



PLANNING AND ZONING COMMISSION

AGENDA REPORT

September 30, 2020

ITEM 4.I & 5.I:	Request to Rezone
APPLICANT:	City of Warrensburg and Evergy Missouri West Inc. formerly known as Aquila Inc.
LOCATION:	Southwest corner of Warren St. and Pine St.
CURRENT ZONING:	HI: Heavy Industrial District
REQUESTED ZONING:	LI: Light Industrial District

BACKGROUND:

Evergy Missouri West Inc., formerly known as Aquila Inc., owns a parcel of land located at southwest corner of Warren St. and Pine St. that is currently undeveloped. Evergy is interested in redeveloping the property along with additional property owned by the City of Warrensburg with a public utility project. The City of Warrensburg owns three lots to the west of the Evergy parcel. Evergy and the City of Warrensburg have applied to rezone the property from the existing HI: Heavy Industrial District to LI: Light Industrial District. In an interesting bit of history, the far east end of the property owned by Evergy was originally developed in 1893 for the Magnolia Light, Heat, and Power Company.

The properties directly to the north are undeveloped land in a R4 District, and the Evergy substation in a HI District. The property to the east is a storage unit facility at 216 W. Pine St. This property was rezoned from HI to LI in 2008 to facilitate the construction of the storage-unit facility. The property to the west is an undeveloped lot in a HI District and Blind Boone Park in an R4 district. The properties to the south include the railroad right-of-way, multi-family, single-family, and undeveloped land in an R3 District.

Compatibility with the Comprehensive City Plan

The 2017 Comprehensive City Plan shows the future land use of these lots as industrial. The current trend of the existing development in the area is a mixture of single-family, multi-family, and industrial uses.

Public Notice

The attached list of property owners within 300 ft. were notified September 18, 2020 of the meeting before the Planning and Zoning Commission. At the writing of this report, staff has received the following comments:

Josh Breckmann on behalf of J&L Properties, LLC, 215-219 W. Pine St., called City Hall and requested general information about the property on September 23, 2020 and verified the rezoning was not adjacent to his property.

STAFF RECOMMENDATION:

Staff recommends approval based on the following:

1. The proposed zone is an extension of an existing LI District.
2. The proposed zone is a downzoning to a less intensive district.
3. 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 October 12, 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. Application

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

Property owned by: City of Warrensburg and Evergy Missouri West Inc. formerly known as Aquila Inc.

Described as: Southwest corner of Warren St. and Pine St.

**CITY OF WARRENSBURG PROPERTIES
Exhibit A**

LOTS 1 AND 2 IN PHILLIP GROSS' ADDITION, AS SHOWN BY THE PLAT FILED IN PLAT BOOK 1, AT PAGE(S) 19, IN THE CITY OF WARRENSBURG, JOHNSON COUNTY, MISSOURI.

ALSO, PART OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 46, RANGE 26, IN THE CITY OF WARRENSBURG, JOHNSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN PHILLIP GROSS' ADDITION, AS SHOWN BY THE PLAT FILED IN PLAT BOOK 1, AT PAGE(S) 19, JOHNSON COUNTY DEED RECORDS; THENCE EAST 80 FEET; THENCE SOUTH 100 FEET; THENCE WEST 80 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE NORTH 100 FEET ALONG THE SAID EAST LINE OF LOT 1 TO THE POINT OF BEGINNING.

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THE PART AS DESCRIBED ABOVE CONTAINS 89,047 SQUARE FEET OR 2.044 ACRES, MORE OR LESS.

(Except for the tracts described in Exhibit A above).

Request to rezone the property at the Southwest corner of Warren St. and Pine St. in the City of Warrensburg from HI: Heavy Industrial District to LI: Light Industrial 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

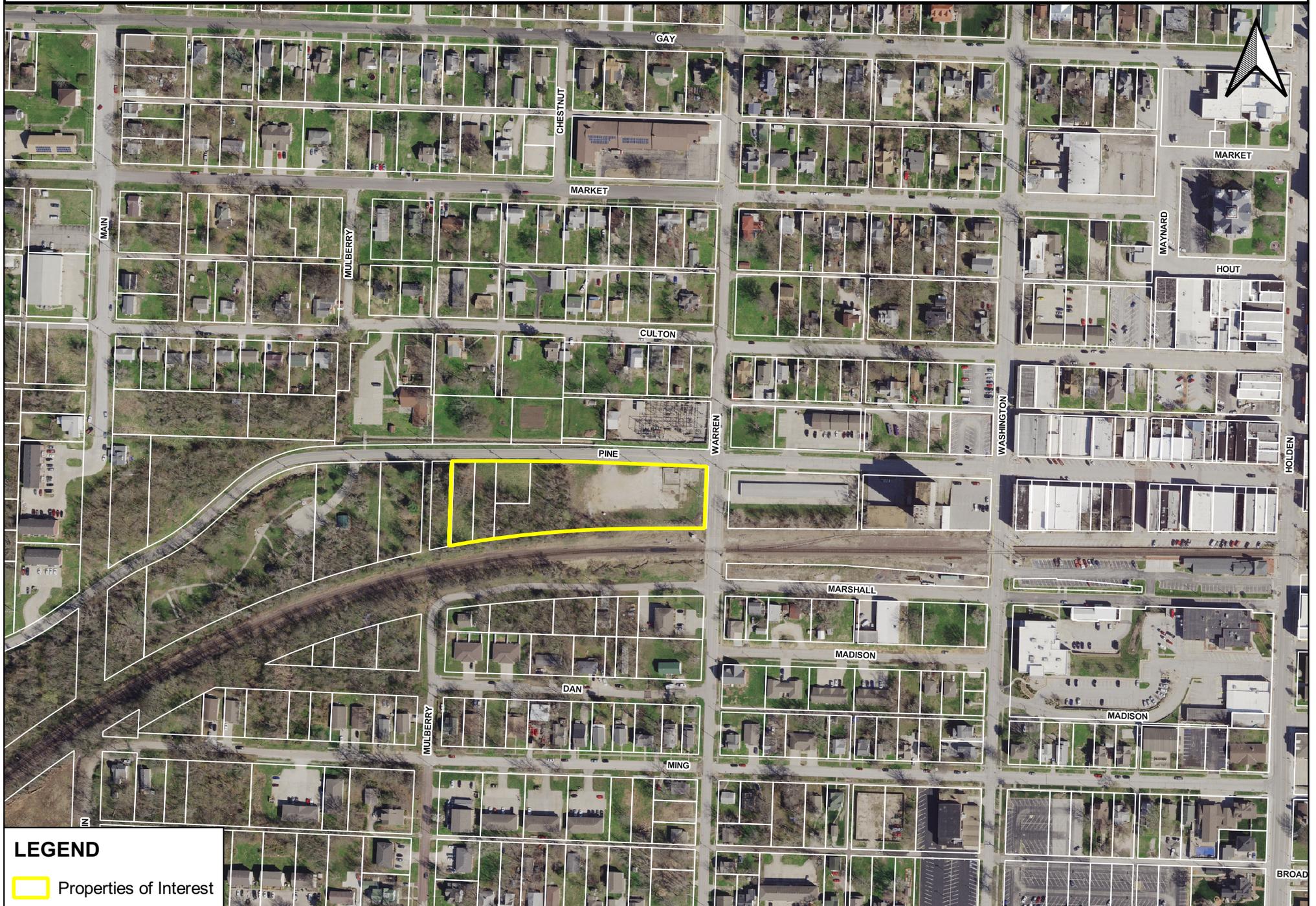
6. Additional Comments: _____

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

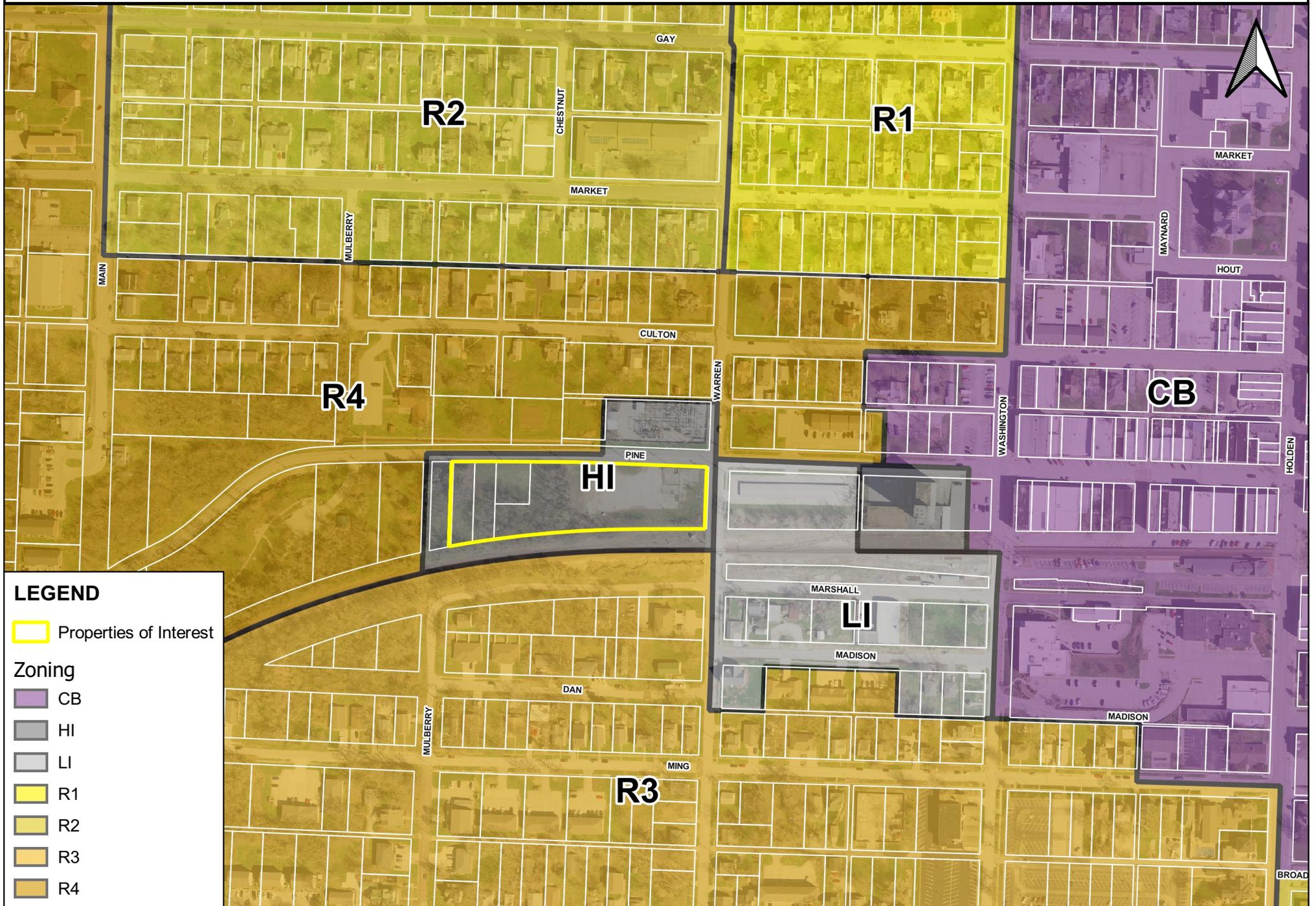
SOUTHWEST CORNER OF WARREN ST AND PINE ST AERIAL MAP

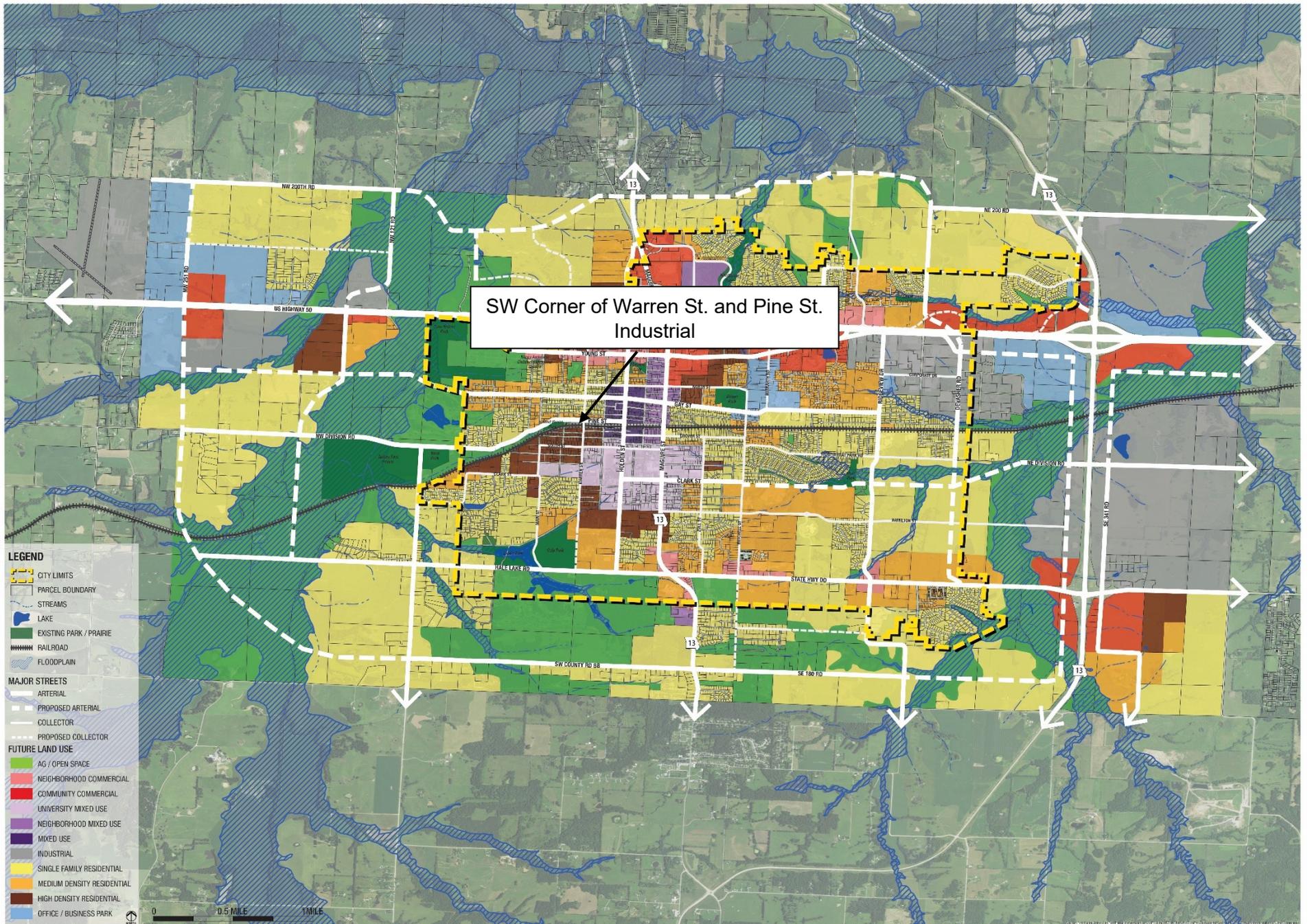


LEGEND

 Properties of Interest

SOUTHWEST CORNER OF WARREN ST AND PINE ST CURRENT ZONING DESIGNATION





Request to Rezone HI: Heavy Industrial District to LI: Light Industrial District
Southwest Corner of Warren St. and Pine St.

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

AARON L & HEATHER M ROOTS
7 NW 730TH RD
WARRENSBURG MO 64093

ANTHONY & CHRISTINA MEYER
37 NW 125TH RD
WARRENSBURG MO 64093

EVERGY MISSOURI WEST
INC. FKA AQUILA INC.
C/O JUSTIN HARRIS
217 E GAY ST
WARRENSBURG MO 64093

BABY LOU COLLINS ETAL
420 S MULBERRY ST
WARRENSBURG MO 64093-2180

BURG PROPERTIES LLC
8604 S SHROUT RD
GRAIN VALLEY MO 64029

CARLA J PRAEL
72 SW 600TH RD
WARRENSBURG MO 64093

CATHRYN OTHIC
C/O CATHRYN DOESBURG
8826 FOREST AVE SW
LAKEWOOD WA 98498

CROMER PROPERTIES III LLC
9820 S BUCKNER TARSNEY RD
GRAIN VALLEY MO 64029

CURBEE APARTMENTS LLC
265 NE US HWY 50
WARRENSBURG MO 64093

DANA PHELPS
223 MADISON AVE
WARRENSBURG MO 64093

DAVID MCQUITTY & STEVE DAY
120 E COOPER AVE STE J
WARRENSBURG MO 64093

DONALD G & PAMELA J
BRANT
349 SW COUNTY ROAD BB
WARRENSBURG MO 64093

EDWARD W & GENEVA J
CLOTHIER
C/O CARRIE CLOTHIER
222 LOBBAN ST
WARRENSBURG MO 64093

HOUTS FAMILY TRUST
1261 SE 1300TH RD
WINDSOR MO 65360

HOWARD SCHOOL
PRESERVATION ASSOC INC
400 W CULTON
WARRENSBURG MO 64093

J & L RENTAL PROPERTIES LLC
2624 LOOKOUT RIDGE
LEES SUMMIT MO 64081

JAMES W HATHAWAY
216 W CULTON ST
WARRENSBURG MO 64093

JARVIS E & STARLITH A
SLATTERY
605 E GAY ST
WARRENSBURG MO 64093

JDL INVESTMENTS LLC
801 PRIDE AVE
WARRENSBURG MO 64093

JUSTIN & DIANE BUTTRAM
662 NW 100TH RD
CENTERVIEW MO 64019

LARRY J & GAIL A MEYER
13 NW 515TH RD
WARRENSBURG MO 64093

LINNIE MAE BALDRIDGE
C/O LINNIE KING
16527 S HARRIS AVE
COMPTON CA 90221-5219

MARJORIE BANKS
C/O DORIS BANKS PENMAN
5246 BROOKLYN AVE
KANSAS CITY MO 64130-2560

PHILLIP D & CAROLYN L
WOODARD
1205 MANITOU WAY DR
WARRENSBURG MO 64093

RICKY J BRISCOE
488 NW STATE ROUTE 13
WARRENSBURG MO 64093

ROBERT L BAKER
319 W CULTON ST
WARRENSBURG MO 64093-1619

RYAN D BRANT
115 NW 601ST RD
CENTERVIEW MO 64019

STEVEN PAUL LINVILLE
306 W CULTON ST
WARRENSBURG MO 64093-1620

TERRIE L BAKER
301 W CULTON ST
WARRENSBURG MO 64093

TRUSTEE OF JESUS SAVES
PENTECOSTAL
330 W CULTON
WARRENSBURG MO 64093



CITY OF WARRENSBURG, MISSOURI
www.warrensburg-mo.gov

NOTICE TO PROPERTY OWNERS WITHIN 300 FEET

September 18, 2020

«NAME»
«IN_CARE_NAME»
«ADDRESS»
«CITY_STATE_ZIP_CODE»

Dear Property Owner(s):

A rezoning request has been filed for properties located on the southwest corner of Warren St. and Pine St. This includes three parcels owned by the City of Warrensburg, and one parcel owned by Every Missouri West Inc. formerly known as Aquila Inc. The request is to change the zoning classification from HI: Heavy Industrial District to LI: Light Industrial District. The properties in question are legally described as follows:

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THE PART AS DESCRIBED ABOVE CONTAINS 89,047 SQUARE FEET OR 2.044 ACRES, MORE OR LESS.

(Except for the tracts described in Exhibit A above).

The Planning and Zoning Commission will consider the zoning request at an open public meeting on **Monday, October 5, 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, October 1, 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, October 12, 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: Kristin Dyer, City Planner

APPLICATION FOR CHANGE OF ZONING DISTRICT

PLANNING & ZONING COMMISSION

Date: 09/15/2020

RECEIVED
SEP 15 2020

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

BY: KD

The undersigned hereby state that they are the owners of the following described real estate:

See Exhibits A & B attached hereto.

(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 HI district to LI district.

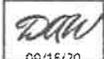
The purpose of this request is to

Allow Applicants' properties to be used for a public utility project permissible in a LI zone that does not require HI zoning.

Included with this application are the following attachments:

1. Check in the amount of \$200.00 payable to the City of Warrensburg; and
2. 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.

It is the applicant's responsibility to provide the ownership information for property owners within 300' of the subject property. If the applicant chooses to have the City access the ownership information from the Johnson County GIS and real estate systems, the City cannot guarantee the accuracy of the information for purposes of providing legal notice. The applicant acknowledges that it is the applicant's responsibility to provide accurate information, which can impact the legality of the rezoning process, and assumes all responsibility for information which the City might obtain via the County's databases.


09/15/20
1:30 PM CDT
dotloop verified

(initial here to have the City access the information)

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

City of Warrensburg, Missouri

Name (type or print)

Evergy Missouri West Inc.
fka Aquila Inc

Signature



dotloop verified
09/15/20 1:30 PM CDT
5HYM-SQZA-XH0G-FH8Q

Name (type or print)

c/o Justin Harris, Attorney
217 East Gay St
Warrensburg, MO 64093

Signature Authorized Agent

(417) 459-0981

Phone No.

For Office Use Only: Submit completed application to Planner

Case Number: _____

Date Paid: _____

RECEIVED
SEP 15 2020

BY: KD

EXHIBIT A

CITY OF WARRENSBURG PROPERTIES

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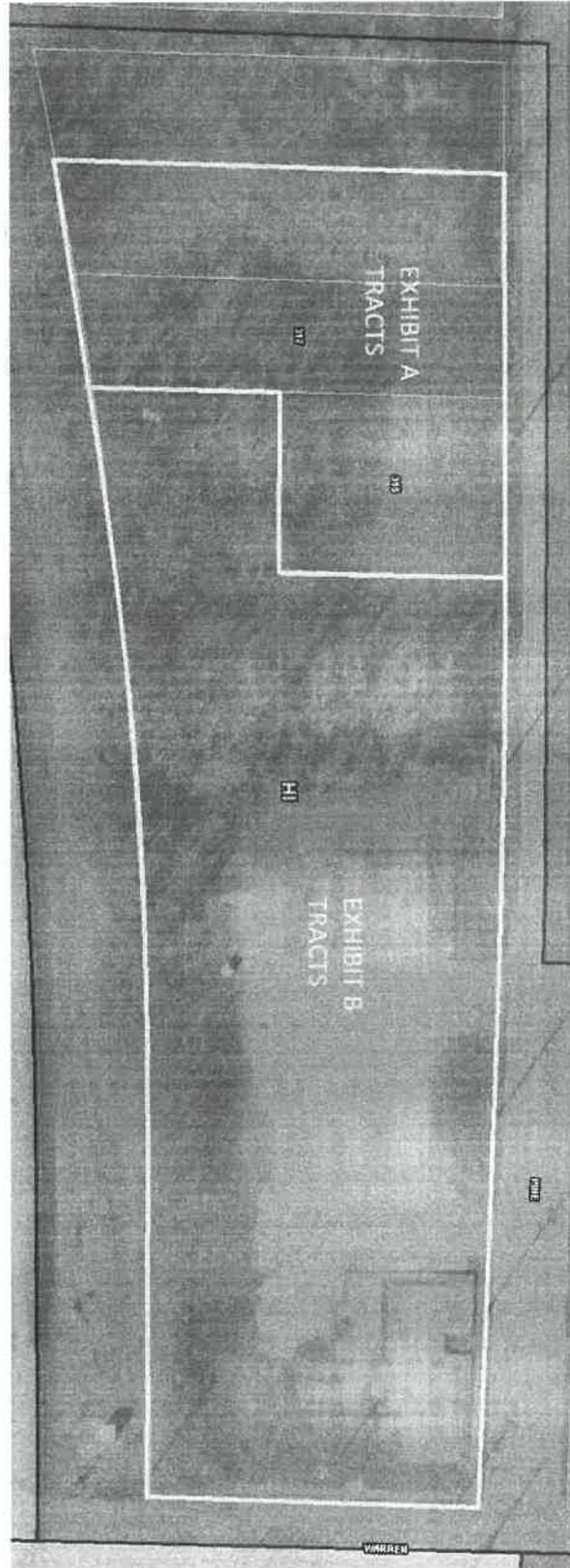
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(Except for the tracts described in Exhibit A above).

EXHIBIT B

RECEIVED
SEP 15 2020

BY: KD



APPLICATION FOR CHANGE OF ZONING DISTRICT

PLANNING & ZONING COMMISSION

Date: 09/15/2020

RECEIVED
SEP 15 2020

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

BY: KD

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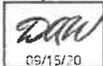
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OWNER (S) OF REAL ESTATE: (Attach additional sheets if necessary.)


City of Warrensburg, Missouri

Name (type or print)

Evergy Missouri West Inc.
fka Aquila Inc

Signature


dotloop verified
09/15/20 1:50 PM CDT
5HYN-SQZA-XHDG-F18Q

Name (type or print)

c/o Justin Harris, Attorney
217 East Gay St
Warrensburg, MO 64093

Signature Authorized Agent

(417) 459-0981

Phone No.

For Office Use Only: Submit completed application to Planner

Case Number: 50-2020

Date Paid: 9/15/2020