

Ordinance #

# CD-CPC-2023-00114,9

**Location:** 3244 Paseo Blvd

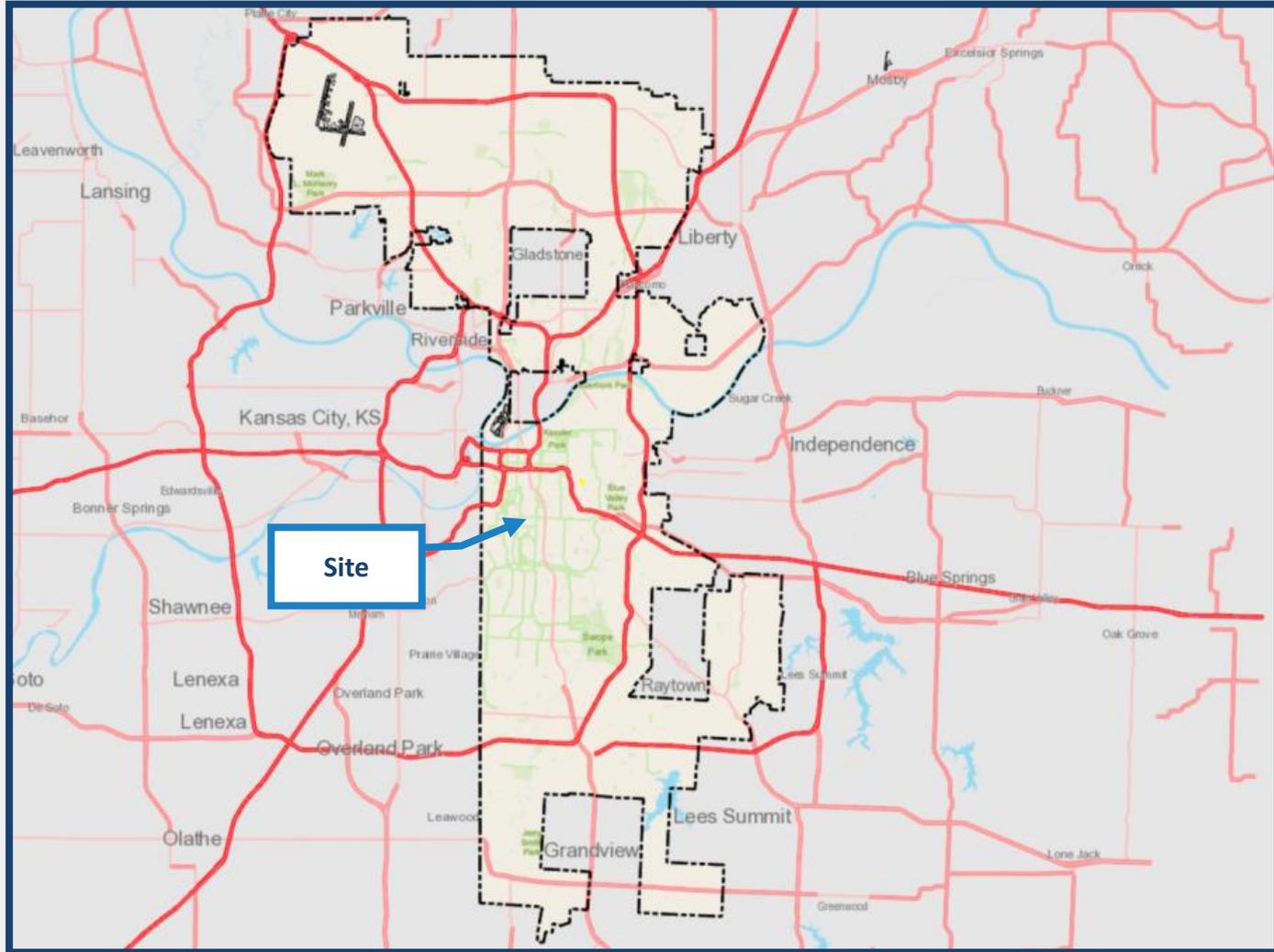
**Zoning District:** R-.05

**Proposed Zoning:** B1-1

**Summary:** The applicant is seeking to rezoning the subject site, with associated area plan amendment, to qualify for a Short Term Rental permit.



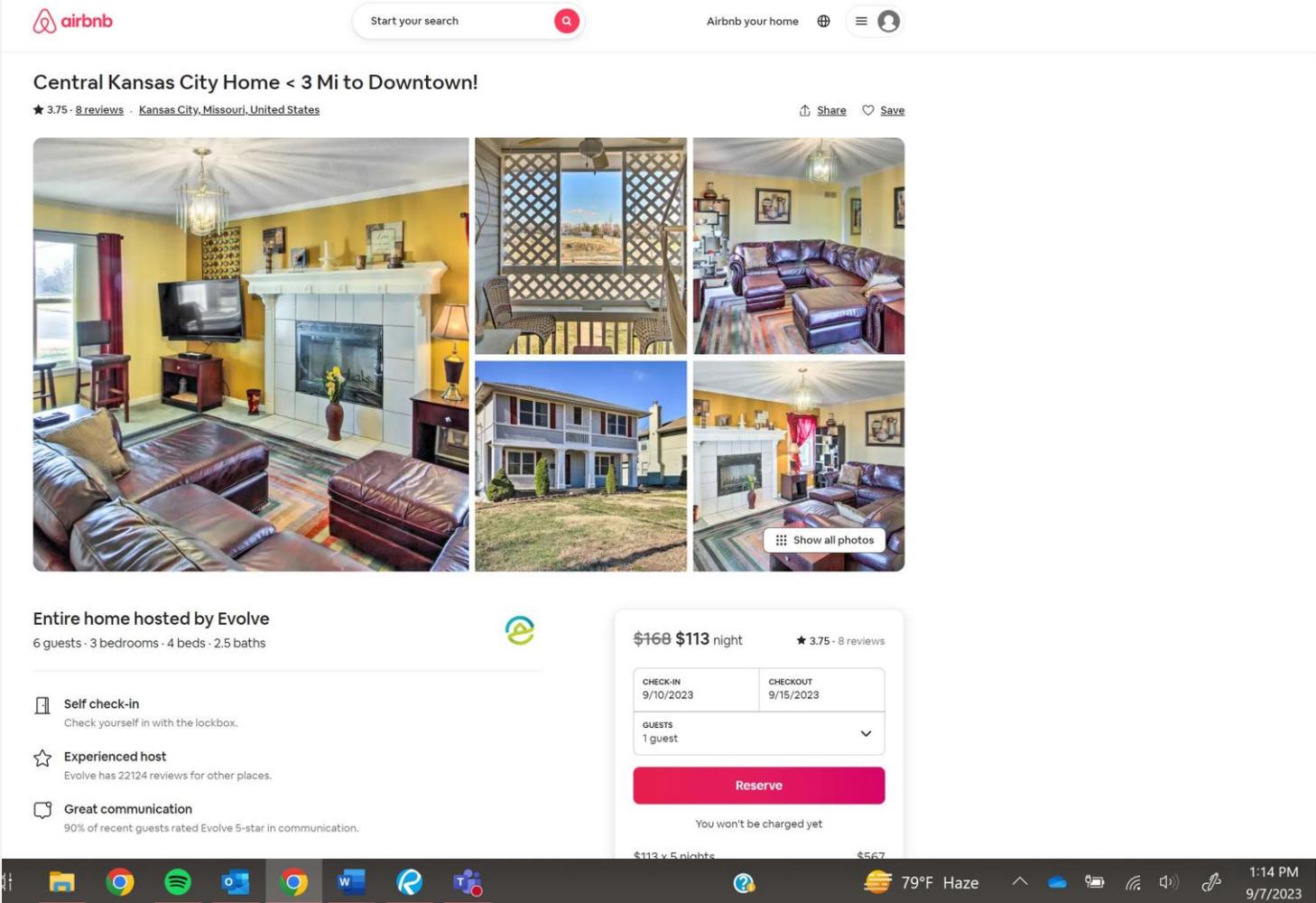
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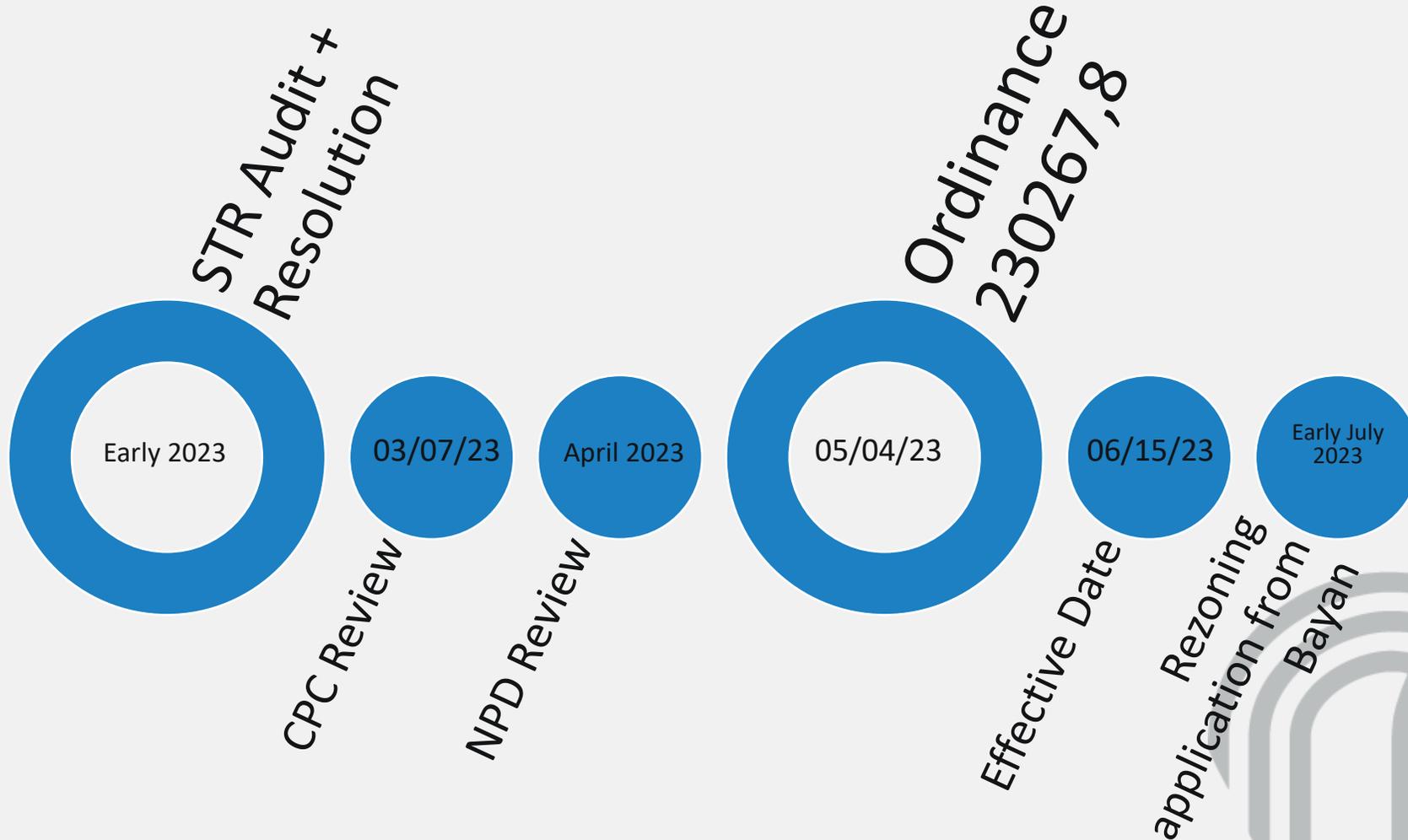


The screenshot shows an Airbnb listing for a home in Central Kansas City. The listing title is "Central Kansas City Home < 3 Mi to Downtown!". It has a rating of 3.75 stars from 8 reviews and is located in Kansas City, Missouri, United States. The listing features several photos: a living room with a fireplace and leather sofa, a dining area with a lattice screen, a view of the house exterior, and another view of the living room. The listing is hosted by Evolve, an experienced host with 22,124 reviews. The listing details include: "Entire home hosted by Evolve", "6 guests · 3 bedrooms · 4 beds · 2.5 baths", "Self check-in", "Experienced host", and "Great communication". The price is \$168 per night, with a total of \$113 per night. The listing is available for reservation from 9/10/2023 to 9/15/2023 for 1 guest. A "Reserve" button is visible. The bottom of the screenshot shows a Windows taskbar with various icons and the system tray displaying "79°F Haze" and "1:14 PM 9/7/2023".

Currently operating illegally (advertising without a Short Term Rental Permit)



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	R-	B-	M1-	D-
STR, nonresident**	<b>Prohibited</b>	Permitted*	Permitted*	Permitted*
STR, resident **	Permitted	Permitted	Permitted	Permitted
	* 1,000 ft from another STR			
	** Other rules and regulations in Chapter 56			



# CD-CPC-2023-00114,9

## 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:

- A.** conformance with adopted plans and planning policies;
- B.** zoning and use of nearby property;
- C.** physical character of the area in which the subject property is located;
- ~~**D.** whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;~~
- E.** suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;
- ~~**F.** length of time the subject property has remained vacant as zoned;~~
- G.** the extent to which approving the rezoning will detrimentally affect nearby properties; and
- 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.

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## 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:

- A.** conformance with adopted plans and planning policies.
  - Associated Area Plan Amendment = Residential High to Mixed Use Neighborhood, Midtown/Plaza Area Plan.
  - B- zoning would permit commercial uses for example hospitals, animal grooming, restaurants, small entertainment venues, and pawn shops by right. Residential housing is the predominant land use in the surrounding area.

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## 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:

- B.** zoning and use of nearby property.
  - There are no properties zoned B- nearby.



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## 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:

- G.** the extent to which approving the rezoning will detrimentally affect nearby properties.
  - The rules and regulation change regarding Short Term Rentals was initiated because of property owners complaining about the effects Short Term Rentals have on residential neighborhoods.
  - The City Council made a conscious choice to restrict new Short Term Rental permits to non-residential zoning districts, with a density requirement.



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## 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:

- 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.
- Rezoning the property to B- designates the site commercial in perpetuity (until another rezoning occurs) = detriment long-term.
  - Rezoning conflicts with the intent behind the policy decision made by the City Council.
  - Lack of a STR permit does not strip the property of all value.

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## City Staff Recommendation

**CD-CPC-2023-00119 (Area Plan Amendment)  
DENIAL**

**CD-CPC-2023-00114 (Rezoning)  
DENIAL**

## City Plan Commission Recommendation

**CD-CPC-2023-00119 (Area Plan Amendment)  
DENIAL**

**CD-CPC-2023-00114 (Rezoning)  
DENIAL**

