

Request for Legislative Action

Ord. #5715

Date: February 21, 2023

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5715
Sponsor(s):		Legislature Meeting Date:	2/21/2023

Introduction

Action Items: ['Authorize']

Project/Title:

RZ-2023-642 - Land Trust of Jackson County & Dehn Demolition

Request Summary

Requesting a change of zoning from District LBP (Local Business-Planned) on 5.5 ± acres to District LI (Light Industrial). The purpose is for a shop and yard facility for a demolition company at 1624 Blue Ridge Boulevard.

Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements.

The Jackson County Plan Commission held a public hearing on January 19, 2023, and accepted testimony pertaining to the rezoning request.

The Plan Commission voted 8 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	1/30/2023
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Division Administrator	Phone:	816-881-4577

Budget Information

Amount authorized by this legislation this fiscal year:			\$ 0
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Not spending money	
MBE: .00%	
WBE: .00%	
VBE: .00%	
Prevailing Wage	
Not Applicable	

Fiscal Information
•

Request for Legislative Action

History

Submitted by Public Works requestor: Randy D. Diehl on 1/30/2023. Comments:

Approved by Department Approver Brian Gaddie on 1/30/2023 2:53:07 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 1/30/2023 3:28:44 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 1/30/2023 3:54:53 PM. Comments:

Not applicable by Budget Office Approver David B. Moyer on 1/30/2023 4:00:13 PM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 1/30/2023 5:05:11 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 2/16/2023 11:22:50 AM. Comments:

RZ-2023-642

ATTACHMENT 1: PROPERTY DESCRIPTION

Description: Lots 16, 17, 18 and all that part of Lot 6, lying South of the North line of Lot 18, extended West, and all that part of Lot 7, lying East of the West line of Lot 16, extended North, all in Block 1, Start Acres, a subdivision in Jackson County, Missouri, according to the plat thereof.

RZ-2023-642

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from January 19, 2023

Staff Report

Zoning map of surrounding area

Names and addresses of surrounding property owners.

Letter to surrounding property owners.

Application

Aerial of location

Proposed site plan.

Picture of property

Randy Diehl gave the staff report:

RE: RZ-2023-642

Applicant: Land Trust of Jackson County
Dehn Demolition

Location: 1624 Blue Ridge Boulevard

Area: 5.50 ± acres

Request: Change of zoning from District LBp (Local Business-Planned) to District LI (Light Industrial)

Purpose: The purpose is for a shop and yard facility for a demolition company.

Current Land Use and Zoning in the Area:

The zoning in the surrounding area is predominately zoned District B (Two-Family) and used for single family residences. To the north, along Truman Road, there are Districts LB (Local Business), GB (General Business) and LI (Light Industrial). Directly across the Stark Avenue is the Inter City Fire station which is within District LI.

The 5.5 acre site contains a multi-story building, formerly the John K Stark School, and later a church and church affiliated child care facility. The property has changed hands a few times and in February 2016, the property was transferred to Land Trust of Jackson County, Missouri.

In 2019 a request was made for a change in zoning for a redevelop the site into a Residential Release Center, under contract with the Federal Bureau of Prisons. A change of zoning to District LBp (Local Business-Planned) was granted by the Legislature on March 11, 2019. Unfortunately, the Release Center project never made it to fruition.

The applicant is wishing to purchase the property for their shop and yard facility in conjunction with their demolition company. Their plans are to demolish the school and erect a 6,000 square foot building. They feel this would have a positive impact on the surrounding properties. The increased damage and vandalism to the building has practically rendered it no longer viable for use.

The blighted building and property have become an eyesore in the community. This would be an improvement to the neighborhood.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2023-642.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: *Are there any questions for Randy?*

Mr. Tarpley: How long has it been vacant?

Mr. Diehl: 10 years, maybe even more.

Mr. Akins: You can tell from the aerial that the roof has caved in.

Ms. Ryerkirk: how old is the building?

Mr. Diehl: The main building is around 90 years old. The gym was added to it in the 1950's. The applicant in 2019 stated at that time the building was almost at a point where it couldn't be saved from all the damage and vandalism. Water damage from rain is also a factor.

Mr. Crawford: Land Trust, that's a public entity?

Mr. Diehl: When properties do not sell for back taxes, they are placed into Land Trust.

Mr. Crawford: Are there lots of property in Land Trust?

Mr. Diehl: Yes, it could properties like this or slivers of properties.

Mr. Crawford: Are most of them blighted?

Mr. Diehl: They are scattered all over in various sizes.

Jay Haden: Some could have been blighted and the houses torn down. Uneconomical remnants from a project or something that someone quit paying taxes on for some reason. Land Trust really doesn't have any resources, so they try and look for buyers.

Mr. Tarpley: So, the buyer gets to pay the back taxes?

Mr. Haden: Once it's in Land Trust, it's a negotiated process. There's a statute that governs how they sell.

Mr. Antey: *Is the applicant here?*

Patricia Jensen: I am with Rouse, Frets, White, Gross Law Firm, 4510 Belleview Ave. If you remember, I represented the 2019 applicant for the residential release center. The building hasn't gotten better, it's gotten worse. There's no saving the building now. There's also occupation by persons who camp out in that area. With me is Steve Short with Dehn Demolition. He can expound on the cost of the demolition the building in relation to the cost of the building. They are headquartered here in Independence.

Steve Short: I'm the Vice President of Dehn Demolition. I been in the demolition business for 39 years. We office out on South Lynn Court. We like our location, however our shop is east of Odessa. It's a long way to drive trucks into town. We would like to relocate our shop facility to this location. It's in an ideal area for us. We County went out to bid on this last year and the cost to tear down the building was around \$350,000 dollars. That would only take it down to a vacant lot. We didn't realize it was there until the County put out the bids. We thought this could be a win-win situation for everybody, so we entered into an agreement with Land Trust. Once we purchase the property we will fence and secure the school itself until we can tear it down and build our new building. We will also fence the whole site eventually.

This location will be the shop facility for our trucks and equipment. The requirement for this area is that it will have screened fence and all work to take place in the shop.

Mr. Tarpley: How many vehicles do you have?

Mr. Short: We have four tractors that we have nine trailers in the yard. The machines aren't in the yard that often. We have a couple of large demolition machines.

Mr. Crawford: What is your timeframe for all of this?

Mr. Short: We've like to have the building demoed within six months of purchase and hopefully within a year have the shop constructed.

Mr. Crawford: How many employees do you have?

Mr. Short: Twelve.

Mr. Farrar: I'm pleased to see something positive happening in the neighborhood.

Mr. Lake: Will this be a prefab building?

Mr. Short: Yes, it will be. We plan on having concrete walls which helps any type of damage from vehicles.

Mr. Hilliard: Will the demo of the school be by machine. There won't be any explosives.

Mr. Short: All machinery, no explosives.

Mr. Antey: *Is there anyone else who is in favor of this application?*

There were none.

Mr. Antey: *Is there anyone who is opposed or has questions regarding this application?*

There were none.

Motion to take under advisement.

Mr. Crawford moved to take under advisement. Mr. Tarpley seconded.

Discussion under advisement

Mr. Tarpley moved to approve. Mr. Lake seconded.

Mr. Tarpley	Approve
Mr. Crawford	Approve
Mr. Akins	Approve
Mr. Hilliard	Approve
Ms. Ryerkerk	Approve
Mr. Farrar	Approve
Mr. Lake	Approve
Chairman Antey	Approve

Motion Carried 8 – 0

STAFF REPORT

PLAN COMMISSION January 19, 2023

RE: RZ-2023-642

Applicant: Land Trust of Jackson County
Dehn Demolition

Location: 1624 Blue Ridge Boulevard

Area: 5.50 ± acres

Request: Change of zoning from District LBp (Local Business-Planned) to District LI (Light Industrial)

Purpose: The purpose is for a shop and yard facility for a demolition company.

Current Land Use and Zoning in the Area:

The zoning in the surrounding area is predominately zoned District B (Two-Family) and used for single family residences. To the north, along Truman Road, there are Districts LB (Local Business), GB (General Business) and LI (Light Industrial). Directly across the Stark Avenue is the Inter City Fire station which is within District LI.

The 5.5 acre site contains a multi-story building, formerly the John K Stark School, and later a church and church affiliated child care facility. The property has changed hands a few times and in February 2016, the property was transferred to Land Trust of Jackson County, Missouri.

In 2019 a request was made for a change in zoning for a redevelop the site into a Residential Release Center, under contract with the Federal Bureau of Prisons. A change of zoning to District LBp (Local Business-Planned) was granted by the Legislature on March 11, 2019. Unfortunately, the Release Center project never made it to fruition.

The applicant is wishing to purchase the property for their shop and yard facility in conjunction with their demolition company. Their plans are to demolish the school and erect a 6,000 square foot building. They feel this would have a positive impact on the surrounding properties. The increased damage and vandalism to the building has practically rendered it no longer viable for use.

The blighted building and property have become an eyesore in the community. This would be an improvement to the neighborhood.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

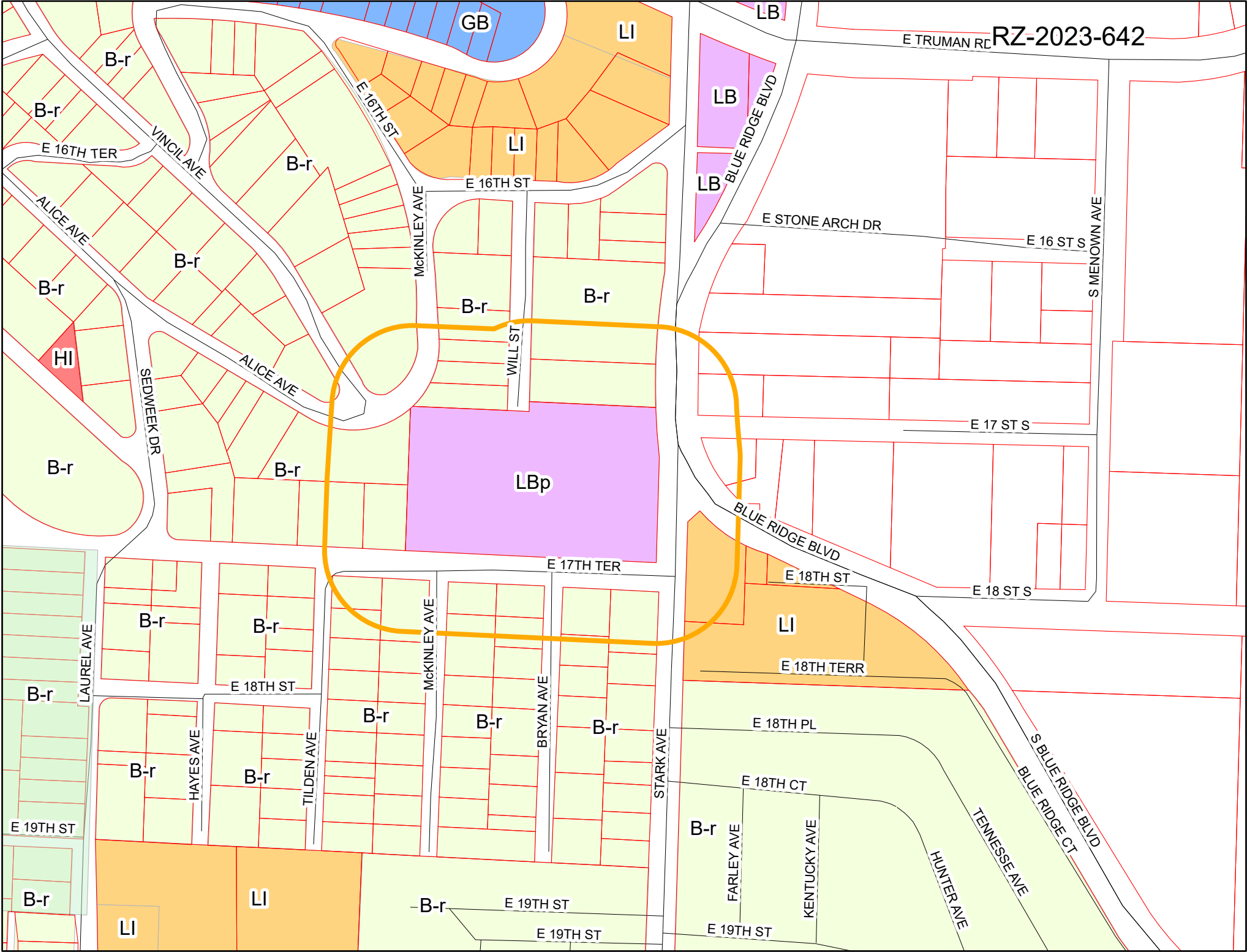
Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2023-642.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



Plan Commission January 19, 2023

RZ-2023-642

Property Owners Within 185 feet

Parcel	owner	address	city	state	zip
27-520-05-01-01-0-00-000	BLUE RIDGE MHC LLC	914 TERRACINA DR #130	SACRAMENTO	CA	95834
27-410-01-02-00-0-00-000	BLUE SUMMIT BAPTIST CHURCH	1701 BRYAN	KANSAS CITY	MO	64126
27-410-02-02-00-0-00-000	BLUE SUMMIT BAPTIST CHURCH	1700 BRYAN	KANSAS CITY	MO	64126
27-410-02-01-00-0-00-000	BLUE SUMMIT BAPTIST CHURCH	1700 BRYAN	KANSAS CITY	MO	64126
27-340-09-35-00-0-00-000	DAHL CHRIS	1614 STARK AVE	KANSAS CITY	MO	64126
27-230-06-07-00-0-00-000	FERRON DAVID	10316 NW AVALON AVE	KANSAS CITY	MO	64154
27-230-06-06-00-0-00-000	FERRON DAVID	10316 NW AVALON AVE	KANSAS CITY	MO	64154
27-340-10-33-01-0-00-000	GONZALEZ SALVADOR & SABRINA A	434 TULLIS AVE	KANSAS CITY	MO	64125
27-340-09-12-00-0-00-000	HOWARD GINA	PO BOX 1881	INDEPENDENCE	MO	64055
27-340-09-11-00-0-00-000	HOWARD GINA	PO BOX 1881	INDEPENDENCE	MO	64055
27-340-09-10-00-0-00-000	HOWARD GINA	PO BOX 1881	INDEPENDENCE	MO	64055
27-230-07-03-00-0-00-000	INTER CITY FIRE PROTECTION DISTRICT	1702 BLUE RIDGE BLVD	BLUE SUMMIT	MO	64126
27-410-01-01-00-0-00-000	INTER CITY FIREFIGHTERS ASSOC	1702 BLUE RIDGE BLVD	KANSAS CITY	MO	64126
27-230-08-12-01-0-00-000	GARCIA ROSA LUCIA HERRERA	1709 BLUE RIDGE BLVD	INDEPENDENCE	MO	64052
27-340-12-11-00-0-00-000	KLECK DEBBIE L	2109 ASHLAND	KANSAS CITY	MO	64126
27-340-09-09-00-0-00-000	LAFFERTY SHIRLEY L	1701 ALICE ST	KANSAS CITY	MO	64126
27-410-03-02-00-0-00-000	LEWIS VIRGENE A	1703 TILDEN	KANSAS CITY	MO	64126-3064
27-410-03-03-00-0-00-000	LEWIS VIRGENE A	1703 TILDEN	KANSAS CITY	MO	64126-3064
27-230-08-12-02-0-00-000	REINVEST KC HOME PROPERTIES LLC	713 N LINDENWOOD DR STE A	OLATHE	KS	66062
27-410-01-03-00-0-00-000	NEWPORT EVERETT W & VERONICA B	1707 BRYAN	KANSAS CITY	MO	64126
27-410-03-01-00-0-00-000	PACE JOSEPH CHARLES	1700 MCKINLEY	KANSAS CITY	MO	64126
27-340-09-44-00-0-00-000	LAND TRUST OF JACKSON COUNTY MO	4035 CENTRAL ST	KANSAS CITY	MO	64111



JACKSON COUNTY Public Works Department

Jackson County Technology Center
303 West Walnut Street
Independence, Missouri 64050
jacksongov.org

(816) 881-4530
Fax: (816) 881-4448

January 4, 2023

RE: Public Hearing: RZ-2023-642
Land Trust of Jackson County & Dehn Demolition

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Land Trust of Jackson County & Dehn Demolition for a change of zoning from District LB (Local Business-Planned) on 5.50 ± acres to District LI (Light Industrial). The purpose is for a shop and yard facility for a demolition company at 1624 Blue Ridge Boulevard.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, January 19, 2023, at 8:30 a.m. in the Large Conference Room, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4577.

Sincerely,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

**JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division,
303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. All applicable sections must be completed. If you need more space to provide information, please
use separate 8 1/2"x11" paper, reference the application number and attach it to the application.
Incomplete applications will not be accepted and will be returned to the applicant.
4. Attach application for subdivision approval, consistent with the requirements of UDC Section
24003.10, as may be required.
5. The filing fee (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
\$350.00 – Change of Zoning to Residential
\$500.00 – Change of Zoning to Commercial or Industrial

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ- 2023 - 642

Date filed _____ Date of hearing _____

Date advertised _____ Date property owners notified _____

Date signs posted _____

Hearings: Heard by _____ Date _____ Decision _____

Heard by _____ Date _____ Decision _____

Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):

a. Applicant(s) Name: Dehn Demolition

Address: 4016 S. Lynn Court Drive, Independence, MO 64055

Phone: 816-701-6150

b. Owner(s) Name: Land Trust of Jackson County

Address: 4035 Central Street, Kansas City, MO 64111

Phone: _____

c. Agent(s) Name: Patricia R. Jensen, Esq., c/o Rachelle M. Biondo

Address: 4510 Bellevue Avenue, Suite 300, Kansas City, MO 64111

Phone: (816) 502-4723

- d. Applicant's interest in Property: Contract Purchaser
2. General location (Road Name) 1624 Blue Ridge
3. Present Zoning LBP Requested Zoning LI
4. AREA (sq. ft. / acres) 4.5
5. Legal Description of Property: (Write Below or Attached 9)
Stark Acres Lots 6 & 7 and 16 - 18 Blk 1
Parcel No. 27-340-09-44-00-0-00-000
6. Present Use of Property: School
7. Proposed Use of Property: Shop and yard facility (trucks / machinery and repair)
8. Proposed Time Schedule for Development: ±One year to construct the building, depending on availability of components
9. What effect will your proposed development have on the surrounding properties?
The redevelopment of the property will have a positive impact on the surrounding properties by demolishing the existing blighted school and providing for a reuse of the property.
10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? No
If so, will any improvements be made to the property which will increase or decrease the elevation? N/A
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water City of Independence
- b. Sewage disposal Kansas City, Missouri
- c. Electricity Evergy
- d. Fire and Police protection Intercity F1
12. Describe existing road width and condition: 22 foot wide asphalt road with ditches and some curbing

13. What effect will proposed development have on existing road and traffic conditions? The proposed redevelopment will have minimal impact on the roads and traffic.

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? None

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): _____

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s) Land Trust of Jackson County

11-16-22

Michael B. Hunter
Land Commissioner

Applicant(s):

Dehn Demolition

Patricia B. Jura 11/23/22
attor. for Dehn Demolition

Contract Purchaser(s): Dehn Demolition

Patricia B. Jura 11/23/22
attor. for Dehn Demolition

STATE OF Missouri

COUNTY OF Jackson

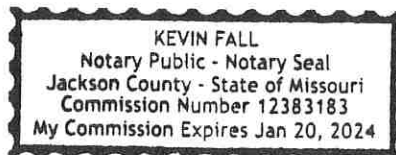
On this 16th day of November, in the year of 2022, before me the undersigned notary public, personally appeared Mr. Michael B. Hunter

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public [Signature]

Commission Expires 1-20-2024



STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

On this 23rd day of November, 2022, before me, the undersigned notary public, personally appeared Patricia R. Jensen, known to me to be the person who executed the within instrument and acknowledged that she executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public Kathy A. Burrison

Commission Expires: 2/28/2023



KATHYA A. BURRISON
My Commission Expires
February 28, 2023
Jackson County
Commission #13920164









**NO
TRESPASSING**
CITY ORD. 56-162A-4-CND BOARD-UP PROG.

PUBLIC NOTICE
ZONING ACTION PENDING
NOTICE: NOTICE OF PUBLIC NOTICE
THE CITY OF LOS ANGELES HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS IN VIOLATION OF THE CITY ZONING ORDINANCES AND THAT A ZONING ACTION IS PENDING.

4-25-20
7-55-20
10-11-20
12-11-20

51X13



