



**City Planning & Development Department**

Development Management Division

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**STAFF REPORT**

**June 17, 2014**

**(12)**

**RE:** **Case No. 14475-P**

**APPLICANT:** Mike Cupp  
Autobody on the Run  
4110 NW Riverside St  
Riverside, MO 64150

**OWNER:** Ozanam  
421 E 137<sup>th</sup> St  
Kansas City, MO 64145

**AGENT:** Steve Warger  
Warger Associates  
1617 Swift  
North Kansas City, MO 64116

**LOCATION:** Generally located west of Prairie View Rd between NW 100th St and NW 104th St.

**REQUEST:** To consider approval of a rezoning from District B3-3 (Community Business) to B4-3 (Heavy Business/Commercial).

**AREA:** About 7 acres.

**SURROUNDING LAND USE:** **North & East** Prairie View Business Center (light industrial development), zoned M2-3 (Manufacturing 2).  
**West & South** Undeveloped land, light industrial uses, zoned M2-3.

**LAND USE PLAN:** The KCI Area Plan recommends commercial uses for the subject property.

**MAJOR STREET PLAN:** NW Prairie View Rd is classified as a two-lane thoroughfare by the City's Major Street Plan.

**ARTERIAL STREET IMPACT FEE:** The subject property is located within Benefit District A, and is subject to impact fees as required by Chapter 39.  
*(Informational only)*

**PREVIOUS CASES:** None.

**EXISTING CONDITIONS:**

The subject property is an unplatted 7-acre tract of land located on the west side of NW Prairie View Rd (which runs west of and parallel to Interstate 29) about 1/3 of a mile north of NW Tiffany Springs Pkwy. Currently zoned B3-3 (Community Business), the property is surrounded by light industrial uses to the north, east and south and a small distribution facility and undeveloped land

to the west; all zoned M2-3 (Manufacturing 2). The bulk of the property sets back (west) from NW Prairie View Rd and has a 50 foot wide strip of land which extends eastward to NW Prairie View Rd. The property is undeveloped and is relatively flat, but heavily vegetated.

**SUMMARY & ANALYSIS:**

The applicant is seeking approval to rezone the property from B3-3 (Community Business) to B4-3 (Heavy Business/Commercial) to permit the development of the site for long-term storage (classified as Vehicle Storage in the Zoning and Development Code) and repair of recreational vehicles (classified as Motor Vehicle Repair, General). Staff understands that the applicant intends to allow long-term storage of recreational vehicles on the site, distinct from temporary storage customarily found with any vehicle repair use. Current zoning permits vehicle repair, however long-term storage not associated with repair is first allowed within District B4 and must comply with use standards requiring screening with an opaque fence (Section 88-375). The applicant has also indicated that a portion of the property may be used for a recreational vehicle park.

Like current zoning, the proposed zoning is an open district, therefore if this request is approved the vehicle repair, display and long-term storage (and any other use permitted in District B4) would be permitted without further review from the City Plan Commission or City Council, unless Development Plan approval is triggered<sup>1</sup>. The recreational vehicle park, however, will require approval of a Special Use Permit from the City Plan Commission and Board of Zoning Adjustment.

See attached use table for a list of uses permitted by right and by Special Use Permit.

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:

**88-515-08-A. Conformance with adopted plans and planning policies;**

The KCI Area Plan recommends commercial uses for the subject property. The proposed zoning conforms to the area plan.

**88-515-08-B. Zoning and use of nearby property;**

Nearby properties are all zoned M2-3 (Manufacturing) which is a more intense zoning district than the subject property's current and proposed zoning.

**88-515-08-C. Physical character of the area in which the subject property is located;**

The character of the area is light industrial with a mixture of undeveloped land and developed land consisting of a variety of light industrial uses.

**88-515-08-D. Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;**

Adequate public facilities exist within this area.

**88-515-08-E. Suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;**

Existing zoning (District B3-3) is a Community Business district allowing a narrower variety of commercial uses relative to the proposed zoning and to the zoning of surrounding properties. Uses commonly found in District B3 in this area of the city are general retail uses, gas stations,

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<sup>1</sup> Development Plan approval from the City Plan Commission and City Council is only required if the proposed development exceeds 75,000 sq. ft. in floor area.

hotels and restaurants. The property has only 50 feet of frontage along NW Prairie View Rd and its visibility is extremely limited from both Prairie View and Interstate 29 which reduces the suitability of the site for uses such uses.

**88-515-08-F. Length of time the subject property has remained vacant as zoned;**

The subject property is undeveloped.

**88-515-08-G. The extent to which approving the rezoning will detrimentally effect nearby properties; and**

Nearby properties consist of light industrial uses and all existing buildings on surrounding properties have loading docks and service areas on those portions of the buildings that face the subject property. Given the required use standards for vehicle storage, approval of the request is not expected to have a detrimental effect on nearby properties.

**88-515-08-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 the application will not result in any gain to the public health, safety or welfare as many similar uses are currently permitted by right. Given that the subject property is surrounded by light industrial uses and Manufacturing zoning and its limited suitability for the uses to which it is restricted under current zoning, denial of the application may pose a hardship upon the property owner.

**RECOMMENDATIONS:**

City Planning and Development Staff recommends approval of Case No. 14475-P based on the application provided for review prior to the hearing without conditions.

Respectfully submitted,



Joseph C. Rexwinkle, AICP  
Planner