



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri
City Planning & Development Department
www.kcmo.gov/cpc

December 5th, 2023

Project Name
7780 E US 40 Hwy Rezoning

Docket #5

Request
CD-CPC-2023-00158
Rezoning without Plan

Applicant
Andrew Fischer
Fischer Weiler Industrial

Parcel ID 47742
Area About 6 acres
Zoning B3-2, M1-5
Council District 3rd
County Jackson
School District KCMO 110

Surrounding Land Uses

North: Industrial, zoned M1-5
South: Outdoor Storage, zoned B3-2
East: Industrial, zoned M1-5
West: Warehousing, zoned UR

Major Street Plan

The City's Major Street Plan identifies E US Highway 40 as a thoroughfare on the Major Street Plan at this location.

Land Use Plan

The Riverfront Industrial Area Plan recommends Industrial uses for the subject property.

APPROVAL PROCESS



PROJECT TIMELINE

The application for the subject request was filed on 10/9/2023. No Scheduling deviations from 2023 Cycle M have occurred.

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

The Little Blue Valley Neighborhood Association is tied to the subject site.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request. Applicant hosted a meeting on November 6th, 2023. A summary of the meeting is attached to the staff report, see Attachment #2.

EXISTING CONDITIONS

The subject site is currently developed with a light outdoor vehicle sales/rental. The land that surrounds it is primarily industrial uses. To the north and east, is an industrial use. To the south, is an outdoor storage facility. To the west, is warehousing. There is no associated regulated stream with the subject site.

SUMMARY OF REQUEST + KEY POINTS

The applicant is seeking approval of a Rezoning from District B3-2 (Business) to District M1-5 (Manufacturing one dash five) on about 6 acres generally located at 7780 E 40 Highway, 0.2 miles west of I-435.

CONTROLLING CASE/RELEVANT CASES

None.

PROFESSIONAL STAFF RECOMMENDATION

Docket #5 Recommendation: **Approval**

REZONING REVIEW

The applicant is proposing a request to rezone approximately 6 acres from District B3-2 to District M1-5. This rezoning will allow for Heavy Equipment Rental/Sales. The project site is currently light equipment sales, the developer plans to have a utility equipment sales/rental service. This project will zone the whole parcel the same zoning district, it is currently split zoned between B3-2 and M1-5. The proposed rezoning does not require an accompanying plan.

SPECIFIC REVIEW CRITERIA**Zoning and Development Code Map Amendments, REZONINGS (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 Riverfront Industrial Area Plan recommends Industrial land use for this location. This proposal is consistent with the future land use plan. No Area Plan Amendment is required.

B. Zoning and use of nearby property;

Nearby properties are zoned M1-5 and UR (Urban Redevelopment). This rezoning will reflect the surrounding areas in terms of zoning.

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

Adjacent properties consist mainly of M1-5 and industrial type uses. The proposed rezoning is not expected to change the physical character of the area.

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 serve the site and be brought to City Standards when any 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 zoning designation is B3-2. The proposed rezoning will change the zoning to M1-5, which is compliant with the future land use. Most of the parcels surrounding consist of industrial uses, mostly consisting of outdoor storage of vehicles or equipment.

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

The subject site currently has a used car dealership on a portion of the lot. The developer intention is to demolish the current site and do outdoor heavy equipment sales, which would be permitted under the M1-5 zoning district.

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

The rezoning is not expected to detrimentally affect nearby properties.

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 to the public health, safety, and welfare.

ATTACHMENTS

1. Applicants Submittal
2. Public Engagement Materials

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends **Approval**.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Justin Smith".

Justin Smith
Planner



Zoning:	B3-2, M1-5
Assessment Effective Date:	7/1/2021
Assessed Land:	72,573
Assessed Improve:	15,747
Exempt Land:	0
Exempt Improve:	0
Current Land Use:	3200 - Solid Waste Management
Square Feet:	275,950.06
Acres:	6.335
Perimeter:	2,285.432
PLSS:	s324918

Legal Description: 7780 E HIGHWAY-40 7800 E HIGHWAY-40 PRT NE 1/4 SW 1/4 & PRT NW 1/4 SW 1/4 SEC 18 49 32 BEG AT A PT ON NLY LI OF HWY-40 AT A PT 483.83 FT SELY AS MEAS ALG SD NLY LI FROM W LI OF NE 1/4 SW 1/4 TH NELY AT R/A WITH SD NLY LI 350 FT TH NWLY PARL WITH SD NLY R/W LI 804 FT TH SWLY 350 FT TO NLY LI HWY-40 TH SELY ALG SD NLY R/W LI TO BEG



Meeting Sign-In Sheet

Project Name and Address

Rezoning 7450, 7740, 7800 E. US 40 Hwy
from B3-2 to M1-5

[illegible]



CITY OF
KANSAS CITY,
MISSOURI

CITY PLANNING & DEVELOPMENT

Public Meeting Summary Form

Project Case # **CD-CPC-2023-00158**

Meeting Date: **November 6, 2023**

Meeting Location: **5440 W. 110th St. Suite 300 Overland Park, KS**

Meeting Time (include start and end time): **Start time: 11:00am CST**
End time: 11:30am CST

Additional Comments (optional):

No attendance at meeting

NAME	ADDRESS	CITY	STATE	ZIP
State of Missouri	600 NE Colbern Rd	Lee's Summit	MO	64086
Rotterdam Properties LLC	11213 W 153rd St	Overland Park	KS	66221
Hamilton Hauling Inc	700 Mulberry St	Pleasant Hill	MO	64080
Stelly Properties LLC	700 Mulberry St	Pleasant Hill	MO	64080
Kansas City Tpe LLC	3809 4th Ave W	Spencer	IA	51301
Advantage Metals Recycling LLC	3005 Manchester Tfwy	Kansas City	MO	64129

Notices were sent to the following people
on 10/27/23.

NOTICE OF APPLICATION

To whom it may concern,

This letter serves as notice of our intent to file an application with the City Planning and Development Department in the City of Kansas City, Mo. The application is for consideration of a

- ☐ Permit
- ☐ Preliminary plat
- ☐ Development plan
- ☒ Rezoning from District B3-2 to District M1-5

Project Description:

Redevelopment from used car lot to new industrial storage yard

City Code Engagement Requirements:

You are receiving this letter since city code requires a public meeting be held regarding our application(s) and that all contacts associated to any registered neighborhood or civic organization whose boundaries include the project property address are notified. We are contacting you and all other registered contacts for your neighborhood organization to initiate a dialogue about a public meeting. This meeting may be hosted by your organization or ours, and we would like to discuss this with you. Please consult with your neighborhood organization and then contact us (contact information provided below) as soon as possible to discuss meeting details. After discussion, please select one member from your organization to email the City of Kansas City, Mo. at publicengagement@kcmo.org with written confirmation of who is hosting the meeting.

Name: Henry Weiler
Email: henry@fwipartners.com
Phone: 913-787-5799
Title/Role: Broker
Company/Employer: FWI
Owner
Representing:

If we do not receive the confirmation email referenced above within ten calendar days, we will host the meeting ourselves. And, as a registered contact, you will be invited. Our application requires approval from the Board of Zoning Adjustment or City Council following a recommendation from the City Plan Commission. After this meeting, the City Plan Commission will hold a public hearing at City Hall. If and when our application is docketed for City Plan Commission consideration, a notice of this hearing will be mailed to all property owners within 300 feet of our project address, as well as contacts with your organization that have provided a mailing address.

Sincerely,

Henry Weiler