



Agenda - Final

Neighborhood Planning and Development Committee

Lee Barnes Jr., Chair
Andrea Bough, Vice Chair
Dan Fowler
Brandon Ellington
Teresa Loar

Wednesday, June 15, 2022

1:30 PM

26th Floor, Council Chamber

<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>

220491 Accepting and approving a one year \$83,850.00 contract with the Missouri Department of Health and Senior Services to conduct Perinatal Hepatitis B case management and surveillance activities in Kansas City, Missouri.

Attachments: [Hepatitis B FY23 - Fact Sheet](#)
[Hepatitis B FY23 - Fiscal Note](#)
[Hepatitis B FY23 - Budget](#)

220495 Accepting and approving a \$30,000.00 grant amendment from AIDS United to collaborate on the Centers for Disease Control and Prevention Capacity Building Assistance program for non-clinical HIV testing and prevention in the metropolitan Kansas City area; and designating requisitioning authority.

Attachments: [AIDS United CBA FY23 - Fact Sheet](#)
[AIDS United CBA FY23 - Fiscal Note](#)
[AIDS United CBA FY23 - Budget](#)

220496 Accepting and approving a grant award in the amount of \$1,958,985.00 with the U.S. Department of Housing & Urban Development for Housing Opportunities for Persons with AIDS; authorizing the Director of Health to execute a contract in the amount of \$1,499,426.00 with SAVE, Inc. for transitional housing services in the Kansas City area; and authorizing the Director of Health to extend the term of the contract or increase the total contract dollar amount upon need and appropriation without further Council approval.

Attachments: [HOPWA FY23 - Fact Sheet](#)
[HOPWA FY23 - Fiscal Note](#)
[HOPWA FY23 - Budget](#)

220504 Estimating funds and appropriating \$50,000.00 to the General Grants Fund; authorizing the Director of Housing and Community Development to enter into an agreement with Health Forward Foundation and the Truman Foundation to assist the Rental Assistance Center securing interns and volunteers; and recognizing this ordinance as having an accelerated effective date.

Attachments: [220504 fact sheet](#)
[220504 Fiscal Note](#)

220505 Approving a rezoning on about 0.87-acres generally located at the south-east corner of E 50th Street and Prospect Avenue from District B3-2 (Community Business) to District B4-2 (Heavy Business Commercial). (CD-CPC-2021-00245).

Attachments: [CPC Staff Report Packet.pdf](#)
[CPC Disposition Letter.pdf](#)
[Fact Sheet Rezoning 5021 Prospect.pdf](#)
[220505 Fiscal Note](#)

220506 RESOLUTION - Approving an amendment to the Swope Area Plan on about 0.87 acres generally located at the southeast corner of the intersection of E. 50th Street and Prospect Avenue by changing the recommended land use from office to commercial to allow a plumbing business to continue to operate. (CD-CPC-2022-00035).

Attachments: [CPC Staff Report Packet.pdf](#)
[CPC Disposition Letter.pdf](#)
[Fact Sheet APA 5021 Prospect.pdf](#)
[220506 Fiscal Note](#)

220511 Authorizing execution of a contract with the Economic Development Corporation of Kansas City, Missouri in an amount not to exceed \$2,977,500.00 for the purpose of providing funds for certain development and redevelopment activities.

Attachments: [No Fact Sheet](#)
[EDC Ordinance Fact Sheet 2022.docx](#)

220514 Amending Chapter 10, Code of Ordinances, by repealing Sections 10-62, Required hearings and review of director's action, and section 10-212, Location, and enacting in lieu thereof a new section of like number and subject matter to make necessary revisions to update a discrepancy within the ordinance, and, to make changes to the hearing process to align it with other like sections of the ordinance.

Attachments: [220514com](#)
[220514 Fact Sheet](#)
[220514 Fiscal Note](#)

220515 Amending Chapter 10, Code of Ordinances, by repealing Sections 10-1, Definitions, 10-261, Renewals, and 10-339, Employment of and sales by minors, and enacting in lieu thereof new sections of like number and subject matter to make adjustments based on changes that were recently made to many sections of chapter 10.

Attachments: [220515 Compared](#)
[220515com](#)
[220515 Fact Sheet](#)
[220515 Fiscal Note](#)

220516 Amending Chapter 10, Code of Ordinances, by repealing Section 10-211, Number of retail alcoholic beverage licenses, and enacting in lieu thereof a new section of like number and subject matter to align it with other like sections of chapter 10

Attachments: [220516com](#)
[No Fact Sheet 220516](#)

HELD IN COMMITTEE

[220425](#) Reducing an appropriation in the amount of \$783,266.00 in the Central City Economic Development Sales Tax Fund; appropriating \$783,266.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with GEM Theater Cultural and Performing Arts Center, Inc in the amount of \$783,266.00 for the purpose of constructing an affordable housing development located at 2033 Vine Street.

Attachments: [FACT SHEET - 21 Vine Live Work Townhomes](#)
[FISCAL NOTE 21 VINE](#)
[Approp Admin - TMP - 1794](#)

[220426](#) Reducing an appropriation in the amount of \$1,500,000.00 in the Central City Economic Development Sales Tax Fund; appropriating \$1,500,000.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with Ivanhoe Neighborhood Council in the amount of \$1,500,000.00 for the purpose of constructing a transitional housing development located at 2005 East 35th Street.

Attachments: [FACT SHEET - Heroes Home Gate Transitional Home Expansion](#)
[FISCAL NOTE HHG](#)

[220429](#) Reducing an appropriation in the amount of \$668,232.00 in the Central City Economic Development Sales Tax Fund; appropriating \$668,232.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with Monarque Advisory, LLC, in the amount of \$668,232.00 for the purpose of redeveloping and constructing affordable housing development located at 2904 E. 23rd Street and 2914 E. 23rd Street.

Attachments: [Fact Sheet - CCED Monarque](#)
[Fiscal Note - CCED Monarque](#)

[220453](#) Detaching approximately 103 acres generally located at 4200 Bong Street from Kansas City, upon the annexation of said property by the City of Belton. (CD-CPC-2021-00197)

Attachments: [220453 FactSheet](#)

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

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

- 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

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 #: 220491

ORDINANCE NO. 220491

Accepting and approving a one year \$83,850.00 contract with the Missouri Department of Health and Senior Services to conduct Perinatal Hepatitis B case management and surveillance activities in Kansas City, Missouri.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That a contract between the City of Kansas City, Missouri, acting through its Director of Health, and the Missouri Department of Health and Senior Services, whereby the Missouri Department of Health and Senior Services will provide funding for Perinatal Hepatitis B Case Management findings and follow-up for infected mothers and their infants from July 1, 2022 through June 30, 2023, for an amount not to exceed \$83,850.00, is hereby accepted and approved. A copy of the agreement, in substantial form, is on file with the Director of Health.

Section 2. That the Director of Health is hereby authorized to expend the sum of \$66,383.00 from funds heretofore appropriated to Account No. 23-2480-505422-G50542224.

..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 and legality:

Joseph Guarino
Senior Associate City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
What is the reason for this legislation?	Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use		
	Sponsor(s) Programs, Departments, or Groups Affected Sub-Program in Budget (page #)		
Discussion (including relationship to other Council actions)	Applicants/ Proponents	City Department	Other
	Staff Recommendation		
Citywide Business Plan Goal	Board or Commission Recommendation		
Citywide Business Plan Objective	Future Impacts		
	Cost of Legislation current Fiscal Year		
Citywide Business Plan Strategy	Costs in Future Fiscal Years?		
	Annual Revenue Increase/Decrease		
	Applicable Dates:		
	Prepared by:		
	Date Prepared:		
	Reviewed by:		
	Date Reviewed		
	Reference Numbers		

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220491

LEGISLATION IN BRIEF:

Perinatal Hepatitis B

What is the purpose of this legislation?

LEGISLATIVE

for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank

Sections 01-04 should be blank. See section 00 for more information

Does this grant require a match?

NO

Yes/No

See Section 01 for the City's Grant Match in the Current Fiscal year

Does this legislation estimate Grant Revenues?

NO

Yes/No

See Section 02 for the New Estimated Revenues by Year.

Does this legislation estimate Grant Appropriations?

NO

Yes/No

See Section 03 Below, Note all future Revenues in Section 04.

Does this grant create an ongoing expense for the city?

NO

Yes/No

See Section 04 for five years of ongoing operational Impacts.

Section 00: Notes:

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
2480	505422	Various	G50542224	66,383.00	17,467.00

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

NET IMPACT ON OPERATIONAL BUDGET

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RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2480	Health Grants Fund	66,383	17,467					
1000		-						
1000		-						
1000		-						
TOTAL REV		66,383	17,467	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2480	Health Grants Fund	66,383	17,467					
1000								
1000								
1000								
TOTAL EXP		66,383	17,467	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-	-
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NET IMPACT (SIX YEARS)	-
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REVIEWED BY

Vickie Watson

DATE

6/13/2022

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Perinatal Hepatitis B

Object Line	FY23	FY24	Total
A0110 Wages, Regular, Full	\$63,716.00	\$16,137.00	\$79,853.00
A Personal Services	\$63,716.00	\$16,137.00	\$79,853.00
B18560 Health Services	\$1,667.00	\$330.00	\$1,997.00
B Contractual Services	\$1,667.00	\$330.00	\$1,997.00
C21100 Office Supplies	\$1,000.00	\$1,000.00	\$2,000.00
C Commodities Services	\$1,000.00	\$1,000.00	\$2,000.00
TOTAL	\$66,383.00	\$17,467.00	\$83,850.00



File #: 220495

ORDINANCE NO. 220495

Accepting and approving a \$30,000.00 grant amendment from AIDS United to collaborate on the Centers for Disease Control and Prevention Capacity Building Assistance program for non-clinical HIV testing and prevention in the metropolitan Kansas City area; and designating requisitioning authority.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That a sub-grant award agreement between the City of Kansas City, Missouri, acting through its Director of Health (the “Director”), and AIDS United to collaborate on the Centers for Disease Control Capacity Building Assistance program to implement and provide technical assistance on a statewide and regional level with non-clinical sites in developing testing, community events, awareness sessions, and linkage to care for high-risk individuals in the Kansas City, Missouri area for the period beginning May 1, 2022 through March 31, 2023, for an amount not to exceed \$30,000.00, is hereby accepted and approved. A copy of the grant award agreement, in substantial form, is on file with the Director.

Section 2. That the Director is designated as requisitioning authority for Account No. 23-2480-505060-G50506023 and is hereby authorized to expend the sum of \$30,000.00 from funds heretofore appropriated to the account.

..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 and legality:

Joseph Guarino
Senior Associate City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
What is the reason for this legislation?	Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use		
	Sponsor(s) Programs, Departments, or Groups Affected Sub-Program in Budget (page #)		
Discussion (including relationship to other Council actions)	Applicants/ Proponents	City Department	Other
	Staff Recommendation		
Citywide Business Plan Goal	Board or Commission Recommendation		
Citywide Business Plan Objective	Future Impacts Cost of Legislation current Fiscal Year		
	Costs in Future Fiscal Years?		
Citywide Business Plan Strategy	Annual Revenue Increase/Decrease		
	Applicable Dates:		
	Prepared by:		
	Date Prepared:		
	Reviewed by:		
	Date Reviewed		
	Reference Numbers		

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220495

LEGISLATION IN BRIEF:

AIDS United HIV Prevention Capacity Building Assistance

What is the purpose of this legislation?

LEGISLATIVE

for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank

Sections 01-04 should be blank. See section 00 for more information

Does this grant require a match?

NO

Yes/No

See Section 01 for the City's Grant Match in the Current Fiscal year

Does this legislation estimate Grant Revenues?

NO

Yes/No

See Section 02 for the New Estimated Revenues by Year.

Does this legislation estimate Grant Appropriations?

NO

Yes/No

See Section 03 Below, Note all future Revenues in Section 04.

Does this grant create an ongoing expense for the city?

NO

Yes/No

See Section 04 for five years of ongoing operational Impacts.

Section 00: Notes:

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
2480	505060	A	G50506023	30,000.00	

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

NET IMPACT ON OPERATIONAL BUDGET

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RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2480	Health Grants Fund	30,000						
1000		-						
1000		-						
1000		-						
TOTAL REV		30,000	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2480	Health Grants Fund	30,000						
1000								
1000								
1000								
TOTAL EXP		30,000	-	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-
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NET IMPACT (SIX YEARS)	-
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REVIEWED BY

Vickie Watson

DATE

6/13/2022

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HIV Prevention Capacity Building
Assistance
Object Line

	Budget	
	FY23	Total
A01100 Personnel	\$30,000	\$30,000
A Personnel Services	\$30,000	\$30,000
TOTAL	\$30,000	\$30,000



File #: 220496

ORDINANCE NO. 220496

Accepting and approving a grant award in the amount of \$1,958,985.00 with the U.S. Department of Housing & Urban Development for Housing Opportunities for Persons with AIDS; authorizing the Director of Health to execute a contract in the amount of \$1,499,426.00 with SAVE, Inc. for transitional housing services in the Kansas City area; and authorizing the Director of Health to extend the term of the contract or increase the total contract dollar amount upon need and appropriation without further Council approval.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That a grant award in the amount of \$1,958,985.00 between the City of Kansas City, Missouri, acting through its Director of Health, and the U.S. Department of Housing & Urban Development (HUD), whereby HUD will provide funding for Housing Opportunities for Persons with AIDS (HOPWA) from May 1, 2022 through April 30, 2023, for an amount not to exceed \$1,958,985.00, is hereby accepted and approved. A copy of the agreement, in substantial form, is on file with the Director of Health.

Section 2. That the Director of Health is hereby authorized to expend the sum of \$1,917,773.05 from funds heretofore appropriated to Account No. 23-2740-505004-G50245424.

Section 3. That the Director of Health is authorized to execute a contract with SAVE, Inc., for a total contract amount not to exceed \$1,499,426.00, for HOPWA transitional housing assistance for eligible residents in the Kansas City, Missouri area for the contract period of July 1, 2022 to July 31, 2023, to be paid from funds appropriated in Account No. 23-2740-505004-G50245424. A copy of the contract, in substantial form, is on file with the Director of Health.

Section 4. That the Director is hereby authorized to extend the term of the SAVE, Inc., contract without further Council approval and that the Director is also hereby authorized to amend this contract to increase or decrease the total contract dollar amount contingent upon the need and availability of appropriated funds.

..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 and legality:

Joseph Guarino
Senior Associate City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
<p>What is the reason for this legislation?</p>	<p align="center">Fact Sheet Color Codes</p> <p align="center">User Entered Field</p> <p align="center">User Select From Menu</p> <p align="center">For OMB Use</p>		
<p>Discussion (including relationship to other Council actions)</p>	<p align="center">Sponsor(s)</p> <p align="center">Programs, Departments, or Groups Affected</p> <p align="center">Sub-Program in Budget (page #)</p>		
	<p>Applicants/ Proponents</p>	<p align="center">City Department</p>	<p align="center">Other</p>
<p align="center">Citywide Business Plan Goal</p>	<p>Staff Recommendation</p>		
	<p>Board or Commission Recommendation</p>		
<p align="center">Citywide Business Plan Objective</p>	<p align="center">Future Impacts</p>		
	<p>Cost of Legislation current Fiscal Year</p>		
<p align="center">Citywide Business Plan Strategy</p>	<p>Costs in Future Fiscal Years?</p>		
	<p>Annual Revenue Increase/Decrease</p>		
	<p>Applicable Dates:</p>		
	<p>Prepared by:</p>		
	<p>Date Prepared:</p>		
	<p>Reviewed by:</p>		
	<p>Date Reviewed</p>		
	<p>Reference Numbers</p>		

LEGISLATION IN BRIEF:

HOPWA Grant

What is the purpose of this legislation? LEGISLATIVE

for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank

Sections 01-04 should be blank. See section 00 for more information

Does this grant require a match? NO Yes/No
See Section 01 for the City's Grant Match in the Current Fiscal year

Does this legislation estimate Grant Revenues? NO Yes/No
See Section 02 for the New Estimated Revenues by Year.

Does this legislation estimate Grant Appropriations? NO Yes/No
See Section 03 Below, Note all future Revenues in Section 04.

Does this grant create an ongoing expense for the city? NO Yes/No
See Section 04 for five years of ongoing operational Impacts.

Section 00: Notes:

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
2740	505004	Various	G50245424	1,917,773.05	41,211.95

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

NET IMPACT ON OPERATIONAL BUDGET	-	-
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RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2740	HOPWA	1,917,773.05	41,211.95					
1000		-						
1000		-						
1000		-						
TOTAL REV		1,917,773	41,212	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2740	HOPWA	1,917,773.05	41,211.95					
1000								
1000								
1000								
TOTAL EXP		1,917,773	41,212	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-	-
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NET IMPACT (SIX YEARS)	-
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REVIEWED BY Vickie Watson DATE 6/13/2022

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Housing Opportunities for Persons with AIDS

Object Line	FY23	FY24	Total
A01100 Personnel Services	\$20,000.00	\$38,591.00	\$58,591.00
A Personnel Services	\$20,000.00	\$38,591.00	\$58,591.00
B 12550 Contractual Services	\$1,897,773.05	\$2,620.95	\$1,900,394.00
B Contractual Services	\$1,897,773.05	\$2,620.95	\$1,900,394.00
TOTAL	\$1,917,773.05	\$41,211.95	\$1,958,985.00



File #: 220504

ORDINANCE NO. 220504

Estimating funds and appropriating \$50,000.00 to the General Grants Fund; authorizing the Director of Housing and Community Development to enter into an agreement with Health Forward Foundation and the Truman Foundation to assist the Rental Assistance Center securing interns and volunteers; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, the Housing and Community Development Department, City of Kansas City, Missouri, has collaborated with the two foundations listed above to assist residents of Kansas City, Missouri through the Rental Assistance Center and to provide a total of \$50,000.00 to recruit interns and volunteers to assist: NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Estimating revenue in the amount of \$50,000.00 in the General Grants Fund in the following account:

23-2580-550001-479977-GFY2102825	Health Forward Foundation	\$50,000.00
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Section 2. That \$50,000.00 is appropriated from to the General Grants Fund to the account string below:

23-2580-555316-B-GFY2102825	Housing Services	\$50,000.00
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Section 3. That the Director of Housing and Community Development is hereby authorized to accept the funding to expend a total of \$50,000.00 from funds appropriated to the General Grants Fund in Account No. 23-2580-555316.

Section 4. That the Director of Housing and Community Development is hereby authorized to enter into an agreement with Health Forward Foundation and the Truman Foundation to assist the Rental Assistance Center securing interns and volunteers

Section 5. That this ordinance, because it appropriates money, is hereby recognized as having an accelerated effective date pursuant to Section 503(a)(3)(C) of the Charter.

..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 and legality:

Joseph A. Guarino
Senior Associate City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:				
		Approval Deadline:				
LEGISLATION IN BRIEF:						
What is the reason for this legislation?		Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use				
Discussion (including relationship to other Council acitons)		Sponsor(s)				
		Programs, Departments, or Groups Affected				
Citywide Business Plan Goal		Sub-Program in Budget (page #)				
Citywide Business Plan Objective		<table border="1"> <tr> <td data-bbox="808 919 1081 1087" rowspan="2">Applicants/ Proponents</td> <td data-bbox="1081 919 1466 961">City Department</td> </tr> <tr> <td data-bbox="1081 961 1466 1087">Other</td> </tr> </table>		Applicants/ Proponents	City Department	Other
Applicants/ Proponents	City Department					
	Other					
Citywide Business Plan Strategy		Staff Recommendation Board or Commission Recommendation				
		Future Impacts				
		<table border="1"> <tr> <td data-bbox="808 1371 1081 1455">Cost of Legislation current Fiscal Year</td> <td data-bbox="1081 1371 1466 1455"></td> </tr> </table>		Cost of Legislation current Fiscal Year		
Cost of Legislation current Fiscal Year						
		<table border="1"> <tr> <td data-bbox="808 1455 1081 1539">Costs in Future Fiscal Years?</td> <td data-bbox="1081 1455 1466 1539"></td> </tr> </table>		Costs in Future Fiscal Years?		
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		<table border="1"> <tr> <td data-bbox="808 1539 1081 1581">Annual Revenue Increase/Decrease</td> <td data-bbox="1081 1539 1466 1581"></td> </tr> </table>		Annual Revenue Increase/Decrease		
Annual Revenue Increase/Decrease						
		<table border="1"> <tr> <td data-bbox="808 1581 1081 1623">Applicable Dates:</td> <td data-bbox="1081 1581 1466 1623"></td> </tr> </table>		Applicable Dates:		
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Date Reviewed						
		<table border="1"> <tr> <td data-bbox="808 1791 1466 1833">Reference Numbers</td> <td data-bbox="1081 1791 1466 1833"></td> </tr> </table>		Reference Numbers		
Reference Numbers						

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220504
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LEGISLATION IN BRIEF:

Estimating funds and appropriating \$50,000.00 to the General Grants Fund; authorizing the Director of Housing and Community Development to enter into an agreement with Health Forward Foundation and the Truman Foundation to assist the Rental Assistance Center securing interns and volunteers; and recognizing this ordinance as having an accelerated effective date.

What is the purpose of this legislation? OPERATIONAL GRANT

For Accepting financial contributions from Federal State and/or third parties to fund municipal programs. Programs supported by grants may require matching contributions from the City, or for the City to pay for program activities beyond the lifespan of the grant.

Does this grant require a match? <i>See Section 00: " Notes" Below</i>	NO	Yes/No
Does this legislation estimate Grant Revenues? <i>See Section 02 for the New Estimated Revenues by Year.</i>	YES	Yes/No
Does this legislation estimate Grant Appropriations? <i>See Section 03 Below, Note all future Revenues in Section 04.</i>	YES	Yes/No
Does this grant create an ongoing expense for the city? <i>See Section 00: " Notes" Below</i>	NO	Yes/No

Section 00: Notes:

the Housing and Community Development Department, City of Kansas City, Missouri, has collaborated with the two foundations listed above to assist residents of Kansas City, Missouri through the Rental Assistance Center and to provide a total of \$50,000.00 to recruit interns and volunteers to assist:

If this grant is renewable, we do not assume that it will renew. If it is not, the city assumes the full cost in out years.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
2580	550001	479977	GFY2102825	50,000.00	

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST
2580	555316	619080	GFY2102825	50,000	

NET IMPACT ON OPERATIONAL BUDGET				-	-
				REVENUE SUPPORTED	

RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2580		50,000						
TOTAL REV		50,000	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
2580		50,000						
TOTAL EXP		50,000	-	-	-	-	-	-

NET Per-YEAR IMPACT		-	-	-	-	-	-	-
NET IMPACT (SIX YEARS)		-						

REVIEWED BY James Sturdevant DATE 6/14/2022



File #: 220505

ORDINANCE NO. 220505

Approving a rezoning on about 0.87-acres generally located at the south-east corner of E 50th Street and Prospect Avenue from District B3-2 (Community Business) to District B4-2 (Heavy Business Commercial). (CD-CPC-2021-00245).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as 88-20A-1329, rezoning an area of approximately 0.87 acres generally located at the south-east corner of E 50th Street and Prospect Avenue from District B3-2 (Community Business (dash 2)) to District B4-2 (Heavy Business/Commercial (dash 2)), said section to read as follows:

Section 88-20A-1329. That an area legally described as:

TRACT 3:

The North 100 feet of the South 200 feet of the following describe Tract, measured on the east line of Prospect Avenue, part of the Southwest Quarter of the Southwest Quarter of Section 27, Township 49, Range 33, Beginning at a point on the South line of 50th Street at East line of Prospect Avenue; thence East along the South line of 50th Street, 131.61 feet; thence South 303.68 feet to the Northeast corner of Lot 48 Elm Heights, an addition in Kansas City, Missouri; thence West along the North line of said Lot 48, 131.59 feet to the East line of Prospect Avenue or Northwest corner of said Lot 48; thence North along the East line of Prospect Avenue, 303.67 feet to point of beginning, in Kansas City, Jackson County, Missouri.

EXCEPT

Commencing at the Northwest corner of Lot 48 Elm Heights, an addition in Kansas City Jackson County, Missouri, and at the East Right-of-Way line of Prospect Avenue; thence North 02 degrees 18 minutes 19 seconds East along said East Right-of-Way line, 140.00 feet; thence South 87 degrees 14 minutes 08 seconds East, 71.60 feet to the Point of Beginning; thence continuing South 87 degrees 14 minutes 08 seconds East, 60.00 feet; thence North 02 degrees 18 minutes 11 seconds East, 60.00 feet; thence North 87 degrees 14 minutes 08 seconds West, 60.00 feet; thence South 02 degrees 18 minutes 11 seconds West, 60.00 feet to the Point of Beginning.

EXCEPT

Commencing at the Northwest corner of Lot 48 Elm Heights, an addition in Kansas City, Jackson County, Missouri, and at the East Right-of-Way line of Prospect Avenue; thence North 02 degrees 18 minutes 19 seconds East along said East Right-of-Way line, 169.62 feet; thence South 87 degrees 14 minutes 08 seconds East, 81.85 feet to the Point of Beginning; thence continuing South 87 degrees 14 minutes 08 seconds East, 10.00 feet; thence South 02 degrees 45 minutes 52 seconds West, 10.00 feet; thence North 87 degrees 14 minutes 08 seconds West, 10.00 feet; thence North 02 degrees 45 minutes 52 seconds East, 10.00 feet to the Point of Beginning.

TRACT 4:

All of the South 100 feet of the following described tract measured on the East line of Prospect Avenue, part of the Southwest quarter of the Southwest Quarter of Section 27, Township 49, Range 33, in Kansas City, Missouri, beginning at a point on the South line of 50th Street at the East line of Prospect Avenue; thence East along the South line of 50th Street, 131.61 feet; thence South 303.68 feet to the Northeast corner of Lot 48, Elm Heights, an addition in Kansas City, Missouri; thence West along the North line of said Lot 48, 131.59 feet to the East line of Prospect Avenue or the Northwest corner of said Lot 48; thence North along the East line of Prospect Avenue 303.67 feet to the point of beginning.

is hereby rezoned from District B3-2 (Community Business (dash 2)) to District B4-2 (Heavy Business/Commercial (dash 2)), all as shown on a map marked Section 88-20A-1329, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That the Council finds and declares that before taking any action on the proposed amendment 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.

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Senior Associate City Attorney



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri
 City Planning & Development Department
www.kcmo.gov/cpc

May 17, 2022

Project Name
Embassy Material Storage

Docket	Request
#5.1	CD-CPC-2021-00245 Rezoning Without Plan
#5.2	CD-CPC-2022-00035 Area Plan Amendment

Applicant
 Jeff Schroeder – Herman Scharhag Architects

Owner
 Ramsey Investments LLC
 Rick Ramsey – Affordable Plumbing

Location	5021 Prospect Ave
Area	On about 0.86 acres
Zoning	B3-2
Council District	3 rd
County	Jackson
School District	KCMO 110

Surrounding Land Uses

North: zoned B3-2, 71 Hwy
South: zoned B3-2, Vacant
East: zoned B3-2, 71 Hwy
West: zoned B3-2, Public/Civic

Major Street Plan

The City's Major Street Plan does not classify Prospect Avenue as a Boulevard or Parkway at this location.

Land Use Plan

The Swope Area Plan recommends Office Use for the subject site.

APPROVAL PROCESS



NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

Notice of the public hearing was sent to surrounding properties within 300 feet of the subject site. The surrounding area does not have an associated neighborhood organization.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request & has been satisfied, a summary of which is attached.

EXISTING CONDITIONS

The subject property sits on the east side of prospect avenue just south of where it passes beneath 71 Highway. A community center sits to the west of the subject site.

SUMMARY OF REQUEST

- #5.1 – A request to approve a rezoning from B3-2 to B4-2 to allow for an affordable plumbing use with outdoor storage of vehicles.
- #5.2 – A request to approve an amendment to the Swope Area Plan to change the future land use recommendation from office to commercial.

PROFESSIONAL STAFF RECOMMENDATION

Docket	Recommendation
#5.1	Approval without conditions
#5.2	Approval without conditions

CONTROLLING CASE

No controlling case was found

REZONING REVIEW

The property abuts 71 Highway to the north and east, with vacant properties to the south. It has been used by Affordable Plumbing since at least 2018. In December of 2020 a building permit was applied for to allow for new construction. After completion of the development, it was found that the nature of the use of the property did not conform to zoning district. Specifically, the applicants received a zoning violation for outdoor vehicle storage. Rezoning the property would allow for slightly more intense commercial use, including the current uses of the property. The future land use for the subject site is Office; therefore, an Area Plan Amendment to Commercial would be needed to support the use.

REZONING ANALYSIS

In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city plan commission, and city council must consider at least the following factors;

88-515-08-A. Complies with adopted plans and planning policies;

The Swope Area Plan recommends Office use. The rezoning request does not comply with this recommendation; as such, an area plan amendment is requested along with rezoning application.

88-515-08-B. Zoning and use of nearby property;

The property abuts 71 Highway to the north and east, with vacant properties to the south. The property directly across the street to the west is the Blue Hills Community Service Center.

88-515-08-C. Physical Character of the area in which the subject property is located;

This area of Prospect Avenue is a mixture of commercial, public, and office uses. The property contains a recently constructed building.

88-515-08-D. Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

Given that this is an existing use that has been in operation for several years, the impact caused by the rezoning would be minimal to public facilities.

88-515-08-E. Suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;

The existing zoning is B3-2 which does not allow for the current usage of the property. The proximity of the to 71 Highway lends itself to slightly more intense uses than along other portions of the corridor.

88-515-08-F. Length of time the subject property has remained vacant as zoned;

From resources staff has available, the property was utilized by Bledsoe's Rental from at least 2007 to around 2014. It appears that the parking area was used for outdoor storage/fleet parking at that time as well. The property appears to have remained vacant from 2014 to 2018. Many surrounding properties to the south appear to be vacant as well.

88-515-08-G. The extent to which approving the rezoning will detrimentally affect nearby properties; and
The proposed rezoning would allow for the current use of the property to continue. Given the proximity of the subject site to the nearby highway, staff does not anticipate the extent of detrimental effects to increase.

88-515-08-H. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of the denial of the application.
Denial of the rezoning and area plan applications may result in the applicants being unable to continue to operate at this location.

PROFESSIONAL STAFF RECOMMENDATION

Based on the applications submitted by the applicant, staff recommends the following:

CD-CPC-2021-00245 - **APPROVAL WITHOUT CONDITIONS**

CD-CPC-2022-00035 - **APPROVAL WITHOUT CONDITIONS**

Respectfully Submitted,



Jared Clements - AICP
Planner

KCMO CITY PLANNING & DEVELOPMENT

PUBLIC MEETING SUMMARY FORM

PROJECT CASE #CD-CPC-2021-00245

MEETING DATE: THURSDAY, APRIL 28TH, 2022

MEETING LOCATION: 5021 PROSPECT AVE.

MEETING TIME: START: 5:00pm END: 5:25pm

Meeting was started at 5:00. No one attended until 5:15. Miss Lisa Ray, President of the Town Fork Creek Neighborhood Association and her daughter, Charlise Harris came at 5:15. Lisa Ray said she approved of the project and would let other members of the Neighborhood Association know at a meeting they are going to have next week.

I informed Lisa that the hearing would be on May 17th, 2022 and that it appeared to be going to be held on Zoom.

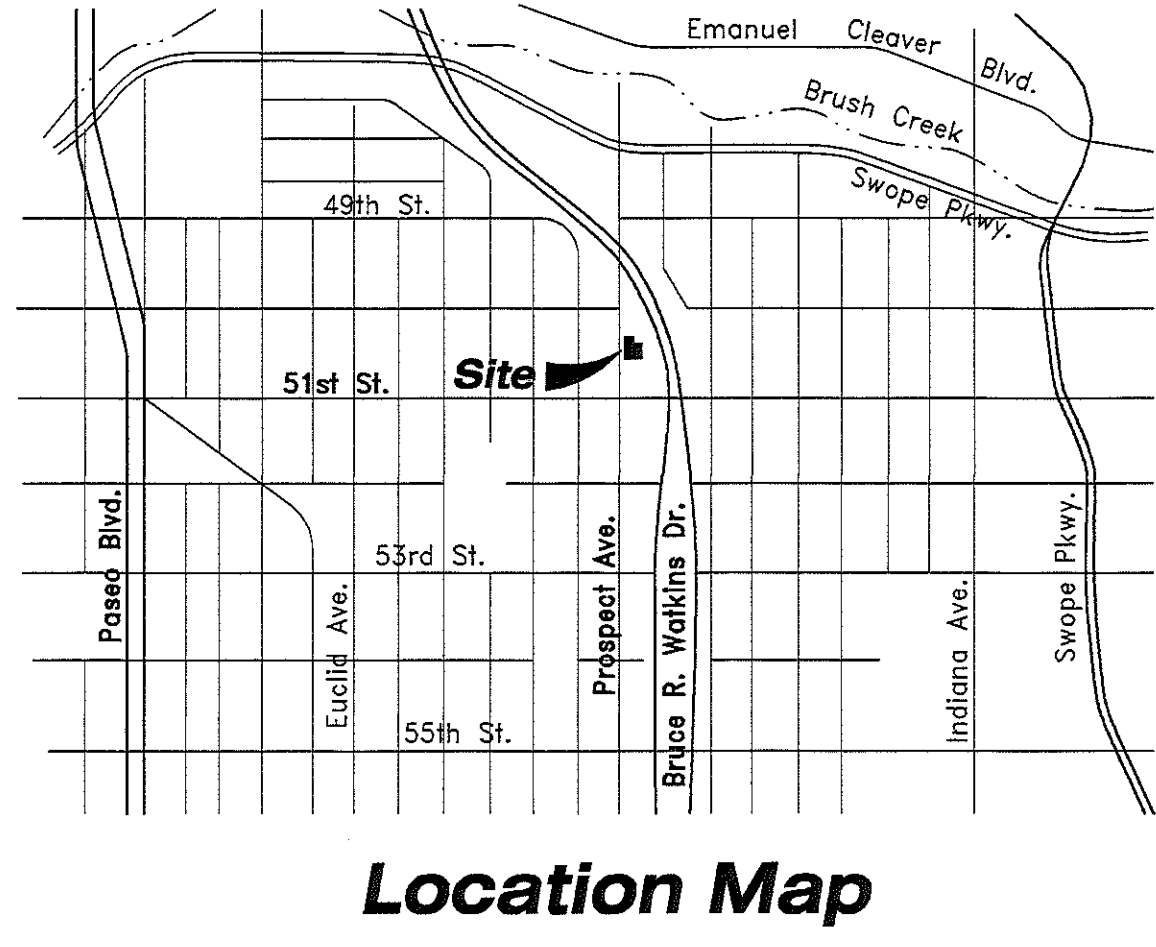
Meeting was adjourned at 5:25.

(I received an email from Bob Langenkemp with Community Builders, located at 5008 Prospect, across the street. He said he was not able to attend the meeting and asked for a description of what was being proposed. I sent an email back to him with that description)

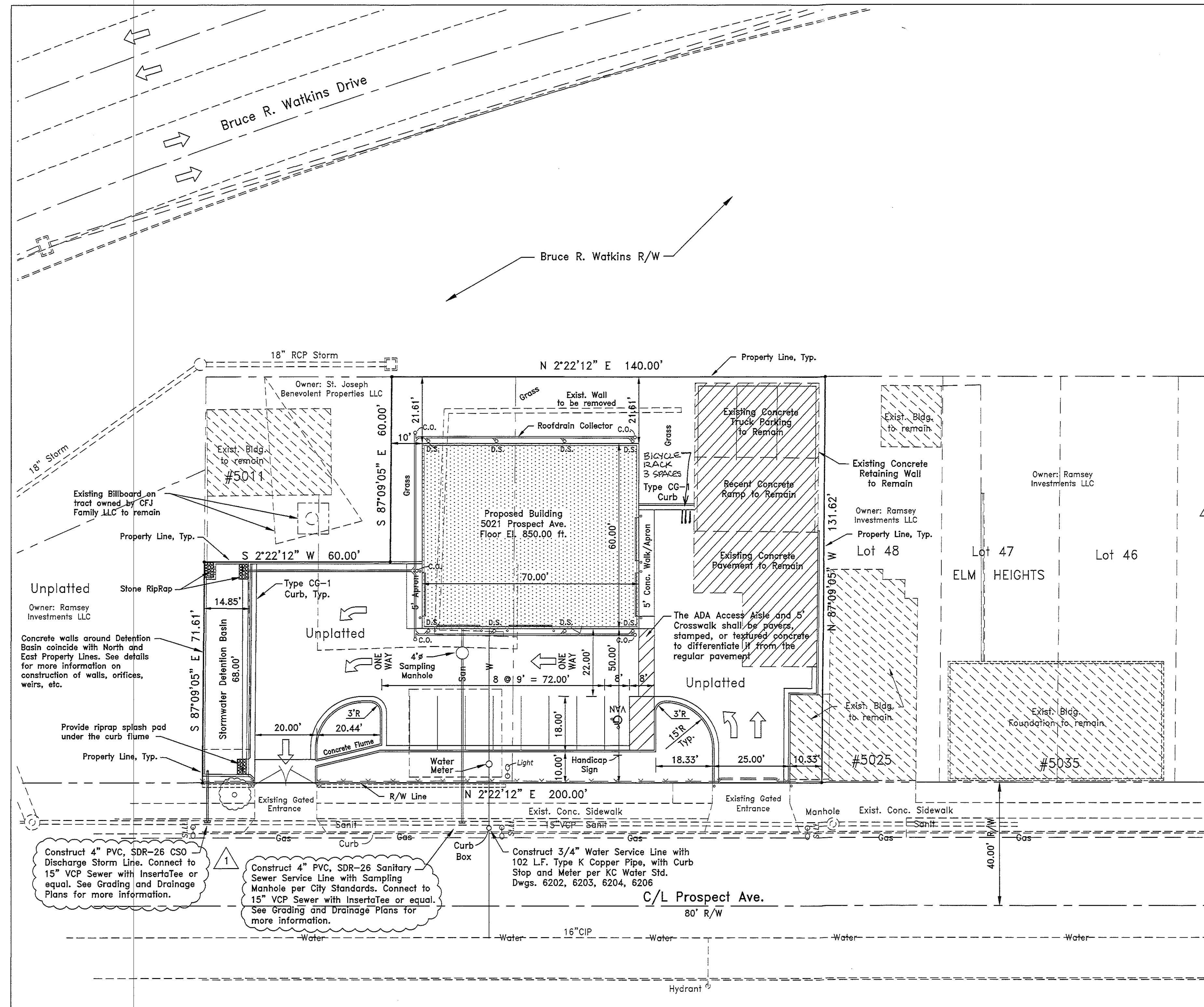
Civil Site Plan

Affordable Plumbing Building

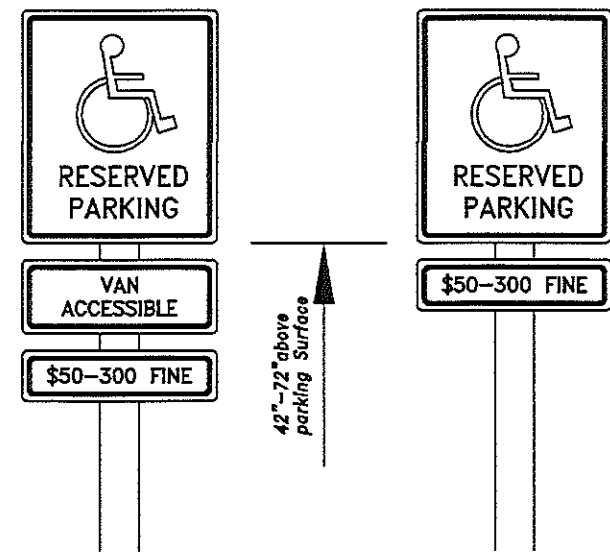
5021 Prospect Ave.
Kansas City, Jackson County, Missouri
In the SW 1/4 of Section 27, Township 49 North, Range 33 West



Location Map



Handicap Parking Signage shall be installed in compliance with City Code and A.D.A. requirements, including a height for the signs between 42" and 72" above the parking surface. Signs shall have white lettering on a blue background. Van Accessible signs shall be included where appropriate. Signs may be mounted on a suitable post or on building walls, where practical.



Handicapped Parking Signage Detail

CITY & UTILITY CONTACTS :

- | | |
|--|--|
| MISSOURI ONE CALL
SPIRE GAS SERVICE
ERVIN CABLE CONSTRUCTION
AT&T DISTRIBUTION
CENTURY LINK
MCI
KCMO PUBLIC WORKS
KCMO WATER
EVERGY
GOOGLE FIBER
TIME WARNER CABLE | 1-800-DIG-RITE
800-778-9140
844-322-2524
800-778-9140
877-366-8344
800-289-3427
816-513-9970
816-513-1313
888-471-5275
913-486-5018
800-778-9140 |
|--|--|



Call Before you dig
1-800-DIG-SAFE
(344-7233)
Kansas One-Call System

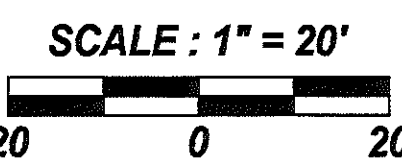
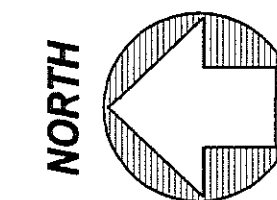
NO.	DATE	REVISION
2	11-10-2020	Added Landscape green space along Prospect
1	8-17-2020	Revised Basin for CSO Discharge, Site Discharge Rate & Volume
NO.	DATE	REVISION

Record Bench Mark: Top of Aluminum Monument in Monument Box in center of E. 51st Street and Prospect Avenue. Elevation 990.41 feet - NAVD 88

Project Bench Mark: Top of existing Sanitary Sewer Manhole near Southwest corner of site. Elevation 853.14 feet - NAVD 88

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Civil Site Plan



OWNER/DEVELOPER :
Rick Ramsey
Ramsey Investments LLC
13115 Holmes Rd.
Kansas City, MO 64145

ARCHITECT :
Jeff Schroeder
Scharhag Architects
6247 Brookside Blvd. #204
Kansas City, MO 64113
(816) 656-5055

INDEX OF SHEETS

- | | |
|----|-------------------------|
| C1 | CIVIL SITE PLAN |
| C2 | GRADING PLAN |
| C3 | DRAINAGE PLAN & DETAILS |
| C4 | EROSION CONTROL PLAN |

Property description:

This description was taken from a survey prepared by Thomas Clemons MO LS #1958, with Area Surveyors, dated Feb. 10, 2017 with a revision date of Oct. 12, 2017. Tract 4 as shown on said survey included Lots 46-48 ELM HEIGHTS, but these lots are not included in the proposed Site, so that part of the description was not included herein.

TRACT 5:
The North 100 feet of the South 200 feet of the following describe Tract, measured on the east line of Prospect Avenue, part of the Southwest Quarter of the Southwest Quarter of Section 27, Township 49, Range 33, Beginning at a point on the South line of 50th Street at East line of Prospect Avenue; thence East along the South line of 50th Street, 131.61 feet; thence South 303.68 feet to the Northeast corner of Lot 48 ELM HEIGHTS, an addition in Kansas City, Missouri; thence West along the North line of said Lot 48, 131.59 feet to the East line of Prospect Avenue or Northwest corner of said Lot 48; thence North along the East line of Prospect Avenue, 303.67 feet to point of beginning, in Kansas City, Jackson County, Missouri.

EXCEPT
Commencing at the Northwest corner of Lot 48 ELM HEIGHTS, an addition in Kansas City Jackson County, Missouri, and at the East Right-of-Way line of Prospect Avenue; thence North 02 degrees 18 minutes 19 seconds East along said East Right-of-Way line, 140.00 feet; thence South 87 degrees 14 minutes 08 seconds East, 71.60 feet to the Point of Beginning; thence continuing South 87 degrees 14 minutes 08 seconds East, 60.00 feet; thence North 02 degrees 18 minutes 11 seconds East, 60.00 feet; thence North 87 degrees 14 minutes 08 seconds West, 60.00 feet to the Point of Beginning.

EXCEPT
Commencing at the Northwest corner of Lot 48 ELM HEIGHTS, an addition in Kansas City, Jackson County, Missouri, and at the East Right-of-Way line of Prospect Avenue; thence North 02 degrees 18 minutes 19 seconds East along said East Right-of-Way line, 169.82 feet; thence South 87 degrees 14 minutes 08 seconds East, 91.85 feet to the Point of Beginning; thence continuing South 87 degrees 14 minutes 08 seconds East, 10.00 feet; thence South 02 degrees 45 minutes 52 seconds West, 10.00 feet; thence North 87 degrees 14 minutes 08 seconds West, 10.00 feet; thence North 02 degrees 45 minutes 52 seconds East, 10.00 feet to the Point of Beginning.

TRACT 4:
All of the South 100 feet of the following described tract measured on the East line of Prospect Avenue, part of the Southwest quarter of the Southwest Quarter of Section 27, Township 49, Range 33, in Kansas City, Missouri, beginning at a point on the South line of 50th Street at the East line of Prospect Avenue; thence East along the South line of 50th Street, 131.61 feet; thence South 303.68 feet to the Northeast corner of Lot 48, ELM HEIGHTS, an addition in Kansas City, Missouri; thence West along the North line of said Lot 48, 131.59 feet to the East line of Prospect Avenue or the Northwest corner of said Lot 48; thence North along the East line of Prospect Avenue 303.67 feet to the point of beginning.

Boundary information is shown per the above survey.

General Notes

All construction, equipment, methods, and materials necessary to complete the work covered by these plans shall comply with the General Conditions, Technical Specifications, and Standard Drawings of the City of Kansas City, Missouri, current at the time of construction.

It shall be the responsibility of the contractor to minimize erosion or siltation during all phases of construction.

Any disturbed areas within public right-of-ways shall be seeded and mulched. Excavation permits are required for all work performed within the public right-of-way. Contact the permit counter 816-513-2552.

The contractor shall field verify all dimensions and quantities and shall record "As-Built" dimensions or locations of any appurtenances if they differ from the plans. Field data shall be submitted to the engineer to assist in the preparation of "As-Built" drawings.

Storm sewer pipe designated "HDPEP" shall be High Density Polyethylene Pipe conforming to AASHTO m294 Type S, HDPEP pipe must come from a Plastic Pipe Institute (PPI) certified manufacturer and have passed the PPI 3rd Party certification testing. Each individual section of pipe shall be marked in accordance with AASHTO m294 and shall be affixed with the PPI certification label. HDPEP pipe shall be joined with watertight joints meeting the requirements of AASHTO m294 Paragraph 7.9.3. All pipes and associated materials shall conform to City/APWA Standards including Sections 2600, 5600 and the supplements thereto.

The Sanitary Sewer Service Line pipe and the CSO Discharge Pipe from the detention basin shall be 4" PVC pipe, SDR-26, conforming to ASTM D-3034 with joints conforming to ASTM C-443. Connections to the existing sewer shall be made with Insert-a-tee fittings, or equal.

The water service line shall be a 3/4" Type K flexible copper line conforming to the latest federal specifications. The Service Line shall have a minimum of 4 feet, and a maximum of 5 feet of cover. Where service lines must cross over storm or sanitary sewers, the service line must be placed at such an elevation that the bottom of the service line is at least 18" above the top of the sewer. This vertical separation must be maintained for that portion of the service line located within 10 feet horizontally of any sewer or sewer line that it crosses, said 10 feet to be measured as the normal distance from the service line to the sewer.

An RPZ Backflow Preventer is required for this building. See the Plumbing Sheets for more information. The RPZ Backflow Preventer (BFP) device shall be installed immediately inside the building wall, after the Stop Valve but before any branches, tees, strainers, pressure gauges or other fittings, etc. The Inlet Valve of the RPZ BFP may not serve as the Stop Valve. A floor drain must be provided within 20' of the RPZ BFP.

All water service installations including BFP devices are subject to field verification and approval by the Water Department Inspector.

Curbs shall be type C-1 Curb or CG-1 Curb and Gutter as noted. All sidewalk and ramp construction shall comply with current City standards and the current standards and specifications of the A.D.A.

Parking: handicap, crosswalks, and loading spaces shall be marked with 4" painted or thermoplastic stripes as shown. Signage shall be installed per City and ADA requirements.

The site topography and utility locations are shown per information received from others and is the best information available to the engineer. The contractor shall verify the locations or absence of all utilities prior to commencing construction. In Missouri, call 1-800-DIG-RITE (344-7483)

Floodplain status: Per FEMA FIRM Panel 29095-C-0266G, with an Effective Date of 01/20/2017, the site is in Zone X, Areas of Minimal Flood Hazard.

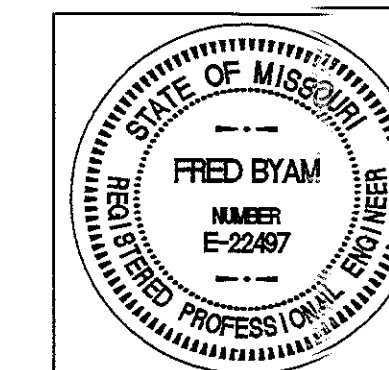
Construction Schedule: The construction is planned to commence immediately upon City approval, completing in the Fall of 2020.

There will be no ground-mounted mechanical units on the site.

No free-standing or building-mounted signage is proposed with this application.

No exterior lighting is proposed with this application.

Parking Summary:	Existing Site: 5021 Prospect Ave. Parcel No. JA 31-43-02-60-4-00-000-00 Zoned B3-2 Site Area: 0.522 Acres Area to be Disturbed: 0.43 Acres Watershed: Brush Creek
Required Spaces: 4	
Provided Spaces: 9	including 1 Van Accessible Space

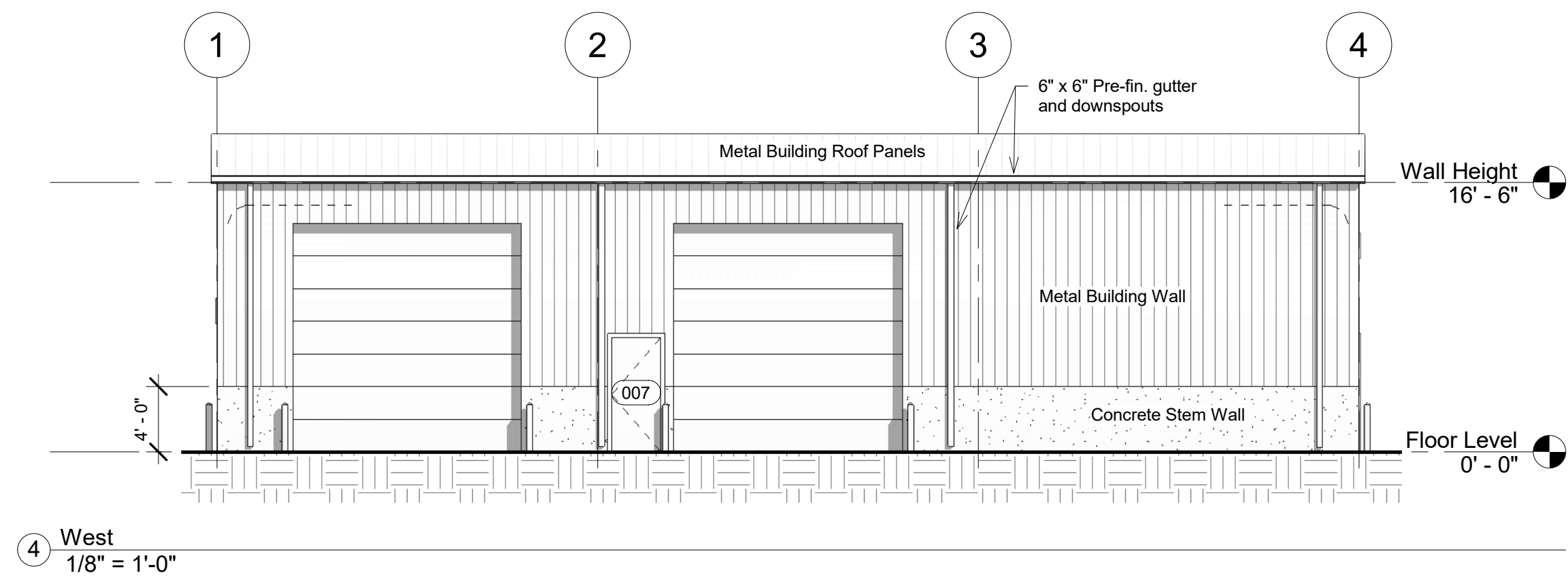
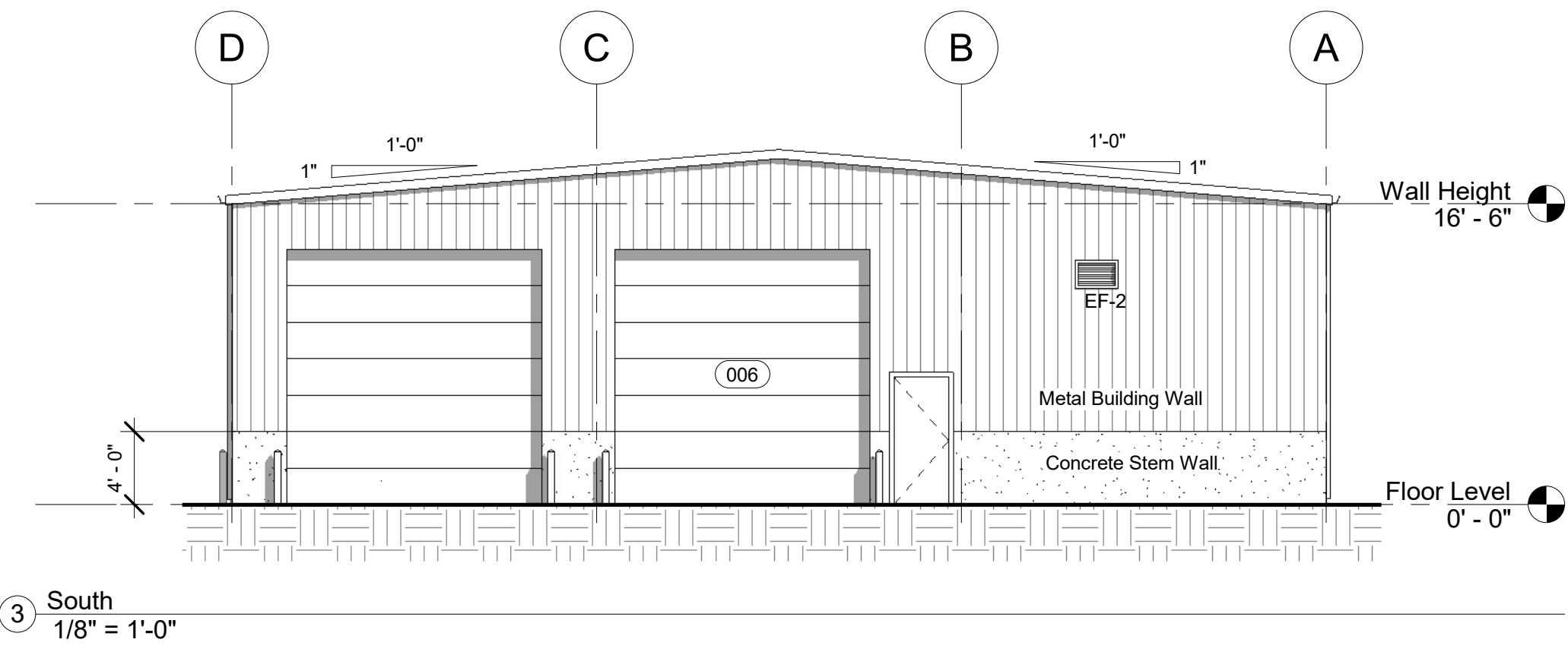
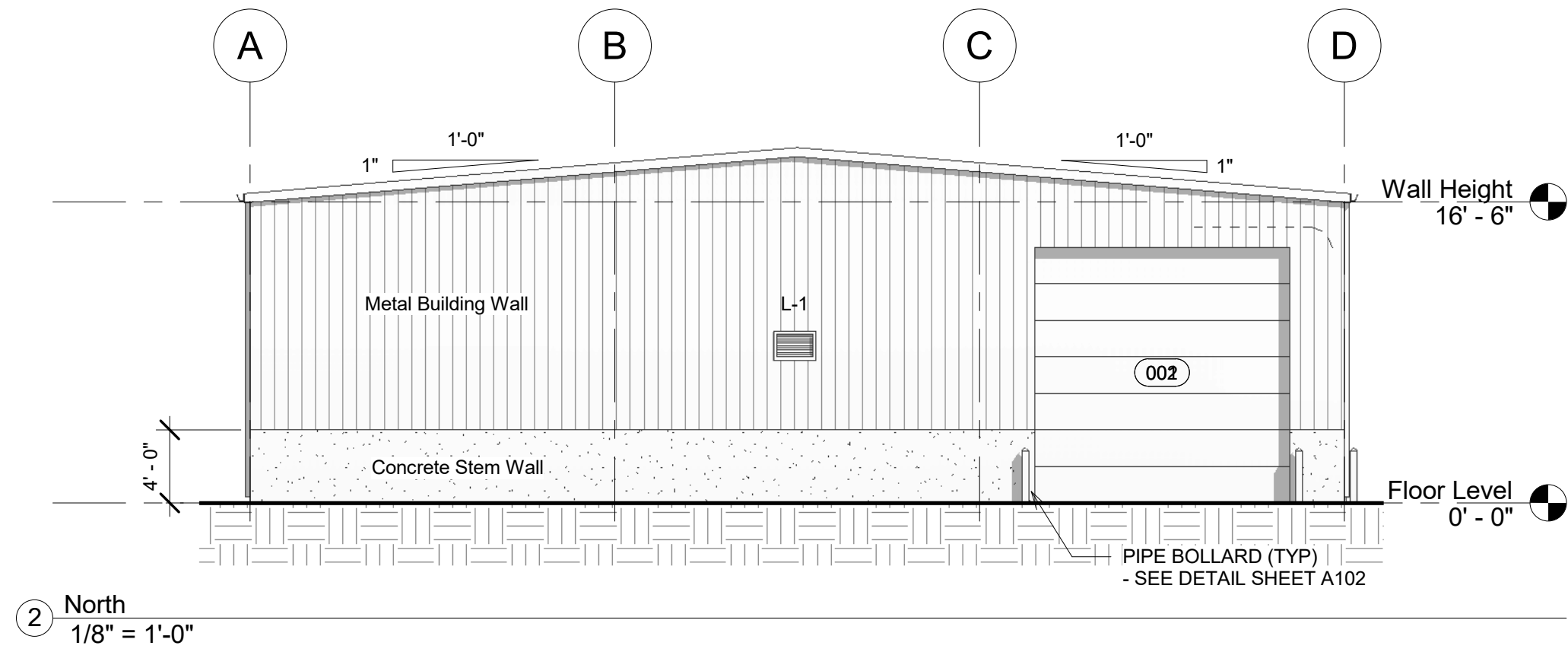
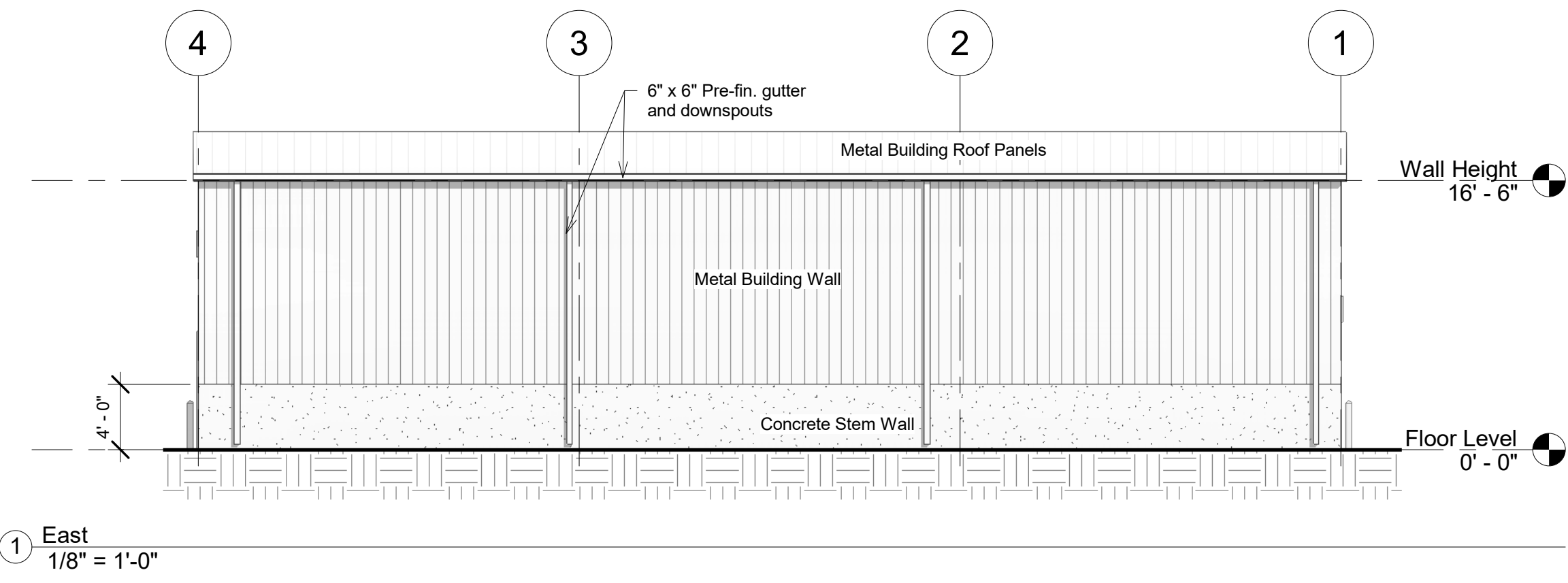


Signature
Fred Byam
Missouri PE #22487
E-22487
11-10-2020
Date Signed

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

FOR: **Scharhag Architects**
Civil Site Plan
Affordable Plumbing Building
5021 Prospect Ave.
Kansas City, Jackson County, Missouri

REVISION: 2	DRAWN: Apr. 3, 2020
JOB NO. 2019-1327	SHEET 1 OF 4

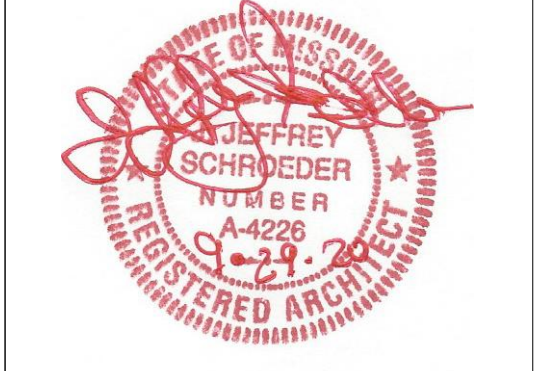


Scharhag
HERMAN A. SCHARHAG COMPANY ARCHITECTS
6247 Brookside Blvd. #204 Kansas City, Mo 64113
Phone: 816-656-5055 Scharhagarcht@gmail.com

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NEW BUILDING FOR
AFFORDABLE PLUMBING
5021 PROSPECT AVE

J. Jeffrey Schroeder Mo. License A-4226
Herman Scharhag Co., Arch. Corp. of Authority A-22



No.	Description	Date
Revision Schedule		

Elevations

Project number 2227
Date 04.09.2020

A201

Scale 1/8" = 1'-0"



CITY PLAN COMMISSION

15th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

kcmo.gov/planning

May 25, 2022

Jeff Schroeder
Herman Scharhag Architects
6247 Brookside Blvd, #204
Kansas City, MO 64113

Re: **CD-CPC-2022-00035** - A request to approve an amendment to the Swope Area Plan to change the future land use recommendation from office to commercial on about 0.87 acres generally located at 5021 Prospect Avenue.

CD-CPC-2021-00245 – A request to approve a rezoning from B3-2 to B4-2 on about 0.87 acres generally located at 5021 Prospect Avenue.

Dear Jeff Schroeder:

At its meeting on May 17, 2022, the City Plan Commission acted as follows on the above-referenced case:

Recommend Approval

If you have any questions, please contact me at jared.clements@kcmo.org or (816) 513-8826

Sincerely,

Jared Clements
Planner

COMMUNITY PROJECT/REZONING

Ordinance Fact Sheet

Case No. CD-CPC-2021-00245

Brief Title

A request to approve a rezoning from district B3-2 to B4-2 on about 0.87 acres generally located at 5021 Prospect Avenue

Ordinance Number

Details

Location: 5021 Prospect Avenue
Reason for Legislation: Zoning Map Amendments require Council approval.
See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.
See attached City Plan Commission Disposition Letter for the Commission's recommended conditions

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	3 rd District (Ellington, Robinson)
Applicants / Proponents	Applicant Jeff Schroeder Herman Scharhag Architects City Department City Planning & Development Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission (7-0) 05-17-2022 By Allender, Baker, Beasley, Crowl, Enders, Hill, Rojas <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

Continued from Page 1

Policy or Program Change	<input type="checkbox"/> Yes <input type="checkbox"/> No
Operational Impact Assessment	

Finances

Cost & Revenue Projections – Including Indirect Costs	
Financial Impact	
Funding Source(s) and Appropriation Account Codes	

Fact Sheet Prepared By: **Date:** 6/06/2022
Jared Clements
Staff Planner

Reviewed By: **Date:** 6/06/2022
Joseph Rexwinkle
Development Management

Initial Application Filed: 12-23-2021
City Plan Commission: 5/17/2022
Revised Plans Filed: N/A

Reference Numbers:
Case No. CD-CPC-2021-00245

LEGISLATION IN BRIEF:

Approving a rezoning on about 0.87-acres generally located at the south-east corner of E 50th Street and Prospect Avenue from District B3-2 (Community Business) to District B4-2 (Heavy Business Commercial). (CD-CPC-2021-00245).

What is the purpose of this legislation? LEGISLATIVE

for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank

Sections 01-04 should be blank. See section 00 for more information

	<input type="button" value="YES"/>	Yes/No
	<input type="button" value="NO"/>	Yes/No
	<input type="button" value="NO"/>	Yes/No
	<input type="button" value="NO"/>	Yes/No

Section 00: Notes:

There is no Fiscal Impact at this time.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

NET IMPACT ON OPERATIONAL BUDGET	-	-
<i>RESERVE STATUS:</i>		

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
	TOTAL REV	-	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
	TOTAL EXP	-	-	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-
NET IMPACT (SIX YEARS)	-						

REVIEWED BY James Sturdevant DATE 6/14/2022



File #: 220506

RESOLUTION NO. 220506

RESOLUTION - Approving an amendment to the Swope Area Plan on about 0.87 acres generally located at the southeast corner of the intersection of E. 50th Street and Prospect Avenue by changing the recommended land use from office to commercial to allow a plumbing business to continue to operate. (CD-CPC-2022-00035).

WHEREAS, on October 2, 2014 the City Council by Resolution 140770 adopted the Swope Area Plan; and

WHEREAS, after further review it has been deemed appropriate to amend the Swope Area Plan as it affects that area of approximately 0.87 acres generally located at the southeast corner of the intersection of E. 50th Street and Prospect Avenue by changing the recommended land use from office to commercial; and

WHEREAS, the City Plan Commission considered such amendment to the Proposed Land Use Map on May 17, 2022 and

WHEREAS, after all interested persons were given an opportunity to present testimony, the City Plan Commission did on May 17, 2022. recommend approval of the proposed amendment to Swope Area Plan; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section A. That the Swope Area Plan is hereby amended as to the Proposed Land Use Plan and Map for that area of approximately 0.87 acres generally located at the southeast corner of the intersection of E. 50th Street and Prospect Avenue by changing the recommended land use from office to commercial.

Section B. That the amendment to the Swope Area Plan is consistent and complies with the FOCUS Kansas City Plan, adopted on October 30, 1997, by Committee Substitute for Resolution No. 971268, and is adopted as a supplement to the FOCUS Kansas City Plan.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices have been given and hearings have been held as required by law.

..end



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri
 City Planning & Development Department
www.kcmo.gov/cpc

May 17, 2022

Project Name

Embassy Material Storage

Docket

#5.1

Request

CD-CPC-2021-00245
 Rezoning Without Plan

#5.2

CD-CPC-2022-00035
 Area Plan Amendment

Applicant

Jeff Schroeder – Herman Scharhag
 Architects

Owner

Ramsey Investments LLC
 Rick Ramsey – Affordable Plumbing

Location	5021 Prospect Ave
Area	On about 0.86 acres
Zoning	B3-2
Council District	3 rd
County	Jackson
School District	KCMO 110

Surrounding Land Uses

North: zoned B3-2, 71 Hwy
South: zoned B3-2, Vacant
East: zoned B3-2, 71 Hwy
West: zoned B3-2, Public/Civic

Major Street Plan

The City's Major Street Plan does not classify Prospect Avenue as a Boulevard or Parkway at this location.

Land Use Plan

The Swope Area Plan recommends Office Use for the subject site.

APPROVAL PROCESS



NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

Notice of the public hearing was sent to surrounding properties within 300 feet of the subject site. The surrounding area does not have an associated neighborhood organization.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request & has been satisfied, a summary of which is attached.

EXISTING CONDITIONS

The subject property sits on the east side of prospect avenue just south of where it passes beneath 71 Highway. A community center sits to the west of the subject site.

SUMMARY OF REQUEST

- #5.1 – A request to approve a rezoning from B3-2 to B4-2 to allow for an affordable plumbing use with outdoor storage of vehicles.
- #5.2 – A request to approve an amendment to the Swope Area Plan to change the future land use recommendation from office to commercial.

PROFESSIONAL STAFF RECOMMENDATION

Docket	Recommendation
#5.1	Approval without conditions
#5.2	Approval without conditions

CONTROLLING CASE

No controlling case was found

REZONING REVIEW

The property abuts 71 Highway to the north and east, with vacant properties to the south. It has been used by Affordable Plumbing since at least 2018. In December of 2020 a building permit was applied for to allow for new construction. After completion of the development, it was found that the nature of the use of the property did not conform to zoning district. Specifically, the applicants received a zoning violation for outdoor vehicle storage. Rezoning the property would allow for slightly more intense commercial use, including the current uses of the property. The future land use for the subject site is Office; therefore, an Area Plan Amendment to Commercial would be needed to support the use.

REZONING ANALYSIS

In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city plan commission, and city council must consider at least the following factors;

88-515-08-A. Complies with adopted plans and planning policies;

The Swope Area Plan recommends Office use. The rezoning request does not comply with this recommendation; as such, an area plan amendment is requested along with rezoning application.

88-515-08-B. Zoning and use of nearby property;

The property abuts 71 Highway to the north and east, with vacant properties to the south. The property directly across the street to the west is the Blue Hills Community Service Center.

88-515-08-C. Physical Character of the area in which the subject property is located;

This area of Prospect Avenue is a mixture of commercial, public, and office uses. The property contains a recently constructed building.

88-515-08-D. Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

Given that this is an existing use that has been in operation for several years, the impact caused by the rezoning would be minimal to public facilities.

88-515-08-E. Suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;

The existing zoning is B3-2 which does not allow for the current usage of the property. The proximity of the to 71 Highway lends itself to slightly more intense uses than along other portions of the corridor.

88-515-08-F. Length of time the subject property has remained vacant as zoned;

From resources staff has available, the property was utilized by Bledsoe's Rental from at least 2007 to around 2014. It appears that the parking area was used for outdoor storage/fleet parking at that time as well. The property appears to have remained vacant from 2014 to 2018. Many surrounding properties to the south appear to be vacant as well.

88-515-08-G. The extent to which approving the rezoning will detrimentally affect nearby properties; and
The proposed rezoning would allow for the current use of the property to continue. Given the proximity of the subject site to the nearby highway, staff does not anticipate the extent of detrimental effects to increase.

88-515-08-H. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of the denial of the application.
Denial of the rezoning and area plan applications may result in the applicants being unable to continue to operate at this location.

PROFESSIONAL STAFF RECOMMENDATION

Based on the applications submitted by the applicant, staff recommends the following:

CD-CPC-2021-00245 - **APPROVAL WITHOUT CONDITIONS**

CD-CPC-2022-00035 - **APPROVAL WITHOUT CONDITIONS**

Respectfully Submitted,



Jared Clements - AICP
Planner

KCMO CITY PLANNING & DEVELOPMENT

PUBLIC MEETING SUMMARY FORM

PROJECT CASE #CD-CPC-2021-00245

MEETING DATE: THURSDAY, APRIL 28TH, 2022

MEETING LOCATION: 5021 PROSPECT AVE.

MEETING TIME: START: 5:00pm END: 5:25pm

Meeting was started at 5:00. No one attended until 5:15. Miss Lisa Ray, President of the Town Fork Creek Neighborhood Association and her daughter, Charlise Harris came at 5:15. Lisa Ray said she approved of the project and would let other members of the Neighborhood Association know at a meeting they are going to have next week.

I informed Lisa that the hearing would be on May 17th, 2022 and that it appeared to be going to be held on Zoom.

Meeting was adjourned at 5:25.

(I received an email from Bob Langenkemp with Community Builders, located at 5008 Prospect, across the street. He said he was not able to attend the meeting and asked for a description of what was being proposed. I sent an email back to him with that description)

Meeting Sign-In Sheet

Project Name and Address

AFFORDABLE PLUMBING REZONING - 5021 PROSPECT AVE.

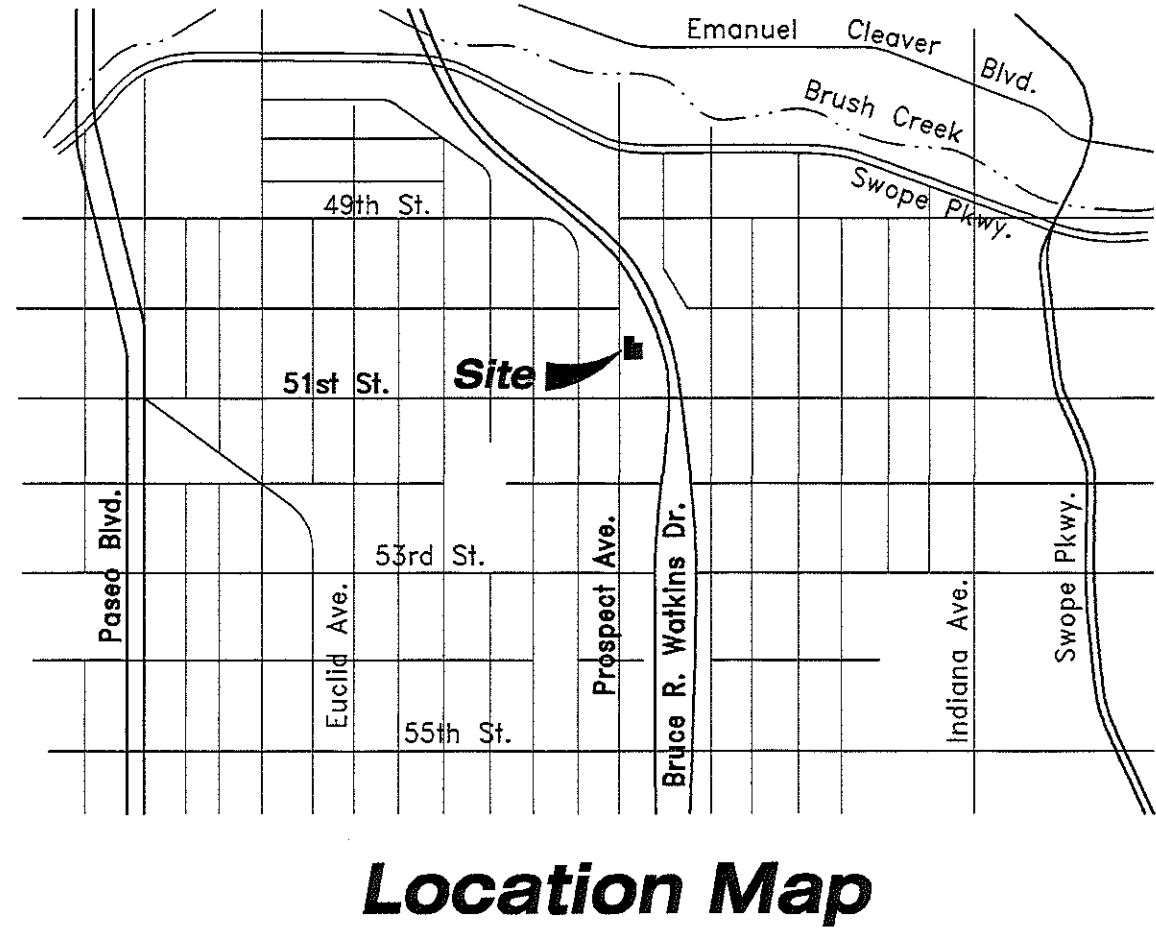
CD - CPC - 2021 - 00245

Name	Address	Phone	Email
Lisa Ray President	5803 Chestnut Ave	816 489 8368	lisaray79@gmail.com
Charlise Harris	5023 College Ave	816.665.4481	Charliseharris@gmail.com

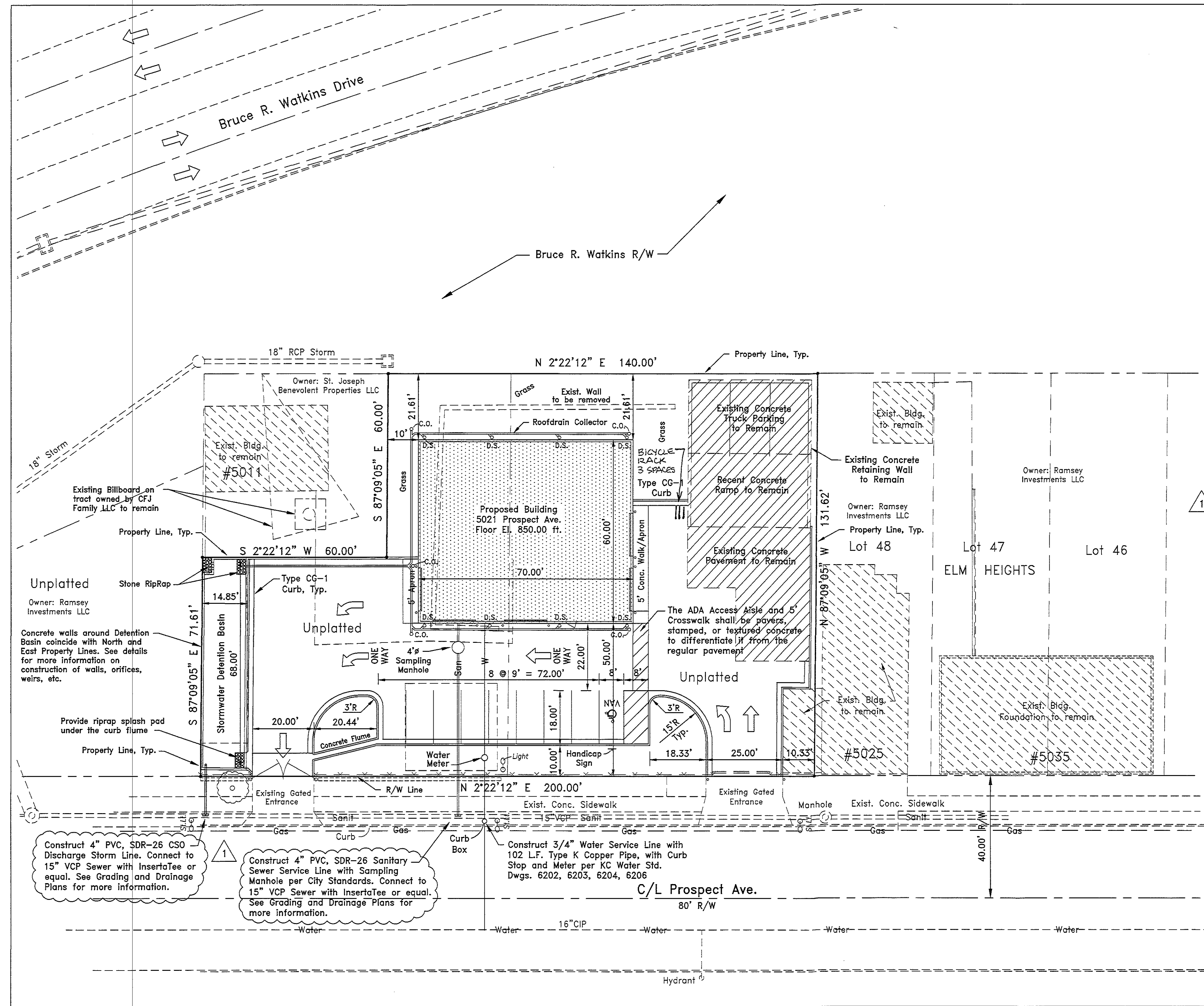
Civil Site Plan

Affordable Plumbing Building

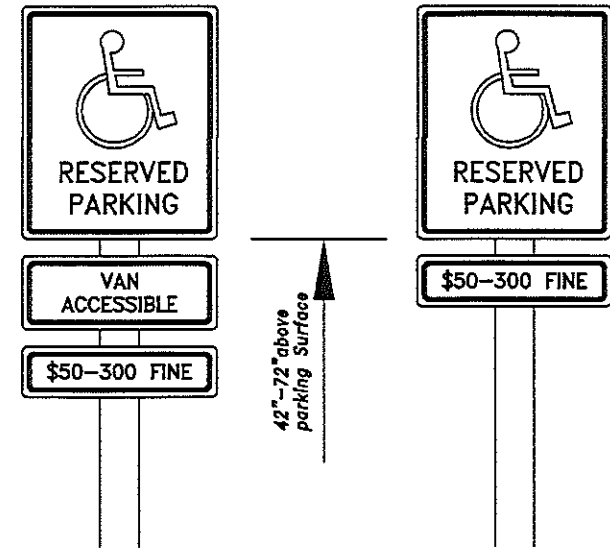
5021 Prospect Ave.
Kansas City, Jackson County, Missouri
In the SW 1/4 of Section 27, Township 49 North, Range 33 West



Location Map



Handicap Parking Signage shall be installed in compliance with City Code and A.D.A. requirements, including a height for the signs between 42" and 72" above the parking surface. Signs shall have white lettering on a blue background. Van Accessible signs shall be included where appropriate. Signs may be mounted on a suitable post or on building walls, where practical.



Handicapped Parking Signage Detail

CITY & UTILITY CONTACTS :

- | | |
|--|--|
| MISSOURI ONE CALL
SPIRE GAS SERVICE
ERVIN CABLE CONSTRUCTION
AT&T DISTRIBUTION
CENTURY LINK
MCI
KCMO PUBLIC WORKS
KCMO WATER
EVERGY
GOOGLE FIBER
TIME WARNER CABLE | 1-800-DIG-RITE
800-778-9140
844-322-2524
800-778-9140
877-366-8344
800-289-3427
816-513-9970
816-513-1313
888-471-5275
913-486-5018
800-778-9140 |
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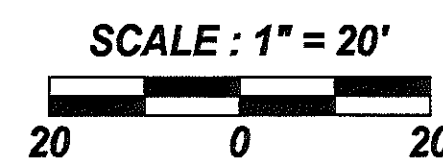
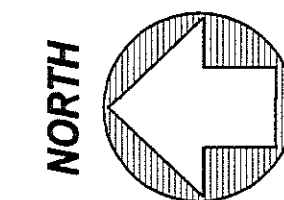
Call Before you dig
1-800-DIG-SAFE
(344-7233)
Kansas One-Call System

Record Bench Mark: Top of Aluminum Monument in Monument Box in center of E. 51st Street and Prospect Avenue. Elevation 990.41 feet - NAVD 88

Project Bench Mark: Top of existing Sanitary Sewer Manhole near Southwest corner of site. Elevation 853.14 feet - NAVD 88

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Civil Site Plan



OWNER/DEVELOPER : Rick Ramsey
Ramsey Investments LLC
13115 Holmes Rd.
Kansas City, MO 64145

ARCHITECT : Jeff Schroeder
Scharhag Architects
6247 Brookside Blvd. #204
Kansas City, MO 64113
(816) 656-5055

INDEX OF SHEETS

- C1 CIVIL SITE PLAN
- C2 GRADING PLAN
- C3 DRAINAGE PLAN & DETAILS
- C4 EROSION CONTROL PLAN

Property description:

This description was taken from a survey prepared by Thomas Clemons MO LS #1958, with Area Surveyors, dated Feb. 10, 2017 with a revision date of Oct. 12, 2017. Tract 4 as shown on said survey included Lots 46-48 ELM HEIGHTS, but these lots are not included in the proposed Site, so that part of the description was not included herein.

TRACT 5:
The North 100 feet of the South 200 feet of the following describe Tract, measured on the east line of Prospect Avenue, part of the Southwest Quarter of the Southwest Quarter of Section 27, Township 49, Range 33, Beginning at a point on the South line of 50th Street at East line of Prospect Avenue; thence East along the South line of 50th Street, 131.61 feet; thence South 303.68 feet to the Northeast corner of Lot 48 ELM HEIGHTS, an addition in Kansas City, Missouri; thence West along the North line of said Lot 48, 131.59 feet to the East line of Prospect Avenue or Northwest corner of said Lot 48; thence North along the East line of Prospect Avenue, 303.67 feet to point of beginning, in Kansas City, Jackson County, Missouri.

EXCEPT
Commencing at the Northwest corner of Lot 48 ELM HEIGHTS, an addition in Kansas City Jackson County, Missouri, and at the East Right-of-Way line of Prospect Avenue; thence North 02 degrees 18 minutes 19 seconds East along said East Right-of-Way line, 140.00 feet; thence South 87 degrees 14 minutes 08 seconds East, 71.60 feet to the Point of Beginning; thence continuing South 87 degrees 14 minutes 08 seconds East, 60.00 feet; thence North 02 degrees 18 minutes 11 seconds East, 60.00 feet; thence North 87 degrees 14 minutes 08 seconds West, 60.00 feet; thence South 02 degrees 18 minutes 11 seconds West, 60.00 feet to the Point of Beginning.

EXCEPT
Commencing at the Northwest corner of Lot 48 ELM HEIGHTS, an addition in Kansas City, Jackson County, Missouri, and at the East Right-of-Way line of Prospect Avenue; thence North 02 degrees 18 minutes 19 seconds East along said East Right-of-Way line, 169.82 feet; thence South 87 degrees 14 minutes 08 seconds East, 91.85 feet to the Point of Beginning; thence continuing South 87 degrees 14 minutes 08 seconds East, 10.00 feet; thence South 02 degrees 45 minutes 52 seconds West, 10.00 feet; thence North 87 degrees 14 minutes 08 seconds West, 10.00 feet; thence North 02 degrees 45 minutes 52 seconds East, 10.00 feet to the Point of Beginning.

TRACT 4:
All of the South 100 feet of the following described tract measured on the East line of Prospect Avenue, part of the Southwest quarter of the Southwest Quarter of Section 27, Township 49, Range 33, in Kansas City, Missouri, beginning at a point on the South line of 50th Street at the East line of Prospect Avenue; thence East along the South line of 50th Street, 131.61 feet; thence South 303.68 feet to the Northeast corner of Lot 48, ELM HEIGHTS, an addition in Kansas City, Missouri; thence West along the North line of said Lot 48, 131.59 feet to the East line of Prospect Avenue or the Northwest corner of said Lot 48; thence North along the East line of Prospect Avenue 303.67 feet to the point of beginning.

Boundary information is shown per the above survey.

General Notes

All construction, equipment, methods, and materials necessary to complete the work covered by these plans shall comply with the General Conditions, Technical Specifications, and Standard Drawings of the City of Kansas City, Missouri, current at the time of construction.

It shall be the responsibility of the contractor to minimize erosion or siltation during all phases of construction.

Any disturbed areas within public right-of-ways shall be seeded and mulched. Excavation permits are required for all work performed within the public right-of-way. Contact the permit counter 816-513-2552.

The contractor shall field verify all dimensions and quantities and shall record "As-Built" dimensions or locations of any appurtenances if they differ from the plans. Field data shall be submitted to the engineer to assist in the preparation of "As-Built" drawings.

Storm sewer pipe designated "HDPEP" shall be High Density Polyethylene Pipe conforming to AASHTO m294 Type S, HDPEP pipe must come from a Plastic Pipe Institute (PPI) certified manufacturer and have passed the PPI 3rd Party certification testing. Each individual section of pipe shall be marked in accordance with AASHTO m294 and shall be affixed with the PPI certification label. HDPEP pipe shall be joined with watertight joints meeting the requirements of AASHTO m294 Paragraph 7.9.3. All pipes and associated materials shall conform to City/APWA Standards including Sections 2600, 5600 and the supplements thereto.

The Sanitary Sewer Service Line pipe and the CSO Discharge Pipe from the detention basin shall be 4" PVC pipe, SDR-26, conforming to ASTM D-3034 with joints conforming to ASTM C-443. Connections to the existing sewer shall be made with Insert-a-tee fittings, or equal.

The water service line shall be a 3/4" Type K flexible copper line conforming to the latest federal specifications. The Service Line shall have a minimum of 4 feet, and a maximum of 5 feet of cover. Where service lines must cross over storm or sanitary sewers, the service line must be placed at such an elevation that the bottom of the service line is at least 18" above the top of the sewer. This vertical separation must be maintained for that portion of the service line located within 10 feet horizontally of any sewer or sewer line that it crosses, said 10 feet to be measured as the normal distance from the service line to the sewer.

An RPZ Backflow Preventer is required for this building. See the Plumbing Sheets for more information. The RPZ Backflow Preventer (BFP) device shall be installed immediately inside the building wall, after the Stop Valve but before any branches, tees, strainers, pressure gauges or other fittings, etc. The Inlet Valve of the RPZ BFP may not serve as the Stop Valve. A floor drain must be provided within 20' of the RPZ BFP.

All water service installations including BFP devices are subject to field verification and approval by the Water Department Inspector.

Curbs shall be type C-1 Curb or CG-1 Curb and Gutter as noted. All sidewalk and ramp construction shall comply with current City standards and the current standards and specifications of the A.D.A.

Parking: handicap, crosswalks, and loading spaces shall be marked with 4" painted or thermoplastic stripes as shown. Signage shall be installed per City and ADA requirements.

The site topography and utility locations are shown per information received from others and is the best information available to the engineer. The contractor shall verify the locations or absence of all utilities prior to commencing construction. In Missouri, call 1-800-DIG-RITE (344-7483)

Floodplain status: Per FEMA FIRM Panel 29095-C-0286G, with an Effective Date of 01/20/2017, the site is in Zone X, Areas of Minimal Flood Hazard.

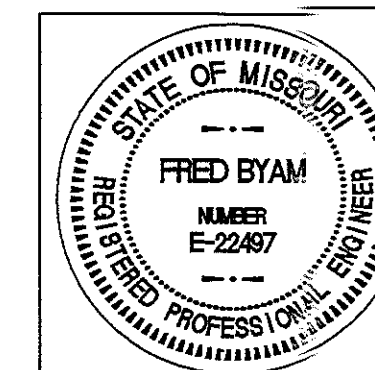
Construction Schedule: The construction is planned to commence immediately upon City approval, completing in the Fall of 2020.

There will be no ground-mounted mechanical units on the site.

No free-standing or building-mounted signage is proposed with this application.

No exterior lighting is proposed with this application.

Parking Summary:	Existing Site: 5021 Prospect Ave. Parcel No. JA 31-43-02-60-4-00-000-00 Zoned B3-2 Site Area: 0.522 Acres Area to be Disturbed: 0.43 Acres Watershed: Brush Creek
Required Spaces: 4	
Provided Spaces: 9	including 1 Van Accessible Space



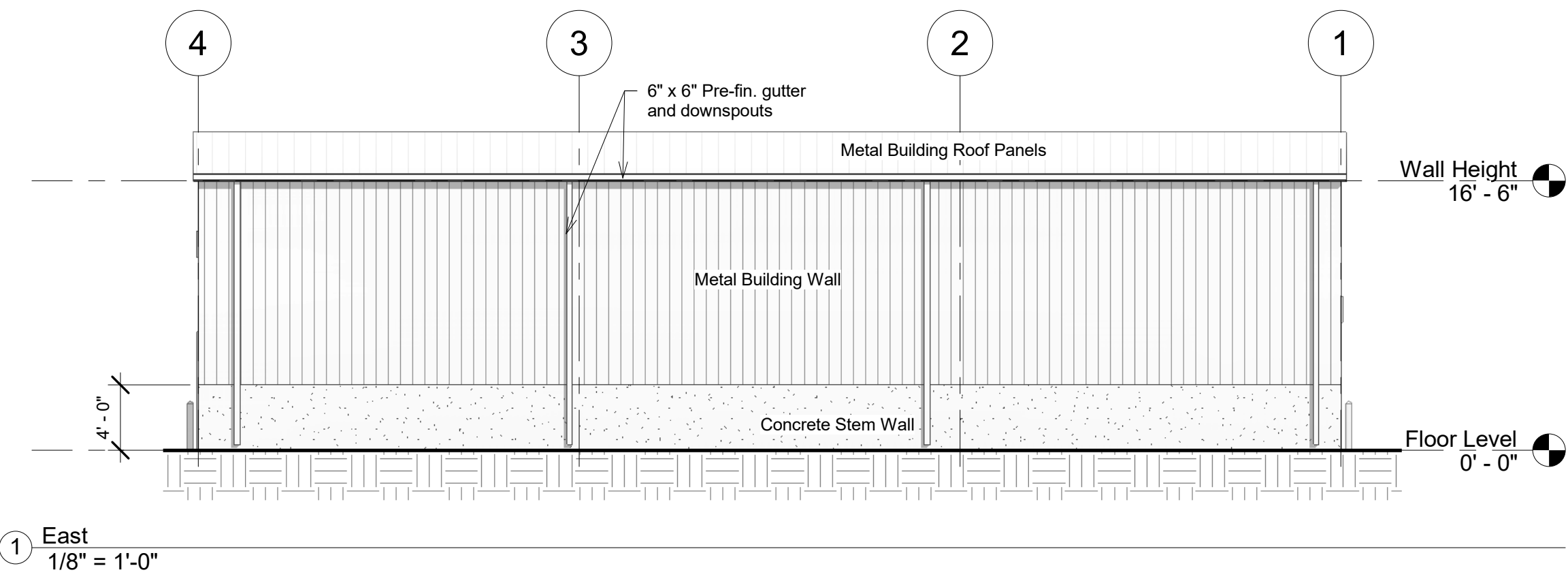
Signature
Fred Byam
Missouri PE #22487
Missouri LS #2579
11-10-2020
Date Signed

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

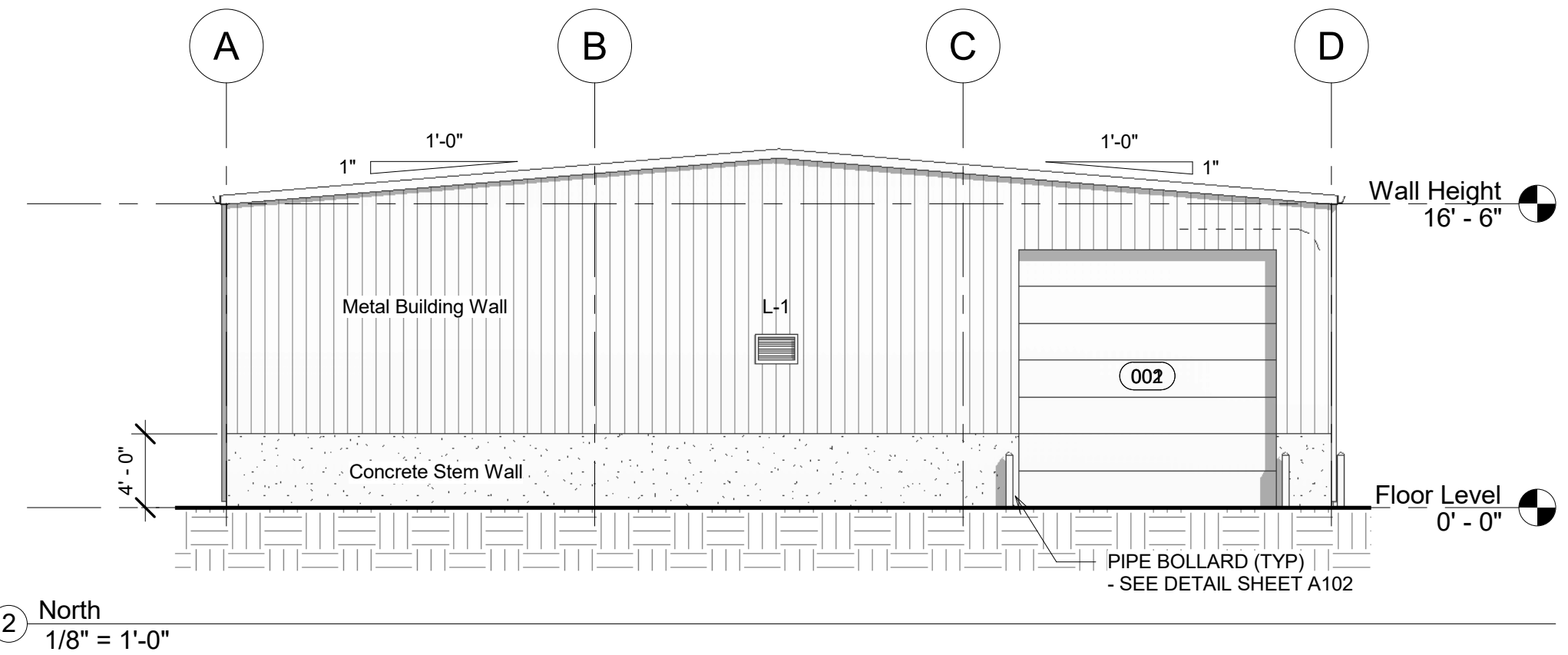
FOR: Scharhag Architects
Civil Site Plan
Affordable Plumbing Building
5021 Prospect Ave.
Kansas City, Jackson County, Missouri

REVISION: 2	DRAWN: Apr. 3, 2020
JOB NO. 2019-1327	SHEET 1 OF 4

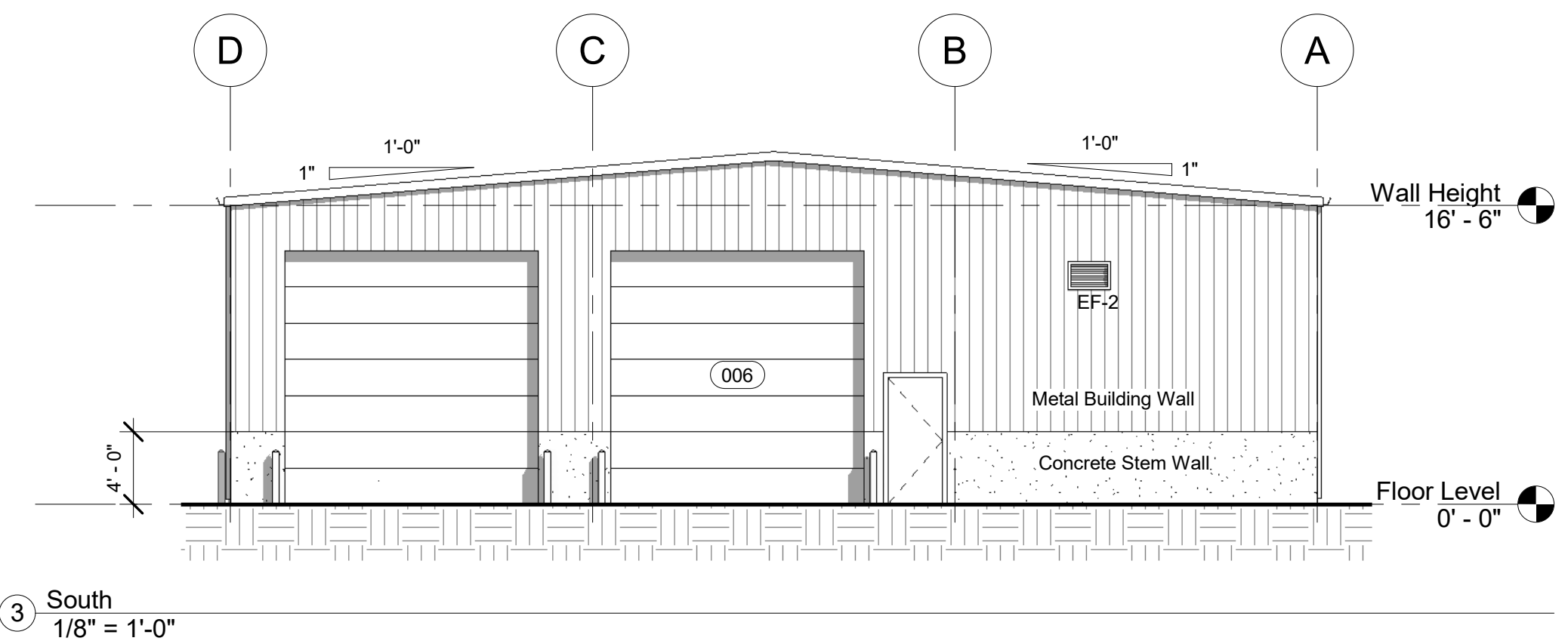
NO.	DATE	REVISION
2	11-10-2020	Added Landscape green space along Prospect
1	8-17-2020	Revised Basin for CSO Discharge, Site Discharge Rate & Volume



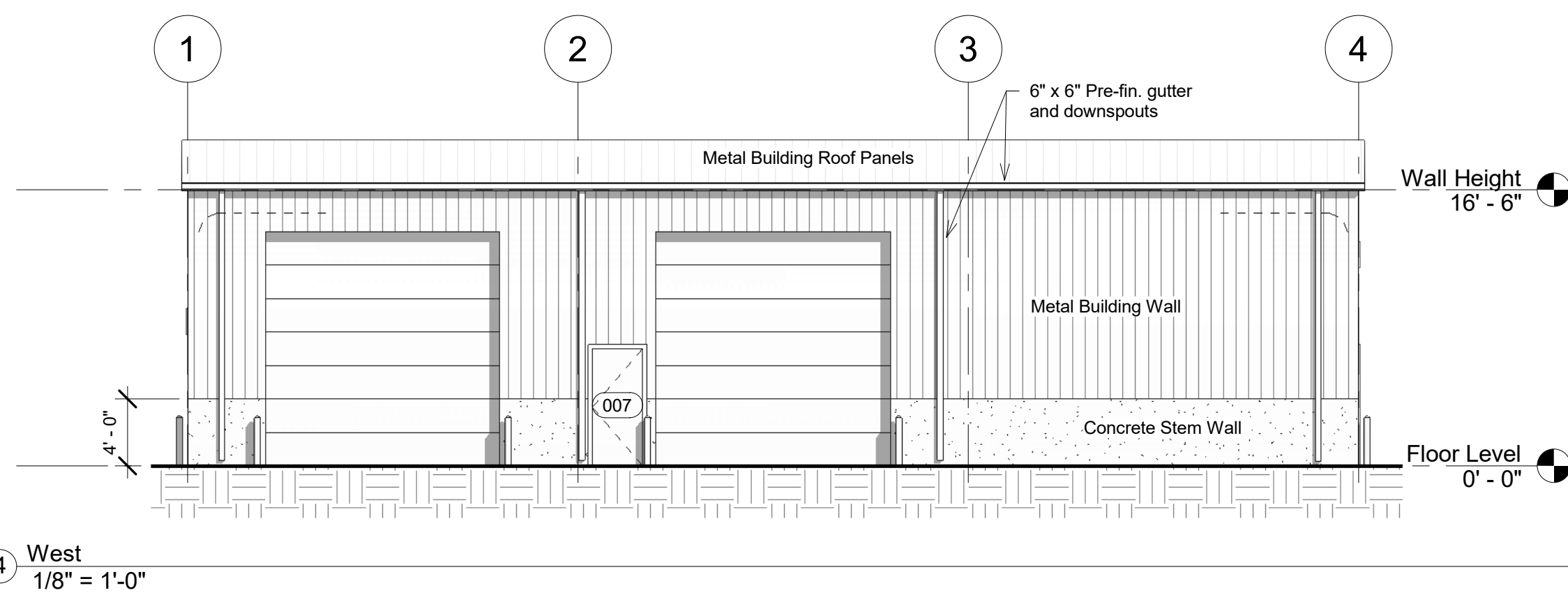
1 East
1/8" = 1'-0"



2 North
1/8" = 1'-0"



3 South
1/8" = 1'-0"



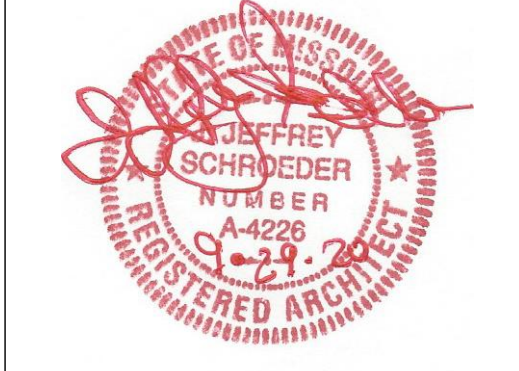
4 West
1/8" = 1'-0"

Scharhag
HERMAN A. SCHARHAG COMPANY ARCHITECTS
6247 Brookside Blvd. #204 Kansas City, Mo 64113
Phone: 816-656-5055 Scharhagarcht@gmail.com

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NEW BUILDING FOR
AFFORDABLE PLUMBING
5021 PROSPECT AVE

J. Jeffrey Schroeder Mo. License A-4226
Herman Scharhag Co., Arch. Corp. of Authority A-22



No.	Description	Date
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Project number 2227
Date 04.09.2020

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Scale 1/8" = 1'-0"



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15th Floor, City Hall
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Kansas City, Missouri 64106

kcmo.gov/planning

May 25, 2022

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Dear Jeff Schroeder:

At its meeting on May 17, 2022, the City Plan Commission acted as follows on the above-referenced case:

Recommend Approval

If you have any questions, please contact me at jared.clements@kcmo.org or (816) 513-8826

Sincerely,

Jared Clements
Planner

COMMUNITY PROJECT/REZONING

220506

Ordinance Fact Sheet

Case No. CD-CPC-2021-00245 & CD-CPC-2022-00035

Brief Title

A request to approve an amendment to the Swope Area Plan from Office to Commercial on about 0.87 acres generally located at 5021 Prospect Avenue

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<p>Reason for Legislation: Area Plan Amendments require Council approval.</p> <p>See attached City Plan Commission Staff Report for a detailed description and analysis of proposal.</p> <p>See attached City Plan Commission Disposition Letter for the Commission's recommended conditions</p>

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	3 rd District (Ellington, Robinson)
Applicants / Proponents	<p>Applicant Jeff Schroeder Herman Scharhag Architects</p> <p>City Department City Planning & Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>City Plan Commission (7-0) 05-17-2022 By Allender, Baker, Beasley, Crowl, Enders, Hill, Rojas</p> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p>

Continued from Page 1

	<input type="checkbox"/> Hold <input type="checkbox"/> Do not pass
Policy or Program Change	<input type="checkbox"/> Yes <input type="checkbox"/> No
Operational Impact Assessment	

Finances

Cost & Revenue Projections – Including Indirect Costs	
Financial Impact	
Funding Source(s) and	

--

Appropriation Account Codes	

Fact Sheet Prepared By: Jared Clements Staff Planner	Date: 6/06/2022	Initial Application Filed: 2/28/2022 City Plan Commission: 5/17/2022 Revised Plans Filed: N/A
Reviewed By: Joseph Rexwinkle Development Management	Date: 6/06/2022	
Reference Numbers: Case No. CD-CPC-2022-00035		



File #: 220511

ORDINANCE NO. 220511

Authorizing execution of a contract with the Economic Development Corporation of Kansas City, Missouri in an amount not to exceed \$2,977,500.00 for the purpose of providing funds for certain development and redevelopment activities.

WHEREAS, on behalf of the City, the Economic Development Corporation of Kansas City, Missouri ("EDC") engages in comprehensive business retention and recruitment efforts and proactive redevelopment efforts designed to attract businesses and jobs to Kansas City, to retain its existing business and employment base, and to enhance economic productivity of real property within the City; and

WHEREAS, the Mayor and Council desire that EDC support and coordinate the activities of, and provide professional staff for, all of the economic development and redevelopment agencies operating on behalf of the City; and

WHEREAS, the City and EDC acknowledge that each of the Economic Development Agencies are part of the City's overall economic development efforts and contemplate that EDC will enter into agreements, as appropriate, with each of the Economic Development Agencies specifying the level of support and services to be provided by EDC; and

WHEREAS, EDC supports the adoption and implementation of AdvanceKC, which serves as a guide for long-term economic development investments and the targeted use of incentives; and

WHEREAS, the objectives to be achieved are best achieved through a long-term commitment to the same; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager or designee is hereby authorized to execute a contract with the Economic Development Corporation of Kansas City, Missouri for the purposes contemplated herein in an amount not to exceed \$2,977,500.00, and to execute such amendments from time to time as he may deem advisable and are consistent with the objectives of this ordinance. A copy of the contract in substantial form is attached hereto.

Section 2. That the compensation due the Economic Development Corporation of Kansas City, Missouri, in any given fiscal year shall be determined on an annual basis and shall be subject to the limitations of such appropriations as are made by the City Council for such purposes within the City's adopted budget.

Section 3. That funds in a total amount not to exceed \$2,977,500.00 are appropriated from the following account:

23-2215-101701-619080 Economic Development Corporation \$2,977,500.00

..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 and legality:

Emalea Black
Assistant City Attorney

No
Fact
Sheet
Provided
For
Ordinance
220511

GENERAL

Ordinance Fact Sheet

Brief Title: Annual Economic Development Corporation contract renewal.

Approval Deadline:

Reason: To provide funding for the economic development services provided by the Economic Development Corporation of Kansas City, Missouri .

Details

Reason for Legislation

Authorizing the execution of a contract not to exceed \$2,952,500.00 with the Economic Development Corporation of Kansas City, Missouri, for the purpose of providing funds for business development and redevelopment activities.

Discussion (explain all financial aspects of the proposed legislation, including future implications, any direct/indirect costs, specific account numbers, ordinance references, and budget page numbers.)

This ordinance will authorize the execution of the annual contract between the EDC and the City of Kansas City, Missouri. The FY 2022-2023 budget would provide \$2,997,500 in funding for economic development services offered through the EDC.

Positions/Recommendations

Sponsor	City Manager
Programs, Departments, or Groups Affected	City Manager's Office, Finance Department
Applicants / Proponents	<p>Applicant</p> <p>City Department City Manager's Office, City Planning & Development Department, Finance Department</p> <p>Other Groups or Individuals</p>
Opponents	
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <p>Reason Against</p>
Board or Commission Recommendation	<p>By</p> <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Action	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

--

Policy or Program Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	
Finances	
Costs & Revenue Projections - Including Indirect Costs	
Financial Impact	
Fund Source(s) and Appropriation Account Codes	23- 2215-101701-619080: \$2,977,500.00,
Is this Ordinance or Resolution Good for the Children	

Applicable Dates:

Prepared by: Luke Smith, City Manager's Office

Reviewed by: Kerrie Tyndall, City Manager's Office

Reference Numbers



File #: 220514

ORDINANCE NO. 220514

Amending Chapter 10, Code of Ordinances, by repealing Sections 10-62, Required hearings and review of director's action, and section 10-212, Location, and enacting in lieu thereof a new section of like number and subject matter to make necessary revisions to update a discrepancy within the ordinance, and, to make changes to the hearing process to align it with other like sections of the ordinance.

WHEREAS, the change to section 10-62(a) supports what is written in sections 10-212(b)(6)&(7) which states that a proposed license shall *only* be presumed that is likely to interfere with or be detrimental to the rights or interests of the neighboring community where 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license or permit; and

WHEREAS, prior to January 14, 2022, when the City Council passed Ordinance No. 210961 which made many changes and updates to Chapter 10, the former process of asking for a hearing largely restricted an eligible consenter to seek one only if the director did not follow the ordinance as written; and

WHEREAS, the ordinance changes adopted in January now allow the manager to determine whether a liquor license or permit can be issued which allows for an eligible neighbor who voted on a proposed license or permit to ask for a hearing to challenge the manager's decision for any reason; and

WHEREAS, the Liquor Control Board of Review consists of eight taxpaying residents of the city, appointed by the mayor, who typically have other jobs and are accustomed to two or fewer cases coming before them annually and the changes that were made to Chapter 10 in January could dramatically increase the number of hearings before the Board; and

WHEREAS, in Section 10-214 it states that 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 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license at the premises, and based on this, these proposed changes would only allow eligible neighbors to ask for a hearing if the director issues a license in a case where 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license at the premises; and

WHEREAS, the language needs to be clear that any appeal to the Liquor Control Board of Review is based on the director issuing a liquor license and not based on whether or not the

director approved the application as any appeal of the application could slow down the process substantially leaving the applicant and/or property owner in limbo of getting a liquor license; 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 Sections 10-62, Required hearings and review of director's action, and section 10-212, Location, and replacing them with new sections of like number and subject matter to read as follows:

Sec. 10-62. Required hearings and review of director's actions.

(a) If an application for an original license or permit, or the renewal or transfer of location of an existing license, or for change of ownership, or change in management or control of a business under this chapter is disapproved by the director, or if an eligible neighbor who filed a response pursuant to section 10-212 where 50% or more of the eligible neighbors who filed a written response with the director opposed the issuance of a license or permit, or, a church or school located within 300 feet of the proposed premises disputes the issuance of a license or permit, then the applicant, eligible neighbor, or applicable church or school, as the case may be, may file with the board a written request for a hearing before the board on the denial or issuance of a license or permit regarding the location. The request shall be made within 10 days after notice of the director's final decision. A copy of the request shall also be served on the director.

(b) In the case of action by the director seeking to suspend or revoke a license or permit issued under this chapter, the director shall:

- (1) File with the board, a written complaint setting forth the reasons for suspension or revocation of the license or permit and requesting a hearing before the board to consider the action.
- (2) Serve a copy of said request on the licensee or permittee personally or by leaving a copy at the licensed premises or by mailing a copy of the request to the licensee or permittee at their last known address.

(c) Upon the filing of a written complaint or request for a hearing before the board as provided in this chapter, made within the time specified in this article, the board shall, within 20 days after the receipt of the request, notify the director and all other parties of the date, time and place for the hearing. The date of the hearing shall not be less than 20 days from the date the request was filed.

(d) Hearing procedures shall include but not be limited to the following:

- (1) The applicant, licensee, permittee, eligible neighbor, or applicable church or school shall have full right to have counsel, to produce witnesses and to cross

examine all witnesses who may appear. All proceedings in the hearings shall be taken down stenographically, or recorded mechanically or electronically, or by a combination thereof, and shall be transcribed whenever required by law. Subpoenas shall be issued by the director or board for any witness whose presence is desired at any hearing or proceeding before the board to suspend or revoke a license or permit, or to issue or refuse a license or permit or renewal thereof, and the subpoena may be served by any person designated by the director or board, or by any member of the city police department. The subpoenas shall be served and return thereon shall be made in the same manner as is provided by law in civil suits in the circuit court of this state.

- (2) Witnesses may also appear voluntarily at the hearings and testify. Before testifying in any hearing or proceeding before the board, all witnesses shall be sworn to tell the truth and nothing but the truth.
- (3) With respect to a hearing before the board in connection with the directors action on an application for an original license or permit or the renewal or transfer of location of an existing license, or application for change of ownership or change in management or control of the business under this chapter or a hearing before the board in connection with the directors action to seek suspension or revocation of a license or permit issued under this chapter, the board shall issue its decision in writing within 30 days following the conclusion of the hearing unless the parties agree to an extension which shall not exceed an additional 30 days.
- (4) The decision of the board shall include findings of facts and conclusions of law, wherein the board may dismiss the complaint, or suspend or revoke a license or permit previously issued, place permanent or temporary conditions on the license, permit or licensee, or affirm or reverse the director's issuance or denial of an application for an original license, or renewal or transfer of an existing license or permit or remand the matter to the director for further administrative review or action. The board's decision shall be served upon all the parties in person or by registered or certified mail to the party's last known address. If the board is not able to serve the decision notice upon a party in person or if any notice sent by mail is returned by the U.S. Postal service, then the board shall cause the notice to be posted at the principal entrance of the business or facility, and the posting shall constitute valid service. No suspension, revocation, or denial shall become effective until 10 days after the decision has been issued by the board. The board may stay enforcement of its decision for a period of time not to exceed 30 days to allow for the filing of an appeal of the decision.

10-212. Location.

(a) No liquor license, expansion of premises, change in license type, change in location, extended hours permit, or amended license to allow live entertainment shall be issued for any location where the license is likely to interfere with or be detrimental to the rights or interests of the neighboring community.

(b) 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:

- (1) The applicable premises is or will be a sales-by-drink tavern or C.O.L license and is within 300 feet of a church or school, unless it is located within an exception area;
- (2) The applicable premises has or will have a sales-by-package license and is within 300 feet of a church or school, unless the proposed license is a grocery store or located within an exception area;
- (3) The applicable premises is or will be a sales-by-drink tavern or C.O.L. license and is within 300 feet of an area that is zoned residential unless it is located within an exception area;
- (4) The applicable premises has or will have a sales-by-package license and is within 300 feet of an area that is zoned residential, unless the proposed premises is a grocery store or it is located within an exception area;
- (5) The applicable premises is seeking an extended hours permit, pursuant to section 10-106 and is located within 1,500 feet of an area that is zoned residential;
- (6) The applicable premises has or will have a sales-by-drink license or C.O.L license and is not located within an exception area and 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license or permit at the premises; or
- (7) The applicable premises has or will have a sales-by-package license that is not located within an exception area and 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license or permit at the premises

(c) Distance shall be measured from the nearest point of the enclosing wall of the licensed premises or proposed license premises to the nearest enclosing wall of a church or school or to the nearest point of a parcel zoned residential.

(d) Any applicant seeking 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 shall make a written request to the director describing why the applicant believes a waiver is appropriate. The director may permit waiver of one or more of the presumptions listed in subsection (b) if the director finds 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 may consider:

- (1) The physical characteristics of the proposed premises; relevant geography and character of both the premises and the surrounding neighborhood;

- (2) 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;
- (3) The type of activity or entertainment to be conducted at the establishment and the days and times during which such activity would take place;
- (4) Whether any applicable church or school within 300 feet of the proposed premises supports the requested waiver;
- (5) The history of past use at the proposed premises; and
- (6) The measures the applicant proposes to implement to maintain quiet and security in conjunction with the establishment.

(e) The director shall review any request to rebut a presumption in subsection (b), along with any additional information submitted by an eligible neighbor, city department, the Kansas 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 by section 10-214. The director shall issue the decision in writing to the applicant and all responding eligible neighbors and provide the reasons for their decision.

(f) The director may grant a conditional license to any applicant whose proposed license is in conflict with subsection (b) in order to avoid the proposed premises interfering with or being a detriment to the rights and interests of the neighboring community.

(g) If a license or permit is not renewed or ceases to fulfill all other requirements of this chapter and expires, then an application for a new license or permit for the previously licensed premises shall be required to fulfill all conditions of this chapter for an original license or permit.

(h) If a license or permit issued under this chapter has been revoked, then an eligible applicant may apply for a new license or permit for the premises where a license or permit has been revoked and shall be required to fulfill all conditions of this chapter for an original license or permit.

..end

Approved as to form and legality:

Chivonne Scott
Assistant City Attorney

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 220514

Amending Chapter 10, Code of Ordinances, by repealing Sections 10-62, Required hearings and review of director's action, and section 10-212, Location, and enacting in lieu thereof a new section of like number and subject matter to make necessary revisions to update a discrepancy within the ordinance, and, to make changes to the hearing process to align it with other like sections of the ordinance.

WHEREAS, the change to section 10-62(a) supports what is written in sections 10-212(b)(6)&(7) which states that a proposed license shall *only* be presumed that is likely to interfere with or be detrimental to the rights or interests of the neighboring community where 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license or permit; and

WHEREAS, prior to January 14, 2022, when the City Council passed Ordinance No. 210961 which made many changes and updates to Chapter 10, the former process of asking for a hearing largely restricted an eligible consenter to seek one only if the director did not follow the ordinance as written; and

WHEREAS, the ordinance changes adopted in January now allow the manager to determine whether a liquor license or permit can be issued which allows for an eligible neighbor who voted on a proposed license or permit to ask for a hearing to challenge the manager's decision for any reason; and

WHEREAS, the Liquor Control Board of Review consists of eight taxpaying residents of the city, appointed by the mayor, who typically have other jobs and are accustomed to two or fewer cases coming before them annually and the changes that were made to Chapter 10 in January could dramatically increase the number of hearings before the Board; and

WHEREAS, in Section 10-214 it states that 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 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license at the premises, and based on this, these proposed changes would only allow eligible neighbors to ask for a hearing if the director issues a license in a case where 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license at the premises; and

WHEREAS, the language needs to be clear that any appeal to the Liquor Control Board of Review is based on the director issuing a liquor license and not based on whether or not the director approved the application as any appeal of the application could slow down the process substantially leaving the applicant and/or property owner in limbo of getting a liquor license; NOW, THEREFORE,

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Sec. 10-62. Required hearings and review of director's actions.

(a) If an application for an original license or permit, or the renewal or transfer of location of an existing license, or for change of ownership, or change in management or control of a business under this chapter is disapproved by the director, or if an eligible neighbor who filed a response pursuant to section 10-212 where 50% or more of the eligible neighbors who filed a written response with the director opposed the issuance of a license or permit, or, a church or school located within 300 feet of the proposed premises disputes the issuance of a license or permit, then the applicant, eligible neighbor, or applicable church or school, as the case may be, may file with the board a written request for a hearing before the board on the denial or issuance of a license or permit regarding the location. The request shall be made within 10 days after notice of the director's final decision. A copy of the request shall also be served on the director.

(b) In the case of action by the director seeking to suspend or revoke a license or permit issued under this chapter, the director shall:

- (1) File with the board, a written complaint setting forth the reasons for suspension or revocation of the license or permit and requesting a hearing before the board to consider the action.
- (2) Serve a copy of said request on the licensee or permittee personally or by leaving a copy at the licensed premises or by mailing a copy of the request to the licensee or permittee at their last known address.

(c) Upon the filing of a written complaint or request for a hearing before the board as provided in this chapter, made within the time specified in this article, the board shall, within 20 days after the receipt of the request, notify the director and all other parties of the date, time and place for the hearing. The date of the hearing shall not be less than 20 days from the date the request was filed.

(d) Hearing procedures shall include but not be limited to the following:

- (1) The applicant, licensee, permittee, eligible neighbor, or applicable church or school shall have full right to have counsel, to produce witnesses and to cross examine all witnesses who may appear. All proceedings in the hearings shall be taken down stenographically, or recorded mechanically or electronically, or by a combination thereof, and shall be transcribed whenever required by law.

Subpoenas shall be issued by the director or board for any witness whose presence is desired at any hearing or proceeding before the board to suspend or revoke a license or permit, or to issue or refuse a license or permit or renewal thereof, and the subpoena may be served by any person designated by the director or board, or by any member of the city police department. The subpoenas shall be served and return thereon shall be made in the same manner as is provided by law in civil suits in the circuit court of this state.

- (2) Witnesses may also appear voluntarily at the hearings and testify. Before testifying in any hearing or proceeding before the board, all witnesses shall be sworn to tell the truth and nothing but the truth.
- (3) With respect to a hearing before the board in connection with the directors action on an application for an original license or permit or the renewal or transfer of location of an existing license, or application for change of ownership or change in management or control of the business under this chapter or a hearing before the board in connection with the directors action to seek suspension or revocation of a license or permit issued under this chapter, the board shall issue its decision in writing within 30 days following the conclusion of the hearing unless the parties agree to an extension which shall not exceed an additional 30 days.
- (4) The decision of the board shall include findings of facts and conclusions of law, wherein the board may dismiss the complaint, or suspend or revoke a license or permit previously issued, place permanent or temporary conditions on the license, permit or licensee, or affirm or reverse the director's issuance or denial of an application for an original license, or renewal or transfer of an existing license or permit or remand the matter to the director for further administrative review or action. The board's decision shall be served upon all the parties in person or by registered or certified mail to the party's last known address. If the board is not able to serve the decision notice upon a party in person or if any notice sent by mail is returned by the U.S. Postal service, then the board shall cause the notice to be posted at the principal entrance of the business or facility, and the posting shall constitute valid service. No suspension, revocation, or denial shall become effective until 10 days after the decision has been issued by the board. The board may stay enforcement of its decision for a period of time not to exceed 30 days to allow for the filing of an appeal of the decision.

10-212. Location.

(a) No liquor license, expansion of premises, change in license type, change in location, extended hours permit, or amended license to allow live entertainment shall be issued for any location where the license is likely to interfere with or be detrimental to the rights or interests of the neighboring community.

(b) 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:

- (1) The applicable premises is or will be a sales-by-drink tavern or C.O.L license and is within 300 feet of a church or school, unless it is located within an exception area;
- (2) The applicable premises has or will have a sales-by-package license and is within 300 feet of a church or school, unless the proposed license is a grocery store or located within an exception area;
- (3) The applicable premises is or will be a sales-by-drink tavern or C.O.L. license and is within 300 feet of an area that is zoned residential unless it is located within an exception area;
- (4) The applicable premises has or will have a sales-by-package license and is within 300 feet of an area that is zoned residential, unless the proposed premises is a grocery store or it is located within an exception area;
- (5) The applicable premises is seeking an extended hours permit, pursuant to section 10-106 and is located within 1,500 feet of an area that is zoned residential;
- (6) The applicable premises has or will have a sales-by-drink license or C.O.L license and is not located within an exception area and 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license or permit at the premises; or
- (7) The applicable premises has or will have a sales-by-package license that is not located within an exception area and 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license or permit at the premises

(c) Distance shall be measured from the nearest point of the enclosing wall of the licensed premises or proposed license premises to the nearest enclosing wall of a church or school or to the nearest point of a parcel zoned residential.

(d) Any applicant seeking 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 shall make a written request to the director describing why the applicant believes a waiver is appropriate. The director may permit waiver of one or more of the presumptions listed in subsection (b) if the director finds 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 may consider:

- (1) The physical characteristics of the proposed premises; relevant geography and character of both the premises and the surrounding neighborhood;

- (2) 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;
- (3) The type of activity or entertainment to be conducted at the establishment and the days and times during which such activity would take place;
- (4) Whether any applicable church or school within 300 feet of the proposed premises supports the requested waiver;
- (5) The history of past use at the proposed premises; and
- (6) The measures the applicant proposes to implement to maintain quiet and security in conjunction with the establishment.

(e) The director shall review any request to rebut a presumption in subsection (b), along with any additional information submitted by an eligible neighbor, city department, the Kansas 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 by section 10-214. The director shall issue the decision in writing to the applicant and all responding eligible neighbors and provide the reasons for their decision.

(f) The director may grant a conditional license to any applicant whose proposed license is in conflict with subsection (b) in order to avoid the proposed premises interfering with or being a detriment to the rights and interests of the neighboring community.

(g) If a license or permit is not renewed or ceases to fulfill all other requirements of this chapter and expires, then an application for a new license or permit for the previously licensed premises shall be required to fulfill all conditions of this chapter for an original license or permit.

(h) If a license or permit issued under this chapter has been revoked, then an eligible applicant may apply for a new license or permit for the premises where a license or permit has been revoked and shall be required to fulfill all conditions of this chapter for an original license or permit.

Approved as to form and legality:

Chivonne Scott
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
<p>What is the reason for this legislation?</p>	<p>Fact Sheet Color Codes</p> <p>User Entered Field</p> <p>User Select From Menu</p> <p>For OMB Use</p>		
<p>Discussion (including relationship to other Council actions)</p>	<p>Sponsor(s)</p> <p>Programs, Departments, or Groups Affected</p> <p>Sub-Program in Budget (page #)</p>		
	<p>Applicants/ Proponents</p>	<p>City Department</p>	<p>Other</p>
<p>Citywide Business Plan Goal</p>	<p>Staff Recommendation</p>		
<p>Citywide Business Plan Objective</p>	<p>Board or Commission Recommendation</p>		
	<p>Future Impacts</p>		
<p>Citywide Business Plan Strategy</p>	<p>Cost of Legislation current Fiscal Year</p>		
	<p>Costs in Future Fiscal Years?</p>		
	<p>Annual Revenue Increase/Decrease</p>		
	<p>Applicable Dates:</p>		
	<p>Prepared by:</p>		
	<p>Date Prepared:</p>		
	<p>Reviewed by:</p>		
	<p>Date Reviewed</p>		
	<p>Reference Numbers</p>		

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220514

LEGISLATION IN BRIEF:

Amending Chapter 10, Code of Ordinances, by repealing Sections 10-62, Required hearings and review of director's action, and section 10-212, Location, and enacting in lieu thereof a new section of like number and subject matter to make necessary revisions to update a discrepancy within the ordinance, and, to make changes to the hearing process to align it with other like sections of the ordinance.

What is the purpose of this legislation?

LEGISLATIVE

for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank

Sections 01-04 should be blank. See section 00 for more information

YES Yes/No

NO Yes/No

NO Yes/No

NO Yes/No

Section 00: Notes:

There is no Fiscal Impact at this time.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT

FY 22-23 BUD

FY 23-24 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT

FY 22-23 BUD

FY 23-24 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT

FY 22-23 BUD

FY 23-24 EST

NET IMPACT ON OPERATIONAL BUDGET

RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL REV		-	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL EXP		-	-	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-	-
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NET IMPACT (SIX YEARS)	-
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REVIEWED BY

James Sturdevant

DATE

6/14/2022



File #: 220515

ORDINANCE NO. 220515

Amending Chapter 10, Code of Ordinances, by repealing Sections 10-1, Definitions, 10-261, Renewals, and 10-339, Employment of and sales by minors, and enacting in lieu thereof new sections of like number and subject matter to make adjustments based on changes that were recently made to many sections of chapter 10.

WHEREAS, on January 14, 2022, the City Council passed Ordinance No. 210961 which made many necessary changes and updates to Chapter 10; and

WHEREAS, after working with the newly revised Chapter 10 for a few weeks it has been found that revisions are needed to bring the ordinance into compliance with state statute and to allow businesses to continue operating in a necessary manner that they were previously accustomed; 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 Sections 10-1, Definitions, 10-261, Renewals, and 10-339, Employment of and sales by minors, and replacing them with new 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% 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% or more of its annual gross sales from the sale of prepared meals and food made 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% 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 neighborhoods, 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% 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% 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, or variety show.

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 nonbeverage ingredients containing alcohol may be used in producing beer, but may contribute to no more than 49% of the overall alcohol content of the finished beer. In the case of beer with an alcohol content of more than 6% by volume, no more than 0.5% of the volume of the beer may consist of alcohol derived from added flavors and other nonbeverage 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 an employee's permit, 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% 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% 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% its annual gross sales from alcoholic beverages.

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 10% 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.

(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% 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.

(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 3 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
 - (i) 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
 - (ii) 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) Notwithstanding any other provision of this chapter, the director may renew a bar-restaurant license for an establishment that did not derive 30% 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.

(i) Notwithstanding any other provision of this chapter, the director may renew a bar-restaurant license for an establishment that did not derive 30% 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.

Sec. 10-339. Employment of and sales by minors.

(a) No retail licensee, nor employee of the licensee, shall permit any person under 21 years of age to directly participate in the retail sale, delivery or dispensation of alcoholic beverages as described in section 10-5 of this chapter upon the licensed premises, except that this prohibition shall not apply to:

- (1) Sales-by-drink licensed premises which do not qualify as a bar-restaurant as defined by section 10-1 which sell food for consumption on the premises if at least fifty percent of all sales consists of food. A sales-by-drink or C.O.L. licensee may employ persons 18—20 years of age to work on the premises if the persons do not directly participate in the retail sale, delivery or dispensation of alcoholic beverages.
- (2) Sales-by-drink licensed premises which qualify as a bar-restaurant as defined by section 10-1 which sell food for consumption on the premises if at least fifty

percent of all sales consists of food. A sales-by-drink or C.O.L. licensee who sells substantial quantities of food upon the licensed premises may:

- a. Employ persons 18—20 years of age to work on the premises in the capacity of a waiter or waitress; however, no employee 18—20 years of age shall mix, pour or serve across the bar alcoholic beverages. Minors so employed may serve alcoholic beverages and accept payment for alcoholic beverages, but may not mix or serve alcoholic beverages across the bar. Minors who work as a waiter or waitress and serve alcoholic beverages or accept payment for alcoholic beverages must have a valid employee liquor permit in their possession as required under section 10-291; and
 - b. Employ persons 16 and 17 years of age to work on the premises if the persons do not directly participate in the retail sale, delivery or dispensation of alcoholic beverages. Licensees employing persons 16 or 17 years of age under this subsection shall, prior to employing the minor, require his or her parents or legal guardian to give their written consent to the employment, in a manner and form approved by the director. In addition to placing the minor's name in the register of employees, the consent and proof of the minor's age shall be maintained on file by the licensee and shall be available for inspection, at any time, by the director or the director's agents or the police department during the minor's term of employment. An authentic birth certificate, hospital birth record, religious record or public school record shall be adequate proof of the minor's age. In an emergency, a minor may be employed, without the required consent, for a period not to exceed 48 hours. Minors employed under the terms of this subsection are not required to obtain employee liquor permits under section 10-291.
- (3) Original package sales licenses without 50% gross sales of other merchandise. An original package sales licensee without 50% gross sales of other merchandise may employ persons 18—20 years of age to stock, arrange displays, operate the cash register or scanner connected to a cash register, accept payment for and sack for carry-out alcoholic beverages, so long as there is an employee of licensee, not less than 21 years of age, holding a valid employee liquor permit as described in section 10-5 of this chapter, on the licensed premises during all hours of operation. However, delivery of alcoholic beverages away from the licensed premises cannot be performed by any person under 21 years of age. Minors employed under this subsection must have a valid employee liquor permit in their possession as required under section 10-291.
 - (4) Original package sales licenses with 50% gross sales of other merchandise. An original package sales licensee where at least 50% of the gross sales consist of goods, merchandise or commodities other than alcoholic beverages may employ persons 18—20 years of age to stock, arrange displays, operate the cash register or scanner connected to a cash register, accept payment for and sack for carry-out alcoholic beverages. However, delivery of alcoholic beverages away from the licensed premises cannot be performed by any person under 21 years of age.

Minors employed under this subsection may not deliver alcoholic beverages away from the licensed premises. Minors employed under this subsection must have a valid employee liquor permit in their possession as required under section 10-291.

- (5) In any distillery, warehouse, wholesale distributorship, or similar place of business which stores or distributes intoxicating liquor but which does not sell intoxicating liquor at retail, persons at least 18 years of age may be employed and their duties may include the handling of intoxicating liquor for all purposes except consumption, sale at retail, or dispensing for consumption or sale at retail.
- (6) Any wholesaler licensed pursuant to this chapter may employ persons of at least 18 years of age to:
 - a. Rotate, stock and arrange displays at retail establishments licensed to sell intoxicating liquor; and
 - b. Unload delivery vehicles and transfer intoxicating liquor into retail licensed premises if such persons are supervised by a delivery vehicle driver who is 21 years of age or older.

(b) Each employee under 21 years of age, allowed to directly participate in the retail sale, delivery or dispensation of alcoholic beverages upon the premises under this section must hold an employee liquor permit as described in section 10-5 of this chapter.

..end

Approved as to form and legality:

Chivonne Scott
Assistant City Attorney

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 220515

Amending Chapter 10, Code of Ordinances, by repealing Sections 10-1, Definitions, 10-261, Renewals, and 10-339, Employment of and sales by minors, and enacting in lieu thereof new sections of like number and subject matter to make adjustments based on changes that were recently made to many sections of chapter 10.

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WHEREAS, after working with the newly revised Chapter 10 for a few weeks it has been found that revisions are needed to bring the ordinance into compliance with state statute and to allow businesses to continue operating in a necessary manner that they were previously accustomed; NOW, THEREFORE,

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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 an employee's permit, 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% 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% 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% its annual gross sales from alcoholic beverages.

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 10% 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.

(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% 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.

(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 3 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
 - (i) 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
 - (ii) 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) Notwithstanding any other provision of this chapter, the director may renew a bar-restaurant license for an establishment that did not derive 30% 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.

(i) Notwithstanding any other provision of this chapter, the director may renew a bar-restaurant license for an establishment that did not derive 30% 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.

Sec. 10-339. Employment of and sales by minors.

(a) No retail licensee, nor employee of the licensee, shall permit any person under 21 years of age to directly participate in the retail sale, delivery or dispensation of alcoholic beverages as described in section 10-5 of this chapter upon the licensed premises, except that this prohibition shall not apply to:

- (1) Sales-by-drink licensed premises which do not qualify as a bar-restaurant as defined by section 10-1 **which sell food for consumption on the premises if at least fifty percent of all sales consists of food.** A sales-by-drink or C.O.L. licensee may employ persons 18—20 years of age to work on the premises if the persons

do not directly participate in the retail sale, delivery or dispensation of alcoholic beverages.

- (2) Sales-by-drink licensed premises which qualify as a bar-restaurant as defined by section 10-1 **which sell food for consumption on the premises if at least fifty percent of all sales consists of food**. A sales-by-drink or C.O.L. licensee who sells substantial quantities of food upon the licensed premises may:
 - a. Employ persons 18—20 years of age to work on the premises in the capacity of a waiter or waitress; however, no employee 18—20 years of age shall mix, pour or serve across the bar alcoholic beverages. Minors so employed may serve alcoholic beverages and accept payment for alcoholic beverages, but may not mix or serve alcoholic beverages across the bar. Minors who work as a waiter or waitress and serve alcoholic beverages or accept payment for alcoholic beverages must have a valid employee liquor permit in their possession as required under section 10-291; and
 - b. Employ persons 16 and 17 years of age to work on the premises if the persons do not directly participate in the retail sale, delivery or dispensation of alcoholic beverages. Licensees employing persons 16 or 17 years of age under this subsection shall, prior to employing the minor, require his or her parents or legal guardian to give their written consent to the employment, in a manner and form approved by the director. In addition to placing the minor's name in the register of employees, the consent and proof of the minor's age shall be maintained on file by the licensee and shall be available for inspection, at any time, by the director or the director's agents or the police department during the minor's term of employment. An authentic birth certificate, hospital birth record, religious record or public school record shall be adequate proof of the minor's age. In an emergency, a minor may be employed, without the required consent, for a period not to exceed 48 hours. Minors employed under the terms of this subsection are not required to obtain employee liquor permits under section 10-291.
- (3) Original package sales licenses without 50% gross sales of other merchandise. An original package sales licensee without 50% gross sales of other merchandise may employ persons 18—20 years of age to stock, arrange displays, operate the cash register or scanner connected to a cash register, accept payment for and sack for carry-out alcoholic beverages, so long as there is an employee of licensee, not less than 21 years of age, holding a valid employee liquor permit as described in section 10-5 of this chapter, on the licensed premises during all hours of operation. However, delivery of alcoholic beverages away from the licensed premises cannot be performed by any person under 21 years of age. Minors employed under this subsection must have a valid employee liquor permit in their possession as required under section 10-291.

- (4) Original package sales licenses with 50% gross sales of other merchandise. An original package sales licensee where at least 50% of the gross sales consist of goods, merchandise or commodities other than alcoholic beverages may employ persons 18—20 years of age to stock, arrange displays, operate the cash register or scanner connected to a cash register, accept payment for and sack for carry-out alcoholic beverages. However, delivery of alcoholic beverages away from the licensed premises cannot be performed by any person under 21 years of age. Minors employed under this subsection may not deliver alcoholic beverages away from the licensed premises. Minors employed under this subsection must have a valid employee liquor permit in their possession as required under section 10-291.
- (5) In any distillery, warehouse, wholesale distributorship, or similar place of business which stores or distributes intoxicating liquor but which does not sell intoxicating liquor at retail, persons at least 18 years of age may be employed and their duties may include the handling of intoxicating liquor for all purposes except consumption, sale at retail, or dispensing for consumption or sale at retail.
- (6) Any wholesaler licensed pursuant to this chapter may employ persons of at least 18 years of age to:
 - a. Rotate, stock and arrange displays at retail establishments licensed to sell intoxicating liquor; and
 - b. Unload delivery vehicles and transfer intoxicating liquor into retail licensed premises if such persons are supervised by a delivery vehicle driver who is 21 years of age or older.

(b) Each employee under 21 years of age, allowed to directly participate in the retail sale, delivery or dispensation of alcoholic beverages upon the premises under this section must hold an employee liquor permit as described in section 10-5 of this chapter.

Approved as to form and legality:

Chivonne Scott
Assistant City Attorney

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 220515

Amending Chapter 10, Code of Ordinances, by repealing Sections 10-1, Definitions, 10-261, Renewals, and 10-339, Employment of and sales by minors, and enacting in lieu thereof new sections of like number and subject matter to make adjustments based on changes that were recently made to many sections of chapter 10.

WHEREAS, on January 14, 2022, the City Council passed Ordinance No. 210961 which made many necessary changes and updates to Chapter 10; and

WHEREAS, after working with the newly revised Chapter 10 for a few weeks it has been found that revisions are needed to bring the ordinance into compliance with state statute and to allow businesses to continue operating in a necessary manner that they were previously accustomed; 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 Sections 10-1, Definitions, 10-261, Renewals, and 10-339, Employment of and sales by minors, and replacing them with new 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% 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% or more of its annual gross sales from the sale of prepared meals and food made 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% 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 neighborhoods, 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% 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% 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, or variety show.

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 nonbeverage ingredients containing alcohol may be used in producing beer, but may contribute to no more than 49% of the overall alcohol content of the finished beer. In the case of beer with an alcohol content of more than 6% by volume, no more than 0.5% of the volume of the beer may consist of alcohol derived from added flavors and other nonbeverage 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 an employee's permit, 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% 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% 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% its annual gross sales from alcoholic beverages.

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 10% 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.

(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% 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.

(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 3 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
 - (i) 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
 - (ii) 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) Notwithstanding any other provision of this chapter, the director may renew a bar-restaurant license for an establishment that did not derive 30% 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.

(i) Notwithstanding any other provision of this chapter, the director may renew a bar-restaurant license for an establishment that did not derive 30% 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.

Sec. 10-339. Employment of and sales by minors.

(a) No retail licensee, nor employee of the licensee, shall permit any person under 21 years of age to directly participate in the retail sale, delivery or dispensation of alcoholic beverages as described in section 10-5 of this chapter upon the licensed premises, except that this prohibition shall not apply to:

- (1) Sales-by-drink licensed premises which do not qualify as a bar-restaurant as defined by section 10-1 **which sell food for consumption on the premises if at least fifty percent of all sales consists of food.** A sales-by-drink or C.O.L. licensee may employ persons 18—20 years of age to work on the premises if the persons

do not directly participate in the retail sale, delivery or dispensation of alcoholic beverages.

- (2) Sales-by-drink licensed premises which qualify as a bar-restaurant as defined by section 10-1 **which sell food for consumption on the premises if at least fifty percent of all sales consists of food**. A sales-by-drink or C.O.L. licensee who sells substantial quantities of food upon the licensed premises may:
 - a. Employ persons 18—20 years of age to work on the premises in the capacity of a waiter or waitress; however, no employee 18—20 years of age shall mix, pour or serve across the bar alcoholic beverages. Minors so employed may serve alcoholic beverages and accept payment for alcoholic beverages, but may not mix or serve alcoholic beverages across the bar. Minors who work as a waiter or waitress and serve alcoholic beverages or accept payment for alcoholic beverages must have a valid employee liquor permit in their possession as required under section 10-291; and
 - b. Employ persons 16 and 17 years of age to work on the premises if the persons do not directly participate in the retail sale, delivery or dispensation of alcoholic beverages. Licensees employing persons 16 or 17 years of age under this subsection shall, prior to employing the minor, require his or her parents or legal guardian to give their written consent to the employment, in a manner and form approved by the director. In addition to placing the minor's name in the register of employees, the consent and proof of the minor's age shall be maintained on file by the licensee and shall be available for inspection, at any time, by the director or the director's agents or the police department during the minor's term of employment. An authentic birth certificate, hospital birth record, religious record or public school record shall be adequate proof of the minor's age. In an emergency, a minor may be employed, without the required consent, for a period not to exceed 48 hours. Minors employed under the terms of this subsection are not required to obtain employee liquor permits under section 10-291.
- (3) Original package sales licenses without 50% gross sales of other merchandise. An original package sales licensee without 50% gross sales of other merchandise may employ persons 18—20 years of age to stock, arrange displays, operate the cash register or scanner connected to a cash register, accept payment for and sack for carry-out alcoholic beverages, so long as there is an employee of licensee, not less than 21 years of age, holding a valid employee liquor permit as described in section 10-5 of this chapter, on the licensed premises during all hours of operation. However, delivery of alcoholic beverages away from the licensed premises cannot be performed by any person under 21 years of age. Minors employed under this subsection must have a valid employee liquor permit in their possession as required under section 10-291.

- (4) Original package sales licenses with 50% gross sales of other merchandise. An original package sales licensee where at least 50% of the gross sales consist of goods, merchandise or commodities other than alcoholic beverages may employ persons 18—20 years of age to stock, arrange displays, operate the cash register or scanner connected to a cash register, accept payment for and sack for carry-out alcoholic beverages. However, delivery of alcoholic beverages away from the licensed premises cannot be performed by any person under 21 years of age. Minors employed under this subsection may not deliver alcoholic beverages away from the licensed premises. Minors employed under this subsection must have a valid employee liquor permit in their possession as required under section 10-291.
- (5) In any distillery, warehouse, wholesale distributorship, or similar place of business which stores or distributes intoxicating liquor but which does not sell intoxicating liquor at retail, persons at least 18 years of age may be employed and their duties may include the handling of intoxicating liquor for all purposes except consumption, sale at retail, or dispensing for consumption or sale at retail.
- (6) Any wholesaler licensed pursuant to this chapter may employ persons of at least 18 years of age to:
 - a. Rotate, stock and arrange displays at retail establishments licensed to sell intoxicating liquor; and
 - b. Unload delivery vehicles and transfer intoxicating liquor into retail licensed premises if such persons are supervised by a delivery vehicle driver who is 21 years of age or older.

(b) Each employee under 21 years of age, allowed to directly participate in the retail sale, delivery or dispensation of alcoholic beverages upon the premises under this section must hold an employee liquor permit as described in section 10-5 of this chapter.

Approved as to form and legality:

Chivonne Scott
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
<p>What is the reason for this legislation?</p>	<p align="center">Fact Sheet Color Codes</p> <p align="center">User Entered Field</p> <p align="center">User Select From Menu</p> <p align="center">For OMB Use</p>		
<p>Discussion (including relationship to other Council actions)</p>	<p align="center">Sponsor(s)</p> <p align="center">Programs, Departments, or Groups Affected</p> <p align="center">Sub-Program in Budget (page #)</p>		
	<p>Applicants/ Proponents</p>	<p align="center">City Department</p>	<p align="center">Other</p>
<p align="center">Citywide Business Plan Goal</p>	<p>Staff Recommendation</p>		
	<p>Board or Commission Recommendation</p>		
<p align="center">Citywide Business Plan Objective</p>	<p align="center">Future Impacts</p>		
	<p>Cost of Legislation current Fiscal Year</p>		
<p align="center">Citywide Business Plan Strategy</p>	<p>Costs in Future Fiscal Years?</p>		
	<p>Annual Revenue Increase/Decrease</p>		
	<p>Applicable Dates:</p>		
	<p>Prepared by:</p>		
	<p>Date Prepared:</p>		
	<p>Reviewed by:</p>		
	<p>Date Reviewed</p>		
	<p>Reference Numbers</p>		

LEGISLATION IN BRIEF:

Amending Chapter 10, Code of Ordinances, by repealing Sections 10-1, Definitions, 10-261, Renewals, and 10-339, Employment of and sales by minors, and enacting in lieu thereof new sections of like number and subject matter to make adjustments based on changes that were recently made to many sections of chapter 10.

What is the purpose of this legislation? LEGISLATIVE

for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank

Sections 01-04 should be blank. See section 00 for more information

	<input type="button" value="YES"/>	Yes/No
	<input type="button" value="NO"/>	Yes/No
	<input type="button" value="NO"/>	Yes/No
	<input type="button" value="NO"/>	Yes/No

Section 00: Notes:

There is no Fiscal Impact at this time.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

NET IMPACT ON OPERATIONAL BUDGET	-	-
<i>RESERVE STATUS:</i>		

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
	TOTAL REV	-	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
	TOTAL EXP	-	-	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-
NET IMPACT (SIX YEARS)	-						

REVIEWED BY James Sturdevant DATE 6/14/2022



File #: 220516

ORDINANCE NO. 220516

Amending Chapter 10, Code of Ordinances, by repealing Section 10-211, Number of retail alcoholic beverage licenses, and enacting in lieu thereof a new section of like number and subject matter to align it with other like sections of chapter 10

WHEREAS, on January 14, 2022, the City Council passed Ordinance No. 210961 which made many necessary changes and updates to Chapter 10; and

WHEREAS, after working with the newly revised Chapter 10 for a few months it has been found that revisions are needed to prevent future and ongoing exceptions to this section as this has been an ongoing issue for many years; and

WHEREAS, the density model has become antiquated because there are many different types of businesses that have an interest in getting a liquor license that are not simply categorized as a “tavern” or a “package store”; 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 alcoholic beverage licenses, and replacing it with a new section 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 premise,

as measured from the center of the door to be used as the main entrance to the premise. For a premise that is currently in operation, the center of the door for the main entrance to the premise shall be determined by the entrance naturally used by the public frequenting the premise. 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 premise. 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 premise 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 a bar-restaurant as defined in this chapter. Upon proper and sufficient evidence submitted to the director, the director shall summarily refuse to renew the license upon the failure of the licensed premise 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.
- 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 premise.
- e. A licensed premise 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. *18th 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. *25th 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 premise, as measured from the center of the door to be used as the main entrance to the premise. 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 premise, as measured from the center of the door to be used as the main entrance to the premise. For a premise that is currently in operation, the center of the door for the main entrance to the premise shall be determined by the entrance naturally used by the public frequenting the premise.

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 premise. 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 premise and the 3,000-foot radius, as measured from the center of the door for the main entrance of the premise 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 premise 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 premise, 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 premise, 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 premise, as measured from the center of the

door for the main entrance to the premise, 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 issued 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 premise 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 premise located in a census block wholly within or intersected by a 3,000-foot radius from the existing licensed premise, as measured from the center of the door for the main entrance to the premise, 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 premise 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 premise 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 premise.
- (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 notification period, as outlined in section 10-214, and may consider:

- (a) Whether 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license;
 - (b) The physical characteristics of the proposed premises; relevant geography and character of both the premises and the surrounding neighborhood;
 - (b) 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;
 - (c) The type of activity or entertainment to be conducted at the establishment and the days and times during which such activity would take place;
 - (d) Whether any applicable church or school within 300 feet of the proposed premises supports the requested waiver;
 - (e) The history of past use at the proposed premises; and
 - (f) 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, city department, the Kansas 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 to the applicant and all responding eligible neighbors and provide the reasons for their decision.
- (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.

..end

Approved as to form and legality:

Chivonne Scott
Assistant City Attorney

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 220516

Amending Chapter 10, Code of Ordinances, by repealing Section 10-211, Number of retail alcoholic beverage licenses, and enacting in lieu thereof a new section of like number and subject matter to align it with other like sections of chapter 10.

WHEREAS, on January 14, 2022, the City Council passed Ordinance No. 210961 which made many necessary changes and updates to Chapter 10; and

WHEREAS, after working with the newly revised Chapter 10 for a few months it has been found that revisions are needed to prevent future and ongoing exceptions to this section as this has been an ongoing issue for many years; and

WHEREAS, the density model has become antiquated because there are many different types of businesses that have an interest in getting a liquor license that are not simply categorized as a “tavern” or a “package store”; 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 alcoholic beverage licenses, and replacing it with a new section 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 premise, as measured from the center of the door to be used as the main entrance to the premise. For a premise that is currently in operation, the center of the door for the main entrance to the premise shall be determined by the entrance naturally used by the public frequenting the premise. 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 premise. 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 premise 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 a bar-restaurant as defined in this chapter. Upon proper and sufficient evidence submitted to the director, the director shall summarily refuse to renew the license upon the failure of the licensed premise 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.
- 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 premise.
- e. A licensed premise 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.
- g. 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. *18th 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. *25th 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.

hf. 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.

g. 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 premise, as measured from the center of the door to be used as the main entrance to the premise. 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 premise, as measured from the center of the door to be used as the main entrance to the premise. For a premise that is currently in operation, the center of the door for the main entrance to the premise shall be determined by the entrance naturally used by the public frequenting the premise. 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 premise. 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 premise and the 3,000-foot radius, as measured from the center of the door for the main entrance of the premise 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 premise 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 premise, 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 premise, 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 premise, as measured from the center of the door for the main entrance to the premise, 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 issued 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 premise 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 premise located in a census block wholly within or intersected by a 3,000-foot radius from the existing licensed premise, as measured from the center of the door for the main entrance to the premise, 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 premise 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 premise 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 premise.

- (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 notification period, as outlined in section 10-214, and may consider:
- (a) Whether 50% or more of the eligible neighbors who filed a written response with the director opposed the granting of a license;
 - (b) The physical characteristics of the proposed premises; relevant geography and character of both the premises and the surrounding neighborhood;
 - (b) 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;
 - (c) The type of activity or entertainment to be conducted at the establishment and the days and times during which such activity would take place;
 - (d) Whether any applicable church or school within 300 feet of the proposed premises supports the requested waiver;
 - (e) The history of past use at the proposed premises; and

- (f) 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, city department, the Kansas 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 to the applicant and all responding eligible neighbors and provide the reasons for their decision.
- (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.

Approved as to form and legality:

Chivonne Scott
Assistant City Attorney

No
Fact
Sheet
Provided
For
Ordinance
220516



File #: 220425

ORDINANCE NO. 220425

Reducing an appropriation in the amount of \$783,266.00 in the Central City Economic Development Sales Tax Fund; appropriating \$783,266.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with GEM Theater Cultural and Performing Arts Center, Inc in the amount of \$783,266.00 for the purpose of constructing an affordable housing development located at 2033 Vine Street.

WHEREAS, GEM Theater Cultural and Performing Arts Center, Inc (“Developer”) has proposed to construct the 21 Vine Live/Work Townhomes, a residential facility which includes 5 residential units to be located in Wendell Phillips neighborhood along East 21st Street and Vine Street (the “Project Site”); and

WHEREAS, Developers proposal will provide 3 units of affordable housing for families, and 2 market rate units of affordable housing for families with incomes between 40% - 60% of AMI; and

WHEREAS, Developers proposal includes two-bedroom 2½ bathrooms, a studio working spaces, covered garages, and walkout balconies; and

WHEREAS, the Developer’s proposal contemplates a financing package that includes Central City Economic Development Sales Tax Funds; and

WHEREAS, the Developer requested a public contribution of \$783,266.00 and the Central City Economic Development Sales Tax Board has recommended that funding be approved in the amount of \$783,266.00; and

WHEREAS, the project 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

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 and legality:

Joseph Guarino
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	220425	
		Approval Deadline:		
LEGISLATION IN BRIEF:				
What is the reason for this legislation?		Fact Sheet Color Codes		
		User Entered Field		
		User Select From Menu		
		For OMB Use		
		Sponsor(s)		
		Programs, Departments, or Groups Affected		
		Sub-Program in Budget (page #)		
		Applicants/ Proponents	City Department	
			Other	
		Staff Recommendation		
		Board or Commission Recommendation		
		Future Impacts		
Cost of Legislation current Fiscal Year				
Costs in Future Fiscal Years?				
Annual Revenue Increase/Decrease				
Applicable Dates:				
Prepared by:				
Date Prepared:				
Reviewed by:				
Date Reviewed				
Reference Numbers				
Discussion (including relationship to other Council acitons)				
Citywide Business Plan Goal				
Citywide Business Plan Objective				
Citywide Business Plan Strategy				



File #: 220426

ORDINANCE NO. 220426

Reducing an appropriation in the amount of \$1,500,000.00 in the Central City Economic Development Sales Tax Fund; appropriating \$1,500,000.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with Ivanhoe Neighborhood Council in the amount of \$1,500,000.00 for the purpose of constructing a transitional housing development located at 2005 East 35th Street.

WHEREAS, Ivanhoe Neighborhood Council (“Developer”) has proposed to construct the Heroes Home Gate Transitional Home Expansion a residential facility which includes 24 residential units to be located in Ivanhoe neighborhood along East 35th Street and Euclid Avenue (the “Project Site”); and

WHEREAS, Developers proposal will provide 24 transitional units for veterans at no cost to the veterans; and

WHEREAS, Developers proposal includes lead-contaminated soil remediation, site preparation, new public, and building construction; and

WHEREAS, the Developer’s proposal contemplates a financing package that includes Central City Economic Development Sales Tax Funds; and

WHEREAS, the Developer requested a public contribution of \$1,500,000.00 and the Central City Economic Development Sales Tax Board has recommended that funding be approved in the amount of \$1,500,000.00; and

WHEREAS, the project 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 appropriation in the following account of the Central City Economic Development Sales Tax Fund, Fund No. 2200, is hereby reduced by the following amount:

23-2200-552047-B	Contractual Services	\$1,500,000.00
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Section 2. That the following amount is hereby appropriated from the Unappropriated Fund Balance of the Central City Economic Development Sales Tax Fund, Fund No. 2200, to the following account:

23-2200-555998-B-619080-55HHGTTRHMEX	Heroes Home Gate	\$1,500,000.00
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Section 3. That the Director of the Housing and Community Development Department is hereby authorized to execute a Funding Agreement with Ivanhoe Neighborhood Council for the purposes contemplated herein in an amount not to exceed \$1,500,000.00, to be paid from funds previously appropriated to Account No. 23-2200-555998-B-619080-55HHGTTRHMEX in the Central City Economic Development Sales Tax Fund.

Section 4. That the City Manager is directed to negotiate a funding agreement that: 1) provides for compliance with any applicable provisions of the Missouri Prevailing Wage Law and any applicable provisions of 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; and 2) requires the disclosure of total project funding sources and projected costs and periodic reporting of project progress.

..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 and legality:

Joseph Guarino
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	220426	
		Approval Deadline:		
LEGISLATION IN BRIEF:				
What is the reason for this legislation?		Fact Sheet Color Codes		
		User Entered Field		
		User Select From Menu		
		For OMB Use		
		Sponsor(s)		
		Programs, Departments, or Groups Affected		
		Sub-Program in Budget (page #)		
		Applicants/ Proponents	City Department	
			Other	
		Staff Recommendation		
		Board or Commission Recommendation		
		Future Impacts		
Cost of Legislation current Fiscal Year				
Costs in Future Fiscal Years?				
Annual Revenue Increase/Decrease				
Applicable Dates:				
Prepared by:				
Date Prepared:				
Reviewed by:				
Date Reviewed				
Reference Numbers				
Discussion (including relationship to other Council acitons)				
Citywide Business Plan Goal				
Citywide Business Plan Objective				
Citywide Business Plan Strategy				



File #: 220429

ORDINANCE NO. 220429

Reducing an appropriation in the amount of \$668,232.00 in the Central City Economic Development Sales Tax Fund; appropriating \$668,232.00 from the Unappropriated Fund Balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with Monarque Advisory, LLC, in the amount of \$668,232.00 for the purpose of redeveloping and constructing affordable housing development located at 2904 E. 23rd Street and 2914 E. 23rd Street.

WHEREAS, Monarque Advisory, LLC (“Developer”) has proposed to construct the Washington Wheatley Development Project, a residential facility which includes 8 residential units to be located in Washington Wheatley neighborhood along East 23rd Street and Agnes Avenue (the “Project Site”); and

WHEREAS, Developers proposal will provide 8 units of affordable housing for families with incomes at 80% of AMI; and

WHEREAS, development will include two-bedrooms with two-bathroom units, parking, curbs and sidewalks, landscape, framing, drywall, electrical, lighting, plumbing, HVAC, sheetrock, flooring, windows, decks and solar panels; and

WHEREAS, the Developer’s proposal contemplates a financing package that includes Central City Economic Development Sales Tax Funds; and

WHEREAS, the Developer requested a public contribution of \$668,232.00 and the Central City Economic Development Sales Tax Board has recommended that funding be approved in the amount of \$668,232.00; and

WHEREAS, the project 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 appropriation in the following account of the Central City Economic Development Sales Tax Fund, Fund No. 2200, is hereby reduced by the following amount:

23-2200-552047-B	Contractual Services	\$668,232.00
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Section 2. That the following amount is hereby appropriated from the Unappropriated Fund Balance of the Central City Economic Development Sales Tax Fund, Fund No. 2200, to the following account:

23-2200-555998-B-619080-55MNQADVDEV	Monaque Advisory Dev.	\$668,232.00
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Section 3. That the Director of the Housing and Community Development Department is hereby authorized to execute a Funding Agreement with Monarque Advisory, LLC for the purposes contemplated herein in an amount not to exceed \$668,232.00, to be paid from funds previously appropriated to Account No. 23-2200-555998-B-619080-55MNQADVDEV in the Central City Economic Development Sales Tax Fund.

Section 4. That the City Manager is directed to negotiate a funding agreement that: 1) provides for compliance with any applicable provisions of the Missouri Prevailing Wage Law and any applicable provisions of 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; and 2) requires the disclosure of total project funding sources and projected costs and periodic reporting of project progress.

..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 and legality:

Joseph Guarino
Senior Associate City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	220429	
		Approval Deadline:		
LEGISLATION IN BRIEF:				
What is the reason for this legislation?		Fact Sheet Color Codes		
		User Entered Field		
		User Select From Menu		
		For OMB Use		
		Sponsor(s)		
		Programs, Departments, or Groups Affected		
		Sub-Program in Budget (page #)		
		Applicants/ Proponents	City Department	
			Other	
		Staff Recommendation		
		Board or Commission Recommendation		
		Future Impacts		
Cost of Legislation current Fiscal Year				
Costs in Future Fiscal Years?				
Annual Revenue Increase/Decrease				
Applicable Dates:				
Prepared by:				
Date Prepared:				
Reviewed by:				
Date Reviewed				
Reference Numbers				
Discussion (including relationship to other Council acitons)				
Citywide Business Plan Goal				
Citywide Business Plan Objective				
Citywide Business Plan Strategy				

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220429
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LEGISLATION IN BRIEF:
Reducing an appropriation in the amount of \$668,232.00 in the Central City Economic Development Sales Tax Fund; appropriating \$668,232.00 from the unappropriated fund balance in the Central City Economic Development Sales Tax Fund; and authorizing the Director of the Housing and Community Development Department to negotiate and execute a Funding Agreement with Monarque Advisory, LLC in the amount of \$668,232.00 for the purpose of redeveloping and constructing affordable housing development located at 2904 E 23rd Street and 2914 E 23rd Street.

What is the purpose of this legislation? OPERATIONAL

The legislation reduces appropriations in the placeholder Central City Economic Development Sales Tax Fund (CCED) account and appropriates to the CCED Board approved project. The ordinance authorizes a funding agreement to be negotiated up to the amount designated in the ordinance for purpose indicated.

Does this legislation spend money? Yes/No
See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues? Yes/No
0

Does this Legislation Increase Appropriations? Yes/No

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) Yes/No
See Section 00: " Notes" Below

Section 00: Notes:
This ordinance moves \$668,232 from the Central City Economic Development Fund placeholder account and appropriates to a specific project approved by the Central City Economic Development Sales Tax Board. The net impact on the FY 2022-23 Budget is zero.

Five years of operational costs for ongoing programs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23	FY 23-24 EST
2200	552047	B		668,232	

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23	FY 23-24 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23	FY 23-24 EST

NET IMPACT ON OPERATIONAL BUDGET

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RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
1000	General Fund						
2200	Central City						
1000							
1000							
TOTAL REV		-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
1000	General Fund						
2200	Central City	-					
1000							
1000							
TOTAL EXP		-	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-
NET IMPACT	-						

REVIEWED BY Krista Morrison DATE 5/20/2022



File #: 220453

ORDINANCE NO. 220453

Detaching approximately 103 acres generally located at 4200 Bong Street from Kansas City, upon the annexation of said property by the City of Belton. (CD-CPC-2021-00197)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That the following property, generally located at 4200 Bong Street, and more specifically described as follows:

All land enclosed with the following description: All that part of the Southeast Quarter of Section 3, and all that part of the Southwest Quarter of Section 2, all in Township 46, Range 33, Cass County, Missouri described as follows: Commencing at the Southwest corner of said Southeast Quarter of Section 3; thence South 85 degrees 17 minutes 51 seconds East along the South line of said Southeast Quarter, a distance of 218.15 feet to the true point of beginning of the tract of land to be herein described; thence South 20 degrees 27 minutes 00 seconds West, 30.87 feet to a point on the South Right of Way line of Markey Road; thence along said South Right of Way line South 85 degrees 21 minutes 09 seconds East, 237.00 feet; thence North 2 degrees 48 minutes 37 seconds East, a distance of 1797.00 feet; thence South 70 degrees 23 minutes 06 seconds East, a distance of 1111.68 feet; thence North 80 degrees 38 minutes 14 seconds East, a distance of 458.02 feet to a point on the Westerly line of Fairchild Drive and 30 feet westerly of the centerline thereof; thence Southeasterly along a curve to the left having a radius of 5772.93 feet and an initial tangent bearing of South 16 degrees 33 minutes 55 seconds East, and arc distance of 108.43 feet to a point on the north line of Bong Street and 35 feet Northerly of the centerline thereof; thence South 18 degrees 03 minutes 56 seconds East, a distance of 65.00 feet to a point on the South line of said Bong Street, thence North 71 degrees 56 minutes 04 seconds East along the South line of said Bong Street, a distance 500.64 feet; thence North 25 degrees 24 minutes 22 seconds West, 30.33 feet; thence South 71 degrees 53 minutes 31 seconds West, 68.67 feet; thence North 13 degrees 09 minutes 26 seconds West, 865.49 feet; thence South 77 degrees 24 minutes 54 seconds West, 432.55 feet to a point on a curve, said curve having a radius of 5772.93 feet, and at this point.

is hereby declared to be detached by the City of Kansas City, Missouri upon the annexation of the same property by the City of Belton, Missouri, according to the terms of Section 71.011 RSMo, subject to the following condition:

1. That the City of Belton dedicate easements for all water and sewer infrastructure in the area to be de-annexed to the satisfaction of the Water Services Department prior to passage of this ordinance.

Section B. That the City of Belton, Missouri shall file a certified copy of this ordinance simultaneously with the filing of a certified copy of the related annexation ordinance adopted by the City of Belton in the office of the County Clerk of Cass County, the Cass County Assessor, the Recorder of Deeds of Cass County, and Clerk of the Circuit Court of Cass County, at the cost of the City of Belton.

..end

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney

COMMUNITY PROJECT/REZONING

220453

Ordinance Fact Sheet

Case No. CD-CPC-2021-00157

Brief Title

An ordinance to de-annex about 103 acres of Kansas City, MO property generally located at 4200 Bong St, to detach a portion of the Eagles' Landing Golf Course. (CD-CPC-2021-00197)

Ordinance Number

Details

Location: Generally located at 4200 Bong St.

Reason for Legislation: De-annexation requires City Council approval.

See attached City Plan Commission Staff Report for a detailed description and analysis of the proposal.

SUMMARY OF CHANGES FOLLOWING CITY PLAN COMMISSION:

- The Water Services Department received the water easement requested.

CITY PLAN COMMISSION RECOMMENDATION:

Approval Subject to Conditions

- Please provide information about any and all existing easements for water and sewer assets within the de-annexation area. It is anticipated that KC Water will require all water distribution mains and appurtenances and sewer collection infrastructure to have dedicated easements if the de-annexation moves ahead. KCMO Public Works Department has facilities or interests within the right-of-way but has no objects to the proposed vacation.
- The City must have the recorded easement documents prior to approval or passage of the de-annexation ordinance.

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected	6 th District (Bough, McManus)
Applicants / Proponents	Applicant Greg Rokos 506 Main St Belton, MO 64012 City Department City Planning & Development Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against –
Board or Commission Recommendation	City Plan Commission (6-0) 04-16-2022 By Nay: Allender, Baker, Crawl, Enders, Hill, Rojas <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

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Policy or Program Change	<input type="checkbox"/> Yes <input type="checkbox"/> No
Operational Impact Assessment	

Finances

Cost & Revenue Projections – Including Indirect Costs	
Financial Impact	
Funding Source(s) and	

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Appropriation Account Codes	

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Fact Sheet Prepared By: Ahna Nanoski, AICP Lead Planner	Date: 05-12-2022		
Reviewed By: Joe Rexwinkle, AICP Division Manager Development Management	Date:	Initial Application Filed: 10-19-2021	City Plan Commission Action: 04-19-2022
		Revised Plans Filed: NA	Total Days in City Review: 30
		Total Days in Applicant's Hand: 103	
Reference Numbers: Case No. CD-CPC-2021-00197			