



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri

Department of City Planning and Development
Development Management Division

414 E 12th Street, 15th Floor
Kansas City, Missouri 64108
www.kcmo.org/planning

Project

Rezoning of 5200 Raytown Rd
Hearing Date August 17, 2021

Item	Case	Request
#13	CD-CPC-2021-00093	Rezoning w/o Plan

Item	Staff Recommendation(s)
#13	Approval without Conditions

Applicant/Owner

Robert Hawkins
5200 Raytown Rd
Kansas City, MO 64133

Location	5200 Raytown Rd
Area	On about 1.5 acres
Zoning	R-7.5
Council District	3rd
County	Jackson
School District	Raytown 150

Surrounding Land Uses

North: Single-family residential, zoned R-7.5
East: River of Refuge, zoned R-0.5
South: Single-family residential, zoned R-7.5
West: Single-family residential, zoned R-7.5

Land Use Plan

The Blue Ridge Area Plan recommends Residential Low Density and Mixed Use Commercial land uses. The request does not fully comply to this recommendation.

Major Street Plan

Raytown Road is identified as a Local Link on the Major Street Plan.

APPROVAL PROCESS



PUBLIC HEARING REQUIRED

Yes

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

The subject property does not lie within any registered neighborhood or civic organization therefore none were notified.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request. The applicant held a public meeting on June 26, 2021, a summary of which is attached.

SUMMARY OF REQUEST

Applicant is seeking approval of a rezoning from District R-7.5 (Residential dash 7.5) to District B1-1 (Neighborhood Business 1 dash 1).

PURPOSE

Applicant is proposing to allow a prospective tenant to operate a retail clothing business in the existing building which requires approval of the above-referenced request.

HISTORY

The existing building on the property has been occupied by various retail sales businesses since around 1940, including a dairy store, convenience store, retail flowers, TV repair and a carry-out BBQ business, all under the CLNU classification. In June 2018, there was a fire in the building that, because of problems with the renovation contractor, caused the building to be vacant for almost 2 years. As a result, the property has lost its Certificate of Legal-Nonconformance.

RELATED RELEVANT CASES

CLNU 678 is the Certificate of Legal-Nonconformance that was first issued for this property in 1969. It has been amended several times since to reflect the change in uses over the years.

KEY POINTS

- The current R-6 zoning does not allow for development of the property due to the lot and building standards of the R-6 zoning, specifically lot width.

EXISTING CONDITIONS

The site is currently partially developed with a 600 square foot building on the southeast corner of the property. The building is currently in a state of minor disrepair and has been vacant since a fire occurred within the building in 2018. There is a small parking lot to the east and south of the building. The majority of the rest of the site is undeveloped. The frontage along Raytown Road and E. 52nd Terrace are both lacking sidewalks.

PLAN REVIEW

The existing building on the property has been occupied by various retail sales businesses since around 1940, including a dairy store, convenience store, retail flowers, TV repair and a carry-out BBQ business, all under the CLNU classification. In June 2018, there was a fire in the building that, because of problems with the renovation contractor, caused the building to be vacant for almost 2 years. As a result, the property has lost its Certificate of Legal-Nonconformance and the applicant requests to rezone the property to B1-1 to allow for retail sales. The applicant has indicated that he has a prospective tenant that would like to operate a retail clothing business out of the existing building on the site.

REZONING ANALYSIS

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 proposed rezoning complies with the recommended land use map of the Blue Ridge Area Plan within the area on which the building is located.

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

The majority of the adjacent and nearby properties are zoned low-density residential (R-7.5). The applicant currently owns additional property to the north and south of the subject site.

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

The surrounding area generally slopes downward to this subject site. There are some existing trees that could potentially provide visual screening between the existing building and the nearby homes.

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

The existing public facilities are adequate for the proposed request and the existing building.

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

The current zoning allows for single-family residential uses and very limited commercial uses. The proposed zoning seems appropriate to allow for limited retail sales, while also maintaining the character of the area.

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

The property has been vacant for approximately 3 years.

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

The property has historically operated various commercial businesses on the site. The proposed zoning district of B1-1 seems appropriate for the site. In addition, several of the commercial uses of the B1 zoning would still require a special use permit, even if the rezoning is approved.

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.

The hardship imposed upon the landowner has already prevented the applicant from using the property for commercial uses for approximately 3 years.

PROFESSIONAL STAFF RECOMMENDATION

Staff believes that the proposed B1-1 zoning is appropriate to allow for limited retail sales and would allow for the site to operate as it has since the 1940s. Therefore, City Planning and Development staff **recommends approval without conditions** based on the application and documents provided for review prior to the hearing.

Respectfully Submitted,



Zach Nelson