

CITY PLAN COMMISSION STAFF REPORT

CD-CPC-2025-00131

Warehouse on Broadway



KANSAS CITY
Planning & Dev

October 15, 2025

Docket # 5.1

Request

Rezoning

Applicant

Martin Arling
Kaw Valley Engineering, Inc.

Owner

Magic Packs, LLC.

Site Information

Location	3951 Broadway Blvd
Area	0.97 Acres
Zoning	UR
Council District	4th
County	Jackson
School District	Kansas City

Surrounding Land Uses

North: Commercial, UR
South: Commercial, B3-2
East: Undeveloped, UR
West: Commercial, B3-2

KC Spirit Playbook Alignment

CD-CPC-2025-00131: Medium

Land Use Plan

The Midtown/Plaza Area Plan recommends Mixed Use Community for this location. The proposed plan has a medium alignment with this designation. See Criteria A for more information.

Major Street Plan

Broadway Boulevard is identified as an established Boulevard in this location.

Approval Process



Overview

The applicant seeks a rezoning from District UR (Urban Redevelopment) to district B3-2 (Commercial) on 1 acre generally located at the northeast corner of Broadway Boulevard and West 40th Street to allow for an entertainment venue (500+ capacity) on the subject site, subject to a special use permit.

Existing Conditions

The subject site is currently occupied by two commercial structures and an accessory parking lot.

Neighborhood(s)

This site is located within the boundaries of the Heart of Westport Neighborhood Association, Old Westport Neighborhood Association and Midtown KC Now Community Organization.

Required Public Engagement

Section 88-505-12, Public Engagement does apply to this request. The applicant hosted a meeting on September 13, 2025. A meeting summary is attached; see Attachment #3.

Controlling + Related Cases

14265 - UR -Rezoning the entire block bound by 39th Terrace, 40th Street, Broadway Boulevard and Central Street from Districts R-1.5/B3-2 to District UR (Urban Redevelopment), approved via Ordinance No. 120221 by City Council on March 22, 2012.

Project Timeline

The application was filed on August 8, 2025. Scheduling deviations have occurred due to a CPC Schedule deadline being missed. The applicant did not upload a DRC response letter by the required time.

Professional Staff Recommendation

Docket #5.1 **Approval**



RELATED CASES

CD-SUP-2025-00031 - A request to approve a special use permit in District B3-2 (Commercial) to allow an entertainment venue (500+ capacity) on about 0.97 acres generally located 150 feet north of Broadway Boulevard and West 40th Street.

PLAN REVIEW

The applicant is requesting to rezone approximately 0.97 acres from District UR (Urban Redevelopment) to District B3-2 (Community Business). The rezoning will allow for a special use permit (Case No. CD-SUP-2025-00031) to allow for an entertainment venue (500+ capacity) to be reviewed by City Staff, City Plan Commission, and the Board of Zoning Adjustment. The current UR Plan only allows this property to be used as a restaurant. The proposed rezoning would allow for flexibility of future property owners, removing the restrictions of the current UR Plan, and expanding the uses allowed on site to those allowed in the B3-2 Zoning District.

SPECIFIC REVIEW CRITERIA

Rezoning, Zoning and Development Code Map Amendments (88-515-08)

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:

A. Conformance with adopted plans and planning policies.

The Midtown/Plaza Area Plan recommends Mixed Use Community at this location, which corresponds with the B3-2 zoning district. No area plan amendment is required for this rezoning proposal.

"The special use permit enables the applicant to continue using the Warehouse on Broadway as an entertainment venue. The accompanying rezoning simply removes the property from the UR zoning to the base zoning. Though there are some questions about parking, the overall use is in alignment with the area plan and KC Spirit Playbook. The location is also not far from the Streetcar extension and adjacent to a planned mobility lane decreasing the potential need for visitors to drive." – Luke Ranker, 4th District Planner, Community Planning Division

B. Zoning and use of nearby property.

The properties to the north, east and south area all under same UR (Urban Redevelopment) Plan (14265-UR). The properties within the UR were approved for specific uses on each lot. including retail, restaurant, office, single family and multi-family residential. Properties to the west are all zoned B3-2 and consist of retail, institutional and gasoline and fuel sales uses.

C. Physical character of the area in which the subject property is located.

The building form is compatible with the surrounding buildings.

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

There is existing public infrastructure serving the site. Utilities and infrastructure will be brought to current city standards if further development is proposed.

E. Suitability of the subject property for the use to which it has been restricted under the existing zoning regulations.

The current UR Plan restricts the site to one use, a restaurant. The building is now being used as an entertainment venue and restaurant. The proposed rezoning will change the zoning to B3-2 which will allow for a variety of uses, such as retail, eating and drinking establishments and other uses commonly found in the surrounding area. The property is well suited for uses within the B3-2 Zoning District, as it will match the use and character of the surrounding properties.

F. Length of time the subject property has remained vacant as zoned.

The previous use, an eating and drinking establishment opened in early 2024. Later that year, Warehouse on Broadway applied for permits to allow for a newly proposed restaurant. After closer review by City Staff, the proposed use for the site was determined as an entertainment venue. Warehouse on Broadway is currently in violation for operating an entertainment venue and is not vacant.

G. The extent to which approving the rezoning will detrimentally affect nearby properties.

The rezoning is not expected to detrimentally affect nearby properties. However, the proposed use of an entertainment venue does raise concerns due to the amount of parking needed (164 parking stalls required). It is Staff's professional opinion that resources like the street car, ride share, and other forms of alternative transportation will reduce the amount of cars parking in the area. These resources will also increase pedestrian activity and bring people to the area promoting a safer environment.

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.

A denial of the application will not provide any gain for the public health, safety and welfare as the existing UR plan would restrict the property to a restaurant use, which have struggled in this location. If the use remains as a restaurant, then a rezoning would not be required. The current zoning imposes a hardship on the property owner with only one use being allowed at the site. Vacant building can have a negative effect impacts to public safety and welfare, such as a lack eyes on the street.

ATTACHMENTS

1. Applicant's Submittal
2. Public Engagement Materials
3. KC Spirit Alignment

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends Approval.

Respectfully submitted,



Justin Smith

Planner

Lots 4, 5 and 8, together with the vacated East-West alley lying between Lots 4 and 5, and together with the West half of the vacated alley lying East of and adjacent to Lots 4, 5 and 8, all in JOHN HARRIS' ADDITION TO THE TOWN OF WESTPORT, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, and EXCEPT any part thereof in streets, roads or public rights of way.

AND EXCEPT the following described tract:

The North 56 feet of Lot 8, EXCEPT any part thereof in Broadway, JOHN HARRIS' ADDITION TO THE TOWN OF WESTPORT, a subdivision in Kansas City, Jackson County, Missouri, together with the West one-half of the vacated alley lying East of and adjacent thereto, all being more particularly described as follows: Beginning at the intersection of the East right of way line of Broadway Boulevard, as now established, with the North line of said Lot 8; thence North 90 degrees 00 minutes 00 seconds East on the North line of said Lot 8, a distance of 135.25 feet; thence South 00 degrees 02 minutes 53 seconds West, a distance of 56.00 feet; thence South 90 degrees 00 minutes 00 seconds West, a distance of 135.25 feet to a point on the East right of way line of said Broadway Boulevard; thence North 00 degrees 02 minutes 53 seconds East on said East right of way line, a distance of 56.00 feet to the Point of Beginning.

Public Meeting Notice

Please join _____

for a meeting about _____

case number _____

proposed for the following address:

Meeting Date:

Meeting Time:

Meeting Location:

Project Description:

If you have any questions, please contact:

Name:

Phone:

Email:

You are receiving this notice in accordance with city code that requires a public meeting with neighborhoods for certain types of development projects. You can read more about the process requirements at kcmo.gov/publicengagement



If you would like further information on this proposed project, please visit the city's planning and permitting system, Compass KC, at Compasskc.kcmo.org. You may search by project type and address/case number to find project details.

Sincerely,

Meeting Sign-In Sheet

Project Name and Address

Warehouse on Broadway

3951 Broadway Blvd

Name	Address	Phone	Email
Doris Yonker	3928 Wyandotte	816-982-4396	doris.yonker@gmail.com
Sheryl Windsor	3927 Central St.	816-695-7561	heartofwestport@aol.com
Vern Barnet	3948 Wyandotte St.	816-753-1633	
Ben Barnet	3948 Wyandotte St.	816-753-1633	
Moustafa Shabayek	3636 NW Blue Jacket Dr Lees Summit, MO 64111		
Paul Mesler	4141 Pennsylvania Ave. Unit 508	816-804-0344	pmesler@kc.rr.com
Tom Platt	300 Westport Rd	816-529-5884	thmspltt@yahoo.com
Phil Scaglia	2903 SW 13th Terrace, Lee's Summit, MO 64081	816-914-5913	phil@powerfulperforman cesolutions
Joseph C Cirese, IV	4514 Summit St	816-457-5400	info@drsmoke.com
Neil Smith			neill@warehouseonbroadway.com
Joe Jimenez	812 W 17th St Suite B	816-510-0375	jjimenez@hermanosdesign.com



CITY OF
KANSAS CITY,
MISSOURI

CITY PLANNING & DEVELOPMENT

Public Meeting Summary Form

Project Case #

Meeting Date:

Meeting Location:

Meeting Time (include start and end time):

Additional Comments (optional):

owner, but he has not been responsive.

Members of the Heart of Westport Neighborhood Association (HOW) expressed concern with parking on streets, illegal parking, noise and lack of a buffer from private homes. Some of their homes do not have off-street parking, so they rely on the street for parking. They also stated that the other businesses are quiet and that a music venue is not appropriate for this area. A member of HOW stated that even if the parking problem was solved, it would still not be an appropriate use of the building due to noise and excess activity.

WOB owners stated that they run a quality venue and provide security. They believe having activity there is a good thing because it drives out the criminal and drug element. WOB owners stated that they also deal with parking from other Westport venues and the problems in the neighborhood are not solely from them. This was acknowledged by HOW.

There were discussions of the history of the vacant 3950 property and it's possible use for parking.

The owner of the building at 3929 Broadway, to the north, expressed concern for his business and the business that leases from him. He has persistent problems during events at WOB. His lessee has complained that business suffers during those times. He does not believe a parking agreement with the owner of 3950 Central will solve the problems.

Midtown/Plaza Area Plan Alignment: Medium

KC Spirit Playbook Alignment: Medium

Comments: This special use permit enables the applicant to continue using the Warehouse on Broadway as an event space. The accompanying rezoning simply removes the property from the UR to the base zoning. Though there are some questions about parking, the overall use is in alignment with the area plan and KC Spirit Playbook. The location is also not far from the Streetcar extension and adjacent to a planned mobility lane, decreasing the potential need for visitors to drive.

Corrections/Conditions:

- Given the existing parking constraints, the applicant should ensure that no parking spots are lost with the addition of the deck.
- The upcoming Broadway Blvd. road diet is expected to have no impact on driveway access; however, the applicant should maintain contact with Public Works to ensure there are no conflicts with the future mobility lane.