



## Agenda

### Neighborhood Planning and Development Committee

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

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Wednesday, May 17, 2023

1:30 PM

26th Floor, Council Chamber

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

#### PUBLIC OBSERVANCE OF MEETINGS

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

Any closed session may be held via teleconference.

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

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

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

\*\*\*Public Testimony is Limited to 2 Minutes\*\*\*

#### **Barnes Jr.**

[230411](#) Sponsor: Councilmember Lee Barnes, Jr.

Authorizing the City Manager to execute a grant agreement with WeDevelopment Federal Credit Union in the amount of \$125,000.00 to subsidize the credit union's rent expenses for a period of five years.

**Attachments:** [3111 docket memo](#)

**Director of City Planning & Development and City Plan Commission**

[230413](#)

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 5.9 acres generally located within the area bounded by Van Brunt Boulevard, Winner Road, Hardesty Avenue and E. 12th Street from District R-1.5 to District R-0.75 and approving a development plan to allow for the construction of a community building and renovations of the existing structures. (CD-CPC-2023-00047 and CD-CPC-2023-00048).

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

**Director of City Planning & Development**

[230414](#)

Sponsor: Director of City Planning and Development Department

Approving a council approved signage plan on about 103 acres to allow for various signage to serve Metro North Crossing in District UR generally located at the northeast corner of N.W. Barry Road and Highway 169. (CD-CPC-2023-00037)

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

**City Plan Commission and Director of City Planning & Development**

[230415](#)

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 15 acres generally located at the northwest corner of N.E. 88th Street and N. Highland Avenue from Districts R-80 and R-5 to District R-7.5 and approving a preliminary plat creating three detached residential lots. (CD-CPC-2022-00198 and CD-CPC-2022-00197).

**Attachments:** [Docket Memo CD-CPC-2022-00197 198](#)

**Lucas, O'Neill and Bough**

[230419](#)

Sponsor: Mayor Quinton Lucas and Councilmember Kevin O'Neill

Amending Chapter 10, Code of Ordinances, by repealing Sections 10-5, 10-291, 10-292, and by repealing Sections 10-1, 10-36, 10-105, 10-133, 10-136, 10-138, 10-261, 10-331, 10-335, 10-339, enacting in lieu thereof new sections of like numbers and subject matter, and enacting a new Section 10-5 for the purpose of repealing employee liquor permits and requiring retail sales-by-drink licensed establishments to not employ individuals convicted of sex crimes in the sale, delivery or dispensation of alcoholic beverages.

**Attachments:** [Docket Memo 230419](#)

HELD IN COMMITTEE

[220722](#) Amending Ordinance No. 190328 by repealing Condition 16 contained in Section B, which required the developer to secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development, because the developer no longer has access to public water mains. (CD-CPC-2018-00229)

**Attachments:** [Docket Memo 220722](#)

**Fowler and Loar**

[230217](#) Sponsor(s): Councilmembers Dan Fowler and Teresa Loar

Amending the Major Street Plan to change and amend the street typology of N. Line Creek Parkway from N.W. Barry Road to N.W. 68th Street from parkway to local link. (CD-CPC-2023- )

**Attachments:** [Docket Memo 230217](#)

**Shields, Lucas and Bunch**

[230280](#) Sponsor(s): Councilmember Kathryn Shields, Mayor Quinton Lucas and Councilmember Eric Bunch

Approving a development plan for a commercial development in District B4-5 on about 0.4 acres generally located at 604 W. 47th Street. (CD-CPC-2021-00193)

**Attachments:** [Docket Memo 230280](#)

**Director of City Planning & Development and City Plan Commission**

[230310](#) Sponsor: Director of City Planning and Development Department

Amending Chapter 88, Code of Ordinances, by repealing Section 88-805-04, Commercial Use Group, and enacting in lieu thereof a new section of like number and subject matter to change the definition of restaurant to be consistent with Chapter 10 of the Code of Ordinances (CD-CPC-2023-00030).

**Attachments:** [Docket Memo CPC-2023-00030.pdf](#)

**Barnes Jr.**

[230360](#) Sponsor: Councilmember Lee Barnes

Directing that the City Manager shall appear before the Council to provide certain information before suspending, terminating, or taking any other adverse action against an employee for failure to comply with the residency requirements of the City's Code of Ordinances.

**Attachments:** [Docket Memo 230360](#)

**City Manager's Office**

**230403** Sponsor: City Manager

Approving an Industrial Development Plan for Cas-KC-neda, LLC for the purpose of acquiring, equipping and constructing a project for industrial development consisting of the acquisition, purchase, construction and development of a boutique hotel with approximately thirty-five units (the "Project") located at 1108-1110 Grand Ave., Kansas City, Missouri (the "Project Site"); authorizing and approving various agreements for the purpose of setting forth covenants, agreements and obligations of the City and Cas-KC-neda, LLC; authorizing the issuance of taxable industrial revenue bonds in an amount not to exceed \$24,500,000.00; authorizing and approving other documents; and authorizing certain other actions in connection with the issuance of said bonds.

**Attachments:** [Cas-KC-neda LLC Docket Memo](#)

**Bough**

**230406** Sponsor: Councilmember Andrea Bough

RESOLUTION - Authorizing the City Manager to execute an amended petition for the 4840 Community Improvement District.

**Attachments:** [Docket Memo 230406](#)

**ADDITIONAL BUSINESS**

1. There may be a general discussion regarding current Neighborhood Planning and Development Committee issues.
2. Closed Session
  - Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
  - Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
  - Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
  - Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
  - Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
  - Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
  - Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

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

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

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

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



**File #: 230411**

ORDINANCE NO. 230411

Sponsor: Councilmember Lee Barnes, Jr.

Authorizing the City Manager to execute a grant agreement with WeDevelopment Federal Credit Union in the amount of \$125,000.00 to subsidize the credit union’s rent expenses for a period of five years.

WHEREAS, WeDevelopment Federal Credit Union (“WeDevelopment FCU”) provides banking and loan services and wealth coaching to residents of the East Side of Kansas City; and

WHEREAS, pursuant to Resolution No. 130604, the City Manager was authorized and encouraged to invest \$250,000.00 or up to the policy limit of National Credit Union Association insurance with WeDevelopment Federal Credit Union (“WeDevelopment FCU”) and said deposit was made on March 14, 2023; and

WHEREAS, on September 26, 2018, the City Manager agreed to provide WeDevelopment FCU a grant in the total amount of \$125,000.00, subject to appropriation, which appropriation was made over a five-year period in the amount of \$25,000.00 per year; and

WHEREAS, the City and WeDevelopment FCU believe it to be in the best interests of all parties to formalize the commitment via a grant agreement; NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a grant agreement with WeDevelopment Federal Credit Union in the total amount of \$125,000.00 for the purpose of subsidizing the credit union’s rent expenses for a period of five years in the amount of \$25,000.00 per year, using funds previously appropriated to Account No. 24-1000-121465-B. The contract, approved in substantial form, is on file with the office of the Director of the Finance Department.

..end

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

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Tammy L. Queen  
Director of Finance

Approved as to form:

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Samuel E. Miller  
Assistant City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

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

### Executive Summary

Authorizing the City Manager to execute a grant agreement with WeDevelopment Federal Credit Union in the amount of \$125,000.00 to subsidize the credit union’s rent expenses for a period of five years.

### Discussion

Pursuant to Resolution 130604, the City Manager was authorized and encouraged to invest \$250,000.00 or up to the policy limit of National Credit Union Association insurance with WeDevelopment Federal Credit Union (“WeDevelopment FCU”) and said deposit was made on March 14, 2023. On September 26, 2018, the City Manager agreed to provide WeDevelopment FCU a grant in the total amount of \$125,000, subject to appropriation, inwhich the appropriation will be made over a five-year period in the amount of \$25,000.00 per year.

### Fiscal Impact

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

2. What is the funding source?

The general fund will be the source of fund over a five-year period.

3. How does the legislation affect the current fiscal year?

The total funds were previously appropriated in FY2019.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

Yes, the ordinance allows funding over a five-year period.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No, but it provides funding for rent to WeDevelopment credit union, which will assist the credit union in providing banking, loan services and wealth coaching to residents.



# City of Kansas City, Missouri

## Docket Memo

### Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City’s most vulnerable population
- Utilize planning approaches to improve the City’s neighborhoods

### Prior Legislation

Per Resolution 130604, the City Manager was authorized and encouraged to invest \$250,000.00 or up to the policy limit of National Credit Union Association insurance with WeDevelopment Federal Credit Union (“WeDevelopment FCU”) and said deposit was made on March 14, 2023.



# City of Kansas City, Missouri

## Docket Memo

### Service Level Impacts

This ordinance provides funding for rent to WeDevelopment credit union, which will assist the credit union in providing banking, loan services and wealth coaching to residents.

### Other Impacts

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

WeDevelopment Credit Union is central to urban core, helps to rebuild economically distressed areas.

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

WeDevelopment Credit Union completed its charter requirements, which allows them to be a federal credit union on Kansas City's Eastside.

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

Increases opportunity to receive bank loans and financial and banking education, which will help build community wealth for residents of the East Side of Kansas City Missouri.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



**File #: 230413**

ORDINANCE NO. 230413

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 5.9 acres generally located within the area bounded by Van Brunt Boulevard, Winner Road, Hardesty Avenue and E. 12th Street from District R-1.5 to District R-0.75 and approving a development plan to allow for the construction of a community building and renovations of the existing structures. (CD-CPC-2023-00047 and CD-CPC-2023-00048).

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 Section 88-20A-1386, rezoning an area of about 5.9 acres generally located within the area bounded by Van Brunt Boulevard, Winner Road, Hardesty Avenue and E. 12th Street from District R-1.5 (Residential 1.5) to District R-0.75 (Residential 0.75), said section to read as follows:

Section 88-20A-1386. That an area legally described as:

5212-5314 E 12th St 5101-5315 Winner Rd 5306-14 Williamsburg Ct 5309-15 Williamsburg Ct Sec 2 49 33 prt SW 1/4 NE 1/4 daf beg nw cor 12th St & Hardesty th w alg n li 12th St 1014.44 ft to inter of 12th St & Winner Rd th nely alg s li Winner Rd 1016.2 ft th e 59.80 ft to w li Hardesty th s alg w li to beg

and

1103-1109-1117-1123 Hardesty Westminster all Lot 6 n 143 ft Lot 7 Blk 3

is hereby rezoned from R-1.5 (Residential 1.5) to District R-0.75 (Residential 0.75), all as shown outlined on a map marked Section 88-20A-1386, which is attached hereto and made a part hereof, and which is hereby adopted as a 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 a development plan for the area legally described above is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in

- accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
  3. All mechanical equipment and dumpsters shall be screened pursuant to 88-425-08.
  4. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
  5. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
  6. The applicant shall abandon the existing certificate of legal nonconformance on this property following Council approval of this rezoning and development plan application.
  7. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
  8. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the disturbed area to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
  9. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
  10. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 §

507.5.1.1)

11. Security gates which span across a fire access road shall provide a means for emergency operation. Electric gates shall require a siren sensor device typically referred to as a “yelp gate” (IFC-2018 § 503.6).
12. For any proposed new residential units, the developer shall comply with the parkland dedication requirements of 88-408.
13. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department’s Forestry Division prior to a building permit.
14. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to any certificate of occupancy.

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

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

..end

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

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Joseph Rexwinkle, AICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney



# City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

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

## Executive Summary

Rezoning an area of about 5.9 acres generally located within the area bounded by Van Brunt Boulevard, Winner Road, Hardesty Avenue and E. 12th Street from District R-1.5 to District R-0.75 and approving a development plan to allow for the construction of a community building and renovations of the existing structures. (CD-CPC-2023-00047 & CD-CPC-2023-00048).

## Discussion

See CPC staff report

## Fiscal Impact

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

### Office of Management and Budget Review

(OMB Staff will complete this section.)

# City of Kansas City, Missouri



## Docket Memo

1. This legislation is supported by the general fund.  Yes  No
2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

See CPC staff report

### Service Level Impacts

See CPC staff report

### Other Impacts

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



# City of Kansas City, Missouri

## Docket Memo

This is a zoning ordinance and has not been evaluated against this subject matter.

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

This is a zoning ordinance and has not been evaluated against this subject matter.

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

This is a zoning ordinance and has not been evaluated against this subject matter.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

This is a zoning ordinance and has not been evaluated against this subject matter.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

This is a zoning ordinance and has not been evaluated against this subject matter.



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**File #:** 230414

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ORDINANCE NO. 230414

Sponsor: Director of City Planning and Development Department

Approving a council approved signage plan on about 103 acres to allow for various signage to serve Metro North Crossing in District UR generally located at the northeast corner of N.W. Barry Road and Highway 169. (CD-CPC-2023-00037)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a council approved signage plan in District UR generally located at the northeast corner of N.W. Barry Road and Highway 169, and more specifically described as follows:

A tract of land located in the East Half of the Northeast Quarter of Section 10 and the West Half of the Northwest Quarter of Section 11, Township 51 North, Range 33 West of the 5th Principal Meridian, in Kansas City, Clay County, Missouri, more particularly described as follows: Beginning at the northwest corner of the East Half of the Northeast Quarter of said Section 10, thence South 89 degrees 33 minutes 22 seconds East along the north line of the East Half of the Northeast Quarter of said Section 10, a distance of 169.67 feet; thence South 00 degrees 41 minutes 09 seconds West, a distance of 355.01 feet; thence South 89 degrees 29 minutes 04 seconds East, a distance of 150.02 feet; thence along a non-tangential curve to the left, having an initial tangent bearing of South 26 degrees 13 minutes 33 seconds West, a radius of 50.00 feet, and an arc length of 201.95 feet; thence South 89 degrees 29 minutes 04 seconds East, a distance of 909.60 feet to a point on the east line of the East Half of the Northeast Quarter of Section 10; thence continuing South 89 degrees 29 minutes 04 seconds East, a distance of 215.93 feet; thence South 00 degrees 30 minutes 56 seconds West, a distance of 333.25 feet to a point on the northerly right of way line of Metro North Drive; thence South 89 degrees 29 minutes 04 seconds East along the northerly right-of-way line of said Metro North Drive, a distance of 177.54 feet; thence along a tangent curve to the right, being the northerly right-of-way line of said Metro North Drive and the easterly right-of-way line of North Wyandotte Avenue, having a radius of 320.00 feet and an arc length of 101.72 feet; thence South 00 degrees 30 minutes 56.0 seconds West, continuing along the easterly right-of-way line of said North Wyandotte Avenue, a distance of 351.29 feet; thence along a tangent curve to the right, being the easterly right-of-way line of said North Wyandotte Avenue, having a radius of 240.00 feet and an arc length of 152.29 feet; thence South 00 degrees 41 minutes 09 seconds West, a distance of 117.81 feet; thence North 89 degrees 46 minutes 07 seconds West, a distance of 90.23 feet; thence South 00 degrees 41 minutes 09 seconds West, a distance of 416.95 feet to a point on the northerly right-of-way line of Northwest

Barry Road; thence North 89 degrees 46 minutes 07 seconds West along the northerly right-of-way line of Northwest Barry Road, a distance of 170.30 feet to the intersection of the northerly right-of-way line of said Northwest Barry Road with the easterly right-of-way line of said North Wyandotte Avenue; thence South 85 degrees 05 minutes 35 seconds west, a distance of 111.66 feet to the intersection of the northerly right-of-way line of said Northwest Barry Road with the westerly right-of-way line of Northwest Barry Road, a distance of 355.87 feet; thence North 00 degrees 41 minutes 09 seconds East, a distance of 163.70 feet; thence North 89 degrees 46 minutes 07 seconds West, a distance of 106.01 feet to a point on the west line of the West Half of the Northwest Quarter of said Section 11; thence South 00 degrees 41 minutes 09 seconds West along the west line of the West Half of the Northwest Quarter of said Section 11, a distance of 163.70 feet to a point on northerly right-of-way line of Northwest Barry Road; thence North 89 degrees 29 minutes 04 seconds West along the northerly right-of-way line of Northwest Barry Road, a distance of 196.77 feet; thence North 87 degrees 45 minutes 58 seconds West continuing along the northerly right-of-way line of Northwest Barry Road, a distance of 100.05 feet; thence North 82 degrees 04 minutes 39 seconds West continuing along the northerly right-of-way line of Northwest Barry Road, a distance of 100.84 feet; thence North 89 degrees 29 minutes 04 seconds West continuing along the northerly right-of-way line of Northwest Barry Road, a distance of 207.50 feet; thence South 85 degrees 52 minutes 03 seconds West continuing along the northerly right-of-way line of Northwest Barry Road, a distance of 67.82; thence North 00 degrees 30 minutes 56 seconds East, a distance of 9.50 feet; thence North 89 degrees 29 minutes 04 seconds West continuing along the northerly right-of-way line of Northwest Barry Road, a distance of 589.90 feet; thence North 05 degrees 38 minutes 11 seconds West, a distance of 518.45 feet to a point on the west line of the East Half of the Northeast Quarter of said Section 10; thence North 00 degrees 40 minutes 22 seconds East along the west line of the East Half of the Northeast Quarter of said Section 10, a distance of 2042.60 feet to the point of beginning. Containing 4,490,898 square feet or 103.097 acres, more or less.

is hereby approved, subject to the following conditions:

1. Illumination of all signage shall comply with 88-430.
2. Tenant panels shall be of like background and text color on the primary gateway feature monument sign, unless a single tenant utilizes more than 50% of the available tenant signage area.

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

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

..end

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

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Joseph Rexwinkle, AICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney

# City of Kansas City, Missouri



## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

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

### Executive Summary

Approving a council approved signage plan on about 103 acres to allow for various signage to serve Metro North Crossing in District UR generally located at the northeast corner of NW Barry Road and HWY 169. (CD-CPC-2023-00037)

### Discussion

See staff report

### Fiscal Impact

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

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### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

# City of Kansas City, Missouri



## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
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### Prior Legislation

**CD-CPC-2020-00176** – Ordinance No. 210568 A request to approve a rezoning from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), for the purpose of amending the UR plan to allow for redevelopment of the existing Metro North Mall and construction of up to 1,000,000 square feet of mixed use residential, commercial, office, hotel, theater, and a golf entertainment complex with 4,462 parking spaces, on 17 lots, in four (4) phases. **Approved July 1, 2021**

### Service Level Impacts

N/A

# City of Kansas City, Missouri

## Docket Memo



### Other Impacts

1. What will be the potential health impacts to any affected groups?  
N/A
2. How have those groups been engaged and involved in the development of this ordinance?  
N/A
3. How does this legislation contribute to a sustainable Kansas City?  
N/A
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?  
N/A
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?  
N/A



**File #: 230415**

ORDINANCE NO. 230415

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 15 acres generally located at the northwest corner of N.E. 88th Street and N. Highland Avenue from Districts R-80 and R-5 to District R-7.5 and approving a preliminary plat creating three detached residential lots. (CD-CPC-2022-00198 and CD-CPC-2022-00197).

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 Section 88-20A-1384, rezoning an area of about 15 acres generally located at the northwest corner of N.E. 88th Street and N. Highland Avenue from Districts R-80 (Residential 80) and R-5 (Residential 5) to District R-7.5 (Residential 7.5), said section to read as follows:

Section 88-20A-1384. That an area legally described as:

All that part of the Southwest Quarter of Section 1, Township 53, Range 33, Kansas City, Clay County, Missouri, described as follows: commencing at the Southeast corner of the Southwest Quarter of said Section 1; thence North 87 degrees 23 minutes 02 seconds West, along the South line of the Southwest Quarter of Section 1, a distance of 330.73 feet, to the Point of Beginning of the tract of land herein to be described; thence continuing North 87 degrees 23 minutes 02 seconds West, along said line, of distance of 324.35 feet; thence North 00 degrees 46 minutes 56 seconds East, a distance of 30.00 feet to the Northerly Right-of-way line of NE 88th Street, said point being the Southeast corner of Lot 2, Frederick Acres 1st Plat, a subdivision of land in Kansas City, Clay County, Missouri; thence North 87 degrees 23 minutes 02 seconds West, along said Right-of-way line, also being the South line of said Lot 2, a distance of 222.50 feet to the Southwest corner of said Lot 2; thence North 00 degrees 46 minutes 56 seconds East along the Westerly line of said Lot 2, a distance of 841.38 feet; thence continuing along said line North 15 degrees 30 minutes 14 seconds East, a distance of 455.98 feet to the Northwest corner of said Lot 2; thence South 87 degrees 32 minutes 01 seconds East along the North line of said Lot 2; a distance of 106.67 feet to the Northeast corner of said Lot 2; thence South 00 degrees 46 minutes 56 seconds West, along the Easterly line of said Lot 2, a distance of 22.39

feet; thence South 70 degrees 04 minutes 30 seconds East, a distance of 44.82 feet; thence South 25 degrees 52 minutes 30 seconds East, a distance of 164.34 feet; thence South 64 degrees 52 minutes 30 seconds East, a distance of 88.52 feet; thence North 87 degrees 16 minutes 17 seconds East, a distance of 127.49 feet; thence South 00 degrees 46 minutes 17 seconds West, a distance of 1114.13 feet, to the Point of Beginning. This overall tract contains 635,408.29 square feet or 14.59 acres, more or less.

is hereby rezoned from Districts R-80 (Residential 80) and R-5 (Residential 5) to District R-7.5 (Residential 7.5), all as shown outlined on a map marked Section 88-20A 88-20A-1384, which is attached hereto and made a part hereof, and which is hereby adopted as a 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 a preliminary plat for the area legally described above is hereby approved, subject to the following conditions:

1. The  
developer shall ensure that water and fire service lines meet Water Services Department rules and regulations prior to a certificate of occupancy.
  
2. The  
developer shall ensure that water and sanitary sewer service lines serve only one lot or tract and that said lines do not cross a separate lot or tract as required by the Water Services Department.
  
3. The  
developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to recording the final plat.
  
4. The  
developer shall convert the existing private sanitary service line for Lot 3 into a private sewer main to serve multiple lots. The private sewer main must be contained within a private sewer easement with a covenant to maintain a private sanitary sewer main acceptable to the Water Services Department. The covenant shall be approved and recorded prior to issuance of the certificate of occupancy for any building permits.
  
5. The  
developer shall grant, on City-approved forms, a stream buffer easement

to the City as required by Chapter 88 of the Water Services Department, prior to the issuance of the certificate of occupancy for any building permits.

6. The developer shall submit a final stream buffer plan to the Water Services Department for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.

7. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, by securing approval of and recording a minor subdivision or final plat in accordance therewith.

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

Section C. That the preliminary plat described above is hereby approved with the following waivers and modifications from the specified sections of Chapter 88, Code of Ordinances as authorized by Section 88-405-25:

1. That the requirements of 88-405-03-A-1 for half-street improvements is hereby waived.

2. That the standard requirement of 88-405-03-A-12 for a street tree planting plan and subsequent installation of street trees is hereby waived.

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

..end

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

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Joseph Rexwinkle, AICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

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

### Executive Summary

A request to approve a rezoning from Districts R-80 and R-5 to District R-7.5 and approving a preliminary plat creating three (3) detached residential lots, on about 15 acres, generally located at the northwest corner of NE 88th Street and N. Highland Avenue.

### Discussion

Click or tap here to provide more detailed information and analysis on this topic.

### Fiscal Impact

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

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No



# City of Kansas City, Missouri

## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
- 
- 

### Prior Legislation

N/A

### Service Level Impacts

Not applicable, this is Ordinance pertaining to Chapter 88, The Zoning and Development Code.

### Other Impacts

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

Not applicable, this is Ordinance pertaining to Chapter 88, The Zoning and Development Code.



# City of Kansas City, Missouri

## Docket Memo

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

Not applicable, this is Ordinance pertaining to Chapter 88, The Zoning and Development Code.

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

Not applicable, this is Ordinance pertaining to Chapter 88, The Zoning and Development Code.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Not applicable, this is Ordinance pertaining to Chapter 88, The Zoning and Development Code.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Not applicable, this is Ordinance pertaining to Chapter 88, The Zoning and Development Code.



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**File #: 230419**

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ORDINANCE NO. 230419

Sponsor: Mayor Quinton Lucas and Councilmember Kevin O'Neill

Amending Chapter 10, Code of Ordinances, by repealing Sections 10-5, 10-291, 10-292, and by repealing Sections 10-1, 10-36, 10-105, 10-133, 10-136, 10-138, 10-261, 10-331, 10-335, 10-339, enacting in lieu thereof new sections of like numbers and subject matter, and enacting a new Section 10-5 for the purpose of repealing employee liquor permits and requiring retail sales-by-drink licensed establishments to not employ individuals convicted of sex crimes in the sale, delivery or dispensation of alcoholic beverages.

WHEREAS, restaurant operators have identified employee liquor permits as a barrier to hiring eligible works; and

WHEREAS, the current employee liquor permit system requires people to pay to access jobs in the service industry; and

WHEREAS, employee liquor permits are outdated and not used widely today in other cities across the country; and

WHEREAS, data have not demonstrated direct impacts of employee liquor permits on public health and safety; and

WHEREAS, the City has other liquor control systems in place, including liquor license requirements; and

WHEREAS, the Director of Neighborhoods Services is authorized and empowered to enforce the provisions of this Chapter; and

WHEREAS, the State of Missouri has additional rules governing the sale of alcohol; and  
NOW, THEREFORE,

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

Section 1. That Chapter 10, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Sections 10-5, Employee liquor permit required, 10-291, Generally, and 10-292, Violations; penalty.

Section 2. That Chapter 10, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Sections 10-1, Definitions, 10-36, Denial, suspension or revocation of license or permit, 10-105, General requirements for temporary and annual catering permits, 10-133, Arts and cultural district zone employee and volunteer permits, 10-136, Downtown economic entertainment district zone employee and volunteer permits, 10-138, Non-profit organization temporary permit for sales by drink, 10-261, Renewals, 10-331, General requirements for all licenses, 10-335, Prohibited acts on sales-by-drink premises, 10-339, Employment of and sales by minors, and enacting in lieu thereof new sections of like number and subject matter.

Section 3. That Chapter 10, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by enacting a new Section 10-5 to read as follows:

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

As used in this chapter:

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

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

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

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

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

*Caterer* means any establishment whose primary business is the preparation of food and drinks for consumption away from the licensed premises. A caterer must derive 50 percent or more of its annual gross sales from the sale of prepared meals and food consumed at other approved premises. For the purposes of determining whether an establishment qualifies as a caterer under the provisions of this chapter and calculating the amount and percentage of annual

gross sales from the sale of prepared meals and food, any nonalcoholic components mixed or served in any alcoholic beverage shall be considered to be part of the alcoholic beverage and shall not be considered to be prepared meals and food.

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

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

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

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

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

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

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

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

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

*Customer* means any person not an employee who enters or remains upon a licensed premises with actual or implied permission of the licensee or a person who purchases or

otherwise partakes of any merchandise, goods, entertainment or other services offered upon the premises.

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

*Director* unless otherwise described, means the director of the Neighborhoods Services Department, or a person designated by the director.

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

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

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

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

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

*Live entertainment* means any activity or presentation provided for pleasure, enjoyment, recreation, relaxation, diversion or other similar purpose that utilizes amplified sound, including live music, a DJ, comedian, 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 percent of the overall alcohol content of the finished beer. In the case of beer with an alcohol content of more than six percent by volume, no more than 0.5 percent of the volume of the beer may consist of alcohol derived from added flavors and other 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 any permits issued under the provisions of this chapter

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

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

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

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

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

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

**Sec. 10-5. Employees prohibited from directly participating in the retail sale, delivery or dispensation of alcoholic beverages.**

(a) It shall be unlawful for any licensee to employ an individual convicted of a sex crime to directly participate in the retail sale, delivery or dispensation of alcoholic beverages. The term “directly participate in the retail sale, delivery or dispensation of alcoholic beverages,” as used in this chapter, shall include delivering, taking orders for, accepting payment for, mixing, serving or assisting in mixing or serving alcoholic beverages. It shall be unlawful for any licensee to employ an individual convicted of a sex crime to act in the capacity of, but not limited to, bar manager, bartender, waiter, waitress, cashier, sales clerk, doorman, or other person responsible for checking identification cards to determine age.

(b) An individual convicted of a sex crime for purposes of this chapter is defined as a person who:

- (1) Is a registered sex offender as listed on the Dru Sjodin National Sex Offender Public Website; or
- (2) Is a registered sex offender as listed on the Missouri State Highway Patrol Sex Offender Registry; or
- (3) Is a registered sex offender as listed on the Kansas Bureau of Investigation Offender Registration website.

(c) Before hiring any individual to directly participate in the retail sale, delivery or dispensation of alcoholic beverages, each licensee shall verify that such individual is not an individual convicted of a sex crime as described in this section.

(d) The director or his authorized agents, in order to enforce the prohibitions of this section, shall have the right to inspect the licensed premises as provided in section 10-34 and examine the books, records, and papers of each licensee as provided in sections 10-35 and 10-331(g).

(e) Upon adoption of this section, but prior to its effective date, any licensee may certify under penalty of perjury on a form prescribed by the director that:

- (1) The licensee has searched the National Sex Offender Registry for the names of any employees directly participating in the retail sale, delivery or dispensation of alcoholic beverages; and
- (2) The licensee has searched the Missouri State Sex Offender Registry for the names of any employees directly participating in the retail sale, delivery or dispensation of alcoholic beverages.

- (3) The licensee has searched the Kansas Bureau of Investigation Offender Registration website for the names of any employees directly participating in the retail sale, delivery or dispensation of alcoholic beverages.
- (4) The licensee does not employ any individual convicted of a sex crime, as defined in this section, to directly participate in the retail sale, delivery or dispensation of alcoholic beverages.

(f) All retail licensees shall, at all times, employ at least one individual having managerial or supervisory responsibilities at the licensed premises who has successfully completed the National Restaurant Association's ServSafe Alcohol training program. Each licensee shall maintain a copy of such current employee's certification of completion at the licensed premises, which shall be produced to the director or his duly authorized agents upon request.

(g) Whenever it shall be shown or whenever the director has knowledge that any licensee employs a person who has been convicted of a sex crime, and such person has directly participated in the retail sale, delivery or dispensation of alcoholic beverages, the director may seek the revocation of all liquor licenses and permits from the licensee employing such person in violation of this section.

**Sec. 10-36. Denial, suspension or revocation of license or permit.**

- (a) *Grounds.* Whenever it shall be shown or whenever the director has knowledge that:
- (1) A licensee or permittee under this chapter has not at all times maintained an orderly place;
  - (2) The licensee or any employee, agent or servant of the licensee has violated any of the provisions of this chapter;
  - (3) The license or permit issued under this chapter was obtained through materially false statements in the 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 the business;
  - (4) The licensee or permittee failed to make a complete disclosure of all pertinent information in the application for 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 the business under this chapter;
  - (5) The licensee, since the issuance of the license, has ceased to be the person actually engaged in the active control and management of the particular establishment for which the license was issued;

- (6) Anything has occurred which would render the licensee or permittee or licensed premises ineligible or unsuitable for a license or permit under the provisions of this chapter;

then the director shall, in the case of 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 the business under this chapter, disapprove the application, or may, in the case of an existing license or permit issued under this chapter, request a hearing before the board to consider whether to suspend for a period not to exceed 90 days, or revoke, the license or permit. The failure of any employee to secure a proper permit, as required by this chapter, shall be grounds for suspension or revocation of the retail license unless it can be shown by the retail licensee that the retail licensee had no knowledge of the violation and did not contribute thereto.

(b) *Effect of revocation.* Whenever any license or permit shall be revoked under the terms and provisions of this chapter, the licensee shall not thereafter be eligible for any license issued under this chapter at the location that the license was revoked.

**Sec. 10-105. General requirements for temporary and annual catering permits.**

(a) *Requirements.*

- (1) *Eligibility.* Only a Kansas City, Missouri liquor-by-the-drink licensee is eligible to receive a catering permit. A catering permit may be issued for the following types of events:
- a. Any outdoor catered event is eligible to be permitted.
  - b. An indoor catered event is eligible to be permitted if the premise has a current city and state liquor license.
  - c. For any premises that does not have a current city or state liquor license, an indoor catered event is eligible to be permitted if:
    1. An application for a liquor license or catered event has not been denied or withdrawn from the location of the premises where the catered event is to be held, the director has no reason to believe that the proposed premises has or will cause a nuisance to or change in character of the immediate area surrounding the premises, and the director has no reason to believe that lewd and indecent conduct has or will occur on or within the immediate vicinity of the proposed premises. In evaluating whether the proposed premises will cause a nuisance, the director shall consider the factors identified in section 10-212.
    2. The event is private and:

- A. Everyone in attendance is there by invitation only and a copy of the pre-arranged invitation/guest list, which lists each individual's name who was invited, is available on premises during the catered event, and;
  - B. There is no entry fee, admission charge, door charge, ticket sales or donations of any kind taken to attend the catered event and food, beverages or entertainment are not being sold or provided for compensation, and;
  - C. The catered event is not advertised to the public at large in any way.
- (2) *Application.* An application and all required documentation must be filed with the director at least five weekdays prior to the date that the scheduled function, occasion, or event is to take place. Upon receipt of all required documentation, including an approved state catering license, the city may issue a catering permit. Failure to provide any of this information will prevent the establishment from obtaining a catering permit. It is mandatory that both a city permit and state license must be available for display upon request of any law enforcement officer and/or investigator designated by the director for any catered event.
- (3) *Contents of application.* A liquor-by-the-drink licensee shall submit the completed application to the director on a form provided by the director. Each component shall be considered material to the issuance of the license. The applicant shall provide:
- a. The individual designated as the managing officer or the individual in active control of the original liquor license under this chapter shall submit the application for an annual or temporary catering permit. This individual must provide the name and residential address of the applicant. If the application is on behalf of a partnership, the names, and residential addresses of all partners or any person who has a financial interest in the partnership must be provided. If the application is on behalf of a corporation the name and address of the corporation, and names and residential address of individuals with more than ten percent interest in the corporation must be provided.
  - b. A description and address of the proposed liquor-by-the-drink licensed premises for which a license is sought or, in the case of a caterer, where food and alcohol will be stored or prepared for off-premises consumption to which the license will be attached.
  - c. Approval from the directors of city planning and development, fire, and health stating that the catered location site complies with respective codes.

- d. The date, starting time and ending time of the function, occasion, or event.
- e. A detailed description of security measures for crowd control, including the number of security employees and the number of commissioned security officers to be present throughout the entire event.
- f. For outdoor events, the number of portable toilets available to all patrons, members, guests or customers.
- g. For outdoor events, a traffic control plan that has been approved by the city public works department and the city police department.
- h. A copy of the state catering license.
- i. If a public street will be blocked off for a function, occasion or event, a permit for a street closure that has been obtained from the public works department.
- j. Any additional information which the director may reasonably require for consideration of the issuance of a catering permit.
- k. A statement of tax clearance as outlined in section 10-187.
- l. A copy of an approval letter between the owner or manager of the property upon which the function, occasion or event is to take place and the sponsor of the function, occasion or event, stating the agreed upon date, starting and ending time, and the actual location of the function, occasion, or event.
- m. A copy of the agreement letter between the Kansas City, Missouri, liquor-by-the-drink licensee applying for the catering permit and the sponsor for the function, occasion, or event, stating the type of event being hosted.
- n. A diagram of the premises, which includes a diagram of the areas where the alcohol will be sold and consumed, including:
  - 1. The points of service from which alcoholic beverages will be sold or served;
  - 2. The location where security personnel will be stationed during the event to include all entrances and exits while the function, occasion or event is operating;
  - 3. If the event is to be held outside, a description of the barriers used to contain the event to prevent people from removing alcoholic beverages from the premises; and

4. If the event is to be held outside, the location of any outdoor seating, stages, portable toilets and traffic barriers.
  - o. The director may require the submission of additional items to ensure all requirements have been met.
- (4) *Dance hall permit.* If there will be dancing at the event, the applicant must obtain a dance hall permit. The dance hall permit fee is \$15.00 a day.
- (b) *Limitations.*
  - (1) An applicant who is granted a catering permit shall staff the function, occasion or event with at least one employee from the liquor-by-the-drink licensed premises for that specific permitted event.
  - (2) An individual convicted of a sex crime as described in section 10-5 shall not directly participate in the retail sale, delivery or dispensation of alcoholic beverages at a catered function, occasion or event.
  - (3) A catering permit shall only authorize the sale of the same type of alcoholic beverages during the same operational hours as permitted by the original license held by the applicant.
  - (4) Alcohol served at outdoor events must not be served in glass containers.
  - (5) No catering permits will be issued for any non-licensed premise when the director determines that the intent is to operate as a venue holding a permanent liquor license.
  - (6) A catering permit for any function, occasion or event held outdoors must have a sufficient number of restroom facilities or portable toilets for all persons expected to attend the event as determined by the director.
  - (7) Additional limitations may be required by the director.
- (c) *Specific requirements for a temporary catering permit.*
  - (1) Temporary catering permits shall be effective for a period not to exceed 120 consecutive hours.
  - (2) A maximum of four temporary catering permits may be issued during the sale or transfer of an existing license.
  - (3) The temporary catering permit fee is \$15.00 a day.

(d) *Specific requirements for an annual catering permit.*

- (1) An annual catering permit allows the licensee to hold an unlimited number of catering events annually.
- (2) Applicants for annual catering permits must submit a catering event notification form as supplied by the director a minimum of five business days in advance of each scheduled function, occasion or event.
- (3) The annual catering permit fee is \$1,500.00. The application fee is \$500.00. The fees are non-refundable.

(e) *Violations.* Any violation of the provisions set forth in chapter 10 of the Code of Ordinances of the city by a person holding a catering permit, or their employee, agent or servant, while operating under a catering permit which occurs on the premises being catered, shall cause the permittee and their employee, agent, or servant to be subject to administrative action by the director and prosecution as provided by chapter 10 as though the violation had occurred on the permittee's original licensed premises.

(f) *Effect of denial of permit.* If the application is denied, an application to protest the denial may be submitted to the director as referred to in chapter 10. If an application for a catered event is denied because the director determines that the proposed premises has or likely will cause a nuisance to or change in character of the immediate area surrounding the premises, the applicant will have the option to request neighbor notification as outlined in section 10-214 of this chapter. If less than 50 percent of the eligible neighbors who file a written response with the director opposed the granting of a license at the premises, the director shall withdraw the determination that the proposed premises has or likely will cause a nuisance to change in the character of the immediate area surrounding the premises.

#### **Sec. 10-133. Arts and cultural district zone employee and volunteer permits.**

For licenses authorizing the serving of beer and light wine, persons 18 through 20 years of age may work on the premises if they do not directly participate in the retail sale, delivery or dispensation of beer and light wine in a manner as described in section 10-5 and in accordance with section 10-339.

#### **Sec. 10-136. Downtown economic entertainment district zone employee and volunteer permits.**

For licenses authorizing the service of alcoholic beverages by the drink for retail from one or more portable bars within the promotional association sub-zones of the downtown economic entertainment district it shall be unlawful for any person under the age of 21 to directly participate in the sale, delivery or dispensation of alcoholic beverages pursuant to section 10-181 of this chapter. It shall be unlawful for any individual convicted of a sex crime as described in section 10-5 to directly participate in the sale, delivery or dispensation of alcoholic beverages,

and to act in the capacity of but not limited to, a bartender, waiter, waitress, doorman, or other person responsible for checking identification cards to determine age.

**Sec. 10-138. Non-profit organization temporary permit for sales by drink.**

(a) Notwithstanding any other provision of this chapter, a permit for the sale of intoxicating liquor for consumption on premises where sold may be issued to any church, school, civic, service, fraternal, veteran, political or charitable club or organization for the sale of such intoxicating liquor at a picnic, bazaar, fair, festival or similar gathering. The permit shall be issued only for the calendar days named therein and shall not authorize the sale of intoxicating liquor for more than 12 days in a calendar year by any such club or organization.

- (1) The applicant shall complete a form provided by the director no later than ten week days before the special non-profit event will take place. The application shall include:
  - a. The date and description of the special non-profit event.
  - b. The name and address of the applicant.
  - c. The location of the non-profit event.
  - d. The name and date of all special non-profit events previously conducted by the applicant during the current calendar year,
- (2) The applicant shall pay a daily fee of \$15.00 for each day on which the event is to be conducted.
- (3) Any person who directly participates in the retail sale, delivery or dispensation of alcoholic beverages during a permitted non-profit event, as described in this section, shall not be an individual convicted of a sex crime as described in section 10-5.
- (4) If the event will be held on a Sunday, the permit shall authorize the sale of intoxicating liquor on that day beginning at 6:00 a.m.
- (5) The non-profit organization shall collect and provide to the city sales taxes due the city at the rate so designated by state and city ordinance at the time of the event.
- (6) Wholesalers or distributors may provide customary storage, cooling or dispensing equipment for use by the permit holder during the days and hours authorized for the event.

- (7) During non-profit events all persons directly participating in the retail sale, delivery or dispensation of alcoholic beverages, as defined in section 10-5 of this chapter must be 21 years of age.

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

(a) *Renewal period, notification, filing dates and termination of license due to failure to renew.* The license period for retail or wholesale sale of alcoholic beverages and C.O.L. licenses and permits will be for a period of one year beginning and ending on dates determined by the director. Renewal notification will be sent to licensees 90 days prior to the date of expiration. The completed renewal application is due 30 days prior to the expiration date of the current license and no sales of alcoholic beverages shall be allowed on the premises after the expiration date of the license or permit. Failure to apply for a renewal of a liquor license or permit within 120 days of the expiration date shall render the expired license null and void. An application for renewal of a liquor license or permit received within 120 days of the license expiration date may be considered by the director for approval up to 180 days after the expiration of the license.

(b) *Proper parties to file application.* In the case of a business owned by an individual, the renewal application shall be filed by the actual owner. In the case of a partnership, separate applications shall be filed by each member of the partnership. In the case of a limited liability company, the renewal application shall be filed by either the managing officer of the business or any member of the limited liability company. In the case of a corporation, the renewal application shall be filed by either the managing officer of the business or a corporate officer of the corporation.

(c) *Contents of application.* A renewal application shall disclose by affidavit, on a form provided by the director, the following information, along with any other information the director deems necessary:

- (1) The name and address of the owners of the business at the date of filing. If the business is owned by a partnership, then the application shall include the names and addresses of all partners. If the business is owned in whole or in part by a limited liability company then the application shall include the names and addresses of all members of the company. If the business is owned in whole or in part by a corporation, the application shall include the names and addresses of the corporate officers and directors, and all stockholders if the total number of stockholders is less than 15, or, if there are more than 15 stockholders in the corporation, then the applicant shall furnish the names and addresses of all stockholders who hold ten percent or more of the capital stock and the percentage of stock held by each such stockholder.
- (2) The financial status of the business, including all loans, notes, chattels, mortgages and any and all other outstanding obligations, and the balance due thereon, except current alcoholic beverage bills, or other current bills, for merchandise incidental to the operation of the business for which the license is sought.

- (3) The banks with which the licensee is doing any business, and the signed consent by the licensee for the director or their authorized representatives to examine any and all business bank accounts, records and other data pertaining to the licensed business.
- (4) The names and addresses of any persons who have contributed any money to, have loaned any money to, or have had any investments in the licensed business during the preceding year. The applicant shall further state the amounts received from those persons, the purpose for which the money was used, and any outstanding obligations and the balance due thereon.
- (5) Whether the applicant has borrowed or accepted money and a statement that the applicant will not to borrow or accept money in the future from any wholesale supplier of alcoholic beverages or any supplier of coin-operated commercial, manual or mechanical amusement devices, or the employees, officers or agents thereof, or from any owner of coin-operated commercial, manual or mechanical amusement devices on or about the licensed premises, or from any felon or person who is not of good moral character.
- (6) The names and addresses of any and all persons who may be engaged, either directly or indirectly, in any part of the management and control of the licensed business.
- (7) Whether the applicant has complied with, during the past year, and will continue to comply with, the provisions of the fair public accommodation sections of chapter 38.
- (8) Whether the applicant has complied with, during the past year, and will continue to comply with Section 10-5 of this chapter.

(d) *Documentation filed with application.* The following documents shall be filed with applications for renewals:

- (1) If the application is for renewal of a bar-restaurant license, the applicant shall furnish to the director, copies of all city convention and tourism tax returns, showing that 30 percent or more of the gross income of the bar-restaurant for the year preceding the date of the application was derived from the sale of prepared meals and food made for immediate consumption. When calculating the amount and percentage of annual gross sales from the sale of prepared meals and food, any nonalcoholic components mixed or served in any alcoholic beverage shall be considered to be part of the alcoholic beverage and shall not be considered to be prepared meals and food.
- (2) If a license has been issued to an applicant who represents at the time of the original application that the licensee has control of parking facilities by ownership, lease or otherwise, and the license was issued relying in part upon that

representation, then any renewal application shall include the same or similar representations and proof of control as the director shall require. Loss of parking facilities through no fault of the license holder shall not be cause for denial of renewal.

- (3) A certification of completion of the National Restaurant Association's ServSafe Alcohol training program. Such certification of completion shall be obtained by a current employee of the licensee responsible for managerial or supervisory duties at the licensed premises.

(e) *Disapproval of application to renew.* The director shall disapprove an application for renewal of any license or permit on the following grounds:

- (1) If any renewal application contains information which does not justify renewal;
- (2) If the director has other information that the applicant has not met the requirements of this chapter;
- (3) If the licensee or any employee of the licensee or a permit holder under this chapter is convicted within the current license year in the municipal court of the city or any other court in this state, of three or more violations of this chapter; or
- (4) If the director has any other information which does not justify renewal. An applicant whose application for renewal of a license or permit has been disapproved may file a written request for a hearing before the board in the manner provided in section 10-62(a) of this chapter. An applicant whose application for renewal of a license or permit has been disapproved may not sell or distribute alcoholic beverages on the premises during the renewal year unless and until:
  - a. The applicant thereafter files a written request for a hearing in the manner provided in section 10-62(a) of this chapter, in which case the disapproval shall be stayed until final adjudication of the matter, except that if one of the reasons for disapproval is the nonpayment of the required license fee set forth in section 10-127 of this chapter or nonpayment of any taxes set forth in section 10-186 of this chapter, then the disapproval shall not be stayed; or
  - b. The disapproval has been reversed or set aside by the director, the board or court order.

(f) *Considerations for renewal.* In determining whether a renewal application shall be disapproved, the director, or the board, upon appeal, shall consider the following factors:

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

- (12) Whether the licensed premises has changed in size, either through expansion or reduction of square footage.

(g) Notwithstanding the provisions of sections 10-266 and 10-269 of this chapter, if a license is not renewed or ceases to fulfill all other requirements of this chapter and is thereafter terminated or canceled or expires, then an application for a new license for the previously licensed premises shall be required to fulfill all conditions of this chapter for an original license, including but not limited to the requirements in section 10-212.

(h) Notwithstanding any other provision of this chapter, the director may renew a bar-restaurant license for an establishment that did not derive 30 percent or more of its annual gross sales from the sale of prepared meals and food made and consumed on the premises, if the establishment held a bar-restaurant license in the year immediately prior and the applicant provides documentation that the licensed establishment was closed or had reduced sales in the year immediately prior because of an event or occurrence outside of the control of the applicant that resulted in a state of emergency lasting more than two weeks, as declared by the mayor or governor of Missouri.

(i) Notwithstanding any other provision of this chapter, the director may renew a bar-restaurant license for an establishment that did not derive 30 percent or more of its annual gross sales from the sale of prepared meals and food made 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. 10-331. General requirements for all licensees.**

(a) *Responsibility of licensee.* Licensees at all times are responsible for the conduct of their business and at all times are directly responsible for any act or conduct of any employee on the premises which is in violation of the provisions of this chapter or the regulations of the director.

(b) *Duty to report.* In the event that any licensee or an employee of the licensee knows or should have known that an unlawful or violent act has been committed upon or about the licensed premises, the licensee, or the employee, shall immediately report the occurrence to the

director and the police department. The licensee and his employees shall cooperate with any law enforcement authority, agents of the Missouri Division of Liquor Control, and the director, or the director's agents, during the course of any investigation into the occurrence.

(c) *Licenses posted on premises.*

- (1) While doing any business during the time for which a city alcoholic beverage license has been granted, all licensees shall post and keep displayed the license in a conspicuous place on the licensed premises so that any person visiting the premises may readily see the license, while the license is in effect. No licensee shall post the license or allow the license to be posted upon premises other than the premises licensed, or knowingly deface, destroy, or alter the license in any respect.
- (2) A licensee shall also keep prominently displayed on the licensed premises, at all times while the city alcoholic beverage license is in effect, all federal tax stamps and state licenses, and county licenses, if applicable, issued to the licensee or to the licensed premises.
- (3) For purposes of this chapter, if alcoholic beverages are sold, stored, distributed or consumed on the premises, and a city alcoholic beverage license is not posted in the manner as provided by this section, it shall be prima facie evidence that the premises is not licensed.

(d) *Dress code posted on premises.* All licensees that have a dress code in effect which may either allow or disallow any person from entering the licensed premises shall:

- (1) Post and display the dress code in a conspicuous place within three feet of each entrance of the licensed premises during all operational hours so that it may be readily seen by any person visiting the premises. The posted dress code shall be in a print not less than 24-point, bold type and shall list all restrictions that will either allow or disallow any person from entering the licensed premises.
- (2) Enforce the dress code as it is written and not deviate from the posted dress code by either allowing or disallowing a person from gaining entry into the licensed premises based on criteria other than what is listed on the posted dress code.
- (3) Be in compliance with public accommodations ordinances as outlined in chapter 38.

(e) *Condition of premises.* All licensees shall at all times keep the licensed premises safe, clean and sanitary and in accordance with the applicable rules, regulations and ordinances of the city.

(f) *Telephone.* All licensees shall provide the number, including unlisted numbers, of any telephone used upon the licensed premises to the director, which number(s) shall remain a part of

the licensee's record. The licensee shall notify the director, within five days, of the change of any telephone number upon the licensed premises.

(g) *Books and records.*

- (1) All licensees shall keep complete and accurate records pertaining to the business. The records shall include a complete and accurate record of all purchases and gross sales of alcoholic beverages, prepared meals and food. The records shall include the names and addresses of all persons from whom alcoholic beverages are purchased, the dates, kinds and quantities of the purchases, and the dates and amounts of payments on account.
- (2) All retail sales-by drink and sales-by-package licensees shall maintain on the licensed premises at all times a current record of all employees including the name, address, job title or classification, date of employment, and a color copy of a valid photo ID for each employee, which shall be made available for immediate inspection upon request of the director or his agents or any member of the police department.
- (3) A licensee shall also keep all files, books, records, papers, state, county or city licenses, federal tax stamps, accounts and memoranda pertaining to the business conducted by the licensee, and shall also keep all records required by the director. Upon request of the director or his duly authorized agents and auditors, a licensee shall, within 48 hours, allow an inspection and audit to be made by the director or his agents of the files, books, records, papers, state, county or city licenses, federal tax stamps and accounts and memoranda, and shall allow copies to be made and taken of them. All records required to be kept by law or by regulation of the director shall be kept and preserved for a period of two years from the date the record was made. A licensee shall establish and maintain a uniform system of bookkeeping and accounts, according to generally accepted accounting practices.

(h) *Distribution of earnings or assets.* Any licensee, upon request of the director, shall file within 30 days, an affidavit showing the payment, or other distribution of all earnings or assets and the name and address of all persons to whom distribution or payment was made. Information furnished pursuant to this provision shall be confidential, except that it may be used for the purpose of administration and enforcement of liquor control laws and ordinances.

**Sec. 10-335. Prohibited acts on sales-by-drink premises.**

(a) Upon the licensed premises of a sales-by-drink licensee, no licensee, nor any employee of the licensee, shall:

- (1) Allow any person to remove from the premises any alcoholic beverage provided for consumption on the premises;

- (2) Sell, give away or serve water, soda water, phosphates or any other kind of liquid to be used for the purpose of mixing intoxicating drinks, commonly referred to as "setups;"
- (3) Allow any customer, while in or upon the premises, to pour into, mix with or add intoxicating liquor to water, soda water, ginger ale, seltzer, malt, phosphates or any other kind of liquid or other liquor;
- (4) Allow any person to drink or consume any alcoholic beverage directly out of any bottle, if the volume size of the bottle exceeds 16 ounces, or if the alcohol content of the beverage exceeds 15 percent, by volume;
- (5) Allow any employee to solicit any customer to purchase alcoholic beverages or nonalcoholic beverages, either for that employee or for another employee;
- (6) Allow any employee directly participating in the sale of alcoholic beverages as defined by section 10-5 to consume any alcoholic beverage;
- (7) Allow any employee directly participating in the sale of alcoholic beverages as defined by section 10-5 to sit at any bar or table with any customer except for a reasonable period of time while actually engaged in taking a food or drink order;
- (8) Allow any employee, except a dance instructor, to dance with any customer; or
- (9) Sell or give away any drug, medicine or controlled substance to any person, provided that nothing in this section shall prohibit the licensee, any of its employees or any other person from possessing or using a drug, medicine or controlled substance in a lawful manner. This subsection shall not apply to hotels, apartment hotels, motels, inns, lodges or similar places providing principally transient residential accommodations and having at least 40 rooms for overnight accommodation or bar-restaurant as defined in this chapter.

(b) This section shall not be construed to prohibit any of the acts described in subsections (1) through (4) of this section in any private guest room or private dining room of any duly licensed hotel, motel or club.

**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 50 percent of all sales consists of food. A sales-by-drink or C.O.L. licensee

may employ persons 18 to 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 50 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 to 20 years of age to work on the premises in the capacity of a waiter or waitress; however, no employee 18 to 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 not be individuals convicted of sex crimes as described in section 10-5; 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.
- (3) Original package sales licenses without 50 percent gross sales of other merchandise. An original package sales licensee without 50 percent 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 who is not less than 21 years of age 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.
- (4) Original package sales licenses with 50 percent gross sales of other merchandise. An original package sales licensee where at least 50 percent 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.

- (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 shall not be an individual convicted of a sex crime as described in section 10-5.

..end

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Approved as to form:

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Andrew Bonkowski  
Assistant City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

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

### Executive Summary

Amending Chapter 10, Code of Ordinances, by repealing Sections 10-5, 10-291, 10-292, and by repealing Sections 10-1, 10-36, 10-105, 10-133, 10-136, 10-138, 10-261, 10-331, 10-335, 10-339, enacting in lieu thereof new sections of like numbers and subject matter, and enacting a new Section 10-5 for the purpose of repealing employee liquor permits and requiring retail sales-by-drink licensed establishments to not employ individuals convicted of sex crimes in the sale, delivery or dispensation of alcoholic beverages.

### Discussion

This legislation repeals the requirement for employees to obtain a liquor permits, and adds the prohibition of any individual convicted of a sex crime to be employed in the sale of alcoholic beverages.

### Fiscal Impact

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

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

Last year, the Division collected \$138,000 in revenue regarding employee liquor permits.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

There is a loss in revenue in repealing the requirement for employee liquor permits.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A



# City of Kansas City, Missouri

## Docket Memo

### Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

The estimated loss of revenue by repealing the requirement for employee liquor permits would affect the general fund.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
- 
- 

### Prior Legislation

Click or tap here to enter text.

### Service Level Impacts

From the City's standpoint, service levels will not be impacted with the elimination of employee liquor permits since the City will no longer issue them. From the liquor industry's standpoint, the elimination of employee liquor permits will result in employees no longer being required to pay \$42 for a background check to the City prior to working at a liquor licensed business.

# City of Kansas City, Missouri



## Docket Memo

### Other Impacts

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

With the Industry regulating itself, it is possible that a convicted sex offender could work at a liquor licensed business which could leave the public at risk.

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

N/A

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

It no longer requires a person that would like to work at a liquor licensed business to have to go through a background check prior to their employment with a business which would save them \$42 every three years.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



**File #: 220722**

ORDINANCE NO. 220722

Amending Ordinance No. 190328 by repealing Condition 16 contained in Section B, which required the developer to secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development, because the developer no longer has access to public water mains. (CD-CPC-2018-00229)

WHEREAS, on May 9, 2019, the City Council passed Ordinance No. 190328, approving a rezoning on about 0.42 acres generally located west of N. Church Road between N.E. 76th Street to the north and North Flintlock Road to the south from District B2-2 to B4-2, and approving a development plan on about 4.3 acres that also serves as a preliminary plan to allow for the construction of a self-storage facility; and

WHEREAS, Condition No. 16 in Section B of Ordinance No. 190328 required the developer to secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems are required by the Land Development Division, prior to recording the plat or issuance of building permit; and

WHEREAS, the City Council desires to remove this condition from the development plan because of actions granted to adjacent developers with Ordinance No. 211034 no longer allows access to extend public mains to the site; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Ordinance No. 190328, passed May 9, 2019, is hereby amended by repealing Condition 16 contained in Section B

Section B. That all other sections and conditions of Ordinance No. 190328 not repealed shall remain in effect.

..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:

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Sarah Baxter  
Senior Associate City Attorney

# City of Kansas City, Missouri



## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

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

### Executive Summary

Amending Ordinance No. 190328 by repealing Condition 16 contained in Section B, which required the developer to secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development, because the developer no longer has access to public water mains.

### Discussion

On December 9, 2021 the City Council approved Ordinance 211034 which allowed the property located at 7535 N Flintlock Rd. a waiver for the requirement of the property to connect to sewer, thus precluding the ability of the property approved by ordinance 190328 to connect to a sewer main. The applicant is seeking the removal of Condition No. 16.

### Fiscal Impact

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

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

The fiscal impact of this legislation is minimal.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A



# City of Kansas City, Missouri

## Docket Memo

### Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
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### Prior Legislation

Ordinance No. 190328, 211034

### Service Level Impacts

N/A

# City of Kansas City, Missouri



## Docket Memo

### Other Impacts

1. What will be the potential health impacts to any affected groups?  
N/A
2. How have those groups been engaged and involved in the development of this ordinance?  
N/A
3. How does this legislation contribute to a sustainable Kansas City?  
N/A
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?  
N/A
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?  
N/A



**File #: 230217**

ORDINANCE NO. 230217

Sponsor(s): Councilmembers Dan Fowler and Teresa Loar

Amending the Major Street Plan to change and amend the street typology of N. Line Creek Parkway from N.W. Barry Road to N.W. 68th Street from parkway to local link. (CD-CPC-2023-\_\_\_\_\_)

WHEREAS, a Major Street Plan for Kansas City was adopted by Second Committee Substitute for Ordinance No. 64073, passed September 28, 1989; and

WHEREAS, further changes were recommended and approved by Ordinance No. 64760, passed November 22, 1989; by Ordinance No. 911308, passed November 27, 1991; by Ordinance No. 960104, passed March 7, 1996; by Committee Substitute for Ordinance No. 971243, passed February 5, 1998; by Committee Substitute for Ordinance No. 000742, passed June 29, 2000; by Ordinance No. 020136, passed March 6, 2002; by Ordinance No. 011406, passed July 18, 2002; by Committee Substitute for Ordinance 011288, passed August 15, 2002; and by Ordinance No. 030928, passed September 11, 2003, by Ordinance Nos. 051158, 051159, 051160 and 051161, all passed October 6, 2005; by Ordinance No. 060579, passed June 15, 2006; by Committee Substitute for Ordinance No. 061235, passed November 30, 2006; by Ordinance 080150, passed March 6, 2008; by Ordinance 080204, passed March 13, 2008, by Ordinance 090187, passed April 9, 2009, by Ordinance No. 110249, passed October 23, 2011; by Ordinance No. 160336, passed June 23, 2016; by Ordinance No. 210837, passed September 23, 2021, by Ordinance No. 220661, passed on August 25, 2022 and Ordinance No. 220884, passed on October 6, 2022.

WHEREAS, further review and revisions have been initiated concerning certain issues related to the Major Street Plan; and

WHEREAS, the review includes recommendations for revisions to the Major Street Plan to change and amend the street typology from a parkway to a local link for N. Line Creek Parkway from N.W. Barry Road to N.W. 68th Street; and

WHEREAS, the City Plan Commission has reviewed the proposed amendment to the Major Street Plan and, pursuant to public notice and hearing, did on \_\_\_\_\_, 2023, recommend \_\_\_\_\_ of the revisions to the Major Street Plan and the City Council has considered said recommendation and hereby \_\_\_\_\_ certain revisions to the Major Street Plan, specifically to change and amend the street typology from a parkway to a local link

for N. Line Creek Parkway from N.W. Barry Road to N.W. 68th Street as shown on the map and Appendix A attached hereto; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Major Street Plan of Kansas City is hereby amended to change and amend the street typology from a parkway to a local link for N. Line Creek Parkway from N.W. Barry Road to N.W. 68th Street on the map and Appendix A, attached hereto.

Section 2. That the City Clerk is hereby directed to file such documents in the office of the Recorder of Deeds for Platte County, Missouri.

Section 3. That the Council hereby finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by law have been given and had.

..end

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I hereby certify that as required by Chapter 89, Revised Statutes of Missouri, the foregoing Major Street Plan amendments were duly advertised and public hearings were held.

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Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney

# City of Kansas City, Missouri



## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

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

### Executive Summary

Amending the Major Street Plan to change and amend the street typology of N. Line Creek Parkway from N.W. Barry Road to N.W. 68th Street from parkway to local link. (CD-CPC-2023- )

### Discussion

This legislation does not have a fiscal impact.

### Fiscal Impact

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

### Office of Management and Budget Review (OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

# City of Kansas City, Missouri



## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
- 
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### Prior Legislation

Ordinance No. 64073, passed September 28, 1989; Ordinance No. 64760, passed November 22, 1989; by Ordinance No. 911308, passed November 27, 1991; by Ordinance No. 960104, passed March 7, 1996; by Committee Substitute for Ordinance No. 971243, passed February 5, 1998; by Committee Substitute for Ordinance No. 000742, passed June 29, 2000; by Ordinance No. 020136, passed March 6, 2002; by Ordinance No. 011406, passed July 18, 2002; by Committee Substitute for Ordinance 011288, passed August 15, 2002; and by Ordinance No. 030928, passed September 11, 2003, by Ordinance Nos. 051158, 051159, 051160 and 051161, all passed October 6, 2005; by Ordinance No. 060579, passed June 15, 2006; by Committee Substitute for Ordinance No. 061235, passed November 30, 2006; by Ordinance 080150, passed March 6, 2008; by Ordinance 080204, passed March 13, 2008, by Ordinance 090187, passed April 9, 2009, by Ordinance No. 110249, passed October 23, 2011; by Ordinance No. 160336, passed June 23, 2016; by Ordinance No.



# City of Kansas City, Missouri

## Docket Memo

210837, passed September 23, 2021, by Ordinance No. 220661, passed on August 25, 2022 and Ordinance No. 220884, passed on October 6, 2022.

### Service Level Impacts

### Other Impacts

1. What will be the potential health impacts to any affected groups?  
N/A
2. How have those groups been engaged and involved in the development of this ordinance?  
N/A
3. How does this legislation contribute to a sustainable Kansas City?  
N/A
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?  
N/A
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?  
N/A



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**File #: 230280**

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ORDINANCE NO. 230280

Sponsor(s): Councilmember Kathryn Shields, Mayor Quinton Lucas and Councilmember Eric Bunch

Approving a development plan for a commercial development in District B4-5 on about 0.4 acres generally located at 604 W. 47th Street. (CD-CPC-2021-00193)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan for a commercial development in District B4-5 (Heavy Business/Commercial) on about 0.4 acres generally located at 604 W. 47th Street, and more specifically described as follows:

All of the west one hundred and twenty (120) feet of the east one hundred and forty-six (146) feet of lot twenty-six (26), Home Place, a subdivision in the City of Kansas City Jackson County, Missouri, lying north of the north line of 47th Street, as said street is now established in Kansas City, Missouri.

is hereby approved, subject to the following conditions:

1. A deviation to the maximum height of a structure within the Plaza Bowl Overlay District pursuant to Committee Substitute for Ordinance No. 190100 is hereby granted in the following amounts:
  - a. Southeast property corner elevation 857.00 resulting height limit 902.00 with top of railing at elevation 899.33. (2'-8" below limit)
  - b. Northeast property corner elevation 868.00 resulting in height limit of 913.00 with top of roof structure at 911.00. (2'-0" below limit; parapet 1'-0" above limit)
  - c. Southwest property corner elevation 860.75 resulting in height limit of 905.75 with top of railing at elevation 899.33. (6'-5" below limit).
  - d. Northwest property corner at elevation 863.75 resulting in height limit of 908.75 with top of roof structure at 911.00. (2'-3" above limit; parapet 5'-3" above limit)

- e. Decorative architectural tower element top elevation of 928.75. (Varies not to exceed 27 feet above limit).
  - f. Overall building height is approved to exceed maximum heights limits in varying amounts so as to approve the height of the overall building as shown on the development plan.
2. Total required parking will be satisfied with an approved Alternative Parking Compliance Plan or variance request from the Board of Zoning Adjustment.
  3. Administrative adjustments for alternative compliance are hereby approved pursuant to Section 88-425-13 for 8 street trees to be sited on the entire property.
  4. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the disturbed area to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits.
  5. The developer shall submit a street plan for approval and permitting by the Land Development Division prior to beginning construction in the public right of way and construct ADA compliant ramps at all required locations where new private drives are being added or where existing sidewalks are modified or repaired.
  6. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
  7. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
  8. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
  9. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2). Fire hydrant distribution shall follow IFC-2018 Table C102 and hydrants shall be in place before building on structures begin.
  10. The developer shall submit a streetscape plan with street tree planting plan per Section 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.

11. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
12. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
13. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.

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

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

..end

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

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Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney

# City of Kansas City, Missouri



## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

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

### Executive Summary

Approving a development plan for a commercial development in District B4-5 on about 0.4 acres generally located at 604 W. 47th Street. (CD-CPC-2021-00193)

### Discussion

This legislation does not have a fiscal impact.

### Fiscal Impact

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

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

# City of Kansas City, Missouri



## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
- 
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### Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

### Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

### Other Impacts

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

# City of Kansas City, Missouri



## Docket Memo

N/A

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

N/A

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

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Click or tap here to enter text.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Click or tap here to enter text.



**File #: 230310**

ORDINANCE NO. 230310

Sponsor: Director of City Planning and Development Department

Amending Chapter 88, Code of Ordinances, by repealing Section 88-805-04, Commercial Use Group, and enacting in lieu thereof a new section of like number and subject matter to change the definition of restaurant to be consistent with Chapter 10 of the Code of Ordinances (CD-CPC-2023-00030).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, Code of Ordinances, is hereby amended by repealing section 88-805-04, Commercial Use Group, and enacting in lieu thereof a new section of like number and title, with said new section to read as follows:

**88-805-04 COMMERCIAL USE GROUP**

The commercial use group includes uses that provide a business service or involve the selling, leasing or renting of merchandise to the general public. The commercial use group includes the following use categories.

**88-805-04-A. ADULT BUSINESS**

"Adult business" is an inclusive term used to describe collectively: adult cabaret; adult motion picture theatre; adult media store; bathhouse; massage shop; modeling studio; and/or sex shop. This collective term does not describe a specific land use and will not be considered a single use category.

**1. ADULT CABARET**

An adult live entertainment facility, or that part of an adult live entertainment facility, that regularly features or otherwise offers to the public, customers or members in a viewing area, any live exhibition, performance or dance by persons whose exhibition, performance or dance is characterized by the exposure of any specified anatomical area, or by specified sexual activities, or who otherwise appear unclothed or in such attire, costume or clothing so as to expose to view specified anatomical areas.

**2. ADULT MEDIA STORE**

An establishment that rents and/or sells adult media and that meets any of the following tests:

- (a) More than 40% of the gross public floor area is devoted to adult media;
- (b) More than 40% of the stock in trade consists of adult media; or
- (c) A media store that advertises or holds itself out in any forum as "XXX," "adult," "sex" or otherwise as an adult business.

**3. ADULT MOTION PICTURE THEATER**

A building or portion of a building (including any portion of a building that contains more than 150 square feet) used for presenting motion pictures, movies, videos or other projected images if such building or portion of a building as a prevailing practice excludes minors by virtue of age, or if, as a prevailing practice, the movies, videos or other material presented are distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

**4. BATHHOUSE**

An establishment or business that provides the services of baths of all kinds, including all forms and methods of hydrotherapy, unless operated by a medical practitioner or professional physical therapist, licensed by the state.

**5. MASSAGE SHOP**

An establishment that has a fixed place of business having a source of income or compensation derived from the practice of any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulation of, external parts of the human body with the hands or with the aid of any mechanical, electric apparatus or appliances with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotion, ointment or other similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or gratuity provided that this term does not include any establishment operated by a medical practitioner, professional physical therapist, or massage therapist licensed by the state.

**6. MODELING STUDIO**

Modeling studio means an establishment or business that provides the services of modeling for the purposes of reproducing the human body, wholly or partially in the nude, by means of photography, painting, sketching, drawing, or otherwise.

**7. SEX SHOP**

A business offering goods for sale or rent and that meets any of the following tests:

- (a) It offers for sale items from any two of the following categories: adult media; sexually-oriented toys or novelties; lingerie; leather goods marketed or presented in a context to suggest their use for sadomasochistic practices; and the combination of such items constitutes more than 10% of the stock in trade of the business or occupies more than 10% of the gross public floor area of the business;
- (b) More than 5% of the stock in trade of the business consists of sexually-oriented toys or novelties; or
- (c) More than 5% of the gross public floor area of the business is devoted to the display of sexually oriented adult toys or novelties.

#### **88-805-04-B. ANIMAL SERVICES**

The following are animal services use types:

##### **1. SALES AND GROOMING**

Sales and grooming of dogs, cats, and similar small animals. Typical uses include pet stores, dog bathing and clipping salons, and pet grooming shops.

##### **2. SHELTER OR BOARDING KENNEL**

Animal shelters and kennel services for dogs, cats, and small animals. Typical uses include boarding kennels, pet resorts/hotels, dog training centers, and animal rescue shelters.

##### **3. VETERINARY**

Typical uses include pet clinics, dog and cat hospitals, and animal hospitals.

##### **4. STABLE**

Stables and boarding facilities for horses and similar large animals.

#### **88-805-04-C. ARTIST WORK OR SALES SPACE**

Floor space devoted to the production, showing, or sale of art. Typical uses include art galleries and artist studios, but not including art museums. Art museums are classified in the "Libraries and Cultural Exhibits" use category.

#### **88-805-04-D. BUILDING MAINTENANCE SERVICE**

Provision of maintenance and custodial services to commercial and industrial establishments. Typical uses include janitorial, landscape maintenance, and window cleaning services. Also includes exterminator services for residential, commercial, or industrial applications.

#### **88-805-04-E. BUSINESS EQUIPMENT SALES AND SERVICE**

Sales, rental, or repair of office, professional and service equipment and supplies to companies rather than to individuals. Excludes automotive and heavy equipment sales or

service. Typical uses include office equipment and supply firms, small business machine repair shops and hotel equipment and supply firms.

**88-805-04-F. BUSINESS SUPPORT SERVICE**

Provision of clerical, employment, protective, or minor processing services to firms rather than individuals. Typical uses include employment agencies and telephone answering services and business or trade schools. Business or trades schools that involve outdoor storage and work areas or manufacturing processes are not considered business support services but rather are to be classified in an Industrial use group category.

**1. DAY LABOR EMPLOYMENT AGENCY**

Any enterprise, other than a labor union or a not-for-profit organization, engaged in procuring or providing persons to perform temporary unskilled work at a site other than the day labor business premises in which (1) the day laborers are paid, by the day labor business or a third party employer, each work day or on the business day following the work day, and (2) persons arrive at the day labor business premises to make application for work as a day laborer, to obtain assignment for day labor, to obtain transportation to a day labor site or to obtain payment of wages or benefits for day labor. For purposes of this definition, "unskilled work" means work involving physical tasks for which the (1) the worker is not required by law to hold a professional or occupational license, or (2) the employer or contractor controlling the site of the work does not require the worker to have (a) a high school diploma or its equivalent, or (b) education beyond high school, or (c) relevant vocational education or (d) demonstrated proficiency with a specified type of machinery to be used in the work, but does not include white collar, secretarial, clerical or professional work.

**88-805-04-G. COMMUNICATIONS SERVICE ESTABLISHMENTS**

Broadcasting and other information relay services accomplished through use of electronic and telephonic mechanisms. Excludes services classified as "major utilities and services" and "minor utilities." Typical uses include recording studios, television and radio studios, telecommunication service centers, data centers, and telegraph service offices.

**88-805-04-H. DRIVE-THROUGH FACILITY**

Any service window, automated device or other facility that provides goods or services to individuals in a motor vehicle. Also includes "drive-in" businesses and facilities, such as drive-in restaurants and car washes.

**88-805-04-I. EATING AND DRINKING ESTABLISHMENTS**

Provision of prepared food and/or beverages for on- or off-premises consumption. Typical uses include restaurants, taverns, and nightclubs.

**1. RESTAURANT**

An establishment primarily engaged in serving prepared food to the public and in which sales of such prepared foods and meals constitutes at least 30% of the establishment's gross income, pursuant to Chapter 10 of the municipal code.

**2. TAVERN OR NIGHTCLUB**

An establishment that is not a restaurant and that is primarily engaged in the serving of alcohol for consumption on the premises or engaged in allowing the smoking of tobacco or other substances.

**88-805-04-J. ENTERTAINMENT VENUES AND SPECTATOR SPORTS**

Provision of cultural, entertainment, athletic and other events to spectators, such as occurs in theaters, cinemas, auditoriums, fairgrounds, sports stadiums and racetracks. The following are spectator sports and entertainment use types:

**1. SMALL VENUE**

Entertainment and spectator sports establishments with a capacity of no more than 149 persons. Typical uses include small theaters and meeting or banquet halls.

**2. MEDIUM VENUE**

Entertainment and spectator sports establishments with a capacity of more than 149 and fewer than 500 persons. Typical uses include theaters and meeting or banquet halls.

**3. LARGE VENUE**

Entertainment and spectator sports establishments with a capacity of 500 persons or more. Typical uses include large theaters, cinemas and meeting or banquet halls.

**4. OUTDOOR VENUE**

Entertainment and spectator sports functions held outdoors. Typical uses include theaters, fairgrounds, sports stadiums, and racetracks.

**88-805-04-K. FINANCIAL SERVICES**

Financial or securities brokerage services. Typical uses include banks, savings and loans, credit unions, mortgage companies, pawnshops, and short-term loan establishments.

**1. BANK**

An establishment that is engaged in the business as a bank or trust company, and is federally chartered or state chartered. "Bank" also includes credit unions that are federally or state chartered, and mortgage companies that provide mortgage loans as a principal part of their operation, with the loans secured by an interest in real property as collateral for the loan.

**2. PAWN SHOP**

Businesses that lend money on the security of pledged goods or that is engaged in the business of purchasing tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time. Pawnshops and pawnbrokers are further governed by Chapter 367, RSMo.

**3. SAVINGS AND LOAN ASSOCIATION**

An establishment that is engaged in the business as a savings and loan association and is federally chartered or state chartered.

**4. SHORT-TERM LOAN ESTABLISHMENT**

An establishment which (a) engages in the business of providing money to customers on a temporary basis, wherein such loans are secured by post-dated check, paycheck or car title, or (b) is registered as a lender under state or federal law. The classification does not include a state or federally chartered bank, savings and loan association, credit union, or mortgage broker or originator. Further, this classification does not include establishments selling consumer goods, including consumables, where the loans or the cashing of checks or money orders are incidental to the main purpose of the business. This classification does include, but is not limited to, check cashing stores, payday loan stores, and car title loan stores.

**88-805-04-L. FOOD AND BEVERAGE RETAIL SALES**

Retail sale of food and beverages for home consumption. Typical uses include groceries and liquor stores.

**88-805-04-M. FUNERAL AND INTERMENT SERVICES**

Provision of services involving the care, preparation, or disposition of human dead. The following are funeral and interment services use types:

**1. CEMETERY/COLUMBARIUM/MAUSOLEUM**

Land or facilities used for burial of the dead, including pet cemeteries.

**2. CREMATING**

Crematory services involving the purification and reduction of the human body by fire. Typical uses include crematories and crematoriums.

**3. UNDERTAKING**

Undertaking services such as preparing the dead for burial and arranging and managing funerals. Typical uses include funeral homes and mortuaries.

**88-805-04-N. GASOLINE AND FUEL SALES**

Uses primarily engaged in retail sales of personal automobile and vehicle fuels, including rapid (level 3) battery charging stations, battery exchange stations and retail electric charging of vehicles.

**88-805-04-O. LODGING**

Provision of lodging services on a temporary basis of not more than 30 days, with incidental food, drink and other sales and services intended for the convenience of guests. The following are lodging use types:

**1. BED AND BREAKFAST**

A detached house in which the owner offers overnight accommodations and meal service to guests for compensation.

**2. HOTEL/MOTEL**

An establishment, other than a detached house, in which short-term lodging is offered for compensation and that may or may not include the service of one or more meals to guests. Typical uses include hotels, motels, and boarding houses.

**3. RECREATIONAL VEHICLE PARK**

A development site, parcel, or tract of land designed, maintained or intended to be used for the purpose of providing short-term accommodation of not more than 30 days for placement of two or more recreational vehicles, including all buildings used or maintained for the use of the occupants in the recreational vehicle park.

**88-805-04-P. OFFICE**

**1. ADMINISTRATIVE, PROFESSIONAL OR GENERAL OFFICE**

Professional, governmental, executive, management, or administrative offices of private organizations or government agencies. Typical uses include administrative offices, law offices, architectural firms, insurance companies, and government offices.

**2. MEDICAL OFFICE**

Personal health services including prevention, diagnosis and treatment; rehabilitation services provided by physicians, dentists, nurses, and other health personnel; and medical testing and analysis services, including medical marijuana testing facilities. Typical uses include medical and dental offices, health maintenance organizations, blood banks, plasma centers, and government-operated health centers. Excludes use types more specifically classified, such as hospitals.

**88-805-04-Q. PARKING, NON-ACCESSORY**

Parking that is not provided to comply with minimum off-street parking requirements and that is not provided exclusively to serve occupants of or visitors to a particular use, but rather is available to the public at-large. A facility that provides both accessory parking and non-accessory parking is classified as non-accessory parking.

**88-805-04-R. PERSONAL IMPROVEMENT SERVICE**

Informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include hair salons, barber shops, beauty shops, nail salons, health clubs, yoga or dance studios, driving schools and martial arts studios.

**88-805-04-S. REPAIR OR LAUNDRY SERVICE, CONSUMER**

Provision of repair, dry cleaning, or laundry services to individuals and households, but not to firms. Excludes vehicle and equipment repair. Typical uses include laundry/dry cleaning

drop-off stations (with no dry cleaning on the premises), hand laundries, appliance repair shops, locksmiths, shoe and apparel repair and musical instrument repair.

**88-805-04-T. RESEARCH SERVICE**

An establishment that conducts educational, scientific, high-technology or medical research not involving the mass production, distribution, or sale of products. Research services do not produce odors, dust, vibration, noise, or other external impacts that are detectable beyond the property lines of the subject property. Research-related establishments that do produce such external impacts are classified as "manufacturing, production, and industrial services."

**88-805-04-U. RESIDENTIAL SUPPORT SERVICES**

Commercial uses provided primarily to serve the needs of residents in large, multi-unit residential buildings. The following are considered residential support services:

1. Restaurants;
2. Financial services, except pawnshops, consumer loan agencies, and payday loan stores;
3. Food and beverage retail sales;
4. Medical office (other than blood/plasma center);
5. Administrative, Professional, or General Offices;
6. Personal improvement service; and
7. Retail sales establishments.

**88-805-04-V. RETAIL SALES**

Businesses involved in the sale, lease, or rent of new or used products or merchandise to consumers. Typical uses include drug stores, grocery stores, department stores, and apparel stores. Also includes medical marijuana dispensary facilities.

**1. OUTDOOR RETAIL SALES - CLASS A**

Outdoor retail sales - class A are permanent uses outside of a completely enclosed building or structure used to display goods for sale to the general public as part of and subordinate to retail sales or similar business establishment. This includes but is not limited to garden supplies, building supplies, and plant materials.

**2. OUTDOOR RETAIL SALES - CLASS B**

Outdoor retail sales - class B are permanent uses where the majority of the retail space is outdoors and items are for sale to the general public. This includes but is not limited to garden nurseries, manufactured home sales, and recreational and play equipment sales.

**88-805-04-W. SPORTS AND RECREATION, PARTICIPANT**

Provision of sports or recreation primarily by and for participants. (Spectators would be incidental and on a nonrecurring basis). Examples include bowling alleys, skating rinks, billiard parlors, driving ranges and miniature golf courses, shooting and archery ranges, batting cages, and go-cart tracks.

**88-805-04-X. VEHICLE SALES AND SERVICE**

Sales of motor vehicles or services related to motor vehicles. The following are vehicle sales and service use types:

**1. CAR WASH/CLEANING SERVICE**

A building or site containing facilities for washing automobiles. It may use automatic production line methods—a chain conveyor, blower, steam cleaning device, or other mechanical device—or it may provide space, water and equipment for hand washing, cleaning or detailing of automobiles, whether by the customer or the operator.

**2. HEAVY EQUIPMENT SALES/RENTALS**

Sale, retail or wholesale and/or rental from the premises of heavy construction equipment, trucks and aircraft, together with incidental maintenance. Typical uses include heavy construction equipment dealers and tractor trailer sales.

**3. LIGHT EQUIPMENT SALES/RENTALS**

Sale, retail, wholesale, or rental from the premises of autos, noncommercial trucks, motorcycles, trailers with less than 10,000 lbs. gross cargo weight, recreational vehicles and boat dealers, together with incidental maintenance. Typical uses include automobile and boat dealers, car rental agencies and recreational vehicle sales and rental agencies.

**4. MOTOR VEHICLE REPAIR, LIMITED**

a. A vehicle repair establishment that provides lubrication and/or checking, changing, or additions of those fluids and filters necessary to the maintenance of a vehicle. Customers generally wait in the car or at the establishment while the service is performed. Examples include quick lube services.

b. Also included vehicle repair establishments that provide replacement of passenger vehicle parts or repairs that do not involve body work or painting or require removal of the engine head or pan, engine transmission or differential. Examples include tire, muffler and transmission shops.

**5. MOTOR VEHICLE REPAIR, GENERAL**

Any vehicle repair activity other than "minor vehicle repair." Examples include repair or servicing of commercial vehicles or heavy equipment or body work, painting, or major repairs to passenger vehicles.

**6. VEHICLE STORAGE AND TOWING**

Storage of operating motor vehicles or vehicle towing services. Typical uses include towing services; private tow lots; impound yards; parking station for buses; and fleet storage yards. Includes the use of a site for temporary storage of motor vehicles to be sold, rented, salvaged, dismantled, or repaired for a period of not more than 15 days.

Section 2. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by law have been given and had.

..end

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

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Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney



# City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Revised 3/24/2023

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

## Executive Summary

Amending Chapter 88, the Zoning and Development Code, to align with the definition of a restaurant in Chapter 10 of the Code of Ordinances (CD-CPC-2023-00030).

## Discussion

See CPC staff report

## Fiscal Impact

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

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

## Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

2. This fund has a structural imbalance.

Yes  No

**Additional Discussion (if needed)**

Click or tap here to enter text.

**Citywide Business Plan (CWBP) Impact**

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City’s most vulnerable population
- Utilize planning approaches to improve the City’s neighborhoods

**Prior Legislation**

See CPC Staff report

**Service Level Impacts**

See CPC Staff report

**Other Impacts**

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

The is a zoning ordinance and has not been evaluated against this subject matter

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

The is a zoning ordinance and has not been evaluated against this subject matter

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

The is a zoning ordinance and has not been evaluated against this subject matter

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances ([Chapter 38, titled "Civil Rights"](#))?

The is a zoning ordinance and has not been evaluated against this subject matter

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances ([Chapter 3, titled "Contracts and Leases"](#))?

The is a zoning ordinance and has not been evaluated against this subject matter



**File #:** 230360

ORDINANCE NO. 230360

Sponsor: Councilmember Lee Barnes

Directing that the City Manager shall appear before the Council to provide certain information before suspending, terminating, or taking any other adverse action against an employee for failure to comply with the residency requirements of the City’s Code of Ordinances.

WHERE, Council has the duty to supervise the City Manager in his exercise of his duties; and

WHEREAS, the Council has the obligation to determine whether residency ordinances as written are being properly interpreted and fairly enforced, consistent with the intentions of the Council; and

WHEREAS, the City has been required to pay hundreds of thousands of dollars for claims arising out of disciplinary actions taken related to allegations of non-residency; and

WHEREAS, it is within the proper purview of the Council to determine if changes to the residency requirements are necessary or desirable to properly regulate City employees, including granting waivers of required residency; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That, prior to suspending, terminating or taking any other adverse action against any employee based on failure to comply with the residency requirements of the City’s Code of Ordinances, the City Manager shall personally appear before a Business Session of the Council to provide the Council with specific and detailed information and evidence upon which such suspension, termination or other adverse action is based, and no such action shall be taken until at least forty-five days shall have passed after such presentation.

..end

Approved as to form:

Katherine Chandler

Assistant City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

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

### Executive Summary

Directing that the City Manager shall appear before the Council to provide certain information before suspending, terminating, or taking any other adverse action against an employee for failure to comply with the residency requirements of the City's Code of Ordinances.

### Discussion

The fiscal impact of this legislation is indeterminable.

### Fiscal Impact

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

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

# City of Kansas City, Missouri



## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
- 
- 

### Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

### Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

### Other Impacts

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

N/A

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

# City of Kansas City, Missouri



## Docket Memo

N/A

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

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Click or tap here to enter text.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Click or tap here to enter text.



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**File #: 230403**

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ORDINANCE NO. 230403

Sponsor: City Manager

Approving an Industrial Development Plan for Cas-KC-neda, LLC for the purpose of acquiring, equipping and constructing a project for industrial development consisting of the acquisition, purchase, construction and development of a boutique hotel with approximately thirty-five units (the "Project") located at 1108-1110 Grand Ave., Kansas City, Missouri (the "Project Site"); authorizing and approving various agreements for the purpose of setting forth covenants, agreements and obligations of the City and Cas-KC-neda, LLC; authorizing the issuance of taxable industrial revenue bonds in an amount not to exceed \$24,500,000.00; authorizing and approving other documents; and authorizing certain other actions in connection with the issuance of said bonds.

WHEREAS, the City of Kansas City, Missouri, a constitutional charter city and municipal corporation of the State of Missouri (the "City") is authorized pursuant to the provisions of Article VI, Section 27(b) of the Missouri Constitution, as amended, and Sections 100.010 to 100.200, inclusive, of the Revised Statutes of Missouri, as amended, and the City of Kansas City Charter (collectively, the "Act"), to issue its revenue bonds for carrying out a project or projects under the Act, such revenue bonds to be paid solely from revenue received from such project, and to enter into leases of certain property associated with the project to be financed with the proceeds of such revenue bonds with any person, firm or corporation; and

WHEREAS, the City has heretofore prepared and approved plans for the industrial development of the City and desires to approve a Chapter 100 Industrial Development Plan (the "Plan") for the purpose of carrying out the Project for Cas-KC-neda, LLC, a Missouri limited liability company, and its affiliates or other designated entities (the "Company"); and

*WHEREAS, the City intends to issue its Taxable Industrial Revenue Bonds (Kindler Hotel Project) (the "Bonds") for the purpose of furthering the Project located at the Project Site; and*

*WHEREAS, notice of the Project was given to the taxing jurisdictions in accordance with the Act and the City Council has fairly and duly considered all comments submitted to the City Council regarding the proposed Plan; and*

*WHEREAS, the City Council has heretofore and does hereby find and determine that it is desirable for the economic development of the City and within the public purposes of the Act that the City Council approve the Plan as proposed by the Company; and that*

*the City issue the Bonds, as more fully described in the applicable Indenture and in the applicable Lease, as such terms are hereinafter defined and authorized, the proceeds of which shall be used for the purchase, construction and equipping of certain real property associated with the Project, which shall be located at the Project Site and leased, with an option to purchase, by the City to the Company; and*

*WHEREAS, the principal amount of the Bonds will be issued in taxable Chapter 100 bonds which will be repaid solely by the Company under the terms of the Lease (defined herein); and*

*WHEREAS, for a Chapter 100 bond issuance, the City Council has previously established a policy pursuant to Committee Substitute for Resolution No. 041033, as reaffirmed by Section 7 of Second Committee Substitute for Ordinance No. 160383, as amended, as modified by Second Committee Substitute for Ordinance No. 200497, as amended, (the "Chapter 100 Policy") for the review and approval of these projects; and*

*WHEREAS, the City Council wishes in this instance to waive the Chapter 100 Policy as it relates to: (i) suggesting the maximum abatement period and maximum bond term; (ii) suggesting the minimum PILOT payment on behalf of the Project; and (iii), all based upon the independent professional analysis of the anticipated financial return on the amount of private investment necessary to develop and construct the Project and the eventual net benefits to taxing jurisdictions from the implementation of the Project; and*

*WHEREAS, the proceeds of the Bonds will be used to construct and develop the Project (with a corresponding tax abatement as described herein) and to provide a sales tax exemption on construction materials for the Project, which does not require any waiver of the Chapter 100 Policy; and*

*WHEREAS, the City further finds and determines that it is necessary and desirable in connection with the Project and the issuance of the Bonds that the City enter into certain documents, and that the City take certain other actions and approve the execution of certain other documents as herein provided; NOW, THEREFORE,*

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

*Section 1. Approval of Plan. The City Council hereby finds and determines that the Project will promote the economic well-being and industrial development of the City and the Project will be in furtherance of the public purposes set forth in the Act. The City Council hereby approves the Plan for the Project, which includes the following provisions:*

- (a) Construction, acquisition, equipping and installation of the Project located at the Project Site in the City;*
- (b) A total estimated project cost of approximately \$23,866,383; and*

(c) *The costs of constructing, acquiring, equipping and installing the Project that will be funded from proceeds of the sale of up to Twenty Four Million Five Hundred Thousand and No/100 (\$24,500,000.00) maximum principal amount of Taxable Industrial Revenue Bonds to be issued by the City and purchased by the Company or other purchaser named in the herein-defined Purchase Agreement.*

*Section 2. Authorization of Documents. The City is hereby authorized to enter into the following documents for the Bonds (collectively, the "City Documents"), in such form as shall be approved by the officials of the City executing such documents, with such officials' signatures thereon being conclusive evidence of their approval thereof:*

(a) *a Trust Indenture (the "Indenture") between the City and BOKF, N.A. or other trustee named therein (the "Trustee") pursuant to which the Bonds shall be issued and the City shall pledge the Project, and assign certain of the payments, revenues and receipts received pursuant to the Lease to the Trustee for the benefit and security of the owners of the Bonds upon the terms and conditions as set forth in the Indenture;*

(b) *a Lease Agreement, between the City and Company, under which the City will lease the Project to the Company (the "Lease"), which Lease shall terminate following the issuance of a temporary certificate of occupancy for the Project or sooner at Company's option as described in the Lease ("Lease Term"). The Bonds will be repaid solely by Company under the terms of the Lease.*

(c) *Purchase Agreement, as defined below, under which the purchaser named therein agrees to purchase the Bonds.*

*Section 3. Authorization of the Bonds. The City is hereby authorized to issue and sell its Taxable Industrial Revenue Bonds (Kindler Hotel Project), in the maximum aggregate principal amount not to exceed \$24,500,000, for the purpose of providing funds for the costs associated with the construction, improvement, and renovation of the Project. The Bonds shall be issued and secured pursuant to the herein authorized Indenture and shall bear such date, shall mature at such time, shall be in such denomination, shall bear interest at such rates, shall be in such form, shall be subject to redemption and other terms and conditions, and shall be issued in such manner, subject to such provisions, covenants and agreements, as are set forth in the Indenture.*

*Section 4. Sale and Terms of Bonds; Authorization and Execution of Bond Purchase Agreement.*

(a) *The Bonds will be sold to the Company or other purchaser under the terms of a Bond Purchase Agreement between the City and the Company or other purchaser (the "Purchase Agreement"). The maximum principal amount of the Bonds shall be \$24,500,000, the interest rate on the Bonds shall not exceed 7%, principal shall be payable in accordance to the terms of the Lease, the maturity date shall be no later than December 1, 2038, the Bonds shall be*

*purchased at 100% of the principal amount thereof and the Bonds may be redeemed at any time at a redemption price equal to the principal amount thereof plus accrued interest. The Director of Finance or the City Treasurer is each authorized to execute the Purchase Agreement for or on behalf of and as the act and deed of the City.*

*(b) The issuance of the Bonds and the execution and delivery of the related Lease shall provide for (1) a 100% abatement of ad valorem real property taxes beginning in the year 2024 through 2033 with annual PILOTS equal to \$31,725.00, and (2) a 50% abatement of ad valorem real property taxes in the years 2034 through 2038, with annual PILOTS equal to 50% of ad valorem real property taxes being abated, all as described in the Plan. Such PILOTS will be remitted to the affected jurisdictions pro rata on the basis that would have been payable to them respectively had the real property been fully taxed, all as described in the Plan.*

*(c) In connection with the issuance of the Bonds, the City will provide a sales tax exemption for construction materials purchased with the proceeds of the Bonds.*

*(d) The City hereby waives Committee Substitute for Resolution No. 041033, as reaffirmed by Section 7 of Second Committee Substitute for Ordinance No. 160383, as amended, as modified by Second Committee Substitute for Ordinance 200497, as amended, to the extent necessary so that the terms of the Bonds and resulting abatement may be provided as authorized in this Ordinance.*

*Section 5. Limitation on Liability. The Bonds and the interest thereon shall be limited obligations of the City payable solely out of certain payments, revenues and receipts derived by the City from the Lease associated with the applicable portion of the Project described therein, and such payments, revenues and receipts shall be pledged and assigned to the Trustee as security for the payment of the Bonds as provided in the Indenture. The Bonds and the interest thereon shall not constitute general obligations of the City or the State of Missouri. The Bonds shall not constitute indebtedness within the meaning of any constitutional or statutory debt limitation or restriction and are not payable in any manner by taxation.*

*Section 6. Creation of Bond Fund. The City is hereby authorized to establish with the Trustee pursuant to the Indenture, (i) a special trust fund in the name of the City to be designated the "City of Kansas City, Missouri, Bond Fund – Kindler Hotel Project" and the City shall cause all sums required by the applicable Indenture to be deposited within the applicable fund and shall create all accounts in such fund as required by the applicable Indenture.*

*Section 7. Execution of Documents. The Mayor is hereby authorized and directed to execute the Bonds and to deliver the Bonds to the Trustee for authentication for and on behalf of and as the act and deed of the City in the manner provided in the*

*Indenture. The Director of Finance is hereby authorized and directed to execute the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, for and on behalf of and as the act and deed of the City. The City Clerk or a deputy City Clerk, of the City is hereby authorized and directed to attest to and affix the seal of the City to the Bonds and the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.*

*Section 8. Further Authority. The Mayor, Director of Finance, the City Treasurer and other officials, agents and employees of the City as required, are hereby authorized and directed to take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds, the City Documents, and tax redirection.*

..end

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Approved as to form:

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Emalea Black  
Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

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

### Executive Summary

Approving an Industrial Development Plan for Cas-KC-neda, LLC

### Discussion

This is an industrial development project consisting of the acquisition, purchase, construction and development of a boutique hotel with approximately 35 units at 1108-1110 Grand Ave. and this authorizes the issuance of taxable industrial revenue bonds in an amount not to exceed \$24,500,000.

### Fiscal Impact

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

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

Click or tap here to enter text.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

Click or tap here to enter text.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

Click or tap here to enter text.

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

# City of Kansas City, Missouri



## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

N/A

### Service Level Impacts

N/A

### Other Impacts

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

N/A

# City of Kansas City, Missouri



## Docket Memo

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

N/A

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

Contributes to a project that will potential increase tax revenue collection

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

This approves the agreement and any future associated contracts will include such requirements.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

This approves the agreement and any future associated contracts will include such requirements



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**File #: 230406**

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RESOLUTION NO. 230406

Sponsor: Councilmember Andrea Bough

RESOLUTION - Authorizing the City Manager to execute an amended petition for the 4840 Community Improvement District.

WHEREAS, the 4840 Community Improvement District (the “District”) was established by petition of the property owners and approved by the City Council by Ordinance No. 130205; and

WHEREAS, RSMo. Section 67.1421 provides for amending the petition of an established community improvement district through the filing of an amended petition signed by real property owners within the district’s boundaries; and

WHEREAS, the District contemplates submitting an amended petition extending the term of the District by an additional seven years, a copy of which, in substantial form, is attached to this resolution; and

WHEREAS, the City owns real property within the boundaries of the District; and

WHEREAS, Section 74-302(d) of the City’s Code of Ordinances provides that the City Manager shall not execute any petition seeking to establish a community improvement district unless authorized to do so by City Council; and

WHEREAS, assuming a proper amended petition is filed, City Council will consider whether to approve the amended petition; NOW, THEREFORE,

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

That the City Manager is hereby authorized, on behalf of the City of Kansas City, Missouri, to execute an amended petition for the 4840 Community Improvement District.

..end

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# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

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

### Executive Summary

Authorizing the City Manager to execute an amended petition for the 4840 Community Improvement District.

### Discussion

This legislation does not have a fiscal impact.

### Fiscal Impact

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

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

# City of Kansas City, Missouri



## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
- 
- 

### Prior Legislation

Click or tap here to enter text.

### Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

### Other Impacts

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

N/A

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

# City of Kansas City, Missouri



## Docket Memo

N/A

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

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A