



# CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri  
City Planning & Development Department  
[www.kcmo.gov/cpc](http://www.kcmo.gov/cpc)

March 21, 2023

**Project Name**  
4601 Madison

**Docket #5**

**Request**  
CD-CPC-2023-00025  
Rezoning without Plan

**Applicant**  
Chris Kline  
Husch Blackwell  
4801 Main St Kansas City, MO 64112

Michelle Pagnano  
DaVita  
2000 16<sup>th</sup> St Denver, CO 80202

**Owner**  
Madison Ave LLC  
4601 Madison Ave Kansas City, MO 64112

Location 4601 Madison Ave  
Area About 0.83 acres  
Zoning R-1.5  
Council District 4<sup>th</sup>  
County Jackson  
School District Kansas City, MO 110

**Surrounding Land Uses**

**North:** residential uses, zoned R-0.5  
**South:** commercial uses, zoned B4-5  
**East:** commercial uses, zoned UR  
**West:** commercial, undeveloped uses, zoned B4-5

**Major Street Plan**

Madison Ave is identified on the City's Major Street Plan as a Thoroughfare.

**Land Use Plan**

The Midtown/Plaza Area Plan recommends Mixed Use Community for this location.

**APPROVAL PROCESS**



**PROJECT TIMELINE**

The application for the subject request was filed on 2/10/2023. No Scheduling deviations from 2023 Cycle F have occurred.

**NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED**

The subject site is located with the Plaza Westport Neighborhood Association.

**REQUIRED PUBLIC ENGAGEMENT**

Public engagement as required by 88-505-12 does apply to this request. Applicant hosted a meeting on March 7, 2023. A summary of the meeting is attached to the staff report, see Attachment #3.

**EXISTING CONDITIONS**

The subject site contains a four-story building. The previous (prior to 2011) zoning, R4O, allowed both residential and office uses. There is above-grade and below-grade parking serving the site as this site is considerably sloped towards the south and west.

**SUMMARY OF REQUEST + KEY POINTS**

The applicant is seeking approval of a rezoning from district R-1.5 to district B1-3 on about 0.83 acres generally located at 4601 Madison Avenue.

**CONTROLLING + RELATED CASES**

None

**PROFESSIONAL STAFF RECOMMENDATION**

Docket #5 Approval

**PLAN REVIEW**

No plan required or submitted for this application type.

**SPECIFIC REVIEW CRITERIA****Zoning and Development Code Map Amendments, Rezoning (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 Midtown/Plaza Area Plan recommends Mixed Use Community for the subject site and adjacent parcels. Rezoning to B1-3 is consistent with the Mixed Use Community recommendation.*

**B. Zoning and use of nearby property;**

*Surrounding uses include a mix of commercial, residential, office, and undeveloped properties with corresponding R, B, and UR zoning districts.*

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

*The subject site contains one building with above and below ground parking. The land slopes south and west. The building on-site was constructed prior to the 1990s and conformed the R4O zoning prior to the adoption of Chapter 88 Zoning and Development Code in 2011. The building has historically functioned as office space and is anticipated to contain office, both medical and general/administrative.*

**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 existing utilities.*

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

*With the adoption of Chapter 88 in 2011, some zoning districts did not directly translate, thus causing this commercial office building and use nonconforming under the current Code. Under the current R-1.5 zoning, the building can only contain residential units, even though it has always been used for office.*

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

*The site contains one office building, but it is unclear how long the building has been vacant or occupied by tenants.*

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

*The proposed rezoning is not expected to adversely impact the surrounding properties as the applicant intends to operate a medical office to treat patients needing dialysis.*

**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.**

*There is no anticipated gain in denying this rezoning request as the building and use would remain nonconforming.*

**ATTACHMENTS**

1. Public Engagement Materials
2. Additional documents: Public Testimony

**PROFESSIONAL STAFF RECOMMENDATION**

City staff recommends **Approval without conditions.**

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Genevieve Kohn".

Genevieve Kohn  
Planner

# Public Meeting Notice

Please join \_\_\_\_\_

for a meeting about \_\_\_\_\_

case number \_\_\_\_\_

proposed for the following address:

**Meeting Date:**

**Meeting Time:**

**Meeting Location:**

Project Description:

If you have any questions, please contact:

Name:

Phone:

Email:

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](http://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](http://Compasskc.kcmo.org). You may search by project type and address/case number to find project details.

Sincerely,

Topic: Zoom Meeting

Time: Mar 7, 2023 05:30 PM Central Time (US and Canada)

Join Zoom Meeting

<https://huschblackwell.zoom.us/j/84680543693?pwd=YWIRdUpVTE0yNFZXQTIRa0VQY3oyZz09>

Meeting ID: 846 8054 3693

Passcode: 582143

One tap mobile

+13052241968,,84680543693# US

+13092053325,,84680543693# US

Dial by your location

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 689 278 1000 US

+1 719 359 4580 US

+1 720 707 2699 US (Denver)

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

Meeting ID: 846 8054 3693

Find your local number: <https://huschblackwell.zoom.us/u/ktKf0w5Tg>

Join by SIP

[84680543693@zoomcrc.com](mailto:84680543693@zoomcrc.com)

# Meeting Sign-In Sheet

## Project Name and Address

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Name	Address	Phone	Email
Will Nulton	Husch Blackwell, LLP		
Sarah Burger	Husch Blackwell, LLP		
Christina Roth	Hampton Inn & Suites		
Robert Martin	Plaza West Neighborhood Assoc		
Bill Phillips	4545 Wornall		
Leo Buse	Hampton Inn & Suites		
Carol Thrane	Westport Neighborhood Assoc		
Grant Drewel	Resident		
Michelle Pagnano	DaVita/Genesis KC		
Mark Kinney	DaVita/Genesis KC		

**MINUTES OF THE PUBLIC ENGAGEMENT MEETING HELD MARCH 7, 2023  
FOR THE REZONING OF 4601 MADISON AVENUE**

**I. CALL TO ORDER**

The meeting began at 5:34 on March 7, 2023 via Zoom meeting.

Attendees:

Will Nulton, Husch Blackwell LLP  
Sarah Burger, Husch Blackwell LLP  
Christina Roth - Hampton Inn and Suites  
Robert Martin – Pres - Plaza West Neighborhood Assoc  
Bill Phillips – 4545 Wornall  
Leo Buse – Hampton Inn and Suites  
Carol Thrane – Board 4646 Broadway – Westport Neighborhood Association  
Michelle Pagnano – Genesis KC  
Grant Drewel - resident  
Mark Kinney – Genesis KC

**II. DISCUSSION**

To begin the meeting, Will Nulton asked everyone to introduce themselves and state what company they represented. Introductions were made and the meeting began.

Michelle Pagnano began with a Powerpoint presentation showing an overview of the company, DaVita, which provides kidney dialysis, among other kidney needs, and that they are one of the largest service providers for kidney diseases. The home training program would be held on the second floor and main training on the first floor. The intent of the third and fourth floors is for complimentary tenants to lease the spaces.

Discussion was had by Mark Kinney addressing concerns regarding the morning rush, as it is busy from the north and the need to improve sight line, due to overgrown shrubbery. There was talk about the northwest corner of the property and that the neighbors have complained about bushes interfering with traffic. Mark stated the shrubbery will be replaced with different shrubbery that will be 2.5 feet or less in height.

Their intent is to have their main point of entry and patient drop off on the north driveway and the south driveway for main deliveries. It is not possible to have deliveries come from the north and drive out of the south driveway. Also regard to parking, there should not be a concern for lack of parking as a majority of patients are dropped off and picked up after treatment. There will be 80-90 parking spaces that will meet the desired use and can meet necessary requirements.

Mark stated that a crosswalk across Madison Avenue would be beneficial and that they would write a letter of support to the City.

In regard to deliveries, there was a concern regarding a bottleneck occurring on 46<sup>th</sup> Street. Mark stated that they will usually have a once a day delivery. They could not have the delivery in the parking lot behind building as it is too narrow, and having a delivery truck on 46<sup>th</sup> would be disruptive. Trash operations would be held in the south driveway.

In regard to construction and logistics, there were questions on how long construction would last. Mark stated that there are no current plans for exterior renovation, however, there is desire to paint the exterior to conform to the theme of the neighbors. The interior renovation will have extensive demo for the first and second floors. The north and south driveways and temporary fencing will be used for dumpsters. It would be up to the contractor to control and secure dust. They will keep HVAC up and running and will maintain perimeter security. If all goes to plan, demo would start in early June, with 6 to 7 months to complete the reno project, with a late fall 2023 date to open.

There was a question about parking requirement with tenants and Mark stated that it is required to have 4 parking spaces per thousand or 155 spaces. If needed, a parking lot is available for lease across from the property. Mark stated that the previous occupant occupied the entire building and leased spaces across the street. Parking was the main concern of Hampton Inn.

DaVita wants to use the building in its as is state and does not see a tenant needing to park off site. However, the neighbors stated that it would be great if the City would limit parking on 46<sup>th</sup> St, as it can get clogged. Michelle stated that it is known that there is a potential for them to lose tenants due to limited parking, however, they will continue to their efforts.

At the conclusion, the neighbors requested that they be informed and stay up to date on the logistics and timeline of construction.

### **III. MEETING ADJOURNED – 6:07 PM**



## Kohn, Genevieve

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**From:** Robert Martin <plazawestport.association@gmail.com>  
**Sent:** Thursday, March 16, 2023 11:05 AM  
**To:** Kohn, Genevieve  
**Cc:** Michelle Pagnano; Nulton, Will  
**Subject:** Re: Minutes/Recordings - 4601 Madison Neighborhood Meeting

**EXTERNAL: This email originated from outside the kcmo.org organization. Use caution and examine the sender address before replying or clicking links.**

After the March 7, 2023 public engagement with Genesis KC regarding the rezoning of 4601 Madison Ave, the PWNA has no objection to the rezoning as such. We did express concerns with a variety of aspects about planning and construction which are noted in the minutes taken:

- the NW corner intersection and sight lines for traffic on Madison
- ingress and egress will be tricky given the traffic on Madison and the narrow street to the north.
- a cross walk across Madison would be helpful
- the need for constant communication with Hampton Inn as their eastern neighbor.

We appreciate and commend the approach of Genesis KC and Husch Blackwell to the neighborhood, and we welcome the organization to help us preserve and protect the quality of life in the PWN.

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Robert Martin  
President, Plaza Westport Neighborhood Association



On Mar 16, 2023, at 10:39 AM, Nulton, Will <Will.Nulton@huschblackwell.com> wrote:

Hi Robert,

I called but missed you. I wanted to touch base on one last item. You had stated previously the Neighborhood Association would be willing to provide a letter of support for the rezoning. I just spoke to the planner Genevieve Kohn (copied here) who let me know she had not yet received one.

She is putting the staff report together now, and she would like to include the letter if able. Could you please respond to Genevieve with an email expressing the Association's support? The email can be quite simple.

Please do reach out to me should you have any questions. Thank you again for your support and cooperation in this process.

Best,

Will