



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240879

Submitted Department/Preparer: City Planning

Revised 6/10/24

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

Executive Summary

Rezoning an area of about 13 acres generally located at 5500 Bennington Ave from District R-80 (Residential) to District MPD (Master Planned Development) and approving a development plan to abate zoning violations and expand urban agriculture (CD-CPC-2024-00088).

Discussion

The MPD, Master Planned Development, district is intended to accommodate development that may be difficult, if not impossible, to carry out under applicable zoning district standards. The proposed Mixed-Use Development MPD for an urban farm plus compost facility provides relief from applicable portions of the Zoning and Development Code and plans growth for the business operations.

The proposed MPD Plan permits urban agriculture uses, along with a compost facility, on the subject site. After the first CPC public hearing, the applicant redesigned the plan to redesign the drive off Bennington Ave., reduce the number of shipping containers proposed on site, reduce the number of yurts, and update the conditions.

City Council Key Points

- City Staff recommended Approval, Subject to Conditions.
- CPC recommended Approval, Subject to Conditions.
- MPD Plan includes 6 deviations:
 - #1. A deviation from accessory building/structure separation zoning standards, permitting accessory buildings/structures to be less than 10 feet from all other accessory and principal buildings on the same lot.
 - #2. A deviation from 88-328-02-B, the setback requirements for a composting facility, to be setback less than 250 ft from property lines and at least 500 ft from any residential dwelling unit, per the approved site plan.
 - #3. A deviation from the temporary portable storage container specific use standards, to permit the use of 5 shipping containers to be used as permanent storage buildings, unless otherwise approved through building permit.
 - #4. A deviation to permit gravel, as described on the approved site plan, for vehicular and loading use, on the subject site.
 - #5. A deviation to permit a fence along all property lines of 10 ft.

#6. A deviation from on-site pedestrian standards, permitting internal connections inconsistent with 88-450-03-C.2.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Not applicable – as this is an ordinance authorizing a rezoning with associated development plan.
3. How does the legislation affect the current fiscal year?
Not applicable – as this is an ordinance authorizing a rezoning with associated development plan.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Not applicable – as this is an ordinance authorizing a rezoning with associated development plan.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
This ordinance authorizes the expansion of an existing business on the subject property, which may generate revenue.

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

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

No account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Inclusive Growth and Development (Press tab after selecting.)

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

- Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts.
- Ensure quality, lasting development of new growth.
- Increase and support local workforce development and minority, women, and locally owned businesses.
- Create a solutions-oriented culture to foster a more welcoming business environment.
- Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States.
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Prior Legislation

091007 APPROVED

Rezoning an area of approximately 13.5 acres generally located on the west side of Bennington Avenue at E 55th from District R-1a to District RA.

14079-A-1 APPROVED

- a. A variance to allow an accessory building in the front yard.
- b. A variance to allow a solar array in the front yard.
- c. A variance to allow an existing 10'x20' farm stand to remain in the front yard.

CD-BZA-2023-00049 UNDER REVIEW

1. Did own, lease, or maintain a premises in which allows the operation of a Composting Facility in a district zoned R-80. This use is first permitted in a district zoned R-80 with a Special Use Permit.
2. Did own, lease, or maintain a premises which is being used for the storage of temporary storage containers in a district zoned R-80. This use is first allowed in an M-1 zoned district with a Special Use Permit.
3. Did own, lease, or maintain a premises in an R-80 zoned district in which the vehicle use area does not meet vehicle use area requirements as set forth in City Ordinance 88-420-12.
4. Did own, lease, or maintain a premises which is being used for a retail sales business in a district zoned R-80. This use is first permitted in a district zoned B1.

CD-ROW-2023-00053 UNDER REVIEW

Vacating an approximately 130-foot street in District R-7.5 zoning generally located on Fremont Avenue north of East 55th Terrace; and directing the City Clerk to record certain documents.

Service Level Impacts

Service level impacts (inspection or customer service workload) may occur with the passage of this legislation.

Other Impacts

1. What will be the potential health impacts to any affected groups?
The proposed project was evaluated against The KC Spirit Playbook and it was determined that the project is unlikely to align with health-related goals due to potential nuisances.
2. How have those groups been engaged and involved in the development of this ordinance?
Public engagement as required by 88-505-12 does apply to this request. The applicant hosted a meeting on 8/17/2024. A summary of the meeting is attached to the City Plan Commission staff report.
3. How does this legislation contribute to a sustainable Kansas City?
Agriculture, Food & Waste Systems Innovation is a part of the KC Priority Climate Action Plan. Measure FA-3 states, "Increase residential composting and diversion to local livestock."
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Click or tap here to enter text.

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

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)