



# CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri

Department of City Planning and Development  
Development Management Division

414 E 12<sup>th</sup> Street, 15<sup>th</sup> Floor  
Kansas City, Missouri 64108  
[www.kcmo.org/planning](http://www.kcmo.org/planning)

## Project

**2200 Minnie Commercial**  
Hearing Date April 20, 2021

Item	Case	Request
#1.2	CD-CPC-2021-00035	Rezoning w/o Plan
#1.1	CD-CPC-2021-00036	Area Plan Amendment

Item	Staff Recommendation(s)
#1.2	Approval without condition
#1.1	Approval without condition

## Applicant

Patrick J. Franke  
2202 Lexington Ave. Suite A  
Kansas City, MO 64124

## Owner

PH Corner LLC.  
21 Wormwood St. #415  
Boston, MA 02210

<b>Location</b>	2200 Minnie St.
<b>Area</b>	On about 0.085 acres
<b>Zoning</b>	R-6
<b>Council District</b>	3 <sup>rd</sup>
<b>County</b>	Jackson
<b>School District</b>	KCMO

## Surrounding Land Uses

**North:** commercial use, zoned B1-1  
**East:** Single-family residential, zoned R-6  
**South:** Brooklyn Avenue, beyond which is undeveloped lot, zoned R-6  
**West:** Minnie Street, beyond which is nonconforming multi-family residential, zoned R-6

## Land Use Plan

The Truman Plaza Area Plan recommends Residential Urban Low land uses. The request doesn't comply to this recommendation.

## Major Street Plan

There are no adjacent streets identified on the Major Street Plan.

## APPROVAL PROCESS



## PUBLIC HEARING REQUIRED

Yes

## NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

Notice of the public hearing was sent to Pendleton Heights Neighborhood Association.

## REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request. The applicant hosted a meeting on March 9, 2021.

## SUMMARY OF REQUEST

Applicant is seeking approval of a rezoning from District R-6 (Residential dash 6) to District B1-1 (Neighborhood Business 1).

## PURPOSE

Applicant is proposing to approve a rezoning and an area plan amendment from R-6 (Residential 6) to B1-1 (Neighborhood Business 1) to match the zoning of the adjacent property at 2201 Lexington Avenue which requires approval of the above-referenced request.

## HISTORY

There is no prior case history at this location.

## RELATED RELEVANT CASES

There are no relevant cases at this location.

## EXISTING CONDITIONS

The site currently has an accessory structure located on the north and the majority is undeveloped. It is under common ownership with the property directly located to the north of the site, which is currently zoned B1-1 for commercial use.

## KEY POINTS

- Rezoning without plan.
- Area plan amendment.

## PLAN REVIEW

The proposed request is trying to match the zoning district of the property located directly to the north that is under common ownership. Rezoning 2200 Minnie Street to B1-1 (from R-6) to match the adjacent zoning at 2201 Lexington Ave. The request is made to allow for responsible commercial use by a tenant at 2201 Lexington of the empty rear lot and garage (that sits on both 2201 Lexington's and 2200 Minnie's lots). No construction is envisioned on this small parcel. 2200 Minnie is the rear empty lot of 2201 Lexington Ave, an abandoned building that is in the process of renovation. The applicant has provided a support letter from the Pendleton Heights Neighborhood Association.

### **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 proposed rezoning does not follow the Residential Urban Low land use recommendation of the Truman Plaza Area Plan.*

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

Properties to the north is zoned B1-1, and to the south, east, and west are all zoned R-6.

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

The surrounding properties are a mix of residential and commercial. The proposed rezoning doesn't provide any development purposes; therefore, no physical changes would be made per the application.

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

No construction is proposed and the impact caused by the rezoning would be minimum to the public facilities.

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

Rezoning 2200 Minnie Street to B1-1 (from R-6) to match the adjacent zoning at 2201 Lexington Ave. The request is made to allow for responsible commercial use by a tenant at 2201 Lexington of the empty rear lot and garage (that sits on both 2201 Lexington's and 2200 Minnie's lots). No construction is envisioned on this small parcel. 2200 Minnie is the rear empty lot of 2201 Lexington Ave, an abandoned building that is in the process of renovation. The applicant has provided a support letter from the Pendleton Heights Neighborhood Association.

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

The property has been vacant due to the condition of the structure. It is unclear to city staff at this time how long the property has remained vacant.

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

In staff's opinion, the proposed rezoning would not detrimentally affect nearby properties.

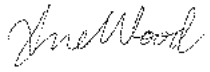
#### **88-515-08-H. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**

Denial of the rezoning and area plan might prohibit the renovating of the existing property to the north.

### **PROFESSIONAL STAFF RECOMMENDATION**

City Planning and Development Staff **recommends approval without conditions** for both applications.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Xue Wood".

Xue Wood, AICP

Staff Planner

# 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 \_\_\_\_\_ to District \_\_\_\_\_

Project Description:

## 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 property owners within 300 feet are invited. 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](mailto:publicengagement@kcmo.org) with written confirmation of who is hosting the meeting.

Name:

Email:

Phone:

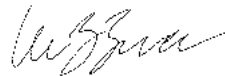
Title/Role:

Company/Employer:

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,





Pendleton Heights Kansas City (PHKC)  
Neighborhood Association  
Website: [phkc.org](http://phkc.org)  
Email: [board@phkc.org](mailto:board@phkc.org)  
Address: [2119 Lexington Ave Kansas City, MO 64124](https://www.google.com/maps/place/2119+Lexington+Ave,+Kansas+City,+MO+64124)

Kansas City Planning Commission,

I am writing, as President of The Pendleton Heights Neighborhood Association (“The Association”), to inform the Planning Commission of The Association’s strong support for this proposed zoning change.

On March 10<sup>th</sup>, community member Leland Berman (representing *PH Corner, LLC*) presented to The Association a proposal to re-zone the empty lot located at 2200 Minnie Street from R-6 to B-1.

2200 Minnie Street, located directly behind 2201 Lexington Avenue (“2201”), shares an existing property line with 2201. Mr. Berman, operating as PH Corner, LLC, has begun the re-construction of 2201, long an abandoned, blighted building. The plan to revive this address, returning retail uses to the first floor and new apartments above, is one The Association strongly supports.

The intent of the rezoning before you is not to create a new building on the small lot. Rather, this rezoning will allow a 2201 future retail tenant to use the current garage location to support their Lexington Avenue facing commercial activities. The garage, or its footprint, could be used for storage, outdoor seating (seasonally; during the daytime), an organic garden and/or an outdoor event space.

After Mr Berman’s presentation, the floor was opened for community members questions and discussion. The conversation quickly centered on the neighborhood’s continued efforts to revitalize the Lexington Avenue Corridor as a viable “*Pocket Main Street*”, intended to benefit Pendleton Heights.

Neighborhood members expressed particular interest in supporting Mr. Berman’s desire to attract a full-service restaurant which could also serve as a location for community gatherings and socializing. Such a potential use addresses one of three major goals for The Association has set for itself for 2021. Mr Berman explained the ability to legally use the so-called ‘back-yard’ of the property, i.e., the abutting Minnie Street lot, has been a stumbling block in discussions with two separate groups of would-be 2201 restaurant entrepreneurs.

The Pendleton Height’s Neighborhood Association Board waited a couple days, after the meeting, to hear from additional community members who might object to the requested change. We received no additional comments. *Therefore, this letter is submitted as the community’s unanimous vote in favor of supporting the re-zoning of 2200 Minnie Street.*

For the last 5 years, Mr. Berman has been an active community member. Previously, he restored the abandoned building at 2200 Lexington Ave (directly across the street from 2201 Lexington). He and his business partner, Patrick Franke, were instrumental in nurturing *PH Coffee* as a tenant, providing a lease structure and financial assistance that allowed four neighborhood entrepreneurs to get started. The

result of that engagement was the creation of a community-oriented coffee shop. PH Coffee is the first new retail business on Lexington Avenue in decades. Mr Berman continues to live in one of the three apartment units above the coffee shop. He remains a consistent advocate for other community-focused entrepreneurs. Mr. Berman has not sought public funds for any of this community development. He has also deferred to The Association and supported our sustained initiatives to revitalize Lexington Avenue.

*It is the opinion of the Pendleton Heights Neighborhood Association, the re-zoning of 2200 Minnie Street to B1-1 is a critical step in furthering efforts to revitalize Lexington Avenue and attract additional commercial services to this neighborhood. We fully support and recommend that the Planning Commission Approve this re-zoning.*

Sincerely,



**Chris Binkley**  
President of the Board  
Pendleton Heights Kansas City (PHKC)  
Neighborhood Association  
Website: [phkc.org](http://phkc.org)  
Email: [chris@phkc.org](mailto:chris@phkc.org)

# 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, *W. B. ...*

## Wood, Xue

---

**From:** Chris Binkley <Chris@phkc.org>  
**Sent:** Monday, April 5, 2021 9:09 AM  
**To:** Wood, Xue; 2200 Lexington LLC  
**Cc:** Patrick Franke  
**Subject:** RE: 2200 Minnie Street - Rezoning/ Area Plan Amendment - Notice of Meeting  
**Attachments:** PHNA\_KCPC\_Letter of Support\_2200 Minnie St\_FINAL.pdf

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

Xue,

Sadly our Secretary forgot to administer the sign in sheet on this meeting and we are not able to reconstruct the attendance precisely. However, here's the PH Board's letter of support for city's records in this matter of rezoning 2200 Minnie St.

### Chris Binkley

President of the Board  
Pendleton Heights Kansas City (PHKC)  
Neighborhood Association  
Website: [phkc.org](http://phkc.org)  
Email: [chris@phkc.org](mailto:chris@phkc.org)  
Cell: [816.651.7150](tel:816.651.7150)  
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Facebook: [PH Residents](#), [PH Block Watch](#), [PH Community Garden](#)  
Instagram: [@PH\\_KC](#)



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**From:** Wood, Xue <Xue.Wood@kcmo.org>  
**Sent:** Monday, March 29, 2021 10:22 AM  
**To:** Chris Binkley <Chris@phkc.org>; 2200 Lexington LLC <2200lexington@gmail.com>  
**Cc:** Patrick Franke <patrickfranke88@gmail.com>  
**Subject:** RE: 2200 Minnie Street - Rezoning/ Area Plan Amendment - Notice of Meeting

Chris,

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## Xue Wood, AICP

Planner

*Development Management Division*

**City Planning and Development**

Email: [xue.wood@kcmo.org](mailto:xue.wood@kcmo.org)

Phone: (816) 513-8823

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**From:** Chris Binkley <[Chris@phkc.org](mailto:Chris@phkc.org)>

**Sent:** Sunday, March 28, 2021 4:53 PM

**To:** 2200 Lexington LLC <[2200lexington@gmail.com](mailto:2200lexington@gmail.com)>; Wood, Xue <[Xue.Wood@kcmo.org](mailto:Xue.Wood@kcmo.org)>

Cc: Patrick Franke <[patrickfranke88@gmail.com](mailto:patrickfranke88@gmail.com)>

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The Association and our members is in support of this re-zoning effort. My apologizes for the lack of sign-in sheet.

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**From:** 2200 Lexington LLC <[2200lexington@gmail.com](mailto:2200lexington@gmail.com)>

**Sent:** Thursday, March 18, 2021 12:45 PM

**To:** Wood, Xue <[Xue.Wood@kcmo.org](mailto:Xue.Wood@kcmo.org)>

**Cc:** Chris Binkley <[Chris@phkc.org](mailto:Chris@phkc.org)>; Patrick Franke <[patrickfranke88@gmail.com](mailto:patrickfranke88@gmail.com)>

**Subject:** Re: 2200 Minnie Street - Rezoning/ Area Plan Amendment - Notice of Meeting

Xue,

Please see the meeting notice attached.

Chris,

Do you have a copy of picture of the signature page from the meeting?

Thanks,

Lee Berman

On Thu, Mar 18, 2021 at 10:15 AM Wood, Xue <[Xue.Wood@kcmo.org](mailto:Xue.Wood@kcmo.org)> wrote:

Can you send me the meeting notice and the meeting summary and sign in sheet?



## Xue Wood, AICP

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**From:** Chris Binkley <[Chris@phkc.org](mailto:Chris@phkc.org)>

**Sent:** Thursday, February 25, 2021 8:00 AM

**To:** 2200 Lexington LLC <[2200lexington@gmail.com](mailto:2200lexington@gmail.com)>; Patrick Franke <[patrickfranke88@gmail.com](mailto:patrickfranke88@gmail.com)>; Public Engagement <[publicengagement@kcmo.org](mailto:publicengagement@kcmo.org)>

**Subject:** RE: 2200 Minnie Street - Rezoning/ Area Plan Amendment - Notice of Meeting

Lee,

This morning I sent this notice out to our Association email distribution list of ~450 people. We have provided notice to our neighborhood regarding this matter and look forward to hearing more from you on March 9<sup>th</sup>, 2021.

Thanks,

**Chris Binkley**

President of the Board

Pendleton Heights Kansas City (PHKC)

Neighborhood Association

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**From:** 2200 Lexington LLC <[2200lexington@gmail.com](mailto:2200lexington@gmail.com)>

**Sent:** Wednesday, February 24, 2021 3:42 PM

**To:** Chris Binkley <[Chris@phkc.org](mailto:Chris@phkc.org)>; Patrick Franke <[patrickfranke88@gmail.com](mailto:patrickfranke88@gmail.com)>; [publicengagement@kcmo.org](mailto:publicengagement@kcmo.org)

**Subject:** 2200 Minnie Street - Rezoning/ Area Plan Amendment - Notice of Meeting

Chris,

Please find attached a Notice of Meeting as required by the city for public engagement in the rezoning process. We'll be delivering these letters to neighbors within 300 ft of the site as well.

If you could please email this notice, along with the upcoming meeting agenda where this issue will be discussed on March 9, 2021, to the PH community we'd be most appreciative. This letter must be distributed 10-days prior to the meeting, so Saturday, February 27, 2021 at the latest.

If you have any questions or concerns please let me know. We appreciate your help in letting the community know about this rezoning process.

(cc'd on this email is the [publicengagement@kcmo.org](mailto:publicengagement@kcmo.org))

All the best,

Lee Berman

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**From:** 2200 Lexington LLC <[2200lexington@gmail.com](mailto:2200lexington@gmail.com)>

**Sent:** Thursday, March 18, 2021 12:45 PM

**To:** Wood, Xue <[Xue.Wood@kcmo.org](mailto:Xue.Wood@kcmo.org)>

**Cc:** Chris Binkley <[Chris@phkc.org](mailto:Chris@phkc.org)>; Patrick Franke <[patrickfranke88@gmail.com](mailto:patrickfranke88@gmail.com)>

**Subject:** Re: 2200 Minnie Street - Rezoning/ Area Plan Amendment - Notice of Meeting

Xue,

Please see the meeting notice attached.

Chris,

Do you have a copy of picture of the signature page from the meeting?

Thanks,

Lee Berman

On Thu, Mar 18, 2021 at 10:15 AM Wood, Xue <[Xue.Wood@kcmo.org](mailto:Xue.Wood@kcmo.org)> wrote:

Can you send me the meeting notice and the meeting summary and sign in sheet?



**Xue Wood, AICP**

Planner

*Development Management Division*

**City Planning and Development**

Email: [xue.wood@kcmo.org](mailto:xue.wood@kcmo.org)

Phone: (816) 513-8823

**UPDATED** [Board of Zoning Adjustment](#) How to participate during COVID-19

**UPDATED** [City Plan Commission](#) How to participate during COVID-19

**UPDATED** [Public Engagement Process](#) How to for COVID-19

Use Compass KC - the City's New Online Permitting System

[kcmo.gov/compasskc](http://kcmo.gov/compasskc)

**New Information:**

**Request a Project Call for an existing application:** [Set a Project Call](#)

**Request a Pre-Application for a potential new application:**

[Minor Subdivision Pre-App](#)

[Variance/Special Exception Pre-App](#)

[All Other Application Types Pre-App](#)

**Virtual City Plan Commission Public Hearings:**  
<https://www.kcmo.gov/city-hall/departments/city-planning-development/about-the-city-plan-commission-cpc>

Common FAQ's:

[KMCO Coronavirus \(Covid-19\) webpage](#)

[Short Term Rental Information](#)

[Public Engagement Process](#) – Effective October 1, 2019

- Temporary suspension to “in-person” meetings  
[Ordinance No. 200226](#)

[CompassKC](#)

- [CompassKC Help Guide](#)

[Zoning & Development Code](#)

[Parcel Viewer](#)

[Dockets](#)

**Please Note: KCMO City Hall is back open in a limited capacity with most City Planning & Development staff still working remotely. At the moment I have limited access to my work phone number, so if you leave a voicemail please make sure to leave your email address. You can reach me by scheduling a meeting via one of the mediums below.**

**Please utilize CompassKC for all reviews (see links in my email signature). Thank you for your patience and understanding during these challenging times.**

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**From:** Chris Binkley <[Chris@phkc.org](mailto:Chris@phkc.org)>

**Sent:** Thursday, February 25, 2021 8:00 AM

**To:** 2200 Lexington LLC <[2200lexington@gmail.com](mailto:2200lexington@gmail.com)>; Patrick Franke <[patrickfranke88@gmail.com](mailto:patrickfranke88@gmail.com)>; Public Engagement <[publicengagement@kcmo.org](mailto:publicengagement@kcmo.org)>

**Subject:** RE: 2200 Minnie Street - Rezoning/ Area Plan Amendment - Notice of Meeting

Lee,

This morning I sent this notice out to our Association email distribution list of ~450 people. We have provided notice to our neighborhood regarding this matter and look forward to hearing more from you on March 9<sup>th</sup>, 2021.

Thanks,

**Chris Binkley**

President of the Board

Pendleton Heights Kansas City (PHKC)

Neighborhood Association

Website: [phkc.org](http://phkc.org)

Email: [chris@phkc.org](mailto:chris@phkc.org)

Cell: [816.651.7150](tel:816.651.7150)

Address: [2119 Lexington Ave Kansas City, MO 64124](#)

Facebook: [PH Residents](#), [PH Block Watch](#), [PH Community Garden](#)

Instagram: [@PH\\_KC](#)



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**From:** 2200 Lexington LLC <[2200lexington@gmail.com](mailto:2200lexington@gmail.com)>

**Sent:** Wednesday, February 24, 2021 3:42 PM

**To:** Chris Binkley <[Chris@phkc.org](mailto:Chris@phkc.org)>; Patrick Franke <[patrickfranke88@gmail.com](mailto:patrickfranke88@gmail.com)>; [publicengagement@kcmo.org](mailto:publicengagement@kcmo.org)

**Subject:** 2200 Minnie Street - Rezoning/ Area Plan Amendment - Notice of Meeting

Chris,

Please find attached a Notice of Meeting as required by the city for public engagement in the rezoning process. We'll be delivering these letters to neighbors within 300 ft of the site as well.

If you could please email this notice, along with the upcoming meeting agenda where this issue will be discussed on March 9, 2021, to the PH community we'd be most appreciative. This letter must be distributed 10-days prior to the meeting, so Saturday, February 27, 2021 at the latest.

If you have any questions or concerns please let me know. We appreciate your help in letting the community know about this rezoning process.

(cc'd on this email is the [publicengagement@kcmo.org](mailto:publicengagement@kcmo.org))

All the best,

Lee Berman