

CD-CPC-2026-00025

April 1, 2026

City Plan Commission







Westport Overlay District was approved June 15, 2023. The overlay created additional standards for the area including:

- Usable open spaces/frontage
- Height
- Building Materials
- Transparency (along the ground floor)
- Sign Types and Sizes
- Uses – only uses allowed in the B-zoning district with prohibited uses.



Table 1: Allowed Uses

	All Underlying Districts	Additional Use Standards
School	■	
Utilities and Services (except as noted below)		
» Basic, minor	S	88-323
Commercial		
Adult Business	—	
» Adult media store	—	
» Adult motion picture theater	—	
» Sex shop	—	
Animal Service		
» Sales and grooming	■	88-315
» Shelter or boarding	■	88-315
» Stable	S	88-315
» Veterinary	■	88-315
Artist Work or Sales Space	■	
Building Maintenance Service	■	
Business Equipment Sales and Service	■	
Business Support Service (except as noted below)	■	
» Day labor employment agency	—	
Communications Service Establishments	■	
Drive-Through Facility	- S	88-340, 88-285-05-F
Eating and Drinking Establishments (except as noted below)	■	

Drive-Through Facilities are permitted subject to an approved Special Use Permit. Drive-Through Facilities shall meet the applicable standards of 88-340 and the following standards:

1. Drive-Through Facilities shall be utilized solely for customer pick-up of goods and shall not provide for on-site ordering.
2. Drive-Through Facilities shall be permitted only where vehicular traffic enters from Westport Road and exits onto a public street other than Westport Road. No Drive-Through Facility shall be permitted to both enter from and exit onto the same street.
3. There shall be no more than one (1) drive-through lane and no more than one (1) drive-through service window on any lot.
4. Service windows shall not face a public right-of-way. Service windows shall be a minimum of 25 feet behind the front façade (nearest the public right-of-way) of the principal building.
5. There shall be no audio speakers or ordering devices and no menu board signs.
6. The principal pedestrian access to any building on the lot shall not cross the drive-through lane.
7. Drive-Through Facilities shall not create new curb cuts off Westport Road.
8. All Special Use Permits for Drive-Through Facilities shall specify the approved hours of operation during which such Drive-Through Facility may be in operation.
9. All Special Use Permits for Drive-Through Facilities shall be valid for a period not to exceed five (5) years from issuance.



WESTPORT OVERLAY DISTRICT

Section 1. INTRODUCTION

A. Purpose & Intent. The following regulations create development and site design standards that promote the recommendations outlined in the Westport District Master Plan. The Westport Overlay aims to provide a cohesive development pattern along Westport Road and Pennsylvania Avenue, the primary pedestrian-oriented corridors in the Westport district. This overlay generally extends along Westport Road from Southwest Trafficway to the boundary of the MCO district, and along Pennsylvania from 39th Street to 43rd Street (Figure 1). The intent of the overlay district is to:

1. Protect and encourage smaller-scale, fine grain development that reinforces that distinct character of Westport.
2. Promote incremental growth to allow the district to evolve, while ensuring that future development is compatible with the surrounding context.
3. Promote a mix of pedestrian-oriented uses that are compatible with the Westport Plan's vision and goals.
4. Strengthen the active, street-front development pattern to improve the public realm and enhance access to the district.
5. Enhance public spaces within Westport to further foster community and support businesses.
6. Manage the impact of parking facilities to enhance accessibility, while understating the prominence of lots and garages along the streetscape.
7. Celebrate the history of Westport by promoting walkable, human-scaled development patterns.
8. Promote high-quality development that enhances the shared value of Westport.

88-510-07 - REVIEW CRITERIA



In reviewing and making decisions on zoning and development code text amendments, the city planning and development director, city plan commission and city council must consider at least the following factors:

88-510-07-A. whether the proposed zoning and development code text amendment corrects an error or inconsistency in the zoning and development code or meets the challenge of a changing condition;

88-510-07-B. whether the proposed zoning and development code text amendment is consistent with adopted plans and the stated purpose of this zoning and development code; and

88-510-07-C. whether the proposed zoning and development code text amendment is in the best interests of the city as a whole.

Community Planning Analysis

- KC Spirit Playbook
Alignment: **Low**
- Midtown/Plaza Area Plan
Alignment: **Low**
- Long-range plans encourage walkability and alternative modes of transportation
 - Drive-throughs conflict with walkability
- Public engagement during area plan and overlay process indicated interest in limit drive-throughs
- Sets a precedent for expanding drive-throughs

KC Spirit Playbook



- **Connected City: Low**
 - Drive-throughs do not support pedestrian scale blocks
- **Well Designed City**
 - Drive-through uses are discouraged



Midtown/Plaza Area Plan

- In mixed use areas, drive-through uses are discouraged (169).
- Curb cuts should be kept to a minimum (170).
- District Development Form
 - Districts should generally be walkable, bikeable, and transit accessible, exhibiting high pedestrian connectivity at the edges and throughout (175).

88-510-07 - REVIEW CRITERIA



In reviewing and making decisions on zoning and development code text amendments, the city planning and development director, city plan commission and city council must consider at least the following factors:

88-510-07-A. whether the proposed zoning and development code text amendment corrects an error or inconsistency in the zoning and development code or meets the challenge of a changing condition;

88-510-07-B. whether the proposed zoning and development code text amendment is consistent with adopted plans and the stated purpose of this zoning and development code; and

88-510-07-C. whether the proposed zoning and development code text amendment is in the best interests of the city as a whole.

88-515-08 - REVIEW CRITERIA



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

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

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

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

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

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

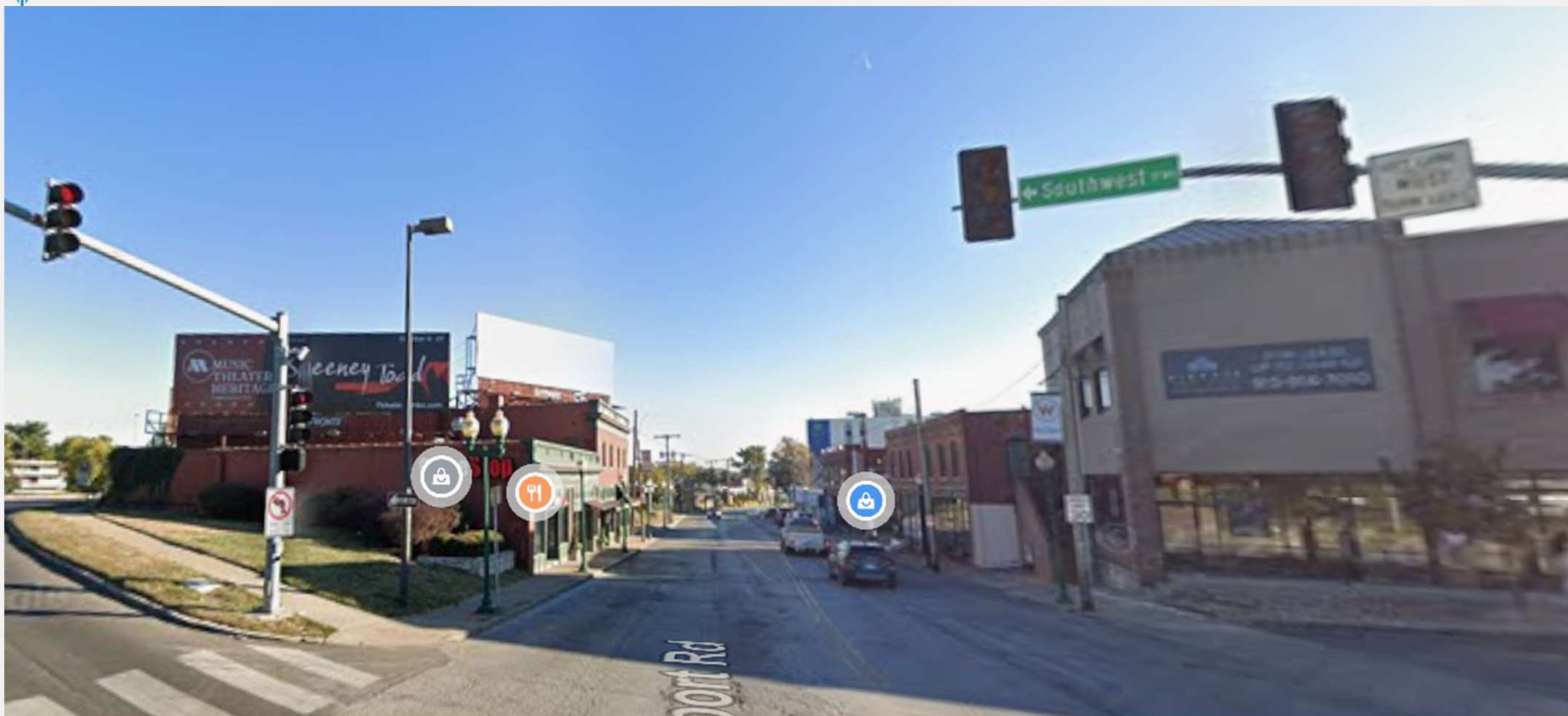
88-515-08-F. length of time the subject property has remained vacant as zoned;

88-515-08-G. the extent to which approving the rezoning will detrimentally affect nearby properties; and

88-515-08-H. the gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.



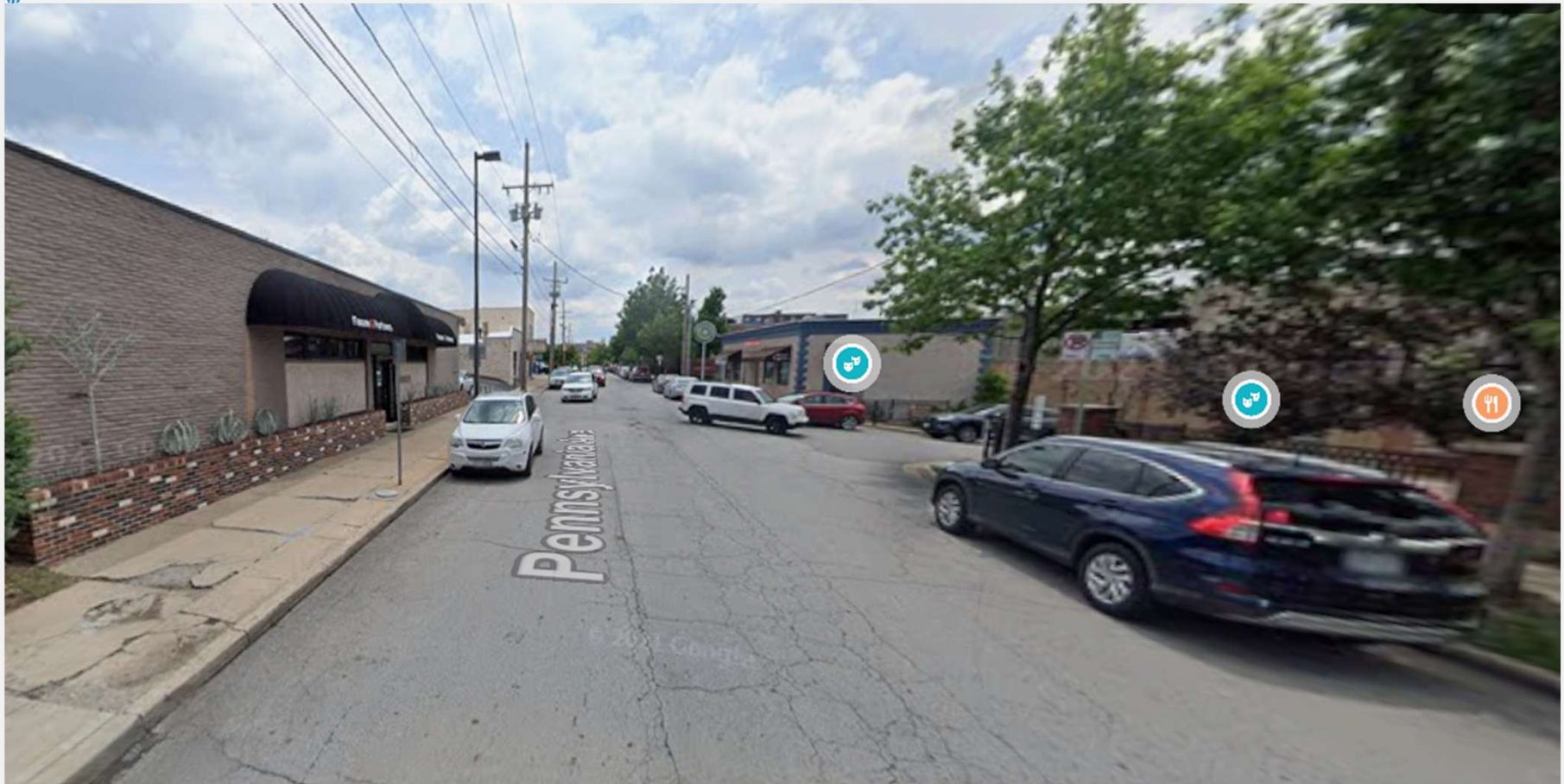
View from corner of Broadway and Baltimore Road
looking southwest



View from Broadway and Baltimore Road looking northeast



View of Pennsylvania Ave looking northwest



View of Pennsylvania Ave looking southeast



View from the corner of Westport Rd. and
Pennsylvania

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Denial