



REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4846

Sponsor(s): xxxxxxxx

Date: June 6, 2016

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Conditional Use Permit Returning Glory CU-2016-218</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="316 472 1198 783"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____		Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
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Amount budgeted for this item * (including transfers):	\$											
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT											
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____											
CONTACT INFORMATION	RLA drafted by Randy Diehl, Administrator, Development Division, 881-4577											
REQUEST SUMMARY	Requesting a Conditional Use Permit in District AG (Agricultural) for a period of 15 years for the continued use of a equine assisted learning center on a 20.00 ± acre tract. The applicant has maintained a Conditional Use Permit for the past 5 years with no complaints. The center is located in Section 12, Township 47, Range 30 aka 34505 E. Drinkwater Road in Jackson County, Missouri, and specifically described on Attachment to RLA-1. The Jackson County Plan Commission on May 19, 2016 held a public hearing and accepted testimony pertaining to the Conditional Use Permit. There was no opposition to the request for the Conditional Use Permit. This request conforms to the general intent and purpose of the Unified Development Code. Therefore, the Plan Commission voted 9 to 0 to recommend <u>APPROVAL</u> for a 15 year period provided the following conditions are met (see attachment RLA-2)											
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)											
ATTACHMENTS	See Attachment to RLA-3											
REVIEW	Department Director:  Brian D. Gaddie, P.E. Director of Public Works Finance (Budget Approval): <i>If applicable</i> Division Manager: 	Date: 5/23/2016 Date: Date: 6/8/16										

County Counselor's Office:

Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-2:

Ord. 4846

Attachments

Plan Commission Public Hearing Summary from May 19, 2016

Location Map

Staff Report

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Preliminary Plat of Martin Estates Plat 2

ATTACHMENT TO RLA-2

Conditional Use Permit for a period of 15 (fifteen) years with the following Conditions:

- 1) The number of horses used in the equine riding center shall be limited to 12.
- 2) No horse shows, commercial concessions stands or tack store shall be provided on the premises.
- 3) There shall be no lighting for the outdoor arena and the lighting for the designated parking area shall be turned off no later than 9:00 PM Each night.

ATTACHMENT TO RLA 1:

Description:

Lot 1, Whispering Woods, a subdivision in Jackson County, and also:
That part of the Northeast Quarter of the Northwest Quarter of Section 12, Township 47, Range 30 West, Jackson County, Missouri, all described as follows: Beginning at a point on the North line of said Quarter Quarter Section, said point being 661.50 feet West of the Northeast corner of said Quarter Quarter Section, thence South 00 degrees 03 minutes West a distance of 1328.00 feet to the South line of said Quarter Quarter Section; thence South 81 degrees 28 seconds West a distance of 664.50 feet to the Southwest corner of said Quarter Quarter, thence North 00 degrees 05 minutes East a distance of 1328.00 feet to the Northwest corner of said Quarter Quarter Section, thence North 81 degrees 28 seconds East a distance of 663.50 feet to the point of beginning, Except part in roads and Except Lot 1, Whispering Woods, a subdivision in Jackson County.

Randy Diehl gave the staff report:

Applicant: Returning Glory – Equine Assisted Learning Center

**Property Owners: Gary J. & Roxanne Van Riessen
34505 East Drinkwater Road
Lone Jack, MO 64070**

Location: Approximately one-half (1/2) mile west of Helmig Road on the south side of Drinkwater Road near the intersection with Gibson Road.

Area: 20 ± acres

Request: A renewal of a Conditional Use Permit for a period of 15 years to operate an equine assisted learning center and horse stable facility.

Zoning Classification: District AG (Agricultural)

Current Land Use and Zoning in Area:

The land use in the area is a primarily large residential tracts on a mix of Residential Ranchette and Agricultural zoned properties. A few tracts to the East are farmed.

To the Northwest of the applicants property is Blue and Gray Park. This is a County owned park. The terrain of Blue and Gray Park makes it popular with horseback riders, hikers and cross-country skiers. There are numerous interconnected horse trails throughout the park.

Comments: Returning Glory is a (501-C-3) non-profit organization who operated for the nine years in Cass County, Missouri, and the past five years in Jackson County. They depend on public contributors and benefactors to provide operating funds and infrastructure needs.

The mission of Returning Glory is to provide a horse ranch in a rural setting where individuals and families (children, young adults, older adults, parents or corporate groups) can:

- experience faith-based healing, restoration and personal growth through equine assisted experiential learning in a non-threatening atmosphere;
- interact and work with disadvantaged children that have been abused and/or neglected resulting in various forms of diagnosed disorders;
- provide opportunities for "blended" families and families with newly adopted children to develop parent-child bonding and relationship building;

- partner with school districts in providing alternative learning experiences and life-skill development for youth-at-risk; and
- provide opportunities for church and corporate activities associated with team building and goal setting

Returning Glory's operating schedule is:

April – October, Monday – Thursday, 8:00 AM – 8:00 PM
Saturday approximately once per month per group needs

November – March, closed due to inclement weather

Returning Glory states that traffic will be limited to approximately 10 – 15 cars per day at various times during the day.

There are 12 horses used for the program. Some are owned by the applicant and the additional horses are leased to Returning Glory and will stable their horses on the property. The total number of horses used by Returning Glory and used in the learning center will be no more than 12.

There is a horse barn that contains four stables. Last year an addition was permitted for an extension to the barn. The addition contains storage for hay and feed, as well as a tack room. There are also 2 paddocks, an outdoor arena, a pasture area and in the future a covered arena. Presently, the existing outdoor arena is the location of classes. No outdoor lighting will be installed.

The application states that the horses will be kept mostly in paddocks with daily limited pasture time. The stables in the horse barn will primarily be used for sick horses or occasionally for feeding purposes. Each paddock will contain a lean-to for shelter.

Manure will be picked up daily in paddocks and spread in the pasture for fertilizer.

County Plan:

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT). This tier is intended for residents who enjoy a rural lifestyle and open spaces. The county's land use policies are designed to retain a rural character rather than support new urban development in these rural areas.

Recommendation:

An equine riding center and horse stables are allowed by Conditional Use Permit in District AG (Agricultural).

Conditional Uses are those uses which generally are compatible with the permitted land uses in a given zoning district, but which require individual review of their location, a design and configuration and the imposition of

conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district.

The facility has been in operation for five years with no complaints. The equine assisted learning center and horse stable facility is consistent with the general purpose and intent of the Agricultural zoning district regulations and complies with the requirements of the Unified Development Code.

Staff recommends APPROVAL of CU-2016-218 for a period of fifteen (15) years subject to the following conditions:

- 1) The number of horses used in the equine riding center shall be limited to 12.
- 2) No horse shows, commercial concession stands or tack store shall be provided on the premises.
- 3) There shall be no lighting for the outdoor arena and the lighting for the designated parking area shall be turned off no later than 9:00 PM each night.

Recommendation:

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

Staff recommends APPROVAL of CU-2016-218

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

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

Mr. Pointer: What do they do this the manure?

Mr. Diehl: They spread it out over the 20 acres.

Mr. Antey: Has there been any complaints?

Mr. Diehl: No.

Is the applicant here?

Gary Van Riessen, 34505 E. Drinkwater Road, Lone Jack, MO

Mr. Antey: *Do you have anything to add to Randy's report?*

Van Riessen: No, other than I do a lot of the manure pickup and can attest to how it's taken care of.

Mr. Antey: *Are there any other questions for the applicant?*

Mr. Tarpley: How much pasture do you have?

Mr. Van Riessen: The front pasture is 3 or 4 acres and about 15 in the back.

Mr. Antey: *Are there any other questions for the applicant?*

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

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

There were none.

Motion to take under advisement.

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

Discussion under advisement

Mr. Pointer: Looks pretty straightforward.

Mr. Antey: It think their track record speaks for itself. No complaints.

Motion to approve.

Mr. Pointer moved to approve CU-2016-218. Mr. Haley seconded.

Mr. Tarpley	Approve
Mr. Gibler	Approve
Mr. Haley	Approve
Mr. Crawford	Approve
Mrs. Mershon	Approve
Mr. Pointer	Approve
Mrs. Querry	Approve
Mr. Akins	Approve
Chairman Antey	Approve

Motion Carried 9 – 0.

STAFF REPORT

PLAN COMMISSION
May 19, 2016

Ord. 4846

RE: CU-2016-218

Applicant: Returning Glory – Equine Assisted Learning Center

Property Owners: Gary J. & Roxanne Van Riessen
34505 East Drinkwater Road
Lone Jack, MO 64070

Location: Approximately one-half (1/2) mile west of Helmig Road on the south side of Drinkwater Road near the intersection with Gibson Road.

Area: 20 ± acres

Request: A renewal of a Conditional Use Permit for a period of 15 years to operate an equine assisted learning center and horse stable facility.

Zoning Classification: District AG (Agricultural)

Current Land Use and Zoning in Area:

The land use in the area is a primarily large residential tracts on a mix of Residential Ranchette and Agricultural zoned properties. A few tracts to the East are farmed.

To the Northwest of the applicants property is Blue and Gray Park. This is a County owned park. The terrain of Blue and Gray Park makes it popular with horseback riders, hikers and cross-country skiers. There are numerous interconnected horse trails throughout the park.

Comments: Returning Glory is a (501-C-3) non-profit organization who operated for the nine years in Cass County, Missouri, and the past five years in Jackson County. They depend on public contributors and benefactors to provide operating funds and infrastructure needs.

The mission of Returning Glory is to provide a horse ranch in a rural setting where individuals and families (children, young adults, older adults, parents or corporate groups) can:

- experience faith-based healing, restoration and personal growth through equine assisted experiential learning in a non-threatening atmosphere;
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Saturday approximately once per month per group needs

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There are 12 horses used for the program. Some are owned by the applicant and the additional horses are leased to Returning Glory and will stable their horses on the property. The total number of horses used by Returning Glory and used in the learning center will be no more than 12.

There is a horse barn that contains four stables. Last year an addition was permitted for an extension to the barn. The addition contains storage for hay and feed, as well as a tack room. There are also 2 paddocks, an outdoor arena, a pasture area and in the future a covered arena. Presently, the existing outdoor arena is the location of classes. No outdoor lighting will be installed.

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County Plan:

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Recommendation:

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Conditional Uses are those uses which generally are compatible with the permitted land uses in a given zoning district, but which require individual review of their location, a design and configuration and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district.

The facility has been in operation for five years with no complaints. The equine assisted learning center and horse stable facility is consistent with

the general purpose and intent of the Agricultural zoning district regulations and complies with the requirements of the Unified Development Code.

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Recommendation:

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

Staff recommends APPROVAL of CU-2016-218

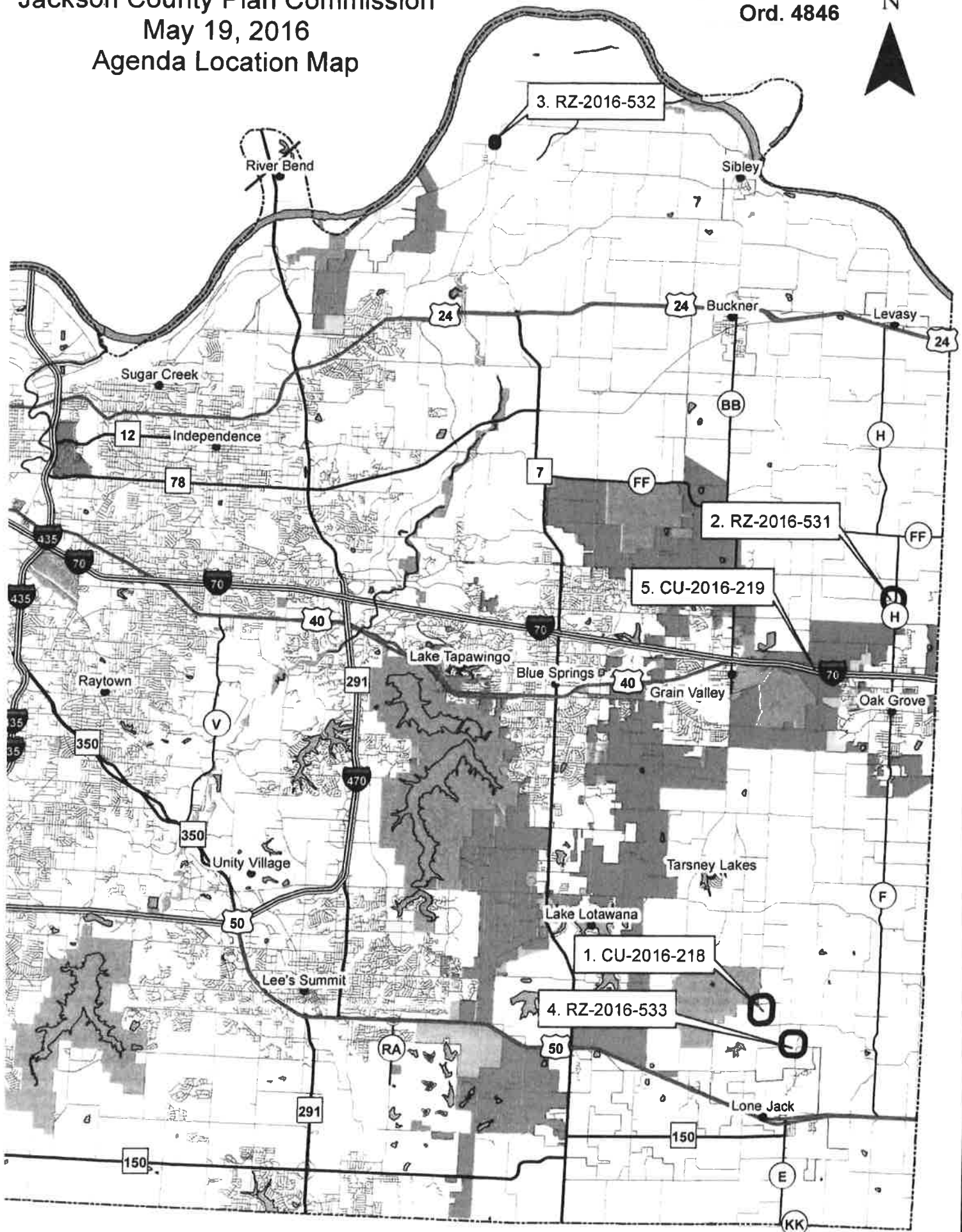
Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
May 19, 2016
Agenda Location Map

Ord. 4846

N



3. RZ-2016-532

2. RZ-2016-531

5. CU-2016-219

1. CU-2016-218

4. RZ-2016-533

River Bend

Sibley

Sugar Creek

Independence

Buckner

Levasy

Raytown

Lake Tapawingo

Blue Springs

Grain Valley

Oak Grove

Unity Village

Tarsney Lakes

Lake Lotawana

Lee's Summit

Lone Jack

Applicant:

**Gary & Roxanne Van Riessen
34505 East Drinkwater Road
Lone Jack, MO 64070**

**Parcel Nos: 58-600-02-10-02
58-600-02-01-02.2**

58-600-02-10-01

**Certified Mail – Return Receipt
Property Owners within 1000 feet**

58-100-03-01-03
Christopher Bartlett
34700 E. Drinkwater Rd.
Lone Jack, MO 64070

58-100-03-01.05
Steve Glakeler
11411 S. Gibson Rd.
Lone Jack, MO 64070

58-100-03-04
Jackson County Missouri

58-100-03-19
James Ponder
11405 S. Gibson Rd.
Lone Jack, MO 64070

58-100-04-03
Marlene Sapp – Trust
34804 E. Drinkwater Rd.
Lone Jack, MO 64070

58-600-01-02.01
Bob Stephens
34905 E. Drinkwater Rd.
Lone Jack, MO 64070

58-600-01-06.01
Clifford Phillips
11800 S. Helmig Rd.
Lone Jack, MO 64070

58-600-02-01.01
Daniel Neidholdt
120 S. Crysler St.
Independence, MO 64050

58-600-02-02
Ruth Parker.
34307 E. Drinkwater Rd.
Lone Jack, MO 64070

58-600-02-03
Connie McCain
24403 Cowherd Rd.
Blue Springs, MO 64015

58-600-02-08-01
Clifford Snider
18700 E. 18th St. N
Independence, MO 64058

58-600-03-09
Carson Franken
11900 S. Helmig Rd.
Lone Jack, MO 64070

58-600-02-05
George Sitter
11623 S. Drinkwater Rd.
Lone Jack, MO 64070

58-600-01-06.02
Christopher Phillips
11810 S. Helmig Rd.
Lone Jack, MO 64070



JACKSON COUNTY, MISSOURI
CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, MO 64050 by the deadline on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
4. 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.
5. The filing fee \$350.00 (non-refundable) must accompany application.
(Check payable to: Manager of Finance)

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU- 2016 - 218
 Date filed 3-15-16 Date of hearing 5-19-16
 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: Returning Glory - Equine Assisted Learning Center
 Address: 34505 E. Drinkwater Road
Lone Jack, mo 64070-8567
 Phone: 816.830.6576 Gary J. Van Riessen (President)
 - * b. Owner(s) Name: Gary J. & Roxanne B. Van Riessen
 Address: 34505 E. Drinkwater Road Lone Jack, mo 64070-8567
 Phone: Gary: (816) 830-6576 Roxanne: (816) 223-9662
 - c. Agent(s) Name: Gary J. Van Riessen - President

* See Attachment A - Trustee's Deed

Address: 34505 E. Drinkwater Road

Lone Jack, MO 64070-8567

Phone: (816) 830-6576

d. Applicant's interest in Property: Long-Term Lease Only => operation of Equine Assisted Learning Center

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: RD for phone call for

a period of 15 years; property described as follows: a tract of land 20 square feet (acres)

in size located at 34505 E. Drinkwater Road.

Present Zoning District Agricultural (A)

3. Legal Description of Property: (Write Below or Attached)

See Attachment B: Property Survey - 34505 E. Drinkwater Road

See Attachment C: Legal Description - 34505 E. Drinkwater Road

4. Present Use of Property: Residence / Equine Assisted Learning Center
Returning Glory

5. Proposed Use of Property: Same as #4 Above.

See Attachment D - Site Plan & Attachment E - Description of Operation

6. Estimated Time Schedule for Development: None planned @ this time. Possible
future covered arena as depicted on Attachment D.

7. What effect will your proposed development have on the surrounding properties?

NONE

8. 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

9. Describe the source/method which provides the following services, and what effect the development will have on same:

- a. Water Public Water Supply District # 15- Jackson County NO IMPACT
- b. Sewage disposal Private Aeration System Supplemented w/ Portable Units NO IMPACT
- c. Electricity West Central Electric Cooperative - NO IMPACT
- d. Heating Electric/Ground Source : Not Required for Operation (Typical) NO IMPACT
- e. Fire and Police protection Police - Jackson County Sheriff NO IMPACTS
*Emergency Fire - Lone Jack Fire Protection District

10. Describe existing road width and condition: E. Drinkwater Road is 2-Lane

Blacktop Road (width is 22') in Good Condition.

11. What effect will proposed development have on existing road and traffic conditions? Traffic is limited to approximately 10-12 vehicles/day for Monday - Friday and occasional Saturday (8am-8pm DST). Very little winter traffic. Facility closed Nov. - Feb., No Impact on Existing Road or Traffic.

12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? NO

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

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)

Gary Van Piessen
Roxanne B. Van Piessen

March 15, 2016

March 15, 2016

Applicant(s):

Gary Van Piessen (President)
Roxanne B. Van Piessen

March 15, 2016

March 15, 2016

Contract Purchaser(s): _____

STATE OF

Missouri

COUNTY OF

Jackson

On this 15th day of March, in the year of 2016, before me

the undersigned notary public, personally appeared Roxanne B. Van Piessen and Gary J. Van Piessen

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

Sandy Marad

Commission Expires

11-4-2019

SANDY L. MARAD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: November 4, 2019
Commission #15602015



Attachment E - Description of Operation

Request for Conditional Use Permit in Jackson County, MO Requested by: Returning Glory equine assisted learning center

Mission Statement

The mission of Returning Glory is to provide a horse ranch in a rural setting where individual and families (children, young adults, older adults, parents or corporate groups) can experience faith-based healing, restoration, and personal growth through equine assisted experiential learning in a non-threatening atmosphere. Interaction with horses in various situations can provide opportunities for individuals, families or groups to recognize and deal with issues that often hinder personal growth and interpersonal relationships.

Additional Program Information

Returning Glory, along with supporting volunteers, facilitators, counselors and therapists, interact and work with disadvantaged children that have been abused and/or neglected resulting in various forms of diagnosed disorders, including ADD, ADHD, Alcohol Fetal Syndrome, and Reactive Attachment Disorder. We also provide opportunities for "blended" families and families with newly adopted children to developed parent-child bonding and relationship building. Returning Glory also partners with various school districts in providing alternative learning experiences and life-skill development for elementary, junior high and high school youth-at-risk. We also provide opportunities for church and corporate activities associated with team building and goal setting. Returning Glory is a (501-C-3) nonprofit organization, operating for the past five years in Jackson County, Missouri, and in Cass County, Missouri for nine years prior to July 2011. We depend on public contributors and benefactors to provide operating funds and infrastructure needs. The attached brochures contains additional information for the application, or visit our web site at www.returningglory.com to obtain additional background information.

Summary of General Operations

Returning Glory session schedule:

April - October, Monday - Thursday, 8AM - 8PM

Saturday approximately once per month per group needs

November - March, closed due to inclement weather

Traffic pattern:

There will be approximately 10-15 cars per day, at various times during the day.

Equine information:

12 horses for the program

7 different horse owners, all horses leased through Returning Glory.

Horses kept mostly in paddocks, with daily limited pasture time.

Manure will be picked up daily in paddocks and spread in pasture for fertilizer.

Facility utilization:

Presently, the existing outdoor arena will be the location of classes.

No outdoor lighting will be installed.

Proposed future indoor arena will accommodate students during inclement weather.

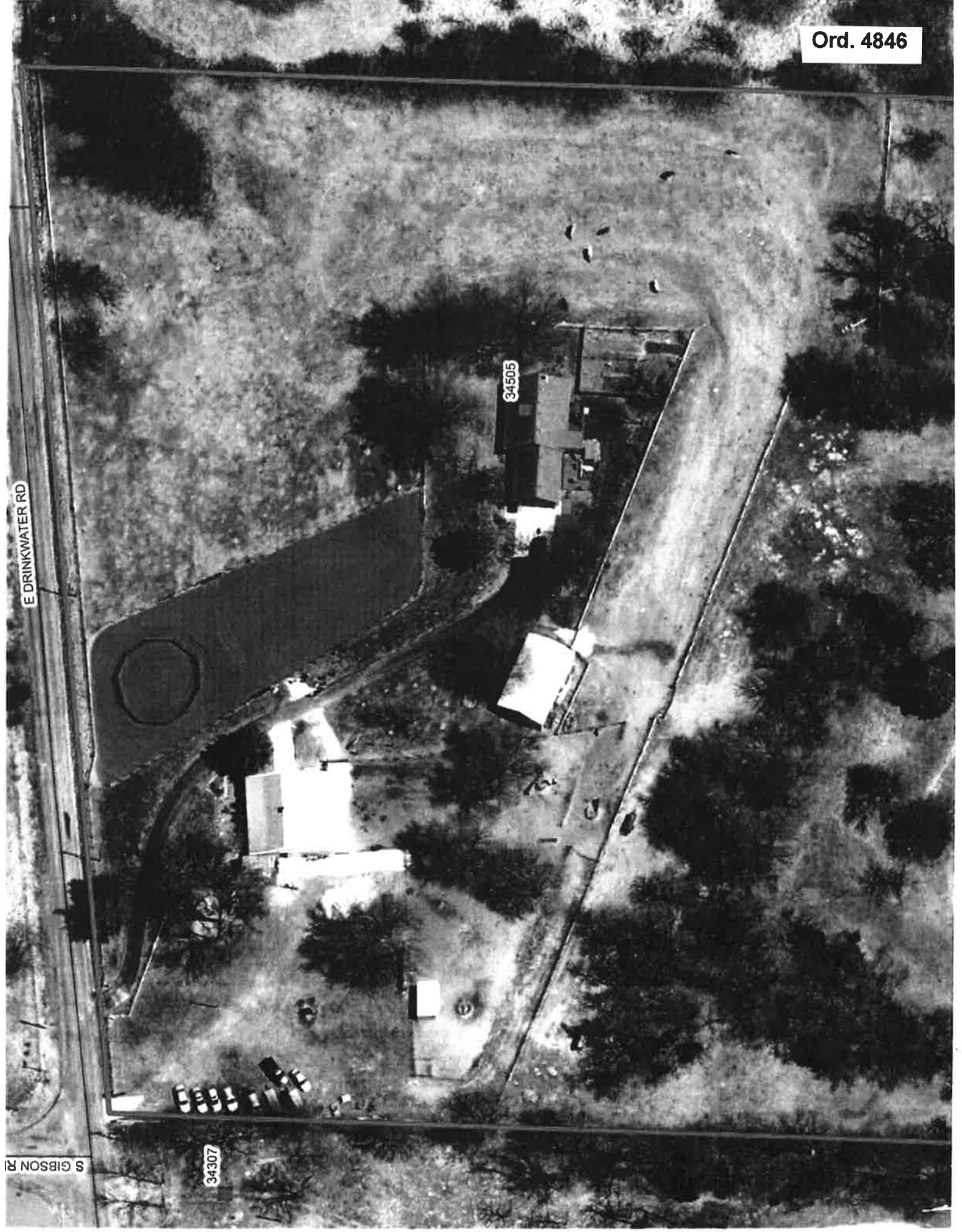
Ord. 4846

E DRINKWATER RD

34505

34307

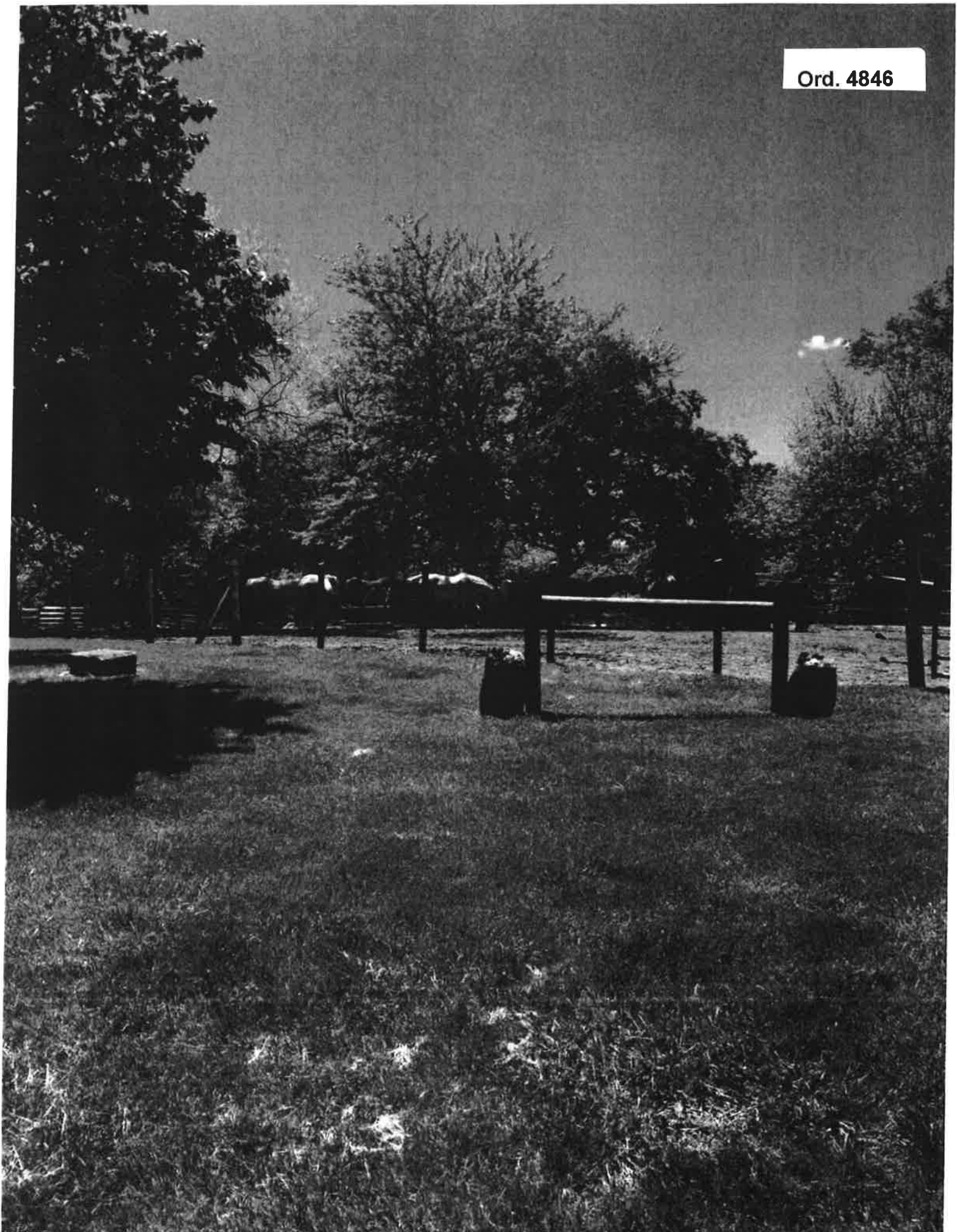
S GIBSON RI



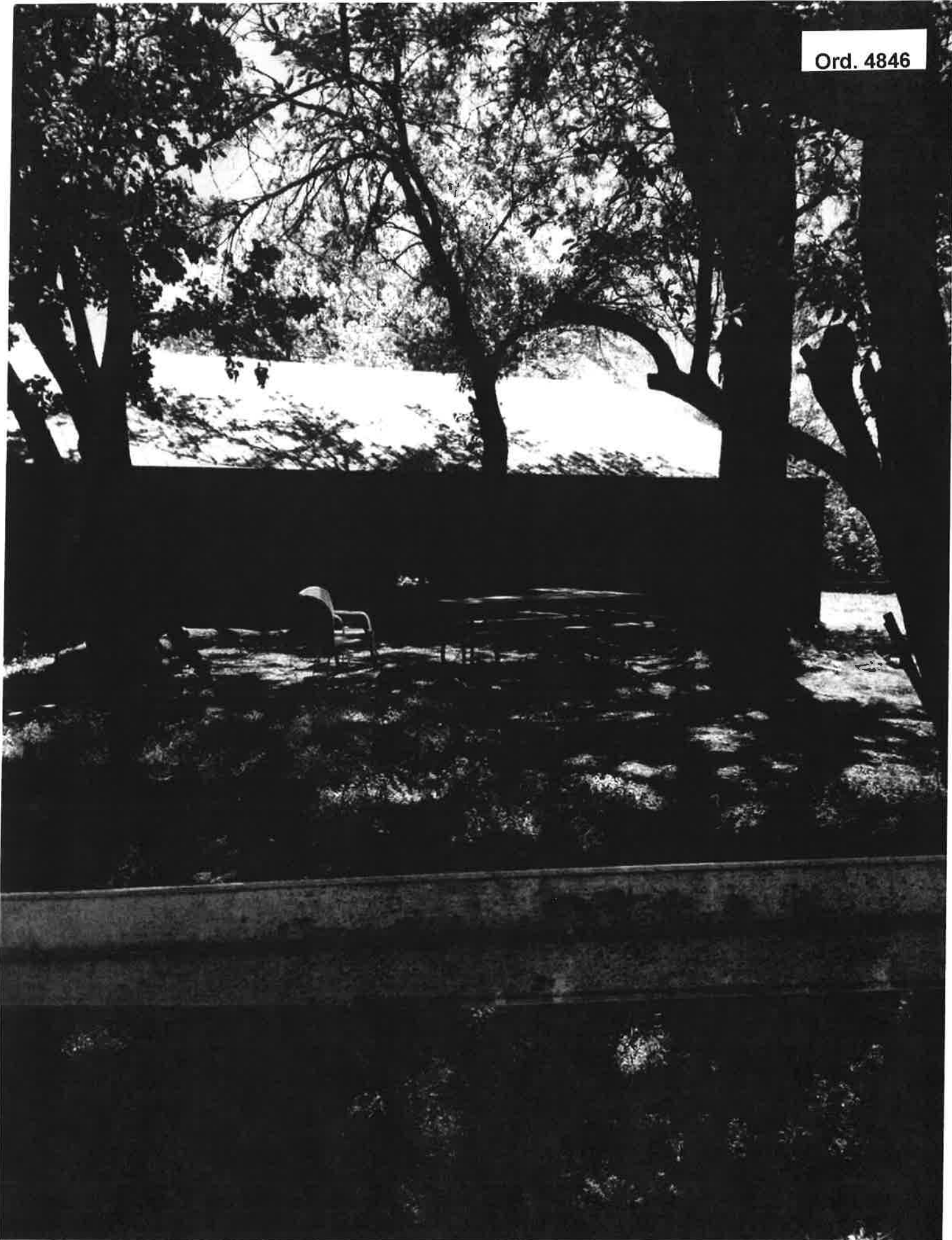
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