

CITY PLAN COMMISSION STAFF REPORT



CD-CPC-2026-00024

Suzanne Place Rezoning

April 1, 2026

Docket #7

Request

Rezoning

Applicant

Amy Grant
Polsinelli

Owner

Nicolas McFee
MN Commons, LLC.

Site Information

Location 211 NW Barry Rd
Area 3.5 Acres
Zoning B1-1
Council District 2nd
County Clay
School District North Kansas City

Surrounding Land Uses

North: Commercial, B2-2/R-80
South: Residential, R-7.5
East: Commercial, B3-2
West: Commercial, B1-1

KC Spirit Playbook Alignment

CD-CPC-2026-00024: **High**

Land Use Plan

The Gashland/Nashua Area Plan recommends Mixed-Use Neighborhood for this location. The proposed plan has a high alignment with this designation. See Criteria A for more information.

Major Street Plan

Northwest Barry Road is identified as a thoroughfare in this location with six lanes.

Approval Process



Overview

The applicant seeks approval of a rezoning from District B1-1 to B2-1 on about 3.5 acres generally located at the southeast corner of North Broadway and Northwest Barry Road to allow for the establishment of a drive-through.

Existing Conditions

The subject site is currently one platted lot that has been further split into three parcels. Three commercial structures are developed on the three parcels. The two western parcels currently have a multi-tenant space on the south side of the lot. The eastern parcel has a vacant restaurant space.

Neighborhood(s)

This site is not located within a registered neighborhood or homes association.

Required Public Engagement

Section 88-505-12, Public Engagement does apply to this request. The applicant hosted a meeting on March 18, 2026. A meeting summary is attached; see Attachment #3.

Controlling + Related Cases

None

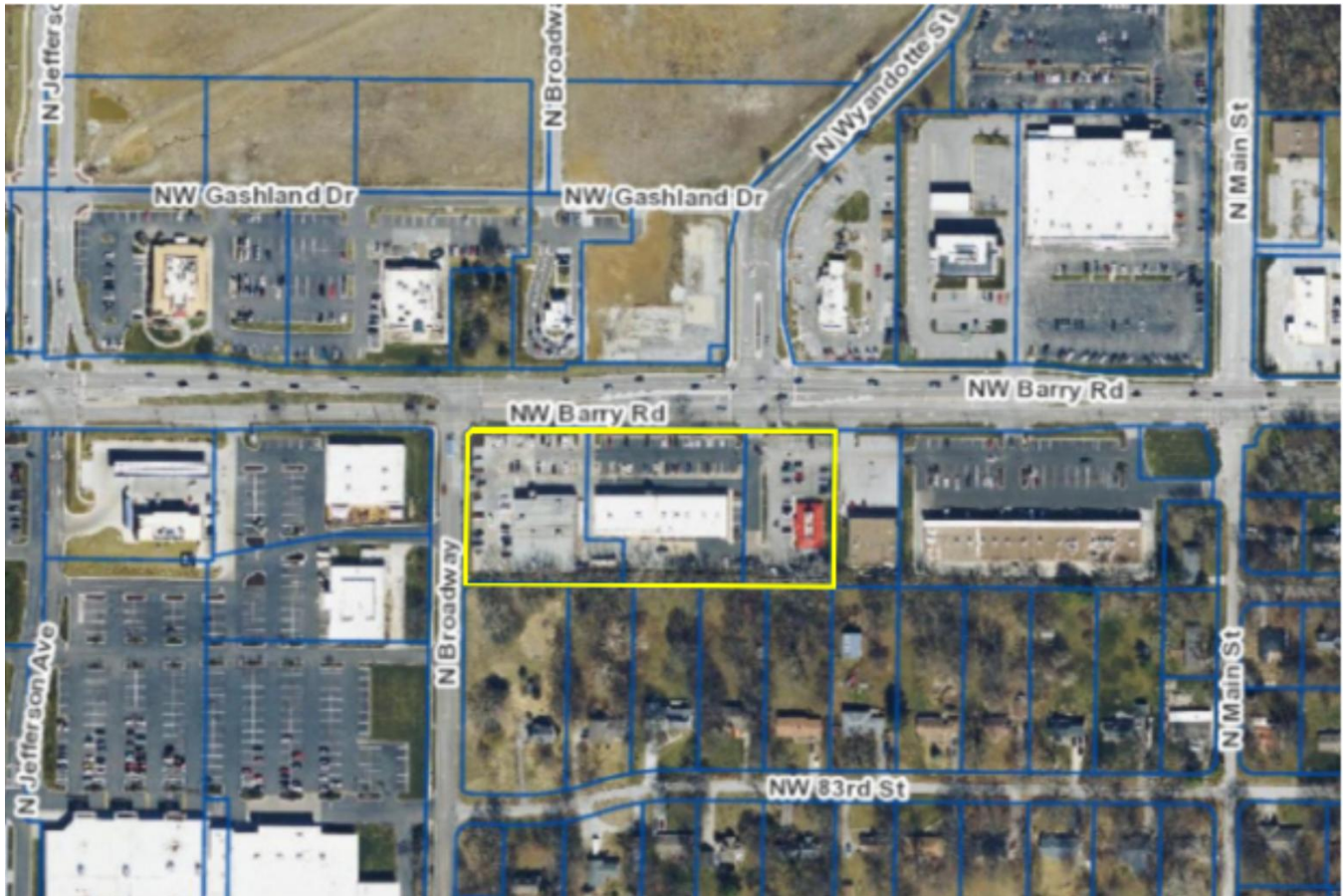
Project Timeline

The application was filed on February 22, 2026. No scheduling deviations have occurred.

Professional Staff Recommendation

Docket #7 Approval

VICINITY MAP



PLAN REVIEW

The applicant is requesting to rezone approximately 3.5 acres from District B1-1 to District B2-1. The subject site is three commercial buildings made across one previously platted lots. The rezoning request does not require an accompanying development plan, special use permit, or area plan amendment. Approval of the rezoning would allow the applicant to establish a drive-through use at the easternmost site, identified as 211 Northwest Barry Road which is first permitted in the B2 Zoning District. The proposal is to demolish the existing building on 211 Northwest Barry Road to construct a drive-through facility.

SPECIFIC REVIEW CRITERIA

Rezoning, 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 Gashland/Nashua Area Plan recommends Mixed Use Neighborhood land use for this location. This proposal is consistent with the future land use plan. No Area Plan Amendment is required.

“The proposed rezoning from District B1-1 to B2-1 is consistent with mixed use future land use designation in the Gashland/Nashua future land use plan. The three subject properties will have more flexibility in their zoning uses while meeting the intent of a mixed-use neighborhood district. There will be minimal impact on the surrounding properties. The permitted and special land uses listed in Chapter 88 are appropriate for the subject sites.” - John Meyers, 2nd District Planner, Community Planning Division

B. Zoning and use of nearby property.

Nearby properties to the east, west and north are zoned with a mix of commercial districts from B1-1, B3-2 and UR (Urban Redevelopment) with the exception of a cemetery, which is zoned R-80. Properties to the south are zoned R-7.5, and are exclusively single-family houses.

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

Properties to the east, west and north consist of suburban commercial uses, large parking lots with commercial tenant spaces and drive-through oriented uses. Adjacent properties to the south consist of single-family houses. The proposed rezoning is not expected to change the physical character of the area as this is an existing commercial building which was previously a restaurant.

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. New development on the properties will have to meet any applicable requirements to connect to existing infrastructure.

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

The subject site is surrounded by automobile-oriented uses. A majority of the establishments along Northwest Barry Road are Drive-through facilities. B1-1 Zoning District prohibit drive-establishments, restricting the subject property for uses that are present on surrounding properties.

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

The subject site has been unoccupied since early 2025. The site is currently listed for sale.

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

The rezoning is not expected to detrimentally affect nearby properties as the site is already a commercial site. New development of the site will be reviewed to ensure that the new use will not affect nearby properties.

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 to the public health, safety, and welfare. Denial of the application would not allow for the establishment of a drive-through facility.

ATTACHMENTS

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

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends APPROVAL as stated in the conditions report.

Respectfully submitted,



Justin Smith

Planner

EXHIBIT A
Legal Description

PARCEL 1:

PART OF LOT 1, SUZANNE PLACE, A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 51 NORTH, RANGE 33 WEST, IN KANSAS CITY, CLAY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, AS PREPARED ON OCTOBER 23, 2025, BY JOHN B. YOUNG, PLS- 2006016647: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00°44'52" WEST ALONG THE EAST LINE OF SAID LOT 1, 259.44 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 89°29'21" WEST ALONG THE SOUTH LINE OF SAID LOT 1, 138.38 FEET; THENCE NORTH 00°44'52" EAST, 258.76 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE SOUTH 89°46'07" EAST ALONG SAID NORTH LINE, 138.38 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

PART OF LOT 1, SUZANNE PLACE, A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 51 NORTH, RANGE 33 WEST, IN KANSAS CITY, CLAY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, AS PREPARED ON OCTOBER 23, 2025, BY JOHN B. YOUNG, PLS- 2006016647: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 89°46'07" WEST ALONG THE NORTH LINE OF SAID LOT 1, 138.38 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°44'52" WEST, 258.76 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 89°29'21" WEST ALONG SAID SOUTH LINE, 199.79 FEET; THENCE NORTH 00°54'08" EAST, 73.55 FEET; THENCE NORTH 89°29'21" WEST, 62.71 FEET; THENCE NORTH 00°54'08" EAST, 183.94 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE SOUTH 89°46'07" EAST ALONG SAID NORTH LINE, 261.81 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

PART OF LOT 1, SUZANNE PLACE, A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 51 NORTH, RANGE 33 WEST, IN KANSAS CITY, CLAY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, AS PREPARED ON OCTOBER 23, 2025, BY JOHN B. YOUNG, PLS- 2006016647: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 89°46'07" WEST ALONG THE NORTH LINE OF SAID LOT 1, 400.19 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°54'08" WEST, 183.94 FEET; THENCE SOUTH 89°29'21" EAST, 62.71 FEET; THENCE SOUTH 00°54'08" WEST, 73.55 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 89°29'21" WEST ALONG SAID SOUTH LINE, 272.68 FEET TO THE EAST RIGHT-OF-WAY LINE OF NORTH BROADWAY, AS NOW ESTABLISHED: THENCE NORTH 00°54'08" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 249.83 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE NORTH 53°43'23" EAST ALONG SAID NORTH LINE, 11.14 FEET; THENCE SOUTH 89°46'07" EAST ALONG SAID NORTH LINE, 201.10 FEET TO THE POINT OF BEGINNING.

Public Meeting Notice

Please join MN Commons, LLC and EBS Investments, LLC

for a meeting about Rezoning properties from B1-1 to B2-1

case number CD-CPC-2026-00024

proposed for the following address: 395 NW Barry Road, 335-347 NW Barry Road and
211 NW Barry Road

Meeting Date: Wednesday, March 18, 2026

Meeting Time: 6:00 p.m.

Meeting Location: Virtual Zoom Call; Dial: 1-646-876-9923;
Meeting ID: 975 4004 8569; Passcode: 227824

Project Description:

The existing Harbor Freight and Strip-Retail Buildings are expected to remain as it. The existing restaurant will be demolished for development of a new 7 Brew Coffee Shop.

If you have any questions, please contact:

Name: **Amy Grant**

Phone: **816-572-4503**

Email: **agrant@polsinelli.com**

You are receiving this notice in accordance with city code that requires a public meeting with neighborhoods for certain types of development projects. You can read more about the process requirements at kcmo.gov/publicengagement



If you would like further information on this proposed project, please visit the city's planning and permitting system, Compass KC, at Compasskc.kcmo.org. You may search by project type and address/case number to find project details.

Sincerely,

Amy Grant

Digitally signed by: Amy Grant
DN: CN = Amy Grant OU = Facility, User Accounts, Contractor-Employee Accounts
Date: 2026.03.04 10:16:44 -06'00'



CITY PLANNING & DEVELOPMENT

Public Meeting Summary Form

Project Case # CD-CPC-2026-00024

Meeting Date: Wednesday, March 18, 2026

Meeting Location: Zoom Meeting

Meeting Time (include start and end time): Start at 6:05 p.m. / End at 7:00 p.m.

Additional Comments (optional): See attached minutes.

Project Name: Rezoning
Location: SEC of NW Barry Road and N Broadway

Attendees:

Ben Stites, 7 Brew Franchisee
Erin Dudley, Civil Engineer with CEI
Kyle Pierce, 7 Brew
Amy Grant, Polsinelli PC
Tobey Brown, 100 NW 83rd Street

The meeting was held via Zoom format was called to order at 6:05 p.m.

Amy Grant introduced the development team and outlined the rezoning request (District B-1 to B-2) for three properties. Under the proposed plan, the existing buildings housing Harbor Freight, My Best Friend's Closet, and Great Clips will remain unchanged, while the former Red Apple Diner will be demolished to make way for a new 7 Brew Coffee Shop. Ms. Grant reviewed the approval timeline—covering the City Plan Commission, NPD Committee, and City Council—and noted that the site plan will be reviewed administratively if the rezoning is approved.

During the meeting, Ms. Brown raised concerns regarding the proposal, which the design team addressed:

- **Lighting:** Ms. Brown expressed concern that 7 Brew's signature neon lighting might be visible from her bedroom window, given her home's lower elevation relative to the site. The team assured her that all lighting will comply with city standards.
- **Operations & Noise:** Mr. Ben Stites shared that 7 Brew's standard hours of operation, which is a franchise requirement, is from 5:30 a.m. to 10:00 p.m., with peak times typically between 7:00 a.m. and 10:00 a.m. To mitigate noise, the team explained that the 500-square-foot building will be placed closer to the street and that the drive-thru will utilize employees with tablets instead of speaker boxes.
- **Construction:** In response to concerns regarding construction fatigue, the team stated that demolition and construction of the new store will take approximately 12–15 weeks.
- **Use:** Ms. Brown expressed a preference for supporting local coffee shops over national franchises.

The meeting concluded at approximately 7:00 p.m.

General Checklist

This is the Playbook Checklist for development case reviews completed by district planners for non-controlling cases.

Case Overview

District Planner

D2: John Myers

Date of Review

3/3/2026

Location

211 NW Barry Rd

Case Number

CD-CPC-2026-00024

Case Type

Rezoning without a Development Plan

Is there a companion case?

No

Area Plan

Gashland/Nashua Area Plan

Future Land Use

Mixed-Use Neighborhood

Project Analysis

Land Use Impact Analysis

The proposed rezoning from B1-1 to B2-1 is consistent with mixed use future land use designation in the Gashland/Nashua future land use plan. The three subject properties will have more flexibility in their zoning uses while meeting the intent of a mixed-use neighborhood district. There will be minimal impact on the surrounding properties. The permitted and special land uses listed in Chapter 88 are appropriate for the subject sites.

Mobility Impact Analysis

The permitted and special uses in chapter 88 for B2-1 will not impact access to any of the streets or neighboring properties.

Sustainability Impact Analysis

N/A

Housing Impact Analysis

N/A

Public Realm Impact Analysis

N/A

Additional Analysis

N/A

Overall Alignment with Area Plan

High

Staff Comments

The Gashland/Nashua Future Land Use Plan designates the three subject properties for mixed use neighborhood. The proposed rezoning from B1-1 to B2-1 is consistent with the future land use designation. The proposed rezoning is not considered spot zoning. Additionally, the proposed rezoning will expand the permitted and special uses on the site, allowing for continued economic viability for the future. Due to these factors, the proposed rezoning has a high alignment with the Gashland/Nashua Area Plan.

Recommended Conditions/Corrections

N/A