

COMMUNITY PROJECT/REZONING

220108

Ordinance Fact Sheet

Ordinance Number

Case No. CD-CPC-2021-00159

Brief Title

An ordinance to approve a Zoning Map Amendment (Rezoning) to allow for outdoor storage in order to resolve a code case on about .2 acres generally located at 908 E 5th St. (CD-CPC-2021-00159)

Details

Location: Generally located 908 E 5th St.

Reason for Legislation: Zoning Map Amendments (Rezoning) require City Council approval.

PLAN REVIEW

Rezoning from B3-2 to M2-1 to allow for outdoor storage (shipping container) in order to resolve a code case.

Area Plan Amendment and 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 Downtown Mixed Use land use recommendation of the Greater Downtown Area Plan. Downtown Mixed-Use promotes office, commercial, some light industrial, public, industrial, residential, and institutional development. The Downtown Mixed-Use classification corresponds with the DX or DR zoning districts. AN

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

There are no properties within 500 ft designated M2-. City staff has not observed other outdoor industrial storage in the area.

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

The surrounding area includes the Harrison Street Skate Park, residential development, and commercial uses in historic structures. AN

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments, or Groups Affected	4 th District (Shields, Bunch)
Applicants / Proponents	Applicant Rocky Argento Sebbeto Funeral Home 901 E 5 th St Kansas City, MO 64106 City Department City Planning & Development Other
Opponents	Groups or Individuals See staff report. Basis of Opposition See staff report.
Staff Recommendation	<input type="checkbox"/> For <input checked="" type="checkbox"/> Against Reason Against – Industrial/Manufacturing uses are not appropriate for the site and neighborhood.
Board or Commission Recommendation	City Plan Commission (0-8) 01-18-2022 By Nay: Allender, Baker, Enders, Hill, Sadowski; Nay: Beasley, Rojas <input type="checkbox"/> For <input checked="" 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 <input type="checkbox"/> Hold

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

N/A. AN

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

The uses associated with the M- (industrial) zoning districts are not suitable for the area. Outdoor industrial storage does not promote high-quality, mixed-use, activity-centered development/redevelopment encouraged for the Columbus Park area. AN

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

N/A. AN

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

- *The proposed rezoning might set precedence for industrial development in the area which would affect nearby properties.*
- City staff do not believe that the shipping container qualifies as an accessory structure on the site. The principal structure appears to be vacant, and the shipping container is being used for the property owner's personal items. "In order to classify a use or structure as 'accessory', the City Planning and

	<input type="checkbox"/> Do not pass
Policy or Program Change	<input type="checkbox"/> Yes <input type="checkbox"/> No
Operational Impact Assessment	

Finances

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

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Appropriation Account Codes	

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Development Director (or their designee) must determine that the use or structure:

- Is subordinate to the principal building or principal use in terms of area, extent, and purpose;
- Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and
- Is customarily found in association with the subject principal use or building." (88-305-01-B) AN

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

- *The benefit to the public health, safety, and welfare due to the denial of the application are greater than the hardship imposed upon the landowner.*
- *Opposition from the neighborhood association has been received, see Exhibit A (of the staff report). AN*

Fact Sheet Prepared By: Ahnna Nanoski, AICP
Lead Planner
Date: 01-19-2022

Reviewed By: Joe Rexwinkle, AICP
Division Manager
Development Management
Date:

Initial Application Filed: 08-24-2021
City Plan Commission: 01-18-2022
Revised Plans Filed: NA

Reference Numbers:
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