CITY PLANNING AND DEVELOPMENT

CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri

Department of City Planning and Development Development Management Division

> 414 E 12th Street, 15th Floor Kansas City, Missouri 64108 www.kcmo.org/planning

Project City Bitty Farms Hearing Date February 2, 2021

Item Case Request

#4 CPC-2020-00106 Rezoning with plan

Item Staff Recommendation(s)#4 Continuance without fee

Applicant

Greg Garbos City Bitty Farms, LLC

Owner

Garbos, Greg & Jennifer

Location 9615 & 9618 Grandview

Road

Area About 3.25 acres

Zoning R-7.5
Council District 5th
County Jackson
School District Hickman Mills

Land Use Plan

The Red Bridge Area Plan recommends Residential Low Density land uses. The request conforms to this recommendation.

Major Street Plan

Grandview Road is not classified by the Major Street Plan at this location.

APPROVAL PROCESS



PUBLIC HEARING REQUIRED

Yes

*Common City practices dictate the applicant post a Public Hearing sign on the property. This is a "courtesy notice" under section 88-515-04-C in the Zoning and Development Code and may be waived by the City Plan Commission. Due to the precautionary measures for Coronavirus/Covid-19 City Hall has been closed to the public. Therefore, this courtesy notice could not be created nor posted on the property. All other required public hearing notifications were accomplished.

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

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 held a virtual public meeting on June 30, 2020, a summary of which is attached.

SUMMARY OF REQUEST

Applicant is seeking approval to rezone the 3.25 acre parcel to MPD (Master Planned District).

PURPOSE

The applicant is proposing to rezone to MPD to allow for the continuation and expansion of agricultural, wholesale and retail sales, office, and short term rental uses within existing and proposed structures and high tunnels which requires approval of the above-referenced requests.

CONTROLLING CASE

There are no prior cases on this site.

NEARBY DEVELOPMENTS

North: zoned R-7.5, single family residences on large tracts. **East:** zoned R-7.5, single family residences on large tracts.

South: zoned R-7.5/ R-5, Spofford Elementary School/ single family residences on large tracts.

West: zoned R-80/ R-7.5, single family residences on large tracts.

KEY POINTS

- The proposed development is on two parcels on both sides of Grandview Road.
- See attached business description from the owner.

EXISTING CONDITIONS

The 3.25-acre subject parcel is generally located on Grandview Road, about 800 feet south of E. Bannister Road. The site is a combination of two unplatted parcels (9615 and 9618 Grandview Road) with existing structures and high tunnels. Grandview Road is an unimproved street without sidewalk, curbs or gutter along these parcels. Access to the site is via the existing drives on both sides of Grandview Road.



PLAN REVIEW

The applicant is requesting to rezone the 3.25-acre parcels from District R-7.5 (Residential 7.5) to District MPD (Master Planned Development), and approval of a development plan for City Bitty Farms that allows for the continuation and expansion of agricultural, wholesale and retail sales, office, and short term rental uses within existing and proposed structures and high tunnels.

The plan shows that both existing structures to remain. The project is proposed within two parcels/ project areas. Building A (9615 Grandview Road) is proposed to be a mixed use building with residential and offices. The remainder of the parcel has 5 outbuildings and about 5 high tunnels. Building B ((9618 Grandview Road) is also proposed as a mixed use building with short term residential and offices. Other uses include a detached structure and a high tunnel. This parcels also proposed an outdoor retail area with a concession stand.

The applicant has not submitted an MPD Statement as required by 88-280. Staff would like additional information on the short term rental and the nature of the future expansion for Urban Agriculture and how it will be utilized in terms of programing.

Requested Deviations

The applicant is requesting that the requirement to improve Grandview Road to public standard be waived or modified.

Parking and Loading Standards (88-420)

The plan provides 15 parking spaces within the two parcels. A total of 11 spaces are required for the office and residential uses. The 15 parking spaces provided is more than the number required by the Zoning and Development code.

Landscape and Screening Standards (88-425)

A landscape plan is required because this is an MPD plan. A landscape plan has not been submitted. A preliminary plan must be submitted prior to ordinance request. Additional analysis will be done at the time of the Final MPD Plan review.

Outdoor Lighting Standards (88-430)

A lighting plan is required because this is an MPD plan. A lighting plan has not been submitted. Additional analysis will be done at the time of the Final MPD Plan review.

Sign Standards (88-445)

A sign plan is required because this is an MPD plan. A sign plan has not been submitted. A sign plan must be submitted unless the developer intends to meet the requirement of Chapter 88-445 in its entirety.

Pedestrian Standards (88-450)

The standards of this section apply because this is an MPD plan. The plan does not show connection through the site from Grandview Road through the site.

Requested Waivers

None.

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 Red Bridge Area Plan recommends Residential Low-Density land use on this parcel. The proposed use is consistent with the future land use recommended by the plan. No area plan amendment is required.

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

The proposed mixed-use is designed to be respectful of the existing zoning and surrounding uses. There is ample separation from the existing properties.

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

The proposed plan is to minimize the amount of disturbance to the existing parcel to keep it consistent with the physical character of the area.

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 use.

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

The parcel currently has two single family residences.

- **88-515-08-F.** Length of time the subject property has remained vacant as zoned; The parcel is not vacant.
- **88-515-08-G.** The extent to which approving the rezoning will detrimentally affect nearby properties; and The proposed zoning will allow for the existing uses to remain and provide a plan for future urban agriculture education on this property.
- 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 request would not result in any gain to the public health, safety or welfare.

PLAN ANALYSIS

In order to be approved, the plan must comply with all of the following criteria:

88-516-05-A. The plan must comply with all standards of this zoning and development code and all other applicable city ordinances and policies.

The Red Bridge Area Plan recommends Residential Low-Density land use on this parcel. The proposed use is consistent with the future land use recommended by the plan. No area plan amendment is required.

88-516-05-B. The proposed use must be allowed in the district in which it is located.

The proposed residential and office uses are permitted under the current zoning and will be permitted in the proposed MPD district. The proposed retail component and the number of outbuilding and high tunnels will be allowed by the MPD zoning.

- **88-516-05-C.** Vehicular ingress and egress to and from the site, and circulation within the site, must provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways. The proposed plan shows access on both sides of Grandview Road.
- 88-516-05-D. The plan must provide for safe, efficient, and convenient non-motorized travel opportunities, being pedestrian and bicycle movement, on the subject site.

The plans does not show any pedestrian facility on Grandview Road and on the site.

88-516-05-E. The plan must provide for adequate utilities based on City standards for the particular development proposed.

There are adequate public facilities serving the site.

88-516-05-F. The location, orientation, and architectural features, including design and material, of buildings and other structures on the site must be designed to be compatible with adjacent properties.

There are no plans to construct any additional buildings.

88-516-05-G. Landscaping, berms, fences and/or walls must be provided to buffer the site from undesirable views, noises, lighting or other off-site negative influences and to buffer adjacent properties from negative influences that may be created by the plan.

The applicant has not submitted a preliminary landscape plan. A preliminary plan is required and further analysis will be reviewed as part of the final MPD plan.

88-516-05-H. The design of streets, drives, and parking areas within the project should result in a minimum of area devoted to asphalt or other impervious surfaces consistent with the needs of the project and city code requirements.

The plan does not propose any public streets. No site improvement is proposed with this plan.

88-516-05-1. The plan must identify trees to be removed and trees to be preserved during the development of the subject property with the goal of saving trees that are not required to be removed for the development of the property.

The plan does not propose any additional areas to be disturbed.

PROFESSIONAL STAFF RECOMMENDATION

City Planning and Development Staff **recommends approval subject to the following conditions** based on the application, plans, and documents provided for review prior to the hearing:

1. That plans, revised as noted below, are submitted and accepted by the following staff prior to ordinance request:

The following are recommended by the Development Management Division of the City Planning and Development Department. For questions, contact staff name at Olofu.agbajil@kcmo.org.

- a. Provide an MPD Statement as required by 88-280.
- b. Provide additional information on the short term rental and the nature of the future expansion for Urban Agriculture and how it will be utilized in terms of programing.
- c. Call out any request for waiver, deviation and modification to the subdivision regulations.
- d. Call out any request for deferment or desire to post bonds in lieu of constructions of public improvements.
- e. A signage plan for this development as required by Chapter 88-445-10.
- f. A lighting plan as required by Chapter 88-430.
- g. A landscaping plan as required by Chapter 88-425.

The following are recommended by the Development Management Division of the City Planning and Development Department. For questions, contact staff name at olofu.agbajil@kcmo.org.

- 2. That the developer submit a Final MPD Plan to the City Plan Commission indicating detailed architectural plans with materials (color and renderings), plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero foot candles at the property lines prior issuance of building permit.
- 3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to Certificate of Occupancy.

The following are recommended by the Land Development Division. For questions, contact Stacey Lowe at stacey.lowe@kcmo.org.

- 4. The developer must secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
- 5. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.
- 6. That Grandview Road along the frontage of both properties shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.

- 7. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
- 8. The developer must submit a Macro storm drainage study with the first Plat or Phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including Water Quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit Micro storm drainage study with each subsequent Plat or Phase showing compliance with the approved Macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first as required by the Land Development Division.
- 9. The developer must enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
- 10. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting
- 11. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
- 12. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.

The following are recommended by the Water Services Department. For questions, contact Heather Massey at heather.massey@kcmo.org.

13. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations.

The following are recommended by the Water Services Department. For questions, contact Jerald Windsor at Jerald.windsor@kcmo.org.

14. The developer shall follow the KCMO Rules and Regulations for domestic water and fire service lines.

The following are recommended by the Kansas City Fire Department. For questions, contact John Hastings at john.hastings@kcmo.org.

15. Any significant occupancy type change shall be done in conformance with the applicable building codes which are in effect at the time of the change with a valid Certificate of Occupancy issued by City Planning and Development. (IFC-2018 § 102.3)

The following are recommended by the Water Services Department. For questions, contact Robert Davis at Robert.davis@kcmo.org.

16. Stormwater management facilities, including but not limited to detention basins and BMPs, shall be privately maintained and covered by maintenance covenant(s) or easement(s) that include provisions for private maintenance.

Respectfully Submitted,

Olofu Agbaji Planner

<u>City Bitty Farms – Description of Operations</u>

City Bitty Farm is a family owned and operated business that strives to provide affordable, fresh, nutritious local food for the Kansas City community. Owners, Greg and Jennifer Garbos, are passionate about using sustainable and innovative agricultural practices to continue serving the Kansas City community high-quality produce at a local scale. City Bitty Farms is currently outperforming their current agricultural infrastructure and needing to expand to ensure continued supply and quality to their local customers. Their current zoning is currently restricting their growth potential to better provide their community with the fresh food they've come to expect. With support of their neighborhood community, City Bitty Farms would like to change their current zoning from R-7.5 to B3 to advance their vision for a holistic cultivation campus. Greg and Jennifer hope to not only better supply Kansas City with fresh, local food, but develop a destination for the community to learn and participate in the cultivation process. City Bitty Farms has great potential to become a place of education and showcase to demonstrate the importance of accessible fresh food in urban environments. Through this Master Plan Development process City Bitty Farms plans to better serve the Kansas City community with their innovative cultivation practices and community building approach to urban agriculture.

Summary of Public Feedback (Q&A starts after presentation on recording at 41:15)

June 30, 2020 Zoom Webinar meeting

Attendees (registration and attendance lists are separate files generated by Zoom)
Neighbors: Arthur Clayton (and spouse), Tammy Roach, Robert Nelson, Frank Gilgus, Susan

Cofer (and partner Ellen)
Affiliated Organizations: Theo Bunch (Cornerstones of Care), Charlie Hopper (Food System Expert), Catherine Bohnert (MO Department of Agriculture)

Hosts

Jennifer and Greg Garbos

Presenters and Facilitators

Tim Duggan (Phronesis), Christina Hoxie (Hoxie Collective), Regan Tokos (Hoxie Collective)

Frank Gilgus: Resident and owner of 3317 Red Bud Drive for 40 years "These guys are awesome. Best produce and microgreens in the world. Friends for 10 years. They drop off presents at the holidays. There is nothing wrong with what they are doing... This request should happen. What is the problem with having this in our area? I'm for you and with you. I wish the best for you. Restaurants need fresh produce and it's right here."

Arthur Clayton: Live directly east. "We are here in support of the change requested. Our properties back up to each other. Others in the neighborhood are mimicking what the Garbos are doing. Some more successfully than others. Can we create standards for doing it well, so that property values aren't negatively impacted?"

Greg: "All are held to the standards of the City...We are open to sharing what we've learned to help others. What we love about this neighborhood is that we police each other, ... and we enjoy that dialogue."

Arthur: "We are whole heartedly in support, and we would like to see you helping other local neighborhood farmers learn how to follow the standards you set, to keep the neighborhood up."

Greg: "We will help wherever you point us! You are great neighbors!"

Theo Bunch (Director of Career and Tech Education at Cornerstones of Care – across the street): "I am appreciative of City Bitty and the role they play as mentors to youth. In my position at Cornerstones of Care, I teach 300 young men and women annually (building trades, culinary arts). Our goal is to help foster care youth who are aging out of the system to become resilient and employable. We rely on strong partners to give support and help mentor the kiddos. Please tell more about what you are doing."

Greg: "I have known Theo for a long time, and I had foster and adopted siblings growing up. Thank you Theo for what you do. The campus was the Spofford School prior to Cornerstones of Care. I was giddy with excitement when the Cornerstones of Care moved in! We have a current employee who was placed through JVS (aged out of foster care)... We welcome school groups annually to learn about all the different skillsets it

takes to be a successful farmer... Our doors are open to tours of many organizations and individually through organized events or one on one... We would like to expand outreach to kids... Let us know if you think of ways we should be doing that."

Susan Cofer: "We live across the street behind the Garbos. I don't have any questions because the Garbos open their home and farm to community – we all know what they are doing. They share their passion, generosity, and vision for a loving quiet community. I am assuming this is a no brainer – it helps the community and city. Why are we here, what can we do to help, what are the next steps? Is there a chance its not going to happen? I would like to stand up louder if so."

Tim Duggan: "The process is one the City prescribes. It must be the same for everyone. The level of community support makes us feel like we are in a positive place – but can not count our chickens before they hatch. The next milestone dates are on this slide (CPC and BZA). Between now and the second week of August the Garbos will know if they have any in opposition and how to address and changes."

Charlie: "I am happy to see this happening. This is a good opportunity to create a precedent for other farmers who need some clarity. (Greg asked Charlie to describe context of their relationship.) We met when I worked at the Dept of Ag 10 years ago. City Bitty struggled with security and clarity like all farmers."

Greg: "Charlie showed up in his truck from the Government unannounced...he understood what we were trying to do and encouraged us that there is a need that we help to fill. Catherine is also on the call from the MO Department of Agriculture... It is encouraging to know that this agency is paying attention to the concerns of small urban agriculture as well as large agriculture... It has meant a lot to us that the government has been there to support us financially and with letters of support."

Tammy: "We are neighbors directly east (have been here 24 years)...My husband and I wanted to garden and grow our own food. It was hard!... I was diagnosed with cancer and chose homeopathic methods of healing...I sought a grant to grow food (2016) and connected more closely with Garbos (had previously become inspired by them at the Urban Farming tour). Greg helped us walk through the whole process when they received the grant, and Greg's dad helped too... They have improved our neighborhood in so many ways. They build community. That is at the heart of everything they do. This city would be in a dire predicament if the Garbos family is not able to continue doing what they are doing. We love them and appreciate their sacrifices. They go outside of their comfort zone to help and serve. We should all follow their lead – and build relationships no matter what neighborhood we are in."

CITY BITTY FARMS MASTER PLAN DEVELOPMENT

PROPERTY OWNER

CITY BITTY FARMS GREGORY GARBOS 9615 GRANDVIEW ROAD KANSAS CITY, MO 64137

LANDSCAPE ARCHITECT

PHRONESIS, LLC
1515 GENNESSEE STREET, STE 15
KANSAS CITY, MO 64102
CONTACT: TIMOTHY DUGGAN, RLA
TIM@PHRONESIS.US
(816) 214-0896

SHEET INDEX

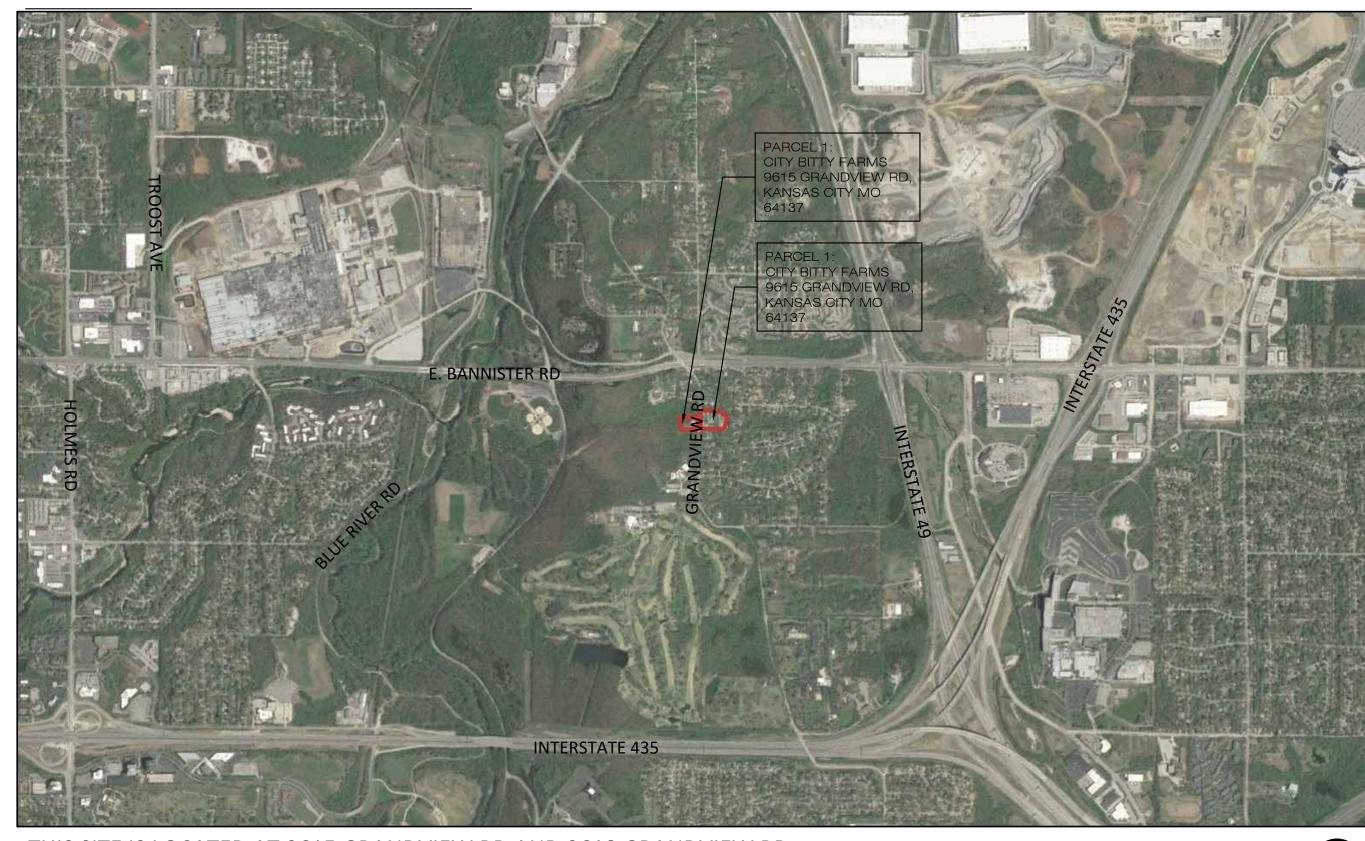
L100 - EXISTING CONDITIONS PLAN

L101 - HYDROLOGY L200 - SITE PLAN

PROJECT DESCRIPTION

City Bitty Farm is a family owned and operated business that strives to provide affordable, fresh, nutritious local food for the Kansas City community. Owners, Greg and Jennifer Garbos, are passionate about using sustainable and innovative agricultural practices to continue serving the Kansas City community high-quality produce at a local scale. City Bitty Farms is currently outperforming their current agricultural infrastructure and needing to expand to ensure continued supply and quality to their local customers. Their current zoning is currently restricting their growth potential to better provide their community with the fresh food they've come to expect. With support of their neighborhood community, City Bitty Farms would like to change their current zoning from R-7.5 to MPD, Master | Planned Development, to advance their vision for a holistic cultivation campus. Greg and Jennifer hope to not only better supply Kansas City with fresh, local food, but develop a destination for the community to learn and participate in the cultivation process. City Bitty | Farms has great potential to become a place of education and showcase to demonstrate the importance of accessible fresh food in urban environments. Through this Master Plan Development process City Bitty Farms plans to better serve the Kansas City community with their innovative cultivation practices and community building approach to urban

PROJECT LOCATION



THIS SITE IS LOCATED AT 9615 GRANDVIEW RD AND 9618 GRANDVIEW RD, KANSAS CITY, MO, 64137, NEAR THE INTERSECTION OF BANNISTER RD AND GRANDVIEW RD.



ABBREVIATION/SYMBOLS

ASSESSOR'S PARCEL NUMBER

CONTOUR INTERVAL

GENERAL NOTES

APN #: 49-440-03-35-00-0-00-000, 49-430-04-22-00-0-000

ZONING TYPE:

PARCEL 1 AND PARCEL 2 CURRENTLY ZONED AS R-7.5. PROPOSING TO REZONE PARCEL 1 AND PARCEL 2 TO UR/MPD-B3.

ACREAGE:
PARCEL 1: 2.045
PARCEL 2: 1.203

TOTAL: 3.248

EXISTING HERITAGE TREES THAT SCREEN PROPERTY WILL REMAIN. EXISTING LANDSCAPE WILL REMAIN INTACT. ADDITIONAL LANDSCAPE SCREENING IS PROPOSED IN ORDER TO MEET CITY STANDARDS.

SECURITY LIGHTING IS PROPOSED IN ACCORDANCE WITH CITY STANDARDS.

phro•ne•sis

APPLICANT:

CITY BITTY FARMS

ADDRESS:
9615 Grandview Rd
Kansas City, MO 64132

LANDSCAPE:

Phronesis

1515 Genessee St Suite 15 Kansas City, MO, 64102 T 816-214-0896 www.phronesis.us

MASTER PLAN DEVELOPMENT

ALL DRAWINGS AND WRITTEN INFORMATION APPEARING HEREIN SHALL NOT BE DUPLICATED , DISCLOSED OR OTHERWISE USED

T. DUGGAN

PRINCIPAL IN CHARGE

PROJECT MANAG

^ 4 AUGUST 2000 PEVELOPMEN

4 AUGUST 2020, DEVELOPMENT REVIEW COMMENTS UPDATE

LEASE & REVISION DATES

ISSUE DATE

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PERMITTING PLAN

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