500') from the employees' regular working area to the facilities.

G. A room in which a water closet is located shall be separated from food preparation or storage rooms by a tight-fitting door.

H. Every water closet, bathroom and kitchen floor surface shall be constructed and maintained so as to be substantially impervious to water so as to permit such floor to be easily kept in a cleanable and sanitary condition.

I. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

Sec. 505 Amend to read as follows:

Sec. 505 Water System.

A. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water.

B. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood level rim of the fixture. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

C. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

D. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110 degrees F. (43 degrees C.). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room. An approved combination temperature and pressure relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

Sec. 506.3 Amend to read as follows:

Sec. 506.3 Grease interceptors. Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions, as well as the guidelines of the City of Independence's Municipal Services - Environmental Services Division. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. Records of maintenance, cleaning and repairs shall be available for inspection by the Code Official.

Sec. 507 Storm Drainage. Delete.

Sec. 602.3 Heat Supply. Delete.

Sec. 602.4 Occupiable Work Spaces. Delete.

Sec. 604.2 Amend to read as follows:

Sec. 604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a minimum rating of 100 amperes.

Sec. 604.3.2.1 Amend to read as follows:

Sec. 604.3.2.1 Electrical equipment. Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the International Building Code, and per the regulations of Independence Power and Light.

Sec. 604.3.2.1 Electrical Equipment. Exception. Delete

Sec. 702 Amend to read as follows:

Sec. 702 Means of Egress.

A. A safe, continuous and unobstructed means of egress shall be provided from the interior of a structure to a public way. There shall be no obstruction to or of fire escapes, ladders which may be used as escapes, stairways, aisles, exits, doors, windows, passageways or halls, likely in the event of fire to interfere with the operations of the fire department or of the safety and ready egress of occupants.

1. Every building or portion thereof shall be provided with exits, exitways and appurtenances as required by the Building Code and the Fire Code.

B. The capacity of the exits serving a floor shall be sufficient for the occupant load thereof as determined by the Building Code and the Fire Code.

C. Every building or portion thereof shall be provided with at least one exit, and not less than 2 exits when required by the Fire or Building Codes. Every occupied story above the second story, and every story below grade, shall be provided with a minimum of two exits, except for any other provisions permitted in the Fire Code and Building Code.

D. Exits shall not lead through other units, toilet rooms, bathrooms, kitchens, storerooms, closets or hazardous areas.

E. As required by the Fire Code and Building Code, all means of egress shall be indicated with an approved "Exit" sign. All required "Exit" signs shall be illuminated at all times that the building is occupied.

F. At no time shall corridors be less than thirty-six inches (36") in width and when the occupant load exceeds 10, the exits shall not be less than forty-four inches (44") in width. All corridors shall have a clear height of not less than seven feet (7'). All corridors shall be constructed following the provisions of the Fire Code and Building Code.

G. Arrangement of chairs or tables and chairs shall provide for ready access by aisle access ways and aisles to each egress door. The minimum clear width shall not be less than thirty-six inches (36") where tables, counters, furnishings, merchandise, or other similar obstructions are placed on one side only and forty-four inches (44") where such obstructions are placed on both sides. The clear width shall not be obstructed by chairs, tables, or other objects. Aisles shall lead to an exit door and shall follow the International Building Code for travel distances.

H. Stairways shall have handrails on each side, with intermediate handrails when the width exceeds eighty-eight inches (88"). Handrails shall not be placed closer than thirty-four inches (34") or farther than thirty-eight inches (38") above the nosing of treads, shall extend six inches

(6") above the top step and shall terminate in newel posts or safety terminals. Stair risers shall not be less than four inches (4") nor greater than seven and $\frac{3}{4}$ inches (7.75") and the stair run shall not be less than ten inches (10"). Guardrails shall be provided as required by Section 312 of the International Residential Code, except for any other provision permitted by the Fire Code and Building Code.

I. A sign shall be provided at each floor landing in all stairways extending more than 3 stories, designating the floor level above or below the floor of discharge. Elevator call stations shall be marked with approved signs in accordance with the requirements for new buildings in the Fire Code and Building Code.

J. All egress doors shall be readily openable from the inside without the use of a key or special knowledge or effort. Panic hardware shall be provided when required by the Fire Code and Building Code.

Exceptions: Only as provided by the Fire Code and Building Code, with the approval of the Fire Chief, and subject to revocation for due cause.

K. Sleeping rooms in basements or in any story located below the fourth floor shall have at least one openable window or door approved for emergency egress or rescue or shall have access to not less than two approved independent exits. Emergency escape windows shall meet the requirements of the Fire Code and Building Code.

Sec. 704 Fire Protection Systems. Delete.

Sec. A101.1 Amend to read as follows:

Sec. A101.1 General. Windows and doors shall be boarded in an approved manner to prevent entry by unauthorized persons and shall be painted to correspond to the color of the existing structure, at the discretion of the building official or their designee.

Appendix B Board of Appeals. Delete.”

SECTION 3. That it is the intent of the Council that the latter passed code shall prevail and that the stricter language shall control in any conflicts between the provisions of any codes adopted by the City except where the Council has adopted specific exceptions or amendments to any code in which case the latter passed specific amendment shall prevail.

SECTION 4. That the effective date of this ordinance shall be January 1, 2025, and the previously adopted Building Code shall remain in effect until that date.

SECTION 5. That Ordinance No. 19375 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. That all other parts and provisions of Article 1 of Chapter 4 not amended or repealed herein shall remain in full force and effect.

SECTION 7. That correction of any scriveners errors identified within Article 1 of this Chapter are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024 BY THE CITY COUNCIL
OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being eliminated by this ordinance is bolded and lined through and text being added by this ordinance is bolded and underscored.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-112 **2R** An ordinance amending Article 4, "Plumbing Code," of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Plumbing Code and making other necessary revisions. **2R**

Recommendations:

Staff recommends approval of this item.

Background:

The 2024 International Plumbing Code (IPC) is a comprehensive building code that establishes minimum regulations for building systems using prescriptive and performance related provisions. It is founded on broad base principles that make possible the use of new materials and new building designs. The International Plumbing Code is kept up to date through the review of proposed changes submitted by code officials, industry representatives, design professionals, and other interested parties. The building industry builds to the conformance of the International Plumbing Code. This 2024 Edition is fully compatible with all the International Codes, published by the International Code Council. Adoption of this code will adhere to Insurance Services Organization (ISO) requirements.

Updated editions of the IPC are published on a three (3) year cycle. The City of Independence is currently using the 2018 International Plumbing Code. The 2024 IPC is the latest version of the code.

There are no significant changes to this code for this adoption cycle.

Emergency Justification:**Fiscal Impact:****Council Action:**

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. IPC Plumbing Code Amendments Draft Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 4, “PLUMBING CODE,” OF CHAPTER 4 OF THE INDEPENDENCE CITY CODE AND ADOPTING THE 2024 EDITION OF THE INTERNATIONAL PLUMBING CODE AND MAKING OTHER NECESSARY REVISIONS.

WHEREAS, The City Council of the City of Independence, Missouri desires to adopt the 2024 Edition of the International Plumbing Code now that copies have been on file with the City Clerk for ninety (90) days as required by R.S.Mo.67.280, and make other necessary revisions to Article 4 of Chapter 4;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 4.04.001, “Plumbing Code”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.04.001. Adoption of International Plumbing Code.

The International Plumbing Code, 2018~~24~~ Edition, as published by the International Code Council, is hereby adopted as the Plumbing Code of the City of Independence, Missouri for the control of plumbing installation or construction, as herein provided, except such portions as are hereinafter deleted, modified or amended by this Article of the City Code.”

SECTION 2. That Section 4.04.002, of the “Plumbing Code”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.04.002. Additions, insertions, deletions, and changes.

The following numbered subsections and provisions of the approved edition of the Plumbing Code, adopted by Section 4.04.001, are hereby amended as follows:

Section 305.4.1 Amend to read as follows:

Section 305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be installed not less than 12 inches (304.8 mm) below finished grade at the point of septic tank connection. Building sewers shall be installed not less than 12 inches (304.8 mm) below grade.

Section 306.2.4 Amend to read as follows:

Section 306.2.4 Tracer wire. For plastic sewer piping, an insulated copper tracer wire or other approved conductor shall be installed adjacent to and over the full length of the piping. Access shall be provided to the tracer wire, or the tracer wire shall terminate at the cleanout between the building drain and building sewer. The tracer wire size shall be not less than 14 American Wire Gauge (2.5 mm²) and the insulation type shall be listed for direct burial. Pipe with embedded wire is acceptable as well.

Section 312.5 – Delete

Section 312.10 Amend to read as follows:

Section 312.10 Inspection and testing of backflow prevention assemblies. Inspection and testing of backflow prevention assemblies shall be in accordance with the rules and regulations of the Independence, Missouri Water Department's Water Service Line and Backflow Standards.

Section 312.10.1 Inspections. Delete

Section 312.10.02 Testing. Delete

Section 312.10 - Delete

Section 312.11 - Inspection and testing of backflow prevention assemblies. Inspection and testing of backflow prevention assemblies shall be in accordance with the rules and regulations of the Independence, Missouri Water Department's Water Service Line and Backflow Standards. The testing procedure shall be performed in accordance with one of the following standards ASSE 5013, ASSE 5015, ASSE 5020, ASSE 5047, ASSE 5048, ASSE 5052, ASSE 5056, CSA B64.10 or CSA B64.10.1. Test gauges shall comply with ASSE 1064.

Section 411.1.1 – Emergency showers and eyewash stations can be determined to be necessary by the Building Official, where possibly not required by the International Codes.

Section 419.6 – Amend to read as follows:

19.6 Soap dispenser. Soap dispensers shall be provided for public lavatories. A minimum of one dispenser per three lavatories shall be provided.

Section 702.6 - Amend to read as follows:

Chemical waste system. A chemical waste drainage system, including its vent system, shall be completely separated independent from the sanitary drainage system. Separate drainage systems for chemical waste and vent pipes shall conform to one of the standards indicated in Table 702.6. The chemical waste shall be treated in accordance with Section 803.2 before discharging to the sanitary drainage system and follow the rules and regulations of the City of Independence Municipal Services Environmental Division. Chemical waste drainage system pipe and fitting materials shall be resistant to corrosion and degradation for the concentrations of chemicals involved per manufacturer recommendations.

Section 714 Backwater Valves. Delete

Section 903.1 Amend to read as follows:

Section 903.1 Roof extension. Open vent pipes that extend through a roof shall be terminated not less than 12 inches (304.8 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.

Section 918.1 Amend to read as follows:

Section 918.1 General. Air admittance valve are only allowed when approved by the Building Official.

Section 918.2 Installation. Delete

Section 918.3 Where permitted. Delete

Section 918.3.1 Horizontal branches. Delete

Section 918.3.2 Stack. Delete

Section 918.4 Location. Delete

Section 918.5 Access and ventilation. Delete

Section 918.6 Size. Delete

Section 918.7 Vent required. Delete

Section 918.8 Prohibited installations. Delete

Section 1003.1 - Amend to read as follows:

Section 1003.1 Where required. Interceptors and separators shall be provided to prevent the discharge of oil, grease, sand and other substances harmful or hazardous to the public sewer, the private sewage system or the sewage treatment plant or processes, or wherever deemed necessary by the Water Pollution Control Division of the Municipal Services Department of the City of Independence.

Section 1003.2 – Amend to read as follows:

Section 1003.2 Approval. The size, type and location of each interceptor and of each separator shall be designed and installed in accordance with the manufacturer's instructions and the requirements of this section based on the anticipated conditions of use, or however deemed necessary by the Water Pollution Control Division of the Municipal Services Department of the City of Independence. Wastes that do not require treatment or separation shall not be discharged into any interceptor or separator.

Section 1003.3 – Amend to read as follows:

Section 1003.3 Grease interceptors. Grease interceptors shall comply with the requirements of Sections 1003.3.1 through 1003.3.8, as well as the rules and regulations of the Water Pollution Control Division of the Municipal Services Department of the City of Independence.

Section 1003.4 – Amend to read as follows:

Section 1003.4 Oil separators required. At repair garages where floor or trench drains are provided, car washing facilities, factories where oily and flammable liquid wastes are produced and hydraulic elevator pits, oil separators shall be installed into which oil-bearing, grease-bearing or flammable wastes shall be discharged before emptying into the building drainage system or other point of disposal. Oil separators may also be determined

necessary by the rules and regulations of the Water Pollution Control Division of the Municipal Services Department of the City of Independence.

Section 1113.1.3 Amend to read as follows:

Section 1113.1.3 Electrical. Electrical service outlets, where required, shall meet the requirements of NFPA 70. Battery back-up power supplies for sump ejector pumps receiving storm water drainage are required.

Appendix A. Amend to read as follows:

Appendix A. Plumbing Permit Fee Schedule is located in the City's Schedule of Fees.

Appendix C. – Adopted”

SECTION 3. That Section 4.04.018, of the “Plumbing Code”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.04.018. PENALTY.

Any person violating any of the provisions of this article shall upon conviction thereof be punished by a fine of not less than ~~\$25.00~~ **Fifty Dollars (\$50.00)** nor more than ~~\$100.00~~ **One-Hundred Twenty-Five Dollars (\$125.00)** for each violation. Such punishment in the case of a licensed plumber shall be in addition to the revocation of a plumber's license as provided for in Section 4.02.018 of this article. Each and every day upon which such violation continues shall be deemed a separate offense.”

SECTION 4. That it is the intent of the Council that the latter passed code shall prevail and that the stricter language shall control in any conflicts between the provisions of any codes adopted by the City except where the Council has adopted specific exceptions or amendments to any code in which case the latter passed specific amendment shall prevail.

SECTION 5. That the effective date of this ordinance shall be January 1, 2025, and the previously adopted Plumbing Code shall remain in effect until that date.

SECTION 6. That Ordinance No. 18972 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. That all other parts and provisions of Article 4 of Chapter 4 not amended or repealed herein shall remain in full force and effect.

SECTION 8. That correction of any scriveners' errors identified within Article 4 of this Chapter are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being eliminated by this ordinance is bolded and lined through and text being added by this ordinance is bolded and underscored.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-113 **2R** An ordinance amending Article 5, "Building Code," of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Building Code and making other necessary revisions. **2R**

Recommendations:

Staff recommends approval of this item.

Background:

The 2024 International Building Code (IBC) is a comprehensive building code that establishes minimum regulations for building systems using prescriptive and performance related provisions. It is founded on broad base principles that make possible the use of new materials and new building designs. The International Building Code is kept up to date through the review of proposed changes submitted by code officials, industry representatives, design professionals, and other interested parties. The building industry builds to the conformance of the International Building Code. This 2024 Edition is fully compatible with all the International Codes, published by the International Code Council. Adoption of this code will adhere to Insurance Services Organization (ISO) requirements.

Updated editions of the IBC are published on a three (3) year cycle. The City of Independence is currently using the 2018 International Building Code. The 2024 IBC is the latest version of the code. Almost all regional municipalities are adopting the 2024 IBC. The majority of the changes are due to reorganizing the Article. There are no major adjustments to this code for this adoption cycle.

Emergency Justification:**Fiscal Impact:****Council Action:**

Department / Contact	Community Development /
---------------------------------	-------------------------

REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. IBC Building Code Amendments Draft Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 5, “BUILDING CODE,” OF CHAPTER 4 OF THE INDEPENDENCE CITY CODE AND ADOPTING THE 2024 EDITION OF THE INTERNATIONAL BUILDING CODE AND MAKING OTHER NECESSARY REVISIONS.

WHEREAS, The City Council of the City of Independence, Missouri desires to adopt the 2024 Edition of the International Building Code now that copies have been on file with the City Clerk for ninety (90) days as required by R.S.Mo.67.280, and make other necessary revisions to Article 5 of Chapter 4;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 4.05.001, “International Building Code”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.05.001. Adoption of International Building Code.

The International Building Code, ~~2018~~2024 Edition, as published by the International Code Council, and the 2010 ADA Standards for Access Design, as published by the Department of Justice, be and hereby is adopted as the Building Code of the City of Independence, for the control of buildings and structures, as herein provided, except such portions as are hereinafter deleted, modified or amended by this Article of the City Code.”

SECTION 2. That Section 4.05.002, “Additions, Insertions, Deletions, and Changes”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.05.002. Additions, insertions, deletions, and changes.

The following numbered subsections and provisions of the approved edition of the Building Code, adopted by Section 4.05.001, are hereby amended as follows:

Sec. 101.1 Amend to read as follows:

Sec. 101.1 Title. This Article shall be known as the ‘Building Code’ of the City of Independence, Missouri, may be cited as such, and will be referred to hereinafter as ‘this Code’.

Where the term ‘Department’ is used in this Code, this shall mean the Building Inspection Division of the Community Development Department. Where the term ‘Administrative Authority’ or ‘Building Official’ is used in this Code, this shall mean the Building Official or his or her authorized representative. Where the term ‘City’ is used in the Code, this shall mean the City of Independence, Missouri.

There is hereby established in the City the ‘Building Inspection Division’ in the Community Development Department which shall be administered by the Building Inspection Supervisor.

EXCEPTIONS:

~~1. In case of real emergency as set forth in Section 301 of this Code.~~

~~2. In case the work is being done at a one-family dwelling by the person who owns and occupies such dwelling and the permit is applied for before the end of the work day following notification.~~

~~C. Supplementary Permit Fees. The fee for a supplementary permit to cover any additional value not included in the original permit shall be the difference between the fee paid for the original permit and the fee which would have been required had the original permit included the entire value.~~

D. Permit Fee Refunds. Where no portion of the work covered by a permit issued by the Building Official has been commenced, the permit holder may request in writing that the permit be canceled. The permittee shall then be entitled to a refund of ninety percent (90%) of the permit fee actually paid, except that a full refund will be made when the permit was issued in error by the City. In all cases, except as noted above, a minimum fee of Twenty-Five Dollars (\$25.00) shall be retained.

E. Permit Without Fees. The Government of the United States of America, the State of Missouri and its political subdivisions, the City of Independence, and all agencies and departments thereof, shall be exempt from the payment of fees for work performed on buildings, structures or utilities owned wholly by such agencies or departments and devoted exclusively to governmental use. All not-for-profit agencies engaged in the business of rehabilitating single family residential properties, or construction of single family residential structures, for the sole and exclusive benefit of low and moderate income individuals shall be exempt from payment of building permit fees for work performed on single family residential buildings and structures.

F. Plan-Checking Fees. When the total valuation of a proposed building exceeds One Hundred Thousand Dollars (\$100,000) and a plan is required to be submitted, a plan checking fee shall be paid to the Building Official at the time of submitting plans and specifications for checking. Such plan-checking fee shall be one-half of the building permit fee and shall be a credit toward the total fee when the building permit is issued. Plan-checking fees shall be non-refundable.

G. Expiration of Plan Check. Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation and plans submitted for checking may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan-check fee.

Section 105.2 Amend to read:

Sec. 105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Permits shall not be required for the following:

Building:

- 1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area is not greater than 120 square feet (11 m2).**
- 2. Fences, other than swimming pool barriers, not over 6 feet (2134 mm) high.**
- 3. Oil derricks.**
- 4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.**
- 5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.**
- 6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route or in the City's established right-of-way.**
- 7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.**
- 8. Temporary motion picture, television and theater stage sets and scenery.**
- 9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 12 inches (610 mm) deep.**
- 10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.**
- 11. Swings and other playground equipment accessory to detached one- and two-family dwellings.**
- 12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.**
- 13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height**

Section 109.6 Amend to read:

Sec. 109.6 Permit Fee Refunds. Where no portion of the work covered by a permit issued by the Building Official has been commenced, the permit holder may request in writing that the permit be canceled. The permittee shall then be entitled to a refund of ninety percent (90%) of the permit fee actually paid, except that a full refund will be made when the permit was issued in error by the City. In all cases, except as noted above, a minimum fee of Twenty-Five Dollars (\$25.00) shall be retained.

Add Sec 109.7:

Sec. 109.7 Permit Without Fees. The Government of the United States of America, the State of Missouri and its political subdivisions, the City of Independence, and all agencies and departments thereof, shall be exempt from the payment of fees for work performed on buildings, structures or utilities owned wholly by such agencies or departments and

devoted exclusively to governmental use. All not-for-profit agencies engaged in the business of rehabilitating single family residential properties, or construction of single-family residential structures, for the sole and exclusive benefit of low and moderate income individuals shall be exempt from payment of building permit fees for work performed on single family residential buildings and structures.

Add Section 109.8:

Sec. 109.8 Plan-Checking Fees. When the total valuation of a proposed building exceeds One Hundred Thousand Dollars (\$100,000) and a plan is required to be submitted, a plan checking fee shall be paid to the Building Official at the time of submitting plans and specifications for checking. Such plan-checking fee shall be one-half of the building permit fee and shall be a credit toward the total fee when the building permit is issued. Plan-checking fees shall be non-refundable.

Add Section 109.9:

Sec. 109.9 Expiration of Plan Check. Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation and plans submitted for checking may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan-check fee.

Section 110.1.1 Amend to read as follows:

Sec. 110.1.1 Penalties.

A. No builder, owner, or agent for the builder or owner shall allow any person or persons to occupy any newly constructed dwelling or building, any rental unit or apartment, or any alteration, reconstruction or conversion thereof which will allow occupancy of the altered, reconstructed or converted space prior to final inspection and the grant of a Certificate of Occupancy by the Building Official, which inspection shall be requested at least twenty-four (24) hours prior to time of final inspection. Any violation of this subsection shall cause a fine of Two Hundred Fifty Dollars (\$250.00) for each and every day that such violation continues to be assessed against and incurred by the offending party. This fine shall be assessed against the builder or owner of the violating premises.

B. Should the same builder, owner, or agent for the builder or owner be found guilty in a second instance, following the first violation of this section, of the offense described above in a twelve (12) month period, at the same or at a different building or premises, a fine of Five Hundred Dollars (\$500.00) for each and every day that such a violation continues shall be assessed against and incurred by the offending party. This fine shall be assessed against the builder or owner of the violating premises.

C. A builder, owner, or agent for the builder or owner may be prohibited from obtaining a building permit within the City of Independence for a period of one year from the date of the

second violation at the discretion of the Building Official. Said builder or owner may appeal the Building Official's decision to the Board of Building and Engineering Appeals.

D. No additional or new building permits shall be issued in the City of Independence to a builder, owner, or agent for the builder or owner who has violated any part of this subsection until such builder, owner, or agent for the builder or owner has obtained the required Certificate of Occupancy. Upon obtaining the required certificate, the building or owner shall again be eligible for further building permits. A One Hundred Dollar (\$100.00) re-inspection fee shall be charged to the builder, owner, or agent for the builder or owner of a structure which violates this subsection of the City Code if re-inspection is necessary prior to issuance of a Certificate of Occupancy.

~~Section 110.1.2 Amend to read as follows:~~

~~Sec. 110.1.2 Facilities for Workmen.~~

~~A. Suitable approved toilet facilities shall be provided and maintained in sanitary condition for the use of workers during the construction or demolition of buildings.~~

~~B. Temporary Construction Site Office. A minimum 8' x 10' temporary construction site office, or storage building shall be placed on the job site without a building permit as an element incidental to construction for which a valid permit or permit application is made. All such buildings must be removed within 24 hours after construction is completed or if a permit application has expired or not approved according to codes herein.~~

~~Section 114.1 Amend to read as follows:~~

~~Sec. 114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish, occupy or allow occupancy of any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.~~

~~Section 114.2 Amend to read as follows:~~

~~Sec. 114.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, occupancy or allowing occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.~~

Add Section 117:

Sec. 117 Facilities for Workpersons.

1. Suitable approved toilet facilities shall be provided and maintained in sanitary condition for the use of workers during the construction or demolition of buildings.

2. Temporary Construction Site Office. A minimum 8' x 10' temporary construction site office, or storage building shall be placed on the job site without a building permit as an element incidental to construction for which a valid permit or permit application is made. All such buildings must be removed within 24 hours after construction is completed or if a permit application has expired or not approved according to codes herein.

Section 1008.3.3 Amend to read as follows:

Sec. 1008.3.3 Rooms and spaces. In the event of power supply failure, an emergency electrical system shall automatically illuminate all of the following areas:

1. Electrical equipment rooms.
2. Fire command centers.
3. Fire pump rooms.
4. Generator rooms.
5. Public restrooms with an area greater than 300 square feet (27.87 m²)
6. Restrooms in A occupancies with a greater than 50 occupant load.

Chapter 13. Energy Efficiency. Delete

Table 1505.1 Minimum Roof Covering Classification for Types of Construction. Delete
Footnotes A and C.

Section 1514.2.1 Amend to read as follows:

Section 1514.2.1 General. Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15.

EXCEPTIONS:

1. Roof replacement or roof recover of existing lowslope roof coverings shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (2-percent slope) in Section 1507 for roofs that provide positive roof drainage.
2. Recovering or replacing an existing roof covering shall not be required to meet the requirement for secondary (emergency overflow) drains or scuppers in Section 1503.4 for roofs that provide for positive roof drainage. For the purposes of this exception, existing secondary drainage or scupper systems required in accordance with this code shall not be removed unless they are replaced by secondary drains or scuppers designed and installed in accordance with Section 1503.4.
3. Roof repairs of less than 10% of the total roof area.

Section 2901.1. Amend to read as follows:

Sec. 2901.1 Scope. The provisions of this chapter and the Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the Plumbing Code.

Chapter 30. Elevators and Conveying Systems. Delete

Chapter 32. Encroachments into Public Right-of-Way. Delete

Section 3303. Amend to read as follows:

“Section 3303 Moving and Demolition.

A. General. The work of demolition or moving any building shall not commence until the structures required for protection of persons and property are in place.

The Building Official may require the permittee to submit plans and the complete schedule for demolition or moving work. Where such are required, no work shall be done until such plans and/or schedule is approved by the Building Official.

1. Scope. In addition to the other requirements of this Article and the general ordinances, this chapter shall govern the demolition and moving of buildings, structures, and utilities.

a. Any device or equipment such as scaffolds, ladders, derricks, hoists, or similar devices or equipment, used in connection with demolition or moving shall be constructed, installed, maintained and operated in accordance with the regulations governing the construction, installation, maintenance, and operation of such device.

2. Loads. Structures, or parts of structures, or any floor or temporary support, or scaffold, sidewalk barricade, or bridge, or any device or equipment shall not be loaded in excess of the safe carrying capacity.

3. Warning Signs. Every demolition job shall be provided with danger signs, which shall be conspicuously posted around the property.

4. Lights. Between sunset and sunrise adequate lights shall be provided to properly protect persons and property from hazards of pits, excavations, fences, barriers, equipment, building materials, or rubbish in, upon, or near a sidewalk or street. All walkways shall be provided with lights as follows:

- a. Amber lights, with a capacity of at least one hundred (100) watts, on the street side of the walkway at both ends and near the center.
- b. Other lighting consisting of sixty (60) watt lights spaced every ten feet (10') along the walkway.

5. Dust. All material to be removed shall be wet sufficiently to lay the dust incidental to its removal.

6. Rubbish and Waste. All adjacent streets, alleys, and other public ways and places shall be kept free and clear of all rubbish, refuse, and loose material resulting from the moving, demolition, or demolition removal operations.

B. Indemnity. Every person, firm, or corporation to whom permission has been granted under the terms of this Article and the general ordinances to utilize public property for the demolition work or the moving of any building, structure, or utility, shall at all times assume full responsibility for such demolition or moving. Such permission shall be further conditioned that any persons, firm, or corporation shall, as a consideration for the use of public property, at all times release, hold harmless and indemnify the City and all of their agents and employees from any and all responsibility, liability, loss, or damage resulting to any persons or property or caused by or incidental to the demolition or moving work.

C. Insurance. Any person, firm, or corporation, demolishing or moving any building, structure, or utility, shall deposit with the Building Official a certificate of insurance approved by the

Director of Finance and the City Counselor, showing that the City is a named insured on the insurance policy. The certificate of insurance shall evidence that the liability insurance policy covers the policy holder and the City as a named insured. Such insurance shall be valid at all times during demolition or moving operations. Said liability insurance coverage shall be in an amount of at least One Hundred Thousand Dollars (\$100,000.00) for injuries, including accidental death to any one person, and subject to the same limit for each person; in an amount of at least Three Hundred Thousand Dollars (\$300,000.00) on account of any one accident; and property damage insurance in an amount of at least One Hundred Thousand Dollars (\$100,000.00).

Exception: Insurance may not be required by the owner of record to demolish a residential building.

D. Damage to Public Property. As a condition of obtaining a permit to wreck, remove, or move any building, structure, or utility, the permittee assumes liability for any damage to public property occasioned by such moving, demolition, or removal operations.

E. License Required

1. General. Every person, firm or corporation shall obtain a license as required in Article 2 of Chapter 4 of the City Code before engaging in the business of contracting for demolition of buildings. Such license shall be renewed annually.

Exception: The owner of record may demolish any one-story residential building. Such work must be done by the owner, or by a member of the owner's family or an employee.

2. Supervision Required. A licensed organization shall, at all times, have in its full-time employment a designated supervisor; said supervisor shall be either an owner, officer, or an employee of the organization. In any case, the supervisor shall be responsible for directing the work performed by the organization.

3. Wrecking Contractor License. A Wrecking Contractor License is required for those who contract with other persons or organizations to demolish any building, structure, or portion thereof without limitation of size of such building or structure.

F. Disconnecting Service Lines.

1. Electric Service. The power to all electric service lines shall be shut off and all such lines cut or disconnected outside the property line before demolition or moving work is commenced. Prior to the cutting of such lines, the property owner or an authorized agent shall notify and obtain the approval of the franchised electric service company.

2. Other Service. All gas, water, steam, storm and sanitary sewers, or other service lines shall be shut off and capped outside the building line or curb before demolition or moving work is commenced. In each case, the property owner or an authorized agent shall obtain the approval of the utility service company or department involved.

3. Temporary Service. If it is necessary to maintain any power, water, or other lines during demolition or moving, such lines shall be temporarily relocated or protected to the satisfaction of the Department and utility company and in accordance with applicable ordinances.

G. Demolition Work.

1. Permit Required. The work of demolishing any building or structure shall not commence until a permit has been issued by the Building Official in accordance with the provisions set forth in other portions of this Article.

2. Application for Permit. All applications for permits to wreck, demolish, or raze a building or structure shall be made to the Building Official and every such application shall state:

- a. The location of the building or structure to be wrecked.
- b. The type of equipment to be used to wreck said building.
- c. The length, width, height, and principal materials of construction of the building.
- d. The length of time required to complete the proposed work.
- e. The name and address of the owner of the building.
- f. Proof of permission from the owner to do the proposed work.

3. Conditions of Permit. If the applicant complies with the provisions of this Code, the Building Official shall issue a permit for the proposed work. The permit holder shall notify the Department at least twenty-four (24) hours before starting the work.

4. Expiration of Permit. Permits for demolition work shall be subject to expiration in accordance with the provisions of Sections pertaining to expiration of a permit in the adopted Building Code.

H. Methods of Demolition.

1. General. Except for the cutting of holes in floors for chutes and holes through which to drop materials, preparation of storage space, and other necessary preparatory work, demolition of exterior walls and floor construction shall begin at the top of the structure and proceed downward and each story of exterior wall and floor construction shall be removed and dropped into the storage space before commencing the removal of walls and floors in the story next below. This requirement shall not prohibit the demolition of a structure in sections if positive means are taken to prevent injury to persons or damage to property. The use of other methods are permitted when approved by the Building Official.

2. Protection of Openings. All floor openings and shafts not used for material chutes shall be floored over or enclosed with guardrails and toe boards.

I. Removal of Materials.

1. Through Chutes. Materials shall not be dropped by gravity to any point lying outside the exterior walls of the building, except through enclosed wooden or metal chutes.

EXCEPTION: Where the distance from the property line or sidewalk is equal to or greater than the height of the demolition work, materials may be dropped by gravity to the ground, provided dust control is maintained in accordance with the provisions of other portions of this chapter.

2. Through Floor Openings. If debris is dropped through holes in the floor without the use of chutes, the total area of the hole cut in any intermediate floor (one which lies between the floor that is being demolished and the storage floor) shall not exceed twenty-five percent (25%) of such floor area.

3. Control of Dust. All dust caused by materials dropped through chutes, floor openings, or by other methods of removal, shall be controlled as required by the Building Official.

J. Stairs and Ladders. All stairs and ladders shall be maintained in a safe condition and at least one stairway shall be accessible as each floor is demolished.

K. Condition of Site. Upon completion of the removal of the building, structure, or utility, by either demolition or moving, the ground shall be left in a clean, smooth condition. Holes in the ground, basements or cellars, shall be filled with inorganic material; provided, however, the top one foot (1') of fill shall be clean earth. The filling of such excavation may not be required when a building permit has been issued for a new building on the site and the construction thereof is to start within sixty (60) days after the completion of demolition or moving operations. The holder of the building permit shall provide such excavation with a temporary barricade protecting the excavation on all sides, as specified for safety by the Building Official. The temporary barricade may remain in position for a time not exceeding five (5) days, after which a solid barricade shall be provided or the excavation filled.

L. Moving Work.

1. Permit Required. No building or fixed structure shall be moved on or across a street or alley without a permit issued by the Building Official in accordance with the provisions set forth in other portions of this chapter. No building or major portion thereof shall be raised, shored, or held up without a permit from the Building Official.

2. Other Approvals Required. Prior to the issuance of a permit for moving a building, the applicant shall obtain written approval from the proper authority for the partial or complete removal of any shade tree or for the temporary moving of any lamp post, public utility installations, or other public property, and shall submit a moving route plan approved by the Director of Transportation.

3. License Required. Permits shall be issued only to a house mover or shorer holding a valid license issued by the License Division.

4. Excavations on Public Property. Where the permittee will be making excavations in or on public property, he/she shall comply with the applicable provisions as required in the City Code, including but not limited to, Chapters 17 and 20.

5. Inspection Required. A permit for moving a building or fixed structure shall be issued only if the proposed location within the City will not seriously increase the fire hazard to surrounding buildings. No building shall be moved into or within the City unless it has been inspected and approved by the Building Official for conformance with the minimum requirements of this chapter.

6. Application for Permit. Applications for permits to move, raise, or shore a building or structure shall be made to the Building Official and every such application shall state:

- a. The present location of the building to be moved.
- b. The proposed location of the building.
- c. The type of equipment to be used for the proposed work.
- d. The length, width, and height of the building.
- e. The principal materials of construction of the building.
- f. The length of time required to do the proposed work.
- g. The name and address of the owner of the proposed location of the building.
- h. The name and address of the owner of the building.
- i. Proof of permission from the owner or owners to do the proposed work.

7. Conditions of Permit. If the applicant complies with the provisions of this Code, the Building Official shall issue a permit for the proposed work. The permit holder shall notify the Department at least twenty-four (24) hours before starting the work.

8. Foundation Required. A building for which a permit for moving, raising, or shoring has been issued shall be placed with full approved bearing on a permanent foundation prior to expiration of the permit.

9. Expiration of Permit. Permits for moving work shall be subject to expiration in accordance with the provisions of Sections pertaining to expiration of a permit in the adopted Building Code.”

Chapter 33. Section 3304. Delete

Add Section 3305 As follows:

Sec. 3305 – Sanitary

3305.1 Sanitary facilities shall be provided during construction, remodeling or demolition activities in accordance with the Independence City Code, or at the direction of the Building Official or his designees.

Adopt Appendix I – Patio Covers

Section K102.4 Amend to read as follows:

~~Sec. K102.4 Additions, alterations and repairs. Installation of alternative energy producing facilities and the associated components thereof shall be undertaken by qualified personnel as that is defined within NFPA 70E Article 110.6.”~~

SECTION 3. That it is the intent of the Council that the latter passed code shall prevail and that the stricter language shall control in any conflicts between the provisions of any codes adopted by the City except where the Council has adopted specific exceptions or amendments to any code in which case the latter passed specific amendment shall prevail.

SECTION 4. That the effective date of this ordinance shall be January 1, 2025, and the previously adopted Building Code shall remain in effect until that date.

SECTION 5. That Ordinance No. 18967 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. That all other parts and provisions of Article 5 of Chapter 4 not amended or repealed herein shall remain in full force and effect.

SECTION 7. That correction of any scriveners errors identified within Article 5 of this Chapter are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024 BY THE CITY COUNCIL
OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being eliminated by this ordinance is bolded and lined through and text being added by this ordinance is bolded and underscored.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-114 **2R** An ordinance amending Article 6, “Mechanical Code,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Mechanical Code and making other necessary revisions. **2R**

Recommendations:

Staff recommends approval of this item.

Background:

The 2024 International Mechanical Code (IMC) is a comprehensive building code that establishes minimum regulations for building systems using prescriptive and performance-related provisions. It is founded on broad base principles that make possible the use of new materials and new building designs. The International Mechanical Code is kept up to date through the review of proposed changes submitted by code officials, industry representatives, design professionals, and other interested parties. The building industry builds to the conformance of the International Mechanical Code. This 2024 Edition is fully compatible with all the International Codes published by the International Code Council. Adoption of this code will adhere to Insurance Services Organization (ISO) requirements.

Updated editions of the IMC are published on a three (3) year cycle. The City of Independence is currently using the 2018 International Mechanical Code. The 2024 IMC is the latest version of the code. There are no significant changes to this code for this adoption cycle.

Emergency Justification:**Fiscal Impact:****Council Action:**

**Department /
Contact**

Community Development /

REVIEWERS

Tom Scannell

Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. IMC Mechanical Code Amendments Draft Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 6, “MECHANICAL CODE,” OF CHAPTER 4 OF THE INDEPENDENCE CITY CODE AND ADOPTING THE 2024 EDITION OF THE INTERNATIONAL MECHANICAL CODE AND MAKING OTHER NECESSARY REVISIONS.

WHEREAS, The City Council of the City of Independence, Missouri desires to adopt the 2024 Edition of the International Mechanical Code now that copies have been on file with the City Clerk for ninety (90) days as required by R.S.Mo.67.280, and make other necessary revisions to Article 6 of Chapter 4;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 4.06.001, “Mechanical Code”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.06.001. Adoption of International Mechanical Code,
The International Mechanical Code, 2018~~24~~ Edition, published by the International Code Council, is hereby adopted as the Mechanical Code of the City of Independence, Missouri, for the control of heating, pipe fitting, ventilating, cooling and refrigeration installation or construction as herein provided, except such portions as are hereinafter deleted, modified or amended by this Article of the City Code.”

SECTION 2. That Sections 4.06.002 through 4.06.018, of the Independence City Code, be and is hereby amended, to read as follows:

“Sec. 4.06.018~~02~~. - Additions, insertions, deletions, and changes.
The following numbered subsections and provisions of the approved edition of the Mechanical Code, adopted by Section 4.06.001, are hereby amended as follows:

~~Section 401.2 Amend to read as follows:~~

~~Sec. 401.2 Ventilation required. Every occupied space shall be ventilated by natural means in accordance with Section 402 or by mechanical means in accordance with Section 403. Ambulatory care facilities and Group I-2 occupancies shall be ventilated by mechanical means in accordance with Section 407.~~

Section 506.3.2.5.2 Water spray test. Delete

Appendix B. Amend to read as follows:

Appendix B. Mechanical Permit Fee Schedule is located in the City’s Schedule of Fees.

Sec. 4.06.002~~3~~. - Enforcement of the Mechanical Code.

The Mechanical Code shall be enforced by the Building Official. The Building Official may designate as inspectors such members of the Building Inspection Division as may be necessary to enforce the provisions of the Mechanical Code.

Sec. 4.06.0034. - Building Official—Duties.

The Building Official shall administer the provisions of the approved edition of the International Mechanical Code and shall perform the following duties:

1. Issue all permits required under the provisions of Section 112.1 of the approved edition of the International Mechanical Code.
2. Keep a permanent, accurate record of all license and permits issued and fees collected.
3. Inspect all work for which a permit has been issued.
4. Reject all work or materials used in such work that does not comply with the provisions of the approved edition of the International Mechanical Code.
5. Order changes in workmanship or materials in order to achieve compliance with the provisions of the approved edition of the International Mechanical Code.
6. Maintain a register of all persons lawfully entitled to engage in the business of a contractor or to labor at the trade of installing, altering, replacing or repairing heating, ventilating, cooling and refrigeration equipment.
7. Maintain a file of all matters relevant to the administration of this Code.
8. Deposit all license and permit fees as required by the Director of Finance.

Sec. 4.06.0045. - Permit not transferable.

A permit issued under the provisions of Section 112.1 of the approved edition of the International Mechanical Code is not transferable from one person to another person or from one location to another location.

Sec. 4.06.0056. - Persons to whom a permit may be issued.

A permit shall be issued only to a Master Heating/Cooling Contractor licensed under the provisions of this article, or to any person personally performing heating, ventilating, cooling or refrigeration work in a single family dwelling, including accessory buildings, that is detached and intended, or designed for occupancy by one family and is owned and occupied by such person.

Exceptions:

The Building Official may issue a special permit subject to the following conditions:

1. That a special permit shall be issued for only a single period of 90 consecutive days, except that such special permit shall continue in force until the project for which such special permit was issued is completed in accordance with other provisions of the Code.
2. Any person obtaining a special permit under the provisions of this section shall not be eligible for another such special permit until a period of five years has elapsed from the date of issuance of a previous special permit.
3. This special permit shall be limited to an owner who shall become the occupant for at least two years after the issuance of the certificate of occupancy of a single family residential dwelling, which is either moved onto the owner's premises from another location, or is to be constructed by the owner. Any person applying for a permit shall, at the time application is made, sign an affidavit stating that they are the owner of the property and will become the occupant of the residence for at least two years after issuance of the certificate of occupancy.

Sec. 4.06.0067. - Schedule of fees.

A. Fees, as set forth in the City's Schedule of Fees, shall be paid upon the issuance of a permit to any person for the installing, altering, replacing or repairing any heating, ventilating, cooling or refrigeration equipment.

B. The minimum fee for any permit issued under the provisions of this section shall be set forth in the City's Schedule of Fees.

C. Any person who shall commence any mechanical work for which a permit is required without first obtaining such permit shall be required to pay a permit fee that is equal to and in addition to the original permit fee as set forth in the City's Schedule of Fees.

D. The supplementary fee to cover any additional value not included in the original permit shall be the difference between the fee paid for the original permit and the fee which would have been required had the original permit included the entire value.

E. Permit fees provide for the customary inspections only. Where additional inspections are made necessary by incomplete or faulty work or because of incorrect address given or because the building is locked, no fee shall be charged for the first re-inspection; however, a fee, as set forth in the City's Schedule of Fees, shall be charged for the second re-inspection and shall double for each additional re-inspection thereafter. All such re-inspection fees shall be paid by the permittee before another inspection can be requested.

Sec. 4.06.0078. - Expiration of heating and cooling permit.

A. Every heating and cooling permit issued by the Building Official under the provisions of this article shall expire and become null and void if the work authorized by such permit is not commenced within 180 days from the date of issuance of such permit.

B. A permit issued under the provisions of this article that has expired may be renewed upon payment of one-half the appropriate fee required by Section 4.06.020 of this article provided that no changes have been made in the original plans and specifications for such work and further provided that any suspension or abandonment of work authorized by such permit has not exceeded one year.

Sec. 4.06.0089. - Emergency repair work.

A. Emergency repair work may be performed without first obtaining a permit as required by of the approved edition of the International Mechanical Code when such work is urgently necessary and it is impractical to obtain a permit prior to the commencement of the emergency repair work.

B. Any person who performs emergency repair work without first obtaining a permit shall obtain a permit within 72 hours from the date that such emergency repair work is completed. Any person who fails to obtain a permit within the time stipulated herein shall pay a permit fee that is double the fee specified for such repair work.

Sec. 4.06.00910. - Dangerous heating, ventilating, cooling or refrigeration.

A. It shall be unlawful for any person to maintain any heating, ventilating, cooling or refrigeration system in a dangerous condition.

B. Whenever the Building Official determines that any person is maintaining a heating, ventilating, cooling or refrigeration system in a dangerous condition, he/she shall order such person to discontinue the use of or to repair, alter, remove or demolish such system.

C. Any order issued by the Building Official under the provisions of this section shall be in writing, addressed to the person responsible for the premises in which such dangerous condition exists and shall specify a date or time for compliance with such order.

Sec. 4.06.01~~01~~1. - Vehicle identification.

Any vehicle used by a licensed contractor in the conduct of that business shall carry the firm name, address and telephone number in letters at least two inches high on both sides of such vehicle.

Sec. 4.06.01~~12~~2. - Humidifier installation.

Any contractor licensed under the provisions of this article is hereby authorized to install any humidifier that is part of a warm air heating system to an existing potable water supply system within a building.

Sec. 4.06.01~~23~~3. - Piping installation.

Any permit issued under the provisions of this article shall authorize the installation of gas piping as regulated in the adopted Fuel Gas Code, from the nearest required cut-off valve to the burner of any warm air heating system.

Sec. 4.06.01~~34~~4. - Contractor responsibility.

It shall be unlawful for any person that has received a permit under the provisions of the approved edition of the International Mechanical Code to sublet or sub-contract any work for which such permit was issued to any person that is not licensed for such work under the provisions of this article.

Sec. 4.06.01~~45~~5. - Sealing off electric current and fuel supply.

A. The Building Official shall seal off the electric current and fuel supply of any heating, ventilating, cooling or refrigeration system when such system has been installed by any person who has not obtained a permit for such installation under the provisions of the approved edition of the International Mechanical Code, or when such installation does not conform with the provisions of such Code.

B. It shall be unlawful for any person to break any such seal authorized by the Building Official under the provisions of Paragraph "A" of this section.

C. The Building Official shall order the removal of any such seal when a permit for such installation has been obtained or when such installation conforms with the provisions of the approved edition of the International Mechanical Code.

D. When any such installation is determined to be in violation of the provisions of the approved edition of the International Mechanical Code; the Building Official shall notify the person making such installation in writing of the violations found and shall specify the time allowed to bring such installation into conformance with the provisions of such Code.

Sec. 4.06.01~~56~~6. - Individual branch circuit installation.

A. The primary electrical circuit for any heating, ventilating, cooling or refrigeration installation shall be installed by a licensed electrical contractor in conformance with the provisions of the National Electrical Code, current edition.

B. Exceptions:

1. Any journeyman or master heating/cooling contractor as defined in this article shall be permitted to install an individual branch circuit to serve any air conditioning unit with a rating of 60,000 BTU's or less in a single family home only.
2. This exception shall be limited to residential installations only.

Sec. 4.06.0167. - Right of appeal—Procedure.

A. Whenever any person is aggrieved by a decision of the Building Official in the interpretation of the approved edition of the International Mechanical Code, or when such person claims that the action of the Building Official is not in accordance with the provisions of such Code or when the Building Official disapproves the proposed use of alternate materials or methods by such person in heating, ventilating, cooling, or refrigeration installation, such person shall have the right to appeal to the Board of Building and Engineering Appeals as constituted in Article 10 of Chapter 4 of the Independence City Code.

Sec. 4.06.0178. - Appeal fee.

A fee of \$25.00 shall accompany any appeal filed under the provisions of Section 4.06.016 of this article.”

SECTION 3. That it is the intent of the Council that the latter passed code shall prevail and that the stricter language shall control in any conflicts between the provisions of any codes adopted by the City except where the Council has adopted specific exceptions or amendments to any code in which case the latter passed specific amendment shall prevail.

SECTION 4. That the effective date of this ordinance shall be January 1, 2025, and the previously adopted Mechanical Code shall remain in effect until that date.

SECTION 5. That Ordinance No. 18971 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. That all other parts and provisions of Article 6 of Chapter 4 not amended or repealed herein shall remain in full force and effect.

SECTION 7. That correction of any scriveners’ errors identified within Article 6 of this Chapter are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY
COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being eliminated by this ordinance is bolded and lined through and text being added by this ordinance is bolded and underscored.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-115 **2R** An ordinance amending Article 7, “Electrical Code,” of Chapter 4 of the Independence City Code, and adopting the 2023 Edition of the National Electric Code and making other necessary revisions. **2R**

Recommendations:

Staff recommends approval of this item.

Background:

The 2023 National Electrical Code (NEC) is a comprehensive building code compiled by the National Fire Protection Agency that establishes minimum regulations for building systems using prescriptive and performance related provisions. It is founded on broad base principles that make possible the use of new materials and new building designs. The National Electrical Code is kept up to date through the review of proposed changes submitted by code officials, industry representatives, design professionals, the National Fire Protection Agency, and other interested parties. The building industry does electrical work to the conformance of the National Electrical Code. This 2023 Edition is fully compatible with all the International Codes. Adoption of this code will adhere to Insurance Services Organization (ISO) requirements.

Updated editions of the NEC are published on a three (3) year cycle. The City of Independence is currently using the 2017 National Electrical Code. The 2023 NEC is the latest version of the code.

There are no significant changes to this code for this adoption cycle, mostly a few housekeeping items we enter each cycle that adjust the code to reflect our own utility standards.

Emergency Justification:**Fiscal Impact:****Council Action:**

**Department /
Contact**

Community Development /

REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. NEC National Electric Code Amendments Draft Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 7, “ELECTRICAL CODE,” OF CHAPTER 4 OF THE INDEPENDENCE CITY CODE, AND ADOPTING THE 2023 EDITION OF THE NATIONAL ELECTRIC CODE AND MAKING OTHER NECESSARY REVISIONS.

WHEREAS, The City Council of the City of Independence, Missouri desires to adopt the 2023 Edition of the National Electric Code now that copies have been on file with the City Clerk for ninety (90) days as required by R.S.Mo.67.280, and make other necessary revisions to Article 7 of Chapter 4;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 4.07.001, “National Electric Code”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.07.001. **Adoption of** National Electrical Code ~~adopted~~.
The National Electrical Code, 2017~~23~~²³ Edition, as published by the National Fire Protection Association and approved by the American National Standards Institute is hereby adopted as the Electrical Code of the City of Independence, Missouri, for the control of electrical installation and construction as herein provided except such portions as are hereinafter deleted, modified or amended by this article of the City Code.”

SECTION 2. That Sections 4.07.002 through 4.07.030, of the Independence City Code, be and is hereby amended, to read as follows:

“Sec. 4.07.030~~02~~⁰². - Additions, insertions, deletions, and changes.
The following subsections and provisions of the approved edition of the National Electric Code, adopted by Section 4.07.001, are hereby amended to read as follows:

Modification to Article 210.12. Arc-Fault Circuit Interrupter Protection.
All 120 volt, single-phase 15 and 20 ampere branch circuits supply outlets or devices installed in dwelling unit bedrooms only shall be protected by any of the means described in 210.12(A)(1) through (6).

Any new circuits installed in an existing house, all bedroom circuits shall have an arc-fault circuit interrupter.

~~Modification to Article 230.46 and 230.82. Spliced Conductors.
No splices will be allowed in the service entrance cable that supplies power from the meter can to the breaker panel. All supply side connections out of the breaker panel shall be protected by breaker.~~

Modification to Article 230.70. Service Equipment Disconnecting Means.

The service disconnecting means shall be located no more than 10 feet between the point of entrance of service conductors to a readily accessible location for the installation of a service disconnecting means as specified by 230.70(A). Service entrance conductors that extend more than 10 feet from the meter can, or more than 10 feet from the point of entrance of service conductors shall have an outside disconnect.

Sec. 4.07.00~~23~~3. - Enforcement of the Electrical Code.

The Electrical Code shall be enforced by the Building Official for all electrical work, and only the electrical work, for which an electrical permit is required as stipulated elsewhere herein The Building Official may designate as electrical inspectors such members of the Building Inspection Division as may be necessary to enforce the provisions of the Electrical Code.

Sec. 4.07.00~~34~~4. - Building official—Duties.

The Building Official shall administer the provisions of the approved edition of the National Electrical Code, and shall perform the following duties:

1. Issue all permits required under the provisions of this article.
2. Keep a permanent, accurate record of all licenses and permits issued and fees collected.
3. Inspect all work for which a permit has been issued.
4. Reject all work or materials used in such work that does not comply with the provisions of the National Electrical Code.
5. Order changes in workmanship or materials in order to achieve compliance with the provisions of the National Electrical Code.
6. Maintain a register of all persons lawfully entitled to engage in the business of an electrical contractor or to install, alter, replace, repair or maintain electrical systems or equipment.
7. Maintain a file of all matters relevant to the administration of this Code.
8. Deposit all license and permit fees as required by the Director of Finance.

Sec. 4.07.00~~45~~5. - Electrical permit required.

A. Except as specifically provided elsewhere in this article, it shall be unlawful for any person to install, remove, alter or repair any electrical system on any premises without first obtaining a permit therefor from the Building Official.

B. A separate permit shall be obtained for each such premises where electrical work is to be done.

Sec. 4.07.00~~56~~6. - Electrical permit not transferable.

A permit issued under the provisions of this article is not transferable from one person to another person or from one location to another location.

Sec. 4.07.00~~67~~7. - Electrical work not requiring a permit.

A permit shall not be required for the following electrical work:

1. Repair work, replacement of lamps or connection of portable electrical equipment to suitable permanently installed receptacles.
2. The installation, alteration or repair of electrical equipment for the operation of signals or the transmission of signals to equipment by low voltage wiring.

3. The installation, alteration or repair of an electrical system by or for an electric utility for the generating, control, transformation, transmission, distribution or metering of electricity in accordance with applicable franchise agreements; rules and regulations; and, electric service policies, standards and requirements; and schedule of rates.

a. The above electrical system shall include all electric equipment, raceway and conductors which are installed, operated and maintained by and for an electric utility, and under the exclusive control of an electric utility:

4. Any work involved in the manufacturing, testing, servicing, altering or repairing of electrical equipment or apparatus. This does not include any permanent wiring which is not required for testing purposes.

Sec. 4.07.0078. - Persons to whom an electrical permit may be issued.

An electrical permit shall be issued only to a master electrician licensed under the provisions of this article or to an electrical contractor who employs a licensed master electrician as a full time employee. The master electrician who holds the license for said company shall do so for only the one contractor he or she is employed by on a full time basis. An electrical permit may be issued to any person personally performing electrical work in an existing single family dwelling, to include accessory buildings not intended for occupancy that are detached. The single family dwelling must be located on a single addressed property and be owned and occupied by such person.

Exceptions:

1. A mobile home contractor licensed in the City of Independence, Missouri, may obtain the required electrical permits necessary for the electrical hookups to existing electrical service that was in service prior to such mobile home replacement.

2. The Building Official may issue a special permit subject to the following conditions:

a. That a special permit shall be issued for only a single period of 90 consecutive days, except that such special permit shall continue in force until the project for which such special permit was issued is completed in accordance with other provisions of the Code.

b. Any person obtaining a special permit under the provisions of this section shall not be eligible for another such special permit until a period of five years has elapsed from the date of issuance of a previous special permit.

c. This special permit shall be limited to an owner who shall become the occupant for at least two years after the issuance of the certificate of occupancy of a single family residential dwelling, which is either moved onto the owner's premises from another location, or is to be constructed by the owner. Any person applying for a permit shall, at the time application is made, sign an affidavit stating that they are the owner of the property and will become the occupant of the residence for at least two years after issuance of the certificate of occupancy.

Sec. 4.07.0089. - Electrical permit application.

The application for a permit to install, remove, alter or repair any electrical system shall be made to the Building Official on forms provided and shall include the following information:

1. Name, address and telephone number of the applicant.

2. Name, address and telephone number of the owner of the property where electrical work is to be done.

3. Occupancy and use of the property.

4. Description of electrical work to be done.

5. Plans and specifications and other information deemed necessary to insure compliance with the provisions of the Electrical Code.

Sec. 4.07.0109. - Schedule of fees.

A. Fees, as set forth in the City's Schedule of Fees, shall be paid upon the issuance of a permit to any person for the installing, removing, altering or repairing electrical systems and equipment.

B. The minimum fee for any permit issued under the provisions of this section shall be set forth in the City's Schedule of Fees.

C. Any person who shall commence any electrical work for which a permit is required without first obtaining such permit shall be required to pay a permit fee that is equal to and in addition to the original permit fee as set forth in the City's Schedule of Fees for such electrical work, except that emergency electrical repair is exempt from this requirement.

D. The supplementary fee to cover any additional value not included in the original permit shall be the difference between the fee paid for the original permit and the fee which would have been required had the original permit included the entire value.

E. Permit fees provide for the customary inspections only. Where additional inspections are made necessary by incomplete or faulty work or because of incorrect address given or because the building is locked, no fee shall be charged for the first re-inspection; however, a fee as set forth in the City's Schedule of Fees, shall be charged for the second re-inspection and shall double for each additional re-inspection thereafter. All such re-inspection fees shall be paid by the permittee before another inspection can be requested.

Sec. 4.07.0101. - Emergency electrical repair.

A. Emergency electrical repair work may be performed without first obtaining a permit as required by Section 4.07.015 of this article when such work is urgently necessary and it is impractical to obtain an electrical permit prior to the commencement of the emergency repair work.

B. Any person who performs emergency electrical repair work without first obtaining a permit shall obtain an electrical permit within 72 hours from the date that such emergency repair work is completed. Any person who fails to obtain an electrical permit within the time stipulated herein shall pay a permit fee that is double the fee specified for such repair work.

Sec. 4.07.0112. - Expiration of electrical permit.

A. Every electrical permit issued by the Building Official under the provisions of this article shall expire and become null and void if the work authorized by such permit is not commenced within 180 days from the date of issuance of such permit.

B. A permit issued under the provisions of this article that has expired may be renewed upon payment of one-half the appropriate fee required by Section 4.07.020 of this article provided that no changes have been made in the original plans and specifications for such work and further provided that any suspension or abandonment of work authorized by such permit has not exceeded one year.

Sec. 4.07.0123. - Notification by electrical permit holder.

A. Any person receiving a permit under the provisions of this article shall notify the Building Official that the electrical work for which such permit was issued is ready for inspection. Such notification shall be given at least one working day before the work is to be inspected.

B. Any person making such notification shall insure that the electrical work authorized by the permit shall comply with the standards and meet the prescribed tests of the approved edition of the National Electrical Code. If such work is approved by the Building Official, an electrical inspection notice of approval shall be issued to the permittee and the electric utility supplying electrical power to the installation shall be notified of such approval by the Building Official.

C. All electrical installations, both rough-in and finished, shall bear a label or tag identifying the contractor doing the work, and an electrical inspection notice of approval.

Sec. 4.07.01~~34~~34. - Temporary electrical permit.

A temporary electrical permit may be issued authorizing the connection and use of a temporary installation, and such permit shall expire on the date stated thereon.

Where any electrical equipment is to be concealed from view by the construction of a building, the person making the installation shall notify the Building Inspection Division. Such equipment shall not be concealed until it has been inspected and approved, or until 24 hours, exclusive of Sunday and holidays, have elapsed from the time of such notification. Where concealment of equipment proceeds continuously, the person installing the electrical equipment shall give due notice and inspections shall be made periodically during the progress of the work. If inspection indicates the work is not in conformity with this article, the Building Official shall at once give notice in writing to the person making the installation, stating the defects that are to be corrected before approval is given.

Sec. 4.07.01~~45~~45. - Inspection of concealed electrical equipment.

A. The Building Official shall seal off the electric current and fuel supply of any heating, ventilating, cooling or refrigeration system when such system has been installed by any person who has not obtained a permit for such installation under the provisions of Section 106 of the approved edition of the International Mechanical Code, or when such installation does not conform with the provisions of such Code.

B. It shall be unlawful for any person to break any such seal authorized by the Building Official under the provisions of Paragraph "A" of this section.

C. The Building Official shall order the removal of any such seal when a permit for such installation has been obtained or when such installation conforms with the provisions of the approved edition of the Uniform Mechanical Code.

Sec. 4.07.01~~56~~56. - Electrical connection to installed electrical equipment.

It shall be unlawful for any person to make connection to a supply of electricity or to supply electricity to any electrical equipment for which an installation permit is required, or which has been condemned, without authorization from the Building Official.

Sec. 4.07.01~~67~~67. - Standards for the installation of electrical equipment.

A. Unless otherwise provided in this Code or specifically approved by the Building Official, all installations of electrical equipment provided for by this article, shall be equal in all respects to the standards prescribed in the approved edition of the National Electrical Code.

B. When any such installation is determined to be in violation of the provisions of the approved edition of the National Electrical Code, the Building Official shall notify the person making such

installation in writing of the violations found and shall specify the time allowed to bring such installation into conformance with the provisions of such Code.

Sec. 4.07.01~~78~~79. - Acceptable electrical equipment.

Unless otherwise provided in this Code or specifically approved by the Building Official, all electrical equipment installed under the provisions of this Code shall conform to the safety standards of the Underwriters' Laboratories, Incorporated or to other such standards approved by the American National Standards Institute.

Sec. 4.07.01~~89~~90. - Identification of switches and meters.

All new installations of service switches and meter locations shall be provided with simple identification tags or marks that indicate their service function. When major repairs are made to old installations, similar identification shall be provided.

Sec. 4.07.01~~920~~20. - Inspection of electrical installations and equipment.

The Building Official or any electrical inspectors authorized to enter any structure or premises within the corporate limits of the City at all reasonable hours for the purpose of inspecting electrical installations, appliances or other electrical equipment. It shall be unlawful for any person to resist or otherwise interfere with any such inspection.

Sec. 4.07.02~~01~~1. - Electrical inspector—Duties.

It shall be the duty of any electrical inspector to inspect any existing electrical wiring or equipment for hazardous conditions.

Sec. 4.07.02~~12~~2. - Unlawful acts.

A. It shall be unlawful for any person to tamper with, alter or do anything to the permanent electrical wiring of any building or any electrical devices that are a part of the electrical wiring system of such building that would imperil the safety of such system, or create a dangerous condition or violate the provisions of this Code.

B. It shall be unlawful for any person to maintain any electrical system in a dangerous condition.

Sec. 4.07.02~~23~~3. - Stop order.

A. Whenever any work is being done contrary to the provisions of this Code, the Building Official shall notify in writing the person engaged in the doing or causing such work to be done, of violations found, specifying a period of time allowed to bring work into Code conformance.

Any person aggrieved by the decision of the Building Official in the interpretation or enforcement of the above Section has a right to appeal as specified in Section 4.07.037.

B. Whenever the Building Official learns or ascertains that any electrical conductors or equipment as defined in this Code, have become hazardous to life, health, or property, he/she is authorized to direct the Electric Utility Director in writing to seal off electric current to equipment as defined in this Code; before doing so he/she shall order in writing, that such conductors or equipment be restored to a condition of safety, be dismantled or removed from its present location. The written notice shall fix a time limit for compliance with such order, and the Building Official also has the authority to extend the time for compliance.

C. Where electric current has been sealed off, it shall be unlawful for any unauthorized person to break such seal. Upon corrections being made to meet requirements set forth in this Code, the Building Official, in writing, shall direct the Electric Utility Director to remove said seal.

Sec. 4.07.02~~34~~4. - Supply of electric current to condemned equipment.

An electrical inspector shall tag or seal all condemned electrical equipment and it shall be unlawful for any person to furnish or connect electric current to any electrical wire, installation, fixture, appliance or other equipment that has been condemned or disconnected or rendered inoperative by the Building Official, or to use such electrical wire, installation, fixture, appliance or equipment as a part of any electric system until the same has been repaired and the repairs approved in writing by the Building Official.

Sec. 4.07.02~~45~~5. - Vehicle identification.

Any vehicle used by a licensed electrical contractor in the conduct of his/her business shall carry the firm name, address and telephone number in letters at least two inches high on both sides of such vehicle.

Sec. 4.07.02~~56~~6. - Additional requirements.

A. Any single family dwelling with an electrical service great than 400 amps shall have a submitted drawing showing the electrical service and all related items for review before the electrical permit is issued.

B. One- and two-family dwellings shall have their respective electrical service entrance conductors routed in a manner where it does not pass through another unit or dwelling.

C. Any single family dwelling located on a single addressed lot shall have only one electrical service and electrical meter. No additional utility meters or service connections shall be permitted for any non-conforming residential structure in any zoning district.

Sec. 4.07.02~~67~~7. - Right of appeal—Procedure.

A. Whenever any person is aggrieved by a decision of the Building Official in the interpretation of the approved edition of the National Electrical Code, or when such person claims that the action of the Building Official is not in accordance with the provisions of such Code or when the Building Official disapproves the proposed use of alternate materials or methods by such person in any electrical installation, such person shall have the right to appeal to the Board of Building and Engineering Appeals as constituted in Article 10 of Chapter 4 of the Independence City Code.

B. Any person aggrieved by the decision of the Building Official in regard to the revocation of a license as provided in this article shall have the right of appeal to the City Council. Such appeal shall be taken by filing with the City Clerk for transmittal to the City Council within 14 days after notice of the decision by the Building Official has been mailed to such person's last known address a written statement setting forth the grounds for the appeal. The City Council shall set the time and place for the hearing on such appeal. A notice of such hearing shall be given in the same manner as provided in Section 4.07.012(B) of this article.

Sec. 4.07.02~~78~~8. - Appeal fee.

A fee of \$100.00 shall accompany any appeal filed under the provisions of Section 4.07.036 of this article.

Sec. 4.07.0289. - Penalty.

Any person violating any of the provisions of this article shall upon conviction thereof be punished by a fine of not less than \$25.00 nor more than \$100.00 for each violation. Such punishment in the case of a licensed electrician shall be in addition to the revocation of an electricians license as provided for in Section 4.07.012 of this article. Each and every day upon which such violation continues shall be deemed a separate offense.

Sec. 4.07.02930. - Low voltage permit.

The following numbered sections and provisions of the approved edition of the Electrical Code, adopted by Section 4.07.001, are hereby amended to read as follows:

A. Applicability. A permit shall be required for the installation of low voltage wiring as outlined in this chapter.

B. Residential Application.

1. A permit shall only be required for the installation of hard-wired security system. All other low voltage wiring do not require a permit for installation.
2. The installer shall have the proper licensing and insurance as required by Chapter 5 of the City Code.

C. Commercial Application.

1. A permit shall be required for the installation of low-voltage wiring defined as: Wiring systems therewith, listed in the 2017 National Electric Code - Articles 411, 725, 750, and 760.
2. A low-voltage electrical permit authorizes the licensee to install, maintain, or repair only low-voltage wiring and directly related wiring. Wiring is directly related if it:
 - i. originates at the load-side terminals of a disconnecting means or junction box that:
 - (1) has been installed, complete with line-side connections, by others for the specific purpose of supplying the low-voltage wiring system involved; and
 - (2) is permanently and legibly marked to identify the low-voltage wiring system supplied; and
 - ii. is not installed in a location listed as hazardous under the 2017 National Electrical Code - Articles 501—503.
3. The installer shall have the proper licensing and insurance as required by Chapter 4 Article 2 and Chapter 5 of the City Code.
4. Exemption of certain low voltage wiring systems:
 - i. The installation, maintenance or repair of certain low-voltage wiring systems may be performed by those not licensed as a contractor by the City of Independence if all of the following conditions are met: (1) the system is not required to be permitted by the International Building Code; (2) no part of the system is installed in an area considered as hazardous under the 2017 National Electrical Code; (3) the system is limited or protected by a circuit breaker, fuse or other current limiting device; and (4) a failure in the system would not, in the opinion of the authority having jurisdiction, create a shock or fire hazard to persons or property.
5. The Building Official or a designated deputy inspector shall research the requirements of the 2017 National Electrical Code, and/or make field investigations of low-voltage wiring systems in

question, and issue rulings on whether a low-voltage system meets the above criteria. Any decision from the Building Official shall be binding in the determination of a permit being required.”

SECTION 3. That it is the intent of the Council that the latter passed code shall prevail and that the stricter language shall control in any conflicts between the provisions of any codes adopted by the City except where the Council has adopted specific exceptions or amendments to any code in which case the latter passed specific amendment shall prevail.

SECTION 4. That the effective date of this ordinance shall be January 1, 2025, and the previously adopted Building Code shall remain in effect until that date.

SECTION 5. That Ordinance No. 18961 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. That all other parts and provisions of Article 7 of Chapter 4 not amended or repealed herein shall remain in full force and effect.

SECTION 7. That correction of any scriveners errors identified within Article 7 of this Chapter are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024 BY THE CITY COUNCIL
OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being eliminated by this ordinance is bolded and lined through and text being added by this ordinance is bolded and underscored.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-116 **2R** An ordinance amending Article 12, “Existing Building Code,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Existing Building Code and making other necessary revisions. **2R**

Recommendations:

Staff recommends approval of this item.

Background:

The 2024 International Existing Building Code (IEBC) is a comprehensive building code that establishes minimum regulations for building systems using prescriptive and performance related provisions. It is founded on broad base principles that make possible the use of new materials and new building designs. The International Existing Building Code is kept up to date through the review of proposed changes submitted by code officials, industry representatives, design professionals, and other interested parties. The building industry builds to the conformance of the International Existing Building Code. This 2024 Edition is fully compatible with all the International Codes, published by the International Code Council. Adoption of this code will adhere to Insurance Services Organization (ISO) requirements.

Updated editions of the IEBC are published on a three (3) year cycle. The City of Independence is currently using the 2018 International Existing Building Code. The 2024 IEBC is the latest version of the code. There are no significant changes to this version of the code, minus a few housekeeping items.

Emergency Justification:**Fiscal Impact:****Council Action:**

**Department /
Contact**

Community Development /

REVIEWERS

Tom Scannell

Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. IEBC Existing Building Code Amendments Draft Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 12, “EXISTING BUILDING CODE,” OF CHAPTER 4 OF THE INDEPENDENCE CITY CODE AND ADOPTING THE 2024 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE AND MAKING OTHER NECESSARY REVISIONS.

WHEREAS, The City Council of the City of Independence, Missouri desires to adopt the 2024 Edition of the International Existing Building Code now that copies have been on file with the City Clerk for ninety (90) days as required by R.S.Mo.67.280, and make other necessary revisions to Article 12 of Chapter 4;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 4.12.001, “Adoption of International Existing Building Code”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.12.001. Adoption of International Existing Building Code.

The International Existing Building Code, ~~2018~~²⁰²⁴ Edition, as published by the International Code Council, and the 2010 ADA Standards for Access Design, as published by the Department of Justice, be and is hereby adopted as the Existing Building Code of the City of Independence, Missouri, for the repair, alteration, change of occupancy, additions and relocation of existing buildings, including historic buildings, as herein provided, except such portions as are hereinafter deleted, modified or amended by this Article of the City Code.”

SECTION 2. That Section 4.12.002, of the “Existing Building Code”, of the Independence City Code, be and is hereby added, to read as follows:

“SEC. 4.12.002. Additions, insertions, deletions, and changes.

The following numbered subsections and provisions of the approved edition of the Existing Building Code, adopted by Section 4.12.001, are hereby amended as follows:

Section 117.2 Amend to read as follows:

Section 117.2 General. When the code official determines any structure is so old, dilapidated or has become so out of repair and is dangerous, unsafe, insanitary and otherwise unfit for human habitation or occupancy the code official can order either of the following: 1. The code official is permitted to authorize the owner or owner’s authorized agent to make the structure safe by repairs in order to make the structure safe and sanitary. Where there has been a cessation of construction and/or repairs of any structure for a period of more than 2 years the structure will be ordered demolished and removed. 2. The code official is permitted to order the owner or owner’s authorized agent to demolish and remove any such structure.

Section 809.1 Amend to read as follows:

Section 809.1 Minimum requirements. Level 2 alterations to existing buildings or structures are permitted without requiring the entire building or structure to comply with the energy requirements of the International Energy Conservation Code or International Residential Code. The alterations shall conform to the energy requirements of the International Energy Conservation Code or International Residential Code as they relate to new construction only, and as adopted or amended by the Building Official.

Section 1104 Amend to read as follows:

Section 1104.1 Minimum requirements. Additions to existing buildings shall conform to the energy requirements of the International Energy Conservation Code or International Residential Code as they relate to new construction, as adopted and amended by the Building Official.

Appendix E – Temporary Emergency Uses – Adopt”

SECTION 3. That it is the intent of the Council that the latter passed code shall prevail and that the stricter language shall control in any conflicts between the provisions of any codes adopted by the City except where the Council has adopted specific exceptions or amendments to any code in which case the latter passed specific amendment shall prevail.

SECTION 4. That the effective date of this ordinance shall be January 1, 2025 and the previously adopted Existing Building Code shall remain in effect until that date.

SECTION 5. That Ordinance No. 18968 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. That all other parts and provisions of Article 12 of Chapter 4 not amended or repealed herein shall remain in full force and effect.

SECTION 7. That correction of any scriveners’ errors identified within Article 12 of this Chapter are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY
COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being eliminated by this ordinance is bolded and lined through and text being added by this ordinance is bolded and underscored.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-117 **2R** An ordinance amending Article 13, “Residential Code,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Residential Code with 2024 Energy Code amendments and making other necessary revisions. **2R**

Recommendations:

Staff recommends approval of this item.

Background:

The 2024 International Residential Code (IRC) is a comprehensive building code that establishes minimum regulations for building systems using prescriptive and performance-related provisions. It is founded on broad base principles that make possible the use of new materials and new building designs. The International Residential Code is kept up to date through the review of proposed changes submitted by code officials, industry representatives, design professionals, and other interested parties. The building industry builds to the conformance of the International Residential Code. This 2024 Edition is fully compatible with all the International Codes, published by the International Code Council. Adoption of this code will adhere to Insurance Services Organization (ISO) requirements.

Updated editions of the IRC are published on a three (3) year cycle. The City of Independence is currently using the 2018 International Residential Code. The 2024 IRC is the latest version of the code.

Significant changes to the International Residential Code include the standard climatic data being changed due to the code council changing wind speeds and roof loads (snow loads) for our area. Changes also include the adoption of several of the energy code provisions, notably insulation R values for single family homes being increased to meet about half of the code-recommended R value for our area, as well as basement walls having an R value increase due to climatic changes in the area.

All other amendments are items that have traditionally been amended due to the area’s capabilities or industry standards.

Emergency Justification:**Fiscal Impact:****Council Action:**

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. IRC Residential Code Amendments Draft Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 13, “RESIDENTIAL CODE,” OF CHAPTER 4 OF THE INDEPENDENCE CITY CODE AND ADOPTING THE 2024 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE WITH 2024 ENERGY CODE AMENDMENTS AND MAKING OTHER NECESSARY REVISIONS.

WHEREAS, The City Council of the City of Independence, Missouri desires to adopt the 2024 Edition of the International Residential Code now that copies have been on file with the City Clerk for ninety (90) days as required by R.S.Mo.67.280, and make other necessary revisions to Article 13 of Chapter 4;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 4.13.001, “International Residential Code”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.13.001. Adoption of International Residential Code.

The International Residential Code, ~~2018~~2024 Edition, as published by the International Code Council, be and hereby is adopted as the Residential Code of the City of Independence, for the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- or two-family dwellings and multiple single family dwellings, as herein provided, except such portions as are hereinafter deleted, modified or amended by this Article of the City Code.”

SECTION 2. That Section 4.13.002, “Additions, Insertions, Deletions, and Changes”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.13.002. Additions, insertions, deletions, and changes.

The following numbered subsections and provisions of the approved edition of the International Residential Code, adopted by Section 4.13.001, are hereby amended to read as follows:

“Sec. R105.2 Amend to read as follows:

Sec. R105.2 Work exempt from permit.

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
2. Fences not over 6 feet (1828.8 mm) high.
10. Delete.

Sec. R108.2 Amend to read as follows:

Sec. R108.2 Schedule of permit fees. All fees shall be paid prior to the issuance of any permit, in accordance with the City's Schedule of Fees.

Table R301.2(4)-Amended to include the following data:

Table R301.2(4) Climatic and Geographic Design Criteria

Ground Snow Load: 20 pounds per square foot

Wind Speed: 115 miles per hour.

Topographic effects: No

Special wind region: No

Windborne debris zone: No

Seismic Design Category: A

Weathering: Severe

Frost line depth: 36 inches

Termite: Moderate to Heavy

Winter design temperature: 6 degrees Fahrenheit

Ice Barrier Underlayment: Yes, installed as required by section 905.1.2

Air Freezing Index: 927

Mean Annual Temperature: 55.5 degrees F

Table R301.2(4) Manual J Design Criteria. Delete.

Sec. R302.5.1 Amend to read as follows:

Sec. R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 13/8 inches (35 mm) thick, or 20-minute fire-rated doors, equipped with a self-closing device. EXCEPTION: Attic access openings.

~~Sec. R303.4 Mechanical ventilation. Delete.~~

Sec. R31309 Automatic Fire Sprinkler Systems. Delete.

~~Sec. R602.6.1 Amend to read as follows:~~

~~Sec. R602.6.1 Drilling and notching of top plate.~~

~~When piping or ductwork 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 not less than 0.054 inch thick (1.37 mm) (16 ga) and 1 1/2 inches (38mm) 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) having a minimum length of 1 1/2 inches (38 mm) at each side or equivalent. The metal tie must extend a minimum of 6 inches past the opening.~~

Sec. R905.2.1 Amend to read as follows:

Sec. R905.2.1 Sheathing requirements. Asphalt shingles shall be fastened to solidly sheathed decks. Solidly sheathed decks can be of plywood or oriented strand board meeting the thickness and fastening listed in this code for roof decking, or lumber sheathing as listed in table 803.1, provided 5/8" material is ship lapped or tongue and grooved. All decking material must also meet the roof covering manufacturer's specifications.

Chapter 11 Energy Efficiency. Delete, except as listed herein:

[Table] N1101.10,

~~[Table] N1101.12.3 (1),~~

~~[Table] N1101.12.3 (2),~~

~~[Table] N1101.12.3 (3)~~

N1101.12

~~[Table] N1102.1.1~~

[Table] N1102.1.1. Amend Wood Frame Wall R-Value in Climate Zone 4 except Marine ~~(Row 4 Column 6)~~ **(Row 7 Column 5)** to read: "13".

Sec. N1102.2.1. Amend to read as follows:

Sec. N1102.2.1 (R402.2.1) Ceilings with attic spaces. When Section N1102.1.1 would require R-38 in the ceiling, R-30 shall be deemed to satisfy the requirement for R-38 wherever the full height of uncompressed R-30 insulation extends over the wall top plate at the eaves. Similarly R-38 shall be deemed to satisfy the requirement for R-49 wherever the full height of uncompressed R-38 insulation extends over the wall top plate at the eaves.

Sec. N1102.2.2. Amend to read as follows:

Sec. N1102.2.2 (R402.2.2) Ceilings without attic spaces. When Section N1102.1.1 would require insulation levels above R-30 and the design of the roof/ceiling assemblies does not allow sufficient space for the required insulation, the minimum required insulation for such roof/ceiling assemblies shall be R-30.

Sec. N1102.2.~~34~~. Amend to read as follows:

Sec. N1102.2.~~34~~ (R402.2.3) Eave baffle. For air permeable insulations in vented attics, a baffle shall be installed adjacent to soffit and eave vents. Baffles shall maintain an opening equal to or greater than the size of the vent. The baffle shall extend over the top of the attic insulation. The baffle shall be permitted to be any solid material.

Sec. N1102.2.~~78~~ Amend to read as follows:

Sec. N1102.2.~~78~~ (R402.2.7) Floors. Floor insulation shall be installed to maintain permanent contact with the underside of the subfloor decking.

Sec. N1102.2.~~89~~ Amend to read as follows:

Sec. N1102.2.~~89~~ (R402.2.8) Basement walls. Walls associated with conditioned basements shall be insulated from the top of the basement wall down to 10 feet below grade or to the basement floor, whichever is less. Walls associated with unconditioned basement shall meet this requirement unless the floor overhead is insulated in accordance with Table N1102.1.1.

Sec. G2414.~~54~~.3 Amend to read as follows:

Sec. G2414.~~54~~.3 Copper or copper-alloy tubing. Copper tubing shall comply with standard Type K or L of ASTM B 88 or ASTM B 280. Copper and brass tubing shall not be utilized to distribute natural gas nor shall it be utilized to distribute any other fuel gas within a building or structure.

Sec. G2417.4.1 Amend to read as follows:

Sec. G2417.4.1 Test pressure. The test pressure to be used shall not be less than ten (10) PSI, irrespective of design pressure. For welded piping the test pressure shall not be less than sixty (60) PSI.

Sec. P2503.5.1 Amend to read as follows:

Sec. P2503.5.1 Rough plumbing. DWV systems shall be inspected on completion of the rough piping installation by visual inspection of the drainage system in its entirety or in sections after rough-in piping has been installed.

Sec. P2603.5 Amend to read as follows:

Sec. P2603.5 Water, soil or waste pipe shall not be installed outside of a building, in exterior walls, in attics or crawl spaces, or in any other place subjected to freezing temperatures, unless adequately provision is made to protect it from freezing by insulation, heat, or both. Water service pipe shall be installed at not less than 42 inches (1066.8 mm) below grade.

Sec. P2603.5.1 Amend to read as follows:

Sec. P2603.5.1 Building sewers shall be a minimum of 12 inches (304.8 mm) below grade.

Sec. P2902.5.3 Amend to read as follows:

Sec. P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by a device approved by the City of Independence Water Engineering Division, and the details provided in Section 13 of the City of Independence Water Department's guide "Water Service Line and Backflow Prevention Standards".

Sec. P2904 Dwelling Unit Fire Sprinkler Systems. Delete.

Sec. P3008 Backwater Valves. Delete.

Sec. E3601.2 Amend to read as follows:

Sec. E3601.2 Number of services. One- and two-family dwellings shall be supplied by only one service. No additional utility meters or service connections shall be permitted for any non-conforming residential structure in any zoning district.

Sec. E3601.6.2 Amend to read as follows:

Sec. E3601.6.2 Service disconnect location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or inside nearest the point of entrance of the service conductors. When service conductors are more than 10 feet in length from the point of entry to the service panel, a separate means of disconnect shall be installed at the service

cable entrance to the building or structure. Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.”

SECTION 3. That it is the intent of the Council that the latter passed code shall prevail and that the stricter language shall control in any conflicts between the provisions of any codes adopted by the City except where the Council has adopted specific exceptions or amendments to any code in which case the latter passed specific amendment shall prevail.

SECTION 4. That the effective date of this ordinance shall be January 1, 2025, and the previously adopted Building Code shall remain in effect until that date.

SECTION 5. That Ordinance No. 18973 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. That all other parts and provisions of Article 13 of Chapter 4 not amended or repealed herein shall remain in full force and effect.

SECTION 7. That correction of any scriveners errors identified within Article 13 of this Chapter are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY
COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being eliminated by this ordinance is bolded and lined through and text being added by this ordinance is bolded and underscored.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-118 **2R** An ordinance amending Article 14, “Fuel Gas Code,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Fuel Gas Code and making other necessary revisions. **2R**

Recommendations:

Staff recommends approval of this item.

Background:

The 2024 International Fuel Gas Code (IFGC) is a comprehensive building code that establishes minimum regulations for building systems using prescriptive and performance related provisions. It is founded on broad base principles that make possible the use of new materials and new building designs. The International Fuel Gas Code is kept up to date through the review of proposed changes submitted by code officials, industry representatives, design professionals, and other interested parties. The building industry builds to the conformance of the International Fuel Gas Code. This 2024 Edition is fully compatible with all the International Codes, published by the International Code Council. Adoption of this code will adhere to Insurance Services Organization (ISO) requirements.

Updated editions of the IFGC are published on a three (3) year cycle. The City of Independence is currently using the 2018 International Fuel Gas Code. The 2024 IFGC is the latest version of the code.

There are no significant changes to this code, other than a few housekeeping items based on our geographical location.

Emergency Justification:**Fiscal Impact:****Council Action:**

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. IFGC Fuel Gas Code Amendments Draft Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 14, “FUEL GAS CODE,” OF CHAPTER 4 OF THE INDEPENDENCE CITY CODE AND ADOPTING THE 2024 EDITION OF THE INTERNATIONAL FUEL GAS CODE AND MAKING OTHER NECESSARY REVISIONS.

WHEREAS, The City Council of the City of Independence, Missouri desires to adopt the 2024 Edition of the International Fuel Gas Code, now that copies have been on file with the City Clerk for ninety (90) days as required by R.S.Mo.67.280, and make other necessary revisions to Article 14 of Chapter 4;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 4.14.001, “International Fuel Gas Code”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.14.001. Adopting ~~on~~ of International Fuel Gas Code;

The International Fuel Gas Code, 20~~18~~²⁴ Edition, as published by the International Code Council, is hereby adopted as the Fuel Gas Code of the City of Independence, Missouri, for the fuel gas installations and construction in new, existing buildings, change of occupancy, additions and relocation of existing buildings, including historic buildings, as herein provided, except such portions as are hereinafter deleted, modified or amended by this Article of the City Code.”

SECTION 2. That Section 4.14.002, “Additions, Insertions, Deletions, and Changes”, of the Independence City Code, be and is hereby amended, to read as follows:

“SEC. 4.14.002. Additions, insertions, deletions, and changes.

The following numbered subsections and provisions of the approved edition of the International Fuel Gas Code, adopted by Section 4.14.001, are hereby amended to read as follows:

Sec. 403.4.3 Copper and copper alloy. Delete

Sec. 403.4.4 Aluminum. Delete

~~Sec. 403.5.1 Steel tubing. Delete~~

~~Sec. 403.5.3 Copper and copper alloy tubing. Delete~~

~~Sec. 403.5.4 Aluminum tubing. Delete~~

Section 406.1.2 – Amend to read as follows:

Sec. 406.1.2 Repairs and additions. In the event repairs or additions are made after the pressure test, the affected piping shall be tested, regardless of the size of the repair or addition.”

SECTION 3. That it is the intent of the Council that the latter passed code shall prevail and that the stricter language shall control in any conflicts between the provisions of any codes adopted by the City except where the Council has adopted specific exceptions or amendments to any code in which case the latter passed specific amendment shall prevail.

SECTION 4. That the effective date of this ordinance shall be January 1, 2025 and the previously adopted Fuel Gas Code shall remain in effect until that date.

SECTION 5. That Ordinance No. 18970 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. That all other parts and provisions of Article 14 of Chapter 4 not amended or repealed herein shall remain in full force and effect.

SECTION 7. That correction of any scriveners’ errors identified within Article 14 of this Chapter are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY
COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being eliminated by this ordinance is bolded and lined through and text being added by this ordinance is bolded and underscored.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-119 **2R** An ordinance adding Article 17, “Energy Conservation Code – Commercial Provisions,” of Chapter 4 of the Independence City Code and adopting the 2024 Edition of the International Energy Conservation Code and making other necessary revisions. **2R**

Recommendations:

Staff recommends approval of this item.

Background:

The 2024 International Energy Conservation Code (IECC) is a comprehensive building code that establishes minimum regulations for building systems using prescriptive and performance-related provisions. It is founded on broad base principles that make possible the use of new materials and new building designs. The International Energy Conservation Code is kept up to date through the review of proposed changes submitted by code officials, industry representatives, design professionals, and other interested parties. The building industry builds to the conformance of the International Energy Conservation Code, as adopted by the local jurisdictions. This 2024 Edition is fully compatible with all the International Codes, published by the International Code Council. Adoption of this code will adhere to Insurance Services Organization (ISO) requirements.

Updated editions of the IECC are published on a three (3) year cycle. The City of Independence is not currently using a version of the IECC. The 2024 IBC is the latest version of the code.

The 2018 International Building Code (IBC) incorporated energy code provisions, but those provisions were significantly pared down to meet the community's needs. The 2024 IBC removed the energy code provisions and incorporated these regulations into the International Energy Conservation Code. By adopting the IECC - Commercial Provisions, the City is again significantly paring down the regulations to meet the community's needs.

Emergency Justification:**Fiscal Impact:****Council Action:**

**Department /
Contact**

Community Development /

REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. IECC Energy Conservation Code Amendments Draft Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE ADDING ARTICLE 17, “ENERGY CONSERVATION CODE – COMMERCIAL PROVISIONS,” OF CHAPTER 4 OF THE INDEPENDENCE CITY CODE AND ADOPTING THE 2024 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE AND MAKING OTHER NECESSARY REVISIONS.

WHEREAS, The City Council of the City of Independence, Missouri desires to adopt the 2024 Edition of the International Energy Conservation Code – Commercial Provisions now that copies have been on file with the City Clerk for ninety (90) days as required by R.S.Mo.67.280, and make other necessary revisions to Article 17 of Chapter 4;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 4.17.001, “Energy Conservation Code – Commercial Provisions”, of the Independence City Code, be and is hereby added, to read as follows:

“SEC. 4.17.001. Adoption of International Energy Conservation Code – Commercial Provisions.

The International Energy Conservation Code, 2024 Edition, as published by the International Code Council, is hereby adopted as the Energy Conservation Code of the City of Independence, Missouri to establish minimum regulations for commercial building systems using prescriptive and performance related provisions, as herein provided, except such portions as are hereinafter deleted, modified or amended by this Article of the City Code.”

SECTION 2. That Section 4.17.002, of the “Energy Conservation Code – Commercial Provisions”, of the Independence City Code, be and is hereby added, to read as follows:

“SEC. 4.17.002. Additions, insertions, deletions, and changes.

The following numbered subsections and provisions of the approved edition of the Energy Conservation Code – Commercial Provisions, adopted by Section 4.17.001, are hereby amended as follows:

Sec. C301.1 amend to read as follows:

C301.1 – Climate Zone – Missouri – 4a – Jackson

Chapter 4 – Commercial Energy Efficiency – Delete

Section C502 – Existing Buildings – Additions – Delete

Section C503 – Existing Buildings – Alterations – Delete

Section C504 – Existing Buildings – Repairs - Delete

C505.1 – Amend to read as follows:

C505.1 General. Spaces undergoing a change in occupancy from Group F, H, S or U occupancy classification shall comply with Section C503. Buildings or portions of buildings undergoing a change of occupancy without alterations shall comply with the adopted sections of this code.

C505.1.1 amend to read as follows:

C505.1.1 Alterations and change of occupancy. Alterations made concurrently with any change of occupancy shall be in accordance with the adopted sections of this code.

Chapter 6 – Referenced Standards – Delete”

SECTION 3. That it is the intent of the Council that the latter passed code shall prevail and that the stricter language shall control in any conflicts between the provisions of any codes adopted by the City except where the Council has adopted specific exceptions or amendments to any code in which case the latter passed specific amendment shall prevail.

SECTION 4. That the effective date of this ordinance shall be January 1, 2025.

SECTION 5. That correction of any scriveners’ errors identified within Article 17 of this Chapter are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY
COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being eliminated by this ordinance is bolded and lined through and text being added by this ordinance is bolded and underscored.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-120 **2R** An ordinance amending Chapter 9, "Fire Code," of the Independence City Code and adopting the 2024 Edition of the International Fire Code and making other necessary revisions. **2R**

Recommendations:

Staff recommends approval of this item.

Background:

The 2024 International Fire Code (IFC) is a comprehensive building code that establishes minimum regulations for building systems using prescriptive and performance related provisions. It is founded on broad base principles that make possible the use of new materials and new building designs. The International Fire Code is kept up to date through the review of proposed changes submitted by code officials, industry representatives, design professionals, and other interested parties. The building industry builds to the conformance of the International Fire Code. This 2024 Edition is fully compatible with all the International Codes, published by the International Code Council. Adoption of this code will adhere to Insurance Services Organization (ISO) requirements.

Updated editions of the IFC are published on a three (3) year cycle. The City of Independence is currently using the 2018 International Fire Code. The 2024 IFC is the latest version of the code. Changes are related mainly to fire sprinkler sections of the code.

Changes to the Fire Code for 2024:

- "B" or business occupancies that are for long term living or ambulatory care now require sprinkler systems throughout. (this is a code change by the International Code Council)
- Occupancy type F-1 (storage, auto repair, etc.) will require sprinkler systems for any business that produces and stores distilled spirits. (prior it was based on the percentage of alcohol being produced) (this is a code change from the International Code Council)
- "M" or Mercantile occupancies- This change leaves the square footage requirements for mercantile occupancies that need sprinklering but adds that if the building contains any areas for charging, working on, or storage of lithium-ion batteries, a sprinkler system must be installed in that area. (this is a change by the International Code Council)
- "R" or Residential occupancies were previously amended to not require sprinklering. The Fire Department has requested we remove that ordinance being struck, and re-institute the sprinklering of residential buildings labeled as R1, R2, R3, and R4. This does not affect single-family homes or duplexes. It would affect residential multifamily, residential care facilities with over 5 persons in care, hotels, apartment houses, and motels. (this is a change proposed by the Fire Department)

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. IFC Fire Code Amendments Draft Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, "FIRE CODE," OF THE
INDEPENDENCE CITY CODE AND ADOPTING THE 2024 EDITION OF THE
INTERNATIONAL FIRE CODE AND MAKING OTHER NECESSARY REVISIONS.

WHEREAS, The City Council of the City of Independence, Missouri desires to adopt the 2024 Edition of the International Fire Code now that copies have been on file with the City Clerk for ninety (90) days as required by R.S.Mo.67.280, and make other necessary revisions to Article 1 of Chapter 9;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 9.01.001, "Adoption of International Fire Code", of the
Independence City Code, be and is hereby amended, to read as follows:

"SEC. 9.01.001. Adoption of the International Fire Code.

The International Fire Code, 2018~~24~~ Edition, as published by the International Code Council, is hereby adopted as the Fire Code of the City of Independence, Missouri, as herein provided, except such portions as are hereinafter deleted, modified or amended by this Article of the City Code."

SECTION 2. That Section 9.01.002 of the "Fire Code", of the Independence City Code, be and is hereby amended, to read as follows:

"SEC. 9.01.002. ~~Amendments made in the International Fire Code~~ Additions, insertions, deletions, and changes.

The current edition of the International Fire Code adopted by Section 9.01.001 of this chapter is amended to read as follows:

~~Section 105.6.14 Amend to read as follows:~~

~~Sec. 105.6.14 Explosives.~~

~~A. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive material, fireworks, or pyrotechnic special effects within the scope of all applicable Chapters.~~

~~Exemption: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.~~

~~B. The fee for a permit to conduct a public fireworks exhibition shall be set forth in the City's Schedule of Fees.~~

~~Section 108.3.1 Add to read as follows:~~

~~Sec. 108.3.1 Inspection, testing and maintenance recordkeeping. When required inspection, testing or maintenance occurs on any existing fire protection systems, applicable documentation shall be submitted to the fire code official through an approved third party inspection reporting system. Reporting parties shall pay any fees associated with that service to the City's third party provider.~~

~~The following appendices shall be deleted as part of the City Code as noted; however, the Fire Department shall use it as reference material:~~

~~Appendix E—Hazard Categories. Delete.~~

~~Appendix F—Hazard Ranking. Delete.~~

~~Appendix G—Cryogenic Fluids—Weight and Volume Equivalents. Delete.~~

~~Appendix H—Hazardous Materials Management Plan and Hazardous Materials Inventory Statement Instructions. Delete.~~

~~Appendix I—Fire Protection Systems—Noncompliant Conditions. Delete.~~

~~Appendix J—Building Information Sign. Delete.~~

~~Appendix K—Construction Requirements for Existing Ambulatory Care Facilities. Delete.~~

~~Appendix L—Requirements for Fire Fighter Air Replenishment Systems. Delete.~~

~~Appendix M—High Rise Buildings—Retroactive Automatic Sprinkler Requirement. Delete.~~

~~Appendix N—Indoor Trade Shows and Exhibitions. Delete.~~

Sec. 307.1.1. Amend to read as follows:

Sec. 307.1.1 Open burning restrictions.

A. No person shall allow, or permit the open burning of household refuse; leaves, trees, grass, or other vegetation; or any waste generated by a business, trade, industry, salvage or demolition operation except as provided below:

1. Controlled burning may be permitted on land zoned and used for agricultural purposes that is at least two hundred yards from any occupied structure, provided that a permit is obtained from the Fire Department.
2. Open cooking fires are allowed within approved containers, or enclosures. Fuel for cooking fires shall be limited to natural gas, propane, charcoal or natural wood which has not been treated or painted.
3. Outdoor recreational or ceremonial open burning is allowed, provided that a permit is obtained from the Fire Department.

B. The Fire Chief may prohibit issuance of any or all burning permits, or suspend previously issued permits, when atmospheric conditions or circumstances render such fires hazardous.

C. Open burning will be strictly enforced by issuance of a general ordinance summons resulting in fines during periods of burn bans as designated by the Fire Chief.

~~{Sections 307.4 and 307.4.2 Amend to read as follows:}~~

Sec. 307.4 Location. The location for open burning shall be not less than 50 feet (15,240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15,240 mm) of any structure.

Section 307.4.2 Amend to read as follows:

Sec. 307.4.2 Recreational and open cooking fires. Recreational fires shall not be conducted within 50 feet (15,240 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 50 feet (15,240 mm) shall be eliminated prior to ignition.

- a. The burn must be contained within an approved fire ring, container or pit.
- b. The pile size is limited to 2 feet (610 mm) or less in diameter and 2 feet (610 mm) or less in height.

Sec. 503.3. Marking. Delete

{Sections 912.4 and ~~9.12.5~~ Amend to read as follows:}

Sec. 912.4. Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object. Access to fire department connections shall be approved by the fire code official.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire code official and maintained operational at all times.

- a. In the event the area immediately in front of the connection is not in a designated Fire Lane, the area shall be protected from encroachment by marking the paved surface with a painted box twenty feet (20') by twenty feet (20') square consisting of four inch (4") red lines around the perimeter, four inch (4") red stripes diagonally painted ten inches (10") apart, and the words "FIRE DEPARTMENT CONNECTION. DO NOT BLOCK. NO PARKING." Painted in four inch (4") white block letters centered within the box.
- b. It shall be unlawful for any person to place or for the owner of the property to fail to remove any structure or obstruction, other than the required identification sign, within 6 feet (6') of a connection.

Section 9.12.5 Amend to read as follows:

Sec. 912.5. Signs. A metal sign with raised letters not less than 1 inch (25 mm) in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such signs shall read: AUTOMATIC SPRINKLERS OR STANDPIPES OR TEST CONNECTION or a combination thereof as applicable. Where the fire department connection does not serve the entire building, a sign shall be provided indicating the portions of the building served.

- a. Signs shall be fourteen inches (14") wide by ten inches (10") in height, white in color, and have printed thereon in one inch (1") red block letters the type of connection and the name of the building or business served by the connection.
- b. Signs shall be posted on the building directly over the connection, or if the connection is not on the building, on a standard sign post such that the bottom of the sign is four feet (4') from the ground.
- c. Alternative signage type and location may be approved in writing at the sole discretion of the Fire Chief.

Section 903.2.1.1 Amend to read as follows:

Group A-1. An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

- 1. The fire area exceeds 12,000 square feet (1115 m2).**
- 2. The fire area has an occupant load of 300 or more.**
- 3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.**
- 4. The fire area contains a multitheater complex.**
- 5. As an alternative to installation of an automatic sprinkler system in buildings which exceed 5,000 square feet but are less than 15,000 square feet, fire walls may be used provided that no more than three areas are created within the building by the fire walls, and the number of square feet in each such area does not exceed 5,000 square feet.**

Sec 903.2.8 Amend as follows:

Sec 903.2.8 Group R. An automatic sprinkler system shall be provided throughout all buildings with a Group R fire area where more than two stories in height, including basements, or where having more than 16 dwelling units, or containing more than 5,000 square feet.

Section 5601.1.3 Amend to read as follows:

Sec. 5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the City, except as follows:

- 1. Except as authorized below for the storage and handling of certain Division 1.4G fireworks, the storage and handling of fireworks shall be permitted only in compliance with Section 5604.**
- 2. The manufacture, assembly and testing of fireworks shall be permitted only in compliance with Section 5605.**

Section 5601.2.3 Amend to read as follows:

Sec. 5601.2.3. Explosive, Explosive Materials and Blasting Agents Permits

A. A permit for the use of explosives or blasting agents as required by Section 5601.2 of this International Fire Code, shall be obtained from the ~~Public Works~~ Municipal Services

Department for each location where such use of explosive or blasting is to take place.

B. Application for a permit to use explosive or blasting agents shall be made on forms obtained from the Department of ~~Public Works~~ Municipal Services.

C. The ~~Public Works~~ Municipal Services Department is hereby authorized to require every applicant to furnish all information deemed necessary for the safeguarding of life and property from the hazards of blasting in accordance with NFPA Standard 495, Chapter 2, and the ~~Public Works~~ Municipal Services Department shall furnish the Fire Department of the City with a copy of such information obtained from such applicant that demonstrates the applicant has had adequate training and experience in the use of explosive materials in the class authorized by the permit applied for.

D. Before any permit as required by this International Fire Code is issued for the use of explosives or blasting agents, every applicant shall procure public liability insurance with the following coverage:

- (1) For bodily injury to or death of any one person in the amount of Three Hundred Thousand Dollars.
- (2) For any one accident in the amount of Three Hundred Thousand Dollars.
- (3) For damage to the property of another person in the amount of not less than One Hundred Thousand Dollars for any one accident.
- (4) One Million Dollar limit in umbrella excess liability if work is to be done in a fully developed area.

E. The applicant shall file with the ~~Public Works~~ **Municipal Services** Department a certificate of insurance issued by the insurance carrier concerned to evidence compliance with the public liability insurance requirements.

Section 5601.2.4 is amended to read as follows:

Sec. 5601.2.4 Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$2,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Sec. 5601.2.4.2. Amend to read as follows:

Sec. 5601.2.4.2 Fireworks Display. The permittee shall furnish comprehensive general liability insurance in the amount of One Million Dollars (\$1,000,000.00) to cover payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display and arising from any acts of the permittee, or any agents, employees or subcontractors. At the discretion of the Fire Chief, a bond in the same amount, issued by a person qualified to write bonds in the State of Missouri, may be substituted for the insurance required herein. The permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the fire official for the payment of all potential damages to a person or persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors. Licensing of the pyrotechnic operator shall be in accordance with other State and Federal requirements.

Sec. 5704.2.9 amend to read as follows:

Sec. 5704.2.9 Above-ground tanks. Above-ground storage of flammable and combustible liquids in tanks/CONTAINERS shall comply with Section 5704.2 and Sections 5704.2.9.1 through 5704.2.10.5. Above-ground storage tanks shall not be located in areas zoned residential.

Exception:

1. Above-ground storage tanks used at construction sites that meet the requirements of 5706.2.

{Section ~~5704.6.1~~ **5704.2.9.6.1** Amend to read as follows:}

Sec. ~~5704.6.1~~ **5704.2.9.6.1** Locations where above-ground tanks are prohibited. Storage of Class I and Class II liquids in above-ground tanks outside of building is prohibited within the limits established by law as the limits of districts in which such storage is prohibited. Above-ground storage tanks shall not be located in areas zoned residential.

Exception:

1. Above-ground storage tanks used at construction sites that meet the requirements of 5706.2.

Sec. D103.6 Amend to add:

Sec. D103.6.3 Curbs. The curb or specific area designated by the fire chief, or designee, shall be painted medium red from the bottom curvature of the curb where it blends with the driving surface to the point at the top where the curb blends with the sidewalk for the entire length of the curb. In the absence of curbs or sidewalks, an area specified by the fire chief, or designee, shall consist of a ten inch (10”) wide medium red painted stripe.

Sec. D107.1. Amend to read as follows:

Sec. D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 100 shall be provided with separate and approved fire apparatus access roads **and shall meet the requirements of Section D104.3.**

Exceptions:

1. Where there are 100 or fewer dwelling units on a single public or private access way and all dwelling units are protected by approved residential sprinkler systems, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the code official.”

SECTION 3. That it is the intent of the Council that the latter passed code shall prevail and that the stricter language shall control in any conflicts between the provisions of any codes adopted by the City except where the Council has adopted specific exceptions or amendments to any code in which case the latter passed specific amendment shall prevail.

SECTION 4. That the effective date of this ordinance shall be January 1, 2025 and the previously adopted Fire Code shall remain in effect until that date.

SECTION 5. That Ordinance No. 18969 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. That all other parts and provisions of Article 1 of Chapter 9 not amended or repealed herein shall remain in full force and effect.

SECTION 7. That correction of any scriveners' errors identified within Article 1 of this Chapter are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY
COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being eliminated by this ordinance is bolded and lined through and text being added by this ordinance is bolded and underscored.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-124 **2R** An ordinance calling for an election to authorize the issuance of General Obligation bonds for the City of Independence, Missouri. **2R**

Recommendations:

Staff recommends approval of the ordinance.

Background:

Missouri municipalities are authorized to issue general obligation bonds (“GO bonds”) pursuant to Article VI, Section 26(b) through (e) of the Missouri Constitution as well as Sections 95.115 to 95.130 of the Revised Statutes of the State of Missouri. GO bonds are a means to borrow money to generate revenue for acquisitions and construction projects. These bonds are secured by the full faith, credit, and taxing power of a municipality and are paid back through property taxes. GO bonds pay for capital projects and cannot be used for operational costs like salaries and supplies. In recent years, many Missouri municipalities in the Kansas City region have issued, or have received voter authorization to issue, GO bonds to address capital maintenance and improvements on at least one occasion, including cities such as Blue Springs, Lee’s Summit, Raytown, Liberty, Kansas City, Platte City, and Pleasant Hill.

Independence has been exploring and considering the use of General Obligation bonds for several years. This exploration can be traced as far back as November 28, 2016, when the City Council directed staff to prepare recommendations for steps the city can take to improve the level of dissatisfaction with maintenance of City assets as identified by the Cirizen Satisfaction Survey. In response, City staff prepared and presented a Deferred Maintenance Report in December 2016 detailing pending maintenance and improvement projects over the next 20 years that were either unfunded or deferred for an extended period due to the high demand for projects assigned to particular funding sources. The report estimated unfunded maintenance and improvement projects citywide totaling approximately \$903 million and provided several recommendations to address this backlog, including renewal of the one-half cent Street Sales Tax that was scheduled to sunset in 2018, evaluation of utility rate structures to ensure fair and adequate rates, and pursuit of one or more new revenue streams including a GO bond.

Accordingly, on August 8th, 2017, voters renewed the Street Sales Tax and made it perpetual until repealed. Additionally, electric, water, and sanitary sewer rates are routinely evaluated to ensure adequate revenue is produced to operate these utilities in a business-like manner. Finally, numerous reports, plans, and studies have continued to recommend the approval of a GO bond issue, including the Independence for All 2017-2021 Strategic Plan, 2018 Downtown Redevelopment Coordinating Committee Report, the 2023 City of Independence Action Plan, the 2024-2027 Independence City Council Strategic Agenda, and the Reshaping the Square Master Plan.

On August 5th, 2024, the Independence City Council approved Resolution 7031 appointing 21 individuals to the Independence General Obligation Bond Advisory Committee (the Committee) to review the necessity of a GO bond, the total bond issuance amount, the various categories to be included in a potential GO bond issuance, and the total allocation to each of the project categories. This committee met on August 14th, September 18th, October 2nd, October 16th, October 30th, and November 6th and included tours of various projects that might be funded by a GO bond issue, lengthy presentations to understand bond financing, a review of the City's credit rating and bonding capacities, sample bond amounts and financial implications for Independence taxpayers, an overview of past guiding documents, a review of previous citizen satisfaction surveys and other survey data, and detailed presentations from senior City staff regarding the needs within public facilities, streets, bridges, culverts, curbs, historical sites, animal shelter, and parks and recreation,

The Committee presented their final recommendations to the Independence City Council on November 12th, 2024. They determined that substantial evidence was presented indicating that successful communities periodically authorize the use of general obligation bonds to invest in themselves and that many of the City's proposed investments are significantly overdue. The Committee also stated that the City Council is best positioned to determine the appropriate allocation of funds to ensure maximum return on investment.

The City Council, after carefully considering the many infrastructure needs of the city, believes that the allocation of funds proposed in this ordinance represents the greatest opportunity to address the needs of the community and desires to call for an election in April 2025 to consider \$130 million for public safety needs, \$55 million for street-related needs, and \$12 million for park revitalization and historic site maintenance.

Emergency Justification:

Fiscal Impact:

If all three questions were approved, the City would be authorized to issue debt up to \$197 million. Assuming this full amount were issued, and assuming there was no change in the assessed valuation of property within the corporate limits of the City of Independence, the annual debt service comes to \$15.4 million. This amount would require a levy of approximately \$0.82 per \$100 of assessed valuation.

Council Action:

Department / Contact	City Manager /
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REVIEWERS

Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. CM.April 2025 GO Bond Election - v2 (002) (003)
2. General Obligation Bond Committee Recommendations - Final for Study Session
3. Election-Calendar-2025
4. GO Bond Projects List Executive Summary

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CALLING AN ELECTION TO AUTHORIZE THE ISSUANCE OF
GENERAL OBLIGATION BONDS FOR THE CITY OF INDEPENDENCE, MISSOURI.

WHEREAS, Missouri municipalities are authorized to issue general obligation bonds (“GO bonds”) pursuant to Article VI, Section 26(b) through (e) of the Missouri Constitution as well as Sections 95.115 to 95.130 of the Revised Statutes of the State of Missouri; and,

WHEREAS, GO bonds are a means to borrow money to generate revenue for acquisitions and construction projects; and,

WHEREAS, GO bonds are secured by the full faith, credit, and taxing power of a municipality and are paid back through property taxes; and,

WHEREAS, GO bonds pay for capital projects and cannot be used for operational costs like salaries and supplies; and,

WHEREAS, in recent years, many Missouri municipalities in the Kansas City region have issued, or have received voter authorization to issue, GO bonds to address capital maintenance and improvements on at least one occasion, including cities such as Blue Springs, Lee’s Summit, Raytown, Liberty, Kansas City, Platte City, and Pleasant Hill; and,

WHEREAS, on November 28, 2016, the City Council by consensus directed staff to prepare recommendations for steps the city can take to improve citizen satisfaction; and,

WHEREAS, the direction was prompted by the results of the 2016 Citizen Satisfaction Survey administered by ETC Institute and indicated a level of dissatisfaction with maintenance of City assets; and

WHEREAS, City staff prepared and presented a Deferred Maintenance Report in December 2016 detailing pending maintenance and improvement projects over the next 20 years that are either unfunded or deferred for an extended period due to the high demand for projects assigned to particular funding sources; and,

WHEREAS, the report estimated unfunded maintenance and improvement projects citywide totaled approximately \$903 million; and,

WHEREAS, the report provided several recommendations to address this backlog including renewal of the one-half cent Street Sales Tax that was scheduled to sunset in 2018, evaluation of utility rate structures to ensure fair and adequate rates, and pursual of one or more new revenue streams including a GO bond; and,

WHEREAS, on August 8th, 2017, voters renewed the Street Sales Tax and made it perpetual until repealed; and,

WHEREAS, electric, water, and sanitary sewer rates are routinely evaluated to ensure adequate revenue is produced to operate these utilities in a business-like manner; and

WHEREAS, numerous reports, plans, and studies have continued to recommend the approval of a GO bond issue including the Independence for All 2017-2021 Strategic Plan, 2018 Downtown Redevelopment Coordinating Committee Report, the 2023 City of Independence Action Plan, the 2024-2027 Independence City Council Strategic Agenda, and the Reshaping the Square Master Plan; and,

WHEREAS, on August 5th, 2024 the Independence City Council approved Resolution 7031 appointing 21 individuals to the Independence General Obligation Bond Advisory Committee (the Committee) to review the necessity of a GO bond, the total bond issuance amount, the various categories to be included in a potential GO bond issuance, and the total allocation to each of the project categories; and,

WHEREAS, the Committee met on August 14th, September 18th, October 2nd, October 16th, October 30th, and November 6th and included tours of various projects that might be funded by a GO bond issue, lengthy presentations to understand bond financing, a review of the City's credit rating and bonding capacities, sample bond amounts and financial implications for Independence taxpayers, an overview of past guiding documents, a review of previous citizen satisfaction surveys and other survey data, and detailed presentations from senior City staff regarding the needs within public facilities, streets, bridges, culverts, curbs, historical sites, animal shelter, and parks and recreation; and,

WHEREAS, the Committee presented their final recommendations to the Independence City Council on November 12th, 2024; and,

WHEREAS, the Committee determined that it was presented with substantial evidence indicating that successful communities periodically authorize the use of general obligation bonds to invest in themselves and that many of the City's proposed investments are significantly overdue; and,

WHEREAS, the Committee stated that the City Council is best positioned to determine the appropriate allocation of funds to ensure maximum return on investment; and,

WHEREAS, the City Council, after meeting on November 19th, 2024 and carefully considering the many infrastructure needs of the city, believes that the allocation of funds proposed in this ordinance represents the greatest opportunity to address the needs of the community; and,

WHEREAS, in accordance with Article 10 of the City Charter, the City's Interim Director of Finance has prepared and filed in the office of the City Clerk the debt statement attached hereto as Exhibit 3 (the "Debt Statement"); and,

WHEREAS, the City Council desires to approve the Debt Statement and proceed with calling an election on questions relating to the issuance of GO bonds;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council of the City of Independence, Missouri, finds it necessary and hereby declares its intent to borrow \$197,000,000 for the purposes described in the ballot questions below. The City Council hereby approves of the Debt Statement attached hereto as Exhibit 3. City Staff is directed to arrange for the publication of the Debt Statement in *The Examiner* at least two weeks prior to April 8, 2025.

SECTION 2. That an election is hereby called and shall be held on April 8, 2025, placing before the voters within the City of Independence the following questions in the following order:

GENERAL OBLIGATION BOND QUESTION NO. 1

Shall the City of Independence, Missouri, issue its general obligation bonds in the amount of \$130,000,000 for the purpose of acquiring, constructing, renovating, improving and equipping public safety buildings, facilities and grounds including constructing, improving and equipping a new justice center, demolishing existing law enforcement facilities housing functions that will be moved to the new justice center and preparing such sites for alternative uses, and acquiring, renovating and equipping an animal control facility?

GENERAL OBLIGATION BOND QUESTION NO. 2

Shall the City of Independence, Missouri, issue its general obligation bonds in the amount of \$55,000,000 for transportation purposes, including acquiring land and rights of way, and acquiring, constructing, reconstructing, repairing and improving streets, roads, bridges, culverts and sidewalks throughout the City?

GENERAL OBLIGATION BOND QUESTION NO. 3

Shall the City of Independence, Missouri, issue its general obligation bonds in the amount of \$12,000,000 for the purpose of renovating, improving and equipping parks and recreation buildings, facilities and grounds, including historic buildings and the Independence Athletic Complex?

SECTION 3. That the Notice of Election showing said questions, a copy of which is attached hereto and made part hereof as Exhibit 1, is hereby approved.

SECTION 4. That voter approval of the Bonds will authorize the levy and collection of an annual tax in addition to the other taxes provided for by law on all taxable tangible property in the City, sufficient to pay the interest and principal of the Bonds as they fall due and to retire the same within twenty (20) years from the date on which such Bonds are issued.

SECTION 5. That the City Clerk is hereby authorized and directed to notify the Board of Election Commissioners of Jackson County, Missouri and the Board of Election Commissioners of Clay County, Missouri, of the passage of this Ordinance no later than 5:00 P.M. on January 28, 2025, in accordance with laws applicable to this election.

SECTION 6. That any question(s) approved by the voters of the City at the April 8, 2025 election shall become effective immediately after certification of the election results.

SECTION 7. That this Ordinance shall be in full force from and after its passage and approval.

SECTION 8. That the City expects to make expenditures on and after the date of passage of this Ordinance in connection with the projects, and the City intends to reimburse itself for such expenditures with the proceeds of the Bonds described above. The maximum principal amount of Bonds expected to be issued for the Projects is set forth in Section 1.

PASSED THIS ____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

EXHIBIT 1

PUBLIC NOTICE OF ELECTION FOR THE CITY OF INDEPENDENCE, MISSOURI

Public notice is hereby given to the qualified voters of the City of Independence, Missouri, that the Independence City Council has called an Election to be held Tuesday, April 8, 2025, commencing at six o'clock A.M. and closing at seven o'clock P.M., local time, on the questions contained in the following sample ballot:

OFFICIAL BALLOT

CITY OF INDEPENDENCE, MISSOURI

ELECTION

TUESDAY, APRIL 8, 2025

GENERAL OBLIGATION BOND QUESTION NO. 1

Shall the City of Independence, Missouri, issue its general obligation bonds in the amount of \$130,000,000 for the purpose of acquiring, constructing, renovating, improving and equipping public safety buildings, facilities and grounds including constructing, improving and equipping a new justice center, demolishing existing law enforcement facilities housing functions that will be moved to the new justice center and preparing such sites for alternative uses, and acquiring, renovating and equipping an animal control facility?

☐ YES ☐ NO

INSTRUCTIONS TO VOTERS:

Instructions to Voters: If you are in favor of the question, place an X in the box opposite "YES." If you are opposed to the question, place an X in the box opposite "NO."

GENERAL OBLIGATION BOND QUESTION NO. 2

Shall the City of Independence, Missouri, issue its general obligation bonds in the amount of \$55,000,000 for transportation purposes, including acquiring land and rights of way, and acquiring, constructing, reconstructing, repairing and improving streets, roads, bridges, culverts and sidewalks throughout the City?

☐ YES ☐ NO

INSTRUCTIONS TO VOTERS:

Instructions to Voters: If you are in favor of the question, place an X in the box opposite "YES."
If you are opposed to the question, place an X in the box opposite "NO."

GENERAL OBLIGATION BOND QUESTION NO. 3

Shall the City of Independence, Missouri, issue its general obligation bonds in the amount of \$12,000,000 for the purpose of renovating, improving and equipping parks and recreation buildings, facilities and grounds, including historic buildings and the Independence Athletic Complex?

☐ YES ☐ NO

INSTRUCTIONS TO VOTERS:

Instructions to Voters: If you are in favor of the question, place an X in the box opposite "YES."
If you are opposed to the question, place an X in the box opposite "NO."

The election will be held at the following polling places in the City:

PRECINCT

POLLING PLACE

DATED: _____, 202__.

Board of Election Commissioners of
Jackson County, Missouri

Board of Election Commissioners of
Clay County, Missouri

EXHIBIT 2

ESTIMATED EXPENDITURES OF GENERAL OBLIGATION BOND PROCEEDS

Project	Category Total	Total Amount by Question
Justice Center	\$127,000,000	
Animal Shelter Acquisition and Improvements	\$3,000,000	
Existing Law Enforcement Facility Demolition and Site Preparation	\$4,000,000	
<i>Sub-Total Question 1</i>		\$130,000,000
Street Construction & Overlay	\$30,000,000	
Sidewalks	\$10,000,000	
Bridges & Culverts	\$15,000,000	
<i>Sub-Total Question 2</i>		\$55,000,000
Park Revitalization	\$5,000,000	
Recreational Historic Sites	\$7,000,000	
<i>Sub-Total Question 3</i>		\$12,000,000
<i>General Obligation Plan Total</i>		\$197,000,000

EXHIBIT 3
DEBT STATEMENT

The aggregate principal amount of all outstanding general obligation bonds and notes of the City of Independence, Missouri (the "City") is as follows: \$-0-

Deductions, if any, permitted by the state constitution or law: -0-

The amount of the existing net general obligation indebtedness of the City: -0-

The amount of the net general obligation indebtedness of the City after the issuance of the bonds authorized by the bond ordinance authorizing questions for the April 8, 2025 election:

Question 1:	\$130,000,000
Question 2:	55,000,000
Question 3:	<u>12,000,000</u>
Total:	<u>\$197,000,000</u>

The assessed valuation of taxable tangible property within the City as shown by the last completed assessment for state and county purposes:	Jackson County: \$2,315,184,778
	Clay County: <u>58,611</u>
	Total: <u>\$2,315,243,389</u>

The aggregate principal amount of general obligation bonds and notes which the City may issue pursuant to the state constitution and law: \$463,048,677.80

Prepared by the Interim Director of Finance
of the City of Independence, Missouri

November 20, 2024

General Obligation Bond Recommendations

Introduction

The General Obligation Bond Committee (GOBC) was established by the Independence City Council action in August 2024. Each of the seven members of the City Council appointed three people to serve on the GOBC, so 21 people accepted the call to serve and were sworn in for this short-term appointment. The committee was comprised of citizens with diverse backgrounds. There were significant differences in the members' ages, length of time living in Independence, job status, household composition, neighborhood, sphere of influence, etc. Notably, the committee had very few members that represented diverse populations, like African Americans, Hispanic, other ethnic backgrounds, disability status, and LGBTQ+. We recommend that future engagement around the proposed projects be targeted at the many diverse populations that call Independence home.

The GOBC members clearly understood that all meetings were public and have been recorded for posterity. Throughout the process, the City Clerk and City staff advised the GOBC on how to conduct itself in accordance with sunshine laws and other applicable laws and regulations.

At the second meeting, Doug Cowan was elected chair, and GK Callahan was elected Vice Chair. Here is a summary of the activities that were undertaken:

- Tours of the Independence Police Department building, along with a detailed examination of structural and mechanical issues
- Tours of the Sermon Center, along with a detailed examination of structural and mechanical issues
- Tours of the shuttered Kentucky Road bridge adjacent to the Rock Creek Wastewater Treatment area
- Tours of the Independence Athletic Complex, along with explanations of enhancement opportunities
- Lengthy presentations to understand bond financing and how Missouri State statute governs municipalities' bonding practices
- Understanding cities' credit ratings
- Understanding the City of Independence's bonding capacities and historical practices
- Sample bond amounts and taxable implications for Independence taxpayers
- Detailed presentations from senior city staff regarding needs within public facilities, streets, bridges/culverts, sidewalks/curbs, historical sites, animal shelter, and parks and recreation

- Detailed presentations from senior city staff regarding programmatic and financial operations
- Overview of past guiding documents and city planning documents
- Review of citizen satisfaction surveys and other survey data
- Presentation on the redevelopment plan for Independence Square and an overview of this plan's alignment with the General Obligation Bond.

General Obligation Bond Legal Parameters

Missouri municipalities are authorized to issue general obligation bonds under Article VI, Section 26(b), (c), (d), and (e) of the Missouri Constitution and Sections 95.115 to 95.130, RSMo. The State of Missouri permits a city to incur GO bond indebtedness not to exceed 20% of the assessed valuation of taxable property. The total GO bond debt limit for 2024 in Independence is approximately \$440 million.

Under Missouri State Statutes, the City can appropriate 10% of its assessed valuation for constructing, reconstructing, repairing, and improving streets, roads, sidewalks, curbs, and bridges. Any combination of projects within this category may not exceed \$220,154,322.

The City is also authorized to issue 10% of its assessed valuation for all other public improvements. Any combination of projects within this category may not exceed \$220,154,322.

Recommendations

The committee strived for consensus in its recommendations. The rationale for that approach is to model our community's behavior as it tackles difficult questions. A community of 123,000+ people will never fully agree on any one strategy. Instead, it must focus on finding common ground on our shared values and work on meeting in the middle. For 57% or more of voters to approve an issue, voters must feel that plans are well-thought-out and carry strong public benefit.

The GOBC does not need to vote 21-0 to support issues; instead, we are making broad recommendations for the Council to consider and discern as you vote to place an issue on the ballot.

The committee concurs on these recommendations:

1. The City Council should ask voters to construct a new justice center consolidating all City policing functions on one campus at 23rd Street (MO-78 Highway) and R.D. Mize Road. **This was the committee's priority project of those presented and received the most consensus.** The benefits of consolidation are clear; our police operations will be streamlined and developed for the next 50 to 100 years. Consolidation will allow the City to dispose of some surplus property. A new campus will significantly assist with officer/staff recruitment and retention and better support continued population and

commercial growth on the City's east side. The City Council should consider asking voters to approve up to \$125,000,000 to fully fund all aspects of this project. It should incorporate strategies that transition the old campus and City Hall into space that is ready to develop following the Square Redevelopment Plan.

2. The City Council should ask voters to approve \$71,000,000-\$133,000,000 for much-needed and overdue upgrades to city streets, sidewalks, curbs, bridges, culverts, park facilities, and the animal shelter. (The range lies in the Council's decision to ask voters whether or not to construct a Recreation/Community Center – see chart on page 5). Independence's 1,200+ lane miles of roads must be repaired and replaced, and partnerships with our school districts will allow new sidewalk construction along arterial roads leading to elementary schools, ensuring public safety. Having four closed bridges is unacceptable, especially regarding public health and safety, and the City should replace them immediately. Our community treasures its animal shelter, and bond money should be spent permanently acquiring and upgrading it. Park facilities are critical for the health of our neighborhoods, and parks should be attractive, accessible, and accommodating. Furthermore, the GOBC believes that the City should invest and monetize the Independence Athletic Complex for economic development. Finally, but certainly not least, our community's historic sites need transformational repair to secure their cultural importance for the next generation.

- a. Regarding the Animal Shelter, the council and staff should proceed thoughtfully with the project due to the building's ownership status. We are confident that Independence residents want a substantial animal shelter, and we hope the City and Jackson County can work together to find a good solution.

3. Regarding the proposed Recreation/Community Center:

- a. There was no agreement on all facets of the proposed Recreation/Community Center, but the committee agreed on many things:
 - 1. Nearly all committee members acknowledge that these centers promote the health and well-being of residents.
 - 2. Nearly all committee members want Independence to have a high-quality center offering vibrant programming.
 - 3. Many members observed that other communities have increased their profile by offering residents amenities like recreation/community centers. These amenities can help keep families living in a community.
 - 4. Many committee members visited various Recreation/Community Centers in the Kansas City area and generally left with a positive impression of the facilities.

5. Nearly all committee members agree that the center's programmatic and financial pro forma need to be studied and refined. The center needs to ask itself, "What is my purpose?" The Council and staff should work with consultants to help define the need, opportunity, role in economic development and tourism, and programming.
 6. If structured appropriately, many committee members see a center as an economic development opportunity and a cornerstone of (re) developing Independence Square. However, others feel that different areas of town are better suited to host the site. Council and staff should study this issue further, including robust public engagement.
- b. Citizen input received during the GOBC's engagement suggests that staff clarify the space dedicated to (or not committed to) theater operations and other programming.
 - c. Council and staff should determine the center's viability of a public-private partnership.
 - d. The Council and staff should answer the lingering questions and create a more solidified plan before asking voters to approve a new recreation/community center bond issue.
 - e. Suppose the Council decides to wait before putting a Recreation/Community Center to the vote of the people. In that case, it should consider allocating funds to prepare the old City Hall and Justice Center site for development (grading, etc.). Many committee members shared that "leaving a hole" in the square could be economically damaging.
4. In keeping with the recommendations of the 2018 Downtown Redevelopment Coordinating Committee Report, the Council and staff should aggressively pursue grant and partnership money to defray costs. Furthermore, the messaging to the community should discuss what gaps bond financing addresses versus the City's recurring revenue streams, especially for police, parks, and street funding.

Because the Committee has strived for consensus, we have recommended a range of funding for the project categories to the City Council. The Committee encourages the Council to reallocate these funds among the various categories as deemed necessary but recommends that the total GO Bond plan fall within the range below (the original proposal that was shared with the Committee is included for reference):

Category	Original Plan	Option 1	Option 2
Justice Center	\$42M	\$125M	\$125M
Curbs & Sidewalks	\$20M	\$10M	\$20M
Streets	\$60M	\$30M	\$60M
Bridges & Culverts	\$15M	\$15M	\$15M
Historic Sites	\$10M	\$7M	\$10M
Park Revitalization	\$20M	\$5M	\$20M
Animal Shelter	\$5M	\$4M	\$5M
Public Buildings	\$3M	\$0	\$3M
Recreation Center	\$75M	\$68M (no pool)	\$0
Square Site Work	\$0	\$0	\$3M
Total	\$250M	\$264M	\$261M

Conclusions

While the total amount would fall below the City's debt limit of approximately \$440 million, the City Manager has recommended that the GO Bond finance plan not exceed \$300 million. The Committee supports this recommendation and has worked hard to present the Council with multiple options. Ultimately, the Committee believes that the City Council is best positioned to determine the appropriate allocation of funds to ensure maximum return on investment.

The GOBC repeatedly reflected that it is essential to balance the need to invest in ourselves with the recognition that many of our neighbors struggle to make ends meet. The Council should be aware that Jackson County voters approved a new tax levy to support senior services on the November 2024 ballot. Additionally, the Council should thoughtfully consider how the bond questions are structured for voters.

If approved by the voters, the GOBC also recommends a phased approach to issuing bonds so taxpayers do not experience the full impact of the increase at once. Similarly, the Council and staff should be realistic about what projects can be reasonably completed in a fiscal year. Being realistic about yearly plans will allow further phasing of the bonds, saving taxpayer money.

The GOBC recommends that the Council and staff show the community good progress once the bond projects are initiated. When voters see projects completed on time and budget, it builds confidence.

The Committee has been presented with substantial evidence indicating that thriving communities must invest in themselves. We believe many of these investments are

overdue and will cost more the longer we delay action. Independence should consider its future and vote to create the community our children want to reside in one day.

The GOBC's final meeting on November 6, 2024, unanimously approved this package of recommendations. One abstention was present. At the end of the meeting, the committee permanently adjourned its work, thanking the Council and staff for the opportunity to serve in this capacity.

2025 MISSOURI ELECTION CALENDAR

Official Election Day	Last Day to Register to Vote	Style of Election	First Day for Candidate Filing*	Last Day for Candidate Filing*	Final Certification Day	First Day for Absentee Voting	First Day for No Excuse Absentee Voting	Last Day Absentee Request can be Accepted
(RSMo 115.121; 115.123; 247.180)	(RSMo 115.135.1) (4th Wednesday prior to the election)	(RSMo 115.121; 115.123; 247.180)	(RSMo 115.127.5) (17th Tuesday prior to the election)* (RSMo 115.349)** August Primary Election Only	(RSMo 115.127.5) (14th Tuesday prior to the election)* (RSMo 115.349)** August Primary Election Only	(RSMo 115.125) (10th Tuesday prior to the election)	(RSMo 115.279.4; 115.281.1) (6th Tuesday prior to the election) [Military & Overseas] (RSMo 115.914)	(RSMo 115.277.1) (2nd Tuesday prior to the election)	(RSMo 115.279.4) (2nd Wednesday prior to the election)
February 4, 2025	January 8, 2025	Bond Election	October 8, 2024	October 29, 2024	November 26, 2024	December 24, 2024 [December 20, 2024]	January 21, 2025	January 22, 2025
April 8, 2025	March 12, 2025	General Municipal	December 10, 2024	December 31, 2024	January 28, 2025	February 25, 2025 [February 21, 2025]	March 25, 2025	March 26, 2025
August 5, 2025	July 9, 2025	Special Election	April 8, 2025	April 29, 2025	May 27, 2025	June 24, 2025 [June 20, 2025]	July 22, 2025	July 23, 2025
November 4, 2025	October 8, 2025	Special Election	July 8, 2025	July 29, 2025	August 26, 2025	September 23, 2025 [September 19, 2025]	October 21, 2025	October 22, 2025
February 3, 2026	January 7, 2026	Independence Primary Bond Election	October 7, 2025	October 28, 2025	November 25, 2025	December 23, 2025 [December 19, 2025]	January 20, 2026	January 21, 2026

* Amended by HB 271 - 2021 - 115.127

These dates prevail unless charter provides otherwise (RSMo 115.127.5)

** RSMo 115.349 First Day of Candidate Filing - Last Tuesday in February

** RSMo 115.349 Last Day of Candidate Filing - Last Tuesday in March

JACKSON COUNTY BOARD OF ELECTION COMMISSIONERS

Michael K. Whitehead, Chairman
Henry R. Carner, Secretary
Colleen M. Scott, Member
Lyle Keith Querry, Member

Tammy L. Brown, Director
Sara A. Zorich, Director

<https://jcebmo.org>

GO Bond Projects List Executive Summary

Project	Amount	
Independence Athletic Center		\$5,000,000
Historic Sites Maintenance		\$7,000,000
Street Construction & Overlay		\$30,000,000
Bridges & Culverts		\$15,000,000
Curbs & Sidewalks		\$10,000,000
Public Safety		
<i>Justice Center</i>	<i>\$123,000,000</i>	
<i>Police Headquarters Demolition & Remediation</i>	<i>\$4,000,000</i>	
<i>Animal Shelter</i>	<i>\$3,000,000</i>	
Public Safety Total		\$130,000,000
Total		\$197,000,000

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-125 **1R** An ordinance authorizing the acceptance of funding from the U.S. Department of Justice, Bureau of Justice Assistance, Office of Justice Programs, FY 2024 Byrne Discretionary Grant Program, through a Subrecipient Award from the Mid America Regional Council, which allocates \$457,425.00 to the City of Independence, Missouri, to expand the use of Automated License Plate Readers; appropriating the necessary funds; and authorizing future change orders and appropriations for the same project. **1R**

Recommendations:

The Police Department recommends acceptance of this grant award.

Background:

The Mid America Regional Council submitted a grant application for the 2024 Department of Justice, Bureau of Justice Assistance, Byrne Discretionary Grant Program to implement an expansion of the Automated License Plate Reader (ALPR) system in the metro area. A grant totaling \$963,000.00 was awarded to MARC for this purpose. The grant will be passed through to the Kansas City, Missouri Board of Police Commissioners and the City of Independence, MO Police Department via Subrecipient Grant Awards. The primary purpose of this ALPR expansion is to increase solvability of violent crimes in the cities of Independence, MO and Kansas City, MO. A total of 144 ALPRs will be added to these areas, concentrating in the Bi-State Sustainable Reinvestment Corridor and the east-west border of the two cities. ALPRs capture high-resolution images of vehicular traffic and extract license plate numbers to scan through law enforcement databases. Expected outcomes of this project include increased sharing of intelligence across jurisdictional boundaries and increased and faster crime clearance rates. The Independence Police Department will play a key role in developing data collection and evaluation tools, staff training and collaborating with KCPD.

The City of Independence, MO will receive \$457,425.00 of the total award amount. Grant funds will be used to purchase and install approximately 72 additional ALPRs at 18 high traffic intersections primarily located at identified hot spots including US 24 Hwy and the city's western boundary with Kansas City, MO. The Police Department will utilize an existing MARC/KCRPC Contract No. 93 (3R) with Electronic Technology, Inc. to purchase the ALPRs.

Should the grant contract be amended to increase available funding or length of project period, approval of this item shall authorize acceptance of such changes provided such amendments do not add more than 90% to the length of time of the grant or more than 50% to the original funding.

Emergency Justification:

Fiscal Impact:

The fiscal impact to the City is \$457,425.00 to be received as grant revenue. This revenue would need to be appropriated to the Police Department's Grant Fund 0154550-5405-ALPR so that the necessary purchases can be made. No local match is required. The grant project period runs from July 1, 2024 to June 30, 2026.

Council Action:

**Department /
Contact**

Police Department /

REVIEWERS

Dennea Leap
Michelle Sumstad
Jason Petersen
Adam Dustman
Jeremy Cover
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. PD.2024 Ordinance for MARC LPR Grant jp
2. 2024 MARC DOJ Grant Award for ALPR Expansion
3. 2024 MARC ALPR Grant Subrecipient Agreement
4. ALPRs -Modification 4 - ETI - Bid 93 3R - 11-1-24 to 10-31-25 - EXEC

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF FUNDING FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, OFFICE OF JUSTICE PROGRAMS, FY 2024 BYRNE DISCRETIONARY GRANT PROGRAM, THROUGH A SUBRECIPIENT AWARD FROM THE MID AMERICA REGIONAL COUNCIL, WHICH ALLOCATES \$457,425.00 TO THE CITY OF INDEPENDENCE, MISSOURI, FOR THE EXPANSION OF THE LICENSE PLATE READERS; APPROPRIATING THE NECESSARY FUNDS; AND AUTHORIZING FUTURE CHANGE ORDERS AND APPROPRIATIONS FOR THE SAME PROJECT.

WHEREAS, the City Council of the City of Independence, Missouri, finds it in the best interest of the City to participate as fully as possible in programs with other law enforcement agencies and other funding agencies to create and maintain an atmosphere as safe as possible for the citizens of Independence; and,

WHEREAS, the Mid America Regional Council, has received funds through a 2024 Byrne Discretionary Grant Program Award from the U.S. Department of Justice for the expansion of the Automated License Plate Reader system in the metro area; and,

WHEREAS, the Mid America Regional Council has made available a total of Four Hundred Fifty-Seven Thousand Four Hundred Twenty-Five and 00/100 Dollars (\$457,425.00) and has authorized the allocation of said funds through a Grant Subrecipient Agreement with the City of Independence, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council hereby directs the City Manager of the City of Independence, Missouri, to accept the 2024 Byrne Discretionary Grant Program Award funds from the Mid America Regional Council in the amount of Four Hundred Fifty-Seven Thousand Four Hundred Twenty-Five and 00/100 Dollars (\$457,425.00) for the Police Department to purchase and install approximately 72 Automated License Plate Readers primarily located at identified hot spots including US 24 Hwy and the city's western boundary with Kansas City, MO, as proposed in the Grant Subrecipient Agreement being attached hereto, incorporated by reference thereto, and made a part of hereof as though fully set out herein.

SECTION 2. That the City Manager is further authorized to approve future change orders, extensions, amendments or addendums to this grant without Council approval, for an extension of time for completing the terms of the grant or for the receipt of additional funding for this same grant project, provided there are no changes in the terms and/or conditions or responsibilities to the City and provided each and every such change order, extension, amendment or addendum is approved by the City Manager, does not add more than 90% to the length of time of the grant or more than 50% to the original funding, is identified as being authorized by this ordinance and a copy is filed with the City Clerk.

SECTION 3. That appropriations are hereby increased in the Police Department Grant Fund Operating Budget in the amount of Four Hundred Fifty-Seven Thousand Four Hundred Twenty-Five and 00/100 Dollars (\$457,425.00) from increased estimated revenues from the anticipated grant funding from this DOJ Byrne Discretionary Grant Award.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE
CITY OF INDEPENDENCE, MISSOURI.

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

Presiding Officer of the City Council
of the City of Independence, Missouri

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

Source is: As Indicated Above

Director of Finance
City of Independence, Missouri



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Name and Address of Recipient:		MID AMERICA REGIONAL COUNCIL 600 BROADWAY BLVD STE 200	
City, State and Zip:		KANSAS CITY, MO 64105	
Recipient UEI:		PKFBD7MR9Q41	
Project Title: Automated License Plate Reader Expansion for Law Enforcement		Award Number: 15PBJA-24-GG-00318-BRND	
Solicitation Title: BJA FY24 Invited to Apply- Byrne Discretionary Community Project Grants/Byrne Discretionary Grants Program			
Federal Award Amount: \$963,000.00		Federal Award Date: 8/15/24	
Awarding Agency:		Office of Justice Programs Bureau of Justice Assistance	
Funding Instrument Type:		Grant	
Opportunity Category: D Assistance Listing: 16.753 - Congressionally Recommended Awards			
Project Period Start Date: 7/1/24		Project Period End Date: 6/30/26	
Budget Period Start Date: 7/1/24		Budget Period End Date: 6/30/26	
Project Description: Mid-America Regional Council proposes to implement the Automated License Plate Reader Expansion for Law Enforcement Program. The purpose is to increase the solvability of violent crimes in the cities of Independence, Missouri and Kansas City, Missouri. Project activities include the installation of approximately one hundred forty-four (144) automated license plate readers (ALPR) at forty-two (42) high traffic intersections and crime hot spots based on crime data. Devices will be concentrated in the Bi-State Sustainable Reinvestment Corridor and the east-west border of Kansas City and Independence. ALPRs capture high-resolution images of vehicular traffic and extract license plate numbers to scan through law enforcement databases. ALPRs query the known locations and patterns of movement of violent offenders, missing and endangered subjects, and vehicles wanted in connection with criminal cases, then immediately convey information to law enforcement in the field. Expected outcomes include increased sharing of intelligence across jurisdictional boundaries, increased and faster crime clearance rates, and increased public understanding of the law enforcement benefits of ALPR technology. The project will benefit the general public in the greater Kansas City region because data will be available to multiple law enforcement agencies through a shared online ALPR portal. The project subrecipients are the Board of Police Commissioners of Kansas City, Missouri and the City of Independence, Missouri. Subrecipient activities include purchase, installation and maintenance of ALPRs and related software; and training and analysis to			

interpret and act upon intelligence gathered.

Award Letter

August 15, 2024

Dear David Warm,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by MID AMERICA REGIONAL COUNCIL for an award under the funding opportunity entitled 2024 BJA FY24 Invited to Apply- Byrne Discretionary Community Project Grants/Byrne Discretionary Grants Program. The approved award amount is \$963,000.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Brent J. Cohen

Acting Assistant Attorney General

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) enforces federal civil rights laws and other provisions that prohibit discrimination by recipients of federal financial assistance from OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW).

Several civil rights laws, including Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance (recipients) to give assurances that they will comply with those laws. Taken together, these and other civil rights laws prohibit recipients from discriminating in the provision of services and employment because of race, color, national origin, religion, disability, and sex or from discriminating in the provision of services on the bases of age.

Some recipients of DOJ financial assistance have additional obligations to comply with other applicable nondiscrimination provisions like the Omnibus Crime Control and Safe Streets Act of 1968, which prohibits

discrimination on the basis of religion in addition to race, color, national origin, and sex. Recipients may also have related requirements regarding the development and implementation of equal employment opportunity programs.

OCR provides technical assistance, training, and other resources to help recipients comply with civil rights obligations. Further, OCR administratively enforces civil rights laws and nondiscrimination provisions by investigating DOJ recipients that are the subject of discrimination complaints. In addition, OCR conducts compliance reviews of DOJ recipients based on regulatory criteria. These investigations and compliance reviews permit OCR to evaluate whether DOJ recipients are providing services to the public and engaging in employment practices in a nondiscriminatory manner.

For more information about OCR, your civil rights and nondiscrimination responsibilities, how to notify your employees or beneficiaries of their civil rights protections and responsibilities and how to file a complaint, as well as technical assistance, training, and other resources, please visit www.ojp.gov/program/civil-rights-office/outreach. If you would like OCR to assist you in fulfilling your civil rights or nondiscrimination responsibilities, please contact us at askOCR@ojp.usdoj.gov or www.ojp.gov/program/civil-rights-office/about#ocr-contacts.

Memorandum Regarding NEPA

NEPA Letter Type

OJP - Categorical Exclusion

NEPA Letter

None of the following activities will be conducted whether under the Office of Justice Programs federal action or a related third party action:

- (1) New construction
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species
- (3) A renovation that will change the basic prior use of a facility or significantly change its size
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment
- (5) Implementation of a program involving the use of chemicals (including the identification, seizure, or closure of clandestine methamphetamine laboratories)

Additionally, the proposed action is neither a phase nor a segment of a project that when reviewed in its entirety would not meet the criteria for a categorical exclusion.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

Questions about this determination may be directed to your grant manager or Orbin Terry, Environmental Coordinator for the Bureau of Justice Assistance.

NEPA Coordinator

First Name

Orbin

Middle Name

Last Name

Terry

Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Recipient Information

Recipient Name

MID AMERICA REGIONAL COUNCIL

UEI

PKFBD7MR9Q41

Street 1

600 BROADWAY BLVD STE 200

Street 2

City

KANSAS CITY

State/U.S. Territory

Missouri

Zip/Postal Code

64105

Country

United States

County/Parish

Province

Award Details

Federal Award Date

8/15/24

Award Type

Initial

Award Number

15PBJA-24-GG-00318-BRND

Supplement Number

00

Federal Award Amount

\$963,000.00

Funding Instrument Type

Grant

Assistance Listing Number

Assistance Listings Program Title

16.753

Congressionally Recommended Awards

Statutory Authority

Department of Justice Appropriations Act, 2024 (Pub. L. No. 118-42, 138 Stat. 25, 146-47)

[]

I have read and understand the information presented in this section of the Federal Award Instrument.

Project Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Solicitation Title

2024 BJA FY24 Invited to Apply- Byrne Discretionary
Community Project Grants/Byrne Discretionary Grants
Program

Awarding Agency

OJP

Program Office

BJA

Application Number

GRANT14149620

Grant Manager Name

Tammy Lovill

Phone Number

[202-598-6565](tel:202-598-6565)

E-mail Address

Tammy.L.Lovill@usdoj.gov

Project Title

Automated License Plate Reader Expansion for Law Enforcement

Performance Period Start**Date**

07/01/2024

Performance Period End Date

06/30/2026

Budget Period Start Date

07/01/2024

Budget Period End Date

06/30/2026

Project Description

Mid-America Regional Council proposes to implement the Automated License Plate Reader Expansion for Law Enforcement Program. The purpose is to increase the solvability of violent crimes in the cities of Independence, Missouri and Kansas City, Missouri. Project activities include the installation of approximately one hundred forty-four (144) automated license plate readers (ALPR) at forty-two (42) high traffic intersections and crime hot spots based on crime data. Devices will be concentrated in the Bi-State Sustainable Reinvestment Corridor and the east-west border of Kansas City and Independence. ALPRs capture high-resolution images of vehicular traffic and extract license plate numbers to scan through law enforcement databases. ALPRs query the known locations and patterns of movement of violent offenders, missing and endangered subjects, and vehicles wanted in connection with criminal cases, then immediately convey information to law enforcement in the field. Expected outcomes include increased sharing of intelligence across jurisdictional boundaries, increased and faster crime clearance rates, and increased public understanding of the law enforcement benefits of ALPR technology. The project will benefit the general public in the greater Kansas City region because data will be available to multiple law enforcement agencies through a shared online ALPR portal. The project subrecipients are the Board of Police Commissioners of Kansas City, Missouri and the City of Independence, Missouri. Subrecipient activities include purchase, installation and maintenance of ALPRs and related software; and training and analysis to interpret and act upon intelligence gathered.

[]

I have read and understand the information presented in this section of the Federal Award Instrument.

Financial Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

A financial analysis of budgeted costs has been completed. Costs under this award appear reasonable, allowable, and consistent with existing guidelines. Exceptions / Adjustments are noted below.

Year 1	Year 2	Total
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Personnel

\$11,310	\$11,632	\$22,942
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Fringe Benefits

\$5,971	\$6,141	\$12,112
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Travel

\$0	\$0	\$0
-----	-----	-----

Equipment

\$0	\$0	\$0
-----	-----	-----

Supplies

\$0	\$0	\$0
-----	-----	-----

Construction

\$0	\$0	\$0
-----	-----	-----

SubAwards

\$914,850	\$0	\$914,850
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Procurement Contracts

\$0	\$0	\$0
Other Costs		
\$615	\$633	\$1,248
Total Direct Costs		
\$932,746	\$18,406	\$951,152
Indirect Costs		
\$5,841	\$6,007	\$11,848
Total Project Costs		
\$938,587	\$24,413	\$963,000

Spacer

Federal

Non-Federal

Year1

\$938,587

\$0

Year2

\$24,413

\$0

Spacer

\$963,000

\$0

Budget Totals

	Total	Percentage
Total Project Cost	\$963,000	
Federal Funds	\$963,000	100.00~symbolPlaceholder~
Non-Federal Amount	\$0	0.00~symbolPlaceholder~
Match Amount	\$0	0.00~symbolPlaceholder~

Program Income \$
0

0.00~symbolPlaceholder~

Empty Space

Budget Category

Personnel

Fringe Benefits

Travel

Equipment

Supplies

Construction

SubAwards

Procurement Contracts

Other Costs

Indirect Costs

[]

I have read and understand the information presented in this section of the Federal Award Instrument.

Award Conditions

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

1

Meaningful access requirement for individuals with limited English proficiency

The recipient, and any subrecipient at any tier, must take reasonable steps to ensure that individuals with limited English proficiency (LEP) have meaningful access to their programs and activities to comply with Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of national origin, including discrimination against individuals with LEP. Such steps may require providing language assistance services, such as interpretation or translation services. The Department of Justice guidance on compliance with this requirement may be found at "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (67 Fed. Reg. 41455-41472) (<https://www.federalregister.gov/d/02-15207>) and is incorporated by reference here.

2

Compliance with general appropriations-law restrictions on the use of federal funds (FY 2024)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY24AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

3

Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

4

Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

5

Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this award from OJP.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

6

Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

7

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

Recipients and subrecipients that provide social services under this award must give written notice to beneficiaries and prospective beneficiaries prior to the provision of services (if practicable) which shall include language substantially similar to the language in 28 CFR Part 38, Appendix C, sections (1) through (4). A sample written notice may be found at <https://www.ojp.gov/program/civil-rights-office/partnerships-faith-based-and-other-neighborhood-organizations>.

In certain instances, a faith-based or religious organization may be able to take religion into account when making hiring decisions, provided it satisfies certain requirements. For more information, please see <https://www.ojp.gov/funding/explore/legaloverview2024/civilrightsrequirements>.

8

Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

9

Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

10

Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

11

Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

12

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

Among other items, 28 C.F.R. § 42.106(d), 28 C.F.R. § 42.405(c), and 28 C.F.R. § 42.505(f) contain notice requirements that covered recipients must follow regarding the dissemination of information regarding federal nondiscrimination requirements.

13

Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may

interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

14

Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

15

Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

16

Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

17

Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

18

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene

requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient—

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both—

a. it represents that—

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

19

OJP Training Guiding Principles

Any training or training materials that the recipient – or any subrecipient ("subgrantee") at any tier – develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees>.

20

Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that – for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

21

Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

22

Required training for Grant Award Administrator and Financial Manager

The Grant Award Administrator and all Financial Managers for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2021, will satisfy this condition.

In the event that either the Grant Award Administrator or a Financial Manager for this award changes during the period of performance, the new Grant Award Administrator or Financial Manager must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after the date the Entity Administrator enters updated Grant Award Administrator or Financial Manager information in JustGrants. Successful completion of such a training on or after January 1, 2021, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://onlinegfmt.training.ojp.gov/>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

23

Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

24

Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the

OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

25

Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

26

Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

27

Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

28

Compliance with restrictions on the use of federal funds—prohibited and controlled equipment under OJP awards

Consistent with Executive Order 14074, "Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety," OJP has prohibited the use of federal funds under this award for purchases or transfers of specified equipment by law enforcement agencies. In addition, OJP requires the recipient, and any subrecipient ("subgrantee") at any tier, to put in place specified controls prior to using federal funds under this award to acquire or transfer any property identified on the "controlled equipment" list. The details of the requirement are posted on the OJP web site at <https://www.ojp.gov/funding/explore/prohibited-and-controlled-equipment> (Award condition: Compliance with restrictions on the use of federal funds—prohibited and controlled equipment under OJP awards), and are incorporated by reference here.

29

Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any

subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

30

All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

31

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

Among other items, 28 C.F.R. § 54.140 contains notice requirements that covered recipients must follow regarding the dissemination of information regarding federal nondiscrimination requirements.

32

The recipient understands that, in accepting this award, the Authorized Representative declares and certifies, among other things, that he or she possesses the requisite legal authority to accept the award on behalf of the recipient entity and, in so doing, accepts (or adopts) all material requirements that relate to conduct throughout the period of performance under this award. The recipient further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the award without first ensuring that the individual has the requisite legal authority.

33

Verification and updating of recipient contact information

The recipient must verify its Grant Award Administrator, Financial Manager, and Authorized Representative contact information in JustGrants, including telephone number and e-mail address. If any information is incorrect or has changed, the award recipient's Entity Administrator must make changes to contact information through DIAMD. Instructions on how to update contact information in JustGrants can be found at <https://justicegrants.usdoj.gov/training/training-entity-management>.

34

FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to— (1) an award of less than \$30,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

35

Body-worn cameras, policies and procedures

In accepting this award, the recipient agrees not to use award funds for purchases of body-worn cameras or related expenses for any agency unless that agency has policies and procedures in place that reinforce appropriate agency Use of Force policies and training and address technology usage, evidence acquisition, data storage and retention, as well as privacy issues, accountability and discipline.

36

Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards, and is listed on the NIJ Compliant Body Armor Model List. In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information and the NIJ Compliant Body Armor List may be found by following the links located on the NIJ Body Armor page: <https://nij.ojp.gov/topics/equipment-and-technology/body-armor>. In addition, if recipient uses funds under this award to purchase body armor, the recipient is strongly encouraged to have a "mandatory wear" policy in effect. There are no requirements regarding the nature of the policy other than it be a mandatory wear policy for all uniformed officers while on duty.

37

The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

38

Any written, visual, or audio publications funded in whole or in part under this award, with the exception of press releases, shall contain the following statements: "This project was supported by Grant No. <AWARD_NUMBER> awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.

39

Any Web site that is funded in whole or in part under this award must include the following statement on the home

page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service: "This Web site is funded in whole or in part through a grant from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)." The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.

40

Confidentiality of data

The recipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

41

The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

42

Protection of human research subjects

The recipient (and any subrecipient at any tier) must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

43

Justification of consultant rate

Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the OJP program office prior to obligation or expenditure of such funds.

44

The recipient agrees that no funds under this grant award (including via subcontract or subaward, at any tier) may be used for unmanned aircraft systems (UAS), which includes unmanned aircraft vehicles (UAV), or for any accompanying accessories to support UAS.

45

Compliance with 28 C.F.R. Part 23

With respect to any information technology system funded or supported by funds under this award, the recipient (and any subrecipient at any tier) must comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 34 U.S.C. 10231(c)-(d). The recipient may not satisfy such a fine with federal funds.

46

Justice Information Sharing

Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) must conform to the Global Standards

Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

47

In accepting this award, the recipient agrees that grant funds cannot be used for Facial Recognition Technology (FRT) unless the recipient has policies and procedures in place to ensure that the FRT will be utilized in an appropriate and responsible manner that promotes public safety, and protects privacy, civil rights, and civil liberties and complies with all applicable provisions of the U.S. Constitution, including the Fourth Amendment's protection against unreasonable searches and seizures and the First Amendment's freedom of association and speech, as well as other laws and regulations. Recipients utilizing funds for FRT must make such policies and procedures available to DOJ upon request.

48

The recipient agrees that it will submit quarterly financial status reports (the SF 425 Federal Financial Report) to OJP in JustGrants, no later than the deadlines set out in the DOJ Financial Guide and the JustGrants guidance (typically 30 days after the end of each calendar quarter). Delinquent reports may lead to funds being frozen and other remedies.

49

The recipient shall submit semiannual performance reports. Performance reports shall be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31, for the life of the award. These reports will be submitted to the Office of Justice Programs, on-line through the Internet at <https://justgrants.usdoj.gov>

50

As of the first day of the period of performance for the award, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum, all applicable withholding conditions are removed by OJP (via an Award Condition Modification (ACM)).

Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "at-risk," if and when the recipient makes a valid acceptance of this award and OJP removes each applicable withholding condition through an Award Condition Modification (ACM), the recipient is authorized to reimburse itself for project costs incurred "at-risk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided that those project costs otherwise are allowable costs under the award.

51

Limit on use of grant funds for grantees' employees' salaries

With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

52

Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the

federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIS), and are incorporated by reference here.

☐ I have read and understand the information presented in this section of the Federal Award Instrument.

Award Acceptance

Declaration and Certification to the U.S. Department of Justice as to Acceptance

By checking the declaration and certification box below, I--

A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.

B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.

C. Accept this award on behalf of the applicant.

D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Agency Approval

Title of Approving Official	Name of Approving Official	Signed Date And Time
Acting Assistant Attorney General	Brent J. Cohen	8/12/24 2:36 PM

Authorized Representative

Entity Acceptance

Title of Authorized Entity Official
Executive Director

Signed Date And Time

Exhibit A-3 – Detailed Budget

The table below is a summary of the total approved project budget.

Budget Summary											
<i>Note: Any errors detected on this page should be fixed on the corresponding Budget Detail tab.</i>											
Budget Category	Year 1		Year 2 (if needed)		Year 3 (if needed)		Year 4 (if needed)		Year 5 (if needed)		Total(s)
	Federal Request	Non-Federal Request	Federal Request	Non-Federal Request	Federal Request	Non-Federal Request	Federal Request	Non-Federal Request	Federal Request	Non-Federal Request	
A. Personnel	\$11,310	\$0	\$11,632	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$22,942
B. Fringe Benefits	\$5,971	\$0	\$6,141	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$12,112
C. Travel	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
D. Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
E. Supplies	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
F. Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
G. Subawards (Subgrants)	\$914,850	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$914,850
H. Procurement Contracts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
I. Other	\$615	\$0	\$633	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,248
Total Direct Costs	\$932,746	\$0	\$18,406	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$951,152
J. Indirect Costs	\$5,841	\$0	\$6,007	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$11,848
Total Project Costs	\$938,587	\$0	\$24,413	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$963,000
Does this budget contain conference costs which is defined broadly to include meetings, retreats, seminars, symposia, and training activities? - Y/N											No

The table below is a summary of the portion of the budget approved for City of Independence as a subaward recipient pursuant to this Agreement.

IPD Budget	Year 1 (July 1, 2024 – June 30, 2025)	Year 2 (July 1, 2025 – June 30, 2026)	TOTAL
Grant	\$457,425	\$0	\$457,425
In-Kind (Non Federal)	\$0	\$0	\$0
Total	\$457,425	\$0	\$457,425

The City of Independence, MO (Independence Police Department - IPD) will serve as a key project partner. This law enforcement agency will deploy approximately seventy-two (72) automated license plate readers (ALPRs) at 18 high traffic intersections and/or within identified crime hot spots along the city's western boundary with Kansas City, MO. IPD will also play a key role in helping to develop consistent data collection and evaluation tools, staff training and sharing their learnings, successes, challenges, and solutions as part of the collaborative approach with KCPD. IPD agrees to collect all required data and submit it to the project director at MARC no less than quarterly.

In year 1, IPD requests \$457,425 to support procurement and installation of approximately 72 ALPRs. IPD currently has 10 ALPRs deployed in the city. Based on prior procurement and research with ALPR vendors, the estimated cost of each unit is \$25,000. There may be some ancillary costs related to site preparation (i.e. fiber extension, pole replacement, etc.) that would offset the total number of units to be deployed. IPD has other funding sources available to support ongoing maintenance and software for data collection and analysis.

GRANT SUB-RECIPIENT AGREEMENT

This Grant Sub-Recipient Agreement ("Agreement") is by and between Mid-America Regional Council, hereinafter referred to as "MARC", and the City of Independence, 111 E Maple Avenue, Independence, MO 64050, ("Subrecipient"), and is effective this 1st day of September, 2024.

Background

MARC desires to retain Subrecipient to implement the Automated License Plate Reader Expansion for Law Enforcement Program to increase the solvability of crimes in the city of Independence, Missouri (the "Project"); and Subrecipient represents that it has the personnel with technical expertise, experience and knowledge to perform such work for MARC.

Agreement

In consideration of the mutual covenants contained herein, the parties agree as follows:

1. SCOPE OF SERVICES

Subrecipient shall perform and accomplish in a manner satisfactory to MARC those tasks described in Exhibit A (the "Services"), which are incorporated herein by reference. The Subrecipient shall exercise the same degree of care, skill and diligence in the performance of the Services as is ordinarily possessed and exercised by a member of the same profession who is currently practicing under similar circumstances. Subrecipient represents and warrants that all Services will meet the any specifications set forth in Exhibit A. In the event that Exhibit A does not include express specifications for the Services, Subrecipient represents and warrants that the Services and any Work Product (as defined in Section 6) will be reasonably satisfactory to MARC in all material respects.

2. TIME OF PERFORMANCE

- A. Term - Subrecipient shall begin performing the Services upon execution of the Agreement and shall work diligently to complete the Project to the satisfaction of MARC, in accordance with the terms provided herein by June 30, 2026. Reporting and other grant compliance requirements may extend beyond the term for completing the Services.
- B. Extension of Term - The time frame for the completion of the Project under this Agreement may be extended at MARC's sole discretion upon request by MARC or the Subrecipient. Any request for an extension of time to complete the Project shall be made in writing to MARC. The Subrecipient shall provide to MARC, upon request, documentation to substantiate the justification for additional time needed to complete the Project. MARC shall provide the Subrecipient with written notice of its decision within fifteen (15) days of the date that MARC received the written extension request.

3. COMPENSATION

- A. Maximum Obligation - During the term of this Agreement, the compensation paid by MARC to Subrecipient for all Services specified herein relating to the Project shall not exceed Four Hundred Fifty-Seven Thousand Four Hundred Twenty-Five Dollars and No Cents (\$457,425.00). Exhibit A-3 to this Agreement provides an itemized list of the relevant compensation for each type of Service provided hereunder. MARC shall be entitled to deduct and setoff against all compensation that may otherwise become due under this Agreement the sums paid by MARC to cure or correct any of Subrecipient's defaults.
- B. Method and Time of Payment - Payment shall be made in the following manner:
- (i) Subrecipient shall submit monthly invoices to MARC for work completed to date. All such invoices shall (a) provide an itemization of Services performed during the previous month, (b) indicate the percentage of each Service that has been completed by Subrecipient as of the date of the invoice, (c) indicate the total amount charged for each Service during the previous month, (d) indicate the time spent by each of the Subrecipient's employees and approved subcontractors assigned to the Project during the previous month, and (e) provide a summary of all other direct and indirect costs incurred by Subrecipient during the previous month that pass to MARC pursuant to the terms of this Agreement. All such invoices will be based on actual cost incurred.
 - (ii) MARC shall reimburse Subrecipient within thirty (30) calendar days after the receipt of each invoice.
 - (iii) Subrecipient shall maintain complete records of all costs incurred under this Agreement. All such records shall be maintained on a generally accepted accounting basis for a minimum period of five (5) years after final payment is made under this Agreement and shall be clearly identifiable and readily accessible to authorized representatives of MARC for inspection and audit.
 - (iv) MARC may withhold fifteen percent (15%) from the final invoice provided by Subrecipient. Such amount shall be paid to Subrecipient within thirty (30) days of the date that (a) Subrecipient has completed all of the Services contemplated herein to the sole satisfaction of MARC, and (b) MARC has accepted the final work product of Subrecipient.
- C. Compensation After Termination - In the event that this Agreement is terminated as provided below, the Subrecipient shall be compensated for all hours worked and other expenses incurred under this Agreement prior to the date of receipt of the termination notice or other termination date specified in such notice. The Subrecipient and any of its subcontractors, agents and legal representatives agree to accept this amount of compensation in full satisfaction of all claims for compensation under this Agreement.

4. **CHANGES AND ADDITIONAL SERVICES**

This Agreement constitutes the entire agreement between MARC and Subrecipient and it may not be amended or altered in any way except by a written amendment signed by both parties to this Agreement; provided, however, that at any time during the term of this Agreement MARC, by written notice to Subrecipient, may modify the scope of the Services to be furnished by Subrecipient under this Agreement. If such modification causes an increase or decrease in the amount of Services to be provided by Subrecipient or in the amount of time required for their performance, equitable adjustment shall be made to the provisions of this Agreement for payments to Subrecipient.

5. **TERMINATION**

- A. MARC reserves the right to terminate this Agreement at any time with or without cause by giving Subrecipient advance written notice of such termination.
- B. In the event of any such termination, the Subrecipient shall deliver to MARC, as the property of MARC, all designs, reports, drawings, studies, estimates, computations, memoranda, documents, and other papers or materials either furnished by MARC or prepared by or for the Subrecipient under this Agreement.

6. **COPYRIGHT AND OWNERSHIP OF DOCUMENTS**

No reports, maps or other documents produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of Subrecipient. Ownership of all designs, reports, drawings, studies, estimates, models, computations, and other related items ("Work Product") prepared under this Agreement shall vest in MARC upon payment to the Subrecipient for all Services rendered herein through the date of the expiration or termination of this Agreement. Subrecipient hereby assigns to MARC all right, title and interest in any Work Product, including any copyrights or other intellectual property therein.

7. **ASSIGNMENT**

The Subrecipient's rights, obligations and duties under this Agreement shall not be assigned in whole or in part without the prior written consent of MARC. However, claims for money due to the Subrecipient from MARC under the terms of this Agreement may be assigned to a bank, trust company or other such financial institution, provided that prompt written notice of such an assignment is given to MARC. None of the Services covered by this Agreement shall be subcontracted without the prior written approval of MARC.

8. **INDEPENDENT CONTRACTOR**

Subrecipient will act as an independent contractor in the performance of the Services under this Agreement. Accordingly, Subrecipient shall be responsible for the payment of

all required business license fees and all taxes including Federal, State and local taxes arising from Subrecipient's activities under the terms of this Agreement.

9. **PROHIBITED INTERESTS**

No officer, member or employee of MARC, no member of MARC's governing body and no other public official of the locality or localities in which the Project is being carried out who exercises any functions or responsibilities in the review and approval of this Project shall participate in any decision related to this Agreement affecting, either directly or indirectly, his or her own personal interest. No member of or delegate to the Kansas Legislature, the Missouri General Assembly or the Congress of the United States shall be admitted to any share or part of this Agreement or to any benefit arising from it.

10. **CONFLICTS OF INTEREST**

- A. Subrecipient hereby certifies that the company and any personnel assigned to work for MARC under this Agreement are not involved in other community projects that would pose a conflict to the Subrecipient's ability to successfully carry out the responsibilities of this Agreement. If potential conflicts arise during the term of this Agreement, the Subrecipient agrees to notify MARC immediately in writing and discuss the potential issues and work with MARC to address any potential issues arising from the situation.
- B. The Subrecipient covenants that it presently has no known personal or pecuniary interest and shall not knowingly acquire such interest, directly or indirectly, which could conflict in any manner with the performance of Services under this Agreement, including the submission of impartial reports and recommendations.

11. **INSURANCE**

- A. The Subrecipient shall maintain commercial general liability, automobile liability, worker's compensation and employer's liability insurance in full force and effect to protect the Subrecipient from claims under Worker's Compensation Acts, claims for damages for personal injury or death, and for damages to property arising from the negligent acts, errors, or omissions of the Subrecipient and its employees, agents, and subsubrecipients in the performance of the Services covered by this Agreement, including, without limitation, risks insured against in commercial general liability policies.
- B. The Subrecipient shall also maintain professional liability insurance to protect the Subrecipient against the negligent acts, errors, or omissions of the Subrecipient and those for whom it is legally responsible, arising out of the performance of the Services under this Agreement.
- C. The Subrecipient's insurance coverages shall be for not less than the following limits of liability:
 - (i) Commercial General Liability: \$500,000.00 per claim up to \$2,000,000.00

per occurrence;

- (ii) Automobile Liability: \$100,000.00 per claim up to \$2,000,000.00 per occurrence;
 - (iii) Worker's Compensation in accordance with the statutory limits; and Employer's Liability: \$1,000,000.00; and
 - (iv) Professional Liability (Errors and Omissions): \$1,000,000.00, each claim and in the annual aggregate.
- D. The Subrecipient shall, upon request at any time, provide MARC with certificates of insurance evidencing such policies and confirming that they are all in full force and effect as required by this Agreement. All such policies shall name MARC as an additional insured.
- E. Any insurance policy required hereunder shall be written by a company which is incorporated in the United States of America or is based in the United States of America. Each insurance policy must be issued by a company authorized to issue such insurance in the State of Missouri.
- F. As between Subrecipient and MARC, the parties waive any and all rights against each other, including their rights of subrogation, for damages covered by property insurance during and after the completion of Services under this Agreement.

12. **FEDERAL AND STATE TERMS AND CONDITIONS**

This Agreement shall be subject to all applicable Federal Terms and Conditions provided in Exhibit B attached hereto and incorporated herein by reference.

Subrecipient shall be responsible for ensuring compliance with the Immigration Reform Act of 1986 and all laws regulating immigration and the verification of eligibility for employment of persons. All Subrecipients and sub-contractors with contract amounts in excess of \$5,000 on public projects in Missouri are required to verify the employment eligibility status of employees through the E-verify federal program administered by the Department of Homeland Security, U.S. Citizenship and Immigration Services. Compliance with any such requirements are required under this Agreement and any subcontracts permitted hereunder. Subrecipient shall indemnify, defend and hold harmless MARC against any expense incurred including imposition of fines which results from violation of such laws. Subrecipient affirmatively states that it is not knowingly in violation of R.S. Mo. 285.530.1 and shall not henceforth be in such violation. Subrecipient further agrees to execute a sworn affidavit, under the penalty of perjury attesting to the fact that the Subrecipient's employees are lawfully present in the United States. Failure of Subrecipient to comply with this requirement shall be grounds for termination for default.

13. **INDEMNIFICATION**

Subrecipient expressly agrees to defend, indemnify, and hold and save harmless MARC, its officers, agents, servants and employees for liability of any nature (including, without limitation, reasonable attorneys' fees) related to (i) a breach of this Agreement by Subrecipient, (ii) the Services provided under this Agreement by Subrecipient or arising from any act or omission of Subrecipient or of any employee or agent of Subrecipient; or (iii) infringement or misappropriation or allegation of infringement or misappropriation of any patent, copyright, trade secret, trademark or other proprietary right of any third party relating to any deliverable provided or service performed by Subrecipient .

14. **CERTIFICATE REGARDING DEBARMENT AND SUSPENSION**

MARC, as a non-federal entity utilizing federal funds, is prohibited from contracting with or making subawards under covered transactions to parties that are suspended, debarred or otherwise excluded from, or ineligible for, participation in Federal assistance programs or activities, or whose principals are suspended, debarred or otherwise excluded from, or ineligible for, participation in Federal assistance programs or activities. Covered transactions include procurement contracts for goods or services equal to or in excess of \$25,000 (e.g., subawards to subrecipients). Subrecipient hereby agrees to provide MARC with a copy of the signed Certificate Regarding Debarment and Suspension, attached hereto as Exhibit C and incorporated herein by reference, to ensure that these federal rules are followed.

15. **CONFIDENTIALITY**

- A. Except as is necessary in the performance of this Agreement, or as authorized in writing by the other party, the parties shall not disclose to any person, institution, entity, company, or other third party any information directly or indirectly related to the parties that the other party (or its employees, agents and contractors) receives as a result of performing its obligations under this Agreement, or of which it is otherwise aware.
- B. The parties (and their employees, agents and contractors) shall not disclose, except to each other, any proprietary information, professional secrets or other information, records, data and data elements (including, but not limited to, protected health information) collected and maintained in the course of carrying out the responsibilities under this Agreement, unless such party receives prior written authorization to do so from the other party or as required by law.
- C. All confidential obligations contained herein (including those pertaining to information transmitted orally) shall survive the termination of this Agreement. The parties shall ensure that their respective employees, agents and contractors are aware of and shall comply with the aforementioned obligations.
- D. MARC is a public governmental body subject to the provisions of Missouri's Sunshine Law, Sections 610.010 through 610.030 RSMo. As such, MARC is required to allow citizens to inspect and copy District documents deemed to be "public records" under the law. Nothing herein shall prohibit MARC from

satisfying a request to inspect and copy documents if legal counsel for MARC is of the opinion that such documents are “public records.”

16. **DEFAULT**

In the event there is a default with respect to any of the provisions of this Agreement or its obligations under it, the non-defaulting party shall give the defaulting party written notice of such default. After receipt of such written notice, the defaulting party shall have fifteen (15) days in which to cure any monetary default and thirty (30) days in which to cure any non-monetary default, provided the defaulting party shall have such extended period as may be required beyond the thirty (30) days if the nature of the cure is such that it reasonably requires more than thirty (30) days and the defaulting party commences the cure within the thirty (30) day period and thereafter continuously and diligently pursues the cure to completion. The non-defaulting party may not maintain any action or effect any remedies for default against the defaulting party unless and until the defaulting party has failed to cure the same within the time periods provided in this paragraph. Remedies for default may include, but not be limited to, temporarily withholding payments, disallowing all or a part of reimbursable costs, suspending or terminating the Agreement pursuant to Section 5, recommendation of suspension or debarment, withholding further federal awards, or other remedies that may be legally available.

17. **GOVERNING LAW**

This Agreement shall be interpreted under and governed by the laws of the State of Missouri. Whenever there is no applicable state statute or decisional precedent governing the interpretation of this Agreement, then federal common law shall govern.

18. **NOTICES**

Any action by MARC under this Agreement may be taken by David A. Warm, Executive Director, or such other person as MARC may designate for such purpose by written notice to Subrecipient. All compensation and written notices to Subrecipient shall be considered to be properly given if mailed, delivered in person, emailed or transmitted by facsimile machine to:

City of Independence Police
Department Attn: Jason Petersen,
Deputy Chief 223 N Memorial Drive
Independence, MO 64050
(816) 325-7300
E-mail address: jpetersen@indepmo.org

All invoices, written reports and written notices given to MARC shall be considered to be sufficiently given if mailed, delivered in person, e-mailed or transmitted by facsimile machine to:

Mid-America Regional Council
Attn: Julie Phillips, Shared Services Program Director
600 Broadway, Suite 200
Kansas City, Missouri 64105-1659
E-mail address: jphillips@marc.org
FAX (816) 474-4240

19. **ENTIRE AGREEMENT**

This Agreement cancels and supersedes all previous discussions, negotiations, understandings, representations, warranties and agreements, written or oral, relating to the subject matter of this Agreement, and contains the entire understanding of the parties hereto.

20. **COUNTERPARTS**

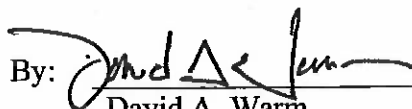
This Agreement may be executed in any number of counterparts, each of which is deemed to be an original and all of which constitute one agreement that is binding upon all of the parties hereto, notwithstanding that all parties are not signatories to the same counterpart.

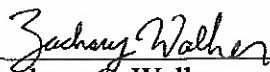
[signatures on the following page]

IN WITNESS WHEREOF, the parties hereto have signed this Agreement on the dates set forth below.

MID-AMERICA REGIONAL COUNCIL

CITY OF INDEPENDENCE, MISSOURI

By: 
David A. Warm
Executive Director

By: 
Zachary C. Walker
City Manager

Date: 9/4/2024
"MARC"

Date: 08/26/2024
"Subrecipient"

Exhibit A

Scope of Services

The City of Independence Police Department agrees to collaborate with MARC and other project partners to execute the requirements of a Federal Award Project entitled “Automated License Plate Reader Expansion for Law Enforcement,” under the Solicitation Title BJA FY24 Invited to Apply – Byrne Discretionary Community Project Grants/Byrne Discretionary Grants Program, Federal Award Identification Number (FAIN) #15PBJA-23-GG-00318-BRND, awarded by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, on August 15, 2024 (the “Project”). The approved award amount is \$963,000. The Project is described in the Proposal Narrative, attached hereto and incorporated by reference as Exhibit A-1.

City of Independence Police Department (“Subrecipient”) is a Sub-Recipient to MARC (prime grantee) and is one of the Partners designated in the Project. Subrecipient has reviewed Exhibit A-1 and is familiar with and agrees to carry out the duties, responsibilities and obligations of the Sub-Recipient. The Subrecipient agrees to comply with all conditions of the award, attached hereto and incorporated by reference as Exhibit A-2.

Among other things, Sub-Recipients must:

- Actively engage in project team meetings, quarterly or as scheduled, to coordinate and ensure project deliverables,
- Provide appropriate progress reports and financial reports,
- Be accountable for how they use the federal funds provided under the subaward,
- Follow applicable federal rules regarding financial management, internal controls, cost principles, and audit requirements, and
- Collect and provide performance data to include in grant reports to OJP.



NOTICE OF MARC/KCRPC CONTRACT MODIFICATION
DATED: October 11, 2024

Bid Title:	Yearly Contract for Surveillance Cameras & Installation
Bid/Contract No.	93 (3R)
Contract Modification No.:	4
Contract Period:	11/1/20 to 10/31/22
Renewal Period 1:	11/1/22 to 10/31/23
Renewal Period 2:	11/1/23 to 10/31/24
Renewal Period 3:	11/1/24 to 10/31/25

CONTRACTOR:

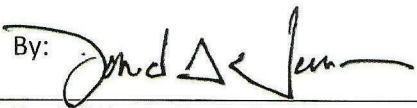
Lisa Reinoehl
Electronic Technology, Inc.
5700 Merriam Dr.
Merriam, Kan., 66203

Phone: 913-962-8083
Fax:
Email: lreinoehl@etikc.com

MODIFICATION TO ORIGINAL CONTRACT:

The original contract issued November 1, 2020, is revised as follows:

MARC/KCRPC does hereby accept your offer to renew the contract for one year, with the requested changes, with no renewal option remaining. The updated price list is included with this modification.

By: 

David Warm, Executive Director
Mid-America Regional Council

10/22/2024

Date:

By: 

Lisa Reinoehl, CEO, President
Electronic Technology, Inc.

10/23/2024

Date:

Copy: Contractor / Contract database / KCRPC Program Coordinator / Participants

MID-AMERICA REGIONAL COUNCIL / KANSAS CITY REGIONAL PURCHASING COOPERATIVE
600 Broadway Suite 200, Kansas City, Mo. 64105-1659
www.marc.org / rita.parker@kcrpc.com

LABOR RATES (TAB 1)

Effective 11/1/24 to 10/31/25

ELECTRONIC TECHNOLOGY, INC

Regular/Repair Service Call:

Regular Hours	Monday - Friday 8:00 a.m. to 5 p.m.
After Hours	Monday - Friday
Weekends	Saturday - Sunday
Holiday	

Emergency/ Repair Service Call:

Regular Hours	Monday - Friday 8:00 a.m. to 5 p.m.
After Hours	Monday - Friday
Weekends	Saturday - Sunday
Holiday	

New Work:

Regular Hours	Monday - Friday 8:00 a.m. to 5 p.m.
After Hours	Monday - Friday
Weekend	Saturday - Sunday
Holiday	

Other:

Bucket truck rental, includes two operators.

Tower crew, rates per person

Training costs - include cost per hour or set pricing, training material, travel costs and any other relevant cost breakdowns.

Integration costs:

Non-Prevailing Wage Rates (Also applies to Missouri projects under \$75,000)	
Hourly Rate:	Minimum Hrs.
\$ 110.00	1
\$ 130.00	1
\$ 145.00	1
\$ 190.00	1

Prevailing Wage Work (Missouri only - for projects over \$75,000)	
Hourly Rate:	Minimum Hrs.
\$ 125.00	1
\$ 145.00	1
\$ 170.00	1
\$ 206.00	1

\$ 115.00	1
\$ 135.00	1
\$ 150.00	1
\$ 195.00	1

\$ 130.00	1
\$ 150.00	1
\$ 175.00	1
\$ 210.00	1

\$ 110.00	1
\$ 130.00	1
\$ 145.00	1
\$ 190.00	1

\$ 125.00	1
\$ 145.00	1
\$ 170.00	1
\$ 205.00	1

Hourly Rate:	Minimum Hrs.
\$ 285.00	1
\$ 195.00	1
\$ 1,210.00	1

Hourly Rate:	Minimum Hrs.
\$ 325.00	1
\$ 205.00	1
\$ 1,210.00	1

Boring services

Ductwork Standard 3 inch (KCMO)

Ductwork City Specification non KCMO Jurisdictions

Refer to Tab 5-4	Per foot
" "	Per foot ^
" "	Per foot ^

Refer to Tab 5-4	Per foot
" "	Per foot ^
" "	Per foot ^

State any additional delivery costs or mileage rate, for products or service requested by agencies located outside the greater metropolitan Kansas City area.

Rate of \$0.665 per mile

* Minimum of a 2-person crew required for all tower work

** Training costs will vary by class type to be covered. This is an average cost per day based on a 10 person participation

^ Refer also to digital submission tables

				Electronic Technology, Inc.
MANUFACTURER:	NAME AND EFFECTIVE DATE OF PUBLISHED CATALOG/PRICE SHEET	DISCOUNT (%) OFFERED:	MSRP WEB LINK:	LEAD TIME for DELIVERY OF PRODUCTS (AFTER RECEIPT OF ORDERS) IF AVAILABLE:
CATEGORY A:	VIDEO SURVEILLANCE EQUIPMENT AND SOFTWARE - IP-BASED			
Genetec	Security Center	20%	Refer to appendices	10 Days to 15 Days
			www.genetec.com	

CATEGORY B:	CONTROLLED BUILDING ACCESS			
Genetec	Security Center	20%	Refer to appendices	10 Days to 15 Days

CATEGORY D:	CABLING COSTS (EXCLUDING LABOR)			
CommScope	CAT 5 & CAT 6 Cable	15%	Furnish by Quotes	10 Days
Corning	Fiber	10%	Furnish by Quotes	6 to 8 months
			www.commscope.com	
			www.corning.com	

CATEGORY E:	OFF-SHELF (OTHER SIMILAR SURVEILLANCE/SECURITY PRODUCTS OFFERED, BUT NOT LISTED ABOVE)::			
	Note: For additional details regarding Vendor product lines refer to Tab 5-4			

		Electronic Technology, Inc.	
Comply? Check YES or NO for each statement. If response is NO, bidders must state alternate proposed. Bidders may attach separate sheet for alternate proposal.		Response/Exceptions/Alternate:	
VIDEO SURVEILLANCE EQUIPMENT AND SOFTWARE			
4.1	All camera brackets on the pole at location, shall be mounted using a metal strap band mounting bracket so that no drilling into the pole is required to hold the camera.	☐ YES	No alternates allowed.
	Mount on:	☐ YES	
	Street-Light Poles	☐ YES	
	Traffic Signal Standards	☐ YES	
	Building exteriors/interiors	☐ YES	
	Radio Towers	☐ YES	
	Vehicles	☐ YES	
	Overpasses/bridges	☐ YES	
4.2	A NEMA rated box may be required of sufficient size to hold necessary equipment for the installation. Box may need to be color matched. Vendor may be required to connect to electrical power available at the site.	☐ YES	
4.3	Remote Mount Cameras features must include:	☐ YES	
	IP Addressable	☐ YES	
	Genetec compatible	☐ YES	
	PoE (Power Over Ethernet)	☐ YES	
	Web Interface with User/PW login	☐ YES	
	ONVIF Compatible	☐ YES	
	Local EDGE recording capability	☐ YES	
	Minimum 1080p resolution (State max resolution)		Maximum 20 Megapixels on 1 lens
4.4	Enclosure for Camera	☐ YES	
	All weather (Exterior cameras only)		
4.5	Integration Services	☐ YES	
	Vendor will propose solution and necessary equipment and services to achieve desired capability.	☐ YES	
4.6	VIDEO SURVEILLANCE EQUIPMENT AND SOFTWARE - IP-BASED		
	Must be certified Genetec certified distributor	☐ YES	
	Must be proficient in network & firewall configuration to support camera network	☐ YES	
4.7	Wireless Connectivity		
	Radwin Certified	☐ YES	
4.8	CONTROLLED BUILDING ACCESS		
	Systems and components shall be able to screen and validate employees and visitors using various readers (i.e. swipe card-keypad, proximity, biometric identification).	☐ YES	
	Electromagnetic door lock.	☐ YES	
	Surface-mount door contact and switch, and electric door strike, heavy duty.	☐ YES	
	Includes request to exit button signage.	☐ YES	
	Includes request to exit PIR motion sensors.	☐ YES	
	Touchless panels	☐ YES	
	Panic alarms, under desk	☐ YES	
4.9	CABLING		
	Single & multi-mode fiber splicing to include waterproof enclosures	☐ YES	
	Cat 5/Cat 6 termination and testing	☐ YES	
	Fiber optic cable termination in cassette or panel	☐ YES	
	OTDR and power meter testing of fiber cable	☐ YES	
	Boring to include earth, rock or external walls (Vendor must be able to install orange colored, 3 inch conduit or two, 2 inch conduits as required)	☐ YES	
	Pull Box (Hand Hole) installation in earth/rock/pavement (KCMO installations must meet KCMO TCD-0-6 & TCD-0-6a Type II)	☐ YES	
	Fiber optic cable must be single mode, rated appropriately for inside or outside plant use (KCMO installations to meet KCMO standard available at:)	☐ YES	
	https://drive.google.com/file/d/1ifA3lqKbl-s6TSNmFtCPXx3bRN7dMQ6/view		

	Signed and Included? Designate "Yes or No"	
Addendum(s) signed and included? <i>Bidders shall confirm if any additional addendums have been issued, by either contacting the Program Coordinator, or checking the web sites at www.marc.org/kcrpc/ or www.demandstar.com.</i>	<u>Yes</u> ☒	No
Section 5.0 Submittal Section - References, Key Personnel, Subcontractors, Available Equipment? Completed and signed by authorized person.	<u>Yes</u> ☒	No
Appendix A - Addendum 1 REVISED Pricing Section Tab 1 - Labor Rates / Tab 2 - Discounts Offered and Manufacturers / Tab 3 - Specifications/Response and Tab 4 - Excel sheet	<u>Yes</u> ☒	No
Appendix B - Authorization-Collusion Affidavit	<u>Yes</u> ☒	No
Appendix C - Disabled Veterans Preference (Missouri)	<u>Yes</u> ☒	No
Appendix D - Bidder Warranties	<u>Yes</u> ☒	No
Appendix E - E-Verification	<u>Yes</u> ☒	No
Appendix F - Missouri Products Preference	<u>Yes</u> ☒	No
Appendix G - Bidder Guarantees	<u>Yes</u> ☒	No
Appendix H - Debarment Certification	<u>Yes</u> ☒	No
Appendix I - Intent to Perform as MBE-WBE	<u>Yes</u> ☒	No
Appendix J - Affirmative Action	<u>Yes</u> ☒	No
Appendix K - Lobbying	<u>Yes</u> ☒	No
Allow Cooperative Purchasing By Other Entities (Non-Participants)	<u>Yes</u> ☒	No
Payment terms are Net 30 . Do you offer discount for early payment (i.e. Net 15 - 2 percent discount)?	No discount for 15 days	
Government procurement cards accepted? Modification 4 - Changed from 2% to 3%	Yes, at 3 percent	
Geographical service coverage (local, state or national): Modification 4 - Arkansas deleted	States of; Arkansas , Iowa, Kansas, Missouri, and Nebraska	

Annual maintenance service agreement available? Provide details or submit sample agreement.	Please refer to warranty page.
Annual maintenance services - Do you offer multi-year pre-payment discount? If yes, state discount and terms.	Please refer to warranty page.
Warranty - Parts - state warranty period	See warranty information on included page.
Warranty - Labor - state warranty period	45 Days
Warranty - Extended state cost and availability	Extended warranty varies from vendor to vendor
Describe policy/process to replace equipment due to damage, theft or repair during warranty period	Please refer to warranty page.
Describe ability to deactivate equipment immediately	Remote connection utilizing Team Viewer software
Describe security and fraud detection capability	Please refer to security / fraud page
Describe website presence - functionality on website	Website
Technical support, 24/7 capability? If yes, state availability including contact information.	Yes, ETI offers 24/7 technical support

Contract Pricing - Most Used Equipment / MARC Bid No. 93	Discount % off MSRP	Note
iPhone	10%	*
Altronix	10%	*
Antrica - Video Encoders \ Decoders	10%	*
ASSA ABLOY	10%	*
Axis Communication	15%	
Bosch Cameras	25%	*
Bridgewave Wireless	15%	*
BriefCam	10%	*
Cambium Wireless	12%	*
Ceragon Wireless Radios	20%	*
Cisco Equipment	15%	*
Code Blue Station	12%	*
Cradle Point Cellular Modems	10%	*
DDB Enclosure	10%	*
Ditek	10%	*
Genetec ALPR Products	15%	
Genetec Hardware All types	20%	
Genetec Security Center Video	20%	
Genetec Synergis Access Control	20%	
HES	10%	*
HID	10%	*
HP equipment	10%	*
Jupiter Video Wall equipment	12%	*
Louroe Audio products	10%	*
Panasonic Cameras	15%	
Photo Cell Power taps	\$125.00	
Prodera Network	15%	*
Radwin Wireless Radios	20%	
Ruckus Wireless	20%	*
Ruggedcom Switch products	12%	*
Securitron	10%	*
Siklu Wireless	15%	*
Southern MFG Enclosure 16H X 14W X 11 D #2 Key	Deleted	
Aluminum Enclosure (16"x16"x10") with #2 Security Lock (NEMA 3, Sundshield, Vented, Thermostatic Fan, Insulated, Pole/Wall Mount	\$720.00	New
Aluminum Enclosure (12" x 12" x 11") with #2 Security Lock (NEMA 3, Sundshield, Vented, Thermostatic Fan, Insulated, Pole/Wall Mount	\$660.00	New
Aluminum Enclosure (12" x 12" x 6") with #2 Security Lock (NEMA 3, Sundshield, Vented, Thermostatic Fan, Insulated, Pole/Wall Mount	\$580.00	New
Stone Lock Pro-Facial Recognition	10%	*
Transition Network	15%	*
PepLink Cellular Routers - NEW - Modification 4	15%	
Ubiquita UbiHub - NEW - Modification 4	20%	
Network Cat 6 Cable Drop 100 meters or less	\$275.00 each	
Fiber splice Prep Time getting ready to splice per location	\$150.00	
Fiber Splicing only per splice - Modification 4 - Rate change Regular/\$90, Emergency/\$120	\$90.00	
Fiber Testing both OTDR and Power meter with report per splice	\$70.00	
Fiber inground splice enclosure Corning	\$410.00	
Fiber rack mount LIU Corning CCH-01-U	\$327.00	
Fiber Cassette Corning 12 fiber single mode LC connector	\$533.00	
Mobilization for equipment to do boring	\$800.00	
Boring: per foot cost with no rock	\$25.00	
Rock Saw: per foot cost	\$60.00	
Rock Bore: per foot cost	\$160.00	
2 inch HDPE per foot with Pull tape installed	\$3.00 per foot	
3 inch HDPE per foot with pull tape installed	\$4.00 per foot	
Locate Wire per foot	\$1.00 per foot	
Supply and set Hand Holds 17x30x18	\$1,150.00	
Supply and set Hand Holds 24x36x24	\$1,350.00	
Backhoe with operator day rate	\$2,600.00	
Mini-Excavator with operator day rate	\$2,300.00	
Skid Steer with operator day rate	\$2,300.00	
Labor Rate	\$150.00	
Technical support 24/7 Standby / On Call	\$120.00 Daily Rate Plus call-in rate if need at \$135.00 Per-Man hour	
* Because Selected Vendors change pricing often, when asked for at the time of quoting, ETI can provide concurrent MSRP prices. Note: Due to potential vendor promotion additional discount may be applied.		

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-126 **1R** An ordinance approving a Final Plat for McBee Acres, in Independence, Missouri. **1R**

Recommendations:

Commissioner Ashbaugh made a motion to recommend approval of the final plat of McBee Acres with the following conditions:

1. Correct addresses based on attached address exhibit (Exhibit A).
2. Label the loop street on the northern and western, "E. Lynchburg Place N.", and, the southern and eastern part of the loop, "E. 16th Terrace N.". Change "S. Salem Dr." to "E. 16th Terr N.".
3. Remove the lot line (solid line) at the intersection of E. Lynchburg Place N. and N. Salem Drive. The Right-of-Way should be continuous, without breaks.
4. Change "Block 1" and "Block 2" to "Lot 1" and "Lot 2". This change will need to be reflected in the drainage easement language.
5. Language regarding the maintenance of drainage easements will need to be reviewed by Staff to verify concurrence with the recorded covenants.
6. Please indicate/delineate the boundaries for Drainage Easement "A". Ensure that the boundaries of Drainage Easement "B" match the Preliminary Development Plan. These easements will need to be reviewed by City Staff. If any revisions are required, comments will be provided.
7. An Operation and Maintenance Manual for the stormwater system will need to be developed and submitted for review prior to issuance of any Certificate of Occupancy for buildings on this site. Requirement as per the Environmental Compliance Division of the Municipal Services Department.
8. Remove 25' Building Line (Note: varied exterior setbacks and minimum 20' rear yard setbacks will need to be indicated on Final Development Plan, in accordance with the approved Preliminary Development Plan #22-125-01).
9. Submit Final Development Plan prior to construction. Final Development Plan is required to be submitted in accordance with City Code 14-703-06 and can be processed concurrently with Building Permit application(s).
10. Covenants, Conditions, and Restrictions CCR's shall be submitted for review and found to be in concurrence with the Final Plat prior to approval and recording of the Final Plat.

A second to the motion was made by Commissioner Ferguson. The City Planning Commission voted as follows:

Commissioner Nesbitt -Yes

Commissioner Ferguson - Yes

Commissioner Ashbaugh – Yes

Commissioner Wiley – Yes

Commissioner O'Neill – Yes
Commissioner Torres – Yes
Commissioner Young – Yes

The motion passed with a recommendation for approval to be forwarded to the City Council for consideration. Staff concurs with the recommendation of the Planning Commission.

Background:

A request for Final Plat approval, following the approval of the rezoning and preliminary development plan for McBee Acres.

PROPOSAL:

The applicant received approval of a preliminary development plan in April of 2022 (Ordinance #19316). One of the conditions for approval of Ordinance #19316 required the applicant to record a Final Plat of the proposed development site.

PHYSICAL CHARACTERISTICS OF PROPERTY:

This application for a Final Plat consists of two unplatted property tax parcels totaling ~11.45 acres in area. In addition, a dead-end section of Lexington Rd., located along the South/Southwest border of this site, has been vacated. The North half of the vacated Right-of-Way (30.5') is included in this application for a Final Plat.

The properties that make up this application were annexed into the City of Independence in 2015 (Ordinance #18524). The vacated Right-of-Way was annexed in 2022 (Ordinance #19315). Before this time, the properties that make up this application for a Final Plat would have been located in Unincorporated Jackson County.

CHARACTERISTICS OF THE AREA:

The surrounding land use of this area consists of a mixture of single-family, two-family, and multi-family residences, as well as a mixture of light commercial, general commercial, and public/civic uses.

ANALYSIS:

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

The property owner will need to make the necessary infrastructure improvements to this site. The installation of infrastructure at this site has been approved to move forward at-risk subject to the final plat.

Floodplain/Stream Buffer:

There are no floodplain/stream buffer issues with this property.

CIP Investments:

The City does not have any capital improvements projects planned near this area.

Platting:

This site has received approval of a preliminary development plan as part of an application for a Rezoning/PUD. This plan included 39 duplexes on 2 lots. As such, these duplexes will be owned and managed by the developer who will lease them out to tenants.

Elevations:

Based on the Preliminary Development Plan approved by City Council, each residential building will contain two adjoining identical two-story units constructed on a slab foundation. The first floor will feature about 700 square feet with a living room, dining room, ½ bath and a single car garage. The second floor will contain roughly 800 SF divided into three bedrooms and two bathrooms. Exterior building materials will consist of Hardie Board siding with veneer cultured stone on the front elevation, all in a light grey color. Asphalt composite shingles in a dark grey/black color will be used on all roofs.

Driveways and Sidewalks:

The preliminary development plan for this project indicates that each duplex will have a two-car width driveway. In addition, building elevations submitted as part of the preliminary development plan indicate that each duplex will be outfitted with 2 garages—one for each dwelling unit. Each duplex will have capacity for 4 off-street parking spaces.

Condition #6 of the applicant's approval for a Rezoning/PUD requires at least 13 additional off-street parking spaces to be added between certain lots. This will help to keep street parking at a minimum.

The preliminary development plan for this project indicates that a sidewalk will be constructed in the Right-of-Way around the boundaries of the interior lot (Lot 2)

Streets and Access:

The two lots will be accessed from Salem Dr. to the East. All buildings will be accessed by a looped public street connecting to Salem Drive. The development entrance shall meet minimum sight distance requirements prior to recording of the Final Plat.

This proposed project is not expected to adversely affect the street network in the vicinity of the project. Jackson County is requiring a construction permit for the project's connection with Salem Drive and has been involved early on with the project.

Landscaping:

The applicant will provide a tree preservation/landscape plan for the project showing new plantings and how the existing tree lines along the north and east sides of the site will be retained or improved. A landscape feature must be added around the central and northwest detention basins. The applicant will provide a landscape/tree preservation plan as part of a Final Development Plan.

Detention Basin Easements:

Ownership and maintenance of detention basin easements will be recorded with the First Final Plat.

Draft Planning Commission minutes are attached to this Council agenda item.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
---------------------------------	-------------------------

REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Draft Ordinance 24-320-08
2. Staff Report 24-320-08
3. Narrative
4. Application
5. Final Plat
6. Front Elevation
7. Preliminary Plat
8. Comprehensive Plan Map
9. Planning Commission Meeting Minutes 11-19-24

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A FINAL PLAT FOR MCBEE ACRES, IN
INDEPENDENCE, MISSOURI.

WHEREAS, the application submitted by McBee Construction Company, requesting approval of the final plat entitled "McBee Acres," was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Planning Commission considered the final plat on November 19, 2024, and rendered a report to the City Council recommending the plat be approved by a vote of 7-0; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the final plat is consistent with the approval criteria in Section 14-702-04; and,

WHEREAS, the City Council rendered a decision to approve the final plat.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the final plat entitled "McBee Acres" is a subdivision located at that part of the Southeast Quarter of Section 20, Township 50 North, Range 31 West, Independence, Jackson County, Missouri, described as follows:

Beginning at the Northeast corner of Lot 160, ELM GROVE 6TH PLAT, a subdivision of record; thence S 81°47'24"E, along the South line of SALEM EAST, a subdivision of record, for 45.95 feet; thence N 86°40'36"E along said South line for 247.25 feet; thence N 62°34'06"E along said South line for 272.30 feet to the Southeast corner of Lot 183, SALEM EAST; thence S 38°05'23"E, along the right of way line of Salem Drive (80'r/w), for 459.89 feet to the Northeast corner of Lot 1, CORRECTED PLAT - SALEM JUNCTION, a subdivision of record; thence S 51°53'36" W along said Lot 1 for 185.77 feet; thence S 38°05'23"E along said Lot 1 for 150.08 feet; thence S 51°53'36"W along the Northerly right of way line U.S. Highway Route 24 for 277.62 feet to the Centerline of Old Lexington Road (61'r/w); thence S 78°39'31"W along said Center line for 403.74 feet; thence N 81°56'42"W along said Centerline for 180.67 feet to the East line of ELM GROVE-6TH PLAT; thence N 2°22'58"E along said East line for 162.18 feet; thence N 8°49'09"W along said East line for 164.36 feet; thence N 6°48'19"E along said East line for 153.73 feet; thence N 16°33'42"E along said East line for 81.95 feet; then N 2°22'58"E along said East line for 131.34 feet to the Point of Beginning.

Containing 516,470.92 square feet of 11.86 acres more or less.

SECTION 2. All of the conditions of approval have been resolved by the applicant except for the conditions listed below:

1. Correct addresses based on attached address exhibit (Exhibit A).
2. Label the loop street on the northern and western, “E. Lynchburg Place N.”, and, the southern and eastern part of the loop, “E. 16th Terrace N.”. Change “S. Salem Dr.” to “E. 16th Terr N.”.
3. Remove the lot line (solid line) at the intersection of E. Lynchburg Place N. and N. Salem Drive. The Right-of-Way should be continuous, without breaks.
4. Change “Block 1” and “Block 2” to “Lot 1” and “Lot 2”. This change will need to be reflected in the drainage easement language.
5. Language regarding the maintenance of drainage easements will need to be reviewed by Staff to verify concurrence with the recorded covenants.
6. Please indicate/delineate the boundaries for Drainage Easement “A”. Ensure that the boundaries of Drainage Easement “B” match the Preliminary Development Plan. These easements will need to be reviewed by City Staff. If any revisions are required, comments will be provided.
7. An Operation and Maintenance Manual for the stormwater system will need to be developed and submitted for review prior to issuance of any Certificate of Occupancy for buildings on this site. Requirement as per the Environmental Compliance Division of the Municipal Services Department.
8. Remove 25’ Building Line (Note: varied exterior setbacks and minimum 20’ rear yard setbacks will need to be indicated on Final Development Plan, in accordance with the approved Preliminary Development Plan #22-125-01).
9. Submit Final Development Plan prior to construction. Final Development Plan is required to be submitted in accordance with City Code 14-703-06 and can be processed concurrently with Building Permit application(s).
10. Covenants, Conditions, and Restrictions CCR’s shall be submitted for review and found to be in concurrence with the Final Plat prior to approval and recording of the Final Plat.

SECTION 3. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 4. Scrivener’s Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 5. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2025, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

MEETING DATE: November 19, 2024

STAFF: Gabriel Glaser, Planner

PROJECT NAME: McBee Acres

CASE NUMBER/REQUEST: **Case 24-320-08 – Final Plat – McBee Acres** – A request for Final Plat approval for McBee Acres generally located at the northwest corner of US 24 and Salem Drive.

APPLICANT: McBee Construction Company

PROPERTY LOCATION: generally located at the northwest corner of US 24 and Salem Drive

SURROUNDING ZONING/LAND USE:

North: Unincorporated Jackson County...duplexes
East: Unincorporated Jackson County ...single-family houses and church
South: C-2 (General Commercial)...gas station
C-1 (Neighborhood Commercial)...retail and day care
R-6 (Single Family Residential...church
West: Unincorporated Jackson County)...single family residential

FURTHER ACTION:

Following action by the Planning Commission, this final plat request is scheduled for 1st reading by the City Council on December 16, 2024 and the 2nd reading on January 6, 2025.

RECOMMENDATION

Staff recommends **APPROVAL** of this Final Plat with the following conditions.

1. Correct addresses based on attached address exhibit (Exhibit A).
2. Label the loop street on the northern and western, "E. Lynchburg Place N.", and, the southern and eastern part of the loop, "E. 16th Terrace N.". Change "S. Salem Dr." to "E. 16th Terr N.".
3. Remove the lot line (solid line) at the intersection of E. Lynchburg Place N. and N. Salem Drive. The Right-of-Way should be continuous, without breaks.
4. Change "Block 1" and "Block 2" to "Lot 1" and "Lot 2". This change will need to be reflected in the drainage easement language.
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6. Please indicate/delineate the boundaries for Drainage Easement "A". Ensure that the boundaries of Drainage Easement "B" match the Preliminary Development Plan. These

easements will need to be reviewed by City Staff. If any revisions are required, comments will be provided.

7. An Operation and Maintenance Manual for the stormwater system will need to be developed and submitted for review prior to issuance of any Certificate of Occupancy for buildings on this site. Requirement as per the Environmental Compliance Division of the Municipal Services Department.
8. Remove 25' Building Line (Note: varied exterior setbacks and minimum 20' rear yard setbacks will need to be indicated on Final Development Plan, in accordance with the approved Preliminary Development Plan #22-125-01).
9. Submit Final Development Plan prior to construction. Final Development Plan is required to be submitted in accordance with City Code 14-703-06 and can be processed concurrently with Building Permit application(s).
10. Covenants, Conditions, and Restrictions CCR's shall be submitted for review and found to be in concurrence with the Final Plat prior to approval and recording of the Final Plat.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A request for Final Plat approval, following the approval of the rezoning and preliminary development plan for McBee Acres.

Current Zoning: R-12/PUD (Two-Family Residential/Planned Unit Development)

Current Use: Vacant tracts

Proposed Use: Two-Family Residential

Proposal:

The applicant received approval of a preliminary development plan in April of 2022 (Ordinance #19316). One of the conditions for approval of Ordinance #19316 required the applicant to record a Final Plat of the proposed development site.

Physical Characteristics of Property:

This application for a Final Plat consists of two unplatted property tax parcels totaling ~11.45 acres in area. In addition, a dead-end section of Lexington Rd., located along the South/Southwest border of this site, has been vacated. The North half of the vacated Right-of-Way (30.5') is included in this application for a Final Plat.

The properties that make up this application were annexed into the City of Independence in 2015 (Ordinance #18524). The vacated Right-of-Way was annexed in 2022 (Ordinance #19315). Before this time, the properties that make up this application for a Final Plat would have been located in Unincorporated Jackson County.

Characteristics of the Areas:

The surrounding land use of this area consists of a mixture of single-family, two-family, and multi-family residences, as well as a mixture of light commercial, general commercial, and public/civic uses.

ANALYSIS

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

The property owner will need to make the necessary infrastructure improvements to this site. The installation of infrastructure at this site has been approved to move forward at-risk subject to the final plat.

Floodplain/Stream Buffer:

There are no floodplain/stream buffer issues with this property.

CIP Investments:

The City does not have any capital improvements projects planned near this area.

Platting:

This site has received approval of a preliminary development plan as part of an application for a Rezoning/PUD. This plan included 39 duplexes on 2 lots. As such, these duplexes will be owned and managed by the developer who will lease them out to tenants.

Elevations:

Based on the Preliminary Development Plan approved by City Council, each residential building will contain two adjoining identical two-story units constructed on a slab foundation. The first floor will feature about 700 square feet with a living room, dining room, ½ bath and a single car garage. The second floor will contain roughly 800 SF divided into three bedrooms and two bathrooms. Exterior building materials will consist of Hardie Board siding with veneer cultured stone on the front elevation, all in a light grey color. Asphalt composite shingles in a dark grey/black color will be used on all roofs.

Driveways and Sidewalks:

The preliminary development plan for this project indicates that each duplex will have a two-car width driveway. In addition, building elevations submitted as part of the preliminary development plan indicate that each duplex will be outfitted with 2 garages—one for each dwelling unit. Each duplex will have capacity for 4 off-street parking spaces.

Condition #6 of the applicant's approval for a Rezoning/PUD requires at least 13 additional off-street parking spaces to be added between certain lots. This will help to keep street parking at a minimum.

The preliminary development plan for this project indicates that a sidewalk will be constructed in the Right-of-Way around the boundaries of the interior lot (Lot 2)

Streets and Access:

The two lots will be accessed from Salem Dr. to the East. All buildings will be accessed by a looped public street connecting to Salem Drive. The development entrance shall meet minimum sight distance requirements prior to recording of the Final Plat.

This proposed project is not expected to adversely affect the street network in the vicinity of the project. Jackson County is requiring a construction permit for the project's connection with Salem Drive and has been involved early on with the project.

Landscaping:

The applicant will provide a tree preservation/landscape plan for the project showing new plantings and how the existing tree lines along the north and east sides of the site will be retained or improved. A landscape feature must be added around the central and northwest detention basins. The applicant will provide a landscape/tree preservation plan as part of a Final Development Plan.

Detention Basin Easements:

Ownership and maintenance of detention basin easements will be recorded with the First Final Plat.

EXHIBITS

1. Narrative
2. Application
3. Final Plat
4. Front Elevation
5. Preliminary Plat
6. Comprehensive Plan map

Ground Up Development LLC
1203 E US HWY 24
Independence, MO 64050

Attn: City of Independence Planning & Zoning Department
111 E Maple Ave., Independence, MO 64050

October 1, 2024

Dear Recipient,

Ground Up Development, LLC hereby submits the Final Development Plan for McBee Acres located at 19004 E. Lexington Rd and 1801 N Salem Drive located on 11.45 total acres near the intersection of US 24 HWY and main entrance from North Salem Drive consisting of a subdivision of 39 duplexes, or 78 total family dwellings. The two lots that make up the 11.45 acres are zoned R12PUD for residential use.

This development will include single slab, up to three bedroom duplexes, with an attached garage for each family, including amenities provided such as an on call maintenance and a walking trail. This development will be constructed and then managed by the current developer who plans to make each until available to rent to the general public.

Thank you for your time and assistance in the project. Ground Up Development is committed to producing a subdivision which values the needs of its families and surrounding businesses. The future development is consistent with the goals, policies, and standards of the City of Independence, in addition to the public health safety, environment, and general welfare of the public. Please direct any further question or concerns to the provided contact information below.

Thank you,



Jack Murphy
Project Manager
816-918-9338
jmurphy@mcbeecustomhomes.com

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☐ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☒ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business ☐ Short-Term Rental	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

McBee Acres

Project Name

1801 N Salem Drive and 19004 E Lexington Rd

Project Address/Location

11.45

Sq. Ft. of Building

Acreage

Number of Lots/Tracts

Steam Buffer (Yes or No)

R12PUD

Vacant

Subdivision of 39 Duplexes

Existing Zoning

Proposed Zoning

Existing Land Use

Proposed Land Use

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

- | | |
|---|--|
| ☒ Completed & Signed Application Form
☒ Application Fee
☐ Cover Letter Describing Details of Project | ☐ One 24" x 36" set of plans for Land Sub. & Site Dev.
☒ One PDF copy of a plat map or site plan
☐ Legal Description of the property in question |
|---|--|

Contact Information

Applicant

Suzie Zaslavsky McBee Construction Co

Name Company

1203 E US Hwy 24, Independence, MO 64050

Address

913-568-1902 preconstruction@mcbeecom

Phone Email

Architect/Engineer/Surveyor/Other: Civil Engineer

Robert Walquist Quist Engineering

Name Company

821 NE Columbus St, Lees Summit, MO 64063

Address

816-550-5675 rwalquist@quistengineering.

Phone Email

Owner

Steve McBee Ground Up Development

Name Company

103 Industrial Pkwy, Gallatin, MO 64640

Address

816-985-3822 smcbee@mcbeecompanies

Phone Email

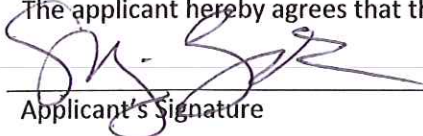
Architect/Engineer/Surveyor/Other: _____

Name Company

Address

Phone Email

The applicant hereby agrees that the information provided above is accurate.

 10/1/24

Applicant's Signature Date

 10/01/24

Owner's Signature Date

FINAL PLAT
McBEE ACRES

SECTION 20, TOWNSHIP 50 NORTH, RANGE 31 WEST,
A SUBDIVISION IN THE CITY OF INDEPENDENCE, JACKSON COUNTY, MISSOURI

DESCRIPTION:

A part of the Southeast Quarter of Section 20, Township 50 North, Range 31 West, Independence, Jackson County, Missouri, described as follows:
Beginning at the Northeast corner of Lot 160, ELM GROVE 6TH PLAT, a subdivision of record; thence S 81°47'24" E, along the South line of SALEM EAST, a subdivision of record, for 45.95 feet; thence N 86°40'36" E along said South line for 247.75 feet; thence N 62°34'06" E along said South line for 272.30 feet to the Southeast corner of Lot 163, SALEM EAST; thence S 38°05'23" E, along the right of way line of Salem Drive (80' R/W), for 459.89 feet to the Northeast corner of Lot 1, CORRECTED PLAT - SALEM JUNCTION, a subdivision of record; thence S 51°53'36" W along said Lot 1 for 185.77 feet; thence S 38°05'23" E along said Lot 1 for 150.08 feet; thence S 51°53'36" W along the Northerly right of way line U.S. Highway Route 24 for 277.62 feet to the Centerline of Old Lexington Road (61' R/W); thence S 78°39'31" W along said Center line for 403.74 feet; thence N 81°56'42" W along said Centerline for 180.67 feet to the East line of ELM GROVE-6TH PLAT; thence N 2°22'58" E along said East line for 162.18 feet; thence N 8°49'09" W along said East line for 164.36 feet; thence N 6°48'19" E along said East line for 153.73 feet; thence N 16°33'42" E along said East line for 81.95 feet; thence N 2°22'58" E along said East line for 131.34 feet to the Point of Beginning.

Containing 516,470.92 square feet or 11.86 acres more or less.

PLAT DEDICATION: The undersigned owner of the Property described herein has caused the same to be subdivided in the manner shown on this plat and the property shall hereafter be known as:

"McBEE ACRES"

FLOOD INFORMATION:

This property is not in the floodway according to the Federal Emergency Management Agency National Flood Insurance Program Boundary and Floodway Map, based on current Map 29095C0190H dated December 7, 2023.

UTILITY EASEMENT DEDICATION:

An easement or license is hereby granted to the City of Independence, Missouri, to locate, construct and maintain, or to authorize the location, construction and maintenance of poles, wires, anchors, conduits, and/or structures for water, gas, sanitary sewer, storm sewer, surface drainage channel, electricity, telephone, cable television, or any other necessary public utility or services, any or all of them, upon, over, or under those areas outlined or designated upon this plat as 'utility easements' (U/E) or within any street or thoroughfare dedicated to public use on this plat. Grantors, on behalf of themselves, their heirs, their assigns and successors in interest, hereby waives, to the fullest extent on this plat. Grantors, on behalf of themselves, their heirs, their assigns and successors in interest, hereby waives, to the fullest extent allowed by law, any right to request restoration of rights previously transferred and vacation of the easement herein granted.

Drainage Easement "A" and Drainage Easement "B" will be Owned and Maintained by the Owners of Lot 1 and there shall be no Alteration to the Detention Facility, Pipes, Structures, and Appurtenances without the Approval of the City Engineering Department.

IN TESTIMONY THEREOF:

Ground Up Development, LLC, a Missouri limited liability corporation, have caused these presents to be signed by its Manager this _____ day of _____, 2024

Steve McBee - Manager

State of Missouri)
County of Jackson) SS

On this _____ day of _____, 2024, before me appeared Steve McBee to me personally known who by me duly sworn, did say that he is the Manager of Ground Up Development, LLC, a Missouri limited liability company and he acknowledged said instrument to be the free act and deed of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at my office in said County and State, the day and year last above written.

My Commission expires _____ Notary Public

CITY OF INDEPENDENCE APPROVALS:

Approved by the City Council and Mayor of the City of Independence, Missouri pursuant to Ordinance 17339.

Susanne Holland, City Clerk DATE

Torn Scannell, Community Development Director DATE

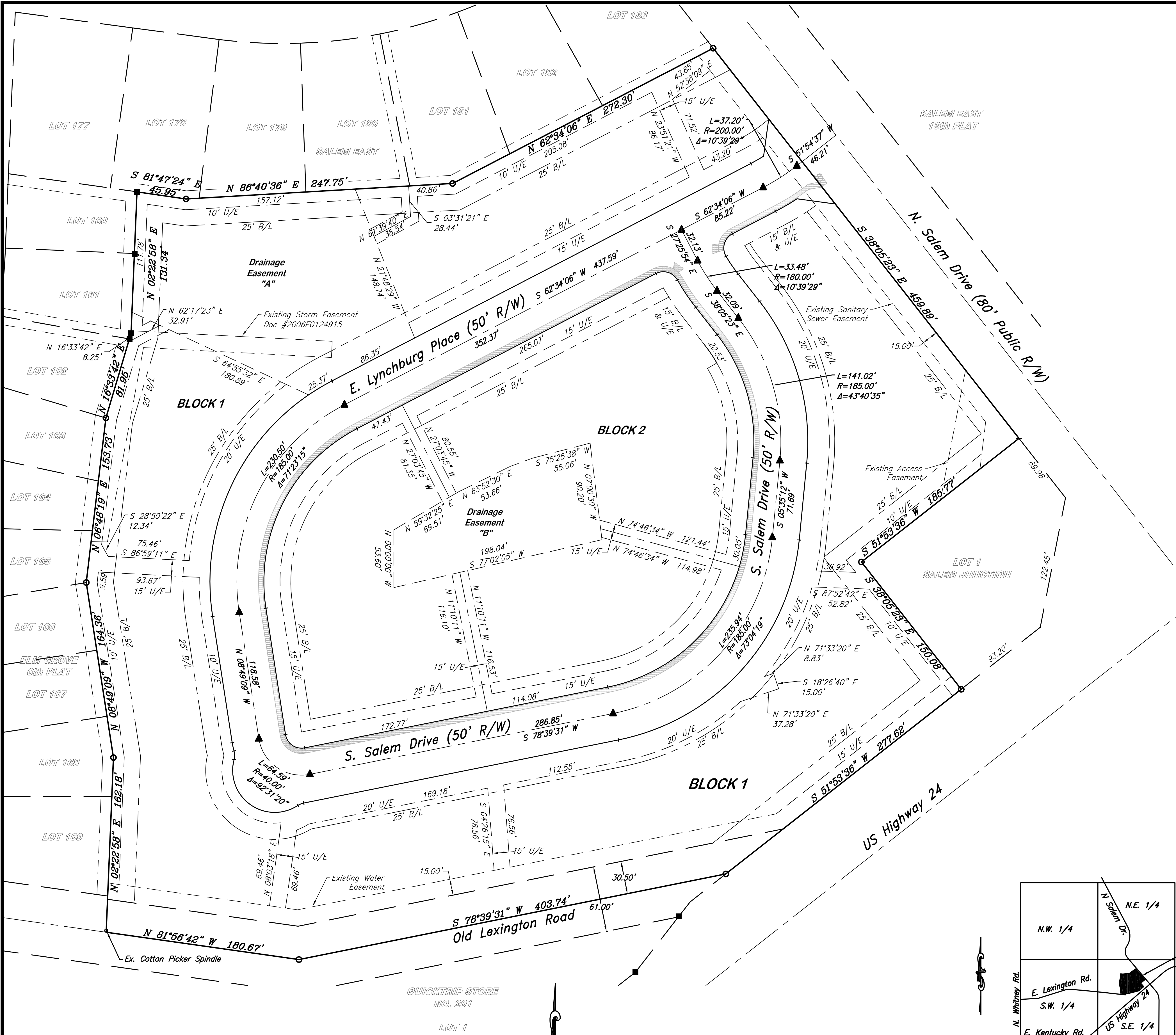
Alexander F. Lopez, City Engineer, DATE

COUNTY APPROVAL:

Vincent Brice DATE
Jackson County Assessment Department

I hereby certify that the within Plat of "McBEE ACRES" subdivision is based upon an actual survey made by me or under my direct supervision and that said survey meets or exceeds the current minimum standards for property boundary surveys as established by the Department of Natural Resources, Division of Geology and Land Survey, of the State of Missouri, and Missouri Standards for Property Boundary Surveys, established by the Missouri Board for Architects, Professional Engineers and Surveyors. I further certify that this Plat complies with all statutes, ordinances, and regulations governing the practice of surveying and platting of subdivisions to the best of my professional knowledge and belief.

THOMAS W. CLEMONS, P.L.S. NO. 1958
JACKSON COUNTY, MISSOURI



LEGEND

- U/E UTILITY EASEMENT
- B/L BUILDING LINE
- EXISTING REBAR
- EXISTING "+" CUT IN CONCRETE
- SET 1/2" REBAR & PLASTIC CAP MO PLS #1958
- SET COTTONPICKER SPINDLE

NOTES:

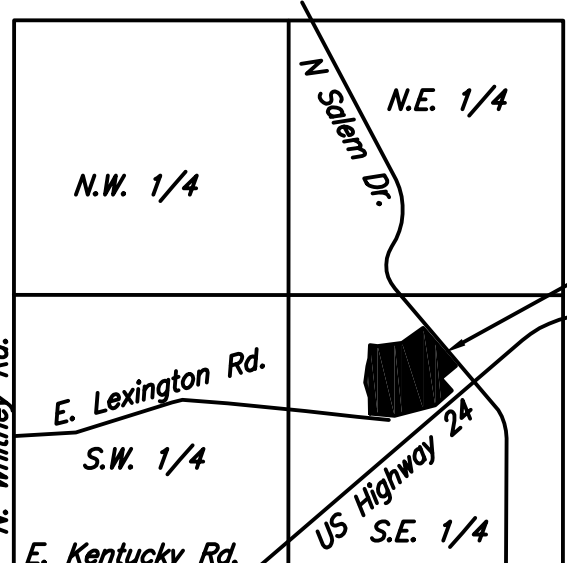
- The bearings and coordinates shown on this plat are based upon the Missouri Coordinate System of 1983, West Zone, by GPS Observations using the MoDot GPS Network.

SCALE: 1"=50'
DATE: OCTOBER 30, 2024

PREPARED FOR/ DEVELOPER:
GROUND UP DEVELOPMENT, LLC

Thomas Clemons
Area Surveyors

2800 Robinson Pike Road
P.O. Box 324 Grandview, Missouri 64030
(816) 941-7557 sirvey@kc.rr.com



SEC. 20, T-50-N, R-31-W



PRELIMINARY PLAT FOR
MCBEE ACRES
INDEPENDENCE, JACKSON COUNTY, MISSOURI

DEVELOPER:
MCBEE DEVELOPMENT
(407) 982-0524

SYMBOL LEGEND

PROPOSED	EXISTING
MW	MW
Manhole	Manhole
Curb Inlet	Curb Inlet
Junction Box	Junction Box
Field Inlet	Field Inlet
Fixed End Section	Fixed End Section
Fire Hydrant	Fire Hydrant
Blow Off	Blow Off
Water Valve	Water Valve
Water Meter	Water Meter
Shoof	Shoof
Utility Pole	Utility Pole
Guy Wire	Guy Wire
Electric Transformer	Electric Transformer
Telephone Pole	Telephone Pole
Cable Pedestal	Cable Pedestal
Open Ditch	Open Ditch

LINE LEGEND

PROPOSED	EXISTING
Storm Line	Storm Line
Sanitary Line	Sanitary Line
Water Line	Water Line
Building Line	Building Line
Easement Line	Easement Line
4' Sidewalk	4' Sidewalk
2' Curb	2' Curb
Contour	Contour
Fence Line	Fence Line
Gas Line	Gas Line
Overhead Telephone Line	Overhead Telephone Line
Underground Telephone Line	Underground Telephone Line
Overhead Electrical Line	Overhead Electrical Line

UTILITY NOTES:

1. SANITARY SEWER MAIN SHALL BE BUILT TO CITY STANDARDS AND DEDICATED TO THE CITY ALONG WITH A 15' UTILITY EASEMENT.
2. WATER MAIN SHALL BE BUILT TO CITY STANDARDS AND DEDICATED TO THE CITY ALONG WITH A 15' UTILITY EASEMENT.

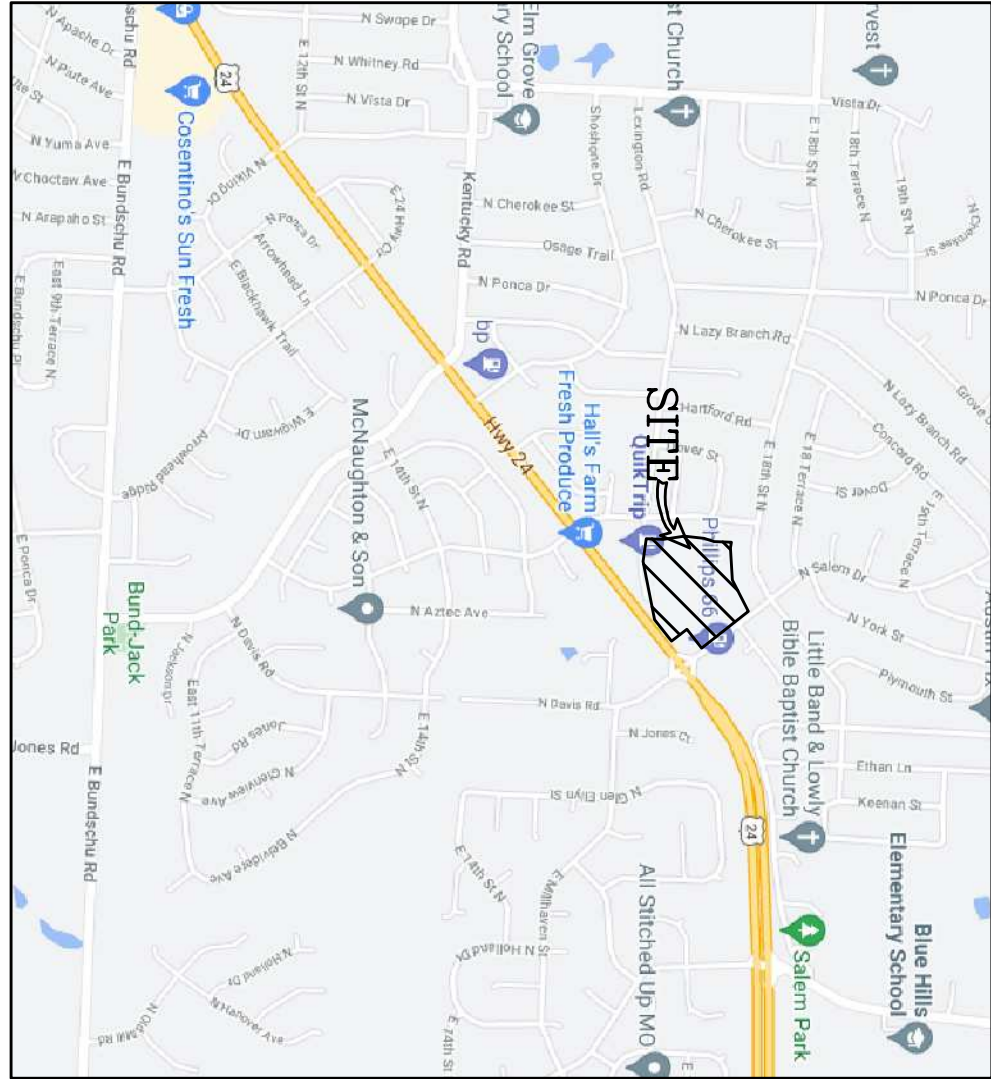
NOTE:

1. EXISTING ZONING = C-2
2. TOTAL AREA = 11.4386
3. TOTAL LOTS = 3
4. TOTAL LOTS = 78 UNITS
5. UNITS PER ACRE = 6.8 UNITS / ACRE
6. THIS DEVELOPMENT WILL IMPROVE THE EXISTING DETENTION BASIN TO MITIGATE THE INCREASE IN STORM WATER RUNOFF DO TO THE ADDITION OF IMPERVIOUS MATERIAL.
7. ALL ROADS SHALL BE 28' BACK TO BACK W/ 50' ROW.
8. BUILDING SET BACKS
9. FRONT YARD = 25'
10. REAR YARD = 25'
11. CORNER = 15'
12. DEDICATED ROW = 119.92'
13. PERCENT OF GREEN SPACE = 57%

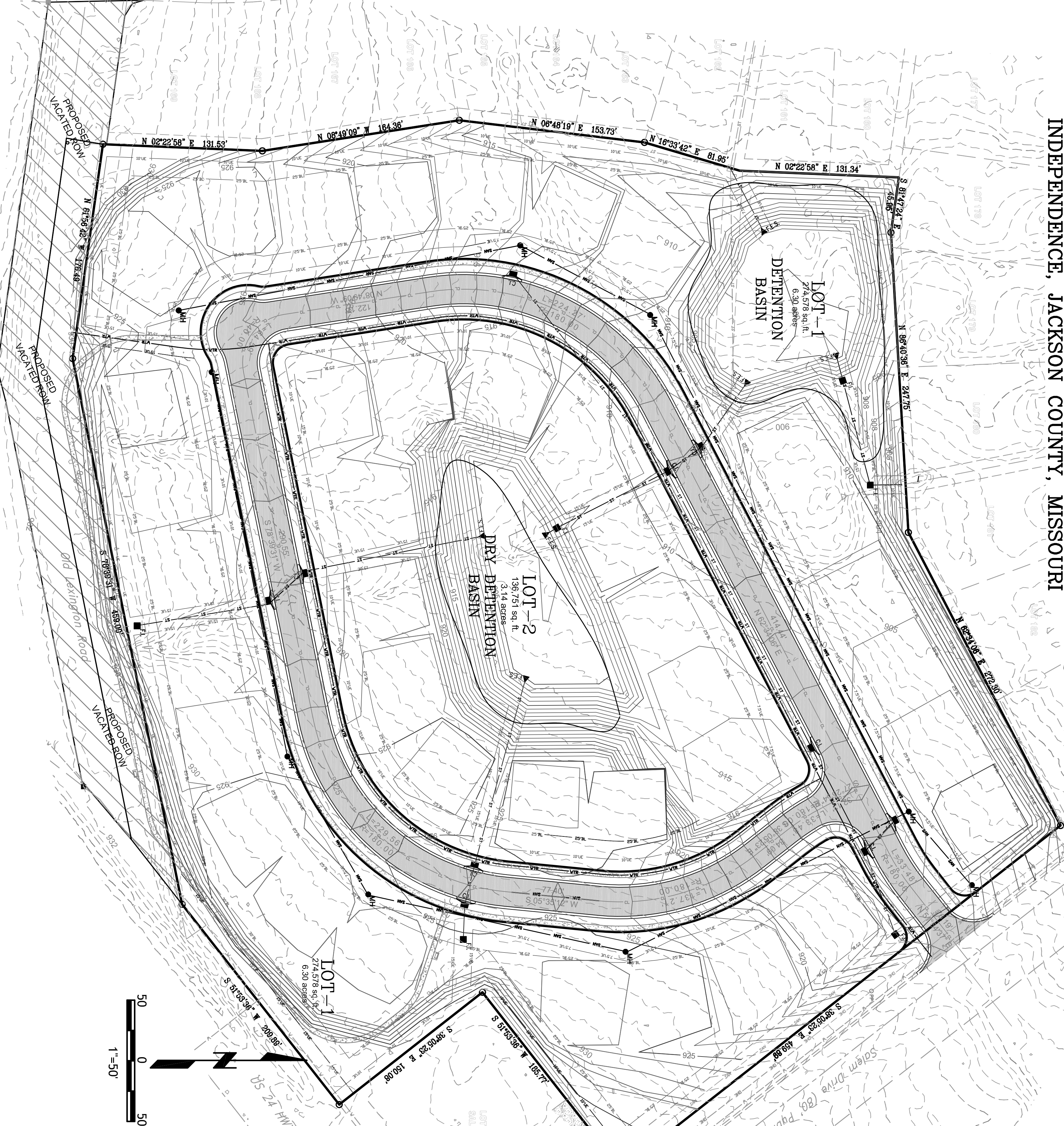
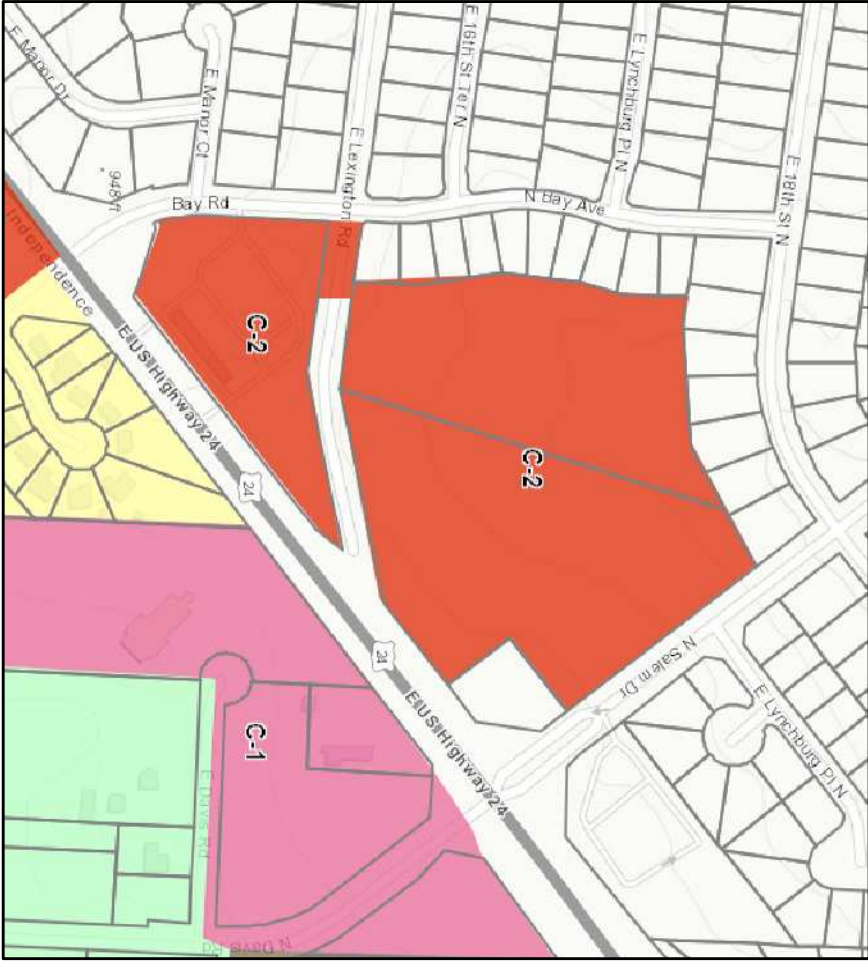
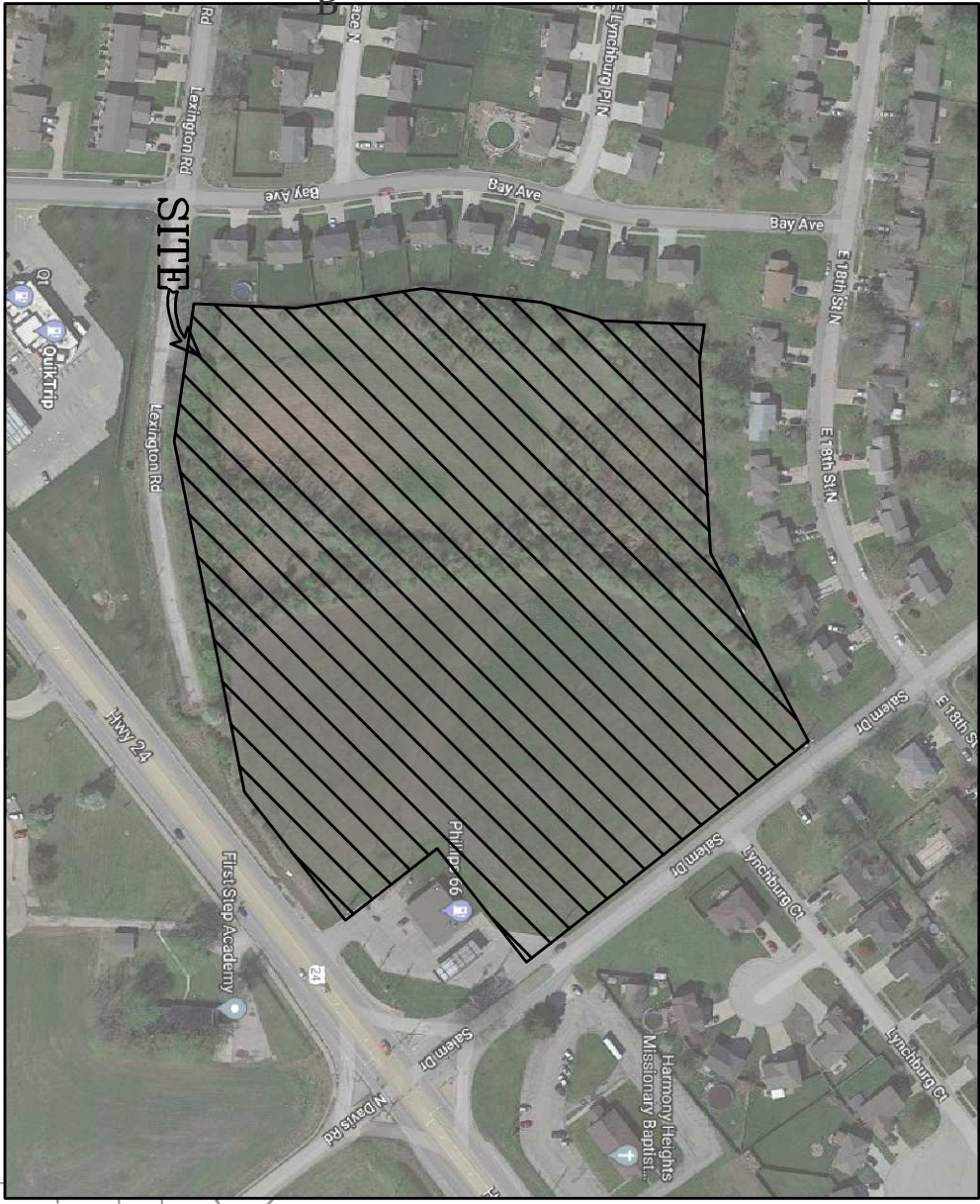
PERVIOUS VS IMPERVIOUS CALCULATIONS

LOT SIZE	497,890 SF
IMPERVIOUS SURFACES	
BUILDINGS, PORCHES, DRIVES,	
PARKING,	156,000 SF
STREETS	43,224 SF
SIDEWALKS	16,989 SF
TOTAL	216,193 SF

CALCULATIONS
I/P = 43% IMPERVIOUS
57% PERVIOUS (GREEN)



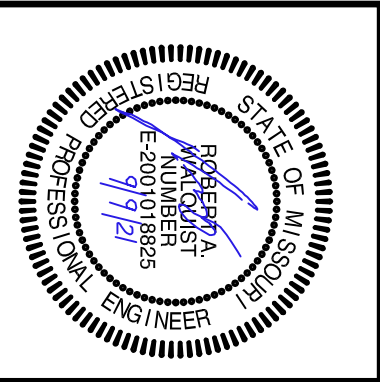
LOCATION MAP



DESCRIPTION:

A part of the Southeast Quarter of Section 20, Township 50 North, Range 31 West, Independence, Jackson County, Missouri, described as follows:
Beginning at the Northeast corner of Lot 160, ELM GROVE 6TH PLAT, a subdivision of record; thence S 81°47'24"E, along the South line of SALEM EAST, a subdivision of record, for 45.95 feet; thence N 86°40'36"E, along said South line for 247.75 feet; thence N 62°34'08"E, along said South line for 272.30 feet to the Southeast corner of Lot 183, SALEM EAST; thence S 36°03'23"E, along the right of way line of Salem Drive (807'W), for 459.89 feet to the Northeast corner of Lot 1, CORRECTION PLAT 7, SALEM JUNCTION, a subdivision of record; thence S 51°53'36"W, along said Lot 1 for 185.77 feet; thence S 36°03'23"E, along said Lot 1 for 150.08 feet; thence S 51°53'36"W, along the Northern right of way line U.S. Highway Route 24 for 209.89 feet to the Northern right of way line of Old Lexington Road (619'W); thence S 78°39'31"W, along said Northern line for 459.00 feet; thence N 81°56'42"W, along said Northern line for 178.49 feet to the East line of ELM GROVE-6TH PLAT; thence N 2°22'58"E, along said East line for 153.73 feet; thence N 8°49'09"W, along said East line for 164.36 feet; thence N 6°48'19"E, along said East line for 131.34 feet; thence N 16°33'42"E, along said East line for 81.95 feet; thence N 2°22'58"E, along said East line for 131.34 feet to the Point of Beginning.

PRELIMINARY PLAT



McBEE ACRES
INDEPENDENCE, JACKSON COUNTY, MISSOURI

Quist Engineering, Inc
Civil Engineering for Residential & Commercial Site Development
821 NE Columbus St.
Lee's Summit, Missouri 64063
Phone: (816) 550-5675
email: rwalquist@quistengineering.com

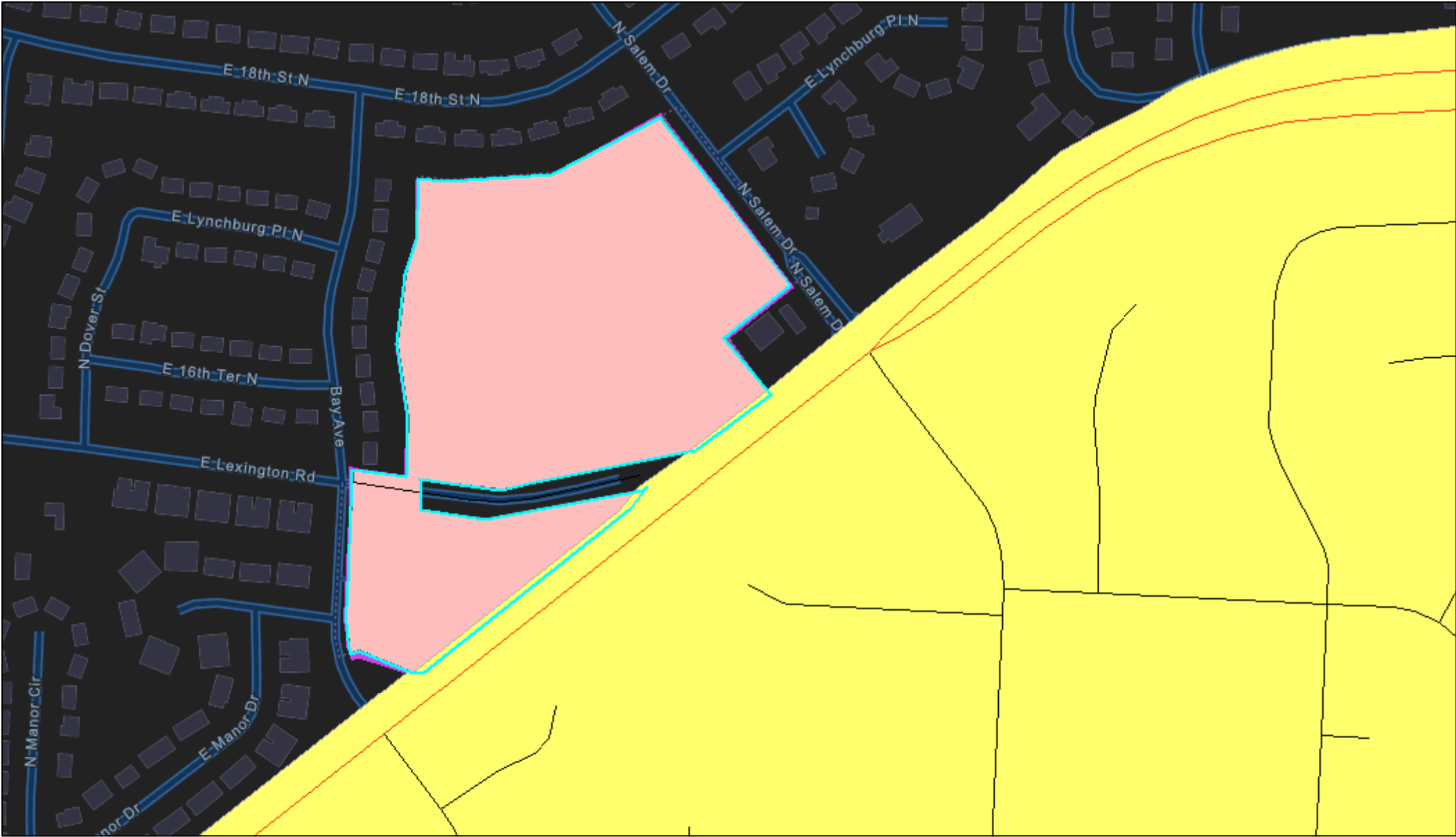
COPYRIGHT © 2022
1-25-22

REVISIONS
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2-7-22

SHEET NO.
C200

JOB NO.
E21-314

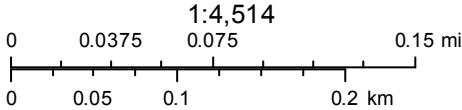
Comprehensive Plan Map



11/7/2024, 9:08:15 AM

- | Streets | Proposed Land Use (Comp Plan) |
|-----------|-------------------------------|
| — Highway | Residential Neighborhoods |
| — Local | Neighborhood Commercial |

City Limits





Planning Commission Minutes

November 19, 2024 6:00 PM

City Hall, 111 E. Maple Avenue (Ground Floor), Council Chambers

CALL TO ORDER

A meeting of the Planning Commission was held at 6:00 PM on 11/19/2024, in the 111 E Maple Avenue City Council Chambers, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - .

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

Commissioner Nesbitt requested to pull Case 24-320-08 from the Consent Agenda.

1. Planning Commission Minutes – October 29, 2024

Motion

Commissioner Dan O'Neill made a motion to approve the Consent Agenda. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. Case 24-320-08 – Final Plat – McBee Acres – A request for Final Plat approval for McBee Acres generally located at the northwest corner of US 24 and Salem Drive.

In response to Commissioner Nesbitt's question, Gabe Glaser advised parking was addressed in the conditions.

Motion

Commissioner Eric Ashbaugh made a motion to approve the case. Commissioner Virginia Ferguson seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

PUBLIC HEARINGS

1. **Continued Case 24-125-05 Rezoning/PUD – 19300 E 37th Terrace** – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Harker reviewed the conditions of approval.

In response to Commissioner Nesbitt's question, Mr. Harker advised that there's a piece of City property between the right-of-way and the subject property. Commissioner Ashbaugh asked if the City maintains that piece of property between this development and the right-of-way. Mr. Arroyo stated he believes the City maintains the property and will continue to maintain the property.

Commissioner Nesbitt stated he would like to see electric vehicle charging stations required and questioned why we're allowing so few parking spots. Mr. Arroyo said electric vehicle charging stations are not required and there are challenges in requiring those with apartment buildings.

Mr. Arroyo stated the developer provided a plan that shows their anticipated parking needs and noted visitors wouldn't be able to park on the major streets around this development. Mr. Arroyo noted the parking ratio is 1.64 per unit.

Commissioner Nesbitt questioned why new apartments are being proposed when the Housing Study said the City no longer needs apartments. Mr. Arroyo stated the update to the Housing Study showed the City could use around 650 units before we reach saturation.

In response to Chairwoman Wiley's question, Mr. Arroyo stated they believe this development will be similar in height to the existing Pepperwood Apartments.

Applicant Comments

Clint Burkdoll, Olathe, KS, stated they're a local developer and said they would be willing to add some electric vehicle charging stations. He also noted they would be willing to mow the piece of City property. Mr. Burkdoll stated the site is steep and there are challenges with the topography, which is why it hasn't been developed yet.

Jason Osborne, Rosemann & Associates, 1526 Grand Blvd, Kansas City, said the garages will

hold standard trucks. Mr. Osborne said these would be market rate apartments and based their parking plan on existing developments.

In response to Commissioner Ashbaugh's question, Mr. Osborne stated they plan to have a valet trash service.

Public Comments

No public comments.

Commissioner Comments

Commissioner Nesbitt stated he would like a condition added that requires electric vehicle charging stations.

Motion

Commissioner Edward Nesbitt made a motion to approve the case, with conditions as outlined by staff and the added condition from Commissioner Nesbitt. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Continued Case 24-100-24 – Rezoning – 2131 S. Scott Avenue** – A request by Andrew Rocco Mazzella to rezone the property from R-12 (Two-Family Residential) to C-2 (General Commercial).

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

In response to Commissioner O'Neill's question, Mr. Harker stated it's a cleaning business.

Applicant Comments

Erwin Gard, 1040 SW Luttrell, Blue Springs, stated he's representing the applicant. Mr. Gard stated he believes the business does not store cleaning chemicals, but sells the cleaning supplies.

In response to Chairwoman Wiley's question, Mr. Gard said they will improve the sidewalk, curb and gutter along Scott and 23rd Street and noted the gravel will be removed.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

3. **Continued Case 24-100-25 – Rezoning – 2301 S. Crysler Avenue** – A request by the City to rezone the property from I-1 (Industrial) and R-6 (Single Family Residential) to R-6 (Single Family Residential).

Staff Presentation

Brian Harker presented updates for this case. He provided the Commission with a background on the use of the stadium. Mr. Harker stated in 2023, the Independence School District entered into a lease with the City and Van Horn High School baseball team started using the facility.

The Independence School District has invested funds to improve the property and seeks to enter into a Development Agreement with the City to continue use of the facility.

Public Comments

Beverly Lentz, 1208 W 24th St S, expressed concerns about environmental impact and the homeless population in that area.

Commissioner Comments

In response to Chairwoman Wiley's question, Mr. Harker confirmed this is a corrective rezoning so that both plots are zoned the same and will have the same address. Chairwoman Wiley thanked staff for answering all the questions that were presented at the last meeting.

Motion

Commissioner Eric Ashbaugh made a motion to approve the case. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

4. **Case 24-100-26 – Rezoning – 17200 E. Medical Center Pkwy, 17203 & 17221 E. 23rd Street** – A request by the City to rezone the property from R-30/PUD (High Density Residential/Planned Unit Development) to C-2 (General Commercial).

Staff Presentation

Gabe Glaser presented the case. Mr. Glaser presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Public Comments

Natalie Sevy, 17208 E 23rd St, stated she owns a property across the street from the Independence Utilities Center. She stated if there is going to be a jail on this property, she is opposed to this change.

Mr. Glaser noted this is a rezoning request and is not related to a future use of this property.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Edward Nesbitt

seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

OTHER BUSINESS

1. Training provided by Lauber Law

Jeremy Lauber provided training to the Planning Commission.

ROUNDTABLE - NEXT MEETING DECEMBER 10, 2024

Staff noted we currently don't have any cases for the December 10, 2024 Planning Commission meeting and we anticipate canceling that meeting.

ADJOURNMENT

The meeting was adjourned at 8:38 p.m.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-127 **1R** An ordinance approving a rezoning from District R-12 (Two-Family Residential) to District C-2 (General Commercial) for the property at 2131 S. Scott Avenue. **1R**

Recommendations:

Commissioner Nesbitt made a motion to recommend approval of case 24-100-24, the rezoning of 2131 S. Scott Avenue. A second to the motion was made by Commissioner Young. The Independence Planning Commission voted as follows:

Commissioner Ashbaugh – Yes

Commissioner Ferguson – Yes

Commissioner Young – Yes

Commissioner Nesbitt – Yes

Commissioner O'Neill – Yes

Commissioner Torres – Yes

Commissioner Wiley – Yes

The motion was approved, and the application is forwarded to the City Council for its consideration. Staff recommends approval of this application.

Background:**PROPOSAL:**

A request by Andrew Rocco Mazzella to rezone the property at 2131 S. Scott Avenue from R-12 (Two-Family Residential) to C-2 (General Commercial).

Venue Smart, LLC/Airgead has been located at this location since 2019. The applicant intends to build a new accessory storage building immediately adjacent to his cleaning service's existing office and storage facility to the south. The applicant owns four platted lots. Three are already zoned C-2 (General Commercial) for the operation on site. The fourth, on the north, needs to be rezoned both to replat all four lots into one and redevelop the property and place a new structure on the vacant lot.

ZONING HISTORY:

Prior to adoption of the Unified Development Ordinance (UDO) in 2009, the property had been zoned R-2 (Two-Family Residential) since 1965. The property has been a vacant lot since the 1970's.

PHYSICAL CHARACTERISTICS OF PROPERTY:

The three most southern lots contain the existing building and parking lot. The existing building abuts the eastern property line and is close to the 23rd Street right-of-way. The west side of the three lots is an unimproved parking lot. The north lot is largely graveled with a small green space by Scott Avenue. It abuts the single-family neighborhood to the north. Currently, it the site of trailers and storage containers; uses to be replaced with a new indoor storage facility.

CHARACTERISTICS OF THE AREA:

The 23rd Street corridor is predominately a mix of commercial uses. Immediately to the west of the parking lot, across Scott Avenue is a Burger King and an adjacent single-family home. Just five feet east the existing office and storage building lies the 23rd Street Pawn Shop. North of this corridor and property, the area though zoned R-12 (Two-Family Residential) is predominately small single-family homes.

ANALYSIS:**Consistency with *Independence for All*, Strategic Plan:**

Rezoning this property is consistent with the *Independence for All*, Strategic Plan. Objectives of the plan is to, “increase economic prosperity of the community,” and, “grow business and industry.”

Comprehensive Plan Tools and Policies for the Current Designation:

The Comprehensive Plan envisions the future land use of this property and the surrounding area to be Residential Established Neighborhoods. “Neighborhood serving commercial developments, parks, and civic uses are also common in neighborhoods.”

Sub-Area Plans:

This area is not covered by any sub-area plans.

Zoning:

The R-12 (Two-Family Residential) zoning classification allows for one or two-family dwellings and various other uses (schools, churches, government facilities, cemeteries, home-based daycare, agriculture and others with conditions. The proposed C-2 (General Commercial) uses include offices, retail shops, hair salons, light auto repair, restaurants and various other related uses and would allow the existing business to expand.

Platting:

As part of this project, the applicant must replat the properties. A Minor Subdivision has been submitted given it will be a single lot subdivision and there will be no rights-of-way dedicated. The review of this plat is contingent on this rezoning.

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

All public utilities are already in the adjacent rights-of-way.

Floodplain/Stream Buffer:

The lots are not in a federally identified floodplain. There is not any stream buffer zones in the vicinity or on the property.

CIP Investments:

The City does not have any capital improvements projects planned near this area.

Elevations:

The applicant intends to construct a 3,850-square foot metal building with a façade of Hardie board siding. The owner will need to work with staff during the Final Plan Review and construction permitting process to improve the project architecturally to meet the City's nonresidential design standards. The building/addition will abut the north side of the existing block building abutting the east property line. Therefore, the addition's east side would have a zero-lot line as well. Given the nearness of the two buildings to one another, they would have to be attached.

Streets, Sidewalks, Access and Parking:

The applicant will provide half-street improvements along Scott Avenue including a public sidewalk. A public sidewalk will be extended along 23rd Street as well. Parking for 19 cars will be provided, including one van-accessible parking space and cross-hatched area adjacent to the ramp. The main building, with its office space, will require 12 parking spaces and the new storage building will require 4 spaces. The site will be subject to the City's codes on stormwater and water quality.

Landscaping:

The applicant will need to provide a landscaping plan in association with the Final Plan Review and the Building Permit. The applicant will need to provide street, parking lot perimeter plantings and the 20 percent of 20 feet greenspace and planting requirements around the building per the UDO. Further, a 15-foot-wide buffer screen, with a fence and required plantings must be provided along the northern edge of the property as it abuts residentially zoned property.

REVIEW CRITERIA:

Recommendations and decisions on rezoning applications must be based on consideration of all of the following criteria.

- 1. Conformance of the requested zoning with the Comprehensive Plan.***The Comprehensive Plan envisions Residential Established Neighborhood uses for the area. "Neighborhood serving commercial developments, parks, and civic uses are also common in neighborhoods." As mentioned above, this rezoning would allow the existing businesses to expand operations.*
- 2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.***There is not a sub-area plan for the vicinity.*
- 3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.***The new C-2 zoning is necessary for the consolidation of the four-lot property into a single lot redevelopment project and to allow for the expansion of the existing business.*
- 4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.***The proposed C-2 zoning, and its associated uses, would fit with the commercial nature of the 23rd Street corridor.*

5. **The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.** *The property, given it is adjacency to commercially zoned tracts and its use as a gravel parking lot and storage area, makes a residential use less likely at that location.*
6. **The length of time the subject property has remained vacant as zoned.** *The property has been vacant and underutilized for decades.*
7. **The extent to which approving the rezoning will detrimentally affect nearby properties.** *The rezoning should have no detrimental effect on area properties. The rezoning will eliminate a vacant lot, bring a new building and provide a 15-foot-wide landscape buffer and screen abutting the adjacent residential neighborhood.*
8. **The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.** *If rezoning is denied, the applicant will not be able to expand operations and to make improvements to the property.*

Draft Planning Commission minutes are attached to this Council agenda item.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
---------------------------------	-------------------------

REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Draft Ordinance 24-320-08
2. Staff Report 24-320-08
3. Narrative
4. Application
5. Final Plat

6. Front Elevation
7. Preliminary Plat
8. Comprehensive Plan Map
9. Planning Commission Meeting Minutes 11-19-24

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A FINAL PLAT FOR MCBEE ACRES, IN
INDEPENDENCE, MISSOURI.

WHEREAS, the application submitted by McBee Construction Company, requesting approval of the final plat entitled "McBee Acres," was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Planning Commission considered the final plat on November 19, 2024, and rendered a report to the City Council recommending the plat be approved by a vote of 7-0; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the final plat is consistent with the approval criteria in Section 14-702-04; and,

WHEREAS, the City Council rendered a decision to approve the final plat.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the final plat entitled "McBee Acres" is a subdivision located at that part of the Southeast Quarter of Section 20, Township 50 North, Range 31 West, Independence, Jackson County, Missouri, described as follows:

Beginning at the Northeast corner of Lot 160, ELM GROVE 6TH PLAT, a subdivision of record; thence S 81°47'24"E, along the South line of SALEM EAST, a subdivision of record, for 45.95 feet; thence N 86°40'36"E along said South line for 247.25 feet; thence N 62°34'06"E along said South line for 272.30 feet to the Southeast corner of Lot 183, SALEM EAST; thence S 38°05'23"E, along the right of way line of Salem Drive (80'r/w), for 459.89 feet to the Northeast corner of Lot 1, CORRECTED PLAT - SALEM JUNCTION, a subdivision of record; thence S 51°53'36" W along said Lot 1 for 185.77 feet; thence S 38°05'23"E along said Lot 1 for 150.08 feet; thence S 51°53'36"W along the Northerly right of way line U.S. Highway Route 24 for 277.62 feet to the Centerline of Old Lexington Road (61'r/w); thence S 78°39'31"W along said Center line for 403.74 feet; thence N 81°56'42"W along said Centerline for 180.67 feet to the East line of ELM GROVE-6TH PLAT; thence N 2°22'58"E along said East line for 162.18 feet; thence N 8°49'09"W along said East line for 164.36 feet; thence N 6°48'19"E along said East line for 153.73 feet; thence N 16°33'42"E along said East line for 81.95 feet; then N 2°22'58"E along said East line for 131.34 feet to the Point of Beginning.

Containing 516,470.92 square feet of 11.86 acres more or less.

SECTION 2. All of the conditions of approval have been resolved by the applicant except for the conditions listed below:

1. Correct addresses based on attached address exhibit (Exhibit A).
2. Label the loop street on the northern and western, “E. Lynchburg Place N.”, and, the southern and eastern part of the loop, “E. 16th Terrace N.”. Change “S. Salem Dr.” to “E. 16th Terr N.”.
3. Remove the lot line (solid line) at the intersection of E. Lynchburg Place N. and N. Salem Drive. The Right-of-Way should be continuous, without breaks.
4. Change “Block 1” and “Block 2” to “Lot 1” and “Lot 2”. This change will need to be reflected in the drainage easement language.
5. Language regarding the maintenance of drainage easements will need to be reviewed by Staff to verify concurrence with the recorded covenants.
6. Please indicate/delineate the boundaries for Drainage Easement “A”. Ensure that the boundaries of Drainage Easement “B” match the Preliminary Development Plan. These easements will need to be reviewed by City Staff. If any revisions are required, comments will be provided.
7. An Operation and Maintenance Manual for the stormwater system will need to be developed and submitted for review prior to issuance of any Certificate of Occupancy for buildings on this site. Requirement as per the Environmental Compliance Division of the Municipal Services Department.
8. Remove 25’ Building Line (Note: varied exterior setbacks and minimum 20’ rear yard setbacks will need to be indicated on Final Development Plan, in accordance with the approved Preliminary Development Plan #22-125-01).
9. Submit Final Development Plan prior to construction. Final Development Plan is required to be submitted in accordance with City Code 14-703-06 and can be processed concurrently with Building Permit application(s).
10. Covenants, Conditions, and Restrictions CCR’s shall be submitted for review and found to be in concurrence with the Final Plat prior to approval and recording of the Final Plat.

SECTION 3. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 4. Scrivener’s Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 5. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2025, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

MEETING DATE: November 19, 2024

STAFF: Gabriel Glaser, Planner

PROJECT NAME: McBee Acres

CASE NUMBER/REQUEST: **Case 24-320-08 – Final Plat – McBee Acres** – A request for Final Plat approval for McBee Acres generally located at the northwest corner of US 24 and Salem Drive.

APPLICANT: McBee Construction Company

PROPERTY LOCATION: generally located at the northwest corner of US 24 and Salem Drive

SURROUNDING ZONING/LAND USE:

North: Unincorporated Jackson County...duplexes
East: Unincorporated Jackson County ...single-family houses and church
South: C-2 (General Commercial)...gas station
C-1 (Neighborhood Commercial)...retail and day care
R-6 (Single Family Residential...church
West: Unincorporated Jackson County)...single family residential

FURTHER ACTION:

Following action by the Planning Commission, this final plat request is scheduled for 1st reading by the City Council on December 16, 2024 and the 2nd reading on January 6, 2025.

RECOMMENDATION

Staff recommends **APPROVAL** of this Final Plat with the following conditions.

1. Correct addresses based on attached address exhibit (Exhibit A).
2. Label the loop street on the northern and western, "E. Lynchburg Place N.", and, the southern and eastern part of the loop, "E. 16th Terrace N.". Change "S. Salem Dr." to "E. 16th Terr N.".
3. Remove the lot line (solid line) at the intersection of E. Lynchburg Place N. and N. Salem Drive. The Right-of-Way should be continuous, without breaks.
4. Change "Block 1" and "Block 2" to "Lot 1" and "Lot 2". This change will need to be reflected in the drainage easement language.
5. Language regarding the maintenance of drainage easements will need to be reviewed by Staff to verify concurrence with the recorded covenants.
6. Please indicate/delineate the boundaries for Drainage Easement "A". Ensure that the boundaries of Drainage Easement "B" match the Preliminary Development Plan. These

easements will need to be reviewed by City Staff. If any revisions are required, comments will be provided.

7. An Operation and Maintenance Manual for the stormwater system will need to be developed and submitted for review prior to issuance of any Certificate of Occupancy for buildings on this site. Requirement as per the Environmental Compliance Division of the Municipal Services Department.
8. Remove 25' Building Line (Note: varied exterior setbacks and minimum 20' rear yard setbacks will need to be indicated on Final Development Plan, in accordance with the approved Preliminary Development Plan #22-125-01).
9. Submit Final Development Plan prior to construction. Final Development Plan is required to be submitted in accordance with City Code 14-703-06 and can be processed concurrently with Building Permit application(s).
10. Covenants, Conditions, and Restrictions CCR's shall be submitted for review and found to be in concurrence with the Final Plat prior to approval and recording of the Final Plat.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A request for Final Plat approval, following the approval of the rezoning and preliminary development plan for McBee Acres.

Current Zoning: R-12/PUD (Two-Family Residential/Planned Unit Development)

Current Use: Vacant tracts

Proposed Use: Two-Family Residential

Proposal:

The applicant received approval of a preliminary development plan in April of 2022 (Ordinance #19316). One of the conditions for approval of Ordinance #19316 required the applicant to record a Final Plat of the proposed development site.

Physical Characteristics of Property:

This application for a Final Plat consists of two unplatted property tax parcels totaling ~11.45 acres in area. In addition, a dead-end section of Lexington Rd., located along the South/Southwest border of this site, has been vacated. The North half of the vacated Right-of-Way (30.5') is included in this application for a Final Plat.

The properties that make up this application were annexed into the City of Independence in 2015 (Ordinance #18524). The vacated Right-of-Way was annexed in 2022 (Ordinance #19315). Before this time, the properties that make up this application for a Final Plat would have been located in Unincorporated Jackson County.

Characteristics of the Areas:

The surrounding land use of this area consists of a mixture of single-family, two-family, and multi-family residences, as well as a mixture of light commercial, general commercial, and public/civic uses.

ANALYSIS

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

The property owner will need to make the necessary infrastructure improvements to this site. The installation of infrastructure at this site has been approved to move forward at-risk subject to the final plat.

Floodplain/Stream Buffer:

There are no floodplain/stream buffer issues with this property.

CIP Investments:

The City does not have any capital improvements projects planned near this area.

Platting:

This site has received approval of a preliminary development plan as part of an application for a Rezoning/PUD. This plan included 39 duplexes on 2 lots. As such, these duplexes will be owned and managed by the developer who will lease them out to tenants.

Elevations:

Based on the Preliminary Development Plan approved by City Council, each residential building will contain two adjoining identical two-story units constructed on a slab foundation. The first floor will feature about 700 square feet with a living room, dining room, ½ bath and a single car garage. The second floor will contain roughly 800 SF divided into three bedrooms and two bathrooms. Exterior building materials will consist of Hardie Board siding with veneer cultured stone on the front elevation, all in a light grey color. Asphalt composite shingles in a dark grey/black color will be used on all roofs.

Driveways and Sidewalks:

The preliminary development plan for this project indicates that each duplex will have a two-car width driveway. In addition, building elevations submitted as part of the preliminary development plan indicate that each duplex will be outfitted with 2 garages—one for each dwelling unit. Each duplex will have capacity for 4 off-street parking spaces.

Condition #6 of the applicant's approval for a Rezoning/PUD requires at least 13 additional off-street parking spaces to be added between certain lots. This will help to keep street parking at a minimum.

The preliminary development plan for this project indicates that a sidewalk will be constructed in the Right-of-Way around the boundaries of the interior lot (Lot 2)

Streets and Access:

The two lots will be accessed from Salem Dr. to the East. All buildings will be accessed by a looped public street connecting to Salem Drive. The development entrance shall meet minimum sight distance requirements prior to recording of the Final Plat.

This proposed project is not expected to adversely affect the street network in the vicinity of the project. Jackson County is requiring a construction permit for the project's connection with Salem Drive and has been involved early on with the project.

Landscaping:

The applicant will provide a tree preservation/landscape plan for the project showing new plantings and how the existing tree lines along the north and east sides of the site will be retained or improved. A landscape feature must be added around the central and northwest detention basins. The applicant will provide a landscape/tree preservation plan as part of a Final Development Plan.

Detention Basin Easements:

Ownership and maintenance of detention basin easements will be recorded with the First Final Plat.

EXHIBITS

1. Narrative
2. Application
3. Final Plat
4. Front Elevation
5. Preliminary Plat
6. Comprehensive Plan map

Ground Up Development LLC
1203 E US HWY 24
Independence, MO 64050

Attn: City of Independence Planning & Zoning Department
111 E Maple Ave., Independence, MO 64050

October 1, 2024

Dear Recipient,

Ground Up Development, LLC hereby submits the Final Development Plan for McBee Acres located at 19004 E. Lexington Rd and 1801 N Salem Drive located on 11.45 total acres near the intersection of US 24 HWY and main entrance from North Salem Drive consisting of a subdivision of 39 duplexes, or 78 total family dwellings. The two lots that make up the 11.45 acres are zoned R12PUD for residential use.

This development will include single slab, up to three bedroom duplexes, with an attached garage for each family, including amenities provided such as an on call maintenance and a walking trail. This development will be constructed and then managed by the current developer who plans to make each until available to rent to the general public.

Thank you for your time and assistance in the project. Ground Up Development is committed to producing a subdivision which values the needs of its families and surrounding businesses. The future development is consistent with the goals, policies, and standards of the City of Independence, in addition to the public health safety, environment, and general welfare of the public. Please direct any further question or concerns to the provided contact information below.

Thank you,



Jack Murphy
Project Manager
816-918-9338
jmurphy@mcbeecustomhomes.com

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☐ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☒ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business ☐ Short-Term Rental	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

McBee Acres

Project Name

1801 N Salem Drive and 19004 E Lexington Rd

Project Address/Location

11.45

Sq. Ft. of Building

Acreage

Number of Lots/Tracts

Steam Buffer (Yes or No)

R12PUD

Vacant

Subdivision of 39 Duplexes

Existing Zoning

Proposed Zoning

Existing Land Use

Proposed Land Use

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

- | | |
|---|--|
| ☒ Completed & Signed Application Form
☒ Application Fee
☐ Cover Letter Describing Details of Project | ☐ One 24" x 36" set of plans for Land Sub. & Site Dev.
☒ One PDF copy of a plat map or site plan
☐ Legal Description of the property in question |
|---|--|

Contact Information

Applicant

Suzie Zaslavsky McBee Construction Co

Name Company

1203 E US Hwy 24, Independence, MO 64050

Address

913-568-1902 preconstruction@mcbeecom

Phone Email

Architect/Engineer/Surveyor/Other: Civil Engineer

Robert Walquist Quist Engineering

Name Company

821 NE Columbus St, Lees Summit, MO 64063

Address

816-550-5675 rwalquist@quistengineering.

Phone Email

Owner

Steve McBee Ground Up Development

Name Company

103 Industrial Pkwy, Gallatin, MO 64640

Address

816-985-3822 smcbee@mcbeecompanies

Phone Email

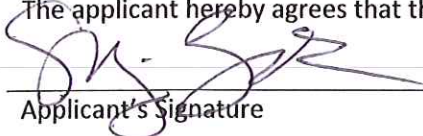
Architect/Engineer/Surveyor/Other: _____

Name Company

Address

Phone Email

The applicant hereby agrees that the information provided above is accurate.

 10/1/24

Applicant's Signature Date

 10/01/24

Owner's Signature Date

FINAL PLAT
McBEE ACRES

SECTION 20, TOWNSHIP 50 NORTH, RANGE 31 WEST,
A SUBDIVISION IN THE CITY OF INDEPENDENCE, JACKSON COUNTY, MISSOURI

DESCRIPTION:

A part of the Southeast Quarter of Section 20, Township 50 North, Range 31 West, Independence, Jackson County, Missouri, described as follows:
Beginning at the Northeast corner of Lot 160, ELM GROVE 6TH PLAT, a subdivision of record; thence S 81°47'24" E, along the South line of SALEM EAST, a subdivision of record, for 45.95 feet; thence N 86°40'36" E along said South line for 247.75 feet; thence N 62°34'06" E along said South line for 272.30 feet to the Southeast corner of Lot 163, SALEM EAST; thence S 38°05'23" E, along the right of way line of Salem Drive (80' R/W), for 459.89 feet to the Northeast corner of Lot 1, CORRECTED PLAT - SALEM JUNCTION, a subdivision of record; thence S 51°53'36" W along said Lot 1 for 185.77 feet; thence S 38°05'23" E along said Lot 1 for 150.08 feet; thence S 51°53'36" W along the Northerly right of way line U.S. Highway Route 24 for 277.62 feet to the Centerline of Old Lexington Road (61' R/W); thence S 78°39'31" W along said Center line for 403.74 feet; thence N 81°56'42" W along said Centerline for 180.67 feet to the East line of ELM GROVE-6TH PLAT; thence N 2°22'58" E along said East line for 162.18 feet; thence N 8°49'09" W along said East line for 164.36 feet; thence N 6°48'19" E along said East line for 153.73 feet; thence N 16°33'42" E along said East line for 81.95 feet; thence N 2°22'58" E along said East line for 131.34 feet to the Point of Beginning.

Containing 516,470.92 square feet or 11.86 acres more or less.

PLAT DEDICATION: The undersigned owner of the Property described herein has caused the same to be subdivided in the manner shown on this plat and the property shall hereafter be known as:

"McBEE ACRES"

FLOOD INFORMATION:

This property is not in the floodway according to the Federal Emergency Management Agency National Flood Insurance Program Boundary and Floodway Map, based on current Map 29095C0190H dated December 7, 2023.

UTILITY EASEMENT DEDICATION:

An easement or license is hereby granted to the City of Independence, Missouri, to locate, construct and maintain, or to authorize the location, construction and maintenance of poles, wires, anchors, conduits, and/or structures for water, gas, sanitary sewer, storm sewer, surface drainage channel, electricity, telephone, cable television, or any other necessary public utility or services, any or all of them, upon, over, or under those areas outlined or designated upon this plat as 'utility easements' (U/E) or within any street or thoroughfare dedicated to public use on this plat. Grantors, on behalf of themselves, their heirs, their assigns and successors in interest, hereby waives, to the fullest extent on this plat. Grantors, on behalf of themselves, their heirs, their assigns and successors in interest, hereby waives, to the fullest extent allowed by law, any right to request restoration of rights previously transferred and vacation of the easement herein granted.

Drainage Easement "A" and Drainage Easement "B" will be Owned and Maintained by the Owners of Lot 1 and there shall be no Alteration to the Detention Facility, Pipes, Structures, and Appurtenances without the Approval of the City Engineering Department.

IN TESTIMONY THEREOF:

Ground Up Development, LLC, a Missouri limited liability corporation, have caused these presents to be signed by its Manager this _____ day of _____, 2024

Steve McBee - Manager

State of Missouri)
County of Jackson) SS

On this _____ day of _____, 2024, before me appeared Steve McBee to me personally known who by me duly sworn, did say that he is the Manager of Ground Up Development, LLC, a Missouri limited liability company and he acknowledged said instrument to be the free act and deed of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at my office in said County and State, the day and year last above written.

My Commission expires _____
Notary Public

CITY OF INDEPENDENCE APPROVALS:

Approved by the City Council and Mayor of the City of Independence, Missouri pursuant to Ordinance 17339.

Susanne Holland, City Clerk DATE

Torn Scannell, Community Development Director DATE

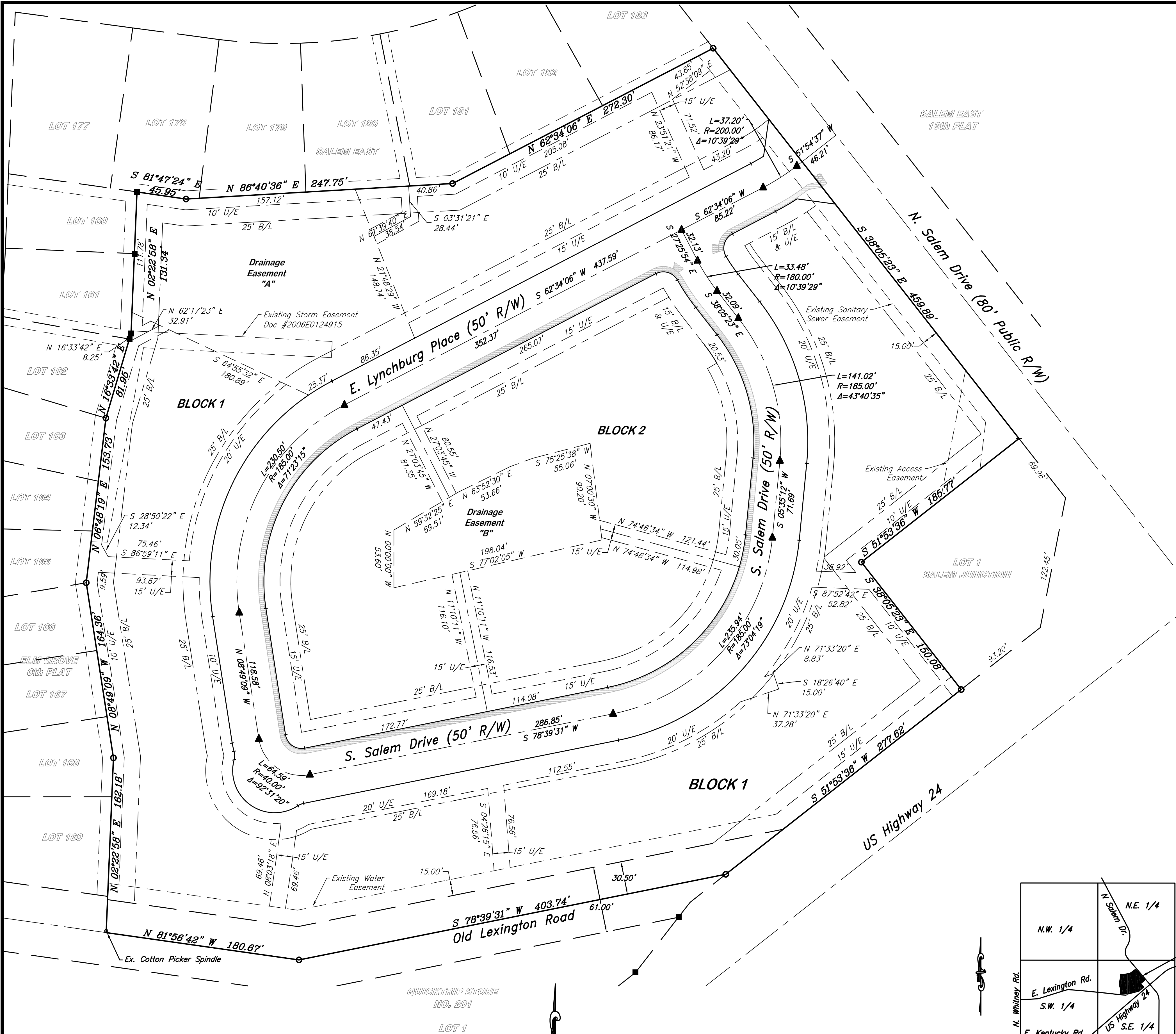
Alexander F. Lopez, City Engineer, DATE

COUNTY APPROVAL:

Vincent Brice Jackson County Assessment Department DATE

I hereby certify that the within Plat of "McBEE ACRES" subdivision is based upon an actual survey made by me or under my direct supervision and that said survey meets or exceeds the current minimum standards for property boundary surveys as established by the Department of Natural Resources, Division of Geology and Land Survey, of the State of Missouri, and Missouri Standards for Property Boundary Surveys, established by the Missouri Board for Architects, Professional Engineers and Surveyors. I further certify that this Plat complies with all statutes, ordinances, and regulations governing the practice of surveying and platting of subdivisions to the best of my professional knowledge and belief.

THOMAS W. CLEMONS, P.L.S. NO. 1958
JACKSON COUNTY, MISSOURI

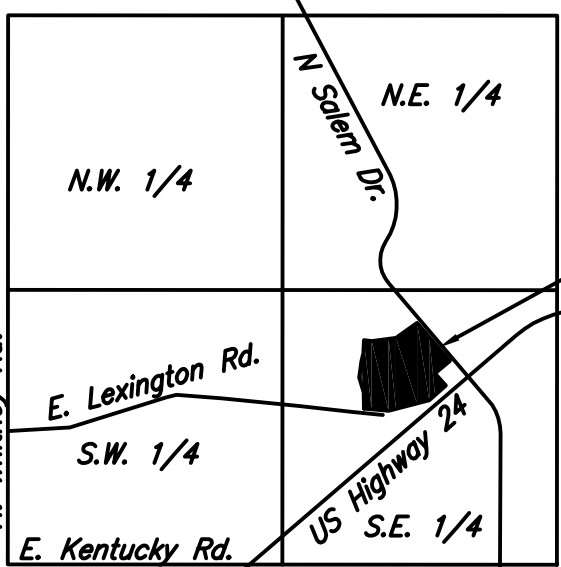


LEGEND

- U/E UTILITY EASEMENT
- B/L BUILDING LINE
- EXISTING REBAR
- EXISTING "+" CUT IN CONCRETE
- SET 1/2" REBAR & PLASTIC CAP MO PLS #1958
- SET COTTONPICKER SPINDLE

NOTES:

- The bearings and coordinates shown on this plat are based upon the Missouri Coordinate System of 1983, West Zone, by GPS Observations using the MoDot GPS Network.



SEC. 20, T-50-N, R-31-W

Thomas Clemons
Area Surveyors

2800 Robinson Pike Road
P.O. Box 324 Grandview, Missouri 64030
(816) 941-7557 sirvey@kc.rr.com

PREPARED FOR/ DEVELOPER:
GROUND UP DEVELOPMENT, LLC

SCALE: 1"=50'
DATE: OCTOBER 30, 2024



PRELIMINARY PLAT FOR
MCBEE ACRES
INDEPENDENCE, JACKSON COUNTY, MISSOURI

DEVELOPER:
MCBEE DEVELOPMENT
(407) 982-0524

SYMBOL LEGEND

PROPOSED	EXISTING
MANHOLE	MANHOLE
CURB INLET	CURB INLET
JUNCTION BOX	JUNCTION BOX
FIELD INLET	FIELD INLET
FIXED END SECTION	FIXED END SECTION
FIRE HYDRANT	FIRE HYDRANT
BLOW OFF	BLOW OFF
WATER VALVE	WATER VALVE
WATER METER	WATER METER
SHOULDER	SHOULDER
UTILITY POLE	UTILITY POLE
POLE WIRE	POLE WIRE
ELECTRIC TRANSFORMER	ELECTRIC TRANSFORMER
TELEPHONE PAVEMENT	TELEPHONE PAVEMENT
CABLE PAVEMENT	CABLE PAVEMENT
OPEN DITCH	OPEN DITCH

LINE LEGEND

PROPOSED	EXISTING
STORM LINE	STORM LINE
SEWER LINE	SEWER LINE
WATER LINE	WATER LINE
BUILDING LINE	BUILDING LINE
EASEMENT LINE	EASEMENT LINE
4' SIDEWALK	4' SIDEWALK
2' CURB	2' CURB
CONTOUR	CONTOUR
840' FENCE LINE	840' FENCE LINE
840' GAS LINE	840' GAS LINE
OVERHEAD TELEPHONE LINE	OVERHEAD TELEPHONE LINE
UNDERGROUND TELEPHONE LINE	UNDERGROUND TELEPHONE LINE
OVERHEAD ELECTRICAL LINE	OVERHEAD ELECTRICAL LINE

UTILITY NOTES:

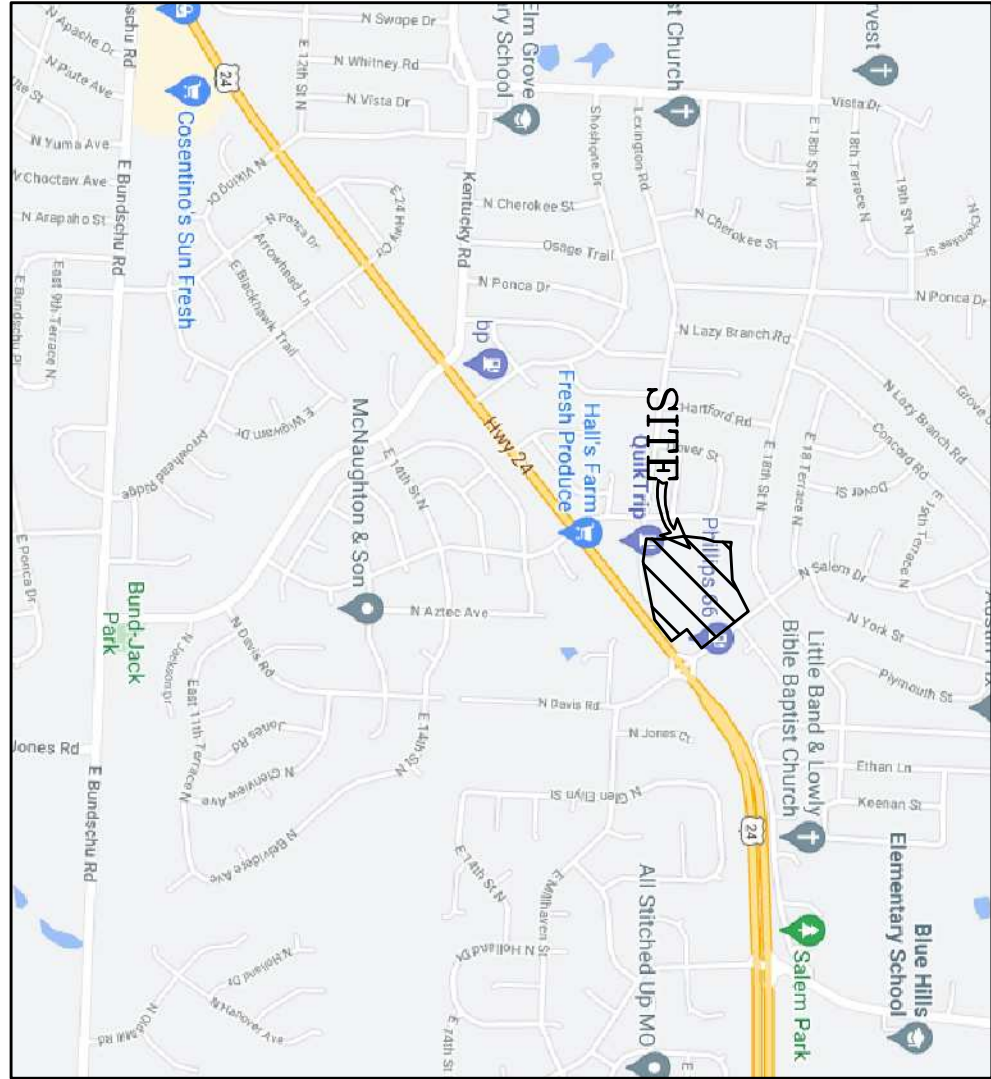
1. SANITARY SEWER MAIN SHALL BE BUILT TO CITY STANDARDS AND DEDICATED TO THE CITY ALONG WITH A 15' UTILITY EASEMENT.
2. WATER MAIN SHALL BE BUILT TO CITY STANDARDS AND DEDICATED TO THE CITY ALONG WITH A 15' UTILITY EASEMENT.

NOTE:

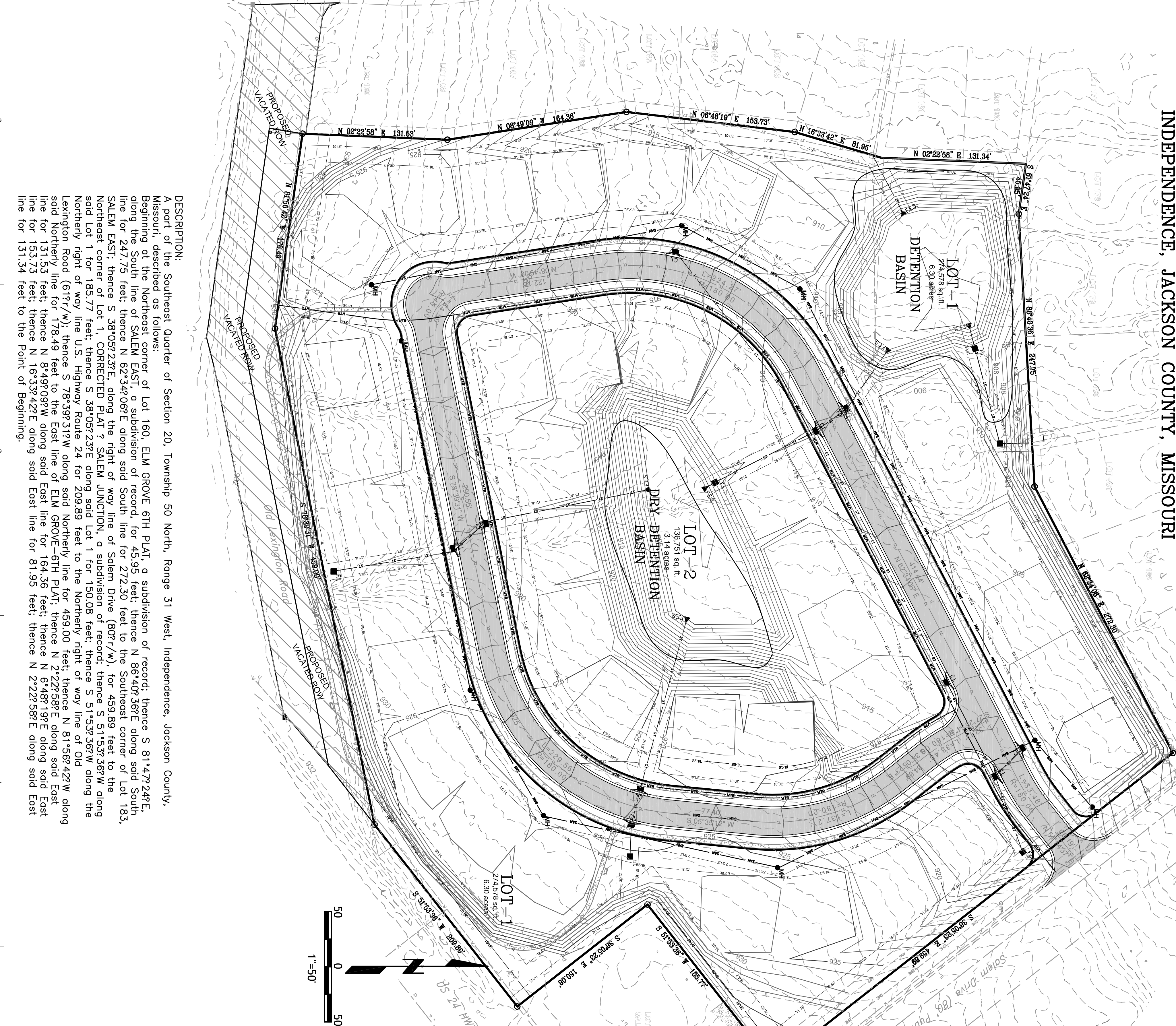
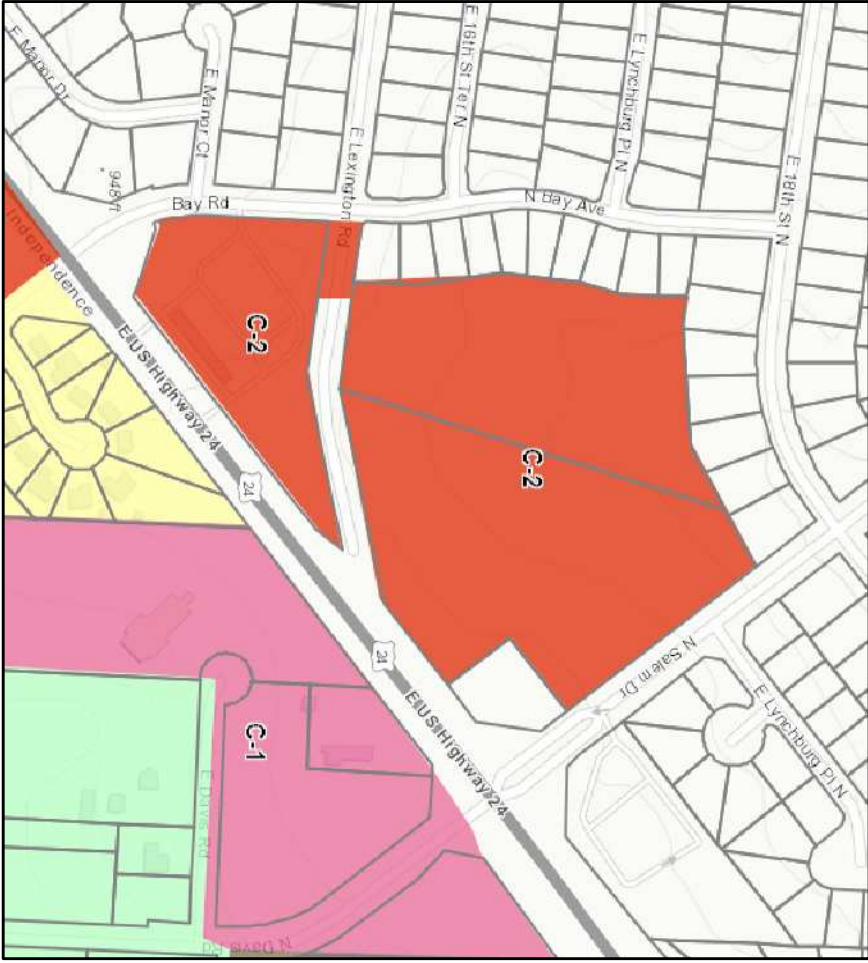
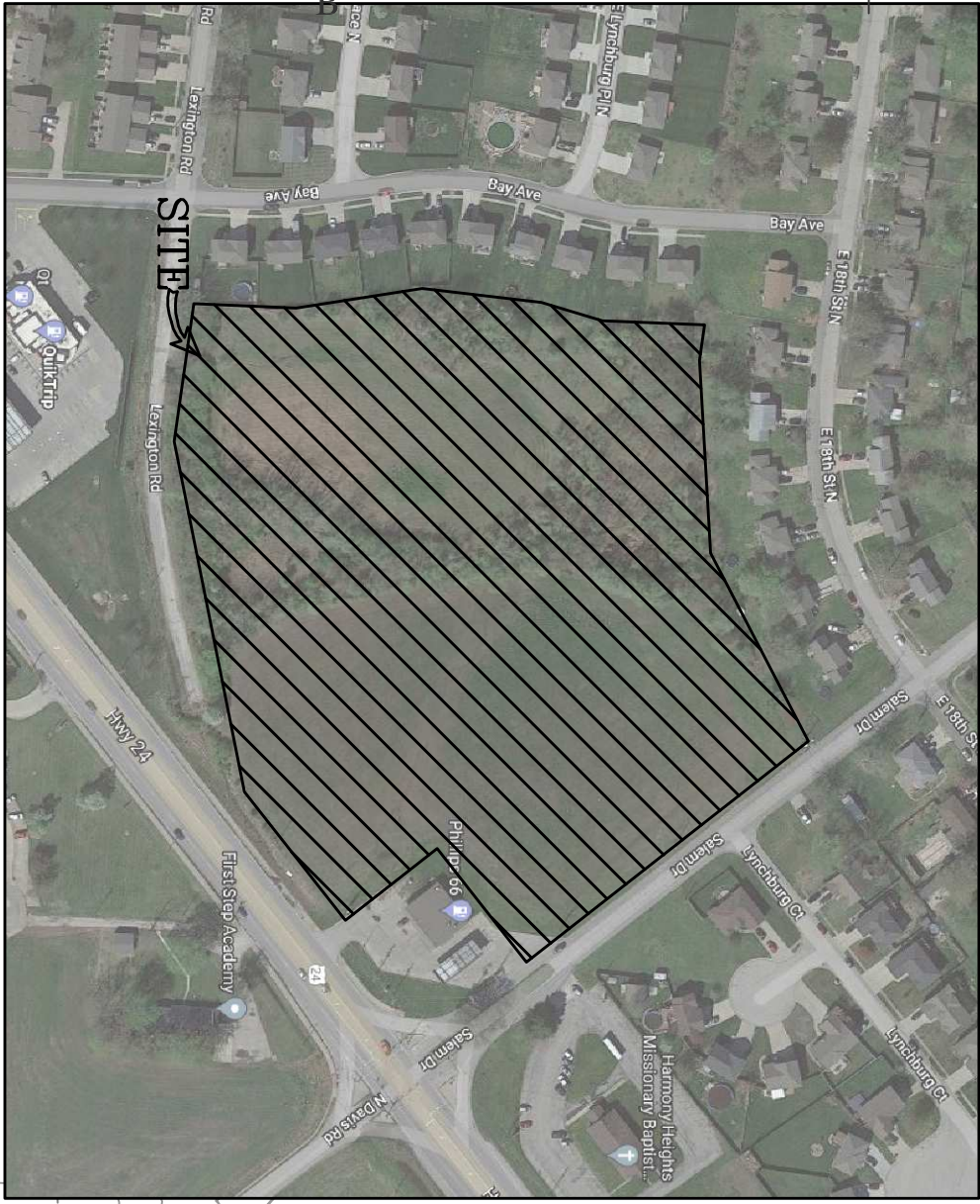
1. EXISTING ZONING = C-2
2. TOTAL AREA = 11.4386
3. TOTAL LOTS = 3
4. TOTAL LOTS = 78 UNITS
5. UNITS PER ACRE = 6.8 UNITS / ACRE
6. THIS DEVELOPMENT WILL IMPROVE THE EXISTING DETENTION BASIN TO MITIGATE THE INCREASE IN STORM WATER RUNOFF DO TO THE ADDITION OF IMPERVIOUS MATERIAL.
7. ALL ROADS SHALL BE 28' BACK TO BACK W/ 50' ROW.
8. BUILDING SET BACKS
9. FRONT YARD = 25'
10. REAR YARD = 25'
11. CORNER = 15'
12. DEDICATED ROW = 119.92'
13. PERCENT OF GREEN SPACE = 57%

PERVIOUS VS IMPERVIOUS CALCULATIONS

LOT SIZE	497,890 SF
IMPERVIOUS SURFACES	
BUILDINGS, PORCHES, DRIVES,	
PARKING,	156,000 SF
STREETS	43,224 SF
SIDEWALKS	16,989 SF
TOTAL	216,193 SF
CALCULATIONS	
I/P = 43% IMPERVIOUS	
57% PERVIOUS (GREEN)	



LOCATION MAP

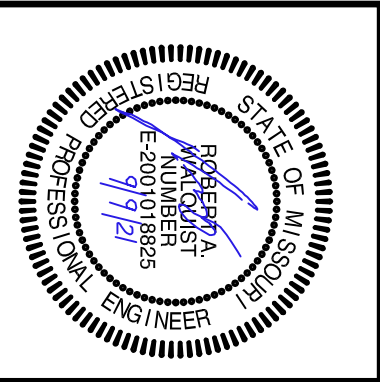


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PRELIMINARY PLAT



McBEE ACRES
INDEPENDENCE, JACKSON COUNTY, MISSOURI

Quist Engineering, Inc
Civil Engineering for Residential & Commercial Site Development
821 NE Columbus St.
Lee's Summit, Missouri 64063
Phone: (816) 550-5675
email: rwalquist@quistengineering.com

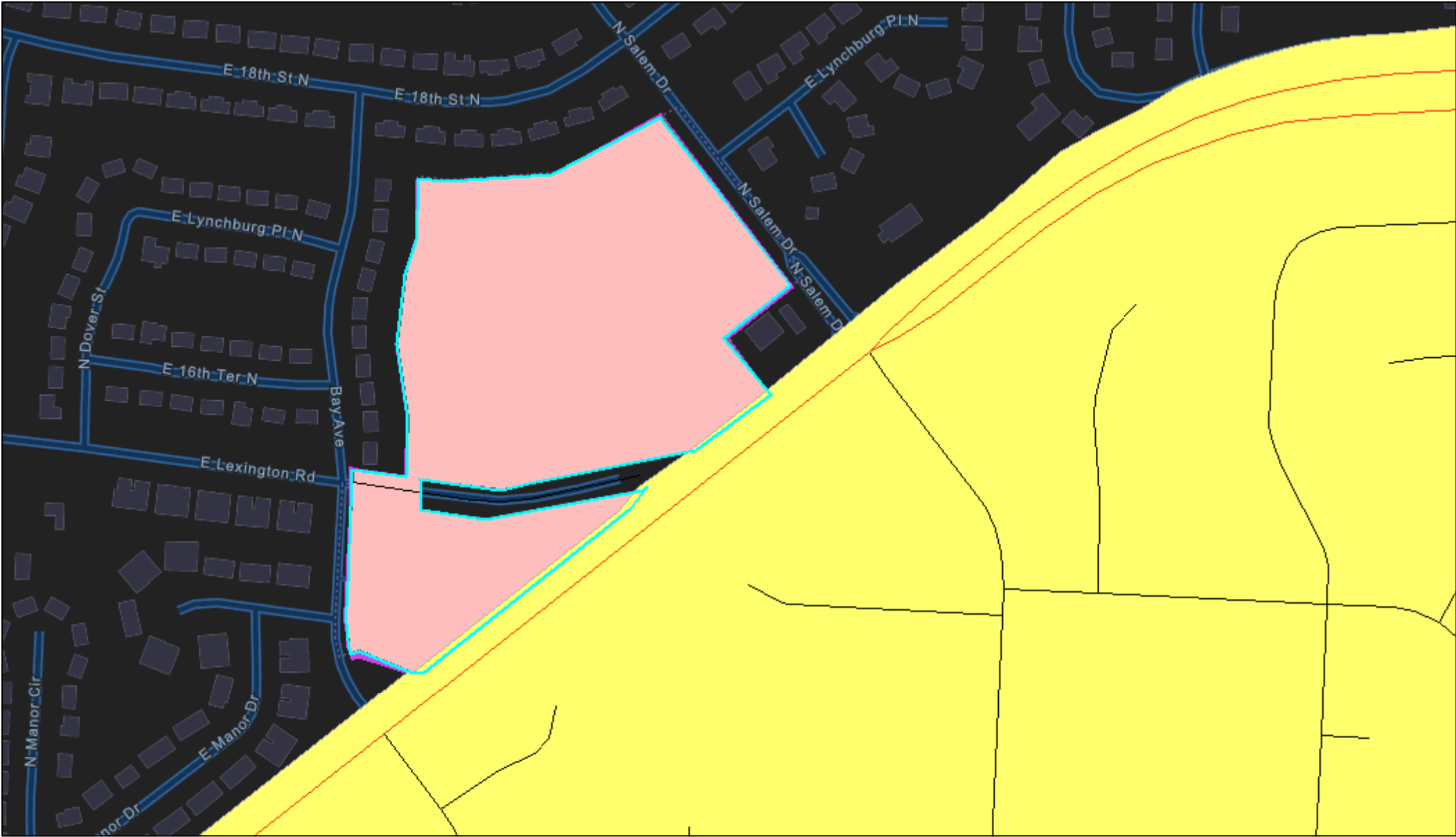
COPYRIGHT © 2022
1-25-22

REVISIONS
1-31-22
2-7-22

SHEET NO.
C200

JOB NO.
E21-314

Comprehensive Plan Map



11/7/2024, 9:08:15 AM

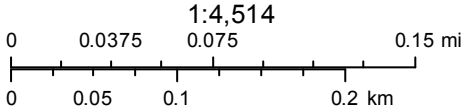
Streets

- Highway
- Local

Proposed Land Use (Comp Plan)

- Residential Neighborhoods
- Neighborhood Commercial

City Limits





Planning Commission Minutes

November 19, 2024 6:00 PM

City Hall, 111 E. Maple Avenue (Ground Floor), Council Chambers

CALL TO ORDER

A meeting of the Planning Commission was held at 6:00 PM on 11/19/2024, in the 111 E Maple Avenue City Council Chambers, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - .

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

Commissioner Nesbitt requested to pull Case 24-320-08 from the Consent Agenda.

1. Planning Commission Minutes – October 29, 2024

Motion

Commissioner Dan O'Neill made a motion to approve the Consent Agenda. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. Case 24-320-08 – Final Plat – McBee Acres – A request for Final Plat approval for McBee Acres generally located at the northwest corner of US 24 and Salem Drive.

In response to Commissioner Nesbitt's question, Gabe Glaser advised parking was addressed in the conditions.

Motion

Commissioner Eric Ashbaugh made a motion to approve the case. Commissioner Virginia Ferguson seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

PUBLIC HEARINGS

1. **Continued Case 24-125-05 Rezoning/PUD – 19300 E 37th Terrace** – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Harker reviewed the conditions of approval.

In response to Commissioner Nesbitt's question, Mr. Harker advised that there's a piece of City property between the right-of-way and the subject property. Commissioner Ashbaugh asked if the City maintains that piece of property between this development and the right-of-way. Mr. Arroyo stated he believes the City maintains the property and will continue to maintain the property.

Commissioner Nesbitt stated he would like to see electric vehicle charging stations required and questioned why we're allowing so few parking spots. Mr. Arroyo said electric vehicle charging stations are not required and there are challenges in requiring those with apartment buildings.

Mr. Arroyo stated the developer provided a plan that shows their anticipated parking needs and noted visitors wouldn't be able to park on the major streets around this development. Mr. Arroyo noted the parking ratio is 1.64 per unit.

Commissioner Nesbitt questioned why new apartments are being proposed when the Housing Study said the City no longer needs apartments. Mr. Arroyo stated the update to the Housing Study showed the City could use around 650 units before we reach saturation.

In response to Chairwoman Wiley's question, Mr. Arroyo stated they believe this development will be similar in height to the existing Pepperwood Apartments.

Applicant Comments

Clint Burkdoll, Olathe, KS, stated they're a local developer and said they would be willing to add some electric vehicle charging stations. He also noted they would be willing to mow the piece of City property. Mr. Burkdoll stated the site is steep and there are challenges with the topography, which is why it hasn't been developed yet.

Jason Osborne, Rosemann & Associates, 1526 Grand Blvd, Kansas City, said the garages will

hold standard trucks. Mr. Osborne said these would be market rate apartments and based their parking plan on existing developments.

In response to Commissioner Ashbaugh's question, Mr. Osborne stated they plan to have a valet trash service.

Public Comments

No public comments.

Commissioner Comments

Commissioner Nesbitt stated he would like a condition added that requires electric vehicle charging stations.

Motion

Commissioner Edward Nesbitt made a motion to approve the case, with conditions as outlined by staff and the added condition from Commissioner Nesbitt. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Continued Case 24-100-24 – Rezoning – 2131 S. Scott Avenue** – A request by Andrew Rocco Mazzella to rezone the property from R-12 (Two-Family Residential) to C-2 (General Commercial).

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

In response to Commissioner O'Neill's question, Mr. Harker stated it's a cleaning business.

Applicant Comments

Erwin Gard, 1040 SW Luttrell, Blue Springs, stated he's representing the applicant. Mr. Gard stated he believes the business does not store cleaning chemicals, but sells the cleaning supplies.

In response to Chairwoman Wiley's question, Mr. Gard said they will improve the sidewalk, curb and gutter along Scott and 23rd Street and noted the gravel will be removed.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

3. **Continued Case 24-100-25 – Rezoning – 2301 S. Chrysler Avenue** – A request by the City to rezone the property from I-1 (Industrial) and R-6 (Single Family Residential) to R-6 (Single Family Residential).

Staff Presentation

Brian Harker presented updates for this case. He provided the Commission with a background on the use of the stadium. Mr. Harker stated in 2023, the Independence School District entered into a lease with the City and Van Horn High School baseball team started using the facility.

The Independence School District has invested funds to improve the property and seeks to enter into a Development Agreement with the City to continue use of the facility.

Public Comments

Beverly Lentz, 1208 W 24th St S, expressed concerns about environmental impact and the homeless population in that area.

Commissioner Comments

In response to Chairwoman Wiley's question, Mr. Harker confirmed this is a corrective rezoning so that both plots are zoned the same and will have the same address. Chairwoman Wiley thanked staff for answering all the questions that were presented at the last meeting.

Motion

Commissioner Eric Ashbaugh made a motion to approve the case. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

4. **Case 24-100-26 – Rezoning – 17200 E. Medical Center Pkwy, 17203 & 17221 E. 23rd Street** – A request by the City to rezone the property from R-30/PUD (High Density Residential/Planned Unit Development) to C-2 (General Commercial).

Staff Presentation

Gabe Glaser presented the case. Mr. Glaser presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Public Comments

Natalie Sevy, 17208 E 23rd St, stated she owns a property across the street from the Independence Utilities Center. She stated if there is going to be a jail on this property, she is opposed to this change.

Mr. Glaser noted this is a rezoning request and is not related to a future use of this property.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Edward Nesbitt

seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

OTHER BUSINESS

1. Training provided by Lauber Law

Jeremy Lauber provided training to the Planning Commission.

ROUNDTABLE - NEXT MEETING DECEMBER 10, 2024

Staff noted we currently don't have any cases for the December 10, 2024 Planning Commission meeting and we anticipate canceling that meeting.

ADJOURNMENT

The meeting was adjourned at 8:38 p.m.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-128 **1R** An ordinance approving a rezoning from District C-2 (General Commercial) to District R-30/PUD (High Density Residential/Planned Unit Development) and approving a Preliminary Development Plan for the property located at 19300 E. 37th Terrace S. **1R**

Recommendations:

Commissioner Nesbitt made a motion to recommend **APPROVAL** of this rezoning request, for property located at 19300 E. 37th Terrace S., with the following conditions be included with the preliminary development plan:

1. A building setback deviation shall be granted for the easternmost building (i.e., Building D) to allow the building to be set back 16 feet from the Jackson Drive right-of-way instead of 50-feet.
2. A building height deviation shall be granted for the easternmost building (i.e., Building D) to allow the building may be as high as 50-feet tall on the non-garage side and 60 feet tall on the garage side.
3. In exchange for the building height and building setback deviations, the significant landscaping as shown on the landscape plan shall be provided.
4. The applicant shall provide an additional amenity in addition to the pool and clubhouse. Staff will work with the applicant to ensure that amenities are provided at the final development plan stage.
5. The Final Development Plan should provide elevations for the masonry trash enclosures.
6. The office/clubhouse and apartment buildings and units within will be addressed on the Final Development Plan as prescribed by the Community Development Department.

This preliminary development plan has not been reviewed for final engineering design compliance. All development engineering must be designed in accordance with City of Independence standards and specifications prior to approval of the final development plan.

A second to the motion was made by Commissioner O'Neill. The Independence Planning Commission voted as follows:

Commissioner Nesbitt – Yes

Commissioner Wiley – Yes

Commissioner Young – Yes

Commissioner Ashbaugh – Yes

Commissioner Ferguson – Yes

Commissioner O'Neill – Yes

Commissioner Torres - Yes

The motion passed 7-0 and such application is forwarded to the City Council for its consideration. Staff concurs with the recommendation of the Planning Commission.

Background:

PROJECT DESCRIPTION: – A request by JC Weston Construction to construction a 304-unit apartment complex at 19300 E. 37 Terrace S.

REQUEST:

A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approve a preliminary development plan.

PROPERTY HISTORY:

The property has never been platted. In 1974, the property was rezoned from R-1 to C-P-2 with the site plan being approved in 1975. This project was never developed, and this undeveloped tract got its current size and configuration with the creation of 37th Terrace and Jackson Drive.

PROPOSAL:

The proposed Infinity Apartments (originally submitted as Jackson Apartments) is a 304-unit, multi-family development consisting of four separate four-story buildings with underground parking. The proposed development, on 11.67-acres, is located in the northwest corner of Jackson Drive and 37th Terrace. The development will include a clubhouse & pool, and a mix of regular parking, covered carport parking, and garage spaces. The development will have a density of 25.7-units per acre. There will be 6.194-acres of open space.

PHYSICAL CHARACTERISTICS OF THE PROPERTY:

The applicant's 11.67-acre property at its southern end is more open and level, but as proceeding to the north it becomes steeper and more wooded as it descends toward the railroad right-of-way. Trees line the two ravines going northeast and northwest. There is a thick stand of trees abutting the apartment complex to the west.

CHARACTERISTICS OF THE AREA:

The vicinity of the proposed development is dominated by retail, institutional and multiple-family residential uses. To the south, across 39th Terrace is box retail. Then, to the southwest across the intersection of 37th Terrace and Jackson Drive is Centerpoint Medical Center. East across Jackson Drive is an apartment complex. To the west lies a nursing home and further west another apartment complex. North of the property, down the steep embankment, lies a railroad right-of-way and a heavily wooded area.

ANALYSIS:

Consistency with *Independence for All*, Strategic Plan:

The project should achieve livability, choice, access, health and safety through a quality-built environment. The project will improve visual appearance, improve public infrastructure and facilities, and stabilize and revitalize a neighborhood.

Comprehensive Plan Tools and Policies for the Current Designation:

The relevant Guiding Principle would be that it facilitates the development of a connected, mixed-use neighborhood where appropriate.

Zoning:

The applicant proposes R-30/PUD zoning, which allows; multiple-family housing, home based daycare, government facilities, churches, schools, utilities, cemeteries, crops and gardening. District C-2 (General Commercial) allows for retail, office, restaurants, banks, business and personal improvement services, hotels, construction services, daycare centers, nursing homes, government facilities, churches, employment agencies, funeral and interment services, schools, colleges and universities, veterinary and animal boarding services, sports and entertainment facilities, medical services, repair services and crop agriculture.

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

Water, sewer and electrical services are available to the property. The proposed sanitary sewer flows from this development exceeds the capacity of a siphon to the north of the property. Sewer improvements will require cooperation between the developer and Municipal Services to provide sewer to this development. Utilities to service the development will be installed along the private drive aisles to serve each proposed building as shown on the preliminary site development plan. Water and sewer lines will be provided with one tap per building for each utility. Proposed easements will be provided for public utilities at the time of final platting

Floodplain/Stream Buffer/Detention Basin:

The property is neither in a floodplain nor near a stream requiring accompanying stream buffer zones. The property will drain to the northeast where a detention pond will be sited.

Drainage Study:

BMP's are required per the City's design criteria and will be implemented on this development. Design will abide by the MARC/APWA Manual of Best Management Practices.

The proposed project will consist

	EXISTING PEAK FLOWS	PROPOSED PEAK FLOWS	Design Storm
(cfs)	(cfs)		
10 Year	21.65	23.95	
100 Year	30.68	32.40	

EXISTING VOLUME PROPOSED VOLUME

	EXISTING VOLUME	PROPOSED VOLUME	Design Storm
(ac-ft)	(ac-ft)		
10 Year	2.84	3.76	
100 Year	5.65	6.78	

6 of new multi-family residential homes, open space, parking, a clubhouse and pool, and an on-site detention basin. Stormwater runoff from the proposed development will be controlled utilizing the existing on-site detention basin. The basin has been determined in preliminary analysis to have storage capacity for the development's increase in runoff. The basin's control structure will need modifications to control the 10- and 100-year storm events peak release rates per the City's requirements. BMP's will be required to treat water quality and will be designed per the City's requirements.

Parking Lot and Access:

Access to the Infinity Apartments will be from 37th Terrace and Jackson Drive. The 37th Terrace entrance will be at the southwest corner of the property while the proposed entrance off Jackson Drive will be further north than the existing road cut that's nearer the intersection. Both drives connect to a looping parking lot where all but the south parking lot are behind the building lines of the apartment structures. All maneuvering aisles will be two-way and none of the parking aisles are more than two cars deep. They will have landscaped endcaps and islands.

Parking:

The UDO requires 564-parking spaces (441-based on the unit counts and 123 additional visitor's spaces). The 304-unit apartment complex would have 500-parking spaces (48 for the studio units, 360 for the one and two-bedroom units, 32 for the four-bedroom units and 60 others for visitors); this results in a 1.64 parking spaces per unit that is equivalent or greater than industry standards and the number of other apartment developments in the region. Although the development is 64 spaces short of the new requirements, the site is constrained by the topography of the site, the existing right-of-way, and the existing detention basin that must be sized for not only this development but the adjacent developments as well. The UDO allows for approval of an alternative parking plan. The applicant submitted a parking letter outlining this alternative parking plan. Staff supports the alternative parking plan given the site constraints mentioned above.

Sidewalk:

A completed sidewalk is required along 37th Terrace.

Traffic Study:

This traffic study summarizes the anticipated traffic impacts of the proposed Infinity Apartments development with the following:

Left-turn and right-turn lane warrants at the driveway intersections were analyzed in conjunction with MoDOT's Access Management Guidelines, and no turn lanes would be warranted at either site driveway.

It should be noted that the site plan shows a full-access driveway that would require a median break along Jackson Drive. Although a northbound left-turn lane is not warranted due to traffic volumes at this intersection, a median break without a dedicated turn lane is not recommended as drivers would not be expecting a left-turn driver slowing down to make the turn on a divided roadway without a left-turn lane present. There is an existing bridge just north of the intersection and a significant retaining wall on the east side of Jackson Drive that would make it difficult to construct a northbound left-turn lane. If a dedicated left-turn lane is not feasible, the driveway access shall be limited to right-in/right-out access.

In general, acceptable traffic operations can be expected in and around the proposed development with the addition of the Infinity Apartments development. The development traffic will have minimal impact on the traffic operations in the study area. No improvements would be required.

Amenities:

Provided amenities will include an outdoor swimming pool and clubhouse. The applicant provided an amenity package exhibit. Staff recommends an additional amenity in addition to the pool and clubhouse and will work with the applicant to ensure that amenities are provided at the final development plan stage.

CIP Investments:

The City does not have any capital improvements projects planned near this area.

Elevations:

The four proposed apartment structures will be arranged in a circle. Building D will front S. Jackson Drive with the parking behind. Building C will set much further back from the right-of-way of E. 37th Terrace S. with its parking between it and the roadway. Buildings A and B will be on the far side of the circle and arranged around the interior parking lot loop and the pool and clubhouse in the middle. There will be four carport structures as well.

There will be 76 units per building. The mix of apartments will be 44 studios, 128 one-bedroom, 116 two-bedroom and 16 three-bedroom.

The four-story apartment structures will have three colors of fiber lap siding, Hardie architectural panels, pre-finished fiber siding-board and batten, ledgerstone veneer and a standing seam roof. Additionally, there are white and dark bronze, various fiber trims, cast stone banding and metal coping and trims. The rear “basements” of the buildings will have exposed garages.

The clubhouse and carports will mimic the architectural style of the apartment building, utilizing the same Fiber Cement walls, stone veneer wainscots and pitched roofs with architectural shingles.

Building Height:

The buildings will be as high as 48-feet tall on their exterior lot line sides opposite the sides with their exposed garage entries and just under 60 feet tall when accounting for the tuck-under garages. The maximum building height allowed in the R-30 District is 35 feet; the UDO allows for 1 foot increase in building height for 1 foot of building set back beyond the minimum required. Thus, the only building that does not meet the building height requirement is Building D (i.e., the building closest to Jackson Drive). As a trade-off to the height, the applicant proposes to increase the street trees along Jackson Drive, which will provide shade along the sidewalk but also soften the height of this building. As part of the PUD approval process, the UDO allows for PUD plans to deviate from strict compliance with specified standards. Staff supports the building height deviation for Building D.

Building Setback:

The easternmost building (i.e., Building D) has a setback from the Jackson Drive right-of-way of 16-feet instead of 50-feet required. Staff supports the setback deviation for Building D as the applicant proposes to significantly increase the landscaping along Jackson Drive to minimize any effects.

Landscaping and Buffering:

The preliminary development plan indicates landscaping as required per UDO. A buffer is

required for the southwest portion of the site adjacent to the Sunterra Springs development. At the final development plan stage, staff will ensure compliance with the landscape provision of the UDO.

REVIEW CRITERIA

Recommendations and decisions for proposed planned unit development rezoning and its accompanying preliminary development plan must be based on consideration of the criteria listed in Section 14-703-05-H:

1. **The consistency with the Comprehensive Plan.** *The Comprehensive Plan envisions Residential Neighborhoods and the proposed rezoning aligns with this.*
2. **The consistency with the PUD standards of Section 14-902, including the statement of purpose.** *The preliminary development plan is generally consistent with the PUD standards of Section 14-902 with the exception of Building D which does not meet the building setback and building height requirements. However, the applicant proposes to significantly increase the street trees along Jackson Drive to minimize any impact.*
3. **The nature and extent of Common Open Space in the PUD.** *Except for the detention basin, most of the Common Open Space is useable. There are stands of trees in the northern part of the tract.*
4. **The reliability of the proposals for maintenance and conservation of Common Open Space.** *The complex will be on one lot under a unified ownership with the owner maintaining the site.*
5. **The adequacy or inadequacy of the amount and function of Common Open Space in terms of the densities and dwelling types proposed in the plan.** *The design is such that much of the Common Open Space is fairly spaced around the apartment complex's buildings.*
6. **The extent to which the proposed use will adversely affect the capacity of safety portions of the street network or present parking problems in the vicinity of the property. Whether adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation, and visual enjoyment.** *A traffic study was conducted on this property's impact to neighboring streets. In general, acceptable traffic operations can be expected in and around the proposed development with the addition of the Infinity Apartments development. The development's traffic will have minimal impact on the traffic operations in the study area. No improvements would be required.*
7. **The extent to which the proposed use will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area.** *As mentioned above, this parcel is the last developable parcel at Jackson and 37th Terrace. As part of this development, studies were required for storm water, sanitary sewer and traffic. All studies were reviewed and any issues mitigated.*
8. **Whether potential adverse impacts have been mitigated to the maximum practical extent.** *Storm water, sanitary sewer and traffic issues have been reviewed and mitigated.*
9. **Whether the Preliminary Development Plan represents such a unique development proposal that it could not have accomplished through use of (non-PUD) conventional zoning regulations.** *There are building setback and issues that would have required*

variances with a non-PUD zoning. The PUD also helps to make sure adequate amenities and needed studies (i.e. traffic and storm water) were provided.

10. **The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years. This project will not be phased.**

Draft Planning Commission minutes are attached to this Council agenda item.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Draft Ordinance 24-125-05
2. Rezoning & PUD Staff Report
3. Cover Letter
4. Application
5. Property Owner Notification Letter
6. Addresses
7. Notification Area Map
8. Affidavit
9. Prelim Site Plan Infinity Apartments
10. Jackson Drive & 37th Terrace Amenities
11. Jackson Apartments TIS
12. Parking Letter
13. Profile Exhibit
14. Sewer Capacity Study

15. Comp Plan Map
16. Zoning Map
17. Planning Commission Meeting Minutes 11-19-24

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT R-30/PUD (HIGH DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 19300 E. 37TH TERRACE S.

WHEREAS, the application submitted by JC Weston Construction requesting approval of a rezoning from District C-2 (General Commercial) to District R-30/PUD (High Density Residential/Planned Unit Development) and a preliminary development plan for property located at 19300 E. 37th Terrace S. was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning and preliminary development plan following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held public hearings for the consideration of the request on November 19, 2024, and rendered a report to the City Council with its vote to recommend approval of this application passed by a vote of 7-0; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the rezoning and preliminary development plan was consistent with the review criteria in Section 14-701-02 and 14-703-05 respectively; and,

WHEREAS, no legal protests were signed, acknowledged, and presented for the application; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing, and rendered a decision to approve the rezoning PUD and preliminary development plan of the said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the following legally described tracts of real estate is hereby rezoned from District C-2 (General Commercial) to District R-30/PUD (High Density Residential/Planned Unit Development) and shall be subject to the regulations of said district:

Lot 2 and Tract A, Jackson Business Park, A Subdivision in Independence, Jackson County, Missouri

SECTION 2. That the Preliminary Development Plan, is attached hereto and is incorporated by reference as if fully set out herein, is hereby approved with the following conditions:

- 1) A building setback deviation shall be granted for the easternmost building (i.e., Building D) to allow the building to be set back 16 feet from the Jackson Drive right-of-way instead of 50-feet.
- 2) A building height deviation shall be granted for the easternmost building (i.e., Building D) to allow the building may be as high as 50-feet tall on the non-garage side and 60 feet tall on the garage side.
- 3) In exchange for the building height and building setback deviations, the significant landscaping as shown on the landscape plan shall be provided.
- 4) The applicant shall provide an additional amenity in addition to the pool and clubhouse. Staff will work with the applicant to ensure that amenities are provided at the final development plan stage.
- 5) The Final Development Plan should provide elevations for the masonry trash enclosures.
- 6) The office/clubhouse and apartment buildings and units within will be addressed on the Final Development Plan as prescribed by the Community Development Department.

This preliminary development plan has not been reviewed for final engineering design compliance. All development engineering must be designed in accordance with City of Independence standards and specifications prior to approval of the final development plan.

SECTION 3. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 4. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 5. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2025, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

MEETING DATE: November 19, 2024

STAFF: Brian L. Harker, Senior Planner

PROJECT NAME: Infinity Apartments

CASE NUMBER/REQUEST: **24-125-05 - 19300 E. 37th Terrace S.** – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan

APPLICANTS/OWNERS: Clint Burkdoll

PROPERTY ADDRESS: 19300 E. 37th Terrace S.

SURROUNDING ZONING/LAND USE:

North: C-2 (General Commercial)...undeveloped tract

South: C-2 (General Commercial)...box stores

East: R-18/PUD (Moderate-Density Residential/Planned Unit Development)...apartments

West: C-2 (General Commercial) and R-30/PUD (High-Density Residential/Planned Unit Development)...nursing home and aptment complex.

PUBLIC NOTICE:

- Letters to adjoining property owners – August 15, 2024
- Public Notice published in the Independence Examiner – August 24, 2024
- Signs posted on property – August 23, 2024

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on December 16, 2024 and the public hearing/second reading on January 6, 2025.

RECOMMENDATION

Staff recommends **APPROVAL** of this Rezoning/Preliminary Development Plan request.

1. A building setback deviation shall be granted for the easternmost building (i.e., Building D) to allow the building to be set back 16 feet from the Jackson Drive right-of-way instead of 50-feet.
2. A building height deviation shall be granted for the easternmost building (i.e., Building D) to allow the building may be as high as 50-feet tall on the non-garage side and 60 feet tall on the garage side.
3. In exchange for the building height and building setback deviations, the significant landscaping as shown on the landscape plan shall be provided.
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- 6. The office/clubhouse and apartment buildings and units within will be addressed on the Final Development Plan as prescribed by the Community Development Department.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: – A request by JC Weston Construction to construction a 300-unit apartment complex at 19300 E. 37 Terrace S.

Current Zoning:	C-2 (General Commercial)	Proposed Zoning:	R-30/PUD (High Residential/Planned Unit Development)
Current Use:	Undeveloped tract		
Zoning History	1965 – 1974: R-1 (Single-Family Residential) 1974 - 2009: C-P-2 (Planned General Commercial) 2009 - Present: C-2 (General Commercial)		

Property History:
The property has never been platted. In 1974, the property was rezoned from R-1 to C-P-2 with the site plan being approved in 1975. This project was never developed, and this undeveloped tract got its current size and configuration with the creation of 37th Terrace and Jackson Drive.

Proposal:
The proposed Infinity Apartments (originally submitted as Jackson Apartments) is a 304-unit, multi-family development consisting of four separate four-story buildings with underground parking. The proposed development, on 11.67-acres, is located in the northwest corner of Jackson Drive and 37th Terrace. The development will include a clubhouse & pool, and a mix of regular parking, covered carport parking, and garage spaces. The development will have a density of 25.7-units per acre. There will be 6.194-acres of open space.

Physical Characteristics of Property:
The applicant’s 11.67-acre property at its southern end is more open and level, but as proceeding to the north it becomes steeper and more wooded as it descends toward the railroad right-of-way. Trees line the two ravines going northeast and northwest. There is a thick stand of trees abutting the apartment complex to the west.

Characteristics of the Areas:
The vicinity of the proposed development is dominated by retail, institutional and multiple-family residential uses. To the south, across 39th Terrace is box retail. Then, to the southwest across the intersection of 37th Terrace and Jackson Drive is Centerpoint Medical Center. East across Jackson Drive is an apartment complex. To the west lies a nursing home and further west another apartment complex. North of the property, down the steep embankment, lies a railroad right-of-way and a heavily wooded area.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

The project should achieve livability, choice, access, health and safety through a quality-built environment. The project will improve visual appearance, improve public infrastructure and facilities, and stabilize and revitalize a neighborhood.

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The relevant Guiding Principle would be that it facilitates the development of a connected, mixed-use neighborhood where appropriate.

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Historic and Archeological Sites:

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Public Utilities:

Water, sewer and electrical services are available to the property. Utilities to service the development will be installed along the private drive aisles to serve each proposed building as shown on the preliminary site development plan. Water and sewer lines will be provided with one tap per building for each utility. Proposed easements will be provided for public utilities at the time of final platting

Floodplain/Stream Buffer/Detention Basin:

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Drainage Study:

BMP's are required per the City's design criteria and will be implemented on this development. Design will abide by the MARC/APWA Manual of Best Management Practices.

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The UDO allows for approval of an alternative parking plan. The applicant submitted a parking letter outlining this alternative parking plan. Staff supports the alternative parking plan given the site constraints mentioned above.

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A completed sidewalk is required along 37th Terrace.

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CIP Investments:

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Elevations:

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The club house and carports will mimic the architectural style of the apartment building utilizing the same Fiber Cement walls, stone veneer wainscots and pitched roofs with architectural shingles.

Building Height:

The buildings will be as high as 48-feet tall on their exterior lot line sides opposite the sides with their exposed garage entries and just under 60 feet tall when accounting for the tuckunder garages. The maximum building height allowed in the R-30 District is 35 feet; the UDO allows for 1 foot increase in building height for 1 foot of building set back beyond the minimum required. Thus, the only building that does not meet the building height requirement is Building D (i.e., the building closest to Jackson Drive). As a trade off to the height, the applicant proposes to increase the street trees along Jackson Drive which will provide shade along the sidewalk but also softens the height of this building. As part of the PUD approval process, the UDO allows for PUD plans to deviate from strict compliance with specified standards. Staff supports the building height deviation for Building D.

Building Setback:

The easternmost building (i.e., Building D) has a setback from the Jackson Drive right-of-way of 16-feet instead of 50-feet required. Staff supports the setback deviation for Building D as the applicant proposes to significantly increase the landscaping along Jackson Drive to minimize any effects.

Landscaping and Buffering:

The preliminary development plan indicates landscaping as required per UDO. A buffer is required for the southwest portion of the site adjacent to the Sunterra Springs development. A final development plan stage, staff will ensure compliance with the landscape provision of the UDO.

REVIEW CRITERIA

Recommendations and decisions for proposed planned unit development rezoning and its accompanying preliminary development plan must be based on consideration of the criteria listed in Section 14-703-05-H:

1. **The consistency with the Comprehensive Plan.**
The Comprehensive Plan envisions Residential Neighborhoods and the proposed rezoning aligns with this.
2. **The consistency with the PUD standards of Section 14-902, including the statement of purpose.**
The preliminary development plan is generally consistent with the PUD standards of Section 14-902 with the exception of Building D which does not meet the building setback and building height requirements. However, the applicant proposes to significantly increase the street trees along Jackson Drive to minimize any impact.
3. **The nature and extent of Common Open Space in the PUD.**
Except for the detention basin, most of the Common Open Space is useable. There are stands of trees in the northern part of the tract.
4. **The reliability of the proposals for maintenance and conservation of Common Open Space.**
The complex will be on one lot under a unified ownership with the owner maintaining the site.
5. **The adequacy or inadequacy of the amount and function of Common Open Space in terms of the densities and dwelling types proposed in the plan.**
The design is such the much of the Common Open Space is fairly spaced around the apartment complex's buildings.
6. **The extent to which the proposed use will adversely affect the capacity of safety portions of the street network or present parking problems in the vicinity of the property. Whether adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation, and visual enjoyment.**
A traffic study was conducted on this property's impact to neighboring streets. In general, acceptable traffic operations can be expected in and around the proposed development with the addition of the Jackson Apartments development. The development's traffic will have minimal impact on the traffic operations in the study area. No improvements would be required.
7. **The extent to which the proposed use will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area.**
As mentioned above, this parcel is the last developable parcel at Jackson and 37th Terrace. As part of this development, studies were required for storm water, sanitary sewer and traffic. All studies were reviewed and any issues mitigated.
8. **Whether potential adverse impacts have been mitigated to the maximum practical extent.**
Storm water, sanitary sewer and traffic issues have been reviewed and mitigated.
9. **Whether the Preliminary Development Plan represents such a unique development proposal that it could not have accomplished through use of (non-PUD) conventional zoning regulations.**

There are building setback and issues that would have required variances with a non-PUD zoning. The PUD also helps to sure adequate amenities and needed studies (i.e. traffic and storm water) were provided.

10. **The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.**

This project will not be phased.

EXHIBITS

1. Narrative
2. Application
3. Notification letter
4. Mailing list
5. Mailing affidavit
6. PUD Site Plan
7. Landscaping Plan
8. Elevations
9. Comprehensive Plan map
10. Zoning map

JACKSON APARTMENTS COVER LETTER

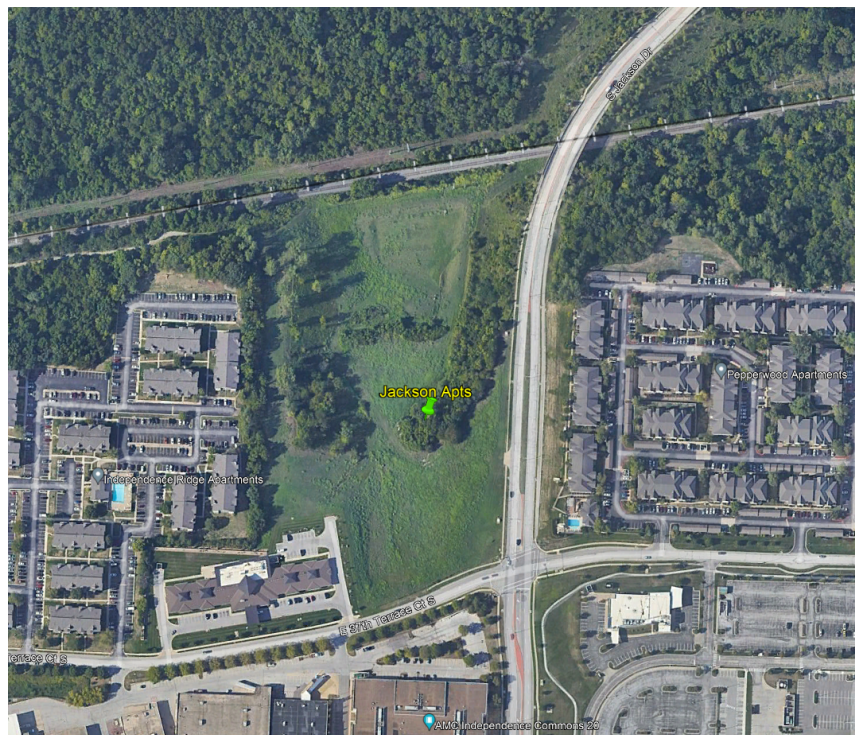


June 11, 2024

City of Independence, MO
111 E Maple Ave.
Independence, MO 64050

To whom it may concern:

Mr. Clint Burkdoll is proposing a new residential development of four, 4-story (plus garage level) apartment buildings at the NW corner of E 37th Terrace and S Jackson Drive. The 300-unit development would also include a clubhouse & pool, and a mix of regular parking, covered carport parking, and garage spaces. This submittal is for a PUD Rezoning and PDP plan. The proposed rezoning is for R-30.



Landscaping will follow City of Independence guidelines including screening of the adjacent commercial site and utilize native plantings where feasible. Regional detention exists in a tract on the north end of the proposed development. A preliminary stormwater study has been conducted to determine requirements for allowing runoff from the proposed site into the basin. A proposed full access drive entrance is located on E 37th Terr and a right-in, right-out only entrance is proposed for Jackson Drive. A preliminary traffic impact study has been included with the submittal as well.

While there are no known wetlands or floodplain on site, the topography is quite challenging. The east and west sides of the property slope down toward the center, creating a small valley. A railroad borders the site to the north. The apartment buildings will line the exterior edges with 4 floors of living units, and a garage floor on the lower, downhill side. Parking will encompass the interior area, with the clubhouse & pool in the center. The natural drainage patterns will allow for easy access to the existing basin.

Site Summary

Units: 300

Total acreage: 508,393 Sq.Ft. (11.67 ac. (including existing 1.67 ac. detention basin tract))

Open Space Area: 269,866 Sq.Ft. (6.194 ac.)

Density: 25.7 units/ac.

Parking:

Off-Street Spaces = 212

Attached Garage Spaces = 168

Detached Garage Spaces = 40

Carport Spaces = 30

Total Parking Provided = 450

Utilities

Utilities to service the development will be installed along the private drive aisles to serve each proposed building as shown on the preliminary site development plan. Water and sewer lines will be provided with one tap per building for each utility. Proposed easements will be provided for public utilities at the time of final platting.

Restrictions

Existing easements will remain in place, and are shown on the preliminary plat and preliminary site plan. Proposed easements will be provided for public utilities at the time of final platting.

Variance

On both the west and east sides of the property, there will be a couple of locations where buildings are less than minimum setback requirements. This will be part of the PUD rezoning process and specifics will be added at the time of writing the ordinance.

Sincerely,



Adam DeGonia, PE
Project Engineer

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☐ Rezoning ☒ PUD Rezoning	☒ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☒ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

Jackson Apartments

Project Name

19300 E 37th Terrace, Independence, MO 64057

Project Address/Location

Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Steam Buffer (Yes or No)
C-2	PUD R-30	Vacant	Residential - Apartment
Existing Zoning	Proposed Zoning	Existing Land Use	Proposed Land Use

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☐ Completed & Signed Application Form ☐ Application Fee ☐ Cover Letter Describing Details of Project	☐ One 24" x 36" set of plans for Land Sub. & Site Dev. ☐ One PDF copy of a plat map or site plan ☐ Legal Description of the property in question
---	---

Contact Information

Applicant

Clint Burkdoll JC Weston Construction

Name Company

PO Box 66, Gardner, KS 66030

Address

913.285.2900 metrokc1@gmail.com

Phone Email

Architect/Engineer/Surveyor/Other: Engineer

Adam DeGonia McClure

Name Company

1700 Swift Ave, Ste 100, NKC, MO 64116

Address

816-502-3915 adegonia@mcclurevision

Phone Email

Owner

Center Place Development

Name Company

7584 SE State Route P, Rockville, MO 64780

Address

Phone Email

Architect/Engineer/Surveyor/Other: Architect

Michael Gaillard Rosemann & Associates

Name Company

1526 Grand Blvd, Kansas City, MO 64108

Address

816.472.1448 mgaillard@rosemann.com

Phone Email

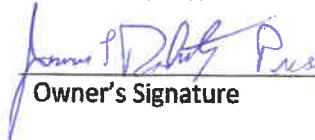
The applicant hereby agrees that the information provided above is accurate.



Applicant's Signature

05/09/2024

Date



Owner's Signature

05/10/2024

Date 12:48 PM

Property Owner Notification Letter

Date: August ____, 2024 [no later than 8/23/24]

Case No. 24-125-07 – Jackson Place

Dear Property Owner – Center Place Development:

This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission, and the City Council will consider only new information on the dates and times below.

Proposed Case Type (Check One):

☐ Rezoning ☒ Rezoning/PUD ☐ Special Use Permit
☒ Preliminary Development Plan

Proposed project description: Jackson Apartments

Applicant: JC Weston Construction

Location of Property: 19300 E. 37th Terrace

Planning Commission Meeting Date: September 10, 2024 at 6:00 p.m.

City Council Meeting Date: October 21, 2024 at 6:00 p.m.

Location of Public Hearing: City Council Chambers City Hall,
111 E. Maple Avenue, Independence, Missouri

All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission). You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.



William B. Moore
Applicant /Agent / Attorney

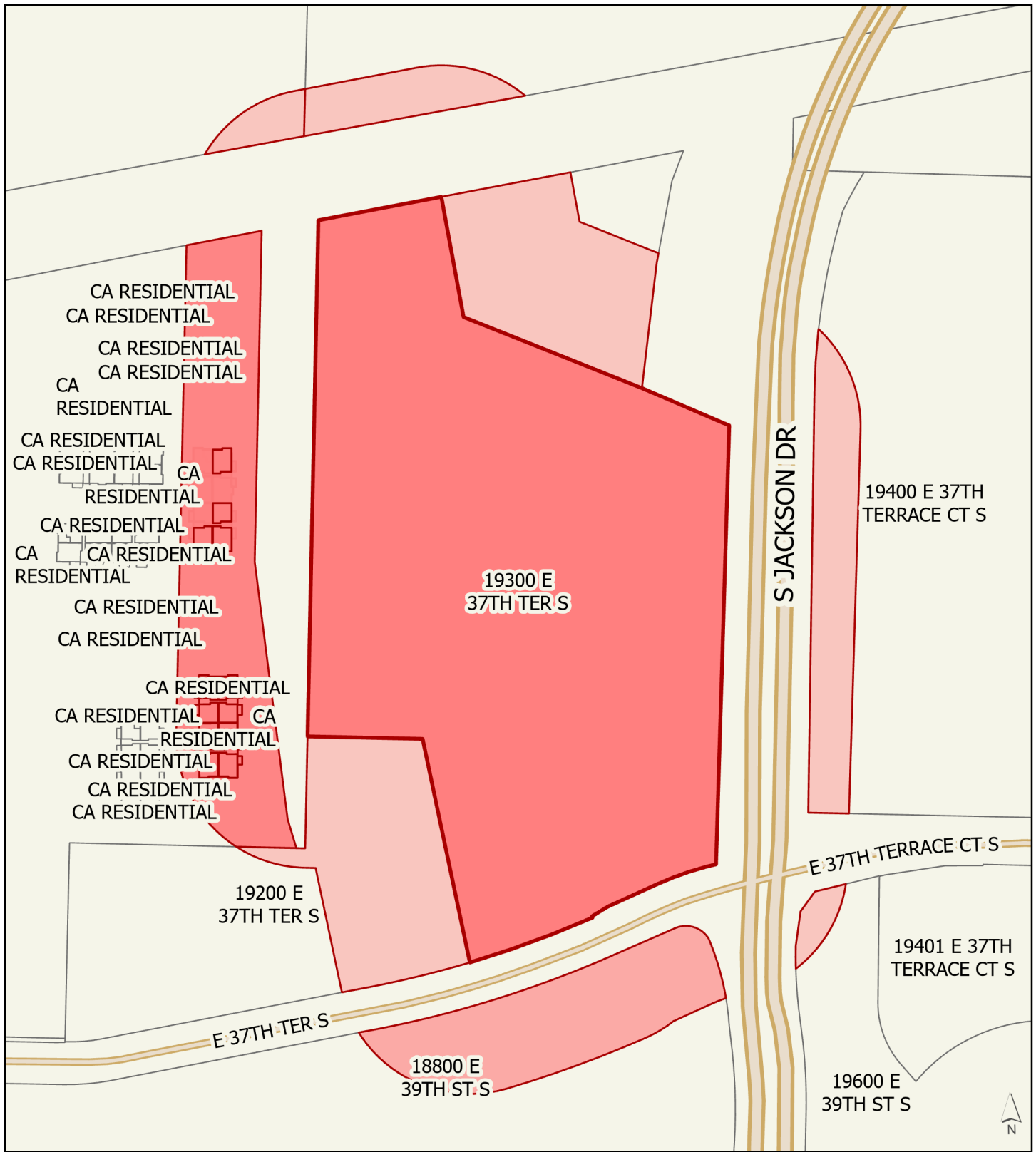
For more information, contact the Community Development Department at 816-325.7421.

PROPERTY OWNERS WITHIN 185 FEET
Independence Ridge Apartments Independence Ridge LLC 5201 Johnson Dr., Ste 100 Mission, KS 66205
Sunterra Springs Sunterra Independence RE LLC 901 Pier Vire Dr., Ste 201 Idaho Falls, IN 83402
DT Independence Commons LLC 3300 Enterprise Pkwy Beachwood, OH 44122
Centerpoint Medical Center of Indep LLC PO Box 80610 Indianapolis, IN 46280
Pepperwood Apartments Pepperwood Apartments LLC 3330 Dundee Rd., Ste S1 Northbrook, IL 60062
Covenant Land Trust LLC 214 S Spring St Independence, MO 64050

Notification Area

24-125-05

19300 E 37th Ter S, Independence, MO 64057



-  Subject Property
-  185 ft Notification Area

0 50 100 200 Feet

Prepared by Joshua Garrett, Community Development
Date: 7/18/2024

PROPERTY OWNER NOTIFICATION AFFIDAVIT

STATE OF MISSOURI

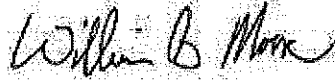
COUNTY OF JACKSON

Case No. 24-125-07 – Jackson Place

I, William B. Moore, of lawful age being first duly sworn upon oath, state:

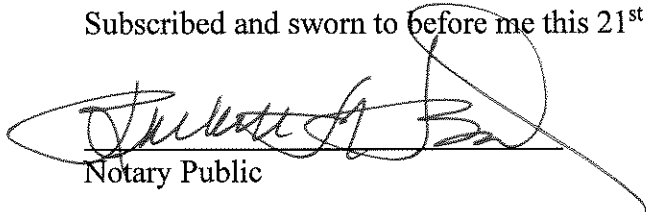
That I am the attorney for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Plan Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 21st day of August, 2024.



William B. Moore, Agent

Subscribed and sworn to before me this 21st day of August, 2024.



Notary Public

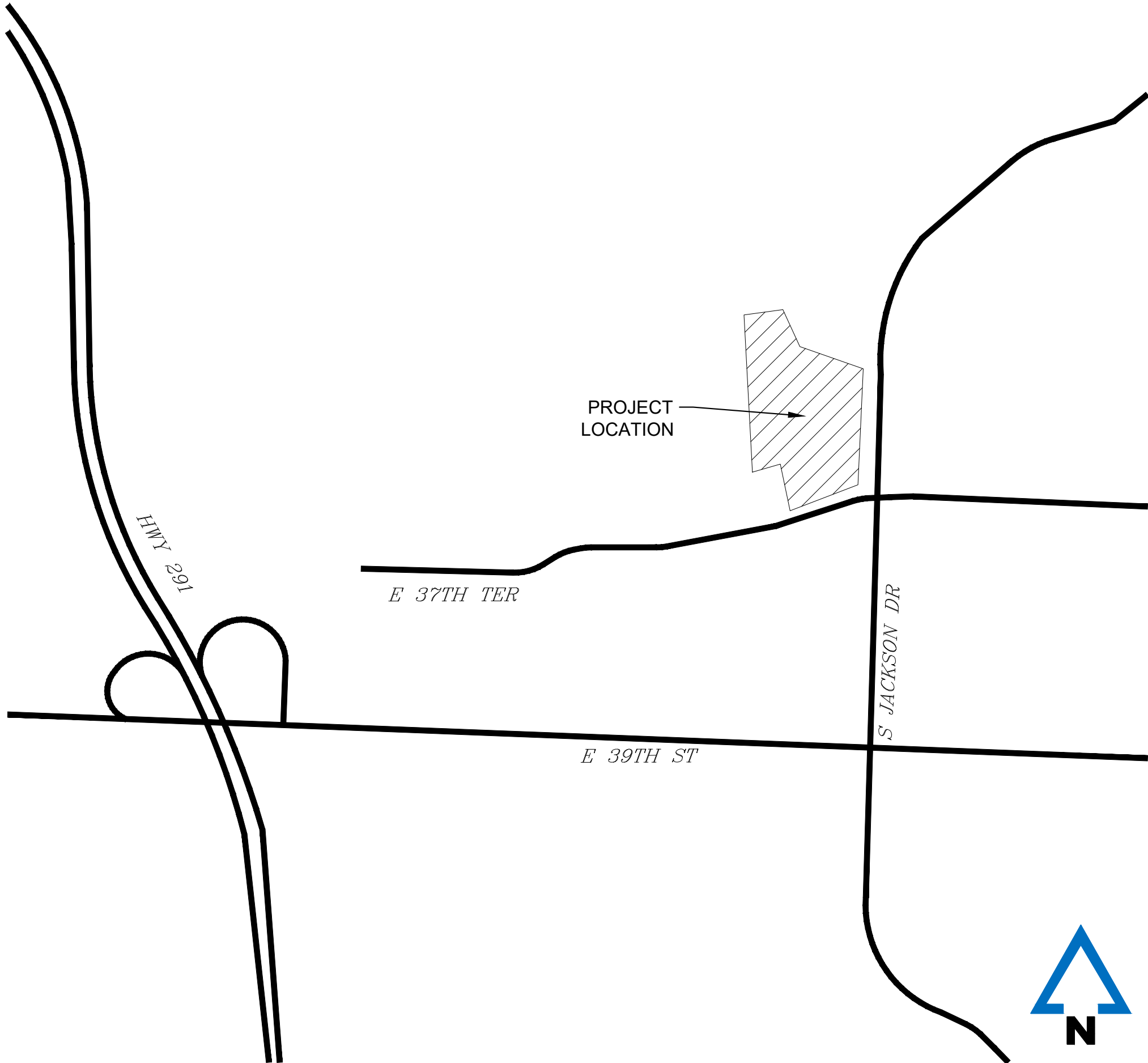
7/31/28
Commission Expiration Date

RACHELLE M. BIONDO
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES JULY 31, 2028
JACKSON COUNTY
COMMISSION #12499262

INFINITY APARTMENTS
PRELIMINARY DEVELOPMENT PLANS

LOCATED IN
SECTION 20 TOWNSHIP 49N, RANGE 31W
INDEPENDENCE, JACKSON COUNTY, MISSOURI

Development Summary Table				
a	Zoning			
	Existing			C-2
	Proposed			R-30 PUD
b	Total Land Area			
	Existing			11.67 Acres
c	Right-of-Way			
	Existing			0.00 Acres
	Proposed			0.00 Acres
d	Net Land Area			
	Existing			11.67 Acres
	Proposed			11.67 Acres
e	Proposed Uses			
	Jackson Apartments		Apartments	
f	Structure Height & Number of Floors			
	Number of floors		4 stories	Apartments
	Height Above Grade		12 feet	
	Number of floors		1 stories	Clubhouse
g	Gross Floor Area & Number of Units			
	Building Footprint		19,416 SF	Apartments
	Gross Area Per Building		87,372 SF	
	Units per Building		76 EA	
	Number of Buildings		4 EA	
	Total Gross Area		349,488 SF	
h	Total Number of Units		304 Units	
	Project Total		349,488 SF	
i	Density			
	Net Density (Units/Proposed Net Land Area)		26.0 Units per Acre	E 37th Terrace
	Floor Area Ratio (Gross Building Area/Proposed Net Land Area)		29947.6 SF per Acre	E 37th Terrace
j	Vehicle Parking			
	Ratio Required		See Ordinance	Lot/Phase 1
	Stalls Required		562	
	Off-Street Parking		255	
	Attached Garage Parking		176	
	Detached Garage Parking		33	
	Carport Parking		36	
	Stalls Provided		500	
	Total Required		562 Stalls	
	Total Provided		500 Stalls	



VICINITY MAP
NOT TO SCALE



LOCATION MAP
NOT TO SCALE

Sheet List Table	
Sheet Number	Sheet Title
C001	TITLE SHEET
C002	PRELIMINARY PLAT
C200	SITE PLAN
C201	SITE PLAN WITH TOPOGRAPHY
L100	LANDSCAPE PLAN
L500	LANDSCAPE DETAILS
A4-5	4/5 SPLIT RESIDENTIAL BUILDING ELEVATIONS
A-201	CLUBHOUSE & GARAGE ELEVATIONS

FLOODPLAIN:
PER THE "FLOOD INSURANCE RATE MAP", COMMUNITY PANEL NO. 29095C0311G, HAVING AN EFFECTIVE JANUARY 20, 2017 AS PUBLISHED BY FEDERAL EMERGENCY MANAGEMENT AGENCY. OUR REVIEW OF THIS MAP INDICATES THAT THIS PARCEL OF LAND LIES WITHIN ZONE X WHICH IS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

LEGAL DESCRIPTION
LOT 2 AND TRACT A, JACKSON BUSINESS PARK, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.

DEVELOPER: JC WESTON CONSTRUCTION, LLC CONTACT NAME: CLINT BURKDOLL ADDRESS: PO BOX 66 GARDNER, KS 66030 PHONE: 913.285.2900 EMAIL: METROKCC1@GMAIL.COM	
PLANNER & CIVIL ENGINEER MCCLURE ENGINEERING CONTACT NAME: ADAM DEGONIA ADDRESS: 1700 SWIFT ST STE 100 NORTH KANSAS CITY, MO 64116 PHONE: 816.502.3915 EMAIL: ADEGONIA@MCCLUREVISION.COM	
SURVEYOR MCCLURE ENGINEERING CONTACT NAME: STEVE WHITAKER ADDRESS: 1700 SWIFT ST STE 100 NORTH KANSAS CITY, MO 64116 PHONE: 816.756.0444 EXT. 2850 EMAIL: SWHITAKER@MCCLUREVISION.COM	



1700 Swift Ave., Suite 100
North Kansas City, Missouri 64116
P 816-756-0444
F 816-756-1763

Ankeny, IA | Carroll, IA
Cedar Rapids, IA | Clive, IA
Coralville, IA | Council Bluffs, IA
Fort Dodge, IA | Sioux City, IA
Columbia, MO | Macon, MO
North Kansas City, MO | Springfield, MO
Lenexa, KS
Portsmouth, NH

NOTICE:
McClure Engineering Co. is not responsible or liable for any issues, claims, damages, or losses (collectively, "Losses") which arise from failure to follow these Plans, Specifications, and the engineering intent they convey, or for Losses which arise from failure to obtain and/or follow the engineers' or surveyors' guidance with respect to any alleged errors, omissions, inconsistencies, ambiguities, or conflicts contained within the Plans and Specifications.

MISSOURI CERTIFICATE OF AUTHORITY NO. E-2006023253
EXPIRES: DECEMBER 31, 2024

REVISIONS		
2024.06.10	INITIAL CITY COMMENTS	
2024.10.02	CITY COMMENTS	
2024.11.01	CITY COMMENTS #3	
PROJECT INFO		
2023001513-000		
ENGINEER	DRAWN BY	CHECKED BY
AVD	MRB	AVD

INFINITY APARTMENTS
19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

TITLE SHEET
P:\2023001513-000\04-DRAWINGS\CIVIL\TITLEMENT\PRELIMINARY DEVELOPMENT PLANS\2023001513 COVR.DWG



DRAWING NO.
C001

PROJECT BENCHMARK TABLE			
BM#	NORTHING	EASTING	ELEV. DESCRIPTION
120002	1050948.82	2829948.66	850.36' TBM / MAG SPIKE
120003	1050890.57	2829952.62	850.63' TBM / MAG SPIKE
120006	1050943.56	2829949.47	848.22' TBM / MAG SPIKE
120007	1050911.78	2829948.69	850.46' TBM / MAG SPIKE
120010	1051002.69	2829952.83	844.88' TBM / MAG SPIKE
120012	1050965.83	2829953.14	846.50' TBM / MAG SPIKE
120013	1050694.28	2829941.56	857.01' TBM / MAG SPIKE
120014	1050665.14	2829948.83	858.27' TBM / MAG SPIKE
120015	1050648.19	2829949.25	858.39' TBM / MAG SPIKE
120016	1050624.14	2829956.42	857.31' TBM / MAG SPIKE
120017	1050608.12	2829961.10	857.40' TBM / MAG SPIKE
120018	1050592.03	2829956.80	859.14' TBM / MAG SPIKE
120020	1050554.67	2829958.31	860.12' TBM / MAG SPIKE

LEGAL DESCRIPTION

LOT 2 AND TRACT A, JACKSON BUSINESS PARK, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.

AREA SUMMARY

TOTAL AREA: 508,393 +/- SQ. FT. (11.67 +/- ACRES)

ZONING NOTE

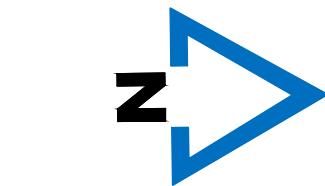
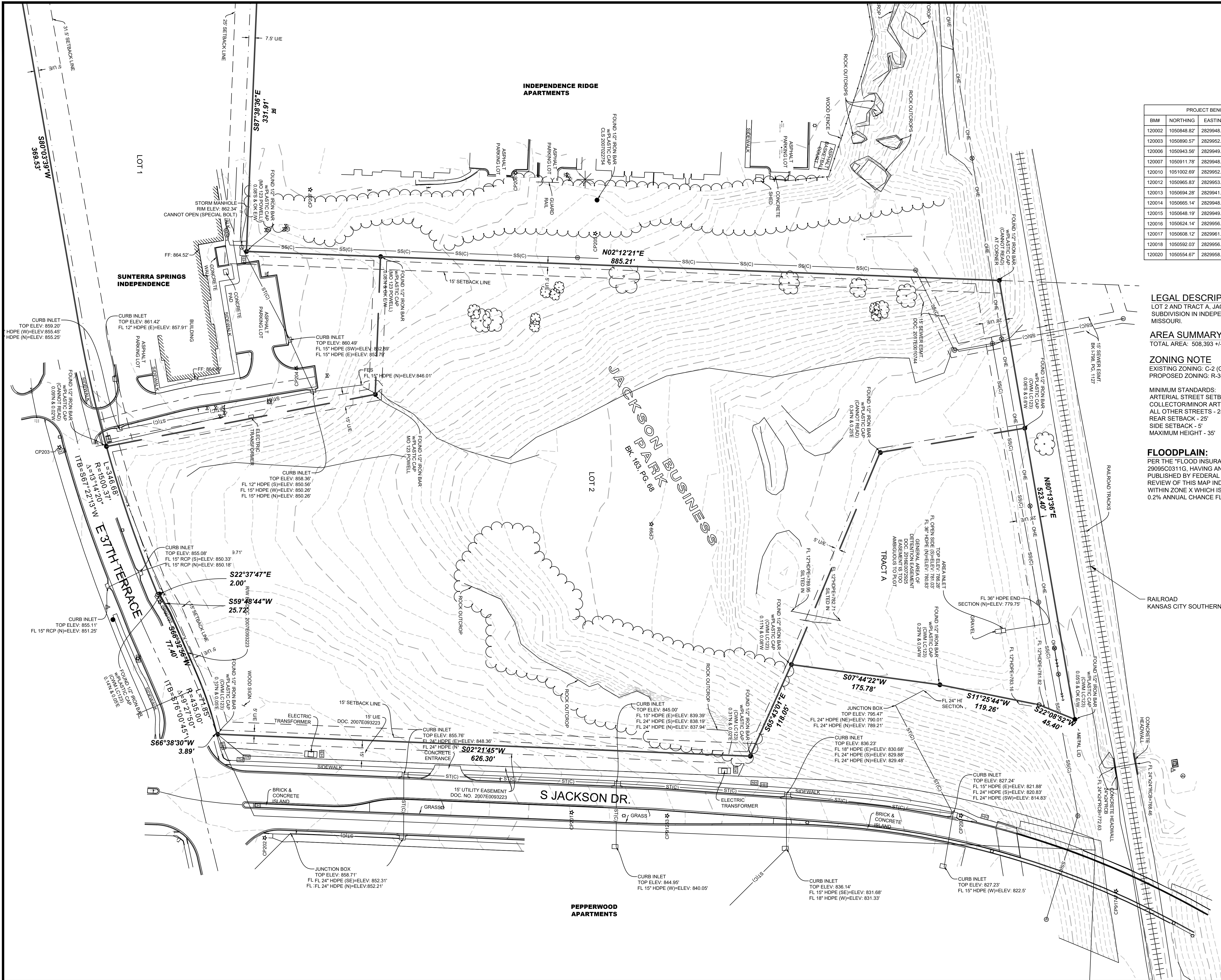
EXISTING ZONING: C-2 (GENERAL COMMERCIAL)
PROPOSED ZONING: R-30 (PUD)

MINIMUM STANDARDS:

ARTERIAL STREET SETBACK - 50'
COLLECTOR/MINOR ARTERIAL STREET SETBACK - 35'
ALL OTHER STREETS - 25'
REAR SETBACK - 25'
SIDE SETBACK - 5'
MAXIMUM HEIGHT - 35'

FLOODPLAIN:

PER THE "FLOOD INSURANCE RATE MAP", COMMUNITY PANEL NO. 280905C031G, HAVING AN EFFECTIVE JANUARY 20, 2017 AS PUBLISHED BY FEDERAL EMERGENCY MANAGEMENT AGENCY. OUR REVIEW OF THIS MAP INDICATES THAT THIS PARCEL OF LAND LIES WITHIN ZONE X WHICH IS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."



50 25 0 50



KEY NOTES

- 1 PROPERTY LINE (TYP.)
- 2 EXISTING RIGHT-OF-WAY
- 3 PROPOSED ASPHALT PRIVATE DRIVE PAVEMENT
- 4 PROPOSED CARPORT PARKING
- 5 EXISTING DETENTION BASIN
- 6 PROPOSED PRIVATE STORM SEWER
- 7 PROPOSED PRIVATE SANITARY SEWER
- 8 PROPOSED CONCRETE PAVEMENT (GARAGE DRIVE ENTRY)
- 9 EXISTING 12" PUBLIC SANITARY SEWER
- 10 EXISTING 15" PUBLIC STORM SEWER
- 11 EXISTING DRIVEWAY
- 12 PROPOSED WATER MAIN
- 13 GARAGE PARKING
- 14 PROPOSED DUMPSTER ENCLOSURE
- 15 PROPOSED DRIVEWAY
- 16 PROPOSED CONNECTION TO EXISTING PUBLIC WATER
- 17 PROPOSED PUBLIC WATER EXTENSION
- 18 PROPOSED SIDEWALK EXTENSION
- 19 PROPOSED FIRE HYDRANT
- 20 EXISTING DETENTION BASIN CONTROL STRUCTURE
- 21 PROPOSED CURB CUT
- 22 PROPOSED POOL FENCE
- 23 PROPOSED SANITARY CONNECTION TO EXISTING SANITARY SEWER
- 24 PROPOSED RETAINING WALL

LEGEND

- | | |
|------|-------------------------------|
| | PROPOSED CONCRETE PAVEMENT |
| | PROPOSED ASPHALT PAVEMENT |
| | PROPOSED BUILDINGS |
| | PROPOSED CARPORT PARKING |
| # | PARKING STALL COUNT |
| XSAN | EX. SANITARY SEWER LINE |
| XUGT | EX. STORM SEWER LINE |
| XSTR | EX. UNDERGROUND ELECTRIC LINE |
| XUGE | EX. WATER LINE |
| X-W | EX. OVERHEAD ELECTRIC |
| XOHP | EX. UTILITY POLE |
| | EX. WATER VALVE |
| | EX. LIGHT POLE |
| | EX. MANHOLE |
| | EX. FIRE HYDRANT |
| X | NEW FENCE |
| STR | NEW STORM SEWER LINE |
| F-O | NEW FIBER OPTIC LINE |
| W | NEW WATER LINE |
| SSAN | NEW SANITARY SEWER LINE |
| SMH | NEW SANITARY MANHOLE |
| SNIN | NEW NON-SETBACK STORM INLET |
| NJB | NEW JUNCTION BOX |
| NT | NEW WATER TEE |
| NWTB | NEW WATER THRUST BLOCK |
| NWV | NEW WATER VALVE |
| NFH | NEW FIRE HYDRANT |

LEGAL DESCRIPTION

LOT 2 AND TRACT A, JACKSON BUSINESS PARK, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.

SITE ADDRESS

19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

AREA SUMMARY

TOTAL AREA: 508,393 +/- SQ. FT. (11.67 +/- ACRES)
OPEN SPACE AREA: 227,534 +/- SQ. FT. (45%)

ZONING NOTE

EXISTING ZONING: C-2 (GENERAL COMMERCIAL)
PROPOSED ZONING: R-30 (PUD)

MINIMUM STANDARDS:

ARTERIAL STREET SETBACK - 50'
COLLECTOR/MINOR ARTERIAL STREET SETBACK - 35'
ALL OTHER STREETS - 25'
REAR SETBACK - 25'
SIDE SETBACK - 5'
MAXIMUM HEIGHT - 35'

SITE DEVELOPMENT DATA

PROPOSED BUILDING = 4 BUILDINGS (76 UNITS EACH)

OFF-STREET PARKING = 255 SPACES
ATTACHED GARAGE PARKING(44/BUILDING) =176 SPACES
DETACHED GARAGE PARKING = 33 SPACES
CARPORT PARKING = 36 SPACES
TOTAL PARKING PROVIDED = 500 SPACES

FLOODPLAIN:

PER THE "FLOOD INSURANCE RATE MAP", COMMUNITY PANEL NO. 29095C0311G, HAVING AN EFFECTIVE JANUARY 20, 2017 AS PUBLISHED BY FEDERAL EMERGENCY MANAGEMENT AGENCY. OUR REVIEW OF THIS MAP INDICATES THAT THIS PARCEL OF LAND LIES WITHIN ZONE X WHICH IS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

McCLURETM
1700 Swift Ave., Suite 100
North Kansas City, Missouri 64116
P 816-756-0444
F 816-756-1763
Ankeny, IA | Carroll, IA
Cedar Rapids, IA | Clive, IA
Coralville, IA | Council Bluffs, IA
Fort Dodge, IA | Sioux City, IA
Columbia, MO | Macon, MO
North Kansas City, MO | Springfield, MO
Lenexa, KS
Portsmouth, NH

NOTICE:
McClure Engineering Co. is not responsible or liable for any issues, claims, damages, or losses (collectively, "Losses") which arise from failure to follow these Plans, Specifications, and the engineering intent they convey, or for Losses which arise from failure to obtain and/or follow the engineers' or surveyors' guidance with respect to any alleged errors, omissions, inconsistencies, ambiguities, or conflicts contained within the Plans and Specifications.

MISSOURI CERTIFICATE OF AUTHORITY NO. E-2006023253
EXPIRES: DECEMBER 31, 2024

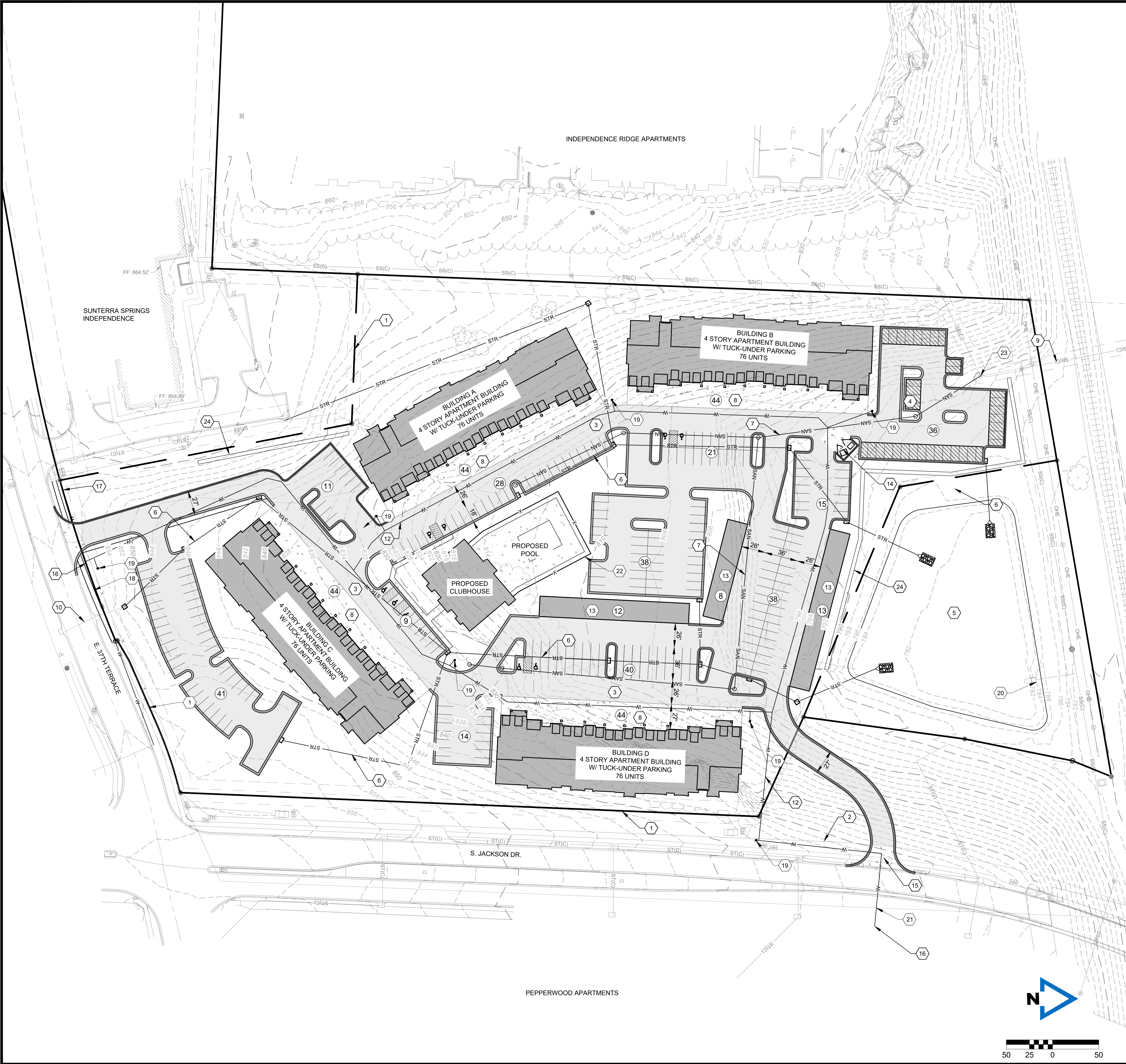
REVISIONS
2024.06.10 INITIAL CITY COMMENTS
2024.10.02 CITY COMMENTS
2024.11.01 CITY COMMENTS #3

PROJECT INFO
2023001513-000
ENGINEER AVD
DRAWN BY MRB
CHECKED BY AVD

INFINITY APARTMENTS
19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

DRAWING NO.
C200

SITE PLAN
P:\2023001513-000\04-DRAWINGS\CIVIL\TITLE\PRELIMINARY DEVELOPMENT PLANS\2023001513 SITE.DWG



- KEY NOTES**
- 1 PROPERTY LINE (TYP.)
 - 2 EXISTING RIGHT-OF-WAY
 - 3 PROPOSED ASPHALT PRIVATE DRIVE PAVEMENT
 - 4 PROPOSED CARPORT PARKING
 - 5 EXISTING DETENTION BASIN
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- LEGEND**
- PROPOSED CONCRETE PAVEMENT
 - PROPOSED ASPHALT PAVEMENT
 - PROPOSED BUILDINGS
 - PROPOSED CARPORT PARKING
 - PARKING STALL COUNT
 - EX. SANITARY SEWER LINE
 - EX. STORM SEWER LINE
 - EX. UNDERGROUND ELECTRIC LINE
 - EX. WATER LINE
 - EX. OVERHEAD ELECTRIC
 - EX. UTILITY POLE
 - EX. WATER VALVE
 - EX. LIGHT POLE
 - EX. MANHOLE
 - EX. FIRE HYDRANT
 - NEW FENCE
 - NEW STORM SEWER LINE
 - NEW FIBER OPTIC LINE
 - NEW WATER LINE
 - NEW SANITARY SEWER LINE
 - NEW SANITARY MANHOLE
 - NEW NON-SETBACK STORM INLET
 - NEW JUNCTION BOX
 - NEW WATER TEE
 - NEW WATER THRUST BLOCK
 - NEW WATER VALVE
 - NEW FIRE HYDRANT
 - EXISTING 2' CONTOUR
 - EXISTING 10' CONTOUR

LEGAL DESCRIPTION
LOT 2 AND TRACT A, JACKSON BUSINESS PARK, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.

SITE ADDRESS
19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

AREA SUMMARY
TOTAL AREA: 508,393 +/- SQ. FT. (11.67 +/- ACRES)
OPEN SPACE AREA: 227,534 +/- SQ. FT. (45%)

ZONING NOTE
EXISTING ZONING: C-2 (GENERAL COMMERCIAL)
PROPOSED ZONING: R-30 (PUD)

MINIMUM STANDARDS:
ARTERIAL STREET SETBACK - 50'
COLLECTOR/MINOR ARTERIAL STREET SETBACK - 35'
ALL OTHER STREETS - 25'
REAR SETBACK - 25'
SIDE SETBACK - 5'
MAXIMUM HEIGHT - 35'

SITE DEVELOPMENT DATA
PROPOSED BUILDING = 4 BUILDINGS (76 UNITS EACH)

OFF-STREET PARKING = 255 SPACES
ATTACHED GARAGE PARKING(44/BUILDING) =176 SPACES
DETACHED GARAGE PARKING = 33 SPACES
CARPORT PARKING = 36 SPACES
TOTAL PARKING PROVIDED = 500 SPACES

FLOODPLAIN:
PER THE "FLOOD INSURANCE RATE MAP", COMMUNITY PANEL NO. 29095C0311G, HAVING AN EFFECTIVE JANUARY 20, 2017 AS PUBLISHED BY FEDERAL EMERGENCY MANAGEMENT AGENCY. OUR REVIEW OF THIS MAP INDICATES THAT THIS PARCEL OF LAND LIES WITHIN ZONE X WHICH IS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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MISSOURI CERTIFICATE OF AUTHORITY NO. E-2006023253
EXPIRES: DECEMBER 31, 2024

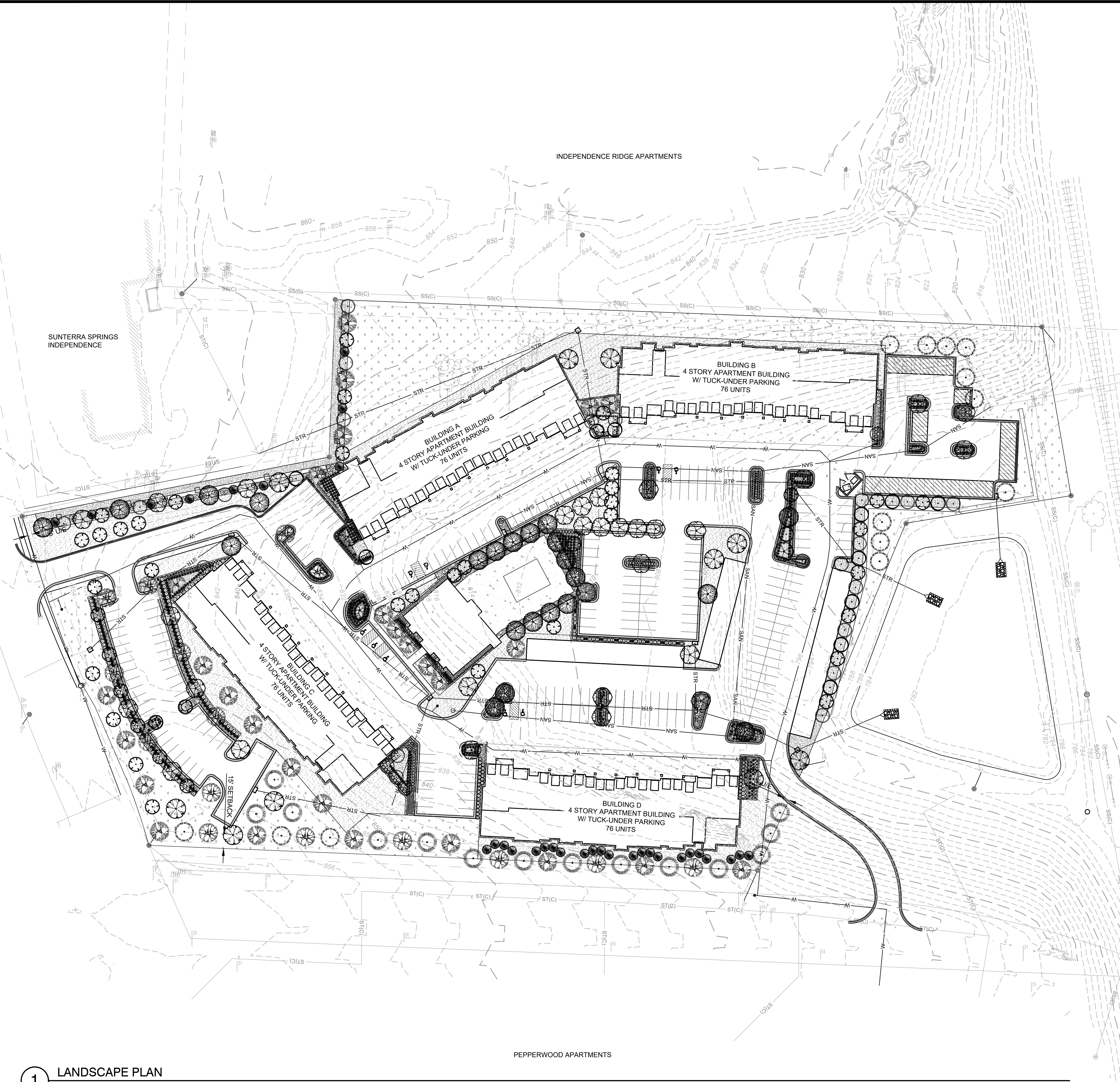
REVISIONS
2024.06.10 INITIAL CITY COMMENTS
2024.10.02 CITY COMMENTS
2024.11.01 CITY COMMENTS #3

PROJECT INFO
2023001513-000
ENGINEER: AVD
DRAWN BY: MRB
CHECKED BY: AVD

INFINITY APARTMENTS
19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

DRAWING NO.
C201

SITE PLAN WITH TOPOGRAPHY
P:\2023001513-000\04-DRAWINGS\01-INITIAL\PRELIMINARY DEVELOPMENT PLANS\2023001513 SITE.DWG



1 LANDSCAPE PLAN
SCALE: 1" = 50'

LANDSCAPE REQUIREMENTS: PER CHAPTER 14 ARTICLE 5 SECTION 14-503 OF THE INDEPENDENCE, MO UDO		
STREET TREES (14.503.02.C)	REQUIREMENT	PROVIDED
S JACKSON DRIVE	1 TREE PER 50 FEET OF FRONTAGE (626 LF FRONTAGE)	12.5 TREES REQUIRED - 35 TREES PROVIDED
E 37TH DRIVE	1 TREE PER 50 FEET OF FRONTAGE (360 LF FRONTAGE)	7.2 TREES REQUIRED - 8 TREES PROVIDED
PARKING LOT PERIMETER (14.503.05)	REQUIREMENT	PROVIDED
PARKING LOT PERIMETER	1 TREE AND 3 SHRUBS PER 40 LF	PROVIDED PER PLAN
PARKING LOT INTERIOR (14.503.07)	REQUIREMENT	PROVIDED
PARKING LOT INTERIOR	AT LEAST 1 TREE AND 3 SHRUBS PER EVERY 20 PARKING SPACES (500)	30 TREES REQUIRED - 40 TREES PROVIDED 90 SHRUBS REQUIRED - 180 + PROVIDED
BUFFERYARDS (14.503.07)	REQUIREMENT	PROVIDED
SOUTHWEST PROPERTY LINE	HIGH IMPACT SCREENING (ADJACENT PROP C-2) A MASONRY WALL OR WOOD FENCE AND A LOW-IMPACT SCREEN	PROVIDED PER PLAN

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT
TREES				
	BET NIG	24	Betula nigra / River Birch	B&B, 2" Cal.
	CAT SPE	11	Catalpa speciosa / Northern Catalpa	B&B, 2" Cal.
	CER CAN	43	Cercis canadensis / Eastern Redbud	B&B, 1.5" Cal.
	CRA GRE	12	Crataegus viridis / Green Hawthorn	B&B, 1.5" Cal.
	GLE SKY	30	Gleditsia triacanthos inermis 'Skyline' / Skyline Honey Locust	B&B, 2" Cal.
	MAG SWE	24	Magnolia virginiana / Sweetbay Magnolia	B&B, 1.5" Cal.
	PIN STR	14	Pinus strobus / White Pine	6'-8' Ht.
	PIN FAS	32	Pinus strobus 'Fastigiata' / Pyramidal White Pine	6'-8' Ht.
	PLA OCC	28	Platanus occidentalis / American Sycamore	B&B, 2" Cal.
	QUE BIC	15	Quercus bicolor / Swamp White Oak	B&B, 2" Cal.
	TAX DIS	13	Taxodium distichum / Bald Cypress	B&B, 2" Cal.
SHRUBS				
	CEA HER	140	Ceanothus herbaceus / Jersey Tea	5 gal
	COR FA4	56	Cornus sericea 'Farrow' / Arctic Fire® Red Twig Dogwood	5 gal
	FOT GAR	102	Fothergilla gardenii / Dwarf Fothergilla	5 gal
	HYD SMO	241	Hydrangea arborescens / Smooth Hydrangea	5 gal
	HYD TMR	110	Hydrangea paniculata 'Little Lime' / Little Lime Hydrangea	5 gal
	HYD ALI	8	Hydrangea quercifolia 'Alice' / Alice Oakleaf Hydrangea	5 gal
GRASSES				
	PAN SHD	673	Panicum virgatum 'Shenandoah' / Shenandoah Switch Grass	1 gal
	SCH SCO	432	Schizachyrium scoparium / Little Bluestem	1 gal
PERENNIALS				
	ASC TUB	70	Asclepias tuberosa / Butterfly Milkweed	1 gal
	COR LA2	92	Coreopsis lanceolata / Lanceleaf Tickseed	1 gal
GROUND COVERS				
	DG	949 sf	Decomposed Granite	SF
	FH	50,211 sf	Festuca var. / Heal-Tolerant Fescue Sod	SF
	NS	74,912 sf	Native Seed Mix / Native Grass Seed Mix	Seed
	RR	10,352 sf	Rock Mulch / Native Buff Rock	SF
	WM	31,350 sf	Wood Mulch / Cedar Wood Mulch	SF

2 PLANT SCHEDULE
NTS



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EXPIRES: DECEMBER 31, 2024

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2024.06.10 INITIAL CITY COMMENTS

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PROJECT INFO

2023001513-000

ENGINEER: AVD DRAWN BY: MRB CHECKED BY: AVD

INFINITY APARTMENTS
19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

LANDSCAPE PLAN
P:2023001513-000-004-DRAWINGS/LANDSCAPE/2023001513-000 L5.DWG

DRAWING NO.

L100

LANDSCAPE NOTES:

1. FIELD VERIFY UTILITIES SHOWN ON PLANS PRIOR TO WORK COMMENCEMENT. INFORMATION SHOWN ON PLAN IS FROM AVAILABLE INFORMATION AND ALL LOCATIONS SHOWN SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE TO UTILITIES MADE FROM CONSTRUCTION ACTIVITY. IMMEDIATELY NOTIFY PROJECT LANDSCAPE ARCHITECT AND ENGINEER IF DISCREPANCIES ARISE.
2. COMPLETE REQUIRED LANDSCAPING FOR THE ENTIRE SITE IN CONFORMANCE TO THE PLANS AND SPECIFICATIONS, INCLUDING BUT NOT LIMITED TO: SEEDED AREAS, SODDED AREAS, SHRUB BEDS, AND SITE CLEAN-UP.
3. VERIFY QUANTITIES PRIOR TO COMMENCING WORK. REPORT DISCREPANCIES TO THE LANDSCAPE ARCHITECT. PLANT MATERIAL TO BE SPACED AS SHOWN, UNLESS OTHERWISE NOTED.
4. PLANT MATERIAL SHALL COMPLY WITH ALL SIZING AND GRADING STANDARDS OF LATEST EDITION OF AMERICAN STANDARD FOR NURSERY STOCK (A.S.N.S.) LATEST EDITION PUBLISHED BY (ANLA) ANSI Z60.1. THIS IS A REPRESENTATIVE GUIDELINE SPECIFICATION ONLY AND WILL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR THE PLANT MATERIAL.
5. THE OWNER RESERVES THE RIGHT TO SUBSTITUTE PLANT MATERIAL, TYPE, SIZE AND/OR QUANTITY. LARGER SIZED PLANT MATERIALS OF THE SPECIES LISTED MAY BE USED IF THE STOCK CONFORMS TO A.S.N.S. VEGETATION SUBSTITUTIONS SHALL BE APPROVED BY PROJECT LANDSCAPE ARCHITECT. SUBSTITUTIONS MADE WITHOUT WRITTEN APPROVAL WILL BE REPLACED WITH APPROVED SELECTIONS AT CONTRACTOR'S COST.
6. DISTURBED AREAS DUE TO CONSTRUCTION ACTIVITIES NOT IDENTIFIED ON THESE PLANS SHALL BE REPAIRED AND RESTORED TO ORIGINAL OR BETTER CONDITIONS AT CONTRACTOR'S COST. SOD WITH A TURF-TYPE TALL FESCUE BLEND SHALL BE PROVIDED FOR AREAS NOT DESIGNATED AS BEDS & PAVEMENT.
7. CONTRACTOR SHALL COMPLY WITH APPLICABLE CODES AND ORDINANCES REGARDING LANDSCAPING. REFER TO SPECIFICATIONS FOR PLANT MATERIAL, SOILS, AND INSTALLATION METHODS.
8. INSTALL PLANT MATERIAL IN ACCORDANCE WITH A.S.N.S. STANDARDS.
9. INSTALL FINISHED GRADES OF SOD, LANDSCAPE BEDS, AND MULCH 1" BELOW ABUTTING PAVEMENT SURFACES TO ALLOW UNINHIBITED DRAINAGE TO NON-PAVEMENT SURFACES.
10. REMOVE ALL TWINE, WIRE, AND BURLAP FROM TREE AND SHRUB ROOT BALLS. REMOVE ALL PLASTIC WRAP, FABRIC ROPE, ROT PROOF WRAP, AND PLANT IDENTIFICATION TAGS.
11. TREES SHALL NOT BE PLANTED CLOSER THAN EIGHT HORIZONTAL FEET OF UNDERGROUND UTILITIES UNLESS OTHERWISE NOTED OR PER PLANS. MODIFICATIONS TO TREE PLACEMENT SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT AND CAN BE SUBJECT TO CITY REVIEW AND APPROVAL. CONTRACTOR IS RESPONSIBLE FOR UNAPPROVED RELOCATION(S) OR MODIFICATION(S) TO TREE LOCATIONS.
12. PROVIDE NATURAL TOPSOIL THAT IS FERTILE, FRIABLE, WITHOUT MIXTURE OF SUBSOIL MATERIALS, AND OBTAINED FROM A WELL DRAINED, AVAILABLE SITE. IT SHALL NOT CONTAIN SUBSTANCES WHICH MAY BE HARMFUL TO PLANT GROWTH. TOPSOIL SHALL BE SCREENED AND FREE FROM CLAY, LUMPS, STONES, ROOTS, PLANTS, OR SIMILAR SUBSTANCES 1" OR MORE IN DIAMETER, DEBRIS, OR OTHER OBJECTS WHICH MIGHT BE A HINDRANCE TO PLANTING OPERATIONS. TOPSOIL SHALL CONTAIN AT LEAST 4-6% ORGANIC MATTER BY WEIGHT AND HAVE A PH RANGE OF 5.5 TO 7.0.
13. PLANT MATERIAL TO BE GUARANTEED FOR ONE (1) YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION AND ACCEPTANCE. PLANT MATERIALS SHALL BE A ONE-TIME-REPLACEMENT AND RECORDS KEPT BY THE LANDSCAPE CONTRACTOR FOR ALL REPLACEMENTS.
14. PLANT MATERIAL SHALL BE OF EXCELLENT QUALITY, FREE OF DISEASE & INFESTATION-TRUE TO TYPE, VARIETY, SIZE SPECIFIED, & FORM PER ANSI STANDARDS.
15. WATER-IN EACH PLANT IMMEDIATELY FOLLOWING INSTALLATION AND CONTINUE WATERING ROUTINE UNTIL SUBSTANTIAL PROJECT COMPLETION. CONTRACTOR IS REQUIRED TO COORDINATE WATERING REQUIREMENTS TO THE OWNER THEREAFTER.
16. ALL WORK SHALL BE COORDINATED WITH THE WORK OF OTHER TRADES.
17. THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT CONFORMING TO THE SPECIFICATIONS.
18. THE LANDSCAPE CONTRACTOR SHALL TEST PROPOSED PLANTING AREAS FOR SOIL NUTRIENT DEFICIENCIES AND UNDESIRABLE SOIL TEXTURE AND STRUCTURE. BASED ON THE RESULTS OF THIS TESTING, THE LANDSCAPE CONTRACTOR SHALL PROVIDE AND INCORPORATE SOIL CONDITIONING MATERIALS (IE: FERTILIZER, SAND, COMPOST, ETC.) AS NECESSARY TO DEVELOP A PLANT GROWTH MEDIUM OF ADEQUATE FERTILITY, STRUCTURE, AND TEXTURE FOR THE ESTABLISHMENT OF LANDSCAPE MATERIALS. PEAT IS NOT ACCEPTABLE.
19. THE LANDSCAPE CONTRACTOR SHALL REMOVE FROM THE SITE ALL ROCK GREATER THAN 1-INCH AND ALL DEBRIS IN THE AREAS OF PROPOSED NEW PLANTINGS.
15. DAMAGED TURF AREAS ADJACENT TO PLANTING AREAS SHALL BE RESTORED AND SODDED TO MATCH EXISTING ADJACENT TOPOGRAPHY AND TURF TYPE.

16. PLANTING SCHEDULE:			
TREE PLANTING:	MARCH 15 - JUNE 15	OR	SEPTEMBER 15 - DECEMBER 31
SHRUB PLANTING:	APRIL 15 - JUNE 15	OR	AUGUST 15 - OCTOBER 15
SOD/SEED PLANTING:	MARCH 15 - JUNE 15	OR	SEPTEMBER 15 - DECEMBER 1

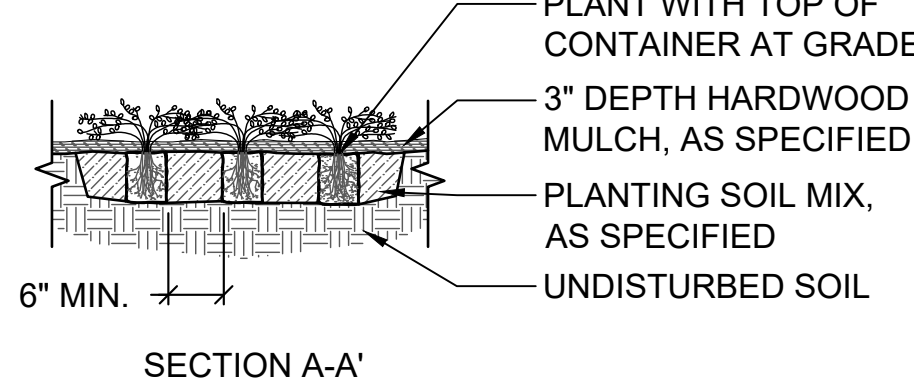
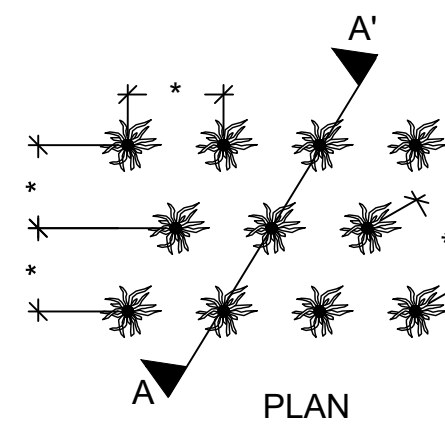
17. SEED PLANTING: AS SPECIFIED
18. TEMPORARY COVER CROP: USE AN ANNUAL RYE GRASS WITH NOT LESS THAN 87% GERMINATION, NOT LESS THAN 90% PURE SEED, AND NOT MORE THAN 0.5% WEED SEED. ANNUAL RYE GRASS SPECIES TO BE WEAR RESISTANT, FREE FROM DISEASE AND IN EXCELLENT CONDITION.
19. SEED PLANTING FERTILIZER: COMMERCIAL-GRADE COMPLETE GRANULAR OR PELLETTED FERTILIZER OF NEUTRAL CHARACTER, CONSISTING OF FAST- AND SLOW-RELEASE NITROGEN, 50% DERIVED FROM ORGANIC SOURCES OF UREA FORMALDEHYDE, PHOSPHORUS, AND POTASSIUM IN THE FOLLOWING COMPOSITION: 9-12LBS/1000SF OF ACTUAL NITROGEN, 10-13% PHOSPHORUS, AND 7-12% POTASSIUM, BY WEIGHT.
20. ANCHOR STRAW MULCH BY CRIMPING INTO SOIL WITH SUITABLE MECHANICAL EQUIPMENT.
21. ALL PLANTING METHODS SHALL COMPLY WITH CITY OF INDEPENDENCE, MISSOURI STANDARDS.

IRRIGATION NOTES:

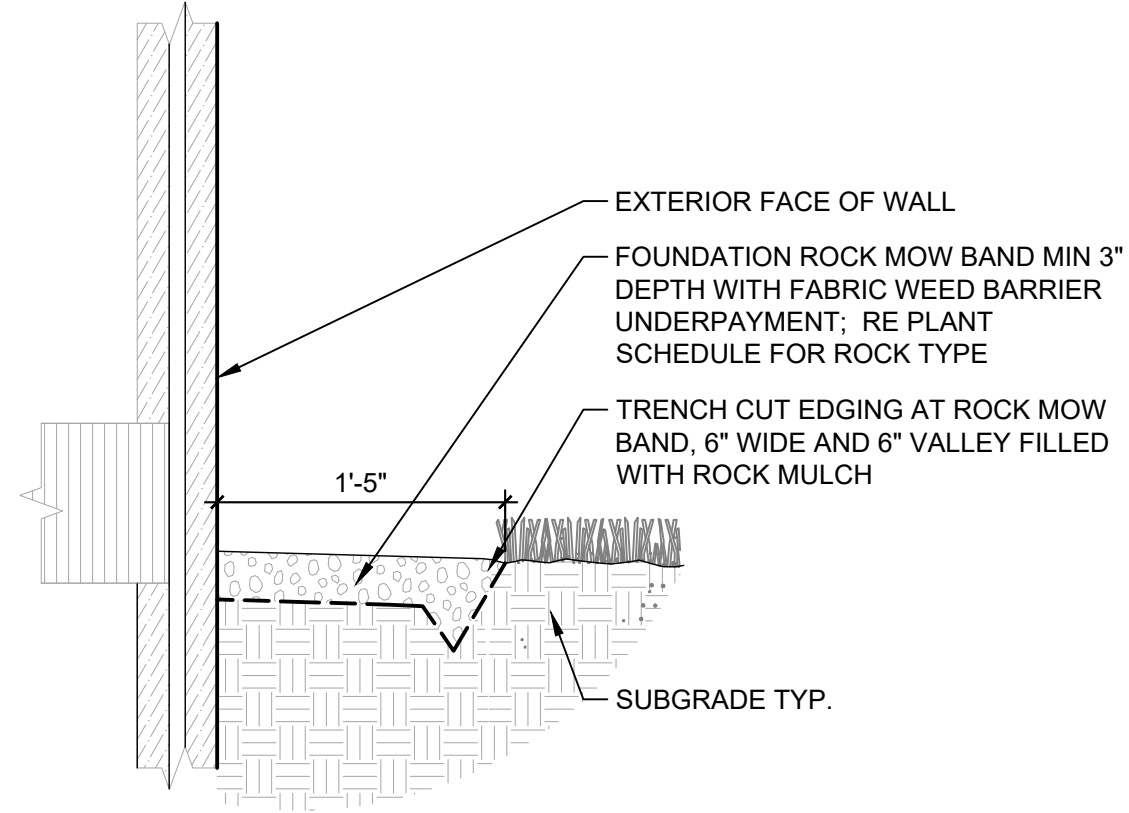
1. IRRIGATION TO BE INSTALLED BY OTHERS - LANDSCAPE ARCHITECT AND OWNER TO APPROVE PRIOR TO INSTALLATION

CONTRACTOR STAGING NOTES:

1. THE CONTRACTOR SHALL NOT STOCKPILE ANY SOILS OR OTHER STORED/STAGED MATERIALS ATOP OR WITHIN A 10' OFFSET TO EACH SIDE OF AN EXISTING CULVERT THAT TRAVERSES THE PROJECT LIMITS.
2. ANY INTERNAL HAUL ROADS OR ACCESS PATHS THAT MAY CROSS AN EXISTING CULVERT WITHIN THE PROJECT LIMITS, SHALL INSTALL STEEL TRAFFIC PLATES OR OTHER ENGINEER APPROVED PROTECTION MEANS TO SPAN OVER THE CULVERT.
3. ANY STAGING LIMITS UTILIZED BY THE CONTRACTOR OUTSIDE OF THE ESTABLISHED PROJECT LIMITS SHALL BE MAINTAINED BY THE CONTRACTOR AND RESTORED TO PRE-CONSTRUCTION CONDITIONS OR BETTER.
4. STOCKPILED TOPSOIL SHALL NOT EXCEED FOUR FEET (4') IN HEIGHT.



SECTION A-A'



2 GROUNDCOVER PLANTING

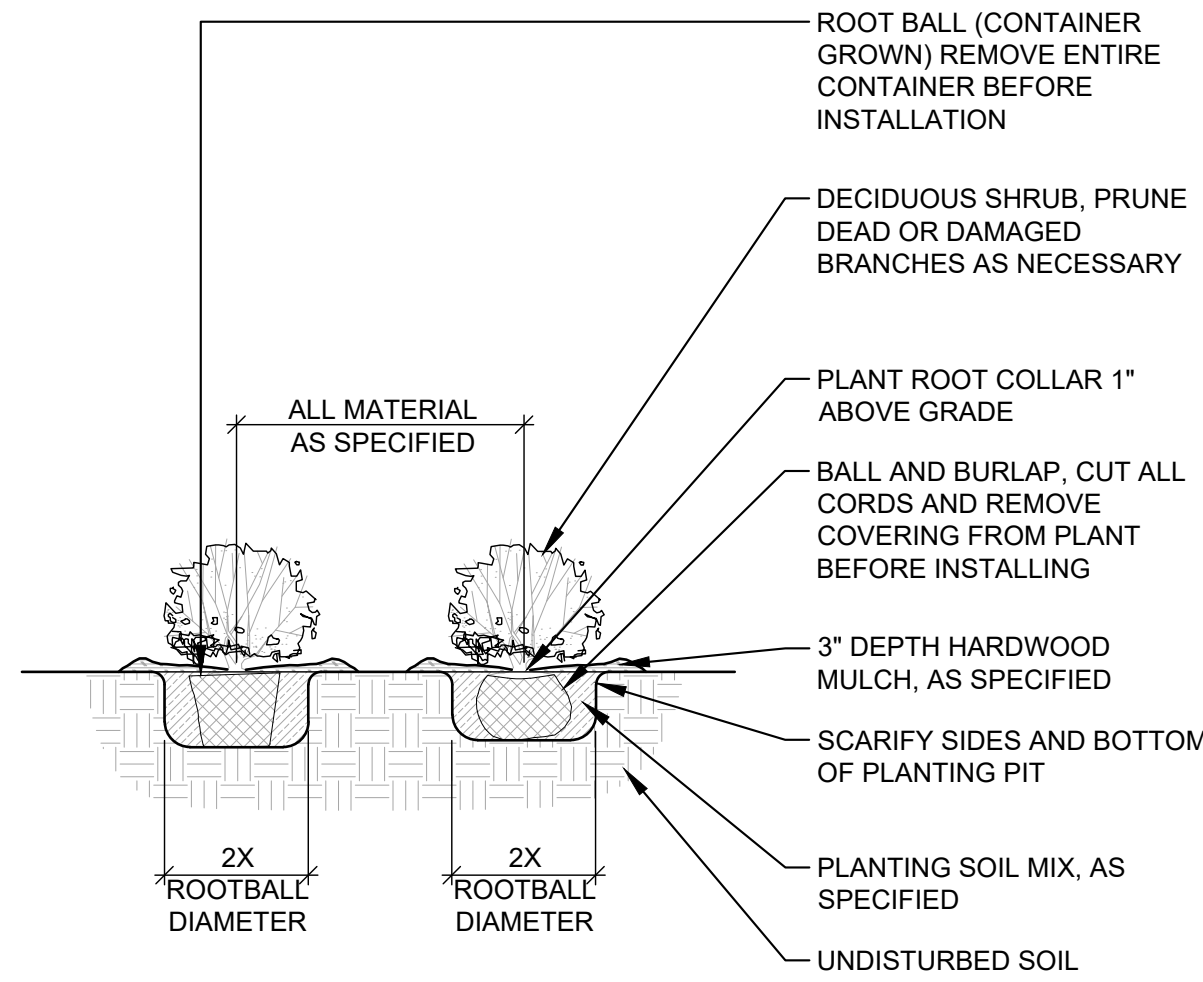
1" = 1'-0"

329333.01-03

3 FOUNDATION ROCK MOW BAND - TRENCH CUT EDGE

1" = 1'-0"

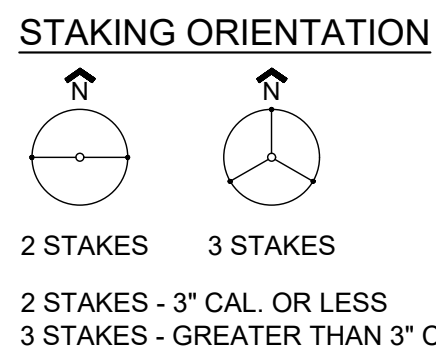
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4 SHRUB AND PERENNIAL PLANTING

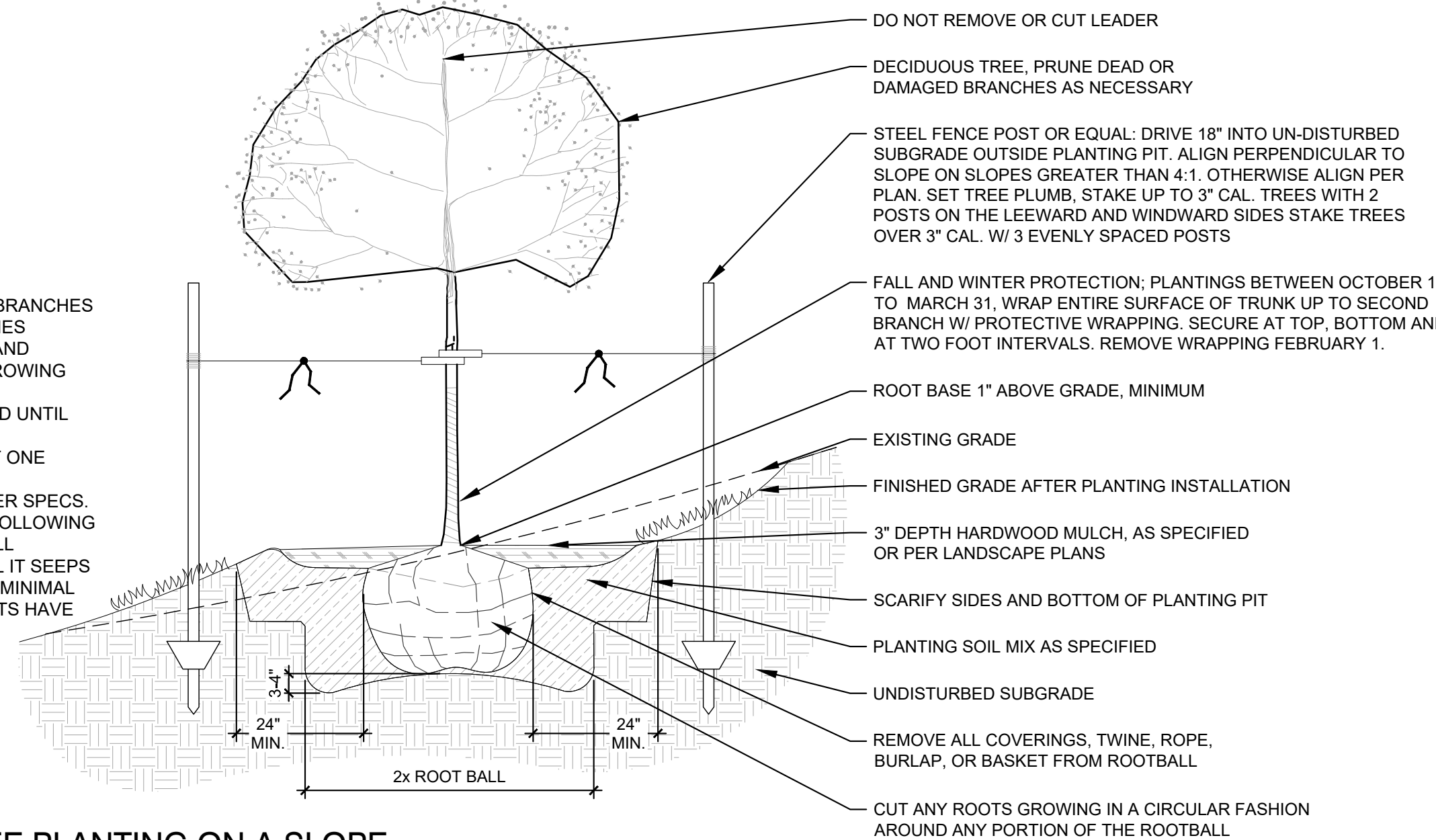
1/2" = 1'-0"

329333.01-04



NOTES:

1. PRUNE ONLY DEAD OR BROKEN BRANCHES AND WEAK OR NARROW CROTCHES
2. DO NOT REMOVE LOWER LIMBS AND SPROUTS FOR AT LEAST TWO GROWING SEASON
3. KEEP PLANTS MOIST AND SHADED UNTIL PLANTING
4. DO NOT FERTILIZE FOR AT LEAST ONE GROWING SEASON
5. AMENDED BACKFILL SHALL BE PER SPECS.
6. FIRST WATERING PROCEDURE: FOLLOWING SOIL BACKFILL INSTALLATION, FILL PLANTING PIT WITH WATER UNTIL IT SEEPS OUT OF THE GROUND, OBSERVE MINIMAL BUBBLING ASSURING AIR POCKETS HAVE BEEN FILLED WITH WATER



6 DECIDUOUS TREE PLANTING ON A SLOPE

1/2" = 1'-0"

329343.01-05

1 LANDSCAPE NOTES

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PROJECT INFO
2023001513-000

ENGINEER	DRAWN BY	CHECKED BY
AVD	MRB	AVD

INFINITY APARTMENTS
19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

LANDSCAPE DETAILS
P:2023001513-000-004-DRAWINGS LANDSCAPE:2023001513-000 L500.DWG

DRAWING NO.
L500

MATERIAL LEGEND

- | | | |
|--|---|------|
| | 8" PREFINISHED FIBER LAP SIDING - COLOR 1 | FB-1 |
| | 8" PREFINISHED FIBER LAP SIDING - COLOR 2 | FB-2 |
| | 8" PREFINISHED FIBER LAP SIDING - COLOR 3 | FB-3 |
| | HARDIE ARCHITECTURAL PANELS - COLOR 4 | HP-1 |
| | PREFINISHED FIBER SIDING - BOARD & BATTEN | FB-4 |
| | CAST STONE BANDING, WINDOW SILLS AND CAPS | CS-1 |
| | LEDGESTONE VENEER | ST-1 |
| | PREFINISHED FIBER TRIM - WHITE | TR-1 |
| | PREFINISHED FIBER TRIM - DARK BRONZE | TR-2 |
| | METAL COPING & TRIMS | MT-1 |
| | STANDING SEAM ROOF | RF-1 |



2 4-STORY ELEVATION

1/8" = 1'-0"



1 5-STORY ELEVATION

1/8" = 1'-0"

ELEVATIONS

08/05/24

JACKSON DR. & 37TH TERR.

19300 E. 37TH TERRACE

A4

MATERIAL LEGEND		
	8" PREFINISHED FIBER LAP SIDING - COLOR 1	FB-1
	8" PREFINISHED FIBER LAP SIDING - COLOR 2	FB-2
	8" PREFINISHED FIBER LAP SIDING - COLOR 3	FB-3
	HARDIE ARCHITECTURAL PANELS - COLOR 4	HP-1
	PREFINISHED FIBER SIDING - BOARD & BATTEN	FB-4
	CAST STONE BANDING, WINDOW SILLS AND CAPS	CS-1
	LEDGESTONE VENEER	ST-1
	PREFINISHED FIBER TRIM - WHITE	TR-1
	PREFINISHED FIBER TRIM - DARK BRONZE	TR-2
	METAL COPING & TRIMS	MT-1
	STANDING SEAM ROOF	RF-1



2 SIDE ELEVATION
1/8" = 1'-0"



1 SIDE ELEVATION
1/8" = 1'-0"

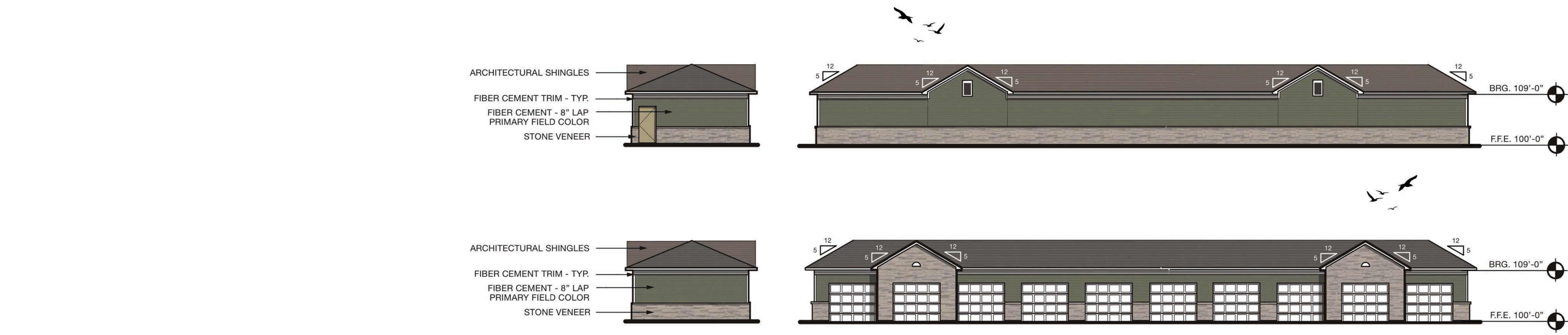


rosemann
& ASSOCIATES P.C.

ARCHITECTURE
INTERIOR DESIGN
ENGINEERING
PLANNING

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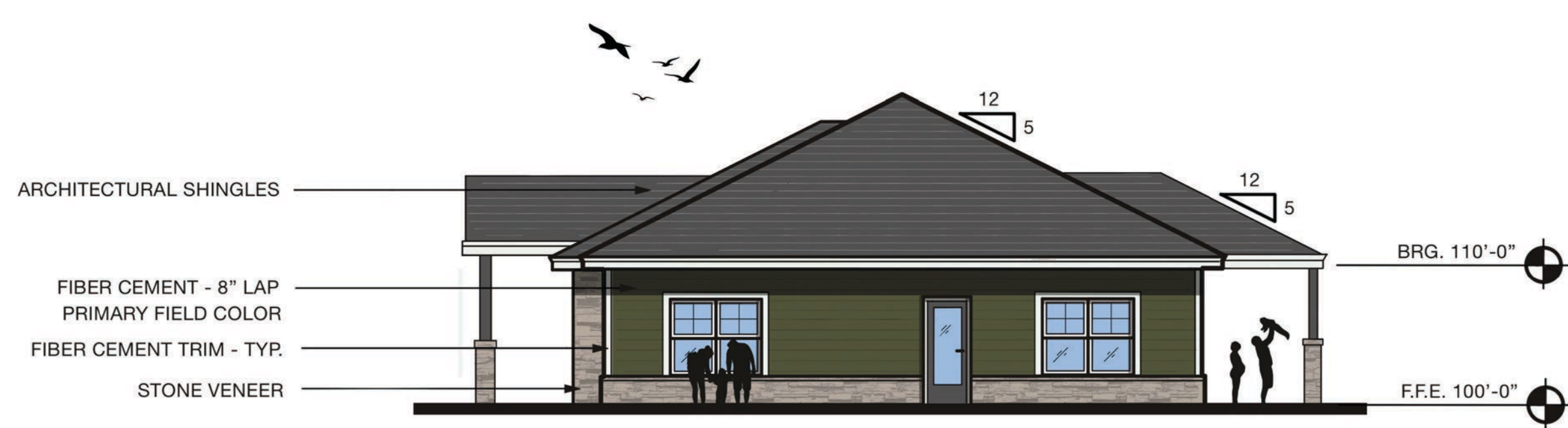
DENVER ▲ KANSAS CITY ▲ ST. LOUIS ▲ ATLANTA



GARAGE ELEVATIONS

N.T.S.

5



SIDE ELEVATION

N.T.S.

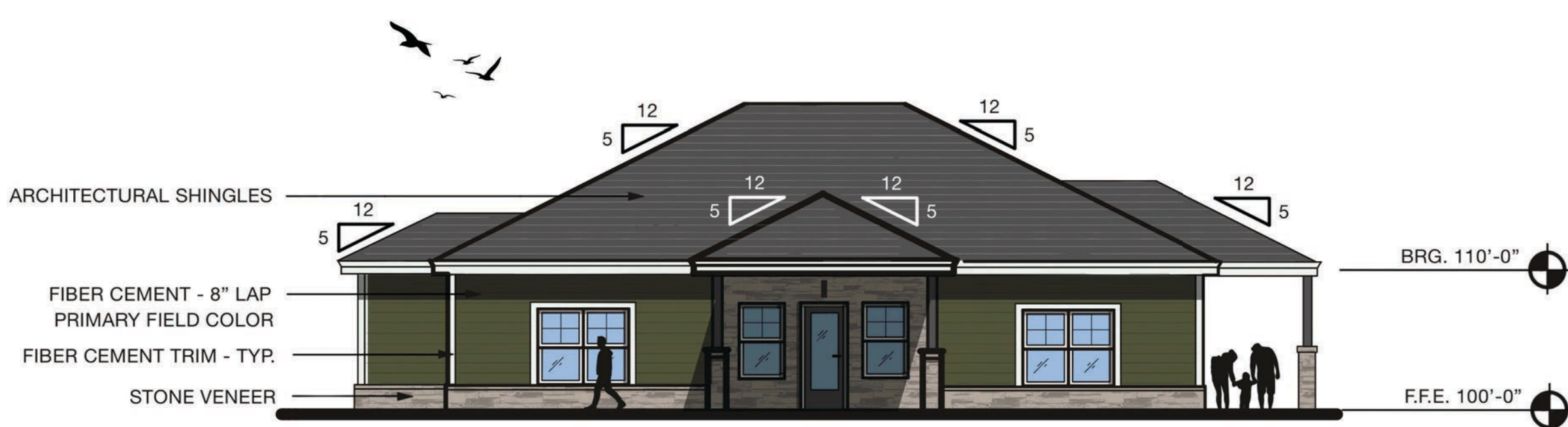
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SIDE ELEVATION

N.T.S.

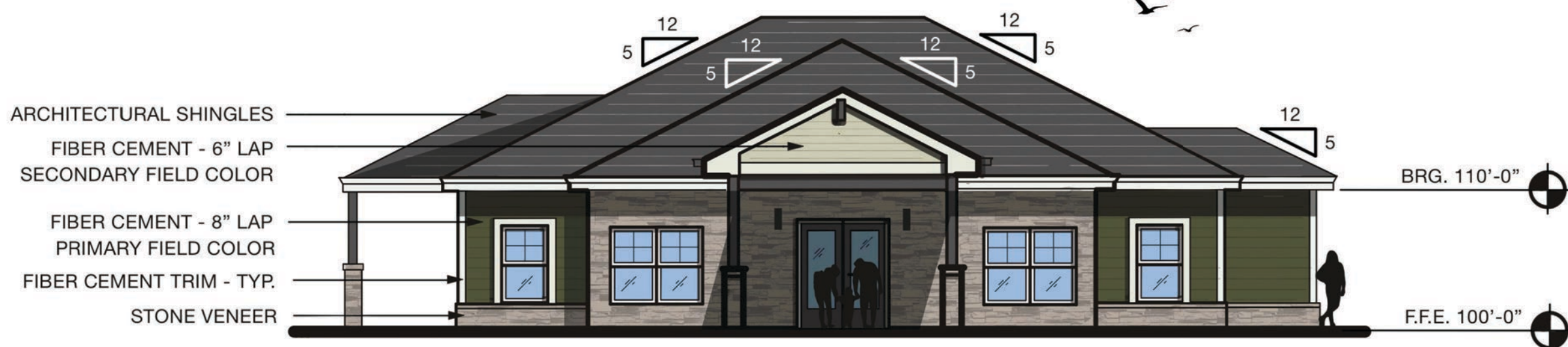
2



REAR ELEVATION

N.T.S.

3



FRONT ELEVATION

N.T.S.

1

JACKSON APARTMENTS

19300 E. 37TH TERRACE
INDEPENDENCE, MO 64057

SHEET TITLE:
CLUBHOUSE & GARAGE ELEVATIONS

PROJECT NUMBER:

SHEET NUMBER:

A-201

A photograph of a modern outdoor pool area at dusk. The pool is surrounded by a stone wall and a pergola. In the foreground, there are two lounge sofas with cushions facing a central stone fire pit. The sky is a mix of blue and orange from the setting sun. The text "JACKSON DRIVE & 37TH TERR AMENITIES" is overlaid in white, bold, sans-serif font.

JACKSON DRIVE & 37TH TERR AMENITIES

YATES&YATES®

FOR THE SPORTS FANATIC

- Lifesize Chess
- Mini Golf Course
- Bocce Ball Court
- Bicycle Storage
- Yard Games



FOR THE ACTIVE RESIDENT



- 24 Hour Fitness Center
- CrossFit Equipment
- Yoga & Cycle Studio
- Sauna
- Digital Personal Trainer
- Resort-Style Pool





A SPACE FOR RESIDENTS TO HOST



- 24 Hour Clubroom with kitchen
- Game & Billiards Room
- Outdoor Courtyard
- Outdoor Grills
- Firepits

ELEVATED LIVING





FOR THE PET LOVER

- Paw Spa - Pet Grooming
- Dog Park and Agility Course
- Dog Walking Services
- Dog Treats in the Office



FOR THE WORK FROM HOME RESIDENT



- Reservable Conference Room
- Reservable Private Offices
- Private Study Booths
- Business Center with Printer



CONVENIENCE AROUND EVERY CORNER

- Package Room
- 24 Hour Emergency Maintenance
- Vending Machines
- Resident shopping Market
- Coffee Bar
- Leasing Office
- Courtesy Officer On Site
- Guest Suite

A HIGHER QUALITY OF LIVING

Y&Y©

TRAFFIC IMPACT STUDY

JACKSON APARTMENTS

INDEPENDENCE, MO

Prepared For:
McClure

Prepared By:
Janelle Clayton, PE, PTOE

May 8, 2024

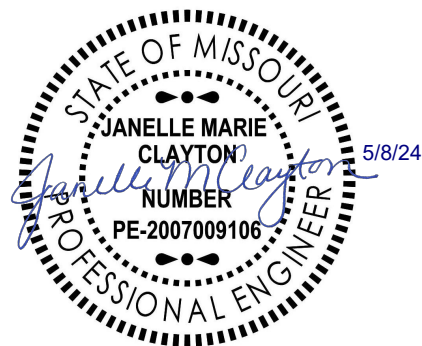


Table of Contents

INTRODUCTION	2
EXISTING CONDITIONS.....	3
PROPOSED CONDITIONS.....	3
ANALYSES	7
SUMMARY & RECOMMENDATIONS	8

List of Figures

VOLUMES

FIGURE 1	EXISTING TRAFFIC VOLUMES (AM & PM PEAK HOUR)
FIGURE 2	EXISTING + SITE TRAFFIC VOLUMES (AM PEAK HOUR)
FIGURE 3	EXISTING + SITE TRAFFIC VOLUMES (PM PEAK HOUR)
FIGURE 4	FUTURE + SITE TRAFFIC VOLUMES (AM PEAK HOUR)
FIGURE 5	FUTURE + SITE TRAFFIC VOLUMES (PM PEAK HOUR)

LEVELS OF SERVICE

FIGURE 6	EXISTING LEVELS OF SERVICE (AM PEAK HOUR)
FIGURE 7	EXISTING LEVELS OF SERVICE (PM PEAK HOUR)
FIGURE 8	EXISTING + SITE LEVELS OF SERVICE (AM PEAK HOUR)
FIGURE 9	EXISTING + SITE LEVELS OF SERVICE (PM PEAK HOUR)
FIGURE 10	FUTURE + SITE LEVELS OF SERVICE (AM PEAK HOUR)
FIGURE 11	FUTURE + SITE LEVELS OF SERVICE (PM PEAK HOUR)

INTRODUCTION

The proposed Jackson Apartments development is a 300-unit, multi-family development consisting of four separate three-story buildings with underground parking. The proposed development is located in the northwest quadrant of the intersection of S Jackson Drive & 37th Terrace in Independence, Missouri. The approximate location of the proposed development is shown in the Google Earth image below.



The existing property is vacant and is bordered to the north by railroad tracks and to the west by Sunterra Springs Rehabilitation Center and apartment homes.

This study analyzes the traffic impacts on the surrounding roadway network for the *Existing*, *Existing + Site*, and *Future + Site* traffic-volume scenarios.

EXISTING CONDITIONS

Existing Traffic Volumes: Existing AM and PM peak-hour traffic volumes at the following intersections were via video camera during the hours of 7:00-9:00 AM and 4:00-6:00 PM on Tuesday, April 23, 2024:

- Jackson Drive & 37th Terrace
- 37th Terrace & Sunterra Springs Drive
- 37th Terrace & Arrowhead Avenue

The counts were processed by Miovision Technologies, Inc. and can be found in the Appendix. In general, the AM peak hour generally occurred from 7:15 – 8:15 AM, and the PM peak hour generally occurred from 4:15 – 5:15 PM. The Existing AM and PM peak-hour volumes are shown on **Figure 1**.

Existing Roadway Network: Current roadway characteristics near the study area are summarized in **Table 1**.

Table 1: Existing Roadway Characteristics

Roadway	Classification	Section	Median Type	Posted Speed Limit
Jackson Drive	Major Arterial	4-Lane	Median-Divided	35 mph
37 th Terrace	Collector	2-Lane	Undivided	30 mph
Arrowhead Avenue	Collector	4-Lane	Undivided	Not Posted - 25 mph

*Classifications as listed in the City's Thoroughfare Plan

The intersection of Jackson Drive & 37th Terrace is currently operating under traffic signal control. Left-turn lanes are provided on all approaches to the intersection. Full pedestrian accommodations are provided on all legs of the intersection with pedestrian signal heads and pushbuttons. The intersection of 37th Terrace & Arrowhead Avenue is currently operating under two-way stop control on the minor-road approaches. Arrowhead Lane is four lanes south of 37th Terrace and two lanes north of 37th Terrace.

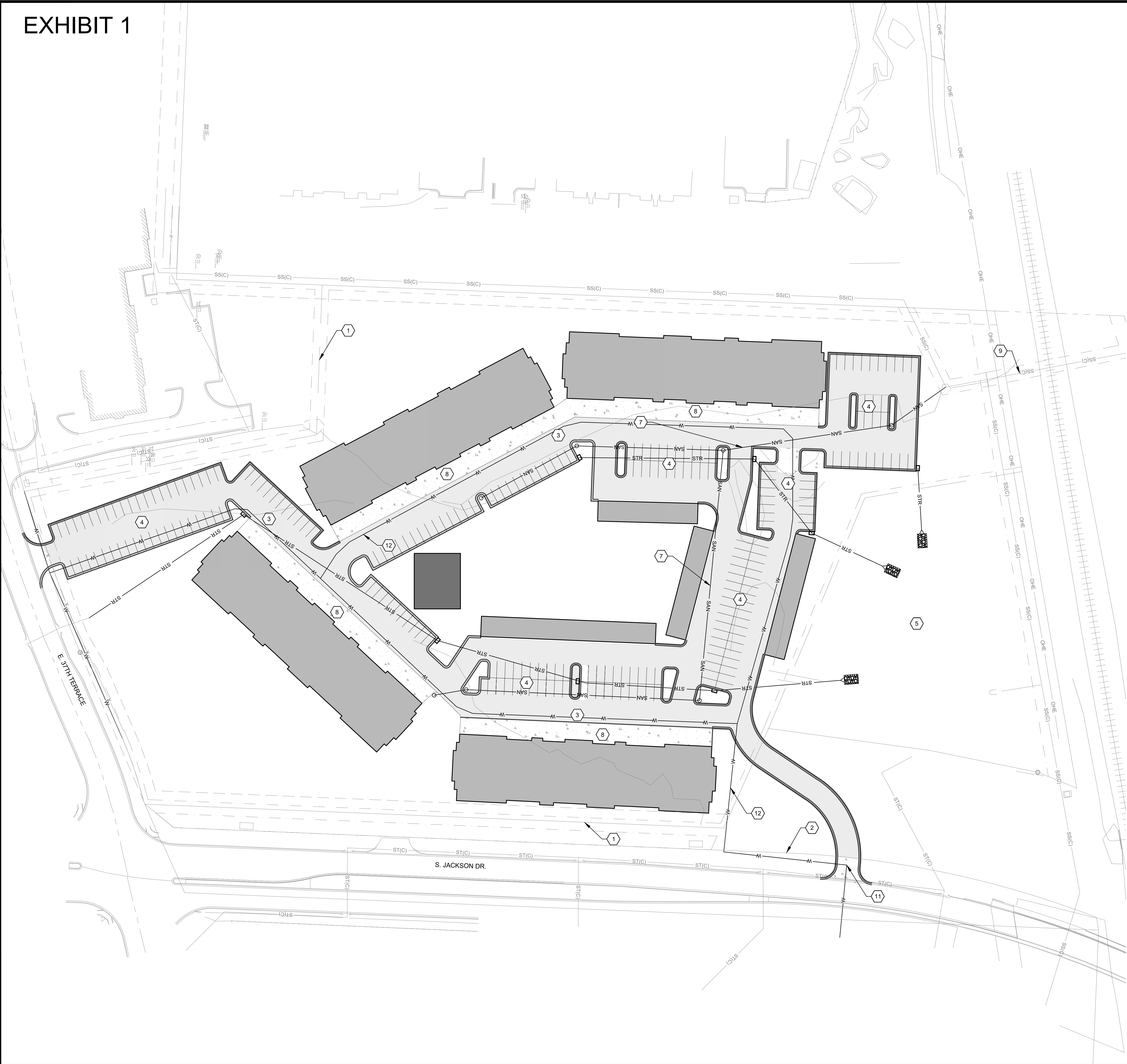
A sidewalk is currently present along the west side of Jackson Drive along the frontage of the property. A shared-use path is provided on the east side of Jackson Drive. A sidewalk is present on the north side of 37th Terrace approximately 200' west of Jackson Drive, then stops and resumes at the Sunterra Springs property.

RideKC has an existing bus route along 37th Terrace with a stop just west of Sunterra Springs, as well as a route along Jackson Drive.

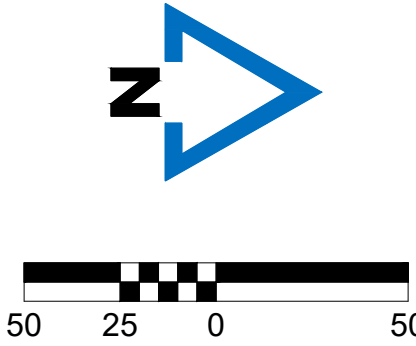
PROPOSED CONDITIONS

Proposed Land Use: The proposed Jackson Apartment multi-family development includes 300 apartment units in four separate buildings. The site plan for the proposed development is shown on **Exhibit 1**.

EXHIBIT 1



- KEY NOTES
- 1 PROPERTY LINE (TYP.)
 - 2 EXISTING RIGHT-OF-WAY
 - 3 PROPOSED ASPHALT PRIVATE DRIVE PAVEMENT
 - 4 PROPOSED PARKING AREA
 - 5 EXISTING DETENTION BASIN
 - 6 PROPOSED PRIVATE STORM SEWER
 - 7 PROPOSED PRIVATE SANITARY SEWER
 - 8 PROPOSED CONCRETE PAVEMENT (GARAGE DRIVE ENTRY)
 - 9 EXISTING PUBLIC SANITARY SEWER
 - 10 EXISTING PUBLIC STORM SEWER
 - 11 EXISTING DRIVEWAY
 - 12 PROPOSED WATER MAIN



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MISSOURI CERTIFICATE OF AUTHORITY NO. E-2006023253
EXPIRES: DECEMBER 31, 2024

REVISIONS		
PROJECT INFO		
2023001513-000		
ENGINEER	DRAWN BY	CHECKED BY
AVG	MRB	AVG

JACKSON APARTMENTS
19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

SITE PLAN WITH TOPOGRAPHY
P:\2023001513-000\04-DRAWINGS\CIVIL\TITLEMENT\PRELIMINARY DEVELOPMENT PLANS\2023001513 SITE.DWG

DRAWING NO.
C201

Proposed Access Plan: The development will be served by two full-access driveways; one on Jackson Drive and one on 37th Terrace. **Table 2** summarizes the access locations. Note: Distances are taken from the center of the intersection.

Table 2: Proposed Site Access

Access Name	Intersecting Roadway	Access Type	Access Location
Drive 1	Jackson Drive	Full Access	Approx. 775' north of 37 th Terrace
Drive 2	37 th Terrace	Full Access	Approx. 355' west of Jackson Drive

It should be noted that Drive 2 is only approximately 100' east, center to center, from the Sunterra Springs driveway, which is not an ideal spacing for adjacent driveways. However, the volumes into and out of the Sunterra Springs driveway were less than 10 vehicles per hour during the peak hours and would not be expected to cause regular conflict.

Intersection Sight Distance: Intersection sight-distance measurements were taken in the field at the locations of the proposed site driveways. Based on AASHTO's *A Policy on Geometric Design of Highways and Streets*, the amount of sight distance that is desirable for a 35-mph road (Jackson Drive) is 390' for a left-turning vehicle (Case B1) and 335' for a right-turning vehicle (Case B2). The amount of sight distance that is desirable for a 30-mph road (37th Terrace) is 335' for a left-turning vehicle (Case B1) and 290' for a right-turning vehicle (Case B2).

The results of the intersection sight distances recorded in the field are summarized below. It should be noted that if available sight distance was well over the recommended value, a field measured value of ">distance" is recorded below. If the sight-distance requirements were not easily reached by simple observation, actual distances were recorded.

Jackson Drive & Proposed Drive 1 (North Drive)

	<u>AASHTO Recommended</u>	<u>Field Measured</u>
Left-Turning Vehicle	390'	>390'
Right-Turning Vehicle	335'	685'



37th Terrace & Proposed Drive 2 (South Drive)

	<u>AASHTO Recommended</u>	<u>Field Measured</u>
Left-Turning Vehicle	335'	495'
Right-Turning Vehicle	290'	>290'



Trip Generation: The estimated trip generation for the proposed Jackson Apartments development was based upon the 11th Edition of the Institute of Transportation Engineers (ITE) *Trip Generation Handbook* for Land Use 220-Multi-Family (Low-Rise). **Table 3** depicts the trip generation for the site.

Table 3: Proposed Trip Generation

				AM Peak Hour (VPH)			PM Peak Hour (VPH)		
Land Use	Qty	Unit	ADT (VPD)	TOTAL	IN	OUT	TOTAL	IN	OUT
220 – Multifamily Housing (Low-Rise)	300	DU	1,998	116	28	88	150	94	56

Trip Distribution: Estimates of the expected trip distribution to and from the Jackson Apartments development were based upon the available and planned street network and existing traffic flow. The trip-distribution patterns that were utilized are as follows:

- To the north via Jackson Drive 5%
- To the south via Jackson Drive 40%
- To the east via 37th Terrace 20%
- To the west via 37th Terrace 35%

Existing + Site Traffic Volumes: The expected development-related traffic volumes were added to the existing volumes and were assigned to the existing and planned street system. The *Existing + Site* AM and PM peak-hour volumes are shown on **Figures 2 & 3**, respectively.

Future + Site Traffic Volumes: Historical ADT traffic volumes from the years 2016-2050 as shown in the Mid America Regional Council (MARC) model were analyzed to determine an appropriate

growth rate for a future 20-year design volume. The results indicated a fairly flat growth rate. However, due to the potential for development still occurring in the area, a growth rate of 2% per year for 20 years was utilized. The site-generated traffic volumes from Jackson Apartments development were added to these background future traffic volumes to develop the *Future + Site* AM and PM peak-hour traffic volumes and are shown **Figures 4 & 5**, respectively.

ANALYSES

A series of intersection capacity analyses were completed at the study intersections to determine the expected levels of service, the lengths of delays, and the vehicle queues experienced by drivers. The study intersections were analyzed based upon the 6th Edition of the Transportation Research Board's (TRB) *Highway Capacity Manual*. A description of the level-of-service criteria used in these analyses is shown below:

Level of Service Definitions		
Level of Service	Signalized Intersection Average Control Delay (sec/veh)	Unsignalized Intersection Average Control Delay (sec/veh)
A	<10	<10
B	<20	<15
C	<35	<25
D	<55	<35
E	<80	<50
F	≥80	≥50

The amount of control delay is assigned a level of service based on driver acceptance with LOS "A" representing little or no delay and LOS "F" representing long delays. The queues shown on the figures represent the 95th percentile queue, or the queue that has only a 5% chance of being exceeded during the peak hour. All capacity analysis output is included in the Appendix attached to this report. It should be noted that all completed analyses utilized the Synchro 12 software package.

Existing Traffic Conditions: **Figures 6 & 7** depict the results of the completed analyses for the existing AM and PM peak-hour traffic volume scenarios. As shown on the figures, all individual movements at the study intersections currently operate at LOS "C" or better with minimal queuing.

Existing + Site Traffic Conditions: As shown on **Figures 8 & 9**, all individual movements at the study intersections would be expected to operate at LOS "C" or better with minimal queuing with the addition of the Redwood multi-family development.

Turn Lane Warrants

Left-turn and right-turn lane warrants were analyzed in conjunction with MoDOT's *Access Management Guidelines* for the proposed driveway intersections and can be found in the Appendix. No turn lanes would be warranted for the *Existing + Site* traffic volume scenario.

Future + Site Traffic Conditions: The results of the capacity analysis for the *Future + Site* traffic volume scenario are shown on **Figures 10 & 11**. As shown on the figures, all individual movements at the study intersections would be expected to operate at LOS "C" or better during the *Future + Site* volume scenario.

Turn Lane Warrants

Left-turn and right-turn lane warrants were analyzed in conjunction with MoDOT's *Access Management Guidelines* for the proposed driveway intersections and can be found in the Appendix. No turn lanes would be warranted for the *Future + Site* traffic volume scenario.

SUMMARY & RECOMMENDATIONS

This traffic study summarizes the anticipated traffic impacts of the proposed Jackson Apartments development.

Left-turn and right-turn lane warrants at the driveway intersections were analyzed in conjunction with MoDOT's *Access Management Guidelines*, and no turn lanes would be warranted at either site driveway.

It should be noted that the site plan shows a full-access driveway that would require a median break along Jackson Drive. Although a northbound left-turn lane is not warranted due to traffic volumes at this intersection, a median break without a dedicated turn lane is not recommended as drivers would not be expecting a left-turn driver slowing down to make the turn on a divided roadway without a left-turn lane present. There is an existing bridge just north of the intersection and a significant retaining wall on the east side of Jackson Drive that would make it difficult to construct a northbound left-turn lane. If a dedicated left-turn lane is not feasible, the driveway access should be limited to right-in/right-out access.

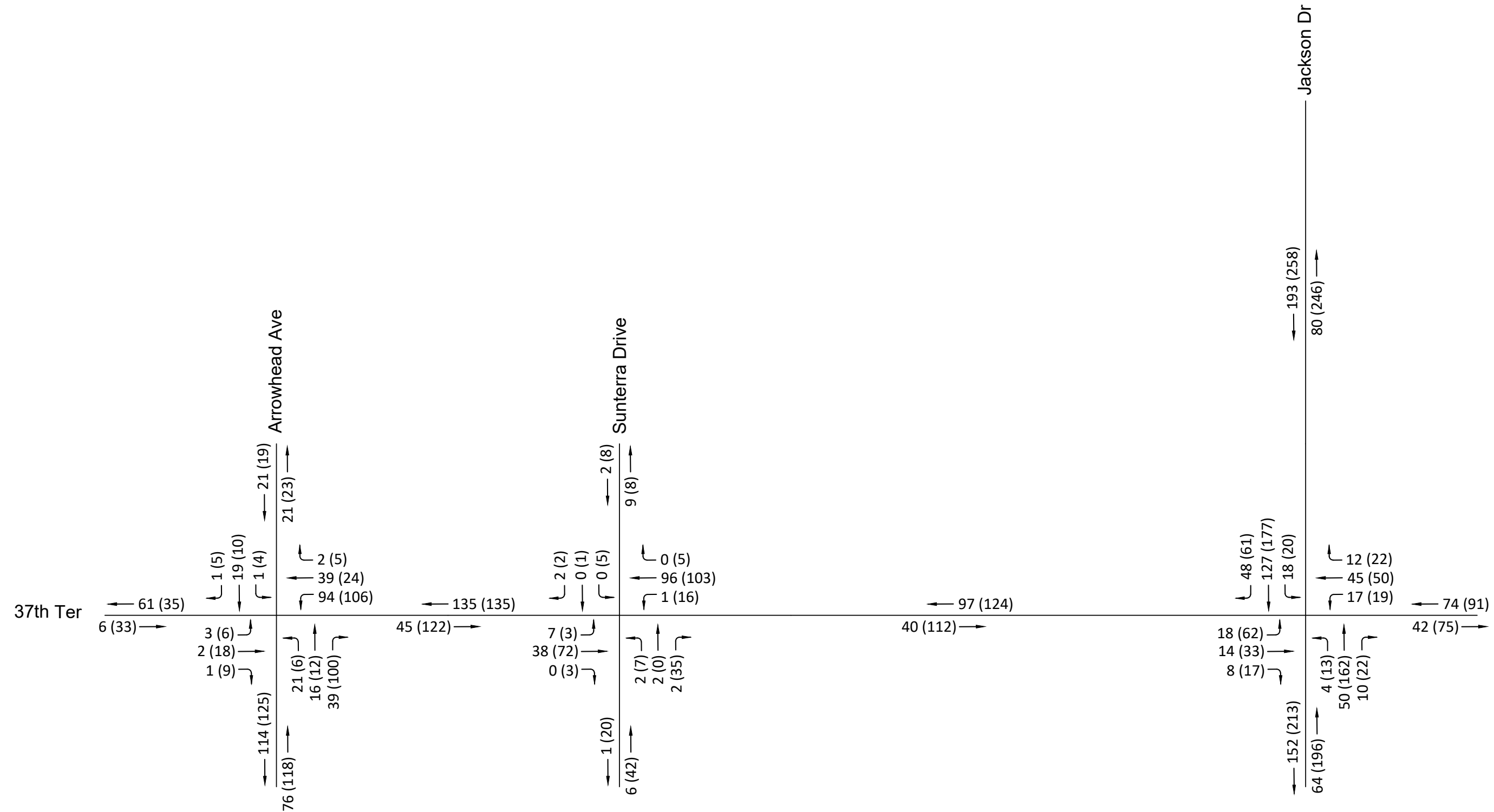
In general, acceptable traffic operations can be expected in and around the proposed development with the addition of the Jackson Apartments development. The development traffic will have minimal impact on the traffic operations in the study area. No improvements would be required.

We appreciate the opportunity to serve you on this very important project. Please feel free to contact us if you should have any questions.

Respectfully submitted,
Merge Midwest Engineering, LLC

A handwritten signature in blue ink that reads "Janelle M Clayton". The signature is written in a cursive, flowing style.

Janelle M. Clayton, P.E., PTOE
Manager / Co-Owner



EXISTING
TRAFFIC VOLUMES

FIGURE 1

PROJECT NUMBER

24035

DATE

MAY 2024



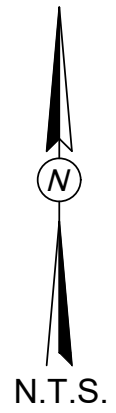
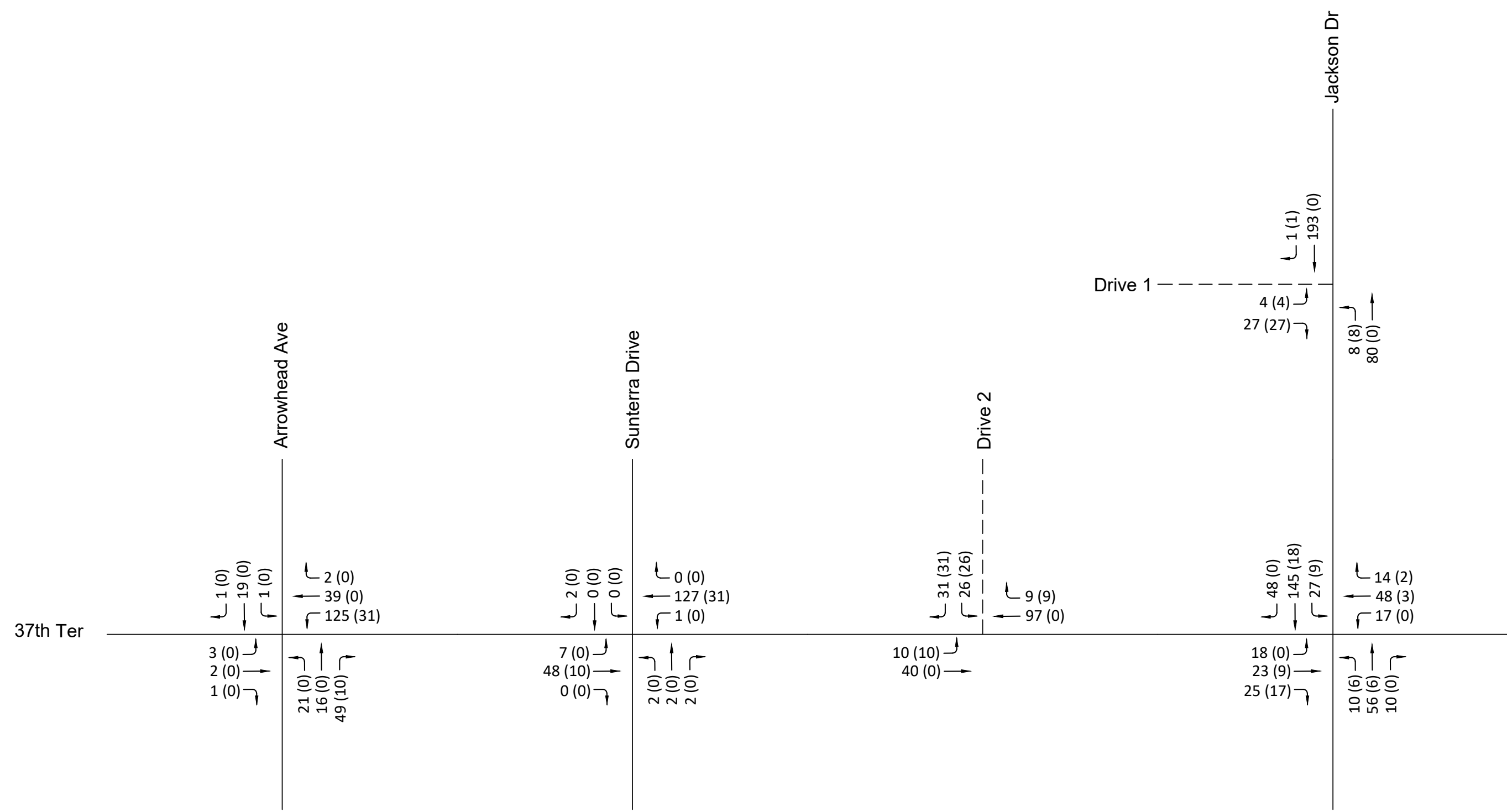
LEGEND

500 (500)

Site Generated Volume (vph)

Total Peak Volume (vph)

Vehicle Movement



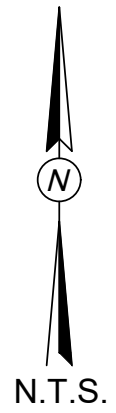
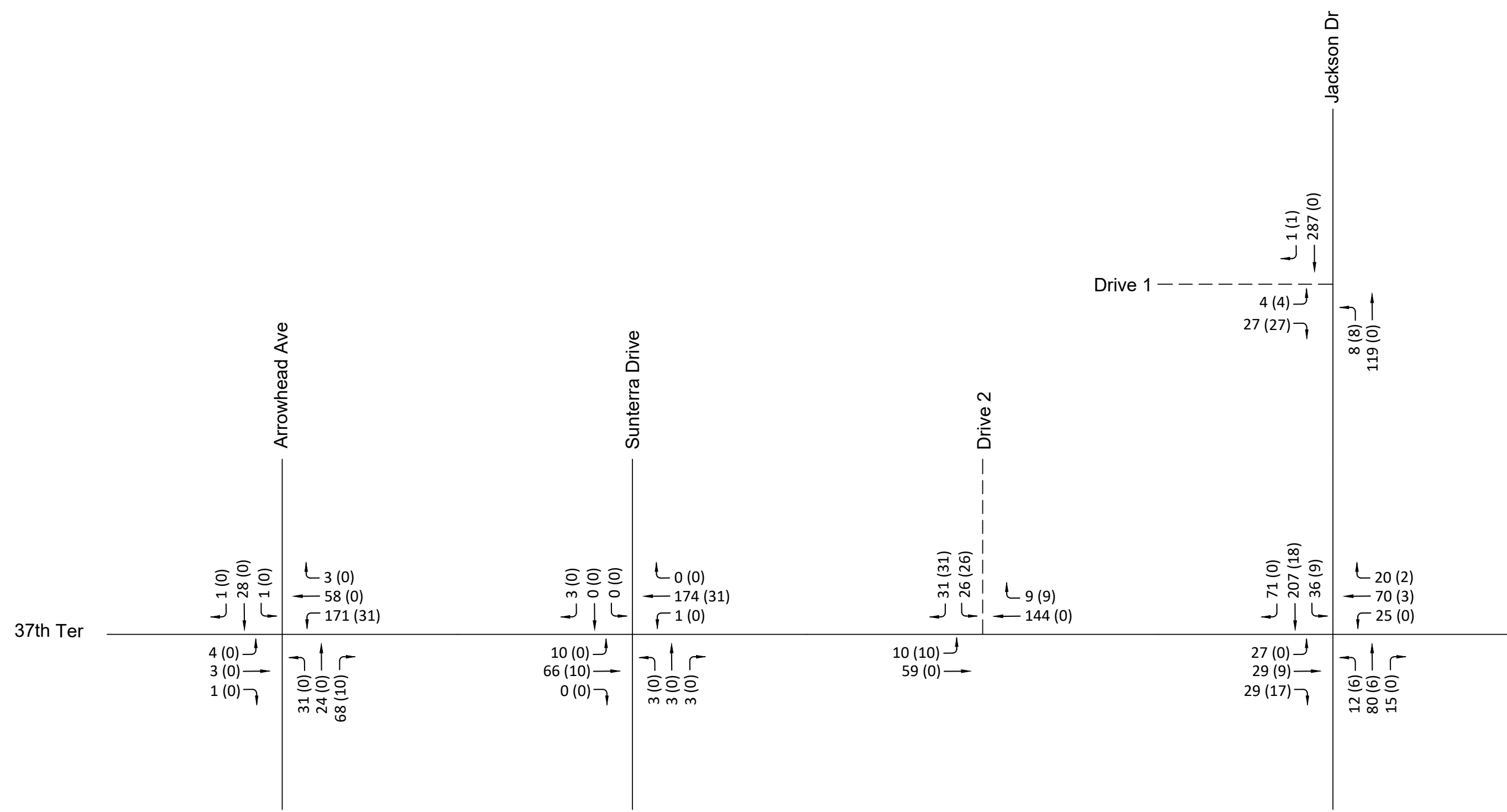
LEGEND

500 (500)

Site Generated Volume (vph)

Total Peak Volume (vph)

Vehicle Movement



	PROJECT NUMBER	
	24035	DATE
		MAY 2024
FUTURE + SITE TRAFFIC VOLUMES AM PEAK HOUR		FIGURE 4

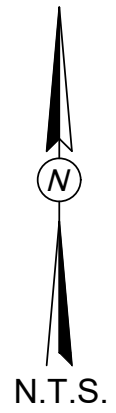
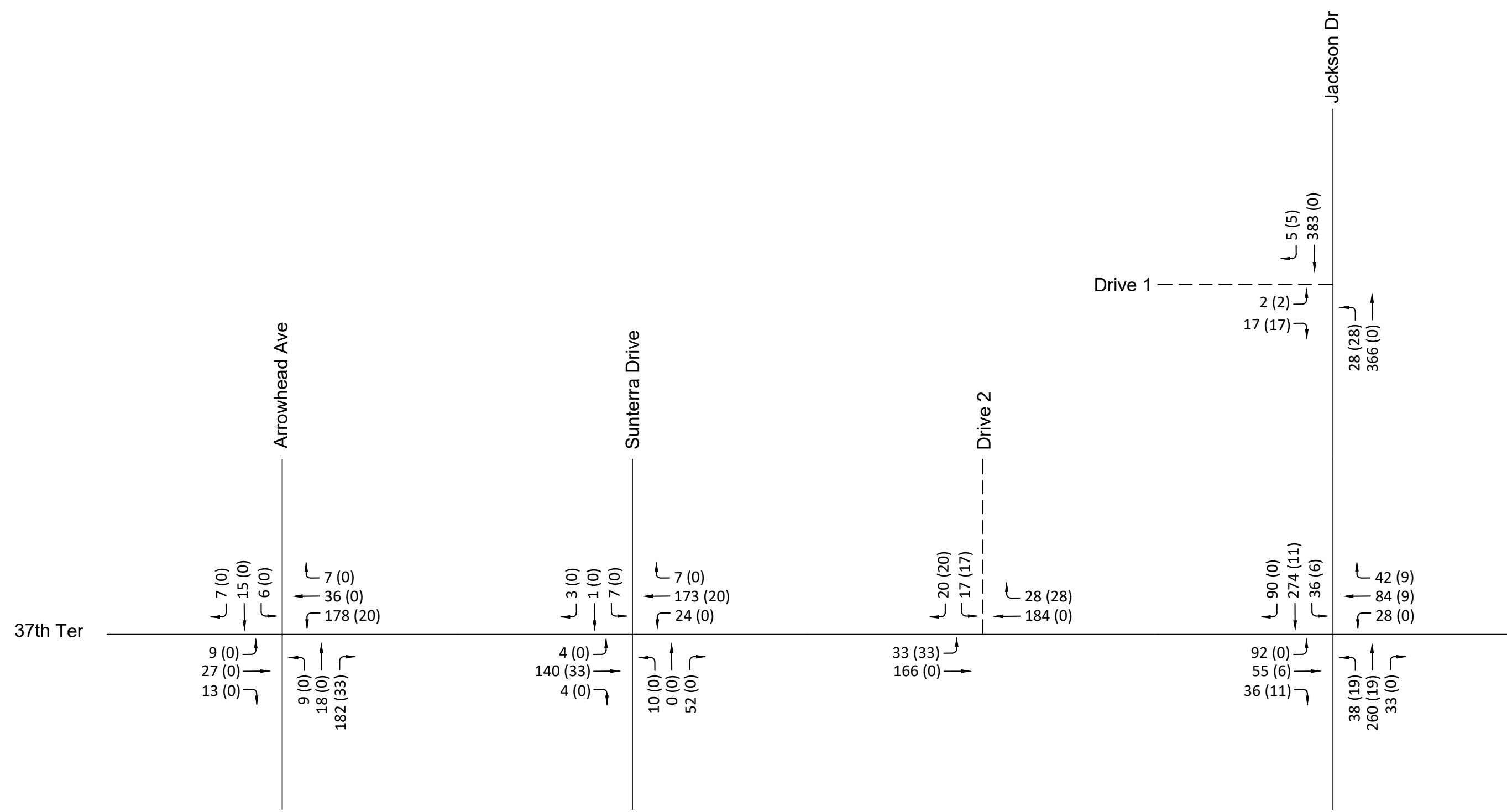
LEGEND

500 (500)

Site Generated Volume (vph)

Total Peak Volume (vph)

Vehicle Movement



	PROJECT NUMBER	
	24035	DATE
		MAY 2024
FIGURE 5		FUTURE + SITE TRAFFIC VOLUMES PM PEAK HOUR

LEGEND

Estimated Queue Length

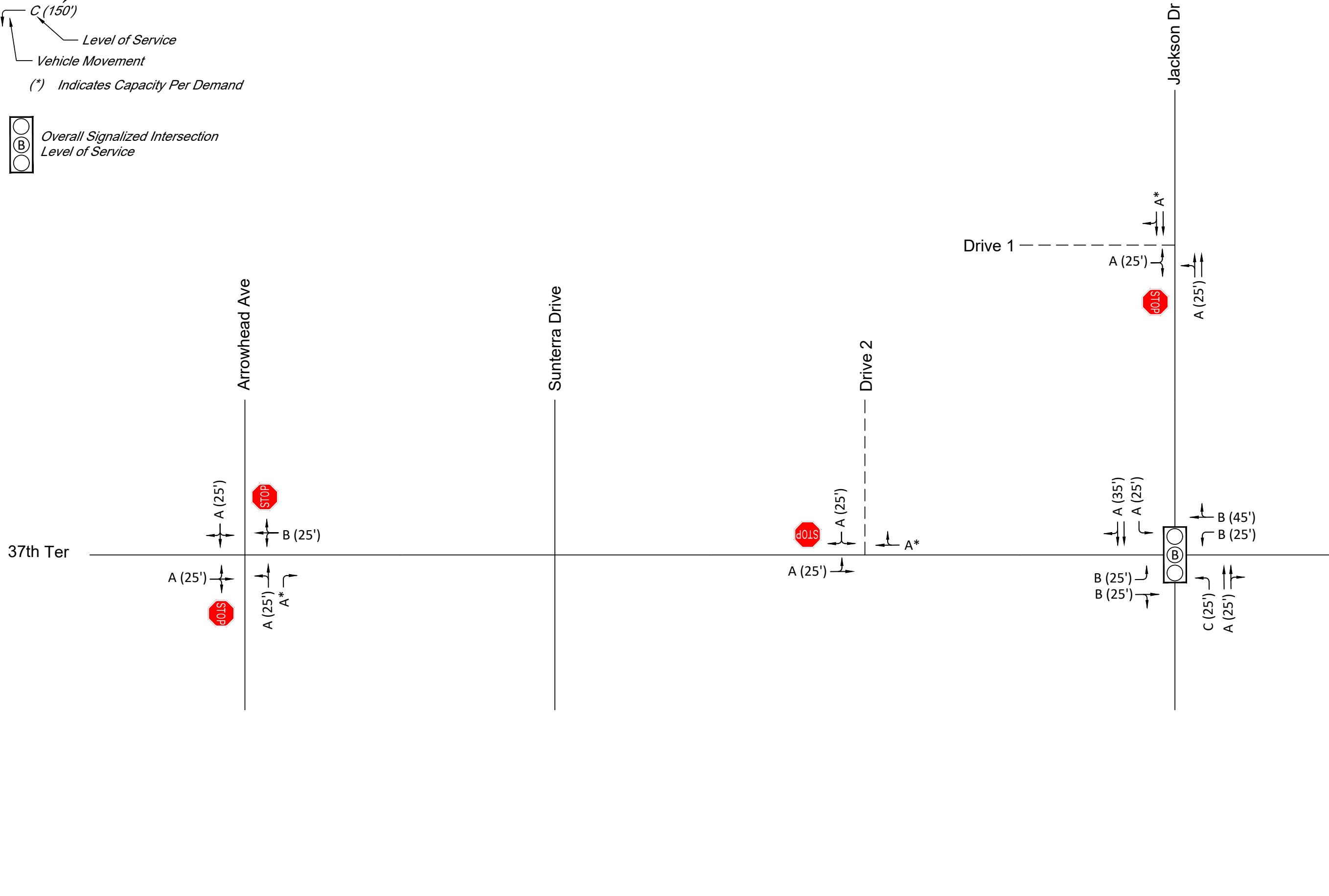
Level of Service

Vehicle Movement

(*) Indicates Capacity Per Demand

(B)

Overall Signalized Intersection
Level of Service



	PROJECT NUMBER		FIGURE 6	EXISTING LEVELS OF SERVICE AM PEAK HOUR
	24035	DATE		
		MAY 2024		

LEGEND

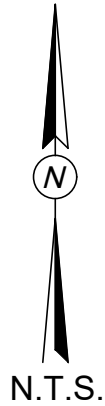
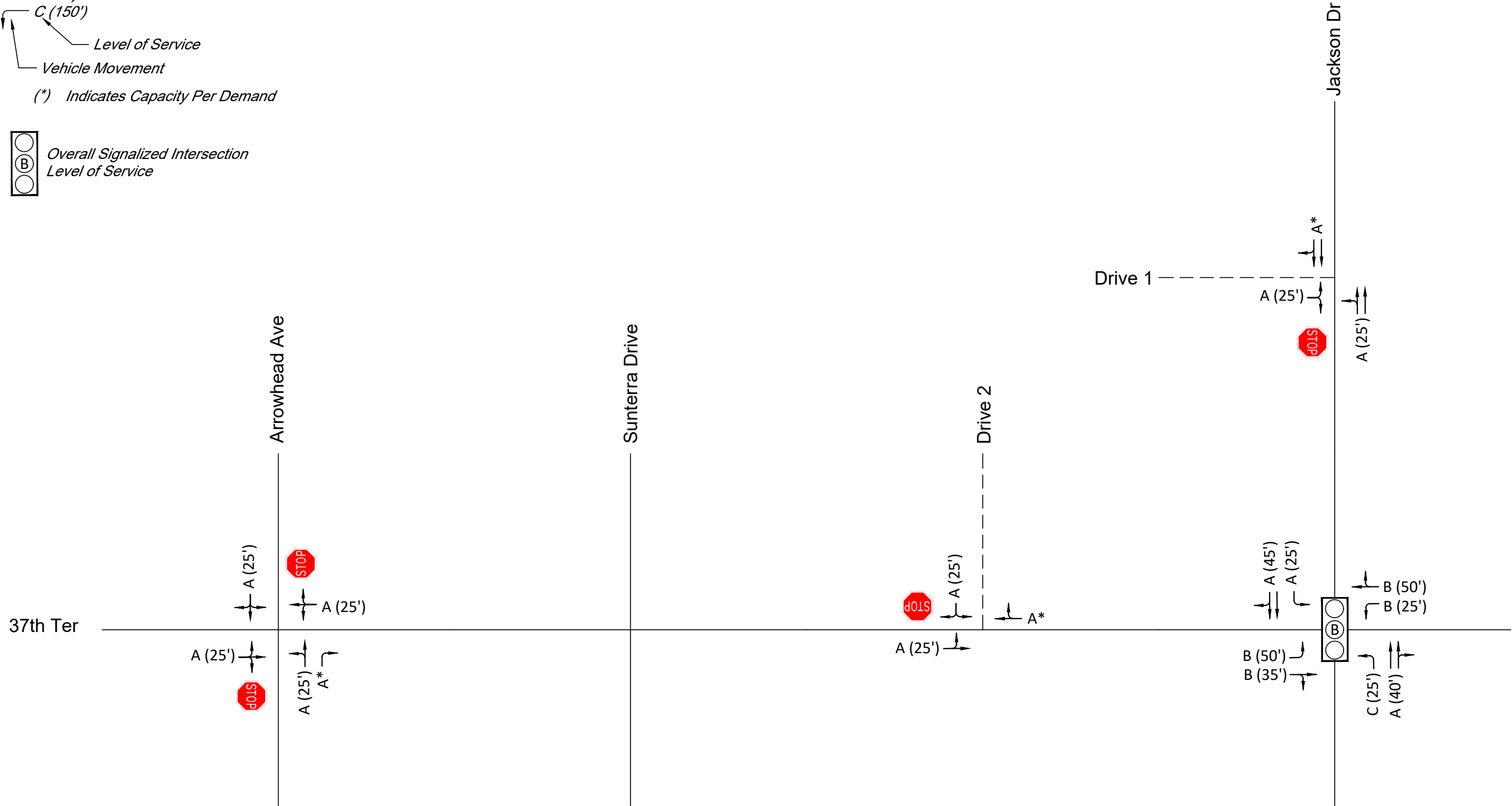
Estimated Queue Length

Level of Service

Vehicle Movement

(*) Indicates Capacity Per Demand

Overall Signalized Intersection Level of Service



PROJECT NUMBER
24035

DATE
MAY 2024

FIGURE 7

EXISTING
LEVELS OF SERVICE
PM PEAK HOUR

LEGEND

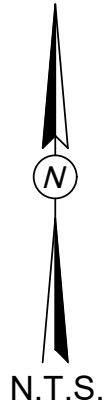
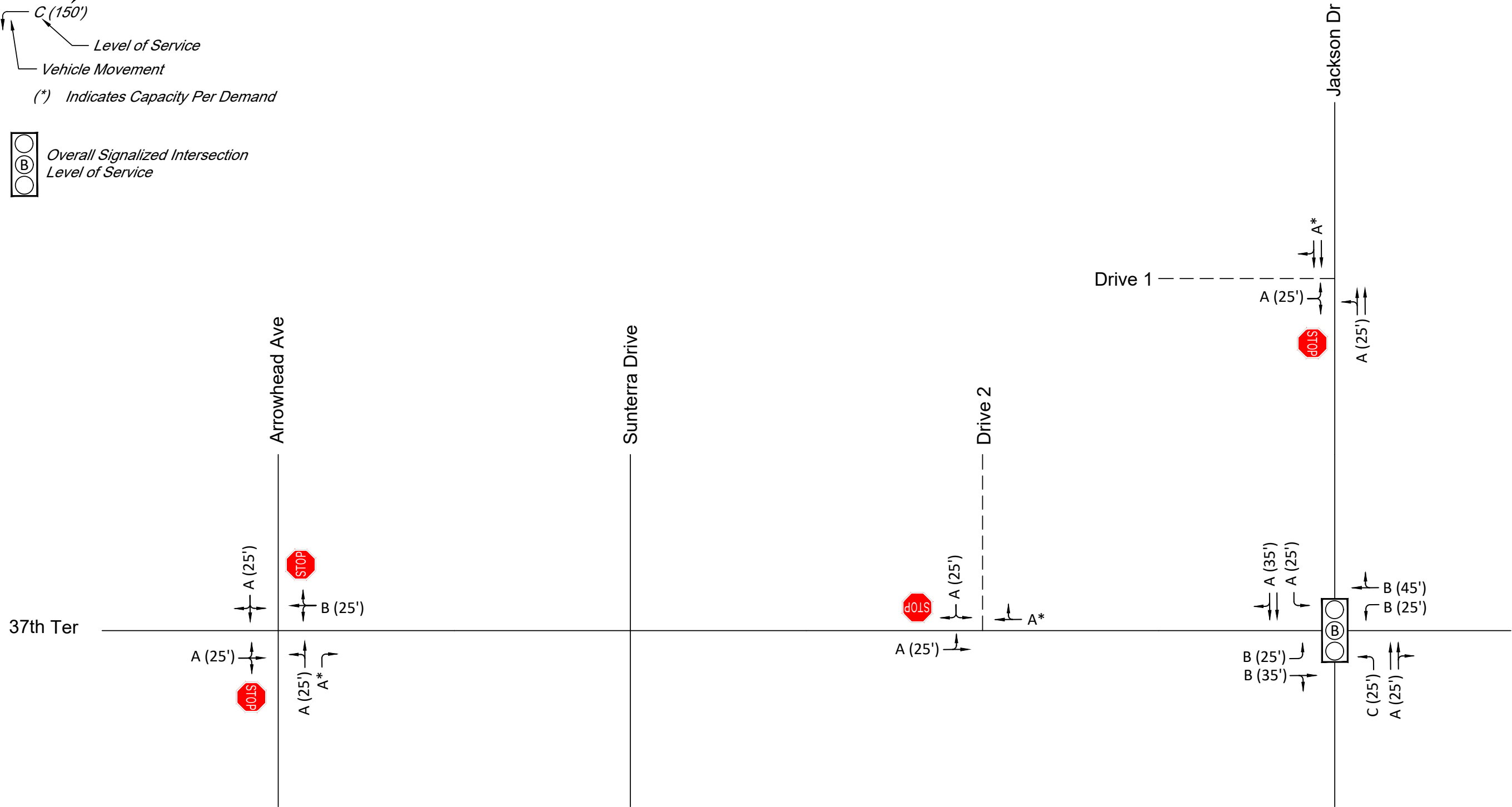
Estimated Queue Length

Level of Service

Vehicle Movement

(*) Indicates Capacity Per Demand

Overall Signalized Intersection
Level of Service



EXISTING + SITE
LEVELS OF SERVICE
AM PEAK HOUR

FIGURE 8

PROJECT NUMBER	24035
DATE	MAY 2024



LEGEND

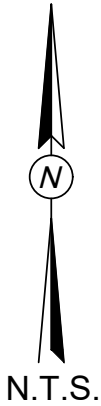
Estimated Queue Length

Level of Service

Vehicle Movement

(*) Indicates Capacity Per Demand

Overall Signalized Intersection
Level of Service



EXISTING + SITE
LEVELS OF SERVICE
PM PEAK HOUR

FIGURE 9

PROJECT NUMBER	24035
	DATE
MAY 2024	



LEGEND

Estimated Queue Length

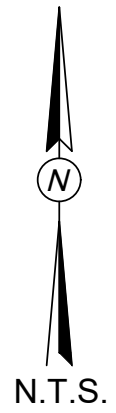
Level of Service

Vehicle Movement

(*) Indicates Capacity Per Demand

(B)

Overall Signalized Intersection
Level of Service



	PROJECT NUMBER 24035	FIGURE 10	FUTURE + SITE LEVELS OF SERVICE AM PEAK HOUR
	DATE MAY 2024		

FIGURE 10

LEGEND

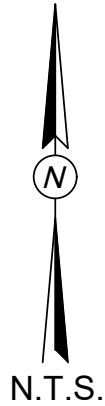
Estimated Queue Length

Level of Service

Vehicle Movement

(*) Indicates Capacity Per Demand

Overall Signalized Intersection Level of Service



PROJECT NUMBER
24035

DATE
MAY 2024

FIGURE 11

FUTURE + SITE
LEVELS OF SERVICE
PM PEAK HOUR

APPENDIX

RAW TURNING MOVEMENT
TRAFFIC COUNTS

TRIP GENERATION CALCULATIONS

SYNCHRO REPORTS

TURN LANE WARRANTS



Jackson Drive & 37th Terrace - TMC

Tue Apr 23, 2024

Full Length (7 AM-9 AM, 4 PM-6 PM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177141, Location: 39.051366, -94.352227



Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US

Leg Direction	Jackson Drive Southbound						37th Terrace Westbound						Jackson Drive Northbound						37th Terrace Eastbound						
Time	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	Int
2024-04-23 7:00AM	9	16	2	0	27	0	2	5	6	0	13	0	3	4	0	0	7	0	0	4	3	0	7	0	54
7:15AM	12	34	5	0	51	0	3	10	6	0	19	0	4	17	1	0	22	0	4	6	6	0	16	0	108
7:30AM	15	34	4	0	53	0	3	10	6	0	19	0	3	7	1	0	11	0	3	1	5	0	9	0	92
7:45AM	11	35	3	0	49	1	3	16	4	0	23	0	3	14	0	0	17	0	1	3	3	0	7	0	96
Hourly Total	47	119	14	0	180	1	11	41	22	0	74	0	13	42	2	0	57	0	8	14	17	0	39	0	350
8:00AM	10	24	6	0	40	0	3	9	1	0	13	0	0	12	2	0	14	1	0	4	4	0	8	0	75
8:15AM	6	19	2	0	27	0	2	7	1	0	10	0	1	11	1	0	13	0	2	3	2	0	7	0	57
8:30AM	12	31	4	0	47	0	4	9	4	0	17	0	2	14	1	0	17	0	5	0	6	0	11	0	92
8:45AM	19	31	6	0	56	0	5	9	2	0	16	0	3	13	1	0	17	0	0	0	5	0	5	0	94
Hourly Total	47	105	18	0	170	0	14	34	8	0	56	0	6	50	5	0	61	1	7	7	17	0	31	0	318
4:00PM	8	32	3	0	43	0	5	8	5	0	18	0	7	47	5	0	59	0	5	11	16	0	32	0	152
4:15PM	12	43	5	0	60	0	5	15	5	0	25	0	8	48	5	0	61	0	3	13	14	0	30	0	176
4:30PM	12	41	8	0	61	1	3	3	2	0	8	0	3	31	3	0	37	0	7	8	15	0	30	0	136
4:45PM	18	44	3	0	65	1	5	14	5	0	24	0	4	41	2	0	47	1	3	5	16	0	24	1	160
Hourly Total	50	160	19	0	229	2	18	40	17	0	75	0	22	167	15	0	204	1	18	37	61	0	116	1	624
5:00PM	16	49	4	0	69	1	9	15	7	0	31	1	7	42	2	0	51	0	4	7	17	0	28	0	179
5:15PM	14	35	5	0	54	0	3	8	3	0	14	0	7	46	6	0	59	0	7	4	12	0	23	0	150
5:30PM	19	40	1	0	60	0	8	7	4	0	19	1	9	36	2	0	47	0	3	6	16	0	25	1	151
5:45PM	20	40	3	0	63	0	7	11	12	0	30	0	10	28	2	0	40	0	3	2	14	0	19	0	152
Hourly Total	69	164	13	0	246	1	27	41	26	0	94	2	33	152	12	0	197	0	17	19	59	0	95	1	632
Total	213	548	64	0	825	4	70	156	73	0	299	2	74	411	34	0	519	2	50	77	154	0	281	2	1924
% Approach	25.8%	66.4%	7.8%	0%	-	-	23.4%	52.2%	24.4%	0%	-	-	14.3%	79.2%	6.6%	0%	-	-	17.8%	27.4%	54.8%	0%	-	-	-
% Total	11.1%	28.5%	3.3%	0%	42.9%	-	3.6%	8.1%	3.8%	0%	15.5%	-	3.8%	21.4%	1.8%	0%	27.0%	-	2.6%	4.0%	8.0%	0%	14.6%	-	-
Lights	211	545	63	0	819	-	67	152	71	0	290	-	70	398	32	0	500	-	46	75	153	0	274	-	1883
% Lights	99.1%	99.5%	98.4%	0%	99.3%	-	95.7%	97.4%	97.3%	0%	97.0%	-	94.6%	96.8%	94.1%	0%	96.3%	-	92.0%	97.4%	99.4%	0%	97.5%	-	97.9%
Articulated Trucks	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	0	-	0
% Articulated Trucks	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%
Buses and Single-Unit Trucks	2	3	1	0	6	-	3	4	2	0	9	-	4	13	2	0	19	-	4	2	1	0	7	-	41
% Buses and Single-Unit Trucks	0.9%	0.5%	1.6%	0%	0.7%	-	4.3%	2.6%	2.7%	0%	3.0%	-	5.4%	3.2%	5.9%	0%	3.7%	-	8.0%	2.6%	0.6%	0%	2.5%	-	2.1%
Pedestrians	-	-	-	-	-	4	-	-	-	-	-	2	-	-	-	-	-	2	-	-	-	-	-	1	-
% Pedestrians	-	-	-	-	-	100%	-	-	-	-	-	100%	-	-	-	-	-	100%	-	-	-	-	-	50.0%	-
Bicycles on Crosswalk	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	1	-
% Bicycles on Crosswalk	-	-	-	-	-	0%	-	-	-	-	-	0%	-	-	-	-	-	0%	-	-	-	-	-	50.0%	-

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

Jackson Drive & 37th Terrace - TMC

Tue Apr 23, 2024

Full Length (7 AM-9 AM, 4 PM-6 PM)

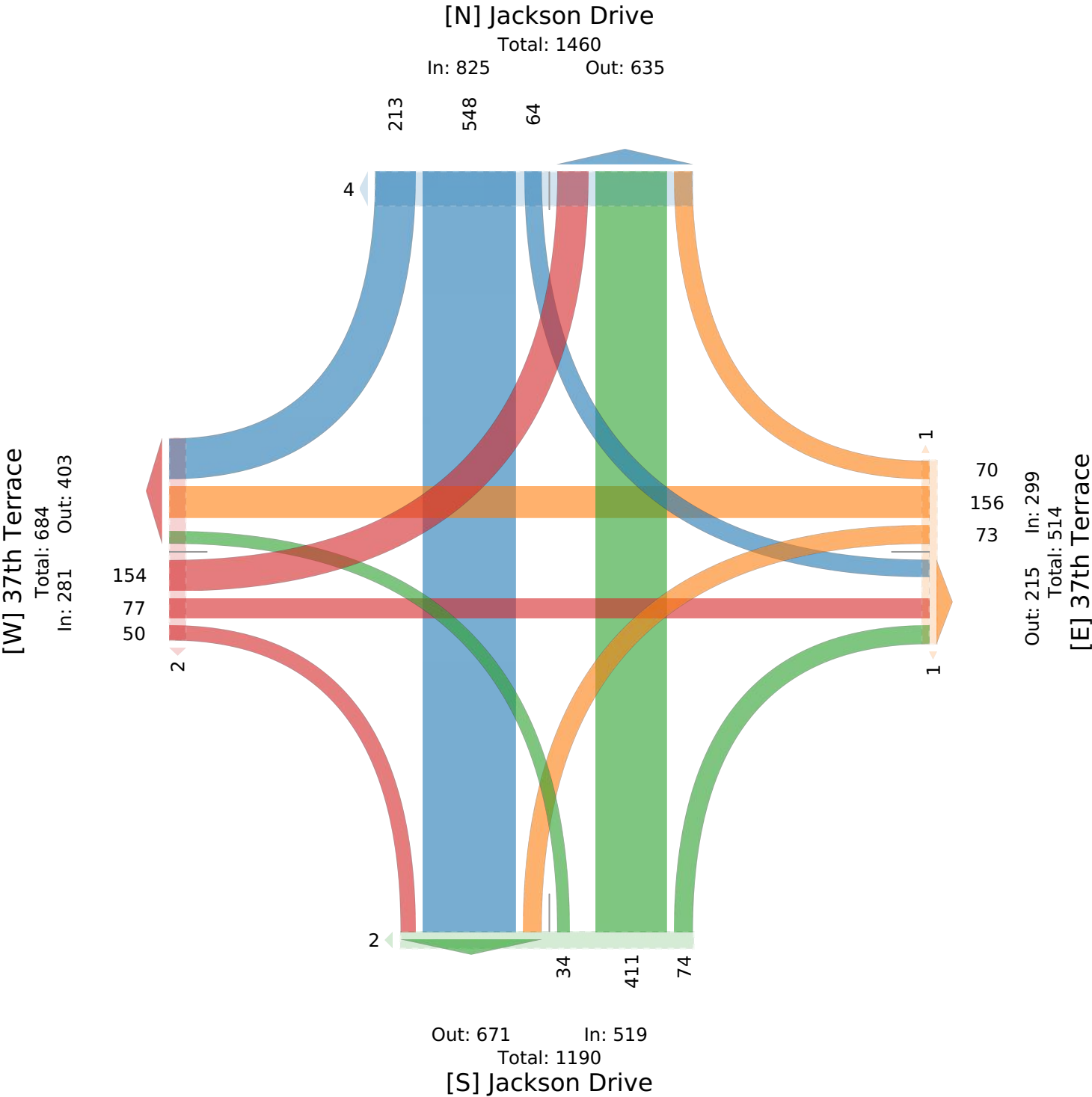
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177141, Location: 39.051366, -94.352227



Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US



Jackson Drive & 37th Terrace - TMC

Tue Apr 23, 2024

AM Peak (7:15 AM - 8:15 AM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177141, Location: 39.051366, -94.352227



Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US

Leg Direction	Jackson Drive Southbound						37th Terrace Westbound						Jackson Drive Northbound						37th Terrace Eastbound						
Time	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	Int
2024-04-23 7:15AM	12	34	5	0	51	0	3	10	6	0	19	0	4	17	1	0	22	0	4	6	6	0	16	0	108
7:30AM	15	34	4	0	53	0	3	10	6	0	19	0	3	7	1	0	11	0	3	1	5	0	9	0	92
7:45AM	11	35	3	0	49	1	3	16	4	0	23	0	3	14	0	0	17	0	1	3	3	0	7	0	96
8:00AM	10	24	6	0	40	0	3	9	1	0	13	0	0	12	2	0	14	1	0	4	4	0	8	0	75
Total	48	127	18	0	193	1	12	45	17	0	74	0	10	50	4	0	64	1	8	14	18	0	40	0	371
% Approach	24.9%	65.8%	9.3%	0%	-	-	16.2%	60.8%	23.0%	0%	-	-	15.6%	78.1%	6.3%	0%	-	-	20.0%	35.0%	45.0%	0%	-	-	-
% Total	12.9%	34.2%	4.9%	0%	52.0%	-	3.2%	12.1%	4.6%	0%	19.9%	-	2.7%	13.5%	1.1%	0%	17.3%	-	2.2%	3.8%	4.9%	0%	10.8%	-	-
PHF	0.800	0.907	0.750	-	0.910	-	1.000	0.703	0.708	-	0.804	-	0.625	0.735	0.500	-	0.727	-	0.500	0.583	0.750	-	0.625	-	0.859
Lights	48	127	18	0	193	-	11	45	17	0	73	-	10	50	4	0	64	-	7	13	18	0	38	-	368
% Lights	100%	100%	100%	0%	100%	-	91.7%	100%	100%	0%	98.6%	-	100%	100%	100%	0%	100%	-	87.5%	92.9%	100%	0%	95.0%	-	99.2%
Articulated Trucks	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	0	-	0
% Articulated Trucks	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%
Buses and Single-Unit Trucks	0	0	0	0	0	-	1	0	0	0	1	-	0	0	0	0	0	-	1	1	0	0	2	-	3
% Buses and Single-Unit Trucks	0%	0%	0%	0%	0%	-	8.3%	0%	0%	0%	1.4%	-	0%	0%	0%	0%	0%	-	12.5%	7.1%	0%	0%	5.0%	-	0.8%
Pedestrians	-	-	-	-	-	1	-	-	-	-	-	0	-	-	-	-	-	1	-	-	-	-	-	0	
% Pedestrians	-	-	-	-	-	100%	-	-	-	-	-	-	-	-	-	-	-	100%	-	-	-	-	-	-	-
Bicycles on Crosswalk	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	
% Bicycles on Crosswalk	-	-	-	-	-	0%	-	-	-	-	-	-	-	-	-	-	-	0%	-	-	-	-	-	-	-

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

Jackson Drive & 37th Terrace - TMC

Tue Apr 23, 2024

AM Peak (7:15 AM - 8:15 AM)

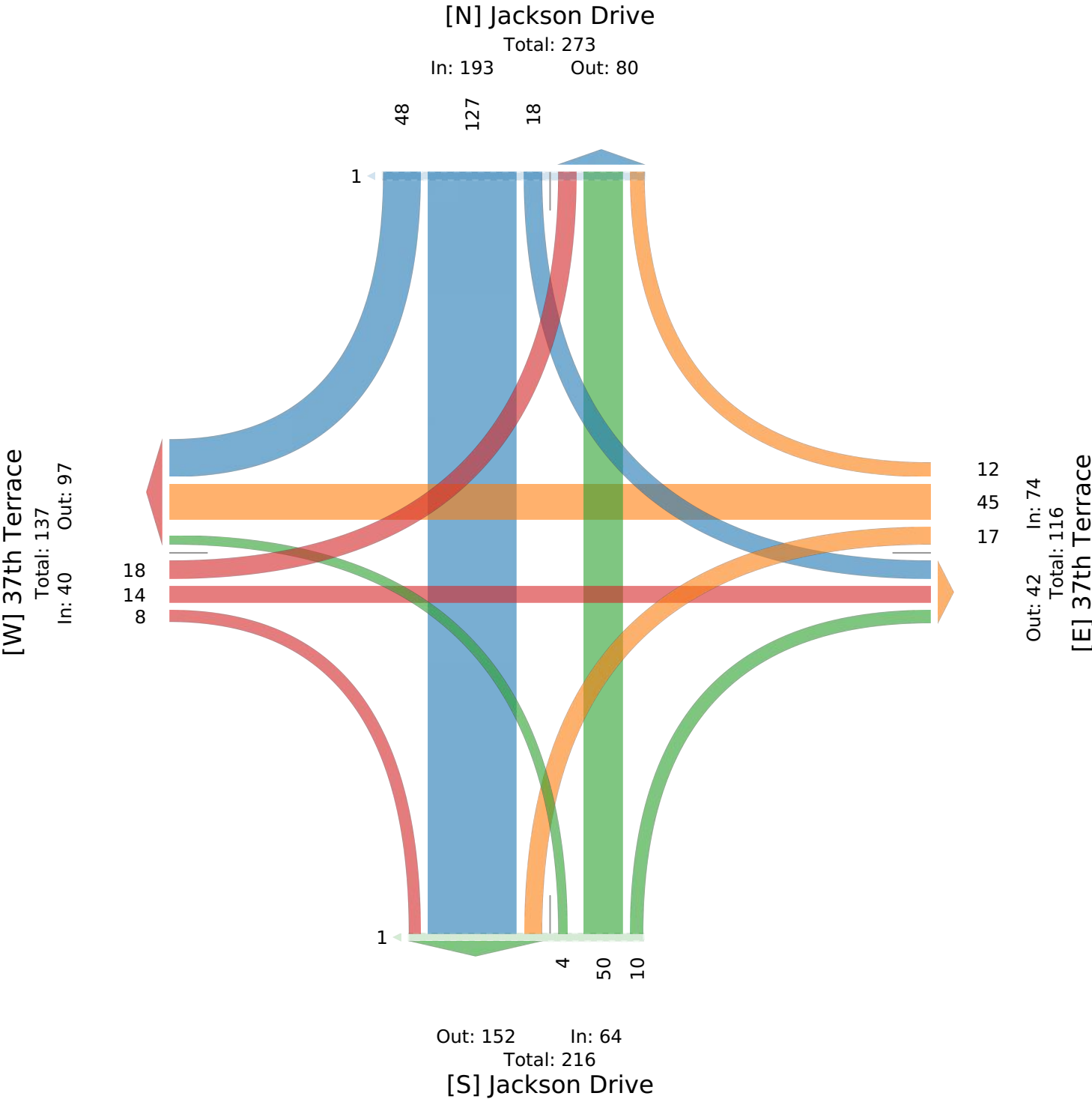
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177141, Location: 39.051366, -94.352227



Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US



Jackson Drive & 37th Terrace - TMC

Tue Apr 23, 2024

PM Peak (4:15 PM - 5:15 PM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177141, Location: 39.051366, -94.352227



Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US

Leg Direction	Jackson Drive Southbound						37th Terrace Westbound						Jackson Drive Northbound						37th Terrace Eastbound						
Time	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	Int
2024-04-23 4:15PM	12	43	5	0	60	0	5	15	5	0	25	0	8	48	5	0	61	0	3	13	14	0	30	0	176
4:30PM	12	41	8	0	61	1	3	3	2	0	8	0	3	31	3	0	37	0	7	8	15	0	30	0	136
4:45PM	18	44	3	0	65	1	5	14	5	0	24	0	4	41	2	0	47	1	3	5	16	0	24	1	160
5:00PM	16	49	4	0	69	1	9	15	7	0	31	1	7	42	2	0	51	0	4	7	17	0	28	0	179
Total	58	177	20	0	255	3	22	47	19	0	88	1	22	162	12	0	196	1	17	33	62	0	112	1	651
% Approach	22.7%	69.4%	7.8%	0%	-	-	25.0%	53.4%	21.6%	0%	-	-	11.2%	82.7%	6.1%	0%	-	-	15.2%	29.5%	55.4%	0%	-	-	-
% Total	8.9%	27.2%	3.1%	0%	39.2%	-	3.4%	7.2%	2.9%	0%	13.5%	-	3.4%	24.9%	1.8%	0%	30.1%	-	2.6%	5.1%	9.5%	0%	17.2%	-	-
PHF	0.806	0.903	0.625	-	0.924	-	0.611	0.783	0.679	-	0.710	-	0.688	0.844	0.600	-	0.803	-	0.607	0.635	0.912	-	0.933	-	0.909
Lights	58	176	19	0	253	-	21	46	19	0	86	-	20	158	11	0	189	-	15	32	61	0	108	-	636
% Lights	100%	99.4%	95.0%	0%	99.2%	-	95.5%	97.9%	100%	0%	97.7%	-	90.9%	97.5%	91.7%	0%	96.4%	-	88.2%	97.0%	98.4%	0%	96.4%	-	97.7%
Articulated Trucks	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	0	-	0
% Articulated Trucks	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%
Buses and Single-Unit Trucks	0	1	1	0	2	-	1	1	0	0	2	-	2	4	1	0	7	-	2	1	1	0	4	-	15
% Buses and Single-Unit Trucks	0%	0.6%	5.0%	0%	0.8%	-	4.5%	2.1%	0%	0%	2.3%	-	9.1%	2.5%	8.3%	0%	3.6%	-	11.8%	3.0%	1.6%	0%	3.6%	-	2.3%
Pedestrians	-	-	-	-	-	3	-	-	-	-	-	1	-	-	-	-	-	1	-	-	-	-	-	1	
% Pedestrians	-	-	-	-	-	100%	-	-	-	-	-	100%	-	-	-	-	-	100%	-	-	-	-	-	-	
Bicycles on Crosswalk	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	
% Bicycles on Crosswalk	-	-	-	-	-	0%	-	-	-	-	-	0%	-	-	-	-	-	0%	-	-	-	-	-	0%	

* Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

Jackson Drive & 37th Terrace - TMC

Tue Apr 23, 2024

PM Peak (4:15 PM - 5:15 PM) - Overall Peak Hour

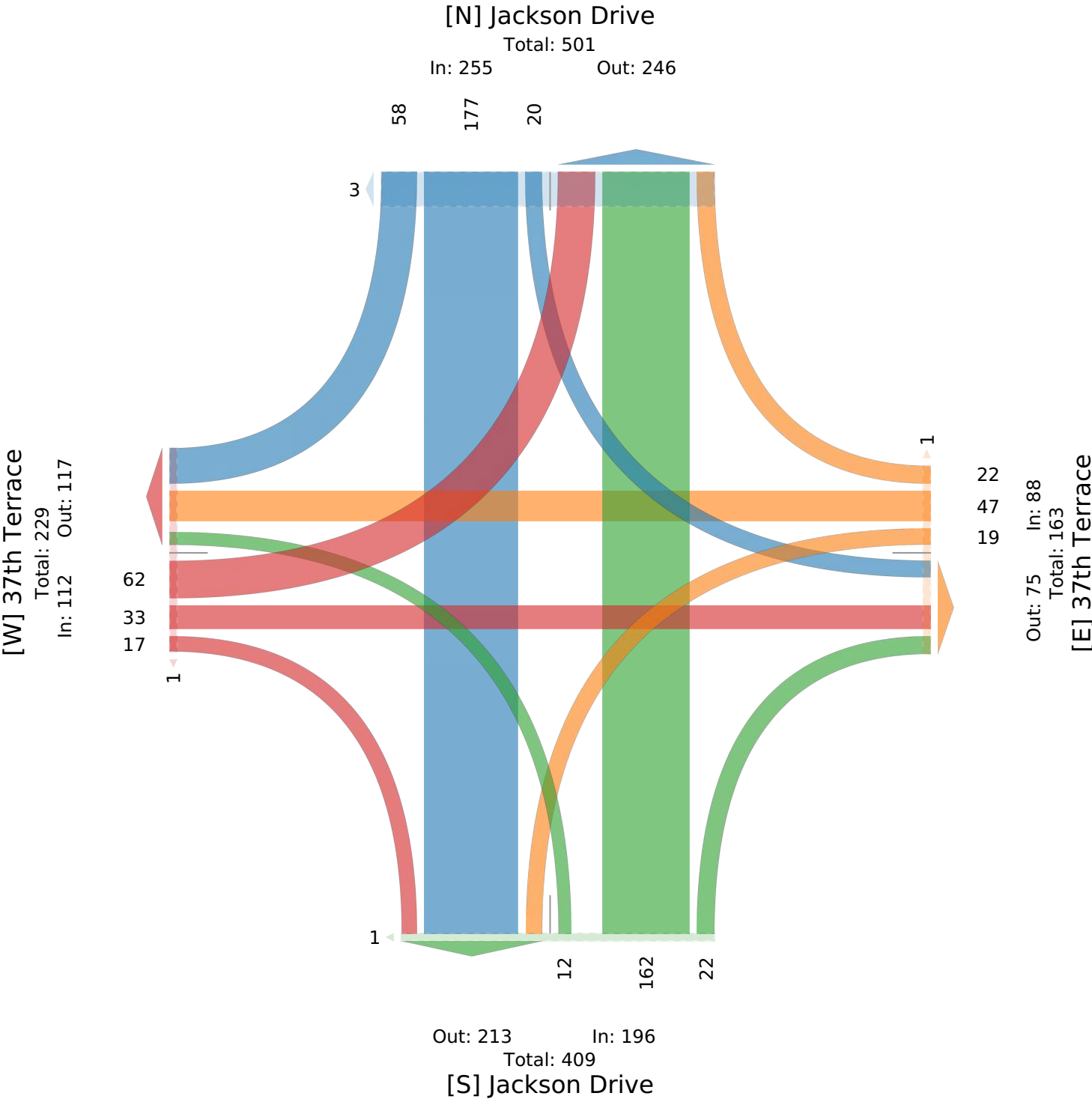
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177141, Location: 39.051366, -94.352227



Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US



37th Terrace & Sunterra Springs East Drive - TMC

Tue Apr 23, 2024

Full Length (7 AM-9 AM, 4 PM-6 PM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177142, Location: 39.050914, -94.353823



Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US

Leg Direction	Sunterra Springs East Drive Southbound							37th Terrace Westbound							Driveway Northbound							37th Terrace Eastbound							
Time	R	T	L	U	App	Ped*		R	T	L	U	App	Ped*		R	T	L	U	App	Ped*		R	T	L	U	App	Ped*		Int
2024-04-23 7:00AM	0	0	0	0	0	1		1	12	0	0	13	0		1	0	0	0	1	0		0	6	0	0	6	0		20
7:15AM	1	0	0	0	1	0		0	22	0	0	22	0		1	0	0	0	1	0		0	16	2	0	18	0		42
7:30AM	0	0	0	0	0	0		0	25	1	0	26	0		1	1	1	0	3	0		0	8	1	0	9	0		38
7:45AM	1	0	0	0	1	1		0	26	0	0	26	0		0	0	1	0	1	0		0	7	4	0	11	0		39
Hourly Total	2	0	0	0	2	2		1	85	1	0	87	0		3	1	2	0	6	0		0	37	7	0	44	0		139
8:00AM	0	0	0	0	0	0		0	21	0	0	21	0		0	1	0	0	1	0		0	7	0	0	7	0		29
8:15AM	0	0	0	0	0	0		1	12	1	0	14	0		0	0	0	0	0	0		1	8	0	0	9	0		23
8:30AM	0	0	0	0	0	0		0	21	1	0	22	0		1	0	1	0	2	0		0	10	0	0	10	0		34
8:45AM	0	0	0	0	0	0		4	24	1	0	29	0		2	0	0	0	2	0		0	6	1	0	7	0		38
Hourly Total	0	0	0	0	0	0		5	78	3	0	86	0		3	1	1	0	5	0		1	31	1	0	33	0		124
4:00PM	0	0	1	0	1	0		2	16	2	0	20	0		9	0	0	0	9	0		1	25	1	0	27	0		57
4:15PM	1	0	1	0	2	0		3	28	2	0	33	0		6	0	1	0	7	0		1	21	0	0	22	0		64
4:30PM	0	0	0	0	0	0		2	13	5	0	20	0		8	0	3	0	11	0		1	23	0	0	24	0		55
4:45PM	0	0	2	0	2	0		1	24	8	0	33	0		7	0	0	0	7	0		1	15	0	0	16	0		58
Hourly Total	1	0	4	0	5	0		8	81	17	0	106	0		30	0	4	0	34	0		4	84	1	0	89	0		234
5:00PM	0	0	2	0	2	0		1	33	0	0	34	0		8	0	1	0	9	0		0	21	1	0	22	0		67
5:15PM	2	1	3	0	6	0		0	24	5	0	29	0		7	0	2	0	9	0		2	17	0	0	19	0		63
5:30PM	0	0	0	0	0	0		3	18	6	0	27	0		12	0	1	0	13	0		0	15	2	0	17	0		57
5:45PM	0	0	0	0	0	0		1	28	5	0	34	0		8	0	3	0	11	0		1	13	0	0	14	0		59
Hourly Total	2	1	5	0	8	0		5	103	16	0	124	0		35	0	7	0	42	0		3	66	3	0	72	0		246
Total	5	1	9	0	15	2		19	347	37	0	403	0		71	2	14	0	87	0		8	218	12	0	238	0		743
% Approach	33.3%	6.7%	60.0%	0%	-	-		4.7%	86.1%	9.2%	0%	-	-		81.6%	2.3%	16.1%	0%	-	-		3.4%	91.6%	5.0%	0%	-	-		-
% Total	0.7%	0.1%	1.2%	0%	2.0%	-		2.6%	46.7%	5.0%	0%	54.2%	-		9.6%	0.3%	1.9%	0%	11.7%	-		1.1%	29.3%	1.6%	0%	32.0%	-		-
Lights	5	1	9	0	15	-		19	338	37	0	394	-		71	2	13	0	86	-		8	211	12	0	231	-		726
% Lights	100%	100%	100%	0%	100%	-		100%	97.4%	100%	0%	97.8%	-		100%	100%	92.9%	0%	98.9%	-		100%	96.8%	100%	0%	97.1%	-		97.7%
Articulated Trucks	0	0	0	0	0	-		0	0	0	0	0	-		0	0	0	0	0	-		0	0	0	0	0	-		0
% Articulated Trucks	0%	0%	0%	0%	0%	-		0%	0%	0%	0%	0%	-		0%	0%	0%	0%	0%	-		0%	0%	0%	0%	0%	-		0%
Buses and Single-Unit Trucks	0	0	0	0	0	-		0	9	0	0	9	-		0	0	1	0	1	-		0	7	0	0	7	-		17
% Buses and Single-Unit Trucks	0%	0%	0%	0%	0%	-		0%	2.6%	0%	0%	2.2%	-		0%	0%	7.1%	0%	1.1%	-		0%	3.2%	0%	0%	2.9%	-		2.3%
Pedestrians	-	-	-	-	-	2		-	-	-	-	-	0		-	-	-	-	-	0		-	-	-	-	-	-		0
% Pedestrians	-	-	-	-	-	- 100%		-	-	-	-	-	-		-	-	-	-	-	-		-	-	-	-	-	-		-
Bicycles on Crosswalk	-	-	-	-	-	0		-	-	-	-	-	0		-	-	-	-	-	0		-	-	-	-	-	-		0
% Bicycles on Crosswalk	-	-	-	-	-	0%		-	-	-	-	-	-		-	-	-	-	-	-		-	-	-	-	-	-		-

* Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

37th Terrace & Sunterra Springs East Drive - TMC
Tue Apr 23, 2024
Full Length (7 AM-9 AM, 4 PM-6 PM)
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)
All Movements
ID: 1177142, Location: 39.050914, -94.353823

[N] Sunterra Springs East Drive

Total: 48
In: 15 Out: 33

5 1 9

2

[W] 37th Terrace
Total: 604
In: 238 Out: 366

12
218
8

19
347
37
Out: 298 In: 403
Total: 701

[E] 37th Terrace

Out: 46 In: 87
Total: 133
[S] Driveway

14 2 71

37th Terrace & Sunterra Springs East Drive - TMC

Tue Apr 23, 2024

AM Peak (7:15 AM - 8:15 AM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177142, Location: 39.050914, -94.353823



Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US

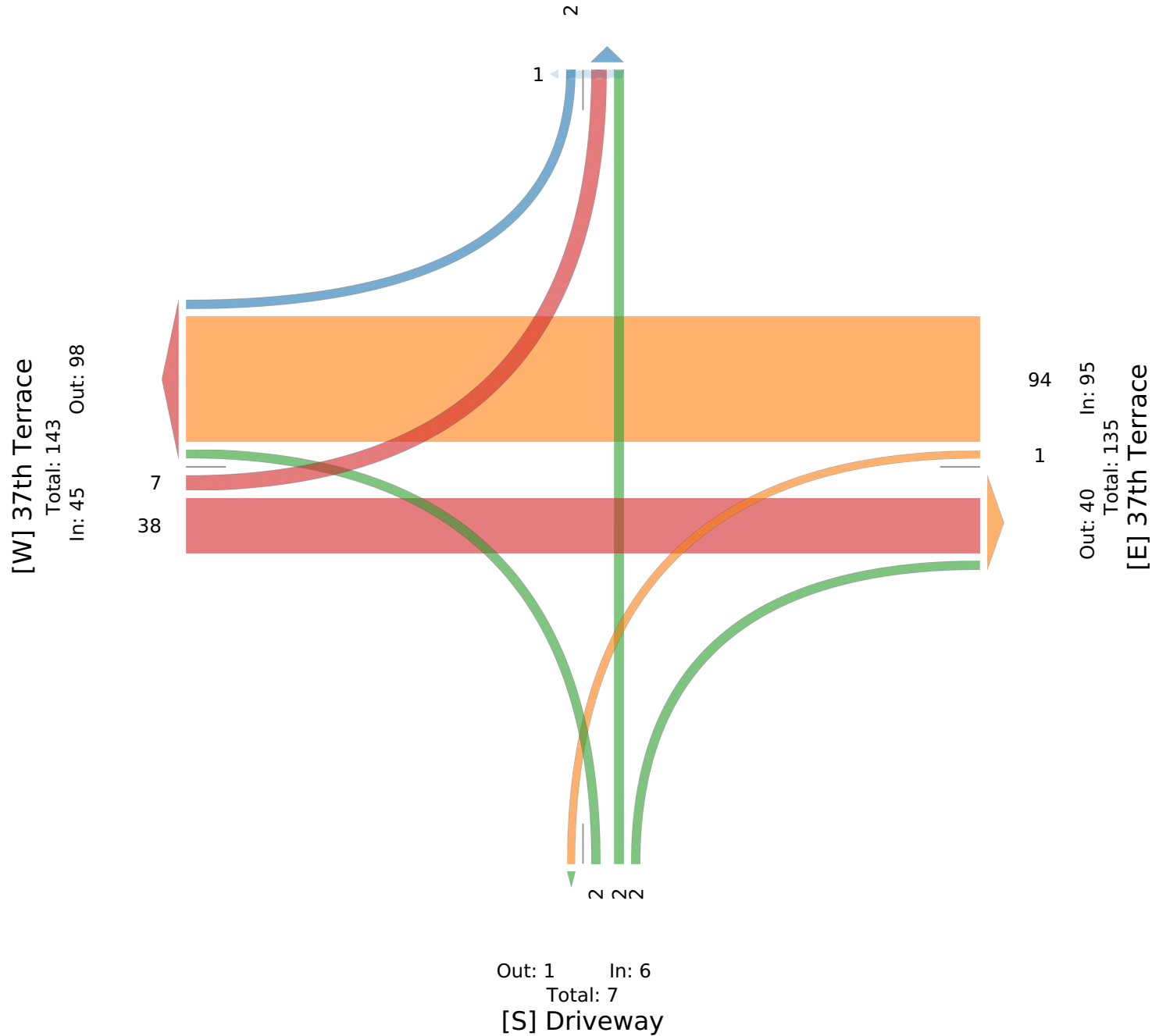
Leg Direction	Suntterra Springs East Drive Southbound							37th Terrace Westbound							Driveway Northbound							37th Terrace Eastbound							
Time	R	T	L	U	App	Ped*		R	T	L	U	App	Ped*		R	T	L	U	App	Ped*		R	T	L	U	App	Ped*	Int	
2024-04-23 7:15AM	1	0	0	0	1	0		0	22	0	0	22	0		1	0	0	0	1	0		0	16	2	0	18	0		42
7:30AM	0	0	0	0	0	0		0	25	1	0	26	0		1	1	1	0	3	0		0	8	1	0	9	0		38
7:45AM	1	0	0	0	1	1		0	26	0	0	26	0		0	0	1	0	1	0		0	7	4	0	11	0		39
8:00AM	0	0	0	0	0	0		0	21	0	0	21	0		0	1	0	0	1	0		0	7	0	0	7	0		29
Total	2	0	0	0	2	1		0	94	1	0	95	0		2	2	2	0	6	0		0	38	7	0	45	0		148
% Approach	100%	0%	0%	0%	-	-		0%	98.9%	1.1%	0%	-	-		33.3%	33.3%	33.3%	0%	-	-		0%	84.4%	15.6%	0%	-	-		-
% Total	1.4%	0%	0%	0%	1.4%	-		0%	63.5%	0.7%	0%	64.2%	-		1.4%	1.4%	1.4%	0%	4.1%	-		0%	25.7%	4.7%	0%	30.4%	-		-
PHF	0.500	-	-	-	0.500	-		-	0.904	0.250	-	0.913	-		0.500	0.500	0.500	-	0.500	-		-	0.594	0.438	-	0.625	-		0.881
Lights	2	0	0	0	2	-		0	94	1	0	95	-		2	2	2	0	6	-		0	36	7	0	43	-		146
% Lights	100%	0%	0%	0%	100%	-		0%	100%	100%	0%	100%	-		100%	100%	100%	0%	100%	-		0%	94.7%	100%	0%	95.6%	-		98.6%
Articulated Trucks	0	0	0	0	0	-		0	0	0	0	0	-		0	0	0	0	0	-		0	0	0	0	0	-		0
% Articulated Trucks	0%	0%	0%	0%	0%	-		0%	0%	0%	0%	0%	-		0%	0%	0%	0%	0%	-		0%	0%	0%	0%	0%	-		0%
Buses and Single-Unit Trucks	0	0	0	0	0	-		0	0	0	0	0	-		0	0	0	0	0	-		0	2	0	0	2	-		2
% Buses and Single-Unit Trucks	0%	0%	0%	0%	0%	-		0%	0%	0%	0%	0%	-		0%	0%	0%	0%	0%	-		0%	5.3%	0%	0%	4.4%	-		1.4%
Pedestrians	-	-	-	-	-	1		-	-	-	-	-	0		-	-	-	-	-	0		-	-	-	-	-	0		
% Pedestrians	-	-	-	-	-	100%		-	-	-	-	-	-		-	-	-	-	-	-		-	-	-	-	-	-		-
Bicycles on Crosswalk	-	-	-	-	-	0		-	-	-	-	-	0		-	-	-	-	-	0		-	-	-	-	-	0		
% Bicycles on Crosswalk	-	-	-	-	-	0%		-	-	-	-	-	-		-	-	-	-	-	-		-	-	-	-	-	-		-

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

37th Terrace & Sunterra Springs East Drive - TMC
Tue Apr 23, 2024
AM Peak (7:15 AM - 8:15 AM)
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)
All Movements
ID: 1177142, Location: 39.050914, -94.353823

[N] Sunterra Springs East Drive

Total: 11
In: 2 Out: 9



37th Terrace & Sunterra Springs East Drive - TMC

Tue Apr 23, 2024

PM Peak (5 PM - 6 PM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177142, Location: 39.050914, -94.353823



Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US

Leg Direction	Sunterra Springs East Drive Southbound						37th Terrace Westbound						Driveway Northbound						37th Terrace Eastbound						
Time	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	Int
2024-04-23 5:00PM	0	0	2	0	2	0	1	33	0	0	34	0	8	0	1	0	9	0	0	21	1	0	22	0	67
5:15PM	2	1	3	0	6	0	0	24	5	0	29	0	7	0	2	0	9	0	2	17	0	0	19	0	63
5:30PM	0	0	0	0	0	0	3	18	6	0	27	0	12	0	1	0	13	0	0	15	2	0	17	0	57
5:45PM	0	0	0	0	0	0	1	28	5	0	34	0	8	0	3	0	11	0	1	13	0	0	14	0	59
Total	2	1	5	0	8	0	5	103	16	0	124	0	35	0	7	0	42	0	3	66	3	0	72	0	246
% Approach	25.0%	12.5%	62.5%	0%	-	-	4.0%	83.1%	12.9%	0%	-	-	83.3%	0%	16.7%	0%	-	-	4.2%	91.7%	4.2%	0%	-	-	-
% Total	0.8%	0.4%	2.0%	0%	3.3%	-	2.0%	41.9%	6.5%	0%	50.4%	-	14.2%	0%	2.8%	0%	17.1%	-	1.2%	26.8%	1.2%	0%	29.3%	-	-
PHF	0.250	0.250	0.417	-	0.333	-	0.417	0.780	0.667	-	0.912	-	0.729	-	0.583	-	0.808	-	0.375	0.786	0.375	-	0.818	-	0.918
Lights	2	1	5	0	8	-	5	102	16	0	123	-	35	0	6	0	41	-	3	65	3	0	71	-	243
% Lights	100%	100%	100%	0%	100%	-	100%	99.0%	100%	0%	99.2%	-	100%	0%	85.7%	0%	97.6%	-	100%	98.5%	100%	0%	98.6%	-	98.8%
Articulated Trucks	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	0	-	0
% Articulated Trucks	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%
Buses and Single-Unit Trucks	0	0	0	0	0	-	0	1	0	0	1	-	0	0	1	0	1	-	0	1	0	0	1	-	3
% Buses and Single-Unit Trucks	0%	0%	0%	0%	0%	-	0%	1.0%	0%	0%	0.8%	-	0%	0%	14.3%	0%	2.4%	-	0%	1.5%	0%	0%	1.4%	-	1.2%
Pedestrians	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-
% Pedestrians	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bicycles on Crosswalk	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-
% Bicycles on Crosswalk	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

37th Terrace & Sunterra Springs East Drive - TMC

Tue Apr 23, 2024

PM Peak (5 PM - 6 PM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177142, Location: 39.050914, -94.353823



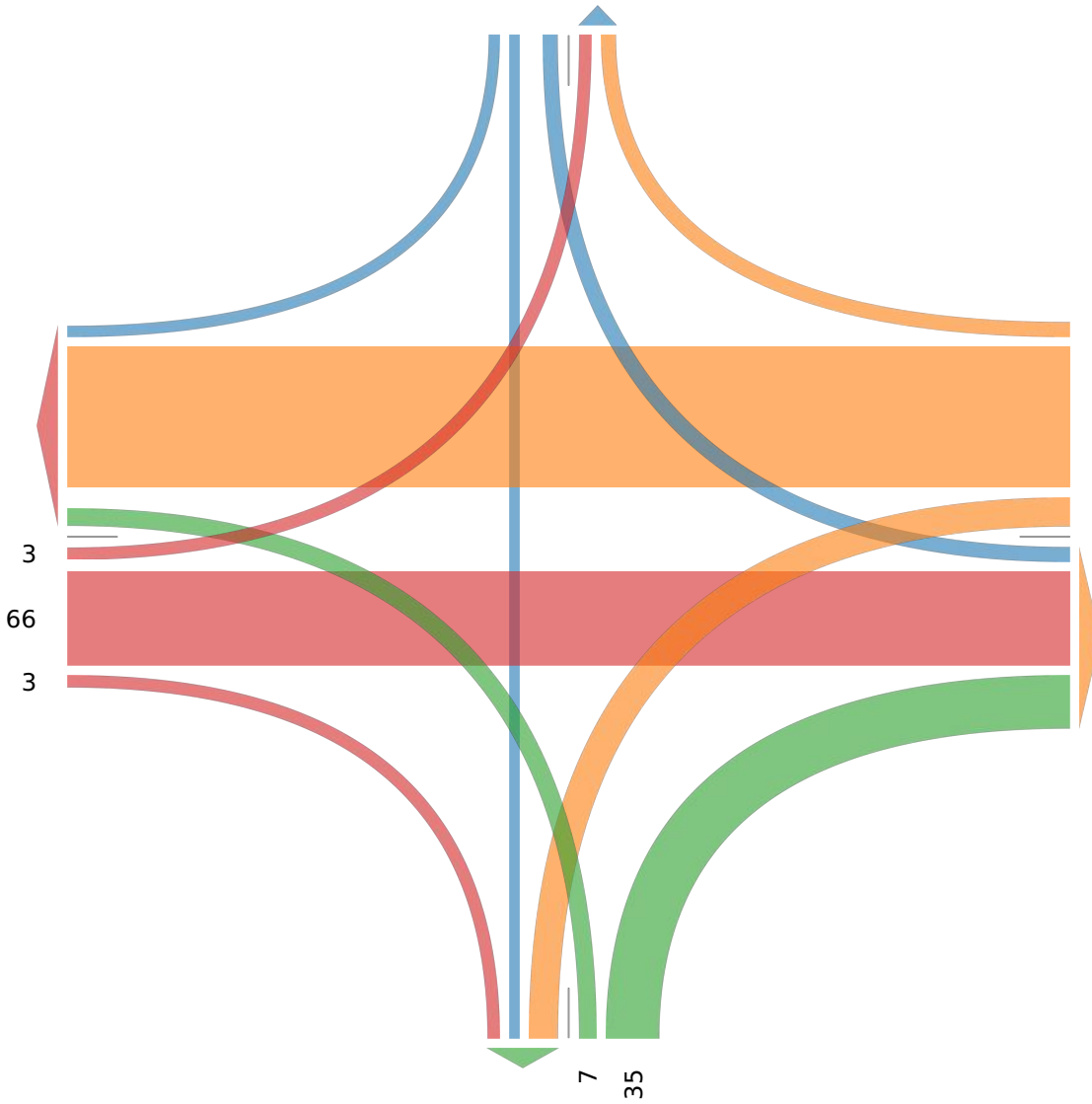
Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US

[N] Sunterra Springs East Drive

Total: 16
In: 8 Out: 8

2 1 5

[W] 37th Terrace
Total: 184
In: 72 Out: 112



5
103
16
Out: 106 In: 124
Total: 230
[E] 37th Terrace

Out: 20 In: 42
Total: 62
[S] Driveway

Arrowhead Avenue & 37th Terrace - TMC

Tue Apr 23, 2024

Full Length (7 AM-9 AM, 4 PM-6 PM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177143, Location: 39.050331, -94.359381



Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US

Leg Direction	North Southbound						37th Terrace Westbound						Arrowhead Avenue Northbound						37th Terrace Eastbound						
Time	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	Int
2024-04-23 7:00AM	0	5	0	0	5	0	0	5	20	0	25	1	7	2	0	0	9	0	0	0	0	0	0	0	39
7:15AM	0	4	1	0	5	0	1	13	21	0	35	0	16	1	1	0	18	0	0	0	0	0	0	0	58
7:30AM	0	1	0	0	1	0	0	15	23	0	38	0	7	2	5	0	14	0	0	2	0	0	2	0	55
7:45AM	1	3	1	0	5	0	1	7	34	0	42	0	9	4	3	0	16	0	0	0	1	0	1	0	64
Hourly Total	1	13	2	0	16	0	2	40	98	0	140	1	39	9	9	0	57	0	0	2	1	0	3	0	216
8:00AM	0	9	0	0	9	0	1	7	19	0	27	0	12	4	5	0	21	0	0	0	1	0	1	0	58
8:15AM	0	6	0	0	6	0	0	10	18	0	28	0	11	6	8	0	25	0	1	0	1	0	2	0	61
8:30AM	0	3	0	0	3	1	0	9	24	0	33	1	8	2	0	0	10	0	1	1	0	0	2	0	48
8:45AM	0	2	0	0	2	0	3	9	25	0	37	0	16	1	8	0	25	0	0	0	0	0	0	0	64
Hourly Total	0	20	0	0	20	1	4	35	86	0	125	1	47	13	21	0	81	0	2	1	2	0	5	0	231
4:00PM	1	1	0	0	2	1	1	6	16	0	23	0	28	3	0	0	31	0	1	7	1	0	9	2	65
4:15PM	4	1	0	0	5	0	0	1	37	0	38	0	25	1	3	0	29	0	0	5	0	0	5	0	77
4:30PM	1	6	2	0	9	0	3	5	17	0	25	0	22	5	0	0	27	2	4	6	4	0	14	0	75
4:45PM	0	2	1	0	3	4	1	10	25	0	36	0	25	1	2	0	28	0	3	4	2	0	9	4	76
Hourly Total	6	10	3	0	19	5	5	22	95	0	122	0	100	10	5	0	115	2	8	22	7	0	37	6	293
5:00PM	0	1	1	0	2	0	1	8	27	0	36	0	28	5	1	0	34	0	2	3	0	0	5	0	77
5:15PM	0	5	2	0	7	2	1	8	21	0	30	0	19	4	2	0	25	0	1	5	0	0	6	0	68
5:30PM	0	2	0	0	2	1	0	3	19	0	22	0	21	1	0	0	22	2	2	3	0	0	5	0	51
5:45PM	0	3	0	0	3	1	0	9	28	0	37	1	32	6	1	0	39	0	3	4	0	0	7	0	86
Hourly Total	0	11	3	0	14	4	2	28	95	0	125	1	100	16	4	0	120	2	8	15	0	0	23	0	282
Total	7	54	8	0	69	10	13	125	374	0	512	3	286	48	39	0	373	4	18	40	10	0	68	6	1022
% Approach	10.1%	78.3%	11.6%	0%	-	-	2.5%	24.4%	73.0%	0%	-	-	76.7%	12.9%	10.5%	0%	-	-	26.5%	58.8%	14.7%	0%	-	-	-
% Total	0.7%	5.3%	0.8%	0%	6.8%	-	1.3%	12.2%	36.6%	0%	50.1%	-	28.0%	4.7%	3.8%	0%	36.5%	-	1.8%	3.9%	1.0%	0%	6.7%	-	-
Lights	7	51	8	0	66	-	12	125	365	0	502	-	280	47	38	0	365	-	18	39	10	0	67	-	1000
% Lights	100%	94.4%	100%	0%	95.7%	-	92.3%	100%	97.6%	0%	98.0%	-	97.9%	97.9%	97.4%	0%	97.9%	-	100%	97.5%	100%	0%	98.5%	-	97.8%
Articulated Trucks	0	1	0	0	1	-	0	0	0	0	0	-	0	0	1	0	1	-	0	0	0	0	0	-	2
% Articulated Trucks	0%	1.9%	0%	0%	1.4%	-	0%	0%	0%	0%	0%	-	0%	0%	2.6%	0%	0.3%	-	0%	0%	0%	0%	0%	-	0.2%
Buses and Single-Unit Trucks	0	2	0	0	2	-	1	0	9	0	10	-	6	1	0	0	7	-	0	1	0	0	1	-	20
% Buses and Single-Unit Trucks	0%	3.7%	0%	0%	2.9%	-	7.7%	0%	2.4%	0%	2.0%	-	2.1%	2.1%	0%	0%	1.9%	-	0%	2.5%	0%	0%	1.5%	-	2.0%
Pedestrians	-	-	-	-	-	10	-	-	-	-	-	3	-	-	-	-	-	4	-	-	-	-	-	6	
% Pedestrians	-	-	-	-	-	100%	-	-	-	-	-	100%	-	-	-	-	-	100%	-	-	-	-	-	-	100%
Bicycles on Crosswalk	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	
% Bicycles on Crosswalk	-	-	-	-	-	0%	-	-	-	-	-	0%	-	-	-	-	-	0%	-	-	-	-	-	0%	-

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

Arrowhead Avenue & 37th Terrace - TMC

Tue Apr 23, 2024

Full Length (7 AM-9 AM, 4 PM-6 PM)

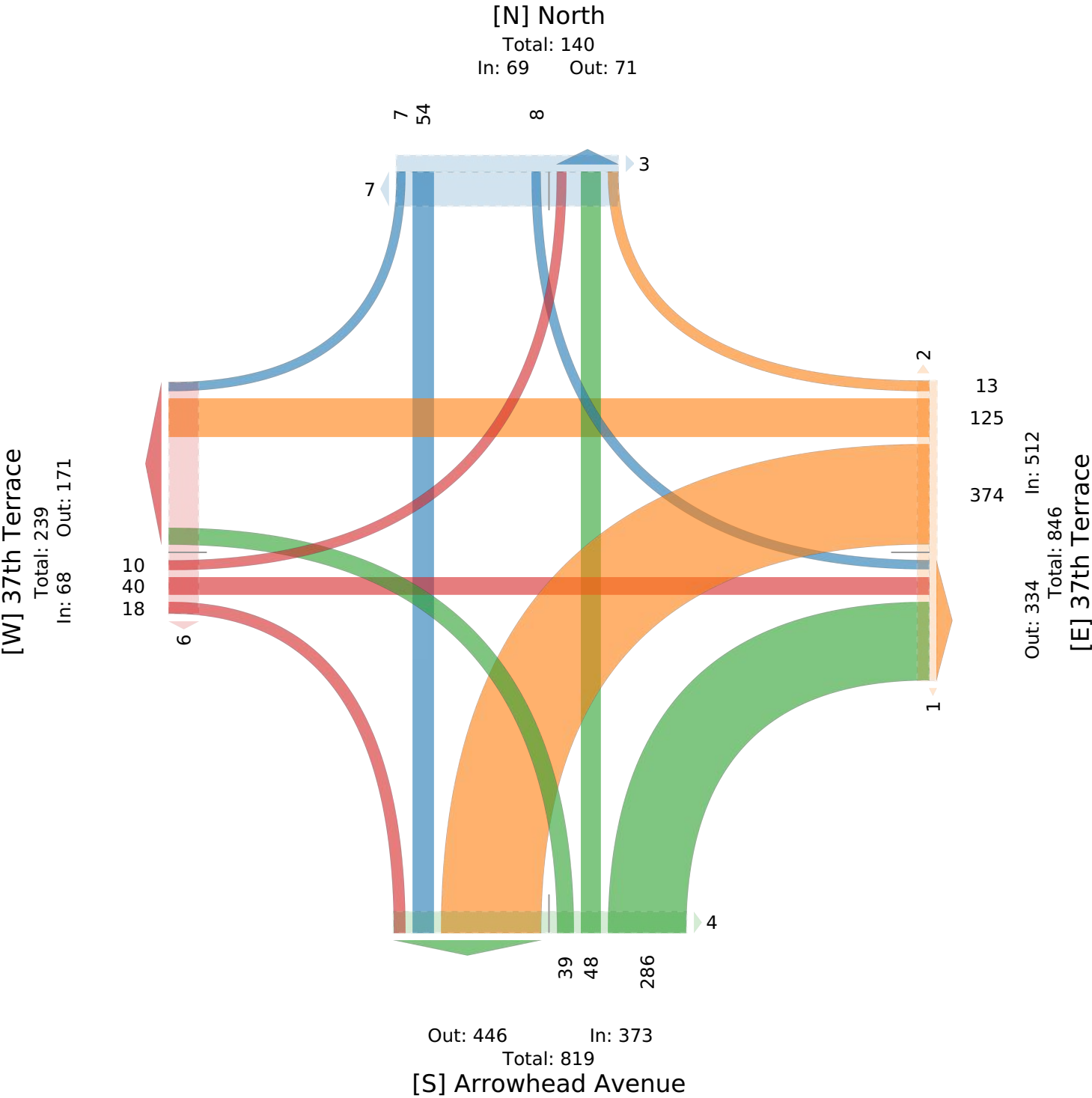
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177143, Location: 39.050331, -94.359381



Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US



Arrowhead Avenue & 37th Terrace - TMC

Tue Apr 23, 2024

AM Peak (7:30 AM - 8:30 AM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177143, Location: 39.050331, -94.359381

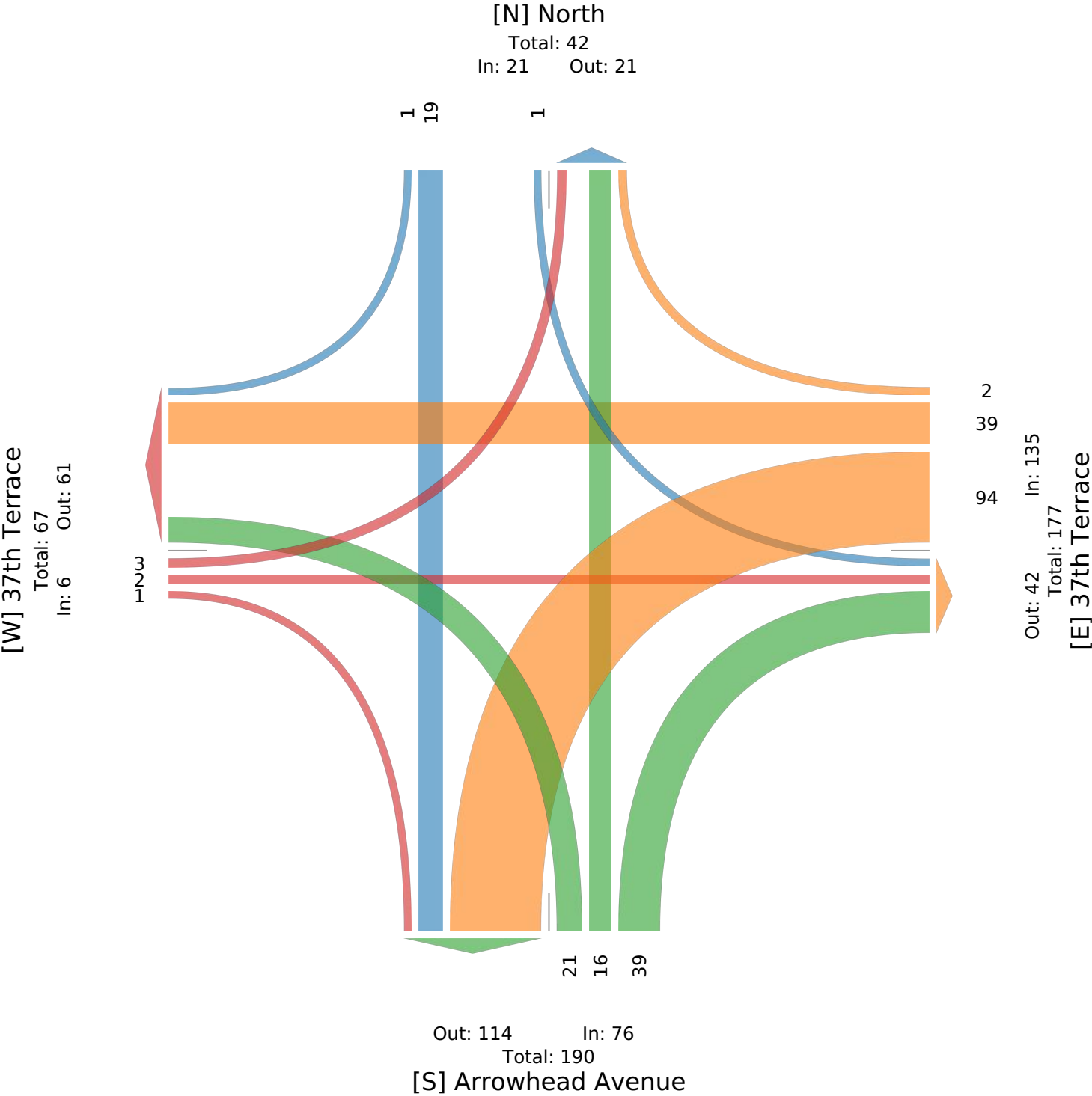


Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US

Leg Direction	North Southbound						37th Terrace Westbound						Arrowhead Avenue Northbound						37th Terrace Eastbound						
Time	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	Int
2024-04-23 7:30AM	0	1	0	0	1	0	0	15	23	0	38	0	7	2	5	0	14	0	0	2	0	0	2	0	55
7:45AM	1	3	1	0	5	0	1	7	34	0	42	0	9	4	3	0	16	0	0	0	1	0	1	0	64
8:00AM	0	9	0	0	9	0	1	7	19	0	27	0	12	4	5	0	21	0	0	0	1	0	1	0	58
8:15AM	0	6	0	0	6	0	0	10	18	0	28	0	11	6	8	0	25	0	1	0	1	0	2	0	61
Total	1	19	1	0	21	0	2	39	94	0	135	0	39	16	21	0	76	0	1	2	3	0	6	0	238
% Approach	4.8%	90.5%	4.8%	0%	-	-	1.5%	28.9%	69.6%	0%	-	-	51.3%	21.1%	27.6%	0%	-	-	16.7%	33.3%	50.0%	0%	-	-	-
% Total	0.4%	8.0%	0.4%	0%	8.8%	-	0.8%	16.4%	39.5%	0%	56.7%	-	16.4%	6.7%	8.8%	0%	31.9%	-	0.4%	0.8%	1.3%	0%	2.5%	-	-
PHF	0.250	0.528	0.250	-	0.583	-	0.500	0.650	0.691	-	0.804	-	0.813	0.667	0.656	-	0.760	-	0.250	0.250	0.750	-	0.750	-	0.930
Lights	1	18	1	0	20	-	2	39	93	0	134	-	37	15	21	0	73	-	1	1	3	0	5	-	232
% Lights	100%	94.7%	100%	0%	95.2%	-	100%	100%	98.9%	0%	99.3%	-	94.9%	93.8%	100%	0%	96.1%	-	100%	50.0%	100%	0%	83.3%	-	97.5%
Articulated Trucks	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	0	-	0
% Articulated Trucks	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%
Buses and Single-Unit Trucks	0	1	0	0	1	-	0	0	1	0	1	-	2	1	0	0	3	-	0	1	0	0	1	-	6
% Buses and Single-Unit Trucks	0%	5.3%	0%	0%	4.8%	-	0%	0%	1.1%	0%	0.7%	-	5.1%	6.3%	0%	0%	3.9%	-	0%	50.0%	0%	0%	16.7%	-	2.5%
Pedestrians	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-
% Pedestrians	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bicycles on Crosswalk	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-
% Bicycles on Crosswalk	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

Arrowhead Avenue & 37th Terrace - TMC
Tue Apr 23, 2024
AM Peak (7:30 AM - 8:30 AM)
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)
All Movements
ID: 1177143, Location: 39.050331, -94.359381



Arrowhead Avenue & 37th Terrace - TMC

Tue Apr 23, 2024

PM Peak (4:15 PM - 5:15 PM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1177143, Location: 39.050331, -94.359381

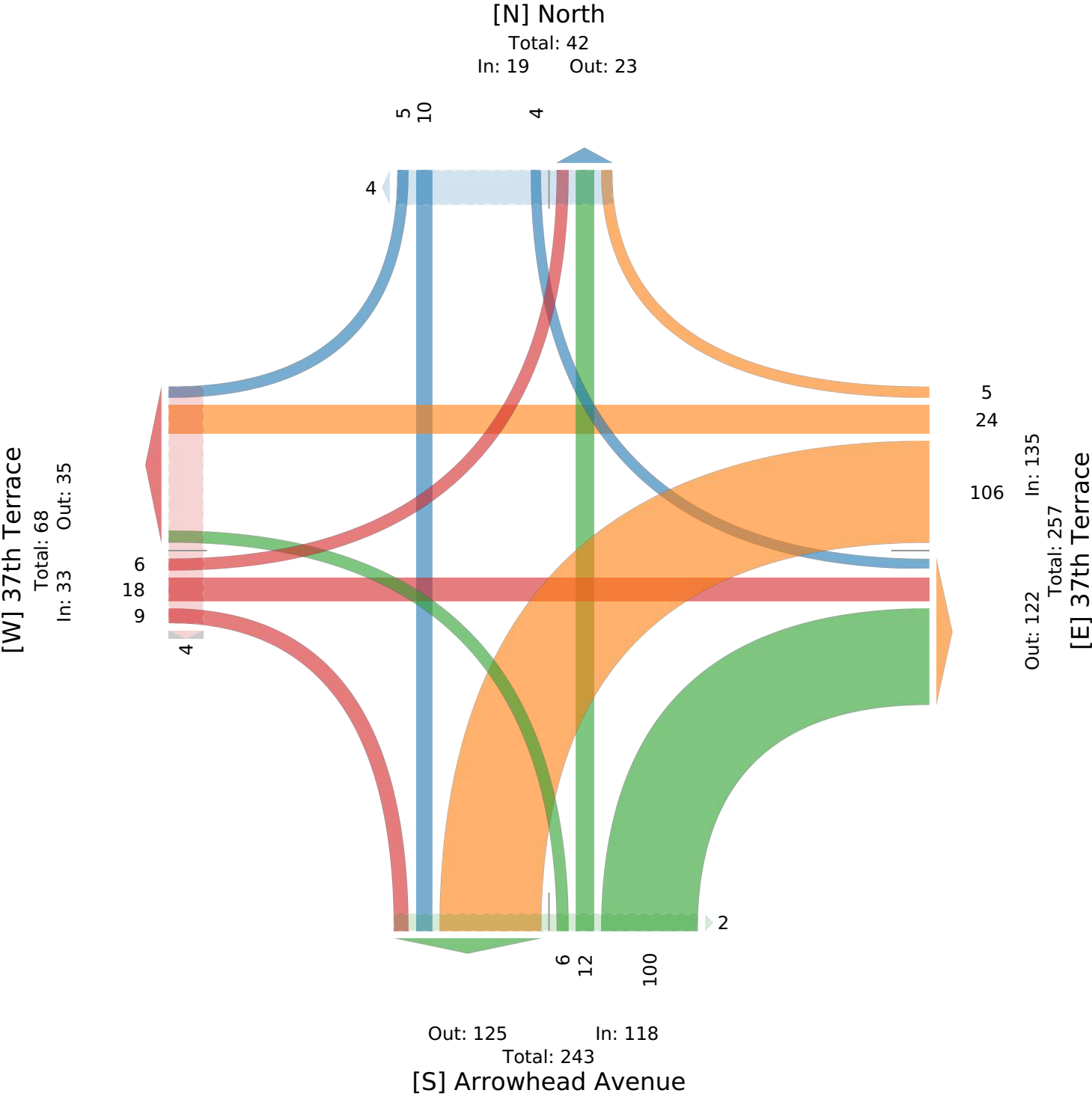


Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US

Leg Direction	North Southbound						37th Terrace Westbound						Arrowhead Avenue Northbound						37th Terrace Eastbound						
Time	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	Int
2024-04-23 4:15PM	4	1	0	0	5	0	0	1	37	0	38	0	25	1	3	0	29	0	0	5	0	0	5	0	77
4:30PM	1	6	2	0	9	0	3	5	17	0	25	0	22	5	0	0	27	2	4	6	4	0	14	0	75
4:45PM	0	2	1	0	3	4	1	10	25	0	36	0	25	1	2	0	28	0	3	4	2	0	9	4	76
5:00PM	0	1	1	0	2	0	1	8	27	0	36	0	28	5	1	0	34	0	2	3	0	0	5	0	77
Total	5	10	4	0	19	4	5	24	106	0	135	0	100	12	6	0	118	2	9	18	6	0	33	4	305
% Approach	26.3%	52.6%	21.1%	0%	-	-	3.7%	17.8%	78.5%	0%	-	-	84.7%	10.2%	5.1%	0%	-	-	27.3%	54.5%	18.2%	0%	-	-	-
% Total	1.6%	3.3%	1.3%	0%	6.2%	-	1.6%	7.9%	34.8%	0%	44.3%	-	32.8%	3.9%	2.0%	0%	38.7%	-	3.0%	5.9%	2.0%	0%	10.8%	-	-
PHF	0.313	0.417	0.500	-	0.528	-	0.417	0.600	0.716	-	0.888	-	0.893	0.600	0.500	-	0.868	-	0.563	0.750	0.375	-	0.589	-	0.990
Lights	5	8	4	0	17	-	4	24	103	0	131	-	98	12	5	0	115	-	9	18	6	0	33	-	296
% Lights	100%	80.0%	100%	0%	89.5%	-	80.0%	100%	97.2%	0%	97.0%	-	98.0%	100%	83.3%	0%	97.5%	-	100%	100%	100%	0%	100%	-	97.0%
Articulated Trucks	0	1	0	0	1	-	0	0	0	0	0	-	0	0	1	0	1	-	0	0	0	0	0	-	2
% Articulated Trucks	0%	10.0%	0%	0%	5.3%	-	0%	0%	0%	0%	0%	-	0%	0%	16.7%	0%	0.8%	-	0%	0%	0%	0%	0%	-	0.7%
Buses and Single-Unit Trucks	0	1	0	0	1	-	1	0	3	0	4	-	2	0	0	0	2	-	0	0	0	0	0	-	7
% Buses and Single-Unit Trucks	0%	10.0%	0%	0%	5.3%	-	20.0%	0%	2.8%	0%	3.0%	-	2.0%	0%	0%	0%	1.7%	-	0%	0%	0%	0%	0%	-	2.3%
Pedestrians	-	-	-	-	-	4	-	-	-	-	-	0	-	-	-	-	-	2	-	-	-	-	-	4	
% Pedestrians	-	-	-	-	-	100%	-	-	-	-	-	-	-	-	-	-	-	100%	-	-	-	-	-	100%	-
Bicycles on Crosswalk	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	
% Bicycles on Crosswalk	-	-	-	-	-	0%	-	-	-	-	-	-	-	-	-	-	-	0%	-	-	-	-	-	0%	-

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

Arrowhead Avenue & 37th Terrace - TMC
Tue Apr 23, 2024
PM Peak (4:15 PM - 5:15 PM) - Overall Peak Hour
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks,
Pedestrians, Bicycles on Crosswalk)
All Movements
ID: 1177143, Location: 39.050331, -94.359381



Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 59

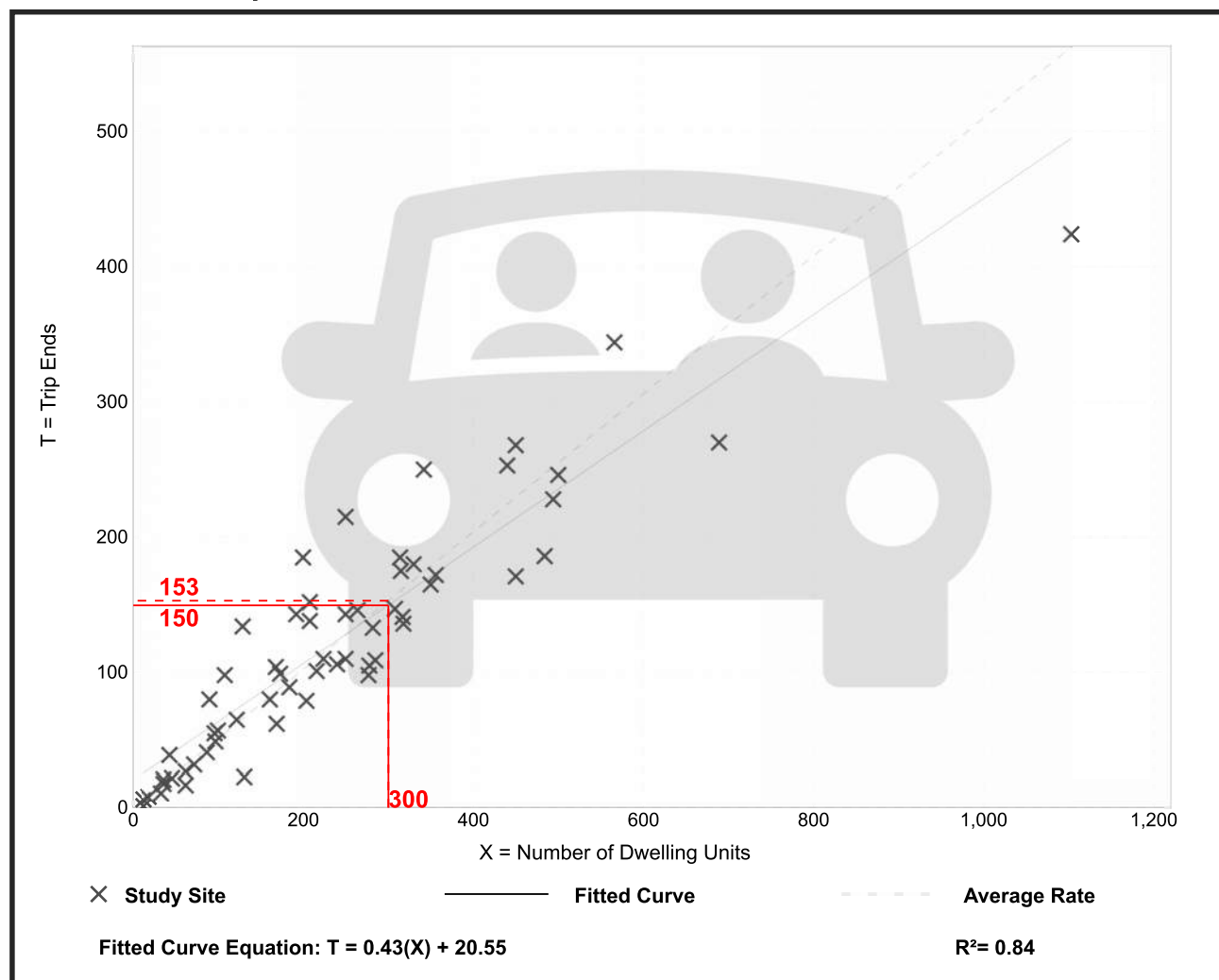
Avg. Num. of Dwelling Units: 241

Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.51	0.08 - 1.04	0.15

Data Plot and Equation



Calculated Trip Ends:

Average Rate: 153 (Total), 96 (Entry), 57 (Exit)

Fitted Curve: 150 (Total), 94 (Entry), 56 (Exit)

Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

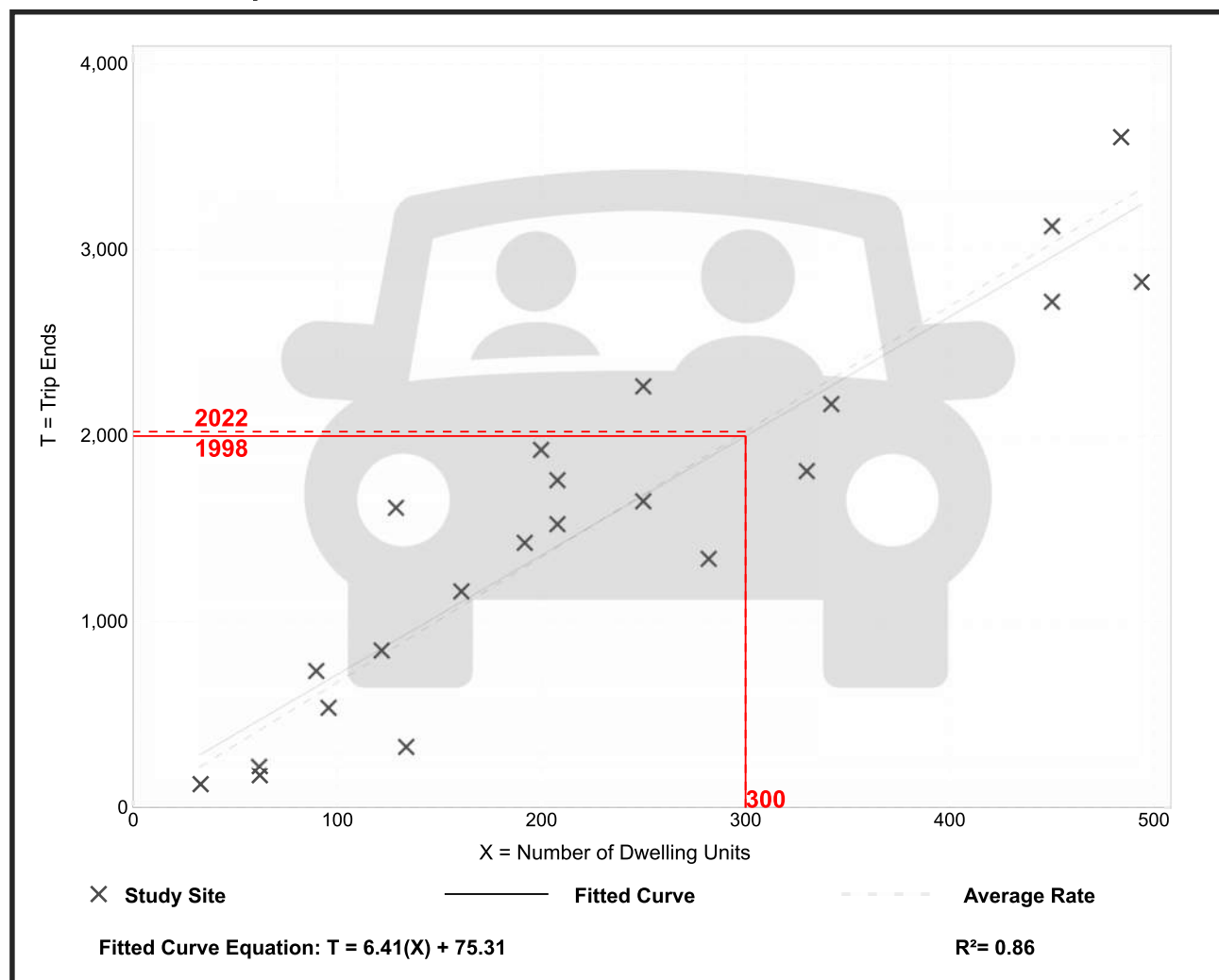
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 22
Avg. Num. of Dwelling Units: 229
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
6.74	2.46 - 12.50	1.79

Data Plot and Equation



Calculated Trip Ends:

Average Rate: 2022 (Total), 1011 (Entry), 1011 (Exit)

Fitted Curve: 1998 (Total), 999 (Entry), 999 (Exit)

Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 49

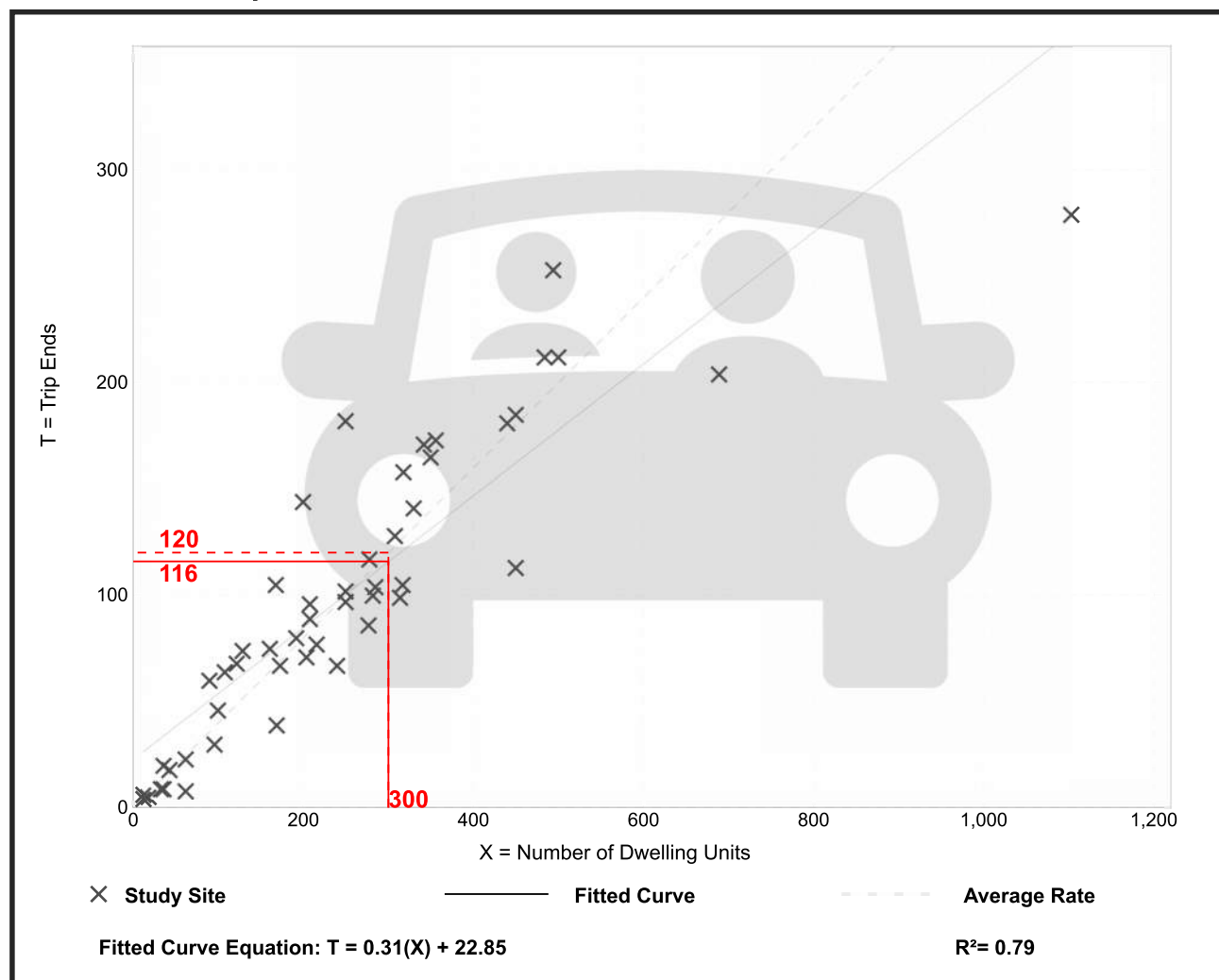
Avg. Num. of Dwelling Units: 249

Directional Distribution: 24% entering, 76% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.40	0.13 - 0.73	0.12

Data Plot and Equation



Calculated Trip Ends:

Average Rate: 120 (Total), 29 (Entry), 91 (Exit)

Fitted Curve: 116 (Total), 28 (Entry), 88 (Exit)

HCM 7th Signalized Intersection Summary

2: Jackson Dr & 37th Terr

Jackson Apartments TIS

Existing AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	18	14	8	17	45	12	4	50	10	18	127	48
Future Volume (veh/h)	18	14	8	17	45	12	4	50	10	18	127	48
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1796	1707	1870	1870	1781	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	21	16	9	20	52	14	5	58	12	21	148	56
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Percent Heavy Veh, %	2	7	13	2	2	8	2	2	2	2	2	2
Cap, veh/h	325	181	102	358	238	64	17	1293	260	774	1185	431
Arrive On Green	0.17	0.17	0.17	0.17	0.17	0.17	0.01	0.44	0.44	0.04	0.46	0.46
Sat Flow, veh/h	1335	1080	607	1386	1419	382	1781	2949	592	1781	2552	928
Grp Volume(v), veh/h	21	0	25	20	0	66	5	34	36	21	101	103
Grp Sat Flow(s), veh/h/ln	1335	0	1687	1386	0	1802	1781	1777	1764	1781	1777	1703
Q Serve(g_s), s	0.7	0.0	0.6	0.6	0.0	1.6	0.1	0.6	0.6	0.3	1.6	1.7
Cycle Q Clear(g_c), s	2.3	0.0	0.6	1.2	0.0	1.6	0.1	0.6	0.6	0.3	1.6	1.7
Prop In Lane	1.00		0.36	1.00		0.21	1.00		0.34	1.00		0.54
Lane Grp Cap(c), veh/h	325	0	283	358	0	302	17	779	773	774	825	791
V/C Ratio(X)	0.06	0.00	0.09	0.06	0.00	0.22	0.30	0.04	0.05	0.03	0.12	0.13
Avail Cap(c_a), veh/h	580	0	605	623	0	646	248	779	773	960	825	791
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	19.0	0.0	17.6	18.2	0.0	18.0	24.7	8.1	8.1	7.0	7.6	7.7
Incr Delay (d2), s/veh	0.1	0.0	0.1	0.1	0.0	0.4	9.6	0.1	0.1	0.0	0.3	0.3
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.2	0.0	0.2	0.2	0.0	0.6	0.1	0.2	0.2	0.1	0.6	0.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	19.1	0.0	17.8	18.2	0.0	18.4	34.3	8.2	8.2	7.1	7.9	8.0
LnGrp LOS	B		B	B		B	C	A	A	A	A	A
Approach Vol, veh/h	46			86			75			225		
Approach Delay, s/veh	18.4			18.4			9.9			7.9		
Approach LOS	B			B			A			A		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	7.8	28.0		14.4	6.5	29.3		14.4				
Change Period (Y+Rc), s	6.0	6.0		6.0	6.0	6.0		6.0				
Max Green Setting (Gmax), s	7.0	22.0		18.0	7.0	22.0		18.0				
Max Q Clear Time (g_c+I1), s	2.3	2.6		4.3	2.1	3.7		3.6				
Green Ext Time (p_c), s	0.0	0.3		0.1	0.0	1.0		0.3				
Intersection Summary												
HCM 7th Control Delay, s/veh	11.4											
HCM 7th LOS	B											

Lanes, Volumes, Timings

2: Jackson Dr & 37th Terr

Jackson Apartments TIS
Existing AM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (s/veh)	17.7	14.4		17.6	15.3		19.8	6.8		5.2	5.6	
LOS	B	B		B	B		B	A		A	A	
Approach Delay (s/veh)		15.9			15.9			7.6			5.6	
Approach LOS		B			B			A			A	
Queue Length 50th (ft)	4	3		4	11		1	3		2	8	
Queue Length 95th (ft)	21	20		20	41		9	15		8	32	
Internal Link Dist (ft)		273			543			818			694	
Turn Bay Length (ft)	150			115			90			95		
Base Capacity (vph)	519	648		538	703		268	2353		927	2332	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.04	0.04		0.04	0.09		0.02	0.03		0.02	0.09	

Intersection Summary

Area Type: Other

Cycle Length: 65

Actuated Cycle Length: 46.6

Natural Cycle: 65

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.17

Intersection Signal Delay (s/veh): 9.1

Intersection LOS: A

Intersection Capacity Utilization 26.7%

ICU Level of Service A

Analysis Period (min) 15

Splits and Phases: 2: Jackson Dr & 37th Terr

 Ø1	 Ø2	 Ø4
13 s	28 s	24 s
 Ø5	 Ø6	 Ø8
13 s	28 s	24 s

Intersection												
Int Delay, s/veh	6.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔	↔		↔	
Traffic Vol, veh/h	3	2	1	94	39	2	21	16	39	1	19	1
Future Vol, veh/h	3	2	1	94	39	2	21	16	39	1	19	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	93	93	93	93	93	93	93	93	93	93	93	93
Heavy Vehicles, %	2	50	2	2	2	2	2	6	5	2	5	2
Mvmt Flow	3	2	1	101	42	2	23	17	42	1	20	1

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	106	127	21	86	86	17	22	0	0	59	0	0
Stage 1	23	23	-	62	62	-	-	-	-	-	-	-
Stage 2	83	104	-	24	24	-	-	-	-	-	-	-
Critical Hdwy	7.12	7	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	6	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	6	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.45	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	873	682	1057	900	804	1062	1594	-	-	1545	-	-
Stage 1	995	790	-	949	843	-	-	-	-	-	-	-
Stage 2	925	725	-	994	876	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	813	672	1057	882	792	1062	1594	-	-	1545	-	-
Mov Cap-2 Maneuver	813	672	-	882	792	-	-	-	-	-	-	-
Stage 1	994	789	-	935	831	-	-	-	-	-	-	-
Stage 2	863	714	-	990	875	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s/v	9.61	10.06	2.01	0.35
HCM LOS	A	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1022	-	-	788	856	85	-
HCM Lane V/C Ratio	0.014	-	-	0.008	0.17	0.001	-
HCM Control Delay (s/veh)	7.3	0	-	9.6	10.1	7.3	0
HCM Lane LOS	A	A	-	A	B	A	A
HCM 95th %tile Q(veh)	0	-	-	0	0.6	0	-

HCM 7th Signalized Intersection Summary

2: Jackson Dr & 37th Terr

Jackson Apartments TIS

Existing PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	62	33	17	19	50	22	13	162	22	20	177	61
Future Volume (veh/h)	62	33	17	19	50	22	13	162	22	20	177	61
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1826	1781	1856	1767	1826	1870	1870
Adj Flow Rate, veh/h	68	36	19	21	55	24	14	178	24	22	195	67
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Percent Heavy Veh, %	2	2	2	2	2	5	8	3	9	5	2	2
Cap, veh/h	343	219	115	363	234	102	42	1303	173	646	1122	374
Arrive On Green	0.19	0.19	0.19	0.19	0.19	0.19	0.02	0.42	0.42	0.04	0.43	0.43
Sat Flow, veh/h	1320	1153	608	1349	1235	539	1697	3128	416	1739	2618	872
Grp Volume(v), veh/h	68	0	55	21	0	79	14	99	103	22	130	132
Grp Sat Flow(s),veh/h/ln	1320	0	1761	1349	0	1773	1697	1763	1781	1739	1777	1713
Q Serve(g_s), s	2.3	0.0	1.3	0.7	0.0	1.9	0.4	1.8	1.8	0.4	2.3	2.4
Cycle Q Clear(g_c), s	4.2	0.0	1.3	2.0	0.0	1.9	0.4	1.8	1.8	0.4	2.3	2.4
Prop In Lane	1.00		0.35	1.00		0.30	1.00		0.23	1.00		0.51
Lane Grp Cap(c), veh/h	343	0	334	363	0	336	42	734	742	646	762	734
V/C Ratio(X)	0.20	0.00	0.16	0.06	0.00	0.23	0.33	0.14	0.14	0.03	0.17	0.18
Avail Cap(c_a), veh/h	590	0	664	616	0	668	236	734	742	823	762	734
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	19.1	0.0	17.1	17.9	0.0	17.3	24.2	9.1	9.1	7.7	8.9	8.9
Incr Delay (d2), s/veh	0.3	0.0	0.2	0.1	0.0	0.4	4.6	0.4	0.4	0.0	0.5	0.5
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.7	0.0	0.5	0.2	0.0	0.7	0.2	0.6	0.7	0.1	0.8	0.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	19.4	0.0	17.3	18.0	0.0	17.7	28.8	9.5	9.5	7.7	9.4	9.4
LnGrp LOS	B		B	B		B	C	A	A	A	A	A
Approach Vol, veh/h	123			100			216			284		
Approach Delay, s/veh	18.5			17.7			10.7			9.3		
Approach LOS	B			B			B			A		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	7.9	27.0		15.6	7.2	27.6		15.6				
Change Period (Y+Rc), s	6.0	6.0		6.0	6.0	6.0		6.0				
Max Green Setting (Gmax), s	7.0	21.0		19.0	7.0	21.0		19.0				
Max Q Clear Time (g_c+I1), s	2.4	3.8		6.2	2.4	4.4		4.0				
Green Ext Time (p_c), s	0.0	1.0		0.3	0.0	1.3		0.3				
Intersection Summary												
HCM 7th Control Delay, s/veh	12.4											
HCM 7th LOS	B											

Lanes, Volumes, Timings
2: Jackson Dr & 37th Terr

Jackson Apartments TIS
Existing PM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	62	33	17	19	50	22	13	162	22	20	177	61
Future Volume (vph)	62	33	17	19	50	22	13	162	22	20	177	61
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	115		0	90		0	95		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.95	1.00	0.95	0.95
Frt		0.948			0.954			0.982			0.962	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1766	0	1770	1761	0	1671	3418	0	1719	3405	0
Flt Permitted	0.706			0.721			0.950			0.625		
Satd. Flow (perm)	1315	1766	0	1343	1761	0	1671	3418	0	1131	3405	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		19			24			24			67	
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		353			623			898			774	
Travel Time (s)		8.0			14.2			20.4			17.6	
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Heavy Vehicles (%)	2%	2%	2%	2%	2%	5%	8%	3%	9%	5%	2%	2%
Adj. Flow (vph)	68	36	19	21	55	24	14	178	24	22	195	67
Shared Lane Traffic (%)												
Lane Group Flow (vph)	68	55	0	21	79	0	14	202	0	22	262	0
Turn Type	Perm	NA		Perm	NA		Prot	NA		D.P+P	NA	
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8						2		
Detector Phase	4	4		8	8		5	2		1	6	
Switch Phase												
Minimum Initial (s)	10.0	10.0		10.0	10.0		7.0	10.0		7.0	10.0	
Minimum Split (s)	24.0	24.0		24.0	24.0		13.0	24.0		13.0	24.0	
Total Split (s)	25.0	25.0		25.0	25.0		13.0	27.0		13.0	27.0	
Total Split (%)	38.5%	38.5%		38.5%	38.5%		20.0%	41.5%		20.0%	41.5%	
Maximum Green (s)	19.0	19.0		19.0	19.0		7.0	21.0		7.0	21.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)	6.0	6.0		6.0	6.0		6.0	6.0		6.0	6.0	
Lead/Lag							Lead	Lag		Lead	Lag	
Lead-Lag Optimize?							Yes	Yes		Yes	Yes	
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		None	Max		None	Max	
Walk Time (s)	7.0	7.0		7.0	7.0			7.0			7.0	
Flash Don't Walk (s)	11.0	11.0		11.0	11.0			11.0			11.0	
Pedestrian Calls (#/hr)	0	0		0	0			0			0	
Act Effect Green (s)	10.4	10.4		10.4	10.4		7.1	27.4		27.2	27.4	
Actuated g/C Ratio	0.22	0.22		0.22	0.22		0.15	0.58		0.58	0.58	
v/c Ratio	0.24	0.14		0.07	0.19		0.06	0.10		0.03	0.13	
Control Delay (s/veh)	18.8	12.9		16.7	13.7		19.8	7.4		5.6	6.4	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

Lanes, Volumes, Timings
2: Jackson Dr & 37th Terr

Jackson Apartments TIS
Existing PM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (s/veh)	18.8	12.9		16.7	13.7		19.8	7.4		5.6	6.4	
LOS	B	B		B	B		B	A		A	A	
Approach Delay (s/veh)		16.2			14.4			8.2			6.4	
Approach LOS		B			B			A			A	
Queue Length 50th (ft)	13	7		4	11		3	11		2	12	
Queue Length 95th (ft)	50	35		22	46		18	40		10	44	
Internal Link Dist (ft)		273			543			818			694	
Turn Bay Length (ft)	150			115			90			95		
Base Capacity (vph)	537	732		548	733		251	1996		741	2006	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.13	0.08		0.04	0.11		0.06	0.10		0.03	0.13	

Intersection Summary

Area Type: Other

Cycle Length: 65

Actuated Cycle Length: 47.2

Natural Cycle: 65

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.24

Intersection Signal Delay (s/veh): 9.7

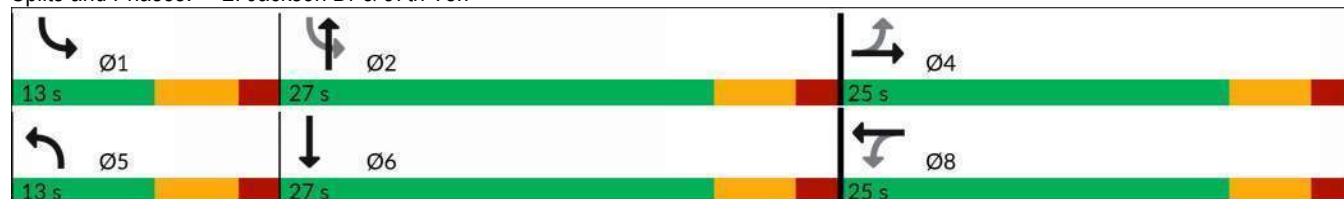
Intersection LOS: A

Intersection Capacity Utilization 36.7%

ICU Level of Service A

Analysis Period (min) 15

Splits and Phases: 2: Jackson Dr & 37th Terr



Intersection												
Int Delay, s/veh	5.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕	↕		↕	
Traffic Vol, veh/h	6	18	9	106	24	5	6	12	100	4	10	5
Future Vol, veh/h	6	18	9	106	24	5	6	12	100	4	10	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	99	99	99	99	99	99	99	99	99	99	99	99
Heavy Vehicles, %	2	2	2	3	2	20	2	2	2	2	10	2
Mvmt Flow	6	18	9	107	24	5	6	12	101	4	10	5

Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	57	146	13	52	47	12	15	0	0	113	0	0
Stage 1	21	21	-	24	24	-	-	-	-	-	-	-
Stage 2	36	125	-	27	23	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.13	6.52	6.4	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.13	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.13	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.527	4.018	3.48	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	940	745	1068	945	844	1018	1603	-	-	1476	-	-
Stage 1	998	878	-	991	875	-	-	-	-	-	-	-
Stage 2	979	792	-	987	876	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	902	740	1068	908	838	1018	1603	-	-	1476	-	-
Mov Cap-2 Maneuver	902	740	-	908	838	-	-	-	-	-	-	-
Stage 1	995	876	-	987	871	-	-	-	-	-	-	-
Stage 2	943	789	-	956	873	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s/v	9.48		9.72		0.37		1.57	
HCM LOS	A		A					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1WBLn1	SBL	SBT	SBR
Capacity (veh/h)	600	-	-	838	898	355	-
HCM Lane V/C Ratio	0.004	-	-	0.04	0.152	0.003	-
HCM Control Delay (s/veh)	7.3	0	-	9.5	9.7	7.4	0
HCM Lane LOS	A	A	-	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0.1	0.5	0	-

Intersection

Int Delay, s/veh 1.1

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	4	27	8	80	193	1
Future Vol, veh/h	4	27	8	80	193	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	86	86	86	86	86	86
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	5	31	9	93	224	1

Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	290	113	226
Stage 1	225	-	-
Stage 2	65	-	-
Critical Hdwy	6.84	6.94	4.14
Critical Hdwy Stg 1	5.84	-	-
Critical Hdwy Stg 2	5.84	-	-
Follow-up Hdwy	3.52	3.32	2.22
Pot Cap-1 Maneuver	677	919	1340
Stage 1	791	-	-
Stage 2	950	-	-
Platoon blocked, %			
Mov Cap-1 Maneuver	672	919	1340
Mov Cap-2 Maneuver	672	-	-
Stage 1	785	-	-
Stage 2	950	-	-

Approach	EB	NB	SB
HCM Control Delay, s/v	9.28	0.74	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	327	-	877	-	-
HCM Lane V/C Ratio	0.007	-	0.041	-	-
HCM Control Delay (s/veh)	7.7	0	9.3	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0.1	-	-

HCM 7th Signalized Intersection Summary

2: Jackson Dr & 37th Terr

Jackson Apartments TIS

Existing AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	18	23	25	17	48	14	10	56	10	27	145	48
Future Volume (veh/h)	18	23	25	17	48	14	10	56	10	27	145	48
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1796	1707	1870	1870	1781	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	21	27	29	20	56	16	12	65	12	31	169	56
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Percent Heavy Veh, %	2	7	13	2	2	8	2	2	2	2	2	2
Cap, veh/h	328	140	150	338	247	71	38	1282	231	772	1200	385
Arrive On Green	0.18	0.18	0.18	0.18	0.18	0.18	0.02	0.43	0.43	0.05	0.45	0.45
Sat Flow, veh/h	1328	792	851	1348	1399	400	1781	3009	541	1781	2646	848
Grp Volume(v), veh/h	21	0	56	20	0	72	12	38	39	31	112	113
Grp Sat Flow(s),veh/h/ln	1328	0	1643	1348	0	1798	1781	1777	1773	1781	1777	1718
Q Serve(g_s), s	0.7	0.0	1.5	0.7	0.0	1.8	0.3	0.6	0.7	0.5	1.9	2.0
Cycle Q Clear(g_c), s	2.5	0.0	1.5	2.2	0.0	1.8	0.3	0.6	0.7	0.5	1.9	2.0
Prop In Lane	1.00		0.52	1.00		0.22	1.00		0.31	1.00		0.49
Lane Grp Cap(c), veh/h	328	0	290	338	0	317	38	757	756	772	806	779
V/C Ratio(X)	0.06	0.00	0.19	0.06	0.00	0.23	0.31	0.05	0.05	0.04	0.14	0.15
Avail Cap(c_a), veh/h	557	0	573	570	0	627	242	757	756	927	806	779
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	19.3	0.0	18.1	19.0	0.0	18.2	24.9	8.7	8.7	7.3	8.2	8.3
Incr Delay (d2), s/veh	0.1	0.0	0.3	0.1	0.0	0.4	4.6	0.1	0.1	0.0	0.4	0.4
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.2	0.0	0.5	0.2	0.0	0.7	0.2	0.2	0.2	0.2	0.7	0.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	19.4	0.0	18.4	19.1	0.0	18.6	29.5	8.8	8.8	7.3	8.6	8.7
LnGrp LOS	B		B	B		B	C	A	A	A	A	A
Approach Vol, veh/h	77			92			89			256		
Approach Delay, s/veh	18.7			18.7			11.6			8.5		
Approach LOS	B			B			B			A		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	8.5	28.0		15.1	7.1	29.4		15.1				
Change Period (Y+Rc), s	6.0	6.0		6.0	6.0	6.0		6.0				
Max Green Setting (Gmax), s	7.0	22.0		18.0	7.0	22.0		18.0				
Max Q Clear Time (g_c+I1), s	2.5	2.7		4.5	2.3	4.0		4.2				
Green Ext Time (p_c), s	0.0	0.3		0.2	0.0	1.1		0.3				
Intersection Summary												
HCM 7th Control Delay, s/veh	12.4											
HCM 7th LOS	B											

Lanes, Volumes, Timings
2: Jackson Dr & 37th Terr

Jackson Apartments TIS
Existing + Site AM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	18	23	25	17	48	14	10	56	10	27	145	48
Future Volume (vph)	18	23	25	17	48	14	10	56	10	27	145	48
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	115		0	90		0	95		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.95	1.00	0.95	0.95
Frt		0.922			0.967			0.977			0.963	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1591	0	1770	1778	0	1770	3458	0	1770	3408	0
Flt Permitted	0.714			0.720			0.950			0.704		
Satd. Flow (perm)	1330	1591	0	1341	1778	0	1770	3458	0	1311	3408	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		29			16			12			56	
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		353			623			898			774	
Travel Time (s)		8.0			14.2			20.4			17.6	
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Heavy Vehicles (%)	2%	7%	13%	2%	2%	8%	2%	2%	2%	2%	2%	2%
Adj. Flow (vph)	21	27	29	20	56	16	12	65	12	31	169	56
Shared Lane Traffic (%)												
Lane Group Flow (vph)	21	56	0	20	72	0	12	77	0	31	225	0
Turn Type	Perm	NA		Perm	NA		Prot	NA		D.P+P	NA	
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8						2		
Detector Phase	4	4		8	8		5	2		1	6	
Switch Phase												
Minimum Initial (s)	10.0	10.0		10.0	10.0		7.0	10.0		7.0	10.0	
Minimum Split (s)	24.0	24.0		24.0	24.0		13.0	24.0		13.0	24.0	
Total Split (s)	24.0	24.0		24.0	24.0		13.0	28.0		13.0	28.0	
Total Split (%)	36.9%	36.9%		36.9%	36.9%		20.0%	43.1%		20.0%	43.1%	
Maximum Green (s)	18.0	18.0		18.0	18.0		7.0	22.0		7.0	22.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)	6.0	6.0		6.0	6.0		6.0	6.0		6.0	6.0	
Lead/Lag							Lead	Lag		Lead	Lag	
Lead-Lag Optimize?							Yes	Yes		Yes	Yes	
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		None	Max		None	Max	
Walk Time (s)	7.0	7.0		7.0	7.0			7.0			7.0	
Flash Don't Walk (s)	11.0	11.0		11.0	11.0			11.0			11.0	
Pedestrian Calls (#/hr)	0	0		0	0			0			0	
Act Effect Green (s)	10.2	10.2		10.2	10.2		7.1	31.9		31.6	34.2	
Actuated g/C Ratio	0.21	0.21		0.21	0.21		0.15	0.65		0.65	0.70	
v/c Ratio	0.08	0.16		0.07	0.19		0.05	0.03		0.03	0.09	
Control Delay (s/veh)	19.7	13.4		19.6	16.8		21.8	8.2		4.9	5.4	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

Lanes, Volumes, Timings
2: Jackson Dr & 37th Terr

Jackson Apartments TIS
Existing + Site AM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (s/veh)	19.7	13.4		19.6	16.8		21.8	8.2		4.9	5.4	
LOS	B	B		B	B		C	A		A	A	
Approach Delay (s/veh)		15.1			17.4			10.1			5.4	
Approach LOS		B			B			B			A	
Queue Length 50th (ft)	4	5		4	11		3	3		4	10	
Queue Length 95th (ft)	21	31		20	44		15	16		10	35	
Internal Link Dist (ft)		273			543			818			694	
Turn Bay Length (ft)	150			115			90			95		
Base Capacity (vph)	499	615		503	677		258	2267		916	2402	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.04	0.09		0.04	0.11		0.05	0.03		0.03	0.09	

Intersection Summary

Area Type: Other

Cycle Length: 65

Actuated Cycle Length: 48.8

Natural Cycle: 65

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.19

Intersection Signal Delay (s/veh): 9.8

Intersection LOS: A

Intersection Capacity Utilization 26.7%

ICU Level of Service A

Analysis Period (min) 15

Splits and Phases: 2: Jackson Dr & 37th Terr

 Ø1	 Ø2	 Ø4
13 s	28 s	24 s
 Ø5	 Ø6	 Ø8
13 s	28 s	24 s

Intersection

Int Delay, s/veh 2.9

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	10	40	97	9	26	31
Future Vol, veh/h	10	40	97	9	26	31
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	86	86	86	86	86	86
Heavy Vehicles, %	2	7	4	2	2	2
Mvmt Flow	12	47	113	10	30	36

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	123	0	0 188 118
Stage 1	-	-	- 118 -
Stage 2	-	-	- 70 -
Critical Hdwy	4.12	-	- 6.42 6.22
Critical Hdwy Stg 1	-	-	- 5.42 -
Critical Hdwy Stg 2	-	-	- 5.42 -
Follow-up Hdwy	2.218	-	- 3.518 3.318
Pot Cap-1 Maneuver	1464	-	- 801 934
Stage 1	-	-	- 907 -
Stage 2	-	-	- 953 -
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	1464	-	- 795 934
Mov Cap-2 Maneuver	-	-	- 795 -
Stage 1	-	-	- 900 -
Stage 2	-	-	- 953 -

Approach	EB	WB	SB
HCM Control Delay, s/v	1.5	0	9.51
HCM LOS			A

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	360	-	-	-	865
HCM Lane V/C Ratio	0.008	-	-	-	0.077
HCM Control Delay (s/veh)	7.5	0	-	-	9.5
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Intersection												
Int Delay, s/veh	6.9											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	3	2	1	125	39	2	21	16	49	1	19	1
Future Vol, veh/h	3	2	1	125	39	2	21	16	49	1	19	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	93	93	93	93	93	93	93	93	93	93	93	93
Heavy Vehicles, %	2	50	2	2	2	2	2	6	5	2	5	2
Mvmt Flow	3	2	1	134	42	2	23	17	53	1	20	1
Major/Minor	Minor2		Minor1			Major1			Major2			
Conflicting Flow All	106	138	21	86	86	17	22	0	0	70	0	0
Stage 1	23	23	-	62	62	-	-	-	-	-	-	-
Stage 2	83	115	-	24	24	-	-	-	-	-	-	-
Critical Hdwy	7.12	7	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	6	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	6	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.45	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	873	673	1057	900	804	1062	1594	-	-	1531	-	-
Stage 1	995	790	-	949	843	-	-	-	-	-	-	-
Stage 2	925	716	-	994	876	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	813	662	1057	882	792	1062	1594	-	-	1531	-	-
Mov Cap-2 Maneuver	813	662	-	882	792	-	-	-	-	-	-	-
Stage 1	994	789	-	935	830	-	-	-	-	-	-	-
Stage 2	863	706	-	990	875	-	-	-	-	-	-	-
Approach	EB		WB			NB			SB			
HCM Control Delay, s/v	9.63		10.27			1.78			0.35			
HCM LOS	A		B									
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR				
Capacity (veh/h)	1022	-	-	784	861	85	-	-				
HCM Lane V/C Ratio	0.014	-	-	0.008	0.207	0.001	-	-				
HCM Control Delay (s/veh)	7.3	0	-	9.6	10.3	7.4	0	-				
HCM Lane LOS	A	A	-	A	B	A	A	-				
HCM 95th %tile Q(veh)	0	-	-	0	0.8	0	-	-				

Intersection						
Int Delay, s/veh	0.8					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	2	17	28	246	258	5
Future Vol, veh/h	2	17	28	246	258	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	3	2	2
Mvmt Flow	2	19	31	270	284	5

Major/Minor	Minor2	Major1	Major2			
Conflicting Flow All	483	145	289	0	-	0
Stage 1	286	-	-	-	-	-
Stage 2	197	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	513	877	1270	-	-	-
Stage 1	737	-	-	-	-	-
Stage 2	817	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	499	877	1270	-	-	-
Mov Cap-2 Maneuver	499	-	-	-	-	-
Stage 1	718	-	-	-	-	-
Stage 2	817	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s/v	9.55	0.96	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	368	-	812	-	-
HCM Lane V/C Ratio	0.024	-	0.026	-	-
HCM Control Delay (s/veh)	7.9	0.2	9.6	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0.1	-	0.1	-	-

HCM 7th Signalized Intersection Summary

2: Jackson Dr & 37th Terr

Jackson Apartments TIS

Existing + Site PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	62	39	28	19	59	31	32	181	22	26	188	61
Future Volume (veh/h)	62	39	28	19	59	31	32	181	22	26	188	61
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1826	1781	1856	1767	1826	1870	1870
Adj Flow Rate, veh/h	68	43	31	21	65	34	35	199	24	29	207	67
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Percent Heavy Veh, %	2	2	2	2	2	5	8	3	9	5	2	2
Cap, veh/h	323	192	138	343	219	115	91	1316	157	644	1084	341
Arrive On Green	0.19	0.19	0.19	0.19	0.19	0.19	0.05	0.41	0.41	0.05	0.41	0.41
Sat Flow, veh/h	1296	1011	729	1326	1157	605	1697	3172	378	1739	2660	837
Grp Volume(v), veh/h	68	0	74	21	0	99	35	109	114	29	136	138
Grp Sat Flow(s),veh/h/ln	1296	0	1739	1326	0	1761	1697	1763	1788	1739	1777	1720
Q Serve(g_s), s	2.4	0.0	1.9	0.7	0.0	2.5	1.0	2.0	2.0	0.5	2.5	2.7
Cycle Q Clear(g_c), s	4.9	0.0	1.9	2.6	0.0	2.5	1.0	2.0	2.0	0.5	2.5	2.7
Prop In Lane	1.00		0.42	1.00		0.34	1.00		0.21	1.00		0.49
Lane Grp Cap(c), veh/h	323	0	330	343	0	334	91	731	742	644	724	701
V/C Ratio(X)	0.21	0.00	0.22	0.06	0.00	0.30	0.39	0.15	0.15	0.05	0.19	0.20
Avail Cap(c_a), veh/h	555	0	641	581	0	650	231	731	742	800	724	701
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	20.0	0.0	17.7	18.8	0.0	17.9	23.6	9.4	9.4	7.6	9.8	9.8
Incr Delay (d2), s/veh	0.3	0.0	0.3	0.1	0.0	0.5	2.7	0.4	0.4	0.0	0.6	0.6
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.7	0.0	0.7	0.2	0.0	1.0	0.4	0.7	0.8	0.1	0.9	1.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	20.4	0.0	18.0	18.8	0.0	18.4	26.2	9.8	9.9	7.7	10.4	10.5
LnGrp LOS	C		B	B		B	C	A	A	A	B	B
Approach Vol, veh/h	142			120			258			303		
Approach Delay, s/veh	19.1			18.5			12.1			10.1		
Approach LOS	B			B			B			B		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	8.4	27.4		15.8	8.8	27.0		15.8				
Change Period (Y+Rc), s	6.0	6.0		6.0	6.0	6.0		6.0				
Max Green Setting (Gmax), s	7.0	21.0		19.0	7.0	21.0		19.0				
Max Q Clear Time (g_c+I1), s	2.5	4.0		6.9	3.0	4.7		4.6				
Green Ext Time (p_c), s	0.0	1.1		0.4	0.0	1.4		0.4				
Intersection Summary												
HCM 7th Control Delay, s/veh	13.5											
HCM 7th LOS	B											

Lanes, Volumes, Timings
2: Jackson Dr & 37th Terr

Jackson Apartments TIS
Existing + Site PM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	62	39	28	19	59	31	32	181	22	26	188	61
Future Volume (vph)	62	39	28	19	59	31	32	181	22	26	188	61
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	115		0	90		0	95		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.95	1.00	0.95	0.95
Frt		0.937			0.948			0.984			0.963	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1745	0	1770	1748	0	1671	3427	0	1719	3408	0
Flt Permitted	0.693			0.709			0.950			0.612		
Satd. Flow (perm)	1291	1745	0	1321	1748	0	1671	3427	0	1107	3408	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		31			34			21			67	
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		353			623			898			774	
Travel Time (s)		8.0			14.2			20.4			17.6	
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Heavy Vehicles (%)	2%	2%	2%	2%	2%	5%	8%	3%	9%	5%	2%	2%
Adj. Flow (vph)	68	43	31	21	65	34	35	199	24	29	207	67
Shared Lane Traffic (%)												
Lane Group Flow (vph)	68	74	0	21	99	0	35	223	0	29	274	0
Turn Type	Perm	NA		Perm	NA		Prot	NA		D.P+P	NA	
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8						2		
Detector Phase	4	4		8	8		5	2		1	6	
Switch Phase												
Minimum Initial (s)	10.0	10.0		10.0	10.0		7.0	10.0		7.0	10.0	
Minimum Split (s)	24.0	24.0		24.0	24.0		13.0	24.0		13.0	24.0	
Total Split (s)	25.0	25.0		25.0	25.0		13.0	27.0		13.0	27.0	
Total Split (%)	38.5%	38.5%		38.5%	38.5%		20.0%	41.5%		20.0%	41.5%	
Maximum Green (s)	19.0	19.0		19.0	19.0		7.0	21.0		7.0	21.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)	6.0	6.0		6.0	6.0		6.0	6.0		6.0	6.0	
Lead/Lag							Lead	Lag		Lead	Lag	
Lead-Lag Optimize?							Yes	Yes		Yes	Yes	
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		None	Max		None	Max	
Walk Time (s)	7.0	7.0		7.0	7.0			7.0			7.0	
Flash Don't Walk (s)	11.0	11.0		11.0	11.0			11.0			11.0	
Pedestrian Calls (#/hr)	0	0		0	0			0			0	
Act Effect Green (s)	10.5	10.5		10.5	10.5		7.1	28.9		28.7	26.6	
Actuated g/C Ratio	0.22	0.22		0.22	0.22		0.15	0.59		0.59	0.55	
v/c Ratio	0.25	0.19		0.07	0.25		0.14	0.11		0.04	0.14	
Control Delay (s/veh)	20.8	13.5		18.8	14.9		22.7	7.3		5.3	7.8	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

Lanes, Volumes, Timings
2: Jackson Dr & 37th Terr

Jackson Apartments TIS
Existing + Site PM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (s/veh)	20.8	13.5		18.8	14.9		22.7	7.3		5.3	7.8	
LOS	C	B		B	B		C	A		A	A	
Approach Delay (s/veh)		17.0			15.6			9.4			7.6	
Approach LOS		B			B			A			A	
Queue Length 50th (ft)	14	8		4	13		7	12		3	13	
Queue Length 95th (ft)	50	41		22	53		33	44		12	47	
Internal Link Dist (ft)		273			543			818			694	
Turn Bay Length (ft)	150			115			90			95		
Base Capacity (vph)	513	712		525	715		244	2042		741	1894	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.13	0.10		0.04	0.14		0.14	0.11		0.04	0.14	

Intersection Summary

Area Type: Other

Cycle Length: 65

Actuated Cycle Length: 48.7

Natural Cycle: 65

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.25

Intersection Signal Delay (s/veh): 10.9

Intersection LOS: B

Intersection Capacity Utilization 39.3%

ICU Level of Service A

Analysis Period (min) 15

Splits and Phases: 2: Jackson Dr & 37th Terr

 Ø1	 Ø2	 Ø4
13 s	27 s	25 s
 Ø5	 Ø6	 Ø8
13 s	27 s	25 s

Intersection

Int Delay, s/veh 1.9

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	33	112	124	28	17	20
Future Vol, veh/h	33	112	124	28	17	20
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	36	123	136	31	19	22

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	167	0	0 347 152
Stage 1	-	-	- 152 -
Stage 2	-	-	- 196 -
Critical Hdwy	4.12	-	- 6.42 6.22
Critical Hdwy Stg 1	-	-	- 5.42 -
Critical Hdwy Stg 2	-	-	- 5.42 -
Follow-up Hdwy	2.218	-	- 3.518 3.318
Pot Cap-1 Maneuver	1411	-	- 650 895
Stage 1	-	-	- 876 -
Stage 2	-	-	- 837 -
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	1411	-	- 632 895
Mov Cap-2 Maneuver	-	-	- 632 -
Stage 1	-	-	- 852 -
Stage 2	-	-	- 837 -

Approach	EB	WB	SB
HCM Control Delay, s/v	1.73	0	10.07
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	410	-	-	-	751
HCM Lane V/C Ratio	0.026	-	-	-	0.054
HCM Control Delay (s/veh)	7.6	0	-	-	10.1
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0.1	-	-	-	0.2

Intersection												
Int Delay, s/veh	5.4											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔	↔		↔	
Traffic Vol, veh/h	6	18	9	126	24	5	6	12	133	4	10	5
Future Vol, veh/h	6	18	9	126	24	5	6	12	133	4	10	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	99	99	99	99	99	99	99	99	99	99	99	99
Heavy Vehicles, %	2	2	2	3	2	20	2	2	2	2	10	2
Mvmt Flow	6	18	9	127	24	5	6	12	134	4	10	5

Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	57	179	13	52	47	12	15	0	0	146	0	0
Stage 1	21	21	-	24	24	-	-	-	-	-	-	-
Stage 2	36	159	-	27	23	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.13	6.52	6.4	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.13	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.13	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.527	4.018	3.48	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	940	714	1068	945	844	1018	1603	-	-	1435	-	-
Stage 1	998	878	-	991	875	-	-	-	-	-	-	-
Stage 2	979	767	-	987	876	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	902	709	1068	907	838	1018	1603	-	-	1435	-	-
Mov Cap-2 Maneuver	902	709	-	907	838	-	-	-	-	-	-	-
Stage 1	995	876	-	987	871	-	-	-	-	-	-	-
Stage 2	943	763	-	956	873	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s/v	9.6		9.85		0.29		1.58	
HCM LOS	A		A					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1WBLn1	SBL	SBT	SBR
Capacity (veh/h)	600	-	-	816	899	355	-
HCM Lane V/C Ratio	0.004	-	-	0.041	0.174	0.003	-
HCM Control Delay (s/veh)	7.3	0	-	9.6	9.8	7.5	0
HCM Lane LOS	A	A	-	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0.1	0.6	0	-

Intersection						
Int Delay, s/veh	0.8					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	4	27	8	119	287	1
Future Vol, veh/h	4	27	8	119	287	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	86	86	86	86	86	86
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	5	31	9	138	334	1

Major/Minor	Minor2	Major1	Major2			
Conflicting Flow All	422	167	335	0	-	0
Stage 1	334	-	-	-	-	-
Stage 2	88	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	560	847	1221	-	-	-
Stage 1	697	-	-	-	-	-
Stage 2	926	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	555	847	1221	-	-	-
Mov Cap-2 Maneuver	555	-	-	-	-	-
Stage 1	692	-	-	-	-	-
Stage 2	926	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s/v	9.75	0.55	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	227	-	794	-	-
HCM Lane V/C Ratio	0.008	-	0.045	-	-
HCM Control Delay (s/veh)	8	0.1	9.8	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0.1	-	-

HCM 7th Signalized Intersection Summary

2: Jackson Dr & 37th Terr

Jackson Apartments TIS

Future + Site AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	27	29	29	25	70	20	12	80	15	36	207	71
Future Volume (veh/h)	27	29	29	25	70	20	12	80	15	36	207	71
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1796	1707	1870	1870	1781	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	31	34	34	29	81	23	14	93	17	42	241	83
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Percent Heavy Veh, %	2	7	13	2	2	8	2	2	2	2	2	2
Cap, veh/h	315	153	153	340	261	74	44	1221	218	743	1154	387
Arrive On Green	0.19	0.19	0.19	0.19	0.19	0.19	0.02	0.41	0.41	0.06	0.44	0.44
Sat Flow, veh/h	1290	824	824	1333	1401	398	1781	3013	538	1781	2613	877
Grp Volume(v), veh/h	31	0	68	29	0	104	14	54	56	42	162	162
Grp Sat Flow(s),veh/h/ln	1290	0	1648	1333	0	1799	1781	1777	1774	1781	1777	1713
Q Serve(g_s), s	1.1	0.0	1.8	1.0	0.0	2.6	0.4	1.0	1.0	0.7	2.9	3.0
Cycle Q Clear(g_c), s	3.7	0.0	1.8	2.8	0.0	2.6	0.4	1.0	1.0	0.7	2.9	3.0
Prop In Lane	1.00		0.50	1.00		0.22	1.00		0.30	1.00		0.51
Lane Grp Cap(c), veh/h	315	0	307	340	0	335	44	720	719	743	785	757
V/C Ratio(X)	0.10	0.00	0.22	0.09	0.00	0.31	0.32	0.07	0.08	0.06	0.21	0.21
Avail Cap(c_a), veh/h	548	0	604	581	0	660	241	720	719	875	785	757
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	19.8	0.0	17.9	19.1	0.0	18.2	24.8	9.5	9.5	7.6	8.9	8.9
Incr Delay (d2), s/veh	0.1	0.0	0.4	0.1	0.0	0.5	4.1	0.2	0.2	0.0	0.6	0.6
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.3	0.0	0.7	0.3	0.0	1.0	0.2	0.4	0.4	0.2	1.0	1.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	19.9	0.0	18.3	19.2	0.0	18.7	28.9	9.7	9.7	7.6	9.5	9.6
LnGrp LOS	B		B	B		B	C	A	A	A	A	A
Approach Vol, veh/h	99			133			124			366		
Approach Delay, s/veh	18.8			18.8			11.8			9.3		
Approach LOS	B			B			B			A		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	9.2	27.0		15.6	7.3	28.9		15.6				
Change Period (Y+Rc), s	6.0	6.0		6.0	6.0	6.0		6.0				
Max Green Setting (Gmax), s	7.0	21.0		19.0	7.0	21.0		19.0				
Max Q Clear Time (g_c+I1), s	2.7	3.0		5.7	2.4	5.0		4.8				
Green Ext Time (p_c), s	0.0	0.5		0.3	0.0	1.7		0.5				
Intersection Summary												
HCM 7th Control Delay, s/veh	12.8											
HCM 7th LOS	B											

Lanes, Volumes, Timings

2: Jackson Dr & 37th Terr

Jackson Apartments TIS
Future + Site AM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	27	29	29	25	70	20	12	80	15	36	207	71
Future Volume (vph)	27	29	29	25	70	20	12	80	15	36	207	71
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	115		0	90		0	95		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.95	1.00	0.95	0.95
Frt		0.925			0.967			0.977			0.962	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1598	0	1770	1778	0	1770	3458	0	1770	3405	0
Flt Permitted	0.690			0.713			0.950			0.682		
Satd. Flow (perm)	1285	1598	0	1328	1778	0	1770	3458	0	1270	3405	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		34			22			17			77	
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		353			623			898			774	
Travel Time (s)		8.0			14.2			20.4			17.6	
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Heavy Vehicles (%)	2%	7%	13%	2%	2%	8%	2%	2%	2%	2%	2%	2%
Adj. Flow (vph)	31	34	34	29	81	23	14	93	17	42	241	83
Shared Lane Traffic (%)												
Lane Group Flow (vph)	31	68	0	29	104	0	14	110	0	42	324	0
Turn Type	Perm	NA		Perm	NA		Prot	NA		D.P+P	NA	
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8						2		
Detector Phase	4	4		8	8		5	2		1	6	
Switch Phase												
Minimum Initial (s)	10.0	10.0		10.0	10.0		7.0	10.0		7.0	10.0	
Minimum Split (s)	24.0	24.0		24.0	24.0		13.0	24.0		13.0	24.0	
Total Split (s)	25.0	25.0		25.0	25.0		13.0	27.0		13.0	27.0	
Total Split (%)	38.5%	38.5%		38.5%	38.5%		20.0%	41.5%		20.0%	41.5%	
Maximum Green (s)	19.0	19.0		19.0	19.0		7.0	21.0		7.0	21.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)	6.0	6.0		6.0	6.0		6.0	6.0		6.0	6.0	
Lead/Lag							Lead	Lag		Lead	Lag	
Lead-Lag Optimize?							Yes	Yes		Yes	Yes	
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		None	Max		None	Max	
Walk Time (s)	7.0	7.0		7.0	7.0			7.0			7.0	
Flash Don't Walk (s)	11.0	11.0		11.0	11.0			11.0			11.0	
Pedestrian Calls (#/hr)	0	0		0	0			0			0	
Act Effect Green (s)	10.3	10.3		10.3	10.3		7.1	27.2		28.2	29.5	
Actuated g/C Ratio	0.21	0.21		0.21	0.21		0.14	0.55		0.57	0.60	
v/c Ratio	0.11	0.19		0.10	0.27		0.05	0.06		0.05	0.16	
Control Delay (s/veh)	19.3	12.9		19.2	17.2		21.7	8.8		5.3	6.2	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

Lanes, Volumes, Timings
2: Jackson Dr & 37th Terr

Jackson Apartments TIS
Future + Site AM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (s/veh)	19.3	12.9		19.2	17.2		21.7	8.8		5.3	6.2	
LOS	B	B		B	B		C	A		A	A	
Approach Delay (s/veh)		14.9			17.6			10.2			6.1	
Approach LOS		B			B			B			A	
Queue Length 50th (ft)	6	7		6	16		3	5		5	15	
Queue Length 95th (ft)	27	35		25	56		17	22		14	50	
Internal Link Dist (ft)		273			543			818			694	
Turn Bay Length (ft)	150			115			90			95		
Base Capacity (vph)	505	649		522	712		256	1921		802	2073	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.06	0.10		0.06	0.15		0.05	0.06		0.05	0.16	

Intersection Summary

Area Type: Other

Cycle Length: 65

Actuated Cycle Length: 49.1

Natural Cycle: 65

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.27

Intersection Signal Delay (s/veh): 10.1

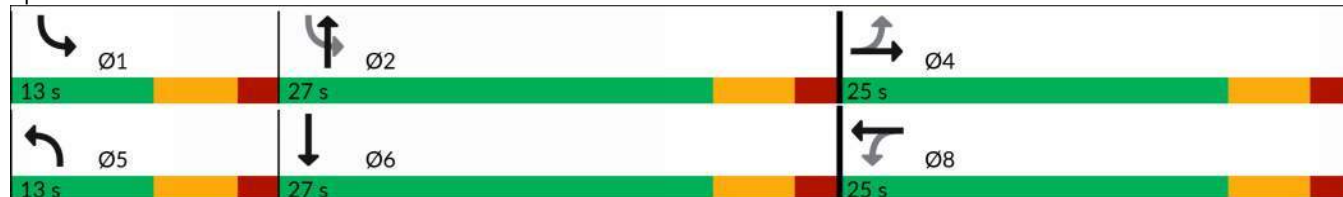
Intersection LOS: B

Intersection Capacity Utilization 28.3%

ICU Level of Service A

Analysis Period (min) 15

Splits and Phases: 2: Jackson Dr & 37th Terr



Intersection

Int Delay, s/veh 2.3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	10	59	144	9	26	31
Future Vol, veh/h	10	59	144	9	26	31
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	86	86	86	86	86	86
Heavy Vehicles, %	2	7	4	2	2	2
Mvmt Flow	12	69	167	10	30	36

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	178	0	0 265 173
Stage 1	-	-	- 173 -
Stage 2	-	-	- 92 -
Critical Hdwy	4.12	-	- 6.42 6.22
Critical Hdwy Stg 1	-	-	- 5.42 -
Critical Hdwy Stg 2	-	-	- 5.42 -
Follow-up Hdwy	2.218	-	- 3.518 3.318
Pot Cap-1 Maneuver	1398	-	- 725 871
Stage 1	-	-	- 857 -
Stage 2	-	-	- 932 -
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	1398	-	- 718 871
Mov Cap-2 Maneuver	-	-	- 718 -
Stage 1	-	-	- 850 -
Stage 2	-	-	- 932 -

Approach	EB	WB	SB
HCM Control Delay, s/v	1.1	0	9.95
HCM LOS			A

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	261	-	-	-	794
HCM Lane V/C Ratio	0.008	-	-	-	0.083
HCM Control Delay (s/veh)	7.6	0	-	-	9.9
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0.3

Intersection												
Int Delay, s/veh	7.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕	↕		↕	
Traffic Vol, veh/h	4	3	1	171	58	3	31	24	68	1	28	1
Future Vol, veh/h	4	3	1	171	58	3	31	24	68	1	28	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	93	93	93	93	93	93	93	93	93	93	93	93
Heavy Vehicles, %	2	50	2	2	2	2	2	6	5	2	5	2
Mvmt Flow	4	3	1	184	62	3	33	26	73	1	30	1

Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	156	198	31	126	126	26	31	0	0	99	0	0
Stage 1	33	33	-	92	92	-	-	-	-	-	-	-
Stage 2	124	166	-	34	33	-	-	-	-	-	-	-
Critical Hdwy	7.12	7	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	6	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	6	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.45	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	810	620	1044	847	765	1050	1581	-	-	1494	-	-
Stage 1	983	782	-	915	818	-	-	-	-	-	-	-
Stage 2	880	679	-	982	867	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	724	606	1044	822	747	1050	1581	-	-	1494	-	-
Mov Cap-2 Maneuver	724	606	-	822	747	-	-	-	-	-	-	-
Stage 1	983	781	-	894	800	-	-	-	-	-	-	-
Stage 2	791	664	-	976	867	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s/v10.21		11.47	1.85	0.25
HCM LOS	B	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1015	-	-	700	804	60	-
HCM Lane V/C Ratio	0.021	-	-	0.012	0.31	0.001	-
HCM Control Delay (s/veh)	7.3	0	-	10.2	11.5	7.4	0
HCM Lane LOS	A	A	-	B	B	A	A
HCM 95th %tile Q(veh)	0.1	-	-	0	1.3	0	-

Intersection						
Int Delay, s/veh	0.6					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	2	17	28	366	383	5
Future Vol, veh/h	2	17	28	366	383	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	3	2	2
Mvmt Flow	2	19	31	402	421	5

Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	686	213	426
Stage 1	424	-	-
Stage 2	263	-	-
Critical Hdwy	6.84	6.94	4.14
Critical Hdwy Stg 1	5.84	-	-
Critical Hdwy Stg 2	5.84	-	-
Follow-up Hdwy	3.52	3.32	2.22
Pot Cap-1 Maneuver	381	792	1129
Stage 1	628	-	-
Stage 2	757	-	-
Platoon blocked, %			
Mov Cap-1 Maneuver	369	792	1129
Mov Cap-2 Maneuver	369	-	-
Stage 1	609	-	-
Stage 2	757	-	-

Approach	EB	NB	SB
HCM Control Delay, s/v10.25		0.79	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	256	-	707	-	-
HCM Lane V/C Ratio	0.027	-	0.03	-	-
HCM Control Delay (s/veh)	8.3	0.2	10.2	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.1	-	-

HCM 7th Signalized Intersection Summary

2: Jackson Dr & 37th Terr

Jackson Apartments TIS

Future + Site PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	92	55	36	28	84	42	38	260	33	36	274	90
Future Volume (veh/h)	92	55	36	28	84	42	38	260	33	36	274	90
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1826	1781	1856	1767	1826	1870	1870
Adj Flow Rate, veh/h	101	60	40	31	92	46	42	286	36	40	301	99
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Percent Heavy Veh, %	2	2	2	2	2	5	8	3	9	5	2	2
Cap, veh/h	294	202	135	324	227	114	104	1273	159	595	1061	342
Arrive On Green	0.19	0.19	0.19	0.19	0.19	0.19	0.06	0.40	0.40	0.06	0.40	0.40
Sat Flow, veh/h	1251	1047	698	1295	1176	588	1697	3154	393	1739	2642	852
Grp Volume(v), veh/h	101	0	100	31	0	138	42	159	163	40	201	199
Grp Sat Flow(s),veh/h/ln	1251	0	1745	1295	0	1764	1697	1763	1785	1739	1777	1717
Q Serve(g_s), s	4.0	0.0	2.6	1.1	0.0	3.6	1.2	3.1	3.1	0.7	4.0	4.1
Cycle Q Clear(g_c), s	7.6	0.0	2.6	3.7	0.0	3.6	1.2	3.1	3.1	0.7	4.0	4.1
Prop In Lane	1.00		0.40	1.00		0.33	1.00		0.22	1.00		0.50
Lane Grp Cap(c), veh/h	294	0	337	324	0	341	104	712	720	595	713	689
V/C Ratio(X)	0.34	0.00	0.30	0.10	0.00	0.40	0.40	0.22	0.23	0.07	0.28	0.29
Avail Cap(c_a), veh/h	506	0	634	545	0	641	227	712	720	725	713	689
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	21.8	0.0	18.1	19.6	0.0	18.5	23.6	10.2	10.2	7.8	10.6	10.6
Incr Delay (d2), s/veh	0.7	0.0	0.5	0.1	0.0	0.8	2.5	0.7	0.7	0.0	1.0	1.1
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.1	0.0	1.0	0.3	0.0	1.4	0.5	1.1	1.2	0.2	1.5	1.5
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	22.5	0.0	18.5	19.8	0.0	19.2	26.2	10.9	11.0	7.9	11.5	11.7
LnGrp LOS	C		B	B		B	C	B	B	A	B	B
Approach Vol, veh/h	201			169			364			440		
Approach Delay, s/veh	20.5			19.3			12.7			11.3		
Approach LOS	C			B			B			B		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	9.1	27.1		16.1	9.2	27.0		16.1				
Change Period (Y+Rc), s	6.0	6.0		6.0	6.0	6.0		6.0				
Max Green Setting (Gmax), s	7.0	21.0		19.0	7.0	21.0		19.0				
Max Q Clear Time (g_c+I1), s	2.7	5.1		9.6	3.2	6.1		5.7				
Green Ext Time (p_c), s	0.0	1.6		0.6	0.0	2.1		0.6				
Intersection Summary												
HCM 7th Control Delay, s/veh	14.5											
HCM 7th LOS	B											

Lanes, Volumes, Timings

2: Jackson Dr & 37th Terr

Jackson Apartments TIS
Future + Site PM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	92	55	36	28	84	42	38	260	33	36	274	90
Future Volume (vph)	92	55	36	28	84	42	38	260	33	36	274	90
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	115		0	90		0	95		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.95	1.00	0.95	0.95
Frt		0.940			0.950			0.983			0.963	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1751	0	1770	1752	0	1671	3423	0	1719	3408	0
Flt Permitted	0.669			0.692			0.950			0.557		
Satd. Flow (perm)	1246	1751	0	1289	1752	0	1671	3423	0	1008	3408	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		40			39			22			72	
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		353			623			898			774	
Travel Time (s)		8.0			14.2			20.4			17.6	
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Heavy Vehicles (%)	2%	2%	2%	2%	2%	5%	8%	3%	9%	5%	2%	2%
Adj. Flow (vph)	101	60	40	31	92	46	42	286	36	40	301	99
Shared Lane Traffic (%)												
Lane Group Flow (vph)	101	100	0	31	138	0	42	322	0	40	400	0
Turn Type	Perm	NA		Perm	NA		Prot	NA		D.P+P	NA	
Protected Phases		4			8		5	2		1	6	
Permitted Phases	4			8						2		
Detector Phase	4	4		8	8		5	2		1	6	
Switch Phase												
Minimum Initial (s)	10.0	10.0		10.0	10.0		7.0	10.0		7.0	10.0	
Minimum Split (s)	24.0	24.0		24.0	24.0		13.0	24.0		13.0	24.0	
Total Split (s)	25.0	25.0		25.0	25.0		13.0	27.0		13.0	27.0	
Total Split (%)	38.5%	38.5%		38.5%	38.5%		20.0%	41.5%		20.0%	41.5%	
Maximum Green (s)	19.0	19.0		19.0	19.0		7.0	21.0		7.0	21.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)	6.0	6.0		6.0	6.0		6.0	6.0		6.0	6.0	
Lead/Lag							Lead	Lag		Lead	Lag	
Lead-Lag Optimize?							Yes	Yes		Yes	Yes	
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		None	Max		None	Max	
Walk Time (s)	7.0	7.0		7.0	7.0			7.0			7.0	
Flash Don't Walk (s)	11.0	11.0		11.0	11.0			11.0			11.0	
Pedestrian Calls (#/hr)	0	0		0	0			0			0	
Act Effect Green (s)	11.3	11.3		11.3	11.3		7.2	26.4		27.4	26.4	
Actuated g/C Ratio	0.23	0.23		0.23	0.23		0.15	0.54		0.56	0.54	
v/c Ratio	0.35	0.23		0.11	0.32		0.17	0.17		0.06	0.21	
Control Delay (s/veh)	22.0	13.4		18.4	15.8		23.9	9.9		6.2	9.0	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

Lanes, Volumes, Timings

2: Jackson Dr & 37th Terr

Jackson Apartments TIS
Future + Site PM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (s/veh)	22.0	13.4		18.4	15.8		23.9	9.9		6.2	9.0	
LOS	C	B		B	B		C	A		A	A	
Approach Delay (s/veh)		17.7			16.3			11.5			8.7	
Approach LOS		B			B			B			A	
Queue Length 50th (ft)	21	12		6	20		9	19		5	21	
Queue Length 95th (ft)	68	50		28	70		40	67		16	74	
Internal Link Dist (ft)		273			543			818			694	
Turn Bay Length (ft)	150			115			90			95		
Base Capacity (vph)	493	717		510	717		244	1850		664	1865	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.20	0.14		0.06	0.19		0.17	0.17		0.06	0.21	

Intersection Summary

Area Type: Other

Cycle Length: 65

Actuated Cycle Length: 49.2

Natural Cycle: 65

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.35

Intersection Signal Delay (s/veh): 12.2

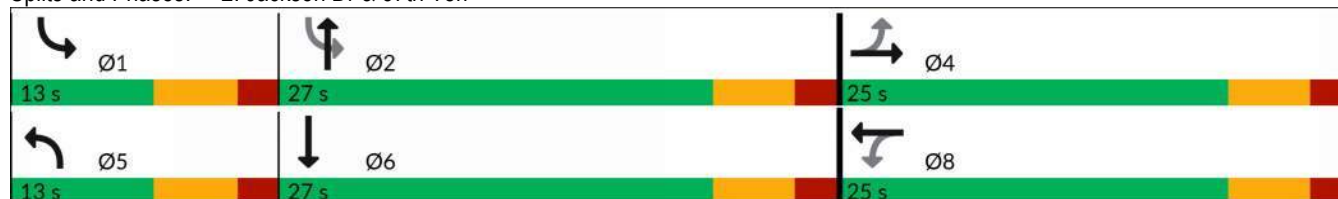
Intersection LOS: B

Intersection Capacity Utilization 52.9%

ICU Level of Service A

Analysis Period (min) 15

Splits and Phases: 2: Jackson Dr & 37th Terr



Intersection						
Int Delay, s/veh	1.5					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	33	166	184	28	17	20
Future Vol, veh/h	33	166	184	28	17	20
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	36	182	202	31	19	22
Major/Minor	Major1	Major2	Minor2			
Conflicting Flow All	233	0	-	0	473	218
Stage 1	-	-	-	-	218	-
Stage 2	-	-	-	-	255	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1335	-	-	-	550	822
Stage 1	-	-	-	-	819	-
Stage 2	-	-	-	-	788	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1335	-	-	-	533	822
Mov Cap-2 Maneuver	-	-	-	-	533	-
Stage 1	-	-	-	-	794	-
Stage 2	-	-	-	-	788	-
Approach	EB	WB		SB		
HCM Control Delay, s/v	1.29	0		10.83		
HCM LOS				B		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	298	-	-	-	-	658
HCM Lane V/C Ratio	0.027	-	-	-	-	0.062
HCM Control Delay (s/veh)	7.8	0	-	-	-	10.8
HCM Lane LOS	A	A	-	-	-	B
HCM 95th %tile Q(veh)	0.1	-	-	-	-	0.2

Intersection												
Int Delay, s/veh	5.9											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕	↕		↕	
Traffic Vol, veh/h	9	27	13	178	36	7	9	18	182	6	15	7
Future Vol, veh/h	9	27	13	178	36	7	9	18	182	6	15	7
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	0	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	99	99	99	99	99	99	99	99	99	99	99	99
Heavy Vehicles, %	2	2	2	3	2	20	2	2	2	2	10	2
Mvmt Flow	9	27	13	180	36	7	9	18	184	6	15	7

Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	85	251	19	77	71	18	22	0	0	202	0	0
Stage 1	31	31	-	36	36	-	-	-	-	-	-	-
Stage 2	55	220	-	41	34	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.13	6.52	6.4	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.13	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.13	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.527	4.018	3.48	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	901	652	1060	909	820	1010	1593	-	-	1370	-	-
Stage 1	986	869	-	977	865	-	-	-	-	-	-	-
Stage 2	958	721	-	971	866	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	845	645	1060	851	811	1010	1593	-	-	1370	-	-
Mov Cap-2 Maneuver	845	645	-	851	811	-	-	-	-	-	-	-
Stage 1	981	866	-	970	859	-	-	-	-	-	-	-
Stage 2	905	716	-	925	863	-	-	-	-	-	-	-

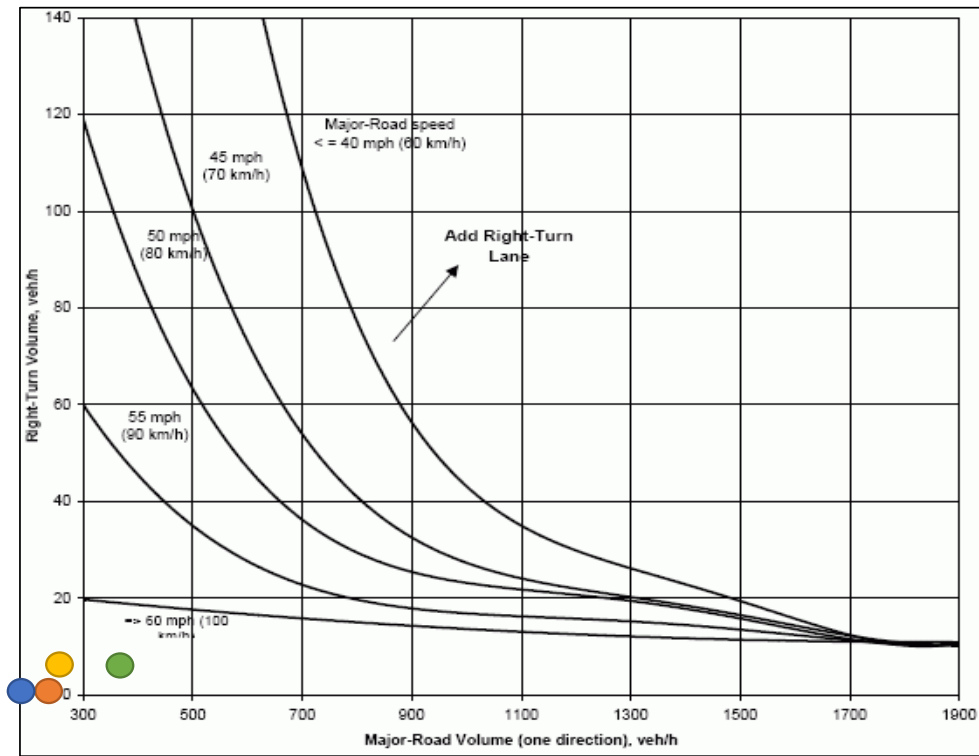
Approach	EB	WB	NB	SB
HCM Control Delay, s/v10.09		10.75	0.31	1.64
HCM LOS	B	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1WBLn1	SBL	SBT	SBR
Capacity (veh/h)	600	-	-	756	848	363	-
HCM Lane V/C Ratio	0.006	-	-	0.065	0.263	0.004	-
HCM Control Delay (s/veh)	7.3	0	-	10.1	10.8	7.6	0
HCM Lane LOS	A	A	-	B	B	A	A
HCM 95th %tile Q(veh)	0	-	-	0.2	1.1	0	-

Jackson Drive & Drive 1 - 35 MPH

SB Right-Turn Lane

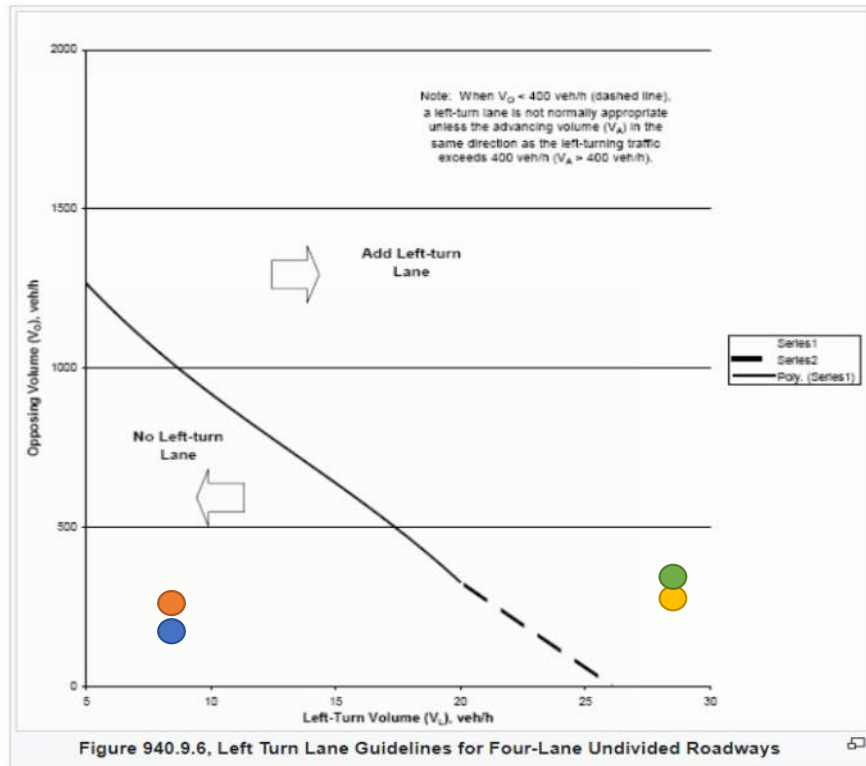
Volume Scenario	Advancing Volume	Right-Turn Volume	Lane Warranted?	Symbol
AM Ex + Site	194	1	NO	●
AM Fut + Site	288	1	NO	●
PM Ex + Site	263	5	NO	●
PM Fut + Site	388	5	NO	●



Jackson Drive & Drive 1 - 35 MPH

SB Left-Turn Lane

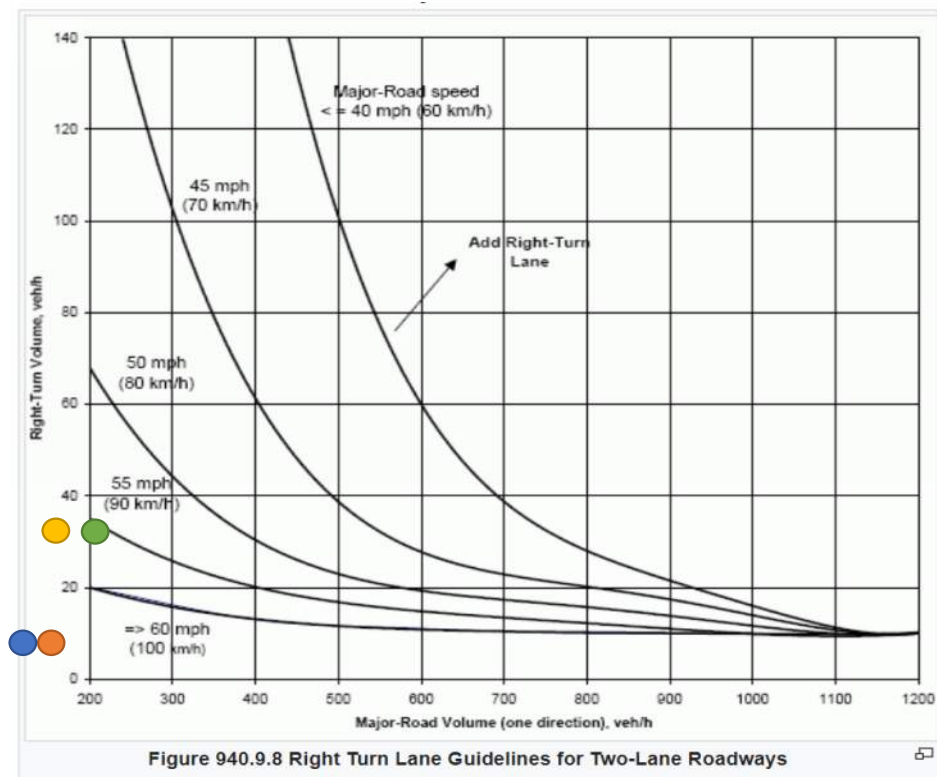
Volume Scenario	Opposing Volume	Advancing Volume	Left-Turn Volume	Percentage of Left-Turns	Lane Warranted?	Symbol
AM Ex + Site	194	88	8	9%	NO	Blue Circle
AM Fut + Site	288	127	8	6%	NO	Orange Circle
PM Ex + Site	263	274	28	10%	NO	Yellow Circle
PM Fut + Site	388	393	28	7%	NO	Green Circle



37th Terrace & Drive 2 - 30 MPH

WB Right-Turn Lane

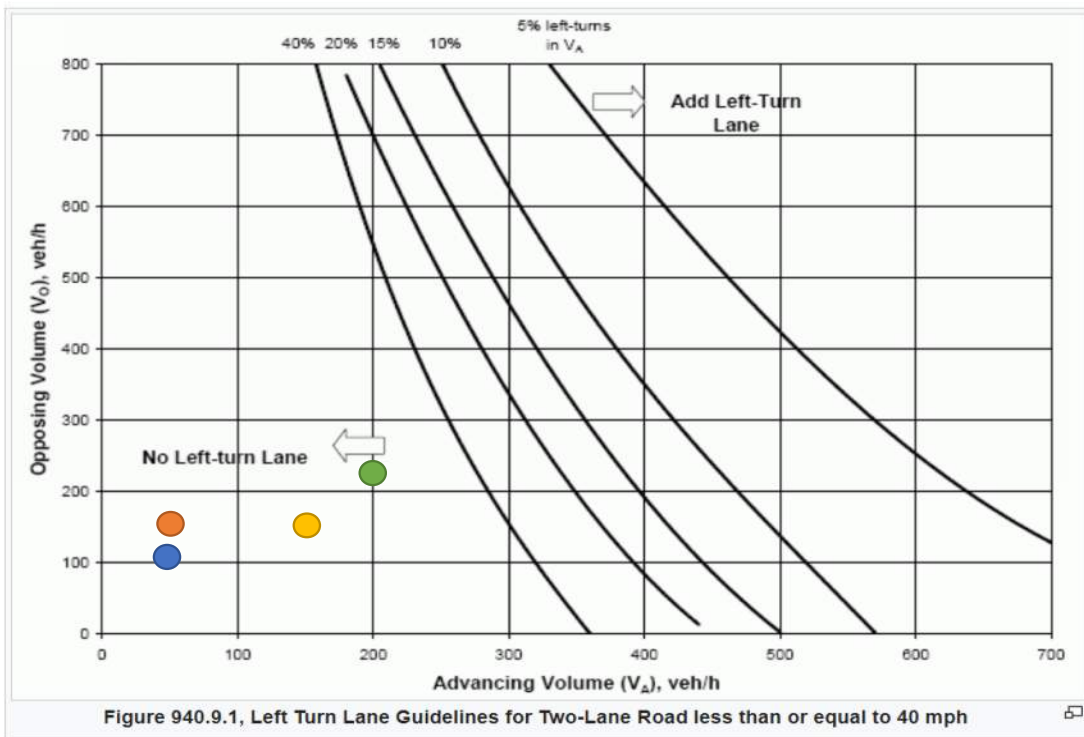
Volume Scenario	Advancing Volume	Right-Turn Volume	Lane Warranted?	Symbol
AM Ex + Site	106	9	NO	●
AM Fut + Site	153	9	NO	●
PM Ex + Site	152	28	NO	●
PM Fut + Site	212	28	NO	●



37th Terrace & Drive 2 - 30 MPH

EB Left-Turn Lane

Volume Scenario	Opposing Volume	Advancing Volume	Left-Turn Volume	Percentage of Left-Turns	Lane Warranted?	Symbol
AM Ex + Site	106	50	10	20%	NO	Blue Circle
AM Fut + Site	153	69	10	14%	NO	Orange Circle
PM Ex + Site	152	145	33	23%	NO	Yellow Circle
PM Fut + Site	212	199	33	17%	NO	Green Circle



INFINITY APARTMENTS PARKING LETTER



November 4, 2024

City of Independence, MO
111 E Maple Ave.
Independence, MO 64050

To whom it may concern:

Our proposed apartment complex includes 304 units with 500 parking spaces, providing a parking ratio of approximately 1.64 spaces per unit. This ratio aligns with industry standards and has been effective in similar developments in the region.

A strong point of comparison is The Encore Apartments in Belton, Missouri, which features 322 units and a total of 516 parking spaces, resulting in a comparable 1.6 parking ratio. The breakdown at The Encore includes a combination of 296 surface parking spaces, 62 tuck-under attached garages, 80 detached garages, and 78 carports. Despite the variety of parking options and this parking ratio, there have been no reported issues with parking availability, and adjacent public street parking is not allowed due to its status as a main arterial road. This situation suggests that the provided parking allocation meets the needs of both tenants and guests effectively.

Furthermore, the Yates & Yates management team has extensive experience—over 55 years combined—spanning more than 30 multifamily housing projects, including new constructions that transitioned into lease-ups. This portfolio, covering over 1,200 units across eight Kansas City properties, has consistently demonstrated that parking has not posed a challenge.

The clear record of success at The Encore Apartments and the team's comprehensive property management expertise support the conclusion that the parking provision of 500 spaces for our new complex will sufficiently meet the needs of residents and visitors alike. We trust that these insights will provide confidence to the City of Independence as it considers approval of our project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Adam V. DeGonia'.

Adam DeGonia, PE
Project Engineer

NOTICE:
McClure Engineering Co. is not responsible or liable for any issues, claims, damages, or losses (collectively, "Losses") which arise from failure to follow these Plans, Specifications, and the engineering intent they convey, or for Losses which arise from failure to obtain and/or follow the engineers' or surveyors' guidance with respect to any alleged errors, omissions, inconsistencies, ambiguities, or conflicts contained within the Plans and Specifications.

MISSOURI CERTIFICATE OF AUTHORITY NO. E-2006023253
EXPIRES: DECEMBER 31, 2024

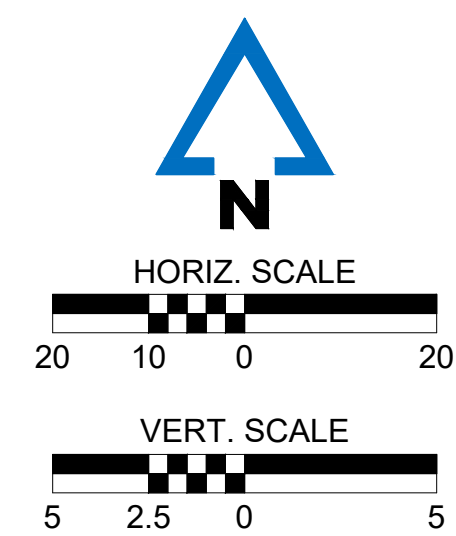
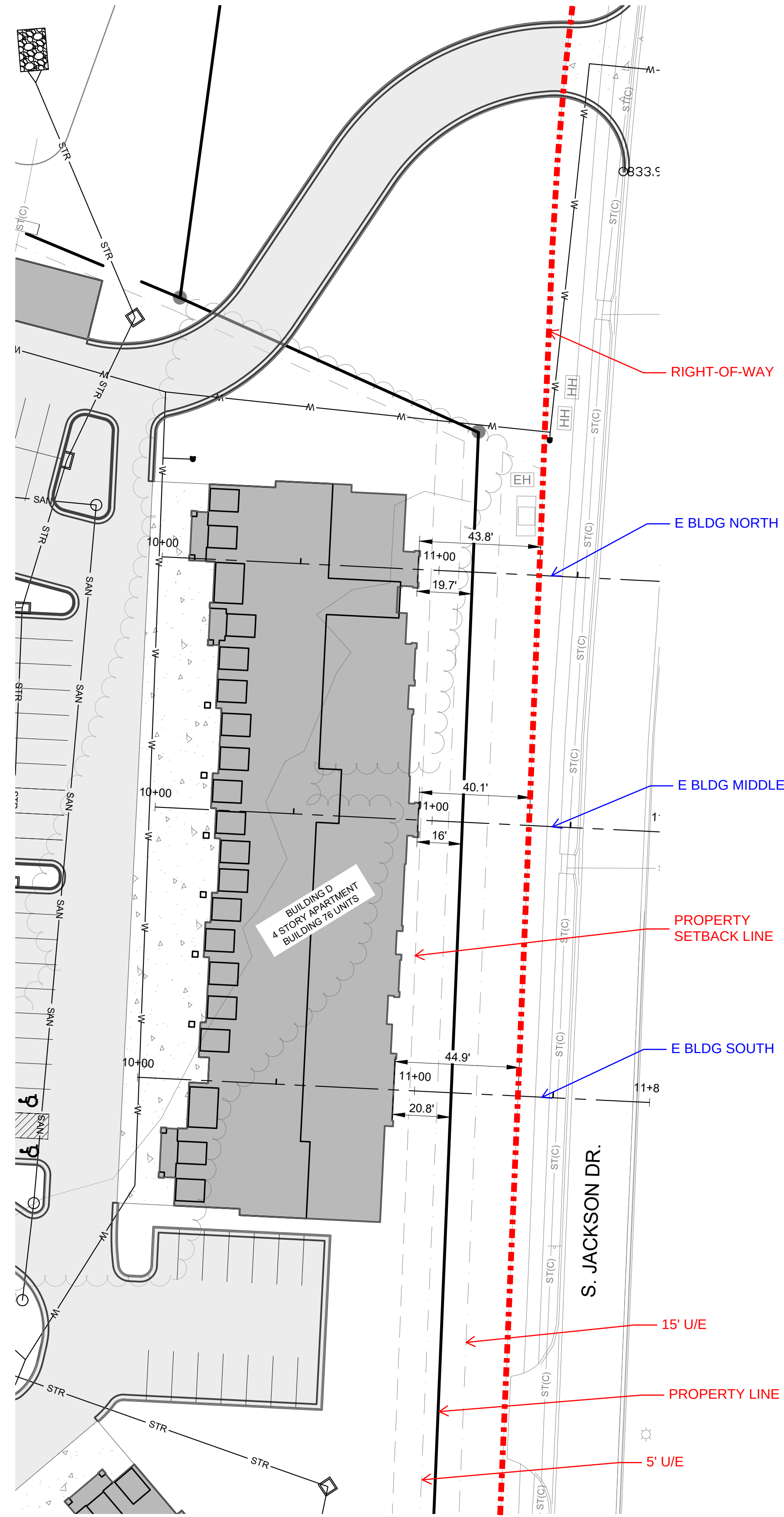
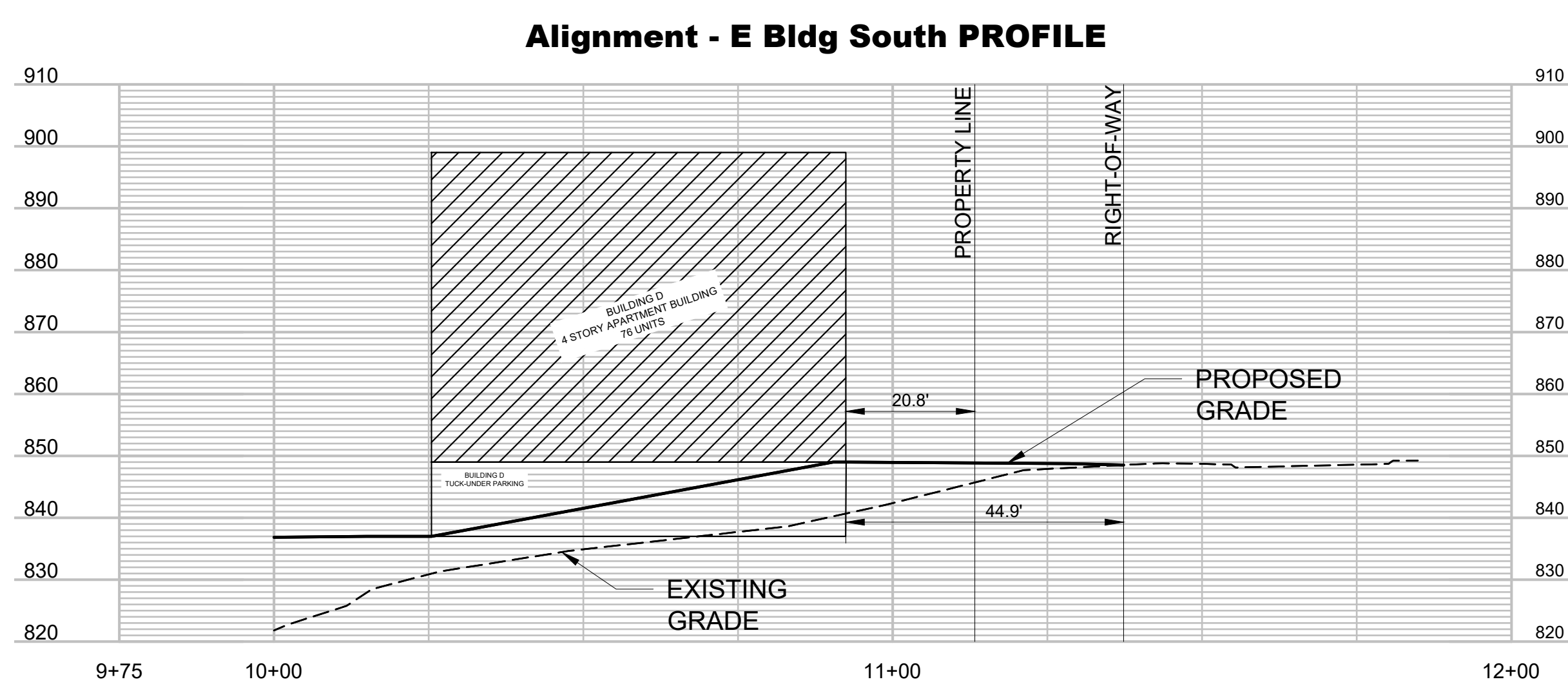
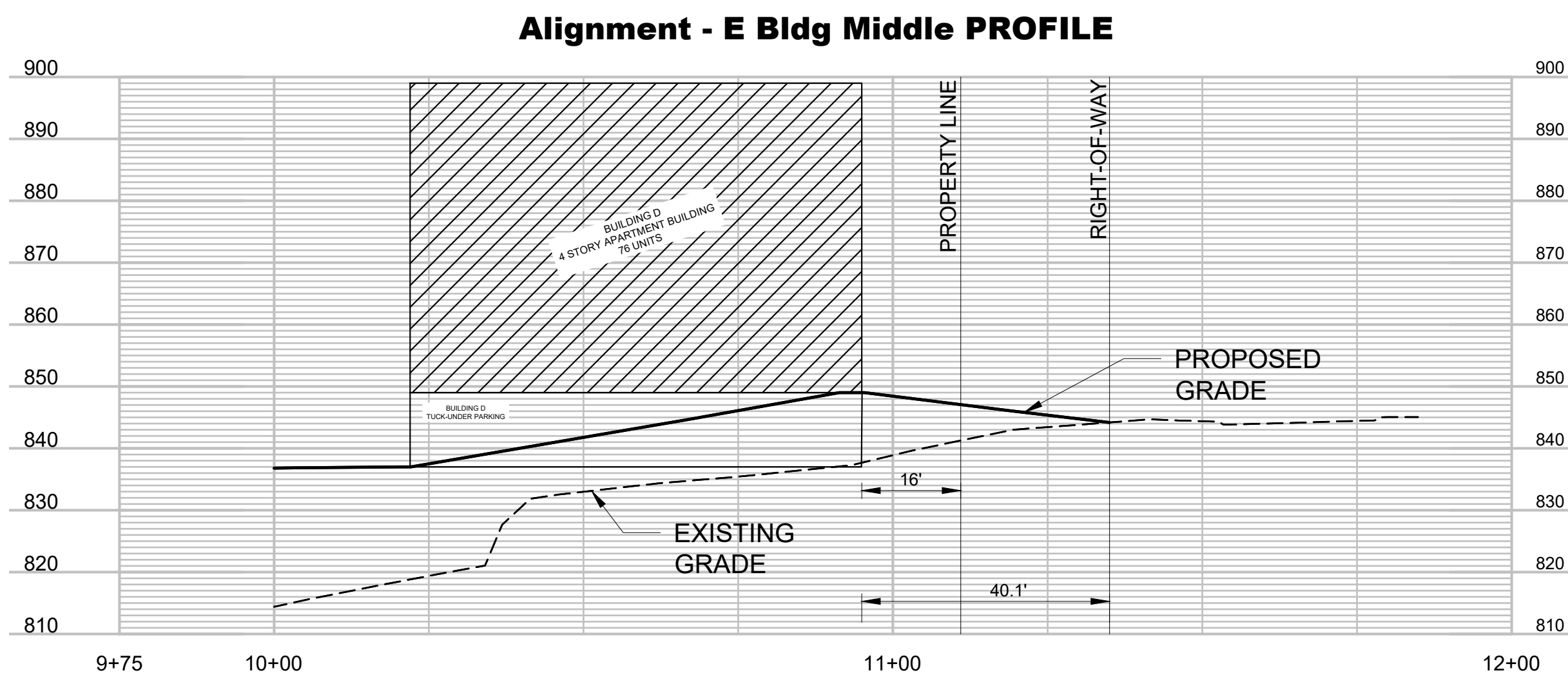
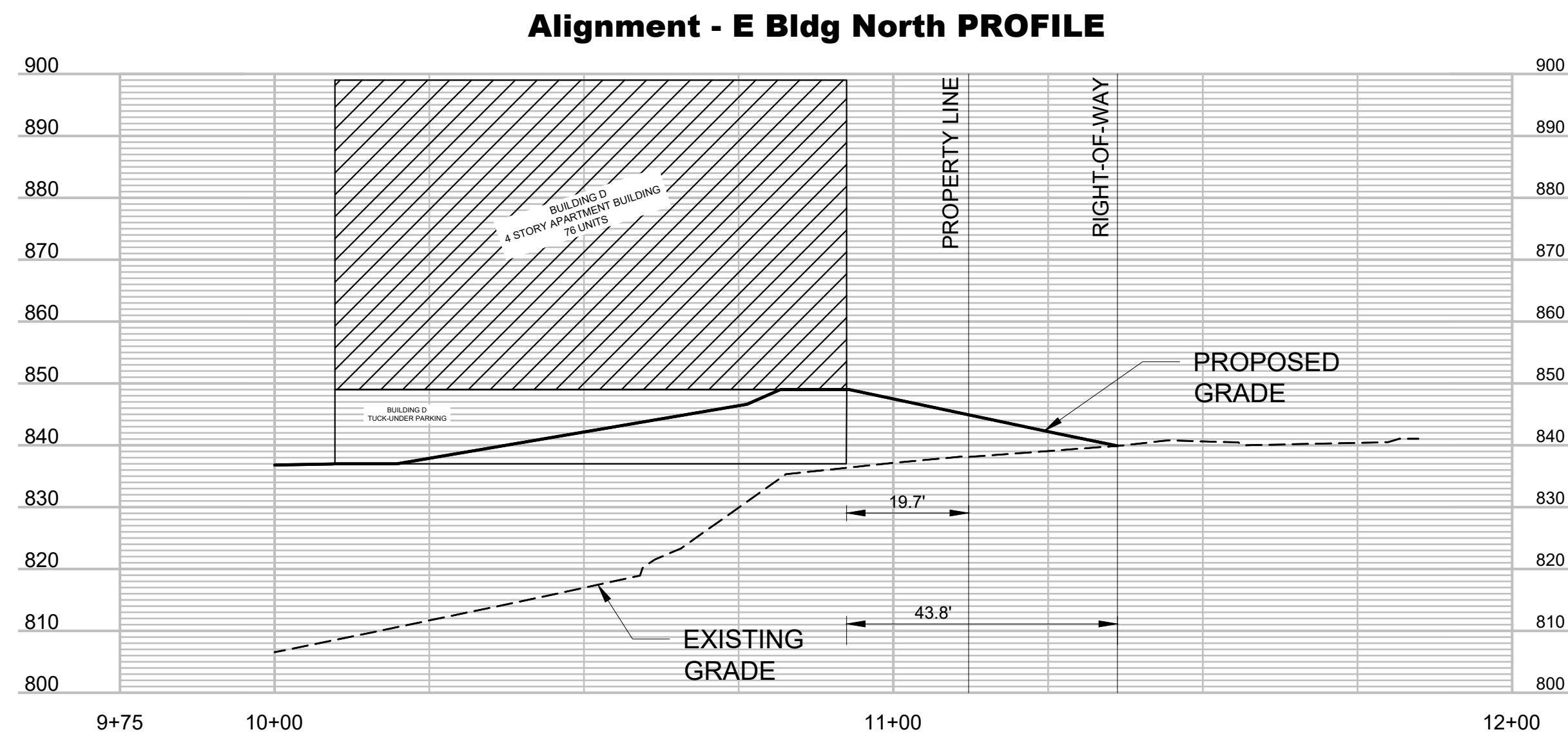
REVISIONS
2024.06.10 INITIAL CITY COMMENTS
2024.10.02 CITY COMMENTS
2024.11.01 CITY COMMENTS #3

PROJECT INFO
2023001513-000
ENGINEER: AVD
DRAWN BY: MRB
CHECKED BY: AVD

INFINITY APARTMENTS
19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

SITE PLAN WITH TOPOGRAPHY
P:\2023001513-000\04-DRAWINGS\01\INTELL\TEXT\HBT\2023001513 E BLDG PROFILES.DWG

DRAWING NO.
C201





McClure

1700 Swift (Suite 100), North Kansas City, Missouri, 64116
Phone: 816.756.0444

PRELIMINARY SEWER CAPACITY STUDY

Jackson Apartments

(E 37th Terrace Ct S & S Jackson Drive in Independence, Jackson County, Missouri)

Independence, MO

NE Quarter of Section 20, Township 49N, Range 31W

Prepared by:

McClure

Contact: Adam DeGonia
1700 Swift St. Ste 100
North Kansas City, MO 64116
816.502.3915
adegonia@mcclurevision.com

October 4, 2024

TABLE OF CONTENTS

General Information.....	3
Methodology	3
Existing Condition Analysis	3
Proposed Condition Analysis.....	4
Summary & Conclusions	5

Appendix

Preliminary Site Plan	A-1
Existing City Sewer Map	A-2
Drainage Area Map.....	A-3
Capacity Analysis	A-4
City of Independence Design Criteria.....	A-5

GENERAL INFORMATION:

The proposed Jackson Apartments development will be constructed near the intersection of E 37th Terrace Court S and S Jackson Drive in Independence, Missouri. The 11.67-acre site is in the NE quarter of section 20, township 49N, range 31W. Refer to **Appendix A-1** for the project site plan. The property is currently undeveloped. The proposed project will consist of new multi-family residential homes, open space, parking, a clubhouse and pool, and an on-site detention basin.

METHODOLOGY:

The sewer capacity design criteria consist of the City of Independence's currently adopted Code of Ordinances, Chapter 20, Article 9, Sec. 20.09.002 and 20.09.003.

EXISTING CONDITION ANALYSIS:

As previously indicated, the site is currently undeveloped with grassland and wooded cover in some locations. Existing sewer lines run along the west and north sides of the boundaries. A map of the existing city sewers within proximity of the site is included in **Appendix A-2**.

The sewer line serving the Pepperwood Apartments (east of the site) runs along the proposed Jackson Apartment' north side. It begins as an 8" VCP pipe, transitions to a 12" PVC pipe, and then combines with the existing sewer on the west side before running north under the railroad tracks.

An 8" PVC sewer line runs north along the west property boundary, serving only the Sunterra Springs facility.

The sewer line for the Independence Ridge apartments (west of the site) runs northwest, crosses the railroad tracks, then turns back east to combine with the existing and proposed sewer lines from the subject property. This combined line flows north into an inverted siphon with 6" and 12" components. The City is currently reviewing options for improving this and the interceptor immediately downstream.

PROPOSED CONDITION ANALYSIS:

The proposed project will consist of new multi-family residential homes, open space, parking, a clubhouse and pool, and an on-site detention basin. There will be 4-4 story apartment buildings constructed on site. Due to the type and size of development, sewer mains no larger than 8" are anticipated for serving the overall site.

Final design grading has not been completed yet, but with the site's topography, the proposed drainage pattern of the site is not likely to change from that of the pre-developed drainage pattern.

As this study is part of an overall preliminary development plan submittal, no engineering design has been completed on the proposed sewers. However, an estimate based on site topography

conditions has been assumed and was used as basis for the pipe calculations found in the Capacity Analysis in **Appendix A-4**.

The table below shows the minimum hourly peak flow rate calculations for the existing, proposed, and future sewers affecting this site. This table can also be found in the Capacity Analysis in **Appendix A-4**.

MINIMUM HOURLY PEAK FLOW RATE CALCULATIONS				
LAND USE	OUTGOING PIPE SIZE (IN.)	AREA (AC.)	SEWER CAPACITY FLOW FACTOR (CFS/AC.)	MIN. HOURLY PEAK FLOW RATE (CFS)
MULTI-FAMILY (EXISTING, PEPPERWOOD APTS)	8	21.1	0.02	0.42
MULTI-FAMILY (EXISTING, INDEPENDENCE RIDGE)	8	25.07	0.03	0.75
MULTI-FAMILY (PROPOSED)	8	11.67	0.03	0.35
COMMERCIAL (OTHER)	12	81.85	0.02	1.64
COMMERCIAL (SUNTERRA SPRINGS)	8	3.35	0.02	0.07
FUTURE A (C-2 COMMERCIAL)	TBD	23.5	0.02	0.47
FUTURE B (R-6 RESIDENTIAL)	TBD	6	0.03	0.18
FUTURE C (R-6 RESIDENTIAL)	TBD	5.6	0.03	0.17
FUTURE D (C-2 COMMERCIAL)	TBD	5.6	0.02	0.11
FUTURE E (R-6 RESIDENTIAL)	TBD	10.0	0.03	0.30
FUTURE F (C-2 & R-6)	TBD	6.1	0.025	0.15
FUTURE G (R-18 RESIDENTIAL PUD)	TBD	14.2	0.03	0.43

A total peak flow to the site outfall location once full build out (including 71 acres of future development) is complete is determined to be 5.04 cfs. The amount of flow added by our proposed development accounts for 0.35 cfs of that flow.

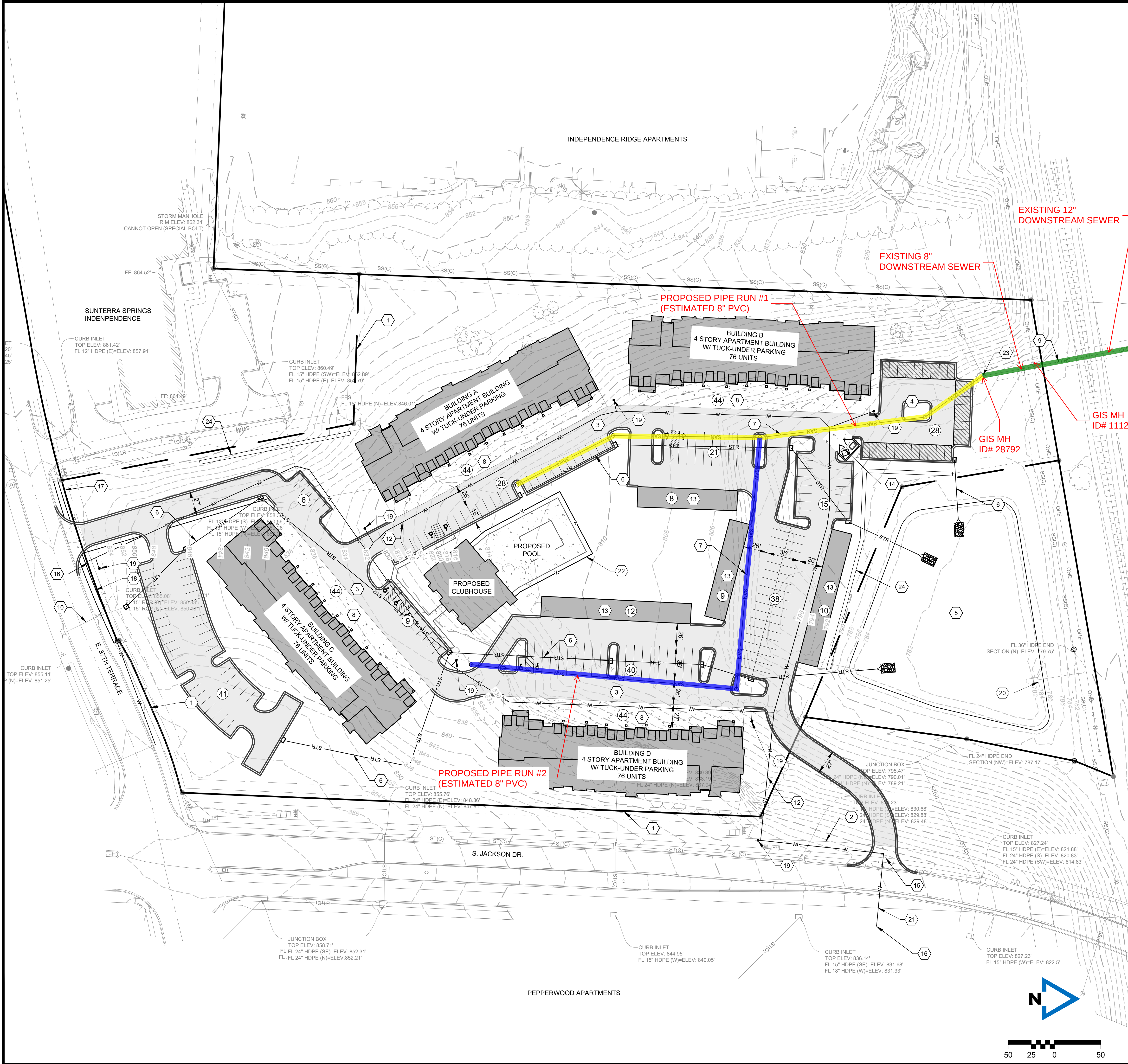
SUMMARY & CONCLUSION:

The proposed Jackson Apartments development will be constructed near the intersection of E 37th Terrace Court S and S Jackson Drive in Independence, Missouri. The proposed project will consist of new multi-family residential homes, open space, parking, a clubhouse and pool, and an on-site detention basin.

Analysis shows a capacity of the existing 15" downstream sewer to be 3.58 cfs. After full build out of the proposed site, an additional 0.35 cfs will be added to the system bringing the total flow to 5.04 cfs, which is above the capacity of the downstream system.

The City is reviewing options for improvement of the downstream interceptor. Once a potential solution is determined, the owner will work with the city under the Independence Cost Share Ordinance Sec. 20.09.016 to construct improvements.

APPENDIX A-1
PRELIMINARY SITE PLAN



- KEY NOTES**
- 1 PROPERTY LINE (TYP.)
 - 2 EXISTING RIGHT-OF-WAY
 - 3 PROPOSED ASPHALT PRIVATE DRIVE PAVEMENT
 - 4 PROPOSED CARPORT PARKING
 - 5 EXISTING DETENTION BASIN
 - 6 PROPOSED PRIVATE STORM SEWER
 - 7 PROPOSED PRIVATE SANITARY SEWER
 - 8 PROPOSED CONCRETE PAVEMENT (GARAGE DRIVE ENTRY)
 - 9 EXISTING 8" PUBLIC SANITARY SEWER
 - 10 EXISTING 15" PUBLIC STORM SEWER
 - 11 EXISTING DRIVEWAY
 - 12 PROPOSED WATER MAIN
 - 13 GARAGE PARKING
 - 14 PROPOSED DUMPSTER ENCLOSURE
 - 15 PROPOSED DRIVEWAY
 - 16 PROPOSED CONNECTION TO EXISTING/PUBLIC WATER
 - 17 PROPOSED PUBLIC WATER EXTENSION
 - 18 PROPOSED SIDEWALK EXTENSION
 - 19 PROPOSED FIRE HYDRANT
 - 20 EXISTING DETENTION BASIN CONTROL STRUCTURE
 - 21 PROPOSED CURB CUT
 - 22 PROPOSED POOL FENCE
 - 23 PROPOSED SANITARY CONNECTION TO EXISTING SANITARY SEWER
 - 24 PROPOSED RETAINING WALL

- LEGEND**
- | | |
|----------|-------------------------------|
| | PROPOSED CONCRETE PAVEMENT |
| | PROPOSED ASPHALT PAVEMENT |
| | PROPOSED BUILDINGS |
| | PROPOSED CARPORT PARKING |
| # | PARKING STALL COUNT |
| | EX. SANITARY SEWER LINE |
| | EX. STORM SEWER LINE |
| | EX. UNDERGROUND ELECTRIC LINE |
| | EX. WATER LINE |
| | EX. OVERHEAD ELECTRIC |
| | EX. UTILITY POLE |
| | EX. LIGHT POLE |
| | EX. MANHOLE |
| | EX. FIRE HYDRANT |
| | NEW FENCE |
| | NEW STORM SEWER LINE |
| | NEW FIBER OPTIC LINE |
| | NEW WATER LINE |
| | NEW SANITARY SEWER LINE |
| | NEW SANITARY MANHOLE |
| | NEW NON-SETBACK STORM INLET |
| | NEW JUNCTION BOX |
| | NEW WATER TEE |
| | NEW WATER THRUST BLOCK |
| | NEW WATER VALVE |
| | NEW FIRE HYDRANT |
| | EXISTING 2' CONTOUR |
| | EXISTING 10' CONTOUR |

LEGAL DESCRIPTION
LOT 2 AND TRACT A, JACKSON BUSINESS PARK, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.

SITE ADDRESS
19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

AREA SUMMARY
TOTAL AREA: 508,393 +/- SQ. FT. (11.67 +/- ACRES)
OPEN SPACE AREA: 237,178 +/- SQ. FT. (47%)

ZONING NOTE
EXISTING ZONING: C-2 (GENERAL COMMERCIAL)
PROPOSED ZONING: R-30 (PUD)

MINIMUM STANDARDS:
ARTERIAL STREET SETBACK - 50'
COLLECTOR/MINOR ARTERIAL STREET SETBACK - 35'
ALL OTHER STREETS - 25'
REAR SETBACK - 25'
SIDE SETBACK - 5'
MAXIMUM HEIGHT - 35'

SITE DEVELOPMENT DATA
PROPOSED BUILDING = 4 BUILDINGS (76 UNITS EACH)

OFF-STREET PARKING = 198 SPACES
ATTACHED GARAGE PARKING(44/BUILDING) =176 SPACES
DETACHED GARAGE PARKING = 39 SPACES
CARPORT PARKING = 28 SPACES
TOTAL PARKING PROVIDED = 441 SPACES

FLOODPLAIN:
PER THE "FLOOD INSURANCE RATE MAP", COMMUNITY PANEL NO. 29095C0311G, HAVING AN EFFECTIVE JANUARY 20, 2017 AS PUBLISHED BY FEDERAL EMERGENCY MANAGEMENT AGENCY. OUR REVIEW OF THIS MAP INDICATES THAT THIS PARCEL OF LAND LIES WITHIN ZONE X WHICH IS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

McCLURETM
1700 Swift Ave., Suite 100
North Kansas City, Missouri 64116
P 816-756-0444
F 816-756-1763
Ankeny, IA | Carroll, IA
Cedar Rapids, IA | Clive, IA
Coralville, IA | Council Bluffs, IA
Fort Dodge, IA | Sioux City, IA
Columbia, MO | Macon, MO
North Kansas City, MO | Springfield, MO
Lenexa, KS
Portsmouth, NH

NOTICE:
McClure Engineering Co. is not responsible or liable for any issues, claims, damages, or losses (collectively, "Losses") which arise from failure to follow these Plans, Specifications, and the engineering intent they convey, or for Losses which arise from failure to obtain and/or follow the engineers' or surveyors' guidance with respect to any alleged errors, omissions, inconsistencies, ambiguities, or conflicts contained within the Plans and Specifications.

MISSOURI CERTIFICATE OF AUTHORITY NO. E-2006023253
EXPIRES: DECEMBER 31, 2024

REVISIONS
2024.06.10 INITIAL CITY COMMENTS

PROJECT INFO
2023001513-000
ENGINEER **DRAWN BY** **CHECKED BY**
AVD MRB AVD

JACKSON APARTMENTS
19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

DRAWING NO.
C201

SITE PLAN WITH TOPOGRAPHY
P:\2023001513-000\04-DRAWINGS\01-INITIAL CITY COMMENTS\PRELIMINARY DEVELOPMENT PLANS\2023001513 SITE.DWG

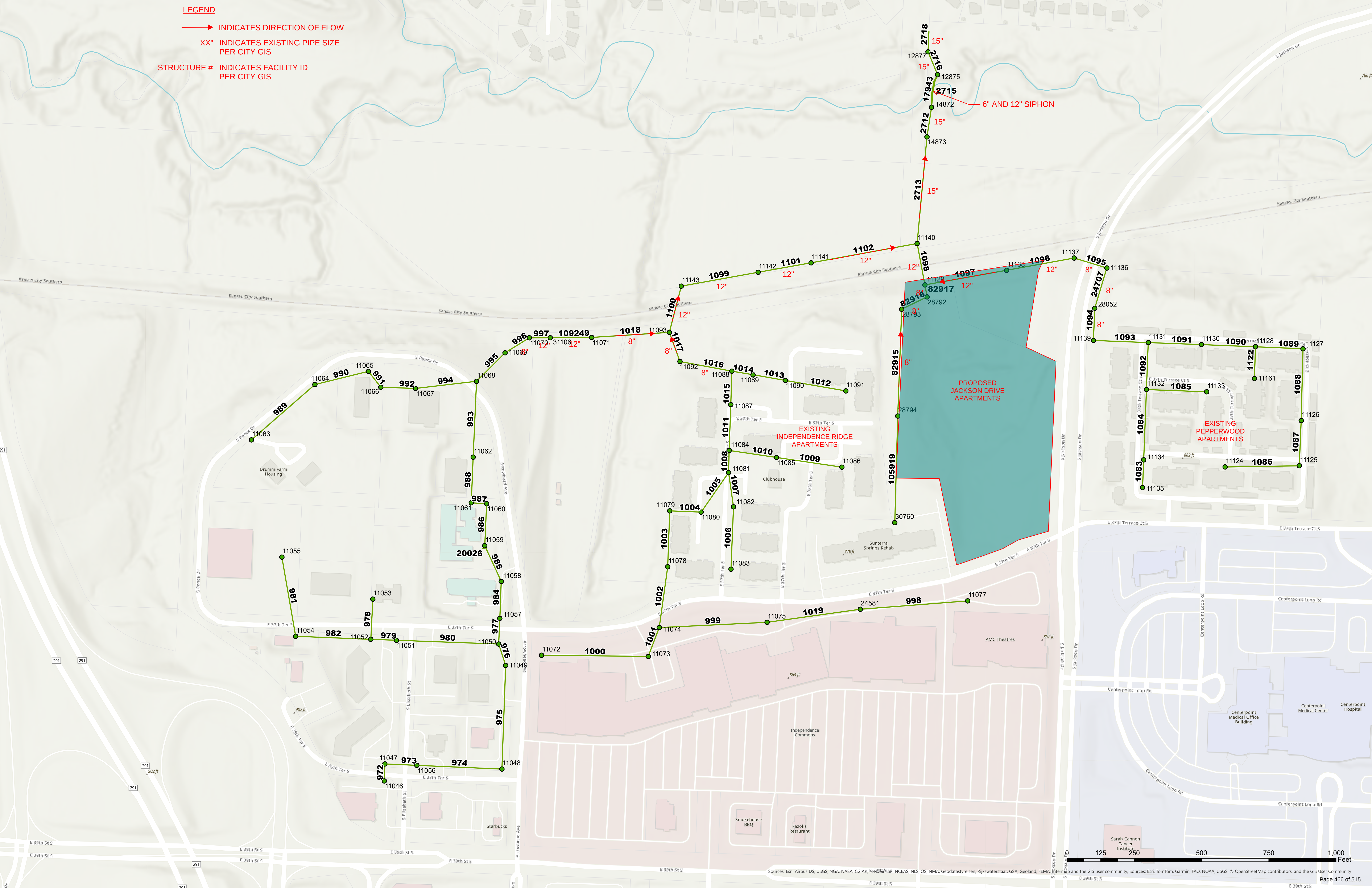
APPENDIX A-2
EXISTING SEWER MAP

LEGEND

→ INDICATES DIRECTION OF FLOW

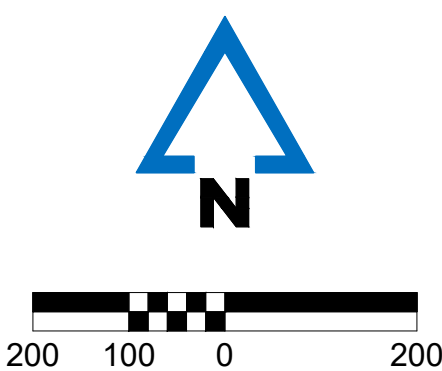
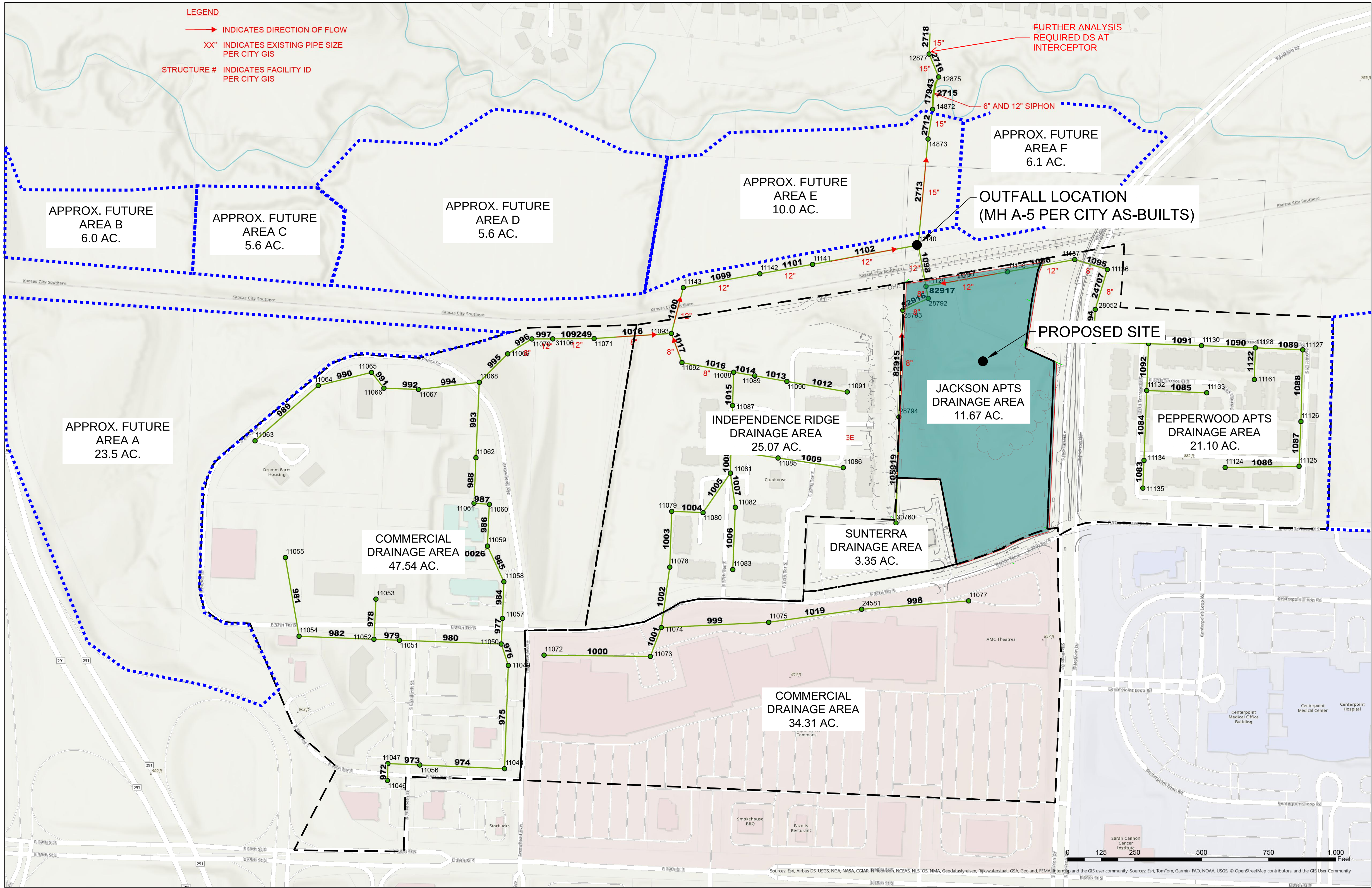
XX" INDICATES EXISTING PIPE SIZE
PER CITY GIS

STRUCTURE # INDICATES FACILITY ID
PER CITY GIS



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, FAO, Robinson, NCEAS, NLS, OS, NMA, Geodatasysteem, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

APPENDIX A-3
DRAINAGE AREA MAP





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Coralville, IA | Council Bluffs, IA
Fort Dodge, IA | Sioux City, IA
Columbia, MO | Macon, MO
North Kansas City, MO | Springfield, MO
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MISSOURI CERTIFICATE OF AUTHORITY NO. E-2006023253
EXPIRES: DECEMBER 31, 2024

REVISIONS

2024.06.10 INITIAL CITY COMMENTS

PROJECT INFO

2023001513-000

ENGINEER: AVD DRAWN BY: MRB CHECKED BY: AVD

INFINITY APARTMENTS
19300 E 37TH TERRACE
INDEPENDENCE, MO 64057

DRAINAGE AREA MAP
P:2023001513-00003-ENGINEERING/CIVIL/SEWER CAPACITY STUDY/2023001513-000 DMAP EXISTING.DWG

DRAWING NO.
A-3

APPENDIX A-4

CAPACITY ANALYSIS

MINIMUM HOURLY PEAK FLOW RATE CALCULATIONS				
LAND USE	OUTGOING PIPE SIZE (IN.)	AREA (AC.)	SEWER CAPACITY FLOW FACTOR (CFS/AC.)	MIN. HOURLY PEAK FLOW RATE (CFS)
MULTI-FAMILY (EXISTING, PEPPERWOOD APTS)	8	21.1	0.02	0.42
MULTI-FAMILY (EXISTING, INDEPENDENCE RIDGE)	8	25.07	0.03	0.75
MULTI-FAMILY (PROPOSED)	8	11.67	0.03	0.35
COMMERCIAL (OTHER)	12	81.85	0.02	1.64
COMMERCIAL (SUNTERRA SPRINGS)	8	3.35	0.02	0.07
FUTURE A (C-2 COMMERCIAL)	TBD	23.5	0.02	0.47
FUTURE B (R-6 RESIDENTIAL)	TBD	6	0.03	0.18
FUTURE C (R-6 RESIDENTIAL)	TBD	5.6	0.03	0.17
FUTURE D (C-2 COMMERCIAL)	TBD	5.6	0.02	0.11
FUTURE E (R-6 RESIDENTIAL)	TBD	10.0	0.03	0.30
FUTURE F (C-2 & R-6)	TBD	6.1	0.025	0.15
FUTURE G (R-18 RESIDENTIAL PUD)	TBD	14.2	0.03	0.43

TOTAL PEAK FLOW TO SITE OUTFALL POINT (CFS) 5.04
TOTAL CAPACITY AT SITE OUTFALL (CFS) 3.58

PROJECT SITE PIPE CALCULATIONS					
PIPE	SIZE (IN.)	SLOPE (FT/FT)	N	FULL FLOW VELOCITY (FT/S)	FULL FLOW CAPACITY (CFS)
1	8	0.06	0.011	10.02	3.50
2	8	0.05	0.011	9.15	3.19
EXIST.	15	0.0022	0.011	2.92	3.58

APPENDIX A-5
CITY OF INDEPENDENCE DESIGN CRITERIA

Sec. 20.09.002. - General requirements.

Sanitary sewer systems shall be designed for the ultimate tributary population and shall be based on the best information available, including current zoning regulations and approved planning and zoning reports. Only gravity sewers, in accordance with provisions contained herein, shall be considered for acceptance by the City.

Sewers shall be designed to provide capacity based on the following criteria unless directed otherwise by the City Engineer:

- A. Single Family Residential - .015 cfs/acre
- B. Multi-Family Residential - .03 cfs/acre
- C. Commercial .02 cfs/acre
- D. Industrial and High Rise (in excess of three stories). A unit flow study is required.

Sec. 20.09.003. - Pipe size.

No gravity sewer main shall be less than eight inches in diameter. The sewer shall be sized based on the criteria set forth in Section 20.09.001 and 20.09.002. Pipe sizing shall be based on the Manning formula:

$$Q = \frac{1.486 R^2 S^{1/2}}{n}$$

Where:

Q = Pipe flow capacity in cubic feet per second (cfs)

A = Inside area of pipe in square feet

R = Hydraulic Radius

S = Pipe slope in feet per foot n = Pipe roughness coefficient

Value for n shall be as follows for the particular type used:

RCP	- .013
VCP	- .013
Plastic composite	- .011
Ductile Iron	- .012

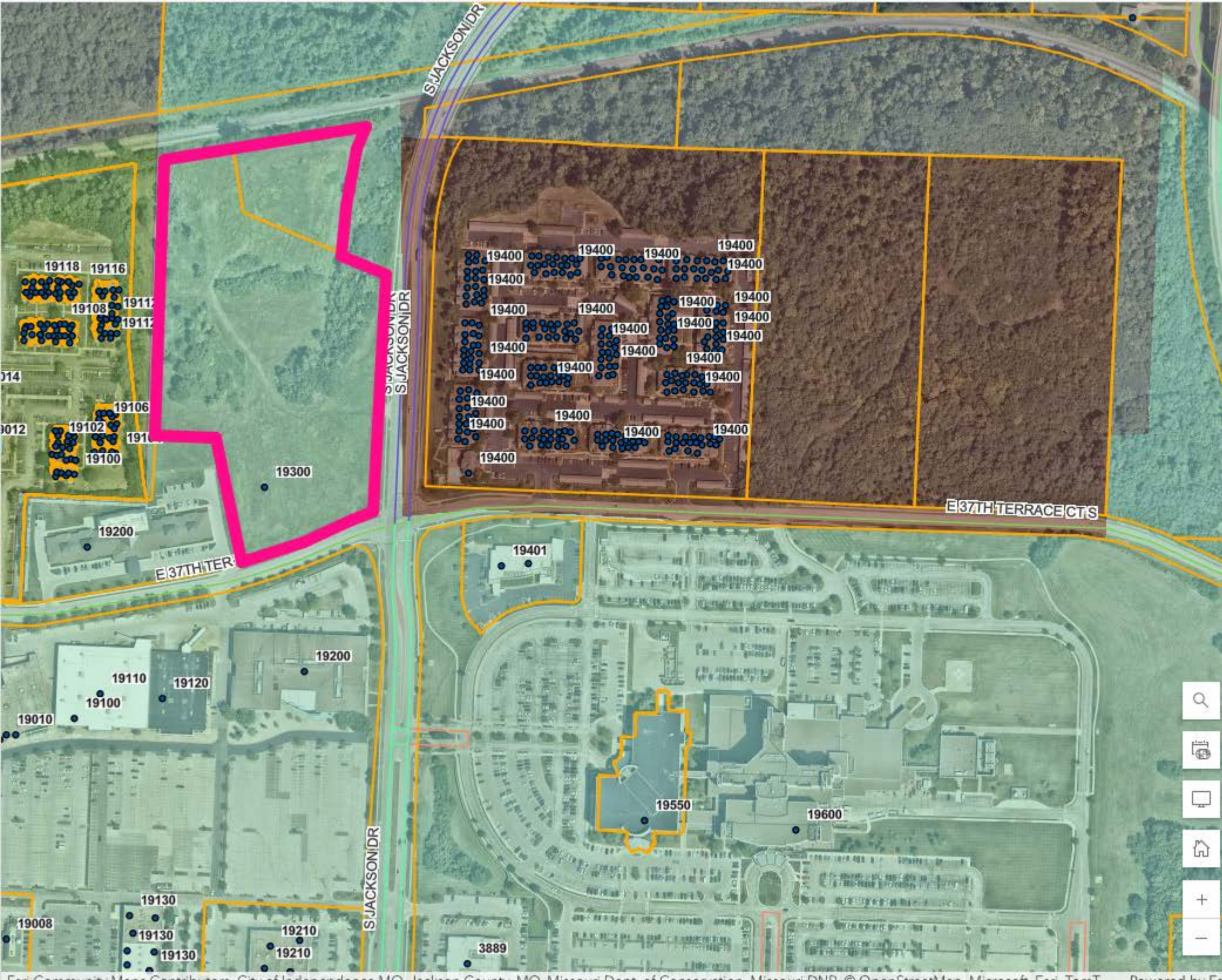
Headwater depths in a manhole shall not exceed one foot above the pipe opening. Headloss coefficients (K) at the manhole shall be as follows:.

Condition		
Thru flow		.15
Junction		.4
Contraction transition		.1
Expansion transition		.2
90 degree bend		.4
45 degree and less bends		.3

Properties

Zoning District

- ARTS
- BP
- BP/PUD
- C-1
- C-2
- C-2/HL
- C-2/I-1/U
- C-2/PUD
- C-2/SUP
- C-3
- C-3/SUP
- DFD
- I-1
- I-1/HL
- I-1/SUP
- I-1/U
- I-2
- O-1
- O-1/PUD
- R-1
- R-12
- R-12/HL





Planning Commission Minutes

November 19, 2024 6:00 PM

City Hall, 111 E. Maple Avenue (Ground Floor), Council Chambers

CALL TO ORDER

A meeting of the Planning Commission was held at 6:00 PM on 11/19/2024, in the 111 E Maple Avenue City Council Chambers, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - .

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

Commissioner Nesbitt requested to pull Case 24-320-08 from the Consent Agenda.

1. Planning Commission Minutes – October 29, 2024

Motion

Commissioner Dan O'Neill made a motion to approve the Consent Agenda. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. Case 24-320-08 – Final Plat – McBee Acres – A request for Final Plat approval for McBee Acres generally located at the northwest corner of US 24 and Salem Drive.

In response to Commissioner Nesbitt's question, Gabe Glaser advised parking was addressed in the conditions.

Motion

Commissioner Eric Ashbaugh made a motion to approve the case. Commissioner Virginia Ferguson seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

PUBLIC HEARINGS

1. **Continued Case 24-125-05 Rezoning/PUD – 19300 E 37th Terrace** – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Harker reviewed the conditions of approval.

In response to Commissioner Nesbitt's question, Mr. Harker advised that there's a piece of City property between the right-of-way and the subject property. Commissioner Ashbaugh asked if the City maintains that piece of property between this development and the right-of-way. Mr. Arroyo stated he believes the City maintains the property and will continue to maintain the property.

Commissioner Nesbitt stated he would like to see electric vehicle charging stations required and questioned why we're allowing so few parking spots. Mr. Arroyo said electric vehicle charging stations are not required and there are challenges in requiring those with apartment buildings.

Mr. Arroyo stated the developer provided a plan that shows their anticipated parking needs and noted visitors wouldn't be able to park on the major streets around this development. Mr. Arroyo noted the parking ratio is 1.64 per unit.

Commissioner Nesbitt questioned why new apartments are being proposed when the Housing Study said the City no longer needs apartments. Mr. Arroyo stated the update to the Housing Study showed the City could use around 650 units before we reach saturation.

In response to Chairwoman Wiley's question, Mr. Arroyo stated they believe this development will be similar in height to the existing Pepperwood Apartments.

Applicant Comments

Clint Burkdoll, Olathe, KS, stated they're a local developer and said they would be willing to add some electric vehicle charging stations. He also noted they would be willing to mow the piece of City property. Mr. Burkdoll stated the site is steep and there are challenges with the topography, which is why it hasn't been developed yet.

Jason Osborne, Rosemann & Associates, 1526 Grand Blvd, Kansas City, said the garages will

hold standard trucks. Mr. Osborne said these would be market rate apartments and based their parking plan on existing developments.

In response to Commissioner Ashbaugh's question, Mr. Osborne stated they plan to have a valet trash service.

Public Comments

No public comments.

Commissioner Comments

Commissioner Nesbitt stated he would like a condition added that requires electric vehicle charging stations.

Motion

Commissioner Edward Nesbitt made a motion to approve the case, with conditions as outlined by staff and the added condition from Commissioner Nesbitt. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Continued Case 24-100-24 – Rezoning – 2131 S. Scott Avenue** – A request by Andrew Rocco Mazzella to rezone the property from R-12 (Two-Family Residential) to C-2 (General Commercial).

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

In response to Commissioner O'Neill's question, Mr. Harker stated it's a cleaning business.

Applicant Comments

Erwin Gard, 1040 SW Luttrell, Blue Springs, stated he's representing the applicant. Mr. Gard stated he believes the business does not store cleaning chemicals, but sells the cleaning supplies.

In response to Chairwoman Wiley's question, Mr. Gard said they will improve the sidewalk, curb and gutter along Scott and 23rd Street and noted the gravel will be removed.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

3. **Continued Case 24-100-25 – Rezoning – 2301 S. Chrysler Avenue** – A request by the City to rezone the property from I-1 (Industrial) and R-6 (Single Family Residential) to R-6 (Single Family Residential).

Staff Presentation

Brian Harker presented updates for this case. He provided the Commission with a background on the use of the stadium. Mr. Harker stated in 2023, the Independence School District entered into a lease with the City and Van Horn High School baseball team started using the facility.

The Independence School District has invested funds to improve the property and seeks to enter into a Development Agreement with the City to continue use of the facility.

Public Comments

Beverly Lentz, 1208 W 24th St S, expressed concerns about environmental impact and the homeless population in that area.

Commissioner Comments

In response to Chairwoman Wiley's question, Mr. Harker confirmed this is a corrective rezoning so that both plots are zoned the same and will have the same address. Chairwoman Wiley thanked staff for answering all the questions that were presented at the last meeting.

Motion

Commissioner Eric Ashbaugh made a motion to approve the case. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

4. **Case 24-100-26 – Rezoning – 17200 E. Medical Center Pkwy, 17203 & 17221 E. 23rd Street** – A request by the City to rezone the property from R-30/PUD (High Density Residential/Planned Unit Development) to C-2 (General Commercial).

Staff Presentation

Gabe Glaser presented the case. Mr. Glaser presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Public Comments

Natalie Sevy, 17208 E 23rd St, stated she owns a property across the street from the Independence Utilities Center. She stated if there is going to be a jail on this property, she is opposed to this change.

Mr. Glaser noted this is a rezoning request and is not related to a future use of this property.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Edward Nesbitt

seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

OTHER BUSINESS

1. Training provided by Lauber Law

Jeremy Lauber provided training to the Planning Commission.

ROUNDTABLE - NEXT MEETING DECEMBER 10, 2024

Staff noted we currently don't have any cases for the December 10, 2024 Planning Commission meeting and we anticipate canceling that meeting.

ADJOURNMENT

The meeting was adjourned at 8:38 p.m.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-129 **1R** An ordinance approving a rezoning from District R-30/PUD (High-Density Residential Planned Unit Development) to District C-2 (General Commercial) for the properties at 17200 E. Medical Center Parkway, 17203 & 17221 E. 23rd Street. **1R**

Recommendations:

Commissioner O'Neill made a motion to recommend approval of case 24-100-26, the rezoning of 17200 E. Medical Center Parkway, 17203 & 17221 E. 23rd Street. A second to the motion was made by Commissioner Nesbitt. The Independence Planning Commission voted as follows:

Commissioner Nesbitt – Yes
Commissioner Ferguson – Yes
Commissioner Ashbaugh - Yes
Commissioner Wiley - Yes
Commissioner O'Neill – Yes
Commissioner Torres – Yes
Commissioner Young – Yes

The motion was approved, and the application is forwarded to the City Council for its consideration. Staff recommends approval of this application.

Background:**PROPOSAL:**

The City has owned this property since acquiring the property in 2014. Since that time, the City has repurposed the former medical office building adjacent to 23rd Street into the Independence Utilities Center as well as constructing the Independence Communication Center along Medical Center Parkway. The City seeks to rezone this site to align the zoning with the existing and future City uses as well as the existing zoning along 23rd Street and M-291.

ZONING HISTORY:

This application for a rezoning consists of 3 properties which were annexed into the City of Independence in 1963 (Ordinance #14868). Two tax parcels that comprise the majority of the site remain unplatted. The southern region of the site was platted in 1977 as Lot 7 of the Medical Center Park subdivision.

When the City assigned zoning district classifications to properties, in 1965, this undeveloped site was designated an R-4 (Apartments) classification. In 1980, when the City updated its Zoning District Map, the designation of this property changed to C-P-2 (Planned General Commercial). In November 2008, the City Council approved the rezoning request from C-P-2 to

R-4-PUD for the Truman Manor which consisted of 399 multi-family units across 6 buildings. In 2009, when the City adopted the Unified Development Ordinance, the R-4-PUD was converted to R-30/PUD (High Density Residential/Planned Unit Development) classification. This project was never constructed.

PROJECT DESCRIPTION:

The City is seeking to rezone this property.

PHYSICAL CHARACTERISTICS OF PROPERTY:

The site is roughly 14 acres in size and contains 2 government buildings—the Independence Utility Center and Communications Center. The site is bound by Missouri 78 Highway to the North, RD Mize Rd to the West, and Medical Center Parkway along the Southern and Eastern property boundaries. The property has an easterly aspect, sloping down about 50’ from the Northwest corner to Southeast corner.

CHARACTERISTICS OF THE AREA:

This property is surrounded by a variety of zoning district classifications and uses. To the West, there are a variety of light commercial and general commercial uses long RD Mize Rd and 291 Hwy. To the South, across Medical Center Parkway, there is a long-term care facility, health services business, and a city-owned park (Clothier). To the East, across Medical Center Parkway, there is another business district used primarily for offices. Across Missouri 78 Highway, to the North, there is a primarily single-family neighborhood.

ANALYSIS:

Consistency with *Independence for All*, Strategic Plan:

This rezoning meets the City’s objective to improve public infrastructure and facilities as it would align the zoning with existing and future uses.

Comprehensive Plan Tools and Policies for the Current Designation:

The Comprehensive Plan envisions Civic uses which includes government uses. With two existing government facilities already located here, rezoning this site ensures that this high-quality development is well-planned, and makes the best use of existing infrastructure.

Sub-Area Plans:

There are no sub-area plans for this site.

Zoning:

The existing zoning classification allows for high-density residential uses. The proposed C-2 (General Commercial) classification allows for government facilities, and better conforms the lot and building standards with the existing and proposed development.

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

Infrastructure is already existing at this property.

Floodplain/Stream Buffer:

This property is not located within any floodplain nor are there any stream crossings through this property.

CIP Investments:

The 23rd Street Complete Street project is planned for Fiscal Year 2025-26 and 2026-27. This project will construct new sidewalks, pedestrian signal upgrades, sidewalk ramps and street trees along both sides of 23rd Street between Lee's Summit Road and M-291. Future phases will extend the pedestrian facilities east to Speck Road.

REVIEW CRITERIA:

Recommendations and decisions on rezoning applications must be based on consideration of all of the following criteria.

1. **Conformance of the requested zoning with the Comprehensive Plan.***The Comprehensive Plan envisions Civic Use for this area. The Tools and Policies state the need to, "ensure that high quality developments are well planned and connected to existing development through the efficient use of streets, utilities and infrastructure."*
2. **Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.***This property is not located within a sub-area plan.*
3. **The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.***This property is surrounded by a variety of varying zoning classifications, including C-1 (Light Commercial), C-2 (General Commercial), R-6 (Single-Family Residential), and R-30/PUD (High Density Residential/Planned Unit Development). Rezoning this property will match much of the zoning of the surrounding properties along 23rd Street and M-291 Hwy.*
4. **The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.***The proposed C-2 (General Commercial) zoning is compatible with the area's existing land use.*
5. **The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.***The R-30/PUD (High Density Residential/Planned Unit Development) zoning remains from the unbuilt development plan. This zoning is no longer suitable since the City owns the property. Further, the proposed C-2 zoning conforms with much of the zoning of the surrounding properties along M-291 and 23rd Street.*
6. **The length of time the subject property has remained vacant as zoned.***The property is currently being used for government facilities and will continue to do so.*
7. **The extent to which approving the rezoning will detrimentally affect nearby properties.***The rezoning should have no detrimental effect on area properties.*
8. **The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a**

result of denial of the application. *The rezoning would align the zoning with the existing and future City uses as well as the existing zoning along 23rd Street and M-291.*

Draft Planning Commission minutes are attached to this Council agenda item.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
---------------------------------	-------------------------

REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Draft Ordinance 24-100-26
2. Staff Report 24-100-26
3. Narrative
4. Application
5. Notification Letter
6. Address List
7. Notification Area Map
8. Affidavit
9. Comprehensive Plan Map
10. Zoning Map
11. Planning Commission Meeting Minutes 11-19-24

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-30/PUD (HIGH-DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT) TO DISTRICT C-2 (GENERAL COMMERCIAL) FOR THE PROPERTIES AT 17200 E. MEDICAL CENTER PARKWAY, 17203 & 17221 E. 23RD STREET.

WHEREAS, an application submitted by the City of Independence requesting approval of a rezoning from District R-30/PUD (High-Density Residential/Planned Unit Development) to District C-2 (General Commercial) for the properties at 17200 E. Medical Center Parkway, 17203 & 17221 E. 23rd St was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the request on November 19, 2024, and rendered a report to the City Council recommending the rezoning be approved by a vote of 7-0; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the rezoning was consistent with the review criteria in Section 14-701-02; and,

WHEREAS, no legal protests were signed, acknowledged, and presented for the application; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing, and rendered a decision to approve the rezoning of the said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the following legally described property is hereby rezoned from District R-30/PUD (High-Density Residential/Planned Unit Development) to District C-2 (General Commercial) and shall be subject to the regulations of said district:

SEC 7 TWP 49 RNG 31; E 221.32' OF W 660' OF N 440' OF SE 1/4 (EX PT IN RDS)

RNG-31 TWP-49 SEC-07; TH PT OF NW 1/4 OF SE 1/4 DAF; BEG SE COR 23RD & R D MIZE; RD TH S 663' TH E 806.24' TH NLY & NELY ALG CURV TO RI 159'; TH NWLY ALG CURV TO RI 99.95' TH N 304.24' TH W 240' TH S; 393.64' TH W 221.32' TH N 393.64' TH W 412' TO POB (EX PTS; IN ROW OF RDS)

MEDICAL CENTER PARK; LOT 7

SECTION 2. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 3. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 4. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2025, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

MEETING DATE: November 19, 2024

STAFF: Gabriel Glaser, Planner

PROJECT NAME: Rezoning – Medical Center Parkway

CASE NUMBER/REQUEST: **Case 24-100-26 – Rezoning – 17200 E Medical Center Parkway, 17203 & 17221 E 23rd St** – A request to rezone from R-30/PUD (High Density Residential/Planned Unit Development) to C-2 (General Commercial).

APPLICANT: City of Independence

PROPERTY LOCATION: 17200 E Medical Center Parkway; and 17203 & 17221 E 23rd St S

SURROUNDING ZONING/LAND USE:

North:	R-6 (Single Family Residential)	Single-Family Residences
East:	C-2 (General Commercial)	Office
	R-30/PUD (High Density Residential/Planned Unit Development)	Assisted Living Facility
South:	C-2 (General Commercial)	Medical Services/City Owned Park (Clothier)
West:	R-6 (Single Family Residential)	Civic/Public Use (Religious)
	C-1 (Light Commercial)	General Retail
	C-2 (General Commercial)	Assembly/Event Space

PUBLIC NOTICE:

- Letters to property owners – October 31, 2024
- Public Notice published in the Independence Examiner – November 2, 2024
- Signs posted on property – November 1, 2024

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on December 16, 2024 and the public hearing/second reading on January 6, 2025.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: The City is seeking to rezone this property

Current Zoning:	R-30/PUD (High Density Residential/Planned Unit Development)	Proposed Zoning:	C-2 (General Commercial)
------------------------	--	-------------------------	--------------------------

Current Use: Government Building/Facilities (Independence Utility Center/Independence Communications Center)

Proposed Use: Government Building/Facilities (Independence Justice Campus)

Zoning History:

This application for a rezoning consists of 3 properties which were annexed into the City of Independence in 1963 (Ordinance #14868). Two tax parcels that comprise the majority of the site remain unplatted. The southern region of the site was platted in 1977 as Lot 7 of the Medical Center Park subdivision.

When the City assigned zoning district classifications to properties, in 1965, this undeveloped site was designated an R-4 (Apartments) classification. In 1980, when the City updated its Zoning District Map, the designation of this property changed to C-P-2 (Planned General Commercial). In November 2008, the City Council approved the rezoning request from C-P-2 to R-4-PUD for the Truman Manor which consisted of 399 multi-family units across 6 buildings. In 2009, when the City adopted the Unified Development Ordinance, the R-4-PUD was converted to R-30/PUD (High Density Residential/Planned Unit Development) classification. This project was never constructed.

Proposal:

The City has owned this property since acquiring the property in 2014. Since that time, the City has repurposed the former medical office building adjacent to 23rd Street into the Independence Utilities Center as well as constructing the Independence Communication Center along Medical Center Parkway. The City seeks to rezone this site to align the zoning with the existing and future City uses as well as the existing zoning along 23rd Street and M-291.

Physical Characteristics of Property:

The site is roughly 14 acres in size and contains 2 government buildings—the Independence Utility Center and Communications Center. The site is bound by Missouri 78 Highway to the North, RD Mize Rd to the West, and Medical Center Parkway along the Southern and Eastern property boundaries. The property has an easterly aspect, sloping down about 50' from the Northwest corner to Southeast corner.

Characteristics of the Area:

This property is surrounded by a variety of zoning district classifications and uses. To the West, there are a variety of light commercial and general commercial uses along RD Mize Rd and 291 Hwy. To the South, across Medical Center Parkway, there is a long-term care facility, health services business, and a city-owned park (Clothier). To the East, across Medical Center Parkway, there is another business district used primarily for offices. Across Missouri 78 Highway, to the North, there is a primarily single-family neighborhood.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

This rezoning meets the City's objective to improve public infrastructure and facilities as it would align the zoning with existing and future uses.

Comprehensive Plan Tools and Policies for the Current Designation:

The Comprehensive Plan envisions Civic uses which includes government uses. With two existing government facilities already located here, rezoning this site ensures that this high-quality development is well-planned, and makes the best use of existing infrastructure.

Sub-Area Plans:

There are no sub-area plans for this site.

Zoning:

The existing zoning classification allows for high-density residential uses. The proposed C-2 (General Commercial) classification allows for government facilities, and better conforms the lot and building standards with the existing and proposed development.

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

Infrastructure is already existing at this property.

Floodplain/Stream Buffer:

This property is not located within any floodplain nor are there any stream crossings through this property.

CIP Investments:

The 23rd Street Complete Street project is planned for Fiscal Year 2025-26 and 2026-27. This project will construct new sidewalks, pedestrian signal upgrades, sidewalk ramps and street trees along both sides of 23rd Street between Lee's Summit Road and M-291. Future phases will extend the pedestrian facilities east to Speck Road.

REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

1. Conformance of the requested zoning with the Comprehensive Plan.

The Comprehensive Plan envisions Civic Use for this area. The Tools and Policies state the need to, "ensure that high quality developments are well planned and connected to existing development through the efficient use of streets, utilities and infrastructure."

2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.

This property is not located within a sub-area plan.

3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.

This property is surrounded by a variety of varying zoning classifications, including C-1 (Light Commercial), C-2 (General Commercial), R-6 (Single-Family Residential), and R-30/PUD (High Density Residential/Planned Unit Development). Rezoning this property will match much of the zoning of the surrounding properties along 23rd Street and M-291 Hwy.

4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.

The proposed C-2 (General Commercial) zoning is compatible with the area's existing land use.

5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.

The R-30/PUD (High Density Residential/Planned Unit Development) zoning remains from the unbuilt development plan. This zoning is no longer suitable since the City owns the property. Further, the proposed C-2 zoning conforms with much of the zoning of the surrounding properties along M-291 and 23rd Street.

6. The length of time the subject property has remained vacant as zoned.

The property is currently being used for government facilities and will continue to do so.

7. The extent to which approving the rezoning will detrimentally affect nearby properties.

The rezoning should have no detrimental effect on area properties.

8. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

The rezoning would align the zoning with the existing and future City uses as well as the existing zoning along 23rd Street and M-291.

EXHIBITS

1. Narrative
2. Application
3. Notification letter
4. Address List
5. Notification Area Map
6. Affidavit
7. Comprehensive Plan map
8. Zoning map



November 6, 2024

Case #24-100-26 – Rezoning from R-30/PUD to C-2

The City of Independence acquired these properties in June of 2014. Since that time, the properties have housed 2 government facilities—the Independence Utility Center and the Independence Communications Center.

In April of 2023, Independence City Council voted to approve funding for Project Advocates, LLC, to provide services for the development and administration of the Justice Center Project. As part of the planning efforts for the proposed Justice Center Project, Staff propose to rezone the subject properties from the current designation R-30/PUD (High Density Residential/Planned Unit Development) to C-2 (General Commercial). Rezoning the subject properties to C-2 will alter the applicable Lot and Building Standards--amongst other standards--for the proposed development.

In addition to this application for a rezoning, Staff will process an application for a Minor Subdivision separately. Minor Subdivisions are processed administratively and entails combining two or more lots in to no more than three new lots.

Both rezoning and replatting the subject properties will ensure that the proposed Justice Center Project is well planned and consists of one lot and zoning classification.

Thank you for your consideration of this application.

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☒ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

Justice Center Project

Project Name

17200 E. Medical Center Pkwy, 17203 & 17221 E. 23rd Street

Project Address/Location

-	14	3	No
Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Steam Buffer (Yes or No)
R-30/PUD	C-2	Government Facilities	Government Facilities
Existing Zoning	Proposed Zoning	Existing Land Use	Proposed Land Use

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☒ Completed & Signed Application Form ☐ Application Fee ☒ Cover Letter Describing Details of Project	☐ One 24" x 36" set of plans for Land Sub. & Site Dev. ☒ One PDF copy of a plat map or site plan ☒ Legal Description of the property in question
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Contact Information

Applicant

City of Independence

Name Company
111 E Maple Ave, Independence, Mo 64050

Address

(816)325-7109 CDPlanning@indepmo.org

Phone Email

Architect/Engineer/Surveyor/Other: _____

Name Company

Address

Phone Email

Owner

City of Independence

Name Company

Address

Phone Email

Architect/Engineer/Surveyor/Other: _____

Name Company

Address

Phone Email

The applicant hereby agrees that the information provided above is accurate.

11/7/2024

Applicant's Signature

Date

11/7/2024

Owner's Signature

Date

Property Owner Notification Letter

City of Independence, Missouri

Date: 10-31-24

Case No. 24-100-26

Dear Property Owner:

This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission and the City Council will consider new information on the dates and times below.

Proposed Case Type (Check One):

- ☒ Rezoning ☐ Rezoning/PUD ☐ Special Use Permit
☐ Preliminary Development Plan

Proposed project description: Request by the City to rezone property from R-30/PUD
(High Density Residential/Planned Unit Development) to C-2 (General Commercial).

Applicant: City of Independence

Location of Property: 17200 E. Medical Center Pkwy, 17203 & 17221 E 23rd Street

Planning Commission Meeting Date: November 19, 2024, at 6:00 p.m.

City Council Meeting Date: January 6, 2025, at 6:00 p.m.

Location of public hearings: City Council Chambers, City Hall
 111 E Maple Ave, Independence, Missouri, 64050

All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission).

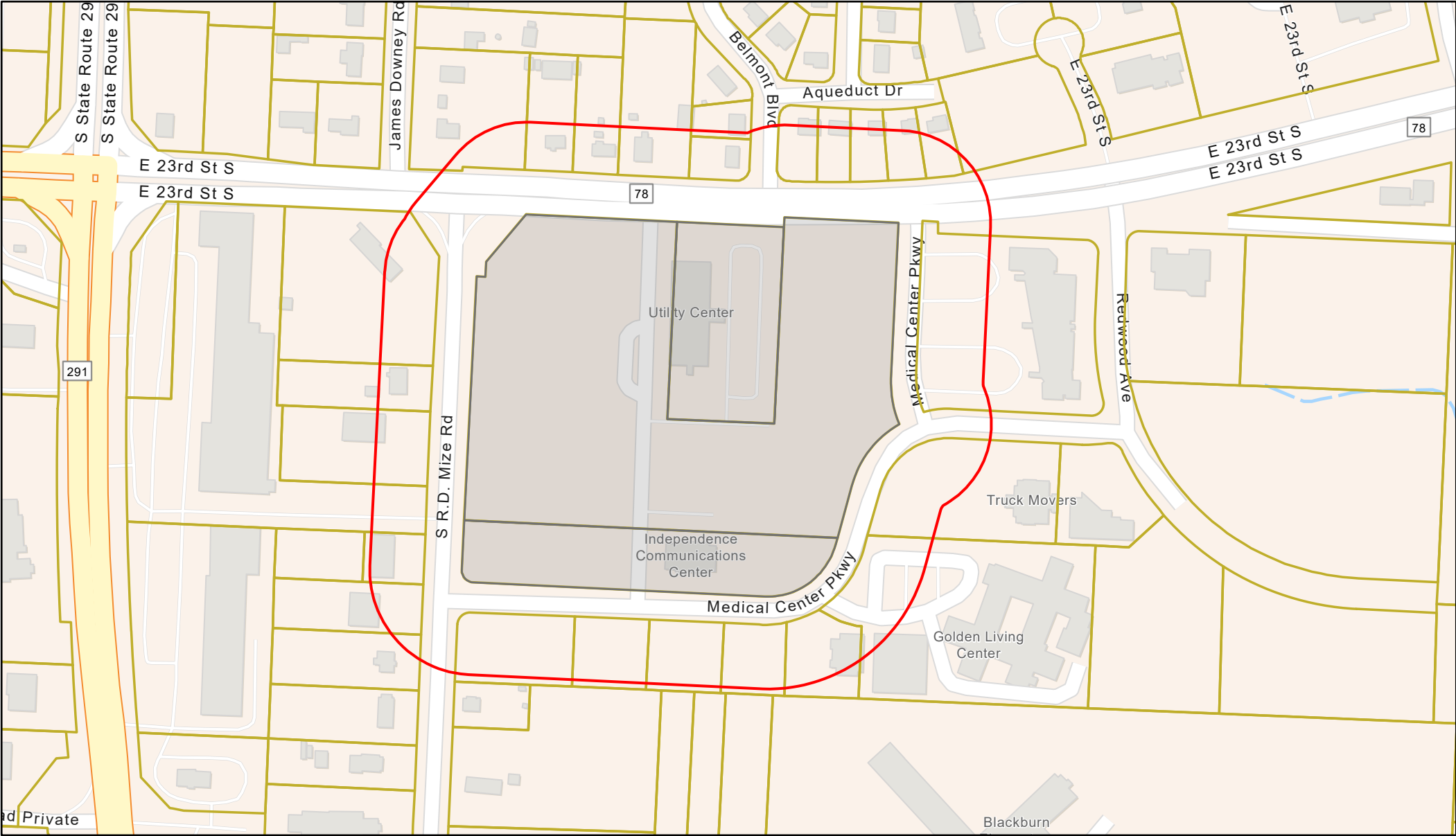
REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.

Applicant (or Owner/Agent)

For more information, contact the Community Development Department at 816-325-7421.

Property	Property Owner	Address	City	State	ZIP Code
17421 E MEDICAL CENTER PKWY	COMPREHENSIVE MENTAL HEALTH SERVICES INC	PO BOX 260	INDEPENDENCE	MO	64051
17501 E MEDICAL CENTER PKWY	DHA PROPERTIES LLC	2310 S REDWOOD AVE	INDEPENDENCE	MO	64057
17203 E 23RD ST S	CITY OF INDEPENDENCE	111 E MAPLE	INDEPENDENCE	MO	64050
2318 S R D MIZE RD	SCHERER MARK & RITA	2320 CASTLE DR	INDEPENDENCE	MO	64057
17441 E MEDICAL CENTER PKWY	THE BAPTIST HOME	400 E HIGH DR	JEFFERSON CITY	MO	65101
17306 E 23RD ST S	NICHOLS ERIN JACQUELYN COLLEEN	17306 E 23RD ST S	INDEPENDENCE	MO	64057
17208 E 23RD ST S	SEVY MARK A & NATALIE C	812 E RED RD	INDEPENDENCE	MO	64055
17813 E AQUEDUCT DR	LIGGETT DAVID M JR & KATHLEEN M	17813 AQUEDUCT DR	INDEPENDENCE	MO	64057
17218 E 23RD ST S	THE KURTZ FAMILY TRUST DATED 12-27-2004	120 E RUBY AVE	INDEPENDENCE	MO	64050
17817 E AQUEDUCT DR	DANDD LLC	9323 W 146TH ST	OVERLAND PARK	KS	66221
2240 S BELMONT BLVD	CSMA BLT LLC	1850 PARKWAY PL STE 900	MARIETTA	GA	30067
17200 E 23RD ST S	MOTE APRIL	17200 E 23RD ST S	INDEPENDENCE	MO	64057
2410 S R D MIZE RD	ALVAREZ GUSTAVO MONTOYA	2410 S R D MIZE RD	INDEPENDENCE	MO	64057
2301 S M 291 HWY	PLANET PARTNERS 23 LLC	4250 NE SUN CT	LEES SUMMIT	MO	64064
17801 E AQUEDUCT DR	NGUYEN HAO SON	17801 AQUEDUCT DR	INDEPENDENCE	MO	64057
16999 E 23RD ST S	GRACE AND TRUTH MINISTRIES	PO BOX 1400	LEES SUMMIT	MO	64063
2400 S R D MIZE RD	COULTER TIM & BRENDA	1220 S SWOPE DR	INDEPENDENCE	MO	64057
17805 E AQUEDUCT DR	BELT DEREK & TINA M	17805 AQUEDUCT DR	INDEPENDENCE	MO	64057
17809 E AQUEDUCT DR	MENDEZ JOSE R & ROSA H	17809 AQUEDUCT DR	INDEPENDENCE	MO	64057
2406 S R D MIZE RD	SOLE PROPERTY LLC	2406 E R D MIZE RD	INDEPENDENCE	MO	64057
2220 S BELMONT BLVD	YOUNG LUTHER & NANCY E	2220 BELMONT BLVD	INDEPENDENCE	MO	64057
17810 E 23RD ST S	ELROD JERALD E-TRUSTEE	709 NE SHORELINE DR	LEES SUMMIT	MO	64064

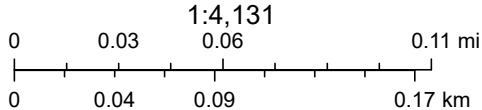
185ft Notification Area



10/31/2024, 9:12:03 AM

 Parcels (General Use- AGOL)

 City Limits



Esri Community Maps Contributors, City of Independence MO, Jackson County, MO, Missouri Dept. of Conservation, Missouri DNR, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 24-100-26

I, Je'Nai Moulon, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 31 day of October, 2024.



Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 31 day of October, 2024.

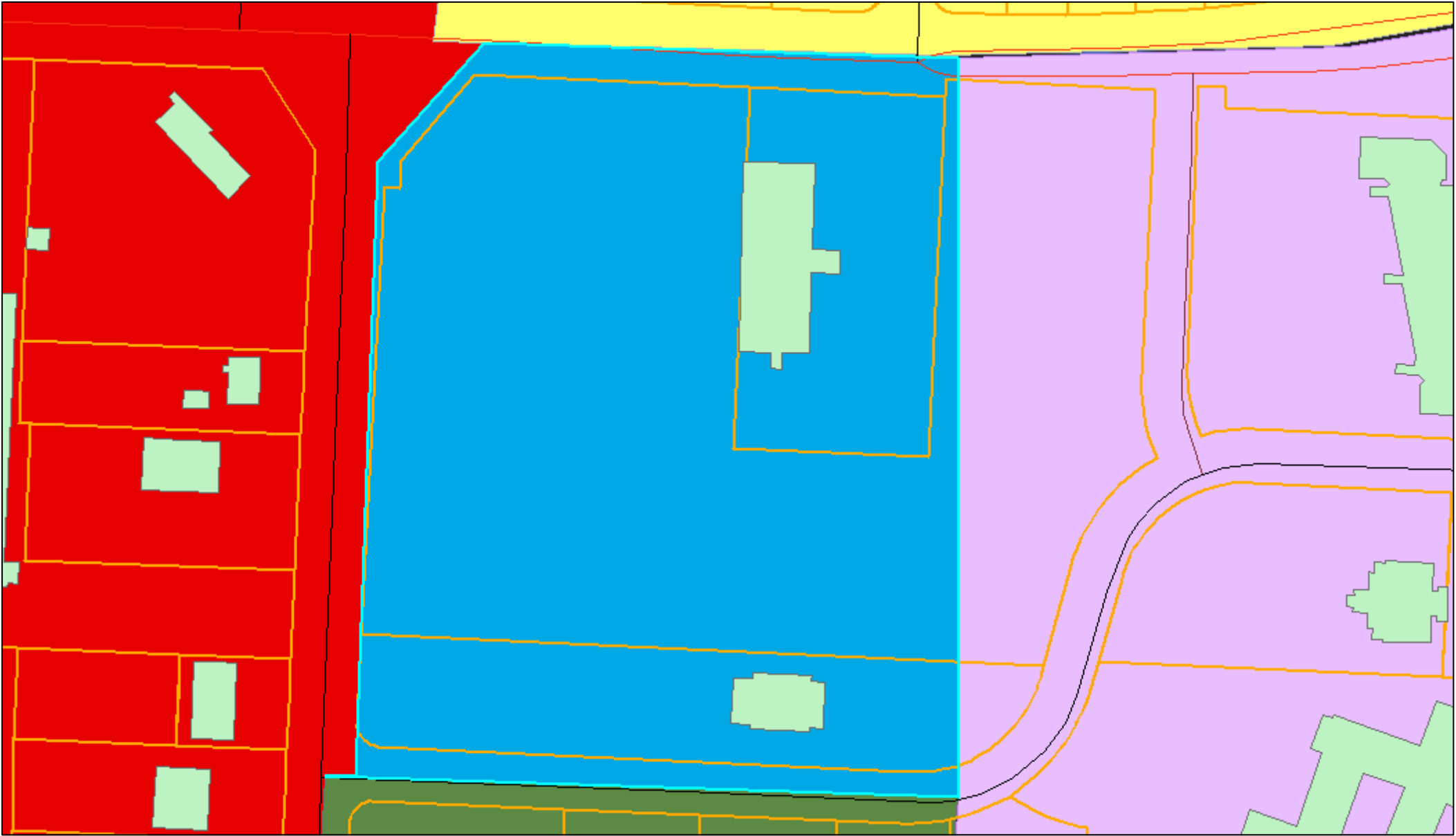
Miranda L Rice
Notary Public

March 12, 2024
Commission Expiration Date



RECEIVED
JAN 10 1964
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

Comprehensive Plan Map



11/7/2024, 8:24:35 AM

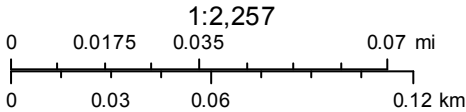
Streets

- Private
 - Highway
 - Local
- Parcels

Proposed Land Use (Comp Plan)

- Residential Neighborhoods
- Community Commercial
- Office
- Civic / Public
- Parks

City Limits



Zoning Map



11/7/2024, 8:26:01 AM

Streets

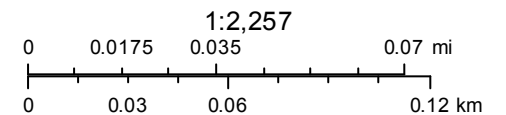
- Private
- Highway
- Local

Zoning District

- C-1
- C-2
- R-30/PUD
- R-6
- City Limits

Building Footprint

Parcels





Planning Commission Minutes

November 19, 2024 6:00 PM

City Hall, 111 E. Maple Avenue (Ground Floor), Council Chambers

CALL TO ORDER

A meeting of the Planning Commission was held at 6:00 PM on 11/19/2024, in the 111 E Maple Avenue City Council Chambers, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - .

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

Commissioner Nesbitt requested to pull Case 24-320-08 from the Consent Agenda.

1. Planning Commission Minutes – October 29, 2024

Motion

Commissioner Dan O'Neill made a motion to approve the Consent Agenda. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. Case 24-320-08 – Final Plat – McBee Acres – A request for Final Plat approval for McBee Acres generally located at the northwest corner of US 24 and Salem Drive.

In response to Commissioner Nesbitt's question, Gabe Glaser advised parking was addressed in the conditions.

Motion

Commissioner Eric Ashbaugh made a motion to approve the case. Commissioner Virginia Ferguson seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

PUBLIC HEARINGS

1. **Continued Case 24-125-05 Rezoning/PUD – 19300 E 37th Terrace** – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Harker reviewed the conditions of approval.

In response to Commissioner Nesbitt's question, Mr. Harker advised that there's a piece of City property between the right-of-way and the subject property. Commissioner Ashbaugh asked if the City maintains that piece of property between this development and the right-of-way. Mr. Arroyo stated he believes the City maintains the property and will continue to maintain the property.

Commissioner Nesbitt stated he would like to see electric vehicle charging stations required and questioned why we're allowing so few parking spots. Mr. Arroyo said electric vehicle charging stations are not required and there are challenges in requiring those with apartment buildings.

Mr. Arroyo stated the developer provided a plan that shows their anticipated parking needs and noted visitors wouldn't be able to park on the major streets around this development. Mr. Arroyo noted the parking ratio is 1.64 per unit.

Commissioner Nesbitt questioned why new apartments are being proposed when the Housing Study said the City no longer needs apartments. Mr. Arroyo stated the update to the Housing Study showed the City could use around 650 units before we reach saturation.

In response to Chairwoman Wiley's question, Mr. Arroyo stated they believe this development will be similar in height to the existing Pepperwood Apartments.

Applicant Comments

Clint Burkdoll, Olathe, KS, stated they're a local developer and said they would be willing to add some electric vehicle charging stations. He also noted they would be willing to mow the piece of City property. Mr. Burkdoll stated the site is steep and there are challenges with the topography, which is why it hasn't been developed yet.

Jason Osborne, Rosemann & Associates, 1526 Grand Blvd, Kansas City, said the garages will

hold standard trucks. Mr. Osborne said these would be market rate apartments and based their parking plan on existing developments.

In response to Commissioner Ashbaugh's question, Mr. Osborne stated they plan to have a valet trash service.

Public Comments

No public comments.

Commissioner Comments

Commissioner Nesbitt stated he would like a condition added that requires electric vehicle charging stations.

Motion

Commissioner Edward Nesbitt made a motion to approve the case, with conditions as outlined by staff and the added condition from Commissioner Nesbitt. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Continued Case 24-100-24 – Rezoning – 2131 S. Scott Avenue** – A request by Andrew Rocco Mazzella to rezone the property from R-12 (Two-Family Residential) to C-2 (General Commercial).

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

In response to Commissioner O'Neill's question, Mr. Harker stated it's a cleaning business.

Applicant Comments

Erwin Gard, 1040 SW Luttrell, Blue Springs, stated he's representing the applicant. Mr. Gard stated he believes the business does not store cleaning chemicals, but sells the cleaning supplies.

In response to Chairwoman Wiley's question, Mr. Gard said they will improve the sidewalk, curb and gutter along Scott and 23rd Street and noted the gravel will be removed.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

3. **Continued Case 24-100-25 – Rezoning – 2301 S. Crysler Avenue** – A request by the City to rezone the property from I-1 (Industrial) and R-6 (Single Family Residential) to R-6 (Single Family Residential).

Staff Presentation

Brian Harker presented updates for this case. He provided the Commission with a background on the use of the stadium. Mr. Harker stated in 2023, the Independence School District entered into a lease with the City and Van Horn High School baseball team started using the facility.

The Independence School District has invested funds to improve the property and seeks to enter into a Development Agreement with the City to continue use of the facility.

Public Comments

Beverly Lentz, 1208 W 24th St S, expressed concerns about environmental impact and the homeless population in that area.

Commissioner Comments

In response to Chairwoman Wiley's question, Mr. Harker confirmed this is a corrective rezoning so that both plots are zoned the same and will have the same address. Chairwoman Wiley thanked staff for answering all the questions that were presented at the last meeting.

Motion

Commissioner Eric Ashbaugh made a motion to approve the case. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

4. **Case 24-100-26 – Rezoning – 17200 E. Medical Center Pkwy, 17203 & 17221 E. 23rd Street** – A request by the City to rezone the property from R-30/PUD (High Density Residential/Planned Unit Development) to C-2 (General Commercial).

Staff Presentation

Gabe Glaser presented the case. Mr. Glaser presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Public Comments

Natalie Sevy, 17208 E 23rd St, stated she owns a property across the street from the Independence Utilities Center. She stated if there is going to be a jail on this property, she is opposed to this change.

Mr. Glaser noted this is a rezoning request and is not related to a future use of this property.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Edward Nesbitt

seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

OTHER BUSINESS

1. Training provided by Lauber Law

Jeremy Lauber provided training to the Planning Commission.

ROUNDTABLE - NEXT MEETING DECEMBER 10, 2024

Staff noted we currently don't have any cases for the December 10, 2024 Planning Commission meeting and we anticipate canceling that meeting.

ADJOURNMENT

The meeting was adjourned at 8:38 p.m.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-130 **1R** An ordinance authorizing an amendment to the contract with the Missouri Department of Health and Senior Services to provide financial assistance for the Local Public Health Agency Accreditation Assistance Grant Program for one additional year for the period of December 1, 2023, through November 30, 2025; authorizing future change orders for additional funding and/or time extensions for the same project; and authorizing certain future appropriations. **1R**

Recommendations:

Staff recommend approval of this item.

Background:

Council approved the acceptance of the Local Public Health Agency Accreditation Assistance Grant in March 2024 that provided \$176,000 in funding from the Missouri Department of Health and Senior Services. The State has offered an extension of one year to ensure that all funds are expended, which will extend the program to November 30, 2025. The department still has approximately \$57,000 of accreditation grant funding remaining.

Emergency Justification:**Fiscal Impact:****Council Action:**

Department / Contact	Health /
---------------------------------	----------

REVIEWERS

Christina Heinen
Jeremy Cover
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. HD.Accreditation Grant Amendment 2024 Ordinance (1)
2. Accreditation Amendment_241127_141422

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH THE MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES TO PROVIDE FINANCIAL ASSISTANCE FOR THE LOCAL PUBLIC HEALTH AGENCY ACCREDITATION ASSISTANCE PROGRAM FOR ONE ADDITIONAL YEAR FOR THE PRIOR PERIOD OF DECEMBER 1, 2023 THROUGH NOVEMBER 30, 2025; AUTHORIZING FUTURE CHANGE ORDERS FOR ADDITIONAL FUNDING AND/OR TIME EXTENSIONS FOR THE SAME PROJECT; AND AUTHORIZING CERTAIN FUTURE APPROPRIATIONS.

WHEREAS, the City of Independence has been taking advantage of the grant programs from the Missouri Department of Health and Senior Services for the partial funding of the Independence Health and Animal Services Department; and,

WHEREAS, it has been determined by the Independence City Council that the application for such funds is the proper prerogative of the Council with acceptance of the contract for the period from December 1, 2023, through November 30, 2025; and,

WHEREAS, it has been determined by the Independence City Council to be in the best interest of the City to approve this Local Public Health Agency Accreditation Assistance Contract with the Missouri Department of Health and Senior Services;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Manager of the City of Independence, Missouri, is hereby authorized to accept an amendment to extend the length of time to the grant to November 30, 2025. No additional funding will be provided.

SECTION 2. That the City Manager is further authorized to approve future change orders, extensions, amendments or addendums to this grant without Council approval, for an extension of time for completing the terms of the grant or for the receipt of additional funding for this same grant project, provided there are no changes in the terms and/or conditions or responsibilities to the City and provided each and every such change order, extension, amendment or addendum is approved by the City Manager, does not add more than 90% to the length of time of the grant or more than 50% to the original funding, is identified as being authorized by this ordinance, and a copy is filed with the City Clerk.

SECTION 3. That the City Manager is hereby authorized to increase appropriations by the amount of any increased grant awards authorized by change order, extension, amendment or addendum for any increased funding under the terms of the previous section provided a copy of that action is also provided to the Finance Department.

SECTION 4. That appropriations in the 2024-2025 Grant Fund Health Department Operating Budget are hereby included the revenue anticipated from the remainder of the Contract for this Local Public Health Agency Accreditation Assistance Grant Program.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF
THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

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

Source is: State Grant

Director of Finance
City of Independence, Missouri



MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES
PROGRAM SERVICES CONTRACT

This contract is entered into by and between the State of Missouri, Department of Health and Senior Services (Department/state agency) and the below named entity/individual (Contractor). The contract consists of the contract signature page, the scope of work; any attachments referenced and incorporated herein; the terms and conditions; and any written amendments made in accordance with the provisions contained herein. This contract expresses the complete agreement of the parties. By signing below, the Contractor and Department agree to all the terms and conditions set forth in this contract.

Tracking # 55279	Contract Title: LOCAL PUBLIC HEALTH AGENCY ACCREDITATION ASSISTANCE	
Contract Start: 12/1/2023	Contract End: 11/30/2025	Questions/Please Contact: PROCUREMENT UNIT @ (573)751-6471
Contract #: DH240055279		Amend #: 01

PLEASE VERIFY/COMPLETE - TYPE OR PRINT - SIGNATURE REQUIRED

NAME OF ENTITY/INDIVIDUAL (Contractor) CITY OF INDEPENDENCE HEALTH DEPARTMENT	
DOING BUSINESS AS (DBA) NAME	
MAILING ADDRESS 111 E MAPLE ST P O BOX 1019	
CITY, STATE, and ZIP CODE INDEPENDENCE MO 64051	
REMIT TO (PAYMENT) ADDRESS (if different from above)	
CITY, STATE, and ZIP CODE	
CONTACT PERSON	EMAIL ADDRESS
PHONE NUMBER	FAX NUMBER
TAXPAYER ID NUMBER (TIN) *****	UEI NUMBER U5W1BFU54PJ3
CONTRACTOR'S AUTHORIZED SIGNATURE	DATE
PRINTED NAME	TITLE
DEPARTMENT OF HEALTH AND SENIOR SERVICES DIRECTOR OF DIVISION OF ADMINISTRATION OR DESIGNEE SIGNATURE	DATE

AMENDMENT 01 TO CONTRACT DH240055279

CONTRACT TITLE: Local Public Health Agency Accreditation Assistance

CONTRACT PERIOD: December 1, 2023 through November 30, 2025

The Department of Health and Senior Services hereby extends the above referenced contract through November 30, 2025; therefore Section 1.1 is hereby deleted in its entirety and replaced with revised Section 1.1 as follows:

- 1.1 The contract amount shall not exceed 176,000.00 for the period of December 1, 2023 through November 30, 2025.

All other terms, conditions and provisions of the above referenced contract shall remain the same and apply hereto.

**CONTRACT FUNDING SOURCE(S)**

The Contract Funding Source(s) identifies the total amount of funding and federal funding source(s) expected to be used over the life of this contract. The CFDA number is the pass-through identification number for your Schedule of Expenditures of Federal Awards (SEFA), if one is required. You may reconcile your financial records to actual payment documents by going to the vendor services portal at <https://www.vendorservices.mo.gov/>. If the funding information is not available at the time the contract is issued, the Contractor will be notified in writing by the Department. Please retain this information with your official contract files for future reference.

Tracking #	55279	State: 0%	\$0.00	Federal: 100%	\$176,000.00
Contract Title:	LOCAL PUBLIC HEALTH AGENCY ACCREDITATION ASSISTANCE				
Contract Start:	12/1/2023	Contract End:	11/30/2025	Amend#: 01	Contract #: DH240055279
Vendor Name:	CITY OF INDEPENDENCE HEALTH DEPARTMENT				

CFDA: 93.967	Research and Development: N			
CFDA Name:	CDC'S COLLABORATION WITH ACADEMIA TO STRENGTHEN PUBLIC HEALTH			
Federal Agency:	DEPARTMENT OF HEALTH AND HUMAN SERVICES; CENTERS FOR DISEASE CONTROL AND PREVENTION			
Federal Award:	5NE11OE00072-02-00			
Federal Award Name:	STRENGTHENING U.S. PUBLIC HEALTH INFRASTRUCTURE, WORKFORCE, AND DATA SYSTEMS			
Federal Award Year:	2023	DHSS #: OE7201A2BP2	Federal Obligation:	\$176,000.00

* The Department will provide this information when it becomes available.

Project Description:

Funding will provide contracted funding support to the 115 local public health agencies (LPHAs) in the State of Missouri as they pursue public health accreditation or reaccreditation for their jurisdictions.



Missouri Department of Health and Senior Services

P.O. Box 570, Jefferson City, MO 65102-0570 Phone: 573-751-6400 FAX: 573-751-6010
RELAY MISSOURI for Hearing and Speech Impaired and Voice dial: 711



Paula F. Nickelson
Director

Michael L. Parson
Governor

Dear Contractor:

Enclosed is an agreement between your organization and the Department of Health and Senior Services that requires you to complete the following steps:

1. Review and sign the front page.
2. Return the agreement to:

Bureau of Procurement Services
Missouri Department of Health and Senior Services
P.O. Box 570
Jefferson City, MO 65102 OR
Email: Procurement@health.mo.gov

Also, please forward the enclosed Annual Subrecipient Information Form (ASIF) to the appropriate person within your organization. It explains the process for completion.

Once all signed copies have been returned to our office and the contract is signed by the department, a fully executed copy of the agreement will be returned to you. Please contact the Bureau of Procurement Services at (573) 751-6471 or via email at Procurement@health.mo.gov if you have any questions regarding this letter.

Enclosures

PROMOTING HEALTH AND SAFETY

The Missouri Department of Health and Senior Services' vision is optimal health and safety for all Missourians, in all communities, for life.



Missouri Department of Health and Senior Services

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Paula F. Nickelson
Director

Michael L. Parson
Governor

The following information should be directed to your Administrator/Director, primary financial executive, Board President, or authorized representative with knowledge of administrative operations of your organization/entity.

The Missouri Department of Health and Senior Services (DHSS) requires subrecipient contractors/providers to complete the Annual Subrecipient Information Form (ASIF). **Keep in mind the form is completed only once per calendar year for each twelve digit Unique Entity ID (UEI) number.** One submission will cover all contracts with DHSS issued under that specific UEI.

If you have not already done so this calendar year, complete and submit the ASIF within 15 calendar days.

You will need a Unique Entity ID (UEI) prior to completing the ASIF if your organization doesn't have one already. Information on the UEI can be found at the link below.

- There is not a "Save" feature. Prolonged periods of inactivity may cause your form to expire and the information will not be submitted.
- **A notice will appear if the form is successfully submitted** and you will have the opportunity to download a copy. This is the only report you will be able to produce. DHSS can confirm submission, but will not be able to reproduce the report.
- To complete the ASIF or find more information to assist you (including how get a UEI), go to www.health.mo.gov/asif

For questions concerning the ASIF call 573.751.6471 or email ASIF@health.mo.gov.

12/29/2023

PROMOTING HEALTH AND SAFETY

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City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

The Municipal Services Department is requesting a \$50,000 increase in expenditures for sanitary sewer pipe and related fittings against purchase order 25000236 with Blue Springs Winwater. The total of the purchase order increased to \$149,000.00.

Recommendations:

Staff is recommends approval of the increase in expenditures.

Background:

Pipe and fittings are regularly ordered for inventory and routine maintenance repairs and modifications for the Sewer Maintenance and Stormwater divisions of the Municipal Services Department. Blue Springs Winwater has been a supplier that has provided inventory to the Sewer Maintenance, Stormwater and Water divisions of the Municipal Services Department for several years.

There was a \$99,000 blanket purchase order that was issued during the initial half of the fiscal year. Since that time, more inventory has been required, which made it necessary to increase the purchase order to the current amount. This change order needs to be processed in order to avoid having the supplier withhold delivery of product.

The mechanism used for issuing the purchase order was the City of Lee's Summit's cooperative contract #2022-024-1/2R, Water Operations Material. The cooperative purchasing provisions of paragraph 5 of the Independence City Code allows for the purchase of items competitively bid by other governmental entities.

The division will request approval from Council if expenditures for these materials exceed ten (10) percent of the amount expended thus far in the fiscal year, so long as appropriations are available.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$149,000.00. Funding for sanitary sewer pipe and related fittings is included in the fiscal year 2024-2025 budget, pages 173 (Stormwater Division) and 179 (Sanitary Division), account numbers 0135262-5314 (Stormwater) and 0305230-5314 (Sanitary), Inventory purchases.

Council Action:

Department / Contact	Municipal Services /
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REVIEWERS

Meagan Borth
Lisa Reynolds
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

None