

# COMMUNITY PROJECT/ZONING

## Ordinance Fact Sheet

Case No. 14466-P

**Brief Title**

**Approval Deadline**

To consider rezoning about 7 acres from Districts

AG-R and R-2.5 to District B3-3 (Community Business dash 3).

**140413**

Ordinance Number

### Details

#### Specific Address

Generally located at southeast corner of MO. Route 152 and N. Green Hills Road.

#### Reason for Legislation

To consider rezoning about 7 acre, from District AG-R (Agricultural-Residential District) and District R-2.5 (Residential dash 2.5) to District B3-3 (Community Business dash 3).

#### Discussion

##### EXISTING CONDITIONS:

The subject parcel is about 7 acres generally located at southeast corner of MO. Route 152 and N. Green Hills Road. The property is an unplatted tract of land within zoning District AG-R (Agricultural-Residential District) and District R-2.5 (Residential dash 2.5). The property is heavily wooded.

Access to the site is via two existing driveways on N. Green Hills Road. This site has the potential for a full access toward the southern end of the property, which will allow for southbound left turns in the future. The existing curb cuts would allow for right in/right out only. North Green Hills Road is an improved four-lane divided street with sidewalks, curbs and gutter. To the north and south of the site is vacant undeveloped land. The property to the north has limited access due to the distance from the intersection of MO152 and Green Hills Road. To the east is the Garden Village Retirement Center. NW 85th Terrace is shown in the area plan to extend from NW Green Hills Road through this property and to the east to connect with existing NW 85th Terr. To the west is Barry Plaza, a multi-tenant retail development.

##### ANALYSIS:

The applicant is requesting to change the zoning of a 7 acre tract of land from District AG-R (Agricultural-Residential District) and District R-2.5 (Residential dash 2.5) to District B3-3 (Community Business dash 3).

### Positions/Recommendations

<b>Sponsor</b>	Robert Langenkamp, AICP, Director Department of City Planning and Development
<b>Programs, Departments, or Groups Affected</b>	2nd District (Ford & Johnson)
<b>Applicants / Proponents</b>	<b>Applicant</b> William T. Mann Green Hills Inc. 9601 N Platte Purchase Rd Kansas City, MO 64155  <b>City Department</b> City Development  <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b> Tony Cucchiara  <b>Basis of opposition</b> Needs north south access connections through this property
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> <b>For</b>  <input type="checkbox"/> <b>Against</b>  <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	City Plan Commission (6-0) 05-06-2014 <b>By</b> Aye: (Archie, Baker-Hughes, Krum, Macy, Martin & May) <input type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <b>No action taken</b>  <input checked="" type="checkbox"/> <b>For, with revisions or conditions</b> (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> <b>Do pass</b> <input type="checkbox"/> <b>Do pass (as amended)</b> <input type="checkbox"/> <b>Committee Sub.</b> <input type="checkbox"/> <b>Without Recommendation</b> <input type="checkbox"/> <b>Hold</b> <input type="checkbox"/> <b>Do not pass</b>

## Details

**CONTINUED:**

The Business District is described by the Zoning and Development Code as:

**Chapter 88-120-02-C. B, Business Districts**

*B zoning districts are primarily intended to accommodate and promote neighborhood- and community-serving retail sales or service uses, as well as mixed-use development consisting of business uses on a building's lower floors and residential uses on upper floors. This type of vertical, mixed-use development is encouraged in many areas of the city because it reflects the city's traditional urban, pedestrian-oriented character. Encouraging residential development in mixed-use zoning districts also provides increased housing choice and opportunities to promote higher density housing. The B districts are distinguished primarily on the basis of allowed uses and commercial floor area limits.*

**B1, Neighborhood Business 1**

*The primary purpose of the B1, Neighborhood Business 1 district is to accommodate small-scale retail and service uses that serve the day-to-day convenience needs of nearby residents. B1 zoning is primarily intended to be applied in compact nodes at intersections or in a cohesive linear fashion along relatively narrow streets that have slow traffic speeds and volumes (compared to multi-lane, major streets).*

**B2, Neighborhood Business 2**

*The primary purpose of the B2, Neighborhood Business 2 district is to accommodate small-to moderate-scale retail and service uses that serve the day-to-day convenience needs of nearby residents as well as the occasional needs of residents within a larger trade area. The primary difference between the B1 and B2 districts is that B2 permits a broader range of uses and businesses with a larger floor area.*

**B3, Community Business**

*The primary purpose of the B3, Community Business district is to accommodate a broad range of retail and service uses, often in the physical form of shopping centers or larger buildings than found in the B1 and B2 districts. parcels.*

## Policy/Program Impact

<b>Policy or Program Change</b>	<input type="checkbox"/> No <input type="checkbox"/> Yes
<b>Operational Impact Assessment</b>	

## Finances

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Fund Source (s) and Appropriation Account Codes</b>	

## Fact Sheet Prepared By:

Olofu O. Agbaji  
Staff Planner

Date: 05-14-2014

Initial application filed: 03-21-2014

## Reviewed by:

Diane M. Binckley, Division Manager  
Development Management

Date: 05-16-2014

## Reference Numbers

Case No. 14466-P

CONTINUED:

*In addition to accommodating development with a different physical form than typically found in B1 and B2 districts, the B3 district is also intended to accommodate some types of destination-oriented commercial uses that draw from a larger trade area than the types of neighborhood-serving uses found in B1 and B2 districts. The B3 district is primarily intended to be applied to large sites that have primary access to major streets. It may also be used along smaller streets to accommodate retail and service use types that are not allowed in B1 and B2 districts.*

**B4, Heavy Business/Commercial 4**

*The primary purpose of the B4, Heavy Business/Commercial district is to accommodate "heavier" commercial activities and a limited range of industrial uses with operating characteristics that make them generally incompatible with mixed-use or neighborhood-oriented environments.*

The proposed zoning is supported by the area plan and allows for appropriate uses at this location. In an effort to ensure quality development and appropriate vehicular and pedestrian connections for this property and the property to the north and south, we recommend a condition to allow a cross access easement between the three parcels.

**RECOMMENDATIONS:**

City Planning and Development Staff recommended approval of Case No. 14466-P based on the application, plans, and documents provided for review prior to the hearing with the following condition:

1. That the property owner/developer grant an access easement to allow the property to the north to have access through this property gaining access to the full access point on Green Hills Road. The access easement shall be provided prior to any future development of this property.

The City Plan Commission meeting in regular session on May 6, 2014, recommended that the above 7 acre parcel be rezoned to District B3-3 (Community Business-3) subject to the following condition:

1. The City Plan Commission and the City Council shall approve a development plan for this site prior to issuance of a Building Permit or any development occurring on this site (with the intention of providing connections to properties to the north and south).

