

AGENDA
CITY OF RAYTOWN
PLANNING AND ZONING COMMISSION MEETING

December 3, 2015
Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133

WORK SESSION

6:00 pm

- 1. Review of City of Raytown Comprehensive Plan**

REGULAR MEETING

7:00 pm

- 1. Welcome by Chairperson**
- 2. Call meeting to order and Roll Call.**

Wilson:	Jimenez:	Stock:
Bettis:	Robinson:	Lightfoot:
Hartwell:	Dwight:	Meyers:

- 3. Approval of minutes**
 - A. November 5, 2015 meeting**
 1. Revisions
 2. Motion
 3. Second
 4. Additional Board Discussion
 5. Vote
 - B. November 12, 2015 meeting**
 1. Revisions
 2. Motion
 3. Second
 4. Additional Board Discussion
 5. Vote
- 4. Old Business – None**

5. New Business

A. Application: Conditional Use Permit application for a Food Production / Manufacturing business in the Center 63 Shopping Center located at 6240 Raytown Trafficway, Raytown, MO 64133

Case No.: PZ-2015-012

Applicant: Cindy Rupp on behalf of AHG, Inc.

1. Introduction of Application
2. Open Public Hearing
3. Explain Procedure for a Public Hearing and swear-in speakers
4. Enter Relevant City Exhibits into the Record:
 - a. Conditional Use Permit Application submitted by applicant.
 - b. Publication of Notice of Public Hearing in Daily Record Newspaper advertisement.
 - c. Public Hearing Notices sent to property owners within 185-feet of subject property.
 - d. City of Raytown Zoning Ordinance, as amended.
 - e. City of Raytown Comprehensive Plan.
5. Explanation of any exparte' communication from Commission members regarding the application.
6. Introduction of Application by Staff
7. Presentation of Application by Applicant
8. Request for Public Comment
9. Additional Comment by Applicant, if necessary
10. Additional Staff Comments and Recommendation
11. Board Discussion
12. Close Public Hearing
13. Board Decision to Approve, Conditionally Approve or Deny the Application.
 - a. Motion
 - b. Second
 - c. Additional Board Discussion
 - d. Vote

B. Application: Final Site Development Plan for a bakery at 5902 Blue Ridge Boulevard

Case No.: PZ-2015-013

Applicant: Wanda Mullins

1. Open Public Hearing
2. Explain Procedure for a Public Hearing and swear-in speakers
3. Enter Relevant City Exhibits into the Record:
 - a. Application submitted by applicant
 - b. Site Development Plan submitted by applicant
 - c. Publication of Public Hearing Notice
 - d. Public Hearing Notices sent to property owners within 185-feet of subject property
 - e. City of Raytown Zoning Ordinance, as amended
 - f. City of Raytown Comprehensive Plan

4. Explanation of any exparte' communication from Commission members regarding the application.
5. Introduction of Application by Staff
6. Presentation of Application by Applicant
7. Request for Public Comment
8. Additional Comment by Applicant, if necessary
9. Additional Staff Comments and Recommendation
10. Board Discussion
11. Close Public Hearing
12. Board Decision to Approve, Conditionally Approve or Deny the Application.
 - a. Motion
 - b. Second
 - c. Additional Board Discussion
 - d. Vote

C. Application: Application to rezone property located at 6200 Blue Ridge Boulevard from Neighborhood Commercial and Planned District Overlay (NC-P) to Neighborhood Commercial, Central Business District Overlay District and Town Square Overlay District (NC-CBD-TS).

Case No.: PZ-2015-011

Applicant: City of Raytown

1. Open Public Hearing
2. Explain Procedure for a Public Hearing
3. Enter the Following Relevant Exhibits into the Record:
 - a. Application for Rezoning
 - b. Public Hearing Notice published in The Daily Record newspaper
 - c. Public Hearing Notice sent to Property Owners within 185-feet of subject property
 - d. City of Raytown Zoning Ordinance, as amended
 - e. City of Raytown Comprehensive Plan
 - f. Staff Report
4. Introduction of Application by Staff
5. Presentation of Application By Applicant
6. Request for Public Comment
7. Additional Comments by Applicant, if necessary
8. Additional Staff Comments and Recommendation
9. Board Discussion
10. Close Public Hearing
11. Board Decision to Approve, Conditionally Approve or Deny the Application.
 - a. Motion
 - b. Second
 - c. Additional Board Discussion
 - d. Vote

6. Other Business

7. Planning Projects Report

8. Set Future Meeting Date – January 7, 2016

9. Adjourn

A. Motion

B. Second

C. Vote

MINUTES
CITY OF RAYTOWN
PLANNING AND ZONING COMMISSION MEETING

November 05, 2015
Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133

REGULAR MEETING

7:00 pm

1. Welcome by Chairperson: Alderman Steve Meyers was present on behalf of Chairman Kevin Wilson.
2. Call meeting to order and Roll Call: Alderman Meyers called the meeting to order at 7:03 pm. Due to a lack of a quorum, Alderman Meyers continued the November 05, 2015 Planning and Zoning Commission Meeting to Thursday, November 12, 2015 at 7:00 pm.
3. Adjourn: Alderman Meyers adjourned the meeting at 7:04 pm.

MINUTES
CITY OF RAYTOWN
PLANNING AND ZONING COMMISSION MEETING

November 12, 2015
Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133

1. Welcome by Chairperson: Chairman Kevin Wilson called the meeting to order at 7:04 pm and welcomed everyone to the November 12, 2015 Planning and Zoning Commission Meeting.

2. Call meeting to order and Roll Call.

Wilson: Present	Jimenez: Present	Stock: Absent
Bettis: Present	Robinson: Present	Lightfoot: Absent
Hartwell: Present	Dwight: Present	Meyers: Present

Others present: John Benson, Director of Development and Public Affairs Department; George Kapke, City Attorney, Kapke & Willerth Law Firm; Scott Peterson, Permit Technician, Development and Public Affairs Department.

3. Approval of minutes – October 1, 2015 meeting

- (1) Revisions- None
- (2) Motion- Mr. Meyers made a motion to approve the minutes for the October 1, 2015 meeting.
- (3) Second- Ms. Hartwell seconded Mr. Meyer's motion.
- (4) Additional Board Discussion-None
- (5) Vote- Motion passed unanimously (8-0).

4. Old Business – None

5. New Business

A. Application: Application to consider the following requests relating to property located at 6009 through 6017 Blue Ridge Cutoff:

- (1) Final Plat of Raytown Crossing East – Second Plat; and**
- (2) Vacate a portion of 75th Street public right-of-way.**

Case No.: PZ-2015-010

Applicant: Block & Co on behalf of Raytown Auto Developers, LLC

Explanation of any exparte' communication from Commission members regarding the application. – None.

Introduction of application by staff. –Mr. John Benson introduced the application to the board. Mr. Benson clarified that this development involves three phases, and this plat is for the second phase of the three phase development.

Swearing in of applicant: The City Attorney swore in those wishing to speak on the application.

Presentation by applicant- Shannon Buster of Lutjen Inc. presented the application on behalf of Block and Co. and said that the plat would create two lots for commercial development. Ms. Buster explained

the applicant's coordination with the City and with the Missouri Department of Transportation (MoDOT) to ensure that all needs are met along 350 Highway.

Ms. Buster was asked about the vehicular exits onto the highway. She explained that there is a collector drive that will serve as the entrance and exit to the highway for the entire development and that neither of the proposed two lots will have direct driveways onto Highway 350.

Mr. Jimenez asked about the storm water runoff facilities on the development. Ms. Buster explained that there will be a storm water detention basin with a ground level inlet that is open on two sides.

Ms. Dwight asked about the timeline for the public improvement projects on Highway 350 that the Missouri Department of Transportation will be constructing relating to Raytown Road and 75th St. Mr. Benson stated that it would be about a year or more before those improvements would be constructed.

Board Discussion.- No additional board discussion.

Board Decision to Approve, Conditionally Approve or Deny the Application.

- a. Motion- Mr. Jimenez made a motion to approve.
- b. Second- Mr. Bettis seconded the motion by Mr. Jimenez.
- c. Additional Board Discussion- None.
- d. Vote- Motion passed unanimously (8-0).

6. Other Business- None.

7. Planning Projects Report- None.

8. Set Future Meeting Date – December 3, 2015

9. Adjourn: With no further business to be considered by the Commission, Chairman Wilson adjourned the meeting.

STAFF REPORT

To: The City of Raytown Planning and Zoning Commission

FROM: The Community Development Department

DATE: December 3, 2015

SUBJECT: Agenda Item No. 5.A: Conditional Use Permit application for a Food Production / Manufacturing business in the Center 63 Shopping Center.

BACKGROUND INFORMATION:

Cindy Rupp on behalf of AHG, Inc. is seeking approval of a conditional use permit to operate a food production / manufacturing business in the Center 63 Shopping Center on Raytown Trafficway. If approved, the proposed use would be located on the south end of the shopping center in the tenant space that was previously occupied by a Save-A-Lot grocery store. The business would be known as Amelia's Foods, LLC and would produce / manufacture Mexican food such as burritos, quesadillas and tamale's. The proposed use would not sell or provide the food produced to the public. Rather, the food produced would be sold wholesale to restaurants.



Factors to Be Considered

In considering any application for a conditional use permit, the Planning Commission shall give consideration to the health, safety, morals, comfort and general welfare of the inhabitants of the city, including but not limited to, the following factors.

1. Character of the neighborhood:

The neighborhood in which the proposed use would be located consists of retail, restaurant and other commercial services.

2 Consistency with the zoning and current uses on nearby property.

The property to which the conditional use permit application applies is zoned Neighborhood Commercial (NC). The zoning and existing uses on all surrounding properties is also NC and is comprised of commercial uses which are more specifically described below:

East: Raytown Trafficway is located to the east of the subject property with railroad right-of-way located on the east side of Raytown Trafficway. The area to the east is zoned are zoned Neighborhood Commercial (NC).

West: Arlington Street is located to the rear of the subject site with commercial uses located on the west side of Arlington. The area to the west is zoned Neighborhood Commercial (NC).

South: Restaurant and other commercial uses are located to the south which front onto 63rd Street and are zoned Neighborhood Commercial (NC).

North: Commercial uses are located to the north which is zoned Neighborhood Commercial (NC).

The proposed use is an industrial type of use as it manufactures food. However, the applicant states in their application that the truck traffic will be less than what was generated by the grocery store that was previously located in the space in which they want to locate. In addition, they have stated that they will employ between 30 and 50 employees that will be similar to the number of vehicles generated by the previous uses in this tenant space.

3 Suitability of the subject property for the proposed use.

The proposed conditional use would be located in one of the tenant spaces in the Center 63 shopping center. The space in which they would locate is currently vacant and previously was used for two different grocery stores. As previously stated, according to the applicant, truck traffic will be less than what was generated by the grocery stores that were previously located in the space. In addition, they have stated that they will employ between 30 and 50 employees that will be similar to the number of vehicles generated by the previous uses in this tenant space. The applicant also has stated that these employees would be potential customers to other businesses in the shopping center and surrounding area.

4 Potential effects of conditional use permit approval.

The Potential effects of the proposed use could include: odors, noise and traffic. According to the applicant the proposed use would generate an odor but the odor would be no more than odors created by restaurants in the shopping center and surrounding areas. The application states that no external noise would be generated by the use but that there would be noise generated by trucks that will come to the site. However, the noise from these trucks would not be any greater than the level of noise generated by trucks that came to the grocery stores that were previously located on the property. The application states that the traffic would be limited to trucks and employee vehicles. Additionally, the trucks coming to the site would not exceed the number of trucks that were generated by the previous grocery store uses on the property.

5 Duration Vacancy.

The tenant space in which they would locate has been vacant for the past few years since the Save-A-Lot grocery store closed. Prior to that, the tenant space had been vacant for 20 months following the closing of the Thriftway grocery store.

6. Consideration of public interest versus landowner hardship.

The proposed use will provide between 30 and 50 jobs if approved and occupy a vacant tenant space. If denied, the tenant space will continue to remain vacant and the property owner will have lower revenues generated by the property.

7. Adequacy of utilities and other public facilities to accommodate the proposed use.

The property in which the conditional use would be located is served by existing utilities and services. According to the application, the existing utilities and other public facilities are adequate to serve the proposed use.

8. Consistency with the adopted comprehensive plan.

The type of use proposed is industrial in nature. The comprehensive plan identifies the area in which the conditional use is proposed as an area for commercial development. Therefore the use proposed is not consistent with the comprehensive plan. The applicant, however, has stated that the proposed use will be consistent with the intensity of commercial uses that are envisioned for the area by the Comprehensive Plan and will also bring 30 to 50 jobs to the area that will help support commercial businesses on the property and in the surrounding area.

STAFF RECOMMENDATION:

It is the recommendation of staff that the conditional use permit for the proposed food production / manufacturing business be approved subject to compliance with applicable local, state and federal laws and regulations.

Case Number _____
Date Received _____
Map Page _____

**CITY OF RAYTOWN
APPLICATION FOR CONDITIONAL USE PERMIT**

PART I Background Information

1. This request applies to property at the following address:
6250 Raytown Trafficway, Raytown, MO 64133

2. The name(s), address(es), and phone number(s) of the property owners: (As listed on the deed)

Name	Address	Phone

3. We, the property owner(s), do hereby appoint the following person as our agent during consideration of our request:

Name	Address	Phone
Cindy Rupp	2006 Wyandotte St. #106, KCMO 64108	(815) 200-2124 cindy@milasfoods.com

4. The property is currently being used for the following purposes:

vacant

5. Zoning classification of the property: NC

6. Specify the use desired for the property: food manufacturing

7. Please list all existing structures and their heights located on the property:

Structure	Height
<u>building</u>	<u>15 ft (approximate)</u>

8. We, the undersigned, do hereby authorize the submission of this application and associated documents, and do hereby certify that all the information contained therein is true and correct. (Signatures of property owners)

Cynthia Rupp 11/16/15

PART II Conditional Use Permit Information

In considering an application for a conditional use permit, the city shall give consideration to the health, safety, morals, comfort and general welfare of the inhabitants of the city, including but not limited to the following factors:

1. The stability and integrity of the various zoning districts;
2. Conservation of property values;
3. Protection against fire and casualties;
4. Observation of general police regulations;
5. Prevention of traffic congestion;
6. Promotion of traffic safety and the orderly parking of motor vehicles;
7. Promotion of the safety of individuals and property;
8. Provision for adequate light and air;
9. Prevention of overcrowding and excessive intensity of land uses;
10. Provision for public utilities and schools;
11. Invasion by inappropriate uses;
12. Value, type and character of existing or authorized improvements and land uses;
13. Encouragement of improvements and land uses in keeping with overall planning; and
14. Provision for orderly and proper renewal, development and growth.

The information provided by the applicant to the following questions is an opportunity to justify approval of a conditional use permit based on the above listed factors.

If the space provided is not adequate, the applicant may attach additional pages. The applicant is also encouraged to submit any other pertinent information, such as photographs, drawings, maps, statistics, legal documents, and letters of support.

A. The proposed conditional use will be in keeping with the character of the neighborhood because:

Amila's Foods, LLC would love the opportunity to create jobs for the surrounding neighborhoods as well as potentially bringing more revenue to the area by bringing people into the area and in turn them contributing their time and income to local restaurants and other small businesses. I believe the character of the neighborhood could only benefit from our company.

B. The proposed use will be consistent with the uses and zoning on nearby parcels because:

The parking lot would be used for employees as we are not going to be selling retail (wholesale only). There will not be any more trucks for pick-up and deliveries than the previous tenant, Save-a-lot.

C. This property is more suited for the proposed use than its current uses because:

The current state of the property is vacant and from what we understand it has been vacant for a while. The property deserves to have a tenant who will help the area flourish in the ways we are looking to do.

D. The proposed conditional use could have the following detrimental effects on nearby parcels:

Traffic- there will be truck traffic for deliveries but like mentioned before, Save-A-Lot was the previous tenant and it would be no more than they had.

Odor- Manufacturing food has a smell associated with it but there would be no more than the restaurants surrounding the area. We manufacture Mexican food: Burritos/quesadillas/Tamates.

Noise- From trucks but as previously stated, Save-A-Lot had this same "issue." No sound outside from manufacturing.

HOURS- We have USDA products, so it would be normal hours (7am-4pm)

E. Prior to submitting this application, the property has been vacant for:

F. If the application is denied, the property owner(s) will face the following hardships:

- ① The property will remain vacant.
- ② The property may not have a tenant who wants to be in the space for a minimum of 5 years.
- ③ Maintaining a vacant building
- ④ Taxes and other fees (insurance) on a vacant building.

G. Public facilities and utilities are adequate to serve the proposed use as follows:

All necessary utilities are adequate and up to code to serve the proposed needs.

H. Additional comments:

Amila's Foods, LLC greatly looks forward to helping the community grow and supporting the city as well as having the support of the City of Raytown with our endeavor!



RETAIL FOR LEASE

CENTER 63
6204-6240 Raytown Trafficway
Raytown, Missouri 64133

1,495 - 3,500± SF SMALL SHOP SPACE AVAILABLE
15,347 - 31,605± SF JUNIOR ANCHOR SPACE AVAILABLE



ZONING

Retail

SIZE

1,495 - 3,500± SF
15,347 - 31,605± SF

BUILDING FEATURES

- Traffic Counts:
63rd Street - 11,903 CPD
Raytown Trafficway - 10,715 CPD
- Great visibility and access on Raytown Trafficway
- Tenants include H&R Block, UPS Store, Direct General and more!
- 3,500± SF restaurant space available

2013 DEMOGRAPHICS

1 Mile	3 Mile	5 Mile	
Population	9,265	55,413	135,739
Household Income	\$51,722	\$56,436	\$53,494

FOR MORE INFORMATION, PLEASE CONTACT:

Audrey Navarro
Director of Retail Brokerage
(816) 936-8576
anavarro@kessingerhunter.com

Sher Blandford
Retail Brokerage
(816) 936-8525
sblandford@kessingerhunter.com

KESSINGER/HUNTER & COMPANY, LC
2600 Grand Boulevard, Suite 700
Kansas City, MO 64108
(816) 842-2690
www.kessingerhunter.com



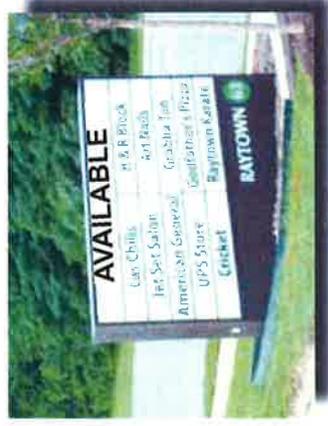
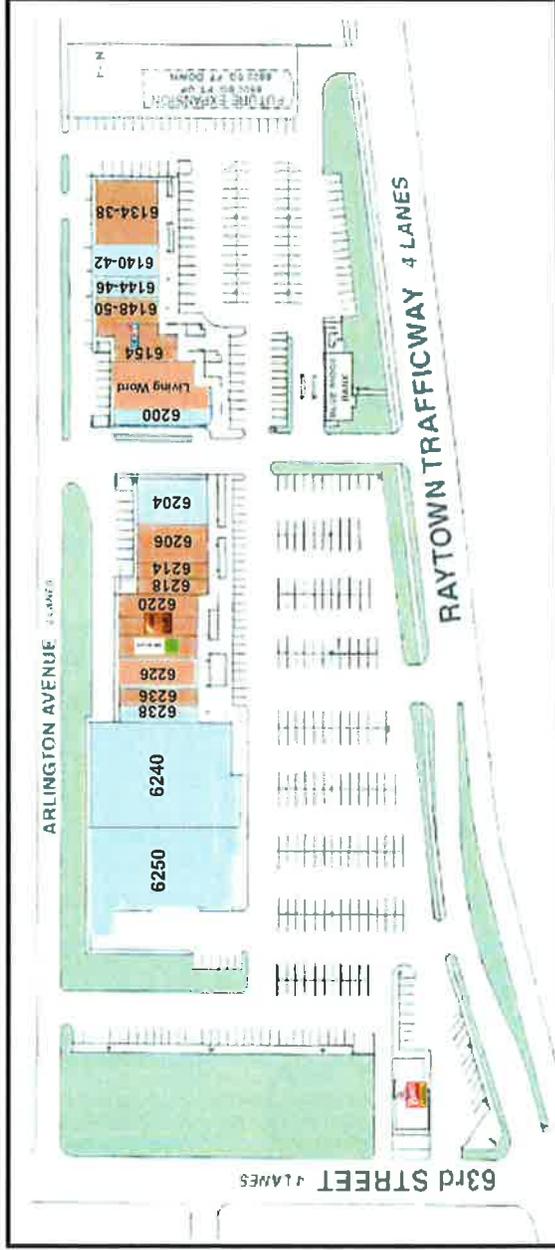
KESSINGER & HUNTER
INDEPENDENTLY OWNED AND OPERATED



CENTER 63
6204-6240 Raytown Trafficway
Raytown, Missouri 64133

RETAIL FOR LEASE

1,495 - 3,500± SF SMALL SHOP SPACE AVAILABLE
15,347 - 31,605± SF JUNIOR ANCHOR SPACE AVAILABLE



Space	Tenant	SF	Space	Tenant	SF	Space	Tenant	SF
6250	AVAILABLE	16,258	6218	Consignment Furniture	1,440	6148-50	State of Missouri	2,050
6240	AVAILABLE	15,347	6214	Jet Set Beauty Salon	1,400	6144-46	AVAILABLE	1,495
6238	AVAILABLE	1,735	6206	Las Chili's	3,451	6140-42	AVAILABLE	2,048
6236	Nail Arts	1,354	6204	AVAILABLE	3,500	6134-38	Motor-Vehicle Fee	4,098
6226	Consignment Boutique	2,740	6200	AVAILABLE	1,872			
6224	H&R Block	2,000	6158-60	Living Word Testament Church	4,591			
6222	UPS Store	1,680	6154	Salon 1011	850			
6220	Springleaf Financial	1,975	6152	Check Into Cash	1,462			

FOR MORE INFORMATION, PLEASE CONTACT:

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Kansas City, MO 64108
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www.kessingerhunter.com



KESSINGER/HUNTER
INDEPENDENTLY OWNED AND OPERATED

Raytown Trafficway 4 Lanes is a development of the Raytown Trafficway 4 Lanes project. All subject to change. Utility 4/13/14

STAFF REPORT

To: The City of Raytown Planning and Zoning Commission
FROM: The Community Development Department
DATE: DECEMBER 3, 2015
SUBJECT: AGENDA ITEM No. 5.B: FINAL SITE DEVELOPMENT PLAN FOR A BAKERY AT 5902 BLUE RIDGE BOULEVARD

BACKGROUND INFORMATION:

Wanda Mullins is seeking to open a bakery in an existing building located at 5902 Blue Ridge Boulevard. The property is located within the CBD Overlay District and is therefore, subject to the applicable design standards specified within this overlay district. The CBD Design Standards are divided into the following three categories:

- Commercial Site Design;
- Commercial Building Design; and
- Commercial Sign Design.

There is an existing building on the property that is not proposed to have any additions or exterior alterations made to it. Therefore the building design standards and sign design standards are not applicable. The applicant is, however, proposing to construct a parking lot on the property which is subject to the Site Design Standards provided in the CBD Overlay District. The applicant has submitted a site development plan, a copy of which is attached, and identifies the location of the proposed parking lot.



MATTERS TO BE CONSIDERED

Staff has reviewed the submitted site development plan in relation to the following Commercial Site Design standards specified in the CBD Design Standards Overlay District.

1. Location of Parking Facilities: According to the CBD Design Standards the intent of this requirement is to maintain a contiguous, active pedestrian street front by locating parking facilities behind buildings. The subject property is a corner lot. Therefore, in order to comply with this standard the parking lot would need to be located to the rear (west) or on the south side of the existing building. As shown on the submitted plans the proposed parking is proposed to be located on the north side of the existing building adjacent to Blue Ridge Boulevard and 59th Street. Because the parking lot is would be between the building and these streets, it is considered to be located in front of the building and therefore does not comply with this CBD design standard.

The applicant wants to have the parking lot in this area of the property in order to:

- a. Utilize the existing driveway on the property;
- b. Provide access to the existing garage that is located in the basement of the building and accessed on the north side of the building; and
- c. Provide parking in closer proximity to the entrance to the bakery.

If the parking lot were to be located on the south side of the building, it would necessitate either a separate driveway from Blue Ridge Boulevard or construction of a long drive off of the parking area to access the garage, which the applicant says would increase their construction costs. Also, if the parking area were constructed to entirely the rear of the building, it would require customers to walk back to the front of the building, which they feel would be inconvenient and hurt their business.

The CBD Design Standards allow the Board of Aldermen to approve an alternative to this design standard that requires parking facilities to be located behind the building. The CBD Design standards additionally state that if an alternative is approved and parking is allowed to be located beside the building, then parking facilities are to provide a 10 foot wide planting area between the parking facility and street right-of-way to include:

- a. a year-round sight barrier;
- b. evergreen shrubs;
- c. evergreen ground cover; and
- d. shrub material maintained at a maximum height of 3 feet for visibility.

There are a few options to this design issues.

1. Require the entire parking lot area to be relocated to the south side of the building so that it will be in full compliance with this design standard; or
2. Approve the parking lot layout alternative as proposed.
3. Approve a modified parking layout that relocates the two handicap parking spaces to the west thereby placing the parking lot area no closer to Blue Ridge Boulevard than the front porch of the building on the property, thereby placing it to the side of the building in context to Blue Ridge Boulevard while allowing the parking area to be located between (i.e. in 'front' of) the building and 59th Street. This alternative would also necessitate the site detention area to be modified, the final design of which has not yet been completed.
4. The same as option 3 above but require the three parking spaces near the northeast corner of the parking lot area to also be moved to the west side of the proposed parking area thereby extending the parking lot area further to the west along 59th Street while maintaining more open landscape area along Blue Ridge Boulevard and at the intersection of 59th Street and Blue Ridge Boulevard. This alternative would also necessitate the site detention area to be modified, the final design of which has not yet been completed.

The submitted site development plan does depict a 10-foot-wide landscape buffer between the parking area and 59th Street as well as Blue Ridge Boulevard which meets this standard when an alternative is approved.

Staff recommends that Alternative 3 or 4 be required.

2. Consolidating Parking Facilities: According to the CBD Design Standards the intent of this requirement is to reduce the overall impact of parking within the CBD by consolidating parking facilities whenever possible. There are no other businesses on adjoining properties therefore this standard is not applicable.
3. Location of Driveways: According to the CBD Design Standards the intent of this requirement is to maintain a contiguous, uninterrupted sidewalk by minimizing, consolidating and/or eliminating driveway access off Primary Pedestrian Streets. The CBD Design Standards identify 59th Street and Blue Ridge Boulevard as a 'Primary Pedestrian Street'. As such, because both streets are 'Primary Pedestrian' streets, the CBD Design Standards allow for access to the property to be from one of these streets. The CBD Design Standards also state when a driveway is allowed on a 'Primary Pedestrian Street', the driveway entrance shall include an identifying feature of low-maintenance materials, such as an iron-work trellis, monument, low wall/column or special landscape treatment. Furthermore, the sidewalk-paving material/treatment shall extend across the driveway entrance. The site development plan complies with this standard as the applicant has added additional landscaping plantings on either side of the entrance drive on Blue Ridge Boulevard and extended sidewalk pavement treatment across the driveway entrance.

4. Parking Lot Landscape: According to the CBD Design Standards the intent of this requirement is to reduce the visual impact of parking lots through landscape areas, trellises and/or other architectural features, and to visually maintain a building line along the street. This standard states that parking lot landscape is to be used to reinforce pedestrian, bicycle and vehicular circulation, such as: parking lot entrances, ends of driving aisles, and to define pedestrian connections through parking lots. Staff feels the submitted site development plan achieves this standard.
5. Pedestrian Connections: The intent of this CBD Design Standard is to create a network of linkages for pedestrians, including locating building entrances adjacent to sidewalks. The existing house on the property is not located immediately adjacent to the sidewalk. The front entrance to the building, however, is located on the front of the building facing Blue Ridge Boulevard and is accessible from the sidewalk along Blue Ridge Boulevard as well as the parking area. The location and design of the front entrance complies with the requirements for this standard.
6. Blocks, Crosswalks and Intersections: Because the proposed project encompasses only one property rather than a larger area, this standard is not applicable.
7. Through-Block Passages: Because the proposed project encompasses only one property rather than a larger area, this standard is not applicable.
8. Site Landscape Areas: According to the CBD Design Standards the intent of this requirement is to reinforce the character of downtown Raytown and the surrounding built environment through site landscaping. This requirement states that:
 - a. All areas not otherwise devoted to landscape required by the CBD Design Elements, the Raytown Municipal Code, parking, structures or other site improvements shall be planted, or remain in existing native, non-invasive vegetation.
 - b. Where new landscape areas are provided, plant materials shall provide year-round color, texture and/or other special interest.
 - c. Landscaping shall consist of drought-tolerant plantings such as evergreens, deciduous trees and shrubs, and decorative grasses. A minimum 20% of plant varieties shall provide year-round color, texture and/or other special interest. Shrubs shall be maintained at a maximum 3-foot height for visibility.
 - d. All landscape areas shall be maintained per the Raytown Landscape Ordinance.

Staff has reviewed the Site Development Plan and, though specific detail of the type of plantings needs to be provided, staff has determined that it complies with the above requirements for this standard.

9. Street Trees: According to the CBD Design Standards the intent of this requirement is to maintain a consistent street frontage throughout the downtown area through the planting of trees along streets and sidewalks. This requirement states that street trees are to be located between the sidewalk and curb edge within the public right-of-way, where feasible. In reviewing the submitted plans, staff feels that there is not sufficient space to plant street trees along Blue Ridge Boulevard due to the narrow space between the sidewalk and the street. In addition, there are overhead utility lines along the Blue Ridge Boulevard right-of-way, which the trees would interfere with as they grew taller. Therefore, it is not feasible to plant the trees within the street right-of-way as called for by this standard. Staff recommends that the street trees along Blue Ridge Boulevard proposed be relocated onto the applicant's property behind the sidewalk. This will enable the street trees to meet the intent of this standard.
10. Site Lighting: The intent of this requirement is to provide pedestrian scale lighting, accent lighting and festival lighting to accompany street lighting in the downtown area. Exterior lighting for the property is proposed to be located on the exterior of the building.
11. Sidewalk Paving: The intent of this requirement is to maintain a consistent street frontage throughout the Central Business District. This requirement stipulates that sidewalk paving material shall be not less than 5-feet and shall be separated from the curb by a strip of land that consists of either grass or a strip of bricks, stone, or stamped and color-blended concrete. As depicted on the Site Plan, there is an existing sidewalk along Blue Ridge Boulevard and 59th Street which is separated from the curb by a strip of grass. These sidewalks will remain.
12. Bicycle Lanes: Because the proposed project encompasses only one property rather than a larger area, this standard is not applicable.
13. Site Furnishings: The intent of this requirement is to create a more pedestrian friendly street through the use of site furnishings at plazas, building entrances and other pedestrian areas. This regulation does not require site furnishings. Rather, it specifies durability standards and location standards if site furnishings are provided. The proposed project does not propose any site furnishings. Therefore, this design standard is not applicable.
14. Courtyards, Plazas and Open Space: The intent of this requirement is to reinforce the pedestrian nature of the downtown area by creating usable open space for pedestrians. This regulation does not require courtyards, plazas and open spaces to be provided. Rather, it specifies standards relating to safety and security if they are provided. The proposed project does not propose a courtyard, plaza or open space area. Therefore, this design standard is not applicable.
15. Town Square Gateways: Because the proposed project is not located at the intersection of in the Town Square Area (as defined in the CBD Plan) this design standard is not applicable to this project.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed Final Site Development Plan subject to the following modifications:

1. The parking lot be modified so that handicap parking spaces are moved further to the west thereby placing the parking lot area no closer to Blue Ridge Boulevard than the front porch of the building on the property.
2. The three parking spaces near the northeast corner of the parking lot area be moved to the west thereby extending the parking lot area further to the west along 59th Street while maintaining more open landscape area along Blue Ridge Boulevard and at the intersection of 59th Street and Blue Ridge Boulevard.
3. The location of the street trees to be planted along Blue Ridge Boulevard be moved onto the applicant's property behind the sidewalk so they will not interfere with the overhead power lines along Blue Ridge Boulevard.

STAFF REPORT

To: The City of Raytown Planning and Zoning Commission

FROM: The Community Development Department

DATE: December 3, 2015

SUBJECT: Agenda Item No. 5.C: Application to rezone property located at 6200 Blue Ridge Boulevard from Neighborhood Commercial and Planned District Overlay (NC-P) to Neighborhood Commercial, Central Business District Overlay District and Town Square Overlay District (NC-CBD-TS).

BACKGROUND INFORMATION:

The City of Raytown is seeking to rezone a 3.85 acre area located at 6200 Blue Ridge Boulevard from Neighborhood Commercial District and Planned District Overlay (NC-P) to Neighborhood Commercial, Central Business District Overlay and Town Square Overlay District (NC-CBD-TS). The area proposed to be rezoned is depicted on the aerial photo below. The rezoning is being sought as the city wishes to revert the zoning of this city owned property back to what the zoning was prior to the proposed Walmart Neighborhood Market grocery store, which was proposed and approved in 2013.



REZONING APPLICATION FACTORS TO BE CONSIDERED:

When considering a rezoning request the Zoning Ordinance states that the following criteria should be considered in order to determine whether the application should be approved or denied.

1. CHARACTER OF THE NEIGHBORHOOD

The area surrounding the property proposed to be rezoned consists of a mix of commercial, institutional and residential uses.

2. ZONING AND CURRENT USES OF NEARBY PROPERTY

The following provides an overview of the zoning and existing land uses on properties surrounding the subject area:

	<u>ZONING</u>	<u>EXISTING LAND USES</u>
South:	NC	Commercial uses consisting of office, service, bar and retail uses are located to the south of the subject property.
North:	NC and R-3	62 nd Street abuts the north side of the property with the library (institutional) and an auto repair business located on north side of the street. To the north east and further north are multi-family and single residential uses.
East:	NC	Blue Ridge Boulevard abuts the east side of the subject property with retail, restaurant and service uses located on the east side of Blue Ridge Boulevard.
West:	NC	Raytown Road abuts the west side of the property along with an office and light industrial business. Commercial property containing office and service uses as well as a vacant property is located on the west side of Raytown Road.

3. SUITABILITY OF ZONING FOR CURRENT USE

The Neighborhood Commercial (NC) zoning district allows retail stores, office and restaurant uses. Because the NC zoning of the property is not proposed to change the proposed rezoning will not change the type of uses that are currently allowed on the property. Rather, the proposed addition of the CBD Overlay District and the TS Overlay District will provide requirements that relating to the layout of development on the property and the building architecture.

4. DETRIMENTAL EFFECTS TO NEARBY PROPERTIES IF REZONING IS APPROVED.

As previously stated, the NC District zoning of the property is not proposed to change and is the same as the zoning for surrounding properties. Therefore, the type of uses allowed on the property will not be altered. The following describes the affect that the proposed CBD Overlay District and the TS Overlay District would have:

- A. Central Business District (CBD) Overlay District: Require future development on the property to comply with the design standards elements specified in the Central Business District (CBD) Design Standards unless otherwise waived by the Board of Aldermen. The properties surrounding the area proposed to be rezoned are currently subject to the same CBD Design Standards.
- B. Town Square Overlay (TS) District: The intent of the TS Overlay District is to require development to occur as envisioned in the city's Central Business District (CBD) Plan. Though there are some existing buildings in the central business district area that would comply with the provisions of the TS Overlay District there are no properties surrounding the area proposed to be rezoned that are currently zoned TS. The TS Overlay District alters the following aspects of the NC District:
- **Height of Buildings:** The TS Overlay District allows buildings of any height to be constructed on the property. This allows the height of buildings to be dictated primarily by the strength of the development market in the Raytown CBD.
 - **Front Yards:** The TS Overlay District changes the front yard setback from a minimum of 25 feet to a maximum of five (5) feet unless otherwise approved by the Board of Aldermen as part of a development plan in the Town Square Overlay District thereby requiring buildings to be built in close proximity to the sidewalk along the street as commonly found in central business district areas. Several buildings along 63rd Street, including those located between Raytown Road and Blue Ridge Boulevard, as well as some along Blue Ridge Boulevard are consistent with this provision.
 - **Side Yards:** The TS Overlay District changes the side yard setback from a minimum of thirty (30) feet to no minimum side yard setback thereby allowing buildings to abut one another as commonly found in central business district areas. Several buildings along 63rd Street, including those located between Raytown Road and Blue Ridge Boulevard are consistent with this provision.
 - **Rear Yard:** The TS Overlay District changes the rear yard setback from a minimum of twenty (20) feet to no minimum rear yard setback thereby allowing buildings to abut one another as commonly found in central business district areas.
 - **Off-Street Parking Requirements:** The TS Overlay District allows uses to not have to provide any off-street parking spaces. Currently, the number of off-street parking spaces required is based upon the type of use on each property as is typically found in other commercial areas of Raytown. The TS Overlay District alters this so that each property does not provide off-street parking; rather, off-street parking is provided on-street and in shared parking lots that serve multiple businesses and properties. This allows buildings to abut each other and / or in closer proximity to each other, which results in shorter walking distances between businesses thereby making the CBD more walkable. Several buildings along 63rd Street, including those located between Raytown Road and Blue Ridge Boulevard are consistent with this provision.

5. LENGTH OF TIME OF VACANCY.

A church was previously located on the property which was torn down in 2009. The property has been vacant since June 2009.

6. CONSIDERATION OF PUBLIC INTEREST.

The city's existing sanitary sewer system is capable of accommodating the increased sewage from development of the property. City code requires that a storm water detention basin be constructed as part of any development on the property to alleviate any adverse impacts on the city's existing storm water system from the increased storm water runoff that could result from development on the property. Raytown Water Company has previously indicated that adequate water supply is available to serve the development of the property.

In addition, the proposed zoning and zoning overlay districts are consistent with the city's CBD Plan.

7. IMPACTS ON PUBLIC SERVICES AND UTILITIES.

Because the area surrounding the property is developed all necessary utilities are available to serve the property.

8. CONFORMANCE WITH THE COMPREHENSIVE PLAN.

The following aspects of the city's adopted Comprehensive Plan relate to the rezoning application.

- A. Future Land Use Map: The Future Land Use Map in the Raytown Comprehensive Plan identifies the subject property as an area for commercial use. The existing / proposed NC District is consistent with the Comprehensive Plan's Future Land Use Map.
- B. Commercial Development Efforts: The Comprehensive Plan further states that commercial development efforts in Raytown should focus on existing commercial intersections; downtown commercial revitalization; and attracting quality regional commercial activity to the Highway 350 corridor. The rezoning application is consistent with the Comprehensive Plan's commercial development efforts as subject property is located in the downtown area and the proposed zoning district and overlay districts allow for commercial development of the property.
- C. Creating Quality Places Design Guidelines: The Comprehensive Plan includes guidelines for the "built environment", which consists of man-made buildings, structures and other features that are constructed. The Comprehensive Plan states that the built environment influences people's perceptions of an area and of the entire community. Therefore the built environment can help provide a positive or negative image of an area as well as the entire community. This in turn is a factor that impacts investment and reinvestment in an area.

In order to strengthen the quality of the built environment in Raytown the Creating Quality Places design guidelines were developed and adopted as part of the city's Comprehensive Plan and are the basis on which the city has developed design standards that are specified in the CBD Overlay District as specified in the City's Zoning Ordinance. Additionally, provisions of the TS Overlay District, as previously described, promote development that is consistent with the Comprehensive Plan includes guidelines for the "built environment" in downtown Raytown.

- D. Downtown Development: The Comprehensive Plan states that "preferred commercial development in Raytown is broken into four categories: along M-350, in the Downtown, along the entryways and in smaller commercial clusters at critical locations in the City." In relation to the downtown area the Comprehensive Plan states:

“The Downtown area should be actively developed as a mixed-use district. In addition to medium and high density housing, locally oriented commercial uses or specialty retail should be located within the Downtown. While some traffic oriented commercial establishments could flourish in the Downtown area, it is intended that the Downtown develop as a center for destination activity. The district would be unique and permit residential quarters above street level retail establishments. To exert greater control over the type of development that may occur in the Downtown, there will be additional development controls through the use of new zoning requirements or development review processes.”

In regards to the mixed-use nature of the downtown this exists as the downtown area is comprised of a mix of uses that include retail stores, restaurants, a coffee shop, office uses, banks, institutional uses, which include the library, Raytown High School, and churches as well as residential uses that include Bowen Apartments, single-family homes and a nursing home. The proposed NC-CBD-TS zoning will not prevent this from occurring.

- E. Central Business District (CBD) Plan: As previously described, the CBD Plan was adopted by the city as an amendment to the city’s Comprehensive Plan. The CBD plan provides a vision and policies for the physical development of the downtown area. In addition, it is this vision and policies that form the legal basis for the CBD Overlay District and the TS Overlay District in the city’s Zoning Ordinance.

STAFF RECOMMENDATION:

It is the recommendation of staff that the application to rezone the subject property from Planned Overlay District (NC-P) to Neighborhood Commercial, Central Business District Overlay District and Town Square Overlay District (NC-CBD-TS) be approved.

Case Number P2-2015-011
Date Received 11/04/2015

**CITY OF RAYTOWN
APPLICATION FOR REZONING**

PART I BACKGROUND INFORMATION

1. This request applies to property at the following address:

6200 Blue Ridge Boulevard

2. The name (s), address(es), and phone number(s) of the property owners: (As listed on the deed)

Name Address Phone

City of Raytown 10000 E. 59th Street, Raytown, MO 64133 (816) 737-6007

3. We, the property owner(s), do hereby appoint the following person as our agent during consideration of our request:

Name Address Phone

4. The property is currently being used for the following purposes:

Vacant

5. We propose that the zoning of the property be changed from NC-P to NC-CBD-TS.

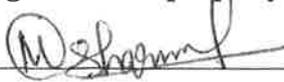
6. Please list all existing structures and their heights located on the property:

Structure

Height

N/A

7. We, the undersigned, do hereby authorize the submission of this application and associated documents, and do hereby certify that all the information contained therein is true and correct.
(Signatures of property owners)



PART II REZONING AMENDMENT STATEMENT

This statement will become part of the application. This is an opportunity to justify approval of a zoning amendment. The information requested pertains to factors that will be considered in reaching a decision on applications.

If the space provided is not adequate, the applicant may attach additional pages. The applicant is also encouraged to submit any other pertinent information, such as photographs, drawings, maps, statistics, legal documents, and letters of support.

A. The proposed development will be in keeping with the character of the neighborhood because:

The proposed NC-CBD zoning will be consistent with the zoning of surrounding properties and the TS
Overlay District will allow development to occur in manner that is consistent with the existing buildings and
properties in the Raytown CBD.

B. The proposed use will be consistent with the zoning and uses on nearby parcels because:

The NC zoning district will not be changed. Therefore, the type of uses allowed (i.e. retail, office and restaurant
uses) on the property are not proposed to change.

C. This property is more suited for its proposed zoning than its current zoning because:

The proposed NC-CBD zoning will be consistent with the zoning of surrounding properties and the TS
Overlay District will allow development to occur in manner that is consistent with the existing buildings and
properties in the Raytown CBD.

D. The proposed zoning will have the following detrimental effects on nearby parcels:

The NC District zoning will not change. The proposed CBD overlay district currently is applicable to all surrounding properties in the CBD. Therefore, rezoning the subject property to the CBD Overlay District will make future development on the property to be consistent with surrounding properties. The TS overlay district will allow development on the property to be consistent with the setbacks of existing buildings on neighboring properties. In addition, the TS district will enable future development to be consistent with the city's adopted CBD Plan.

E. Prior to submitting this application, the property has been vacant for:

The property has been vacant since approximately 2008 when former buildings on the property were demolished.

F. If the application is denied, the property owner(s) will face the following hardships:

Denial of the application will leave the property zoned as NC-P. The approved site development plan associated Planned overlay district allows development of the property in a manner that is not consistent with the city's adopted CBD Plan as well as the existing buildings and development on the majority of surrounding properties in the Raytown CBD.

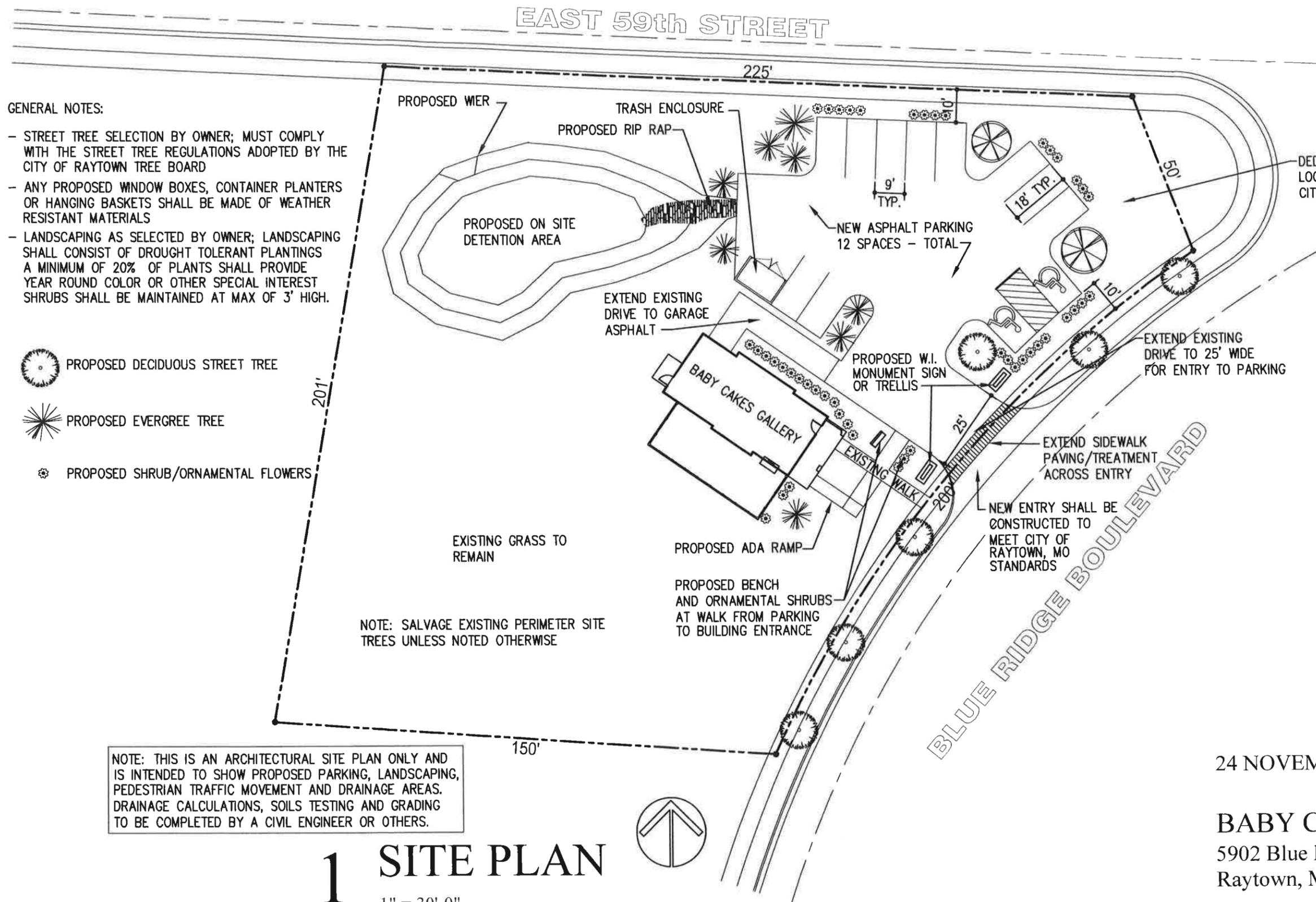
G. The proposed development implements the Comprehensive Plan in the following ways:

The type of uses allowed in the NC District are consistent with the type of uses identified in the city's
Comprehensive Plan. In addition, the CBD Overlay District and the TS Overlay District were both adopted
with the intent to implement the city's adopted CBD Plan. More specifically, these overlay districts help guide
the site development and building architecture so that it occurs in a manner as envisioned by the CBD Plan.

H. Public facilities and utilities are adequate to serve the proposed use as follows:

All necessary utilities needed to serve development of the property are available on or near the property.

I. Additional comments:



GENERAL NOTES:

- STREET TREE SELECTION BY OWNER; MUST COMPLY WITH THE STREET TREE REGULATIONS ADOPTED BY THE CITY OF RAYTOWN TREE BOARD
- ANY PROPOSED WINDOW BOXES, CONTAINER PLANTERS OR HANGING BASKETS SHALL BE MADE OF WEATHER RESISTANT MATERIALS
- LANDSCAPING AS SELECTED BY OWNER; LANDSCAPING SHALL CONSIST OF DROUGHT TOLERANT PLANTINGS A MINIMUM OF 20% OF PLANTS SHALL PROVIDE YEAR ROUND COLOR OR OTHER SPECIAL INTEREST SHRUBS SHALL BE MAINTAINED AT MAX OF 3' HIGH.

-  PROPOSED DECIDUOUS STREET TREE
-  PROPOSED EVERGREE TREE
-  PROPOSED SHRUB/ORNAMENTAL FLOWERS

NOTE: SALVAGE EXISTING PERIMETER SITE TREES UNLESS NOTED OTHERWISE

NOTE: THIS IS AN ARCHITECTURAL SITE PLAN ONLY AND IS INTENDED TO SHOW PROPOSED PARKING, LANDSCAPING, PEDESTRIAN TRAFFIC MOVEMENT AND DRAINAGE AREAS. DRAINAGE CALCULATIONS, SOILS TESTING AND GRADING TO BE COMPLETED BY A CIVIL ENGINEER OR OTHERS.

1 SITE PLAN
1" = 30'-0"

24 NOVEMBER, 2015

BABY CAKES GALLERY
5902 Blue Ridge Boulevard
Raytown, Missouri 64133