



City Plan Commission Minutes

Hearing Date: February 7, 2023

414 E 12th Street, 26th Floor, Council Chamber
Kansas City, Missouri 64106
kcmo.org/planning

Docket Item: C1

CLD-FnPlat-2022-00045 A request to approve a Final Plat in District R-5 (Residential Open Space) on about 40 acres generally located at the southeast corner of Northwest Barry Road and North Childress Road creating 138 residential lots.

Applicant: Kimmy Phan of Atwell

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Joe Rexwinkle introduced the case and said staff recommended approval with conditions. No one appeared for testimony. Commissioners discussed the merits of the case and approved it with a condition stating the developer will put in green infrastructure in lieu of a detention basin for storm water capture of a combination thereof.

Motion: Approved with Conditions

Motioned by: Allender

Seconded by: Sadowski

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: C2

CD-CPC-2022-00138 A request to approve an 11,500 capacity soccer stadium for the Kansas City Current soccer club at the Berkley Riverfront Development in District MPD (Master Planned Development) on about 10 acres generally located at Berkley Parkway and Lydia Avenue.

Applicant: Jared Hagedorn of Generator Studio

Commissioners Present: Allender; Baker; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: Beaseley

Testimony: No

Joe Rexwinkle introduced the case and stated staff recommended continuance to April 4, 2023 without a fee. No one appeared for testimony. Commissioners continued the case to April 4, 2023 without a fee.

Motion: Continued Fee: NO

Motioned by: Allender

Seconded by: Rojas

Voting Aye: Allender; Baker; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: C3
CD-CPC-2022-00223 A request to approve a project plan for a drive-through facility on about 1.575 acres generally located at NW Barry Road and N. Green Hills Road.

Applicant: Rebecca Denmark of Reprise Design

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski
Commissioners Absent: Hill
Commissioners Recusing: None

Motion: Approved with Conditions
Motioned by: Allender
Seconded by: Sadowski
Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski
Voting Nay: None
Abstaining: None

Docket Item: 1
CD-CPC-2022-00186 Amending Chapter 88, the Zoning and Development Code, by enacting a new section to be known as Section 88-424, Tree Preservation and Protection, and amending 88-810 by adding and inserting definitions applicable to this new Code section, and amending any other necessary sections of Chapter 88.

Applicant:

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski
Commissioners Absent: Hill
Commissioners Recusing: None

Joe Rexwinkle introduced the case. Genevieve Kohn and Patty Noll presented the case. City Forester Kevin LaPointe and Travis Kiefer with Water spoke about the ordinance as well.
The following appeared in support:
Karen Willenhoot of Mothers Out Front-- spoke about the climate. She asked for more tree preservation vs mitigation.
Adam Ross of 520 Garfield, an Environmental Science Teacher, spoke about reversing global warming. Discouraged removal of trees. Asked for tree planting in existing neighborhoods where there wasn't much tree cover.
Ira Herritt of the Blue Ridge Area Quality of Life Initiative wanted to preserve trees. He discouraged discouraged developers in the 5th district.
Hunter Pace of 8245 Barrybrooke Court supported community gardens.
Kristin Riott of Bridging the Gap said developers overestimated costs.
Steve from Parkville supported the ordinance. He said there was value in living in forested areas.
William Davies with the Sierra Club supported.
Sarah Crowder, Director of Forestry with Bridging the Gap supported.
Michael McGrew, Landscape Architect of 5775 NW 57th Terr said removing trees affected animal habitat. He asked the CPC to consider the ordinance from the ecological aspect and asked them to keep existing trees.

The following appeared in opposition:
Attorney Patricia Jensen with Rouse Frets represented the development community. She asked the CPC to hold the ordinance to get more answers as some proposals were illegal. She said the Kimpton Falls development would require \$1.2 million in fees with the proposed ordinance.
Aaron Schmidt with Hunt Midwest development said the fees will discourage development in Kansas City. He submitted a redline copy of the ordinance.
Gary Hayes with MD Management said the ordinance infringed on eminent domain. He also spoke about the city's history of working with developers.
Robert de la Fuente with Star Development said the costs of homes will significantly increase.
Will Reuter with Home Builders Association said the ordinance will decrease home ownership due to costs.
Jake McFee, Real Estate Developer of 5002 W 66th Terr said the ordinance was well intentioned but wanted an explanation of how the tree preservation funds would be used. He said they should be used in the area they were paid from.

Genevieve Kohn spoke about the fees (not as high as developers said), fencing and said most of the redline items had already been addressed.
Commissioners discussed the merits of the case and approved it.

Motion: Approved
Motioned by: Sadowski
Seconded by: Rojas
Voting Aye: Allender; Baker; Enders; Rojas; Sadowski
Voting Nay: Beasley; Crowl
Abstaining: None

Docket Item: 2

CD-CPC-2023-00005 To amend Chapter 88, the zoning and development code, as it pertains to Section 88-354, Medical Marijuana Facilities, as well as 88-805, Use Groups and Categories, and 88-810, Definitions, to allow for Comprehensive (non-medical) Marijuana Facilities as authorized by the Missouri Constitution.

Applicant:

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Joe Rexwinkle presented the case. No one appeared for testimony. Commissioners discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Baker

Seconded by: Allender

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 3

CD-SUP-2022-00058 A request to approve a Special Use Permit for a Short Term Rental in an R-1.5 (Residential) zoning district on about .1 acres generally located at 331 W 77th St.

Applicant: Jane Kuhn

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Joe Rexwinkle introduced the case. Ahnna Nanoski presented the case. The applicant appeared and spoke about her requests. No one else appeared for testimony. Commissioners discussed the merits of the case and approved it with conditions. Condition #2 changed from approved for 3 years to approved for 5 years.

Motion: Approved with Conditions

Motioned by: Baker

Seconded by: Beasley

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 4

CD-CPC-2023-00006 Determining the compliance of the Union Hill "353" Development Plan for the Phoenix Redevelopment Corporation on approximately 52 acres generally bounded by 30th Street on the north, Gillham Road on the east, 31st Street on the south and Main Street on the west, for the redevelopment and rehabilitation of the neighborhood as provided in the Urban Redevelopment Corporation Law of the State of Missouri (Chapter 353, R.S.Mo.1978, as amended); and authorizing the Director of City Planning & Development to issue a Certificate of Full Compliance.

Applicant: DMD City of Kansas City of KCMO

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Testimony: No

Joe Rexwinkle introduced the case and stated staff recommended continuance to February 21, 2023 without a fee. No one appeared for testimony. Commissioners continued the case to February 21, 2023 without a fee.

Motion: Continued Fee: NO

Motioned by: Baker

Seconded by: Enders

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 5

CD-SUP-2022-00002 A request to approve a Special Use Permit to allow for a gas station in zoning district B1-1 on about 0.32 acres of land generally located at 11511 Blue Ridge Boulevard

Applicant: KHALID BANDAY of KAM DESIGN GROUP LLC

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Joe Rexwinkle introduced the case. Jared Clements presented the case. The applicant appeared and spoke about his requests. No one else appeared for testimony. Commissioners discussed the merits of the case and motioned to approve it, but the case was denied after the vote of 3 ayes and 4 nays.

Motion: Denied

Motioned by: Enders

Seconded by: Rojas

Voting Aye: Crowl; Enders; Rojas

Voting Nay: Allender; Baker; Beasley; Sadowski

Abstaining: None

Docket Item: 6

CD-CPC-2022-00218 A request to approve a nonresidential development plan for the construction of a 104 room hotel on about 4.0 acres generally located at NW Plaza Circle and Interstate 29.

Applicant: Steve Warger

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Joe Rexwinkle introduced the case. Andrew Clarke presented the case. The applicant appeared and spoke about his requests. No one else appeared for testimony. Commissioners discussed the merits of the case and approved it with conditions.

Motion: Approved with Conditions

Motioned by: Enders

Seconded by: Baker

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 7

CD-CPC-2022-00174 A request to approve a rezoning from district Urban Redevelopment (UR) to district Urban Redevelopment (UR), in order to build mixed-use residential apartment complex with approximately 300 residential units on about 0.98 acres generally located at 400 Main Street.

Applicant: Jesse Crupper of KEM Studio

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Ahnna Nanoski introduced the case. Larisa Chambi presented the case. The applicant team of architect Jesse Crupper with KEM Studio and developer David Winger of Faherty & Collins appeared and spoke about their requests. The following appeared in opposition: Courtney O'Farrell of Planter's Seed & Spice Co at 513 Walnut--opposed due to parking

Arthur LaDuke of KC Taco Co at 520 Walnut--opposed due to parking

Kyle Getz of Opera House at 500 Walnut--opposed due to parking

James Freeman of 4600 Madison, representing several City Market businesses. He said parking was needed or City Market tenants will lose too much business. He asked for 2 additional neighborhood meetings.

Richard Schnabel of 423 Delaware said the area needs greenspace. He also said the development didn't fit the character of the neighborhood, didn't have enough parking, was too tall, was against FAA requirements. He asked the city to make the Rivermarket buildings historical or make an overlay district.

Scott Tanos of 423 Delaware--opposed to height, loss of parking

Robert Reiman of 210 W 5th St--opposed due to parking and safety concerns regarding increased traffic

The applicants spoke about the public parking spaces they have in their plan--28 in City Market, 20 in the parking garage. They asked to remove conditions 2 and 15. Staff asked just to modify them.

Commissioners discussed the merits of the case and denied it.

Motion: Denied

Motioned by: Enders

Seconded by: Beasley

Voting Aye: Allender; Beasley; Enders; Sadowski

Voting Nay: Baker; Crowl; Rojas

Abstaining: None

Docket Item: 8

CD-SUP-2022-00046 A request to approve a Special Use Permit Vehicular Sales and Service (Outdoor) in District B3-2 on about 0.34 acres generally located at the corner of Northeast 82nd Terrace and North Oak Trafficway.

Applicant: Ciara Hogsett of Kimley-Horn

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Testimony: No

Joe Rexwinkle introduced the case and stated staff recommended continuance to March 7, 2023 with a fee. No one appeared for testimony. Commissioners continued the case to March 7, 2023 with a fee.

Motion: Continued - With Fee Fee: YES

Motioned by: Baker

Seconded by: Enders

Voting Aye: Allender; Baker; Crowl; Enders; Hill; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 9.1

CD-CPC-2022-00202 A request to approve a rezoning from District R-6 (Residential 6) and District R-2.5 (Residential 2.5) to District R-0.75 (Residential 0.75) on about 19.79 generally located at 3350 North Holmes Street.

Applicant: Rachel Barth of NorthPoint Development

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Testimony: No

Joe Rexwinkle introduced the case and stated staff recommended continuance to February March 7, 2023 without a fee. No one appeared for testimony. Commissioners continued the case to March 7, 2023 without a fee.

Motion: Continued Fee: NO

Motioned by: Baker

Seconded by: Enders

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 9.2

CD-CPC-2022-00203 A request to approve an Area Plan Amendment from Residential Medium Density to Residential High Density on about 19.79 acres generally located at 3350 North Holmes Street.

Applicant: Rachel Barth of NorthPoint Development

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Testimony: No

Joe Rexwinkle introduced the case and stated staff recommended continuance to March 7, 2023 without a fee. No one appeared for testimony. Commissioners continued the case to March 7, 2023 without a fee.

Motion: Continued Fee: NO

Motioned by: Baker

Seconded by: Enders

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 9.3

CD-CPC-2022-00205 A request to approve a Development Plan for a multi-unit development on about 19.79 acres generally located at 3350 North Holmes Street.

Applicant: Rachel Barth of NorthPoint Development

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Testimony: No

Joe Rexwinkle introduced the case and stated staff recommended continuance to March 7, 2023 without a fee. No one appeared for testimony. Commissioners continued the case to March 7, 2023 without a fee.

Motion: Continued Fee: NO

Motioned by: Baker

Seconded by: Enders

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 10

CD-CPC-2022-00222 A request to approve a major amendment to the approved MPD (Master Planned Development District) to allow for the construction of 100 residential units on about 2.5 acres generally located at Warwick Boulevard and E. 38th Street.

Applicant: Will Dubois of Davidson AE

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Testimony: No

Joe Rexwinkle introduced the case and stated staff recommended continuance to March 7, 2023 with a fee. No one appeared for testimony. Commissioners continued the case to March 7, 2023 with a fee.

Motion: Continued - With Fee Fee: YES

Motioned by: Baker

Seconded by: Enders

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 11

CD-SUP-2022-00048 A request to approve a Special Use Permit (SUP) for Gasoline and Fuel Sales in district B3-2 on about 1.2 acres generally located at E. 53rd Street and Prospect Avenue.

Applicant: Bryan Ruoff of 3F30 ARCHITECTS INC

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Testimony: No

Joe Rexwinkle introduced the case and stated staff recommended continuance off-docket with a fee. No one appeared for testimony. Commissioners continued the case off-docket with a fee.

Motion: Continued - Off Docket Fee: YES

Motioned by: Baker

Seconded by: Enders

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 12

CD-CPC-2022-00182 The Sawyer Preliminary Plat - A request to approve a Preliminary Plat in District R-7.5 to allow for 17 detached lots and two (2) tracts on about 20 acres generally located at the northwest corner of NE Shoal Creek Parkway and NE Reinking Road.

Applicant: Braden Taylor of MKEC Engineering, Inc.

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Testimony: No

Joe Rexwinkle introduced the case and stated staff recommended continuance to March 7, 2023 without a fee. No one appeared for testimony. Commissioners continued the case to March 7, 2023 without a fee.

Motion: Continued Fee: NO

Motioned by: Baker

Seconded by: Enders

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 13.1

CD-CPC-2022-00197 Shoemaker, Preliminary Plat – A request to approve a preliminary plat in District R-7.5 creating three (3) detached residential on about 15 acres generally located at the northwest corner of NE 88th Street and N. Highland Avenue.

Applicant: Rachelle Biondo of Rouse Frets White Goss Gentile Rhodes, a Professional Corporation

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Testimony: No

Joe Rexwinkle introduced the case and stated staff recommended continuance to February 21, 2023 without a fee. No one appeared for testimony. Commissioners continued the case to February 21, 2023 without a fee.

Motion: Continued Fee: NO

Motioned by: Baker

Seconded by: Enders

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None

Docket Item: 13.2

CD-CPC-2022-00198 Shoemaker Rezoning – A request to approve a rezoning from Districts R-80 and R-5 (Residential) to District R-7.5 (Residential) on about 15 acres generally located at the northwest corner of NE 88th Street and N. Highland Avenue.

Applicant: Rachelle Biondo of Rouse Frets White Goss Gentile Rhodes, a Professional Corporation

Commissioners Present: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Commissioners Absent: Hill

Commissioners Recusing: None

Testimony: No

Joe Rexwinkle introduced the case and stated staff recommended continuance to February 21, 2023 without a fee. No one appeared for testimony. Commissioners continued the case to February 21, 2023 without a fee.

Motion: Continued Fee: NO

Motioned by: Baker

Seconded by: Enders

Voting Aye: Allender; Baker; Beasley; Crowl; Enders; Rojas; Sadowski

Voting Nay: None

Abstaining: None
