

BILL NO. 19-44

ORDINANCE NO. 4.494

AN ORDINANCE APPROVING THE FINAL PLAT OF 6401 NORTH PROSPECT AVENUE, IN GLADSTONE, CLAY COUNTY, MISSOURI; (COMMONLY KNOWN AS PROSPECT PLAZA), AND DIRECTING THE APPROPRIATE OFFICIALS TO AFFIX THEIR SIGNATURES TO SAID PLAT FOR RECORDING.

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

SECTION 1. ACCEPTANCE. It appearing to the Council of the City of Gladstone, Missouri, from the Plat filed and exhibited to them that all parties having any right, title, or interest in or to said property described more particularly in the attached Final Plat having signed said Plat, and it is in the best interests of the City of Gladstone to approve and accept the same; it is hereby ordained by the Council of the City of Gladstone, that the Final Plat described in the attached Exhibit "A" as "Prospect Plaza First Plat, also known as 6401 N Prospect Avenue, legally described as BEG NE COR INTERS N PROSPECT AVE/NE 64TH ST, N813, E267, NE141.13, E212.91, SE94.91, W28.4SE278.9, S434.27, W310, S241.9, is hereby accepted.

SECTION 2. SIGNATURES. The proper officials of the City of Gladstone, Missouri, are hereby authorized and directed to affix their signatures to said Plat in a manner suitable for recording.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 14TH DAY OF OCTOBER, 2019.



Mayor Carol J. Suter

ATTEST:



Ruth Bocchino, City Clerk

1st Reading: October 14, 2019

2nd Reading: October 14, 2019

File #2019-009



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # 19-44

ORD # 4.494

Date: 10/8/2019

Department: Community Development

Meeting Date Requested: 10/14/2019

Public Hearing: Yes ☐ Date:

Subject: Re-Plat of Prospect Plaza – North Kansas City School District Early Education Center

Background:

Gladstone Investors LLC is requesting a re-plat for the purpose of selling a portion of the Prospect Plaza Shopping Center to the North Kansas City School District to create an early education center. The School District plans to create an early education center in the space previously occupied by Hobby Lobby. There is a desire to expand into the adjacent Price Chopper grocery store if that space becomes available in the future.

Budget Discussion: Funds are budgeted in the amount of \$ from the Fund. Ongoing costs are estimated to be \$ annually. Previous years' funding was \$

Public/Staff Input/Commission:

The Planning Commission voted unanimously in favor to approve the re-plat.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Austin Greer, Assistant To the City Manager/Planning Administrator

City Attorney

City Manager

DEVELOPMENT APPLICATION



CITY OF GLADSTONE
7010 N HOLMES STREET
GLADSTONE, MISSOURI 64118
PHONE: 436-4110 FAX: 436-2228

File #:

Date:

2019-012
8-13-19
PC 9-3-19
CC 9-23-19

Application Type:

- | | |
|---|--|
| <input type="checkbox"/> Special Use Permit (\$500) | <input type="checkbox"/> Right-of-Way Vacation (\$200) |
| <input type="checkbox"/> Zoning Change (\$500) | <input type="checkbox"/> Variance - BZA (\$200) |
| <input type="checkbox"/> Site Plan Revision (\$500) | <input checked="" type="checkbox"/> Final Plat/Replat (\$75) |

Address of Action: 6401 N Prospect Ave. Gladstone, MO 64119

Legal Description:
attach under separate cover if needed

BEG NE COR INTERS N PROSPECT AVE/NE 6TH ST, S813, E267, N1/41, 13, E212, 91, S1/94, 91, W28, 1SE27K9, S434, 27, W310, S241, 9

Proposed Change: Final Plat

Applicant/Property Owner Information:

- ☐ Applicant(s) GLADSTONE INVESTORS LLC
Company _____
Address 1 Hillcrest Center, Suite 310 Spring Valley, NY 10977
Phone 929-322-3611 Fax: 816-531-5409 E-Mail: Joel@endeavorequities.com
- ☐ Property Owner (if different than applicant) _____
Company _____
Address _____
Phone _____ Fax: _____ E-Mail: _____
- ☒ Architect/Engineer Martin Mueller
Company Melaghlin Mueller, Inc.
Address 218 West Mill St. Liberty, MO 64068
Phone 816-407-0002 Fax: 816-407-0003 E-Mail: _____

Please indicate in one box above which person is to be the contact.

Applicant's Signature

Meyer Leber

Date

Aug-13-19

DEVELOPMENT APPLICATION

OWNER'S AUTHORIZATION

Meyer Lebowitz, do hereby authorize Gladstone Investors LLC
(Owner's name) (Applicant's name)

to apply for the following action on my property at _____

- a. Rezone from _____ to _____
- b. Site Plan Revision _____
- c. Special Use Permit _____
- d. Variance _____
- e. Plat Replat _____

Date: Aug-13-19

Owner's Signature: Meyer Lebowitz

NOTARIZATION

State of NY

County of Kings

Subscribed and sworn before me this 13th day of August, 2019.

Notary's Signature:

S. Roth

My Commission expires:

05/24/2022

(seal)

SVETLANA ROTH
Notary Public, State of New York
No. 01RO6222656
Qualified in Kings County
Commission Expires 5/24/2022

DEVELOPMENT APPLICATION

City Code Variance Request: Board of Zoning Adjustment

SUMMITTAL REQUIREMENTS

Completed application
Owner's authorization signed (if applicable)
Legal description- County records
Information on the proposed change including pictures of the property, property surveys, written comments from impacted neighbors, etc.

DEPOSIT FEE

The \$200 fee listed on the form and paid at the time of application is a deposit toward the costs the City of Gladstone incurs during the processing of your application. This fee goes toward the following costs:

Office fee \$75.00
Certified mail notices to surrounding property owners within 185'- amount varies.*
Planning Commission Legal Notice- amount varies*

** Indicates fees for items required by State Law. The fee amount for certified mail will vary depending upon the number of property owners within 185 feet of your property. The Legal Notice fee will also vary generally depending upon the length of the legal description of your property.*

After the total costs are compiled for your application, you will be billed for any costs remaining over the initial \$200 application deposit fee. If the costs accrued are under \$200, you will be reimbursed for the difference.

As the money deposited for your application goes toward real costs paid by the City, there is no refund if your application is denied by the Board of Zoning Adjustment. If you withdraw your application before some of the costs are accrued by the City, you may be entitled to a refund.

Preliminary & Final Plat/Replat Submittals

SUMMITTAL REQUIREMENTS

Completed application
Owner's authorization signed (if applicable)
Legal description- County records
Digital copy of plans (if necessary)
(1) 11x17 paper copy (if necessary)
(1) 24x36 Mylar copy (if necessary)
(3) 24x36 paper copies folded (if necessary)

FEE

The \$75 fee listed on the form and paid at the time of application goes toward the costs the City of Gladstone incurs during the processing of your application. As the fee for your application goes toward real costs paid by the City, there is no refund.

DEVELOPMENT APPLICATION

Office Use Only:

Publication Dates:

Planning Commission _____
 City Council _____
 BZA _____

Public Hearing Dates:

Planning Commission _____
 City Council _____
 BZA _____

Planning Commission

Date

☐ Approval
☐ Denial
☐ Withdrawn

City Council

Date

☐ Approval
☐ Denial
☐ Withdrawn

BZA

Date

☐ Approval
☐ Denial
☐ Withdrawn

Deposit:

\$ _____

Charges:

Office Fee	\$	75.00
Certified Mail (@ _____)	\$	_____
PC Legal Notice	\$	_____
CC Legal Notice	\$	_____
Other	\$	_____
Sub-total	\$	_____
Balance	\$	_____

Amount Overpaid \$ _____

Check Requested _____

Amount Underpaid \$ _____

Invoice Requested _____



Community Development Department

Staff Report

Date: October 1, 2019

File #: 2019-012

Requested Action: Re-Plat

Date of PC Consideration: October 7, 2019

Date of Council Consideration: October 28, 2019

Applicant: Gladstone Investors LLC

Owner: Gladstone Investors LLC

Architect/ **Martin Mueller**

Engineer: McLaughlin Mueller Inc.

Address of Property: 6401 N Prospect Avenue Gladstone, Missouri 64119
(Prospect Plaza Shopping Center)

Planning Information

- Current Zoning: CP -2 General Business Commercial; CP – 3 Planned Commercial
- Zoning History: Commercial
- Planned Land Use: Commercial
- Surrounding Uses: North – Commercial/Residential; South – Commercial/Residential; East – Residential; West – Commercial/Residential
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

Additional Information

- Public Utility Availability: Existing
- Ingress/Egress: N. Prospect Avenue - Two separate locations; NE 64th St. – One location
- Traffic Impacts: Similar to historical use of the shopping center; no change in impact
- Parking Provided: Sufficient parking provided

Analysis

The applicant is requesting a re-plat for the purpose of selling a portion of the Prospect Plaza Shopping Center to the North Kansas City School District to create an early education center. The School District plans to create an early education center in the space previously occupied by Hobby Lobby.

Recommended Conditions

None.

Recommendation

City Staff recommends that the request be **APPROVED**.

GLADSTONE PLANNING COMMISSION MINUTES

Council Chambers October 7, 2019

1. **Meeting called to Order– Roll Call.** Chair McGee called the meeting to order at 7:00 p.m.

Commissioners present were: Chase Cookson
Mike Ebenroth
J.N. Hernandez
Alicia Hommon
Gary Markenson
Jennifer McGee, Chair
Katie Middleton
Kim Murch
James New
Bill Turnage
Larry Whitton

Also present: Jean Moore, Mayor Pro Tem
RD Mallams, Council Member
Alan Napoli, Building Official/Com Dev Administrator
Austin Greer, Asst to the City Manager/Planning Administrator
Cheryl Lamb, Administrative Assistant

2. **Pledge of Allegiance to the United States of America.**
3. **Approval of Previous Meeting Minutes (September 16, 2019) and Amendment of the August 19, 2019 Minutes.** Chair McGee asked if there was a motion to approve the minutes from the September 16, 2019 meeting.

Mr. Turnage moved to approve the minutes; Mr. New seconded. The minutes were approved, 11-0.

Chair McGee asked Mr. Greer to discuss amending minutes from the August 19, 2019 meeting.

Mr. Greer explained that there was a voting tally error on staff's end with Sheri Poindexter no longer being on the Commission. The amendment will correct the final vote tally (on the Public Hearing: Site Plan Revision, 6221 N Chestnut Avenue, File #2019-008 from 9-3 amended to 8-3).

Chair McGee asked if there was a motion to approve the minutes from the August 19, 2019 as amended meeting.

Mr. Markenson moved to approve the revised minutes; Mr. Whitton seconded. The minutes were approved as amended, 11-0.

4. Other Business. None.

5. PUBLIC HEARING: for a Re-plat, Zoning Change & Site Plan Revision at NW Old Pike Rd. Applicant: Blake Bauer. Owner: V T Inc. File #2019-014

MOTION: by

6. CONSIDERATION: of a Re-plat of Prospect Plaza. Applicant/Owner: Gladstone Investors LLC. File #2019-012. Mr. Greer shared that the applicant is requesting a re-plat for the purpose of selling a portion of the Prospect Plaza Shopping Center to the North Kansas City School District to create an early education center. The School District plans to create an early education center in the space previously occupied by Hobby Lobby. There were no recommended conditions. City Staff recommends that the request be APPROVED.

Chair McGee asked if there was anyone who wanted to make a presentation for this proposal.

Mr. Greer stated that the applicant did not have a presentation.

Mr. Markenson asked if they were going to divide the building.

Mr. Greer replied yes.

Mr. Ebenroth asked if the property was zoned commercial.

Mr. Greer said it was commercial and will remain commercial, without a retail center.

Mr. Markenson asked what will be at the location.

Mr. Greer said it will be an Early Education Center for North Kansas City Schools.

Mr. Markenson asked if it is owned by North Kansas City Schools.

Mr. Greer confirmed that was correct.

Mr. Markenson asked if that would take them off the tax role.

Mr. Greer said it would.

Mr. Markenson asked where the children would play outdoors and mentioned that there were no green spaces around that building.

Robert de la Fuente, Vice President of STAR Development Corporation at 244 West Mill Street, Liberty, Missouri, approached the podium. He replied that most of the activities would take place inside the center.

Mr. Markenson asked what age group would be attending school there.

Mr. de la Fuente said he believed they would be from 2-5 years old. He feels they have a great program.

Chair McGee asked what the center's hours would be.

Mr. de la Fuente replied they would be typical school hours; between 8am to 5pm or 8am to 6pm.

Mr. Turnage said he heard a rumor that the development could go beyond just the Hobby Lobby building.

Mr. de la Fuente said they may expand into the Price Chopper store if that space became available.

Chair McGee asked if there were any other questions. None.

MOTION: by Mr. Cookson, seconded by Katie Middleton to approve the re-plat of Prospect Plaza, File #2019-012. The motion carried 11-0.

6. Communications from City Council.
7. Communications from City Staff.
8. Communications from Planning Commission Members.
9. Adjournment. Mr. New motioned to adjourn; Ms. Middleton seconded.

Chair McGee adjourned the meeting at 7:55 p.m.

Respectfully submitted:

Cheryl Lamb, Recording Secretary

Approved as corrected _____

Jennifer McGee, Chair

Approved as submitted _____