

AGENDA
CITY OF RAYTOWN
PLANNING AND ZONING COMMISSION MEETING

January 7, 2016
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- Chapter 13**

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 – December 3, 2015 meeting**

- A. Revisions
- B. Motion
- C. Second
- D. Additional Board Discussion
- E. Vote

- 4. Old Business – None**

- 5. New Business**

- A. Application: Application proposing to rezone land located at 9109 East 63rd Street from High Density Residential and Planned Zoning Overlay District (RP-3) to Neighborhood Commercial (NC-P) and Low Density Residential (R-1)**

Case No.: PZ-2016-001
Applicant: Greg Stervinou

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. Rezoning Application submitted by applicant
 - b. Site Development Plan submitted by applicant for area proposed to be rezoned to NC-P
 - c. Publication of Notice of Public Hearing in Daily Record Newspaper advertisement.
 - 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.
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 from Applicant, Additional Comment from 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 Plat for Jacob Estates 2nd Plat

Case No.: PZ-2016-002

Applicant: Greg Stervinou

1. Introduction of Application
2. Explanation of any exparte' communication from Commission members regarding the application.
3. Introduction of application by staff.
4. Presentation by applicant.
5. Board Discussion.

6. 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 – February 4, 2016

9. Adjourn

- A. Motion
- B. Second
- C. Vote

MINUTES
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.

Chairman Wilson and Vice Chairman Bettis were not present at the meeting. Ms. Stock motioned to appoint Steve Meyers as a temporary Chairman for the meeting; Ms. Dwight seconded the motion, and the motion passed unanimously 7-0.

2. Call meeting to order and Roll Call.

Wilson: Absent

Jimenez: Present

Stock: Present

Bettis: Absent

Robinson: Present

Lightfoot: Present

Hartwell: Present

Dwight: Present

Meyers: Present

Also present: John Benson, Director of Development and Public Affairs, Joe Willerth, City Attorney, and Scott Peterson, Permit Technician.

3. Approval of minutes

A. November 5, 2015 meeting

1. Revisions- None.
2. Motion- Ms. Hartwell motioned to approve the minutes.
3. Second- Ms. Stock seconded the motion.
4. Additional Board Discussion- None
5. Vote- Motion passed unanimously 7-0.

B. November 12, 2015 meeting

1. Revisions-None
2. Motion- Ms. Stock motioned to approve the minutes.
3. Second- Ms. Hartwell seconded the motion.
4. Additional Board Discussion- None.
5. Vote- Motion passed unanimously 7-0.

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.

Mr. Benson informed the Commission that the applicant had withdrawn the application after they found another location for their business.

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: Mr. Meyers opened the public hearing.
2. Explain Procedure for a Public Hearing and swear-in speakers: Mr. Willerth swore in those wishing to speak on the application.
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: None
5. Introduction of Application by Staff: Mr. Benson introduced the site plan for the proposed bakery at 5902 Blue Ridge Blvd; Mr. Benson explained the waiver being sought by the applicant which, if approved, would allow for the parking lot and detention area to be located to the side of the building, as opposed to the rear as dictated by the Central Business District (CBD) Design Guidelines.
6. Presentation of Application by Applicant: Ms. Wanda Mullins, the applicant, and Jeff Shinkle, the architect for the project, spoke on behalf of the application. Mr. Shinkle stated that they had no objections to the staff recommendations, and that they would like to locate the parking lot at the proposed location due to the existing garage and curb cut already located there for use.
7. Request for Public Comment: Larry Helsel, 5833 Blue Ridge Blvd, made a comment before the board. He requested that the Board consider the road conditions during winter weather, and how the parking lot location would affect neighboring properties in such conditions. He requested that the driveway and parking lot be relocated to the south side of the property along Blue Ridge in order to alleviate these concerns.
8. Additional Comment by Applicant, if necessary: Mr. Shinkle clarified that the concerns of Mr. Helsel would be addressed due to grading the parking lot to be level. He stated that the parking lot would not be built on a slope, but would instead be graded to be level.
9. Additional Staff Comments and Recommendation: Mr. Benson stated that the staff recommended approval of the site development plan, based on the following conditions:

- a. The parking lot be modified to put the handicap spaces closest to the front door.
 - b. The three parking spaces near the northeast corner of the lot be moved to the west.
 - c. The location of the street trees along Blue Ridge Boulevard be moved behind the sidewalk so as not to interfere with power lines along the street.
10. Board Discussion: Mr. Jimenez asked about relocating the parking lot to the south side. Mr. Benson stated that if the parking lot were moved to the south side, then the application would no longer require board approval, since it would not be in violation with the CBD Design Guidelines.
11. Close Public Hearing: Mr. Meyers closed the public hearing.
12. Board Decision to Approve, Conditionally Approve or Deny the Application.
- a. Motion- Ms. Hartwell motioned to approve the application subject to staff recommendations.
 - b. Second- Ms. Stock made a second on Ms. Hartwell's motion.
 - c. Additional Board Discussion- Both Ms. Stock and Mr. Lightfoot said they are wary to make exceptions to the CBD Design Guidelines, but felt that this application had a clear distinction in the layout of the property that allowed for approval.
 - d. Vote- Motion passed unanimously 7-0.

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: Mr. Meyers opened the 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: Mr. Benson introduced the application to the Board. The property is currently owned by the City of Raytown, and has been vacant since the City acquired the property and demolished the building that had been located on the site. The application upon Board approval will be rezoned to its original NC-CBD-TS zoning, which had been changed to accommodate a retail development that ultimately did not come to fruition.

Mr. Lightfoot asked if there had been any potential buyers of the property recently. Mr. Benson stated that there had not been any serious buyers since the property had been rezoned for the previous retail development that did not get constructed.

Mr. Benson was asked about the potential uses of the property under the new zoning classification. The property would be allowed to construct a mixed-use development with both commercial and residential tenants. Any future buyer of the property could still apply to rezone the property through the Planning and Zoning Commission should they feel the need, but the purpose of the rezoning application before the board was to provide more flexibility to potential buyers.

5. Presentation of Application By Applicant: Mr. Benson served as the applicant on behalf of the City.
 6. Request for Public Comment: Sue Frank, 8512 Harvard Ter., spoke in favor of the rezoning.
 7. Additional Comments by Applicant, if necessary: None.
 8. Additional Staff Comments and Recommendation: None.
 9. Board Discussion: None.
 10. Close Public Hearing: Mr. Meyers closed the public hearing.
 11. Board Decision to Approve, Conditionally Approve or Deny the Application.
 - a. Motion- Ms. Stock made a motion to approve the application.
 - b. Second- Ms. Hartwell made a second on Ms. Stock's motion.
 - c. Additional Board Discussion- None.
 - d. Vote- Vote passed 6-0 with Mr. Meyers abstaining due to his current position on the Board of Aldermen.
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6. **Other Business:** None.
 7. **Planning Projects Report:** None.
 8. **Set Future Meeting Date** – January 7, 2016
 9. **Adjourn**

MEMORANDUM

TO: The City of Raytown Planning and Zoning Commission

FROM: JOHN BENSON, AICP,
DIRECTOR OF DEVELOPMENT AND PUBLIC AFFAIRS

DATE: JANUARY 7, 2016

SUBJECT: CITY OF RAYTOWN COMPREHENSIVE PLAN REVIEW

A work session to continue our review of Chapters 13 of the Raytown Comprehensive Plan will be held prior to the regular Planning Commission meeting at 6:00pm on January 5th. As has been provided at previous work sessions, a light dinner will be provided at the work session.

A copy of Chapter 13 of the Comprehensive Plan has previously been mailed to you but if you need another copy please let me know. Also, copies of Chapters 13 and 14 can also be found on the city's web site at:

www.raytown.mo.us/departments/developmentandpublicaffairsdepartment/planninganddevelopment.

Future work sessions are scheduled for the following dates and times:

February 4, 2016: Chapter 14 of the Raytown Comprehensive Plan
6:00 pm

March 3, 2016 Central Business District (CBD) Plan: Review Central Business District (CBD)
6:00 pm Plan.

April 7, 2016: Highway 350 Corridor Plan (Part 1): Review pages 25 through 45 of the
6:00 pm Highway 350 Corridor Plan.

May 5, 2016 Highway 350 Corridor Plan (Part 2): Review pages 46 through 122 of the
6:00 pm Highway 350 Corridor Plan.

Date to be Determined: Parks & Recreation Master Plan: More information on this plan and any necessary reading will be provided in advance of this meeting.

STAFF REPORT

TO: The City of Raytown Planning and Zoning Commission

FROM: The Community Development Department

DATE: December 1, 2011

SUBJECT: Agenda Item No. 5.A: Application proposing to rezone land located at 9109 East 63rd Street from High Density Residential and Planned Zoning Overlay District (RP-3) to Neighborhood Commercial (NC-P) and Low Density Residential (R-1)

BACKGROUND INFORMATION:

Greg Stervinou Construction Inc. is seeking to rezone a portion of a 1.37 acre area of vacant land from High Density Residential and Planned Zoning Overlay District (RP-3) to Neighborhood Commercial and Planned Zoning Overlay District (NC-P) and the remaining portion from High Density Residential and Planned Zoning Overlay District (RP-3) to Low Density Residential (R-1). The property proposed to be rezoned is located at 9109 East 63rd Street and, as indicated on the aerial photo below, is bounded by 63rd Street on the north and Blue Ridge Boulevard on the south, Blue Ridge Elementary School to the west and an office building on the east.

The rezoning is being sought as a Dollar General store is proposed to be constructed on the northeast side of the property and three single-family residential lots are proposed to be created on the south and west side of the property.

In 2012 the applicant submitted a similar rezoning application for this property which included a site development plan for construction of a Dollar General on this property. The previous rezoning application and development plan proposed to use the entire property for a Dollar General store. Prior to final action on that rezoning application, however, the applicant withdrew the application. Based upon comments and concerns raised at the public hearings on the previous rezoning application, the applicant has revised the development plan for the property and submitted this new application. The following describes how this rezoning application and development plan differs from the rezoning and development plan that was submitted in 2012:

1. The area on which the Dollar General would be located is smaller. The applicant has submitted a site development plan, a copy of which is attached, for that area of the subject property proposed to be rezoned to NC-P and on which the Dollar General store is proposed to be constructed.
2. Three single-family residential lots along the south and west side of the property are proposed to be created. Two of the residential lots would extend along the west side of the property on which Dollar General is proposed to be constructed and the other residential lot would be to the south.



REZONING APPLICATION FACTORS TO BE CONSIDERED

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

1. CHARACTER OF THE NEIGHBORHOOD

The character of the neighborhood varies as there is a mix of uses which consist of an offices to the east, senior residential living to the north, educational / school to the west and single-family and two-family residential to the south.

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:	R-1 & R-2	One and two-family residential
North:	R-3-P	Multi-tenant Senior Housing and single-family residential
East:	NC	Office
West:	R-1	Elementary School

3. SUITABILITY OF ZONING FOR CURRENT USE

The property is currently undeveloped. A site plan for development of 24 townhomes on the property was approved for the property in 2010. Greg Stervinou Construction Inc., the developer who proposed construction of the townhome development, is still the owner of the property. Upon approval of this rezoning application 1.0 acre of the

2.17 acre property would be sold for construction of a Dollar General retail store. The remaining 1.17 acre area is proposed to be rezoned to R-1 and would have three single-family homes constructed. Each of the single-family homes to be constructed would face Blue Ridge Boulevard. The applicant feels the single-family homes facing Blue Ridge Boulevard will help maintain the residential character along Blue Ridge Boulevard.

There is also an existing sight distance issue which restricts the property from having multiple driveways on 63rd Street. This is a major constraint affecting residential development on the north side of the property. Because of the sight distance issue a street or combined driveway would have to be constructed for more than one residential lot that would front on 63rd Street. The size of the property limits the number of residential lots that can be created on the property which makes it infeasible to construct a street or combined driveway that would comply with city construction standards and fire code regulations.

As a result, the applicant is proposing the commercial zoned area of the property to be located along the majority of 63rd Street, which is classified as an arterial street and, as such, is intended to carry higher volumes of traffic. In addition, the commercial zoned area would be located adjacent to the existing office building to the east of the subject property. In turn, the proposed residential zoned area would be located along Blue Ridge Boulevard across from existing single-family and two-family homes. The rear yards of the two western most residential lots would extend north to 63rd Street but would not have access onto 63rd Street due to the sight distance issue previously described. These rear yard areas would also be located between the proposed commercially zoned area and Blue Ridge Elementary School.

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

As stated in the Raytown Zoning Ordinance, the NC District is a "commercial district intended to provide a location for miscellaneous retail, wholesale and businesses serving the consumer public and business." Though a retail store is proposed to be constructed on the northeast corner of the property restaurants and offices uses would also be allowed.

Commercial uses have the potential to generate more traffic, noise and in general be more intensive land uses in comparison to residential land uses. As a result, the applicant has stated to staff that the proposed commercial area is proposed to be located adjacent to the existing office building to the east and along 63rd Street, which, as previously described, is classified as an arterial street and intended to carry heavier volumes of traffic. Additionally, the applicant is proposing the three residential lots and commercial area to 'back up' to each other, which, according to the city's Comprehensive Plan is the recommended method for a change in land use.

The Zoning Ordinance states that when the NC District abuts a residential zoned area the following shall apply:

"Every tract zoned NC that is adjacent to any zoning district with an "R" in its title shall have a buffer zone of at least thirty (30) feet along the boundary line between the two (2) districts, or if said boundary line is in the center of a street, along the edge of a street right-of-way abutting the NC district."

This standard applies to the south, west and north sides of the area that is proposed to be rezoned to NC-P as it will abut the proposed R-1 zoned area and there is residentially zoned property on the north side of 63rd Street on which Bickford House senior housing is located. As indicated on the Landscape Plan (Sheet L1.1) in the submitted site development plan, landscaping is proposed along the south and west property lines between the commercial and residential zoned areas. The landscaping within this area is proposed to consist of Sugar Maple and Downy Hawthorn trees and shrubs. The applicant as part of the Planned Overlay District is proposing the width of the landscape area along the west side to be 25 feet wide and along the south side to be 20 feet rather than the required 30 feet stipulated in the NC District. The narrower width is due to a proposed sanitary sewer line and easement that will be located immediately to the south of the landscaping and will provide service to each of the properties.

The narrower landscape buffer is also proposed as a retaining wall is to be constructed along the south and west sides of the commercial area, which will help screen a portion of the commercial building. The retaining wall will be nine feet tall at the southwest corner of the building leaving eleven feet of the building visible above the retaining wall. The retaining wall will taper down to a five foot high wall at the southeast corner of the proposed commercial building, leaving fifteen feet of the building visible, and down to ground level at the northwest corner of the proposed commercial building. In addition, a six foot privacy fence will be constructed near the top of the retaining wall along the south and west sides of the proposed commercial building providing further screening of the commercial building.

There is also nine feet wide area of landscaping proposed to be installed adjacent to 63rd Street that will consist of a Downy Hawthorn and Eastern Red Bud trees as well as a variety of shrubs between the trees.

Additionally, development of the property will result in increased storm water runoff. As a result, city code requires construction of a storm water detention facility so that properties downstream are not adversely impacted by increased storm water runoff. The site development plan indicates an above ground storm water detention facility will be constructed adjacent to the east property line on the commercially zoned property. The grading of the commercial property as well as a majority of the residential properties will direct storm water runoff into this detention basin. The detention basin will then discharge the collected storm water into the existing storm sewer system on 63rd Street. The Public Works Department has reviewed the submitted preliminary storm drainage plan and has approved it subject to submittal and approval of a final storm drainage study for the development.

5. LENGTH OF TIME OF VACANCY.

To staff's knowledge the property has always been vacant.

6. CONSIDERATION OF PUBLIC INTEREST.

Public Health: The city's existing sanitary sewer system is capable of accommodating the increased sewage from the commercial and residential development of the property. In addition, the city's existing storm sewer system is capable of handling the stormwater runoff from the development as long as a stormwater detention basin is constructed that will detain the increased stormwater runoff in accordance with adopted city design standards when the property is developed.

Raytown Water Company has previously indicated that adequate water supply is available to serve the development of the property.

Public Safety: 63rd Street has limited sight distance that restricts the location of the driveway on the property to the eastern side. Due to the site distance issue, the two residential lots that each have rear yards that abut 63rd Street will be prohibited from having access onto 63rd Street. Instead, each of the residential lots will be able to safely access onto Blue Ridge Boulevard as do other residential lots in the area.

Public Welfare: The existing curb and gutter as well as sidewalk along 63rd Street are adequate to serve the development and will not need to be replaced. The portion of Blue Ridge Boulevard abutting the subject property, however, does not have curb and gutter or sidewalks. As a result, development of the property will require construction of curb and gutter as well as sidewalk along that portion of the property abutting Blue Ridge Boulevard. In addition, as indicated on sheet C1.1, the applicant will extend curb and gutter along Blue Ridge Boulevard approximately 20 feet east of the subject property and tie it into an existing storm sewer inlet.

7. IMPACTS ON PUBLIC SERVICES AND UTILITIES.

Because the area surrounding the property is developed necessary utilities are available and capable of serving the property.

8. CONFORMANCE WITH THE COMPREHENSIVE PLAN.

The Future Land Use Map in the Raytown Comprehensive Plan identifies the subject property as an area for two-family residential use. The proposed NC zoning district does not conform to the Future Land Use Map in the city's Comprehensive Plan. It should be noted that the existing R-3-P zoning is more intense than the two-family residential land use identified in the city's Comprehensive Plan. In contrast, the proposed R-1 zoning district allows single-family residential is less intensive than the two-family residential land use identified in the city's Comprehensive Plan.

Prior to submitting a development plan for the previously approved townhome development on the property, the applicant looked at developing the property for one and two-family residential some which would have fronted onto 63rd Street and some of which would have fronted onto Blue Ridge Boulevard. However, due to the limited sight distance on 63rd Street, driveways for one or two family dwellings on 63rd Street are not allowed by the city. As a result, the only way in which to have one or two family homes on 63rd Street would be to construct a street or private drive which would provide access to each of these lots. The number of residential lots that could be created, however, is not enough to make construction of such a street or drive feasible.

The Comprehensive Plan provides the following locational guidelines for residential development in Raytown.

1. *Single-family residential uses should be separated from adverse surrounding land use types, such as major industrial and commercial areas. Appropriate buffering includes open space, bodies of water, abrupt changes in topography, and a combination of landscaping and walls.*

The area proposed to be rezoned to R-1 would be separated from the adjoining proposed NC-P district through the use of landscaping and walls (i.e. 6-foot high privacy fence). In addition, a retaining wall would provide a change in topography reducing the visual height of the commercial building that is proposed to be constructed on the property. Therefore, the proposed R-1 district conforms to this residential locational guideline.

2. *Single-family residential lots should not front directly onto arterials but onto local and neighborhood streets, so as to minimize the number of access points along major streets.*

The three residential lots that would be created in the R-1 zoned area would each front and access onto Blue Ridge Boulevard, which is classified as a collector street. The rear yards of two of the residential lots would extend north to 63rd Street but would not be allowed to have access onto 63rd Street as there is limited sight distance and the street is classified as an arterial street. Therefore, the proposed R-1 district conforms to this residential locational guideline.

3. *Two-family residences may serve as A transitional land use between low and high density residential uses; As a buffer between lower-density residential from commercial uses; Multifamily residential areas should be located within walking distance of commercial centers, parks, schools and public transportation routes and be in proximity to employment concentrations, major thoroughfares and utility trunk lines.*

The proposed R-1 zoned area would directly abutt the proposed NC-P zoned area. The applicant is proposing the R-1 zoning as there are existing single-family homes on the opposite side of Blue Ridge Boulevard and as such, feels that the proposed R-1 zoning / single family homes would be more in keeping with those homes. To meet this residential locational guideline, the proposed residential zoning would need to be changed to Medium Density Residential (R-2) zoning, which would necessitate submittal of a new / revised rezoning application. Though the proposed R-1 district does not conform to this residential locational guideline, it is a less intense zoning district than what the city's Comprehensive Plan identifies for this area.

4. *Two-family to multifamily residential areas should be sited where they will not overload or create congestion in existing and planned facilities and utilities.*

As previously described, the proposed R-1 district allows single-family residential which is less intensive than the two-family or multi-family residential. As such, the single-family homes will generate less traffic and have a lower demand on the public utilities. Therefore, the proposed R-1 district conforms to this residential locational guideline.

The residential locational guidelines from the city's Comprehensive Plan as provided above are guidelines and not standards. As described above, the proposed R-1 district complies with 3 of the 4 residential locational guidelines.

The Comprehensive Plan also provides the following locational guidelines for commercial development in Raytown.

1. *Commercial sites should be located adjacent to arterials or major thoroughfares that provide needed ingress and egress in order to avoid congestion.*

The subject property abuts 63rd Street and Blue Ridge Boulevard. 63rd Street is classified as an arterial street while Blue Ridge Boulevard is classified as a collector street. The area of the subject property proposed to be rezoned to NC-P will be accessed only from 63rd Street and will not have any access to / from Blue Ridge Boulevard. Therefore, the proposed NC zoning complies with this commercial locational guideline.

2. *The location of major commercial uses should be coordinated with mass transit routes, high-density residential, employment and other intensive uses.*

The portion of the subject property proposed to be rezoned to NC-P District is adjacent to a commercially zoned property to the east with an existing office building. Bickford House, which is a senior residential living facility, is located on the opposite side of 63rd Street, and has a higher density than one and two family residential developments. Mass transit in Raytown is provided by MetroFlex which has flexible routes that pick up and drop off riders at locations of their choosing. Therefore, the proposed NC zoning complies with this commercial locational guideline.

3. *Commercial development should have required site design features that limit noise, lighting, and other activity so as to not adversely impact surrounding residential areas.*

The parking area will be on the north and east side of the proposed commercial building. In addition, exterior lighting on the property will be mounted on the building. The style of light fixtures to be installed are 'shoe-box' style fixtures that will direct the lighting downward rather than straight outward like flood lights would. No exterior lighting is proposed to be installed on the rear (south side) of the building abutting the proposed residential lots. Based upon these design features, the building is proposed to be used to screen traffic noise and exterior lot lighting from one and two family residential homes to the south. Sheet ES-1 provides the photometric plan and the level of lighting at different locations on the subject property. Therefore, the proposed NC zoning complies with this commercial locational guideline.

4. *Commercial development should occur in compact clusters versus extended strip developments.*

The portion of the subject property proposed to be rezoned to NC-P District is adjacent to a commercially zoned property to the east with an existing office building. The remaining portion of the subject property to the south and west is proposed to be zoned R-1 and developed for low density single family homes. In this context, the proposed NC-P District will maintain the commercial zoning in this area as a compact cluster and therefore complies with this commercial locational guideline.

5. *Commercially generated traffic should not feed directly onto local residential streets.*

There are no residentially classified streets abutting the subject property. Rather, the subject property abuts 63rd Street, which is classified as an arterial street and Blue Ridge Boulevard which is classified as a collector street. The area of the subject property proposed to be rezoned to NC-P will be accessed only from 63rd Street. Though streets classified as a collector street can be accessed by commercially zoned property, the development plan does not propose the proposed NC-P zoned area to have access to / from Blue Ridge Boulevard as this portion of Blue Ridge Boulevard is only abutted accessed by residential homes. Therefore, the proposed NC zoning complies with this commercial locational guideline.

6. *Commercial use not located in planned centers or downtown, including large freestanding building, auto-related and non-retail uses should be guided to areas such as M-350 and other appropriate areas and streets where utilities can support such uses.*

The Public Works Department has reviewed the city's utility system in this area of Raytown and determined that it can adequately accommodate the type of uses allowed in the proposed NC zoning district. Therefore, the proposed NC zoning complies with this commercial locational guideline.

7. *Low-density office uses can serve as a transitional land use between residential uses and uses of a higher intensity.*

While the proposed NC district would allow 'low density office uses', it also allows retail and restaurant uses. As previously described, a retail store is proposed to be constructed on a portion of the subject property if the NC-P zoning is approved. Therefore, the proposed NC-P zoning district does not comply with this specific commercial locational guideline.

The commercial locational guidelines from the city's Comprehensive Plan as provided above are guidelines and not standards. As described above, the proposed rezoning application for the NC-P district complies with 6 of the 7 commercial locational guidelines.

STAFF RECOMMENDATION:

It is the recommendation of staff that the request to rezone the subject property from High Density Residential and Planned District Overlay (R-3-P) to Neighborhood Commercial and Planned District Overlay (NC-P) and Low Density Residential (R-1) be approved subject to submittal to and approval by the Raytown Public Works Department of a final storm drainage study prior to development of the property.

STAFF REPORT

To: City of Raytown Planning and Zoning Commission
FROM: Development & Public Affairs Department
DATE: January 7, 2015
SUBJECT: AGENDA ITEM No. 5.B: Final Plat of Jacob Estates 2nd Plat

BACKGROUND INFORMATION

Greg Stervinou Construction, Inc. is seeking approval of the Final Plat of Jacob Estates 2nd Plat. The final plat proposes to replat a 2.17 acre undeveloped tract of land into four lots. Lot 1 will front onto 63rd Street while Lots 2, 3 and 4 will front on Blue Ridge Boulevard. Lots 2 and 3 will extend through to 63rd Street but will not be allowed to access 63rd Street due to limited sight distance on 63rd Street due to the crest of a hill. The final plat is proposed as the applicant is seeking to develop Lot 1 for commercial purposes while Lots 2, 3 and 4 are intended to be developed for single-family homes.

MATTERS TO BE CONSIDERED

1. Conformance to the Subdivision Regulations and other ordinances of the City of Raytown.

The final plat has been reviewed in respect to the final plat content requirements of the City of Raytown Subdivision Regulations as well as the applicable bulk regulations of the Neighborhood Commercial (NC) and Low Density Residential (R-1) Zoning Districts specified in the Raytown Zoning Ordinance. Based upon this review the final plat has been found to:

- Contain all required information specified by the City of Raytown Subdivision Regulations for final plats;
- Meets the bulk regulations of the Neighborhood Commercial (NC) and Low Density Residential (R-1) zoning districts; and
- Is in conformity with the proposed Preliminary Site Development Plan that was submitted as part of the rezoning application (see agenda item 5A).

2. Adequacy of public facilities and utilities to serve the proposed development.

Sanitary Sewer System: The city's existing sanitary sewer system is capable of accommodating the sewage from the type of uses that would be allowed on the property.

Storm Water: There are existing storm water facilities in the area in which the subject property is located. To ensure that the existing storm water facilities are capable of accommodating storm water runoff from the property, when the

property is developed Raytown City Code will require construction of a storm water detention facility so that properties downstream are not adversely impacted by any increased storm water runoff caused by the new development. The detention basin will collect the storm water runoff and discharge it into the existing storm sewer system on 63rd Street at a slower rate. The Public Works Department has reviewed the final plat and has approved it subject to submittal and approval of a final storm drainage study for the development on the property, which, as previously stated, will be required by city code prior to development of the property.

Water: Existing water services is available in the area in which the subject property is located and is capable of serving the type of uses allowed on each of the lots.

Streets: The final indicates the existing street right-of-way and pavement widths. The existing right-of-way and pavement widths are sufficient to accommodate the anticipated traffic from the type of uses that would be allowed on the property.

3. Consistency with the approved preliminary plat.

The Final Plat is consistent with the site development plan, which serves as the preliminary plat that was submitted as part of the proposed rezoning application for this property.

4. Consideration of sound land planning principles on the site including lot layout and topography.

63rd Street has limited sight distance that restricts the location of the driveway on the property to the eastern side of Lot 1. Due to the site distance issue, Lots 2 and 3 which each have rear yards that abut 63rd Street will be prohibited from having access onto 63rd Street. Instead, each of the residential lots will be able to safely access onto Blue Ridge Boulevard as do other residential lots in the area.

To avoid potential downstream flooding from increased storm water runoff from the subject property when it is developed, a storm water detention basin will be required to be constructed on the property. As indicated on the site development plan submitted as part of the rezoning application for this property (see agenda item 5A), a storm water detention facility is proposed to be constructed along the east property line on Lot 1. This detention facility will collect storm water runoff from each of the four lots at a rate that will comply with the City of Raytown's adopted storm water runoff requirements of a maximum of 1.8 cubic feet [of water] per second (cfs).

STAFF RECOMMENDATION

Staff recommends approval of the Final Plat of Jacob Estates subject to approval of the application to rezone the property as proposed in agenda item 5.B.

Case Number: _____
Date Received: _____
Fee Paid: \$100.00 + \$3.00 / lot

City of Raytown Application for Final Plat

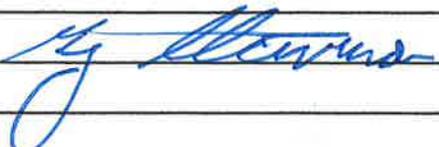
1. Name, address and phone number of property owner(s):
Greg Stervinou Const. Co.
10207 E. 100th Street
Kansas City, Mo. 64157
816-838-8815

3. Name, address and phone number of developer(s):
Greg Stervinou Const Co.

2. Name, address, phone and fax numbers of engineer(s) or surveyor(s) preparing the plat:
Area Surveyors
P.O. Box 324
Grandview Mo 64030

4. Legal description of the land to be subdivided (please attach a deed showing the legal description and the ownership of the tract(s) on a separate sheet).
5. Approximate street address or location:
Approx. 9109 E. 63rd St.

6. Name of proposed subdivision:
Jacob Estates 2nd Plat

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


8. Site Characteristics

- A. Total acreage of subdivision: 2.17 acres
- B. Acreage this phase (if applicable): _____
- C. Current zoning classification: R-3 High Density Residential
- D. Proposed zoning classification (if applicable): Neighborhood Commercial & R-1
- E. Total number of lots: 4
- F. Lots this phase (if applicable): 4
- G. Lot Area
Maximum: 1 acre
Minimum: 0.25 acres
Average: _____

9. Public Improvements

Public improvements are required for subdivisions of land in Raytown, such as public roadways, sidewalks, water, sanitary sewer, storm sewer, etc. All improvements must be constructed to City standards.

- A. Streets:
Classification (local, collector or arterial): Existing
Proposed surface material: _____
Length of roadway: _____
Maximum grade: _____

✓ How will the configuration of streets in this development fit with the transportation network of Raytown? How will the traffic generated from this development affect the traffic circulation in the area? Explain in detail on separate sheets.
A traffic study has been provided with previous submittals

- B. Will this development be served by public water? yes
- C. Will this development be served by public sanitary sewer? yes

D. Will this development be served by public storm sewer? yes

E. Describe the drainage plan for this development, including any easements. Please attach a separate sheet. on site Drainage To Existing System

F. Will parkland or green space be dedicated? No

10. Construction Guarantee

The City of Raytown Subdivision Regulations offer 4 options for construction of public improvements within the City. Developers must indicate the options elected.

Option 1: Complete all required public improvements prior to Board of Aldermen final approval and recording of the plat.

Option 2: Post a performance bond to the benefit of the City in the amount of the remaining construction costs. Bonds are presented to the Board of Aldermen with the final plat.

Option 3: Enter into an escrow agreement for the remaining construction costs. Escrow agreements are presented to the Board of Aldermen with the final plat.

Option 4: Delay construction or bonding until final approval, upon which an escrow agreement or performance bond for 110% of the construction costs must be submitted.

All public improvements must be inspected. No Certificates of Occupancy will be issued before final approval of the public improvements. Developers must file a maintenance bond for 25% of the cost of construction to run for 2 years before acceptance of the improvements by the Raytown Board of Aldermen.

Option selected for street construction: Option 1

Option selected for sanitary sewer construction: Option 1

Option selected for storm sewer construction: Option 1

Option selected for other construction: Option 1

Option selected for other construction: Option 1

Have construction plans for the improvements been submitted to the Community

Development Department? No

Case Number _____
Date Received _____

**CITY OF RAYTOWN
APPLICATION FOR REZONING**

PART I BACKGROUND INFORMATION

9109 E 63RD

1. This request applies to property at the following address:
JACOB ESTATES 2ND PLATTE

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

Name	Address	Phone
GREG STEVINSON CONST.	10207 N.E 100 TH SE KEMO	64157

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:

OPEN GROUND NO USE CURRENTLY

5. We propose that the zoning of the property be changed from RP 3 to R1 & NE

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

<u>Structure</u>	<u>Height</u>
<u>NA</u>	

CITY OF RAYTOWN PLANNING & ZONING COMMISSION

TRAFFIC IMPACT STUDY POLICY

(Adopted by the Raytown Planning and Zoning Commission, June 15, 2000)

A general policy on Traffic Impact studies is necessary to ensure petitioners receive fair consideration before the Planning & Zoning Commission. This policy outlines the two levels of information required by the Planning & Zoning Commission when considering cases and their traffic impact.

Any development project requiring a rezoning, conditional use permit, or subdivision must provide a Traffic Impact Study accompanied by the seal of an Engineer currently licensed to practice in the State of Missouri. This Study shall:

1. Identify the specific land use types and intensities and the arrangement of buildings, parking, and access to public streets.
2. Identify the functional classification of the public street(s) to be accessed.
3. Document current characteristics of the public street(s) – number of types of lanes, speed limits or 85th percentile speeds, and sight distances from proposed streets and driveways.
4. Compare the proposed access with established design criteria-spacing from other driveways or streets, width of driveway, minimum sight distance, etc.
5. Estimate the number of vehicle trips that the development will generate. The common source is the Trip Generation manual published by the Institute of Transportation Engineers.

Any project anticipated to generate more than 100 PM peak hour trips must also provide the following items, accompanied by the seal of a Traffic Engineer currently licensed to practice in the State of Missouri or Kansas.

1. Document current peak hour traffic volumes at proposed access locations.
2. Distribute and assign the development traffic volumes through the site access and on the public street(s).
3. Conduct volume/capacity analyses at site driveways and key intersections to determine the projected level of service.
4. Compare existing plus development traffic conditions with established guidelines and policies for acceptable levels of service and turn lanes.
5. Identify geometric and/or traffic control improvements to mitigate deficiencies and/or comply with established policies.
6. Prepare a report outlining the findings and conclusions of the study, including exhibits illustrating the site plan, traffic volumes, and existing street conditions.

These reports shall be submitted to the Community Development Department with the project application.

Raytown Planning & Zoning Commission

Applicant Presentation Outline

When applying for a change in the zoning of a property it is the applicant's burden to show / explain the merits of their application to the Planning & Zoning Commission and to the Board of Aldermen. As such, when the application is considered by the Planning & Zoning Commission or the Board of Aldermen, the applicant, or their representative should explain what is proposed, why the proposal is an appropriate use for the applicable property, and how the proposal will fit with the surrounding neighborhood. The applicant or their representative has up to 30 minutes to present this information to the Planning & Zoning Commission and up to 10 minutes to present this information to the Board of Aldermen.

The following is an outline that applicants or their representative should follow when making a presentation to the Planning & Zoning Commission and Board of Aldermen regarding the application.

1. Introduce yourself. State your name and address.
2. Explain your application and what you want to do.
3. Explain how this is an appropriate use of the property.
 - Explain what is located on the surrounding properties;
 - Explain why this development / use will be a complement to the surrounding properties;
 - Explain how your proposal matches the character of the surrounding neighborhood;
 - Explain how your proposal will improve the surrounding neighborhood;
 - Explain how there is adequate water, sewer and roadways to sufficiently serve what you are proposing to build or do;
 - If you are asking for a conditional use permit, explain how your proposal will fit with the surrounding neighborhood and not become a problem because of the amount of noise, traffic, or other issues.
4. State whether you have reviewed the staff's recommendation and whether you agree with the conditions proposed by staff. If you do not agree with any of the conditions proposed by staff, state why you do not agree, and propose an alternative.

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

Existing office building on the east is NC same as being applied for and would extend this zoning frontage an additional 255 feet along 63rd to the west. To the north across 63rd is R-3-P multi-tenant Senior Housing. To the south R-1 which would match the zoning being applied for along BlueRidge. The west side of the property is BlueRidge elementary school. The plan on this side calls for a landscape screening. As you travel to the east of this property along 63rd there is a considerable foot print of commercial properties.

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

The abutting properties are zoned public and semipublic across the street, residential to the west and south, commercial to the east, The proposed development will be zoned neighborhood commercial which is a zoning used to provide commercial services to the public and especially residents. As stated above the current zoning abutting the property and in close proximity to the property match the NC and R-1 applied for in this application.

- C. The property is more suited for its proposed zoning than its current zoning because.

The property to the east is currently zoned commercial. Also this property has been zoned residential for its lifespan and has not been developed primarily because of the ingress, egress for lots that would have been built along 63rd. This property being located on a 4-lane arterial street and having trip generation for a free standing discount store as stated in the traffic study would have no adverse effect on vehicle delays and level of service. The site plan shows the entrance on the farthest eastern portion of 63rd street frontage.

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

The development of this parcel should not have a detrimental impact on the surrounding parcels. To the west from the residential building line to the school building (BlueRidge elementary school) is 500 foot from the proposed zoning property line which on this side will be a residential single family lot to extend this west buffer. On this residential lot line running north and south that abuts the school boundary will be a landscape buffer. To the west and south the zoning would match the adjacent properties. To the north is R-3-P which is separated by a 4-lane collector.

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

This property has never been developed.

F. If the property is denied, the property owner will face the following hardships,

Continue to pay taxes and upkeep while a viable economic plan can be found for this location.

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

The proposed development conforms to the Comprehensive plan in many ways. This site is located adjacent to a 4-lane arterial which provides for ingress and egress and as stated in the traffic study would have no adverse effect on the level of service. This location has close proximity to public transportation. The design features and hours of operation can address the noise, lighting, and buffering so not to have an adverse impact on surrounding properties.

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

The proposed development will require access to water, sewer, and electric services. All of these public utilities are present at the site and have capacity to serve the proposed development.

I. Additional Comments.

An application for rezoning for this property was submitted to planning and zoning in February of 2012. That application was withdrawn.

Since the withdrawal of that application the proposed tenant and property owner have revised the original site plan. The owner submitted a formal proposal to the school district to explore their interest for purchase. I also met with alderman Azeir and some of the neighbors to see if they would address the school board for the purchase. The school district did have a meeting to discuss the purchase. The outcome, not interested at this time.

The owner has met with the main street council and the park board and submitted a plan to create a neighborhood garden, neighborhood orchard or a pocket park that would have served as a buffer of 1.34 acres surrounding the 0.83 acres that is proposed for the Dollar General. The owner offered to donate this parcel and partially fund some infrastructure for community use. The owner would like to thank the members of these groups for giving him the time and forum to present his ideas. The stake holders of these groups in the end decided at this time they were not interested. The owner understands the constraints that a parks department or neighborhood group has when current funding

levels are a stretch to maintain its current assets. The offer to donate the property to the school and city was also explored. Same result, no interest.

The owner will have an open house with invitations being in the form of door hangers. The invitations at a minimum will be to all residents within the 185 boundary of the zoning change. This will be done prior to the scheduled planning and zoning meeting. The purpose of this meeting will be to explain the plan in an informal setting.

The proposed development would provide are additional property tax roles as well as provide jobs most likely for local residents.

Raytown

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

09/16/2004 02:22:57 PM

INSTRUMENT TYPE: MD FEE: \$24.00 2 Pages



INSTRUMENT NUMBER/BOOK & PAGE:

200410088724



ROBERT T. KELLY, DIRECTOR OF RECORDS

The above space is reserved for the Recorder of Deeds

General Warranty Deed

This Indenture, Made on this 13th day of September, 2004 by and between, Mary Thelma Myers, a single person (GRANTOR) of the County of Jackson, State of Missouri, party(ies) of the first part, and Greg Stavinou Construction Co., Inc. (GRANTEE), of the County of Jackson, State of Missouri, party(ies) of the second part, whose mailing address of said first named grantee is: 10207 NE 100TH, KANSAS CITY, MISSOURI 64157.

WITNESSETH: THAT SAID PARTY(IES) OF THE FIRST PART, in consideration of the sum of ONE DOLLAR and other valuable consideration, to them in hand paid by the said party(ies) of the second part, the receipt of which is hereby acknowledged, does by these presents, GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM, unto the said party(ies) of the second part, his/her/ their heirs and assigns, the following described lots, tracts or parcels of land lying, being and situate in the County of Jackson and State of Missouri, to-wit:

Lot 7, JACOB CROUSE HOMESTEAD, a subdivision in Raytown, Jackson County, Missouri, except part in road, if any.

TO HAVE AND TO HOLD, The premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said party(ies) of the second part and unto his/her/their heirs and assigns forever, the said parties of the first part hereby covenanting that he/she/they are lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she/he/they have good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by him/her/them or those under whom he/she/ they claim; and that said party(ies) of the first part will warrant and defend the title of the said premises unto the said party(ies) of the second part and unto his/her their heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

104-3135

COLUMBIAN TITLE
OF KANSAS CITY, INC.
529 SE 2nd St.
Lee's Summit, MO 64063

EXHIBIT "A"

*Deed
of
Trust*

Tract A:

A tract of land being in the Northeast Quarter of the Southwest Quarter of Section 5, Township 48, Range 32, in Raytown, Jackson County, Missouri, also being a part of Lot 7, "Jacob Crouse Homestead", a subdivision in said City and County, being more particularly described as follows: Commencing at the Southeast Corner of Lot 7, said "Jacob Crouse Homestead"; thence along the East line of said Lot 7, North 00 degrees, 07 minutes, 51 seconds East, a distance of 784.87 feet to a point being on the South right-of-way of Blue Ridge Boulevard (as now established); thence North 00 degrees, 07 minutes, 31 seconds East, 105.38 feet to a point on the North right-of-way of Blue Ridge Boulevard (as now established), said point also being the Point of Beginning; thence along the said North right-of-way at Blue Ridge Boulevard, South 71 degrees, 43 minutes, 50 seconds West, a distance of 346.72 feet to a point being on the West line of Lot 7, said "Jacob Crouse Homestead", thence along the West line of Lot 7, said "Jacob Crouse Homestead", North 00 degrees, 07 minutes, 51 seconds East, a distance of 347.77 feet to a point being on the South right-of-way of East 83rd St. Trafficway (as now established); thence departing the said West line, and along the said South right-of-way of East 63rd St. Trafficway (as now established): South 87 degrees, 48 minutes, 25 seconds East, a distance of 329.21 feet (Plat = 329.00 feet) to a point being on the East line of Lot 7, said "Jacob Crouse Homestead"; thence departing said South right-of-way, and along the East line of Lot 7, said "Jacob Crouse Homestead", South 00 degrees, 07 minutes, 51 seconds West, a distance of 226.48 feet (Deed = 226.28 feet) to the Point of Beginning of this tract of land, containing 2.169 acres or 94,462.96 square feet more or less and subject to all easements, reservations, restrictions, of record.

Greg Stervinou Construction Co Inc
CML 6989-6992



304 SE 3rd Street
Lees Summit, MO 64063
Phone: (816) 347-8300
Fax: (816) 347-8120

COMMITMENT FOR TITLE INSURANCE SCHEDULE A

File No.: 71984

1. **Effective Date:** November 27, 2015 at 8:00 AM

2. **Policy or Policies to be issued:**

Amount of Insurance

(a) A.L.T.A. Owner's Policy 2006 (Standard)

Proposed Insured:

Greg Stervinou

(b) A.L.T.A. Loan Policy 2006 (Standard)

\$274,000.00

Proposed Insured:

ARVEST BANK KANSAS CITY

3. **The estate or interest in the land described or referred to in this Commitment is:**

Fee Simple

4. **Title to the said estate or interest in said land is at the Effective Date vested in:**

GREGORY L STERVINO AND TAMARA J STERVINO, HUSBAND AND WIFE (AS TO TRACT 1, 4,5)

GREGORY J STERVINO, TRUSTEE OF THE GREGORY J STERVINO REVOCABLE TRUST, DATED MARCH 27, 1990. (AS TO TRACT 2)

GREG STERVINO CONSTRUCTION INC., (AS TO TRACT 3)

GREG STERVINO CONSTRUCTION CO., INC. (AS TO TRACT 6)

5. **The land referred to in this Commitment is described as follows:**

SEE EXHIBIT "A" ATTACHED HERETO



EXHIBIT "A"
LEGAL DESCRIPTION

TRACT 1:

LOT 37, NOLAND HEIGHTS, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

TRACT 2:

LOT 15, ALTA VISTA ACRES, A SUBDIVISION IN RAYTOWN, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

TRACT 3:

LOT 16, MARIWOOD, A SUBDIVISION IN RAYTOWN, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

TRACT 4:

LOT 9, JACOB ESTATES, A SUBDIVISION IN RAYTOWN, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

TRACT 5:

ALL OF LOT 1, ALBRIGHT ESTATES - 1ST PLAT, A SUBDIVISION IN KEARNEY, CLAY COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

TRACT 6:

TRACT A, JACOB ESTATES, A SUBDIVISION IN RAYTOWN, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART I

File No. 71984

The following are the requirements to be complied with:

1. Furnish for examination an authentic copy of the trust agreement or declaration of trust for Gregory J Stervinou Revocable Trust Dated March 27, 1990, and amendments thereto. If there have been no amendments to the agreement, furnish proof of an affidavit. (NOTE: We reserve the right to make any additional requirements we deem necessary.)
2. Require Certificate of Good Standing for Greg Stervinou Construction Inc., a/k/a Greg Stervinou Construction Co., Inc. evidenced by the Secretary of State.
3. Furnish a resolution passed by the Board of Directors of Greg Stervinou Construction Inc., a/k/a Greg Stervinou Construction Co. Inc. signed by the corporate secretary, which authorizes the proposed transaction and identifies the current corporate officers authorized to sign closing documents.
4. Properly executed Deed of Trust securing the proposed loan.
5. All taxes and special assessments due to the City of Independence, Mo., Raytown, Mo and Kearney, Mo.
6. Payment and Release of record of the Deed of Trust executed by Greg Stervinou Constructin Co Inc., a Missouri Corporation to PR & H Trustee Services PC, Trustee for Union Bank, dated December 11, 2008 and recorded December 12, 2008 as Document No. 2008E0127332, **stating that it secures \$67,000.00 and interest.** (Tract 1)

NOTE: The aforementioned security agreement was last assigned to Arvest Bank by Assignment recorded August 8, 2012, as Document No. 2012E0085349.

7. Payment and Release of record of the Deed of Trust executed by Gregory J Stervinou Trustee of the Gregory J Stervinou Revocable Trust, Dated March 27, 1990, Gregory J Stervinou and Rose Ellen Stervinou to Husch Trustee, Inc., Trustee for Mercantile Bank of Kansas City, dated November 14, 1991 and recorded November 19, 1991 as Document No. I-1074172 in Book I-2182 at Page 2265, **stating that it secures \$63,000.00 and interest.** (Tract 2)

NOTE: Modification Agreement with respect to the foregoing Deed of Trust filed October 20, 1993 as Document No. I-1224178 in Book I-2463 at Page 736 and by Document No. I-1318421 in Book I-2640, Page 1674

8. Payment and Release of record of the Deed of Trust executed by Greg Stervinou Construction Co., Inc. to Tarquad Corporation, Trustee for Firststar Bank, N.A., dated April 10, 2001 and recorded August 10, 2001 as Document No. 2001I0063367, **stating that it secures \$200,000.00 and interest.** (Tract 3)

The above Deed of Trust was Amendment by the instrument recorded September 2, 2015 as Document No. 2015E0079134.

9. Payment and Release of record of the Deed of Trust executed by Greg Stervinou Construction Co Inc., a Missouri Corporation to PR&H Trustee Services Pc, Trustee for Union Bank, dated March 31, 2008 and recorded April 14, 2008 as Document No. 2008E0040077, **stating that it secures \$128,000.00 and Interest.** (Tract 4)

NOTE: The foregoing security agreement was further secured by the Assignment of Rents executed by Greg Stervinou Construction Co., Inc., a Missouri Corporation to Union Bank recorded March 18, 2010 as Document No. 2010E0025668.



**COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART I**

File No. 71984

NOTE: The aforementioned security agreement was last assigned to Arvest Bank by Assignment recorded August 8, 2012, as Document No. 2012E0085350.

10. Payment and Release of record of the Deed of Trust executed by Greg Stervinou Construction Co Inc., a Missouri Corporation to PR & H Trustee Services PC, Trustee for Union Bank, dated May 11, 2007 and recorded May 23, 2007 as Document No. 2007E0068481, **stating that it secures \$410,920.00** and interest. (Tract 6)

NOTE: Modification Agreement with respect to the foregoing Deed of Trust filed December 14, 2007 as Document No. 2007E0158059, and Modification Agreement filed February 6, 2009 as Document No. 2009E0010642.

NOTE: The aforementioned security agreement was last assigned to Arvest Bank by Assignment recorded August 8, 2012, as Document No. 2012E0085351.

11. Payment in full for the Real Estate Taxes for the year 2015 in the amount of \$821.84 due November 1, and delinquent after December 31.(Tract 1)

12. Real Estate Taxes for the year 2014 are paid in the amount of \$782.34.(Tract 1)

Tax ID #27-740-03-05-00-0-00-000

Assessed valuation for 2015 is \$10,176.

NOTE: For your convenience, the tax records reflect the address of the property to be 3113 Englewood Ter., Independence, Mo 64052.

13. Payment in full for the Real Estate Taxes for the year 2015 in the amount of \$1,544.60 due November 1, and delinquent after December 31.(Tract 2)

14. Real Estate Taxes for the year 2014 are paid in the amount of \$1,557.64 (Tract 2).

Tax ID#: 50-320-09-04-00-0-00-000

Assessed valuation for 2015 is \$16,929.

NOTE: For your convenience, the tax records reflect the address of the property to be: 7811 E 86th St., Raytown, Mo 64138.

15. Payment in full for the Real Estate Taxes for the year 2015 in the amount of \$1,227.03 due November 1, and delinquent after December 31.(Tract 3)

16. Real Estate Taxes for the year 2014 are paid in the amount of \$1,309.03 (Tract 3)

Tax ID#: 50-310-04-14-00-0-00-000

Assessed valuation for 2015 is \$14,654.

NOTE: For your convenience, the tax records reflect the address of the property to be: 8424 Marsh Ave., Raytown, Mo 64138.



**COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART I**

File No. 71984

17. Payment in full for the Real Estate Taxes for the year 2015 in the amount of \$1,392.78 due November 1, and delinquent after December 31.(Tract 4)

18. Real Estate Taxes for the year 2014 are paid in the amount of \$1,363.59 (Tract 4)

Tax ID#: 45-230-07-67-00-0-00-000

Assessed valuation for 2015 is \$15,264.

NOTE: For your convenience, the tax records reflect the address of the property to be: 9100 E 64th Ter., Raytown, Mo 64133.

19. Payment in full for the Real Estate Taxes for the year 2015 in the amount of \$1,868.71 due November 1, and delinquent after December 31.(Tract 5)

20. Real Estate Taxes for the year 2014 are paid in the amount of \$1,814.58 (Tract 5)

Tax ID#: 07913001905200

Assessed valuation for 2015 is \$24,090

NOTE: For your convenience, the tax records reflect the address of the property to be: 601 Marguerite St., Kearney, Mo.

21. Payment in full for the Real Estate Taxes for the year 2015 in the amount of \$696.34 due November 1, and delinquent after December 31.(Tract 6)

22. Payment in full for the Real Estate Taxes for the year 2013 in the amount of \$205.00, plus interest and penalties, (Tract 6)

23. Real Estate Taxes for the year 2014 are paid in the amount of \$681.79 (Tract 6)

Tax ID#: 45-230-02-06-00-0-00-000

Assessed valuation for 2015 is \$7,632

NOTE: For your convenience, the tax records reflect the address of the property to be: No Address Assigned by City, Raytown, Mo.



**COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II**

File No. 71984

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or claims of parties in possession not shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Any encroachment, encumbrance, violation, or adverse circumstance that would be disclosed by an accurate and complete land survey of the Land.
5. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records.

END OF SCHEDULE B II



COMMITMENT

SCHEDULE B - Section II

CHAIN OF TITLE

Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded. Information of chain of title per lender request: Gregory L Stervinou and Tamara J Stervinou, husband and wife acquired property by Warranty Deed dated February 9, 2011 recorded as Document No. 2011E0014427. (Tract 1)

Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded. Information of chain of title per lender request: Gregory J Stervinou, Trustee of the Gregory J Stervinou revocable trust, dated March 27, 1990 acquired property by Warranty Deed dated July 31, 1991 recorded as Document No. I-1055398 in Book I-2150 and Page 624. (Tract 2)

Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded. Information of chain of title per lender request: Greg Stervinou Construction Inc., acquired property by Warranty Deed dated October 22, 1994 recorded as Document No. I-1308874 in Book I-2621 and Page 2184. (Tract 3)

Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded. Information of chain of title per lender request: Gregory L Stervinou and Tamara J Stervinou, husband and wife acquired property by Warranty Deed dated February 9, 2011 recorded as Document No. 2011E0014428. (Tract 4)

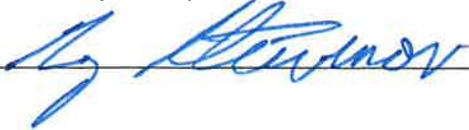
Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded. Information of chain of title per lender request: Gregory L Stervinou and Tamara J Stervinou, husband and wife acquired property by Warranty Deed dated February 9, 2011 recorded as Document No. 2011004689 in Book 6576 and Page 52. (Tract 5)

Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded. Information of chain of title per lender request: Greg Stervinou Construction Co., Inc. acquired property by Warranty Deed dated September 13, 2004 recorded as Document No. 2004I0088724. (Tract 6)

Commitment No.: 71984

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached.

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:

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



DEVELOPMENT & PUBLIC AFFAIRS DEPARTMENT
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133-3993
PHONE: 816-737-6014
FAX: 816-737-6164

Notice of Public Hearing

The City of Raytown Development & Public Affairs Department has received an application seeking to rezone land from High Density Residential and Planned Zoning Overlay District (RP-3) to Neighborhood Commercial (NC-P) and Low Density Residential (R-1). The general area of the subject property that is proposed to be rezoned to R-1 and to NC-P is indicated on the attached aerial map and is located at 9109 East 63rd Street. A copy of the submitted site development plan for the area of land requested to be rezoned to NC-P can be viewed at the Raytown Development and Public Affairs Department, located at 10000 E. 59th Street, Raytown, MO 64133, from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

According to Jackson County, Missouri property tax records the land area proposed to be rezoned is located within 185 feet of property you own. Public hearings to consider the above described rezoning application will be held on the following date and times in the Raytown City Hall Council Chambers located at 10000 East 59th Street, Raytown, Missouri:

- Thursday, January 7, 2016 at 7:00 p.m. by the City of Raytown Planning and Zoning Commission; and
- Tuesday, January 19, 2016 at 7:00 p.m. by the Raytown Board of Aldermen.

You are invited to attend either or both of the public hearings to ask questions or provide comment regarding the rezoning application and / or accompanying site development plan.

Questions regarding this application or the public hearings can be obtained at the City of Raytown Development and Public Affairs Department, by telephone at (816) 737-6011 or by e-mail at jbenson@raytown.mo.us.

If you require any accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) in order to attend either of these public hearings, please notify the Development and Public Affairs Department at Raytown City Hall at (816) 737-6011 no later than 48 hours prior to the beginning of the applicable public hearing.



R-3P to NC-P
R-3P to R-1

Office Building

Bickford House

Blue Ridge Elementary School

Blue Ridge Presbyterian Church

63rd ST

BLUE RIDGE BLVD

64TH TER

MANNING ST

64TH TER

LANE AVE

OTTIZLER AVE

HUNTER AVE

HUNTER AVE

ELM ST

ELM ST

ELM ST

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BENJAMIN FISHER
9062 E 64TH TERRACE
RAYTOWN, MO 64133

GREGORY & TAMARA STERVINO
10207 NE 100TH STREET
KANSAS CITY, MO 64157

MICHAEL DEMPEWOLF
9104 E 64TH TERRACE
KANSAS CITY, MO 64133

BETTINA EVANS
9108 E 64TH TERRACE
RAYTOWN, MO 64133

SANDRA JAMES
9112 E 64TH TERRACE
RAYTOWN, MO 64133

PAUL & NANCY KENWORTHY
4616 NE SEABROOK LANE
LEE'S SUMMIT, MO 64064

OLIVER & CARRIELLA SPARKS
13318 S. HARRIS ROAD
GREENWOOD, MO 64034

MURIEL JORDAN
9204 E 64TH TERRACE
RAYTOWN, MO 64133-4852

LINDA DIANE HILL
5900 LAUREL AVE
RAYTOWN, MO 64133

HENRY VAN LANKER
6401 BLUE RIDGE BLVD
RAYTOWN, MO 64133

PATRICIA LYNN RHODES
6365 BLUE RIDGE BLVD.
RAYTOWN, MO 64133

CARLTON ROBINSON
PO BOX 16651
KANSAS CITY, MO 64133-0751

BRYON & LORAN HARRIS
6361 BLUE RIDGE BLVD
RAYTOWN, MO 64133

WALLCE & LINDA GAUTREAUX
6357 BLUE RIDGE BLVD
RAYTOWN, MO 64133-0751

CARLTON ROBINSON
PO BOX 16651
KANSAS CITY, MO 64133

LASHIKA HASKINS
6353 BLUE RIDGE BLVD.
RAYTOWN, MO 64133

LARRY & CLARISSA WILLIAMS
6349 BLUE RIDGE BLVD
RAYTOWN, MO 64133

K & P RENTALS, LLC
13210 E 49TH STREET
KANSAS CITY, MO 64133

SCOTT & VALERIE PETERSON
1162 INDIANA AVE
SALT LAKE CITY, UTAH 84104-2463

EQUITY TRUST CO CUST FBO
DAVID BERGER
PO BOX 14101
IRVINE, CALIFORNIA 92623-9998

CONSOLIDATED SCHOOL DIST. #2
6608 RAYTOWN ROAD
RAYTOWN, MO 64133

JAMIE DAWN CLOSE
9204 E 63RD STREET
RAYTOWN, MO 64133

KELLY JAYE HAMLIN
9200 E 63RD STREET
RAYTOWN, MO 64133

VIRGINIA HESTER MURPHY –
TRUSTEE
6224 DITZLER AVE
RAYTOWN, MO 64133

CHURCH OF JESUS REORGANIZED
PO BOX 1059
INDEPENDENCE, MO 64051

HSRE BSL RAYTOWN, LLC
13795 MUR LEN ROAD STE 301
OLATHE, KANSAS 66062

GIBBENS INVESTMENT LLC
6222 RAYTOWN TFWY
RAYTOWN, MO 64133

TIMBERBROOKE OFFICE PARK
ASSOC
1111 GRAND AVE SUITE 500
KANSAS CITY, MO 64106



Development & Public Affairs Department
 Building Inspections Division
 10000 E. 59th Street
 Raytown, MO 64133
 Office (816) 737-6011 Fax (816) 737-6164

FINAL PLAT PERMIT

PERMIT #: 20157118	DATE ISSUED: 12/23/2015
	MUST COMMENCE BY: 12/22/2016
JOB ADDRESS: 9109 E 63RD ST	LOT #:
SUBDIVISION:	BLK #:
OWNER: GREG STERVINO	CONTRACTOR: GREG STERVINO
ADDRESS: 10207 E 100TH ST	ADDRESS: 10207 E 100TH ST
CITY, STATE ZIP: KANSAS CITY MO 64157	CITY, STATE ZIP: KANSAS CITY MO 64157
PHONE:	PHONE:
VALUATION: \$ 0.00	
SQ FT: 0.00	
OCCP TYPE:	
CNST TYPE:	
DESCRIPTION OF WORK: FINAL PLAT: JACOB ESTATES PHASE 2	

FEE CODE	DESCRIPTION	AMOUNT
PZ-04	FINAL PLATS/PER LOT	\$ 112.00
TOTAL		\$ 112.00

Inspection Information

1. All inspections require one working day (24 hours) advance notice.
2. Inspections must be scheduled and approved before covering any work.
3. APPROVED PLANS AND SITE PLAN MUST BE ONSITE FOR INSPECTIONS!

This permit is issued in reliance upon information submitted by the applicant. The Building Official may suspend or revoke a permit whenever the permit is issued in error, on the basis of incorrect information supplied, or in violation of the adopted code, city ordinance or regulations. This permit shall become null and void if the work authorized by this permit is suspended for a period of 180 days or is not commenced within 180 days. Approval of the plans or any inspections of this project shall not be construed as an approval of a violation of the codes or ordinances of the City of Raytown.


12/23/15
 Issued By: _____ Date: _____ Applicant: _____ Date: _____



Development & Public Affairs Department
 Building Inspections Division
 10000 E. 59th Street
 Raytown, MO 64133
 Office (816) 737-6011 Fax (816) 737-6164

REZONING PERMIT

PERMIT #: 20134211	DATE ISSUED: 7/10/2014
	MUST COMMENCE BY: 7/10/2015
JOB ADDRESS: 9109 E 63	LOT #:
	BLK #:
SUBDIVISION:	
OWNER: DOLLAR GENERAL	CONTRACTOR: GREG STERVINO CONSTRUCTION
ADDRESS: 9109 E 63RD	ADDRESS: 10207 NE 100TH STREET
CITY, STATE ZIP: RAYTOWN MO 64133	CITY, STATE ZIP: KANSAS CITY MO 64157
PHONE:	PHONE: 816-838-8815
VALUATION: \$ 0.00	
SQ FT 0.00	
OCCP TYPE:	
CNST TYPE:	
DESCRIPTION OF WORK: REZONE FROM R-1 TO NC & R-1	

FEE CODE	DESCRIPTION	AMOUNT
PZ-09	REZONING	\$ 450.00
TOTAL		\$ 450.00

Inspection Information

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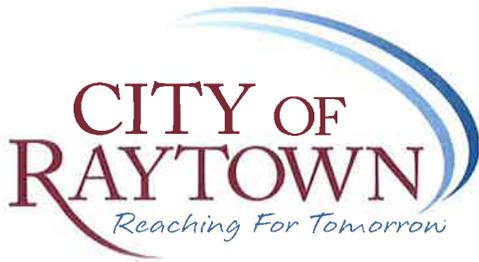
This permit is issued in reliance upon information submitted by the applicant. The Building Official may suspend or revoke a permit whenever the permit is issued in error, on the basis of incorrect information supplied, or in violation of the adopted code, city ordinance or regulations. This permit shall become null and void if the work authorized by this permit is suspended for a period of 180 days or is not commenced within 180 days. Approval of the plans or any inspections of this project shall not be construed as an approval of a violation of the codes or ordinances of the City of Raytown.

Issued By: _____

Date: _____

Applicant: _____

Date: _____



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10000 EAST 59TH STREET
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Notice of Public Hearing

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The City of Raytown Planning and Zoning Commission will hold a public hearing on the above-described application on Thursday, January 7, 2016 at 7:00 p.m. in the Raytown City Hall Council Chambers located at 10000 East 59th Street, Raytown, Missouri.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described rezoning application on Tuesday, January 19, 2016 at 7:00 p.m., at Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

You are invited to attend either or both of the public hearings to ask questions or provide comment regarding the rezoning application and / or accompanying site development plan. A copy of the submitted site development plan for the area of land requested to be rezoned to NC-P can be viewed at the Raytown Development and Public Affairs Department, located at 1000 E. 59th Street, Raytown, MO 64133, from 8:00 am to 5:00 pm, Monday through Friday, excluding holidays.

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NEWSPAPER ADVERTISEMENT OF MEETING