

From: [MaryLou Nigro](#)
To: [Public Testimony](#)
Subject: Fwd: Case #CD-CPC-2023-00173 Rezoning of 4511-4521 Summit-Opposing Ordinance No. 240217
Date: Wednesday, February 28, 2024 7:17:53 PM
Attachments: [4511 4521 Summit Case Number CD-CPC-2023-00173.pdf](#)
[4511-4521 Summit Case CD-CPC-2023-00173 Residents.pdf](#)
[Brentwood Protest Petition.pdf](#)

----- Forwarded message -----

From: **MaryLou Nigro** <mlnigro0530@gmail.com>
Date: Tue, Feb 27, 2024 at 1:31 PM
Subject: Case #CD-CPC-2023-00173 Rezoning of 4511-4521 Summit-Opposing Ordinance No. 240217
To: Ryana.Parks-Shaw@kcmo.org <Ryana.Parks-Shaw@kcmo.org>, Keema.Mccoy@kcmo.org <Keema.Mccoy@kcmo.org>, Eric.Bunch@kcmo.org <Eric.Bunch@kcmo.org>, Marissa.Iden@kcmo.org <Marissa.Iden@kcmo.org>, Nathan.Willett@kcmo.org <Nathan.Willett@kcmo.org>, Melissa.Patterson-Hazley@kcmo.org <Melissa.Patterson-Hazley@kcmo.org>

I am Mary Lou, Nigro, President of The Brentwood Condominium Association and live at 4511 Headwood #3 which is directly across the street from the proposed apartments. I am opposed to the rezoning of 4511-4522 Summit for all the reasons given by Matt Fuco, President of 46 Jefferson and Robert Martin, President of PWNA. The only point I want to re-iterate, is the safety issue on the narrow dead-end street of Headwood. There are times cars are blocked in due to trash, moving and other delivery trucks and an emergency vehicle would not be able to get through during these times which could cause severe consequences.

In case you had any questions regarding the two letters and protest petition sent on behalf of Brentwood, I've attached them to this email. I appreciate your time in this matter.

Mary Lou Nigro
President, The Brentwood Condominium Association

January 9, 2024

Re: Proposed Apartment Building 4511-4521 Summit – Case No. CD-CPC-2023-00173

Dear Public Engagement:

I am writing on behalf of The Brentwood Condominium Association. The Brentwood is a 47-unit condominium complex located to the immediate east of the proposed apartment building, across Headwood Drive.

The Brentwood has serious concerns about the rezoning of 4511-4521 Summit. As proposed, four single family lots will be replaced by a sixteen-unit apartment building. The developer seeks to have the apartment building's twenty space parking garage accessed from Headwood Drive. That will require two driveway curb cuts on Headwood Drive, to allow entry into and exit from the parking garage.

The developer's proposal will adversely affect the Brentwood and the 46th & Jefferson townhomes to the south of the Brentwood. The west side of the Brentwood abuts Headwood Drive which is a short, narrow dead-end street south of 45th Street. Presently, Headwood Drive serves as an access road to portions of the Brentwood and portions of the townhomes condominiums, as well as street parking for residents and guests of both condominium complexes.

Our primary concerns are about safety and traffic congestion. As the attached photographs show, the street parking spaces along Headwood Drive are often fully occupied on both sides of the street, allowing only one vehicle at a time to pass through. The introduction of twenty more vehicles using Headwood Drive on a daily basis will overburden that street. There are already instances of Headwood Drive being blocked by moving, trash, and delivery trucks. With the introduction of more vehicles using Headwood Drive, there will be times when emergency vehicles will not be able to access this street, creating a danger to the area residents.

Another concern relates to the density of the project. Sixteen residential units in the proposed space adds a lot of people and traffic to the neighborhood. It is my understanding that an apartment building can be constructed on the lots under their current zoning, provided the number of units does not exceed nine. Nine units or fewer seems more appropriate for that space.

Our final concern is the loss of street parking. The proposed driveway curb cuts on Headwood Drive will result in the loss of at least four needed parking spaces. Headwood Drive already lost parking when the Carter's apartments were built. It cannot afford to lose any more parking spaces.

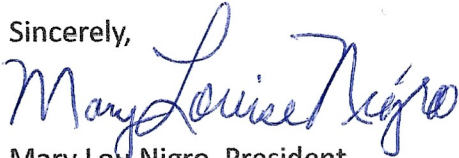
Summit Street on the west side of the proposed apartment building, does not have the same problems as Headwood Drive. Summit Street is a wider, one-way street. It is presently

underutilized in both traffic and parking. Access to the proposed parking garage should be from Summit Street.

Headwood Drive is not an appropriate access point to the parking garage for the proposed new apartment complex. The developer of The Dorsett recognized this and moved its parking garage access from Headwood Drive to Summit Street. The developer of the proposed new apartment building needs to do the same before its development and rezoning can be approved.

Thank you for your time and consideration in this matter. Please let me know if you have questions.

Sincerely,

A handwritten signature in blue ink that reads "Mary Lou Nigro". The signature is fluid and cursive, with the first name "Mary" and last name "Nigro" being more prominent than the middle name "Lou".

Mary Lou Nigro, President

The Brentwood Condominium Association

4511 Headwood Drive, #3

Kansas City, MO 64111

January 15, 2024

Re: Proposed Apartment Building 4511-4521 Summit – Case No. CD-CPC-2023-00173

Dear Public Engagement:

The Brentwood has some serious concerns about the rezoning of 4511 – 4521 Summit with the addition of two garage entryways on Headwood Drive. The west side of Brentwood is on Headwood Drive, which is a short and dead-end street off 45th Street heading south. Joe Carter's apartment complex at the west corner of 45th Street and Headwood Drive took away parking spaces, which are shown in the pictures taken Tuesday 1/2/24 and Sunday 1/7/24. The Dorset apartment complex needed to be rezoned due to the number of units. Since the parking was already limited on the street, the Dorset agreed to move their parking entrance to Summit with the driveway running along the north side to the back of the building. The increased density of these new developments cause more traffic coming down this narrow street of Headwood Drive. Currently it is difficult to leave the parking garages when cars are parked on both sides of the street close to the entrances. Also, there are times cars are blocked in due to trash, moving and other delivery trucks. An emergency vehicle would not be able to get through during these times which could cause severe consequences.

Now rezoning is requested again from four small single family lots to sixteen unit apartment complex with 20 parking spots in their garage. These houses had driveways with access on Summit. This new complex will increase the density to a neighborhood that it's already becoming over populated. No parking analysis has been performed to my knowledge. What are the possibilities of having a driveway off Summit running along the side to the back of the complex? The Dorset did this to alleviate problems on Headwood Drive. At a minimum they would need to widen Headwood Drive if they insist on putting the two parking entrances on Headwood Drive.

Please let me know if you have any questions. I appreciate your time in this matter.

Sincerely,

Michael Cole

Michael Cole, Vice President

The Brentwood Condominium Association

4515 Headwood Drive #2

Kansas City, Missouri 64111

LARRY BARLESH - OWNER/RESIDENT

4511 HEADWOOD DR. #12

KANSAS CITY, MO 64111

Larry Barlesh

Amber - 4515 #1

Anne Mulvihill 4511 #1

Pat Ann

Cory Duss #8 4511 Headwood

240 4515 #3

SIDNEY SWICKS 4515 #16

Debbie Harris 4515 #12

#10 4511 #10

FORMAL PROTEST PETITION

**Pursuant to Section 88-515-09 of the Code of Ordinances of the City of Kansas City, Missouri
The Brentwood Condominium Association**

Jeffrey Williams, Director
City Planning and Development Department
414 E. 12th Street
City Hall, 15th Floor
Kansas City, MO 64106

Formal Protest Petition Against Zoning Map Amendment to Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, to rezone an area from R-1.5 to R-0.75, assigned addresses 4511-21 Summit Street, consisting of 4 lots, being the subject of Case No. CD-CPC-2023-00173, approximately .307 acres based on the City Parcel Viewer Map parcel information, and more specifically described (also based on City Parcel Viewer Map) as:

4511 Summit: N 10 Ft of E 95 Ft Lot 43, and East 95 Ft of Lot 44, Bunker Hill No. 2

4515 Summit: N 19 Ft of E 95 Ft Lot 42, and S 15 Ft of E 95 Ft of Lot 43, Bunker Hill No. 2

4517 Summit: N 6.5 Ft of E 95 Ft Lot 40, and E 95 Ft of Lot 41, and S 6 Ft of East 95 Ft of Lot 42, Bunker Hill No. 2

4521 Summit: N 17.5 Ft of E 95 Ft of Lot 39, and S 18.5 Ft of E 95 Ft of Lot 40 Bunker Hill, No. 2

More generally described in COMPASS by the Applicant as: North Part of Lot 39 up to and including Lot 44, Bunker Hill No. 2.

As of yet, no Ordinance Number has been assigned that is publicly available.

This Formal Protest Petition is signed on behalf of The Brentwood Condominium Association, a corporation formed under the General Not For Profit Corporation of the Laws of the State of Missouri ("Condominium Association"), and in accordance with and the authority granted to the Board of Managers of such Condominium Association pursuant to the Declaration of Submission to Condominium Property Act of the Brentwood Condominium recorded with the Jackson County Recorder of Deeds as Document No. K-354699 in Book K-819 at Page 684 ("Declaration"), and Section 448.190 of the Condominium Property Act of the State of Missouri. The Board of Managers is authorized to manage and administer the real property legally described as The Brentwood Condominium, a subdivision in Kansas City, Jackson County, Missouri according to that Plat filed on January 20, 1978, under document No. K-354698 in Book K-34 at Page 69 ("Plat") and its authorized officers have executed this Formal Protest Petition at the direction of the Board of Managers, on behalf of The Brentwood Condominium Association.

Authorized Signature Appears on Following Page

The Brentwood Condominium Association, a Missouri General Not for Profit Corporation

By: Mary Lou Nigro
Mary Lou Nigro, President

Acknowledged before me a notary public on 2, 3, 2024, by Mary Lou Nigro, as President of and behalf of The Brentwood Condominium Association.

Grand Celestini
Notary Public

(Seal)

My Commission Expires: Jun 13th 2026

BEHZAD GOLESTANI
Notary Public - Notary Seal
Jackson County - State of Missouri
Commission Number 22652099
My Commission Expires Jun 13, 2026

By: Michael Cole
Michael Cole, Vice President

Acknowledged before me a notary public on 2/1, 2024, by Michael Cole, as Vice President of and behalf of The Brentwood Condominium Association.

Nandita Jana
Notary Public

(Seal)

My Commission Expires: March 26 2027

NANDITA JANA
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: Mar. 26, 2027
Commission # 15634319

By: Ami Beck
Ami Beck, Secretary

Acknowledged before me a notary public on February 2, 2024, by Ami Beck, as Secretary of and behalf of The Brentwood Condominium Association.

Nichole S. Haar
Notary Public

(Seal)

My Commission Expires: June 26, 2027

NICHOLE S HAAR
Notary Public - Notary Seal
STATE OF MISSOURI
Commissioned for Jackson County
My Commission Expires: June 26, 2027
ID #02434631

ACKNOWLEDGMENT AND VERIFICATION

Mary Lou Nigro, as the President of the Board of Managers of The Brentwood Condominium Association, a Missouri General Not For Profit Corporation, with an address of 4511 Headwood, #3, Kansas City, Missouri, being first duly sworn, under oath, depose and state that I have read and examined the foregoing Formal Protest Petition ("Petition") and the signatures of the officers of The Brentwood Condominium Association are genuine, and the land area shown on the recorded Plat is governed by the Declaration and the legal description incorporated from the Plat are genuine, that I personally know all of the signers of the Petition to be the persons whose names are signed to the Petition, and that I personally witnessed their signature, that I am one of the signers of the Petition, as president of the Condominium Association, and that the Board of Managers according to the Declaration and Section 448.190 of the Missouri Statutes, authorized the officers to execute the Petition on behalf of the land area shown on the Plat in accordance with Section 88-515-09 of the Municipal Code of Ordinances of the City of Kansas City, Missouri.

Mary Lou Nigro

Mary Lou Nigro, President of and on behalf of The Brentwood Condominium Association

Subscribed and sworn to before me, a notary public, on 2,3, 2024, by Mary Lou Nigro, who is personally known to me to be the same person whose signature is subscribed to the foregoing instrument.

Behzad Golestani

Notary Public

(Seal)

My Commission Expires On: Jun 13th 2026

