

**Planning & Zoning Commission  
Council Chambers  
Hall of Waters Building  
201 East Broadway  
Excelsior Springs, MO**



## **Meeting Notice**

**September 30, 2024 at 6:00 PM**

Join via Google: Zoom.US  
Meeting ID: 831 3363 5337  
Passcode: 156892

### **Agenda**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MEETING SUMMARY: August 26, 2024
  - a. Minutes August 26, 2024
4. SUP-24-006- Application by Pete and Veronica Meeks for a Special Use Permit for the operation of a Short-Term Rental in an R-3 Cluster, Townhouse or Garden Apartment District at 205 S. Kansas City Ave. (Public Hearing)
  - a. SUP-24-006
5. SUP-24-007- Application by Bethany Harvey for the operation of a tattooing establishment in the C-2 General Business District at 463 S. Thompson Ave. (Public Hearing)
  - a. SUP-24-007
6. VAC-24-001- 414 Lookout- Application by Harmony Brown for Vacation of Right of Ways at Lookout & Haynes Streets. (Public Hearing)
  - a. VAC-24-001
7. PP-24-002/FP-24-002- Application by Harmony Brown for consideration of Preliminary and Final Plat approval of 414 Lookout, located at the corner of Lookout and Haynes Streets.
  - a. PP-24-002/FP-24-002
8. SUP-24-008- Application by Harmony Brown for Special Use Permit for the operation of a Camping Facilities in an R-2 Two-Family Residential District at Lookout & Haynes Streets. (Public Hearing)
  - a. SUP-24-008

9. VAC-24-002 Vintage Lot 15-Application by Chap Land Co. for Vacation of a Sanitary Sewer Easement along Vintage Drive, Vintage Plaza Lot 15D. (Public Hearing)
  - a. VAC-24-002
10. ZTA-24-002- Application by the City of Excelsior Springs to amend Chapter 400.130 "R-4" Medium Density Residential District in the Zoning Regulations, pertaining to multi-family residential housing, of the Excelsior Springs City Code as part of the City's Code Review Process. (Public Hearing)
  - a. ZTA-24-002

11. COMMENTS OF COMMISSIONERS

Copies of this notice are available by contacting the Community Development Department at 201 E. Broadway, Excelsior Springs, MO 64024. 816-630-0756

12. ADJOURN

Date and Time Posted: September 24, 2024 at 3:15 p.m.



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**Community Development  
Planning and Zoning Commission - 9/30/2024**

To: Commission Members  
From:  
Date  
RE: Minutes August 26, 2024

**ATTACHMENTS:**

Description	Type	Upload Date
Minutes August 26, 2024	Cover Memo	9/27/2024

**PLANNING AND ZONING COMMISSION**

**MEETING SUMMARY**

August 26, 2024

**1. CALL TO ORDER**

Chairman Simmons called the meeting to order at 6:00 p.m.

**2. ROLL CALL**

PRESENT: Jake Simmons, Dustin Borchert, Bob Gerdes, Don Kelley, Julia Goldstein and Jason Van Till.

STAFF PRESENT: Doug Hermes, Melinda Mehaffy, Lisa Morgan and City Councilmember Reggie St John.

VISITORS: Marilyn Gerdes, Cindy Paneitz, Harmony Brown, Rhonda Amos, Candie Zirjacks, Kelly Anderson and Jason Cole. Via Zoom: Scott Auman, T. Wilson, Tammi Creason and Riley Shantz.

**3. APPROVAL OF MEETING SUMMARY- July 29, 2024**

Commissioner Gerdes made a motion to approve the July 29, 2024 meeting summary.

Commissioner Van Till seconded. Motion carried.

Vote: Motion passed 6-0-0

Yes: Commissioners: Simmons, Borchert, Gerdes, Kelly, Goldstein and Van Till.

No: None

Abstain: None

**4. COMMENTS OF VISITORS: There were none.**

**5. PP-24-001/FP-24-001 – An application by DHTC Development for consideration of Preliminary and Final Plat approval of the Flats at Coach Crossing, located at the southeast corner of Tracy Avenue and US-69 at 1117 Tracy Avenue.**

Chairman Simmons asked for the staff report.

Mr. Hermes presented the information in the staff report.

Chairman Simmons asked the commission if they had any questions.

Commissioner Gerdes asked if all the buildings would be three (3) stories? Mr. Hermes said the development proposal is for three (3) different lots that could be three (3) different styles. They should all have some kind of common design theme to satisfy the City's Site Plan Standards.

Commissioner Gerdes assumes they will have elevators in that type of building. Mr. Hermes said he believes so.

Chairman Simmons asked when they would be breaking ground? Mr. Hermes said the applicant indicated they wish to proceed with construction yet this calendar year, pending City approvals.

Chairman Simmons asked for commission discussion on the application. Hearing none, he called for a motion.

Commissioner Gerdes made the motion to approve PP-24-001 and FP-24-001 for The Flats at Coach Crossing with the stipulation that a Development be entered into between the City and the Applicant addressing the cost share arrangement for the watermain upgrade along Tracy Avenue prior to recording of the Final Plat.

Commissioner Goldstein second the motion.

Motion Carried.

Vote: Motion passed 6-0-0

Yes: Commissioners Simmons, Borchert, Gerdes, Kelley, Goldstein and Van Till.

No: Commissioner: None

Abstain: None

6. **SP-24-001 – An application by DHTC Development for consideration of Site Plan approval of The Flats at Coach Crossing, located at the southeast corner of Tracy Avenue and US 69 at 1117 Tracy Avenue.**

Chairman Simmons asked for the staff report.

Mr. Hermes presented the information in the staff report.

Chairman Simmons asked the commission if they had any technical questions for City staff.

Hearing none, Chairman Simmons asked for commission discussion on the application. Hearing none, he called for a motion.

Commissioner Borchard made the motion to approve SP-24-001.

Commissioner Van Till second the motion.

Motion Carried.

Vote: Motion passed 6-0-0

Yes: Commissioners Simmons, Borchert, Gerdes, Kelley, Goldstein and Van Till.

No: Commissioner: None

Abstain: None

7. **STAFF COMMENTS:**

Melinda Mehaffy said the commission should anticipate a meeting next month as applications are forthcoming.

Ms. Mehaffy said the commission will also be asked to hold a special study session next month. She said the City Council worked directly with the Police Department and approved a chicken ordinance inside the public safety code and the commission's special study session will be focused on how the Zoning Regulations can be modified to be consistent with this new chicken raising standard.

8. **COMMISSION COMMENTS:**

Commissioner Goldstein said she is looking forward to seeing The Flats at Coach Crossing development proceeding.

9. **ADJOURN** The meeting was adjourned at 6:20 p.m.



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**Community Development  
Planning and Zoning Commission - 9/30/2024**

To: Commission Members  
From:  
Date  
RE: SUP-24-006

**ATTACHMENTS:**

Description	Type	Upload Date
SUP-24-006	Cover Memo	9/27/2024

**Community Development Department  
Planning & Zoning**

Phone: 816-630-0756; Fax: 816-630-9572



September 30, 2024

**To:** Chairman and Commissioners  
Planning & Zoning Commission

**Re:** Staff Report for Case Number SUP-24-006 - Application by Pete and Veronica Meeks for a Special Use Permit for the operation of a Short-Term Rental in an R-3 Cluster, Townhouse or Garden Apartment District at 205 S. Kansas City Ave. (*Public Hearing*)

Applicant: Pete and Veronica Meeks

**Meeting Date:** September 30, 2024

**General Information:**

Address: 205 S. Kansas City Ave.  
Current Zoning: R-3 Cluster, Townhouse or Garden Apartment District  
Current Land Use: Single-family house - rental

Surrounding Zoning & Land Use: North – R-3 Cluster, Townhouse or Garden Type Residential District.  
East – C-2 General Business District  
South – R-3 Cluster Townhouse or Garden Type Residential District  
West – R-2 Two Family Residential District

**Background:**

The subject site is occupied by an existing single-family house currently used as a long-term rental. The applicant wishes to change the rental use to short-term rentals to allow the renting out for defined periods of time to visitors and vacationers commonly known as an 'Airbnb' or 'VRBO'.

**Staff Analysis:**

The Zoning Regulations recognize that there are special land uses and circumstances which, because of their unique character, cannot be properly classified in any particular zoning district(s) without special consideration in each case of the impact of those uses upon neighboring property. These cases can be reviewed individually for their appropriateness and authorized through a Special Use Permit.

Under the City's new Short-Term Rental standards, a short-term rental located in the Downtown Tourist Area is permitted outright if it can satisfy certain site standards. In

this case, the subject site cannot provide the necessary onsite off-street parking of a minimum of two onsite off-street parking spaces (covered or uncovered) for Short Term Rentals with up to three bedrooms. The standards explicitly state that a proposed Short-Term Rental located within the downtown tourist area that cannot meet the minimum off-street parking standard may be considered through Special Use Permit application. As this property is currently being used as a Long-Term Rental utilizing on-street parking along Kansas City Avenue, as permitted, the parking demand generated from a short-term rental is not expected to be that significantly different.

Staff finds that the proposed special use can be compatible with the surrounding properties and can be operated in an appropriate manner as to not cause concern for the public health and safety and adjacent land uses.

Being a new special use permit, staff would suggest an initial time limit to allow for appropriate review after it has been in operation for a couple of years.

**Staff Recommendation/Action Requested:**

City staff recommends approval of the Special Use Permit for a two (2) year time period.

Respectfully Submitted,

Doug Hermes  
Planning Consultant  
City of Excelsior Springs

**Attachments:**

Exhibit A – Vicinity Map







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**Community Development  
Planning and Zoning Commission - 9/30/2024**

To: Commission Members  
From:  
Date  
RE: SUP-24-007

**ATTACHMENTS:**

Description	Type	Upload Date
SUP-24-007	Cover Memo	9/27/2024

**Community Development Department  
Planning & Zoning**

Phone: 816-630-0756; Fax: 816-630-9572



September 30, 2024

**To:** Chairman and Commissioners  
Planning & Zoning Commission

**Re:** Staff Report for Case Number SUP-24-007 - Application by Bethany Harvey for the operation of a tattooing establishment in the C-2 General Business District at 463 S. Thompson Ave. (*Public Hearing*)

Applicant: Bethany Harvey

**Meeting Date:** September 30, 2024

**General Information:**

Address: 463 S. Thompson Ave.  
Current Zoning: C-2 General Business District  
Current Land Use: Retail

Surrounding Zoning & Land Use: North – C-2 General Business District  
East – C-3 Service Business District  
South – C-2 General Business District  
West – R-3 Cluster, Townhouse or Garden Type Residential District.

**Background:**

The subject site is located in the Historic Hall of Waters District and was most recently Holistic Springs Herb Company. It is on the South end of a long story building with multiple entries. The applicant proposes to operate a tattooing establishment in the retail site.

**Staff Analysis:**

The Zoning Regulations explicitly require a Special Use Permit for “an establishment engaging in tattooing, body piercing or branding” only in the C-2 and C-3 zoning districts. This special use permit may only be valid for a period not to exceed two (2) years and is eligible for renewal for additional two (2) year periods.

Staff finds that the proposed special use can be compatible with the surrounding properties and can be operated in an appropriate manner as to not cause concern for the public health and safety and adjacent land uses.

As required by the Zoning Regulations, staff would suggest an initial time limit of two (2) years.

**Staff Recommendation/Action Requested:**

City staff recommends approval of the Special Use Permit for a two (2) year time period.

Respectfully Submitted,

Doug Hermes  
Planning Consultant  
City of Excelsior Springs

**Attachments:**

Exhibit A – Vicinity Map

463 S Thompson



East Community Maps Contributor, Clay County, MO, Missouri Dept. of Conservation, Missouri State  
© OpenStreetMap, Microsoft, Esri, Garmin, GeoEye, GeoEye, IGN, Aerotech, Aero, GeoEye, USA, NASA,  
USGS, EPA, FORT, US Census Bureau, USDA, IGN



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**Community Development  
Planning and Zoning Commission - 9/30/2024**

To: Commission Members  
From:  
Date  
RE: VAC-24-001

**ATTACHMENTS:**

Description	Type	Upload Date
VAC-24-001	Cover Memo	9/27/2024

**Community Development Department  
Planning & Zoning**

Phone: 816-630-0756; Fax: 816-630-9572



September 30, 2024

**To:** Chairman and Commissioners  
Planning & Zoning Commission

**Re:** Staff Report for Case No. VAC-24-001 - Application by Harmony Brown for Vacation of Right of Ways at Lookout & Haynes Streets. (*Public Hearing*)

Applicant: Harmony Brown

**General Information:**

The lots at the northeast corner of Lookout and Haynes Streets were platted sometime ago yet never developed. The lots are proposed to be combined through a combined Preliminary and Final Plat application to be considered separately.

**Background:**

Due to various site conditions, the subject site has not been developed and remains vacant. The applicant has purchased the property which includes a dedicated public right-of-way that has not been used for a public street or any other purpose.

**Staff Analysis:**

The subject right-of-way is not necessary for the current operation or future expansion of the City's public street system. It is not anticipated to be developed as a public street in the future. A proposed combined Preliminary and Final Plat application, to be considered separately, would combine all of the lots under the applicant's ownership thus not requiring the public right-of-way.

The public notice procedures have been satisfied and City staff has confirmed that no public infrastructure or utilities are located within or are planned for the existing public right-of-way. City staff finds that the formal vacation of the public right-of-way would be appropriate.

**Staff Recommendation/Action Requested:**

City staff recommends approval of the right-of-way vacation petition.

Respectfully Submitted,  
Doug Hermes  
Planning Consultant  
City of Excelsior Springs

**Attachments:**

Exhibit A – Survey of public right-of-way

Easement Vacate Letter

7/16/2024

To whom it may concern,

This letter is to verify my wish to vacate the easements and alleyways on my property as shown in the attached Street and Alley Vacation Sketch. These easements and alleys are to remain a part of my property, for the sections that are within my property boundaries.

Thank you,

Harmony Brown

*Harmony Brown*



x *Chandler Scruggs*

RECEIVED  
7-16-24  
Scanned

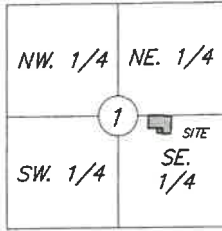


# STREET and ALLEY VACATION SKETCH

In the SE 1/4 of Sec. 1, Twp. 52, Rng. 30  
Excelsior Springs, Clay County, Missouri

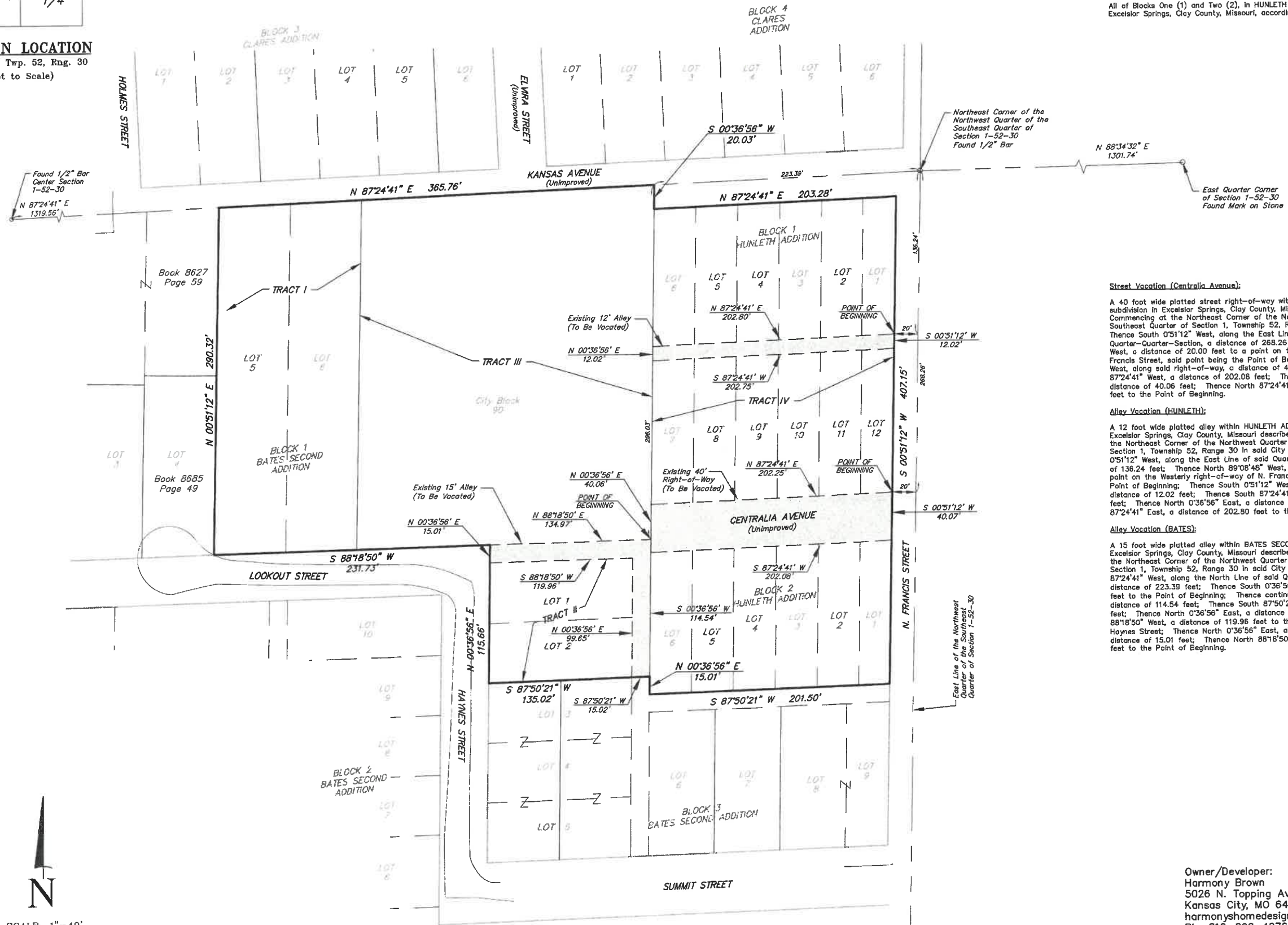
### PROPERTY DESCRIPTION:

- TRACT I:  
Lots 5 and 6, Block 1, in BATES SECOND ADDITION, City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.
- TRACT II:  
All of Lots 1 and 2, in Block 3, BATES SECOND ADDITION to the City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.
- TRACT III:  
City Block Ninety (90), to the City of Excelsior Springs, Clay County, Missouri
- TRACT IV:  
All of Blocks One (1) and Two (2), in HUNLETH ADDITION to the City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.



### SECTION LOCATION

Section 1, Twp. 52, Rng. 30  
(Not to Scale)



### Street Vacation (Centralia Avenue):

A 40 foot wide platted street right-of-way within HUNLETH ADDITION, a subdivision in Excelsior Springs, Clay County, Missouri described as follows: Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 1, Township 52, Range 30 in said City and State; Thence South 0°51'12" West, along the East Line of said Quarter-Quarter-Section, a distance of 268.26 feet; Thence North 89°08'48" West, a distance of 20.00 feet to a point on the Westerly right-of-way of N. Francis Street, said point being the Point of Beginning; Thence South 0°51'12" West, along said right-of-way, a distance of 40.07 feet; Thence South 87°24'41" West, a distance of 202.08 feet; Thence North 0°36'56" East, a distance of 40.06 feet; Thence North 87°24'41" East, a distance of 202.25 feet to the Point of Beginning.

### Alley Vacation (HUNLETH):

A 12 foot wide platted alley within HUNLETH ADDITION, a subdivision in Excelsior Springs, Clay County, Missouri described as follows: Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 1, Township 52, Range 30 in said City and State; Thence South 0°51'12" West, along the East Line of said Quarter-Quarter-Section, a distance of 136.24 feet; Thence North 89°08'48" West, a distance of 20.00 feet to a point on the Westerly right-of-way of N. Francis Street, said point being the Point of Beginning; Thence South 0°51'12" West, along said right-of-way, a distance of 12.02 feet; Thence South 87°24'41" West, a distance of 202.75 feet; Thence North 0°36'56" East, a distance of 12.02 feet; Thence North 87°24'41" East, a distance of 202.80 feet to the Point of Beginning.

### Alley Vacation (BATES):

A 15 foot wide platted alley within BATES SECOND ADDITION, a subdivision in Excelsior Springs, Clay County, Missouri described as follows: Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 1, Township 52, Range 30 in said City and State; Thence South 87°24'41" West, along the North Line of said Quarter-Quarter-Section, a distance of 223.38 feet; Thence South 0°36'56" West, a distance of 15.02 feet to the Point of Beginning; Thence continuing South 0°36'56" West, a distance of 114.54 feet; Thence South 87°50'21" West, a distance of 15.02 feet; Thence North 0°36'56" East, a distance of 89.65 feet; Thence South 88°18'50" West, a distance of 119.96 feet to the Easterly right-of-way of Haynes Street; Thence North 0°36'56" East, along said right-of-way, a distance of 15.01 feet; Thence North 88°18'50" East, a distance of 134.97 feet to the Point of Beginning.

WEISKIRCH & PARKS ENGINEERS, INC.  
MO. CERTIFICATE OF AUTHORITY  
L.S. No. 000247  
111 NORTH MAIN, SUITE #10  
INDEPENDENCE, MISSOURI 64050  
(816)254-5000 FAX: (816)252-9712  
MPK@MPKFC.COM

STREET and ALLEY VACATION SKETCH  
SE. QUARTER SEC. 1, TWP. 52, RNG. 30  
EXCELSIOR SPRINGS, CLAY COUNTY, MISSOURI

REV.	DESCRIPTION	DATE

Owner/Developer:  
Harmony Brown  
5026 N. Topping Avenue  
Kansas City, MO 64119  
harmonyshomedeign@gmail.com  
Ph: 816-898-4276

JOB NO. 4450  
SCALE: NOTED  
DATE: 5/16/24  
DRAFTER: T.K.O.  
CHKD: B.P.

SHEET NO. 1 of 1





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**Community Development  
Planning and Zoning Commission - 9/30/2024**

To: Commission Members  
From:  
Date  
RE: PP-24-002/FP-24-002

**ATTACHMENTS:**

Description	Type	Upload Date
PP-24-002/FP-24-002	Cover Memo	9/27/2024

**Community Development Department  
Planning & Zoning**

Phone: 816-630-0756; Fax: 816-630-9572



September 30, 2024

**To:** Chairman and Commissioners  
Planning & Zoning Commission

**Re:** Staff Report for Case No. PP-24-002/FP-24-002 – Application by Harmony Brown for consideration of Preliminary and Final Plat approval of 414 Lookout, located at the corner of Lookout and Haynes Streets.

Applicant: Harmony Brown

**General Information:**

Address: 414 Lookout  
Current Zoning: R-2, Two-Family Residential District  
Current Land Use: Vacant

Surrounding Zoning & Land Use: North – R-2 Two-Family Residential District  
East – R-2 Two-Family Residential District  
South – R-2 Two-Family Residential District  
West – R-2 Two-Family Residential District

**Background:**

The lots at the northeast corner of Lookout and Haynes Streets were platted some time ago yet never developed.

The proposed combined preliminary and final plat will combine the lots currently under the applicant's ownership into one lot for the purposes of a proposed Special Use Permit to operate an enhanced Camping Facilities on the property.

**Public Infrastructure:**

Streets: The site is served by Lookout and Haynes Streets, both local streets.

Public Water: The site is served by a watermain along Lookout and Haynes Streets providing adequate water flow and pressure to support the development.

Sanitary Sewer: The site is served by an existing sanitary sewer main. The sanitary sewer system in this area can adequately serve the proposed development.

Stormwater Management: A stormwater management plan will be required for any development on the subject site. Proposed plans for an enhanced Camping Facilities indicate less than 10% of the site would be impacted thus potentially not requiring on-site stormwater retention.

**Comprehensive Plan:**

The Future Land Use Map generally identifies this property for future residential uses.

**Staff Analysis:**

Due to various site conditions, it is not anticipated that the contemplated residential subdivision on this property would proceed in its current design.

The development does not require the additional improvements to the public water or sanitary sewer facilities.

City staff feels the preliminary and final plats conform substantially to the Comprehensive Plan and comply with the City Subdivision Regulations.

**Staff Recommendation/Action Requested:**

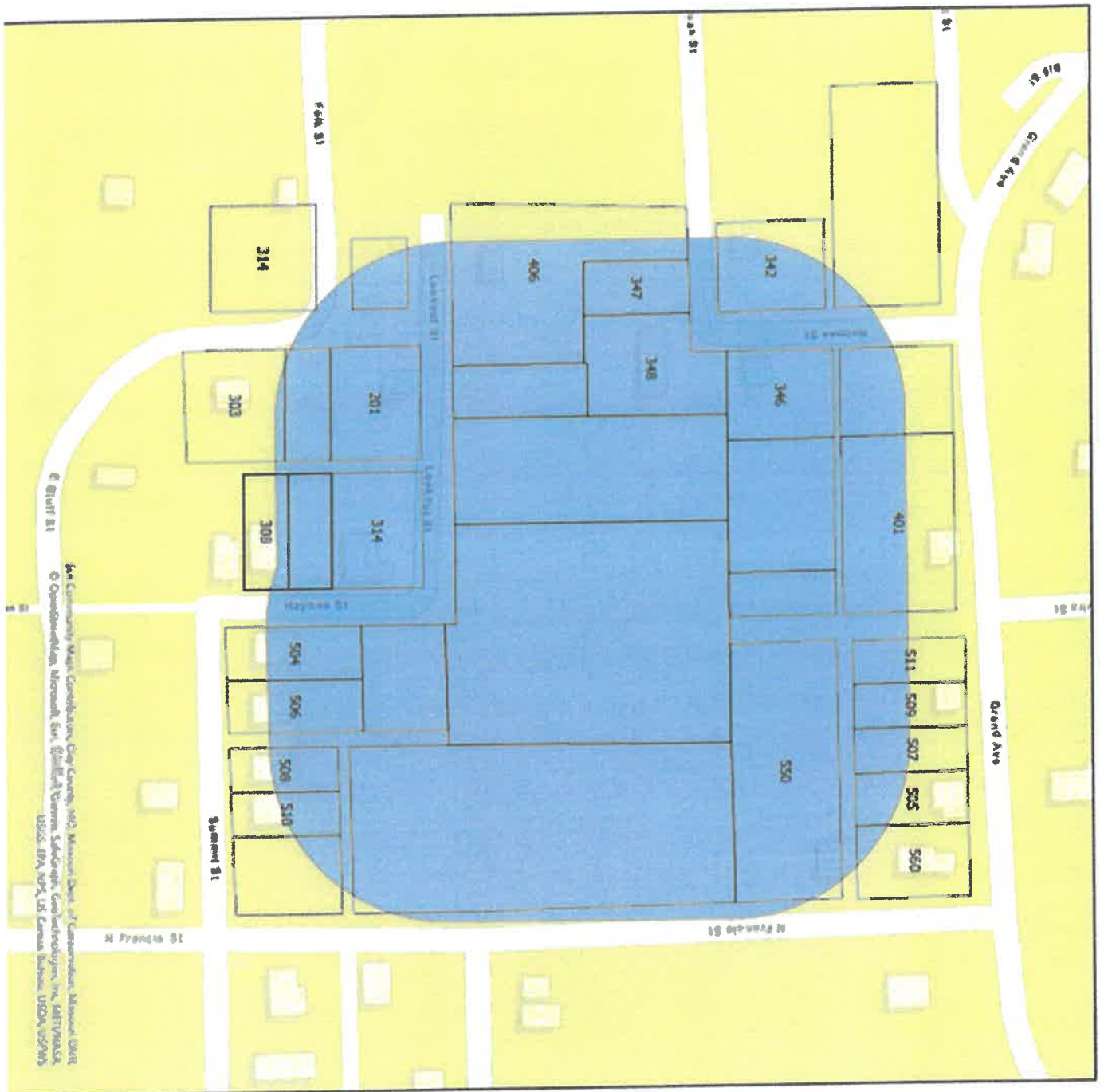
City staff recommends approval of the combined preliminary/final plat application.

Respectfully submitted,

Doug Hermes  
Planning Consultant  
City of Excelsior Springs

**Attachments:**

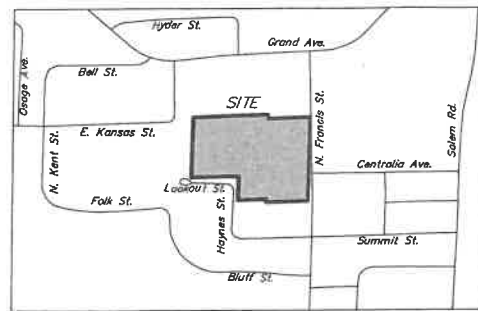
Exhibit A – Vicinity Map  
Exhibit B – Preliminary Plat  
Exhibit C – Final Plat



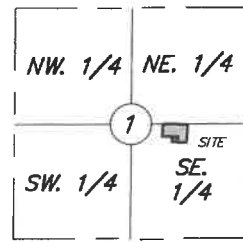
414 Outlook

# PRELIMINARY PLAT LOT 1A, HUNLETH ADDITION

SE 1/4 of Sec. 1, Twp. 52, Rng. 30  
Excelsior Springs, Clay County, Missouri



**VICINITY MAP**  
Not to Scale



**SECTION LOCATION**  
Section 1, Twp. 52, Rng. 30  
(Not to Scale)

**PARENT DESCRIPTION:**

**TRACT I:**  
Lots 5 and 6, Block 1, in BATES SECOND ADDITION, City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.

**TRACT II:**  
All of Lots 1 and 2, in Block 3, BATES SECOND ADDITION to the City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.

**TRACT III:**  
City Block Ninety (90), to the City of Excelsior Springs, Clay County, Missouri

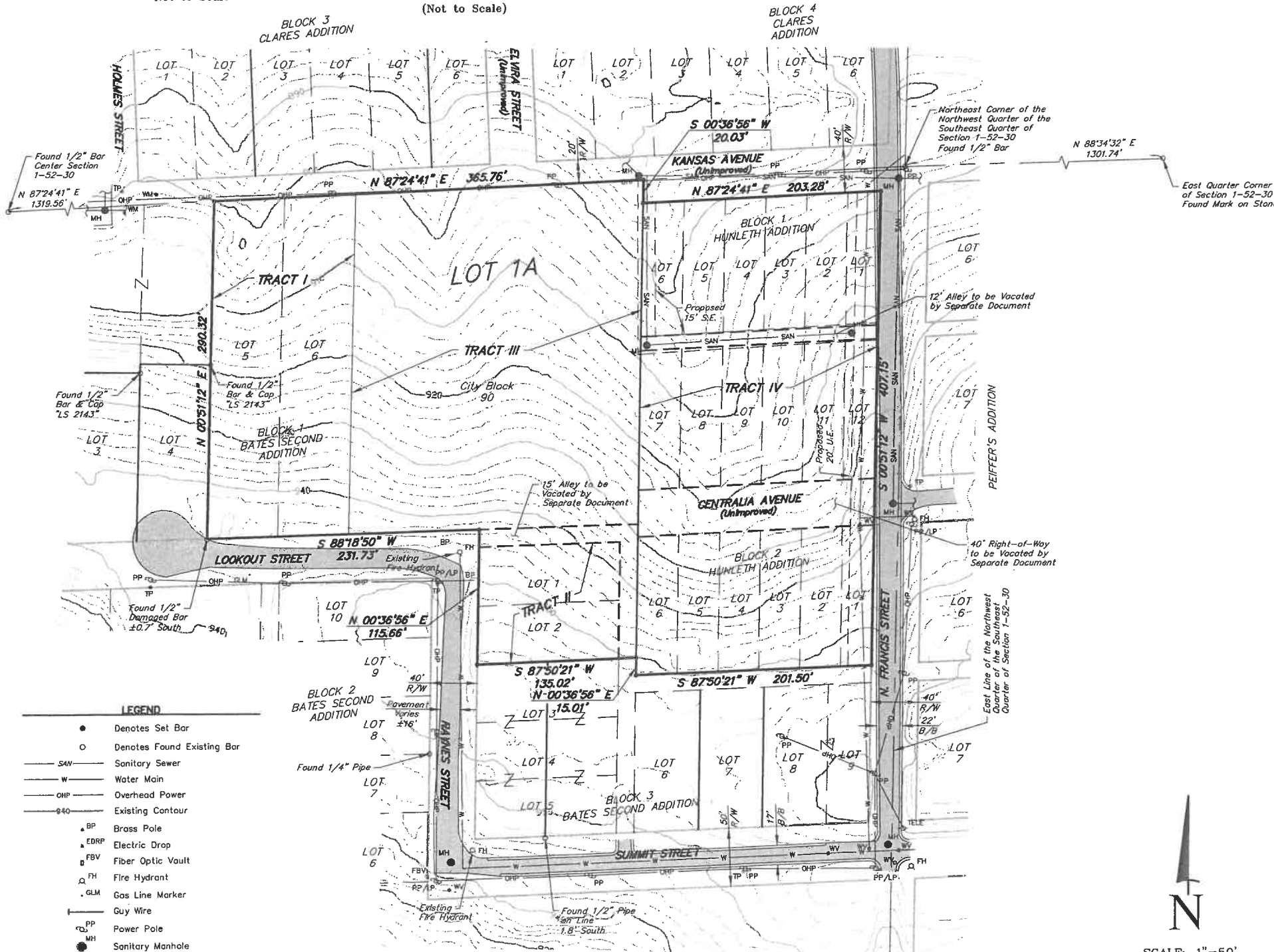
**TRACT IV:**  
All of Blocks One (1) and Two (2), in HUNLETH ADDITION to the City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.

**PROPERTY BOUNDARY DESCRIPTION:**

A tract of land in the Southeast Quarter of Section 1, Township 52, Range 30 part of which was previously platted within BATES SECOND ADDITION and HUNLETH ADDITION and all within the City of Excelsior Springs, Clay County, Missouri described as follows: Commencing at the Center of said Section 1; Thence North 87°24'41" East, along the North Line of the Southeast Quarter of said Section 1, a distance of 1319.56 feet to the Northeast corner of Lot 4, Block 1, BATES SECOND ADDITION, said point being the Point of Beginning; Thence continuing North 87°24'41" East, along said Section Line, a distance of 365.76 feet; Thence South 0°36'56" West, a distance of 20.03 feet to the Northwest corner of Block 1, HUNLETH ADDITION, said point also being on the South right-of-way line of unimproved Kansas Avenue; Thence North 87°24'41" East, along said South right-of-way line, a distance of 203.28 feet to the Northeast corner of said Block 1, said point also being on the West right-of-way line of N. Francis Street; Thence South 0°51'12" West, along said West right-of-way line, a distance of 407.15 feet to the Southeast corner of Block 2, HUNLETH ADDITION; Thence South 87°50'21" West, along the South line of said Block 2, a distance of 201.50 feet to the Southwest corner thereof; Thence North 0°36'56" East, along the West line of said Block 2, a distance of 15.01 feet; Thence South 87°50'21" West, along the North line of Lot 3, Block 3, BATES SECOND ADDITION and its easterly extension, a distance of 135.02 feet to a point on the East right-of-way line of Hayes Street; Thence North 0°36'56" East, along said East right-of-way line, a distance of 115.66 feet to a point on the North right-of-way line of Lookout Street; Thence South 88°18'50" West, along said North right-of-way line, a distance of 231.73 feet to the Southeast corner of said Lot 4, Block 1, BATES SECOND ADDITION; Thence North 0°51'12" East, along the East line of said Lot 4, a distance of 290.32 feet to the Point of Beginning. Containing 4.70 acres, more or less.

**DEVELOPMENT DATA:**

PHASE	LAND USE	GROSS ACRES	LOTS
1	Glamping Site	4.70	1



**LEGEND**

- Denotes Set Bar
- Denotes Found Existing Bar
- SAW — Sanitary Sewer
- W — Water Main
- OHP — Overhead Power
- 940 — Existing Contour
- BP Brass Pole
- EDRP Electric Drop
- FBV Fiber Optic Vault
- FH Fire Hydrant
- GLM Gas Line Marker
- GW Guy Wire
- PP Power Pole
- MH Sanitary Manhole
- Signage
- TDRP Telephone Drop
- TP Telephone Pedestal
- TELE Telephone Pole
- WM Water Meter



DEVELOPED BY:  
Harmony Brown

**WEISKIRCH & PARKS ENGINEERS, INC.**  
MO. CERTIFICATE OF AUTHORITY  
L.S. No. 000247  
111 NORTH MAIN, SUITE #10  
INDEPENDENCE, MISSOURI 64050  
(816)254-5000 FAX: (816)252-9712  
WPKC@WPKC.COM

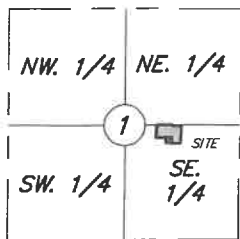
**PRELIMINARY PLAT  
LOT 1A, HUNLETH ADDITION  
SE. QUARTER SEC. 1, TWP. 52, RNG. 30  
EXCELSIOR SPRINGS, CLAY COUNTY, MISSOURI**

REV	DESCRIPTION	DATE

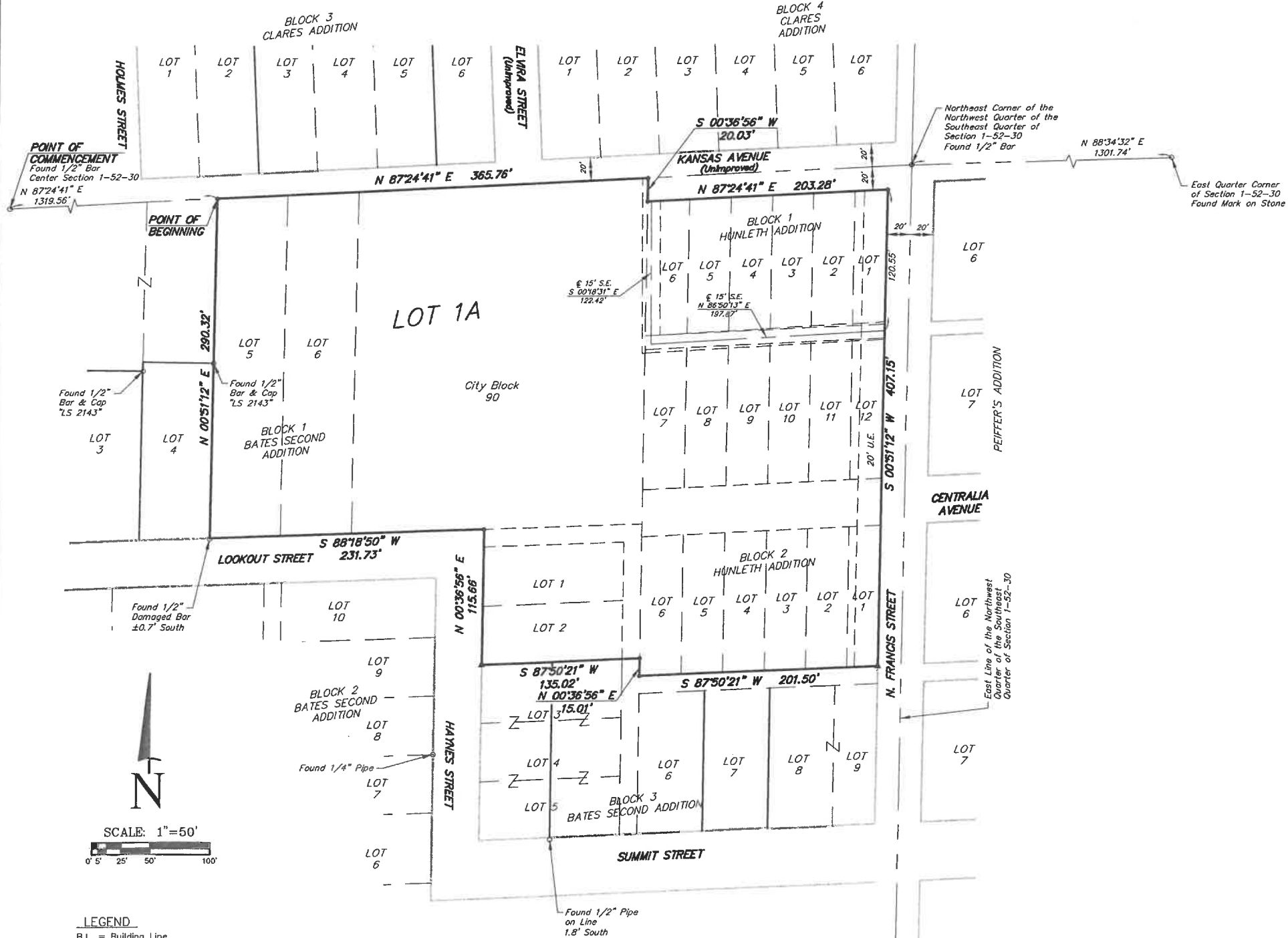
JOB NO. 4450  
SCALE: NOTED  
DATE: 7/17/24  
DRAFTER: T.K.O.  
CHKD: B.P.  
SHEET NO. 1 of 1

# LOT 1A, HUNLETH ADDITION

SE 1/4 of Sec. 1, Twp. 52, Rng. 30  
Excelsior Springs, Clay County, Missouri



**SECTION LOCATION**  
Section 1, Twp. 52, Rng. 30  
(Not to Scale)



- LEGEND**  
B.L. = Building Line  
D.E. = Drainage Easement  
U.E. = Utility Easement  
S.E. = Sanitary Sewer Easement  
▲ Denotes Permanent Monument to be Set after Street Construction  
○ Denotes Found Existing Bar  
● Denotes 1/2" Bar to be Set with Plastic Cap

### PARENT DESCRIPTION:

**TRACT I:**  
Lots 5 and 6, Block 1, in BATES SECOND ADDITION, City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.

**TRACT II:**  
All of Lots 1 and 2, in Block 3, BATES SECOND ADDITION to the City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.

**TRACT III:**  
City Block Ninety (90), to the City of Excelsior Springs, Clay County, Missouri

**TRACT IV:**  
All of Blocks One (1) and Two (2), in HUNLETH ADDITION to the City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.

### PROPERTY BOUNDARY DESCRIPTION:

A tract of land in the Southeast Quarter of Section 1, Township 52, Range 30 part of which was previously platted within BATES SECOND ADDITION and HUNLETH ADDITION and all within the City of Excelsior Springs, Clay County, Missouri described as follows: Commencing at the Center of said Section 1; Thence North 87°24'41" East, along the North Line of the Southeast Quarter of said Section 1, a distance of 1319.56 feet to the Northeast corner of Lot 4, Block 1, BATES SECOND ADDITION, said point being the Point of Beginning; Thence continuing North 87°24'41" East, along said Section Line, a distance of 365.76 feet; Thence South 0°36'56" West, a distance of 20.03 feet to the Northwest corner of Block 1, HUNLETH ADDITION, said point also being on the South right-of-way line of unimproved Kansas Avenue; Thence North 87°24'41" East, along said South right-of-way line, a distance of 203.28 feet to the Northeast corner of said Block 1, said point also being on the West right-of-way line of N. Francis Street; Thence South 0°51'12" West, along said West right-of-way line, a distance of 407.15 feet to the Southeast corner of Block 2, HUNLETH ADDITION; Thence South 87°50'21" West, along the South line of said Block 2, a distance of 201.50 feet to the Southwest corner thereof; Thence North 0°36'56" East, along the West line of said Block 2, a distance of 15.01 feet; Thence South 87°50'21" West, along the North line of Lot 3, Block 3, BATES SECOND ADDITION and its easterly extension, a distance of 135.02 feet to a point on the East right-of-way line of Haynes Street; Thence North 0°36'56" East, along said East right-of-way line, a distance of 115.66 feet to a point on the North right-of-way line of Lookout Street; Thence South 88°18'50" West, along said North right-of-way line, a distance of 231.73 feet to the Southeast corner of said Lot 4, Block 1, BATES SECOND ADDITION; Thence North 0°51'12" East, along the East line of said Lot 4, a distance of 290.32 feet to the Point of Beginning. Containing 4.70 acres, more or less.

**DEDICATION:** The undersigned proprietor of the tract of land described hereon, has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall be known as **LOT 1A, HUNLETH ADDITION.**

**EASEMENTS:** Easements are hereby granted for public use as utility easement right-of-way which are shown as lying between the dashed lines in widths as indicated and set forth on this plat, unless otherwise noted, and said easements may be employed for the purpose of installing, repairing and maintaining gas lines, electric lines, cable TV and telephone lines, over, under, and along the strips marked "Utility Easement", or "U.E.". Easements marked as D.E., S.E., W.E. or E.E are limited to the specific purpose of installing, repairing and maintaining storm sewers, sanitary sewers, water mains and electrical lines only.

**STREETS:** Streets, avenues, lanes, drives, and courts shown on this plat and not heretofore dedicated to and for public use are hereby so dedicated.

**BUILDING LINES:** Building lines or setback lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be built between this line and the street line.

**IN TESTIMONY WHEREOF:** The undersigned proprietor has set her hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Harmony Brown

State of Missouri )  
County of Clay ) SS

**BE IT REMEMBERED,** that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for the County and State aforesaid, personally appeared Harmony Brown, known to me to be the person described in and who executed the foregoing instrument and acknowledged that she executed the foregoing instrument as her own free act and deed.

**IN WITNESS THEREOF:** I have hereunto set my hand and affixed my Notarial Seal in my office in said County and State above mentioned the day and year last above written.

My Commission Expires: \_\_\_\_\_

Notary Public: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Molly McGovern, City Manager

Reviewed and approved by the Excelsior Springs City Council this day of \_\_\_\_\_, 20\_\_\_\_.

Sharon Powell, Mayor      Shannon Stroud, City Clerk

Reviewed and approved by the Excelsior Springs Planning and Zoning Commission this day of \_\_\_\_\_, 20\_\_\_\_.

Chairman      Secretary

**SURVEYOR'S CERTIFICATION:**  
I hereby certify that the plat of **LOT 1A, HUNLETH ADDITION** subdivision is based on an actual survey made by me or under my direct supervision and that said survey meets or exceeds the current standards as adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to the best of my professional knowledge and belief.

**DO NOT RECORD**

**WEISKIRCH & PARKS ENGINEERS, INC.**  
MO. CERTIFICATE OF AUTHORITY  
U.S. No. 0002878  
111 NORTH MAIN, SUITE #10  
INDEPENDENCE, MISSOURI 64050  
(816) 254-5000 FAX: (816) 252-9712  
WPKC@WPCK.COM

**FINAL PLAT**  
**LOT 1A, HUNLETH ADDITION**  
**SE. QUARTER SEC. 1, TWP. 52, RNG. 30**  
**EXCELSIOR SPRINGS, CLAY COUNTY, MISSOURI**

REV	DESCRIPTION	DATE

JOB NO. **4450**  
SCALE: **NOTED**  
DATE: **7/17/24**  
DRAFTER: **T.K.O.**  
CHYD: **B.P.**  
SHEET NO. **1**



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**Community Development  
Planning and Zoning Commission - 9/30/2024**

To: Commission Members  
From:  
Date  
RE: SUP-24-008

**ATTACHMENTS:**

Description	Type	Upload Date
SUP-24-008	Cover Memo	9/27/2024



**Community Development Department  
Planning & Zoning**

Phone: 816-630-0756; Fax: 816-630-9572



September 30, 2024

**To:** Chairman and Commissioners  
Planning & Zoning Commission

**Re:** Staff Report for Case Number SUP-24-008 - Application by Harmony Brown for Special Use Permit for the operation of a Camping Facilities in an R-2 Two-Family Residential District at Lookout & Haynes Streets. (*Public Hearing*)

Applicant: Harmony Brown

**Meeting Date:** September 30, 2024

**General Information:**

Address: 414 Lookout  
Current Zoning: R-2, Two-Family Residential District  
Current Land Use: Vacant

Surrounding Zoning & Land Use: North – R-2 Two Family Residential District.  
East – R-2 Two Family Residential District.  
South – R-2 Two Family Residential District  
West – R-2 Two Family Residential District.

**Background:**

The lots at the northeast corner of Lookout and Haynes Streets were platted some time ago yet never developed.

A proposed combined preliminary and final plat, to be considered separately, will combine the lots currently under the applicant's ownership into one lot for the purposes of this proposed Special Use Permit to operate an enhanced Camping Facilities on the property.

**Staff Analysis:**

The Zoning Regulations recognize that there are special land uses and circumstances which, because of their unique character, cannot be properly classified in any particular zoning district(s) without special consideration in each case of the impact of those uses upon neighboring property. These cases can be reviewed individually for their appropriateness and authorized through a Special Use Permit.

The possible address for this special use application is 414 Lookout St. The applicant would like to build her residence/office facing Lookout Street. The four (4) tracts of land will include the house/office, twelve (12) parking spaces, one (1) store, one (1) bath house, one (1) fire pit, one (1) play area, 12 camping sites and a six (6) foot mulch walking path around the entire camping area.

The use for the area is personal residence, a place of public gathering and enjoyment, camping and event space.

Staff finds that the proposed special use can be compatible with the surrounding properties and can be operated in an appropriate manner as to not cause concern for the public health and safety and adjacent land uses.

Per City practice, staff would suggest an initial time limit of two (2) years to allow time for the operation to begin and evaluate potential impacts on the neighborhood. The applicant will have the opportunity to apply for renewal of the Special Use Permit at the end of the two (2) year period.

**Staff Recommendation/Action Requested:**

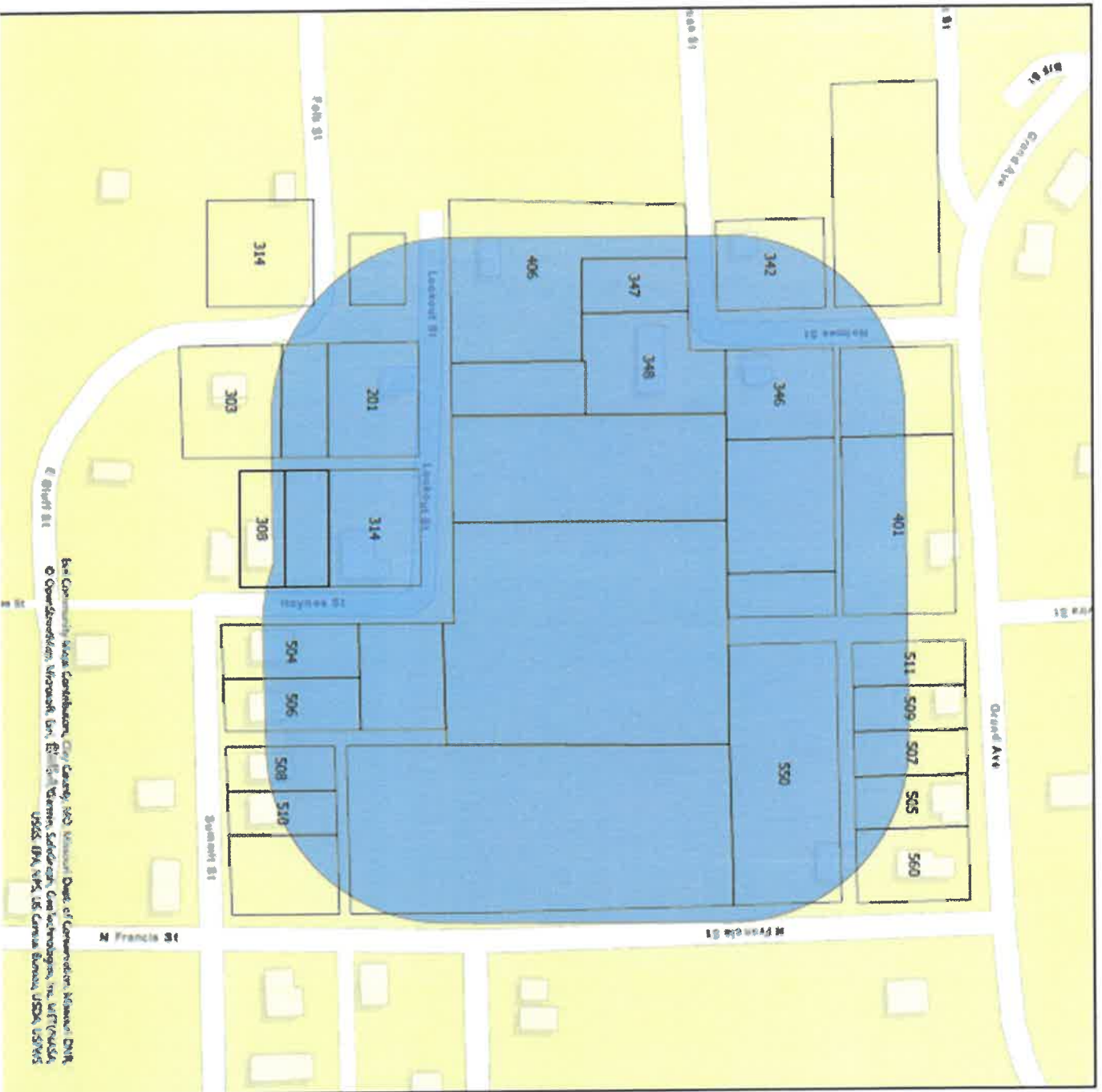
City staff recommends approval of the Special Use Permit for a two (2) year time period.

Respectfully Submitted,

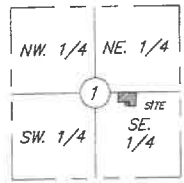
Doug Hermes  
Planning Consultant  
City of Excelsior Springs

**Attachments:**

Exhibit A – Vicinity Map  
Exhibit B – SUP Site Plan



414 Lookout



**SECTION LOCATION**  
 Section 1, Twp. 52, Rng. 30  
 (Not to Scale)

**PROPERTY DESCRIPTION:**

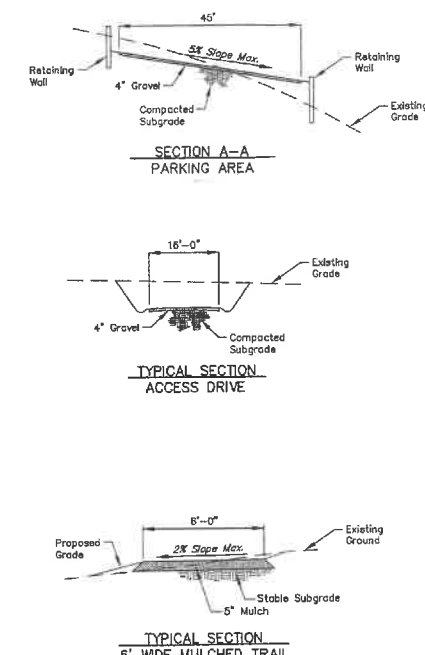
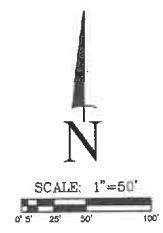
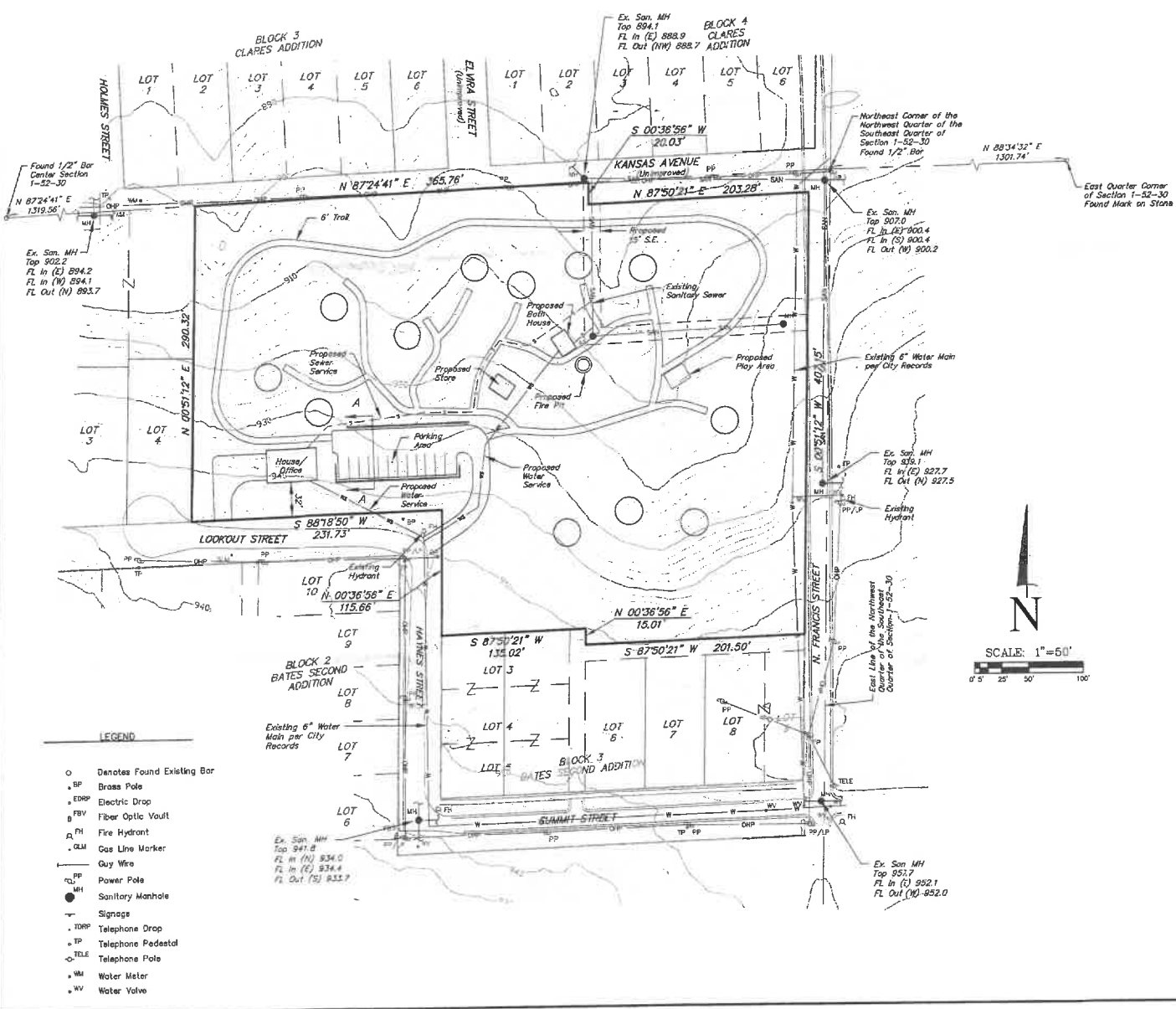
TRACT I:  
 Lots 5 and 6, Block 1, in BATES SECOND ADDITION, City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.

TRACT II:  
 All of Lots 1 and 2, in Block 3, BATES SECOND ADDITION to the City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.

TRACT III:  
 City Block Ninety (90), to the City of Excelsior Springs, Clay County, Missouri.

TRACT IV:  
 All of Blocks One (1) and Two (2), in HUNLETH ADDITION to the City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof.

**WEISKIRCH & PARKS ENGINEERS, INC.**  
 MISSOURI CERTIFICATE OF AUTHORITY  
 NO. 000297  
 111 NORTH MAIN, SUITE #10  
 INDEPENDENCE, MISSOURI 64050  
 (816)254-9000 FAX (816)252-9772  
[www.wpe.com](http://www.wpe.com)



Owner/Developer:  
 Harmony Brown  
 5028 N. Topping Avenue  
 Kansas City, MO 64119  
 harmonyhomedesign@gmail.com  
 Ph: 816-898-4276



**PRELIMINARY SITE PLAN**  
**EXCELSIOR SPRINGS, CLAY COUNTY, MISSOURI**

DATE	REVISIONS DESCRIPTION

JOB NO. 4450  
 SCALE: NOTED  
 DATE: 3/08/24  
 DRAWN BY: T.K.O.  
 CHECKED BY: B.P.  
 SHEET NO. 1 of 1



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**Community Development  
Planning and Zoning Commission - 9/30/2024**

To: Commission Members  
From:  
Date  
RE: VAC-24-002

**ATTACHMENTS:**

Description	Type	Upload Date
VAC-24-002	Cover Memo	9/27/2024

**Community Development Department  
Planning & Zoning**

Phone: 816-630-0756; Fax: 816-630-9572



September 30, 2024

**To:** Chairman and Commissioners  
Planning & Zoning Commission

**Re:** Staff Report for Case No. VAC-24-002 - Application by Chap Land Co. for Vacation of a Sanitary Sewer Easement along Vintage Drive, Vintage Plaza Lot 15A. (*Public Hearing*)

Applicant: Chap Land Co.

**General Information:**

The Vintage Plaza development is a mixed-use retail/office development that has been modified over time in response to various development proposals.

**Background:**

Lot 15, Vintage Plaza subdivision, has been re-subdivided in the past in response to a particular development proposal. At a certain point, a ten (10) foot sanitary easement was dedicated to the City for the future extension of a sanitary sewer line to accommodate a new development that did not take place.

The applicant is now proposing a new administrative Lot Split Survey to re-subdivide Lot 15A into two new lots. Each new lot will have direct access to public water and sanitary sewer service. The previously dedicated ten (10) foot sanitary sewer easement is no longer necessary.

**Staff Analysis:**

The ten (10) foot sanitary sewer easement is not necessary for the current operation or future expansion of the City's sanitary sewer system, nor is it required for the development of the two new lots proposed with the administrative Lot Split Survey.

The public notice procedures have been satisfied and City staff has confirmed that no public utilities are located within or are planned for the existing sanitary sewer easement. City staff finds that the formal vacation of the ten (10) sanitary sewer easement would be appropriate.

**Staff Recommendation/Action Requested:**

City staff recommends approval of the easement vacation petition.

Respectfully Submitted,

Doug Hermes  
Planning Consultant  
City of Excelsior Springs

**Attachments:**

Exhibit A – Lot Split Survey



FOR ARCHITECTURAL, ENGINEERING AND LANDSCAPE ARCHITECTS AND SURVEYORS ONLY. THIS SURVEY IS VALID AND CORRECT AS SHOWN ON THIS PLAN TO THE BEST OF MY PROFESSIONAL KNOWLEDGE.  
 SURVEYOR'S CERTIFICATION: I, R. L. BUFORD, A MISSOURI LICENSED SURVEYOR, HAVE PERSONALLY CONDUCTED THIS SURVEY AND AM AWARE OF THE FACTS AND CIRCUMSTANCES SURROUNDING THIS SURVEY. THE SURVEYING DATA AND CALCULATIONS ON WHICH THIS SURVEY IS BASED ARE TRUE AND CORRECT.  
 PROJECT NO. 18-007000285 DATE 06/27/2024

**R.L. Buford & Associates, LLC**  
 MISSOURI LICENSED SURVEYOR  
 1505 S. WILSON ST., SUITE 200, SPRINGFIELD, MO 65804  
 PHONE: (417) 831-1977  
 FAX: (417) 831-1978  
 LICENSE NO.: 22990  
 EXPIRES: 04/15/2018  
 MISSOURI STATE SURVEYOR BOARD  
 REGISTERED PROFESSIONAL SURVEYOR  
 BOUNDARY SURVEY/LOT SPLIT

# LOT SPLIT

## LOT 15A, VINTAGE PLAZA - TENTH PLAT EXCELSIOR SPRINGS, CLAY COUNTY, MISSOURI

**PROPERTY DESCRIPTION - PARTIALLY PARCEL**  
 ALL OF LOT 15A OF A LOT SPLIT COMPLETION SURVEY OF LOTS 14 AND 16, VINTAGE PLAZA - TENTH PLAT, A CONTAINING 16.86 ACRES, TRACT 15707, CLAY COUNTY, MISSOURI, BEING RECORDED ON 2/17/2018 AS DOCUMENT NO. 23600 IN BOOK 87 PAGE 97.

**PROPERTY DESCRIPTION - LOT 15C**  
 CONTAINING 16.86 ACRES TRACT 15707, CLAY COUNTY, MISSOURI, BEING RECORDED ON 2/17/2018 AS DOCUMENT NO. 23600 IN BOOK 87 PAGE 97.

**PROPERTY DESCRIPTION - LOT 15D**  
 ALL THAT PART OF LOT 15A OF A LOT SPLIT COMPLETION SURVEY OF LOTS 14 AND 16, VINTAGE PLAZA - TENTH PLAT, A, SUBDIVISION OF LOTS 14 AND 16, VINTAGE PLAZA - TENTH PLAT, BEING RECORDED ON 2/17/2018 AS DOCUMENT NO. 23600 IN BOOK 87 PAGE 97, CONTAINING 16.86 ACRES TRACT 15707, CLAY COUNTY, MISSOURI, BEING RECORDED ON 2/17/2018 AS DOCUMENT NO. 23600 IN BOOK 87 PAGE 97, TO BE SPLIT INTO TWO LOTS TO BE KNOWN AS LOT 15C AND LOT 15D, TRACT 15707, CLAY COUNTY, MISSOURI, BEING RECORDED ON 06/27/2024 AS DOCUMENT NO. 25500 IN BOOK 91 PAGE 91. THE TOTAL AREA OF LOTS 15C AND 15D SHALL BE 16.86 ACRES. LOT 15C SHALL BE 1.48 ACRES AND LOT 15D SHALL BE 15.38 ACRES. THE BOUNDARY LINE OF LOT 15C SHALL BE BOUNDARY LINE OF LOT 15A, BOUNDARY LINE OF LOT 15B, BOUNDARY LINE OF LOT 15D, BOUNDARY LINE OF LOT 15E, BOUNDARY LINE OF LOT 15F, BOUNDARY LINE OF LOT 15G, BOUNDARY LINE OF LOT 15H, BOUNDARY LINE OF LOT 15I, BOUNDARY LINE OF LOT 15J, BOUNDARY LINE OF LOT 15K, BOUNDARY LINE OF LOT 15L, BOUNDARY LINE OF LOT 15M, BOUNDARY LINE OF LOT 15N, BOUNDARY LINE OF LOT 15O, BOUNDARY LINE OF LOT 15P, BOUNDARY LINE OF LOT 15Q, BOUNDARY LINE OF LOT 15R, BOUNDARY LINE OF LOT 15S, BOUNDARY LINE OF LOT 15T, BOUNDARY LINE OF LOT 15U, BOUNDARY LINE OF LOT 15V, BOUNDARY LINE OF LOT 15W, BOUNDARY LINE OF LOT 15X, BOUNDARY LINE OF LOT 15Y, BOUNDARY LINE OF LOT 15Z.

**PROPERTY DESCRIPTION - LOT 15E**  
 CONTAINING 1.48 ACRES TRACT 15707, CLAY COUNTY, MISSOURI, BEING RECORDED ON 06/27/2024 AS DOCUMENT NO. 25500 IN BOOK 91 PAGE 91. LOT 15E IS A BARE LAND TRACT. THE BOUNDARY LINE OF LOT 15E SHALL BE BOUNDARY LINE OF LOT 15A, BOUNDARY LINE OF LOT 15B, BOUNDARY LINE OF LOT 15C, BOUNDARY LINE OF LOT 15D, BOUNDARY LINE OF LOT 15E, BOUNDARY LINE OF LOT 15F, BOUNDARY LINE OF LOT 15G, BOUNDARY LINE OF LOT 15H, BOUNDARY LINE OF LOT 15I, BOUNDARY LINE OF LOT 15J, BOUNDARY LINE OF LOT 15K, BOUNDARY LINE OF LOT 15L, BOUNDARY LINE OF LOT 15M, BOUNDARY LINE OF LOT 15N, BOUNDARY LINE OF LOT 15O, BOUNDARY LINE OF LOT 15P, BOUNDARY LINE OF LOT 15Q, BOUNDARY LINE OF LOT 15R, BOUNDARY LINE OF LOT 15S, BOUNDARY LINE OF LOT 15T, BOUNDARY LINE OF LOT 15U, BOUNDARY LINE OF LOT 15V, BOUNDARY LINE OF LOT 15W, BOUNDARY LINE OF LOT 15X, BOUNDARY LINE OF LOT 15Y, BOUNDARY LINE OF LOT 15Z.

**SURVEY NOTES:**

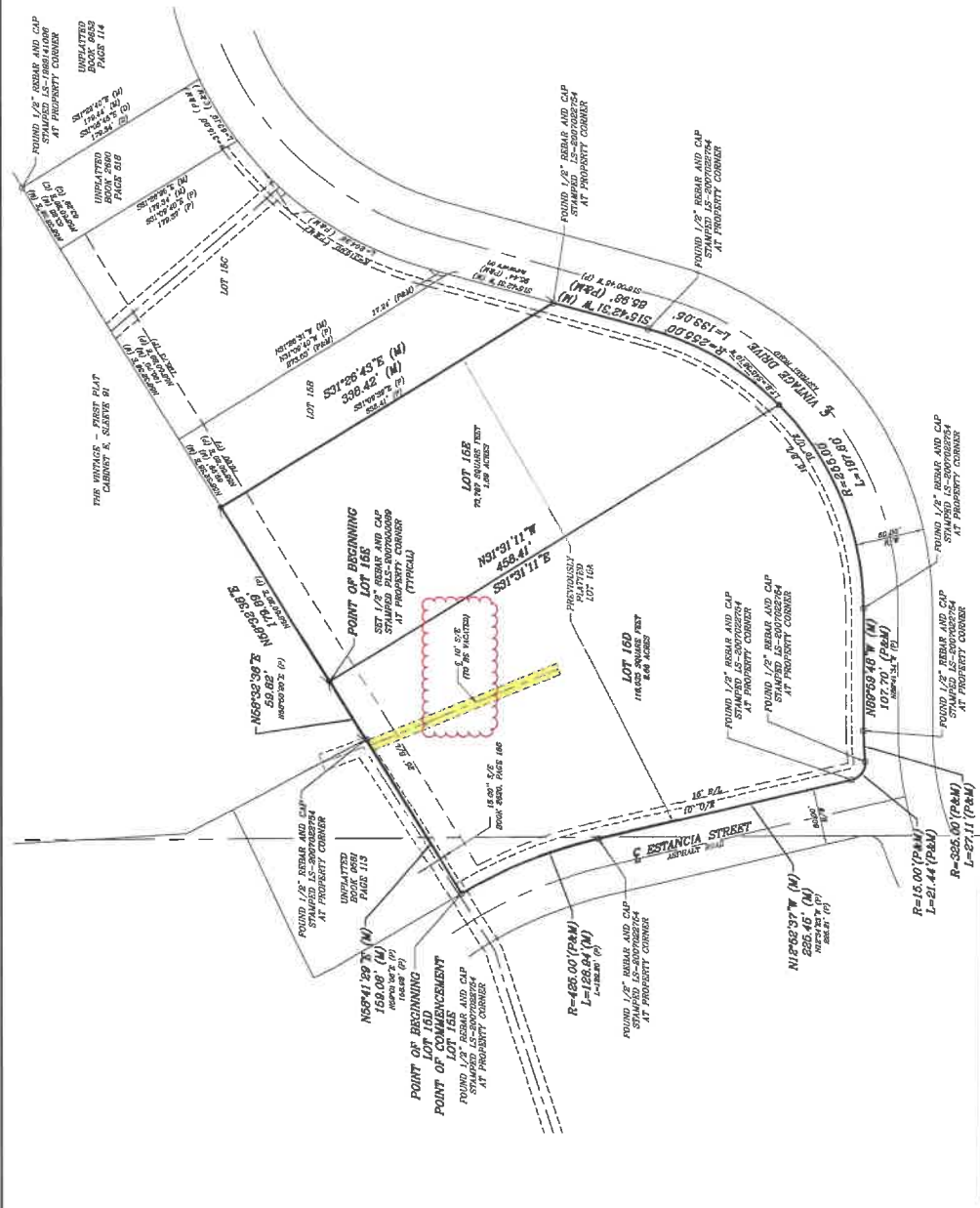
- THE POSITION OF EXISTING ADJACENT LOTS, IF ANY, IS NOT SHOWN. THE POSITION OF EXISTING ADJACENT LOTS, IF ANY, IS NOT SHOWN. THE POSITION OF EXISTING ADJACENT LOTS, IF ANY, IS NOT SHOWN.
- THE DISPOSITIONS USED FOR THIS SURVEY ARE SHOWN ON THE ACCOMPANYING PLAT OF LOT SPLIT - LOT 15C AND 15D, TRACT 15707, CLAY COUNTY, MISSOURI, BEING RECORDED ON 06/27/2024 AS DOCUMENT NO. 25500 IN BOOK 91 PAGE 91.
- THE BOUNDARY SURVEY HEREON IS BASED ON NAD83(11) EPOCH 2010.0 ADJUSTMENT.
- THE POSITION OF EXISTING ADJACENT LOTS, IF ANY, IS NOT SHOWN. THE POSITION OF EXISTING ADJACENT LOTS, IF ANY, IS NOT SHOWN. THE POSITION OF EXISTING ADJACENT LOTS, IF ANY, IS NOT SHOWN.
- ACCORDING TO THE LOCAL INSTRUMENTS OF THE MISSOURI SURVEYING BOARD, BEING RECORDED AS DOCUMENT NO. 18-007000285 IN BOOK 91 PAGE 91, THE PROFESSIONAL SURVEYOR HAS REVIEWED THE RECORDS OF THE MISSOURI SURVEYING BOARD AND HAS DETERMINED THAT THE SURVEYING DATA AND CALCULATIONS ON WHICH THIS SURVEY IS BASED ARE TRUE AND CORRECT.
- FIELD WORK WAS COMPLETED ON JUNE 14, 2024.

**IN WITNESS WHEREOF,**  
 I, R. L. BUFORD, A MISSOURI LICENSED SURVEYOR, HAVE CLOSED THESE PRESENTS TO BE SIGNED BY ME AND BY THE PARTY OF THIS INSTRUMENT.

R. L. BUFORD (MISSOURI LICENSED SURVEYOR)  
 COUNTY OF CLAY  
 STATE OF MISSOURI  
 DAY OF JUNE  
 2024

**APPROVALS:**  
 I, THE CLERK OF THE CLAY COUNTY COURT, MISSOURI, DO HEREBY CERTIFY THAT THE SURVEYING DATA AND CALCULATIONS ON WHICH THIS SURVEY IS BASED ARE TRUE AND CORRECT.

\_\_\_\_\_ DAY OF JUNE  
 2024



**GRAPHIC SCALES**  
 0 50 100 150  
 ( IN FEET )  
 1 inch = 50.0 ft.

**VICINITY MAP**  
 NOT TO SCALE

**LEGEND:**

- HP - HYPOCENTRE
- AP - ASSUMED POINT
- IS - INTERIOR POINT
- BE - BENCH MARK
- FM - FINISHED MEANING OR INSTANCE
- CU - CALCULATED BEARING OR DISTANCE
- OR - CALCULATED BEARING OR DISTANCE
- MC - MEASURED BEARING OR DISTANCE
- PT - POINT OF BEGINNING AS NOTED
- OR - POINT OF BEGINNING AS NOTED
- FM - FINISHED MEANING OR INSTANCE
- CU - CALCULATED BEARING OR DISTANCE
- OR - CALCULATED BEARING OR DISTANCE





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**Community Development  
Planning and Zoning Commission - 9/30/2024**

To: Commission Members  
From:  
Date  
RE: ZTA-24-002

**ATTACHMENTS:**

Description	Type	Upload Date
ZTA-24-002	Cover Memo	9/27/2024

**Community Development Department  
Planning & Zoning**

Phone: 816-630-0756; Fax: 816-630-9572



September 30, 2024

**To:** Chairman and Commissioners  
Planning & Zoning Commission

**Re:** Staff Report for Case No. ZTA-24-002 – Application by the City of Excelsior Springs to amend Chapter 400 “R-4” Medium Density Residential District in the Zoning Regulations of the Excelsior Springs City Code. (*Public Hearing*)

Applicant: City of Excelsior Springs

**General Information:**

This application is to correct an element in the initial adopted Ordinance as part of the City’s Code Review Process.

**Background:**

A City Code review process focusing on the Zoning & Subdivision Regulations and development-related code sections had been identified as an action item in the Community Development Department Work Plan. The review process began in 2022. The last element of the review process concluded earlier this year with consideration and adoption of certain amendments to the Sign Regulations.

When the initial, comprehensive Ordinance was adopted in 2022, all “Permitted Uses” allowed in the “R-4” Medium Density Residential District were errantly deleted.

The Planning and Zoning Commission considered a Zoning Text Amendment (ZTA) application at its July regular session to correct this error and following due consideration, recommended approval of the application to the City Council. The City Council considered the Planning and Zoning Commission recommendation and remanded the application back to the Commission for further consideration of the rationale for removing single-family and two-family dwellings as permitted uses under the “R-4” zoning district.

The Planning and Zoning Commission held a Special Study Session in August so the Commission could have a general policy discussion regarding some of the land use modifications under the 2022 Code Review Process.

## Discussion:

The Planning and Zoning Commission initial review of the “R-4” zoning district standards through the Code Review Process a couple of years ago accepted the idea to remove single-family and two-family houses as permitted uses, and to remove the requirement for planned zoning for any medium density apartment buildings.

The City’s Comprehensive Plan attempts to identify future land use and development patterns that will result in a balanced community of varying housing types and densities, appropriate office and retail activity, industrial development, community facilities and parks & open spaces. The Zoning Regulations are a primary implementation tool to help the community achieve this vision.

Prior to the 2022 Code Review Process, the Zoning Regulations contained elements of Cumulative Zoning, or “pyramid zoning”, where less intense land uses, such as single-family and two-family dwellings, were permitted in more intensive zoning districts such as multifamily residential and commercial zoning districts. Due to these Cumulative Zoning elements described above, the City was experiencing instances of low-density residential development proposals on the limited property planned and zoned for either higher-density residential or commercial developments thus reducing the available sites for these types of more intense land uses, impacting the vision outlined in the Comprehensive Plan.

The proposed modifications to the permitted uses under the “R-4” zoning district was an attempt to minimize the loss of medium density residential zoning to a lower density use.

The proposed modifications do not inhibit nor establish policy guidance on the potential to consider rezoning existing “R-4” zoning districts to a lower density residential district that would permit single-family or two-family dwellings, as the Commission and Council would deem appropriate and consistent with the Comprehensive Plan.

The application basically reestablishes the District “R-4” permitted uses as they were, with those two modifications explained above:

### Section 400.130. “R-4” Medium Density Residential District

A. *Permitted Uses.* In a District “R-4” no building, structure, land or premises shall be used and no structure shall be hereafter erected, constructed, reconstructed, or altered except for one (1) or more of the following uses:

- ~~1. Single family dwellings under regulations of District “R-1”~~
- ~~2. Two family dwellings under the regulations of District “R-2”~~

3. Medium density apartment buildings. [*Removed requirement for Planned District zoning*]
4. Housing which shall be considered congregate living for senior adults and of a multi-family nature shall be limited to a Planned District.

**Staff Analysis:**

This correction appears to reflect the initial intent of the Planning and Zoning Commission and City Council through the City's Code Review Process as related to District "R-4".

**Staff Recommendation/Action Requested:**

Staff recommends approval of the application.

Respectfully submitted,

Doug Hermes  
Planning Consultant  
City of Excelsior Springs