# CITY PLAN COMMISSION STAFF REPORT

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

11/20/2024

**Project Name**
Chapter 88 Amendment, Periodic Review

**Docket #14**

**Request**
CD-CPC-2024-00140
Periodic Review

**Applicant**
City Planning and Development

**APPROVAL PROCESS**

Staff Review → City Plan Commission → City Council

**SUMMARY OF REQUEST + KEY POINTS**
The City Planning and Development Department is proposing an amendment to the Major Amendment Criteria.

**REQUIRED PUBLIC ENGAGEMENT**
Standard protocol for periodic review text amendments is to post drafts to the City's website approximately 30 days in advance of the City Plan Commission hearing. This protocol was followed. The website provides a feedback form and to date no feedback has been received. Additionally, staff held a public engagement meeting on November 12, 2024. Sign in sheet and comments provided in Attachment #3.

**CONTROLLING + RELATED CASES**
Ordinance No. 231047 – Periodic Review for multiple amendments to zoning and development code which included the Major Amendment Criteria. The Major Amendment Criteria was removed from the original ordinance to allow two of the four criteria to receive approval.

**PROFESSIONAL STAFF RECOMMENDATION**
Docket #14 Approval

**Amendments to Development Plans of Project Plans**

**88-516-06-A. Major Amendments**

The zoning and development code sets criteria for what distinguishes a minor amendment from a major amendment for a previously approved plan. The distinction identifies which changes are limited or small enough to warrant an administrative review and changes that are substantial enough to require the public hearing process through the City Plan Commission and City Council and a public engagement meeting with surrounding property owners.

The proposed amendment removes the square footage cap from the building coverage and total floor area requirements. It increases the allowed building height maximum increase from 6 foot to 15 feet in all zoning districts except manufacturing districts and limits the building height maximum for manufacturing districts based on the proximity to residential districts. Additionally, the amendment provides a distinction to the allowed increase in impervious surface based on proximity to residential districts providing a cap for properties in a manufacturing district within 500 feet of a residential district.

**SPECIFIC REVIEW CRITERIA**

**Zoning and Development Code Text Amendments (88-510-07)**

In reviewing and making decisions on zoning and development code text amendments, the City Planning and Development Director, City Plan Commission, and City Council must consider at least the following factors:

A. **Whether the proposed zoning and development Code text amendment corrects an error or inconsistency in the Zoning and Development Code or meets the challenge of a changing condition;**
   The text amendment meets the challenge of changing conditions in an effort to aid in development.
B. **Whether the proposed zoning and development code text amendment is consistent with adopted plans and the stated purpose of this Zoning and Development Code; and**
   The amendment is consistent with adopted plans and purposes of the code.
C. **Whether the proposed zoning and development code text amendment is in the best interests of the City as a whole.**
   The proposed amendment is in the best interests of the city as a whole.

**ATTACHMENTS**

1. Redline Draft
2. Clean Copy
3. Public Engagement

**PROFESSIONAL STAFF RECOMMENDATION**

City staff recommends **Approval** as stated in the conditions report.

Respectfully Submitted,

Larisa Chambi, AICP
Planning Supervisor

## 88-516-06 AMENDMENTS TO DEVELOPMENT PLANS OR PROJECT PLANS

### 88-516-06-A. MAJOR AMENDMENTS

1. Major amendments to approved development plans or project plans must be reviewed and approved in accordance with the development plan or project plan review procedures of this ordinance. Major amendments to development plans or project plans include one or more changes, in cumulative total (when compared to the original plan approval), that would:

   a. increase building coverage by more than 10%;

   b. increase the total floor area by more than 10%~~, or 5,000 square feet, whichever is less;~~

   c. increase building height by more than 10%~~ or 6 feet, whichever is less;~~ or 15 feet in all zoning districts except M, whichever is less;

   d. ~~i~~increase building height by more than 10% in an M zoning district within 500 feet of a ~~Residential~~ zoning district;

   e. ~~i~~increase the total impervious surface coverage by more than 10% or 10,000 square feet~~,~~ in an M~~anufacturing~~ zoning district within 500 feet of an R zoning district, whichever is less;

   f. ~~i~~increase the total impervious surface coverage by more than 10% in a M zoning district for properties not within 500 feet of a R zoning district;

   ~~d.~~g. ~~i~~increase the total impervious surface coverage by more than 10% in all other zoning districts;

   ~~d. increase the total impervious surface coverage by more than 10% or 2,000 square feet, whichever is less;~~

   h~~e~~. result in extensive site modification involving location of buildings, razing, and reconstruction of approved uses;

   i~~f~~. increase the number of dwelling units by more than 10%; or

   j~~g~~. result in any other change that the city planning and development director determines will have impacts that warrant full review of the application in accordance with the development plan review procedures.

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    b. increase the total floor area by more than 10%;

    c. increase building height by more than 10% or 15 feet in all zoning districts except M, whichever is less;

    d. increase building height by more than 10% in an M zoning district within 500 feet of a R zoning district;

    e. increase the total impervious surface coverage by more than 10% or 10,000 square feet in an M zoning district within 500 feet of an R zoning district, whichever is less;

    f. increase the total impervious surface coverage by more than 10% in a M zoning district for properties not within 500 feet of a R zoning district;

    g. increase the total impervious surface coverage by more than 10% in all other zoning districts.

    h. result in extensive site modification involving location of buildings, razing, and reconstruction of approved uses;

    i. increase the number of dwelling units by more than 10%; or

    j. result in any other change that the city planning and development director determines will have impacts that warrant full review of the application in accordance with the development plan review procedures.

# Public Comments

**TEXT AMENDMENT PUBLIC MEETING, TUESDAY, NOVEMBER 12TH 2:00-4:00PM, 14TH FLOOR OF CITY HALL**

| NAME | ARE YOU A RESIDENT OR PART OF AN ORGANIZATION? | ADDRESS | EMAIL ADDRESS | TELEPHONE NUMBER |
|---|---|---|---|---|
| Bethany Dyche | HJM Architects | 7520 Washington St KC, MO 64114 | bdyche@hjmarch.com | 816 529 1816 |
| Jacob Hodson | Olsson | 1301 Burlington | Jhodson@olsson.com | |
| Amelia McIntyre | Resident and Plaza Westport NA and HKC | 4545 Warnall RD, KCMO | mcintyre.amelia@gmail.com | (816)863-4063 |
| Vicki Noteis | RESIDENT + HISTORIC KC BOARD | 1 E. 55th TER KCMO 64113 | vicki.noteis@collinsnoteis.com | 816 651-0731 |
| Bryce Wolff | Lewis Rice KC | 1010 Walnut St 500 Kansas City, MO 64106 | bwolff@lewisricekc.com | 816-398-0838 |
| Travis W. Kiefer, P.E. | KC Water | 5th Fl City Hall | travis.kiefer@kcmo.org | 816-513-2139 |
| Coby Crowl | McClure/CPC | 1700 Swift #100 NKCMO 64116 | ccrowl@mcclurevision.com | 816 756-0444 |
| Brenton Dells | Taliaferro; Browne | 1020 E 8th | bdells@tb-eng.com | 283 3456 |
| SEAN ACKERSON | SOUTHTOWN COUNCIL | 601 E 63rd, STE 350 | sean@southtown.org | 816-523-5553 |

IS the height of the penthouse and/or mechanical screen counted as the height of the Building?

Jake Hodson

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A. McIntyre

Are modifications in M district, outside of 500 feet* as to height, all considered minor amendments?

* from residential districts

Does not appear in "c" or "d" to address height restrictions if in M, and beyond 500 feet of residential.

1. MAJOR PROBLEM W/ B "C" ALLOWING 15' ADDITION (ONE ENTIRE FLOOR)
- RESULTS IN HEIGHTS SIGNIFICANTLY OVER PLAN RESTRICTIONS
* GO BACK TO ORIGINAL PROPOSED 6'

2. STOP USING NEIGHBORING BLDGS THAT ALREADY EXIST AS A GUIDE FOR HOW HIGH A NEW DEV. CAN GO →

THE 1ST EXCEPTIONS BECOME A BAD PRECEDENT THAT NEVER ENDS.
BLOCK'S BLDG @ 47 # ≠ ROANOKE
IS DOUBLE THE HEIGHT RESTRICTION
IN MIDTOWN/PLAZA PLAN.

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