

COMMUNITY PROJECT/REZONING

210284

Ordinance Number

Ordinance Fact Sheet

Case No. CD-CPC-2020-00171

Brief Title

A request to approve a rezoning from District B1-1 to District B3-1 for automotive uses on about 0.77 acres located at 5030 Blue Ridge Cutoff.

Details

Location: 5030 Blue Ridge Cutoff

Reason for Legislation: Rezoning require Council approval.

PLAN REVIEW

The applicant is requesting to rezone the three-quarter acre site in order to use the site for an automotive repair business (pending approval of a future Special Use Permit application). The site has an existing commercial building and gas canopies, with drive access from both Blue Ridge Cutoff and Sni-A-Bar Road. The applicant is proposing minor modifications to the site, including landscaping and screening as well as the required parking lot improvements.

PLAN ANALYSIS

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

Subject to the conditions attached to this report, the proposed use is expected to comply with adopted plan and policies.

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

Properties to the west of this site maintain single-family residential uses. This type of proposed use, automotive repair (subject to Special Use Permit approval), can become a nuisance if not properly screened and maintained. Proper maintenance of the site, including but not limited to proper disposal of mechanical fluids, is paramount.

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

Blue Ridge Cutoff in this area is a low density commercial corridor, but is adjacent to residential neighborhoods. Careful consideration of the screening of commercial uses from the residences is needed. The applicant has provided screening along the west property line in order to do so.

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

Infrastructure at this site is expected to be adequate for development.

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

Positions/Recommendations

Sponsors	Jeffrey Williams, AICP, Director Department of City Planning & Development
Programs, Departments or Groups Affected	3rd District (Ellington, Robinson)
Applicants / Proponents	Applicant Rod Khalil 5001 NW 57 th Terrace Kansas City, MO 64151
	City Department City Planning & Development Other
Opponents	Groups or Individuals
	Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For
	<input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	City Plan Commission (7-0) 03-02-2021 By Baker, Beasley, Crawl, Enders, Hill, Rojas, Sadowski
	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<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

At present, the B1-1 zoning would permit only limited commercial uses including office, retail and the like. The property itself was built for an automotive-centered use. The property is suitable for a repair or other automotive use.

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

While there is an existing commercial building on site, the business has not been in operation for a number of years.

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

If proper measures to screen noise and other associated nuisances of automotive repair are not taken, there could be 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.*

If denied, the applicant will be in possession of a property he cannot use for his preferred business (automotive repair), however the public health, safety, and welfare are not expected to benefit from this proposed zoning change.

City Plan Commission recommended approval subject to conditions. However, staff would like to request that Council remove all recommended conditions. Conditions were previously provided with this rezoning request in error. Conditions of approval are not usually associated with a rezoning request without an associated plan. For this reason, staff believes that the conditions should be provided and approved through an administrative review instead.

The following conditions were recommended by the City Plan Commission. However, staff requests that the conditions shown below be removed for the reason previously stated.

Condition(s) by City Planning and Development Department.

Contact Jamie Hickey at 816-513-8816 /

Jamie.Hickey@kcmo.org with questions.

1. Use of the property as a car dealership or automotive repair would require approval of a Special Use Permit (SUP). (1/13/2021)
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to Certificate of Occupancy. (1/13/2021)
3. That the plan is revised to show long and short-term bicycle parking as required of 88-420-09 at time of SUP approval. (1/13/2021)
4. That the parking lot be repaired and be brought up to code standards as required by Sec. 88-420 prior to

Certificate of Occupancy. (1/13/2021)

- 5. All signage shall comply with Sec. 88-445 and be permitted separately from this process. (1/13/2021)
- 6. The outdoor display screening requirements of Sec. 88-435-02 shall apply. (1/13/2021)
- 7. Applicant shall provide pedestrian crosswalks across all drives prior to Certificate of Occupancy. (1/13/2021)

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

Finances

Cost & Revenue Projections – Including Indirect Costs	
Financial Impact	
Funding Source(s) and	

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Appropriation Account Codes	

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Fact Sheet Prepared By: Zach Nelson Staff Planner	Date: 03-18-2021	
Reviewed By: Zach Nelson Staff Planner Development Management	Date: 03-18-2021	Initial Application Filed: 01-12-2020 City Plan Commission: 03-02-2021 Revised Plans Filed: N/A
Reference Numbers: Case No. CD-CPC-2020-00171		