



CITY PLAN COMMISSION REPORT

City of Kansas City, Missouri
City Planning & Development Department
www.kcmo.gov/cpc

Project Name

8708 N Oak Rezoning

Hearing Date February 15, 2022

Docket # Request

4.1 CD-CPC-2022-00001 Area Plan Amendment

4.2 CD-CPC-2021-00248 Rezoning Without Plan

Applicant

Joseph Esry
Parman and Easterday
10740 Nall Ave, Suite 160
Overland Park, KS 66211

Owner

Rick Reddekopp
Atheneum LLC

Location	8708 N Oak Trfy
Area	About 0.5 acres
Zoning	R-1.5
Council District	2 nd
County	Clay
School District	North Kansas City 250

Surrounding Land Uses

North – Residential use (zoned R-1.5/R-7.5)

South – Civic/public use (zoned B1-1)

East – Residential use (zoned R-7.5)

West – Residential use (zoned R-7.5)

Land Use Plan

The Gashland/Nashua Area Plan recommends Residential Low Density. The request does not conform to this recommendation; therefore the area plan amendment has been applied for.

Major Street Plan

N Oak is designated as a Thoroughfare at this location according to the Major Street Plan.

APPROVAL PROCESS



NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

No registered neighborhood or civic organizations were found at this location. Notice of the public hearing was sent to surrounding properties within 300 feet.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request. The applicant hosted a public meeting on January 23, 2022. A summary of the meeting is attached to this report.

EXISTING CONDITIONS

The property has one existing building that has been previously used as an insurance office. Although the building appears as a residence, it has been used commercially since at least prior to 2010 and permitted by the old zoning. There are approximately 5 parking spaces on the site.

NARBY DEVELOPMENTS

North: Residences

East: Residences—Bridgepointe Homes Association

West: Residences

South: Mid-Continent Public Library—North Oak Branch

SUMMARY OF REQUEST

CD-CPC-2022-00001 - A request to approve an Area Plan Amendment to the Gashland Nashua Area Plan from Residential Low Density to Mixed-Use Neighborhood on about 0.5 acres generally located at 8708 N Oak Trafficway.

CD-CPC-2021-00248 - A request to approve a rezoning from District R-1.5 to District B1-1 to allow for a coffee shop (Eating and Drinking Establishment use) on about 0.5 acres generally located at 8708 N Oak Trafficway.

KEY POINTS

- Area Plan Amendment
- Rezoning to allow for coffee shop

PROFESSIONAL STAFF RECOMMENDATION

Docket # Recommendation

- 4.1 Approval without conditions
- 4.2 Approval without conditions

CONTROLLING CASE

No controlling case was found.

RELATED RELEVANT CASES

Relevant cases for site

REZONING REVIEW

The site is located on the west side of N Oak Tfwy between NE 86th Ter and NE 88th Ter. There is an existing structure on the property (zoned R-1.5) in which an insurance agency had previously operated out of since at least 2010. The applicant would like to use the structure on the property for a coffee shop, which is not permitted in R-1.5 districts. Rezoning to B1-1 is required to permit the Eating and Drinking Establishment use on the property.

The site is mostly surrounded by residential neighborhoods to the north, east, and west. There are commercial uses and commercial zoning districts to the south, including the recently approved rezoning at 8532 N Oak Tfwy from R-7.5 to B1-1 (CD-CPC-2021-00187). The future land use designation for the subject site is Residential Low Density; therefore, an Area Plan Amendment is needed to change the designate to Mixed Use Neighborhood. Changing the future land use will contribute to the continuity of Mixed Use Community along this section of N Oak Tfwy. The applicant has provided a site plan to show their intention to expanding the parking area to the west and provide an additional 4 spaces. This plan is for reference only and not subject to approval by the Commission or Council.

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 Gashland/Nashua Area Plan recommends Residential Low Density land use. The rezoning request doesn't comply to this recommendation; therefore, an area plan amendment is requested along with the rezoning application.

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

Properties to the north, east, and west is mostly residential uses and zoning districts (R-1.5, R-7.5). To the south there are more commercial uses and B1 (Business) and O (Office) districts. Some uses include civic/library, school, and office.

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

Although this section of N Oak has many residential properties, there are some smaller businesses and civic uses, like the public library and school to the south of the subject site. The proposed zoning (B1-1) is the same as these properties to the south. The proposed use that requires the rezoning is of similar intensity to the surrounding civic and commercial/office uses, and the projected traffic load did not trigger a traffic study required by Public Works.

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

The site is served by water and sewer and will meet the needs of future development on the site.

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

The existing zoning is R-1.5 does not permit the Eating and Drinking Establishment, or most other commercial uses. Because this property has been used as an office and open to customers for at least the last 10 years, it does not make sense to convert the existing building into a single or two-family home.

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

Not applicable. The subject property is not currently vacant.

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

In staff's opinion, the proposed rezoning would not detrimentally affect nearby properties because the surrounding zoning, uses, and intensity are similar to what is proposed on the subject 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.

Denial of the rezoning and area plan amendment will restrict any commercial development, even at a small, community scale, which conforms with the character of the area, and is not projected to adversely impact the surrounding properties.

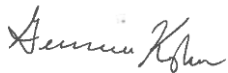
PROFESSIONAL STAFF RECOMMENDATION

Based on the applications submitted by the applicant, Staff makes recommendation to each case as following:

CD-CPC-2022-00001: Staff recommends **APPROVAL WITHOUT CONDITIONS.**

CD-CPC-2021-000248: Staff recommends **APPROVAL WITHOUT CONDITIONS.**

Respectfully submitted,



Genevieve Kohn
Staff Planner

Public Meeting Notice

Please join Atheneum, LLC and Joseph Esry and Rick Reddekopp

for a meeting about Amendment to the Gashland Nashua Area Plan

case number CD-CPC-2022-00001

proposed for the following address: 8708 N Oak Trafficway

Kansas City, Missouri 64155

Meeting Date: January 23, 2022

Meeting Time: 1:00pm

Meeting Location: 10920 N Oak Trfy, Kansas City, MO 64155 (Grace Fellowship)
Zoom Link Available Upon Request

Project Description:

Amendment to the Gashland Nashua Area Plan from Residential Low Density to Mixed-Use Neighborhood. We plan to convert the house to a non-drive through coffee shop.

If you have any questions, please contact:

Name: Rick Reddekopp

Phone: 816-719-4649

Email: coffeeparlor@outlook.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,

Joseph Esry

NOTICE OF APPLICATION

To whom it may concern,

This letter serves as notice of our intent to file an application with the City Planning and Development Department in the City of Kansas City, Mo. The application is for consideration of a

- Permit
- Preliminary plat
- Development plan
- Rezoning from District Residential to District Mixed Use

Project Description:

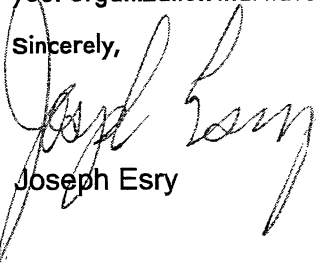
Amend Gashland Nashua Area Plan from Residential Low Density to Mixed Use for 8708 N. Oak

City Code Engagement Requirements:

You are receiving this letter since city code requires a public meeting be held regarding our application(s) and that all contacts associated to any registered neighborhood or civic organization whose boundaries include the project property address are notified. We are contacting you and all other registered contacts for your neighborhood organization to initiate a dialogue about a public meeting. This meeting may be hosted by your organization or ours, and we would like to discuss this with you. Please consult with your neighborhood organization and then contact us (contact information provided below) as soon as possible to discuss meeting details. After discussion, please select one member from your organization to email the City of Kansas City, Mo. at publicengagement@kcmo.org with written confirmation of who is hosting the meeting.

Name: Joseph Esry and Rick Reddekopp
Email: coffeeparlor@outlook.com
Phone: 816-719-4649
Title/Role: Owner of Property
Company/Employer: Themselves and Atheneum, LLC (their jointly owned LLC)
Representing:

If we do not receive the confirmation email referenced above within ten calendar days, we will host the meeting ourselves. And, as a registered contact, you will be invited. Our application requires approval from the Board of Zoning Adjustment or City Council following a recommendation from the City Plan Commission. After this meeting, the City Plan Commission will hold a public hearing at City Hall. If and when our application is docketed for City Plan Commission consideration, a notice of this hearing will be mailed to all property owners within 300 feet of our project address, as well as contacts with your organization that have provided a mailing address.

Sincerely,

Joseph Esry

Plan Amendment Request

Property: 8708 N. Oak Trafficway

Purpose: to rezone the subject Property from R1.5 to B1. To accomplish this goal the area plan needs to be amended for the subject property from Residential Low Density to Mixed-Use Neighborhood.

Property Description: The Property includes a single-story home that is facing North Oak Trafficway. The structure sits very near North Oak so that it would not make a good residence. There are also no other homes nearby on the west side of North Oak. There are no other structures on the property. There is an existing commercial parking lot with five or six spaces (depending on parking spacing).

History: There is not much documented Property history. It was built in approximately 1940. For the discoverable amount of history, the Property has been used as a commercial space. Most recently as the office for an insurance agent. Prior to being used as an insurance office the Property was used as a tanning salon. Prior to being used as a tanning salon the Property was used for professional services (the prior owner could not remember if it was accounting or legal).

Surroundings: The area surrounding the Property is business, residential, and mixed use. To the south of the Property on both sides of North Oak everything is commercial. There is a dance studio, daycare center, greenhouse, tax office, insurance office, and immediately to the south a new library is being built. The area at large is seeing considerable redevelopment. The Property is only four blocks from the Metro North redevelopment which includes mixed use.

The nearby residences backup to the Property and are across North Oak and to the North of the Property. The planned use for the Property would not create additional crowding for these residences by businesses in a way that is inconsistent with other businesses and residences along north Oak Trafficway. The lots immediately to the north of the Property are fully vacant and appear as a blight on North Oak. Likely from a lack of potential use.

Planned Use: The proposal is to amend the area plan so that the land use for the Property could be amended to allow the Property to be used as a neighborhood-based coffee shop. The coffee shop would be less than 700 sq ft, would not include a drive through, and would not require any modifications to the exterior of the building. It would also not require signage beyond what currently exists on the structure.



Existing trees

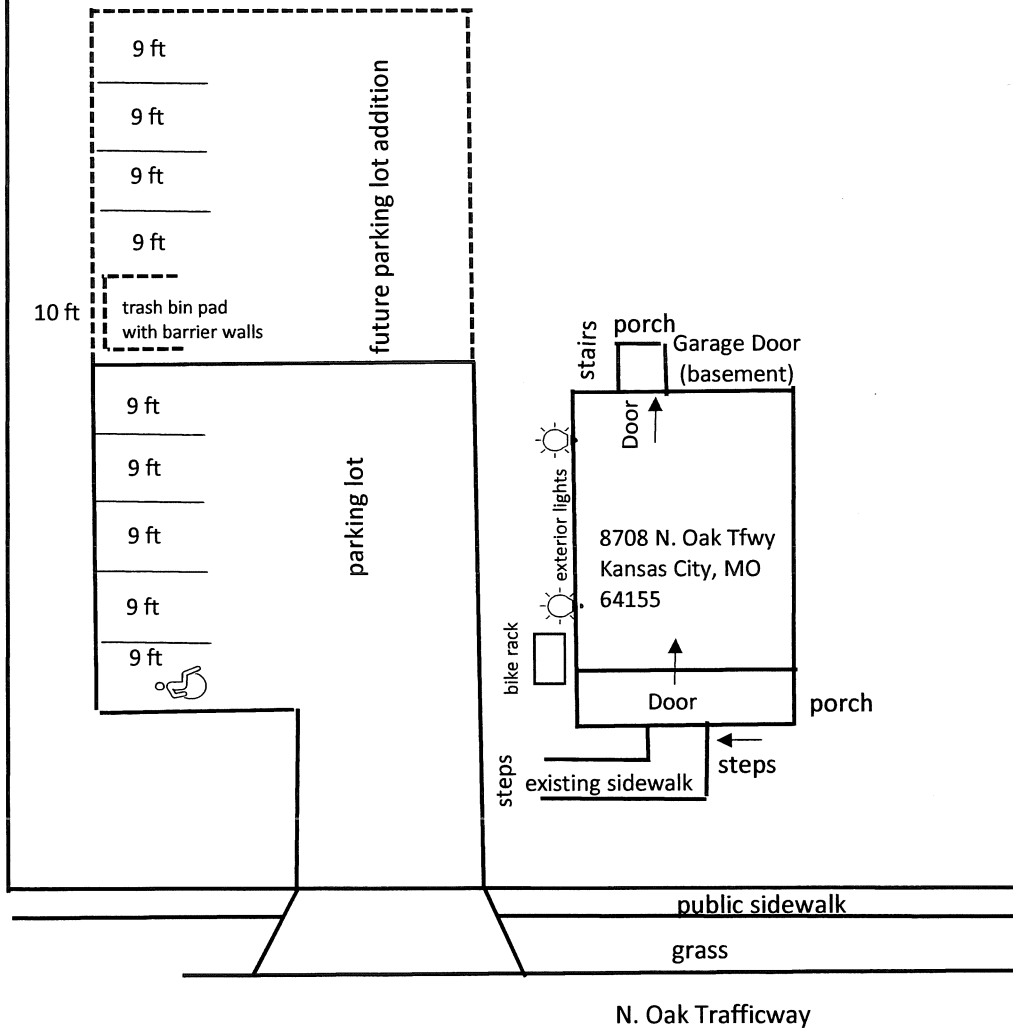
Coffee Parlor, LLC

Existing Zoning: R1.5 Proposed Zoning: B1

Proposed Use of Building: Community Based Coffee Shop (no drive-through)

No Changes to existing structure or grade

Legal: 8708 N OAK TFWY GASHLAND HEIGHTS RES TRACT C ON CERT OF SURVEY OF PRT LOT 3 FILED AS DOCMT #F28325 IN BK 1662 AT PG 467 ON 3-6-1986





CITY OF
KANSAS CITY
MISSOURI

CITY PLANNING & DEVELOPMENT

Public Meeting Summary Form

Project Case # CD-CPC-2022-00001

Meeting Date: 01/23/2022

Meeting Location: 10920 N. Oak Trafficway, Kansas City, MO 64155

Meeting Time (include start and end time): 1:00 - 2:00pm

Additional Comments (optional):

This meeting was hosted live and in person and an invitation for a Zoom link was also provided. The HOA president agreed to advertise the meeting and did not want the HOA to host. We had one person call with some questions about the project. He was confused about the location of the proposed change and asked what type of coffee. Nobody from within 300 ft attended the in-person meeting only interested parties we invited (spouses).

Agenda for Public Meeting

CD-CPC-2022-00001
8707 N. Oak Trafficway, Kansas City Missouri
Or By Zoom
Area Plan Amendment
January 23, 2022 @ 1:00pm

Welcome

Provide Copy of Plan and Proposal

Explain purpose

Invite to City Planning Commission Hearing

Council Chamber, 26th Floor, City Hall

2/15/2022 9:00-12:00

Explain submission of comments

Open for Questions

Conclude