

CITY PLAN COMMISSION STAFF REPORT

CD-CPC-2025-00160

Project Name



December 3, 2025

Docket #7

Request

Rezoning

Approval Process



Applicant & Owner

Matt Nichols

Harmony Property Holdings

Site Information

Location	1101 E 5 th Street
Area	0.2 Acres
Zoning	UR
Council District	4th
County	Jackson
School District	Kansas City

Surrounding Land Uses

North: Civic/Public, R-1.5

South: Residential, B3-2

East: Residential, R-1.5

West: Residential, UR & B3-2

KC Spirit Playbook Alignment

CD-CPC-2025-00160: Medium

Land Use Plan

The Greater Downtown Area Plan recommends mixed use neighborhood for this location. The proposed plan has a medium alignment with this designation. See Criteria A for more information.

Major Street Plan

East 5th Street and Troost Avenue is not identified on the Major Street Plan at this location.

Overview

The applicant seeks to gain approval of a rezoning from District UR (Urban Redevelopment) to District B2-2 (Neighborhood Business) on about 0.2 acres generally located at the southeast corner of Troost Avenue and East 5th Street to allow for additional uses.

Existing Conditions

The site is currently developed with one commercial building on the west side of the lot. There is a green space on the east side of the lot surrounded by a wooden fence.

Neighborhood(s)

This site is located within the Columbus Park Community Council.

Required Public Engagement

Section 88-505-12, Public Engagement does apply to this request. The applicant hosted a meeting on November 19, 2025. A meeting summary is attached; see Attachment #3.

Controlling

14543-UR - Approved a rezoning of about 0.2 acres generally located at the southeast corner of East 5th Street and Troost Avenue from District B3-2 to District UR, and approved a development plan for a photography studio, approved by Ordinance No. 150347 on May 27, 2015.

Project Timeline

The application was filed on October 3, 2025. Scheduling deviations have occurred. This case was continued from November 17, 2025, due to the public engagement materials not being submitted by the deadline.

Professional Staff Recommendation

Docket #7 Approval

VICINITY MAP



PLAN REVIEW

The applicant is requesting to rezone approximately 0.2 acres from District UR (Urban Redevelopment) to District B2-2 (Neighborhood Business). The rezoning request does not require an accompanying development plan, although additional entitlement may be required for the proposed use of an entertainment venue, such as a variance from the Board of Zoning Adjustment for the required parking. Approval of the rezoning would expand the uses allowed on the site to those allowed in the B2-2 Zoning District. The current UR Plan only allows this property to be used as a photography studio, approved in 2015 by the City Council. The applicant would like to continue using the site for a photography studio and a small entertainment venue. The property owner is currently operating an entertainment venue that hosts events like small weddings, graduation parties, etc. The property currently has a zoning violation for doing operating the entertainment venue (ZDC-2025-1104). This rezoning has been made to bring the site into compliance. This proposed rezoning would allow for flexibility of the uses, removing the restrictions of the current UR Plan.

SPECIFIC REVIEW CRITERIA

Rezonings, Zoning and Development Code Map Amendments (88-515-08)

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.

The Midtown/Plaza Area Plan recommends future land use of Mixed Use Neighborhood at this location, which corresponds with the B3-2 zoning district. No area plan amendment required for this rezoning proposal.

"The applicant wishes to rezone, without a plan, from a UR Zoning to the B2 Zoning to continue operating a photography studio and small event space. While the mixed-use neighborhood future land use typically corresponds with the B1 Zoning, B2 is appropriate as it provides a transition between the neighboring B3 Zoning District to the west and the R-1.5 Zoning District to the east. No changes are being made to building, access, or landscaping."
- Luke Ranker, 4th District Planner, Community Planning Division

B. Zoning and use of nearby property.

The properties to the north and east are all zoned R-1.5 and consist of residential and public/civic uses. Properties to the south and west are all zoned B3-2 with the except of one parcel zoned UR (Urban Redevelopment).

C. Physical character of the area in which the subject property is located.

The subject site is located within the Columbus Park Neighborhood, which has a wide variety of housing options, retail and eating and drinking establishments. The subject site's physical character is compatible with the surrounding buildings.

D. Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment.

There is existing public infrastructure serving the site. Utilities and infrastructure will be brought to current city standard if future development is proposed.

E. Suitability of the subject property for the use to which it has been restricted under the existing zoning regulations.

The current UR Plan restricts the site to only one use, a photography studio. The applicant is currently operating a small entertainment venue on site, which is prohibited under the current zoning. The proposed rezoning will change the zoning to B2-2 which will allow for a variety of uses, such as entertainment venue, tavern or nightclub, retail sales, artisan manufacturing, etc. The surrounding properties are primarily residential; the proposed use will have to take into consideration noise and any factors that contribute to a disruption the neighborhood.

F. Length of time the subject property has remained vacant as zoned.

The photography studio has been on the parcel since 2015. Prior to that, it was the former site of a gas station.

G. The extent to which approving the rezoning will detrimentally affect nearby properties.

The rezoning is not expected to detrimentally affect nearby properties. However, the proposed use of an entertainment venue does raise concerns due to the amount of parking needed and the proximity to residential. Staff has suggested that the applicant seek alternative compliance parking plans to reduce the amount of on-street parking. The neighborhood has voiced concerns regarding noise and hours of operation of the small event space. Although there are concerns with some of the uses that would be allowed in B2, Columbus Park is a dense neighborhood with a mix of uses but there is a balance between providing services and active uses that could lead to a decline to the quiet enjoyment of a residential neighborhood.

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.

A denial of the application will not provide any gain for public health, safety and welfare as the existing UR plan would restrict the property to one use. If the use remains solely a photography studio, then a rezoning would not be required. The current zoning imposes a hardship on the property owner with only one use being allowed at the site. If the rezoning is denied, the entertainment venue would need to stop operating.

ATTACHMENTS

1. Applicant's Submittal
2. Public Engagement Materials
3. KC Spirit Alignment
4. Public Testimony

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends APPROVAL.

Respectfully submitted,



Justin Smith

Planner

Rezoning Exhibit (UR to B2-2)



CP Public Engagement - The Don Bosco Center
11/19/2025 from 6:30-7:30PM

Meeting Summary:

Approx 50 people were in attendance at the Don Bosco Center at 6:30PM. I presented my request to rezone my property from UR to B1 and took questions from the attendees. There was a lot of back and forth and passionate questions asking about why the rezoning request, the usage of the space, inquiries as to type of events I plan to host and what the numbers in attendance would be. I also informed them the city had contacted me originally and asked me to rezone it prior to my UR expiring in 2026. I agreed to start the process back in the summer / fall 2025 and was encouraged it would be a simple transition to do so.

I was asked why I am choosing to do a B2 vs a B1 and I told them that was what the city recommended of the property usage as a better fit. They were concerned about what if I sold it and the new owners could put in some other business as a B2 and ruin the neighborhood aesthetic. I told them that I was a long term (lifetime) investor and business owner in the neighborhood and I had no plans to sell or flip the property. I did not build the building from the ground up to flip but instead as a long term investment and place to be an entrepreneur in KC. I cannot control what future owners would plan or answer hypothetical questions that are not based in reality of the situation anymore than they can control who does what with their properties after they sell or move from the neighborhood.

Residents asked what type of events I host they ranged from: Senior Graduations, Maternity and Bridal showers, kids birthday parties, adult birthday celebrations, private dinners, memorials for lost family and friends, small weddings (a few of those per year) and small wedding receptions (more typical) and even podcasts or watch / listening parties.

There were several questions asked and some concerns of up to 149 people coming to the studio for events. I informed them that even though the city B2 zoning was for up to 149 people I wasn't interested in hosting events with that many people and informed them the average event guests ranged between 15-40 people and typically maxed out around 50-65.

In the past I have turned down multiple event inquiries with guest attendance of 100+ and those were for outdoor music concerts styled events or inside "house parties" with that many people and informed those customers it wasn't a good fit for the building or neighborhood. Those are not the type of parties I cater too and there are larger venues in KCMO that can accommodate those numbers of guests and can offer them concert themed events and parties.

The meeting lasted until about 7:15PM and then I packed up and left. I hope they ate all the holiday cookies I took to share. Thank you or your time in reading my rezoning meeting notes. I am available to answer any questions you may have.

November 19th 2025

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Columbus Park Community
Meetings

November 19th 2025

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Columbus Park Community
Meetings

Greater Downtown Area Plan Alignment: **Medium**

KC Spirit Playbook Alignment: **Not applicable for Rezoning Without a Plan**

Staff comments:

The applicant wishes to rezone, without a plan, from a UR to the B2 zoning to continue operating a photography studio and small event space. While the mixed-use neighborhood future land use typically corresponds with the B1 zoning, B2 is appropriate as it provides a transition between the neighboring B3 district to the west and the R-1.5 district to the east. No changes are being made to building, access, or landscaping.

Conditions/Corrections

- The applicant should be mindful of the site's neighborhood context and provide adequate screening from light and sound for events in the backyard.

Dear Kansas City Plan Commission,

We are the Columbus Park Neighborhood Association writing you to oppose the rezoning of the property located at 1101 E 5th St from a UR District to B2 District.

This property is zoned for use as an art studio that has been improperly being used as an event space for years. This has created constant tension with nearby residents who have had to deal with late night noise, lack of street parking, and crowds of people in the otherwise quiet street. Often the events get out of control and people are rowdy or fireworks are set off.

Although the area directly surrounding this property is zoned for a mixture of commercial and residential uses, it is almost used exclusively as a residential area except for this property. Additionally, the directly adjoining properties on the south side and east side of the property are residential and occupied.

We understand the city's policy is to rezone properties that are in the Urban Redevelopment zoning district because they only allow single use. With that in mind, Columbus Park Neighborhood Association would support a switch to the B1 zoning district, which would significantly increase the use options of this property, while still ensuring this property will not be used as an event space. The neighborhood does not support a rezoning to B2 because it will allow for use as an event space and other larger scale businesses that do not fit the characteristics and culture of this area. Additionally, this property has no space on the lot for parking and there is not adequate street parking to support the use of this property as an event space without significantly burdening nearby residents.

For this reason, we ask the Planning Commission to deny this rezoning request and either keep the property zoned as a UR District or rezone this property as a B1 District.