

BILL NO. 24-26

ORDINANCE NO. 4.679

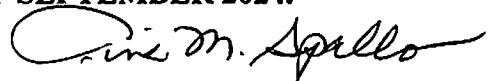
AN ORDINANCE APPROVING THE FINAL PLAT OF A MINOR SUBDIVISION REPLAT OF PART OF LOT 3, COMMISSIONERS' PLAT OF PALMER HOME IN GLADSTONE, CLAY COUNTY, MISSOURI, AND DIRECTING THE APPROPRIATE OFFICIALS TO AFFIX THEIR SIGNATURES TO SAID PLAT FOR RECORDING.

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 Exhibit "A", 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 as "A Minor Subdivision Replat of Part of Lot 3, Commissioner's Plat of Palmer Home in Gladstone, Clay County, Missouri" is hereby accepted.

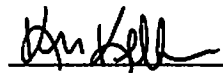
SECTION 2. SIGNATURES. The proper officials of the City of Gladstone, Missouri, are hereby authorized and directed to affix their signatures to said Plat in a manner suitable for recording.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 9TH DAY OF SEPTEMBER 2024.



Tina M. Spallo, Mayor

ATTEST:



Kris Keller, City Clerk

1st Reading: September 9, 2024

2nd Reading: September 9, 2024

File# Plat24-00003



Request for Council Action

RES ☐# City Clerk Only

BILL ☒# 24-26

ORD ☒# 4.679

BILL ☒# 24-27

ORD ☒# 4.680

Date: 9/3/2024

Department: Community Development

Meeting Date Requested: 9/9/2024

Public Hearing: Yes ☒ Date: 9/9/2024

Subject: Re-Plat and Zoning Change located at 300 NE 58th Terrace

Background:

Mr. Roger Wilson is requesting a re-plat and re-zone of 1.49 acres located at 300 NE 58th Terrace. Mr. Wilson plans to keep Lot 1 (1 acre) and sell Lot 2 (0.49 acres) which has an existing building, parking spaces and playground. Historically, the building located on Lot 2 has been operated as a private childcare facility in an existing non-conforming way, but is the incorrect zoning for this type of use. Since the property is being replatted and sold, City Staff and the applicant believe that this is an opportune time to remedy the split-zoning situation and bring the property into compliance with a private childcare and school type of use.

Mr. Wilson has shared with City Staff that Lot 2 is currently under contract to be sold to Alecia and Deron Jones who own Brighton Learning Center, which is a private childcare facility. Mr. and Mrs. Jones own and operate two (2) other child care facilities within the City of Gladstone and are looking to expand once again at this location.

Currently, this property is a split-zoning of R-3 Garden Apartment Residential and CP-0 Planned District, Non-Retail (Office). In order to legally operate a private school or childcare facility, Lot 2 will need to be re-zoned to CP-1, Planned Local Business District.

Given the property's close proximity to the N. Oak Trafficway commercial corridor and its surrounding zoning designations and uses, it is City Staff's opinion that re-zoning this property from CP-0 to CP-1 is an adequate solution.

Public/Board/Staff Input:

Public: No comments

Board: Unanimous approval (10 Yes – 0 No)

Staff: Recommends approval

Austin Greer
Department Director/Administrator

JM
City Attorney

BB
City Manager



Community Development Department

Staff Report

Date: August 12, 2024

File #: Rezone24-00001 Plat24-00003

Requested Action: Rezoning/Replat

Date of PC Consideration: August 19, 2024

Date of Council Consideration: September 9, 2024

Applicant: Roger Wilson
Firecore Investments, LLC
7026 N. Jarboe Street
Kansas City, MO 64118
Phone: 816-935-9160
wilsonroger852@aol.com

Owner: Same as Applicant

Address of Property: 300 NE 58th Terrace

Planning Information

- Current Zoning: Split zoning of R-3 Garden Apartment Residential and CP-0 Planned District, Non-Retail (Office)
- Planned Land Use: Commercial (Comprehensive Plan)
- Surrounding Uses: C-1 Local Business District, C-2 General Business District, C-3 Commercial District, R-3 Garden Apartment Residential
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

Additional Information

- Public Utility Availability: Existing
- Ingress/Egress: Access on NE 58th Terrace from N. Oak Trafficway
 - At this location, NE 58th Terrace is a dead end street.
- Parking Provided: Approximately 6-8 parking stalls located at the front of the building. There are parking opportunities in the back of the building as well but new parking stalls will need to be marked.

Analysis

Mr. Roger Wilson is requesting a re-plat and re-zone of 1.49 acres located at 300 NE 58th Terrace. Mr. Wilson plans to keep Lot 1 (1 acre) and sell Lot 2 (0.49 acres) which has an existing building, parking spaces and playground. Historically, the building located on Lot 2 has been operated as a private childcare facility in an existing non-conforming way, but is the incorrect zoning for this

type of use. Since the property is being re-platted and sold, City Staff and the applicant believe that this is an opportune time to remedy the split-zoning situation and bring the property into compliance with a private childcare and school type of use.

Mr. Wilson has shared with City Staff that Lot 2 is currently under contract to be sold to Alecia and Deron Jones who own Brighton Learning Center, which is a private childcare facility. Mr. and Mrs. Jones own and operate two (2) other child care facilities within the City of Gladstone and are looking to expand once again at this location.

Currently, this property is a split-zoning of R-3 Garden Apartment Residential and CP-0 Planned District, Non-Retail (Office). In order to legally operate a private school or childcare facility, Lot 2 will need to be re-zoned to CP-1, Planned Local Business District.

Given the property's close proximity to the N. Oak Trafficway commercial corridor and its surrounding zoning designations and uses, it is City Staff's opinion that re-zoning this property from CP-0 to CP-1 is an adequate solution.

Recommendation

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

PLANNING COMMISSION
GLADSTONE, MISSOURI
Gladstone City Hall
Monday, August 19th, 2024
7:00 p.m.

Item 1 on the Agenda: Roll Call.

Present: Chase Cookson
Bill Turnage
Jennifer McGee
Cameron Nave, Vice-Chair
Robert Wilson
Steve Beamer, Chair
Brenda Lowe, Secretary
Kim Murch
Mike Ebenroth
Joseph Brancato

Absent: Katie Middleton

Council & Staff Present:

Austin Greer, Assistant City Manager | Community Development Director
Alan Napoli, Community Development Administrator & Building Official
Angie Daugherty, Admin. Assistant
Jean B. Moore, Councilmember

Item 2 on the Agenda: Pledge of Allegiance.

Chair Beamer led the group in reciting the Pledge of Allegiance to the United States of America.

Item 3 on the Agenda: Approval of the July 15th, 2024 Minutes. Chair Beamer asked if there was a motion to approve the minutes from the July 15th meeting.

Mr. Turnage moved to approve the minutes; Mr. Nave seconded. The minutes were approved, 10-0.

Item 4 on the Agenda: Consideration: On a Re-Plat for address 300 NE 58th Ter.

Applicant/Owner: Roger Wilson

City Council consideration for this project is scheduled for Monday, September 9, 2024.

Mr. Greer read from the staff report:

Mr. Roger Wilson is requesting a re-plat and re-zone of 1.49 acres located at 300 NE 58th Terrace. Mr. Wilson plans to keep Lot 1 (1 acre) and sell Lot 2 (0.49 acres) which has an existing building,

parking spaces and playground. Historically, the building located on Lot 2 has been operated as a private childcare facility in an existing non-conforming way, but is the incorrect zoning for this type of use. Since the property is being re-platted and sold, City Staff and the applicant believe that this is an opportune time to remedy the split-zoning situation and bring the property into compliance with a private childcare and school type of use.

Mr. Wilson has shared with City Staff that Lot 2 is currently under contract to be sold to Alecia and Deron Jones who own Brighton Learning Center, which is a private childcare facility. Mr. and Mrs. Jones own and operate two (2) other child care facilities within the City of Gladstone and are looking to expand once again at this location.

Currently, this property is a split-zoning of R-3 Garden Apartment Residential and CP-0 Planned District, Non-Retail (Office). In order to legally operate a private school or childcare facility, Lot 2 will need to be re-zoned to CP-1, Planned Local Business District.

Given the property's close proximity to the N. Oak Trafficway commercial corridor and its surrounding zoning designations and uses, it is City Staff's opinion that re-zoning this property from CP-0 to CP-1 is an adequate solution.

City Staff recommends that the request be approved.

MOTION: By Ms. McGee, second by Mr. Ebenroth to consider a Re-Plat located at 300 NE 58th Ter.

Vote:	Mr. Wilson	Yes
	Mr. Turnage	Yes
	Mr. Cookson	Yes
	Chair Beamer	Yes
	Ms. McGee	Yes
	Mr. Nave	Yes
	Mr. Murch	Yes
	Ms. Lowe	Yes
	Mr. Ebenroth	Yes
	Mr. Brancato	Yes

The motion carried. (10-0)

Item 5 on the Agenda: Consideration: Zoning change for property located at 300 NE 58th Ter

MOTION: By Ms. Lowe, second by Mr. Cookson to consider a zoning change located at 300 NE 58th Ter.

Vote:	Mr. Wilson	Yes
	Mr. Turnage	Yes
	Mr. Cookson	Yes
	Chair Beamer	Yes
	Ms. McGee	Yes

Mr. Nave	Yes
Mr. Murch	Yes
Ms. Lowe	Yes
Mr. Ebenroth	Yes
Mr. Brancato	Yes

The motion carried. (10-0)

Item 6 on the Agenda: Communications from the City Council

No communication from City Council.

Item 7 on the Agenda: Communications from the City Staff

No communication from the City Staff

Item 8 on the Agenda: Communications from the Planning Commission Members

Ms. McGee stated that school starts this week so please watch out for the kids.

Item 9 on the Agenda: Adjournment

Chair Beamer adjourned the meeting at 7:07 p.m.

Respectfully submitted:

_____	Approved as submitted _____
Steve Beamer, Chair	

_____	Approved as corrected _____
Angie Daugherty, Recording Secretary	

DEVELOPMENT APPLICATION



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

File #: Site 24-00003
Plat 24-00003
Date: 7-15-24

Application Type:

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

Address of Action: sub d.v.i.d.e p r o p e r t y

Legal Description:
Attach under separate cover if needed.

see attached

Proposed Change: sub d.v.i.d.e p r o p e r t y
Zoning change from CPO to CP-1
300 NE 58th Terr.

Applicant/Property Owner Information:

- ☐ Applicant(s) Roger Wilson
Company Firecore Investments, LLC
Address 7020 N Jarboe St KLMO 64118
Phone 816-935-9100 Fax: N/A E-Mail: Wilsonroger852@aol.com
- ☐ Property Owner (if different than applicant) _____
Company _____
Address _____
Phone _____ Fax: _____ E-Mail: _____
- ☐ Architect/Engineer _____
Company _____
Address _____
Phone _____ Fax: _____ E-Mail: _____

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

Applicant's Signature R Wilson Date 7-1-24

DEVELOPMENT APPLICATION

Office Use Only:

Publication Dates:

Planning Commission

City Council

BZA

Aug 1 2024

Public Hearing Dates:

Planning Commission

City Council

BZA

Aug 19 2024
Sept. 9 2024

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 _____

DEVELOPMENT APPLICATION

OWNER'S AUTHORIZATION

I, Roger Wilson, do hereby authorize Roger Wilson
(Owner's name) (Applicant's name)

to apply for the following action on my property at 300 NE 58TH Terr.
Gladstone, MO

- a. Rezone from CP-0 to CP-1
- b. Site Plan Revision _____
- c. Special Use Permit _____
- d. Variance _____
- e. Plat/Replat X

Date: 7-1-24 Owner's Signature: Ry Wilson

NOTARIZATION

State of Missouri
County of Clay

Subscribed and sworn before me this 1 day of July, 2024

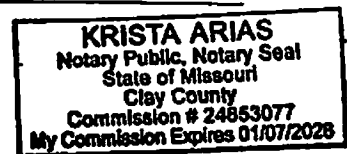
Notary's Signature:

Krista Arias

My Commission expires:

1/7/2028

(seal)



RECOMMENDED DESCRIPTION

All that part of Lot 3, of the COMMISSIONERS' PLAT OF PALMER HOME, a Subdivision of Land in Gladstone, Clay County, Missouri; Described as follows: Commencing at the Northeast Corner of the Southwest Quarter of Section 26, Township 51, Range 33 in the City of Gladstone, Clay County, Missouri; thence South 00 Degrees 47 Minutes 31 Seconds West along the East Line of said Southwest Quarter, a distance of 659.70 feet; thence North 89 Degrees 09 Minutes 21 Seconds West, a distance of 208.00 feet to the Point of Beginning of the tract of land herein to be described; thence South 00 Degrees 47 Minutes 31 Seconds West, a distance of 145.00 feet; thence North 89 Degrees 09 Minutes 21 Seconds West, a distance of 447.34 feet; thence, North 00 Degrees, 46 Minutes, 34 Seconds East, a distance of 145.00 feet to the North line of said Lot 3; thence South 89 Degrees 09 Minutes 21 Seconds East, along the said North line a distance of 447.38 feet to the Point of Beginning. Said tract contains 64,867.0019 square feet or 1.49 acres more or less and is subject to that part in Road Rights of Way if Any.

**A MINOR SUBDIVISION REPLAT OF PART OF LOT 3,
COMMISSIONERS' PLAT OF PALMER HOME IN GLADSTONE, CLAY
COUNTY, MISSOURI**

As that Part of Lot of the EDWARDSHIRE PLAT of PALMER, home, a subdivision of Legal & Domestic, Day County, Missouri, described as follows, Commencing at the Northeast Corner of the Southeast Quarter of Section 26, Township 34, Range 33 in the City of Gladstone, Day County, Missouri; thence South 02 Degrees 07 Minutes 11 Seconds West 1/4 Section 26, a distance of 143.03 feet, to the intersection of the line of said lot with the West 88 Degrees 09 Minutes 21 Seconds North, a distance of 202.00 feet to the Point of Beginning of the tract of land herein to be described, thence South 00 Degrees 47 Minutes 31 Seconds West, a distance of 143.03 feet, thence North 82 Degrees 09 Minutes 21 Seconds East, a distance of 143.03 feet, to the intersection of the line of said lot with the North 88 Degrees 09 Minutes 21 Seconds East, a distance of 143.03 feet to the North line of said Lot 3, thence South 58 Degrees 09 Minutes 21 Seconds East, along the said North line a distance of 467.38 feet to the intersection of the line of said lot with the North 88 Degrees 09 Minutes 21 Seconds East, a distance of 143.03 feet to the Point of Beginning of said lot, to wit: Part of the East Quarter of 30th & 4th.

CEDICATION: The undivided portions of the parcel of land have caused the same to be subdivided in the manner as shown on the accompanying plat which subdivision and plat shall hereafter be known as "VIRZ CORZ"

STREETS Streets and Right-of-Ways shown on this plat and not heretofore dedicated to Olathe, City County for public use are hereby so dedicated.

BUILDING (P&S) Building lines or setbacks from are hereby as indicated on sheet 4 of the accompanying plat and no building is to be erected closer to the line between the lot and the street line.

[illegible]

INTEGRITY & CREDIT AND PARKING EASEMENT

An assessment is hereby granted for that portion shown here on for short term vehicular parking and ingress and egress over the East 61 feet of Lot 1 only to forward Lot 2 of this plat

NONHOMOLOGOUS

IN TESTIMONY WHEREOF, FirstOne Warehouse, LLC, a Missouri Limited Liability Company, has its authority duly evidenced this 29 day of July, 2024.

STATE OF MISSOURI,)
)
County of Jackson,)
)
I, _____,
Judge of said County, do hereby certify
that _____
is duly qualified as a juror.

My Commission Expires _____

COUNTY OF CLAY

I, the undersigned, Paul on the 23 day of July, 2024, before me the undersigned Notary Public in and for the County and State above mentioned, known Roger Wilson, member of Fidelity Investments, LLC, a Missouri Limited Liability Company who is personally known to me and duly sworn did say that he executed this instrument as the free act and deed of said Roger Wilson and was signed by its authority, in testimony whereof

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my natural seal of my office as City County, Missouri, on the day and year last within.

My Commission Expires 1/7/2028 Krista Carias
NOTARY PUBLIC

CITY CENTER CAFE

This plan of FIREDORE has been submitted to and approved by the City Planning Commission this 20 day of 20 and by the City Council this 20 day of 20.

Pharmaceutical Companies 

Mayer

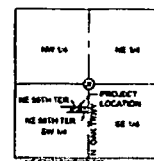
Ready to Open

GENERAL NOTES

- TITLE CORRECTED BY NUMBER FILE NUMBER RECORDS SECTION COMMENTS
TITLE CORRECTED NOVEMBER 12, 2018 AT 2:43 PM BY SECURED TITLE WAS
USEFUL FOR THIS SURVEY
- 2 BASED ON BLANCHING THE MISSOURI STATE PLANE COORDINATE SYSTEM AND
SD WEST ZONE.
- 3 THIS TRACT CONTAINS 64.987 0019 SQUARE FEET OR 1.43 ACRES, MORE OR
LESS.
- 4 NO UNDERGROUND UTILITIES WERE LOCATED FOR THIS SURVEY. MISSOURI
LAND RECORDS USES THE USE OF THE MISSOURI ONE CALL SYSTEM (CALL BEFORE
YOU DIG) WHICH REQUIRES A USER REQUEST TO FIND OUT BEHIND IT IS THE
PROPERTY OWNER'S RESPONSIBILITY TO VERIFY THE LOCATION OF AND PROTECT ALL
UTILITIES BEFORE THEIR WORK OR NOT.

LEGEND

- SET 127 MEDICAL CAP BROWNSVILLE
(UNLESS OTHERWISE NOTED)
FOUND INFORMATION
CONTINUE
RIGHT OF WAY
BOOK
PAGE



LOCATION MAP
SECTION 28-41
0017 TO 0041



BEFORE YOU
DIG - DRILL - BLAST


Call
1-800-366-7431
(Outside NJ)



DATE: 07/23/2024

ZACHARY WALKER - LB 201004010

Q. No.	Date	Page	Q. No.
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SNYDER
ASSOCIATES

**FIRECORE, REPLAT OF PART OF LOT 3,
COMMISSIONERS' PLAT OF PALMER HOME
GLADSTONE, CLAY COUNTY, MISSOURI
MINOR SUBDIVISION**

PROJECT NO. 194013713
DRAINAGE DATE 07-19-2024
CLIENT NAME ROGER NELSON
CLIENT ADDRESS 7026 N. JACOB STREET KANSAS CITY
COUNTY CLAY CITY GLADSTONE

SHEET NO.
01 OF 01

REV 9/20/94