

## IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**AN ORDINANCE** amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 13.45  $\pm$  acre tract from District AG (Agricultural) to District RE (Residential Estates), to create three, single-family residential lots.

**ORDINANCE NO. 5199**, February 19, 2019

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) District and the "RE" (Residential Estates) District, so that there will be transferred from District AG to District RE, a tract of land located at 29604 E. Easley Road, legally described as follows:

**Description:** a part of the northwest quarter and a part of the southwest quarter of section 9, township 47, range 30, Jackson County, Missouri described as follows:

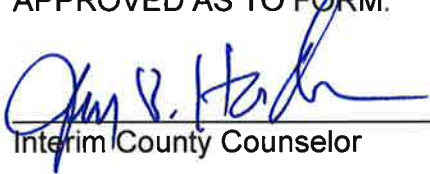
Commencing at the southwest corner of the northwest quarter of said section 9; thence north 89 degrees 32 minutes 38 seconds east along the south line of the northwest quarter, 1317.28 feet; thence north 01 degrees 22 minutes 11 seconds east along the east line of the southwest quarter of the northwest quarter of said section 9, 262.49 feet to a point on a curve and the north right of way line of Easley road also being the point of beginning; thence along said north right of way line and a curve to the left with an initial tangent bearing of north 65 degrees 28 minutes 38 seconds west (record=north 63 degrees 19 minutes 14 seconds west), a radius of 71.19 feet and a distance of 31.34 feet (record=26.76 feet); thence continue along said north right of way line south 89 degrees 18 minutes 08 seconds west, 205.63 feet (record=210.44 feet) to a point of curvature; thence along said north right of way line and a curve to the left with a radius of 185.00 feet and a distance of 28.55 feet to the southeast corner of lot 14, windmill ridge estates ii, lot 14, a subdivision in Jackson county, Missouri; thence north 00 degrees 12 minutes 14 seconds east along the east line of said lot 14, 358.90 feet; thence south 89 degrees 47 minutes 46 seconds east, 1047.33 feet to a point on the west line of lot 13, windmill ridge estates, lots 13 thru 13 & tracts a & b, a subdivision in Jackson county, Missouri; thence south 01 degrees 35 minutes 02 seconds west along said line, 657.00 feet to a point on the north right with a radius of 19.00 feet and a distance of 27.58 feet; thence north 06 degrees 12 minutes 02 seconds west along easterly right of way line of Easley road (30.00 feet east of centerline of road), 202.22 feet to a point of curvature; thence along said right of way line and a curve to the

left with a radius of 71.19 of way line of Easley road (30.00 feet north of centerline of road); thence north 89 degrees 22 minutes 41 seconds west along said north right of way line, 664.61 feet to a point of curvature; thence along said right of way line and a curve to the right feet and a distance of 73.65 feet to the point of beginning. containing 13.45 acres, more or less.

Section 2. The Legislature, pursuant to the application of Frank Slaughter, Jr. (RZ-2019-565), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application after a public hearing on January 17, 2019, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
Interim County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 5199 introduced on February 19, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

This Ordinance is hereby transmitted to the County Executive for his signature.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5199.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank White, County Executive

# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 5199

Sponsor(s):

Date: February 19, 2019

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance  Project/Title: <u>Frank Slaughter, Jr - RZ-2009-566</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>           FROM ACCT             TO ACCT         </td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input checked="" type="checkbox"/> No budget impact (no fiscal note required)</p> <p><input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:          Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable):          Prior Year Actual Amount Spent (if applicable):</p>		Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT
Amount authorized by this legislation this fiscal year:	\$											
Amount previously authorized this fiscal year:	\$											
Total amount authorized after this legislative action:	\$											
Amount budgeted for this item * (including transfers):	\$											
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT											
PRIOR LEGISLATION	Prior ordinances and (date): Prior resolutions and (date):											
CONTACT INFORMATION	RLA drafted by Randy Diehl, Administrator, Development Division, 881-4577											
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on 13.45 ± acres to District RE (Residential Estates). The purpose is to create three single family residential lots. The location is 29604 E. Easley Road., and specifically described on Attachment to RLA-1. The Jackson County Plan Commission on January 17, 2019 held a public hearing and accepted testimony pertaining to the request. This request for a change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements. The Jackson County Plan Commission voted 7 to 0 to recommend <u>APPROVAL</u> to the County Legislature.											
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)											
ATTACHMENTS	See Attachment to RLA-2											
REVIEW	Department Director: Brian D. Gaddie, P.E. Director of Public Works	Date: 1.17.19										
	Finance (Budget Approval): <i>If applicable</i>	Date:										
	Division Manager:	Date:										
	County Counselor's Office:	Date:										

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_.
- ☐ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☒ This legislative action does not impact the County financially and does not require Finance/Budget approval.

**Randy Diehl gave the staff report:**

**RE: RZ-2019-565**

**Applicant:** Frank Slaughter, Jr

**Location:** 29604 E. Easley Road

**Area:** 13.45 acres

**Request:** Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

**Purpose:** Applicant is requesting the change in zoning for three single family residential lots.

**Current Land Use and Zoning in the Area:**

The zoning in the immediate area is Agricultural and RE (Residential Estates). The majority of the land use is single family residences. There are seven residential zonings with subdivision plats, created after the implementation of the Unified Development Code.

The applicant owns approximately 13.45± acres and is wanting to plat them into a three lot subdivision for single family homes.

**Plan:**

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Residential Estates is appropriate for the UDT.

**Recommendation:**

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2019-565.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

**Mr. Antey: Are there any questions for Randy?**

Mr. Tarpley: Does the middle lot include the west part with the trees?

Mr. Diehl: The western portion of the property is included in Lot 16. That area is going to be a No Build Zone because of the creek that runs through there. The area includes a field entrance that will remain a field entrance only, due to sight distance limitations. The main portion of the lots all have areas that will allow driveway access.

**Mr. Antey: Is the applicant here?**

Roger Backues, Boundary & Construction Surveying, 821 NE Columbus, Lee's Summit  
I'm representing Mr. Slaughter.

**Mr. Antey: Do you have anything to add to the report?**

Mr. Slaughter is in poor health and his is wanting to get everything in order for his wife. This way she can sell off two lots and remain on Lot 17, which is where their home is. He developed the first two phases of Windmill Ridge. Part of the Windmill development contains equestrian trails. These new lots will also have those rights.

Mr. Tarpley: What is the size of the smallest lot?

Mr. Backues: Three acres.

Mr. Crawford had a question related to the ownership to the common area or the excess land of Windmill Ridge.

**Mr. Antey: Is there anyone else who is in favor of this application?**

**Mr. Antey: Is there anyone who is opposed or has questions regarding this application?**

Motion to take under advisement.

Mr. Tarpley moved to take under advisement. Mr. Haley seconded.

*Discussion under advisement*

Mr. Haley: Pretty straightforward

Mr. Tarpley: They've answered all my questions.

Mr. Tarpley moved to approve. Ms. Mershon seconded.

Ms. Mershon	Approve
Mr. Crawford	Approve
Mr. Haley	Approve
Mr. Tarpley	Approve
Mr. Gibler	Approve
Ms. Querry	Approve
Chairman Antey	Approve

Motion Carried 7 – 0

**STAFF REPORT**

**PLAN COMMISSION**

**January 17, 2019**

**RE: RZ-2019-566**

**Applicant:** Frank Slaughter, Jr

**Location:** 29604 E. Easley Road

**Area:** 13.45 ± acres in Section 09, Township 47, Range 30

**Request:** Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

**Purpose:** Applicant is requesting the change in zoning for three single family residential lots.

**Current Land Use and Zoning in the Area:**

The zoning in the immediate area is Agricultural and RE (Residential Estates). The majority of the land use is single family residences. There are seven residential zonings with subdivision plats, created after the implementation of the Unified Development Code.

The applicant owns approximately 13.45 ± acres and is wanting to plat them into a three lot subdivision for single family homes. A preliminary plat has been submitted for review, which is in compliance with the UDC.

**Plan:**

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Residential Estates is appropriate for the UDT.

**Recommendation:**

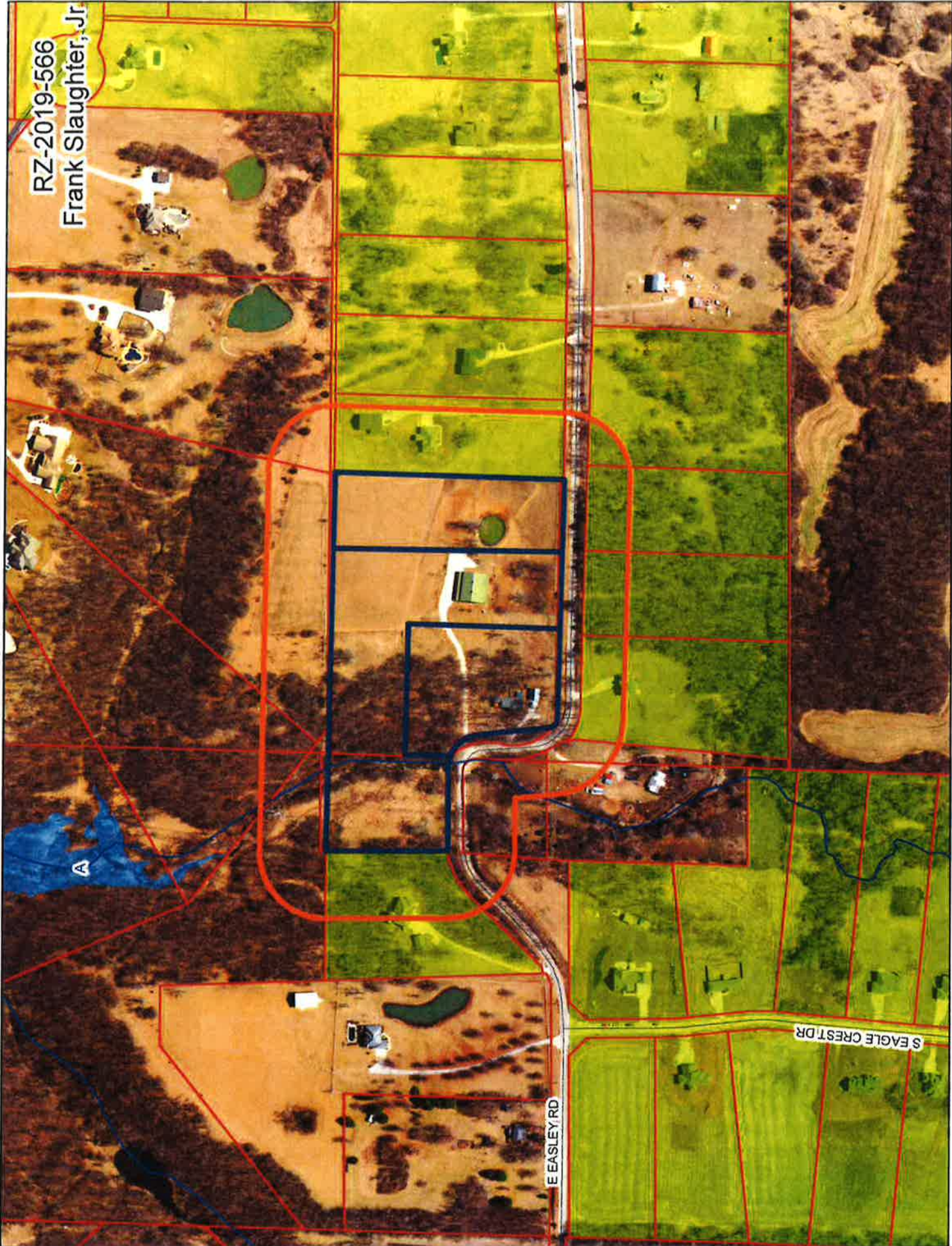
This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2019-566.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator





RZ-2019-566  
Frank Slaughter, Jr





## JACKSON COUNTY Public Works Department

Jackson County Technology Center  
303 West Walnut Street  
Independence, Missouri 64050  
jacksongov.org

(816) 881-4530  
Fax: (816) 881-4448

January 2, 2019

RE: Public Hearing: RZ-2019-566  
Frank Slaughter, Jr

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Frank Slaughter, Jr for a change of zoning from District AG (Agricultural) on 13.45 ± acres to District RE (Residential Estates). The purpose is for three single family residential lots. The 13.45 ± acres are located in Section 09, Township 47, Range 30, Jackson County, Missouri, at the 29604 E. Easley Road.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, January 17, 2019 at 8:30 a.m. in the Large Conference Room, 2<sup>nd</sup> Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4649.

Sincerely,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

*Frank White, Jr., County Executive*

Plan Commission January 17, 2019

RZ-2019-566

Property Owners Within 185 feet

Parcel	Owner	Address	State	City	Zip
59-600-03-05-00-0-00-000	BOND JOSHUA AARON	29509 E EASLEY RD	MO	LEES SUMMIT	64086
59-600-02-04-00-0-00-000	BOND JOSHUA AARON	29509 E EASLEY RD	MO	LEES SUMMIT	64086
59-600-02-09-00-0-00-000	BOND JOSHUA AARON	29509 E EASLEY RD	MO	LEES SUMMIT	64086
59-600-03-12-02-0-00-000	BOND JOSHUA AARON	29509 E EASLEY RD	MO	LEES SUMMIT	64086
59-600-02-26-00-0-00-000	DUGAN ALAN L & LINDA L	27800 E WYATT RD	MO	BLUE SPRINGS	64014
59-600-02-24-00-0-00-000	GUNTER CRAIG T & KIMBERLY J	29909 WINDMILL RIDGE LANE	MO	LEES SUMMIT	64086
59-600-02-27-00-0-00-000	HATCHETTE CLIFFORD RAY & DONNA LY	29402 E EASLEY RD	MO	LEES SUMMIT	64086
59-600-03-36-00-0-00-000	HATFIELD MEGAN & JEFFREY	29601 E EASLEY RD	MO	LEES SUMMIT	64086-9113
59-600-02-23-00-0-00-000	KRAUS ANTHONY M & GWEN A	29905 E WINDMILL RIDGE LN	MO	LEES SUMMIT	64086
59-600-02-18-00-0-00-000	OSBORNE MATTHEW & SARAH	29901 E WINDMILL RIDGE LN	MO	LEES SUMMIT	64086
59-600-02-22-00-0-00-000	OSBORNE MATTHEW & SARAH	29901 E WINDMILL RIDGE LN	MO	LEES SUMMIT	64086
59-600-03-08-00-0-00-000	PORTER LESLIE A	1606 W SHORT AVE	MO	INDEPENDENCE	64050
59-600-03-07-00-0-00-000	PORTER LESLIE A	1606 W SHORT AVE	MO	INDEPENDENCE	64050
59-600-03-06-00-0-00-000	PORTER LESLIE A	1606 W SHORT AVE	MO	INDEPENDENCE	64050
59-600-02-10-00-0-00-000	SLAUGHTER FRANK JR & BRENDA J	29604 E EASLEY RD	MO	LEES SUMMIT	64086
59-600-02-08-01-4-00-000	SLAUGHTER FRANK JR & BRENDA JOYCE	29604 E EASLEY RD	MO	LEES SUMMIT	64086
59-600-01-13-00-0-00-000	THE WINDMILL GROUP INC	29604 E EASLEY RD	MO	LEES SUMMIT	64086
59-600-02-08-01-3-00-000	THE WINDMILL GROUP INC	29604 E EASLEY RD	MO	LEES SUMMIT	64086

**JACKSON COUNTY, MISSOURI  
APPLICATION FOR CHANGE OF ZONING**

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**APPLICANT INFORMATION:**

1. Application must be filed with the Jackson County Planning and Development Division,  
303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. All applicable sections must be completed. If you need more space to provide information, please  
use separate 8 1/2"x11" paper, reference the application number and attach it to the application.  
Incomplete applications will not be accepted and will be returned to the applicant.
4. Attach application for subdivision approval, consistent with the requirements of UDC Section  
24003.10, as may be required.
5. The filing fee (non-refundable) must accompany application.  
(Check payable to: Manager of Finance)  
\$350.00 – Change of Zoning to Residential  
\$500.00 – Change of Zoning to Commercial or Industrial

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**TO BE COMPLETED BY OFFICE PERSONNEL ONLY:**

Rezoning Case Number RZ- 2019-506  
Date filed 1-14-18 Date of hearing 1-17-2019  
Date advertised 1-2-19 Date property owners notified 1-2-19  
Date signs posted 1-2-19  
Hearings: Heard by PC Date 1-17-19 Decision \_\_\_\_\_  
Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_  
Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

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**BEGIN APPLICATION HERE:**

1. **Data on Applicant(s) and Owner(s):**
  - a. Applicant(s) Name: Frank Slaughter, Jr.  
Address: 29604 E. Easley Road  
Lee's Summit, Mo. 64086  
Phone: 816-377-0017
  - b. Owner(s) Name: Same as above  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_
  - c. Agent(s) Name: Roger A. Backues

**Verification:** I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

**Signature**

**Property Owner(s)**

*Frank Slaughter, Jr.*

**Date**

10-31-18

**Applicant(s):**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Contract Purchaser(s):**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

STATE OF Missouri

COUNTY OF Jackson

On this 14<sup>th</sup> day of November, in the year of 2018, before me the undersigned notary public, personally appeared Frank Slaughter, Jr.

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

*Amy Keister*

Commission Expires

4-15-19



AMY KEISTER  
My Commission Expires  
April 15, 2019  
Jackson County  
Commission #15634850

Address: 821 NE Columbus St., Suite 100 Lee's Summit, Mo. 64063

Phone: 816-554-9798

d. Applicant's interest in Property: Owner

2. General location (Road Name) 29604 E. Easley Road

3. Present Zoning AG Requested Zoning RE

4. AREA (sq. ft. / acres) 13.45 Acres

5. Legal Description of Property: (Write Below or Attached 9 )

Attached

6. Present Use of Property: Residential

7. Proposed Use of Property: Residential

8. Proposed Time Schedule for Development: Now

9. What effect will your proposed development have on the surrounding properties?

None compatible to the adjacent properties

10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? No

If so, will any improvements be made to the property which will increase or decrease the elevation? \_\_\_\_\_

11. Describe the source/method which provides the following services, and what effect the development will have on same:

a. Water Water Dist. # 15

b. Sewage disposal On-Site Septic System

c. Electricity KCP & L

d. Fire and Police protection Jackson County

12. Describe existing road width and condition: 40' wide right of way / standard asphalt surface road

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**13.** What effect will proposed development have on existing road and traffic conditions? None

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**14.** Are any state, federal, or other public agencies approvals or permits required for the proposed development? No

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If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): \_\_\_\_\_

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RZ-2019-566  
Frank Slaughter, Jr



E EASLEY RD

A





















**RZ-2019-566**

**ATTACHMENT TO RLA 1:**

**Description:** A PART OF THE NORTHWEST QUARTER AND A PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 47, RANGE 30, JACKSON COUNTY, MISSOURI DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE NORTH 89 DEGREES 32 MINUTES 38 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER, 1317.28 FEET; THENCE NORTH 01 DEGREES 22 MINUTES 11 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 9, 262.49 FEET TO A POINT ON A CURVE AND THE NORTH RIGHT OF WAY LINE OF EASLEY ROAD ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID NORTH RIGHT OF WAY LINE AND A CURVE TO THE LEFT WITH AN INITIAL TANGENT BEARING OF NORTH 65 DEGREES 28 MINUTES 38 SECONDS WEST (RECORD=NORTH 63 DEGREES 19 MINUTES 14 SECONDS WEST), A RADIUS OF 71.19 FEET AND A DISTANCE OF 31.34 FEET (RECORD=26.76 FEET); THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE SOUTH 89 DEGREES 18 MINUTES 08 SECONDS WEST, 205.63 FEET (RECORD=210.44 FEET) TO A POINT OF CURVATURE; THENCE ALONG SAID NORTH RIGHT OF WAY LINE AND A CURVE TO THE LEFT WITH A RADIUS OF 185.00 FEET AND A DISTANCE OF 28.55 FEET TO THE SOUTHEAST CORNER OF LOT 14, WINDMILL RIDGE ESTATES II, LOT 14, A SUBDIVISION IN JACKSON COUNTY, MISSOURI; THENCE NORTH 00 DEGREES 12 MINUTES 14 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 14, 358.90 FEET; THENCE SOUTH 89 DEGREES 47 MINUTES 46 SECONDS EAST, 1047.33 FEET TO A POINT ON THE WEST LINE OF LOT 13, WINDMILL RIDGE ESTATES, LOTS 13 THRU 13 & TRACTS A & B, A SUBDIVISION IN JACKSON COUNTY, MISSOURI; THENCE SOUTH 01 DEGREES 35 MINUTES 02 SECONDS WEST ALONG SAID LINE, 657.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EASLEY ROAD (30.00 FEET NORTH OF CENTERLINE OF ROAD); THENCE NORTH 89 DEGREES 22 MINUTES 41 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY LINE, 664.61 FEET TO A POINT OF CURVATURE; THENCE ALONG SAID RIGHT OF WAY LINE AND A CURVE TO THE RIGHT WITH A RADIUS OF 19.00 FEET AND A DISTANCE OF 27.58 FEET; THENCE NORTH 06 DEGREES 12 MINUTES 02 SECONDS WEST ALONG EASTERLY RIGHT OF WAY LINE OF EASLEY ROAD (30.00 FEET EAST OF CENTERLINE OF ROAD), 202.22 FEET TO A POINT OF CURVATURE; THENCE ALONG SAID RIGHT OF WAY LINE AND A CURVE TO THE LEFT WITH A RADIUS OF 71.19 FEET AND A DISTANCE OF 73.65 FEET TO THE POINT OF BEGINNING. CONTAINING 13.45 ACRES, MORE OR LESS.

**ATTACHMENT TO RLA-2:**

Attachments

Plan Commission Public Hearing Summary from January 17, 2019

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Elevations

Site Plan



## IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**AN ORDINANCE** amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 4.4 ± acre tract from District B (Two-Family Dwelling) to District LBp (Local Business Planned).

**ORDINANCE NO. 5200**, February 19, 2019

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "B" (Two-Family Dwelling) District and the "LBp" (Local Business Planned) District, so that there will be transferred from District B to District LBp, a tract of land located at 1624 Blue Ridge Boulevard, described as follows:

Description: Lots 16, 17, 18 and all that part of Lot 6, lying South of the North line of Lot 18, extended West, and all that part of Lot 7, lying East of the West line of Lot 16, extended North, all in Block 1, Start Acres, a subdivision in Jackson County, Missouri, according to the plat thereof.

Section 2. The Legislature, pursuant to the application of KADO Partner, LLC (RP-2019-567), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 6 to 0 to recommend APPROVAL of this application after a public hearing on January 17, 2019, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.



Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
Interim County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 5200 introduced on February 19, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____	Nays _____
Abstaining _____	Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No.5200.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank White, County Executive

# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 5200

Sponsor(s):

Date: February 19, 2019

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance  Project/Title: <u>KADO Partner, LLC - RP-2019-567</u>																				
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="357 504 1193 808"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td></td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT</td> <td></td> </tr> <tr> <td></td> <td>TO ACCT</td> <td></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input checked="" type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:          Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable):          Prior Year Actual Amount Spent (if applicable):</p>			Amount authorized by this legislation this fiscal year:		\$	Amount previously authorized this fiscal year:		\$	Total amount authorized after this legislative action:		\$	Amount budgeted for this item * (including transfers):		\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT			TO ACCT	
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Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT																				
	TO ACCT																				
PRIOR LEGISLATION	Prior ordinances and (date): Prior resolutions and (date):																				
CONTACT INFORMATION	RLA drafted by Randy Diehl, Administrator, Development Division, 881-4577																				
REQUEST SUMMARY	Requesting a change of zoning from District B (Two Family Dwelling) and District LBp (Local Business-Planned on 4.4 ± acres in order to update the entire property to a revised LBp (Local Business-Planned) District. The purpose is for a Residential Release Center. The location is 1624 Blue Ridge Boulevard, and specifically described on Attachment to RLA-1. The Jackson County Plan Commission on January 17, 2019 held a public hearing and accepted testimony pertaining to the request. This request for a change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements. The Jackson County Plan Commission voted 6 to 0 to recommend <u>APPROVAL</u> to the County Legislature.																				
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)																				
ATTACHMENTS	See Attachment to RLA-2																				
REVIEW	Department Director: Brian D. Gaddie, P.E. Director of Public Works	Date: 1.17.19																			
	Finance (Budget Approval): <i>If applicable</i>	Date:																			
	Division Manager:	Date:																			
	County Counselor's Office:	Date:																			

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_.
- ☐ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☒ This legislative action does not impact the County financially and does not require Finance/Budget approval.

## **Randy Diehl gave the Staff Report**

**Applicant:** KADO Partners, LLC

**Owner:** Land Trust of Jackson County

**Location:** 1624 Blue Ridge Boulevard

**Area:** 4.4 acres

**Request:** Change of zoning from District B (Two Family Dwelling) and District LBp (Local Business-Planned) property to a revised LBp (Local Business-Planned) District.

**Purpose:** Residential Release Center

### **Current Land Use and Zoning in the Area:**

The zoning in the surrounding area is predominately zoned District B (Two-Family) and used for single family residences. To the north, along Truman Road, there are Districts LB (Local Business), GB (General Business) and LI (Light Industrial). Directly across the Stark Avenue is the Inter City Fire station which is within District LI.

In 1997, the east portion of the site was rezoned to LBp (Local Business-Planned) by the County Legislature (Ordinance 2657.) The purpose was to change the zoning to construct commercial communication antennas on the roof.

The 4.4 acre site contains a multi-story building, formerly the John K Stark School, and later a church and church affiliated child care facility. The property has changed hands a few times and in February 2016, the property was transferred to Land Trust of Jackson County, Missouri.

The applicant has an option to purchase with Land Trust and wishes to redevelop the site into a Residential Release Center, under contract with the Federal Bureau of Prisons. They state that this will have a positive impact on the surrounding properties by providing development of the existing blighted school building and providing an active use of the property. The Residential Reentry Center will utilize Lot 18 of Starks Acres. The underbrush on the remaining lots will be thinned and the trash removed. The plan is to create a community garden.

Staff met with the representatives of the applicant and their legal counsel and was joined with members of the Executive staff and Sheriff's Office. The acknowledgement was that the John Stark School is an eyesore and nuisance and the proposed renovation and preservation of this structure would be a boost to this neighborhood and the Blue Summit community.

Further discussed was the zoning and building code compliance. Since this is within a Planned District, an application for new development plan would need to be submitted to the Plan Commission for review and recommendation, and then referred to the County Legislature for final approval.

**Plan:**

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

**Recommendation:**

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RP-2019-567.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

Mr. Diehl: The Applicant is prepared with a presentation that will go into more detail of what their proposed use of the property will entail.

Mr. Tarpley: Do you know the capacity of the inmates?

Mr. Diehl: I'll defer all specific questions to the applicant and their representatives.

Mr. Crawford: This is not a Conditional Use?

Mr. Diehl: No, this is a Planned Zoning within District LB (Local Business). Staff felt this was the best fit for this specific land use.

Mr. Tarpley: Where is the closest residential zoning to this facility?

Mr. Diehl: It's surrounded by single family homes.

**Mr. Antey: *Is the applicant here?***

Patricia Jensen: I am with Rouse, Frets, White, Gross Law Firm, 4510 Belleview Ave. KC, MO. Here with me is Barry Rubin with KADO Partners, Working Alternatives. We also have our architects here as well. I'm go through the PowerPoint which will provide visuals of the condition of the building as this point in time and our plans for the building. Mr. Rubin will provide the description exactly of the use and the community engagement he has had will property owners regarding this proposal.

(Presentation made showing aerials and pictures of interior of building).

This is the former John Stark school, currently in Land Trust of Jackson County. We've met with Land Trust and have entered into an agreement to purchase this building and property. According to them, this building has been hard to secure. There have been numerous break-ins throughout the time they have owned the property, as well as activities that have been taking place in the back area. The plan is to clear the underbrush. Included along with the pictures are the site plan and elevations shows the projected renovations. I'll now have Barry explain what the use is. It's included in your



application and have him describe the meetings with the community with regards to this request.

Barry Rubin: I am founding member and for 33 years, the Executive Director of Working Alternatives. KADO is Working Alternatives, KADO is our property side. We are only providers of halfway houses for the Bureau of Prisons. We hope to bring Stark School back to a thing of beauty and practicality, housing 130 men and women. 15 women and 115 men. The Department of Justice has determined that these men and women are coming back to the Kansas City area one way or another and they've asked to provide a community resource for them to come out.

Ms. Mershon: Where are they coming back from?

Mr. Rubin: These are ex Federal offenders that are coming out of prison. They are coming back to where their home is. Anyone sentenced from Kansas City can go anywhere depending what their needs are, they come back to where they were sentenced. Where they have family. Federal offenders are primarily White Collar, but not always. They could have had drug crimes, bank robbers. We do not take child molesters or sexual offenders. Returning the school back into something practical, would be an economic engine. Payroll around two million dollars, construction budget around 8 million. The contract with the government is for 10 years.

The first thing we do when think about something like this, we are not a large private prison company. We have a facility in Orange County, we've built one in Raleigh and we're building one in Flagstaff. We look at these projects every few years, where is there a need, and whether there is community support. The first thing I did in June with this building was to walk around it. I met with some of the neighbors. I knocked on the door of the church. I visited with the Fire Department. From that we developed some meetings. We met with County officials, law enforcement. We had a community meeting in October in which 30 to 35 people showed up. We explained how the facility works how we interact with the neighborhood, what they can expect. There was broad acceptance, however not everyone spoke. We are open to and what to hear from the community. We are setting up a community relations board to oversee the community. Members will be from the community, law enforcement, Federal probation, people in our world.

Last week I was to meet with the Federal safety inspector to walk the building and talk about our next step. Those plans were cancelled. We are still very early in this process. I've been corresponding with the Baptist Church, which is across the street, about a community garden. It's too early to say how that goes, but this is our dream to put this back together, to use these 5 acres to show our members, our clients, to interact with the community. That answers some questions, I'd be happy to answer any additional ones.

Mr. Antey: What's the time frame? There's a lot of construction involved. I wonder if it would easier to demolish and rebuild.

Mr. Rubin: In the best of all worlds, we'd be open in two years. Realistically, it would be about three years. To add to what we talked about at the community meetings, every inmate or resident from Federal prison, has the chance to come to a half-way house. Right now, the people coming back to Kansas City are going to St. Louis. What happens with these half-way houses or residential reentry centers, is that they have case managers, job developers, who help set them up with employment, help them connect with their families, get their kids from foster care. These 130 men and women get jobs in

St. Louis. Coming back to Kansas City, they lose those jobs and basically have to start over.

The process is that we look at everyone that may be sent to us and whether to accept them based on their dynamics. We would not take a violent offender, we would not take an arsonist. We do not take child molesters, we would not have any sent to us. If some places, in Orange County we have the police who interact with our community relations that like to look at the cases as well. That would be decided as we move forward. Most of our clients are mostly inmates. About 80 percent of them are doing their last 120 to 180 days in the center, as part of their sentencing. Everyone of them gets tested everyday for alcohol. They walk in, they get the breathalyzer. The ones that have had drug problems in the past get tested every week. Those who don't get tested randomly. Plus, they're inmates. If someone gets a positive test, we call the Federal Marshals, they come get them and take them back to prison. They are inmates. I can transfer someone to another facility.

There are two other kind of clients. Federal probationary and direct court placements. Direct placements might be someone who has committed a minor federal offence. An example would be if you were in a federal park and got a DUI or illegal gun in your glovebox, a federal judge could someone right to us. They would not lose their job and engagement with their family. The third type, about 20 percent, are federal probationers who are already in the community but have lost their job, kicked out by their spouse, or relationship has failed, can come here. When ready, can go. It could be anywhere from a week to a year. Primarily the length of stay is about 180 days. As they move forward in the community, they get more freedom in the community. They could get a day pass with their parents or kids. Then a weekend pass and over time, more time out in the community. Everyone who leaves the building, and by the way this is not a locked facility, we have the safety we need. This is not a prison, people will have access to the community. Everyone with have an itinerary as they go in and out of the facility. When they go out, we know they are at work, looking for work, medical or whatever their itinerary is, they come and go with our blessing. We also do background, talk to their boss to see if they are where they are supposed to be.

Mr. Antey: What type of security would this facility have? I guess you'd have checks. What is someone leaves and doesn't come back?

Mr. Rubin: We have about 42 on staff. 5 or 6 of them are case managers, and treatment staff. We'll have around 30 security monitors, who are not armed. I tell my staff, if someone says, "I'm leaving and don't want to stay", show them the door. We call the Federal Marshals and they come and take them away. It really doesn't happen. We don't see people escape, the no real reason to. We have security cameras that sweep inside and out. We use a computer model that has itinerary built into it so we know where people should be. Drug tests are programmed into it. Room check about 4 times a day. It's rare that someone fails, it's rare the someone escapes or doesn't come back. Usually they've met a friend and decided to have a beer. They're tested every day. One beer turns into three beers or turns into drugs. They don't come back because they know they are going to get tested or go back to prison. They eventually come back, or the Marshals find them. Between facilities, maybe once every three or four months. Always beer or alcohol.

Mr. Crawford: How did you find this place? There are a lot of empty buildings.

Mr. Rubin: Luck. I have a passion for bringing things back. It's a beautiful building and I hope to bring it back. Let me step back. The Bureau of Prison says they need 130 beds in the Kansas City area. They send out notices all over the country in different locations.

I started talking to real estate brokers in this area. One of them mentioned the Stark School. On You Tube there are videos of people in old building including this one. So, I started talking to neighbors and dumb luck, knocked on the door of an individual. He's pretty in tune with the area. He said he's all for that. I contacted the County people, and the next step and the next. The bones of this building, and the architects know better than I. The bones of this building lend itself to be a residential center. There's everything we need there in terms of space, land, setback and parking. Somebody stated at one of the community meetings that 10 years ago, we would not have supported something like this. We would like to have seen this a retirement center, a church or a school again. As the damage and vandalism has increased this building is far from no longer viable, at this point we'd love to see something useful happen here.

Mr. Crawford: One other question. Being that you don't take sex offenders and you get to pick and choose who you want. What assurances would the County have that you wouldn't change policies. Suppose you sell your property and somebody else have a different game plan.

Mr. Rubin: We're not a big traded company. You're taking to the owner. I'll answer that a couple of ways. One, I don't want to take sex offenders. Even if I want to take them, there's a park nearby. Taking sex offenders would be a violation of State law. Three, as part of the permit, there are things we can write in.

Ms. Jensen: We can certainly put that on the plan.

Jay Haden: My experience is that sex offenders in the Federal prison system could be very low. Sex offences area are almost a matter of state law. With a contract with the Federal system, I can't imagine that there would to many, if any, sex offenders within the Federal system. Correct me if I'm wrong. They can't live or be housed next to a park. That supersedes it. The Department of Justice is clear, your rules abide. We have to meet local rules. The Federal government have certain mandatory requirements, even if local codes would say "you don't need fire sprinklers in the facility", we have to do it. We have to put cameras in. But we have to meet your ADA, Federal ADA. Whatever is the most stringent, we have to meet.

Ms. Jensen: We can solve this, I know what Randy is talking about, we can put it on the face of the plan. And that plan is what is approved.

Mr. Tarpley: What is time release of the inmate. Is it based on why they're there?

Mr. Rubin: No. It varies. Probationers who may need more time. If a client has an apartment or saved up for a house, they may be good to go. The direct court placements, that is up to a judge. DUI in Yellowstone, may be 30 days, or come for weekends. For inmates, 80 percent of our population, have had a sentence. Say a 5-year sentence, they may have a certain amount of good time and are able to get out early, can come to a prerelease center. That's up to a judge, their case manager, the facility they are coming from. The case manager may ask for 180 days, and we accept that. That's mostly determined by the Bureau of Prisons.

Mr. Tarpley: How much cleanup is going to be do on the 5 acres? I assume it's going to open, no fence.

Mr. Rubin: We had talked about fencing it at the community meeting. My preference is not to fence it. We don't want it look like an institution. I'm talking about my preference. Right now, there is trash and people use it as way to escape police. We are going to turn



part of it into a community garden. The back area is like a wilderness. We'll thin it out. It will not be a park, we will not be inviting people from the outside to come enjoy.

Ms. Jensen: One of the issues with that back area is what the Sheriff's Office has said is that it is a problem. There are things going on and when they go after them, they run through various areas. Land Trust has been trying to control it, board it, but it doesn't help. Cleaning it up will be a benefit. Plus, it puts the building to use, puts it back on the tax rolls.

Mr. Haley: Sounds like you have done your homework on the community, but what has been the response of the community? Has it been pretty much 100 percent approval?

Mr. Rubin: 100 percent, no. One community meeting we asked the fire chief to give out notices. 30 to 35 people came. Everyone there was not supportive. About a third or fourth was supportive. 10 years ago, I don't think anyone would have been supportive, because it was not the nuisance it is now. This building is about a year away from being viable.

**Mr. Antey: *Is there anyone else who is in favor of this application?***

**Mr. Antey: *Is there anyone who is opposed or has questions regarding this application?***

Chris Dahl, 1614 Blue Ridge Boulevard: I was not at one of those meetings. I've heard what you've had to say. I have no problem with the improvement of the building, on the other side of there is an area laden with criminals. To me, a halfway house sounds like an entryway for problems. They work, however, unless you throw in some kind of security that would scare some of the riff raff in the neighborhood, that would probably help me feel a bit more comfortable with this. My wife was concerned about what type of criminal would be there.

Mr. Haley: Does this help that concern?

Mr. Dahl: Yes, somewhat. Something in writing would help.

Mr. Tarpley: How close are you to the park?

Mr. Dahl: I'm north of the building and the park is to the south across 17<sup>th</sup> Terrace.

Mr. Tarpley: If I understand there will be no out of state placements. These people are coming back to where they are from.

Mr. Rubin: The only time someone from out of state would be placed is if their family has moved into the area. They would have to ask their case management regarding that. They must have a tie and probation would take that into consideration.

Mr. Dahl: My concern is that you are bringing them into a neighborhood that might allow them to go back to the way they were.

Mr. Tarpley: Hopefully this will improve the quality of the neighborhood, and with more professional people in those building would be positive.

Mr. Antey: We thank you for coming here and speaking with us. That's the whole reason we have these meetings.

Mr. Rubin: We have vans to take people to the regional transportation center. Because these are where collar, they may have a car. You would have people traversing through the community. We recognize it's a neighbor. Our Orange County facility is so in the neighborhood, that those people who come, they're not in chains. They get off a plane, they take a taxi. We see them looking around, they think there in the wrong neighborhood. That's why I'm concerned about fencing. I don't want it to look a correctional facility. It's a community resource.

Melissa Powers and Dennis Bradley with b & a architects gave a brief overview of the condition of the building. The goal is to take it down to bare bones with the demolition. As for the building envelop, it will be a complete restoration. The building is a concrete structure. The gym room in the newer addition has collapsed. That area has the most concern. It an attractive building. The original building is from about 1930 and the addition around 1950.

Motion to take under advisement.

Ms. Mershon moved to take under advisement. Mr. Crawford seconded.

Mr. Crawford: Randy, describe to me the plan, as far as the assurance that if this company ever changes hands, they would take sex offenders.

Mr. Diehl: The plan is the drawing, the testimony they are giving. That all goes into the plan.

Mr. Tarpley: Do to the proximity to the park, they can't do that anyway.

Mr. Crawford: Who owns the park?

Mr. Diehl: The Fire District I believe.

Mr. Tarpley: Personally, I think once the trees are removed there will be less places for people to hide. I think it will be an improvement to the neighborhood. It's an eyesore right now.

Mr. Haley: I like that they are rebuilding something that has history. And it will help people out.

Ms. Mershon exited meeting at 9:30

*Discussion under advisement*

Mr. Tarpley moved to approve. Mr. Haley seconded.

Mr. Crawford	Approve
Mr. Haley	Approve
Mr. Tarpley	Approve
Mr. Gibler	Approve
Ms. Querry	Approve
Chairman Antey	Approve

Motion Carried 6 – 0

## **STAFF REPORT**

### **PLAN COMMISSION**

**January 17, 2019**

**RE: RP-2019-567**

**Applicant:** KADO Partners, LLC

**Owner:** Land Trust of Jackson County

**Location:** 1624 Blue Ridge Boulevard

**Area:** 4.4 acres

**Request:** Change of zoning from District B (Two Family Dwelling) and District LBp (Local Business-Planned) property to a revised LBp (Local Business-Planned) District.

**Purpose:** Residential Release Center

#### **Current Land Use and Zoning in the Area:**

The zoning in the surrounding area is predominately zoned District B (Two-Family) and used for single family residences. To the north, along Truman Road, there are Districts LB (Local Business), GB (General Business) and LI (Light Industrial). Directly across the Stark Avenue is the Inter City Fire station which is within District LI.

In 1997, the east portion of the site was rezoned to LBp (Local Business-Planned) by the County legislature (Ordinance 2657.) The purpose was to change the zoning to construct commercial communication antennas on the roof.

The 4.4 acre site contains a multi-story building, formerly the John K Stark School, and later a church and church affiliated child care facility. The property has changed hands a few times and in February 2016, the property was transferred to Land Trust of Jackson County, Missouri.

The applicant has an option to purchase with Land Trust and wishes to redevelop the site into a Residential Release Center, under contract with the Federal Bureau of Prisons. They state that this will have a positive impact on the surrounding properties by providing development of the existing blighted school building and providing an active use of the property. The Residential Reentry Center will utilize Lot 18 of Starks Acres. The underbrush on the remaining lots will be thinned and the trash removed. The plan is to create a community garden.

Staff met with the representatives of the applicant and their legal council, and was joined with members of the Executive staff and Sheriff's Office. The acknowledgement was that the John Stark School is an eyesore and nuisance and the proposed renovation and preservation of this structure would be a boost to this neighborhood and the Blue Summit community.

Further discussed was the zoning and building code compliance. Since this is within a Planned District, an application for new development plan

would need to be submitted to the Plan Commission for review and recommendation, and then referred to the County Legislature for final approval.

**Plan:**

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

**Recommendation:**

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RP-2019-567.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator









## **JACKSON COUNTY Public Works Department**

Jackson County Technology Center  
303 West Walnut Street  
Independence, Missouri 64050  
jacksongov.org

(816) 881-4530  
Fax: (816) 881-4448

January 2, 2019

RE: Public Hearing: RP-2019-567  
KADO Partners, LLC  
Jackson County Land Trust

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by KADO Partners, LLC a change of zoning from District B (Two Family Dwelling) and District LBp (Local Business-Planned on 4.4 ± acres in order to update the entire property to a revised LBp (Local Business-Planned) District. The purpose is for a Residential Release Center. The location is 1624 Blue Ridge Boulevard.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, January 17, 2019 at 8:30 a.m. in the Large Conference Room, 2<sup>nd</sup> Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4649.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randy Diehl", is written over a faint, circular official stamp.

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

*Frank White, Jr., County Executive*

Parcel	Owner	Address	City	State	Zip
27-520-05-01-01-0-00-000	BLUE RIDGE MHC LLC	200 S WILCOX ST STE 303	CASTLE ROCK	CO	80104
27-410-01-02-00-0-00-000	BLUE SUMMIT BAPTIST CHURCH	1701 BRYAN	KANSAS CITY	MO	64126
27-340-09-35-00-0-00-000	DAHL CHRIS	1614 STARK AVE	KANSAS CITY	MO	64126
27-230-06-06-00-0-00-000	FERRON DAVID	10316 NW AVALON AVE	KANSAS CITY	MO	64154
27-340-10-33-01-0-00-000	GONZALEZ SALVADOR & SABRINA A	9418 E 82ND ST	RAYTOWN	MO	64138
27-340-09-12-00-0-00-000	HOWARD GINA	PO BOX 1881	INDEPENDENCE	MO	64055
27-230-07-03-00-0-00-000	INTER CITY FIRE PROTECTION DISTRICT	1702 BLUE RIDGE BLVD	BLUE SUMMIT	MO	64126
27-340-12-11-00-0-00-000	KLECK DEBBIE L	2109 ASHLAND	KANSAS CITY	MO	64126
27-340-09-09-00-0-00-000	LAFFERTY SHIRLEY L	1618 WILL	KANSAS CITY	MO	64126
27-410-03-03-00-0-00-000	LEWIS VIRGENE A	1703 TILDEN	KANSAS CITY	MO	64126-3064
27-230-08-12-02-0-00-000	MILLER JAMES H	9105 E 31ST ST S	INDEPENDENCE	MO	64052
27-340-09-44-00-0-00-000	LAND TRUST OF JACKSON CO MO	4035 CENTRAL ST	KANSAS CITY	MO	64111

**JACKSON COUNTY, MISSOURI  
PLANNED DEVELOPMENT ZONING APPLICATION**

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**(AMENDMENT TO EXISTING PUD PLAN IN DISTRICT LB-P/B-r)**

**APPLICANT INFORMATION:**

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
5. Provide Site Development Plan and supporting documentation as provided in UDC Section 24003.18 paragraph e (See Item 14).
6. A signed statement by applicant that applicant understands and agrees that rezoning granted under this section may be revoked should actual use of the property deviate materially if planned development is granted.
7. The filing fee (non-refundable) must accompany application.  
(Check payable to Manager of Finance)  
\$350.00 - Change of Zoning to Residential / Planned Development  
\$500.00 - ~~Change of Zoning to Commercial or Industrial~~ / Planned Development

**Amendment to Existing PUD Plan in District LB-P/B-r**

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**TO BE COMPLETED BY OFFICE PERSONNEL ONLY:**

Rezoning Case Number RP-

Date Filed \_\_\_\_\_ Date of hearing \_\_\_\_\_

Date advertised \_\_\_\_\_ Date property owners notified \_\_\_\_\_

Date signs posted \_\_\_\_\_

Hearings:      Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

                  Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

                  Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

---

**BEGIN APPLICATION HERE:**

**1. Data on Applicant(s) and Owner(s)**

- a. Applicant(s) Name: KADO Partners LLC  
Address: c/o Elizabeth Bury, Managing Partner  
Phone 32932 Pacific Coast Highway, Suite 421  
Dana Point, CA 92629
- b. Owner(s) Name: The Land Trust of Jackson County, Missouri  
Address: 4035 Central Street, Kansas City, MO 64111



Phone: c/o Michael Hunter (816) 221-1111

c. Agent(s) Name: Patricia Jensen Rouse Frets White Goss Gentile Rhodes, P.C.  
Address: 4510 Belleview Ave., Suite 300, Kansas City, MO 64111  
Phone: (816) 753-9200

d. Applicant's interest in Property: Option to Purchase Real Estate  
Contract with Land Trust

2. General Location (Road Name) Northwest Corner of East 17th Terrace  
and Stark/Blue Ridge Boulevard

3. Present Zoning LB-P/B-r Requested Zoning LB-P/B-r (with PUD revision)

4. AREA (sq. ft. / acres) 4.4 acres

5. Legal Description of Property: (Write Below or Attached 9 )

Stark Acres Lots 6 & 7 & 16-18, Block 1, a subdivision of land in Jackson  
County, Missouri.

6. Present Use of Property: Vacant former school building

7. Proposed Use of Property: Residential ReEntry Center (contract with Federal  
Bureau of Prisons)

8. Proposed Time Schedule for Development: 2019-2020

9. What effect will your proposed development have on the surrounding properties?

The redevelopment of the former and vacant John Stark School into a Residential  
Release Center (under contract with the Federal Bureau of Prisons) will positively  
impact the surrounding properties by providing redevelopment of the existing  
blighted school building and providing an active use of the property. The  
Residential ReEntry Center use will be on Lot 18. The underbrush on Lots 6, 17 &  
16 that has grown without control will be thinned and trash removed (currently this  
is the site of loiterers on the property). A community garden will be established on  
Lot 17, positively impacting the surrounding properties and residents.

Boundary Map? N/A

If so, will any improvements be made to the property which will increase or decrease the elevation? N/A

11. Describe the source/method which provides the following services, and what effect the development will have on same:

a. Water \_\_\_\_\_ *\*No effect*

b. Sewage disposal \_\_\_\_\_ *on all*

c. Electricity **Kansas City Power & Light** \_\_\_\_\_ *utilities.*

d. Fire and Police protection **Jackson County** \_\_\_\_\_

12. Describe existing road width and condition: Stark & 17th Terrace are existing improved streets.

13. What effect will proposed development have on existing road and traffic conditions? The proposed use will not have any effect on traffic. The proposed use is a low traffic generator.

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? **Yes** If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): **Federal Bureau of Prisons**

- 15. PLANNED ZONING APPLICATION SHALL INCLUDE SITE DEVELOPMENT PLAN.**  
An accurate, legible site plan, drawn to scale and containing the following information:

- a. the legal description of subject property;
- b. the limits, dimensions, and square footage/acreage of property and the development of property adjacent to the area within three hundred (300) feet;
- c. the topography in intervals no greater than ten (10) feet;
- d. general location and width of all proposed streets and public rights-of-way, such as pedestrian ways and easements.
- e. entrances and exits from streets or indication of the criteria for entrance and exit

placement;

- f. proposed building layout illustrating the front, side and rear building setback lines.
- g. proposed use of buildings, or a description of the proposed uses by type, character, and intensity;
- h. location and amount of parking or loading, or indication of the proposed parking and loading ratio and the location criteria;
- i. location, type, and size of signs, or indication of the criteria for location, type and size of signs.

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

Michael B. Hunter  
The Land Trust of  
Jackson County, Missouri

11-27-18  
11/26/2018

Applicant(s):

KADO Partners, LLC

11/26/2018

Contract Purchaser(s):

KADO Partners, LLC

11/26/2018

See attached signature page for KADO Partners, LLC

STATE OF Missouri  
COUNTY OF JACKSON

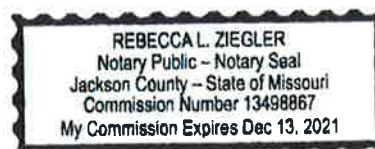
On this 27th day of November, in the year of 2018, before me the undersigned notary public, personally appeared Michael B. Hunter

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public Rebecca L. Ziegler

Commission Expires Dec 13 2021





Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

*See attached.*  
The Land Trust of  
Jackson County, Missouri

*11-27-18*  
11/26/2018

Applicant(s):

*Elizabeth A. Bury*  
KADO Partners, LLC

11/26/2018

Contract Purchaser(s):

*Elizabeth A. Bury*  
KADO Partners, LLC

11/26/2018

STATE OF \_\_\_\_\_

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

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_, before me  
the undersigned notary public, personally appeared \_\_\_\_\_

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and  
acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public \_\_\_\_\_

Commission Expires \_\_\_\_\_

## California All-Purpose Certificate of Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of In Angeles

S.S.

On November 26 2018 before me, DENEB A CRAVIOTO Notary Public

Name of Notary Public, Title

personally appeared ELIZABETH A. BURY

Name of Signer (1)

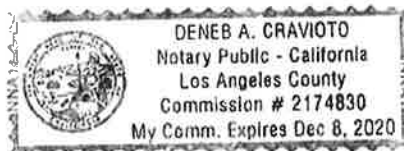
Name of Signer (2)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public



Seal

### OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of \_\_\_\_\_

containing \_\_\_\_\_ pages, and dated \_\_\_\_\_

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)  
☐ Attorney-in-fact  
☐ Corporate Officer(s)

Title(s)

- ☐ Guardian/Conservator  
☐ Partner - Limited/General  
☐ Trustee(s)  
☐ Other: \_\_\_\_\_

representing: \_\_\_\_\_

(Name(s) of Person(s) Entity(ies) Signer is Representing)

### Additional Information

#### Method of Signer Identification

Proved to me on the basis of satisfactory evidence:

☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:

Page # \_\_\_\_\_ Entry # \_\_\_\_\_

Notary contact: \_\_\_\_\_

Other

☐ Additional Signer ☐ Signer(s) Thumbprints(s)

☐ \_\_\_\_\_

# California All-Purpose Certificate of Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

S.S.

On Nov 26 2018 before me, DENEBA CRAVIOTO Notary Public

Name of Notary Public, Title

personally appeared ELIZABETH A BURY

Name of Signer (1)

Name of Signer (2)

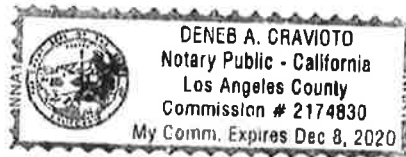
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]

Signature of Notary Public



Seal

## OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

## Description of Attached Document

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containing \_\_\_\_\_ pages, and dated \_\_\_\_\_

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)  
☐ Attorney-in-fact  
☐ Corporate Officer(s)

Title(s)

- ☐ Guardian/Conservator  
☐ Partner - Limited/General  
☐ Trustee(s)  
☐ Other: \_\_\_\_\_

representing: \_\_\_\_\_

Name(s) of Person(s) Entity(ies) Signer is Representing

## Method of Signer Identification

Proved to me on the basis of satisfactory evidence:

- ☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:

Page # \_\_\_\_\_ Entry # \_\_\_\_\_

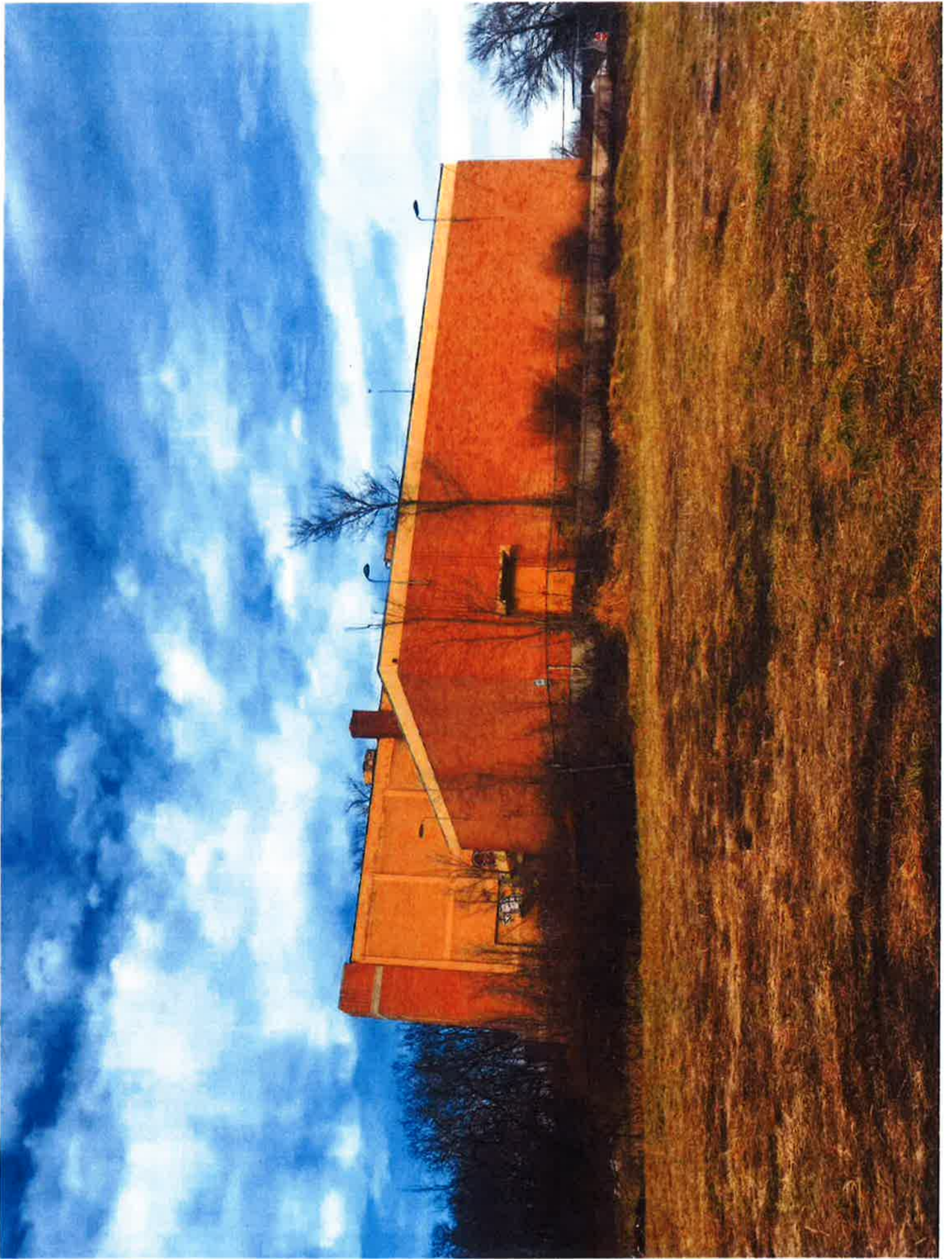
Notary contact: \_\_\_\_\_

## Other

- ☐ Additional Signer ☐ Signer(s) Thumbprints(s)

☐ \_\_\_\_\_

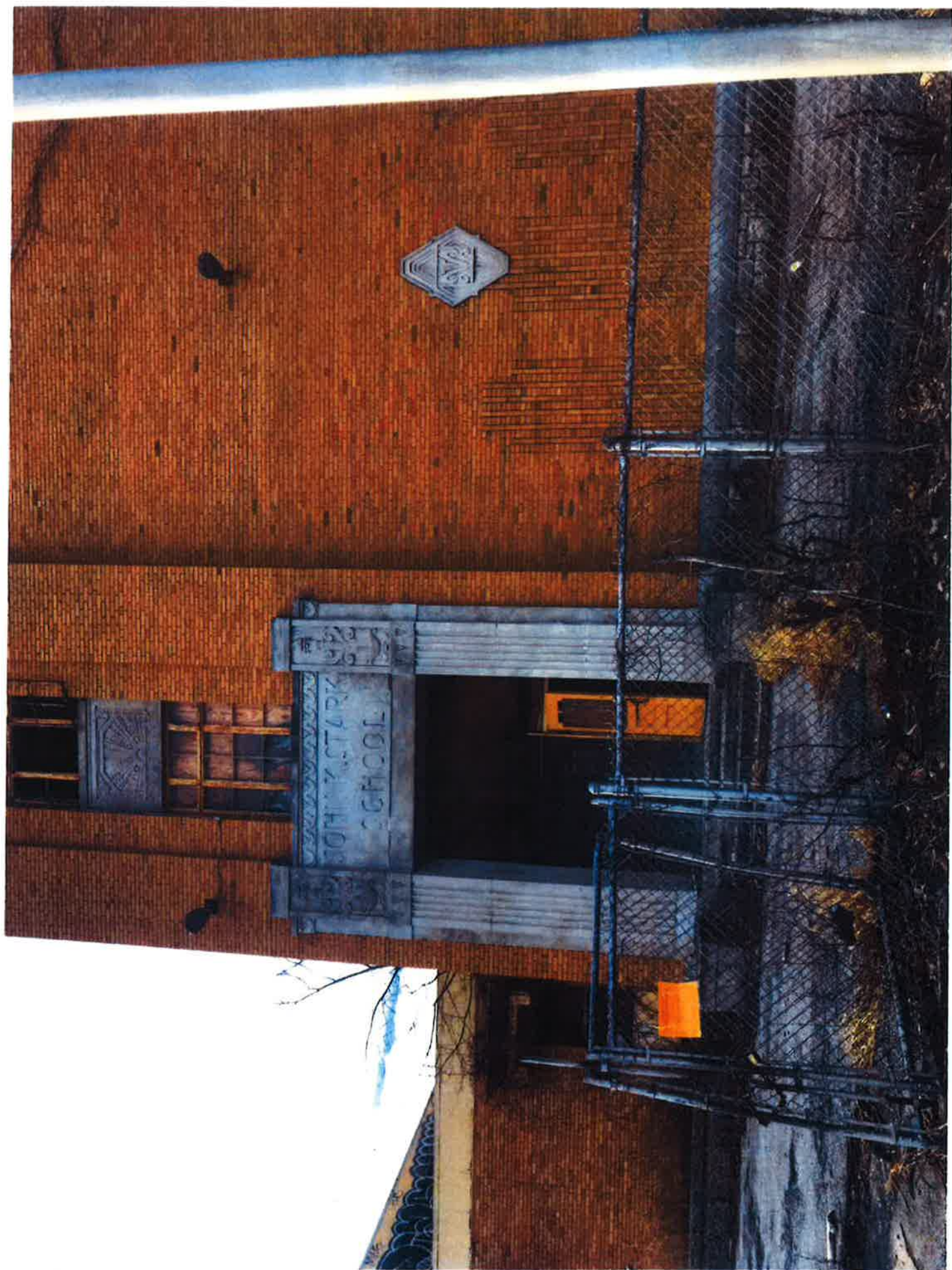




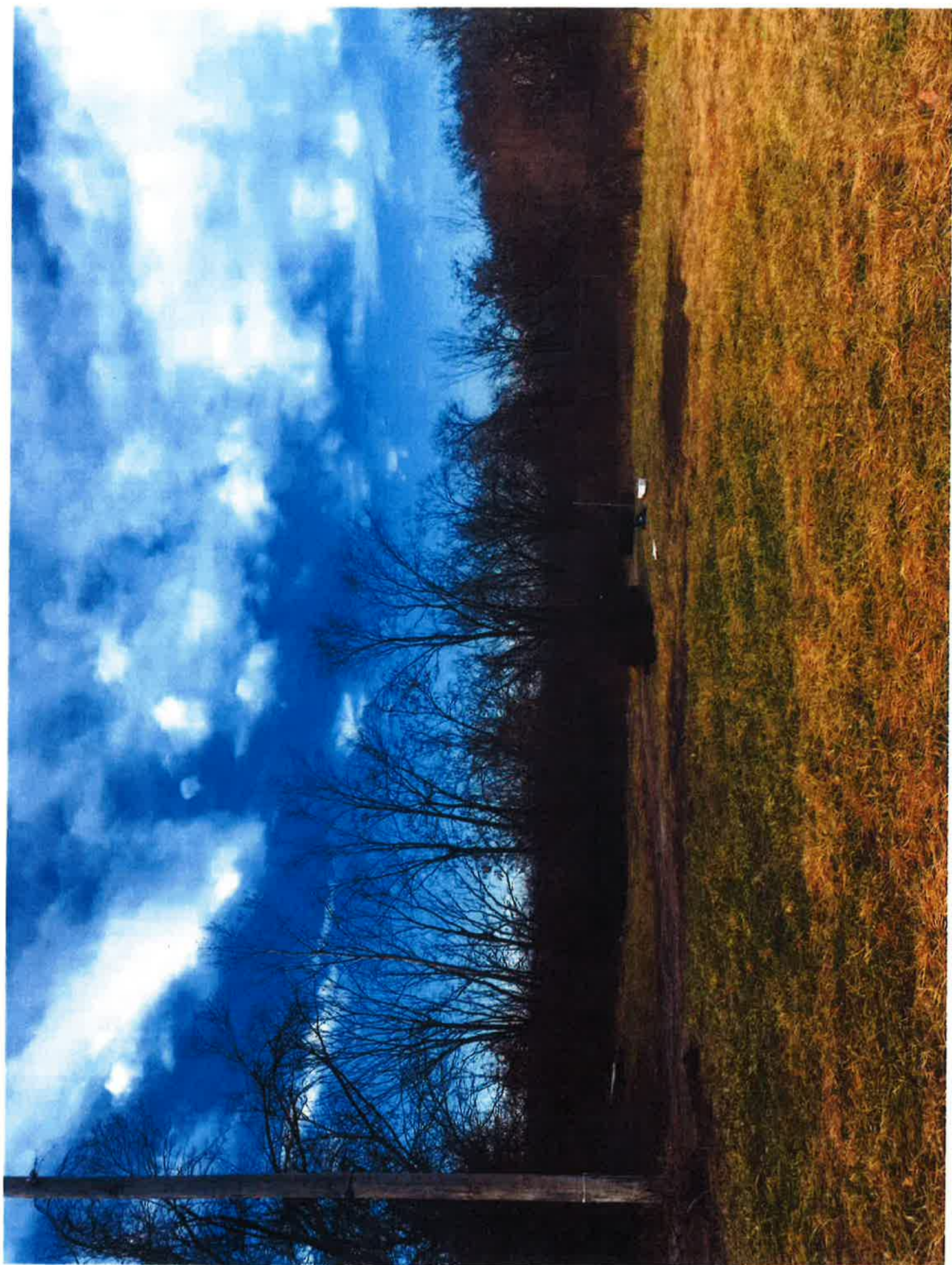














**PROPOSED RESIDENTIAL RE-ENTRY FACILITY**  
1625 BLUE RIDGE BLVD  
BLUE SUMMIT, MO  
KANSAS CITY, MO 64111  
OWNER: KANSAS CITY  
ARCHITECT: KANSAS CITY  
ENGINEER: KANSAS CITY  
LANDSCAPE ARCHITECT: KANSAS CITY  
PLANNING: KANSAS CITY  
CONSULTANT: KANSAS CITY  
DATE: 10/1/2011  
SCALE: 1/8" = 1'-0"

# KANSAS CITY RESIDENTIAL RE-ENTRY FACILITY

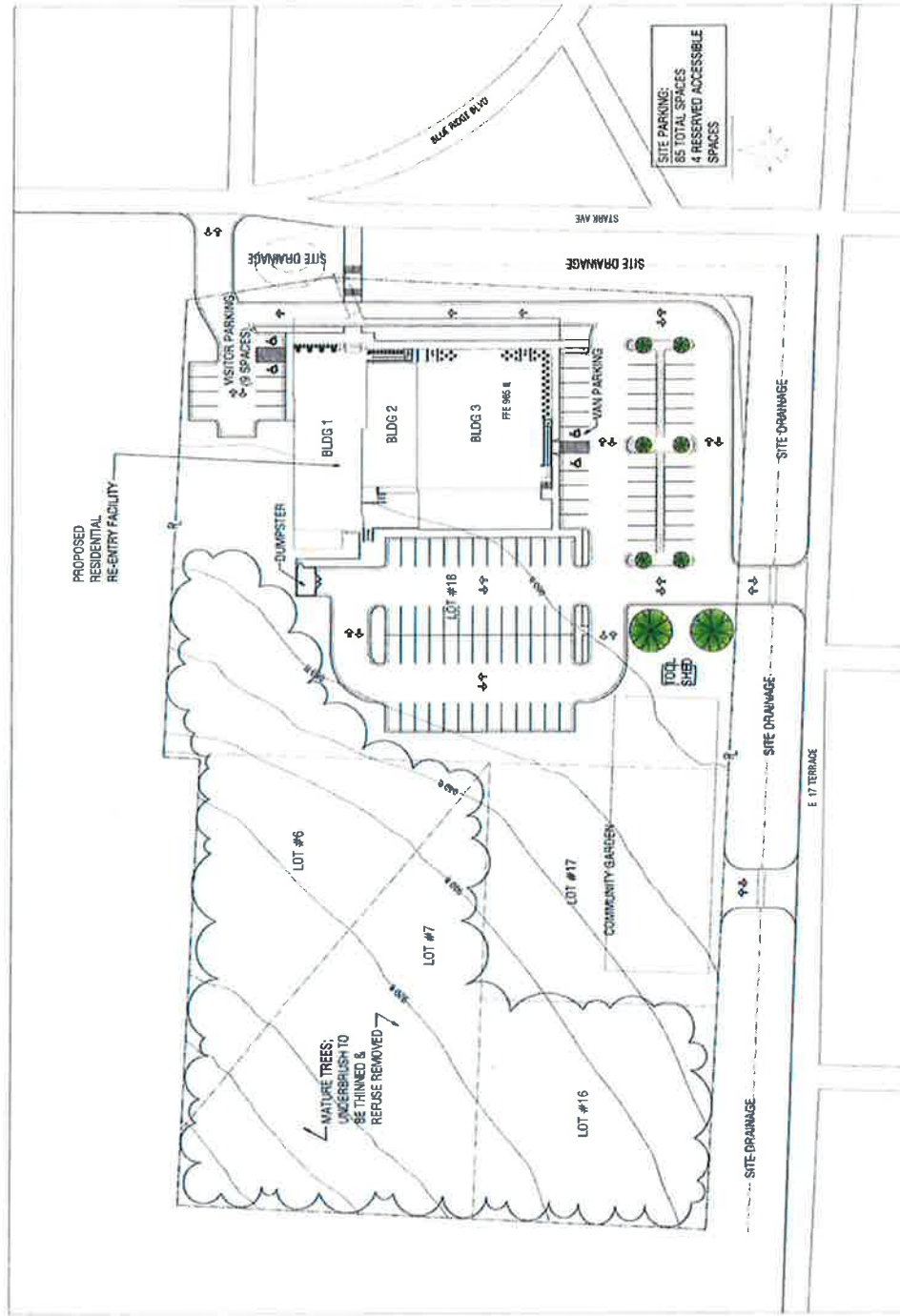
1625 BLUE RIDGE BLVD  
BLUE SUMMIT, MO

NOT FOR CONSTRUCTION

NO. 1	DATE	DESCRIPTION
1	10/1/2011	ISSUED FOR PERMIT
2	10/1/2011	ISSUED FOR PERMIT
3	10/1/2011	ISSUED FOR PERMIT
4	10/1/2011	ISSUED FOR PERMIT
5	10/1/2011	ISSUED FOR PERMIT
6	10/1/2011	ISSUED FOR PERMIT
7	10/1/2011	ISSUED FOR PERMIT
8	10/1/2011	ISSUED FOR PERMIT
9	10/1/2011	ISSUED FOR PERMIT
10	10/1/2011	ISSUED FOR PERMIT

SITE PLAN  
SP100

PROPOSED RESIDENTIAL RE-ENTRY FACILITY  
1625 BLUE RIDGE BLVD  
BLUE SUMMIT, MO  
KANSAS CITY, MO 64111  
OWNER: KANSAS CITY  
ARCHITECT: KANSAS CITY  
ENGINEER: KANSAS CITY  
LANDSCAPE ARCHITECT: KANSAS CITY  
PLANNING: KANSAS CITY  
CONSULTANT: KANSAS CITY  
DATE: 10/1/2011  
SCALE: 1/8" = 1'-0"



BUILDING SQUARE FOOTAGE:	
BLDG 1:	18,000 SF
BLDG 2:	2,400 SF
BLDG 3:	6,000 SF
TOTAL:	26,400 SF

1 SITE PLAN  
10/1/2011





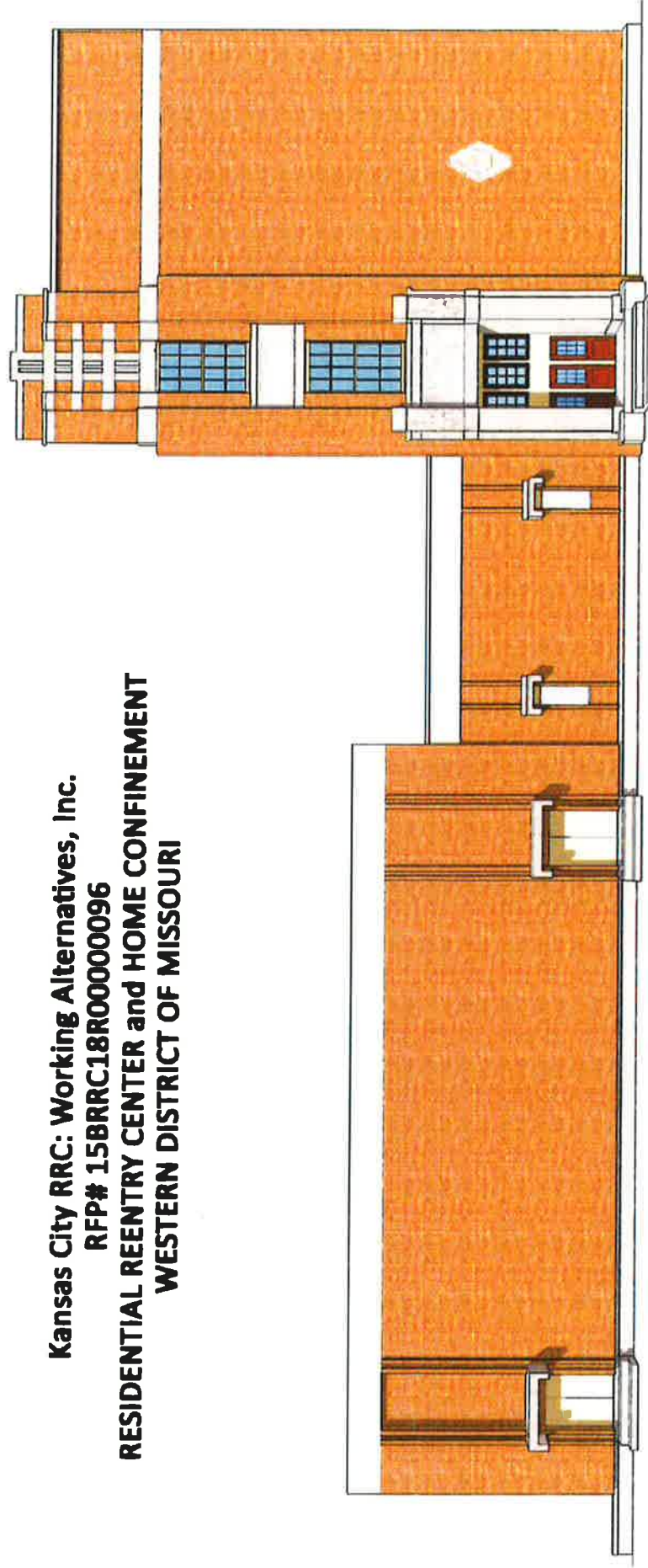
**KANSAS CITY RESIDENTIAL  
RE-ENTRY FACILITY**  
1625 BLUE RIDGE BLVD  
BLUE SUMMIT, MO

[illegible]

A200



**Kansas City RRC: Working Alternatives, Inc.  
RFP# 15BRRC18R00000096  
RESIDENTIAL REENTRY CENTER and HOME CONFINEMENT  
WESTERN DISTRICT OF MISSOURI**



November 14, 2018

Jackson County Executive: Frank White, Jr.  
Jackson County Courthouse  
415 E 12th Street  
Kansas City, MO 64106

Dear County Executive White:

In response to a Request For Proposals issued by the Federal Bureau of Prisons (BOP), Working Alternatives, Inc. is submitting an offer to provide Residential Reentry Center (RRC) services, or "halfway house", services for federal offenders releasing to the Western District of Missouri. The BOP encourages full and open competition in the procurement of these services; consequently, other offerors may also be responding to this RFP, #15BRRC18R00000096.

As part of the RRC contracting process, the BOP asks that all offerors notify and seek input from the local law enforcement authority and two levels of locally elected government officials. **Specifically, besides the Congressional delegation notification is sent to the Jackson County Sheriff, Executive and Legislator.**

Our proposed site is the long vacant John Stark School, 1624 Blue Ridge Blvd, Kansas City, MO, 64126 in unincorporated Blue Summit. This building has been vandalized and is considered a nuisance. In a community meeting with invited residents and in a separate meeting with representatives from the County Executive, Planning and law enforcement the prevailing sentiment was that the preservation of a historic building and the stability, employment and local buying that a Federal contract will provide will be a positive asset for the area. We are presently navigating through the formal planning process.

The total term contract is for 10 years and for up to 130 males and females. Referrals are scrutinized to determine acceptability based on offense history.

The BOP has a long history of transferring inmates who are within a few months of release to RRCs for transitional programming. These returning citizens have often been removed from the community for an extended period of time. Sound correctional practice suggests that RRCs enhance public safety by offering offenders the opportunity to find employment, establish a residence, and re-enter the community through a structured, supportive environment. Each resident will have a case manager to link them up with resources and develop an individual treatment plan.

We will be serving residents who will be coming back into the community regardless of whether or not they have support and supervision. It is our contention that recidivism is stymied in two ways. First, we will hold residents



accountable by knowing their whereabouts and by random drug testing and daily alcohol monitoring. Also, the services we provide make it less likely that our residents will adversely impact the community in the future.

The BOP takes its responsibility for contract oversight seriously. Contract language establishes requirements for inmate accountability, programming, life safety, staffing, inmate discipline, urine and alcohol surveillance, and other areas. These requirements are closely monitored by BOP staff, who provide training and conduct both scheduled and unannounced on-site inspections.

Federal offenders at the RRC will come from two sources: inmates who are transferred from a prison to the RRC for pre-release programming, and offenders under the supervision of the U.S. Probation Office for whom residence at the RRC is a condition of supervision. Nationwide, the average RRC placement is three to four months in length, although longer placements are sometimes made.

Working Alternatives was established in 1988 and operates two RRCs, one in Garden Grove, CA and one in Brawley, CA. Our corporate offices are in San Diego, CA. We will be creating a Community Relations Board for local oversight, and I welcome members to that Board from your local staff. Moreover, I invite you and/or your staff to tour our facilities to get an idea of our operation and our commitment. Please feel free to email me at [b.rubin@workingalternatives.org](mailto:b.rubin@workingalternatives.org) to arrange a time to come up for a tour.

The BOP will be evaluating proposals submitted for this RFP and I invite you to express your support or concerns to:

STEFANIE SKROCH, Contracting Officer  
FEDERAL BUREAU OF PRISONS  
Residential Reentry Management Office  
230 N. First Avenue (Suite 405)  
Phoenix, AZ 85003

Ms. Skroch can be reached directly at **602.514.7021**, or by email, **askroch@bop.gov**. Of course, I am happy to answer any questions that you may have at any point in the process, pre- or post-award, my cell: **562.810.9414**.

Sincerely,



Barry Rubin, M.Phil., Criminology  
Executive Director

**ATTACHMENT TO RLA-2:**

Attachments

Plan Commission Public Hearing Summary from January 17, 2019

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Elevations

Site Plan

**RP-2019-567**

**ATTACHMENT TO RLA 1:**

**Description:** Lots 16, 17, 18 and all that part of Lot 6, lying South of the North line of Lot 18, extended West, and all that part of Lot 7, lying East of the West line of Lot 16, extended North, all in Block 1, Start Acres, a subdivision in Jackson County, Missouri, according to the plat thereof.



**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** authorizing the Jackson County Legislature to hold a closed meeting on Tuesday, February 19, 2019, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

**RESOLUTION NO. 20089**, February 19, 2019

**INTRODUCED BY** Theresa Galvin, County Legislator

WHEREAS, the Jackson County Legislature desires to hold a closed meeting on Tuesday, February 19, 2019, during the regularly scheduled meeting of the Legislature; and,

WHEREAS, public notice of such closed meeting has been given by inclusion of this Resolution on the published agenda for said meeting; and,

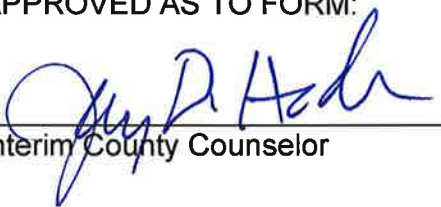
WHEREAS, the purpose of such closed meeting is to conduct privileged and confidential communications between the Legislature and the Jackson County Counselor concerning the status of legal actions, causes of action, and/or litigation; and,

WHEREAS, such closed meeting is allowable under section 610.021(1) of the Revised Statutes of Missouri; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Legislature be authorized to hold a closed meeting during the regularly scheduled meeting of the Legislature on Tuesday, February 19, 2019, pursuant to section 610.021(1), RSMo, and closing all records prepared in connection therewith.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Interim County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 20089 of February 19, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature



**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** authorizing the Chair of the Legislature to execute an Agreement with Williams & Campo, P.C., of Lee's Summit, MO, to serve as Legal Advisor to the Jackson County Legislature, at a cost to the County not to exceed \$75,000.00.

**RESOLUTION NO. 20090**, February 19, 2019

**INTRODUCED BY** Theresa Galvin, County Legislator

WHEREAS, the Legislature has determined that it is in the County's best interests to retain an experienced Legal Advisor, pursuant to section 290, Jackson County Code, 1984; and,

WHEREAS, the Legal Advisor shall work at the direction of the County Legislature and have the duty to render legal advice and issue opinions to the Legislature as requested by the Legislature; and,

WHEREAS, the Chair of the Legislature recommends an Agreement with Williams & Campo, P.C., of Lee's Summit, MO, at a cost to the County not to exceed \$75,000.00, to serve as Legal Advisor to the Legislature; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Chair of the Legislature be and hereby is authorized to execute an Agreement with Williams & Campo, P.C., for the position of Legal Advisor, in a form to be approved by the Interim County Counselor; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and hereby is authorized to make all payments, including final payment on the Agreement.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

  
Interim County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 20090 of February 19, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 001 1101 56020

ACCOUNT TITLE: General Fund  
County Counselor  
Legal Services

NOT TO EXCEED: \$75,000.00

2/13/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chief Administrative Officer










# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 20090

Sponsor(s): Theresa Galvin

Date: February 19, 2019

SUBJECT	<p>Action Requested  <input checked="" type="checkbox"/> Resolution  <input type="checkbox"/> Ordinance</p> <p>Project/Title: <b>A RESOLUTION</b> authorizing the Chair of the Legislature to execute an agreement with Williams &amp; Campo, P.C. of Lee's Summit, MO to serve as Legal Advisor to the Jackson County Legislature at a cost not to exceed \$75,000.</p>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$75,000</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$0</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$75,000</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$75,000</td></tr> <tr> <td>Source of funding (name of fund) and account code number; FROM/TO</td><td>FROM ACCT 001-1101-6020</td></tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:  Department: Estimated Use: \$  Prior Year Budget (if applicable):  Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$75,000	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$75,000	Amount budgeted for this item * (including transfers):	\$75,000	Source of funding (name of fund) and account code number; FROM/TO	FROM ACCT 001-1101-6020
Amount authorized by this legislation this fiscal year:	\$75,000										
Amount previously authorized this fiscal year:	\$0										
Total amount authorized after this legislative action:	\$75,000										
Amount budgeted for this item * (including transfers):	\$75,000										
Source of funding (name of fund) and account code number; FROM/TO	FROM ACCT 001-1101-6020										
PRIOR LEGISLATION	<p>Prior ordinances and (date):  Prior resolutions and (date): Resolution #20007 10/8/2018, #19793 3/26/2018, #19749 2/26/2018, #19688 1/8/2018</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, &amp; phone) CW 881-3310</p>										
REQUEST SUMMARY	<p>The County Legislature desires to retain Williams and Campo, P.C. of Lee's Summit, MO as legal advisor to work at the direction of the County Legislature, pursuant to Jackson County Charter Article II, Section 20 and Jackson County Code Section 290.</p>										
CLEARANCE	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing &amp; Department)  <input type="checkbox"/> Business License Verified (Purchasing &amp; Department)  <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>										
ATTACHMENTS											
REVIEW	<table border="1"> <tr> <td>Department Director: </td><td>Date: 2.6.2019</td></tr> <tr> <td>Finance (Budget Approval):  If applicable</td><td>Date: 2/7/2019</td></tr> <tr> <td>Division Manager: </td><td>Date:</td></tr> <tr> <td>County Counselor's Office:</td><td>Date:</td></tr> </table>	Department Director: 	Date: 2.6.2019	Finance (Budget Approval):  If applicable	Date: 2/7/2019	Division Manager: 	Date:	County Counselor's Office:	Date:		
Department Director: 	Date: 2.6.2019										
Finance (Budget Approval):  If applicable	Date: 2/7/2019										
Division Manager: 	Date:										
County Counselor's Office:	Date:										



Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- ☐ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- ☒ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
001-1101-56020	General Fund, County Counselor, Legal Services	\$ 75,000

- ☐ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☐ This legislative action does not impact the County financially and does not require Finance/Budget approval.

**This expenditure was included in the Annual Budget.**

PC# \_\_\_\_\_

RES # 20090[illegible]

Budget Officer 2/7/2019

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** authorizing the County Counselor to execute a Legal Services Agreement with James W. Tippin and Associates of Kansas City, MO, at a cost to the County not to exceed \$30,000.00.

**RESOLUTION NO. 20091**, February 19, 2019

**INTRODUCED BY** Theresa Galvin, County Legislator

WHEREAS, the Interim County Counselor recommends a Legal Services Agreement with James W. Tippin and Associates of Kansas City, MO, to provide legal representation to a County associate in a pending employment discrimination lawsuit; and,

WHEREAS, the Office of the County Counselor recommends the retention of private counsel in this matter due to potential conflict of interest on the part of the office, which represents other defendants in the same matter; and,

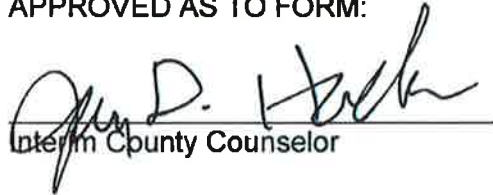
WHEREAS, this representation is authorized and required by chapter 16 of the County Code; now therefore,

**BE IT RESOLVED** by the County Legislature of Jackson County, Missouri, that the Interim County Counselor be and hereby is authorized to execute a Legal Services Agreement with James W. Tippin and Associates of Kansas City, MO, for a term ending December 31, 2019, at a cost to the County not exceed \$30,000.00.



Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

  
Interim County Counselor

**Certificate of Passage**

I hereby certify that the attached resolution, Resolution No. 20091 of February 19, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 001 1101 56020  
ACCOUNT TITLE: General Fund  
County Counselors  
Legal Services  
NOT TO EXCEED: \$30,000.00

2/14/19  
Date

  
Chief Administrative Officer

This expenditure was included in the Annual Budget.

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RES # 20091

**001      General Fund**

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[illegible]

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\_\_\_\_\_

\$ 30,000

 2/13/17  
\_\_\_\_\_  
Budget Officer

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** authorizing the County Counselor to execute a Legal Services Agreement with William G. Snyder to provide specialized legal services, at a cost to the County not to exceed \$10,000.00.

**RESOLUTION NO. 20092**, February 19, 2019

**INTRODUCED BY** Theresa Galvin, County Legislator

WHEREAS, the Interim County Counselor recommends the award of a Legal Services Agreement to William G. Snyder to provide services in the areas of tax assessment, tax collection, and county records, among others; and,

WHEREAS, Mr. Snyder has provided these services to the County Counselor's office in an effective manner under contract since his retirement from County employment in 2016; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Interim County Counselor be and hereby is authorized to execute the attached Legal Services Agreement with William G. Snyder, for a term ending December 31, 2019, at a cost to the County not exceed \$10,000.00.



Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

  
Interim County Counselor

**Certificate of Passage**

I hereby certify that the attached resolution, Resolution No. 20092 of February 19, 2019, was duly passed on \_\_\_\_\_, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 045 1901 56020

ACCOUNT TITLE:   Assessment Fund  
                          Assessment  
                          Legal Services

NOT TO EXCEED:   \$10,000.00

2/14/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chief Administrative Officer

## **LEGAL SERVICES AGREEMENT**

**THIS AGREEMENT**, made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between **JACKSON COUNTY, MISSOURI**, by and through its County Counselor, hereinafter called "the County," and **WILLIAM G. SNYDER**, 2830 Brentwood Court, Independence, MO 64055, hereinafter called "Legal Counsel".

### **WITNESSETH:**

WHEREAS, the County Counselor has a need for specialized legal advice related to property tax collection, assessment, and related matters; and,

WHEREAS, Legal Counsel has the expertise to provide such services; and

WHEREAS, Legal Counsel has agreed to perform legal work in accordance with the terms, conditions, and covenants as set forth in this Agreement; and,

WHEREAS, Legal Counsel and the County have agreed to be bound by the provisions hereof,

NOW, THEREFORE, in consideration of the foregoing and the terms and provisions herein contained, County and Legal Counsel respectively agree as follows:

1. **Professional Services**. Legal Counsel shall provide advice and assistance as requested by the County Counselor or his designee related to property tax collection, assessment, and other matters as needed.

2. **Independent Contractor**. Legal Counsel shall work as an independent contractor and not as an employee of the County. Legal Counsel shall be subject to the direction of the County Counselor only as to the result to be accomplished and not as to the means and methods for accomplishing the result. Legal Counsel shall report all earnings received hereunder as its gross income, and be responsible for his own Federal,

State, and City withholding taxes and all other taxes, and shall operate its business independent of the business of the County except as required by this Agreement.

3. **Standard of Care.** Legal Counsel warrants that he and his designated agent will perform the Services in accordance with the standards of care and diligence normally practiced by recognized professional legal firms in performing services of a similar nature in existence at the time of performance of the Services.

4. **Terms for Payment.** The County shall pay Legal Counsel for services rendered under this Agreement in a total amount not to exceed \$10,000.00. Legal Counsel shall bill County for his services at the rate of \$150.00 per hour and County shall pay Legal Counsel promptly upon receipt of Legal Counsel's statements, which shall be submitted monthly.

5. **Expenses.** Legal Counsel shall bear all the expenses of his work under this Agreement.

6. **Employment of Unauthorized Aliens Prohibited.** Pursuant to §285.530.1, RSMo, Legal Counsel assures that he does not knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Missouri and/or Jackson County, and shall affirm, by sworn affidavit and provision of documentation, its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Further, Legal Counsel shall sign an affidavit, attached hereto and incorporated herein as Exhibit B, affirming that he does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

7. **Confidentiality.** Legal Counsel shall treat all information, not generally and



publicly available, learned in the course of providing his services as confidential, and Legal Counsel hereby agrees not to directly or indirectly disclose such confidential information to any third party. Legal Counsel will use the Confidential Information solely in connection with providing services hereunder and will disclose the Confidential Information only to those of his employees, associates and agents who have a bona fide need to know such information in order to further the purposes of this Agreement.

8. **Indemnification.** Legal Counsel shall indemnify and hold County harmless from any and all claims, liabilities, damages, and costs (including reasonable attorney's fees directly related thereto) arising out of the performance of the Services, if and to the extent caused by the negligence or misconduct of Legal Counsel.

9. **Time of the Essence.** Timely performance of all duties provided herein is of the essence of this Agreement.

10. **Remedies for Breach.** Legal Counsel agrees to faithfully observe and perform all of the terms, provisions and requirements of this Agreement, and Legal Counsel's failure to do so shall represent and constitute a breach of this Agreement, and in such event, Legal Counsel consents and agrees as follows:

(a) The County may without prior notice to Legal Counsel immediately terminate this Agreement; and,

(b) The County shall be entitled to collect from Legal Counsel all costs incurred by the County as a result of said breach including reasonable attorney's fees, expenses and costs.

11. **Severability.** If any covenant or other provision of this Agreement is invalid, or incapable of being enforced, by reason of any rule of law or public policy, all other

conditions and provisions of this Agreement shall nevertheless remain in full force and effect and no covenant or provision shall be deemed dependent upon any other covenant or provision unless so expressed herein.

12. **Conflict of Interest.** Legal Counsel warrants that no officer or employee of the County, whether elected or appointed, shall in any manner whatsoever be interested in or receive any benefit from the profits or emoluments of this contract.

13. **Incorporation.** This Agreement incorporates the entire understanding and agreement of the parties.

14. **Term.** The term of this Agreement shall be from January 1, 2019, until December 31, 2019. Either party may cancel the Agreement at any time upon delivery of written notice to the other party.

IN WITNESS WHEREOF, the parties hereto have signed and executed this Agreement on the date first above written.

JACKSON COUNTY, MISSOURI

WILLIAM G. SNYDER

By \_\_\_\_\_  
Jay D. Haden  
Interim County Counselor

By \_\_\_\_\_

**REVENUE CERTIFICATE**

I hereby certify that there is a balance otherwise unencumbered to the credit of the appropriation to which this Agreement is chargeable, and a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made, each sufficient to meet the obligation of \$10,000.00 which is hereby authorized.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Administrative Officer  
Account No. 045-4500-56020

**EXHIBIT B**

**WORK AUTHORIZATION AFFIDAVIT**

As a condition for any service provided to the County, a business entity shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services.

Business entity, as defined in section 285.525, RSMo pertaining to section 285.530, RSMo, is any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood. The term "business entity" shall include but not be limited to self-employed individuals, partnerships, corporations, contractors, and subcontractors. The term "business entity" shall include any business entity that possesses a business permit, license, or tax certificate issued by the state, any business entity that is exempt by law from obtaining such a business permit, and any business entity that is operating unlawfully without such a business permit.

Every such business entity shall complete the following affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. The completed affidavit must be returned as a part of the contract documentation.

This affidavit affirms that **WILLIAM G. SNYDER**, is enrolled in, and is currently participating in, E-verify or any other equivalent electronic verification of work authorization operated by the United States Department of Homeland Security under the Immigration Reform and Control Act of 1986 (IRCA); and, **WILLIAM G. SNYDER**, does not knowingly employ any person who is an unauthorized alien in conjunction with the contracted services.

In Affirmation thereof, the facts stated above are true and correct. (The undersigned understands that false statements made in this filing are subject to the penalties provided under section 575.040, RSMo.)

\_\_\_\_\_  
Authorized Representative's Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019. I am commissioned as a notary public within the County of \_\_\_\_\_, State of \_\_\_\_\_, and my commission expires on \_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Date



### Fiscal Note:

This expenditure was included in the Annual Budget.

PC# \_\_\_\_\_

Date: February 13, 2019

RES # 20092

Department / Division	Character/Description	Not to Exceed
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**045 Assessment Fund**

1902 Assessment	56020 Legal Services	\$ 10,000
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\$ 10,000

  
Budget Officer