

COMMUNITY PROJECT/REZONING

210228

Ordinance Number

Ordinance Fact Sheet

Case No. CD-CPC-2020-00177
CD-CPC-2020-00157

Brief Title

A request to amend the Greater Downtown Area Plan changing the recommended land use from Residential Low to Residential Medium-High and a request to approve a rezoning from District R-6 (Residential dash 6) to District R-5 (Residential dash 5) on about 0.4 acres generally located at 2029 Summit Street, to allow for the construction of a new single-family residence.

Details

Location: 2029 Summit Street

Reason for Legislation: Area plan amendments and rezonings require Council approval.

PLAN REVIEW

The applicant has submitted two applications: an area plan amendment and a rezoning application. In order to rezone to R-5, the applicant must first amend the Greater Downtown Area Plan (GDAP). The GDAP has a land use recommendation of Residential-Low and this amendment would change the recommended land use to Residential Medium.

As previously mentioned, the applicant also proposes to rezone the property. The need for the rezoning is due to the lot width. The subject site is 45.94 feet in width. The existing R-6 zoning requires a minimum of 50 feet of lot width and the proposed zoning of R-5 only requires a minimum lot width of 45 feet. This rezoning will bring the property into compliance with the R-5 lot and building standards and allow for the construction of a new single-family home. The applicant has provided a survey of the current lot width and the layout of the proposed home, shown below.

AREA PLAN AMENDMENT ANALYSIS

In order to rezone the property to R-5, an amendment to the GDAP is required. As the subject property currently exists, it is unbuildable due to its nonconformity with the zoning. In order to achieve the highest and best use for this property, a rezoning is required which necessitates an area plan amendment as well. As a result, staff is in support of the area plan amendment request.

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

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	4th District (Shields, Bunch)
Applicants / Proponents	Applicant Kim Gard Gard Horizon, LLC 1040 SW Luttrell Road, Suite E2 Blue Springs, MO 64015 City Department City Planning & Development Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission (6-1) 03-02-2021 By Baker, Beasley, Enders, Hill, Rojas, Sadowski (Crowl voted Nay) <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation

factors:

88-515-08-A. Conformance with adopted plans and planning policies;

The applicant has requested an amendment to the Greater Downtown Area Plan changing the recommended land use from Residential-Low to Residential Medium.

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

Most of the nearby properties are zoned either R-6 or R-2.5. The proposed R-5 is in between both of those zoning districts and allows for similar uses to the R-6 zoning specifically.

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

The surrounding neighborhood is generally a mixture of single-family and multi-family structures with generally narrow lots. There are commercial properties to the south.

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

The existing public facilities are adequate for the proposed request and subsequent development.

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

The undeveloped portion of the property is currently unbuildable as it exists due to the lot and building standards. The current zoning only permits lots with a minimum of 50 feet of lot width. The current zoning does not seem to be suitable or the most appropriate zoning given the surrounding residences current lot widths.

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

The area that is proposed for construction of the new home has served as the side yard for the home to the north.

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

The proposed rezoning is not anticipated to detrimentally affect any nearby properties. The proposed zoning district of R-5 appears appropriate for the site.

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.

The hardship imposed upon the landowner would prevent the construction of a new home

Hold

Do not pass

due to lack of lot width of the existing R-6 zoning of the property. There does not appear to be any gain to the public health, safety, or welfare due to the denial of the rezoning request.

PROFESSIONAL STAFF RECOMMENDATION

Staff finds that the site as it exists today is inadequate due to the lot width and prevents any new construction on the site. This is not the highest and best use for the property and as a result, City Planning and Development Staff **recommends approval without conditions** of the area plan amendment and staff **recommends approval without conditions** of the requested rezoning based on the application, plans, and documents provided for review.

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<p>Policy or Program Change</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Operational Impact Assessment</p>	

Finances

<p>Cost & Revenue Projections – Including Indirect Costs</p>	
<p>Financial Impact</p>	
<p>Funding Source(s) and</p>	

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Appropriation Account Codes	

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Fact Sheet Prepared By: Zach Nelson
Staff Planner

Date: 03-08-2021

Zach Nelson
Staff Planner

Reviewed By: Zach Nelson
Staff Planner
Development Management

Date: 03-08-2021

Initial Application Filed: 10-16-2020
City Plan Commission: 03-08-2021
Revised Plans Filed: N/A

Reference Numbers:
Case No. CD-CPC-2020-00177, CD-CPC-2020-00157