

CITY OF WARRENSBURG
COMMUNITY DEVELOPMENT

Council Letter No. 17-132

September 6, 2017

Honorable Mayor and
Members of the City Council
City of Warrensburg, Missouri

Dear Mayor and Council Members:

SUBJECT: A Public Hearing on an Ordinance Establishing a GB: General Business District for Property Recently Annexed into the City of Warrensburg, Missouri, Known as Right-of-Way for Maguire Street/Business Highway 13, Hawthorne Boulevard, and NW 21 Road/Holden Street

BACKGROUND:

At the July 24, 2017 City Council meeting, the City Council annexed into the City portions of the right-of-way for Maguire Street/Business Highway 13, Hawthorne Boulevard, and NW 21 Road. Also at the July 24, 2017 City Council meeting, the City Council accepted the transfer of title from Johnson County of the same right-of-way. The right-of-way will be used for safety improvements to the intersection of Hawthorne Boulevard and Maguire St./Business Hwy 13. With the property being located in the City, it is necessary to establish a zoning district for it. Attached is Resolution 2155 of the City of Warrensburg authorizing the City Manager to submit the attached application requesting the right-of-way be established as a GB: General Business district. The property is contiguous to the City limits and currently undeveloped land.

Compatibility with the Comprehensive City Plan

The 2017 Comprehensive City Plan Update shows the future land use of this area as community commercial. The current trend of the existing development is commercial.

Public Notice

The attached list of property owners within 300 ft. were notified of the September 11, 2017 hearing before City Council. The following public comments have been received:

Peter Sickle, 204 Grover St., appeared at the Planning and Zoning Commission meeting. He questioned how zoning this property would impact the development potential and opportunities for other land already zoned General Business in the City.

Planning and Zoning Commission Action

The Planning & Zoning Commission considered the request at their September 5, 2017, meeting and recommended approval of the zoning request. Their findings and written recommendation is attached.

ISSUE:

To hold a public hearing and consider an ordinance to zone property as a GB: General Business district.

STRATEGIC PLAN:

This item is not addressed in the City's Strategic Plan.

FISCAL IMPACT:

N/A

ECONOMIC BENEFITS/IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of the ordinance and the zoning request for the following reasons:

1. The requested zone is a reasonable extension of an adjacent, existing GB district.
2. The proposal is compatible with the surrounding and existing land uses.

Sincerely,



Barbara Carroll
Director of Community Development

cc: City Manager

- Attachments:
1. Ordinance
 2. Planning & Zoning Commission Findings and Recommendation
 3. Application
 4. Aerial with zoning information
 5. Future Land Use Map from 2017 Comprehensive City Plan Update
 6. Notice to Property Owners within 300 ft.
 7. List of Property Owners within 300 ft.
 8. Publisher's affidavit

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A GB: GENERAL BUSINESS DISTRICT FOR PROPERTY RECENTLY ANNEXED INTO THE CITY OF WARRENSBURG, MISSOURI, KNOWN AS RIGHT-OF-WAY FOR MAGUIRE STREET/BUSINESS HIGHWAY 13, HAWTHORNE BOULEVARD, AND NW 21 ROAD/HOLDEN STREET

WHEREAS, On August 15, 2017, the City of Warrensburg, Missouri filed an application requesting to establish a GB: General Business District for a portion of the right-of-way for Maguire Street/Business Highway 13, Hawthorne Boulevard, and NW 21 Road/Holden Street. Said land being annexed into the City and legally described as follows:

Part of the Northwest Quarter of Section 13, Township 46 N, Range 26W, in Johnson County, Missouri, described as: Commencing at the railroad iron (Ref. Cor. Doc. #600-56771) at the Northwest corner of said Section 13, thence S00°46'02"W, 1,272.57 feet, along the West line of said Section 13, to a point 39.63 feet North of the Quarter Quarter Corner; thence N88°12'32"E, 1,532.24 feet, along a line 39.63 feet North of and parallel to the Quarter Quarter line, to a point 74.47 feet S88°12'32"W of the east right-of-way of Missouri State Highway 13, Federal Project Co51-13(7), at Station 545+15, and the point of beginning; thence S19°08'35"E, 140.71 feet; thence S19°08'35"E, 261.12 feet, along the East right-of-way of said Highway 13; thence S03°31'32"E, 209.86 feet, along said right-of-way; thence S68°54'49"W, 78.32 feet, along the East right-of-way of said Highway 13 (Ref. Hawthorne Plaza Deed of Record Book 3027, Page 41); thence S13°43'24"E, 747.99 feet, along said right-of-way, to our adopted Quarter Section line, between Fiene's pin from Northridge Subdivision and our calculated Quarter Quarter Section corner to the West; thence S87°19'38"W, 173.35 feet, along said line, to the West right-of-way; thence N13°43'24"W, 231.28 feet, along the West right-of-way of said Highway 13, to the P.T.; thence Northwesterly, 339.28 feet, along the arc of curve in said right-of-way, to the left having (Rad.=5,629.65 feet; $\Delta=03^{\circ}27'11''$; Ch.=N15°19'18"W 339.23 feet); thence N86°33'22"W, 115.02 feet, along the right-of-way line, to the East right-of-way line of Old Highway 13, Project 262-(f); thence S01°19'52"W, 275.18 feet, along said East right-of-way line, to PC of a curve to the right, having (right-of-way data) (Arc=262.56 feet; Rad.=985.4 feet; $\Delta=15^{\circ}16'00''$; Ch.=S08°57'52"W, 261.79 feet) to the P.T.; thence S16°35'49"W, 40.86 feet, to the Quarter Section line; thence S88°31'52"W, 63.11 feet, along the Quarter Section line, to the West right-of-way of said Old Highway 13; thence N16°35'49"E, 60.43 feet, along said West right-of-way, to the PT of a curve to the left, having right-of-way data (Arc=246.57 feet; Rad.=925.4 feet; $\Delta=15^{\circ}16'00''$; Ch.=N08°57'52"E 245.84 feet) to the PC thence N01°20'15"E, 277.39 feet, along said West right-of-way; thence N01°16'07"E, 300.74 feet, along said West right-of-way; thence N12°33'24"W, 168.79 feet, along the West right-of-way Federal Project F-334(6); thence N38°31'42"E, 36.43 feet, along the new proposed right-of-way; thence N04°55'12"W, 39.12 feet, along proposed right-of-way; thence N09°15'45"W, 112.76 feet, along said line; thence N12°42'09"W, 75.47 feet, along said line; thence N54°56'07"W, 35.6 feet, along said line; thence S87°32'42"W, 57.45 feet, along said line, to the West right-of-way line Project F334(6); thence N21°50'56"W, 44.77 feet, along said right-of-way, to the East-West line, at 39.63 feet North of the Quarter Quarter line; thence N88°12'32"E, 392.15 feet, along said line, to the point of beginning.

WHEREAS, public notice of the Planning and Zoning Commission's open public meeting to consider the request to establish a GB zone was given by letter to property owners within 300 feet of the subject properties on August 18, 2017; and

WHEREAS, the Planning and Zoning Commission, at its meeting on September 5, 2017, recommended the approval of the zoning request by the City Council; and

WHEREAS, public notice of the City Council's public hearing to consider the request to establish the GB zone was given by publication in the Daily Star Journal on August 24, 2017; and

WHEREAS, the public hearing has been held and comments received by the City Council from the citizens of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WARRENSBURG AS FOLLOWS:

Section 1. Following the consideration of the public comments received on the proposed zoning of the above referenced property to establish a GB: General Business District; and, and upon careful consideration of the evidence before the City Council, it is found and determined the zoning requested would promote the health, safety, morals, and general welfare of the citizens of the City, and the zoning request is approved.

Section 2. The City Clerk is authorized and instructed to amend the City's zoning maps in accordance with this ordinance and to certify the revised zoning map as required by law.

Section 3. This ordinance shall be in full force and effect from and after its passage by the City Council.

Read two times and passed by the City Council of the City of Warrensburg, Missouri, this ____ day of September, 2017.

ATTEST:

Bryan Jacobs, Mayor

Cindy Gabel, City Clerk