

**City of Sedalia
Planning & Zoning Meeting
Wednesday, September 2, 2015
Council Chambers Municipal Building
5:30 p.m.**

1. Call to Order

2. Roll Call

3. Approval of Meeting Minutes

4. Old Business

5. New Business

- Rezoning 1505 N Ohio, Sedalia, MO

6. Miscellaneous Items

7. Adjourn

City of Sedalia



MUNICIPAL BUILDING
P.O. BOX 1707
SEDALIA, MISSOURI 65302-1701

TELEPHONE (660) 827-3000
FAX (660) 827-3885

Applicant: Sure Coat L.L.C., 1505 North Ohio, Sedalia, MO 65301.

Subject Property Location: 1505 N. Ohio, Sedalia, MO 65301.

Description of Request: Requesting zoning change from R-1 Single Family Residential / C-1 Local Business District to M-1 Light Industrial District.

Staff Review: The applicant is requesting the zoning change to expand the current powder coat and sand blasting business.

The rezoning request is compatible with the City of Sedalia Comprehensive Plan of 2008 that identifies this area as a mixed use center. The comprehensive plan allows for retail, offices, and commercial services in the mixed use center.

The property currently is surrounded by M-1 Light Industrial District.

Staff Recommendation: Staff recommends the application for rezoning from R-1 Single Family Residential / C-1 Local Business District to M-1 Light Industrial District be approved.

Should you have any questions or concerns regarding this advisory or the request described herein, please do not hesitate to call me.

Submitted by: Andrew S. Burt, Chief Building Official
(660) 827-3000 ext. 148

August 21, 2015



August 14, 2015

NOTIFICATION LETTER

To Whom It May Concern:

This is to notify you that a public hearing will be held in the City of Sedalia's Council Chambers of the Municipal Building, 2nd Street & Osage Avenue, Sedalia, Missouri to consider a rezoning for the following described tract of land:

PROPERTY ADDRESS: 1505 N OHIO, SEDALIA, MO

LEGAL DESCRIPTION: BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. ROUTE 765 (NORTH OHIO AVENUE), 135.0 FEET NORTH OF THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 33 IN TOWNSHIP 46 NORTH OF RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 85°36'10" WEST, 170.0 FEET; THENCE SOUTH 79°02'44" WEST 334.38 FEET; THENCE SOUTH 06°32'42" WEST, 161.32 FEET; THENCE SOUTH 85°36'10" EAST, 510.0 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID U.S. ROUTE 765; THENCE NORTH 01°45'34" EAST, ALONG SAID RIGHT-OF-WAY LINE, 250.0 FEET TO THE POINT OF BEGINNING. BEING A PART OF THE NORTHEAST QUARTER OF SECTION 33 IN TOWNSHIP 46 NORTH OF RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI.

PURPOSE OF REZONING: From the current R-1 Single-Family Residential and C-1 Commercial, local business to M-1, Light Industrial.

The public hearing will be held to consider the rezoning permit for the above described tract. Hearing will begin at 5:30 pm on Wednesday, September 2, 2015 and any interested persons or property owners are invited to attend. For any additional information regarding this special use permit, please contact the undersigned at the Municipal Building.

Respectfully,

John Simmons
Director of Community Development
(660) 827-3000 x127

JS:js

7-27-15 Jd.

APPLICATION FOR AN AMENDMENT TO THE ZONING DISTRICT MAP

Sedalia City Planning & Zoning Commission
200 S. Osage Avenue
Sedalia, Missouri 65301

DO NOT WRITE IN THIS SPACE

Date of Public Hearing	_____
Date Submitted	_____
Date Advertised	_____
Date of Mailing	_____
Checked By	_____
Receipt No.	_____
Commission Action	_____
Council Action	_____

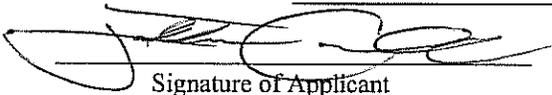
- 1. Applicant's Name Sure Coat LLC.
- 2. Applicant's Address 1505 N. Ohio
- 3. Telephone Number (Home) 660/827-6666 (Business) _____
- 4. Present Zoning R1/C1 Requested Zoning M1

5. Legal Description of property requested to be rezoned, with street address or location:
Beginning at a point on the west R.O.W line of US Route 765 as it intersects the south line of the north half of the northeast quarter of section 33 in Township 46 north of Range 21 west of the fifth principal meridian, Pettis County, Missouri; thence leaving said R.O.W line west 503 feet, thence south 06°32'42" West, 100 Feet; thence south 85°36'10" East, 510 Feet, thence North 00°10'13", 115 Feet to the Point of Beginning

- 6. Area of subject property, square feet and/or acres ~~1.17~~ 1.17 acres
- 7. Present Use of subject property Light Manufacturing
- 8. Desired use of subject property Light Manufacturing
- 9. What is the present use of the adjoining properties? North Rural Unzoned
 South M-1 East C-3 West R-1

- 10. How can you justify the proposed zoning change? (To answer this question, see Page 1, Item 2)
- 11. Time schedule for development 2 monthes
- 12. Is property in a flood plain district? If yes, please indicate applicable FEMA Map applicable zone NO Has base flood elevation been established? _____
 If yes, please explain how such elevation was determined. _____

- 13. Public Utilities available at site: Sewer NO " at _____
 Water Yes
 at _____
 Natural Gas Yes " at _____
 Electric KCPL
 at _____

- 14. Exhibits furnished _____
- 15.  1505 N. OHIO AVE
 Signature of Applicant Address of Applicant

- 16. Relationship of applicant to property: Owner Agent _____
- 17. Other _____
 (Explain)

CITY OF SEDALIA
PLANNING & ZONING COMMISSION
MINUTES AUGUST 5, 2015
COUNCIL CHAMBERS, MUNICIPAL BUILDING

PRESENT: JIM NORTON
GEORGE ESSER
STEPHEN GALLIHER
DAN ALBERT
TERESA MCDERMOTT
JAMES CUNNINGHAM
CONNIE MCLAUGHLIN
LA VERA SCHMITT
GREGORY NEHRING

ABSENT:
CHRIS PATTON
BILL BECK

STAFF PRESENT:
GARY EDWARDS
ANNE GARDNER
ANDY BURT
JILENE STREIT

PLANNING AND ZONING MEETING

The Planning and Zoning public hearing was called to order by George Esser at 5:30 p.m.

Dan Norton made the motion to approve the July 2015 minutes, seconded by Steve Galliher. **The motion carried.**

New Business:

Rezoning of 704 S Montgomery

Comments:

George wanted to know if this was rezoning for a repair shop or selling of lawn mowers, or storage. Anne indicated the application is for a lawn mowing and storage business. She also indicated that if they committee recommends to Council to rezone to C-3 and they agree then it opens it up to anything that is permissible in C-3 unless we make a restriction for that. C-3 is highway business.

James Cunningham is concerned about this being a residential area and this will open the door for anything that can go in there.

William Schilb was present for the meeting. He is the gentleman that is proposing to buy the property if it can be rezoned. He is wanting to use the garage for storage. He realizes this is residential. He will keep it nicely kept and upkeep but doesn't have the money to build a house on the property at this time.

According to city code, a house has to be built on the property within a year to keep it as residential. The owners are wanting to zone it commercial so that he can buy the property.

Greg Nehring asked if he had any plans on expanding the storage building. Mr. Schilb indicated that no expansion would be completed at this time. However, the garage itself will need some repair in time. The garage is just a 1 car garage.

Andy indicated it needs to be zoned C-3 and it's also consistent with the comp plan. No notification or opposition has come from any of the neighbors in the mail.

David Hockaday, 903 E 7th Street, was in attendance with concerns of this property being turned into a commercial property, if it opens the door for any business to be able to be built there and expand there. If this business doesn't pan like he expects to what does that leave it open for? Worried about traffic increase. He would like to have this property restricted to the use of what Mr. Schilb is wanting to use it for, the lawn mower business, storage.

James Cunningham asked a Mr. Schilb what his plans for this property are? Mr. Schilb responded, he would like to get electrical to the sight so that he could have electricity. He owns and runs the Sedalia Handy Man Service and has for 13 years. He is recently divorced and wants a place to keep all his tools and equipment. This property seems like a safe location and would like to use it for a storage facility and to be able to maybe sharpen blades for mowers, store his trailer with mowers for the winter, etc...

Dan Albert's concerns are, if we restrict it to what he wants to do with the business, do we still rezone to a C-3 or do we just make an exception for his business. Anne said we can rezone for C-3 but also add restrictions to the property as he described, as storage and perhaps a small repair place for him to use. The use will be restricted, whether it's a C-1 or C-3.

James Cunningham asked if we make a restriction based on what Anne has reported, would that stop him from parking other vehicles there. Anne indicated we have other ordinances like that. Anne says she can't change if it is zoned as a C-3 from becoming an auto repair garage, a rental store, which will have a lot of in and out traffic. It could be made into a real commercial business, but it doesn't sound like that's what Mr. Schilb wants this property for.

Connie Koering, the representative for the trust, was present for the hearing. They handed out information regarding the property. The owners are concerned about not being able to sell the lot according to the codes. They just want to be able to sell the lot. Mr. Schilb would like to wait until next year to put new siding on the building.

Andy indicated the garage is considered an accessory use structure to the beauty shop since they have the same owners. To sell those off separately you can't have the garage by itself so if you would have to build a house there and the garage would be an accessory structure or tear the garage down and sell the lot.

With no other comments. Steve Galliher motioned the property be rezoned with restrictions for use with the storage. LeVera Schmit seconded the motion. **The motion carried 9-0.**

This issue will go to City Council on Monday, August 17, 2015.

Next Planning & Zoning meeting will be held September 2, 2015 for rezoning of 1505 N Ohio.

With no other business the Commission adjourned at 6:25 pm.

Submitted by:

Jilene Streit

George Esser, Chairman

(meeting recorded)