



Collins Noteis &
Associates, LC

Urban planning, community development and government affairs

Neighborhood Planning and Development Committee
City of Kansas City Missouri
414 E. 12th Street, 15th Floor
Kansas City, MO 64106
Via Electronic Mail to public.testimony@kcmo.org
Courtesy Copy to City Planning Staff: ahnna.nanoski@kcmo.org

Re: Ordinance No. 240814-Compliance with Midtown Plaza Area Plan

Dear Committee Members:

I am offering testimony at the request and on behalf of the Plaza Westport Neighborhood Association (PWNA). PWNA is concerned about the negative precedent that is set if the City chooses to override the existing adopted Midtown Plaza Area Plan (MPAP) that was approved by the City Council by Committee Substitute for Resolution No. 150899, as Amended, adopted January 7, 2016. I am an architect and urban planner with 40 years of experience in both the public and private sectors. I served on the City Plan Commission when the Plaza Plan was adopted in 1989. I was the Assistant Director and Director of the Planning Department for 14 years, responsible for implementing the Plaza Plan, and then served as a Steering Committee member for the update of the plan when it was revised in 2016.

PWNA has asked that I provide testimony on the formation and purpose of the MPAP in the context of the rezoning of 4438-4450 Washington, particularly as to the land uses and heights to preserve the Plaza Bowl Concept in the MPAP. As noted in Resolution No. 150899, portions of the Plaza Westport Neighborhood Plan were removed in reliance upon and were replaced by the future land use map and the Plaza Bowl Concept in the MPAP. These recommendations should be relied upon by the Council, as well as the existing residents, but also future developers.

The MPAP is the most detailed of Kansas City's Area Plans due to the historic nature of the Midtown/Plaza area, its neighborhoods and the natural course of new and infill development pressure drawn to it. Both the original plan and the revised MPAP, as you know, was led by City staff and consultants and a Community Steering Committee, consisting of developers, institutions, neighborhoods, businesses and non-profit stakeholders who spent 3 years detailing, negotiating and measuring future impacts of changes and growth for the area with strategies that also protect its original assets and success. ***The main purpose of these plans is to work out challenges and disagreements before any particular project is submitted for zoning approval. It is to solve the problem of having every project that comes before Council becoming a political football and reinventing the wheel on serious issues that have already been negotiated among all stakeholders before any specific project raises those***

same issues for a particular proposal. They do not slow down or discourage development. During the 35 years the original Plaza Plan was in use, the City approved hundreds of millions of dollars in new construction. An ability to rely upon the MPAP protects the investment of all in our community.

These plans are the primary tool neighborhoods have to weigh in on redevelopment proposals. Developers, residents and the City *all* rely on these plans for guiding positive growth in an efficient manner. Every property owner has the right to request a rezoning. But Missouri law requires that zoning decisions follow a city's comprehensive plan. The 19 area plans and their future land use maps are part of the comprehensive plan. Ignoring that without a specific plan for the site will set a precedent for other susceptible blocks in this neighborhood.

For this site, the decision was reached that the future land use and height should be:

- MPAP recommended land use is "high density residential". See pages 42 and 43 of the MPAP.
- That term is defined on page 28 of the MPAP as:
Intended for single-family, townhome, two-unit houses, multi-unit houses, multiplexes, and multi-unit buildings up to **29 units to the acre**. This land use classification **generally corresponds with the "R-1.5" zoning category within the zoning ordinance.**
- For this .39 of an acre site, that would allow 11 units. With the ratio of 750 square feet per unit applicable to R-0.75, the developer could increase the density even more to 23 units as a matter of right if this rezoning is granted.
- The existing zoning R-1.5 district has a maximum height of 45 feet. That is also consistent with the MPAP Bowl Concept. See MPAP, page 45. If the zoning district is changed to R-0.75 the maximum height could be 60 feet inconsistent with the MPAP.

The Zoning Code's revised stipulation that a rezoning can be approved without knowing what the project plan is has been a serious problem since it was enacted. That puts the City Council in a precarious position when the actual project ends up being a negative, incompatible or poorly designed use for the context in which it is built.

This application to rezone from R-1.5 to R-.75 is sufficiently inconsistent with the recommendations of the MPAP that it is defensible for the Council to reject this rezoning application. However, PWNA has been willing to compromise and if the Committee wants to find a solution in between denying the rezoning and approving a blank slate that is clearly too tall and too big in scale (as per reasons outlined in the MPAP), then the city should consider the best way to specify conditions or an agreement with the developer that the project plan will be submitted again to the Council Committee before final approval.

Respectfully,



Vicki L. Noteis, AIA, President

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