

## **PLANNING COMMISSION MEETING**

**Thursday, April 1, 2021  
6:00 p.m.**

**Due to the ongoing pandemic, this meeting will be held virtually, with Planning Commissioners and City staff joining the meeting on an online platform.**

**To join the Thursday, April 1 Planning Commission Meeting, please use this link: <https://us02web.zoom.us/j/85470182951>**

**Or join by telephone by calling (312) 626-6799 and using Webinar ID: 854 7018 2951**

### **The public is invited to participate in this meeting in the following ways:**

- Written public comments may be submitted prior to the meeting by emailing [scopeland@nkc.org](mailto:scopeland@nkc.org); write "Planning Commission Public Comment" in the subject line. Please submit written comments no later than 5:00pm on March 4, 2021. Written comments received by the deadline will be read by staff during the meeting.
- Online: the public may join the Zoom webinar and may make comments by using the Raise Hand feature of Zoom.
- Phone: Dial-in by phone using the information provided above. Callers may use \*9 to indicate that they would like to speak during the public hearing or comments.

### **AGENDA**

1. Call to Order
2. Approval of Agenda of April 1, 2021
3. Approval of Minutes of March 4, 2021
4. PC2021-04: Zoning Ordinance Text Amendments – Section 17.20.020, Urban Areas Design Standards and Chapter 17.28, Access and Parking
5. Comments from Public

6. Comments from Staff
7. Comments from Commissioners
8. Adjournment

PLANNING COMMISSION  
MINUTES

Meeting Date  
March 4, 2021

Members Present: Bryant DeLong  
Jim Dunn  
Byron Spencer  
Don Stielow  
Dave Wood  
Johnathan Barnes

Members Absent: Timothy Roberts

Also Present: Sara Copeland, Director of Community Development  
Kim Nakahodo, Assistant City Administrator

**1. CALL TO ORDER**

Commissioner Spencer opened the meeting at 6:00 p.m. Ms. Copeland reviewed the procedures for the virtual meeting and called the roll.

**2. APPROVAL OF AGENDA**

Commissioner Wood moved to approve the Planning Commission Agenda for the meeting on March 4, 2021 and was seconded by Commissioner Dunn. All said aye. Motion passed unanimously.

**3. APPROVAL OF JANUARY 7, 2021 PLANNING COMMISSION MINUTES**

Commissioner Wood moved to approve the January 7, 2021 Planning Commission minutes and was seconded by Commissioner Dunn. All said aye. Motion passed unanimously.

**4. CONSIDERATION OF FINAL PLAT – 23<sup>RD</sup> AND SWIFT APARTMENTS – PC 2021-03**

Ms. Copeland explained the premise of final plat as reviewed in comparison to the preliminary plat hearing in December 2020.

John Young, J&J Survey and Shawn Cessna, Walter P. Moore explained the dedication and specifications of public right of way and access easements in the plat.

Ms. Copeland presented the staff report and recommendation of approval, explaining the plan meets all criteria for approval of a plat, does not create any zoning non-conformities, and meets existing design standards.

Mayor Stielow moved to approve and was seconded by Commissioner Barnes. All said aye. Motion passed unanimously.

Discussion ensued regarding the status of home ownership and renting in North Kansas City.

**5. COMMENTS FROM PUBLIC**

None.

**6. COMMENTS FROM STAFF**

Ms. Copeland informed the Commission that Megan Summers will be starting as the Permit Technician on Monday, March 8<sup>th</sup>, 2021.

## **7. COMMENTS FROM COMMISSIONERS**

Commissioner DeLong inquired about the status of the United Rentals fence construction approved under PC2021-01.

Commissioner Dunn discussed interest in enhancing the City's efforts to enrich the experience of living in North Kansas City residents, for both renters and owners.

## **8. ADJOURNMENT**

As there was no further business, Commissioner Dunn moved to adjourn the meeting and was seconded by Commissioner Barnes. The motion carried unanimously. The meeting was adjourned at 6:28 p.m.

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Byron Spencer, Chair

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Jim Dunn, Secretary

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# PLANNING COMMISSION MEMORANDUM



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**TO:** Planning Commission

**FROM:** Sara Copeland, AICP  
Community Development Director

**DATE:** April 1, 2021

**RE:** Zoning Ordinance Text Amendments – PC2021-04  
Section 17.20.020, Non-residential Development Standards  
Chapter 17.28, Access and Parking

## ***Background***

The City Council adopted the updated Zoning Ordinance on July 2, 2019. Among other changes, the ordinance includes updated standards for calculating minimum required parking and for the design of parking areas, contained in Section 17.28. The updated standards allow property owners greater flexibility to meet parking requirements by providing for shared parking on multiple lots. Previously, shared parking arrangements required approval of a Conditional Use Permit, which were predominately approved with no opposition.

In response to recent concerns about shared parking arrangements, Councilmember Jesse Smith has asked staff to prepare a zoning text amendment to restrict shared parking areas to parcels in closer proximity than currently allowed by the ordinance.

Staff also proposes clarifying amendments to Section 17.20.020 regarding driveway widths.

## ***Proposed Amendment – Driveway Widths, Section 17.20.020***

This proposed amendment concerns Section 17.020.020. Table 20-2: Frontage Type Standards contains access width maximums that regulate the maximum width of driveways based on the street frontage type. In practice, driveway widths are also subject to regulations adopted by the Public Works Department.

In the drafting of this section, staff did not include a maximum access width or minimum access spacing for Service A and Service B street frontage types. At the time, the reasoning for not including these standards was to avoid conflicts with APWA standards used by the Public Works Department. However, staff has found that not including those standards in this table has instead created confusion and made it appear that the City does not have standards for driveways. Staff

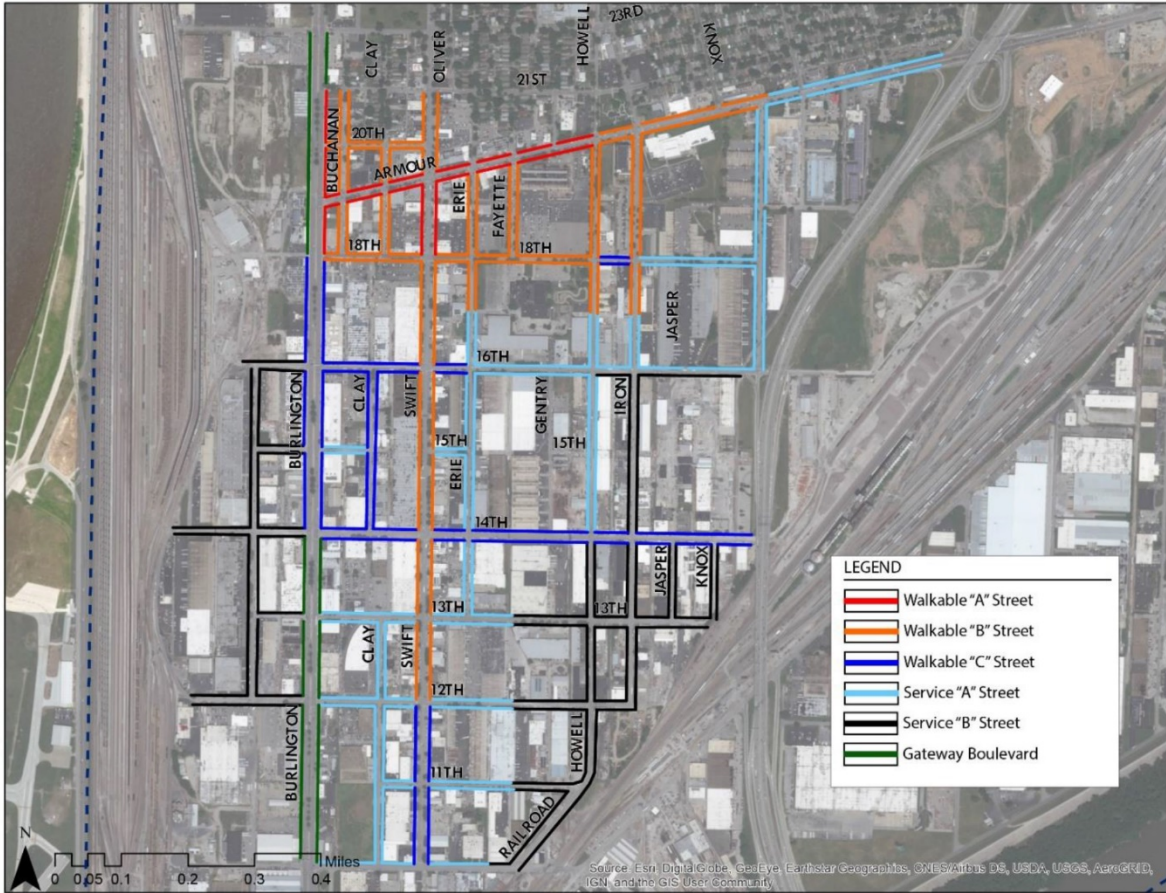
recommends amending the table to include these standards for clarity. These standards are based on APWA standards and are recommended by the Public Works Director.

The proposed amendment replaces “n/a” with the appropriate standards for Service A and Service B frontage types in Table 20-2: Frontage Type Standards. The standards will be repeated in the individual summary tables for Service A frontage type standards and Service B frontage type standards, which are not repeated in this staff report. An abridged copy of Table 20-2 is shown below, with text proposed to be deleted shown in ~~strikethrough~~ and text to be added shown in ***underline bold italic***.

Frontage Type	Building Placement	Façade Design	Frontage Design		
	Front Building Line	Entry Feature	Access Width (Max)	Access Spacing (Min)	Parking Setback/Frontage Limit
Walkable A	0' – 10'	50'	Prohibited	Prohibited	6'/by exception only
Walkable B	0' – 10'	100'	24' max.	200' min.	6'/30%
Walkable C	0' – 25'	200'	36' max	150' min	6'/40%
Service A	10' +	1 per building	<del>n/a</del> <b><i>36' max.</i></b>	<del>n/a</del> <b><i>100' min.</i></b>	n/a
Service B	10' +	n/a	<del>n/a</del> <b><i>36' max.</i></b>	<del>n/a</del> <b><i>100' min.</i></b>	n/a

## Analysis

Driveway width and minimum spacing requirements reduce conflict points for traffic and preserve safe areas for pedestrians where there are sidewalks. Before the Zoning Ordinance was updated in 2019, the ordinance included a minimum driveway widths in industrial areas of 35 feet. Street frontage types are established in Figure 20-A, Urban Areas Frontage Map, shown below. Service A streets include Linn Street and portions of 16<sup>th</sup> Avenue. Service B streets include Atlantic and portions of Howell. The access width and spacing requirements would apply to new driveways only and would not require property owners to make changes to existing driveways absent major property investments.



**Figure 20-A: Urban Areas Frontage Map**

The Urban Areas Frontage Map regulates the building form and design standards based on Frontage Types identified on the map. These types make distinctions based on the context and streetscape design for issues like building placement, building scale and mass, and façade design details that determine how the building relates to public spaces.

## ***Proposed Amendment – Shared Parking***

This proposed amendment concerns Section 17.28.040.D, General Design Standards and Section 17.28.060, Alternative Parking Plans. Generally, these amendments remove references to shared parking from Section 17.28.040.D, which contains design standards for parking lots, and incorporate standards for shared parking into Section 17.28.060, which provides for the approval of alternative parking plans. The amendments also allow for administrative approval of shared parking only when the parcels concerned are abutting. Shared parking arrangements concerning non-abutting parcels may only be approved by the Planning Commission and then only when the parcels are within 600 feet of each other.

The resulting text of both Section 17.28.040.D and Section 17.28.060 is shown below, with text proposed to be deleted shown in ~~strikethrough~~ and text to be added shown in *underline italic*.

### **Section 17.28.040.D. General Design Standards.**

1. All required parking shall be on-site except as specifically provided in this article for credits. ~~or shared parking sections. Additionally, the planning commission may allow for a portion of required parking off site through a site plan review subject to the following specific considerations:~~

- ~~\_\_\_\_\_ a. It is within six hundred (600) feet of the subject site;~~
- ~~\_\_\_\_\_ b. It is in the same or comparable zoning district;~~
- ~~\_\_\_\_\_ c. The presence of the off site lot does not negatively impact potential development on that lot or in the vicinity;~~
- ~~\_\_\_\_\_ d. There are no pedestrian barriers or other access constraints; and~~
- ~~\_\_\_\_\_ e. An agreement demonstrating rights and control of the off site property is provided.~~

### **Section 17.28.060 Alternative Access and Parking Plan**

**A. Administrative Adjustment.** The director may approve an alternative access and parking plan that varies from the parking or design standards required by this chapter by ten (10) percent or less, or with minor deviations from access strategies, *or providing shared parking for abutting parcels where there are no pedestrian barriers or other access constraints and a shared parking agreement demonstrating rights and control of the off-site parking is provided and recorded against each parcel.* The application shall be in association with a site plan process in Section 17.08.020, and the director shall consider the following:

1. Consideration of the proposed use as well as potential future uses;
2. Evidence of precedents of similar uses in similar contexts or other industry standard indicates a lesser number will be sufficient due to the need due to the nature of the use, the likelihood that patrons or tenants have reduced car ownership or drive less, and the availability and practicality of walking, bicycling or transit access; and
3. The character of the surrounding area and adjacent land uses, and the availability and overall demand on alternative parking within six hundred (600) feet, including on-street parking.
4. The reduction will better meet the intent of this chapter.

**B. Site Plan Adjustment.** The planning commission may approve an alternative access and parking plan that varies from the parking or design standard required by this article by more than ten (10) percent and up to twenty-five (25) percent based on the same criteria in subsection A. The reduction must be based on a specific study or industry standard. Reductions of twenty-five



(25) percent or more may be approved if the property is within six hundred (600) feet of a fixed rail transit, three hundred (300) feet of a bus rapid transit stop, or one hundred (100) feet of a standard bus stop. The planning commission may also approve an alternative parking plan providing for shared parking based on the criteria in subsection A and subject to the following specific considerations:

a. The parcel providing the shared parking is within six hundred (600) feet of the subject site;

b. The parcels in the same or comparable zoning district(s);

c. The presence of the off-site parking does not negatively impact potential development on that lot or in the vicinity;

d. There are no pedestrian barriers or other access constraints; and

e. An agreement demonstrating rights and control of the off-site property is provided.

## **Analysis**

Before the Zoning Ordinance was updated in 2019, shared parking arrangements required the approval of a Conditional Use Permit. Between 2014 and 2019, the City received nine CUP applications for shared parking arrangements, with nearly all in the older industrial area south of Armour Road, where it is common for older buildings to occupy most of a parcel without providing space to accommodate modern parking requirements.

Of the nine shared parking CUPs, eight were approved; the one that was not approved was due to concern about an existing easement on the property. Of the eight approved CUPs, four involved parcels that were not abutting. None of the eight shared parking CUPs received opposition during the public hearing. Because of these factors, the updated Zoning Ordinance changed the way shared parking was handled in order to provide greater flexibility for property owners without the time and cost burdens of the CUP process.

Recent concerns about shared parking have primarily focused on whether the parking is in close proximity to the primary use. For this reason, staff proposes that administrative approval of shared parking be limited to abutting parcels. Where parcels are not abutting, Planning Commission approval would be required through the site plan review process for Alternative Parking Plans. The proposed amendments maintain the requirement that shared parking agreements must be recorded against all participating parcels.

**Application Analysis**

State law and the Municipal Code establish that the Planning Commission has the duty to recommend appropriate regulations for the City’s zoning districts and shall hold public hearings and make a recommendation to the governing body.

<b>Review Criteria</b>	<b>Analysis</b>
<p>1. The application is consistent with the authority granted to the City in Chapter 89 RSMo.</p>	<p>Missouri Revised Statutes give the City the authority to provide for the manner in which zoning regulations shall be established in accordance with a comprehensive plan.</p> <p>This amendment is in accordance with the City’s comprehensive master plan, as discussed below.</p>
<p>2. The application furthers the general purposes of the Zoning Ordinance.</p>	<p>The purposes of the Zoning Ordinance are contained in Section 17.04.010.C and include:</p> <p>6. Promote public and private investments that build value, considering the past, immediate and potential future long-term investments in infrastructure, land and buildings.</p> <p>7. Regulate and restrict the development and use of buildings and land within each zoning district to create a compatible scale, intensity, design and range of building types and within districts.</p> <p>In addition, the intent of the parking regulations are found in Section 17.28.010.A and includes:</p> <p>6. Maximize opportunities for on-street parking, shared parking or reduced parking rates where appropriate, and reduce the inefficiency from underutilized and redundant surface parking on adjacent sites.</p>
<p>3. The application is in conformance with the Master Plan.</p>	<p>The 2016 Master Plan includes the following Vision Themes and associated principles related to these subjects:</p> <p>Vision Theme #1: Grow and attract new and innovative business opportunities to create jobs, support local economy, and increase tax base.</p> <p>Associated principles:</p> <ul style="list-style-type: none"> <li>• Increase development densities and include a vibrant mix of residential, office, retail, and civic uses.</li> </ul>

<b>Review Criteria</b>	<b>Analysis</b>
	<p>Vision Theme #3: Establish memorable destinations to create authentic and diverse public spaces, while expanding the range of attractions and economic development opportunities. Associated principles:</p> <ul style="list-style-type: none"> <li>• Develop compact, walkable, mixed-use neighborhoods centered on active places.</li> </ul> <p>Vision Theme #4: Build a safe multimodal network and enhance the pedestrian-scaled environment. Associated principles:</p> <ul style="list-style-type: none"> <li>• Implement a parking management strategy that provides parking and circulation solutions throughout the city.</li> <li>• Improve streetscape character to promote active development uses and pedestrian activity.</li> <li>• Maintain safe and effective truck improvements through industrial areas.</li> </ul> <p>Vision Theme #5: Preserve and enhance the local identity, uniqueness, and arts and culture assets of the North Kansas City community. Associated principles:</p> <ul style="list-style-type: none"> <li>• Create high quality design standards and guidelines for public and private development.</li> </ul>

***Commission Action***

Zoning Ordinance text amendments require a recommendation from the Planning Commission to the City Council. Comments from the public may be taken into account as you consider your recommendation.

In this case, there are several options:

- Recommend approval of the proposed amendments as presented by staff.
- Recommend approval of the amendments with revisions.
- Continue the public hearing to a future date, to postpone consideration (a date must be specified, such as the next scheduled Planning Commission meeting).
- Decline to recommend approval to the City Council.