



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri

Department of City Planning and Development
Development Management Division

414 E 12th Street, 15th Floor
Kansas City, Missouri 64108
www.kcmo.org/planning

Project

Area Plan Amendment and Rezoning of 2029
Summit

Hearing Date March 2, 2021

Item	Case	Request
#5.1	CD-CPC-2020-00177	Area Plan Amendment
#5.2	CD-CPC-2020-00157	Rezoning w/o Plan

Item	Staff Recommendation(s)
#5.1	Approval without Conditions
#5.2	Approval without Conditions

Applicant

Kim Gard
Gard Horizon, LLC
1040 SW Luttrell Road, Suite E2
Blue Springs, MO 64015

Owner

Jaime & Georgina Herrera
2029 Summit St.
Kansas City, MO 64108

Location	2029 Summit St.
Area	On about 0.3 acres
Zoning	R-6
Council District	4th
County	Jackson
School District	KCMO 110

Surrounding Land Uses

North: Single-family residential, zoned R-2.5
East: Single-family residential, zoned R-6
South: Single-family residential, zoned R-2.5
West: Single-family residential, zoned R-2.5

Land Use Plan

The Greater Downtown Area Plan recommends Residential Low land uses. The request complies to this recommendation.

Major Street Plan

There are no adjacent streets identified on the Major Street Plan.

APPROVAL PROCESS



PUBLIC HEARING REQUIRED

Yes

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

Notice of the public hearing was sent to the Westside Planning Committee.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request. The applicant held a public meeting on January 21, 2021, a summary of which is attached.

SUMMARY OF REQUEST

Applicant is seeking approval to amend the Greater Downtown Area Plan and a rezoning from District R-6 (Residential dash 6) to District R-5 (Residential dash 5).

PURPOSE

Applicant is proposing to construct a new single-family residence with adequate lot width which requires approval of the above-referenced request.

HISTORY

There is no prior case history at this location.

RELATED RELEVANT CASES

There are no relevant cases at this location.

EXISTING CONDITIONS

The site is partially developed with an existing single-family home on the north half of the property. The neighborhood consists of a mixture of mostly R-6 and R-2.5 zoned properties. The neighborhood also has a mixture of single-family and multi-family housing types, as well a commercial use to the south along W. Pennway.

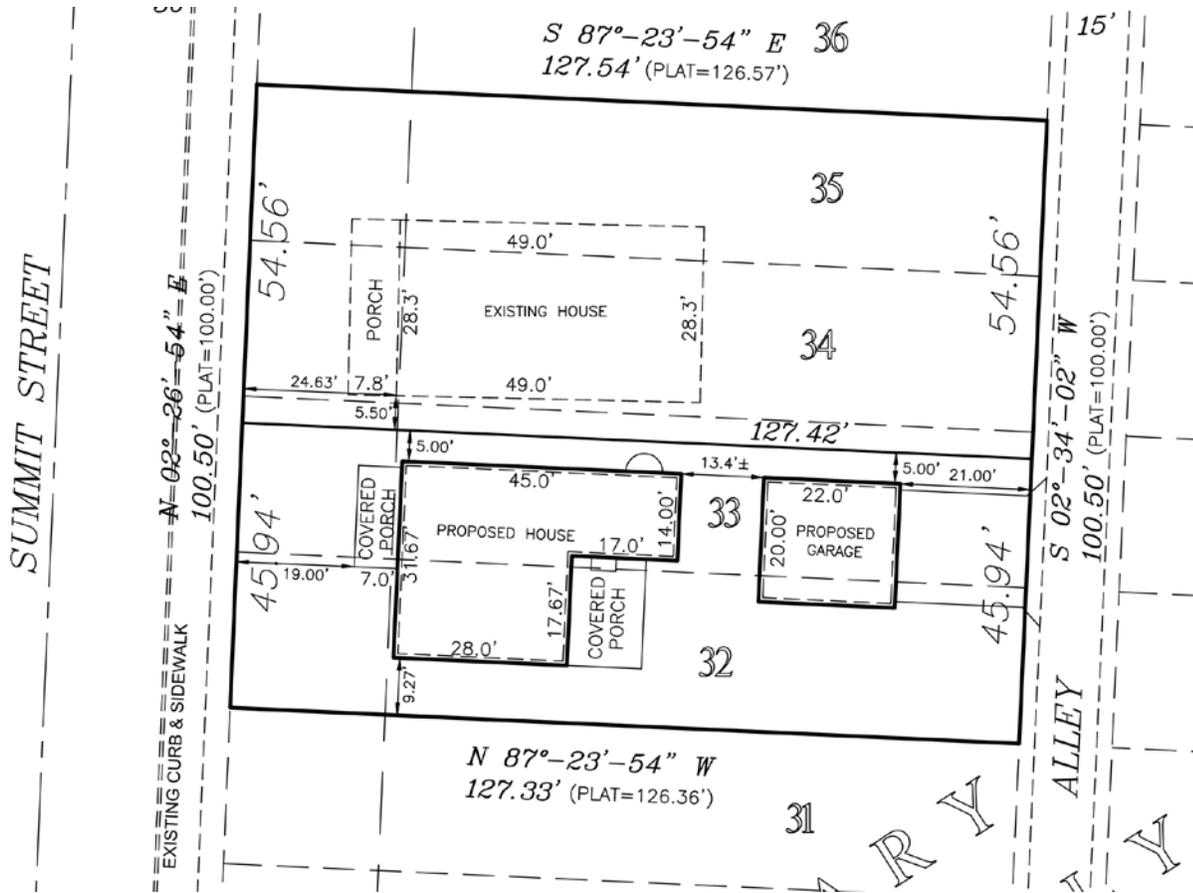
KEY POINTS

- The current R-6 zoning does not allow for development of the property due to the lot and building standards of the R-6 zoning, specifically lot width.

PLAN REVIEW

The applicant has submitted two applications: an area plan amendment and a rezoning application. In order to rezone to R-5, the applicant must first amend the Greater Downtown Area Plan (GDAP). The GDAP has a land use recommendation of Residential-Low and this amendment would change the recommended land use to Residential Medium.

As previously mentioned, the applicant also proposes to rezone the property. The need for the rezoning is due to the lot width. The subject site is 45.94 feet in width. The existing R-6 zoning requires a minimum of 50 feet of lot width and the proposed zoning of R-5 only requires a minimum lot width of 45 feet. This rezoning will bring the property into compliance with the R-5 lot and building standards and allow for the construction of a new single-family home. The applicant has provided a survey of the current lot width and the layout of the proposed home, shown below.



AREA PLAN AMENDMENT ANALYSIS

In order to rezone the property to R-5, an amendment to the GDAP is required. As the subject property currently exists, it is unbuildable due to its nonconformity with the zoning. In order to achieve the highest and best use for this property, a rezoning is required which necessitates an area plan amendment as well. As a result, staff is in support of the area plan amendment request.

REZONING ANALYSIS

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:

88-515-08-A. Conformance with adopted plans and planning policies;

The applicant has requested an amendment to the Greater Downtown Area Plan changing the recommended land use from Residential-Low to Residential Medium.

88-515-08-B. Zoning and use of nearby property;

Most of the nearby properties are zoned either R-6 or R-2.5. The proposed R-5 is in between both of those zoning districts and allows for similar uses to the R-6 zoning specifically.

88-515-08-C. Physical character of the area in which the subject property is located;

The surrounding neighborhood is generally a mixture of single-family and multi-family structures with generally narrow lots. There are commercial properties to the south.

88-515-08-D. Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

The existing public facilities are adequate for the proposed request and subsequent development.

88-515-08-E. Suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;

The undeveloped portion of the property is currently unbuildable as it exists due to the lot and building standards. The current zoning only permits lots with a minimum of 50 feet of lot width. The current zoning does not seem to be suitable or the most appropriate zoning given the surrounding residences current lot widths.

88-515-08-F. Length of time the subject property has remained vacant as zoned;

The area that is proposed for construction of the new home has served as the side yard for the home to the north.

88-515-08-G. The extent to which approving the rezoning will detrimentally affect nearby properties; and

The proposed rezoning is not anticipated to detrimentally affect any nearby properties. The proposed zoning district of R-5 appears appropriate for the site.

88-515-08-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.

The hardship imposed upon the landowner would prevent the construction of a new home due to lack of lot width of the existing R-6 zoning of the property. There does not appear to be any gain to the public health, safety, or welfare due to the denial of the rezoning request.

PROFESSIONAL STAFF RECOMMENDATION

Staff finds that the site as it exists today is inadequate due to the lot width and prevents any new construction on the site. This is not the highest and best use for the property and as a result, City Planning and Development Staff **recommends approval without conditions** of the area plan amendment and staff **recommends approval without conditions** of the requested rezoning based on the application, plans, and documents provided for review.

Respectfully Submitted,



Zach Nelson