



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: [Click or tap here to enter TMP-#.](#)

Submitted Department/Preparer: City Planning

Revised 01/30/25

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

A request to approve an amendment to the Westport Overlay District to allow Drive-Through Facilities with a Special Use Permit and adding standards for Drive-Through Facilities within the overlay on about 62 acres located along Westport Road starting at Southwest Trafficway to the boundary of the MCO district and along Pennsylvania Avenue from 39th Street to 43rd Street. (CD-CPC-2026-00025)

Discussion

The applicant, a property owner within the overlay district, is requesting to amend the Westport Overlay District to allow Drive-Through Facilities with a Special Use Permit and adding standards for Drive-Through Facilities within the overlay. The Westport overlay was approved in 2023 and was intended to maintain the unique character of Westport. Three of the eight intents (found in the attached staff report) listed in the Overlay encourage maintaining the pedestrian oriented development. To achieve those intents, drive-through facilities were listed as a prohibited use within the district.

The proposed amendment required review for rezonings (amendments to overlays require processing in the same way as rezonings) and text amendments (as the standards for the overlay were codified). Staff does not believe the amendment meets the required criteria for the text amendment – it does not correct an error or inconsistency in the code, is not consistent with adopted plans or stated purpose of the Westport Overlay, and is not in the best interest in the City as a whole. It also does not meet the criteria for the rezoning – the property is suitably used and in current operation under the current zoning and overlay standards (without a drive-through), the property is not vacant due to zoning, and amending the overlay to include drive-through facilities will detrimentally affect nearby properties. A full review of the criteria can be reviewed in the attached staff report and in the “other impacts” section of this docket memo.

City Plan Commission heard the case on April 1, 2026 and heard public testimony in opposition to the amendment. The City Plan Commission and Staff recommended denial of the application.

Additional testimony submitted after the CPC meeting is attached a separate document to this ordinance request.

City Planning and Development Staff does not believe this ordinance meets any goals of the Citywide Business Plan, therefore that section will remain blank.

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 amending the allowed uses within the Westport Overlay District.
3. How does the legislation affect the current fiscal year?
Not applicable, as this is a zoning ordinance amending the allowed uses within the Westport Overlay District.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable, as this is a zoning ordinance amending the allowed uses within the Westport Overlay District.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Not applicable, as this is a zoning ordinance amending the allowed uses within the Westport Overlay District.

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)

There is no fiscal impact in this ordinance. City Planning and Development Staff does not believe this proposed amendment meets any goals of the Citywide Business Plan and is therefore not selecting objectives in the next section.

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, affordable housing, and improve resident wellbeing and cultural diversity.
 - Maintain and increase 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.
 - Promote healthy residents by ensuring basic sanitation and living needs are met.
 - 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

CD-CPC-2023-00062 – Approving the Westport Overlay District, the district created development and site design standards that promote the recommendations outlined in the Westport District Master Plan, with a focus on the pedestrian-oriented corridors in the Westport area (Ordinance No. 230498, approved June 15, 2023).

Service Level Impacts

Not applicable, as this is a zoning ordinance amending the allowed uses within the Westport Overlay District.

Staff Recommendation

City Planning and Development

Select One: Sponsored
 Directive: Res/Ord # [Click to enter Res/Ord. No.](#)

- Select One: Recommend
 Do Not Recommend
 Not Applicable

City Planning and Development staff and the City Plan Commission recommend denial of this amendment to the Westport Overlay District.

Other Impacts

1. What will be the potential health impacts to any affected groups?
This is a zoning ordinance amending the allowed uses within the Westport Overlay District. The Westport Overlay was created as a way to preserve the unique features of the area, one of which is the pedestrian oriented corridors along Westport Road and Pennsylvania Avenue. During the creation of the overlay Drive-throughs were listed as a prohibited use to preserve this specific feature of the Westport area.
By changing the allowed uses to include drive-through facilities, there is an increased potential for:
 - More curb cuts on streets adjacent to Westport Road
 - Increased traffic on and off Westport road which may cause traffic disruption on an already busy road and may cause traffic to use drivethroughs to cut through the area
 - An increase in vehicle queuing which will increase noise, spillover light from headlights, and increased pollution, and
 - Create a precedent that drive-through facilities should be allowed in heavily populated areas that have been recommended for pedestrian-oriented development.
2. How have those groups been engaged and involved in the development of this ordinance?
This is a zoning ordinance amending the allowed uses with the Westport Overlay District, this application type requires public engagement. The applicant completed public engagement in compliance with the Zoning and Development Code.
3. How does this legislation contribute to a sustainable Kansas City?
This application does not contribute to a sustainable Kansas City. This application was reviewed against the KC Spirit Playbook and has a low alignment. The KC Spirit Playbook encourages walkability and alternative transportation modes.
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)