



# CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri  
City Planning & Development Department  
[www.kcmo.gov/cpc](http://www.kcmo.gov/cpc)

April 4, 2023

**Project Name**  
The Lofts at 2912 E. 23rd Street

**Docket #** 2.1 & 2.2

**Request**  
CD-CPC-2023-00032  
Area Plan Amendment

CD-CPC-2023-00014  
Rezoning without Plan

**Applicant**  
Dederick Kelly

**Owner**  
Dederick Kelly

Location 2904 & 2912 E. 23<sup>rd</sup> Street  
Area About .2 acres  
Zoning R-2.5  
Council District 3<sup>rd</sup>  
County Jackson  
School District KCMO 110

**Surrounding Land Uses**  
**North:** Vacant Land, zoned R-2.5  
**South:** Vacant Land, zoned R-2.5  
**East:** Vacant Land, zoned R-2.5  
**West:** Institutional, zoned B1-1

**Major Street Plan**  
E. 23<sup>rd</sup> Street is identified as a Local Link on the City's Major Street Plan.

**Land Use Plan**  
The Heart of the City Area Plan recommends Residential Urban Low Density for this location.

## APPROVAL PROCESS



## PROJECT TIMELINE

The application for the subject request was filed on 1/20/2023. Scheduling deviations from the 2023 Cycle D have occurred.

## REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 does apply to this request. The applicant hosted a meeting on 3/3/2023. A summary of the meeting is attached to the staff report, see attachment #2.

## EXISTING CONDITIONS

The two lots proposed for rezoning are on the north side of E. 23<sup>rd</sup> Street. The western lot (2904 E. 23<sup>rd</sup>) once served as a parking lot for the two-story building located on the eastern lot (2912 E. 23<sup>rd</sup>).

## SUMMARY OF REQUEST + KEY POINTS

A request to rezone an area of about .2 acres generally located on the northwest corner of E. 23<sup>rd</sup> Street and Agnes Avenue from District R-2.5 (residential) to District B1-2 (neighborhood business).

A request to approve an area plan amendment from Residential Urban Low to Mixed Use Neighborhood on about .2 acres generally located on the northwest corner of E. 23<sup>rd</sup> Street and Agnes Avenue.

## CONTROLLING + RELATED CASES

There are no controlling or related cases on this site.

## PROFESSIONAL STAFF RECOMMENDATION

Docket # Recommendation

**2.1 APPROVAL**

**2.2 APPROVAL**

## PLAN REVIEW

The applicant is proposing to rezone two lots on the northwest corner of E. 23<sup>rd</sup> Street and Agnes Avenue. The current zoning R-2.5 (residential) prohibits the property owner from restoring the existing structure and converting it into apartments with the potential for retail on the ground floor; the applicant is proposing to rezone to B1-2 (neighborhood business). Long range planning staff have also requested for the applicant to request an area plan amendment to change the current recommendation of “Residential Urban Low Density” to “Mixed Use Neighborhood.” The building on the eastern lot has been in existence since at least 1909.

## PLAN ANALYSIS

The proposed rezoning from residential to B1-2 is supported by staff as it correlates to the existing context of the properties located directly to the west of the project area.

## SPECIFIC REVIEW CRITERIA

### Zoning and Development Code Map Amendments, Rezoning (88-515-08)

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:

**A. Conformance with adopted plans and planning policies;**

The Heart of the City Area Plan calls for “Residential Urban Low Density” and the applicant is proposing to rezone the two lots and change the area plan recommendation to “Mixed Use Neighborhood.” The properties located to the west currently have a recommendation of “Mixed Use Neighborhood.”

**B. Zoning and use of nearby property;**

There are institutional uses located to the west and south of the project area and they are currently zoned B1-1. The uses and zoning to the north and east of the project area are residential, some of the lots have existing homes and some are vacant lots.

**C. Physical character of the area in which the subject property is located;**

The subject property is located east of Benton Boulevard and near several institutional uses. The area has a large amount of vacant lots and one and two story homes scattered throughout the immediate area.

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

Public Works has future plans to widen and improve E. 23<sup>rd</sup> Street. The site will be properly served by water and sewer.

**E. Suitability of the subject property for the use to which it has been restricted under the existing zoning regulations;**

Staff supports the rezoning as the existing structure could not be repurposed for mixed use activity with the current R-2.5 zoning.

**F. Length of time the subject property has remained vacant as zoned;**

The building located on the eastern lot appears to have been vacant prior to 2007.

**G. The extent to which approving the rezoning will detrimentally affect nearby properties; and**

The rezoning will not detrimentally affect nearby properties as the existing building has been located at this location for over one hundred years.

**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 this application will make it difficult to redevelop the existing structure and overall site.

**ATTACHMENTS**

1. Applicants Submittal
2. Public Engagement Materials

**PROFESSIONAL STAFF RECOMMENDATION**

City staff recommends **APPROVAL** for each request, the rezoning and area plan amendment.

Respectfully Submitted,



Andrew Clarke, AICP  
Planner



Agnes Ave

Agnes Ave

Agnes Ave

Agnes Ave

E 23rd St

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OVERLAP LINE

 **PUBLIC HEARING**  
CITY HALL, KANSAS CITY, MISSOURI  
**CD-CPC-2023-00014**  
**APRIL 4, 2023**  
City Plan Commission  
For information call 816-513-8801

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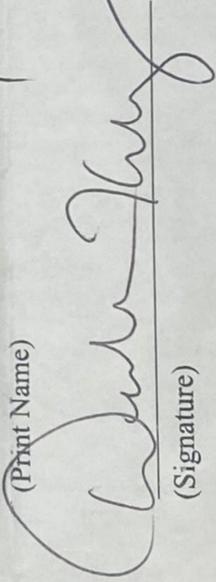
CASE NUMBER CD-CP-223-00014  
ADDRESS OR LOCATION 2904 + 2914 E 23<sup>rd</sup> ST, KCC MO

AFFIDAVIT OF SIGN POSTING

STATE OF Missouri  
COUNTY OF Jackson

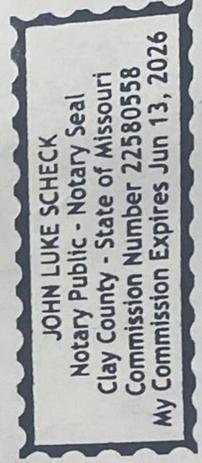
I, Dederick Kelly-Mannings being duly sworn upon my oath and being of sound mind and legal age state:

That I am the Owner (agent, owner, attorney) of the lot, tract or parcel of land for which the application was filed and did not later than fifteen (15) days prior to the date of first hearing scheduled for the above-referenced case at the above-referenced location, place a sign upon said lot, tract or parcel of land in compliance with the applicable Notice of Hearing procedures in the Zoning and Development Code.

Dederick Kelly  
(Print Name)  
  
(Signature)

Subscribed and sworn to before me this 24<sup>th</sup> day of March, 2023.

John Luke Scheck  
Notary Public



My Commission Expires June 13, 2026

*Said sign shall be furnished by the City to the applicant and the applicant shall firmly affix and attach the sign to a wood or metal backing or frame. The sign shall be posted in a fashion visible from a public right-of-way or public place, shall not be further than ten (10) feet from the property line exclusive of the public right-of-way and shall be posted in a manner that the bottom portion of the sign is no further than eighteen (18) inches from the ground. The applicant shall file an affidavit prior to the public hearing stating that said sign has been posted according to these regulations.*



CITY OF  
KANSAS CITY,  
MISSOURI

# CITY PLANNING & DEVELOPMENT

## Public Meeting Summary Form

Project Case # CD-CPC-2023-00014

Meeting Date: 3-23-2023

Meeting Location: Seton Center

Meeting Time (include start and end time): 6:00-6:45

Additional Comments (optional):

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~~PK~~

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