



PLANNING AND ZONING COMMISSION

AGENDA REPORT

July 1, 2020

ITEM 4.I & 5.I: Request to Rezone  
APPLICANT: MFM Capital, LLC  
LOCATION: 1610 E. Hale Lake Rd.  
CURRENT ZONING: GB: General Business District  
REQUESTED ZONING: R4: Medium-Density Multifamily Residence District

**BACKGROUND:**

The applicant owns the property at 1610 E. Hale Lake Rd., which is located approximately 250 ft. west of the intersection of E. Hale Lake Road (U.S. Highway DD) and Countryview Lane. The owner has applied for the rezoning to facilitate the redevelopment of this parcel. MFM Capital, LLC has submitted a preliminary plat for the development called The Pines at Hale Lake. The preliminary plat proposes twelve (12) new lots and one (1) new road for a multi-family townhouse development. The preliminary plat will be considered at the August Planning and Zoning Commission meeting.

The properties directly to the north are single-family residences in a R1 District. The property to the west is Alpine Boarding and Grooming in a GB district. The property to the east is the Johnson County Fire Protection District and a single family house in a R1 District. The property to the south is undeveloped land in a R4 District.

*Compatibility with the Comprehensive City Plan*

The 2017 Comprehensive City Plan shows the future land use of this lot as medium density residential. The current trend of the existing development in the area is a mixture of single-family, multi-family, commercial and institutional uses.

*Public Notice*

The attached list of property owners within 300 ft. were notified June 19, 2020 of the meeting before the Planning and Zoning Commission. At the writing of this report, staff has received the following comments:

Bruce Bradley, 1601 E. Hale Lake Rd., called City Hall and requested general information about the property on June 24, 2020.

Regina Watson, 1904 Ender Ln., called City Hall and requested general information about the property on June 29, 2020.

Gilbert Powers on behalf of U Stor All LLC, 1804 E. Hale Lake Rd., came to City Hall and requested general information about the property on June 30, 2020.

Steven and Camilla Steinman on behalf of Alpine Boarding & Grooming LLC, 1600 & 1640 E. Hale Lake Road, provided the attached written comments in a letter dated June 25, 2020.

**STAFF RECOMMENDATION:**

Staff recommends approval based on the following:

1. The proposed zone is an extension of an existing R4 District.
2. The proposed land use is in keeping with the general development trend of the area and the adopted Comprehensive City Plan.

**FINDINGS AND RECOMMENDATION:**

Whenever the Commission considers a rezoning request, the written findings and recommendations are to be submitted to the City Council based upon the evidence presented with respect to the following:

- (a) The compatibility of the proposed amendment to the goals and objectives of the City's Comprehensive plan.
- (b) The effect of the amendment upon the existing land uses within the general area.
- (c) The impact of the changes on the future development of the neighborhood.
- (d) Development trends in the area of the affected property.

The findings and recommendation need to be written, signed, and submitted to the City Council. A blank form is attached. The Council will hold a public hearing on this request on July 13, 2020.

- Attachments:
1. Planning & Zoning Commission Findings and Recommendation Form
  2. Aerial photography of the site
  3. Zoning information
  4. Future Land Use Map from 2017 Comprehensive City Plan Update
  5. List of Property Owners within 300 ft.
  6. Notice to Property Owners within 300 ft.
  7. Public comment letter
  8. Application

**PLANNING AND ZONING COMMISSION  
REZONING FINDINGS AND RECOMMENDATION**

Property owned by: MFM Capital, LLC

---

Described as: 1610 E. Hale Lake Rd.

---

All that part of the Northeast quarter of Section 31, Township 46, Range 25, in the City of Warrensburg, Johnson County, Missouri, more particularly described as;

Commencing at the Northeast corner of said quarter section; thence South 02 degrees 07 minutes 13 seconds West, along the East line of said quarter section, a distance of 60.00 feet, to a point on the South Right-of-Way line of Highway DD as now established, thence South 02 degrees 07 minutes 13 seconds West, along the East line of said quarter section a distance of 634.00 feet; thence North 87 degrees 58 minutes 28 seconds West, a distance of 355.56 feet, (Deed=344.00'), to the Southeast corner of Lot 2, Means Addition, a subdivision in said city; thence North 02 degrees 51 minutes 58 seconds East, along the East line of said Lot 2, a distance of 634.04 feet, (Deed=634.00'), to the Northeast corner of said Lot 2, said point also being on the South Right-of-Way line of said Highway DD; thence South 87 degrees 58 minutes 28 seconds East, along said South Right-of-Way line, a distance of 349.15 feet, (Deed=344.00'), to the Point of Beginning. Containing 5.12 acres.

Request to rezone the property at 1610 E. Hale Lake Rd. in the City of Warrensburg from GB: General Business District R4: Medium-Density Multifamily Residence District.

The Planning and Zoning Commission has considered the rezoning at an open public meeting and makes the following findings and recommendations based upon the evidence presented with respect to these matters:

1. The relationship of the proposed amendment to the goals and objectives of the City's Comprehensive Plan is such that applicable objectives of the plan \_\_\_\_\_ will be \_\_\_\_\_ will not be furthered.
2. The effect of the rezoning upon the existing uses of land within the general area could be \_\_\_\_\_ minimal, \_\_\_\_\_ major.
3. The impact the change would have on the character of the neighborhood should be \_\_\_\_\_ minimal, \_\_\_\_\_ major.
4. The property \_\_\_\_\_ is \_\_\_\_\_ is not suitable for the uses permitted under the existing zoning.
5. The trend of development in the general area of the property is towards:

- \_\_\_\_\_ low density residential
- \_\_\_\_\_ medium-density residential
- \_\_\_\_\_ high density residential
- \_\_\_\_\_ commercial
- \_\_\_\_\_ high intensive commercial or industrial
- \_\_\_\_\_ mixed use

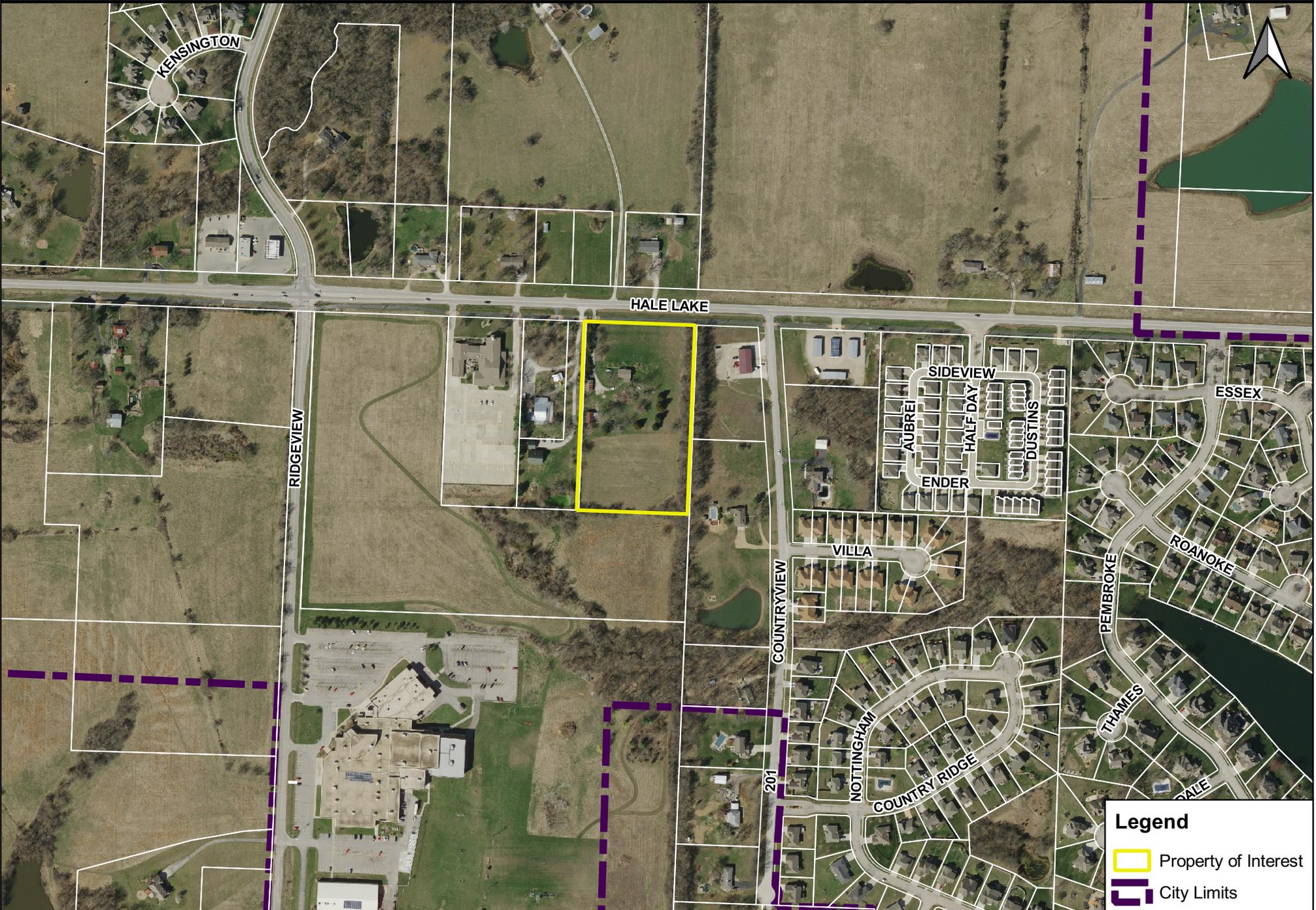
6. Additional Comments: \_\_\_\_\_

The Planning and Zoning Commission finds the proposed rezoning  
\_\_\_\_\_ acceptable / \_\_\_\_\_ not acceptable and recommends  
\_\_\_\_\_ approval / \_\_\_\_\_ disapproval.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Chairperson, Planning and Zoning Commission

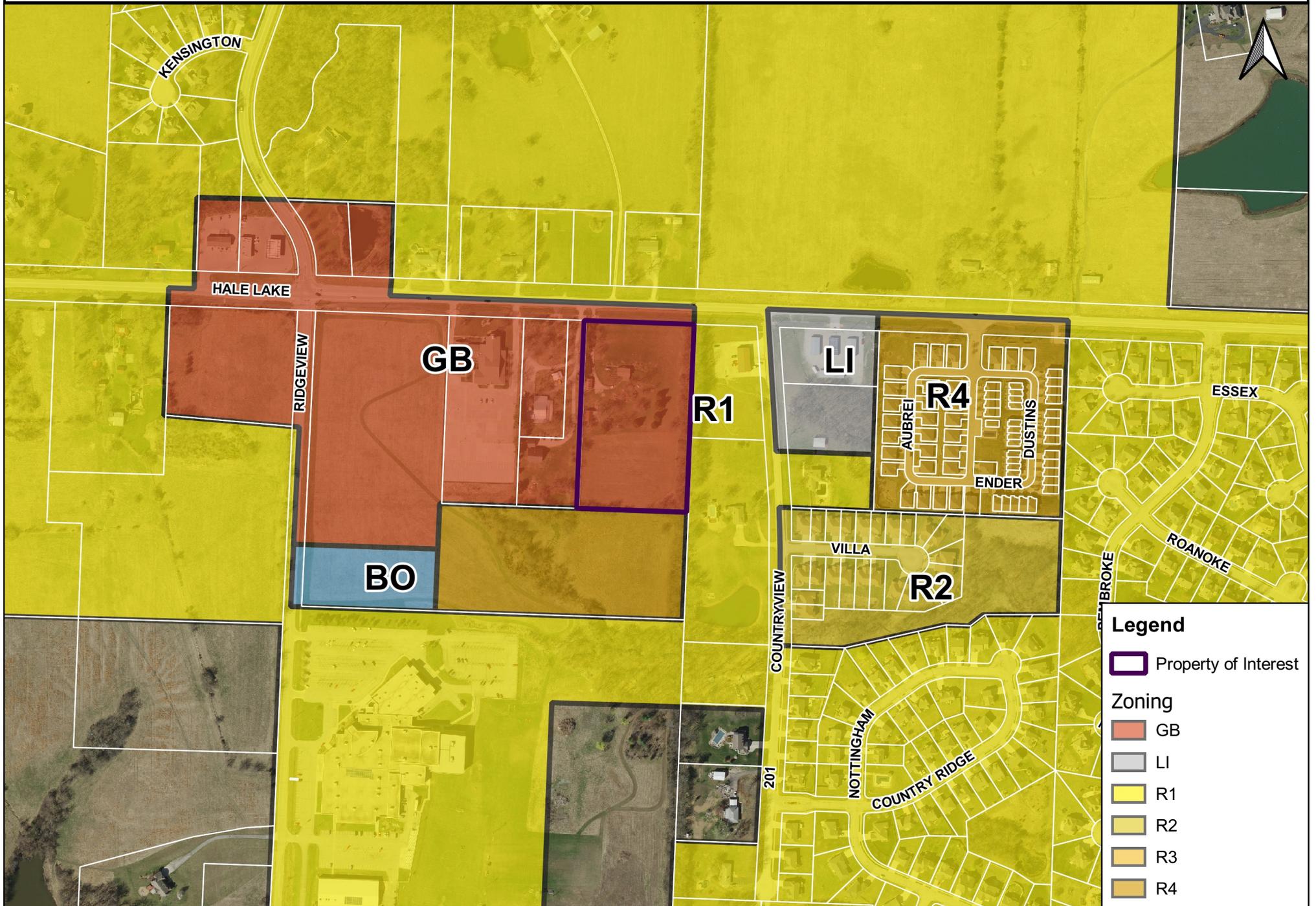
# 1610 E HALE LAKE RD AERIAL MAP



**Legend**

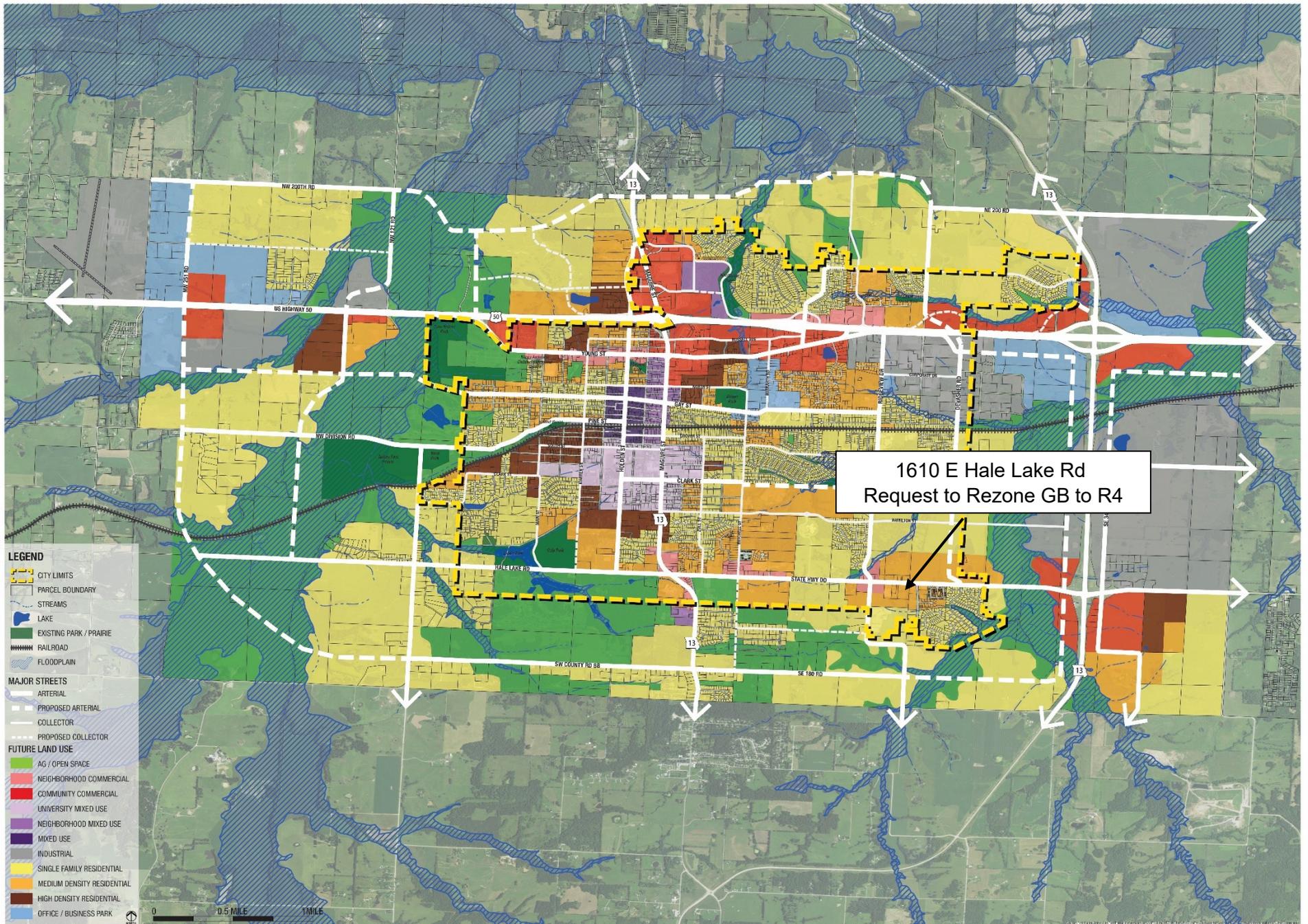
-  Property of Interest
-  City Limits

# 1610 E HALE LAKE RD CURRENT ZONING DESIGNATION



**Legend**

- Property of Interest
- Zoning**
- GB
- LI
- R1
- R2
- R3
- R4



1610 E Hale Lake Rd  
Request to Rezone GB to R4

- LEGEND**
- CITY LIMITS
  - PARCEL BOUNDARY
  - STREAMS
  - LAKE
  - EXISTING PARK / PRAIRIE
  - RAILROAD
  - FLOODPLAIN
- MAJOR STREETS**
- ARTERIAL
  - PROPOSED ARTERIAL
  - COLLECTOR
  - PROPOSED COLLECTOR
- FUTURE LAND USE**
- AG / OPEN SPACE
  - NEIGHBORHOOD COMMERCIAL
  - COMMUNITY COMMERCIAL
  - UNIVERSITY MIXED USE
  - NEIGHBORHOOD MIXED USE
  - MIXED USE
  - INDUSTRIAL
  - SINGLE FAMILY RESIDENTIAL
  - MEDIUM DENSITY RESIDENTIAL
  - HIGH DENSITY RESIDENTIAL
  - OFFICE / BUSINESS PARK

Request to Rezone from GB: General Business District to R4: Medium-Density Multifamily Residence District  
1610 E. Hale Lake Rd.

The following property owners own land within 300 ft. of the property in question.

---

A PAULINE HIBDON  
406 N WASHINGTON AVE  
WARRENSBURG, MO 64093

ACTION ESTATES INC  
PO BOX 431  
WARRENSBURG, MO 64093-0431

ALPINE BOARDING & GROOMING  
LLC  
1600 E HALE LAKE RD  
WARRENSBURG, MO 64093

BRUCE ALAN BRADLEY  
1601 E HALE LAKE RD  
WARRENSBURG, MO 64093-3033

CHURCH OF JESUS CHRIST OF  
LATTER DAY SAINTS  
C/O REAL ESTATE DIV  
50 E N TEMPLE RE 519-9565  
SALT LAKE CITY, UT 84150

HANNA FAMILY TRUST  
991 S MITCHELL  
WARRENSBURG, MO 64093

HUGH A HANNA GST TRUST  
991 S MITCHELL ST  
WARRENSBURG, MO 64093-2809

JIMMIE R & LENA SPROAT  
1613 E HALE LAKE RD  
WARRENSBURG, MO 64093

JOHNSON COUNTY FIRE  
PROTECTION DISTRICT  
122 W YOUNG  
WARRENSBURG, MO 64093

LUCAS A & ALISHA W BOHANNON  
1202 COUNTRYVIEW LANE  
WARRENSBURG, MO 64093

MFM CAPITAL, LLC  
RACHEL L. TERRY  
1204 LIVE OAK LANE  
WARRENSBURG, MO 64093

R LAVERNE MCCULLOCH  
PO BOX 125  
WARRENSBURG, MO 64093-0125

RUTH LAVERNE MCCULLOCH  
PO BOX 125  
WARRENSBURG, MO 64093-0125

STEVEN & CAMILLE STEINMAN  
1604 E HALE LAKE RD  
WARRENSBURG, MO 64093

THOMAS R & JEANNE L  
COLLISON  
1203 S COUNTRYVIEW LN  
WARRENSBURG, MO 64093

U STOR ALL LLC  
218 NE 95TH RD  
WARRENSBURG, MO 64093



CITY OF WARRENSBURG, MISSOURI  
[www.warrensburg-mo.gov](http://www.warrensburg-mo.gov)

## NOTICE TO PROPERTY OWNERS WITHIN 300 FEET

June 19, 2020

«owner\_name»  
«co\_name»  
«street\_address»  
«city», «state» «zip»

Dear Property Owner(s):

A rezoning request has been filed with the City of Warrensburg by the MFM Capital, LLC. The property requested to be rezoned is located at 1610 E. Hale Lake Road. The request is to change the zoning classification from GB: General Business District to R4: Medium-Density Multifamily Residence District. The property in question is legally described as follows:

All that part of the Northeast quarter of Section 31, Township 46, Range 25, in the City of Warrensburg, Johnson County, Missouri, more particularly described as;

Commencing at the Northeast corner of said quarter section; thence South 02 degrees 07 minutes 13 seconds West, along the East line of said quarter section, a distance of 60.00 feet, to a point on the South Right-of-Way line of Highway DD as now established, thence South 02 degrees 07 minutes 13 seconds West, along the East line of said quarter section a distance of 634.00 feet; thence North 87 degrees 58 minutes 28 seconds West, a distance of 355.56 feet, (Deed=344.00'), to the Southeast corner of Lot 2, Means Addition, a subdivision in said city; thence North 02 degrees 51 minutes 58 seconds East, along the East line of said Lot 2, a distance of 634.04 feet, (Deed=634.00'), to the Northeast corner of said Lot 2, said point also being on the South Right-of-Way line of said Highway DD; thence South 87 degrees 58 minutes 28 seconds East, along said South Right-of-Way line, a distance of 349.15 feet, (Deed=344.00'), to the Point of Beginning. Containing 5.12 acres.

The Planning and Zoning Commission will consider the zoning request at an open public meeting on **Monday, July 6, 2020, at 5:30 p.m.** at the Warrensburg Municipal Center, 200 S. Holden Street, Warrensburg, Missouri. The meeting will be a virtual meeting conducted via the electronic Zoom platform. Commission members, City staff, applicants and the public will all attend electronically. Information on how to join the meeting will be stated on the meeting agenda when it is posted on the City's website on Thursday, July 2, 2020. At the meeting and after receiving public comments, the Planning & Zoning Commission will vote to make a recommendation to the City Council.

The City Council will consider the zoning request at a public hearing on **Monday, July 13, 2020, at 7:00 p.m.** at the Warrensburg Municipal Center, 200 S. Holden Street, Warrensburg, Missouri.

At one or both of these meetings, you may submit your views in person, by writing, or by representative. For further information, please contact Kristin Dyer, City Planner at 660-747-9135.

Sincerely,

CITY OF WARRENSBURG

BY: Barbara Carroll, AICP  
Director of Community Development

# Alpine Boarding and Grooming LLC

1600 E. Hale Lake Road, Warrensburg, MO, 64093  
Tel: (660) 747- 2413 Email: [alpineboarding@yahoo.com](mailto:alpineboarding@yahoo.com)

June 25, 2020

RECEIVED  
6-29-20  
HL

City of Warrensburg  
Director of Community Development  
102 South Holden St.  
Warrensburg, MO 64093

Att: Barbara Carroll

Re: Rezoning Request for 1610 East Hale Lake Road

Dear Ms. Carroll,

We have received the Notice to Property Owners regarding the rezoning request for the property just to the east of our facility.

While we do not currently have an opinion regarding the rezoning request, we do want to make everyone aware that we are currently operating a commercial venture at 1600 East Hale Lake Road, and that the nature of our business could be an issue with a residential neighbor.

We operate a pet care facility doing primarily boarding and grooming of dogs and cats. At certain times throughout the year we can have up to 70 dogs boarding with us- and these guests of ours have no problem calling out to each other, or to anyone or thing they may spy in the area. While we have many times asked our guests to keep their conversations down, there are times that our guests get somewhat vociferous.

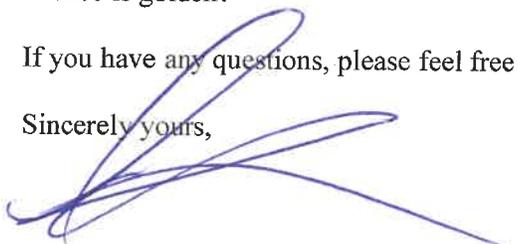
This had not been an issue in the past as the previous owners went back 50 or more years with a pet care facility as their neighbors. We do not know if the principles at MFM Capital LLC are aware that at given time some 30 or 40 or more dogs may be announcing themselves. It is not a constant event happening at all times, and the principles may not have been here during peak conversation hours.

Our peak seasons are Holidays and weekends- we always have more boarders for weekends than during the week and most major holidays we are sold to capacity. A typical 4<sup>th</sup> of July morning, or Labor Day, or Thanksgiving morning will be alive with the greetings of our guests with our arrival at work each day at sunrise or before.

Can you please make everyone involved aware of the fact that not all our guests believe in the adage that silence is golden?

If you have any questions, please feel free to contact me by email, mail, or telephone.

Sincerely yours,



Camilla & Steven Steinman



City of Warrensburg  
102 S. Holden  
Warrensburg, MO 64093  
PH: 660.747.9135  
FX: 660.747.2349

**APPLICATION FOR CHANGE OF ZONING DISTRICT**  
**PLANNING & ZONING COMMISSION**

Date: 6/16/2020

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

The undersigned hereby state that they are the owners of the following described real estate:  
MFM Capital, LLC

\_\_\_\_\_  
\_\_\_\_\_

(Legal description of real estate and location map may be attached as exhibits)

The undersigned hereby petition the City Council of the City of Warrensburg, Missouri, to  
rezone the above described real estate from its present status of GB district to -  
R-4 district.

The purpose of this request is to:

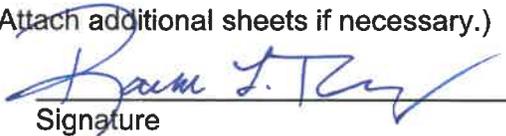
CHANGE THE ZONING IN ORDER TO FACILITATE THE DEVELOPMENT OF 12 TOWNHOME  
BUILDINGS WITH 48 HOUSING UNITS IN TOTAL.

Included with this application are the following attachments:

1. The names and addresses of **ALL** property owners within 300 feet of the above described real estate determined by lines drawn parallel to and three hundred (300) feet distant from the property lines of the property in question; and,
2. Check in the amount of \$200.00 payable to the City of Warrensburg.

OWNER (S) OF REAL ESTATE: (Attach additional sheets if necessary.)

Rachel L. Terry Member  
Name (type or print)

  
Signature

\_\_\_\_\_  
Name (type or print)

\_\_\_\_\_  
Signature

1204 Live Oak Lane, Warrensburg MO 64093

660-747-8194

Address

Phone No.

*For Office Use Only: Submit completed application to Planner*

Case Number: \_\_\_\_\_

Date Paid: 6-17-20  
