



City Council – Neighborhood Planning & Development Committee

September 23, 2020

1:30pm





CD-CPC-2019-00235, 00176, and 00209

Project Name: 2303 Cleveland Ave Gas Station and Retail Building

Case Number(s): CD-CPC-2019-00235 Area Plan Amendment
CD-CPC-2019-00176 Rezoning (R-2.5 to B2-2)
CD-CPC-2019-00209 Development Plan

Location: 2303 Cleveland Ave.

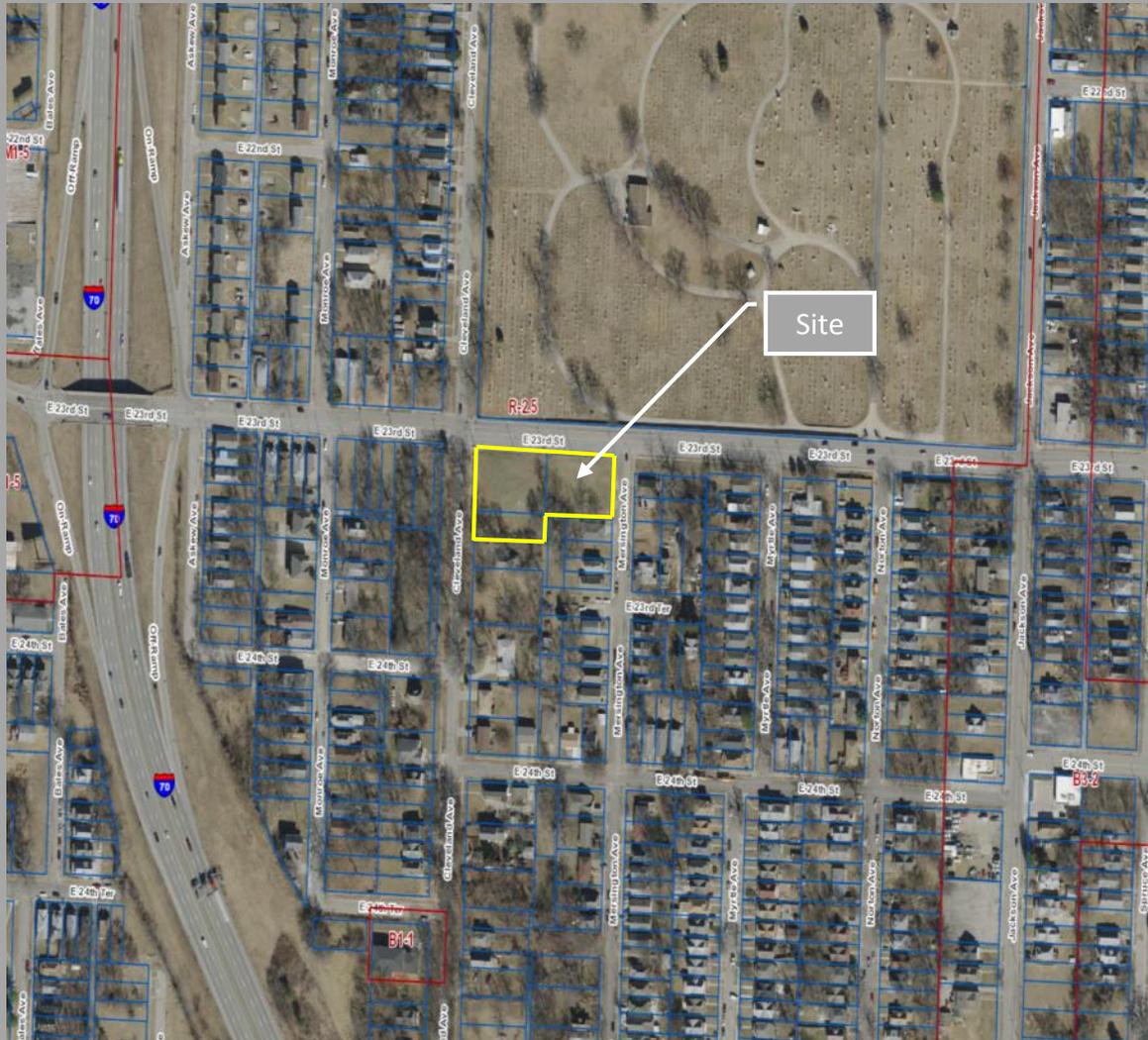
Existing Zoning: R-2.5

Summary: The applicant is proposing three companion cases in order to construct 3,700 sq. ft. convenience store with 8 fuel pumps and a 3,800 sq. ft. multi-tenant retail building.





CD-CPC-2019-00235, 00176, and 00209



Docket#6.1, 6.2, and 6.3





CD-CPC-2019-00235, 00176, and 00209

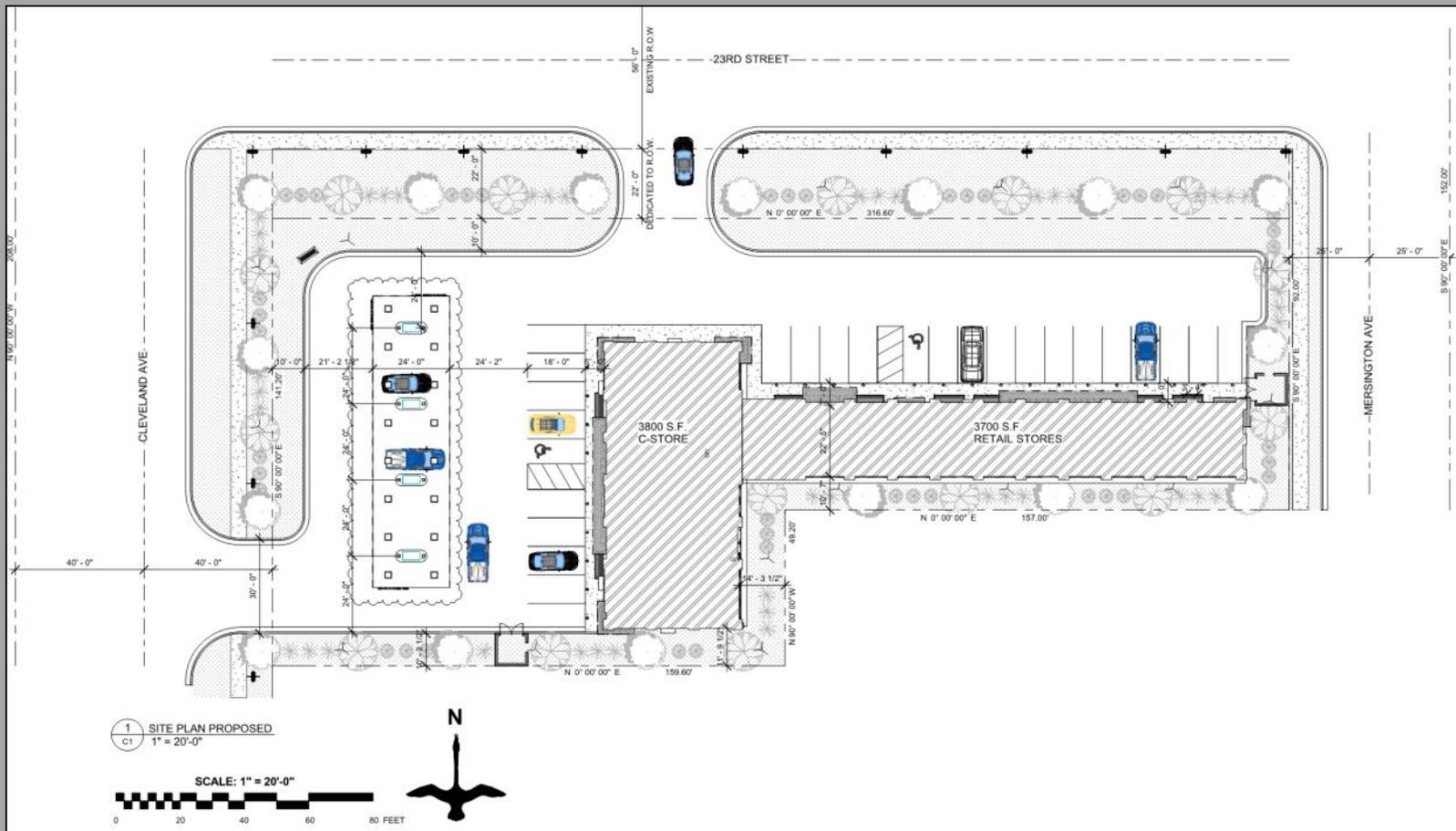
Key Topics:

- The existing property is zoned R-2.5 as well as all of the surrounding properties.
- The Truman Plaza Area Plan recommends residential land uses corresponding to Districts R-6, R-7.5, or R-10, causing the need for the area plan amendment.
- Staff finds the proposed zoning to be a classic example of spot zoning.





CD-CPC-2019-00235, 00176, and 00209



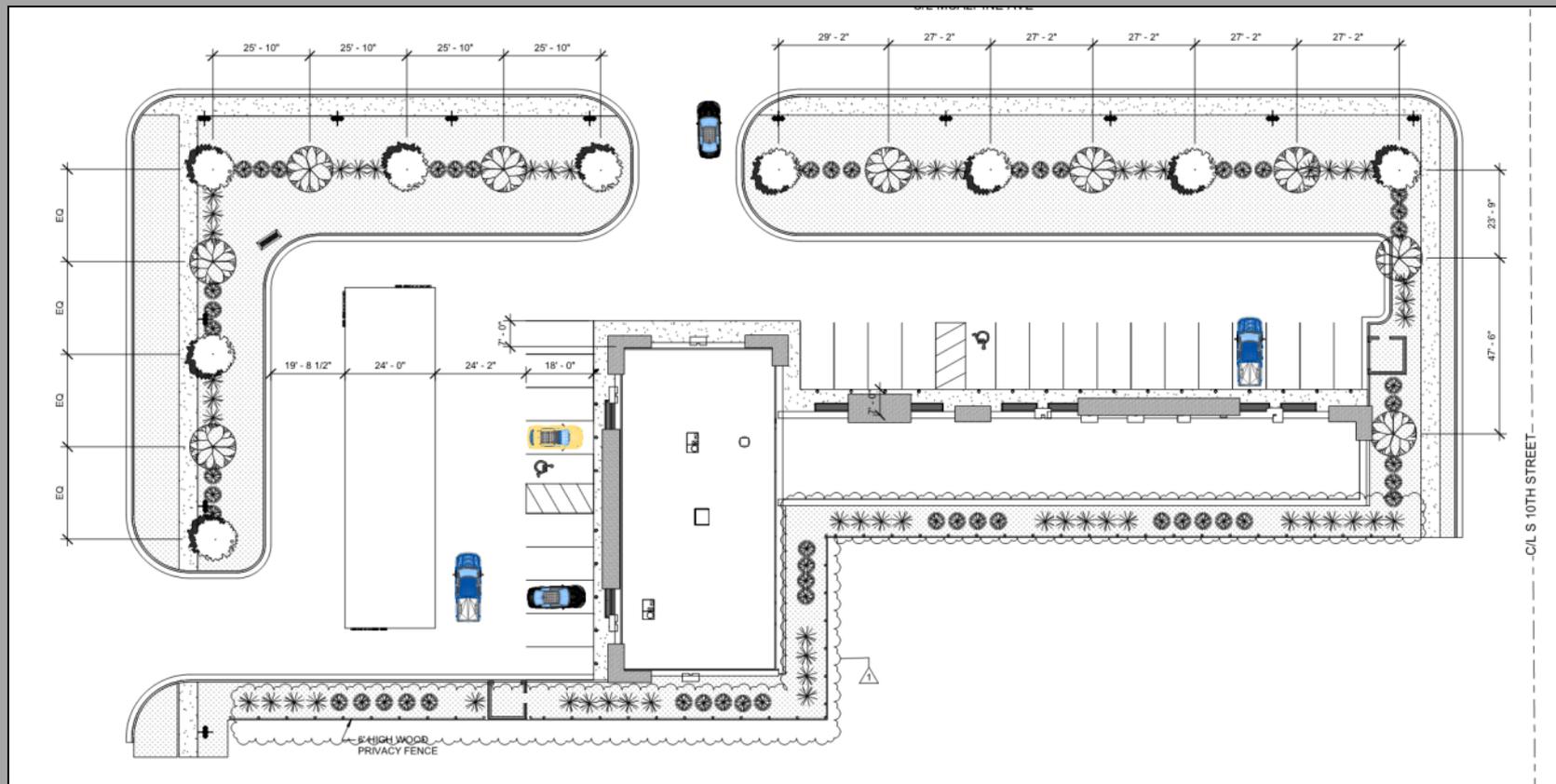
Site Plan (revised)

Resolution No. 200789 and Ordinance No. 200790





CD-CPC-2019-00235, 00176, and 00209



Landscaping Plan (revised)

Resolution No. 200789 and Ordinance No. 200790





CD-CPC-2019-00235, 00176, and 00209



Building Elevations (revised)

Resolution No. 200789 and Ordinance No. 200790





CD-CPC-2019-00235, 00176, and 00209



Building Elevations (revised)





CD-CPC-2019-00235, 00176, and 00209



Building Rendering (revised)

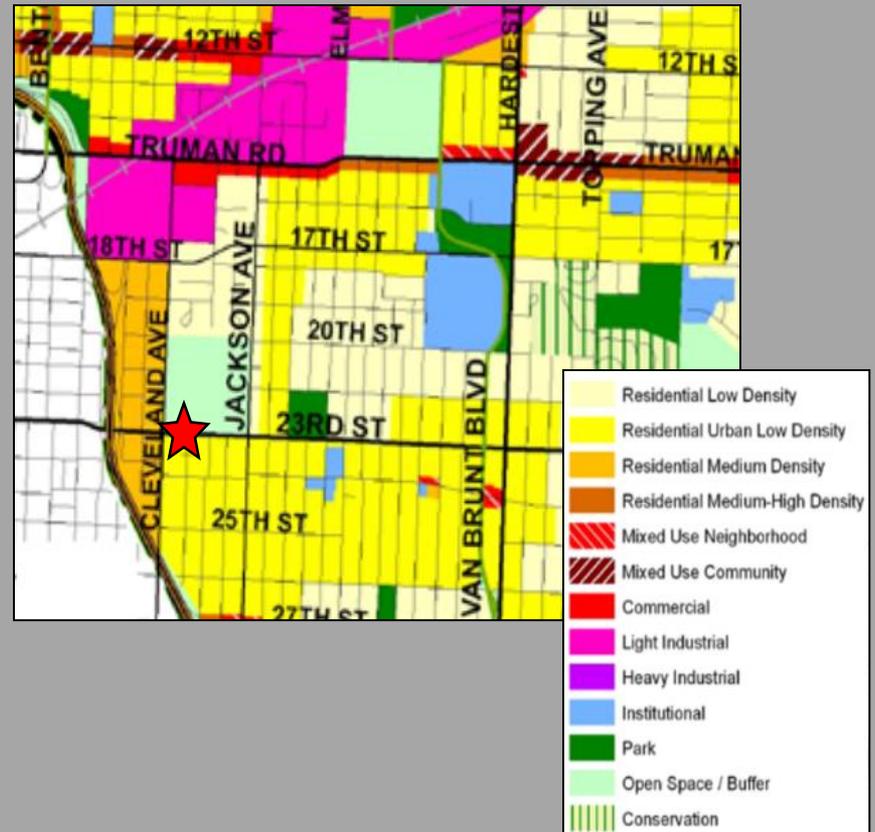




CD-CPC-2019-00235, 00176, and 00209

Area Plan Analysis

The proposed rezoning is in direct opposition to the recommended land use of the Truman Plaza Area Plan. The Area Plan recommends "Residential Urban Low" and the proposed rezoning and companion cases are for reasonably intensive commercial uses. Staff uses area plans as guidance for future development. Occasionally staff may support an area plan amendment where the existing uses or surrounding uses are similar in scale and intensity to the proposed amendment. Here the surrounding uses and lots are cohesively single-family or small multi-family uses. There is no existing or nearby commercial uses to be able to support this notable change in land use.



Truman Plaza Area Plan

Resolution No. 200789 and Ordinance No. 200790





CD-CPC-2019-00235, 00176, and 00209

Reply Reply All Forward

Mon 5/4/2020 2:39 PM

 Jimmie Rose <jrose198@att.net>
Rezoning 23rd and Cleveland

To Hughey, Christopher

 You replied to this message on 5/4/2020 3:01 PM.

EXTERNAL: This email originated from outside the kcmo.org organization. Use caution and examine the sender address before replying or clicking links.

As the plan now stands i am apposed. Too close to a property i own @ 2312 Mersington.
Jim Rose, Owner
Metropolitan Investment Properties

Letter of Opposition (email)

Resolution No. 200789 and Ordinance No. 200790





CD-CPC-2020-00024, 00020, and 00023

Staff Recommendation:

Staff recommends denial of all three applications.

CPC Recommendation:

At the September 1st City Plan Commission public hearing the Commission recommended denial of all three applications.

(Note, should the Council recommend approval of these applications staff has included corrections and conditions for this motion.)





Applicant Presentation



City Plan
Commission
June 2, 2020

Greenwood Missionary
Baptist Church
(2303 Cleveland Avenue)

CD-CPC-2019-000235 (Area Plan Amendment)
CD-CPC-2019-000176 (Rezoning)
CD-CPC-2019-000209 (Development Plan)

SUMMARY OF REQUEST

- Item 3.1: CD-CPC-2019-000235. A request to approve an Area Plan Amendment to the Truman Plaza Area Plan from Residential – Urban Low to Commercial.
- Item 3.2: CD-CPC-2019-000176. A request to approve a Rezoning from R-2.5 (Residential 2.5) to B2-2 (Neighborhood Business 2.2).
- Item 3.3: CD-CPC-2019-000209. A request to approve a Development Plan for a gas station, convenience store, and multi-tenant retail buildings.

My Map



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0 150 300 Feet

Printed Date: 5/27/2020

North from 23rd & Cleveland



West from Intersection of 23rd and Cleveland



Due South from 23rd and Cleveland



Due West from Cleveland (Illustrates Illegal Dumping and Forested Area)



Due South of Subject Site (Williams)



Due East on Subject Site from Cleveland



View from Other Side of 23rd Street Looking South



View from Other Side of 23rd Street Looking South (Eastern Edge)



View Southeast from Other Side of 23rd Street (Both sides of Mersington)



View Southwest from 23rd and Mersington



Two Affected Properties at 23rd Terrace and Mersington



24th and Cleveland Headed West



24th and Cleveland Headed West



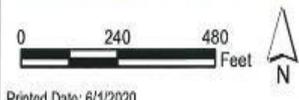
24th and Monroe



My Map



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Property Account Summary

Links: [Segregation/Merge Data](#) [Where are my tax dollars going?](#)

Parcel Number	31-430-10-24-00-0-00-000	Property Address	2601 SWOPE PKWY , KANSAS CITY, MO 64130
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General Information

Property Description	JAMAL CROSSING---LOT 1
Property Category	Land and Improvements
Status	Active, Host Other Property, Locally Assessed
Tax Code Area	001

Property Characteristics

Property Class	2010
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Parties

Role	Percent	Name	Address
Taxpayer	100	JAMAL FARRUKH & MOONA N	18023 MELROSE DR, BUCYRUS, KS 66013
Owner	100	JAMAL FARRUKH & MOONA N	18023 MELROSE DR, BUCYRUS, KS 66013

Property Values

Value Type	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017	Tax Year 2016
Market Value Total	715,415	715,415	622,100	622,100	598,200
Taxable Value Total	228,933	228,933	199,072	199,072	191,424
Assessed Value Total	228,933	228,933	199,072	199,072	191,424

Events

Effective Date	Entry Date-Time	Type	Remarks
04/07/2015	04/07/2015 15:16	Created by Seg/Merge	Created by Seg/Merge 020905, Effective: 04/07/2015 by shelpau

No Charges are currently due.

No Charge Amounts are currently due for this property. If you believe this is incorrect, please contact the Taxpayer Services Unit at (816) 881-3232.

NOTICE: Telephones are staffed during regular business hours (8am to 5pm, Monday through Friday, excluding holidays observed by Jackson County).

Distribution of Current Taxes

District	Amount
BOARD OF DISABLED SERVICES	141.940000
CITY - KANSAS CITY	3,653.770000
JACKSON COUNTY	1,398.780000
KANSAS CITY LIBRARY	1,292.100000
KANSAS CITY SCHOOL #33	11,354.850000
MENTAL HEALTH	230.760000
METRO JUNIOR COLLEGE	468.630000
STATE BLIND PENSION	68.680000
REPLACEMENT TAX	3,289.770000

Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
12/30/2019 00:00	11801010	21,899.28	21,899.28	21,899.28	0.00
12/14/2018 13:19	11095208	19,374.88	19,374.88	19,374.88	0.00
01/02/2018 00:00	10683061	18,706.79	18,706.79	18,706.79	0.00
03/14/2017 09:04	10201152	1,764.39	1,764.39	1,764.39	0.00
02/01/2017 09:42	10167232	18,073.87	19,812.58	18,073.87	0.00
12/01/2015 02:27	9221452	15,651.88	27,704.89	27,704.89	0.00

[Printable Version](#)

REMINDER: This application is for research purposes only and cannot be used to pay taxes. To pay your taxes, [Click here](#). Occasionally, the parcel number for a real estate parcel changes, due to a parcel segregation or merge. In such a case, a search of the new parcel number may not reflect tax delinquency or a full tax history concerning that parcel. You may wish to contact us to obtain that information. Or, you may wish to search all relevant parcel numbers of parcels involved in such a segregation or merge. [Click here](#) to begin a search on this website to see if a parcel was involved in a segregation or merge occurring within the past five years and to see a list of parent parcel(s) and child parcel(s) involved. **NOTE:** Information concerning a segregation or merge occurring more than five years prior to the search is not available on this website.



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Property Account Summary

Links: [Segregation/Merge Data](#) [Where are my tax dollars going?](#)

Parcel Number	28-440-04-02-00-0-00-000	Property Address	2303 CLEVELAND AVE , KANSAS CITY, MO 64127
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General Information

Property Description	PARIS PLACE E 159.92' OF LT 1 PARI S PL W 1.5 FT OF LT 6 MERSINGTON HGTS RES N 27' OF E 159.92' OF LT 2 S 23' OF E 159.92' OF LT 2 (EX N 11' IN ST)
Property Category	Land and Improvements
Status	Active, Delinquency, Locally Assessed
Tax Code Area	001

Property Characteristics

Property Class	2000
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Parties

Role	Percent	Name	Address
Taxpayer	100	GREENWOOD MISSIONARY BAPTIST CHURCH	C/O % GREENWOOD BAPTIST CHURCH, PO BOX 9958, KANSAS CITY, MO 64134
Owner	100	GREENWOOD MISSIONARY BAPTIST CHURCH	C/O % GREENWOOD BAPTIST CHURCH, PO BOX 9958, KANSAS CITY, MO 64134

Property Values

Value Type	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017	Tax Year 2016
Market Value Total	22,500	22,500	14,994	14,994	11,534
Taxable Value Total	7,200	7,200	4,798	4,798	3,691
Assessed Value Total	7,200	7,200	4,798	4,798	3,691

The tax balance calculator is not available.

This Parcel is in Delinquency/Bankruptcy and taxes can not be paid online.

Distribution of Current Taxes	
District	Amount
BOARD OF DISABLED SERVICES	4.460000
CITY - KANSAS CITY	114.910000
JACKSON COUNTY	43.990000
KANSAS CITY LIBRARY	40.640000
KANSAS CITY SCHOOL #33	357.110000
MENTAL HEALTH	7.260000
METRO JUNIOR COLLEGE	14.740000
STATE BLIND PENSION	2.160000
JACKSON COUNTY	49.940000
REPLACEMENT TAX	103.460000

Receipts					
Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
12/05/2016 12:36	9808028	348.50	348.50	348.50	0.00
11/17/2016 12:27	9739667	437.66	469.01	469.01	0.00
01/09/2015 15:37	9030824	383.01	383.01	383.01	0.00

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REMINDER: This application is for research purposes only and cannot be used to pay taxes. To pay your taxes, [Click here](#). Occasionally, the parcel number for a real estate parcel changes, due to a parcel segregation or merge. In such a case, a search of the new parcel number may not reflect tax delinquency or a full tax history concerning that parcel. You may wish to contact us to obtain that information. Or, you may wish to search all relevant parcel numbers of parcels involved in such a segregation or merge. [Click here](#) to begin a search on this website to see if a parcel was involved in a segregation or merge occurring within the past five years and to see a list of parent parcel(s) and child parcel(s) involved. **NOTE:** Information concerning a segregation or merge occurring more than five years prior to the search is not available on this website.

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THANK YOU!



Transition Slide





CD-CPC-2020-00122

Project Name: Project Rhino

Case Number(s): CD-CPC-2020-00122 Development Plan with Preliminary Plat

Location: 3301 E 147th St.

Existing Zoning: M1-5

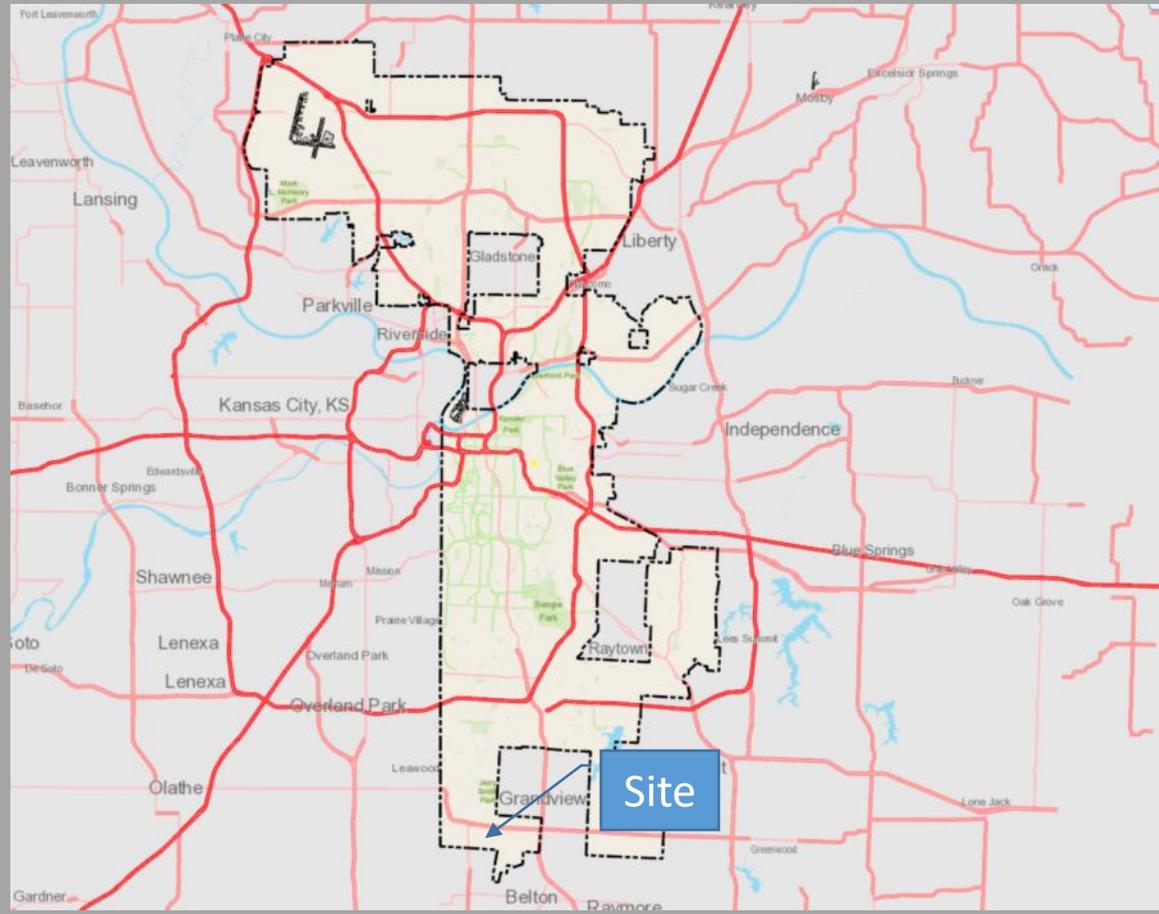
Summary: Applicant is proposing a 297,600 sq ft warehouse and distribution facility located in the I-49 Industrial Facility (formerly called the CenterPoint Intermodal Facility) which requires approval of the above-referenced request.

Public Engagement Meeting: August 20, 2020



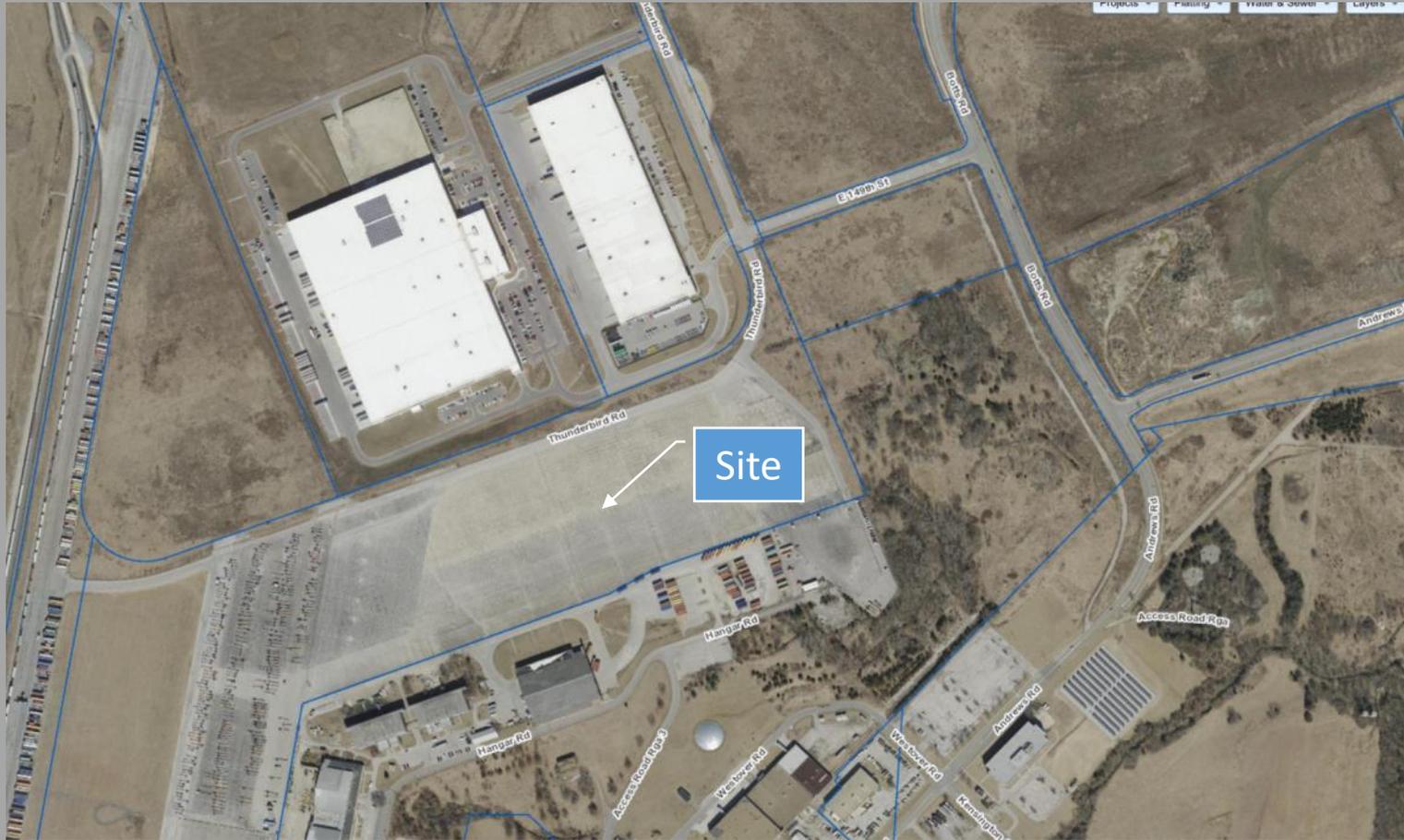


CD-CPC-2020-00122





CD-CPC-2020-00122





CD-CPC-2020-00122

KEY POINTS

- The proposed development consists of one single-story warehouse and distribution building of over 297,600 sq ft including a lay-down yard/outdoor storage to the north of the proposed building and rail spurs connecting to the KC Southern rail lines to the west.
- The site is currently “land-locked” with no direct access to a public roadway. The applicant is proposing a Preliminary Plat to grant necessary deviations and waivers as part of the Development Plan application.
- The Martin City Area Plan recommends Industrial land uses. The request conforms to this recommendation.
- Per Section 88-545-03 of the Zoning and Development Code, this Development Plan application shall also serve as the preliminary plat.

PLAN REVIEW

The Development Plan proposes a 297,600 sq ft warehouse and distribution building where a current large surface paved area is located. This area was formerly part of the Richards-Gebaur air field and has been used as part of the staging and shipping area for the current intermodal facility. The building is composed of tilt-up concrete panels with a grey and white blue color scheme. The proposed façade adds architectural breaks in the form of façade off-sets spaced across the building elevations.

The site will also have an outdoor storage/lay-down yard to the north of the proposed building. The proposed outdoor storage will comply with any necessary screening requirements. Additionally, there will be two rail-spurs constructed leading from the existing KC Southern rail line to the west of the site. One spur will terminate at the outdoor storage area and the other will terminate inside the proposed building.





CD-CPC-2020-00122



Building Rendering

Ordinance No. 200816





CD-CPC-2020-00122

Requested Waivers

Lot Access

- **Code:** 88-405-05-B. All lots must have an approved form of access to a public street.
- **Proposed:** The newly created lot for Project Rhino will have access through the Common Area Tract, which is described on the attached updated Preliminary Plat. The Business Park Association will maintain this Tract, in the same way that the two buildings north of Project Rhino access the public street through the established Common Area Tract, including the intersection of 149th and Thunderbird. The remainder of the parcel will continue to be owned and controlled by Kansas City Southern, as part of their larger overall ownership of the ground west of Project Rhino. The current design meets the standards of access for Project Rhino, in the same way the recently developed projects north of this site have utilized.
- **Staff Recommendation:** Staff supports this proposed access to the proposed lots since the parent parcel of land is already land-locked and this will resolve an existing issue for the proposed lots.

To recommend or approve a waiver or modification of subdivision design and improvement standards, the city plan commission and city council must determine that all of the following conditions exist:

88-405-25-C-1. That there are special circumstances or conditions affecting the property;

- The existing parent parcel is already land-locked and does not have direct access to a public roadway.

88-405-25-C-2. That the waiver or modification is necessary for reasonable and acceptable development of the property in question and is not a greater modification or waiver than is required to allow reasonable and acceptable development of the subject property; and

- Without a waiver to the lot access requirements the existing parcel of paved impervious surface likely would not redevelop without substantial removal of existing buildings on adjacent parcels.

88-405-25-C-3. That the granting of the waiver or modification will not be detrimental to the public welfare or injurious to other property in the vicinity in which the subject property is situated.

- There are no foreseen detrimental impacts to the public welfare for the requested waiver. Further, this alternative provides opportunity for future land-locked parcels to redevelop.

Preliminary Plat





CD-CPC-2020-00122

Staff Recommendation:

Staff recommends approval with conditions.

CPC Recommendation:

At the September 1st City Plan Commission public hearing, the Commission recommended approval with conditions.





Applicant Presentation





Transition Slide





CD-CPC-2020-00098

Project Name: 10402 NE Cookingham Dr Rezoning

Case Number(s): CD-CPC-2020-00098

Location: 10402 NE Cookingham Dr.

Existing Zoning: R-7.5, R-2.5, and B2-2

Proposed Zoning: R-80

Summary: Applicant is seeking approval to rezone the existing Evergy electrical substation to R-80.

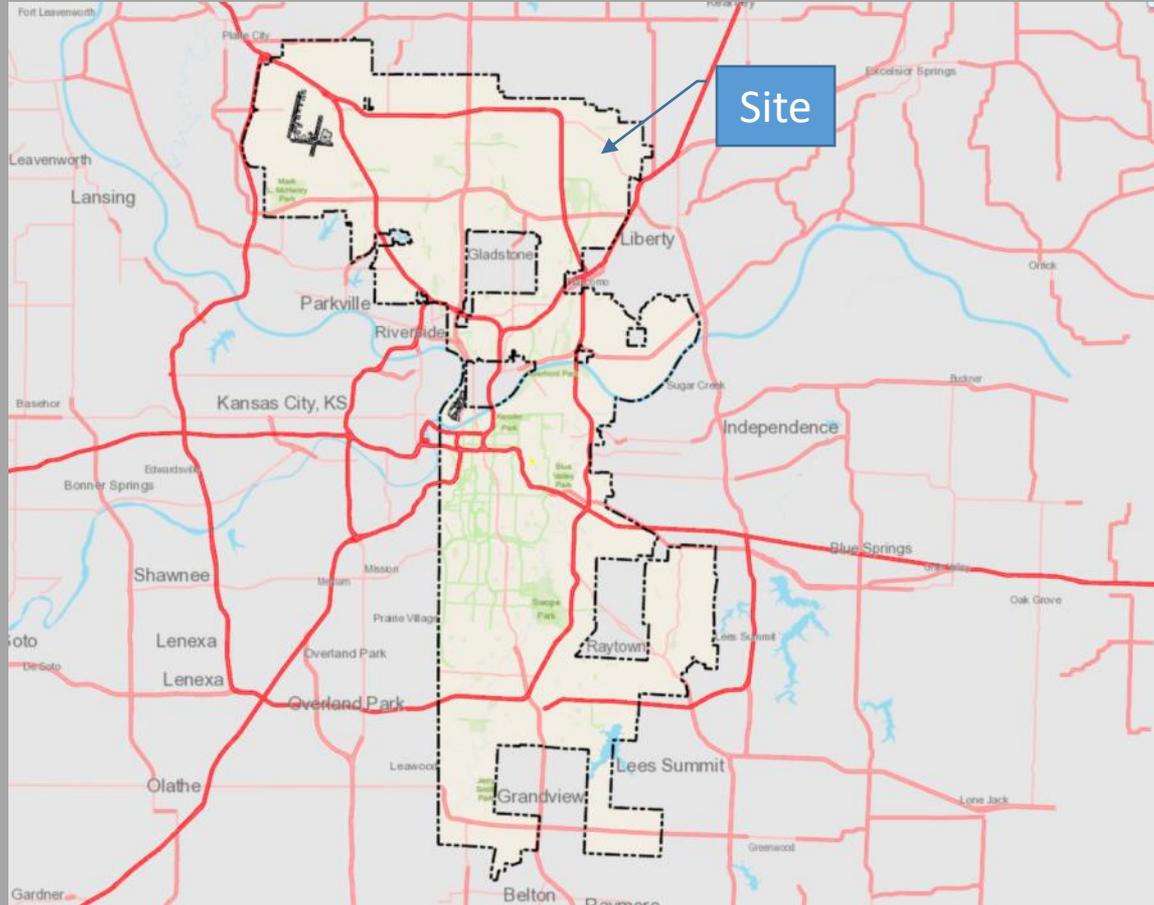
Public Engagement Meeting: July 22nd, 2020

Protests Petition: Validated





CD-CPC-2020-00098





CD-CPC-2020-00098





CD-CPC-2020-00098

KEY POINTS

- The applicant is proposing to rezone 2 parcels of land currently housing an Evergy electrical substation totaling approximately 12.377 acres (6.3 and 6.077 acres respectively) from Districts R-2.5, R-7.5, and B3-2 to District R-80.
- The existing lots do conform to the lot and building standards of the proposed R-80 zoning district.
- The proposed zoning is in keeping with the land use recommendations of the Shoal Creek Valley Area Plan of “Residential Low Density”.
 - The Evergy substation was approved in 1998 as cited in the case history of the staff report.
- The purpose of the rezoning is for a future installation of a monopole telecommunication tower. The tower in and of itself it not being evaluated with this application; that will be a future submittal. The scope of this application is the requested rezoning appropriate for the area.





CD-CPC-2020-00098

PLAN REVIEW

- The purpose of the rezoning is intended to allow the use of a freestanding wireless communication tower, which are only permitted in the R-80 zoning district. Wireless telecommunication freestanding tower is only allowed in one residential zoning district which is R-80. (Section 88-110-03 – Table 110-1)
- The existing “Utilities and Services” use (the Evergy electrical substation) is allowed within any residential zoning district with the approval of a Special Use Permit; which was previously granted in the above cited controlling cases. (Section 88-110-03 – Table 110-1)





CD-CPC-2020-00098

Protest Petitions

- City staff has received several protest petitions for this rezoning application and one letter of opposition. Staff will evaluate these protest petitions to determine if they in fact to meet the 30% land area within 185ft from the site as stated in Section 88-515-09 of the city's Zoning and Development Code (cited below). These petitions and letter have been included as attachments.
- Staff will determine if these petitions meet the necessary proportion prior to City Council consideration. It is important to note; the protest petitions do not have any effect on the City Plan Commissions consideration or voting requirements.

Section 88-515-09 PROTEST PETITIONS

- 88-515-09-A. A formal protest petition opposing a zoning map amendment must be submitted to the city planning and development director before the city council's vote, allowing sufficient time to determine the validity of the petition.
- 88-515-09-B. A protest petition will be considered "valid" if it is notarized and signed by the owners of 30% or more of:
 - the land area included in the proposed amendment; or
 - the total real property within 185 feet of the property that is the subject of the zoning map amendment request.
- 88-515-09-C. In the case of joint ownership, all property owners must sign the petition.
- 88-515-09-D. When a valid protest petition has been submitted, approval of a zoning map amendment requires a 2/3 majority vote of the full membership of the city council.

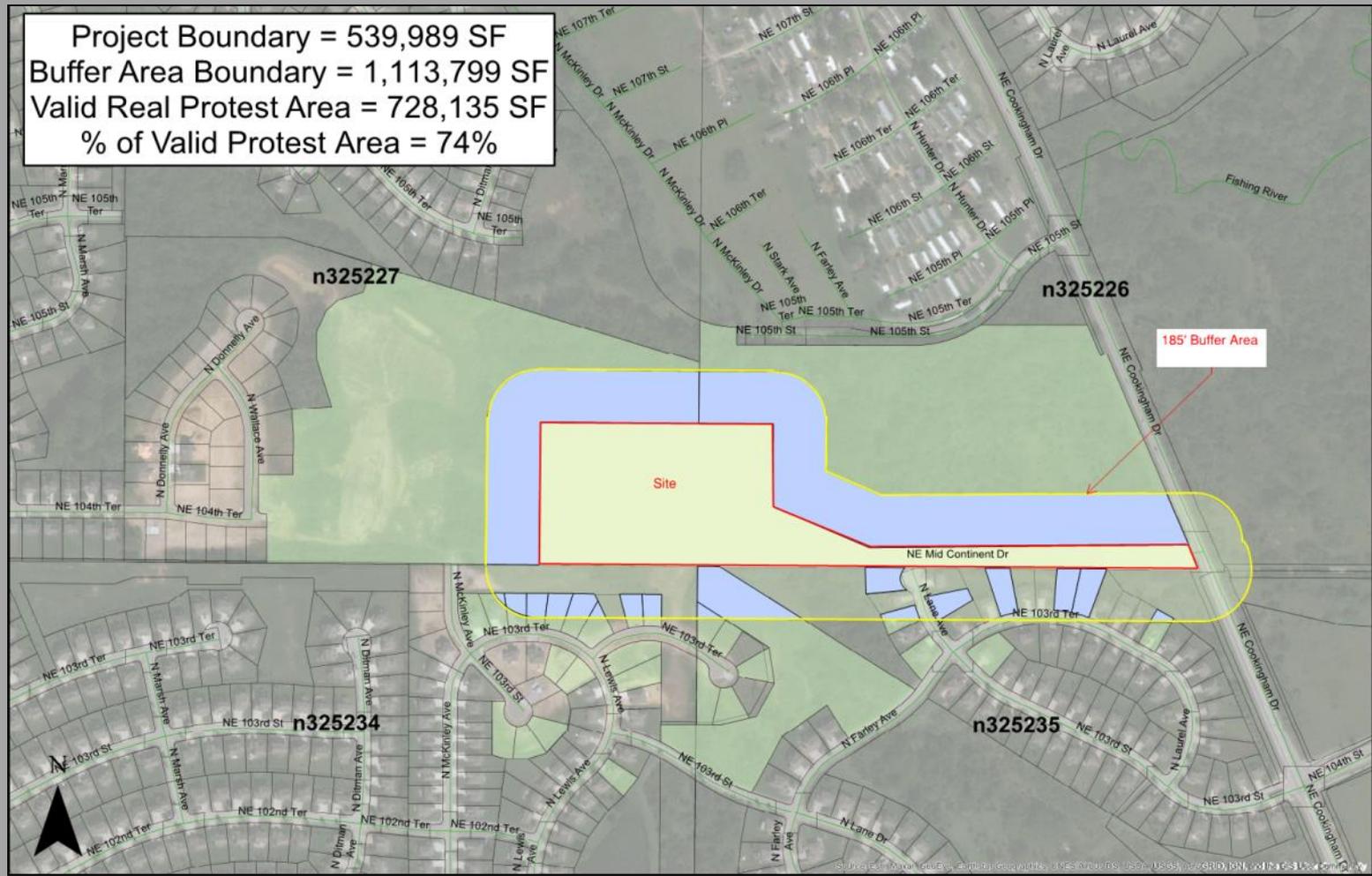




CD-CPC-2020-00098

Protest Petition - Validated

Project Boundary = 539,989 SF
Buffer Area Boundary = 1,113,799 SF
Valid Real Protest Area = 728,135 SF
% of Valid Protest Area = 74%





CD-CPC-2020-00098

Staff Recommendation:

Staff recommends approval.

CPC Recommendation:

At the August 4th City Plan Commission public hearing, the Commission recommended approval.

