



CITY PLAN COMMISSION REPORT

City of Kansas City, Missouri
City Planning & Development Department
www.kcmo.gov/cpc

Project Name

Healing Hands on N Oak

Hearing Date December 21, 2021

Docket # Request

3.1 CD-CPC-2021-00188 Area Plan Amendment

3.2 CD-CPC-2021-00187 Rezoning Without Plan

Applicant

Chanda Oneal
Healing Hands Massage LLC
8532 N Oak Trfy Kansas City, MO 64155

Owner

Healing Hands Massage LLC
9770 N Ash Ave Kansas City, 64157

Location	8532 N Oak Trfy
Area	About 0.8 acres
Zoning	R-7.5/B2-2
Council District	2 nd
County	Clay
School District	North Kansas City 250

Surrounding Land Uses

North – Commercial use (zoned B1-1)

South – Commercial use (zoned B2-2)

East – Commercial use (zoned B1-1)

West – Residential use (zoned R-7.5/R-1.5)

Land Use Plan

The Gashland/Nashua Area Plan recommends Residential Low Density and Open Space/Buffer land use. The request doesn't conform to this recommendation.

Major Street Plan

N Oak is designated as a Thoroughfare at this location according to the Major Street Plan.

APPROVAL PROCESS



NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

No registered neighborhood or civic organizations were found at this location. Notice of the public hearing was sent to surrounding properties within 300 feet.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request. The applicant hosted a public meeting on December 14, 2021. A summary of the meeting is attached to this report.

EXISTING CONDITIONS

The property has one residential structure and has a secondary Home Occupation use. There is a regulated stream that crosses the property making the parcel largely undevelopable aside from the portion where the existing house sits.

NEARBY DEVELOPMENTS

North: J&B Tax Service, Monica Witherspoon: Allstate Insurance
East: New Mark Dental Care; Plato's Closet, Planet Fitness
West: residential, undeveloped
South: Dairy Queen

SUMMARY OF REQUEST

CD-CPC-2021-00188 - A request to approve an Area Plan Amendment to the Gashland/Nashua Area Plan from Residential Low Density to Mixed-Use Neighborhood, to allow for the Personal Improvement Service use on about 0.8 acres generally located at 8532 N Oak Trfy.

CD-CPC-2021-00187 - A request to approve a Rezoning from R-7.5 (Residential dash 7.5) to B1-1 (Neighborhood Business 1 dash 1) for Healing Hands Massage LLC on about 0.8 acres generally located at 8532 N Oak Trfy.

KEY POINTS

- Area Plan Amendment
- Rezoning to expand local business

PROFESSIONAL STAFF RECOMMENDATION

Docket # Recommendation

- 3.1 Approval without conditions
- 3.2 Approval without conditions

CONTROLLING CASE

No controlling case was found.

RELATED RELEVANT CASES

Relevant cases for site

REZONING REVIEW

The site is located on the west side of N Oak St between NE 86th Ter and NE 95th Ter. There is an existing house on the property (zoned R-7.5) in which the applicant currently lives and operates a Home Occupation. In order to expand the business at this property, rezoning (to B1-1) is required to allow for the Personal Improvement Service use. The goal of this rezoning is for the applicant to transition to a fully functioning business with multiple employees, and the existing structure will no longer have any residential use.

There are multiple existing businesses adjacent to the subject site that are commercially zoned. Rezoning the subject property would add more continuity to the street as a whole for small-scale commercial use. The future land use designation for the subject site is primarily Residential Low Density, with some Mixed Use Neighborhood in the northeast corner of the parcel; therefore, an Area Plan Amendment is needed to designate the entire property as Mixed Use Neighborhood. Additionally, there is a regulated stream that crosses diagonally through the site. Long Range Planning had some initial concerns with rezoning this property to B1-1 with the thought that a higher intensity zoning would allow for more intrusive development and disturb the stream. Although we do not foresee intrusive commercial development happening on this site due to the limited developable area and topography, if it were attempted, there are safeguards, such as required stream buffer plans that would be reviewed.

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 Gashland/Nashua Area Plan recommends Residential Low Density and Mixed Use Neighborhood land use. The request doesn't fully comply to this recommendation; therefore, an area plan amendment is requested along with the rezoning application.

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

Properties to the north include insurance offices and a garden center zoned B1-1. To the east there are office, retail, and restaurant uses zoned B1-1 and B2-2. To the south there are more intense commercial uses zoned B1-1 and B4-2. Lastly, to the west, there are single and multi-family residential uses, zoned R-7.5 and R-1.5.

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

On the east side of the property, there are commercial uses and N Oak, which is a Thoroughfare of 4 lane traffic. On the west side the land is wooded and the neighborhood appears to contain older housing. There is a stream that runs through the area going west. The subject property lies in the middle of diverse zoning and land uses.

88-515-08-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 water and sewer and will meet the needs of future development on the site.

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

The existing zoning is R-7.5 and the Personal Improvement Service use is not permitted under this zoning. Under R-7.5 zoning, housing, mainly single family, is the most typical and suitable use. R-7.5 zoning allows for very few commercial uses; therefore, rezoning is necessary in order to expand the current Home Occupation to a full commercial use. Because the subject site is situated in between other commercial zoning districts to the north, east, and south, the rezoning would be appropriate, and not considered a "spot zoning". If this property remained in a residential zoning district, it may not be appealing for a future home buyer because it faces a thoroughfare and the closest neighboring house is around the corner on NE 86th Ter. As a residential property, the existing house is somewhat isolated from the adjacent neighborhoods.

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

Not applicable. The subject property is not currently vacant.

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

In staff's opinion, the proposed rezoning would not detrimentally affect nearby properties because the surrounding zoning, uses, and intensity are similar to what is proposed on the subject 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.

Denial of the rezoning and area plan amendment will restrict the applicant from expanding their business, which conforms with the character of the area, and is not projected to adversely impact the surrounding properties.

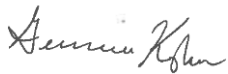
PROFESSIONAL STAFF RECOMMENDATION

Based on the applications submitted by the applicant, Staff makes recommendation to each case as following:

CD-CPC-2021-00187: Staff recommends **APPROVAL WITHOUT CONDITIONS.**

CD-CPC-2021-00188: Staff recommends **APPROVAL WITHOUT CONDITIONS.**

Respectfully submitted,



Genevieve Kohn
Staff Planner

Public Meeting Notice

Please join Total Bliss Massage
for a meeting about changing the usage of the property to a business.
case number CD-CPC-2021-00188
proposed for the following address:

Meeting Date: 12-14-2021

Meeting Time: 6pm

Meeting Location: 8532 N. Oak Trafficway KCMO 64155

Project Description: Massage & Float Therapy next door to Dairy Queen.

If you have any questions, please contact:

Name: Chanda O'Neal

Phone: 816-510-6554

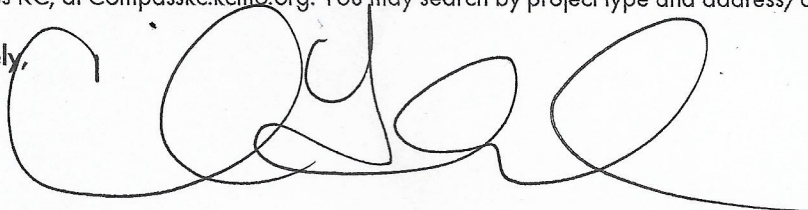
Email: chanda018@gmail.com

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

COMPASSKC
CITY SERVICES AT YOUR FINGER TIPS

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. You may search by project type and address/case number to find project details.

Sincerely,





CITY OF
KANSAS CITY,
MISSOURI

CITY PLANNING & DEVELOPMENT

Public Meeting Summary Form

Project Case # CD-CPC-2021-00188

Meeting Date: 12-14-2021

Meeting Location: 8532 N Oak Trwy

Meeting Time (include start and end time): 6pm - 7pm

Additional Comments (optional): No one showed up