

Jefferson City
Planning & Zoning Commission

July 9, 2015

**Case No. P15007
ACGroner Properties, LLC
600 Eastland Drive**

Rezoning from PUD & RA-2 to C-2

PLANNING STAFF REPORT
JEFFERSON CITY PLANNING AND ZONING COMMISSION
July 9, 2015

Case No. P15007 – 600 Eastland Drive, Rezoning from PUD and RA-2 to C-2. Request filed by ACGroner Properties LLC, property owner, to rezone 0.52 acres from PUD Planned Unit Development to C-2 General Commercial and 0.15 acres from RA-2 High Density Residential to C-2 General Commercial. The property is located at the southwest corner of East Miller Street and Eastland Drive and is described as part of the North half of the Northwest Quarter of Section 21, Township 44 North, Range 11 West, Jefferson City, Missouri.

Nature of Request

The property owner is planning a building addition on the back of the existing building, which is being used as an animal hospital/veterinarian clinic. The property owner is requesting a rezoning to a standard zoning district in order to allow the future building expansion to be processed administratively (rather than legislatively) and to match the zoning of the adjacent property. A small vestibule addition to the front of the building was approved administratively by staff and is currently under construction.

Zoning History

Prior to 1997, the property was zoned RA-2 High Density Residential. The building on the property was constructed in 1978 as an office. In 1997, a proposal to rezone the property from RA-2 to C-2, in order to convert the building to a veterinarian’s office, was withdrawn and resubmitted (and approved) as a rezoning to C-4 Planned Commercial and PUD Plan. A proposal to allow for storage of construction equipment, vehicles, and trailers at the rear of the property was denied in 1998.

Zoning and Surrounding Land Use

Current Zoning: PUD/RA-2
 Requested Zoning: C-2

Current Use: Small Animal Hospital/Veterinarian
 Intended Use: Small Animal Hospital/Veterinarian

	Surrounding Zoning	Surrounding Uses
North	C-2	Undeveloped
South	RA-2	Multi-Family Residential
East	RS-2	Single Family Residential
West	C-2	Offices

Allowed Uses:

Permitted uses within the C-2 General Commercial zoning district include general retail, offices, hotels, sit-down or drive through restaurants, banks, automobile sales, automobile repair, contractor and trade shops, and gas stations. Please see the Land Use Matrix in the Zoning Code for a more detailed list of permitted uses.

Staff Analysis

Standard checklist for rezoning:	Yes	No	Notes:
Complies with Comprehensive Plan	X		The Comprehensive Plan Development Plan Map identifies this property as intended for Commercial Use.
Has access to necessary utilities	X		Necessary utilities serve the property.
Located outside flood zone	X		The property does not lie within the 100 year floodplain.
Meets district size requirement	X		The proposed zoning would be an extension of the existing C-2 zoning in the area.
Benefit to City is substantial when compared to adverse effects on adjacent property	X		The property is located on Eastland Drive, which is classified as a minor arterial street, about 300 feet from the Highway 50/63 interchange. The City would benefit from a commercial use of the property with consideration of impacts on adjacent residential uses.

Standard checklist for rezoning:	Yes	No	Notes:
The rezoning would not be a grant of privilege to the owner with little or no benefit to the public	X		The property is located on an arterial street near a major highway interchange. Utilization of the property for commercial purposes is ideal. Potential impacts on adjacent residential areas should be considered.
After rezoning, the allowed uses would be compatible with uses allowed in adjacent districts		X	The adjacent property is zoned C-2 and is not restricted by the more intensive review requirements of the PUD district.
After rezoning, the allowed uses would be compatible with adjacent existing land uses		X	While the rezoning would be compatible with the adjacent C-2 district to the west and north, it would permit uses that could be in conflict with residential areas to the south and east.
If not rezoned, the owner would be deprived of use advantages enjoyed by surrounding owners (reverse spot zoning)	X		The property to the north and west enjoys a C-2 zoning and is not subject to the review requirements of the PUD district.
The requested rezoning would be an expansion of an existing district	X		The rezoning would be an expansion of the adjacent commercial zoning.

Staff Recommendation

Staff recommends a reduced zoning of C-1 Neighborhood Commercial, which would permit the veterinary use, would allow the future building expansion to be processed administratively, and would protect the adjoining neighborhood from possible future high intensity uses that are permitted in the C-2 district.

While the applicant intends to continue to use the property as a veterinary clinic, other uses that are permitted in the C-2 district include gas stations, automobile repair, and drive through restaurants. These potential future uses have a high potential for conflict with the adjacent single family and multi-family residential uses.

In 1997, when the property was first proposed for a C-2 General Commercial zoning, veterinary uses were not permitted in the C-1 district. The C-4 Planned Commercial district was the only zoning alternative for the property that would still allow use of the property as a veterinary office.

Restrictions established in the 1997 approved C-4 (PUD) plan for the property include: an 8' maximum fence height around a rear enclosure (no longer there), allowance for a rear deck addition, restriction of lighting to security level lighting only, land use restricted to small animal veterinary office with no outside kennels or boarding, signage restriction to one internally illuminated post sign with maximum size of 16 sf and height of four feet and one non-illuminated wall sign with maximum size of 8 sf. If rezoned, signage and lighting restrictions would be governed by the requirements for the applicable zoning district.

The minimum size for the C-1 district is one acre. Considering that this property is connected to an existing C-2 district, staff believe that a C-1 zoning for the property would be considered an extension of the existing commercial district and would not be in conflict with the one acre minimum area requirement. The subject property consists of 0.67 acres.

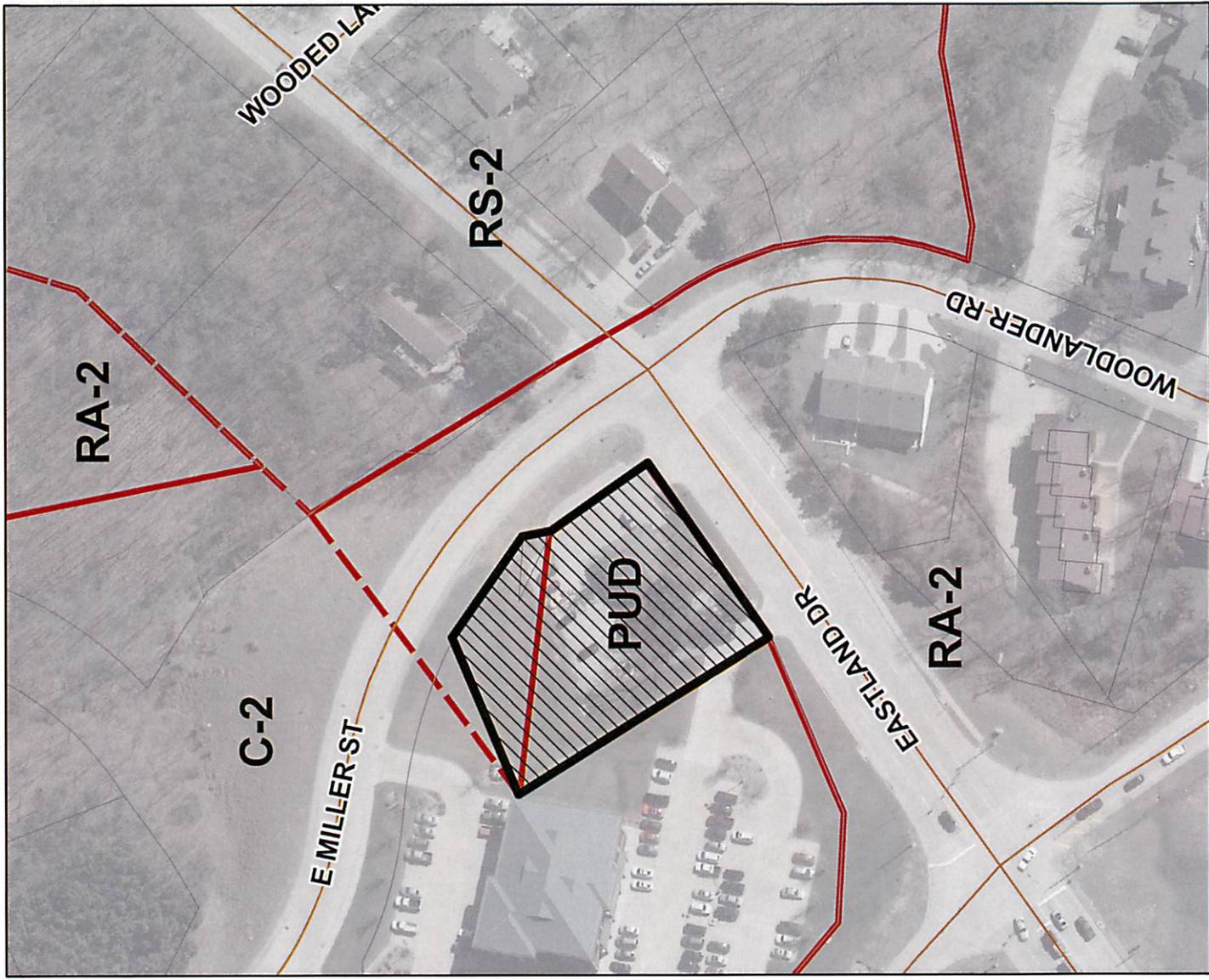
The C-1 Neighborhood Commercial zoning district allows for a variety of land uses including day care centers, hotel/motel (less than 50,000 sq. ft.), offices, banks, restaurants, general retail, personal services, laundromats and small animal hospitals/veterinarians.

Form of Motion

Staff recommends consultation with the applicant about a reduced request to rezone the property to C-1 Neighborhood Commercial.

City of Jefferson Planning & Zoning Commission

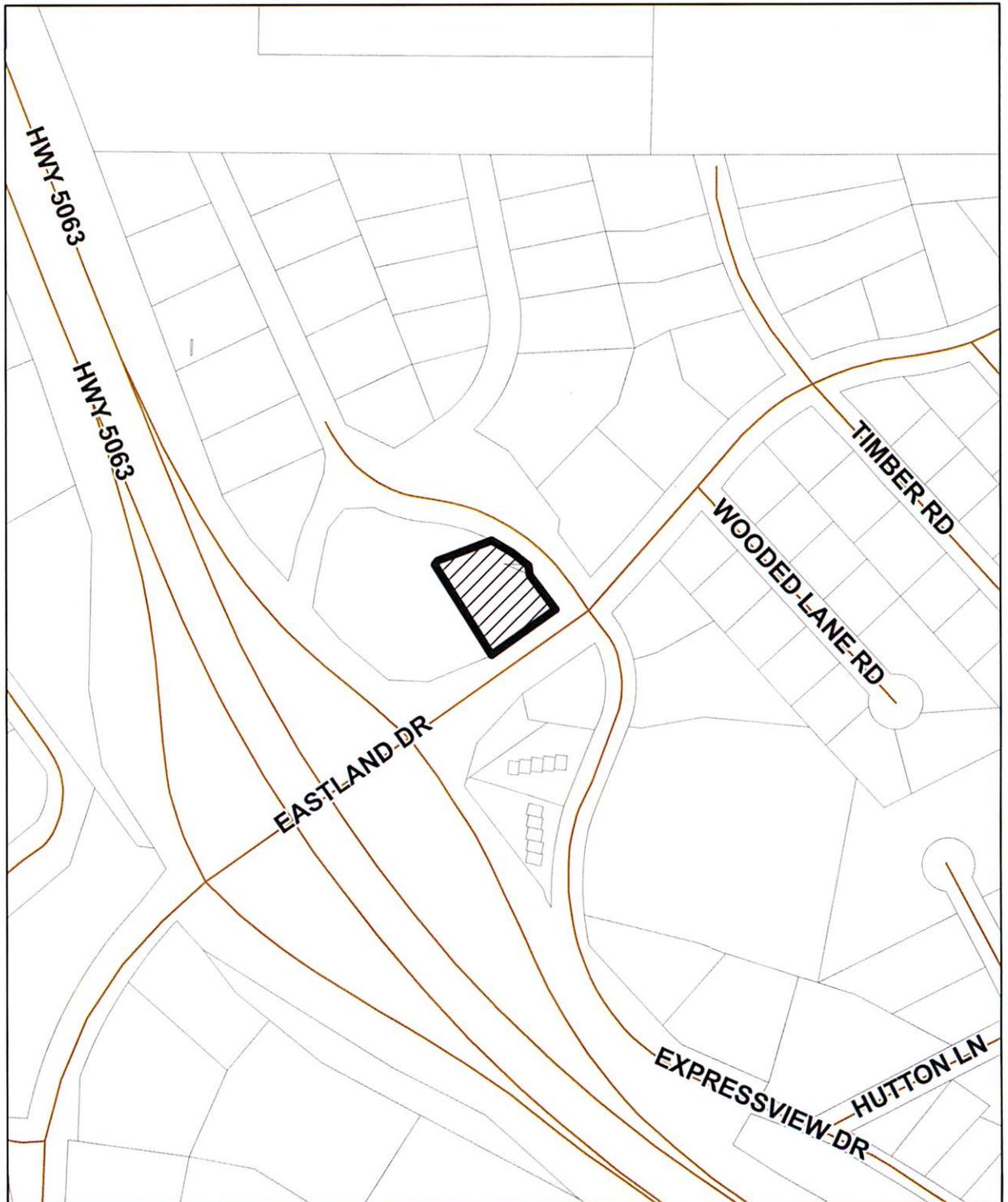
LOCATION MAP



Case No. P15007
600 Eastland Drive
Rezoning from PUD/RA-2 to C-2

City of Jefferson Planning & Zoning Commission

VICINITY



Case No. P15007
600 Eastland Drive
Rezoning from PUD/RA-2 to C-2

0 110 220 440 Feet



APPLICATION FOR ZONING AMENDMENT

City of Jefferson - Planning Division
Department of Planning & Protective Services
320 East McCarty Street
Jefferson City, Missouri 65101
Phone (573) 634-6410 Fax (573) 634-6457



The undersigned hereby petitions the Planning and Zoning Commission and City Council of the City of Jefferson, Missouri, for the following amendment to the Zoning Code:

Zoning Text Amendment (Describe below or attach complete narrative)
Article and Section Affected (if applicable) _____
Description of proposed text amendment: _____

Zoning Map Amendment (Rezoning of Real Estate)
The undersigned hereby state they are the owners of the following described real estate:

Property Address: 600 EASTLAND DR J.C. MO 65101
Legal/Property Description (write out or attach as an exhibit): SEE ATTACHED

Who petition to rezone the above described real estate from its present classification of POP/RAZ district to C2 district. The purpose of this rezoning request is to:
MATCH ZONING OF ADJACENT PROPERTY AND ACCOMMODATE FUTURE EXPANSION

ALL OWNERS OF REAL PROPERTY PROPOSED TO BE REZONED MUST SIGN THE APPLICATION, AND ALL SIGNATURE MUST BE NOTARIZED. IF ADDITIONAL SIGNATURES ARE NEEDED, PLEASE ATTACH SEPARATE SHEETS.

Alice C. Groner
Property Owner #1 Name (type or print)

Alice C. Groner
Property Owner Signature

Property Owner #2 Name (type or print) CHRIS ANN HENLEY
Notary Public - Notary Seal
Subscribed and sworn before me this 8th day of JUNE in the year 2015.
County of COLE
My Commission Expires 12/15/2018
Commission # 14539454

Property Owner Signature
Chris Ann Henley
Notary Public

Address of Property Owner #1: 600 EASTLAND DR
JEFFERSON CITY, MO 65101
Address of Property Owner #2: _____
Phone Number(s): 573 636-8322

Applicant Information (if different from property owner):
Name: _____
Address: _____
Phone Number: _____

For City Use Only: Application Filing Fee \$206 (Approved by City Council on May 28, 2013)
Payment Received: _____
_____Cash (Receipt # _____) X Credit Card Check (Copy; check # _____)
Attachments: _____
_____Additional sheets or documentation _____ Applicant/Project Information Sheet _____ Location Map

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.

Part of the North Half of the Northwest Quarter of Section 21, Township 44 North, Range 11 West, Cole County, Missouri, more particularly described as follows:

From the northwest corner of the said Section 21, Township 44, Range 11; thence North 61 degrees 39 minutes East, 122.85 feet, to a point in the centerline of U.S. Highway No. 50 (Rex Whitton Expressway), at Station 126+00; thence along said centerline, South 20 degrees 44 minutes East, 937.84 feet, to Highway Station 135+37.84; thence continuing South 20 degrees 44 minutes East, 550.73 feet; thence North 58 degrees 31 minutes East, 264.29 feet, to a point on the easterly right-of-way of U.S. Highway No. 50 and the centerline of Eastland Drive; thence along said centerline, North 58 degrees 31 minutes East, 270.96 feet; thence North 31 degrees 29 minutes West, 30 feet to the northerly right-of-way of said Eastland Drive, and the beginning point of this description; thence continuing North 31 degrees 29 minutes West, 220.0 feet; thence North 58 degrees 31 minutes East, 159.04 feet; thence South 31 degrees 29 minutes East, 220.0 feet to the northerly right-of-way of said Eastland Drive; thence South 58 degrees 31 minutes West, 159.04 feet to the beginning point of this description.

Except that part of Reserve Tract No. 3 of Foxscott Hills Subdivision, Section 3, conveyed to State of Missouri acting by and through the Missouri Highway and Transportation Commission, by Deed of record in Book 359, Page 323, Cole County Recorder's Office;

Subject to easements and restrictions of record.

Together with all of grantor's right, title and interest in and to vacated East Miller Street right-of-way, vacated by the City of Jefferson, Missouri by Ordinance No. 12832 of record in Book 402, page 793, Cole County Recorder's Office.

City of Jefferson

Department of Planning & Protective Services
320 E. McCarty St.
Jefferson City, MO 65101



Carrie Tergin, Mayor

Janice McMillan, AICP, Director
Phone: 573-634-6410
Fax: 573-634-6457

June 25, 2015

Dear Property Owner:

This letter is to notify you that the Jefferson City Planning and Zoning Commission will meet at 5:15 p.m. on Thursday, July 9, 2015 in the Council Chambers of the John G. Christy Municipal Building, 320 East McCarty Street, to consider the following matter (see map on back):

Case No. P15007 – 600 Eastland Drive, Rezoning from PUD and RA-2 to C-2.

Request filed by ACGroner Properties LLC, property owner, to rezone 0.52 acres from PUD Planned Unit Development to C-2 General Commercial and 0.15 acres from RA-2 High Density Residential to C-2 General Commercial. The property is located at the southwest corner of East Miller Street and Eastland Drive and is described as part of the North half of the Northwest Quarter of Section 21, Township 44 North, Range 11 West, Jefferson City, Missouri.

As a nearby landowner and/or neighbor, you have the privilege of attending this hearing. Unfortunately, we are unable to record comments received by telephone, however, written comments may be directed to the Planning and Zoning Commission in one of the following ways:

e-mail: jcplanning@jeffcitymo.org

fax: Dept. of Planning and Protective Services / Planning Division 573-634-6457

mail: Dept. of Planning and Protective Services / Planning Division

John G. Christy Municipal Building, 320 E. McCarty Street Jefferson City, MO 65101

Written comments received on or before 1:00 p.m. on the day of the meeting will be made a part of the official record and copied and distributed to Commission members at the meeting. Those unable to provide written comments in advance are invited to deliver their comments to the Commission Chairman only at the meeting. Correspondence received after 1:00 p.m. will be included in the official record, but there is no guarantee that copies will be made for distribution to all Commission members.

For your information, this case is tentatively scheduled for a public hearing in front of the City Council on August 17, 2015. The City Council meets at 6:00 p.m. in the Council Chambers of the John G. Christy Municipal Building, 320 East McCarty Street.

Information regarding this case may be viewed on the Planning and Zoning Commission webpage at: www.jeffcitymo.org/pps/planning/pzcommission.html.

If you have any questions concerning this matter, please feel free to contact us at 573.634.6475.

Sincerely,

Eric Barron

Eric Barron, AICP
Senior Planner

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.

Please call (573) 634-6410 with questions regarding agenda items.

ACGRONER PROPERTIES L L C
2123 WHITNEY WOODS CT
JEFFERSON CITY, MO 65101
600 EASTLAND DR (*Subject Property*)

DIVISION OF FACILITIES MANAGEMENT
DESIGN & CONSTRUCTION LEASING SECTION
PO BOX 809
JEFFERSON CITY, MO 65102

PICKER, DELMAR E & RITA M, TRUSTEES
328 EASTLAND DR
JEFFERSON CITY, MO 65101
510 EASTLAND DR

BACLESSE, JOHN W
C/O JOHN W BACLESSE
TURNER, RONALD O
PO BOX 779
JEFFERSON CITY, MO 65102
WOODLANDER RD

DUDENHOEFFER, KENNETH J & LORI L
520 EASTLAND DR
JEFFERSON CITY, MO 65101
520 EASTLAND DR

LUEBBERING, GEOFFREY
610 WOODLANDER RD
JEFFERSON CITY, MO 65101
610 WOODLANDER RD

FARM CREDIT SERVICES OF EASTERN MO PCA
1934 E MILLER ST
JEFFERSON CITY, MO 65101-3881
1934 E MILLER ST

TOMAJA, SUSAN K
612 WOODLANDER RD
JEFFERSON CITY, MO 65101
612 WOODLANDER RD

3 E DEVELOPMENT L L C
1731 E ELM ST
JEFFERSON CITY, MO 65101
E MILLER ST
FOXSCOTT TRL
FOXSCOTT TRL

JACKSON, CHRISTEN J
614 WOODLANDER RD
JEFFERSON CITY, MO 65101
614 WOODLANDER RD

SCHWARTZE, ROGER A
515 EASTLAND DR
JEFFERSON CITY, MO 65101
515 EASTLAND DR

ZHENG, DU &
YANG, JIE FANG
905 EASTLAND DR, #D
JEFFERSON CITY, MO 65101
616 WOODLANDER RD

NEW CREATION SOLUTIONS L L C
1100 EAST 15 ST
MOUNTAIN GROVE, MO 65711
519 EASTLAND DR

SCHULTE, CARRIE M
618 WOODLANDER RD
JEFFERSON CITY, MO 65101
618 WOODLANDER RD

DOBBINS, CHARLOTTE A & CLIFFORD R
2008 WOODED LANE RD
JEFFERSON CITY, MO 65101
607 WOODLANDER RD

ALPHA GROUP PARTNERS L L C
PO BOX 82
MCGIRK, MO 65055
613 WOODLANDER RD

600 WOODLANDER L L C
235 SCHAEFER CT
JEFFERSON CITY, MO 65101
602 WOODLANDER RD

H 2 O P P INVESTMENTS L L C
2810 S TEN MILE DR
JEFFERSON CITY, MO 65109
2004 WOODED LANE RD

Case No. P15007
600 Eastland Drive
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185 ft. Notification Buffer

