CITY COUNCIL MEETING
January 16, 2024 6:00 p.m.
Council Chambers
Howard L. Brown Public Safety Building
1100 SW Smith
Blue Springs, Missouri

The meeting can be viewed live on the City's website at
www.bluespringsgov.com/CityMeetingsLive

Anyone wishing to address the Mayor and Council, either in a Public Hearing or in the Visitors Section of the Agenda, must fill out a Speaker's Appearance Form. Forms are available online or located at the entrance of the Multipurpose Room. After completion, the form is to be given to the City Clerk prior to the start of the Council meeting.

1. Call meeting to order and Pledge of Allegiance

2. Confirmation of a Quorum

3. Consent Agenda

   All matters under Item 3, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion of the Council with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request of a member of the City Council.

   a. Minutes of the January 2, 2024, City Council Meeting and January 8, 2024 City Council and Blue Springs School District Meeting
   b. Resolution 07-2024 approving an Amendment to a contract with Affinis Corp for a Wyatt Road roundabout

4. Public Hearing – Hoot Owl Meadows Rezoning and General Development Plan (RZ-10-23-8939 and GDP-10-23-8940) **Continued from December 18, 2023 and to be continued to February 5, 2024 City Council meeting**

5. Public Hearing – Redwood Rezoning and Planned Development Concept Plan (RZ-10-23-8944 & PDC-10-23-8946) **To be continued to February 21, 2024 City Council meeting**

6. Introduction and readings of Bill No. 5176 approving an Amendment to Eagles Creek 1st Final Plat (PF-10-23-8920)

7. Introduction and readings of Bill No. 5177 calling an election to amend the Code of Ordinances relating to Backyard Hens

8. Visitors

9. Mayoral Announcements
   Thoughts to Ponder

10. **Executive Session** - Discussion relating to Network Security Matters pursuant to Section 610.021(21)

Miscellaneous Items

Planning Commission Meeting – Monday, January 22, 6:30 PM
Public Safety Citizen Advisory Board Meeting – Tuesday, January 23, 6:00 PM
City Council Meeting – Monday, February 5, 6:00 PM
Park Commission Meeting – Tuesday, February 6, 6:00 PM
Planning Commission Meeting – Monday, February 12, 6:30 PM
Public Art Commission Meeting – Wednesday, February 14, 6:30 PM
Presidents' Day – City Offices Closed - Monday, February 19
City Council Meeting – Wednesday, February 21, 6:00 PM

Information Only – Recently added reports on file in the City Clerk's Office:

Mid-America Regional Council – Eastern Jackson County Shared Services 2024 Update
Backyard Hens Initiative Petition – Certificate of Sufficiency

This Agenda was posted at City Hall and on the City's website on Friday, January 12, 2024

Erin Ford, City Clerk

TO: Mayor, City Council,
Department Directors, and Press

FROM: Christine Cates
City Administrator

DATE: January 12, 2024

SUBJECT: Agenda Explanations

Item 3b – Contract Amendment with Affinas for Wyatt Road Roundabout
Adopt a Resolution approving Amendment No. 1 to Contract No. 2023-088 with Affinis Corp. to include the design and addition of alternative plans for a roundabout at the intersection of Wyatt Road and Adams Dairy Parkway. The original Contract was approved by Resolution No. 29-2023 on May 15, 2023 for professional engineering and land surveying services for the Wyatt Road Reconstruction Project (CIP ST-18) Refer to Council Information Form from Public Works Director Tom Degenhardt for additional information.

Item 4 - Hoot Owl Meadows Rezoning and General Development Plan
The Applicant, Justin Larkin, JW Larkin Properties, on behalf of the property owner, Land Bank of Blue Springs, is requesting the public hearing for consideration of a Rezoning (RZ-10-23-8939) and General Development Plan (GDP-10-23-8940) be continued to the February 5, 2024, City Council meeting. The public hearing was continued from the December 18, 2023 City Council meeting without testimony. A motion to continue is in order.

Items 5 - Redwood Rezoning and Planned Development Concept Plan
The Applicant, Richard Batt with Redwood Living, on behalf of the property owner, First Baptist Church of Blue Springs is requesting the public hearing for consideration to rezone the property from “AG” (Agriculture) and “MF-14” Moderate Density Multi-Family District to “PD – Residential” (Planned Development – Residential) and request approval of a Planned Development (PD) Concept Plan for the development of 104 apartment units on 18.78 +/- acres generally located approximately 990 feet west of SW 7 Highway and north of the future Major Road extension (RZ-10-23-8944 & PDC-10-23-8946) be continued to the February 21, 2024 City Council meeting. A motion to continue is in order.

Item 6 – Eagles Creek 1st Final Plat Amendment
Passage of a Bill approving an Amendment to the Final Plat for Eagles Creek of Blue Springs 1st Plat, Lots 1-33 (PF-10-23-8920), generally located South of SW Moreland School Road and West of SE Adams Dairy Parkway. The original Final Plat was approved by Ordinance Number 5284 on December 4, 2023. This Amendment will consist of lot corrections, corrected lot dimensions, and the removal of Tract B. Refer to Council Information Form from Director of City Development Mike Mallon for additional information.

Item 7 – Call for Election – Backyard Hens

Passage of a Bill calling an election to be held on April 2, 2024 to amend Section 215.125: Livestock and Farm Animals and Add Section 215.140 Backyard Hens to the Blue Springs Code of Ordinances. This Bill is at the request of Councilmembers Lievsay and Edmondson. Refer to Council Information Form from City Administrator Christine Cates for additional information.

CITY OF BLUE SPRINGS, MISSOURI
MINUTES OF COUNCIL MEETING
JANUARY 2, 2024

A meeting of the City Council of the City of Blue Springs, Missouri, was held on Tuesday, January 2, 2024, 6:00 p.m. in the Council Chambers of the Howard L. Brown Public Safety Building, 1100 SW Smith Street, Blue Springs, Missouri with Mayor Carson Ross presiding.

COUNCILMEMBERS IN ATTENDANCE

Jerry Kaylor
Chris Lievsay
Ron Fowler
Galen Ericson
Kent Edmondson
Susan Culpepper

Also present were City Administrator Christine Cates, Interim City Attorney John Mullane, and City Clerk Erin Ford.

CALL MEETING TO ORDER AND CONFIRMATION OF QUORUM

Mayor Ross called the meeting to order at 6:00 p.m. and led in the pledge of allegiance. The City Clerk confirmed a quorum of the Council was present.

CONSENT AGENDA

City Clerk Erin Ford distributed and notified the Council of corrected Minutes to be included as part of the Consent Agenda.

Councilmember Ericson moved to approve the following Consent Agenda items and the motion was seconded by Councilmember Lievsay.

- **Minutes of the December 18, 2023** City Council Meeting
- **Resolution 01-2024** approving the disposition of Information Technology and Administration department records which have met the required retention period as prescribed by the Blue Springs Records Retention, Management, and Destruction Policy dated November 28, 2016 and in accordance with the Missouri Secretary of State's records retention guidelines.
- **Resolution 02-2024** approving a contract with Game Time Graphics, Inc in the amount not to exceed $76,000 to design graphics and print various apparel items for Recreation Programs and staff use.
- **Resolution 03-2024** approving a contract with BMX of Blue Springs, Inc. for the installation of a starting gate roof structure at the BMX track facility located inside Pink Hill Park at 2715 NW Park Dr.
- **Resolution 04-2024** approving a purchase in the amount of $68,451.40, with an $8,000 trade in, for a total of $60,451.40 from Crafco, Inc. for a Crack Sealer.
- **Resolution 05-2023** approving a purchase in the amount of $97,299 from J & D Equipment, Inc. dba American Equipment Company for a Patch Trailer., CIP project CIP-Misc.
- **Resolution 06-2023** approving a purchase in the amount of $69,500 from Red Equipment, LLC for a Slope Mower, CIP project CIP-Misc.

DRAFT

The above Consent Agenda items were approved with the following vote:

Kaylor – Aye
Lievsay – Aye
Fowler – Aye
Ericson– Aye
Edmondson – Aye
Culpepper – Aye
Mayor Ross – Aye

INTRODUCTION AND 1ST READING – BILL NO. 5173 – BAKER ANNEXATION AGREEMENT (ANNX-11-23-008951)

Councilmember Culpepper introduced Bill No. 5173 approving an Annexation Agreement with the fee simple owners, Claudia and Rodney Baker, of property located at 2600 NW Vesper Street into the City limits (ANNX-11-23-008951). City Clerk Erin Ford made the first reading of Bill No. 5173 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 5173 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Lievsay and carried unanimously.

2ND READING – BILL NO. 5173

Ms. Ford made the second reading of Bill No. 5173 by title. Councilmember Edmondson moved to adopt Bill No. 5173 upon its second reading and give it **ORDINANCE NO. 5293,** with a copy attached hereto and made a part of the minutes. Motion seconded by Councilmember Kaylor and carried with the following vote:

Lievsay – Aye
Fowler – Aye
Ericson – Aye
Edmondson – Aye
Culpepper – Aye
Kaylor – Aye
Mayor Ross – Aye

2ND READING – BILL NO. 5169 – BAKER ANNEXATION (ANNX-11-23-008951)

Ms. Ford made the second reading of Bill No. 5169 approving the Annexation of property located at 2600 NW Vesper Street by title (ANNX-11-23-008951). The Public Hearing was held and the first reading of Bill No. 5169 was approved at the December 18 City Council Meeting. Councilmember Edmondson moved to adopt Bill No. 5169 upon its second reading and give it **ORDINANCE NO. 5294,** with a copy attached hereto and made a part of the minutes. Motion seconded by Councilmember Kaylor and carried with the following vote:

Fowler – Aye
Ericson – Aye
Edmondson – Aye
Culpepper – Aye
Kaylor – Aye
Lievsay – Aye
Mayor Ross – Aye

INTRODUCTION AND 1ST READING – BILL NO. 5174 – CONTRACT WITH JOHNSON COUNTY FOR DETENTION SERVICES

Councilmember Culpepper introduced Bill No. 5174 approving a two-year contract with Johnson County, Missouri for detention services. City Clerk Erin Ford made the first reading of Bill No. 5174 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 5174 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Ericson and carried unanimously.

2ND READING – BILL NO. 5174

Ms. Ford made the second reading of Bill No. 5174 by title. Councilmember Edmondson moved to adopt Bill No. 5174 upon its second reading and give it **ORDINANCE NO. 5295,** with a copy attached hereto and made a part of the minutes. Motion seconded by Councilmember Kaylor and carried with the following vote:

Ericson – Aye
Edmondson – Aye
Culpepper – Aye
Kaylor – Aye
Lievsay – Aye
Fowler – Aye
Mayor Ross – Aye

INTRODUCTION AND 1ST READING – BILL NO. 5175 – MEMORANDUM OF UNDERSTANDING WITH LAKE LOTAWANA FOR POLICE SERVICES

Councilmember Culpepper introduced Bill No. 5175 approving a Memorandum of Understanding between the City of Blue Springs and City of Lake Lotawana for the provision of police services and maintenance at and around the intersection of Colbern Road and 7 Highway. City Clerk Erin Ford made the first reading of Bill No. 5175 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 5175 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Lievsay and carried unanimously.

2ND READING – BILL NO. 5175

Ms. Ford made the second reading of Bill No. 5175 by title. Councilmember Edmondson moved to adopt Bill No. 5175 upon its second reading and give it **ORDINANCE NO. 5296,** with a copy attached hereto and made a part of the minutes. Motion seconded by Councilmember Kaylor and carried with the following vote:

Edmondson – Aye
Culpepper – Aye
Kaylor – Aye
Lievsay – Aye
Fowler – Aye
Ericson – Aye
Mayor Ross – Aye

MAYORAL ANNOUNCEMENTS

Mayor Ross wished luck to the three candidates that will be running for Mayor in the April election.

Thoughts to Ponder:

> "The secret of change is to focus all of your energy not on fighting the old, but on building the new."
>
> (Socrates)

ADJOURNMENT

At 6:07 p.m., there was no further business to come before the Council, Councilmember Kaylor moved the meeting be adjourned. Motion seconded by Councilmember Ericson and carried

unanimously.

CITY OF BLUE SPRINGS

ATTEST

Carson Ross, Mayor

Erin Ford, City Clerk

CITY OF BLUE SPRINGS, MISSOURI
MINUTES OF CITY COUNCIL AND
BLUE SPRINGS SCHOOL DISTRICT MEETING
JANUARY 8, 2024

An informational meeting with the City Council of the City of Blue Springs, Missouri and the Blue Springs R-IV School District, was held on Monday, January 8, 2024, 4:45 p.m. at the Community Room, Bartow Administrative Center, 1801 NW Vesper St. Blue Springs, Mo 64015, with Mayor Carson Ross presiding.

COUNCILMEMBERS IN ATTENDANCE

Jerry Kaylor
Chris Lievsay
Ron Fowler
Galen Ericson
Kent Edmondson
Susan Culpepper

Mayor Ross was absent due to weather.

Also present were City Administrator Christine Cates, Sr. Director of City Development Mike Mallon, Assistant Community Development Director Cara Elbert, and Assistant to the City Administrator Sheryl Morgan.

CALL MEETING TO ORDER

The meeting was called to order at 5:00 p.m.

PRESENTATION AND DISCUSSION

Blue Springs School District Superintendent Dr. Bob Jerome shared a presentation regarding the State of the School District. This information was previously presented to the Blue Springs Chamber of Commerce Members.

Sr. Director of City Development Mike Mallon shared a presentation regarding the progress of the Downtown Master Plan.

Copies of the presentations are attached to these Minutes and incorporated herein.

ADJOURNMENT

At 5:43 p.m., with no further business before the Council, the meeting was adjourned.

CITY OF BLUE SPRINGS

ATTEST

_____
Galen Ericson, Mayor Pro Tem

_____
Sheryl Morgan
Assistant to the City Administrator

DRAFT

CITY OF BLUE SPRINGS
CITY COUNCIL INFORMATION FORM

DATE SUBMITTED: November 28, 2023

SUBMITTED BY: Tom Degenhardt **DEPARTMENT: Engineering**

☐ Ordinance	☒ Resolution	☐ Presentation	☐ Public Hearing
☒ Contract	☐ Discussion	☐ Economic Dev.	☐ Other

ISSUE/REQUEST

Adopt a Resolution approving Amendment No. 1 to Contract No. 2023-088 with Affinis Corp. to include the design and addition of alternative plans for a roundabout at the intersection of Wyatt Road and Adams Dairy Parkway. The original Contract was approved by Resolution No. 29-2023 on May 15, 2023 for professional engineering and land surveying services for the Wyatt Road Reconstruction Project (CIP ST-18)

BACKGROUND/JUSTIFICATION

Additional design services are required to evaluate the requests from the City associated with Wyatt Road Reconstruction Project. The City is interested in modifying the intersection type for Wyatt Road and Adams Dairy Parkway/Shout Road into a roundabout and including this as an add alternate in the construction bid plans.

Proposed development of Colonial Gardens adjacent to this project may impact the geometric design of the road improvements. Updates to the Traffic Impact Study are warranted and included in this change order. This work is in addition to original scope of work.

FINANCIAL IMPACT

Contractor:	Affinis Corp
Amount of Request/ Contract:	$72,220
Amount Budgeted:	$72,220
Budget Year:	FY 2023-24
Funding Source/Account #:	310-72000-543100 ST-18 PO# 23-0753
Account Balance:	$ 235,365.92 (PO Balance) Date: 1/5/2024

PROJECT TIMELINE

Estimated Start Date	Estimated End Date
January 17, 2024	March 31, 2025
Years and Months Contract in effect	**Number of times renewable**
1 year 4 months	N/A

STAFF RECOMMENDATION

Staff recommends approval.

OTHER BOARDS & COMMISSIONS ASSIGNED

Name of Board or Commission:	N/A

ECONOMIC DEVELOPMENT PROJECT

N/A

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Resolution with Contract Amendment attached as Exhibit A

REVIEWED BY:

Requesting Director: ***Tom Degenhardt***	Budget: ***Lori Turner***
Legal: ***John Mullane***	City Administrator: ***Christine Cates***

SUPPORTING DOCUMENTS:
(FOR CONTRACT ITEMS ONLY)

Document	Attached	If not attached, explain
Secretary of State:	☐	
Certificate of Insurance:	☐	
E-Verify Affidavits:	☐	
E-Verify proof of enrollment:	☐	
Bond:	☐	
Anti-Discrimination Against Israel Act Certification (contract over $100,000)	☐	
Wage Order, by reference	☐	Wage Order Number:
IRS Form W-9:	☐	
Bid/RFP/RFQ: (submit all)	☐	
Bid/RFP/RFQ Tabulation:	☐	
Bid Waiver: (less than three bids)	☐	
Contractor address and email:	☐	
Project Exemption Certificate needed:	☐	
Other:	☐	

Resolution No. 07-2024

A RESOLUTION AMENDING A CONTRACT WITH AFFINIS CORP. FOR PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES FOR THE WYATT ROAD RECONSTRUCTION PROJECT (7 HIGHWAY TO ADAMS DAIRY PARKWAY) (CIP ST-18)

WHEREAS, City Council approved Contract No. 2023-088 on May 15, 2023 with Affinis Corp. for design services for Wyatt Road Reconstruction, and

WHEREAS, additional services are required to evaluate requests by the City to design a roundabout and update the Traffic Impact Study to account for adjacent developments, and

WHEREAS, previous scope of services will remain intact and these amendments will be in addition to original scope.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLUE SPRINGS, MISSOURI, as follows:

1. The City Administrator is hereby authorized to approve a Amendment No. 1 with Affinis Corp. for additional design services in the amount of $72,220.00. A copy of the proposed Amendment No. 1 is attached hereto as Exhibit “A” and is incorporated herein.

2. City staff is directed to perform all tasks necessary to implement said Contract Amendment.

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

PASSED by the City Council of the City of Blue Springs, Missouri, and approved by the Mayor of Blue Springs, this 16th day of January 2024.

CITY OF BLUE SPRINGS

_____
Carson Ross, Mayor

ATTEST:

_____
Erin Ford, City Clerk

EXHIBIT A

AMENDMENT NO. 1 TO CONTRACT NO. 2023-088

THIS AMENDMENT is made and entered into on the 16th of January 2024, between City of Blue Springs, Missouri ("City") and Affinis Corp. ("Contractor").

WHEREAS, the City entered into a contract with Contractor with an effective date of May 15, 2023, for services generally identified as Professional Engineering and Land Surveying Services for the Wyatt Road Reconstruction Project; and

WHEREAS, the Public Works Department has requested and/or identified additional services to be performed by Contractor as detailed in the submitted proposal, attached here and incorporated by reference as Attachment A; and

NOW, THEREFORE, the parties hereto, intending to be legally bound, hereby agree to the following:

1. Scope amended as follows: Add additional services as identified in Scope of Services and Fees – Amendment No. 1, attached hereto as Attachment A.

2. Terms of Original Agreement. All other terms and conditions of the original agreement not modified in this Amendment shall remain in full force and effect and be considered incorporated herein as part of the amended agreement.

IN WITNESS WHEREOF, this Amendment has been executed and delivered as of the date set forth in the caption above.

CONTRACTOR: AFFINIS CORP.

By: _____

Name: Michael P. McKenna

Title: Vice President

CITY OF BLUE SPRINGS

_____
City Administrator

APPROVED AS TO FORM

_____
City Attorney

Attachment A

Scope of Services – Amendment No. 1
Wyatt Road Reconstruction Project
(7 Hwy to Adams Dairy Parkway)

The scope includes the design and add alternative plans for a roundabout at the intersection of Wyatt Road and Adams Dairy Parkway, updated engineers estimate, and updated intersection traffic study to include the future Colonial Gardens development.

General Design Requirements:

The Design plans shall be signed and sealed by the licensed professional engineer responsible for the preparation of the design plans. Rights of way and easement descriptions shall be signed and sealed by the licensed land surveyor responsible for the preparation of the descriptions.

The design criteria used by the Engineer shall include but not be limited to the latest editions, supplements, and revisions of the following publications:

A. City of Blue Springs Design and Construction Manual
B. City of Blue Springs Standard Detail Drawings
C. APWA specifications
D. Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG)
E. Manual on Uniform Traffic Control Devices (MUTCD)

TASK 1. ADD ALTERNATIVE

1.01. Field Survey

A. Additional field design surveys along Adams Dairy Parkway, Shrout Road, and Wyatt Road east of Adams Dairy Parkway for roundabout.

B. Download and process design surveys.

C. Update existing survey basemap and surface.

1.02. Roundabout Design and Plans:

A. Geometric layout of roundabout including fastest path.

B. Design and develop vertical profile of roundabout inner and outer circles, curb returns, and islands.

C. Develop 3D model of roundabout.

D. Analyze and update storm drainage.

E. Signing and pavement marking for roundabout.

F. Update construction sequencing and traffic control.

G. Design lighting for roundabout.

H. Create bid alternative plans for roundabout:

1. Roundabout typical sections
2. Roundabout plan sheets
3. Roundabout vertical profiles

4. Drainage profiles
5. Signing and pavement marking plans
6. Lighting plans

I. Quantities and Cost Estimate

TASK 2. COLONIAL GARDENS

2.01. Intersection Traffic Study:

A. Update intersection traffic study for Colonial Gardens future development.

Scope of Services Fee - Amendment No. 1
City of Blue Springs, Missouri
Wyatt Road Reconstruction (7 Hwy to Adams Dairy Parkway)
Affinis Proj. Number 23-2313.01

2023 Rates
Date: 11/10/2023
Client: Blue Springs
Project: 23-2313.01
Made By: LCR/JAW/JGB

					Senior Project Manager	Senior Engineer II/ Project Manager II	Engineer II	Intern Engineer (IE) I	CADD Tech. II	CADD Tech. I/GIS Specialist	Utility Coordinator	Land Surveyor II	Survey Crew Member II	Survey Crew Member I	Project Related Support Services I	AFFINIS LABOR COSTS	DIRECT EXPENSES ITEM	DIRECT EXPENSES COST	TOTAL FEE
					$290.00	$230.00	$185.00	$130.00	$120.00	$110.00	$125.00	$160.00	$130.00	$110.00	$95.00				
I				**Add Alternatives**															
	1.01			**Field Survey**												$ -			$ -
		A		Additional Field Survey												$ -			$ -
	1.02			**Add Alternative Roundabout Design and Plans**												$ -			$ -
		A		Geometric layout of roundabout		8	16	2	4							$ 5,540.00			$ 5,540.00
		B		Vertical profiles		4	56	8	8							$ 13,280.00			$ 13,280.00
		C		3D model		2	40	8	4							$ 9,380.00			$ 9,380.00
		D		Analyze storm drainage		2		8								$ 1,500.00			$ 1,500.00
		E		Signing and pavment marking			16									$ 2,960.00			$ 2,960.00
		F		Construction sequencing for roundabout			8									$ 1,480.00			$ 1,480.00
		G		Lighting for roundabout			8									$ 1,480.00			$ 1,480.00
		H		Roundabout bid alternative plans:												$ -			$ -
			1.	Roundabout typical sections (2 sheets)			4		8							$ 1,700.00			$ 1,700.00
			2.	Roundabout plan sheets (4 sheets)		2	8		40							$ 6,740.00			$ 6,740.00
			3.	Roundabout profile sheets (2 sheets)			4		24							$ 3,620.00			$ 3,620.00
			4.	Drainage profiles		2		4	24							$ 3,860.00			$ 3,860.00
			5.	Signing and pavment marking plans			8			24						$ 4,120.00			$ 4,120.00
			6.	Lighting plans (3sheets and 3 detail sheets)			24			48						$ 9,720.00			$ 9,720.00
		I		Quantities and cost estimate		2	8		12	8						$ 4,260.00			$ 4,260.00
																			$ -
				Reimbursables													Mileage		$ -
																	Repro		$ -
				Phase I - Subtotal Hours	0	22	200	30	124	80	0	0	0	0	0				
				Phase I - Subtotal Fee	$0.00	$5,060.00	$37,000.00	$3,900.00	$14,880.00	$8,800.00	$0.00	$0.00	$0.00	$0.00	$0.00	$69,640.00		$ -	$ 69,640.00
II				**Colonial Gardens**															
	2.01			**Intersection Traffic Study**												$ -			$ -
		A		Update study for Colonial Gardens future development		8	4									$ 2,580.00			$ 2,580.00
																$ -			$ -
				Reimbursables													Mileage		$ -
																	Repro		$ -
																			$ -
				Phase II - Subtotal Hours	0	8	4	0	0	0	0	0	0	0	0				
				Phase II - Subtotal Fee	$0.00	$1,840.00	$740.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$ 2,580.00		$ -	$ 2,580.00
				Total Hours	0	30	204	30	124	80	0	0	0	0	0				
				Total Fee	$0	$6,900	$37,740	$3,900	$14,880	$8,800	$0	$0	$0	$0	$0	$ 72,220.00		$ -	$ 72,220.00

CITY OF BLUE SPRINGS
CITY COUNCIL INFORMATION FORM

DATE SUBMITTED: December 29, 2023

SUBMITTED BY: Mike Mallon **DEPARTMENT: Community Development**

☒ Ordinance	☐ Resolution	☐ Presentation	☐ Public Hearing
☐ Contract	☐ Discussion	☐ Economic Dev.	☐ Other

ISSUE/REQUEST

Passage of a Bill approving an Amendment to the Final Plat for Eagles Creek of Blue Springs 1st Plat, Lots 1-33 (PF-10-23-8920), generally located South of SW Moreland School Road and West of SE Adams Dairy Parkway. The original Final Plat was approved by Ordinance Number 5284 on December 4, 2023. This Amendment will consist of lot corrections, corrected lot dimensions, and the removal of Tract B.

BACKGROUND/JUSTIFICATION

The applicant is requesting the approval of an Amendment to the Final Plat for Eagles Creek of Blue Springs 1st Plat, Lots 1 thru 33. This property is approximately 11.04 +/- acres and is zoned “SF-7” (Single-Family). The Final Plat consists of 33 single-family residential lots and three tracts of land for the purpose of open space, stormwater detention, and subdivision signage.

Since the Eagles Creek Preliminary Plat was approved in 2020, modifications to the development’s open spaces and phases are proposed with this Final Plat. Staff believes the modifications below are minor and still constitute substantial compliance with the approved Preliminary Plat.

Tract A: The Area and Open Space System type (Pocket Park/Detention Basin/Trail) is consistent with the Preliminary Plat and this Final Plat.

Tract C: The Area is consistent with the Preliminary Plat and this Final Plat. The Open Space System type was originally shown as a Dog Park/Pocket Park in the Preliminary Plat has been modified to a Trail and Pocket Park in this Final Plat.

Tract D: The Area of Tract D has been reduced from .53 +/- acres in the Preliminary Plat to .33 +/- acres in this Final Plat. The Open Space System type (Pocket Park/Trail) has been modified to (Detention Basin).

There are no changes proposed to the previously approved staff recommendations.

The Final Plat for Eagles Creek of Blue Springs 1st Plat, Lots 1-33 was approved by Ordinance Number 5284 on December 4, 2023. The final plat has since changed after the approval from City Council. The changes consist of lot corrections, corrected lot dimensions, and removal of Tract B, which was originally designated for the subdivision’s monument sign. The developer has constructed the sign within Tract A nearest the intersection of SE Hudson Drive and SE Adams Dairy Parkway.

A new ordinance will need to be approved for the requested changes. Staff believes the modifications are minor and still constitute substantial compliance with the subdivision's approved Preliminary Plat.

FINANCIAL IMPACT

Contractor:	N/A

PROJECT TIMELINE

Estimated Start Date	Estimated End Date
January 17, 2024	N/A

STAFF RECOMMENDATION

Staff recommends approval of the Final Plat application with conditions:

1. Approval based on the representations of any drawings presented as part of this application does not waive any requirement or development standard contained in the UDC.
2. Prior to Final Plat recording, all Public Works items must be complete and pass inspection.
3. Prior to Final Plat recording, all required landscaping, buffers, and amenities within common areas must be financially guaranteed as determined by the City.
4. Prior to Building Permit issuance, the Final Plat must be recorded with Jackson County.
5. A Landscape Plan for the open space tracts must be approved by staff before installation of the landscaping materials.
6. The following items shall be provided prior to the issuance of a Certificate of Occupancy for each lot:
    a. Sidewalk improvements adjacent to each lot if applicable.
    b. A minimum of 45 plant units and street tree(s) shall be installed with the development of each lot as part of the building permit process.

OTHER BOARDS & COMMISSIONS ASSIGNED

Name of Board or Commission:	Planning Commission
Date:	November 27, 2023
Action:	Recommended approval of the Final Plat with conditions 6 Aye, 0 No
Name of Board or Commission:	City Council
Date:	December 4, 2023
Action:	The Final Plat for Eagles Creek of Blue Springs 1st Plat, Lots 1-33 was approved 7 Aye, 0 No

ECONOMIC DEVELOPMENT PROJECT

N/A

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Staff Report with attachments; Site Location Map; Site Location Zoning Map; Final Plat Map; Application
2. Bill approving the Amendment to the Final Plat for Eagles Creek of Blue Springs 1st Plat, Lots 1 thru 33

REVIEWED BY:

Requesting Director: ***Mike Mallon***	Budget: ***N/A***
Legal: ***John Mullane***	City Administrator: ***Christine Cates***

PLANNING APPLICATION REVIEW STAFF REPORT

Meeting Dates:	Planning Commission: November 27, 2023 City Council: December 4, 2023
Project Name:	***Eagles Creek of Blue Springs 1st Plat, Lots 1 thru 33***
Site Location:	South of SW Moreland School Road and West of SE Adams Dairy Parkway
Project Request:	PF-10-23-8920; Final Plat for thirty-three (33) lots and three (3) tracts of land on 11.04 +/- acres

Applicant: Michael Giro | Eagles Creek II LLC
Property Owner: Michael Giro | Eagles Creek II LLC
Staff Planner: Jamarcus Magee, Associate Planner

Project Description: The applicant is requesting the approval of a Final Plat for Eagles Creek of Blue Springs 1st Plat, Lots 1 thru 33, for the property located south of SW Moreland School Road and west of SE Adams Dairy Parkway. This property is approximately 11.04 +/- acres and is zoned "SF-7" (Single-Family). The Final Plat consists of thirty-three (33) single-family residential lots and three (3) tracts of land for the purpose of open space and stormwater detention.

Staff Recommendation: Staff recommends approval with conditions of the Final Plat application. Conditions are identified at the end of the staff report.

Previous Actions:

Date	Review Body	Action
07/16/1973	Board of Alderman	Approved an annexation that included the subject property. The annexation was effective following public vote of approval of a majority of property owners within the area to be annexed.
02/23/2004	Planning Commission	Approved a Preliminary Plat for "Moreland Village 5th Plat," a 9.49 +/- acre property located generally south of the intersection of SE Valley Forge Drive and SE Adams Drive. The Preliminary Plat expired due to no further development.
02/12/2007	Planning Commission City Council	Approved a Preliminary Plat for "Eagles Creek," a 59.36 +/- acre property located south of the Lake Village subdivision. The Preliminary Plat expired due to no further development.
08/14/2017	Planning Commission	A public notice for a Planned Development (PD) Concept Plan (PDC-07-17-5930) for the development of 255 single-family lots on the subject property was scheduled for the August 14, 2017, Planning Commission, continued, and withdrawn at the August 28, 2017, Planning Commission. A Preliminary Plat (PP-07-17-5929) was also withdrawn.
02/10/2020	Planning Commission	Approved a Preliminary Plat for "Eagles Creek," a 59.64 +/- acre property located south of the Lake Village subdivision.

Future Applications: **A Landscaping Plan meeting the requirements outlined in the approved Preliminary Plat must be approved administratively prior to installation in**

common tracts. The Final Plat must be approved and recorded at Jackson County prior to the issuance of building permits for the development.

Adjacent Properties:

Direction	Current Zoning	Current Land Use(s)
North:	"SF-7" (Single-Family)	Single-Family
South:	"SF-7/PR-O" (Single-Family) & "RE" (Residential Estate)	Single-Family (future development) & utility substation
East:	"RE" (Residential Estate) & unincorporated Jackson Co.	100-ft. wide linear park along Adams Dairy Pkwy. & agriculture / undeveloped
West:	"SF-7" (Single-Family)	Undeveloped

FINAL PLAT ANALYSIS

Platting is a process where a proposed division, or partition of land and property interests therein, is reviewed to ensure development patterns in compliance with long-range comprehensive plans; coordinating infrastructure with existing, future and potential capital improvements; and that all lots are buildable, served with adequate public facilities, and capable of meeting the zoning and development standards.

Final Plat Requirements: The proposed Final Plat meets the minimum standards described in Unified Development Code (UDC) Section 403.050 and submittal requirements provided in the Final Plat application. This Final Plat for Eagles Creek of Blue Springs 1st Plat is in substantial compliance with the Eagles Creek Preliminary plat; however, there are minor modifications included that arose due to field conditions during the construction process that could not have been reasonably anticipated or discovered at the time of the Preliminary Plat.

Preservation: The site currently has the infrastructure installed for the development. The area for the proposed lots is currently an open field.

Phasing: Eagles Creek 1st Plat, Lots 1 thru 33 is the first phase for the subdivision. There is a total of six (6) proposed phases totaling 183 single-family lots. The original phasing identified in the Preliminary Plat has been modified. Phase 1 originally contained 37 lots and three open space tracts, including the pool and playground amenity area. Phase 1 has been modified in this first Final Plat to include 33 lots and three open space and detention tracts, with the pool and playground area being deferred to Phase 2. Staff believes this modification is acceptable due to the smaller number of homes in Phase 1 relative to the overall number of homes in the subdivision. In addition, deferring the timing of the pool/playground amenity installation to coincide with the construction of Phase 2 public improvements will allow the developer to start building homes in Phase 1 while not delaying the pool/playground beyond Phase 2 and will better align the construction of that portion of the subdivision to minimize disruption to existing houses.

Streets & Sidewalks: Primary access to the development will be provided by the development of a minor collector street (Hudson Drive) from SE Adams Dairy Parkway at the southeast corner of

the site. Subdivision block lengths and areas meet the intent of the Subdivision Design requirements in Section 406.020.

The Final Plat includes 5-ft. sidewalks on both sides of Hudson Drive, which will be developed as a minor collector street. A 5-ft. sidewalk will be along the southside of SE Harvard Drive. A 4-ft. sidewalk shall be installed on the north side of SE Nash Street. All other streets require a 4-ft. sidewalk on one side of the street. According to the subdivision's preliminary plat, sidewalks adjacent to tracts are required to be installed prior to approval of the Final Plat for each development phase. The required sidewalks along tracts in this Final Plat have been installed. **Sidewalks adjacent to lot frontages are required to be installed prior to the issuance of a Certificate of Occupancy for each lot. Off-site sidewalks along the Hudson Drive and Harvard Drive must be installed with the street extensions.**

Water: Water in this area is provided by PWSD #13. An acceptance letter from PWSD #13 has been received by Engineering.

Traffic: A Traffic Impact Study is not required for this project.

Stormwater: A stormwater management plan has been prepared by a professional engineer registered in the State of Missouri and submitted to Public Works for review. Stormwater detention has been provided through construction of detention basins. A stormwater certification letter has been provided indicating the basins were constructed and will function in accordance with the stormwater design.

Sanitary Sewer: Sanitary sewer main has been installed per plans in accordance with City Standards.

Open Space: Per the Open Space System requirements in UDC Section 406.030, subdivisions zoned "SF-7" are required a minimum 10% of total land area to be dedicated as common open space meeting the Open Space System standards. Acceptable open spaces include trails, pocket parks, and other green spaces with active amenities. The site includes 2.347 acres of open space meeting the Open Space System standards. The table below includes the open space tracts, tract area, and which open space system requirement has been met. **Open space amenities must be installed prior to approval of the subsequent development phase (e.g. amenities in tracts platted with the first phase must be installed prior to approval of the second phase).**

Tract	Area	Open Space System
A	1.402 +/- acres	Detention Basin/Trail
B	0.035 +/- acres	Monument Sign
C	0.58 +/- acres	Open Space /Trail
D	0.33 +/- acres	Detention Basin
Total Open Space:	**2.347 +/- acres**	

Preliminary/Final Plat Open Space Modifications

Since the Eagles Creek Preliminary Plat was approved in 2020, modifications to the development's open spaces are proposed with this Final Plat. Staff believes the modifications below are minor and still constitute substantial compliance with the approved Preliminary Plat.

Tract A: The Area and Open Space System type (Pocket Park/Detention Basin/Trail) is consistent with the Preliminary Plat and this Final Plat.

Tract B: The Area has been reduced from .035 +/- acres in the Preliminary Plat to .013 +/- acres in this Final Plat. The Open Space System type (Monument Sign/Subdivision Sign) is consistent with the Preliminary Plat and this Final Plat. Staff believes that since this tract is specifically for the subdivision's monument sign, the change in size of this tract is acceptable.

Tract C: The Area is consistent with the Preliminary Plat and this Final Plat. The Open Space System type was originally shown as a Dog Park/Pocket Park in the Preliminary Plat has been modified to a Trail and Pocket Park in this Final Plat. This Tract is located within a 100' wide electrical easement with overhead power lines managed by Aquila. Since the Preliminary Plat was approved in 2020, the Developer was notified by Aquila that the proposed Dog Park/Pocket Park would not be allowed in the easement. Only a Trail will be allowed in the electrical easement by Aquila, which has been provided on this Final Plat. Staff believes the change is acceptable, as the overall size of the and all amenities and landscaping be installed prior to the approval of phase three.

Tract D: The Area of Tract D has been reduced from .53 +/- acres in the Preliminary Plat to .33 +/- acres in this Final Plat. The Open Space System type (Pocket Park/Trail) has been modified to (Detention Basin). According to the approved Preliminary Plat, this tract is in Phase Three. However, through the review and approval final infrastructure construction documents and subdivision grading throughout the public improvement process leading up to the Final Plat, the need for an additional Detention Basin was discovered that was not originally accounted for in the Preliminary Plat. The Developer modified the lettering of the tracts to keep them in order throughout the development as each phase is proposed. Staff recommends that this "Tract D" be approved for the purposes of storm detention (Detention Basin) and the original Tract D, and those after, with all its amenities and landscaping approved in the Preliminary Plat, be retained and renamed during the development of the Third Phase.

Open Space Landscaping: According to the Preliminary Plat: **A landscaping plan meeting the requirements approved in the Preliminary Plat must be provided and reviewed administratively by staff prior to installation of any landscaping within any common tracts** (Open Space)**. Landscaping for each common tract shall be installed or financially guaranteed prior to approval of the Final Plat for the phase in which the tract is located. Like amenities, landscaping must be installed prior to approval of the subsequent development phase (e.g. landscaping in tracts platted with the first phase must be installed prior to approval of the second phase). Financial guarantees for seeding/sodding will be released once established.**

Lot Development Standards: All single-family residential lots fall within the "Detached House – Neighborhood Lot" building type standards, which is permitted by right in the "SF-7" zoning district. The

applicable development standards are provided in the table below. All lots fall within the minimum and maximum ranges for lot widths and areas.

Detached House – Neighborhood Lot

Standard	Requirement	Proposed
Frontage Width	65-ft. min.	65-ft. min.
Lot Area	7,200-sf. min.	7,224-sf. min.
Front Setback	25-ft. min.	25-ft. min.
Corner Side Setback	25-ft. min.	25-ft. min.
Side Setbacks	8-ft. min.	8-ft. min.
Rear Setback	15-ft. min.	15-ft. min.
Building Coverage	40% max.	40% max.
Building Height	35-ft. max.	35-ft. max.
Frontage Type	Yard & Setback	Yard & Setback

Land Use: The proposed land use of the property is "Detached Housing" which is defined as, "the use of a lot for only one (1) principal dwelling unit that is not connected to any other dwelling unit. Typical formats include estates, single-family houses." The proposed use is for the development of thirty-three (33) single-family homes.

Parking: Single-Family, Detached housing requires 2 off-street parking spaces per dwelling unit. Parking in the driveway will provide extra parking spaces and exceed the minimum requirement.

Vehicular parking is required and proposed as follows:

Land Use	Required	Provided
Single-Family	2 spaces per dwelling unit (1 units = 2 spaces)	>2 spaces provided

Minimum Livable Floor Area: Per the UDC, Section 407.140, Minimum Livable Floor Area Standards, subdivisions are to be classified in a manner that minimizes the differences in dwelling sizes within and between adjacent residential development. The minimum livable floor area classification is 1,400-sf., which matches the classification established in Preliminary Plat.

Signage: Signage is not shown on the plans; however, if the applicant would like to install monument signs later, they will need to apply for an Administrative Sign Permit and comply with the Sign Code.

Modifications Requested:

There are no modifications to the City's UDC or Standards and Specifications proposed. The only minor modifications proposed are to the subdivision phasing and are acceptable to staff and are in keeping with the intent of the Preliminary Plat.

Review Criteria: *A Final Plat shall be reviewed based on the following criteria:*

1. The layout and design of the final plat is in substantial compliance with the approved preliminary plat considering the number of lots or parcels; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments.

   STAFF RESPONSE: The plat is in substantial compliance with the approved preliminary plat. The proposed phasing modifications in the Final Plat are acceptable to staff and are in keeping with the intent of the Preliminary Plat.

2. The construction plans meet all technical specifications.

   STAFF RESPONSE: Construction plans have been approved and public improvements have been installed for the first Final Plat and meet all technical specifications.

3. The phasing and timing of public improvements ensures construction and performance guarantees.

   STAFF RESPONSE: The phasing and timing of public improvements installed will ensure smooth construction timing and performance guarantees will provided as required by the UDC.

4. Any deviations in the final plat brings the application in further compliance with the Comprehensive Plan and the purposes and intent of this Code.

   STAFF RESPONSE: The proposed deviations in the Final Plat versus that identified in the Preliminary Plat, specifically the phasing and timing of amenities is in compliance with the Comprehensive Plan and the purposes and intent of the UDC.

5. Covenants meeting the City's approval and containing all requirements of the UDC are approved by the City Attorney's office.

   STAFF RESPONSE: The applicant has provided a copy of the covenants and restrictions to be recorded by the developer at the time of the Final Plat recording. The proposed covenants and restrictions stipulate the maintenance and ownership of the common areas as required per the UDC; however, Staff does not approve nor enforce any of the other provisions contained within the private covenants and restrictions.

6. The recommendations of professional staff.

   STAFF RESPONSE: Staff recommends approval of the Final Plat with the conditions as listed below.

Approval of a final plat shall not constitute acceptance of public improvements. Such acceptance will require separate, formal action of the City Council.

Staff Recommendation:

Staff recommends approval of the Final Plat application with the following conditions:

1. Approval based on the representations of any drawings presented as part of this application does not waive any requirement or development standard contained in the UDC.
2. Prior to Final Plat recording, all Public Works items must be complete and pass inspection.

3. Prior to Final Plat recording, all required landscaping, buffers, and amenities within common areas must be financially guaranteed as determined by the City
4. Prior to Building Permit issuance, the Final Plat must be recorded with Jackson County.
5. The following items shall be provided prior to the issuance of a Certificate of Occupancy for each lot:
    a. Sidewalk improvements adjacent to each lot if applicable.
    b. A minimum of 45 plant units and street tree(s) shall be installed with the development of each lot as part of the building permit process.

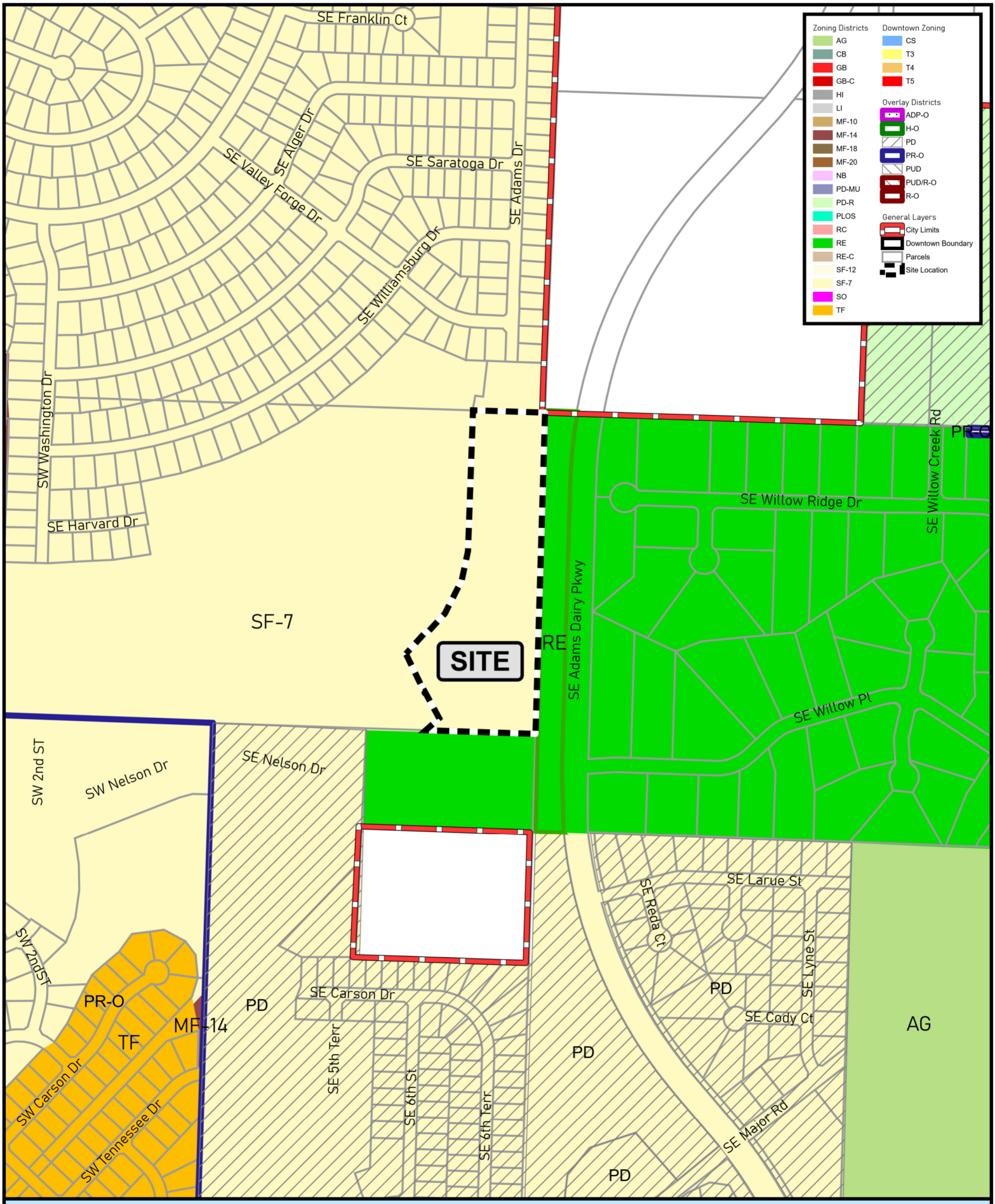


The City of Blue Springs Missouri

PF-10-23-8920
EAGLES CREEK 1ST PLAT
PARCEL # 41-910-99-03-00-0-00-000
AERIAL LOCATION MAP

N

1 inch = 500 feet
Date: 10/18/2023



The City of Blue Springs Missouri

PF-10-23-8920
EAGLES CREEK 1ST PLAT
PARCEL # 41-910-99-03-00-0-00-000
SITE LOCATION MAP

N

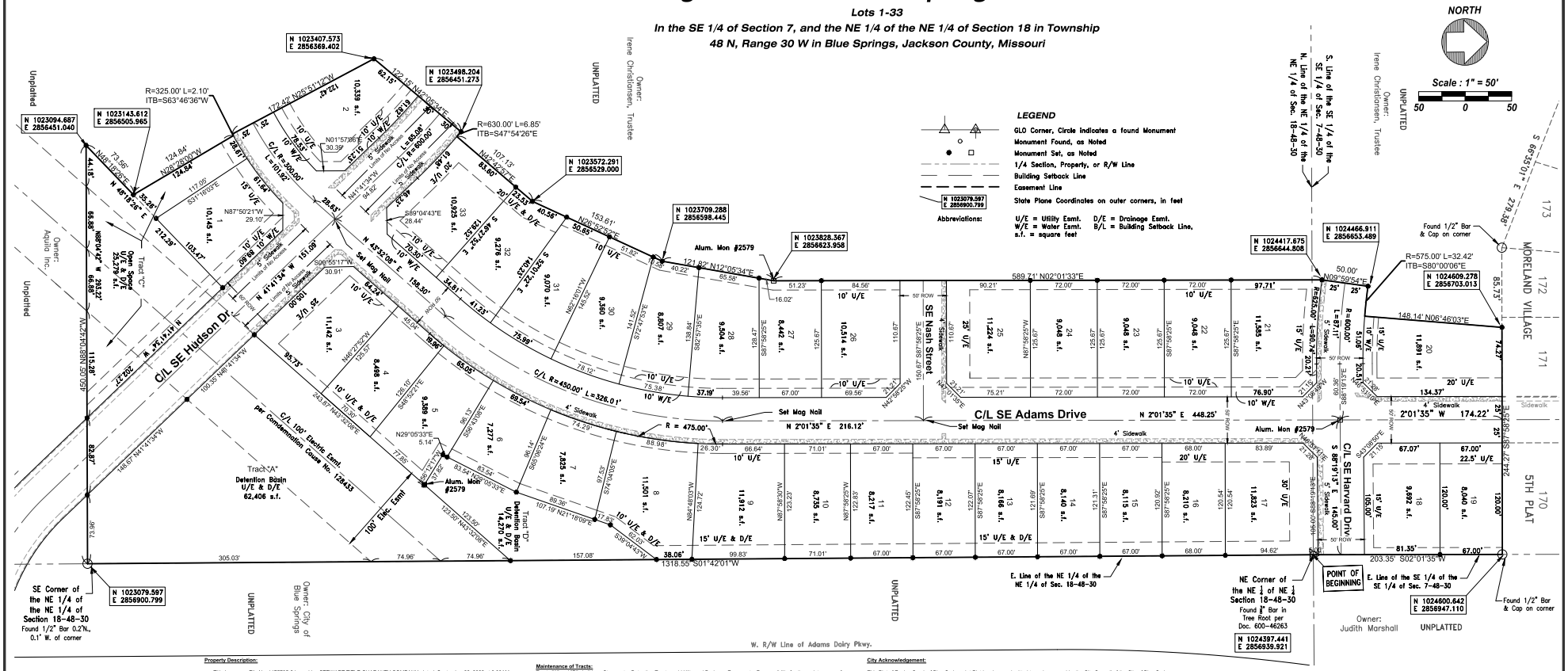
1 inch = 500 feet

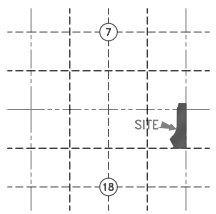
Date: 10/18/2023

Eagles Creek of Blue Springs 1st Plat

Lots 1-33

In the SE 1/4 of Section 7, and the NE 1/4 of the NE 1/4 of Section 18 in Township 48 N, Range 30 W in Blue Springs, Jackson County, Missouri





Vicinity Map

Sections 7 & 18, Township 48N, Range 30W
Scale: 1" = 2000'

Property Description:

per Title Insurance File No. 1475795-2 issued by STEWART TITLE GUARANTY COMPANY, dated September 22, 2022 at 8:00AM

All that part of the Northeast Quarter of the Northeast Quarter of Section 18, and the Southeast Quarter of the Southeast Quarter of Section 7, Township 48, Range 30, in Blue Springs, Jackson County, Missouri, described as follows: Beginning at the Northeast corner of the Northeast Quarter of the Northeast Quarter of said Section 18; thence South 1 degrees 42 minutes 01 seconds West, along the East line thereof, 1318.55 feet to the Southeast corner of said Quarter Quarter Section; thence North 88 degrees 04 minutes 42 seconds West, along the South line thereof, 450.05 feet; thence North 46 degrees 18 minutes 26 seconds East, 73.56 feet; thence North 28 degrees 26 minutes 00 seconds West, 124.84 feet; thence Southwesterly along a curve to the right having a radius of 325.00 feet and an initial tangent bearing of South 63 degrees 46 minutes 36 seconds West, an arc length of 2.10 feet; thence North 25 degrees 51 minutes 12 seconds West, 172.42 feet; thence North 42 degrees 05 minutes 34 seconds East, 122.15 feet; thence Southeasterly along a curve to the right having a radius of 630.00 feet and an initial tangent bearing of South 47 degrees 54 minutes 26 seconds East, an arc length of 6.85 feet; thence North 42 degrees 42 minutes 57 seconds East, 107.13 feet; thence North 26 degrees 52 minutes 52 seconds East, 153.61 feet; thence North 12 degrees 05 minutes 34 seconds East, 121.82 feet; thence North 02 degrees 01 minutes 33 seconds East, 589.71 feet; thence North 08 degrees 59 minutes 54 seconds East, 50.00 feet; thence Southeasterly along a curve to the left having a radius of 575.00 feet and an initial tangent bearing of South 80 degrees 00 minutes 06 seconds East, an arc length of 32.42 feet; thence North 06 degrees 46 minutes 03 seconds East, 148.14 feet to a point on the South line of MORELAND VILLAGE 5TH PLAT, a subdivision; thence South 87 degrees 58 minutes 25 seconds East, along said South line, 244.27 feet to the Southeast corner of said subdivision, said point being on the East line of the Southeast Quarter of said Section 7; thence south 02 degrees 01 minutes 35 seconds West, 203.35 feet to the Point of Beginning. Containing 12.272 acres, more or less.

Purpose Statement:
The purpose of this plat is to create 33 lots for single-family homes and dedicate necessary easements.

Zoning:
"SF-7" (Single-Family District)

The Minimum Livable Floor Area for Lots 1-33 is "Class G - 1,400 sq. ft." as proposed and approved during the Preliminary Plat approval process.

Subdivision Dedication:
The undersigned proprietors of the tract of land described hereon has hereby caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as:
" Eagles Creek of Blue Springs 1st Plat"

Street Right-of-Way Dedication:
The shown public street right-of-way is hereby dedicated to the City of Blue Springs, Missouri for the purposes of public right-of-way as shown and designated upon this plat as "ROW"

Limits of No Access:
The undersigned OWNER hereby relinquishes any and all rights of ingress and egress to the above-described property within the bounds designated as "Limits Of No Access" or "LNA" . This provision can be released, changed, or altered by the City Council upon recommendation by the City Engineer.

Easement Dedication:
An easement or license is hereby granted to the City of Blue Springs, Missouri to locate, construct and maintain, or to authorize the location, construction and maintenance of poles, wires, anchors, conduits, and/or structures for water, gas, sanitary sewer, storm sewer, surface drainage channel, electricity, telephone, cable television or any other necessary public utility or services, including but not limited to underground pipes and conduits, poles and anchors, pad mounted transformers, service pedestals, any or all of them, over, under or along those areas designated upon this plat as "Utility Easement" (abbreviated "Util. Esmt." or "U/E") or within any street or thoroughfare dedicated to public use on this plat. Where other easements are designated for a particular purpose, such as "Sanitary Sewer Easement" or "Drainage Easement" (or "S/E" or "D/E") the use thereof shall be limited to that purpose.

Street Dedication:
Any streets shown on this plat not heretofore dedicated to public use are hereby so dedicated.

Maintenance of Tracts:
Tracts "A" and "D" shall be a Stormwater Detention Tracts and Utility and Drainage Easements. Responsibility for the maintenance of said facilities, including mowing and periodic removal and disposal of accumulated particulate material and debris, shall remain with the Eagles Creek Home Owners Association (HOA). In the event that the "HOA" fails to adequately and properly maintain said detention facilities, the City of Blue Springs may enter upon said land, perform said maintenance, and the cost of said maintenance shall be paid by said "HOA" and homeowners. In the event that said "HOA" and owners fail to pay the cost of said maintenance or any part thereof within thirty (30) days after completion of said maintenance, said cost shall be a lien against all lots in the subdivision for which proportionate payment has not been made, which lien may be foreclosed by the City of Blue Springs.
Tract "C" shall be reserved as Private Common Space. Said tracts shall be maintained by the Home Owners Association.

Sidewalks Dedication:
Sidewalks shall be installed where indicated on the Plat.

In Testimony Whereof:

EAGLES CREEK II, LLC, a Missouri Limited Liability Company, has caused these presents to be signed by its members on this _____ day of _____, 20___.

_____
Michael A. Giro Date

_____
Lisa A. Bailey Date

_____
Steven R. Bailey Date

State of Missouri:)
) SS:
County of Jackson:)

BE IT REMEMBERED, that on this _____ day of _____, 20___, before me, the undersigned, a Notary Public in and for said County and State, appeared Michael A. Giro, Lisa A. Bailey, and Steven R. Bailey Members for EAGLES CREEK II, LLC, to me personally known and who, being duly sworn, did say that he is the Managing Member for EAGLES CREEK II, LLC, and that the foregoing instrument was signed on their behalf.

In Witness Whereof: I have hereunto set my hand and affixed my Notarial Seal at my office in said County and State the day and year last written above.

_____
My Commission Expires: Notary Public

City Acknowledgement:

This Plat of Eagles Creek of Blue Springs 1st Plat has been submitted to and approved by the City Council of the City of Blue Springs, Missouri by Ordinance No. _____ this _____ day of _____, 20___.

This hereby certifies that the accompanying plat of Eagles Creek of Blue Springs 1st Plat was submitted to and approved by the Mayor and City Council of the City of Blue Springs, Jackson County, Missouri on this ___ day of _____, 20__, by Ord. No. _____

Tract "C" shall be reserved as Private Common Space.

_____
Carson Ross, Mayor

_____
Byron Craddolph, Planning Commission Chair

_____
Erin Ford, City Clerk

_____
Mike Mallon, Director
Community Development Dept.

_____
James Burgess, City Engineer

County Acknowledgement:

_____ _____
Approved by the Jackson County Assessment Department. Date

Surveyor's Certificate

I hereby certify that, to the best of my professional knowledge and belief, we performed a survey of the property described herein and prepared this document in accordance with the current "Missouri Standards for Property Boundary Surveys" (20 CSR 2030-16) as jointly adopted by the *Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects* and *The Missouri Department of Agriculture, Land Survey Program.* This is an Urban Class Survey.

_____
Lee Bodenheimer PLS-2114 Date

LEE N. BODENHEIMER LS-2114

Surveyor's Notes:
The Bearings and Coordinates shown on this Plat were generated with RTK GPS, tied to the Continuously Operating Reference System (CORS) Network maintained by the Missouri Department of Transportation (MoDOT) and the Missouri State Plane Coordinate System, West Zone. A Grid Factor of 0.9999084 was used per Station JA-140 with a Report Date of 1994. The published coordinates of the Reference Station are North 317,526.1058 meters and East 872,084.5945 meters (North 1,041,750.232 feet, East 2,861,164.296 feet.) Coordinates shown are in feet. 1 meter = 3.28083333 feet.

Per FEMA FIRM Panel 29095 C 0435G, with an Effective Date of 1/20/2017, the site is in Zone X, Areas of Minimal Flood Hazard, and is not affected by the Regulatory Flood Plain.

This survey and Plat are based on Title Insurance Policy issued by Stewart Title Company, dated September 22, 2022, commitment No. 1475795-2. A copy will be provided to the City for proof of ownership and to disclose any additional encumbrances on the land. The Title Report did not disclose any easements or other encumbrances per the county records. Copies of recorded plats and adjoiners names and deeds were obtained from the Jackson County Recorder's website. This surveyor made no further investigations or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or other facts that would be included in the furnished title information.

Upon completion of curb and pavement construction, all rear lot corners will be monumented with 1/2" Iron Bars with plastic caps bearing MO LS #2114. Curbs will be notched at the extension of the side lot lines. Three Aluminum Monuments bearing MO LS #2579 will also be set as indicated.

This Plat was surveyed and prepared by Fred Byam of Byam Engineering. Due to illness, he was unable to monument all corners and complete the Plat. The work by Fred Byam was reviewed and coordinates checked by Lee Bodenheimer of Construction Engineering Services, Inc. and the Plat was completed and surveyed by Construction Engineering Services, Inc. in November 2023.

Construction Engineering Services, Inc.
16810 E. 40 Highway
Independence, Missouri 64055
Phone (816) 478-2323
Surveyors Engineers Planners
Missouri State Certificate of Authority 2001001857
Kansas Business Entity
PE - 834 LS - 136
lee@engineeringkc.com

BYAM Engineering
3501-G S. Sterling Ave.
Independence, MO 64052
Phone 816-252-3519
Since 1953

FOR: ***Eagles Creek II, LLC***

Final Plat

Eagles Creek of Blue Springs 1st Plat

Lots 1-33

In the SE 1/4 of Section 7, and the NE 1/4 of the NE 1/4 of Section 18 in Township 48 N, Range 30 W in Blue Springs, Jackson County, Missouri

Received
01/02/2024 2:23:20 PM

The City of Blue Springs Missouri

Planning Application

903 W Main Street, Blue Springs, MO | 816-228-0207
developmentsubmittals@bluespringsgov.com

OFFICE USE ONLY – *Updated 10-13-2020*
CASE #: PF-10-23-8920
PC MEETING: 11/27/23
CC MEETING: 12/4/23
BOA MEETING:
NEWSPAPER:
NOTICE LETTERS:
PLANNER: Jamarcus Magee, Associate Planner

PROJECT LOCATION INFORMATION (*separate applications required if project boundaries differ*)

EAGLES CREEK
Project Name

?

Project Address (Parcel ID if No Address Assigned or Multiple Addresses)

Legal Description (attach as a separate page if too large)

(SF-7) Single Family - 7

Existing Zoning	Existing Land Use	Proposed Zoning	Proposed Land Use	Total Acreage	# of Proposed Lots
RI	RI				33

APPLICATION (*check all that apply*)

LAND USE
- ☐ Conditional Use
- ☐ Rezoning
- ☑ General Development Plan

LAND SUBDIVISION
- ☐ Preliminary Plat
- ☒ Final Plat
- ☐ Administrative Plat

MASTER PLANS
- ☐ PD Concept Plan
- ☐ PD Final Plan
- ☐ PUD Concept Plan-Amended
- ☐ PUD Final Plan
- ☐ PRO Concept Plan-Amended
- ☐ PRO Final Plan
- ☐ Redevelopment Modification Plan

SITE DEVELOPMENT
- ☐ Appearance Review
- ☐ Site Plan/Design Review (SPDR)
- ☐ PD Final Plan / SPDR
- ☐ PUD Final Plan / SPDR
- ☐ Administrative SPDR

SIGNAGE
- ☐ Master Sign Plan
- ☐ Administrative Sign Plan
- ☐ Appeal for Minor Sign Adjustment

OTHERS
- ☐ Vacation
- ☐ Variance
- ☐ Alternative Dev. Standards

APPLICANT & PROPERTY OWNER INFORMATION

Name of Applicant	Company	Phone	Email Address
Michael Giro	EAGLES CREEK	816-564-7654	mgiro46@yahoo.com

Address	City	State	Zip Code
2413 NE ADAMS DAIRY Rd	BLUE SPRINGS	MO	64014

I agree to allow the City of Blue Springs to copy and distribute all submitted project plans, materials, and information and post on the official City of Blue Springs web site as necessary for the project approval process, including public hearings. Furthermore, all submitted plans, materials, and information meet all UDC requirements unless specifically stated otherwise in an attached letter. Additionally, I agree that the Applicant and the Property Owner are jointly and severally liable to pay the City of Blue Springs all applicable fees and costs required for the project approval process.

X Michael Giro — Applicant Signature — 7-18-23 — Date

Name of Property Owner	Phone	Email Address
EAGLE CREEK II LLC	816-564-7654	mgiro46@yahoo.com

Address	City	State	Zip Code
309 N. OAK	BATE'S CITY	MO.	64011

I declare, under penalty of perjury, that in applying for this application, I am the owner of this property and that the statements herein and all information herewith submitted are, to the best of my knowledge and belief, true and correct. In the event of corporate ownership, all Directors, Officers, Stockholders of each Corporation owning more than five percent (5%) of any class of stock is listed in an attached letter. With the signing and submittal of this application, I authorize the City of Blue Springs to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by City Council, Boards & Commissions, and City Staff. Additionally, I agree that the Applicant and the Property Owner are jointly and severally liable to pay the City of Blue Springs all applicable fees and costs required for the project approval process.

X Michael Giro — Property Owner Signature — 7-18-23 — Date

Received
10/16/2023

REQUIRED DOCUMENTS CHECKLIST FOR ALL APPLICATIONS

	REQUIREMENT	DESCRIPTION	NUMBER
☒	**Project Location Information**	Complete 1st page of this Application	
☒	**Legal Description** *(digital copy required for public hearings only)*	One 8.5" x 11" copy & a digital copy in Microsoft Word format emailed to comdevlegal@bluespringsgov.com	
☒	**Plans Set Sealed by the Proper Entity Registered in the State of Missouri**	Full plans set folded & collated; See Guidebook for plans set requirements	Varies
		Reduced set of full plans set on 8.5" x 11"	1 set
☐	**Other Required Documents** STAFF HAS	Other Required Documents such as Stormwater Study; Traffic Study; etc. on 8.5"x11"	2 sets
☐	**Application Specific Requirements Checklist**	Attach applicable pages from the Guidebook.	
☐	**Other Required Information**	See UDC Chapter 403 (Development Review Procedures) for any other required information. For Signage requirements, see Chapter 501 (Sign Code).	

PROJECT DESCRIPTION:

Received
10/16/2023

CONTACT INFORMATION SHEET

PROJECT LEAD

Michael Giro — EAGLES CREEK 11 LLC
Name — Company Name

2413 NE Adams Dairy Rd — Blue Springs — Mo. — 64014
Address — City — State — Zip

mgiro46@yahoo.com — 816-564-7654 — N/A
Email — Phone — Fax

DEVELOPER

STEVE BAILEY — EAGLES CREEK 11 LLC
Name — Company Name

309 N. OAK — BATE'S CITY — Mo. — 64011
Address — City — State — Zip

SBAILEY@KATEXCAVATION.COM — 816-918-5598 — N/A
Email — Phone — Fax

ENGINEER

Name — Company Name

Address — City — State — Zip

Email — Phone — Fax

ARCHITECT

Name — Company Name

Address — City — State — Zip

Email — Phone — Fax

SURVEYOR

Name — Company Name

Address — City — State — Zip

Email — Phone — Fax

LANDSCAPE ARCHITECT

Name — Company Name

Address — City — State — Zip

Email — Phone — Fax

ATTORNEY

Name — Company Name

Address — City — State — Zip

Email — Phone — Fax

OTHER CONTACT

Name — Company Name

Address — City — State — Zip

Email — Phone — Fax

Received
10/16/2023

FEE CALCULATION TABLE

	APPLICATION	FEE		TOTAL
	ANNEXATION			
ANNX	Annexation	$468 + Public Hearing[1]		$
DEAX	De-Annexation	$468 + Public Hearing[1]		$
	LAND USE			
CUP	Conditional Use	$468 + Public Hearing[1]		$
RZ	Rezoning	$468 + Public Hearing[1]		$
	General Development Plan	$0 + Public Hearing[1]		$
	LAND SUBDIVISION			
PP	Plat – Preliminary	$440 + $4 per lot	#_____ lot(s)	$
PF	Plat – Final	$270 + $2 per lot	#33 lot(s)	$ 336
MSP	Minor Subdivision Plat	$110		$
MLLA	Minor Lot Line Adjustment	$110		$
	MASTER DEVELOPMENT PLANS			
PDC	PD Concept Plan	$506 + $22 per acre + Public Hearing[1]	#_____ acre(s)	$
PDF	PD Final Plan	$275		$
PUDC	Amended PUD Concept Plan	$506 + 22 per acre + Public Hearing[1]	#_____ acre(s)	$
PUDF	PUD Final Plan	$242		$
PROC	Amended PR-O Concept Plan	$506 + 22 per acre + Public Hearing[1]	#_____ acre(s)	$
PROF	PR-O Final Plan	$242		$
RMP	Redevelopment Modification Plan	$605 + Public Hearing[1]		$
	SITE DEVELOPMENT			
AR	Appearance Review	$242		$
SPDR	Site Plan / Design Review (SPDR)	$605		$
ASPDR	Administrative SPDR	$550 if >750 sq. ft.; $0 if <750 sq. ft.	#_____ sq. ft.	$
PDFS	PD Final Plan / SPDR	$847		$
PUDFS	PUD Final Plan / SPDR	$847		$
	SIGNAGE			
MASP	Master Sign Plan	$220		$
	Administrative Sign Plan	$0		
	Appeal for Minor Sign Adjustment	$0		$
	Appeal of Admin. Decision (Signage)	$0		$
	OTHERS			
VAC	Vacation	$390 + Public Hearing[1]		$
VAR	Variance	$484 + Public Hearing[1]		$
	Alternative Development Standards	$0 + Public Hearing[1]		$
UDCT	UDC Text Amendment	$500 + Public Hearing[1]		$
AA	Appeal of Admin. Decision	$484 + Public Hearing[1]		$
	TELECOMMUNICATIONS			
TCOM	Telecom. Pre-App	$110		$
TCOM	Minor Telecommunications	$275		$
TCOM	Major Telecommunications	$550		$
	TOTAL	**OFFICE USE:** Card Cash or Check: # 1976		$ 336.00

1. *Public Hearings require a newspaper advertisement and the posting of a notification sign. The applicant will be billed separately after the invoice for the newspaper advertisement is received by the City. Also, the applicant is responsible for the installation of the notification sign provided by the City. See the Appendix in the Application Specific Requirements document for Public Notification Requirements.*

Received
10/16/2023

Introduced by Councilmember _____ BILL NO. 5176
(PF-10-23-8920) ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AMENDMENT TO THE FINAL PLAT FOR EAGLES CREEK OF BLUE SPRINGS 1st PLAT, LOTS 1-33 BLUE SPRINGS, JACKSON COUNTY, MISSOURI

WHEREAS, proper application having been made for the Final Plat of property hereinafter described; and

WHEREAS, in accordance with Title IV, Unified Development Code of the Municipal Code of the City of Blue Springs, Missouri, said application was referred to the Planning Commission for report and recommendation, was held November 27, 2023, which Commission, after said hearing, recommended that the application for Final Plat be approved; and

WHEREAS, thereafter a meeting was held by City Council on December 4, 2023, which unanimously approved the Final Plat; and

WHEREAS, an Amendment to the Final Plat was provided to City Council on January 16, 2024; and

WHEREAS, the Amendment to the Final Plat changes consist of lot corrections, corrected lot dimensions, and removal of Tract B; and

WHEREAS, in accordance with Title IV, Unified Development Code of the Municipal Code of the City of Blue Springs, Missouri, it was determined that the Amendment to the Final Plat was appropriate at the location herein described; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BLUE SPRINGS, MISSOURI, as follows:

Section 1. The Amendment to the Final Plat for EAGLES CREEK OF BLUE SPRINGS 1st PLAT, LOTS 1-33, BLUE SPRINGS, JACKSON COUNTY, MISSOURI, hereinbefore presented to the City Council and having been found to be in compliance with the Unified Development Code (UDC), its amendments, and other ordinances of the City of Blue Springs, is hereby approved subject to the following conditions and those set out in the Planning Commission Staff Report for Case File Number PF-10-23-8920 submitted to the Planning Commission at its November 27, 2023 meeting including the following conditions:

1. Approval based on the representations of any drawings presented as part of this application does not waive any requirement or development standard contained in the UDC.
2. Prior to Final Plat recording, all Public Works items must be complete and pass inspection.
3. Prior to Final Plat recording, all required landscaping, buffers, and amenities within common areas must be financially guaranteed as determined by the City
4. Prior to Building Permit issuance, the Final Plat must be recorded with Jackson County.

5. A Landscape Plan for the open space tracts must be approved by staff before installation of the landscape materials.
6. The following items shall be provided prior to the issuance of a Certificate of Occupancy for each lot:
    a. Sidewalk improvements adjacent to each lot if applicable.
    b. A minimum of 45 plant units and street tree(s) shall be installed with the development of each lot as part of the building permit process.

Section 2. The Amendment to the Final Plat for Eagles Creek of Blue Springs 1st Plat, Lots 1-33 shall be effective upon the approval by City Council.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor of Blue Springs.

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

PASSED by the City Council of the City of Blue Springs, Missouri, and approved by the Mayor of Blue Springs, this 16th day of January 2024.

CITY OF BLUE SPRINGS

_____
Carson Ross, Mayor

ATTEST:

_____
Erin Ford, City Clerk

1st Reading: _____
2nd Reading: _____

CITY OF BLUE SPRINGS
CITY COUNCIL INFORMATION FORM

DATE SUBMITTED: January 8, 2024

SUBMITTED BY: Christine Cates **DEPARTMENT: Administration**

☒ Ordinance	☐ Resolution	☐ Presentation	☐ Public Hearing
☐ Contract	☐ Discussion	☐ Economic Dev.	☐ Other

ISSUE/REQUEST

Passage of a Bill calling an election to be held on April 2, 2024 to amend Section 215.125: Livestock and Farm Animals and Add Section 215.140 Backyard Hens to the Blue Springs Code of Ordinances. This Bill is at the request of Councilmembers Lievsay and Edmondson.

BACKGROUND/JUSTIFICATION

On October 2, 2023, pursuant to Section 9.2 of the Blue Springs Home Rule Charter, an Affidavit of Petitioner's Committee for Citizens for Blue Springs for Backyard Hens was filed with the City which included a proposed Bill amending the Code of Ordinances. Per the Charter, the signatures of 8% of the total number of registered qualified voters at the last regular City election (2,878) must be collected to be a valid Petition.

On December 12, the Jackson County Election Board verified 1,792 signatures, leaving 1,086 to constitute a valid Petition; as required by the Charter, the City Clerk mailed a Notice of Sufficiency reflecting the insufficient signatures on December 14 by Registered Mail.

On December 19, the Petitioner's Committee filed two Amendments: (1) removing one member and adding ten additional members to the Committee responsible for circulating the Petition; and (2) declaring the Committee's intent to gather additional signatures as allowed by Section 9.5.A of the Charter. On December 21, the Committee filed a 15-day extension request to submit additional signatures; however the Charter does not grant authority to extend the time requirements.

On December 28, the Petitioners Committee submitted the Amended Petition signature pages as well as Supplemental Petition Signatures advising that the Election Board had agreed to re-review the original Petition submissions for verification.

On January 3, 2024, after re-reviewing the initial Petition and Amended Petition, the Jackson County Election Board verified 2,462 signatures, leaving 416 signatures required to constitute a valid Petition. On January 4, 2024, the City Clerk mailed via Registered Mail a Certificate of Sufficiency as required by the Charter reflecting the deficiency.

Councilmembers Lievsay and Edmondson have requested the Council consider a Bill calling for an Election on the Petitioners Committee's proposed Bill relating to Backyard Hens.

FINANCIAL IMPACT

Contractor:	N/A

PROJECT TIMELINE

Estimated Start Date	Estimated End Date
January 17, 2024	April 2, 2024

STAFF RECOMMENDATION

N/A

OTHER BOARDS & COMMISSIONS ASSIGNED

Name of Board or Commission:	N/A

ECONOMIC DEVELOPMENT PROJECT

N/A

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Bill calling an election on April 2, 2024 with Notice of Election attached as Exhibit A

REVIEWED BY:

Requesting Director: ***Christine Cates***	**Budget:** ***N/A***
Legal: ***John Mullane***	**City Administrator:** ***Christine Cates***

Introduced by Councilmember _____ BILL NO. 5177

ORDINANCE NO. _____

AN ORDINANCE CALLING AN ELECTION ON THE GENERAL MUNICIPAL ELECTION DATE OF APRIL 4, 2024, TO AMEND SECTION 215.125: LIVESTOCK AND FARM ANIMALS AND ADD SECTION 215.140 BACKYARD HENS OF THE BLUE SPRINGS CODE OF ORDINANCES; DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF THE ELECTION

WHEREAS, on October 2, 2023 the Petitioner's Committee for Citizens for Blue Springs for Backyard Hens filed an Affidavit which included a proposed Bill amending the Blue Springs Code of Ordinances relating to backyard hens; and

WHEREAS, the Petitioner's Committee circulated the Petition and the Jackson County Election Board verified 2,462 signatures, leaving 416 signatures required to constitute a valid Petition; and

WHEREAS, Councilmembers Chris Lievsay and Kent Edmondson have requested the Petitioner's Committee's proposed Bill amending the Code of Ordinances be placed on the April 2, 2024 ballot; and

WHEREAS, after due consideration, the City Council desires to submit to the electors of the City of Blue Springs, Missouri certain proposed Code amendments at the April 2, 2024 election, which is the next General Municipal Election to be held in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BLUE SPRINGS, MISSOURI, as follows:

Section 1. That a general municipal election is called and shall be held on April 2, 2024, for the purpose of submitting to the voters the question of whether to amend Section 215.125: Livestock and Farm Animals and add Section 215.140 Backyard Hens to the Blue Springs Code of Ordinances.

Section 2. Ballot Question. The ballot question shall be:

QUESTION

Shall the City of Blue Springs amend Section 215.125: Livestock and Farm Animals and add Section 215.140 Backyard Hens to the Blue Springs Code of Ordinances as follows:

NOTE: LANGUAGE TO BE ADDED IS UNDERLINED. LANGUAGE TO BE DELETED IS SHOWN AS STRICKEN. Sections and Subsections not set out herein are not amended or changed.

Section 1. That Section 215.125 of the Code of Ordinances, City of Blue Springs, Missouri shall be amended to reach as follows:

Section 215.125 Livestock And Farm Animals.
[R.O. 1996 § 215.125; Ord. No. 3179 § 3, 11-1-1999; Ord. No. 4769, 10-1-2018]

No livestock or farm animals, ~~including poultry,~~ even if considered pets by the owner, shall be kept in any residentially zoned district within the City of Blue Springs unless they are allowed and approved as a conditional use pursuant to Title IV of the Code of Ordinances, City of Blue Springs, Missouri.

Section 3. That the Code of Ordinances, City of Blue Springs, Missouri, is hereby amended by adding a section, to be numbered Section 215.140: Backyard Hens, which said Section reads as follows:

Section 214.140 Backyard Hens

Definitions:

For purposes of this chapter, these words and phrases shall have the following meaning:

A. **Backyard Hens** or **Hens** means chickens and ducks of the female sex. This definition does not include male chickens or ducks – roosters or drakes, or other fowl, such as, but not limited to, peacocks, turkeys, guinea fowls, or geese, all of which are not permitted.
B. **Coop** means an enclosed and roofed structure for housing hens that provides shelter from the elements.
C. **Run** means an enclosed outside yard or area for keeping backyard hens.
D. **Tractor** means a movable coop or run lacking a floor, to allow for access to grass.
E. **Enclosure** means coop, tractor or run.
F. **Nuisance** means any act which is unreasonably annoying or vexatious to another or substantially interferes with the rights of others and shall include, but not be limited to, obnoxious odors, excessive noise, and creation of an environment attractive to other animals or insects. More than three substantiated violations of this title within a twelve-month period will automatically constitute a nuisance.

Keeping of Backyard Hens:

A. The backyard hens will be kept or always maintained in a safe and sanitary manner.
B. The coop in which the backyard hens are kept or confined will be adequately lighted and ventilated and is so constructed and maintained that they can be kept in a clean and sanitary condition.
C. The health and well-being of the backyard hens will not in any way be endangered by the manner of keeping or confinement.
D. The backyard hens will not harm the surrounding neighborhood or disturb the peace and quiet of the surrounding neighborhood.
E. The backyard hens will not cause fouling of the air by offensive odors and thereby create or cause unreasonable annoyance or discomfort to neighbors or others near the premises where the hens are kept.
F. The backyard hens will not unreasonably annoy humans, endanger the life, health or safety of other animals or persons, or substantially interfere with the rights of citizens to the enjoyment of life or property.
G. The backyard hens will not repeatedly run or be found at large, will not damage or deposit excretory matter upon the property of anyone other than their owner, and will not molest or intimidate pedestrians or passersby.
H. The backyard hens will not make disturbing noises, including but not limited to, continued and repeated or untimely crowing, whining, growling, cry or other utterances causing unreasonable annoyance, disturbance or discomfort to

neighbors and others in close proximity to the premises where the backyard hens are kept, or otherwise be offensive or dangerous to the public health, safety or welfare, by virtue of their behavior, number, type or manner of keeping.

I. The keeping of the backyard hens will adhere to the Performance Standards set forth below.

Performance Standards:

A. Number and type of Backyard Hens allowed:
   1. Number of Backyard Hens -The maximum number of Backyard Hens allowed is six (6) per tract of land regardless of how many dwelling units are on the tract.
   2. The number of hens kept per this chapter is exempt from the Number of Animals allowed per Section 215.030.
   3. There is no restriction on the species of chicken or duck.

B. Locational Requirements:
   1. Residentially zoned properties developed with a detached single-family dwelling or duplex.
   2. Backyard hens shall only be kept upon property which is the principal residence of the owner of the hens. Tenants and renters of property may keep backyard hens with the written permission of the property owner.
   3. Any coop or run must be located a minimum of ten (10) feet from property lines and at least forty (40) feet from any residential dwelling, church, school, or place of business on an adjacent tract.
   4. No coop, run or tractor shall be placed in any area of property that is considered frontage, as defined by other applicable sections or the development ordinance.

C. Enclosures:
   1. Backyard Hens must have a coop and attached run. An additional tractor is optional and may not be used as the primary coop.
   2. Backyard Hens must always be kept in an enclosure or fenced area. During daylight hours, hens may be allowed outside of their enclosure in a securely fenced yard if under supervision. Backyard hens shall be secured within a coop during non-daylight hours.
   3. All enclosures must be kept clean, dry, odor-free, neat and in sanitary condition at all times.
   4. All enclosures must provide adequate ventilation and adequate sun and shade and must be impermeable to predators, including wild birds, dogs and cats.
   5. All enclosures shall be designed to provide safe and healthy living conditions for the hens while minimizing adverse impacts to other residents in the neighborhood.
   6. All enclosures shall be well maintained.
   7. A coop must provide hens protection from wind, rain, snow, and extreme temperatures.
   8. Enclosure Guidelines
      a. A coop or tractor shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and secured. Opening windows and vents must be covered with predator and bird proof wire of less than one-inch openings.
      b. The floor area of a coop or tractor must equal at least 4 square feet per hen. The floor area of the run must equal at least 6 square feet per hen.

c. No coop, tractor or run shall exceed 200 square feet.
d. The exterior height of any enclosure including any risers or pedestals, shall not exceed ten (10) feet.
e. Materials:
1) Materials used shall be impervious to moisture so that the surface does not permit the absorption of fluids. This may be accomplished by sealing with paint or using a material that is impervious to moisture by nature. The surface shall be routinely maintained. If paint is peeling, it must be repainted to seal the surface.
2) A run shall consist of sturdy wire fencing. The run must be covered with wire, aviary netting or solid roofing.

D. Backyard Hens At large:
1. Backyard hens shall not be allowed to run at large. It shall further be unlawful to picket or tie any such animal for the purpose of grazing or feeding.
2. No dog, cat or other domestic animal which kills a hen running at large will, for that reason alone, be considered a dangerous or prohibited animal.

E. Odor and noise impacts:
1. Odor from backyard hens, manure or other related substances shall not be perceptible at the property boundaries.
2. Perceptible noise from the hens shall not be loud enough at the property boundary to disturb persons of reasonable sensitivity.

F. Predators, rodents, insects, and parasites:
1. The backyard hen owner shall take necessary actions to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Hens found to be infested with insects and parasites that may result in unhealthy conditions for human inhabitants may be removed by an animal control officer.

G. Feed and Water:
1. Backyard Hens shall always be provided with access to feed and clean water. The feed and water shall be unavailable to rodents, wild birds, and predators.

H. Waste storage and removal:
1. The backyard hen owner must provide for the storage and removal of manure. All stored manure shall be covered in a fully enclosed structure with a roof or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed. All enclosures and the surrounding areas must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

Unlawful acts:

A. It shall be unlawful for any person to keep or otherwise maintain backyard hens unless they are kept in accordance with the provision of this Chapter.
B. It shall further be unlawful for any owner, renter, or leaseholder of any such property to allow backyard hens to be kept or maintained in or upon such property in violation of the provisions of this Chapter.
C. Keeping backyard hens is for non-commercial purposes only. It shall be unlawful to engage in breeding or fertilizer production for commercial purposes upon any single or two-family residential property within the City.

Violation:
As provided in this article, any person who fails to adhere to or otherwise violates this article is guilty of a municipal ordinance violation punishable according to law.

YES ☐

NO ☐

Section 4. That the form of Notice of Election showing said Question, a copy of which is attached hereto and made a part hereof as **Exhibit A**, is hereby approved.

Section 5. That amendments to the Blue Springs Code of Ordinances approved by a majority of the voters of the City at the April 2, 2024 election, shall become effective at the first meeting of the City Council after certification of the election results.

Section 6. That the City Clerk is hereby authorized and directed to notify the Board of Election Commissioners of Jackson County, Missouri of the passage of the Ordinance no later than 5:00 P.M. on Tuesday, January 23, 2024, in accordance with the laws applicable to this election.

Section 7. That this Ordinance shall be in full force and effect from and after its passage and approval.

Section 8. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Administrator without the need to come before the City Council.

PASSED by the City Council of the City of Blue Springs, Missouri, and approved by the Mayor of Blue Springs, this 16th day of January, 2024.

CITY OF BLUE SPRINGS

_____
Carson Ross, Mayor

ATTEST:

_____
Erin Ford, City Clerk

1st Reading: _____
2nd Reading: _____

EXHIBIT A

NOTICE OF GENERAL MUNICIPAL ELECTION
CITY OF BLUE SPRINGS
TUESDAY, APRIL 2, 2024

Notice is hereby given to the registered qualified voters of the City of Blue Springs, Jackson County, Missouri, that the City Council has called an Election to be held on Tuesday, April 2, 2024. The polls will be open between the hours of 6:00 a.m. and 7:00 p.m. The official ballot will be substantially in the following form:

OFFICIAL SAMPLE BALLOT
CITY OF BLUE SPRINGS, MISSOURI
GENERAL MUNICIPAL ELECTION
TUESDAY, APRIL 2, 2024

QUESTION

Shall the City of Blue Springs amend Section 215.125: Livestock and Farm Animals and add Section 215.140 Backyard Hens to the Blue Springs Code of Ordinances as follows:

NOTE: LANGUAGE TO BE ADDED IS UNDERLINED. LANGUAGE TO BE DELETED IS SHOWN AS STRICKEN. Sections and Subsections not set out herein are not amended or changed.

Section 1. That Section 215.125 of the Code of Ordinances, City of Blue Springs, Missouri shall be amended to reach as follows:

Section 215.125 Livestock And Farm Animals.
[R.O. 1996 § 215.125; Ord. No. 3179 § 3, 11-1-1999; Ord. No. 4769, 10-1-2018]

No livestock or farm animals, ~~including poultry,~~ even if considered pets by the owner, shall be kept in any residentially zoned district within the City of Blue Springs unless they are allowed and approved as a conditional use pursuant to Title IV of the Code of Ordinances, City of Blue Springs, Missouri.

Section 2. That the Code of Ordinances, City of Blue Springs, Missouri, is hereby amended by adding a section, to be numbered Section 215.140: Backyard Hens, which said Section reads as follows:

Section 214.140 Backyard Hens
Definitions:
For purposes of this chapter, these words and phrases shall have the following meaning:

A. **Backyard Hens** or **Hens** means chickens and ducks of the female sex. This definition does not include male chickens or ducks – roosters or drakes, or other fowl, such as, but not limited to, peacocks, turkeys, guinea fowls, or geese, all of which are not permitted.

B. **Coop** means an enclosed and roofed structure for housing hens that provides shelter from the elements.
C. **Run** means an enclosed outside yard or area for keeping backyard hens.
D. **Tractor** means a movable coop or run lacking a floor, to allow for access to grass.
E. **Enclosure** means coop, tractor or run.
F. **Nuisance** means any act which is unreasonably annoying or vexatious to another or substantially interferes with the rights of others and shall include, but not be limited to, obnoxious odors, excessive noise, and creation of an environment attractive to other animals or insects. More than three substantiated violations of this title within a twelve-month period will automatically constitute a nuisance.

Keeping of Backyard Hens:

A. The backyard hens will be kept or always maintained in a safe and sanitary manner.
B. The coop in which the backyard hens are kept or confined will be adequately lighted and ventilated and is so constructed and maintained that they can be kept in a clean and sanitary condition.
C. The health and well-being of the backyard hens will not in any way be endangered by the manner of keeping or confinement.
D. The backyard hens will not harm the surrounding neighborhood or disturb the peace and quiet of the surrounding neighborhood.
E. The backyard hens will not cause fouling of the air by offensive odors and thereby create or cause unreasonable annoyance or discomfort to neighbors or others near the premises where the hens are kept.
F. The backyard hens will not unreasonably annoy humans, endanger the life, health or safety of other animals or persons, or substantially interfere with the rights of citizens to the enjoyment of life or property.
G. The backyard hens will not repeatedly run or be found at large, will not damage or deposit excretory matter upon the property of anyone other than their owner, and will not molest or intimidate pedestrians or passersby.
H. The backyard hens will not make disturbing noises, including but not limited to, continued and repeated or untimely crowing, whining, growling, cry or other utterances causing unreasonable annoyance, disturbance or discomfort to neighbors and others in close proximity to the premises where the backyard hens are kept, or otherwise be offensive or dangerous to the public health, safety or welfare, by virtue of their behavior, number, type or manner of keeping.
I. The keeping of the backyard hens will adhere to the Performance Standards set forth below.

Performance Standards:

A. Number and type of Backyard Hens allowed:
    1. Number of Backyard Hens -The maximum number of Backyard Hens allowed is six (6) per tract of land regardless of how many dwelling units are on the tract.
    2. The number of hens kept per this chapter is exempt from the Number of Animals allowed per Section 215.030.
    3. There is no restriction on the species of chicken or duck.
B. Locational Requirements:
    1. Residentially zoned properties developed with a detached single-family dwelling or duplex.
    2. Backyard hens shall only be kept upon property which is the principal residence of the owner of the hens. Tenants and renters of property

may keep backyard hens with the written permission of the property owner.

3. Any coop or run must be located a minimum of ten (10) feet from property lines and at least forty (40) feet from any residential dwelling, church, school, or place of business on an adjacent tract.
4. No coop, run or tractor shall be placed in any area of property that is considered frontage, as defined by other applicable sections or the development ordinance.

C. Enclosures:
1. Backyard Hens must have a coop and attached run. An additional tractor is optional and may not be used as the primary coop.
2. Backyard Hens must always be kept in an enclosure or fenced area. During daylight hours, hens may be allowed outside of their enclosure in a securely fenced yard if under supervision. Backyard hens shall be secured within a coop during non-daylight hours.
3. All enclosures must be kept clean, dry, odor-free, neat and in sanitary condition at all times.
4. All enclosures must provide adequate ventilation and adequate sun and shade and must be impermeable to predators, including wild birds, dogs and cats.
5. All enclosures shall be designed to provide safe and healthy living conditions for the hens while minimizing adverse impacts to other residents in the neighborhood.
6. All enclosures shall be well maintained.
7. A coop must provide hens protection from wind, rain, snow, and extreme temperatures.
8. Enclosure Guidelines
    a. A coop or tractor shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and secured. Opening windows and vents must be covered with predator and bird proof wire of less than one-inch openings.
    b. The floor area of a coop or tractor must equal at least 4 square feet per hen. The floor area of the run must equal at least 6 square feet per hen.
    c. No coop, tractor or run shall exceed 200 square feet.
    d. The exterior height of any enclosure including any risers or pedestals, shall not exceed ten (10) feet.
    e. Materials:
        1) Materials used shall be impervious to moisture so that the surface does not permit the absorption of fluids. This may be accomplished by sealing with paint or using a material that is impervious to moisture by nature. The surface shall be routinely maintained. If paint is peeling, it must be repainted to seal the surface.
        2) A run shall consist of sturdy wire fencing. The run must be covered with wire, aviary netting or solid roofing.

D. Backyard Hens At large:
1. Backyard hens shall not be allowed to run at large. It shall further be unlawful to picket or tie any such animal for the purpose of grazing or feeding.
2. No dog, cat or other domestic animal which kills a hen running at large will, for that reason alone, be considered a dangerous or prohibited animal.

E. Odor and noise impacts:
1. Odor from backyard hens, manure or other related substances shall not be perceptible at the property boundaries.

2. Perceptible noise from the hens shall not be loud enough at the property boundary to disturb persons of reasonable sensitivity.

F. Predators, rodents, insects, and parasites:
   1. The backyard hen owner shall take necessary actions to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Hens found to be infested with insects and parasites that may result in unhealthy conditions for human inhabitants may be removed by an animal control officer.

G. Feed and Water:
   1. Backyard Hens shall always be provided with access to feed and clean water. The feed and water shall be unavailable to rodents, wild birds, and predators.

H. Waste storage and removal:
   1. The backyard hen owner must provide for the storage and removal of manure. All stored manure shall be covered in a fully enclosed structure with a roof or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed. All enclosures and the surrounding areas must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

Unlawful acts:

A. It shall be unlawful for any person to keep or otherwise maintain backyard hens unless they are kept in accordance with the provision of this Chapter.

B. It shall further be unlawful for any owner, renter, or leaseholder of any such property to allow backyard hens to be kept or maintained in or upon such property in violation of the provisions of this Chapter.

C. Keeping backyard hens is for non-commercial purposes only. It shall be unlawful to engage in breeding or fertilizer production for commercial purposes upon any single or two-family residential property within the City.

Violation:

As provided in this article, any person who fails to adhere to or otherwise violates this article is guilty of a municipal ordinance violation punishable according to law.

YES ☐

NO ☐

Given under my hand the Official Seal of the City of Blue Springs, Missouri, this 19th day of January 2024.

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Erin Ford
City Clerk