

# COMMUNITY PROJECT/REZONING

## Ordinance Fact Sheet

Case No. 14475-P

### Brief Title

To approve a rezoning from District B3-3 (Community Business) to B4-3 (Heavy Business/Commercial).

### Details

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

**Reason for Legislation:**  
To approve a rezoning from District B3-3 (Community Business) to B4-3 (Heavy Business/Commercial).

**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 AND 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. The recreational vehicle park, however, will require approval of a Special Use Permit from the City Plan Commission and Board of Zoning Adjustment.

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:

**140561**

Ordinance Number

### Positions/Recommendations

<b>Sponsors</b>	Robert Langenkamp, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	2 <sup>nd</sup> District (Ford, Johnson)
<b>Applicants / Proponents</b>	<b>Applicant</b> Mike Cupp Autobody on the Run 4110 NW Riverside St Riverside, MO 64150
	<b>City Department</b> City Planning & Development <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>
	<b>Basis of Opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For
	<input type="checkbox"/> Against
	<b>Reason Against</b>
<b>Board or Commission Recommendation</b>	City Plan Commission (7-0) 06-17-2014 By Archie, Baker-Hughes, Krum, Martin, May, Van Zandt, and Macy
	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken
	<input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> Do Pass
	<input type="checkbox"/> Do Pass (as amended)
	<input type="checkbox"/> Committee Sub.
	<input type="checkbox"/> Without Recommendation
	<input type="checkbox"/> Hold
	<input type="checkbox"/> Do not pass

Continued from Page 1

**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, 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 as these.

**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.

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

**Finances**

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

**Continued from Page 2**

**RECOMMENDATION:**

The City Plan Commission recommends approval of Case No. 14475-P without conditions.

**Fact Sheet Prepared By:**      **Date:** July 9, 2014

Joseph Rexwinkle, AICP  
Staff Planner

**Reviewed By:**                      **Date:** July 9, 2014

Diane Binckley, AICP  
Division Manager  
Development Management

**Application Filed:**                      April 16, 2014

**City Plan Commission:**                      June 17, 2014

**Reference Numbers:**

Case No. 14475-P