



**Agenda**

**Neighborhood Planning and Development Committee**

Chairperson Ryana Parks-Shaw

Vice Chair Eric Bunch

Councilmember Nathan Willett

Councilmember Melissa Patterson Hazley

**Tuesday, July 30, 2024**

**1:30 PM**

**26th Floor, Council Chamber**

**Webinar Link: <https://us02web.zoom.us/j/84530222968>**

**PUBLIC OBSERVANCE OF MEETINGS**

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

Any closed session may be held via teleconference.

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

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

**\*\*\*PUBLIC TESTIMONY IS LIMITED TO TWO MINUTES\*\*\***

**Director of Housing and Community Development**

**[240619](#)**

Sponsor: Director of Housing and Community Development Department

Authorizing the CCED Board to request re-appropriation of funds in the amount of \$422,354.00 from the Central City Sales Tax Fund-Projects into the Central City Sales Tax Fund to claw back funds from withdrawn CCED project.

**Attachments:**

[Docket Memo 0.1.5](#)

[TMP-4498 Admin Approp.xlsx](#)

**Director of Housing and Community Development**

**240620** Sponsor: Director of Housing and Community Development Department

Accepting the recommendations of the Central City Economic Development Board; reducing an existing appropriation by \$15,460,058.00 and appropriating \$15,460,058.00 from the Unappropriated Fund Balance in the Central City Economic Development; authorizing the Manager of Procurement Services to execute various funding agreements in accordance with this Ordinance; and authorizing the Director of the Housing and Community Development Department to expend up to \$15,460,058.00 from funds appropriated in the Central City Economic Development Fund.

**Attachments:** [Docket Memo 0.1.5](#)  
[TMP-4499 Admin Approp.xlsx](#)

**Director of Housing and Community Development**

**240633** Sponsor: Director of Housing and Community Development Department

Approving the Substantial Amendment to 2020-2022 One Year Action Plan to reprogram funding for the Community Development Block Grant (CDBG) and the HOME Investment Partnership Program; estimating and appropriating funding in the amount of \$900,478.00 in the HOME Investment Partnership grant funds; authorizing the Director of Housing and Community Development Department to expend \$1,500,000.00 for Jazz District III and Prospect Summit for multifamily housing construction contracts and \$300,000.00 for Amethyst Place; designating requisition authority; and authorizing the Manager of Procurement Services to execute contracts.

**Attachments:** [TMP 4447 Docket Memo](#)  
[Reprogramming CDBG-HOME 2023](#)  
[TMP 4447 Approp Admin](#)

**Curls**

[240639](#) Sponsor: Councilmember Darrell Curls

Extending a moratorium until October 7, 2024, on the approval of any new permits, including building code permits and special use permits, plan review, project plans, and zoning changes, where the subject matter of the project is a proposed gas station, provided that the moratorium shall not apply in certain circumstances; and directing the City Manager to review and recommend any appropriate changes to the Zoning and Development Code or other City regulations regarding gas stations by August 6, 2024; reducing the Contingent Appropriation in the General Fund and appropriating same to cover notification expenses; and declaring this ordinance as having an accelerated effective date.

**Attachments:** [No Docket Memo 240639](#)

**Curls**

[240640](#) Sponsor: Councilmember Darrell Curls

Amending Chapter 10, Code of Ordinances, Alcoholic Beverages, by repealing and replacing Sections 10-211, 10-214, and 10-261 for the purpose of amending the factors which may be considered when determining whether to waive the presumption that a proposed retail alcoholic beverage license is likely to interfere with or be detrimental to the rights or interests of the neighboring community.

**Attachments:** [docket memo for 240640.docx](#)

**Curls**

[240641](#) Sponsor: Councilmember Darrell Curls

Amending Chapter 10, Code of Ordinances, Alcoholic Beverages, by repealing and replacing Sections 10-1, 10-162, and 10-332 for the purpose of revising the City's liquor control code.

**Attachments:** [Docket memo for 240641.docx](#)

HELD IN COMMITTEE

**Rogers and Patterson Hazley**

[240434](#)

Sponsor: Councilmember Wes Rogers  
SECOND COMMITTEE SUBSTITUTE

\*\*\*PUBLIC TESTIMONY IS LIMITED TO 1 (ONE) MINUTE FOR THIS  
ORDINANCE\*\*\*

Amending Chapter 18, Article XIV, Section 18-367, Code of Ordinances, entitled  
"Adoption of International Energy Conservation Code (2021); amendments," by  
providing an additional path of compliance that accomplishes Strategies B-2 and  
B-3 of the 2022 Climate Protection & Resiliency Plan through a nationally  
recognized system for calculating a home's energy performance; allowing for  
previously approved building plans to be approved under the additional compliance  
path; and providing a method to further improve energy performance over time .

[SECOND COMMITTEE SUBSTITUTE FOR]ORDINANCE NO. 240434

**Attachments:** [240434 Docket Memo](#)

**Director of City Planning & Development**

[240524](#)

Sponsor: Director of City Planning and Development Department

Approving a development plan on about 60 acres, which also serves as a  
preliminary plat, for an industrial development in District M2-3 generally located at  
10951 N. Congress Avenue. (CD-CPC-2024-00038) \*\*\*Held off docket\*\*\*

**Attachments:** [Docket Memo](#)

**Director of City Planning & Development**

[240564](#)

Sponsor: Director of City Planning and Development Department

Approving a development plan on about 2.4 acres in District B3-3 generally located  
at N.W. Tiffany Springs Parkway and Interstate 29 to allow for the construction of a  
hotel. (CD-CPC-2024-00019)

**Attachments:** [Docket Memo 10000NPolo](#)

**Patterson Hazley**

[240572](#)

Sponsor: Councilmember Melissa Patterson Hazley

Directing the City Manager to negotiate and enter into a contract with a non-profit  
organization to improve the efficiency, affordability, and durability of homes in  
disinvested neighborhoods.

**Attachments:** [240572 Docket Memo - Shared Success Fund](#)

ADDITIONAL BUSINESS

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

2. Closed Session

- Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
- Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
- Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
- Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
- Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
- Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
- Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

3. Those who wish to comment on proposed ordinances can email written testimony to [public.testimony@kcmo.org](mailto:public.testimony@kcmo.org). Comments received will be distributed to the committee and added to the public record by the clerk.

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

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

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

Adjournment



**File #: 240619**

ORDINANCE NO. 240619

Sponsor: Director of Housing and Community Development Department

Authorizing the CCED Board to request re-appropriation of funds in the amount of \$422,354.00 from the Central City Sales Tax Fund-Projects into the Central City Sales Tax Fund to claw back funds from withdrawn CCED project.

WHEREAS, Committee Substitute for Ordinance No. 220388 appropriated \$422,354.00 from Unappropriated Fund Balance of the Central City Sales Tax Fund to the Central City Sales Tax Fund-Projects for CCED Projects awarded to CELT Real Estate Holdings, LLC, to rehabilitate an existing structure for the Thirty-Eighth Street Studio & Business Incubator and five residential houses; and

WHEREAS, the CCED Board would like to re-appropriate these unused funds back into the Central City Sales Tax Fund so the funds may be used for future awards; NOW, THEREFORE,

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

Section 1. That the appropriation in the following account of the Central City Economic Development Sales Tax Fund, Fund No. 2200, is hereby reduced by the following amounts:

<i>25-2200-555998-B-57CELT</i>	<i>CELT</i>
<i>\$422,354.00</i>	

*Section 2. That the sum of \$422,354.00 is hereby appropriated from the Unappropriated Fund Balance of the Central City Economic Development Sales Tax Fund, Fund No. 2200, to the following account:*

<i>25-2200- 555998-B-55BUDGET</i>	<i>Housing Budget Integration</i>	<i>\$422,354.00</i>
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..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

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Tammy L. Queen  
Director of Finance

Approved as to form:

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Joseph A. Guarino  
Senior Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 240619

Submitted Department/Preparer: Housing

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

Authorizing the CCED Board to request re-appropriation of funds in the amount of \$422,354 from the Central City Sales Tax Fund-Projects into the Central City Sales Tax Fund to claw back funds from withdrawn CCED project.

### Discussion

The following MBE/WBE goals may apply to all contracts: 02. Construction MBE: 15% WBE: 15% 03. Design/Consulting MBE: 13% WBE: 13% 04. Facility Renovation/Tenant Upgrades/Maintenance MBE: 11% WBE: 11%

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  

25-2200- 555998-B-55BUDGET Housing Budget Integration Account	\$422,354.00
Central City Ec. Dev. Sales Tax Fund	
3. How does the legislation affect the current fiscal year?  
This legislation would authorize the CCED Board to utilize the return of unused funds into the Central City Sales Tax Fund so they may be supported by future awards
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
No
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
No

**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)**

The Central City Sales Tax Fund (2200) has Unappropriated Fund Balance available to support the proposed amount. The unreserved fund balance of the 2200 Fund is \$4,617,000 as of 4/30/2024.

## **Citywide Business Plan (CWBP) Impact**

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?  
Housing and Healthy Communities (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
  - Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
  - Maintain and increase affordable housing supply to meet the demands of a diverse population.
  - Address the various needs of the City's most vulnerable population by working to reduce disparities.
  - Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
  - Ensure all residents have safe, accessible, quality housing by reducing barriers.
  - Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

## **Prior Legislation**

Ordinance 200994 and 220388

## **Service Level Impacts**

A reappropriation of funds financially supports service impacts of the five main goals in CCED's 2020-2027 Strategic Plan: 1. Create organization capacity to accomplish goals and projects. 2. Foster and

maintain diverse and sustainable neighborhoods. 3. Create and expand employment opportunities. 4. Create opportunities for access, equity, and shared prosperity. 5. Enhance opportunities for small and minority-owned business development

## Other Impacts

1. What will be the potential health impacts to any affected groups?  
N/A
2. How have those groups been engaged and involved in the development of this ordinance?  
N/A

3. How does this legislation contribute to a sustainable Kansas City?  
CCED promotes neighborhood stabilization and revitalization by funding housing and development projects that improve the wellbeing of residents and families.

4. Does this legislation create or preserve new housing units?  
Yes (Press tab after selecting)

Total Number of Units Total Number of Units Reappropriating funds allows the CCED Board to reallocate or provide new awards to projects preserving, constructing, or transitioning housing efforts for KCMO families.

Number of Affordable Units [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:

Projects have withdrawn or foreclosed and will no longer be proceeding with awarded CCED projects

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)



**APPROPRIATION TRANSACTION**  
CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: **Housing and Community Development**

BUSINESS UNIT: **KCMBU**      DATE: **7/17/2024**      JOURNAL ID: \_\_\_\_\_

LEDGER GROUP: **ADMIN**      BUDGET PERIOD: **2025**

<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
2200	555998	619080	55BUDGET	\$ 422,354.00
2200-	555998	619080	57CELT	\$ (422,354.00)

TOTAL \_\_\_\_\_ -

**DESCRIPTION:**  
 Re-appropriation of funds in the amount of \$422,354 from the Central City Sales Tax Fund-Projects into the Central City Sales Tax Fund to claw back funds from withdrawn CCED project 57CELT.

APPROVED BY: \_\_\_\_\_ DATE \_\_\_\_\_ APPROVED BY: DEPARTMENT HEAD \_\_\_\_\_ DATE \_\_\_\_\_



# REQUEST FOR SUPPLEMENTAL REVENUE CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: **Housing and Community Development**

BUSINESS UNIT: **KCMBU**      DATE: **7/17/2024**      JOURNAL ID: \_\_\_\_\_

LEDGER GROUP: **REVENUE**

<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
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TOTAL      \_\_\_\_\_ -

DESCRIPTION:  
\_\_\_\_\_

APPROVED BY:	DATE	APPROVED BY: DEPARTMENT HEAD	DATE
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**File #: 240620**

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ORDINANCE NO. 240620

Sponsor: Director of Housing and Community Development Department

Accepting the recommendations of the Central City Economic Development Board; reducing an existing appropriation by \$15,460,058.00 and appropriating \$15,460,058.00 from the Unappropriated Fund Balance in the Central City Economic Development; authorizing the Manager of Procurement Services to execute various funding agreements in accordance with this Ordinance; and authorizing the Director of the Housing and Community Development Department to expend up to \$15,460,058.00 from funds appropriated in the Central City Economic Development Fund.

WHEREAS, Section 67.1305 of the Revised Statutes of Missouri authorizes the City to impose a retail sales tax not to exceed one-half of one percent if the imposition of such a retail sales tax is submitted to, and then approved by, a majority of the votes cast; and

WHEREAS, on April 4, 2017, pursuant to authority granted by Section 67.1304, RSMo, a majority of Kansas City, Missouri voters approved a new 1/8 of one percent retail sales tax for funding economic development projects within the area bounded by 9th Street on the north, Gregory Boulevard on the south, Paseo Boulevard on the west and Indiana Avenue on the east; and

WHEREAS, the projects serves a predominantly public municipal purpose because, without limitation, completion of the project (i) enhances the tax base of the Project Site; (ii) retains and generates jobs; (iii) promotes economic development in the area of the City in which the Project Site is located, and promotes consideration of areas of the City that the City Council has determined to be blighted as a location for business operations; (iv) results in generation of tax revenues to the City from the conduct of business and other activities in the City that would not otherwise occur; (v) serves as a catalyst for additional investment in and further redevelopment and rehabilitation of the area of the City in which the Project Site is located; and (vi) furthers the City's policy of encouraging economic stability and growth; and

WHEREAS, the City desires to encourage the Developer to carry out the project for the purpose of realizing these predominantly public purposes by entering into an agreement to contribute certain revenues in an amount needed to cause the project to be undertaken and attract the necessary private investment; and

WHEREAS, the contributions contemplated by the Funding Agreement are limited to those which have been determined to be needed for the purpose of ensuring that the project proceeds, and

but for their contribution, the project would not proceed, to the detriment of the public interest;  
NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the recommendations of the Central City Economic Development Board that was issued on July 1, 2024, are hereby accepted.

Section 2. That the sum of \$15,460,058.00 is hereby reduced in the following account of the Central City Economic Development Sales Tax Fund:

25-2200-555998-619080-55Budget Budget Integration Account \$15,460,058.00

Section 3. That the sum of \$15,460,058.00 is hereby appropriated to the following accounts of the Central City Economic Development Sales Tax fund:

<b>Budget Account</b>	<b>Project Name</b>	<b>Funding Award</b>
25-2200-555998-619080-55NLBMUSEUM	Negro Leagues Baseball Museum & Hotel	\$ 3,875,000
25-2200-555998-619080-55LINCOLN	The Historic Lincoln Building	\$ 2,697,115
25-2200-555998-619080-55ADHOC	AdHoc Center Healing and Justice	\$ 2,132,200
25-2200-555998-619080-55EMMANUEL	Emmanuel Science and Technology Center Building Project	\$ 2,000,000
25-2200-555998-619080-55LINVISTA	Linvista Flats Historic Colonnades	\$ 1,189,822
25-2200-555998-619080-55OVERLOOK	Residences at Overlook	\$ 1,000,000
25-2200-555998-619080-55CRISISCTR	Relocating A Rape Crisis Center to the Central City Area	\$ 1,000,000
25-2200-555998-619080-55HOMEOWN	Path to Homeownership Initiative	\$ 650,000
25-2200-555998-619080-55EAST27DEV	East 27th Street Development	\$ 406,666
25-2200-555998-619080-55ESSENFAM	Essential Families Office Building	\$ 355,355
25-2200-555998-619080-55DEVSEEDS	Developing Seeds of Luv	\$ 153,900
<b>TOTAL</b>		\$15,460,058

Section 4. That the Manager of Procurement Services is authorized to execute Funding Agreements for the Projects set forth in Section 3 as negotiated by Director of the Housing and Community Development Department that complies, when applicable, with: the Missouri

Prevailing Wage Law, the City's Contracting Program Requirements set out in Article IV, Chapter 3, Code of Ordinances, (including, but not limited to, the provisions concerning affirmative action, Minority and Women's Business Enterprises and the Small Local Business Enterprises program). Further, the Funding Agreement shall prohibit the use of any CCED sales tax funding for the repayment of any preexisting debt or repayment for services or work performed prior to the execution of the funding agreement and must require the disclosure of total project funding sources and projected costs and periodic reporting of project progress.

Section 5. That the Director of the Housing and Community Development Department is hereby designated as requisitioning authority for Account Nos.

25-2200-555998-619080-55NLBMUSEUM;  
25-2200-555998-619080-55LINCOLN;  
25-2200-555998-619080-55ADHOC;  
25-2200-555998-619080-55EMMANUEL;  
25-2200-55598-619080-55LINVISTA;  
25-2200-55598-619080-55OVERLOOK;  
25-2200-555998-619080-55CRISISCTR;  
25-2200-555998-619080-55HOMEOWN;  
25-2200-555998-619080-55EAST27DEV;  
25-2200-555998-619080-55ESSENFAM; and  
25-2200-555998-619080-55DEVSEEDS.

..end

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I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

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Tammy L. Queen  
Director of Finance

Approved as to form:

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Joseph A. Guarino  
Senior Associate City Attorney





# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 240620

Submitted Department/Preparer: Housing

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

Accepting the recommendations of the Central City Economic Development Board; appropriating \$15,460,058 from the Unappropriated Fund Balance in the Central City Economic Development; authorizing the Director of the Housing and Community Development Department to execute various funding agreements and expend up to \$15,460,058 from funds appropriated in the Central City Economic Development Fund; and requiring certain contract provisions.

### Discussion

. That the sum of \$15,460,058 is hereby appropriated to the following accounts. of the Central City Economic Development Sales Tax fund:

Budget Account	Project Name	Funding Award
25-2200-555998-B-619080-55NLBMUSEUM	Negro Leagues Baseball Museum & Hotel	\$ 3,875,000
25-2200-555998-B-619080-55LINCOLN	The Historic Lincoln Building	\$ 2,697,115
25-2200-555998-B-619080-55ADHOC	AdHoc Center Healing and Justice	\$ 2,132,200
25-2200-555998-B-619080-55EMMANUEL	Emmanuel Science and Technology Center Building Project	\$ 2,000,000
25-2200-555998-B-619080-55LINVISTA	Linvista Flats Historic Colonnades	\$ 1,189,822
25-2200-555998-B-619080-55OVERLOOK	Residences at Overlook	\$ 1,000,000
25-2200-555998-B-619080-55CRISISCTR	Relocating A Rape Crisis Center to the Central City Area	\$ 1,000,000
25-2200-555998-B-619080-55HOMEOWN	Path to Homeownership Initiative	\$ 650,000
25-2200-555998-B-619080-55EAST27DEV	East 27 <sup>th</sup> Street Development	\$ 406,666
25-2200-555998-B-619080-55ESSENFAM	Essential Families Office Building	\$ 355,355
25-2200-555998-B-619080-55DEVSEEDS	Developing Seeds of Luv	\$ 153,900
<b>Total</b>		<b>\$ 15,460,058</b>

### Fiscal Impact

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

2. What is the funding source?  
2200-555998-619080-55Budget \$15,460,058  
Central City Ec. Dev. Sales Tax Fund

3. How does the legislation affect the current fiscal year?  
This ordinance allocates \$15,460,058 of the Central City Economic Development FY25 budget to approved projects.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
No
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
No

**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)**  
Click or tap here to enter text.

**Citywide Business Plan (CWBP) Impact**

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?  
Housing and Healthy Communities (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
- Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
  - Maintain and increase affordable housing supply to meet the demands of a diverse population.

- Address the various needs of the City's most vulnerable population by working to reduce disparities.
- Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
- Ensure all residents have safe, accessible, quality housing by reducing barriers.
- Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

## Prior Legislation

N/a

## Service Level Impacts

The projects serves a predominantly public municipal purpose because, without limitation, completion of the project (i) enhances the tax base of the Project Site; (ii) retains and generates jobs; (iii) promotes economic development in the area of the City in which the Project Site is located, and promotes consideration of areas of the City that the City Council has determined to be blighted as a location for business operations; (iv) results in generation of tax revenues to the City from the conduct of business and other activities in the City that would not otherwise occur; (v) serves as a catalyst for additional investment in and further redevelopment and rehabilitation of the area of the City in which the Project Site is located; and (vi) furthers the City's policy of encouraging economic stability and growth

## Other Impacts

1. What will be the potential health impacts to any affected groups?  
N/A
2. How have those groups been engaged and involved in the development of this ordinance?  
N/a
3. How does this legislation contribute to a sustainable Kansas City?  
project (i) enhances the tax base of the Project Site; (ii) retains and generates jobs; (iii) promotes economic development in the area of the City in which the Project Site is located, and promotes consideration of areas of the City that the City Council has determined to be blighted as a location for business operations; (iv) results in generation of tax revenues to the City from the conduct of business and other activities in the City that would not otherwise occur; (v) serves as a catalyst for additional investment in and further redevelopment and rehabilitation of the area of the City in which the Project Site is located; and (vi) furthers the City's policy of encouraging economic stability and growth
4. Does this legislation create or preserve new housing units?

Yes (Press tab after selecting)

Total Number of Units Total number of units 172

Number of Affordable Units [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:

[Click or tap here to enter text.](#)

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)?

Yes(Press tab after selecting)

In an effort to prevent disclosure of confidential information, a separate communication will be provided to City Council members to reflect the top three proposers for the RFP/Q.



# APPROPRIATION TRANSACTION

## CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: **Housing and Community Development**

BUSINESS UNIT: **KCMBU**      DATE: **7/17/2024**      JOURNAL ID: \_\_\_\_\_

LEDGER GROUP: **ADMIN**      BUDGET PERIOD: **2025**

<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
2200	555998	619080	55NLBMUSEUM	\$ 3,875,000.00
2200	555998	619080	55LINCOLN	\$ 2,697,115.00
2200	555998	619080	55ADHOC	\$ 2,132,200.00
2200	555998	619080	55EMMANUEL	\$ 2,000,000.00
2200	555998	619080	55LINVISTA	\$ 1,189,822.00
2200	555998	619080	55OVERLOOK	\$ 1,000,000.00
2200	555998	619080	55CRISISCTR	\$ 1,000,000.00
2200	555998	619080	55HOMEOWN	\$ 650,000.00
2200	555998	619080	55EAST27DEV	\$ 406,666.00
2200	555998	619080	55ESSENFAM	\$ 355,355.00
2200	555998	619080	55DEVSEEDS	\$ 153,900.00
2200	555998	619080	55BUDGET	\$ (15,460,058.00)

TOTAL \_\_\_\_\_

**DESCRIPTION:**  
 Appropriating \$15,460,058 from the Unappropriated Fund Balance in the Central City Economic Development; authorizing the Director of the Housing and Community Development Department to execute various funding agreements and expend up to \$15,460,058 from funds appropriated in the Central City Economic Development Fund

APPROVED BY: \_\_\_\_\_ DATE \_\_\_\_\_ APPROVED BY: DEPARTMENT HEAD \_\_\_\_\_ DATE \_\_\_\_\_



# REQUEST FOR SUPPLEMENTAL REVENUE

CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: **Housing and Community Development**

BUSINESS UNIT: **KCMBU**

DATE: **7/17/2024**

JOURNAL ID: \_\_\_\_\_

LEDGER GROUP: **REVENUE**

<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL \_\_\_\_\_ -

**DESCRIPTION:**

\_\_\_\_\_

APPROVED BY:

DATE

APPROVED BY: DEPARTMENT HEAD

DATE

\_\_\_\_\_



**File #: 240633**

ORDINANCE NO. 240633

Sponsor: Director of Housing and Community Development Department

Approving the Substantial Amendment to 2020-2022 One Year Action Plan to reprogram funding for the Community Development Block Grant (CDBG) and the HOME Investment Partnership Program; estimating and appropriating funding in the amount of \$900,478.00 in the HOME Investment Partnership grant funds; authorizing the Director of Housing and Community Development Department to expend \$1,500,000.00 for Jazz District III and Prospect Summit for multifamily housing construction contracts and \$300,000.00 for Amethyst Place; designating requisition authority; and authorizing the Manager of Procurement Services to execute contracts.

WHEREAS, the City of Kansas City will provide funding for public facilities, neighborhood revitalization, and housing through the Department of Housing and Urban Development Department Community Development Block Grant and the HOME Investment Partnership Program; and

WHEREAS, funding will be used to provide low to moderate income households to promote housing and community development throughout the City of Kansas City. NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Substantial Amendment to 2020-2022 One Year Action Plan to reprogram funding for the Community Development Block Grant (CDBG) and the HOME Investment Partnership Program is hereby approved and authorized.

Section 2. That the revenue is estimated in the following account of the HOME Investment Partnership Grant Fund in the following amount:

25-2940-570001-476050-G57HOME20	HUD Home Grant	\$ 900,478.00
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Section 3. That the sum of \$900,478.00 is hereby appropriated from the Unappropriated Fund Balance to the following accounts in the HOME Investment Grant Fund:

25-2940-575311-B-G57HOME20	2019 HOME Investment	
Partnership	\$ 900,478.00	

Section 4. That the Director of Housing and Community Development Department is hereby authorized to expend up to \$800,000.00 from funds previously appropriated to the HOME Investment Partnership Fund in Account No. 25-2940-575311-B-G57HOME20 and \$590,000.00 from funds previously appropriated in Account No. 25-2940-575311-B-G57HOME21 and \$110,000.00 from funds previously appropriated in 25-2940-575326-B-G57HOME21 to satisfy the costs of the following multifamily housing construction contracts:

Jazz District III	\$1,000,000.00
Prospect Summit	<u>500,000.00</u>
TOTAL	\$1,500,000.00

Section 5. That the Director of Housing and Community Development Department is hereby authorized to expend up to \$300,000.00 from funds appropriated to the CDBG Fund in Account No. 25-2600-575311-B-G57CDBG21 for Neighborhood Revitalization to satisfy the costs of the following contract.

Amethyst Place	\$ 300,000.00
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Section 6. That the Director of Housing and Community Development Department is hereby designated as the requisitioning authority.

Section 7. That the Manager of Procurement Services is authorized to execute all necessary contracts.

..end

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I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

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Tammy L. Queen  
Director of Finance

Approved as to form:

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Joseph A. Guarino  
Senior Associate City Attorney





# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 240633

Submitted Department/Preparer: Housing

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

Approving the Substantial Amendment to 2020-2022 One Year Action Plan to reprogram funding for the Community Development Block Grant (CDBG) and the HOME Investment Partnership Program. Estimating and appropriating funding in the amount of \$900,478.00 in the HOME Investment Partnership grant funds; and authorizing the Housing and Community Development Department to execute contracts.

### Discussion

Several City programs and services rely on grant funding from the US Department of Housing and Urban Development: CDBG provides public services, public facilities, minor home repair, elimination of blight and acquisition, housing renovation and construction and assistance to persons with AIDS, and to finance the City's development housing programs; Emergency Solutions funds shelter operations and essential services. To continue to fund these services, the City must submit amendments to their Action Plans and Consolidated Plans for HUD. This legislation certifies that the 2024 Action Plan and Substantial Amendments for the Consolidated Plan 2022-2026 have been prepared and will be submitted to the US Department of Housing and Urban Development for consideration.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  
The US Department of Housing and Urban Development, managed through the following City funds:  
2600 - Community Development Block Grants (CDBG)  
2940 - HOME Investment Partnership
3. How does the legislation affect the current fiscal year?  
This legislation approves fund use from FY 2020-2022

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
No future fiscal impact
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
This legislation uses funding from the US Department of Housing and Urban Development to support affordable housing, homelessness, housing for persons with AIDS and childcare

**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)**

N/A

**Citywide Business Plan (CWBP) Impact**

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?  
Housing and Healthy Communities (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
  - Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
  - Maintain and increase affordable housing supply to meet the demands of a diverse population.
  - Address the various needs of the City's most vulnerable population by working to reduce disparities.
  - Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
  - Ensure all residents have safe, accessible, quality housing by reducing barriers.
  - Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

## Prior Legislation

### Ordinance 220433

Approving the Substantial Amendment to 2017-2021 One Year Action Plan to reprogram funding for the HOME Investment Partnership Program in the amount of \$1,546,887.00; authorizing the Housing and Community Development Department to execute contracts; designating requisitioning authority.

### Ordinance 220332

Approving the Substantial Amendments to the 2017 One Year Action Plan, the 2018 One Year Action Plan, the 2019 One Year Action Plan, the 2020 One Year Action Plan and the 2021 One Year Action Plan to reprogram Community Development Block Grant (CDBG) funds; estimating revenues and appropriating funds in the amount of \$1,542,800.00 in the Community Development Block Grant Fund; and designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

## Service Level Impacts

Funding will be used to support affordable housing, homelessness, housing for persons with AIDS and childcare.

## Other Impacts

1. What will be the potential health impacts to any affected groups?  
The funds are used to improve environmental conditions for citizens.
2. How have those groups been engaged and involved in the development of this ordinance?  
The Health Department, Housing Department along with the City Manager's office will improve the livability of the citizens of Kansas City Missouri
3. How does this legislation contribute to a sustainable Kansas City?  
This legislation will increase housing production, provide minor home repair, decrease homelessness and improve the environment
4. Does this legislation create or preserve new housing units?  
Yes (Press tab after selecting)

Total Number of Units Under 500

Number of Affordable Units Under 500

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:

Although HUD funded contracts may require workforce programming, M/WBE participation as well as CREO goals, this ordinance does not serve as an actual contract for project development.

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

No(Press tab after selecting)

RFP was released and proposal results attached

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

Yes(Press tab after selecting)

In an effort to prevent disclosure of confidential information, a separate communication will be provided to City Council members to reflect the top three proposers for the RFP/Q.

<u>CDBG Applicant Name</u>	<u>HUD CDBG/HOME Reprogrammed 2023</u>	<u>Awarded Amount</u>	<u>Request Funding</u>	<u>Notes</u>
<b>Amethyst Place Inc</b>		<b>\$300,000.00</b>	<b>\$300,000.00</b>	
CHES		\$0.00	\$288,500.00	Applicant is under guideline review for further project funding
ReStart		\$0.00	\$250,000.00	Applicant not recommended for project funding
*Our Spot		\$0.00	\$100,000.00	*Choice Limited Action Must use funding only for vacant property at (address)
Kansas City Community Land Trust	Ineligible		\$20,000.00	
Northland Neighborhoods	Ineligible		\$250,000.00	
Jersuleum Farm	Ineligible		\$95,000.00	
<b>TOTAL AWARDED</b>		<b>\$300,000.00</b>		
<b>HOME Applicant Name</b>				
ReStart		\$0.00	\$500,000	Applicant changed site location of proposed project after initial submission
Neighborhoods of Hope; St. Matthews		\$0.00	\$350,000	Received \$650,000 during 2023 Annual Round in HOME dollars
<b>Jazz District III</b>		<b>\$1,000,000.00</b>	<b>\$1,000,000</b>	
<b>Prospect Summitt (Taliaferro)</b>		<b>\$500,000.00</b>	<b>\$1,000,000</b>	
<b>TOTAL AWARDED</b>		<b>\$1,500,000.00</b>		





**REQUEST FOR SUPPLEMENTAL REVENUE**  
**CITY OF KANSAS CITY, MISSOURI**

DEPARTMENT: **Housing and Community Development**

BUSINESS UNIT: **KCMBU**      DATE: **7/17/2024**      JOURNAL ID: \_\_\_\_\_

LEDGER GROUP: **REVENUE**

<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
2940	570001	476050	G57HOME20	\$900,478.00
TOTAL				900,478.00

**DESCRIPTION:**  
Estimating and appropriating funding in the amount of \$900,478.00 in the HOME Investment Partnership grant funds;

APPROVED BY: \_\_\_\_\_ DATE \_\_\_\_\_ APPROVED BY: DEPARTMENT HEAD \_\_\_\_\_ DATE \_\_\_\_\_



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**File #: 240639**

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ORDINANCE NO. 240639

Sponsor: Councilmember Darrell Curls

Extending a moratorium until October 7, 2024, on the approval of any new permits, including building code permits and special use permits, plan review, project plans, and zoning changes, where the subject matter of the project is a proposed gas station, provided that the moratorium shall not apply in certain circumstances; and directing the City Manager to review and recommend any appropriate changes to the Zoning and Development Code or other City regulations regarding gas stations by August 6, 2024; reducing the Contingent Appropriation in the General Fund and appropriating same to cover notification expenses; and declaring this ordinance as having an accelerated effective date.

WHEREAS, in August of 2022, the City Council adopted the City's Climate Protection and Resiliency Plan, which included a goal of reducing greenhouse gas emissions; and

WHEREAS, exposure to common contaminants found at gas stations, such as gasoline, diesel, petroleum oil, volatile organic compounds and solvents, polycyclic aromatic hydrocarbons, and lead can threaten the public health, safety, or welfare of neighboring communities; and

WHEREAS, the City Council finds that in the interest of protecting the public safety, health, and welfare of Kansas Citians, it is necessary to review regulations concerning the placement, establishment, and operation of businesses involved in the sale of gasoline, diesel, and other motor vehicle fuel products; and

WHEREAS, the City Council believes the adoption of a temporary moratorium is necessary to allow City staff sufficient time to analyze the burdens that such land uses currently pose and are likely to pose in the future so that appropriate regulatory controls and zoning changes may be adopted; NOW, THEREFORE,

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

Section 1. That the City Council hereby declares that there is a moratorium until October 7, 2024, on the approval of any permits, including building code permits and special use permits, plan review, project plans, and zoning changes, where the subject matter of the project is a proposed gas station. Applications for gas stations that are for: (1) plan review and issuance of permits, including building code permits and special use permits, for existing gas station uses that simply maintain status quo but do not include a request to expand existing facilities; (2) the



construction of new gas stations that have been previously approved by the City Council through approval of a development plan or master planned development plan; and (3) the construction of a new gas stations that involve the demolition of an existing gas station on or adjacent to the same property and located in a manufacturing (M) zoning district and not within 200 feet of a residential (R) zoning district are not subject to this moratorium. Notwithstanding the foregoing, all gasoline and fuel sales that meet the criteria within this Section 1 are permitted within 200 feet of a residential (R) zoning district if the property abuts an interstate highway.

Section 2. That the City Manager is directed to review and recommend any appropriate changes to zoning and other relevant regulatory controls over the uses subject to the moratorium and to report back to the City Council by August 6, 2024.

Section 3. That the Council finds and declares that before taking any action on the ordinance hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

Section 4. That the City Manager or his designee shall establish a program for the purpose of informing the business community of the moratorium.

Section 5. Reducing the following appropriation in the General Fund by the following amount:

25-1000-179990-B	Contingent Appropriation	\$1,000.00
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Section 6. That the sum of \$1,000.00 is hereby appropriated from the Unappropriated Fund Balance of the General Fund:

25-1000-101435-613980	Advertising Expense	\$1,000.00
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Section 7. That the City Manager is hereby designated as requisitioning authority for Account No. 25-1000-101435-613980-B.

Section 8. That this Ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter in that it appropriates money, and shall take effect in accordance with that section.

..end

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I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

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Tammy L. Queen  
Director of Finance

I hereby certify that the foregoing ordinance was duly advertised, and public hearings were held.

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Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney

**No Docket  
Memo Provided  
for Ordinance  
No. 240639**



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**File #: 240640**

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ORDINANCE NO. 240640

Sponsor: Councilmember Darrell Curls

Amending Chapter 10, Code of Ordinances, Alcoholic Beverages, by repealing and replacing Sections 10-211, 10-214, and 10-261 for the purpose of amending the factors which may be considered when determining whether to waive the presumption that a proposed retail alcoholic beverage license is likely to interfere with or be detrimental to the rights or interests of the neighboring community.

WHEREAS, on February 8, 2024, the City Council passed Committee Substitute for Ordinance No. 240150, as Amended, which declared a moratorium on the issuance of certain retail liquor licenses and directed the City Manager to review current City Code, regulations, and policies regarding the issuance of certain retail liquor licenses; and

WHEREAS, said ordinance further directed the City Manager to recommend any appropriate changes to City Code, regulations, and policies to Council; and

WHEREAS, the City Council believes adopting the proposed staff recommendations is in the interest of protecting the public safety, health, and welfare of Kansas Citizens; NOW, THEREFORE,

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

Section 1. That Chapter 10, Code of Ordinances of Kansas City, Missouri, is hereby amended by repealing Section 10-211, Number of retail alcohol beverage licenses, Section 10-214, Eligible neighbor notification, and Section 10-261, Renewals, and replacing with sections of like number and subject matter, to read as follows:

**Sec. 10-211. Number of retail alcoholic beverage licenses.**

A significant concentration of alcoholic beverage licenses within any segment of the community is likely to interfere with or be detrimental to the rights or interests of the community. For purposes of this section, it shall be presumed that a proposed license is likely to interfere with or be detrimental to the rights or interests of the neighboring community if the location of the proposed license will exceed the limitations outlined in this section. The number of alcoholic beverage licenses issued by the director shall be limited on the following basis:

(1) *Retail sales-by-drink licenses.* One retail sales-by-drink license may be issued for population of zero to 1,500, and one additional retail sales-by-drink license may be issued for each additional 1,500 population which exceeds the first 1,500 population, contained within the entire boundaries of any United States census blocks located in the city, and which census blocks are located wholly within or intersected by a 3,000-foot radius from a proposed licensed premises, as measured from the center of the door to be used as the main entrance to the premises. For a premises that is currently in operation, the center of the door for the main entrance to the premises shall be determined by the entrance naturally used by the public frequenting the premises. The applicant shall furnish to the director two coordinates expressed in feet, based on the North American Datum 1983 Missouri West State Plane Coordinate System, identifying the center of the door for the main entrance to the premises. The limitations provided in this section shall not apply to:

- a. An applicant that proposes to operate a retail sales-by-drink premises and the 3,000-foot radius, as measured from the center of the door for the main entrance of the premises as determined by the entire boundaries of any United States census blocks located in the city and which census blocks are located wholly within or intersected by the radius, has a population of 750 or less.
- b. Retail sales-by-drink licenses issued to hotels, apartment hotels, motels, inns, lodges or similar places providing principally transient residential accommodations and having at least 40 rooms for overnight accommodation.
- c. Retail sales-by-drink licenses issued to bar-restaurants, as defined in this chapter, that do not provide any form of live entertainment.
- d. Retail sales-by-drink licenses issued to a manufacturer or microbrewery, as defined in this chapter, to sell only those alcoholic beverages by the drink that are manufactured on the licensed premises.
- e. A licensed premises that will only be used as a storage space where alcoholic beverages are stored, not sold or served, and the general public is not permitted to enter at any time.
- f. Sales-by-drink premises located wholly within the following described locations:
  1. Central City Area. That area bounded by, including and beginning from the intersecting point of the block face frontage of the west side of Broadway Boulevard and including the block face frontage of I-70 on the north, thence east along the block face frontage of I-70 on the north to the intersecting point of and including the block face frontage of the east side of Cherry Avenue, thence south along the block face frontage of the east side of Cherry Avenue to the intersecting point of and including the block face frontage of the south side of 8th Street, thence

east along the block face frontage of the south side of 8th Street to the intersecting point of and including the block face frontage of the east side of Holmes Avenue, thence south along the block face frontage of the east side of Holmes Avenue to the intersecting point of and including the block face frontage of the south side of 24th Street, thence west along the block face frontage of the south side of 24th Street to the intersecting point of and including the block face frontage of the west side of Broadway Boulevard, thence north along the block face frontage of the west side of Broadway Boulevard to the intersecting point of and including the block face frontage of the west side of Broadway Boulevard and the block face frontage of I-70 on the north.

2. 18<sup>th</sup> and Vine District Area. That area bounded by and beginning from the intersecting point of Lydia Avenue and East Truman Road, thence east along East Truman Road to the intersecting point of Brooklyn Avenue, thence south along Brooklyn Avenue to the intersecting point of East 19th Street, thence west along East 19th Street to the intersecting point of Groves Street, thence north along Groves Street to the intersecting point of East 17th Street, thence west along East 17th Street to the intersecting point of Lydia Avenue, thence north along Lydia Avenue to the intersecting point of East Truman Road. After April 1, 2018, if an applicant proposes to operate a retail sales-by-drink business to be located outside the boundaries of this area, any additional business located within this new area which adds to the density after April 1, 2018 will not be included when considering the limitations of businesses as outlined in subsection (1) of this section.
  
3. West Bottoms Area. That area bounded by and beginning at the intersection of the west city limit and the south bank of the Missouri River, thence south along the west boundary of the city limit to the intersection with the north right-of-way line of 25th Street, thence east along the north right-of-way line of 25th Street to the intersection with the west right-of-way line of Allen Road, thence generally north along the west right-of-way line of Allen Road to the intersection with the west right-of-way line of Holly Avenue, thence north along the west right-of-way line of Holly Avenue to the intersection with the west right-of-way line of Beardsley Road, thence north along the west right-of-way line of Beardsley Road to the intersection with the north right-of-way line of 6th Street, thence east along the north right-of-way line of 6th Street to the intersection with the west right-of-way of Broadway Avenue, thence north along the west right-of-way line of Broadway Avenue to the intersection with the south bank of the Missouri River, thence west along the south bank of the Missouri River to the point of beginning.

4. Zona Rosa Shopping District Area. The east and west sides of N.W. Prairie View Road, north of N.W. Barry Road extending north to Missouri Highway 152, on the north and south sides of N.W. Prairie View Road, west of the intersection of Interstate 29 and Highway 152 extending west to N. Congress Avenue, and at the southwest corner of Highway 152 and N. Congress Avenue.
5. City Market District Area. That area bounded by, including and beginning from the intersecting point of the Buck O'Neil Bridge and the south bank of the Missouri River, thence east along the south bank of the Missouri River to the intersecting point of the Heart of America Bridge, thence south along the Heart of America Bridge to the intersecting point of I-70, thence west along I-70 to the intersecting point of the Buck O'Neil bridge, thence north along the Buck O'Neil Bridge to the intersecting point of the south bank of the Missouri River.
6. Tiffany Springs Market Area. That area bounded by Tiffany Springs Road on the north, Interstate 29 on the west, Missouri Highway 152 on the south and N. Ambassador Drive on the east.
7. 25<sup>th</sup> and Southwest Blvd. Area. That area bounded by Southwest Boulevard on the west, West 25th Street on the north, Summit Street on the east and West 26th Street on the south.
8. Village at Briarcliff Area. That area bounded by North Mulberry Drive on the west, the northern boundary of the Briarcliff Village Tract C-1 parcel on the north, the eastern boundary of the Briarcliff Village Tract C-1 parcel on the east and the southern boundary of the Briarcliff Village Tract C-1 parcel on the south.
9. East Bottoms Area. That area bounded by and beginning from the intersecting point of North Garland Avenue and Nicholson Avenue, thence east along Nicholson Avenue to the intersecting point of North Agnes Avenue, thence south along North Agnes Avenue and continuing in a straight line to the intersecting point of the northern border of Kessler Park, thence west along the northern border of Kessler Park to the point where North Garland Avenue would intersect the northern border of Kessler Park, thence north along North Garland Avenue to the intersecting point of Nicholson Avenue. After April 1, 2018, if an applicant proposes to operate a retail sales-by-drink business to be located outside the boundaries of this area, any additional business located within this new area which adds to the density after April 1, 2018 will not be included when considering the limitations of businesses as outlined in subsection (1) of this section.

10. Mill Creek Plaza Area. That area bounded by and beginning from the intersecting point of 103rd Street and the west bank of Indian Creek, thence southwest along the west bank of Indian Creek to the intersecting point of the west bank of Indian Creek and the state line, thence north along the state line to the south line of Lea Manor Subdivision, thence east along the south line of the Lea Manor Subdivision, to the west line of Lot 3, Watts Mill Plaza Subdivision, thence south along the west line of Lot 3, Watts Mill Plaza Subdivision, to the south line of Lot 3, Watts Mill Plaza Subdivision, thence east along the south line of Lot 3, Watts Mill Plaza Subdivision, to the east line of Lot 3, Watts Mill Plaza Subdivision, thence north along the east line of Lot 3, Watts Mill Plaza Subdivision, to the south line of lots 18, 19, and 20 Eden Subdivision, thence southeast along the south line of lots 18, 19, and 20, Eden Subdivision to the east line of lots 18, 19, and 20, Eden subdivision, thence south to the west bank of Indian Creek, thence southwest along the west bank of Indian Creek back to the intersecting point of 103rd Street and the west bank of Indian Creek.

- g. Retail sales-by-drink licenses issued to a wine manufacturer to sell only those alcoholic beverages by the drink produced on a premises in close proximity to the winery.
- h. Retail sales-by-drink licenses for premises within Kansas City International Airport.

(2) *Retail sales-by-package licenses.* Two retail sales-by-package licenses may be issued for population of zero to 1,500, and one additional sales-by-package license may be issued for each additional 1,500 population which exceeds the first 1,500 population, contained within the entire boundaries of any United States census blocks located in the city which abut the city limits of the city, and which census blocks are located wholly within or intersected by a 3,000-foot radius from a proposed licensed premises, as measured from the center of the door to be used as the main entrance to the premises. For all other census blocks located in the city that do not abut the city limit lines as described above, one retail sales-by-package license may be issued for population of zero to 1,500, and one additional sales-by-package license may be issued for each additional 1,500 population which exceeds the first 1,500 population, contained within the entire boundaries of any United States census blocks located in the city, and which census blocks are located wholly within or intersected by a 3,000-foot radius from a proposed licensed premises, as measured from the center of the door to be used as the main entrance to the premises. For a premises that is currently in operation, the center of the door for the main entrance to the premises shall be determined by the entrance naturally used by the public frequenting the premises. The applicant shall furnish to the director two coordinates expressed in feet, based on the North American Datum 1983 Missouri West State Plane Coordinate System, identifying the center of the door for the main entrance to the premises. The limitations provided in this section shall not apply to a liquor license applicant who meets any of the following criteria:



- a. An applicant that proposes to operate a retail sales-by-package premises and the 3,000-foot radius, as measured from the center of the door for the main entrance of the premises as determined by the entire boundaries of any United States census blocks located in the city and which census blocks are located wholly within or intersected by the radius, has a population of 750 or less.
  - b. A licensed premises that will only be used as a storage space where alcoholic beverages are stored, not sold or served, and the general public is not permitted to enter at any time.
  - c. Retail sales-by-package licenses for premises within Kansas City International Airport
- (3) The determination of population contained within the entire boundaries of any United States census blocks located in the city, and which census blocks are located wholly within or intersected by a 3,000-foot radius as measured from the center of the door of the main entrance of a proposed sales-by-drink or sales-by-package premises, shall be made by adding the total population as determined by the most recent U.S. Decennial Census or, at the applicant's choice, by requesting from the city planning and development department the Kansas City Population Update Report prepared and signed by the city's planning and development department to determine population that is contained within the entire boundaries of each such United States census block. The determination of the number of licenses of a specific category located within the entire boundaries of any United States census blocks located in the city, and which census blocks are located wholly within or intersected by a 3,000-foot radius as measured from the center of the door of the main entrance of a proposed sales-by-drink or sales-by-package premises, shall be made by adding the total number of such licenses located within the entire boundaries of each such United States census block, but excluding those licenses exempted under (1)a., (1)b., and (1)c., located within the entire boundaries of each such United States census block. In connection with any application for a new license regulated under this section, for the purposes of determining the number of licenses in the categories regulated under this section, contained within the entire boundaries of any United States census blocks located in the city, and which census blocks are located wholly within or intersected by a 3,000-foot radius from a proposed licensed premises, as measured from the center of the door for the main entrance to the premises, all such city licenses existing at the time of the determination by the director, whether serving a suspension, under an order of nonrenewal, under an order of suspension or revocation, or under investigation for, subject to or charged with disqualification from holding a license or a violation of the provisions of this chapter, shall be included in the calculation unless the nonrenewal or revocation is final with all rights of appeal foreclosed.
- (4) If the total number of sales-by-drink or sales-by-package licenses herein issues at the time this chapter becomes effective exceeds the number authorized for that category of license, those licenses, if they meet all other requirements, shall be entitled to renewal on an annual basis. If a license is not renewed or ceases to fulfill all other

requirements of this chapter and is thereafter terminated or canceled or expires, then an application for a new license for the previously licensed premises shall be required to fulfill all conditions of this chapter for an original license, including but not limited to the provisions of section 10-211 limiting the number of licenses. Additional licenses in a category shall not be issued until the time as the respective population ratios as calculated and determined under this section exceed the populations provided herein. A new license in a category, if the application meets all other requirements of this chapter, may be issued for a vacancy created by bona fide purchase or transfer of a license to a new premises located in a census block wholly within or intersected by a 3,000-foot radius from the existing licensed premises, as measured from the center of the door for the main entrance to the premises, so long as an application for a new license is filed within 12 months from the date of bona fide purchase or transfer. A licensee whose license has been surrendered, canceled or not renewed as a result of the transfer of the real property where the premises is located to an entity that has the power of eminent domain, and who files an application for a new license within 12 months from the date of the transfer of the real property shall be exempt from the requirements of this section with respect to a new location, but the licensee shall meet all other requirements of this chapter. For the purposes of this chapter, the center of the door for the main entrance to the premises shall be determined by the entrance naturally used by the public frequenting the establishment who shall furnish to the city two coordinates expressed in feet, based on the North American Datum 1983 Missouri West State Plane Coordinate System, identifying the center of the door for the main entrance to the premises.

- (5) An applicant may seek to rebut the presumption that their proposed license is likely to interfere with or be detrimental to the rights or interests of the neighboring community by making a written request to the director describing why they believe a waiver is appropriate. The director may permit waiver if they find that the proposed license is not likely to interfere with or be detrimental to the rights and interests of the neighboring community. In considering a waiver, the director must wait until the conclusion of the eligible neighbor and neighborhood organization notification period, as outlined in section 10-214, and may consider:
- a. Whether 50 percent or more of the eligible neighbors who filed a written response with the director, according to the process provided in section 10-214, opposed the granting of a license;
  - b. Whether an eligible neighborhood organization filed a written response with the director, according to the process provided in section 10-214, opposing the granting of a license;
  - c. Whether a proposed retail sales-by-drink license will be located within 750 feet of 4 or more C.O.L. licenses, taverns, or bar-restaurants that provide live entertainment;
  - d. Whether a proposed retail sales-by-package license will be located within 750 feet of 4 or more retail sales-by-package licensed businesses;

- e. The physical characteristics of the proposed premises; relevant geography and character of both the premises and the surrounding neighborhood;
  - f. The proximity of the premises to other uses and use types and the effect of the exterior lighting, noise, traffic and parking associated with the operation of the premises, with its patrons or with other persons frequenting the premises on the surrounding area;
  - g. The type of activity or entertainment to be conducted at the establishment and the days and times during which such activity would take place;
  - h. Whether any applicable church or school within 300 feet of the proposed premises supports the requested waiver;
  - i. The history of past use at the proposed premises; and
  - j. The measures the applicant proposes to implement to maintain quiet and security in conjunction with the establishment.
- (6) The director shall review any request to rebut a presumption, along with any additional information submitted by an eligible neighbor, eligible neighborhood organization, city department, the city police department, and any other information that the director deems relevant. The director shall not make a decision until the eligible neighbor response period has ended as outlined in section 10-214. The director shall issue the decision in writing and provide reasons for their decision to the applicant, all responding eligible neighbors, and all responding eligible neighborhood organizations.
- (7) The director may grant a conditional license to any applicant whose proposed license is in conflict with this section in order to avoid the proposed premises interfering with or being a detriment to the rights and interests of the neighboring community.

**Sec. 10-214. Eligible neighbor and neighborhood organization notification.**

- (a) For purposes of this section, eligible neighbors shall include the owners of a minimum of 15 eligible property parcels as defined by geographic information systems maps based on the North American Datum 1983 Missouri West State Plane Coordinate System, maintained by the public works department of the city, wholly within or intersected by a radius of 250 feet from the proposed premises, as measured from the center of the door for the main entrance to the premises. For any premises that does not either intersect or include the boundaries of a minimum of 15 eligible property parcels within a radius of 250 feet, the radius will be increased by segments of 100 feet not to exceed 1,500 feet until the premises is intersected by or within the boundaries of a minimum of 15 eligible property parcels. The center of the door for the main entrance to the premises shall be determined by the entrance most used by the public frequenting the

establishment. Regardless of how many parcels an individual may control or own, any individual real person may only submit one written response to the director and only one parcel owned or controlled by an individual shall be considered eligible for purposes of this section. For parcels that are condominiums, the director shall only be required to notify the homeowners organization which may submit a written response on behalf of the building and all its owners. In lieu of a written response from an eligible property owner under this section, the director shall accept a response in proper form from a tenant if the tenancy is for a term not less than one year.

- (b) For purposes of this section, eligible neighborhood organizations shall include organizations that are registered with the City according to the process provided in Section 88-505-11 as of the date the director receives the completed application and whose boundaries include the proposed premises.
- (c) The eligible neighbor and neighborhood organization notification requirements provided in this section shall apply to:
  - (1) Any new premises;
  - (2) The expansion of any licensed premises excluding the addition or expansion of a sidewalk cafe, parklet, street cafe, or parking lot dining area that is located on public or park property;
  - (3) Notwithstanding any other section of this chapter, any previously licensed or permitted premises where the license or permit was revoked;
  - (4) Any licensed premises, including but not limited to a bar-restaurant, tavern, hotel, bowling alley, grocery store or convenience store that changes the type of business that was originally approved by the director;
  - (5) Any applicant or licensee intending to provide live entertainment, provide an additional type of live entertainment not identified on their last application or application for renewal, or to increase the frequency of live entertainment, as further outlined in sections 10-270 and 10-332 of this chapter;
  - (6) Any change in ownership of a licensed premises unless not required in section 10-266 of this chapter; and
  - (7) Any application for extended hours permit.
- (d) An applicant shall furnish with the application two coordinates, expressed in feet, based on the North American Datum 1983 Missouri West State Plane Coordinate System, identifying the center of the door for the main entrance to the premises.
- (e) The director shall mail written notification of the filing of an application for a license under this section to all eligible neighbors as determined by subsection (a),

along with a response form that the eligible neighbor can complete, within 14 business days of the applicant submitting their completed application. An eligible neighbor may submit the response form indicating whether they support or oppose the issuance of the license, along with their reason for supporting or opposing the license, within 30 days of the issuance of the notice by the director. Responses shall be in writing on a form provided by the director and shall contain a statement that the person signing is a bona fide eligible neighbor under the provisions of this section. An eligible neighbor may change or withdraw their response during the 30-day period by notifying the director in writing stating their desire to change or withdraw their response.

- (f) The director shall also mail written notification of the filing of an application for a license under this chapter to all eligible neighborhood organizations as determined by subsection (b), along with a response form that the eligible neighborhood organization can complete, within 14 business days of the applicant submitting their completed application. A neighborhood organization may submit the response form indicating whether they support or oppose the issuance of the license, along with their reason for supporting or opposing the license, within 30 days of the issuance of the notice by the director. Responses shall be in writing on a form provided by the director, shall be signed by an authorized representative of the neighborhood organization, and shall be accompanied by a resolution from the board of directors of the neighborhood organization authorizing such representative to execute the response form on behalf of the neighborhood organization.
- (g) The applicant must provide a notarized statement that no eligible neighbor, tenant of an eligible neighbor, eligible neighborhood organization, or any member of an eligible neighborhood organization has received, either directly or indirectly, anything of value which may include but is not limited to any gift, compensation, loan, favor, privilege, service, courtesy or otherwise, in exchange for their response or not filing a response.
- (h) The director shall also mail written notification of the filing of an application for a license under this section to all neighborhood organizations registered with the city in the same zip code as the proposed premises.
- (i) The director shall not accept an application for a sales-by-drink, C.O.L. or sales-by-package licensed premises not within an exception area where 50 percent or more of the eligible neighbors who filed a written response with the director opposed the granting of a license two times within a 12-month period unless 12 months have passed from the date of the most recent denial by the director or withdrawal by an applicant of an application.
- (j) Eligible neighbor and neighborhood organization notification shall not be required or considered for a licensed premises that will only be used as a storage space where alcoholic beverages are stored, not sold or served, and the general public will not be permitted to enter at any time.

**Sec. 10-261. Renewals.**

- (a) *Renewal period, notification, filing dates, and termination of license due to failure to renew.* The license period for retail or wholesale sale of alcoholic beverages and C.O.L. licenses and permits will be for a period of one year beginning and ending on dates determined by the director. Renewal notification will be sent to licensees 90 days prior to the date of expiration. The completed renewal application is due 30 days prior to the expiration date of the current license and no sales of alcoholic beverages shall be allowed on the premises after the expiration date of the license or permit. Failure to apply for a renewal of a liquor license or permit within 120 days of the expiration date shall render the expired license null and void. An application for renewal of a liquor license or permit received within 120 days of the license expiration date may be considered by the director for approval up to 180 days after the expiration of the license.
- (b) *Proper parties to file application.* In the case of a business owned by an individual, the renewal application shall be filed by the actual owner. In the case of a partnership, separate applications shall be filed by each member of the partnership. In the case of a limited liability company, the renewal application shall be filed by either the managing officer of the business or any member of the limited liability company. In the case of a corporation, the renewal application shall be filed by either the managing officer of the business or a corporate officer of the corporation.
- (c) *Contents of application.* A renewal application shall disclose by affidavit, on a form provided by the director, the following information, along with any other information the director deems necessary:
- (1) The name and address of the owners of the business at the date of filing. If the business is owned by a partnership, then the application shall include the names and addresses of all partners. If the business is owned in whole or in part by a limited liability company then the application shall include the names and addresses of all members of the company. If the business is owned in whole or in part by a corporation, the application shall include the names and addresses of the corporate officers and directors, and all stockholders if the total number of stockholders is less than 15, or, if there are more than 15 stockholders in the corporation, then the applicant shall furnish the names and addresses of all stockholders who hold ten percent or more of the capital stock and the percentage of stock held by each such stockholder.
  - (2) The financial status of the business, including all loans, notes, chattels, mortgages and any and all other outstanding obligations, and the balance due thereon, except current alcoholic beverage bills, or other current bills, for merchandise incidental to the operation of the business for which the license is sought.
  - (3) The banks with which the licensee is doing any business, and the signed consent by the licensee for the director or their authorized representatives to

examine any and all business bank accounts, records and other data pertaining to the licensed business.

- (4) The names and addresses of any persons who have contributed any money to, have loaned any money to, or have had any investments in the licensed business during the preceding year. The applicant shall further state the amounts received from those persons, the purpose for which the money was used, and any outstanding obligations and the balance due thereon.
  - (5) Whether the applicant has borrowed or accepted money and a statement that the applicant will not to borrow or accept money in the future from any wholesale supplier of alcoholic beverages or any supplier of coin-operated commercial, manual or mechanical amusement devices, or the employees, officers or agents thereof, or from any owner of coin-operated commercial, manual or mechanical amusement devices on or about the licensed premises, or from any felon or person who is not of good moral character.
  - (6) The names and addresses of any and all persons who may be engaged, either directly or indirectly, in any part of the management and control of the licensed business.
  - (7) Whether the applicant has complied with, during the past year, and will continue to comply with, the provisions of the fair public accommodation sections of chapter 38.
  - (8) Whether the applicant has complied with, during the past year. and will continue to comply with section 10-5 of this chapter.
- (d) *Documentation filed with application.* The following documents shall be filed with applications for renewals:
- (1) If the application is for renewal of a bar-restaurant license, the applicant shall furnish to the director, copies of all city convention and tourism tax returns, showing that 30 percent or more of the gross income of the bar-restaurant for the year preceding the date of the application was derived from the sale of prepared meals and food made for immediate consumption. When calculating the amount and percentage of annual gross sales from the sale of prepared meals and food, any nonalcoholic components mixed or served in any alcoholic beverage shall be considered to be part of the alcoholic beverage and shall not be considered to be prepared meals and food.
  - (2) If a license has been issued to an applicant who represents at the time of the original application that the licensee has control of parking facilities by ownership, lease or otherwise, and the license was issued relying in part upon that representation, then any renewal application shall include the same or similar representations and proof of control as the director shall require. Loss of parking

facilities through no fault of the license holder shall not be cause for denial of renewal.

- (3) If the application is for renewal of a sales-by-drink license, a certification of completion of the National Restaurant Association's ServSafe Alcohol training program, or a certification of completion of a comparable program approved by the director, by a current employee of the licensee who is responsible for managerial or supervisory duties at the licensed premises.
- (e) *Disapproval of application to renew.* The director shall disapprove an application for renewal of any license or permit on the following grounds:
- (1) If any renewal application contains information which does not justify renewal;
  - (2) If the director has other information that the applicant has not met the requirements of this chapter;
  - (3) If the licensee or any employee of the licensee or a permit holder under this chapter is convicted within the current license year in the municipal court of the city or any other court in this state, of three or more violations of this chapter; or
  - (4) If the director has any other information which does not justify renewal. An applicant whose application for renewal of a license or permit has been disapproved may file a written request for a hearing before the board in the manner provided in section 10-62(a) of this chapter. An applicant whose application for renewal of a license or permit has been disapproved may not sell or distribute alcoholic beverages on the premises during the renewal year unless and until:
    - a. The applicant thereafter files a written request for a hearing in the manner provided in section 10-62(a) of this chapter, in which case the disapproval shall be stayed until final adjudication of the matter, except that if one of the reasons for disapproval is the nonpayment of the required license fee set forth in section 10-127 of this chapter or nonpayment of any taxes set forth in section 10-186 of this chapter, then the disapproval shall not be stayed; or
    - b. The disapproval has been reversed or set aside by the director, the board or court order.
- (f) *Considerations for renewal.* In determining whether a renewal application shall be disapproved, the director, or the board, upon appeal, shall consider the following factors:



- (1) Whether the licensee has failed to report a change in ownership in the business or change in management or control of the business that has occurred in the current license year;
- (2) Whether the licensed premises has changed the character of the surrounding neighborhood or interfered with or been detrimental to the rights or interests of the neighboring community;
- (3) Whether lewd and indecent conduct, including but not limited to public urination, exhibited by persons frequenting the licensed premises or by the licensee or their employees, servants or agents, has occurred on the licensed premises or in the immediate vicinity thereof;
- (4) Whether crimes or city ordinance violations have been committed upon or in the immediate vicinity of the licensed premises by persons frequenting the premises or by the licensee or their employees, servants or agents;
- (5) The frequency of disturbances or other incidents upon or in the immediate vicinity of the licensed premises by persons frequenting the premises that have required police presence, response, investigation or other action;
- (6) Whether the licensee has allowed or permitted any type of entertainment on or about the licensed premises without application to and written approval by the director;
- (7) Whether the type of entertainment has interfered with or been detrimental to the rights or interests of the neighboring community, and, if any renewal application proposes to change the type of entertainment for the premises, whether the proposed entertainment would interfere with or be detrimental to the rights or interests of the neighboring community, considering those other factors delineated in section 10-212;
- (8) Whether the sale of illegal drugs or controlled substances or illegal gambling has occurred upon or in the immediate vicinity of the licensed premises by persons frequenting the premises or by the licensee or their employees, servants or agents;
- (9) Other factors which, due to the character of the surrounding neighborhood or of the licensed premises, would be relevant to the determination of whether renewal of a license or permit would interfere with or be detrimental to the rights or interests of the neighboring community;
- (10) Whether the licensee or permittee has received prior notice of violations of this chapter or of other factors which may not justify renewal;

- (11) Whether the licensee or permittee has timely complied with all requirements for and completed the process for renewal of the license; and
  - (12) Whether the licensed premises has changed in size, either through expansion or reduction of square footage.
- (g) Notwithstanding the provisions of sections 10-266 and 10-269 of this chapter, if a license is not renewed or ceases to fulfill all other requirements of this chapter and is thereafter terminated or canceled or expires, then an application for a new license for the previously licensed premises shall be required to fulfill all conditions of this chapter for an original license, including but not limited to the requirements in section 10-212.
- (h) Upon proper and sufficient evidence submitted to the director, the director shall summarily refuse to renew a retail sales-by-drink license issued to a bar-restaurant upon the failure of the licensed premises to maintain the business as a bar-restaurant at the time of renewal. The decision of the director to disapprove the renewal of any license issued under the provisions of this subsection shall not be deemed a revocation and shall not disqualify the licensee from applying for and receiving any license granted under the provisions of this chapter. The decision of the director to disapprove the renewal of any license issued under the provisions of this subsection shall be appealable to the board in the manner set forth in section 10-62(b) of this chapter.
- (i) Notwithstanding any other provision of this chapter, the director may renew a bar-restaurant license for an establishment that did not derive 30 percent or more of its annual gross sales from the sale of prepared meals and food made and consumed on the premises, if the establishment held a bar-restaurant license in the year immediately prior and the applicant provides documentation that the licensed establishment was closed or had reduced sales in the year immediately prior because of an event or occurrence outside of the control of the applicant that resulted in a state of emergency lasting more than two weeks, as declared by the mayor or governor of Missouri.
- (j) Notwithstanding any other provision of this chapter, the director may renew a bar-restaurant license for an establishment that did not derive 30 percent or more of its annual gross sales from the sale of prepared meals and food made for immediate consumption if the licensee is in compliance with all other provisions of this chapter and all of the following conditions have been met:
- (1) The establishment had a restaurant-bar license prior to December 1, 2021;
  - (2) The establishment had annual gross sales of at least \$200,000.00 from the sale of prepared meals and food made for immediate consumption. When calculating the amount and percentage of annual gross sales from the sale of prepared meals and food, any nonalcoholic components mixed or served in any alcoholic beverage shall be considered to be part of the alcoholic beverage and shall not be considered to be prepared meals and food;

- (3) The establishment has been in continuous operation since December 1, 2021.

..end

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Approved as to form:

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Andrew Bonkowski  
Assistant City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 240640

Submitted Department/Preparer: Neighborhoods

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

Amending Chapter 10, Code of Ordinances, Alcoholic Beverages, by repealing and replacing Sections 10-211, 10-214, and 10-261 for the purpose of amending the factors which may be considered when determining whether to waive the presumption that a proposed retail alcoholic beverage license is likely to interfere with or be detrimental to the rights or interests of the neighboring community.

### Discussion

The proposed changes allow eligible neighborhood organizations an opportunity to vote on a proposed premises, and, adds additional factors which may be considered when determining whether to waive the presumption that a proposed retail alcoholic beverage license is likely to interfere with or be detrimental to the rights or interests of the neighboring community.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  
Although no additional fees are needed to fund this legislation, the funding source for chapter 10 comes from application, permitting, and licensing fees of alcoholic beverages.
3. How does the legislation affect the current fiscal year?  
It could potentially lessen the number of alcoholic beverage licenses issued to liquor licensed businesses.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
If the number of alcoholic beverage licenses issued to taverns and bar-restaurants that provide live entertainment is decreased, future revenue would also be decreased.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
It delivers a return on investment by better protecting the neighborhoods regarding the proliferation of liquor licensed businesses.

**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 strings were identified.

### Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?  
Housing and Healthy Communities (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
- Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
  - Maintain and increase affordable housing supply to meet the demands of a diverse population.
  - Address the various needs of the City's most vulnerable population by working to reduce disparities.
  - Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
  - Ensure all residents have safe, accessible, quality housing by reducing barriers.
  - Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

### Prior Legislation

Ordinance number 240150.

## Service Level Impacts

This legislation will not impact service levels.

## Other Impacts

1. What will be the potential health impacts to any affected groups?

If fewer retail sales-by-drink liquor businesses that allow live entertainment go into neighborhoods, the health impact could include the elimination of possible noise disturbances late at night or early in the morning, and fewer alcohol related health issues such as DUI's, sales to minors, and the overserving of alcoholic beverages.

2. How have those groups been engaged and involved in the development of this ordinance?

By voicing their thoughts and opinions to Regulated Industries through past voting forms regarding proposed liquor licensed businesses, and by calling / emailing their thoughts / concerns regarding currently operating liquor licensed businesses.

3. How does this legislation contribute to a sustainable Kansas City?

If fewer retail liquor licensed businesses go into the neighborhoods, the health impact could include the elimination of possible loitering issues, fewer assaults which may include homicides, noise disturbances late at night or early in the morning, and fewer alcohol related health issues such as DUI's, sales to minors, and the overserving of alcoholic beverages.

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:

Click or tap here to enter text.

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)



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**File #: 240641**

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ORDINANCE NO. 240641

Sponsor: Councilmember Darrell Curls

Amending Chapter 10, Code of Ordinances, Alcoholic Beverages, by repealing and replacing Sections 10-1, 10-162, and 10-332 for the purpose of revising the City's liquor control code.

WHEREAS, on February 8, 2024, the City Council passed Committee Substitute for Ordinance No. 240150, as Amended, which declared a moratorium on the issuance of certain retail liquor licenses and directed the City Manager to review current City Code, regulations, and policies regarding the issuance of certain retail liquor licenses; and

WHEREAS, said ordinance further directed the City Manager to recommend any appropriate changes to City Code, regulations, and policies to Council; and

WHEREAS, the City Council believes adopting the proposed staff recommendations is in the interest of protecting the public safety, health, and welfare of Kansas Citizens; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 10, Code of Ordinances of Kansas City, Missouri, is hereby amended by repealing Section 10-1, Definitions, Section 10-162, Forms and process, and Section 10-332, Restrictions and prohibited acts by all retail licensees, and replacing with sections of like number and subject matter, to read as follows:

**Sec. 10-1. Definitions.**

As used in this chapter:

*Alcohol beverage vaporizer* means any device which, by means of heat, a vibrating element or any method, is capable of producing a breathable mixture containing any one or more alcoholic beverages to be dispensed for inhalation into the lungs via the nose and/or mouth.

*Alcoholic beverages* means malt beverages or intoxicating liquor with an alcohol content of more than 0.5 percent by volume.



*Annual gross sales* means the gross sales shown on the prior year's state sales tax receipt or the prior year's convention and tourism tax filings or city occupational license tax receipt for an applicant or licensee.

*Bar-restaurant* means an establishment having a restaurant or similar facility on the premises which derives 30 percent or more of its annual gross sales from the sale of prepared meals and food made on the licensed premises for immediate consumption as compared to the annual gross sales of alcoholic beverages sold for immediate consumption. For the purposes of determining whether an establishment qualifies as a bar-restaurant under the provisions of this chapter and calculating the amount and percentage of annual gross sales from the sale of prepared meals and food, any nonalcoholic components mixed or served in any alcoholic beverage shall be considered to be part of the alcoholic beverage and shall not be considered to be prepared meals and food.

*Board* means the liquor control board of review established by the city under this chapter to conduct regulatory hearings in connection with the administration and enforcement of the provisions of chapter 10 of the city's Code of Ordinances.

*Caterer* means any establishment whose primary business is the preparation of food and drinks for consumption away from the licensed premises. A caterer must derive 50 percent or more of its annual gross sales from the sale of prepared meals and food consumed at other approved premises. For the purposes of determining whether an establishment qualifies as a caterer under the provisions of this chapter and calculating the amount and percentage of annual gross sales from the sale of prepared meals and food, any nonalcoholic components mixed or served in any alcoholic beverage shall be considered to be part of the alcoholic beverage and shall not be considered to be prepared meals and food.

*Church* means any building or structure regularly and primarily used as a place of worship by any organized religious society, organization or congregation, regardless of whether or not the building or structure was originally designed and constructed for that purpose.

*Closed place* means a premises licensed under this chapter where all doors are locked and where no customers are in or about the premises.

*Coin-or-currency-operated amusement device* means pinball machines, marble machines, music-vending machines, pool tables or machines, coin-operated shuffleboards and any other device operated by the insertion of a coin, currency, disc or other insertion piece, whether or not also manipulated by the operator, and which operate for the amusement of the operator, whether or not by registering a score. It shall not include "slot machines," "claw machines," or other machines prohibited by state law. It shall not include machines or devices used bona fide and solely for the vending of service, food, confections or merchandise.

*Conditional license or permit* means a license or permit issued under this chapter that has additional listed restrictions which must be followed by the licensee or permittee at all times whereby the failure of the licensee or permittee to comply with the restrictions may result in the suspension or revocation of the license or permit.

*C.O.L. license* means a license for the consumption of alcoholic beverages in or upon a premises which does not possess a license for the sale of alcoholic beverages and where food, beverages or entertainment are sold or provided for compensation as provided in RSMo 311.480.

*Concert venue* means any establishment used for the presentation of live musical performances, pre-advertised to the public including pre-event tickets sales available through third party ticket vendors, and where total ticket sales exceed \$100,000.00 per year.

*Commissioner* means the commissioner of revenue of Kansas City, Missouri, or person authorized and designated by the commissioner.

*Condominium* means real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

*Convention hotel or motel* means any hotel or motel containing not less than 100 transient guestrooms, having a meeting room or similar facility with a seating capacity of not less than 50 persons and having a restaurant on the premises.

*Customer* means any person not an employee who enters or remains upon a licensed premises with actual or implied permission of the licensee or a person who purchases or otherwise partakes of any merchandise, goods, entertainment or other services offered upon the premises.

*Dancer* means any person performing a semi-nude dance, or who performs a dance for any customers upon the premises of an establishment that allows semi-nude dancing.

*Director*, unless otherwise described, means the director of the neighborhoods services department, or a person designated by the director.

*Dwelling* means any place that is used regularly or irregularly as a place of repose, sleep, rest or any place containing a bed, cot, divan, couch or any other article of furniture on which an adult person may recline. However, this shall not include any premises used as a hotel, motel, or hotel room.

*Employee* means and includes an agent or servant, and shall be construed to mean every person working for or performing services on behalf of the licensee during actual or scheduled work hours.

*Grocery store* means a retail business occupying a space that is at least 15,000 square feet, that primarily stocks a range of everyday items which includes but is not limited to groceries, snack foods, confectionery, toiletries, soft drinks, tobacco products, personal electronics, home essentials, and clothing, that derives at least 70 percent of its sales from products other than liquor.

*Intoxicating liquor or liquor* means alcohol for beverage purposes, alcoholic, spirituous, vinous, fermented, malt or other liquors or combination of liquors, a part of which is spirituous, vinous or fermented, and all preparations or mixtures for beverage purposes containing in excess of 0.5 percent by volume.

*Licensee* means the holder of any licenses issued under the provisions of this chapter.

*Live entertainment* means any activity or presentation provided for pleasure, enjoyment, recreation, relaxation, diversion or other similar purpose that utilizes amplified sound, including live music, a DJ, comedian, performer, stage show, floor show, or contest.

*Location* means the property parcel upon which a licensed premises is situated.

*Malt beverages* means beverages including beer and intoxicating malt liquor that are brewed from malt or a malt substitute, which only includes rice, grain of any kind, bean, glucose, sugar, and molasses. Honey, fruit, fruit juices, fruit concentrate, herbs, spices, and other food materials may be used as adjuncts in fermenting beer. Flavor and other non-beverage ingredients containing alcohol may be used in producing beer, but may contribute to no more than 49 percent of the overall alcohol content of the finished beer. In the case of beer with an alcohol content of more than six percent by volume, no more than 0.5 percent of the volume of the beer may consist of alcohol derived from added flavors and other non-beverage ingredients containing alcohol.

*Managing officer* means the person(s) designated by the licensee who is in actual management and control of a business licensed under this chapter, and who would be eligible as an individual to receive a license for the sale of alcoholic beverages, and who is a qualified voter of the state.

*Microbrewery* means a business whose activity is the brewing and selling of beer, with an annual production of 10,000 barrels or less.

*Original license* means any license issued under this chapter on an application for a new license whether or not the proposed premises was previously licensed under this chapter but shall not mean a renewal license.

*Original package* means: (a) any package containing one or more standard bottles, cans, or pouches of malt beverages; (b) a package containing 50 milliliters (1.7 ounces) or more of spirituous liquor; or (c) a package containing 100 milliliters (3.4 ounces) or more of vinous liquor in the manufacturer's original container.

*Permittee* means the holder of any permits issued under the provisions of this chapter

*Person* means an individual, partnership, club or association, firm, limited liability company or corporation, unless the context requires a contrary interpretation.

*Premises* means the bounds of the enclosure where alcoholic beverages are permitted to be sold, stored or consumed under the authority of this chapter.

*School* means any building which is regularly used as a public or private elementary school, middle school or high school.

*Semi-nude dance* means any live exhibition, performance or dance by a person or persons in a state of dress in which opaque clothing covers no more than the areola of the female breast, the genitals or pubic region and anus, as well as portions of the body covered by straps or strings supporting that clothing.

*Substantial quantities of food* means the amount of prepared meals and food wherefrom at least 50 percent of the gross income of an establishment has been derived during the three most recent calendar months preceding. For the purposes of determining whether substantial quantities of prepared meals and food constitute at least 50 percent of the gross income of an establishment under the provisions of this chapter, and calculating the amount and percentage of annual gross income from the sale of prepared meals or food, any nonalcoholic components mixed or served in any alcoholic beverage shall be considered to be part of the alcoholic beverage and shall not be considered to be prepared meals or food.

*Tavern* means any licensed premises that sells liquor by the drink which derives more than 30 percent of its annual gross sales from alcoholic beverages.

**Sec. 10-162. Forms and process.**

- (a) *Contents.* Any person desiring to obtain a license or permit under the terms of this chapter shall make application therefor to the director, in writing. Each question in the application blank shall be considered material to the issuance of the license, and each question in the application shall be answered in full by the applicant. The applicant shall provide:
  - (1) The name and residential address of the applicant, and, if the application is on behalf of a partnership, the names and residential addresses of all partners or any person who has a financial interest in the partnership. If the application is on behalf of a corporation, the date of incorporation, the state in which incorporated, the amount of paid-in capital, the amount of authorized capital, the names and residential addresses of the officers and directors, the name and address of the registered agent for the corporation and the names and addresses of all stockholders who hold ten percent or more of the capital stock shall be provided. If the application is on behalf of a limited liability company, the date of organization, the state in which organized, a copy of the operating agreement required by the state to qualify as a limited liability company, the amount of paid-in capital, the amount of authorized capital, the names and residential addresses of all the members and the name and address of the registered agent for the company shall be provided.

- (2) The place of birth of the applicant, and, if the applicant is a naturalized citizen, the date and place of naturalization.
- (3) The names and business addresses of the applicant's employers for a period of five years prior to the application.
- (4) A statement of whether or not the applicant has been convicted of a felony.
- (5) A description and address of the proposed premises for which a license is sought.
- (6) A statement of whether or not the proposed premises are within 300 feet of a school or church.
- (7) The class of the license for which application is made.
- (8) A statement of whether or not any distiller, wholesaler, winemaker, brewer, or supplier of coin-operated, commercial, manual or mechanical amusement devices, or the employees, officers or agents thereof, has any financial interest in the retail business of the applicant for the sale of alcoholic beverages, or C.O.L., and whether or not the applicant, either directly or indirectly, will borrow or accept from any person equipment, money, credit or property of any kind, except ordinary commercial credit for liquor sold.
- (9) A complete description of the plans, specifications, and fixtures in the applicant's proposed place of business, if the application is for a retail license; provided, however, that this shall apply only when application is for a new location or a change in the plans for specifications within a previously established location.
- (10) A statement that the applicant will not violate any of the ordinances of the city, the laws of the state or the laws of the United States in the conduct of the business.
- (11) A comprehensive and informative statement, as the director may deem necessary, to disclose the true ownership and management of the business.
- (12) A statement from the commissioner of revenue that the applicant has paid all earnings and profits, convention and tourism and occupational license taxes due the city, including all penalties and interest, or does not owe any earnings and profits, convention and tourism and occupational license taxes to the city.
- (13) An approval from the directors of city planning and development, fire, and health stating that with respect to the application the applicant is in compliance with the respective codes.

- (14) Two coordinates expressed in feet, based on the North American Datum 1983 Missouri West State Plane Coordinate System, identifying the center of the door for the main entrance to the premises for applications for sales-by-drink, C.O.L. or sales-by-package alcoholic beverage licenses.
  - (15) An affidavit disclosing the name and residential address of any person(s) who may take part in the management and control of the business, whether directly or indirectly.
  - (16) Any additional information which the director may reasonably require to be fully informed for consideration of the issuance of a license or permit.
  - (17) A statement of whether live entertainment shall occur on the premises, and, if so, the type of live entertainment and the frequency of that entertainment.
- (b) *Fingerprints and photographs.* Every applicant for a license under this chapter and every person designated by an applicant as a managing officer for a business licensed under this chapter may be fingerprinted by the director's agents or the city police department and shall furnish to the director two recent photographs, passport size, together with the application. If the applicant is a partnership, each partner that is an individual shall furnish a photograph and may be fingerprinted, as directed in this subsection. If the applicant is a limited liability company, each member that is an individual shall furnish a photograph and may be fingerprinted, as directed in this subsection. If the applicant is a corporation, the director, in their discretion, may make similar requirements of the officers, directors and shareholders holding an interest of ten percent or more in the corporation.
- (c) *Execution by applicant.* Application for a license under this chapter shall be made by the individual who is to be, in fact, actively engaged in the actual control and management of the particular beverage or C.O.L. establishment for which the license is sought.
- (d) *Additional information for caterer's permit.* Applications for caterer's permits shall be filed with the director at least five calendar days prior to the scheduled function and the following shall accompany the application:
- (1) Description of location, with specific defined areas set forth.
  - (2) Copies of contracts between the applicant and sponsor of the function, occasion or event and the contract between the applicant and the person controlling the premises upon which the function, occasion or event is to take place.
  - (3) Any other information pertinent to the application.

- (e) *Priorities for issuance to new applicants.* Priority shall be given to new applicants for licenses under this chapter on the basis of the time the application is made. Any application which is incomplete for a period of 90 days after the date of filing with the director may be disapproved by the director. If an application is complete in all respects except for approval from the directors of the city planning and development, fire, health and neighborhoods departments, then the director may issue a letter notifying the applicant that the issuance of the license or permit will be approved contingent on providing the approvals to the director. The director may withdraw the letter if the director determines that the delay in obtaining the certificates is a direct result of the applicant's action or inaction. An aggrieved applicant may file a written request for a hearing before the board in the manner provided in section 10-62(a) of this chapter.

**Sec. 10-332. Restrictions and prohibited acts by all retail licensees.**

- (a) *Sales to minors or intoxicated persons.* No retail licensee, nor employee of the licensee, shall allow any alcoholic beverages to be sold, given or otherwise supplied upon the licensed premises to any person who is under of 21 years of age, or to a habitual drunkard, or to any person who is intoxicated or who is actually or apparently under the influence of alcoholic beverage.
- (b) *Consumption by minors.* No retail licensee, nor employee of the licensee, shall allow any person under 21 years of age to consume alcoholic beverages upon the licensed premises.
- (c) *Sale for off-premises consumption.* No retail licensee or employee of the licensee shall sell any alcoholic beverage that is not in the original package for off-premises consumption, unless it is contained in:
- (1) A growler as outlined in section 10-337; or
  - (2) A rigid, durable, leak-proof, sealable container, that:
    - a. Does not exceed 128 ounces;
    - b. Is designed to prevent consumption without removal of the tamperproof cap or seal;
    - c. Is affixed with a label or a tag that contains the name and address of the business that filled the container, in type not smaller than three millimeters in height and not more than 12 characters per inch, and states, "THIS BEVERAGE CONTAINS ALCOHOL.";
    - d. Does not have a lid with sipping holes or openings for straws;
    - e. Is tamperproof, in that it is either placed in a one-time-use, tamperproof, transparent bag that is securely sealed, or, is sealed with tamperproof tape;

- f. Is not mixed, poured or served across the bar by a person 18 to 20 years of age in accordance with sections 10-339 and 10-373; and
  - g. Is ordered simultaneously with a meal, meaning food that has been prepared on premises.
  - h. For the purposes of this section, tamperproof means that a lid, cap, or seal visibly demonstrates when a bag or container has been opened.
- (3) Nothing in this section shall be construed as permitting the sale of any alcoholic beverage not permitted under the premises license, including the sale of alcoholic beverages that are not in the original package for off-premises consumption by anyone who does not have a sales-by-drink license.
- (d) *Serving or delivering in vehicles.* No retail licensee, nor employee of the licensee, shall sell or serve any alcoholic beverage to any person while the person is operating or is a passenger in or on any motor vehicle, unless the beverage is in the sealed original package or otherwise meets the exceptions outlined in subsection (c).
- (e) *Prostitution.* No retail licensee, nor employee of the licensee, shall allow upon the licensed premises any act of prostitution as defined in the prostitution chapter of the Missouri Criminal Code, including the solicitation for prostitution.
- (f) *Unauthorized sale of property.* No retail licensee, nor employee of the licensee, shall allow any person to offer for sale or sell any personal property upon the licensed premises unless the sale of the property has been authorized by the licensee or the manager or person in charge of the licensed premises.
- (g) *Disorderliness, indecency or obscenity.* Upon the licensed premises, no retail licensee, nor employee of the licensee, shall:
- (1) Fail to immediately prevent or suppress any violent quarrel or disorder, brawl, fight or any other act or conduct prohibited or declared to be unlawful by this chapter.
  - (2) Allow language, conduct or songs calculated to provoke a breach of the peace, or obscene literature, entertainment or advertising material.
  - (3) Allow any employee, entertainer or customer to perform a dance of any kind upon a bar, table or any other place used for serving food or beverages.
  - (4) Allow any person to be unclothed, or in less-than-opaque attire, costume or clothing, so as to expose to view the top of the areola, or any combination of the foregoing, or human male genitals in a discernibly erect state, even if completely and opaquely covered.



- (5) Allow the performance of any acts of sexual conduct, including actual or simulated, normal or perverted acts of human masturbation; deviate sexual intercourse; sexual intercourse; or physical contact in an act of apparent sexual stimulation or gratification, with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of the female; or any sadomasochistic abuse or acts including animals or latent objects in an act of apparent sexual stimulation or gratification, as the terms are defined in the pornography and related offenses chapter of the Missouri Criminal Code.
- (6) Allow the display of films or videotapes showing persons unclothed as described in subsection (g)(4) of this section, or allow the display of pictures, films, videotapes or other material depicting acts prohibited by subsection (g)(5) of this section.
- (h) *Storing off-licensed premises.* No retail licensee shall store any alcoholic beverage off or outside of the licensed premises unless written request is filed with the director, and written approval is issued by the director; except that a licensee may store alcoholic beverages in a bonded warehouse or central warehouse, if the licensee has first notified the director in writing of their intention to do so.
- (i) *Unlicensed beverages on premises.* No retail licensee, nor employee of the licensee, shall allow upon the licensed premises any alcoholic beverages except the types the licensee is licensed to sell upon those premises.
- (j) *Illegal drugs.* No retail licensee, nor employee of the licensee, shall possess, store, sell or offer for sale, give away, distribute, permit the consumption of or deliver any controlled substance or illegal drug or narcotic, as defined in the Missouri Comprehensive Drug Control Act, or similar statutes, upon the licensed premises, nor shall any licensee or employee allow any other person to engage in any of these acts upon the licensed premises.
- (k) *Illegal gambling.* No retail licensee, nor employee of the licensee, shall participate or engage in illegal gambling or violate any federal or state laws in connection with gambling, upon the licensed premises, nor shall any licensee or employee allow any other person to engage in any of these acts upon the licensed premises.
- (l) *Illegally purchased alcoholic beverages.* No retail licensee, nor employee of the licensee, shall allow on or about the licensed premises any alcoholic beverage which they have purchased or secured in violation of any city ordinance, or local, state or federal law.
- (m) *Entertainment on premises.* No retail licensee nor employee of the licensee shall allow on or about the licensed premises:
- (1) Any type of live entertainment, as defined in Section 10-1, unless the neighbor notification requirement, as outlined in section 10-214, has been met and

the application has been approved by the director. Any form of entertainment, live exhibition, performance or dance characterized by exposure of specified anatomical areas as that term is defined in section 80-20, or dance performed by a performer who is nude behind an opaque barrier, shall be prohibited unless the licensed location first complies with the zoning requirements set forth under section 80-156 and the specified entertainment has been approved by the director.

- (2) Any type of entertainment unless the application has been approved by the director. The term "entertainment," as used in this chapter, shall include but shall not be limited to jukeboxes, pool tables, dart boards, video games, pinball machines or any other amusement device operated by the insertion of a coin, disc or other insertion piece.

(n) *Employees dancing on premises.* Upon the licensed premises:

- (1) The dancer may perform a dance for a customer or customers but shall not intentionally touch any customer while performing a dance.
- (2) The dancer shall not receive any payment or gratuity from any customer unless the payment or gratuity is placed into the dancers' hand or under a leg garter worn by the dancer located at least four inches below the bottom of the pubic region.
- (3) No dancer shall dance with any customer.
- (4) No dancer shall sit at a table or the bar with any customers.
- (5) No customer shall knowingly or intentionally touch any dancer.

(o) *Multiple business names posted on one licensed premises.* Multiple business names may not be posted on the exterior of a licensed premises unless:

- (1) There is a separate entrance into the licensed premises for each different business name that will be posted;
- (2) The original business name is included as part of any new business name and the size of the lettering of the business name is uniform on any interior or exterior sign that will be posted throughout the licensed premises; and
- (3) There must be open public access throughout the entire licensed premises where there are no closed doors or other physical barriers that separate the licensed premises in any way. However, it is permissible to keep any part of the licensed premises closed when it is not in use.

(p) *Nuisances.* No retail licensee or employee of the licensee shall cause a nuisance to or change in character of any residential area or the immediate area surrounding the licensed

premises. Nuisances may include but will not be limited to noise, traffic and parking associated with the operation of the premises from patrons or other persons frequenting the premises.

- (q) *Lewd and indecent conduct.* No retail licensee, nor employee of the licensee, shall allow lewd and indecent conduct on or within the immediate vicinity of the licensed premises. Lewd and indecent conduct may include but will not be limited to public urination exhibited by persons frequenting the licensed premises or by the licensee or their employees, servants or agents.
- (r) *Compliance with law.* No retail licensee, nor employee of the licensee, shall participate in or permit the violation of any federal, state, or local rule or regulation upon the premises.
- (s) *Marijuana.* No retail licensee, nor employee of the licensee, shall sell or offer for sale, give away, distribute, permit the consumption of or deliver marijuana, including in food products, upon the premises, nor shall any licensee or employee allow any other person to engage in any of these acts upon the licensed premises.

..end

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Approved as to form:

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Andrew Bonkowski  
Assistant City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 240641

Submitted Department/Preparer: Neighborhoods

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

Amending Chapter 10, Code of Ordinances, Alcoholic Beverages, by repealing and replacing Sections 10-1, 10-162, and 10-332 for the purpose of revising the City's liquor control code.

### Discussion

Asstated above, the proposed changes update a couple definitions to strengthen the ordinance.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  
Although no additional fees are needed to fund this legislation, the funding source for chapter 10 comes from application, permitting, and licensing fees of alcoholic beverages.
3. How does the legislation affect the current fiscal year?  
It could potentially lessen the number of alcoholic beverage licenses issued to taverns, and to bar-restaurants that provide live entertainment.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
If the number of alcoholic beverage licenses issued to taverns and bar-restaurants that provide live entertainment is decreased, future revenue would also be decreased.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
It delivers a return on investment by better protecting the neighborhoods regarding the proliferation of liquor licensed taverns and bar-restaurants that provide live entertainment.

**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 strings were identified.

**Citywide Business Plan (CWBP) Impact**

- 1. View the [Adopted 2025-2029 Citywide Business Plan](#)
- 2. Which CWBP goal is most impacted by this legislation?  
Housing and Healthy Communities (Press tab after selecting.)
- 3. Which objectives are impacted by this legislation (select all that apply):
  - Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
  - Maintain and increase affordable housing supply to meet the demands of a diverse population.
  - Address the various needs of the City's most vulnerable population by working to reduce disparities.
  - Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
  - Ensure all residents have safe, accessible, quality housing by reducing barriers.
  - Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

**Prior Legislation**

Ordinance number 240150.

**Service Level Impacts**

This legislation will not impact service levels.

## Other Impacts

1. What will be the potential health impacts to any affected groups?

By clearly defining what constitutes a bar-restaurant and strengthening the definition of live entertainment, property owners in close proximity (at least within 250 feet) of a proposed retail sales-by-drink licensed business will have a much better understanding of what type of business is being proposed within their neighborhood and will have the opportunity to vote whether they support or oppose that business. If fewer retail sales-by-drink liquor businesses that allow live entertainment go into neighborhoods, the health impact could include the elimination of possible noise disturbances late at night or early in the morning, and fewer alcohol related health issues such as DUI's, sales to minors, and the overserving of alcoholic beverages.

2. How have those groups been engaged and involved in the development of this ordinance?

By voicing their thoughts and opinions to Regulated Industries through past voting forms regarding proposed liquor licensed businesses, and by calling / emailing their thoughts / concerns regarding currently operating liquor licensed businesses.

3. How does this legislation contribute to a sustainable Kansas City?

If fewer retail sales-by-drink liquor businesses that allow live entertainment go into neighborhoods, the health impact could include the elimination of possible noise disturbances late at night or early in the morning, fewer assaults which may include homicides, and fewer alcohol related health issues such as DUI's, sales to minors, and the overserving of alcoholic beverages.

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:

Click or tap here to enter text.

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)



**File #: 240434**

[SECOND COMMITTEE SUBSTITUTE FOR]ORDINANCE NO. 240434

Sponsor: Councilmember Wes Rogers  
SECOND COMMITTEE SUBSTITUTE

**\*\*\*PUBLIC TESTIMONY IS LIMITED TO 1 (ONE) MINUTE FOR THIS ORDINANCE\*\*\***

Amending Chapter 18, Article XIV, Section 18-367, Code of Ordinances, entitled “Adoption of International Energy Conservation Code (2021); amendments,” by providing an additional path of compliance that accomplishes Strategies B-2 and B-3 of the 2022 Climate Protection & Resiliency Plan through a nationally recognized system for calculating a home’s energy performance; allowing for previously approved building plans to be approved under the additional compliance path; and providing a method to further improve energy performance over time.

WHEREAS, Committee Substitute for Ordinance No. 220364 (“Ordinance”) adopting the 2021 International Energy Conservation Code with amendments (“KCMO Energy Code”) was passed by the City Council on October 13, 2022; and

WHEREAS, the effective date of the Ordinance was July 1, 2023, but it also provided a mandatory date for the implementation of the KCMO Energy Code of September 29, 2023; and

WHEREAS, the existing compliance paths in the KCMO Energy Code shall remain unchanged and intact for full use and this ordinance adds an additional compliance path; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 18, Article XIV, Section 18-367, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended to read as follows:

**Sec. 18-367. Adoption of International Energy Conservation Code (2021); amendments.**

The International Energy Conservation Code (2021), promulgated by the International Code Council, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of this section. Provisions of this article are in addition to the provisions of the International Energy Conservation Code. The following provisions coinciding with provisions of the International Energy Conservation Code supersede, or delete, when indicated, the corresponding provisions of the International Energy Conservation Code.



In addition, the IECC Appendix CC: Zero Energy Commercial Building Provisions is an option for builders to voluntarily implement.

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

**Chapter 1 [CE], SCOPE AND ADMINISTRATION** is deleted. See Article I of this chapter.

*C405.12 Electrical for future use on new buildings with electrical services*

1. Provide 2-inch conduit run up to attic for future photovoltaic systems.
2. Provide 2-inch conduit run into parking areas for future electric vehicle charging stations.

*Chapter 1 [RE], SCOPE AND ADMINISTRATION* is deleted. See Article I of this chapter.

**Table R402.4.1.1. Under 'Walls'.** Amend first sentence to read: "Corners and headers shall be sealed and the junction of the foundation and sill plate shall be sealed."

**R403.3.7, Exception.** In IRC projects building framing cavities may be used as ducts or plenums where sealed to prevent leakage through the thermal envelope.

**R404.4 Electrical for future use on new buildings with electrical services**

1. Provide 2-inch conduit run up to attic for future photovoltaic systems.
2. Provide 2-inch conduit run into garage areas for future electric vehicle charging stations.

The following sections are amended /added to the referenced model code, leaving the Prescriptive Option, Total Building Performance Option, and the Energy Rating Index Option intact and unchanged:

**R401.2 Application.** Amend to read: "Residential buildings shall comply with Section R401.2.5 and one of Sections R401.2.1, R401.2.2, R401.2.3, or R401.2.4; OR residential buildings shall comply with Section R401.2.6 only."

**R401.2.6 KCMO Compliance Path.**

The KCMO Compliance Path requires compliance with Section R409.

**R409 KCMO Compliance Path:**

1. Submit a Home Energy Rating System (HERS) "Projected Report" based on the building plans showing an index score of 64 or better (better means a score of 64 or lower) by a RESNET certified Energy Rater with each permit application, along with a statement by the applicant that they are utilizing the KCMO Compliance Path.

2. 3<sup>rd</sup> Party Inspections and Testing performed during construction by a RESNET certified Energy Rater and required to be submitted prior to Temporary or Full Certificate of Occupancy:
  - a. Insulation Inspection(s)
  - b. Duct Leakage Testing
  - c. Whole House Leakage Testing
3. As a condition of Temporary or Full Certificate of Occupancy, submit a Final Compliance report verifying the score of 64 by a RESNET certified Energy Rater
4. As a condition of Temporary or Full Certificate of Occupancy, post a permanent certificate inside the building which lists:
  - a. the predominant R-values of insulation installed in ceilings, roof, wall, and foundation components;
  - b. the U-factors and solar heat gain coefficient (SHGC) of fenestration;
  - c. the results of the duct and whole house leakage tests;
  - d. the types, sizes and efficiencies of heating, cooling and service water-heating equipment; and
  - e. if on-site photovoltaic panel systems have been installed, the array capacity, inverter efficiency, panel tilt and orientation.

When utilizing this R409 KCMO Compliance Path in conjunction with a Master Building Plan, the submitted HERS Projected Report must contemplate the most energy intensive combined variables of the plan options to include directional orientation. Subsequent builds of the same Master Building Plan are not required to repeat item 1.

No additional documentation shall be required for plan review and/or permitting under this R409 KCMO Compliance Path.

Section 2. That previously approved Buildings Plans under the KCMO Energy Code shall have an opportunity to change to the R409 KCMO Compliance Path if so designated in writing and with the submission of required documents outlined in Section 1 within 30 days of the effective date of this ordinance.

Section 3. That previously approved Building Plans that were submitted as complete applications prior to September 29, 2023 (the mandatory implementation date of Ordinance) and subsequently approved by the City, are eligible for use and permits when using the R409 KCMO Compliance Path. In such instances, applicant shall submit a letter detailing the previously approved Building Plan they are using, and that any conflicting energy notes on that plan are now voided and replaced with the details of the documentation, inspections and testing required for the R409 KCMO Compliance Path as outlined in Section 1.

Further, regardless of chosen compliance path, all residential plan reviews are subject to City Code Section 2-2300, Permitting Standards.

Section 4. That the City may endeavor to create a systematic method to reduce the HERS score required in R409 KCMO Compliance Path in keeping with Strategies B-2 and B-3 of the 2022 Climate Protection & Resiliency Plan. Such reductions shall occur no more than

once every three years from the effective date of this Ordinance, shall be published at least one year in advance of their effective date(s), shall not exceed the equivalent of a 4% reduction over any 3-year period from the prior score, and shall be based on analyzing data from the prior time period's actual HERS scores. (Following such schedule would result in a HERS score of 50 by the year 2040 as recommended in Strategy B-3.).

..end

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Approved as to form:

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Eluard Alegre  
Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 240434

Submitted Department/Preparer: Finance

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

Amending Chapter 18, Article XIV, Section 18-367, Code of Ordinances, entitled "Adoption of International Energy Conservation Code (2021); amendments," by providing an additional path of compliance that accomplishes Strategies B-2 and B-3 of the 2022 Climate Protection & Resiliency Plan through a nationally recognized system for calculating a home's energy performance; allowing for previously approved building plans to be approved under the additional compliance path; and providing a method to further improve energy performance over time.

### Discussion

This ordinance would create an alternative compliance plan to satisfy the goals of the International Energy Code. Multiple departmental presentations have been given on this subject, please reference presentations for additional information.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  
No fiscal impact.
3. How does the legislation affect the current fiscal year?  
No fiscal impact.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
No fiscal impact.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No fiscal impact.

**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 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.
  -

**Prior Legislation**

220364- Adoption of International Energy Conservation Code (2012)

**Service Level Impacts**

Uncertain as to the impacts of creating an alternative compliance path.

## Other Impacts

1. What will be the potential health impacts to any affected groups?  
None.

2. How have those groups been engaged and involved in the development of this ordinance?  
Uncertain

3. How does this legislation contribute to a sustainable Kansas City?  
Uncertain

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:

Click or tap here to enter text.

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)





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**File #: 240524**

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ORDINANCE NO. 240524

Sponsor: Director of City Planning and Development Department

Approving a development plan on about 60 acres, which also serves as a preliminary plat, for an industrial development in District M2-3 generally located at 10951 N. Congress Avenue. (CD-CPC-2024-00038) \*\*\*Held off docket\*\*\*

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan, which also serves as a preliminary plat, in District M2-3 (Manufacturing 2 (Dash 3)), generally located at 10951 N. Congress Avenue, and more specifically described as follows:

All that part of the Northeast Quarter of Section 25, Township 52 North, Range 34 West, in the City of Kansas City, Platte County, Missouri, being more particularly described as follows: Commencing at the southwest corner of the Northeast Quarter of said Section 25; thence North 0°12'53" East, along the west line of the Northeast Quarter of said Section 25, a distance of 782.69 feet; thence South 89°54'40" East, along the north plat line of Congress Business Park, Third Plat, a platted subdivision of land in the City of Kansas City, Platte County, Missouri, and its westerly extension, a distance of 61.21 feet, to the point of beginning; thence North 55°40'23" East, a distance of 113.50 feet; thence North 22°39'19" East, a distance of 298.95 feet; thence North 54°21'27" East, a distance of 317.12 feet; thence North 47°06'12" East, a distance of 277.72 feet, to a point on the north line of the south 10 acres of the north one-half of the Northeast Quarter of said Section 25 and the south plat line of KCI Auto Auction, Plat 3, a platted subdivision of land in the City of Kansas City, Platte County, Missouri; thence South 89°54'49" East, along the north line of the south 10 acres of the north one-half of the Northeast Quarter of said Section 25 and the south plat line of said KCI Auto Auction, Plat 3, a distance of 767.06 feet; thence South 10°06'24" West, a distance of 96.32 feet; thence South 1°53'36" East, a distance of 92.96 feet; thence South 19°53'36" East, a distance of 29.17 feet; thence South 67°53'36" East, a distance of 46.62 feet; thence South 41°53'36" East, a distance of 81.56 feet; thence South 89°53'36" East, a distance of 1078.93 feet, to a point on the east line of the Northeast Quarter of said Section 25; thence South 0°32'31" West, along the east line of the Northeast Quarter of said Section 25, a distance of 1204.74 feet, to the southeast corner of Northeast Quarter of said Section 25; thence North 89°53'36" West, along the south line of the Northeast Quarter of



said Section 25, a distance of 1649.18 feet to the southeast plat corner of Congress Business Park, a platted subdivision of land in the City of Kansas City, Platte County, Missouri; thence North 0°05'20" East, along the east plat line of said Congress Business Park, a distance of 783.00 feet, to the northeast plat corner of said Congress Business Park; thence North 89°54'40" West, along the north plat line of said Congress Business Park and the north plat line of said Congress Business Park, Third Plat, a distance of 950.43 feet to the point of beginning, containing 59.7243 acres, more or less.

is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, completed by an ISA certified arborist, an SAF certified forester, a professional engineer, or a landscape architect licensed in the State of Missouri, verifying that all trees preserved and all trees planted to meet mitigation required of the approved plan, whichever is applicable, has been installed or preserved in accordance with the plan and is healthy prior to a certificate of occupancy.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
3. The developer shall receive approval of an administrative adjustment to the bicycle parking requirements or receive approval of a variance prior to a building permit.
4. The developer shall secure approval of a project plan for the areas labeled "Future Phases" of the project from the City Plan Commission prior to a building permit.
5. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
6. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
7. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
8. All signage shall conform to 88-445 and shall require a sign permit prior to installation.

9. The developer shall be responsible for tree preservation in an easement or platted tract in accordance with 88-424. This requirement shall be satisfied prior to issuance of a certificate of occupancy, or prior to the recording of the final plat, whichever occurs first.
10. Prior to any certificate of occupancy is issued for each phase, a final plat must be approved by the City and recorded with the County Recorder of Deeds.
11. Prior to the first certificate of occupancy issued a sign must be placed at the terminus of N.W. 109th Street stating "End City Maintenance".
12. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
13. The north half of N.W. 108th Street shall be improved to collector street standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary, and adjusting vertical grades for the road, and obtaining required permits from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
14. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.
15. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
16. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
17. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of

- a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
18. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
  19. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
  20. The developer shall submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape improvements in the public right-of-way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
  21. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri Department of Natural Resources (MDNR) and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
  22. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
  23. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA 241-2013 § 8.7.2). Fire hydrant distribution shall follow IFC-2018 Table C102.1.
  24. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
  25. All required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3). Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Required Fire Department access roads shall designed to

support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4) and shall provide fire lane signage on fire access drives.

26. The developer shall meet the fire flow requirements as set forth in Appendix B of the project International Fire Code 2018. (IFC-2018 § 507.1)
27. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1) and (NFPA1221)
28. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105). Buildings exceeding three (3) stories or 30 feet in height shall have at least two means of fire apparatus access. (IFC-2018: § D104.1)
29. A full flow fire meter shall be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.
30. No water service tap permits will be issued until the public water main is released for taps.
31. Water/sewer service lines shall serve only one lot or tract and shall not cross a separate lot or tract.
32. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
33. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
34. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
35. The developer shall provide covenants to maintain private water mains acceptable to the Kansas City Water Services Department for any private water mains prior to the issuance of any building permits.

36. Water main extension plans shall be submitted to the Kansas City Water Services Department by a Missouri PE for review, approval, and contracts for extensions of the transmission main, distribution main, and public fire hydrants per the approved utility plan prior to issuance of building permits. The WME plans shall follow all Kansas City Water rules and regulations for water main extensions. The extension of approximately 2,800' of 12" public water main and approximately 500' of 24" transmission main along N.W. 108th Street as shown on the development plan shall be designed and under contract (permitted) with Kansas City Water Services Department prior to recording the final plat. The applicant must dedicate a 30' wide exclusive water main easement adjacent to the future 112th Street right-of-way along the northeast corner of the site as part of the final plat. The City will cost share the cost of the 24" portion of the watermain to the extent the cost of the 24" water main exceeds the cost of a 12" watermain for the length of the 24" water main, as funding is available.
37. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
38. The developer shall submit a final stream buffer plan for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.
39. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
40. The developer shall obtain approval and any necessary permits from the United States Army Corps of Engineers for proposed wetland fills or alteration of the vegetated stream buffers prior to issuance of any site disturbance, grading, or stream buffer permits or approval of the final plat, whichever occurs first.
41. The developer shall provide covenants to maintain private storm sewer mains acceptable to the Kansas City Water Services Department for any private storm sewer mains prior to the issuance of any building permits.
42. The developer shall provide private storm drainage easements for any private storm sewer mains prior to the issuance of any building permits.
43. The developer shall secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development, prior to recording the plat or issuance of a building permit, whichever occurs first.

44. The developer shall enter into a covenant agreement for the maintenance of any storm water detention area tracts as required by the Land Development Division, prior to recording the plat.
45. The developer shall grant BMP easements to the City, prior to recording the plat or issuance of any building permits.
46. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, for review and acceptance for the disturbed area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
47. The developer shall provide covenants to maintain private sanitary sewer mains acceptable to the Kansas City Water Services Department for any private sanitary sewer mains prior to the issuance of any building permits.
48. The developer shall provide covenants to maintain private water mains acceptable to the Kansas City Water Services Department for any private water mains prior to the issuance of any building permits.
49. The developer shall provide private (water, storm drainage, sanitary sewer) easements for any private mains prior to issuance of any building permits.
50. Internal utilities shall be private mains located within private easements and covered by covenants to maintain private utilities acceptable to the Kansas City Water Services Department.

A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

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

..end

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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Ahna Nanoski, AICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 240524

Submitted Department/Preparer: City Planning

Revised 11/01/23

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

Approving a development plan on about 60 acres, which also serves as a preliminary plat, for an industrial development in District M2-3 generally located at 10951 N Congress Avenue. (CD-CPC-2024-00038)

### Discussion

- The proposed development will create 4 lots. There are 3 proposed buildings total, and one undeveloped lot for potential outdoor storage.
- The zoning allows for the proposed use.
- Internal drives will be privately owned and maintained.
- See staff report for details.

### 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 on subject property.
3. How does the legislation affect the current fiscal year?  
Not applicable as this is a zoning ordinance authorizing physical development on subject property.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
The proposed ordinance will approve construction of public infrastructure at the cost of the developer and dedication of land for future right of way, which will be constructed and maintained by the City in the future.
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 fiscal impact.

**Citywide Business Plan (CWBP) Impact**

- 1. View the [FY23 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.
  -

**Prior Legislation**

See staff report.

**Service Level Impacts**

No impact expected.

## Other Impacts

1. What will be the potential health impacts to any affected groups?  
This ordinance was not evaluated for potential health impacts,
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?  
The proposed development will create more construction of industrial development with the potential to enhance the economy in Kansas City as an industrial/logistic hub.
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 proposal, privately funded.

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)





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**File #: 240564**

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ORDINANCE NO. 240564

Sponsor: Director of City Planning and Development Department

Approving a development plan on about 2.4 acres in District B3-3 generally located at N.W. Tiffany Springs Parkway and Interstate 29 to allow for the construction of a hotel. (CD-CPC-2024-00019)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District B3-3 (Community Business (Dast 3)), generally located at N.W. Tiffany Springs Parkway and Interstate 29, and more specifically described as follows:

Tract A of the certain lot split survey of Lots 12D, 12E and 12F, Executive Hills North, Blocks 12 and 26, Kansas City, Platte County, Missouri more particularly described as follows: Beginning at the southwest corner of said lot split, thence North 13 degrees 32 minutes 44 seconds East, a distance of 512.96 feet; thence North 25 degrees 46 minutes 55 seconds East, a distance of 54.91 feet to a point on the southerly right-of-way line of Tiffany Springs Parkway said point also being a point of curvature; thence continuing with said southerly right-of-line of Tiffany Springs Parkway, on a curve to the right, having a radius of 272.00 feet, a central angle of 15 degrees 26 minutes 25 seconds, an initial tangent bearing South 72 degrees 36 minutes 33 seconds East, an arc distance of 73.38 feet; thence continuing with said southerly right-of-line of Tiffany Springs Parkway, South 57 degrees 00 minutes 00 seconds East, a distance of 146.18 feet to a point of curvature said point also being on the westerly right-of-line of North Polo Drive; thence continuing with said westerly right-of-line of North Polo Drive, on a curve to the right, having a radius of 35.00 feet, a central angle of 53 degrees 28 minutes 54 seconds, an initial tangent bearing of South 27 degrees 18 minutes 29 seconds East, an arc distance of 32.67 feet; thence on a curve to left, having a radius of 734.67 feet, a central angle of 29 degrees 56 minutes 16 seconds, an arc distance of 375.91 feet; thence South 88 degrees 18 minutes 00 seconds West, a distance of 246.12 feet to the point of beginning. The above described tract contains 103,622 square feet or 2.38 acres.

is hereby approved, subject to the following conditions:

1. All signage shall conform to 88-445 and shall require a sign permit prior to

installation.

2. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
4. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
5. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
6. The developer shall apply for and receive approval of a variance to 88-323-02-B-2, prior to a certificate of occupancy. Should a variance be denied by the Board of Zoning Adjustment the developer shall revise the plans to be compliant with the Zoning and Development Code.
7. A deviation to the lot and building standards for O and B Districts (Table 120-2) to allow for a 60 foot tall building is hereby approved.
8. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri Department of Natural Resources (MDNR) and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
9. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
10. The developer shall submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR

CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.

11. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and the developer shall secure permits to construct any improvements as required by the Land Development Division prior to issuance of any certificate of occupancy.
12. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting
13. The developer shall submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape improvements in the public right-of-way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
14. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
15. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
16. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
17. The developer shall meet the fire flow requirements as set forth in Appendix B of the project International Fire Code 2018. (IFC-2018 § 507.1)

18. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1) All Fire Department Connections (FDC) shall be threaded connections, Storz connections are not allowed in the City of Kansas City, Missouri (IFC-2018 § 903.3.6; NFPA 13-2010 § 6.8.1).
19. A required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Required Fire Department access roads shall designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius (IFC-2018: § 503.2.4) and shall provide fire lane signage on fire access drives.
20. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
21. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
22. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
23. The developer shall obtain Kansa City Water Services Department approval of the final grading plan within the existing 24" transmission main easement along the west side of the property. The grading plan shall retain 5' min. cover and no more than 15' of cover. Follow the requirements of the existing water easement such as no structures within the easement. Storm drain pipes parallel to the water main shall be located a minimum of 10' away.
24. The developer shall grant a BMP easement to the City prior to issuance of any building permits.

A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

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

..end

I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Ahna Nanoski, AICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney





# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 240564

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

Approving a development plan to allow for the construction of a hotel (lodging) in district B3-3 on about 2.4 acres generally located at NW Tiffany Springs Parkway and Interstate 29. (CD-CPC-2024-00019)

### Discussion

The proposed development plan is for a hotel with 109 rooms, gym, indoor pool, and associated parking lot. There is a future trail proposed on the western side of the lot. The property is located on NW Tiffany Springs, an established Parkway.

Due to the proximity to the parkway parking is not allowed in the front yard. The applicant will be required to receive approval from the Board of Zoning Adjustment to allow for parking in the front yard (Condition 6). The applicant is also requesting approval of a deviation to the allowed height in district B3-3 to allow for a 60' (foot) tall building (Condition 7).

The applicant completed public engagement as required by the Zoning and Development Code. The public meeting summary form and sign in sheet are attached to the staff report packet.

The applicant was required to submit revised plans prior to the submittal of an ordinance request per condition 6 of the City Plan Commission Disposition Letter. The ordinance request has been updated to reflect the required plans were submitted.

The City Plan Commission recommended approval with conditions at the meeting on June 18, 2024.

### 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 the physical development of the property.
3. How does the legislation affect the current fiscal year?

Not applicable as this is a zoning ordinance authorizing the physical development of the property.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
The proposed ordinance authorizes the construction of public infrastructure. Once completed the infrastructure will be accepted by the city and become the City's responsibility to maintain.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
This ordinance authorizes the 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 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.
- 

## Prior Legislation

Ordinance No. 951109 – City Council moved to hold the application on the docket for an amendment to the ShoLodge GP-3 plan on October 19, 1995.

## Service Level Impacts

No impacts expected.

## Other Impacts

1. What will be the potential health impacts to any affected groups?  
This zoning ordinance authorizes the development of a hotel which is not expected to have health impacts.
2. How have those groups been engaged and involved in the development of this ordinance?  
This ordinance requires public engagement prior to a recommendation from City Plan Commission. The developer held a public engagement meeting on March 12, 2024.
3. How does this legislation contribute to a sustainable Kansas City?  
This ordinance contributes to the economic growth of the city.
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 does not require CREO review.

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)



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**File #: 240572**

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ORDINANCE NO. 240572

Sponsor: Councilmember Melissa Patterson Hazley

Directing the City Manager to negotiate and enter into a contract with a non-profit organization to improve the efficiency, affordability, and durability of homes in disinvested neighborhoods.

WHEREAS, the City Council adopted the Climate Action Plan in 2022 and expressed its desire to improve the energy efficiency of existing homes; and

WHEREAS, home improvements can increase comfort, reduce utility costs, and ensure homes can withstand the anticipated effects of climate change; and

WHEREAS, home improvements have also been shown to improve indoor air quality and thermal comfort, improving resident health and reducing healthcare expenses; and

WHEREAS, together, these benefits can improve the affordability of homes; and

WHEREAS, City Council desires to improve the efficiency, affordability, and durability of homes in disinvested neighborhoods in Kansas City; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is hereby directed to identify a suitable non-profit organization and enter into a contract with said organization in an amount not to exceed \$500,000.00 for the purposes of improving the efficiency, affordability, and durability of existing homes in historically disinvested communities. Said contract shall include the following provisions requiring the non-profit organization to:

- (a) Facilitate energy efficiency improvements such as furnace, insulation, roof replacement or other strategies that reduces energy consumption;
- (b) Develop and implement a community-wide education initiative on the importance and benefits of energy efficiency;
- (c) Collaborate with locally owned rehab companies and home building materials suppliers

- (d) Reduce natural gas system leakage where feasible;
- (e) Prioritize owner occupied homes with household incomes not in excess of \$60,000.00 or on a fixed income in areas with a high heat index, minimal tree canopy coverage;
- (f) Develop and implement a plan with community partners to improve not less than 50 homes per year that meet these criteria
- (g) Track and report household HERS scores before and after improvements.

Section 2. That the sum of \$500,000.00 is hereby appropriated from the Unappropriated Balance of the Shared Success Fund to the following account:

25-

Section 3. That the City Manager is hereby designated as requisitioning authority for Account No. \_\_\_\_\_.

Section 4. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter in that it appropriates money, and shall take effect in accordance with that section.

..end

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

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

\_\_\_\_\_  
Tammy L. Queen  
Director of Finance

Approved as to form:

\_\_\_\_\_  
Joseph A. Guarino  
Senior Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 240572

Submitted Department/Preparer: Housing

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

Directing the City Manager to negotiate and enter into a contract with a non-profit organization to improve the efficiency, affordability, and durability of homes in disinvested neighborhoods.

### Discussion

This ordinance directs the City Manager to identify and contract with a non-profit organization for the purposes of improving the efficiency, affordability, and durability of existing homes in historically disinvested communities. The contract shall not exceed \$500,000. The ordinance establishes various provisions that the non-profit must meet to be considered for this contract.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  
The ordinance appropriates from the unappropriated balance of the Shared Success Fund and appropriates funds to 25-2590-555313-619080.
3. How does the legislation affect the current fiscal year?  
Reduces Shared Success Fund by \$500,000.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
No.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
No.

## 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)

The Shared Success Fund has Unappropriated Fund Balance available to support the proposed amount. The unreserved fund balance of the Shared Success Fund is \$743,175.46 as of 7/8/2024.

## Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?  
Housing and Healthy Communities (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
  - Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable housing, and improve resident wellbeing and cultural diversity.
  - Maintain and increase affordable housing supply to meet the demands of a diverse population.
  - Address the various needs of the City's most vulnerable population by working to reduce disparities.
  - Foster an inclusive environment and regional approach to spur innovative solutions to housing challenges.
  - Ensure all residents have safe, accessible, quality housing by reducing barriers.
  - Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

## Prior Legislation

Adoption of Climate Action Plan 2022



## Service Level Impacts

N/A

## Other Impacts

1. What will be the potential health impacts to any affected groups?  
This will improve the efficiency, affordability and durability of homes in disinvested neighborhoods. Home improvements have also been shown to improve indoor air quality and thermal comfort, improving resident health and reducing healthcare expenses.

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?  
This legislation will contribute to a sustainable Kansas City by facilitating energy efficient improvements for homes.

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:

Click or tap here to enter text.

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)?  
Yes(Press tab after selecting)