



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 250011

Submitted Department/Preparer: City Planning

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Rezoning an area of about 7.2 acres generally located at 9806 N Oak Trafficway from District MPD to District MPD and approving a development plan to allow for a major amendment to a Master Planned Development for a drive-through restaurant. (CD-CPC-2024-00149).

### Discussion

The plan proposes amending the use of Lot 4 from auto repair, limited (oil change) to a drive-through eating and drinking establishment. Popeye's is the proposed tenant for Lot 4, whereas the previously approved plan showed a drive-through restaurant for Popeye's on Lot 5. The proposed building is 2,700 square feet with two drive-through lanes fronting N Oak Trafficway.

Access to Lot 4 is from the private drive to the west. Vehicles will circulate counterclockwise on the site through the parking area and drive-through. 27 parking spaces are provided on Lot 4 and there are no proposed changes to the other lots within the plan area.

Landscape screening will be installed between the drive-through and North Oak Trafficway and the private drive to the north. Stormwater detention basin is proposed between the drive-through and N Oak Trafficway

Proposed building materials include wood siding, brick, and EIFS.

CPC recommended approval. Staff received one formal letter of testimony in opposition to the project and at least 3 calls from other neighbors with concerns about another fast-food drive-through along this corridor across from residences.

The proposed plan does not greatly contribute to any of the Citywide Business Plan goals and objectives.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?  
Not applicable as this is a zoning ordinance authorizing physical development of a property by a private developer.
3. How does the legislation affect the current fiscal year?  
Not applicable as this is a zoning ordinance authorizing physical development of a property by a private developer.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
There are no public improvements with the propose ordinance; therefore, there is not anticipated future fiscal impact on the City.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
This ordinance authorizes physical development of the subject property, which may generate revenue.

**Office of Management and Budget Review**

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No
2. This fund has a structural imbalance.  Yes  No
3. Account string has been verified/confirmed.  Yes  No

**Additional Discussion (if needed)**

No account string to verify as this ordinance has no direct fiscal impact.

**Citywide Business Plan (CWBP) Impact**

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?  
Inclusive Growth and Development (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):

- Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts.
- Ensure quality, lasting development of new growth.
- Increase and support local workforce development and minority, women, and locally owned businesses.
- Create a solutions-oriented culture to foster a more welcoming business environment.
- Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States.
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## Prior Legislation

**Case No. CD-CPC-2021-00208 – Ordinance 220235** 9700 N Oak - A request to approve a major amendment to the approved MPD (Master Planned Development District) preliminary development plan, which also serves as preliminary plat to create five (5) lots and one (1) tract on about 7.2 acres, generally located at the northwest corner of N. Oak Trfy and NE. 97th St. *Approved March 28, 2022*

**Case No. CD-CPC-2023-00131 – Ordinance 240510** - approval of a major amendment to a previously approved Master Planned Development to allow for an oversized menu board monument sign in district MPD on about 1.4 acres generally located at the northwest corner of NE 97th Street and N Oak Trafficway. *Approved 6/27/2024*

## Service Level Impacts

None

## Other Impacts

1. What will be the potential health impacts to any affected groups?  
This ordinance was not evaluated for potential health impacts. Nearby residents expressed concern about trash, vehicle exhaust, noise, and spillover lighting.
2. How have those groups been engaged and involved in the development of this ordinance?  
This project complies with the public engagement requirements in section 88-505-12.
3. How does this legislation contribute to a sustainable Kansas City?

This ordinance is not expected to contribute to a sustainable Kansas City. The ordinance authorizes development of a drive-through restaurant (one of five permitted for this Master Planned Development). The proposed development doesn't enhance pedestrian and mixed-use development even though it is within walking distance of a large apartment complex and residential neighborhoods.

4. Does this legislation create or preserve new housing units?  
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Private development project.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)