Councilmembers,

I am writing on behalf of the 46 Jefferson Condominium Association. We are located on the northwest corner of W. 46th and Jefferson Streets and are in firm **opposition to ordinance #240217**.

Ordinance #240217 seeks to rezone 4511 Summit and surrounding parcels from zoning district R1.5 to R 0.75 which would allow for an increased density on the parcels.

46 Jefferson Condominium is located just to the southwest of the subject parcels.

46 Jefferson has had to struggle with the impact of higher density on our block since rezoning was approved for the development of an apartment complex directly to the south of this site. (Dorset Apartments, 760 W 46th Street) We worked with the developer of that project as best we could to mitigate the impact on the block, yet we still deal with the negative impact of increased density on a daily basis. If we had the opportunity today, we would object to the rezoning for higher density for the Dorset Apartments project.

Below I will outline our key objections to the rezoning application for 4511 Summit and surrounding parcels:

1. The applicant is seeking what appears to be spot zoning. The applicant has indicated on 2 occasions to us, that the price he paid for the land contemplated a higher density. Meaning, the cost he paid for the land assumed that there would be higher density on those parcels otherwise the project would not be "financially viable". Financial reasons is not a valid justification for a change in zoning.

2. The rezoning would further negatively impact the surrounding tax payers and property owners. By not providing ample parking for the project, spill over parking will occur. 46 Jefferson is accessed via Headwood drive. Headwood is proposed by the applicant as the main entry and exit point for a parking garage and service entrance for trash collection. Headwood is currently at maximum congestion - suitable to those that live at both Brentwood Condominium and 46 Jefferson.

The removal of street parking to make way for garage entry and exit would further increase this congestion and deprive surrounding property owners of limited on street parking.. The applicant has argued in front of the CPC that the solution to this should be to remove more parking from Headwood with the installation of No Parking signs. We are against this suggestion as this is a self serving recommendation by the applicant.

3. Increased density is not called for on these parcels in the Midtown Area Plan. This is a point that City staff did not articulate at the CPC hearing but was only brought up via public testimony.

The guidelines of the MPAP that aren't met, include:

      a.   The planning recommendation for the east side of Summit was to maintain the predominant form. **See Page 49 of MPAP.** At the time of passage of the MPAP was single family houses. See also **Page 68 of the MPAP** for more specific information for Planning Area C, in which this property is located.

      b.   The recommended land use for the east side of Summit was *low density residential.* **See Page 43 of the MPAP.** The west side of Summit (where the Tudors are located) in contrast was medium density residential.

      c.   The Bowl Concept as shown on **page 45 of MPAP** indicates that the maximum height should be 45 feet (or three stories), which is consistent with the existing R-1.5 zoning but not the 60 feet maximum height of the requested R-0.75 zoning.

4. Almost ALL of the recent development projects on the surrounding parcels were completed within existing zoning. The Tudors to the west, a multifamily townhome directly to the north, and the St. Luke's Plaza Heights development that spans several blocks to the north were all completed under the existing zoning. The applicant himself has developed a similar project that he references as an example for this project that is located to the south of 4400 Washington - this project was also completed under the existing zoning for those parcels.

5. Higher density, with high rent ($3,000+ per month according to the applicant) apartments will not add to the quality of live or affordability of housing for residents of the City.

6. This project is not subject to any conditions. As such, if the developer is granted rezoning, there is no assurance that the project renderings presented during the public engagement process would actually be what is ultimately built. We suggested that the project be made into an MPD which was dismissed by City staff.

While in your eyes you may see this ordinance as a simple rezoning of 4 parcels of land. However, with additional development in our neighborhood on the horizon, passage of the ordinance will set a dangerous precedent. Passage of this ordinance will send the message that rezoning will occur that regardless if the requirements for rezoning has been met (as required under municipal code) AND rezoning that is contrary to the long established Midtown Area Plan. Should greater density be desired in our neighborhood, there is a long established process to amend an area plan. That was not done in this case.

We will gladly participate in any conversations with any developer and have enjoyed

great working relationships with them. We are not anti-development/redevelopment. As the majority of property owners surrounding the application site, we just want to ensure that our interests are being taking into consideration and that rezoning is not partaken for convenience or solely for the benefit of the applicant.

Approving this rezoning will continue to erode the quality of life that our property owners enjoy and we respectfully request that you do not approve ordinance 240217.

Warmest regards,

Matt Fuoco
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Kansas City MO, 64111
President, 46 Jefferson Condominium Association