CITY OF RAYTOWN
PLANNING AND ZONING COMMISSION MEETING
AGENDA

May 14, 2015
7:00 pm
Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133

1. **Welcome by Chairperson**
2. **Call meeting to order and Roll Call**
3. **Approval of Minutes of February 12, 2015 Meeting Minutes**
   A. Revisions
   B. Motion
   C. Second
   D. Additional Board Discussion
   E. Vote
4. **Old Business. –** None
5. **New Business**

   A. Application: **Conditional Use Permit Application that seeks to allow a residential use in the Neighborhood Commercial (NC) District at 5902 Blue Ridge Boulevard, Raytown, MO 64133**
   Case No.: **PZ-2015-004**
   Applicant: **Wanda Mullins**

   1. Introduce 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
   c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
   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
   g. Staff Report on application for May 14, 2015 Planning & Zoning Commission meeting

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: **Conditional Use Permit Application that seeks to allow a residential use in the Neighborhood Commercial (NC) District at 10200 E. 63rd Terrace, Raytown, MO 64133.**
Case No.: **PZ-2015-005**
Applicant: **John Smith on behalf of Joe Medlin**

1. Introduce 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
   c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
   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
   g. Staff Report on application for May 14, 2015 Planning & Zoning Commission meeting

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

C. Application: **Conditional Use Permit Application that seeks to allow an indoor shooting range in the Highway Corridor Commercial (HC) District at 8830 Highway 350, Raytown, MO 64133.**
Case No.: **PZ-2015-006**
Applicant: **Jim Bloomquist on behalf of Billy and Marilyn Green**

1. Introduce 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
   c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
   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
   g. Staff Report on application for May 14, 2015 Planning & Zoning Commission meeting

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

D. Application: **Conditional Use Permit Application that seeks to allow an animal kennel in the Highway Corridor Commercial (HC) District at 8814 E. 67th Street, Raytown, MO 64133.**
Case No.: **PZ-2015-007**
Applicant: **Susan Jones on behalf of Chain of Hope on behalf of Summit Bank of Kansas City**

1. Introduce 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
   c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
   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
   g. Staff Report on application for May 14, 2015 Planning & Zoning Commission meeting

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

E. Application: Final Site Plan for a proposed convenience store at 9323 E. 350 Highway, Raytown, MO
Case No.: PZ-2015-003
Applicant: Triple M Enterprises dba QuikTrip

1. Introduce 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. Site Plan Application submitted by applicant
   b. Site Development Plan
   c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
   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
   g. Staff Report on application for May 14, 2015 Planning & Zoning Commission meeting

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

6. Other Business

7. Planning Project Reports:

8. Set Future Meeting Date - Thursday, June 4, 2015 at 7:00 PM

9. Adjourn

CITY OF RAYTOWN
PLANNING AND ZONING COMMISSION MEETING
MINUTES

February 12, 2015
7:00 pm
Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133

1. Welcome by Chairperson

Mr. Wilson welcomed all to the Planning and Zoning Meeting

2. Call meeting to order and Roll Call

Mr. Wilson called the meeting of February 12, 2015 to order, Mr. Bettis took roll call.

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

3. Approval of Minutes of December 11, 2014 Meeting Minutes

A. Revisions - None

B. Motion – Ms. Hartwell made a motion to approve

C. Second – Mr. Bettis seconded the motion

D. Additional Board Discussion - None

E. Vote – Vote taken passed unanimously

4. Election of Officers for 2015

A. Chairman

Mr. Bettis nominated Mr. Wilson for Chairman, Mr. Myers seconded the motion. There were no other nominations. Motion passed unanimously approving Mr. Wilson as Chairman.

B. Vice-Chairman

Mr. Meyers made a motion to nominate Mr. Bettis for Vice-Chairman, Ms. Hartwell seconded the motion. There were no other nominations. Motion passed unanimously approving Mr. Bettis as Vice-Chairman.

C. Secretary

Ms. Hartwell made a motion to nominate Ms. Stock for Secretary, Mr. Bettis seconded the motion. There were no other nominations. Motion passed unanimously approving Ms. Stock as Secretary.

5. Old Business. – None

6. New Business

A. Application: **Conditional Use Permit Application that seeks to operate a vehicle rental business at 9400/9600 E 53RD Place, Raytown, MO 64133**

Case No.: **PZ-2015-001**

Applicant: **Emanuel Barger**

1. Introduce Application

   Mr. Wilson introduced PZ-2015-001 to the board

2. Open Public Hearing

   Mr. Wilson opened the Public Hearing of PZ-2015-001

3. Explain Procedure for a Public Hearing and swear-in speakers

   The City Attorney, Jonathan Zerr swore in all that were speaking on this application.

4. Mr. Wilson Entered Relevant City Exhibits into the Record:

   a. Conditional Use Permit Application submitted by applicant

   b. Site Development Plan submitted by applicant.

   c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.

   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

g. Staff Report on application for February 12, 2015 Planning & Zoning Commission meeting

5. Explanation of any exparte' communication from Commission members regarding the application.

None

6. Introduction of Application by Staff

Mr. Benson introduced this application to the board and stated that Neal Clevenger on behalf of Emanuel Barger is seeking approval of a conditional use permit to allow a U-Haul rental business to operate at 9400 and 9600 E. 53rd Place. The property contains two buildings with parking. Mr. Barger is in the audience this evening and deferred to him to provide additional information on this business.

7 Presentation of Application By Applicant

Good evening, my name is Emanuel Barger 9400/9600 E 53rd Place, Raytown, Mo 64133. The intention for this place is a U Haul Rental Company / Storage space. I believe that it is a good place for the U haul company because there is a high volume of traffic there I will be creating a low volume of traffic, there will be no more than three (3) vehicles a week and they will be rented by appointment. I feel I will be providing an opportunity for the youth of Raytown to have employment. I believe it will be a really good fit for that area; I too have a cable company that I work out of on 53rd Street. On that grid there is a gas station, a car wash and I thought it would be a great location for this business. I do agree with the staff recommendations for this business.

Ms. Hartwell asked if this was an appointment only business.

Mr. Barger stated that it was.

Ms. Hartwell asked it that would cut down on his business.

Mr. Barger stated yes, but he can control it better because I run cable business also.

Ms. Dwight asked what the business hours are.

Mr. Barger stated 9-5 would be the business hours and the phone number would be answered all the time.

Mr. Meyers asked what size U Haul trucks would be on the property.

Mr. Barger stated they will have a van and maybe 2 mid-sized trucks and one 28 foot truck and hitches, ect.

Mr. Meyers asked about the brush in the back of the building and the blind spot with the trees and shrubbery. I am worried about some blind site issues.

Mr. Barger stated that right behind the sign on 9400 there is a parking spot for a large vehicle. It is pretty open I think it is safe there.

Mr. Meyer asked if he would consider cleaning up the shrubberies there.

Mr. Barger stated he would not have a problem cleaning it up.

Mr. Benson stated the City does own the property where the park is. He stated he would talk to the Parks Department about cutting back the trees and bushes.

Additional Board and Staff discussion occurred on the parking of the vehicles and the lot.

8. Request for Public Comment

None

9. Additional Comment from Applicant, Additional Comment from Applicant, if necessary

10. Additional Staff Comments and Recommendation

Mr. Benson stated we did visit the site the parking spaces are clearly visible.

He also stated that there is a use inspection done before the business opens which will address all of the conditions. Staff recommends approval for this business with all the recommendations

11. Board Discussion

12. Close Public Hearing

Mr. Wilson closed the Public Hearing.

13. Board Decision to Approve, Conditionally Approve or Deny the Application.
    a. Motion-Mr. Myers made a motion to approve with staff recommendations.
    b. Second-Ms. Dwight seconded the motion
    c. Additional Board Discussion - None

d. Vote was taken

Ms. Hartwell	Yes
Mr. Meyers	Yes
Mr. Robinson	Yes
Mr. Jimenez	Yes
Ms. Dwight	Yes
Mr. Bettis	Yes
Mr. Wilson	Yes

Motion Carried 7-0

B. Application: **Text Amendment to Architectural Design Standards specified in the Crescent Creek Design Manual dated February 25, 2004 as adopted by Ordinance Number 4952-04.**

Case No.: **PZ-2015-002**

Applicant: **Kirk Miles on behalf of Crescent Creek Revitalization, LLC**

1. Introduce Application

   Mr. Wilson introduced PZ-2015-002 to the board

2. Open Public Hearing

   Mr. Wilson opened the Public Hearing

3. Explain Procedure for a Public Hearing and swear-in speakers

   The City Attorney, Jonathan Zerr swore in all that were speaking

4. Mr. Wilson entered Relevant Exhibits into the Record:

   a. Application for Text Amendment

   b. Crescent Creek design Manual as approved by City of Raytown Ordinance No. 4952-04.

   c. Public Hearing Notice sent to property owners within 185-feet of the Crescent Creek subdivision

   d. Public Hearing Notice published in the Raytown Post

   e. City of Raytown Zoning Ordinance as amended

   f. Staff Report on application for February 12, 2015 Planning & Zoning Commission meeting

5. Explanation of any exparte' communication from Commission members regarding the application.

None

6. Introduction of Application by Staff

Mr. Benson introduced PZ-2015-002. And stated that this application relates to an amendment to the Crescent Creek Architectural Design Standards. Mr. Benson described the history of the Crescent Creek Subdivision and stated it is a Traditional Neighborhood Design development that was approved in 2004. After it was approved a number of single family homes and one building with town homes were built as well as some common open space within the development. He estimated that approximately two-thirds of the development is vacant. After the original developer started construction and development of the subdivision, the development went into foreclosure due to the national housing down that occurred. Now today the Crescent Creek Revitalization, LLC they are wanting to start building single family homes there.

As part of the original approval there was a design manual approved as part of the plan development for the subdivision which includes the architectural design standards that they are wanting to in part amend. There amendment relates to driveways there is a current standard that states the driveways in the front yard are permitted only for lost that do not have alley access and shall be a maximum of ten (10) feet wide. There is also a specific standard that relates to garage doors that shall not face a street if alley access is available. Where a garage door faces a street, no more than nine (9) feet of garage door shall extend no further than nine (9) feet beyond the plane of the sidewall of the primary structure on the lot. In effect what that does it requires the garage to be located behind the house. The applicants are proposing to amend those two standards for driveways they are proposing that the driveways in the front yard be only permitted for lots that do not have alley access and shall be a maximum of (20) twenty feet wide. Secondly related to the garage doors they are proposing that garage doors shall not face a street if alley access is available and where a garage door does face the street not more than (22) twenty two feet if the garage inclusive of the garage door shall extend beyond the side wall of the primary structure on the lot, it allows the garage to be built to the side of the house.

Mr. Wilson asked if we should enter the email from the applicant into the exhibits. Mr. Benson stated you can do that now or when the applicants explain the email. Mr. Wilson entered the email from the applicant as exhibit h.

7. Presentation of Application By Applicant

Mr. Miles 13706 W 76th Circle in Lenexa Kansas introduced himself to the board. He stated he would be the President of Crescent Creek Home Owners Association Community Improvement District. He stated after a year they were able to re-instating the HOA, CID with the state of Missouri. We are committed to revitalizing Crescent Creek and re build the trust with the home owners who live in Crescent Creek. We work with a non- profit organization called the Giving Grove and the Giving Grove is going to come in and put in an orchard for the community and the non- profit support benefit. I would like to introduce some other people that are in support of the applicant. I would then would like to say we are hoping we are successful with this text amendment. We are ready to start construction if the text amendment goes through on the 18th.

Gary Knabe, 6811 Proctor, Kansas City, MO. 64133. I have been in Raytown about 55 years and have been selling Real Estate for about 45 years. Raytown is my home town. I was on the board when we passed this amendment originally. I really want to see this project get off the ground for the benefit of Raytown. There is more heart in this project than anything else.

Good Evening my name is John Wiley, I live at 754 Northern Avenue, Raytown, MO. I to with Gary was on the Board of Alderman when this project came to us and I remember voting yes. I drive by Crescent Creek to and from work. I then I found out it was for sale for a price. I made some calls and put together a team and I am now a land owner in this development and I will be serving on the HOA. We identified the problems with the garage set back issue is causing the home builder a difficulty in building at a price point that would sell in Raytown. I am in favor of this and completely committed to keeping the architecture feel of the neighborhood as it was originally designed. There are a couple of residents here to address the parking issues in Crescent Creek.

Hello, I am Jim Jerolf, 4405 Hickory Lane, Kansas City, MO. I am the builder that they have been eluding to the past ten minutes. I have been working with Gary Knabe and I have sat down and discussed price points for this development. As a builder I understand that home owners are looking for (3) bedrooms (2) baths and they want a two car garage. So if you address the (9) foot garage door and the (10) foot driveway anything without an alley would allow you just a (1) one car garage. That really restricts the number of buyers so that is the first issue. The second issue was about moving the garage even with the house. As a builder it is very economical to build bedrooms above the garage.

Additional discussion by the board with the builder and developers about the type of homes that will be built and the parking issues in Crescent Creek Subdivision.

8. Request for Public Comment

My name is Angel Raphael Martinez and I am at 5700 Arlington Ave. in Crescent Creek. I just wanted to address the street parking during the night as well in the daytime 7 days a week. A couple of businesses are part of the problem. What I am concerned with is the Raytown Public School transit system in the morning and afternoon in picking up and drop the children and also delivery vehicles throughout the neighborhood is really a problem.

My name is Nicole Moore and I live at 9505 E 57th Street Crescent Creek. My house has a dormer and a garage, while parking can be frustrating there because I pull in back through the alley but if I want to come in to the front of the house and make a quick run there is a lot of congestion there. It is a little scary especially in the winter with the hills it is a little nerve racking. I am in favor of what the gentleman presented here and I am in favor with what they are requesting to move forward.

Nicole Moore I live at 9505 E 57th Street, Crescent Creek. I was so eager to get up and talk on the behalf of these guys I forgot to say that I am also a realtor for the past ten years and I think that if you put in a one car garage you will cut the buyers down and it is such a beautiful neighborhood. I think when there is a leader people will follow so I believe the HOA will help with all the problems

9. Additional Comment from Applicant, if necessary

10. Additional Staff Comments and Recommendation

Mr. Benson stated we have been working with applicants for the last year not just on this amendment but on re-establishing the Community Improvement District which is a key part of the Cities interest on the Development because the alleys are privately owned by the Home Owners Association and the Community Improvement District is a way for the City to insure that the proper funding is obtained by the Home Owners Association to help pay for the ongoing maintenance as well as the alleys and the open space. I failed to mention in your packet the architectural standards are in your packet. Based on what you have heard tonight staff is recommending approval of the amendment specific to the driveways and the amendment of the garage doors. Staff is agreement with the email that was put in front of you tonight.

11. Board Discussion

Ms. Hartwell stated she didn't remember the lots were 38 feet wide. Would it be possible to make the lots larger or would that be a whole other process.

Mr. Benson stated that would be a whole other process, and would be up the applicant.

Mr. Robison asked if the (20) twenty (22) driveway is that of a standard (2) two car garage.

Mr. Benson referred to the applicant on that question.

The builder Jim Jerolf stated Mr. Robinson you are correct a two car garage door is (16) feet wide that is why we are asking for a (22) drive.

Mr. Meyers asked based on the size of the lot size can you put other style homes.

Mr. Jerolf stated that a reverse style home would require a larger lot.

Additional discussion from the board with the builder and developer.

11. Close Public Hearing

    Mr. Wilson closed the public hearing

12. Board Decision to Approve, Conditionally Approve or Deny the Application.
    a. Motion – Mr. Bettis made a motion to approve PZ-2015-002 with the staff recommendations
    b. Second – Ms. Hartwell seconded the motion.
    c. Additional Board Discussion
       None
    d. Vote was taken

Robinson	Yes
Jimenez	Yes
Myers	Yes
Hartwell	Yes
Wilson	Yes
Dwight	Yes
Bettis	Yes

Motion Carried 7-0

6. Other Business:

None

7. Planning Project Reports:

None

8. Set Future Meeting Date - Thursday, March 5, 2015 at 7:00 PM

Mr. Benson stated he would like to have a training session for the March 5th Meeting

9. Adjourn

STAFF REPORT

TO: **The City of Raytown Planning and Zoning Commission**

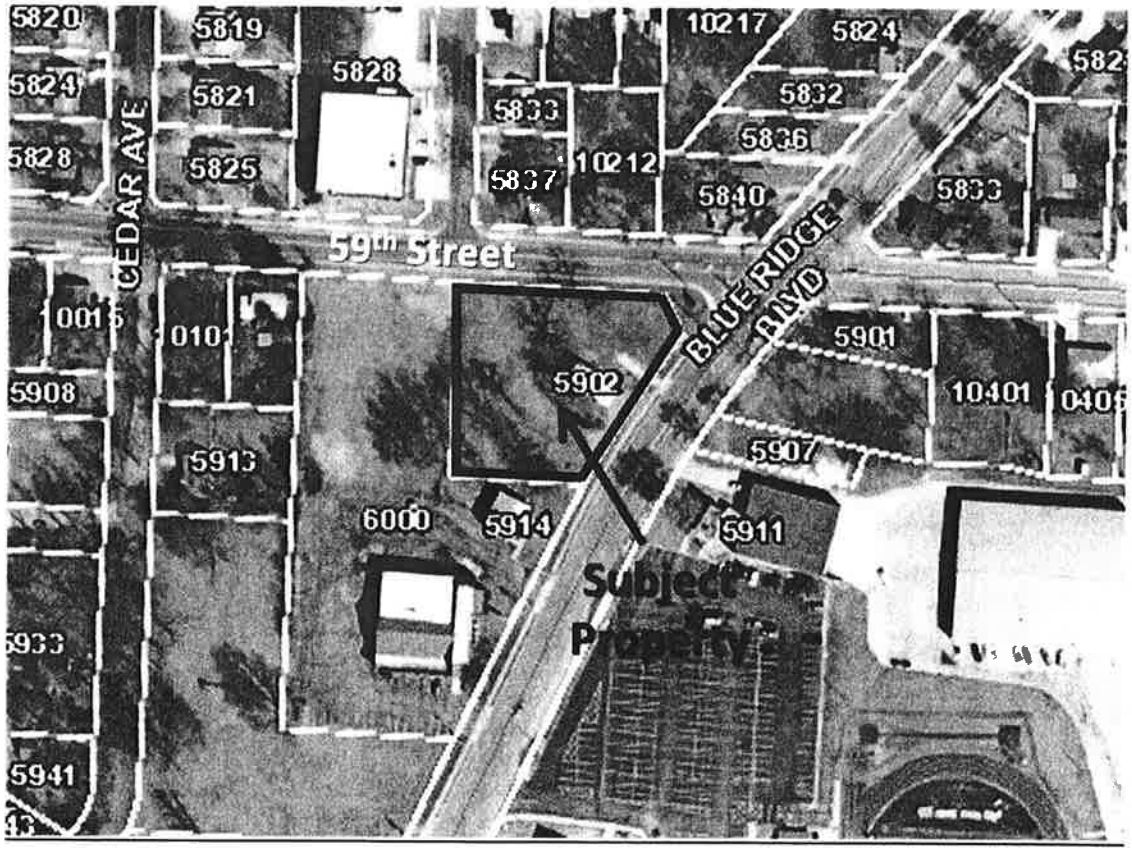
FROM: **JOHN BENSON, AICP,**
DIRECTOR OF DEVELOPMENT AND PUBLIC AFFAIRS

DATE: **MAY 14, 2015**

SUBJECT: **AGENDA ITEM NO. 5.A: (CASE NO. PZ-2015-004) CONDITIONAL USE PERMIT APPLICATION TO ALLOW A RESIDENTIAL USE IN THE NEIGHBORHOOD COMMERCIAL (NC) DISTRICT ON PROPERTY LOCATED AT 5902 BLUE RIDGE BOULEVARD.**

BACKGROUND INFORMATION:

Wanda Mullins is seeking approval of a conditional use permit application to allow a residential use on property that is Neighborhood Commercial (NC). The subject property is located at 5902 Blue Ridge Boulevard. The applicant is seeking the conditional use permit as she plans to open a bakery on the first floor of building and wants to live above the bakery on the second floor. The bakery is a permitted use in the NC District. However, the residential uses are not a permitted use in the NC District and require approval of a conditional use permit.



FACTORS TO BE CONSIDERED:

In considering and making a decision on an application for a conditional use permit, consideration is required to be given by the city 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.
   The property to which the conditional use permit application applies is zoned Neighborhood Commercial (NC). The zoning and uses on surrounding properties are more specifically described below:

   East: Blue Ridge Boulevard abuts the east side of the property with Raytown School District facilities and a single-family home located on the east side of Blue Ridge Boulevard. A portion of the school district property is zoned Low Density Residential (R-1) with the northern portion of the school district property as well as the single family home being zoned High Density Residential (R-3).

   West: To the west of the subject property is an undeveloped portion of property on which the Raytown Church of Christ church is located. Further west are single-family homes. The area to the west is zoned Neighborhood Commercial (NC).

   South: The Raytown Church of Christ church is located to the south of the subject property with commercial businesses located further to the south all of which are zoned Neighborhood Commercial (NC).

   North: 59th Street abuts the north side of the property with single-family homes located to the north 59th Street. The area to the north is zoned Low Density Residential (R-1).

2. Conservation of property values.
   The building in which the bakery and residential uses are proposed was originally constructed as a single-family home until the house became vacant within the last year. The applicant is proposing to remodel the building into a bakery on the first floor while maintaining a residence on the second floor. The bakery is consistent with the zoning of the property and the area to the south and west while the residence is consistent with the residential uses to the north. The property on which is located has a relatively large yard which provides a buffer area from the neighboring residential uses to the north and west.

3. Protection against fire and casualties.
   The applicant is in the process of developing construction plans for submittal to city. Upon submittal of these plans, they will be reviewed to ensure compliance with the city's construction codes for commercial buildings. In addition, the improvements will be inspected to ensure compliance with the city's construction codes.

4. Observation of general police regulations.
   As previously described, the applicant is in the process of developing construction plans for submittal to city. Upon submittal of these plans, they will be reviewed to ensure compliance with the city's construction codes for commercial buildings. In

addition, the improvements will be inspected to ensure compliance with the city's construction codes.

5. Prevention of traffic congestion.
The property has an existing driveway on the property which provides access from Blue Ridge Boulevard. Because the property is being converted from a residential use to a commercial use, the applicant will be required to expand the off-street parking area on the property. The applicant has not yet indicated the exact location of the expanded off-street parking area.

6. Promotion of traffic safety and the orderly parking of motor vehicles.
As described above, the applicant will be required to expand the off-street parking area on the property. The applicant has not yet indicated the exact location or size of the expanded off-street parking area, however.

7. Promotion of the safety of individuals and property.
As previously described, the applicant is in the process of developing construction plans for submittal to city. Upon submittal of these plans, they will be reviewed to ensure compliance with the city's construction codes for commercial buildings. In addition, the improvements will be inspected to ensure compliance with the city's construction codes.

8. Provision for adequate light and air.
The proposed residential use would locate within the existing building on the property with no additions or new buildings proposed. Therefore, there will be no impact on the provision for adequate light and air in the area.

9. Prevention of overcrowding and excessive intensity of land uses.
The planned bakery and proposed residential use will be located within the existing building on the property. As previously described, the property has an open area along the north and west sides of the subject property. The location of the parking lot on the property could result in an increased intensity on the property. However, the increased intensity is not necessarily excessive depending upon its proximity to the neighboring residential uses and potential landscaping all of which has not yet been provided by the applicant.

10. Provision for public utilities and schools.
All utilities are available to serve the property and the proposed use. In addition, the proposed use is anticipated to have a minimal impact on schools.

11. Invasion by inappropriate uses.
The proposed use will be located in proximity to residential and commercial uses. Therefore, the proposed residential use is in keeping with the area as is the bakery, which is a permitted use in the NC District. Therefore, it does not appear that the proposed residential use will be invasion of an inappropriate use.

12. Value, type and character of existing or authorized improvements and land uses.
The property on which the proposed use would be located is developed and necessitates construction of parking area and widening, and possible relocation, of the existing driveway. In addition, a landscape plan has yet to be submitted as required for redevelopment projects. Therefore, the specific character of existing or authorized improvements is not yet known.

13. Encouragement of improvements and land uses in keeping with overall planning.
The Central Business District (CBD) Plan, which is a part of the City's Comprehensive Plan identifies the area in which the subject property is located as an area for

commercial and institutional uses and as a transition between the residential areas to the north and the more intensive commercial area to the south.

The property abuts a portion of Blue Ridge Boulevard which the city's Streetscape Master Plan identifies for future improvements. While the physical improvements, such as street lights, etc., would not be in keeping with the size of this project, the landscape plan, when submitted for this project, will need to be reviewed in relation to the Streetscape Master Plan.

14. Provision for orderly and proper renewal, development and growth.
If approved, the proposed residential use with the bakery on the first floor will create a small mixed-use building which is in keeping with the Central Business District (CBD) Plan.

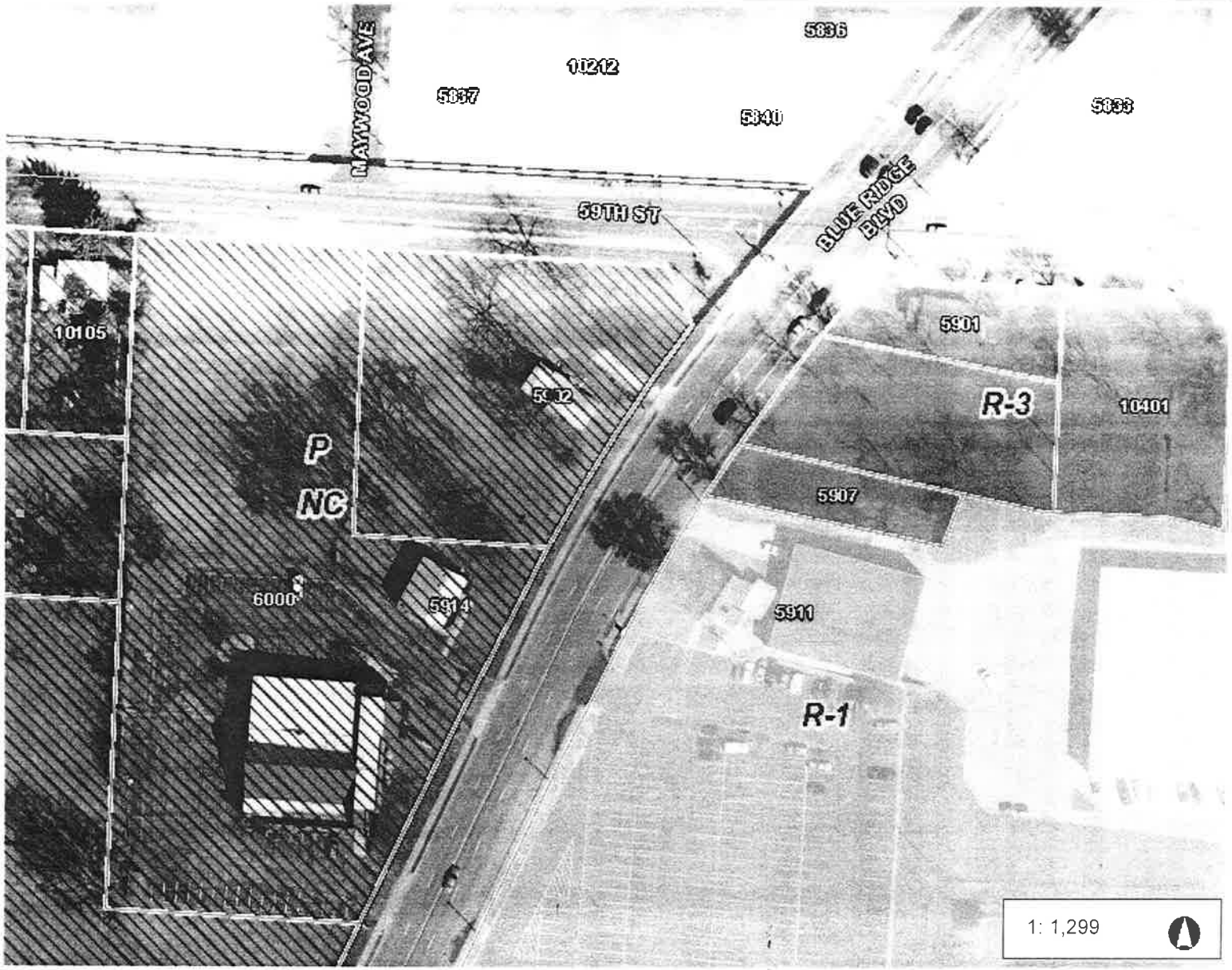
STAFF RECOMMENDATION:

It is the recommendation of staff that this conditional use permit application be continued to the June 4, 2015 Planning & Zoning Commission meeting so that the applicant can submit the following for review by staff and the Planning and Zoning Commission:

1. Site development plan indicating among other things, the location of the required off-street parking area and driveway on the property.

2. Landscape plan

Raytown, MO



Legend

- Parcel
  - Tax Parcel
  - Condo
- Road
- Railroad
- Address Point
- City Limit
- Zoning
  - <all other values>
  - HWY 350
  - NC
  - HC
  - M
  - P
  - N
  - R-1
  - R-2
  - R-3

1: 1,299

216.5 0 108.27 216.5 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
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Notes

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:
5902 Blue Ridge Blvd, 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
Wanda Thompson Mullins	5902 Blue Ridge Blvd, Raytown, MO 64133	(706) 951-3132

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

Name	Address	Phone/Email
Wanda T. Mullins	308 NE Brockton Dr Lees Summit, MO 64064	(706) 951-3132 wamullins@comcast.net

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

5. Zoning classification of the property: Residential / Commercial

6. Specify the use desired for the property: Residential / Commercial

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

Structure	Height
Two Story Home	25 ft in air

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)

Wanda Thompson Mullins

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:

Of like properties, will assist in providing job in the community. The property will be used as a resident in the upper loft & attic which is correct usage for the neighborhood, at a future time. Currently upstairs is set up as it's own living quarters,

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

We are not straying from the use and look of like businesses within the community. The property will be utilized as a resident, at some point, as the surrounding neighborhood is zoned residential.

C. This property is more suited for the proposed use than its current uses because:
It's not currently occupied. Occupancy with help to revitalize the look and economic stature of the Community.

D. The proposed conditional use could have the following detrimental effects on nearby parcels:
None.

E. Prior to submitting this application, the property has been vacant for: Less than 1yr.

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

Development & Public Affairs Department
10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6014
www.raytown.mo.us

April 29, 2015

Notice of Public Hearing

The City of Raytown Development & Public Affairs Department has received a Conditional Use Permit application that seeks to allow operation of a bakery business and a residence at 5902 Blue Ridge Boulevard in Raytown, MO.

A public hearing to consider this conditional use permit application will be held by the City of Raytown Planning and Zoning Commission on **Thursday, May 14, 2015 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 conditional use permit application on **Tuesday, June 2, 2015 at 7:00 p.m. at 7:00pm Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.**

You are invited to attend any or all of the public hearings to learn more about the application, ask questions and / or provide comment regarding this proposed conditional use permit application. Additional information regarding this application or the public hearings can be obtained from the City of Raytown Development and Public Affairs Department located in Raytown City Hall at 10000 East 59th Street, by telephone at (816) 737-6011 or by e-mail at jbenson@raytown.mo.us.

If you will require any special 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 applicable public hearing date.

NOTICE OF PUBLIC HEARING

Application: Conditional use permit that seeks to allow a Bakery in a Neighborhood Commercial (NC) Zoning District.

Proposed Location: 5902 Blue Ridge Boulevard, Raytown, MO 64133

Legal Description: Due to its length the legal description is on file and available for review at the offices of the Raytown Development and Public Affairs Department in Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

Notice is hereby given that the Raytown Planning and Zoning Commission will hold a public hearing regarding the above-described application on May 14, 2015 at 7:00 p.m., at Raytown City Hall. Notice is also hereby given that the Raytown Board of Aldermen will hold a public hearing regarding the above-described application on Tuesday, May 19, 2015 at 7:00 p.m. at Raytown City Hall. The public is invited to attend each of the public hearings and be heard.

Certified for publication this 21st day of April2015.

BLACKSTOCK RYAN G & KEELEY
8700 E 55TH ST
KANSAS CITY, MO 64129

MILLER DAVID J
9914 E 38TH TER
KANSAS CITY, MO 64133

KCM ASSETS LLC
7300 W 110TH ST STE 700
OVERLAND PARK, KS 66210

MURPHY PAT F & MURPHY TIMOTHY
12200 E 40TH ST
INDEPENDENCE, MO 64052

MROCHEK JEFFREY A
2528 CANDLECREST CIR
MANHATTAN, KS 66503-0323

HELSEL LARRY M & SHARI
5833 BLUE RIDGE BLVD
RAYTOWN, MO 64133

GALVEZ FRED A
5832 BLUE RIDGE BLVD
RAYTOWN, MO 64133

IRA SERVICES TRUST CO CFBO
CHRISTINA OTT
PO BOX 7080
SAN CARLOS, CA 94070-7080

BOESSEN MICHAEL E & BRENDA J
10217 E 58TH TER
KANSAS CITY, MO 64133

HANDY CHRISTINA
10209 E 58TH TER
RAYTOWN, MO 64133

KEITH STEPHEN J & MAHNKE EMILY A
10205 E 58TH TER
RAYTOWN, MO 64133

SCOTT JEREMY & ERICA
8615 JACKSON CREEK BEND
HUMBLE, TX 77396

SOUTHWESTERN BELL TELEPHONE
500 E 8TH ST
KANSAS CITY, MO 64106

CONSOLIDATED SCHOOL DIST #2
6608 RAYTOWN RD
RAYTOWN, MO 64133

CONSOLIDATED SCHOOL DIST #2
6608 RAYTOWN RD
RAYTOWN, MO 64133

CONSOLIDATED SCHOOL DIST NO 2
6608 RAYTOWN RD
RAYTOWN, MO 64133

WILKS MICHAEL D
5901 BLUE RIDGE BLVD
RAYTOWN, MO 64133

MULLINS WANDA THOMPSON
5902 BLUE RIDGE BLVD
RAYTOWN, MO 64133

RAYTOWN CHURCH OF CHRIST
6000 BLUE RIDGE BLVD
RAYTOWN, MO 64133

STAFF REPORT

TO: **The City of Raytown Planning and Zoning Commission**

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

DATE: **MAY 14, 2015**

SUBJECT: **AGENDA ITEM NO. 5.B:** **(CASE NO. PZ-2015-005) CONDITIONAL USE PERMIT APPLICATION TO ALLOW A RESIDENTIAL USE IN THE NEIGHBORHOOD COMMERCIAL (NC) DISTRICT ON PROPERTY LOCATED AT 10200 E. 63RD TERRACE.**

BACKGROUND INFORMATION:

John Smith is seeking approval of a conditional use permit application to allow a residential use to be located in the Neighborhood Commercial (NC) zoning district. The property to which this application applies is located at 10200 E. 63rd Terrace. Mr. Smith leases the property from Mr. Medlin and operates a business on the property which is a permitted use in the NC zoning district. Mr. Smith would like to allow someone to reside in the building as well. The NC district, however, does not allow a residence as a permitted use. Rather, a residential use in the NC district is only allowed upon approval of a conditional use permit.

FACTORS TO BE CONSIDERED:

In considering and making a decision on an application for a conditional use permit, consideration is required to be given by the city 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.
   The property to which the conditional use permit application applies is zoned Neighborhood Commercial (NC). The zoning and uses on surrounding properties are more specifically described below:

   East: To the east are single-family detached homes with commercial businesses located further to the east all of which are zoned Neighborhood Commercial (NC).

   West: A vacant lot is located immediately to the west with a business located further to the west.

   South: 63rd Terrace is located along the southern edge of the property with a mix of single-family and multi-family residential uses located on the south side of the street. The area to the south of 63rd Terrace is zoned High Density Residential (R-3).

   North: Vacant lots are located to the north of the property which are zoned Neighborhood Commercial (NC).

2. Conservation of property values.
   The proposed use, if approved, will allow the business on the property to have someone live there as well. According to the applicant, having someone live there will provide for increased security on the property. Because there are residential uses on neighboring properties it does not appear that the proposed residential use will introduce an incompatible use to the neighborhood or adversely affect neighboring property values.

3. Protection against fire and casualties.
   The requirements for commercial and residential uses differ within the city's adopted building and fire codes. Therefore, if the conditional use permit application is approved, the city's adopted codes require the building to be inspected by the city's Building Official to ensure compliance with the life safety codes contained in the city's adopted Building and Fire Codes. The purpose of this inspection for compliance is to protect against fire and casualties.

4. Observation of general police regulations.
   The applicant is not proposing to alter or add onto the existing buildings or parking area. The parking lot is paved with asphalt. In addition, as previously stated, prior to occupying the building for the proposed residential use, the tenant space will be inspected by the City's Building Inspector and Fire Marshall to ensure compliance with the life safety codes contained in the city's adopted Building and Fire Codes.

5. Prevention of traffic congestion.
The applicant requested a waiver to the city's traffic impact analysis submittal requirements. Because the proposed residential use, if approved, would result in an increase of only one additional vehicle coming to and from the property and the street which provides access to the property does not carry a high volume of traffic, the Public Works Department did not foresee the proposed use creating traffic congestion. Therefore the applicant's request for a waiver to the city's traffic impact analysis requirements was granted.

6. Promotion of traffic safety and the orderly parking of motor vehicles.
The parking is limited to the number of spaces existing on the property. The applicant is not proposing to change the layout of the existing parking area. The parking is located to the rear of the building on the property. This is consistent with the parking arrangement that previous uses on the property have utilized in the past. There have not been any traffic safety issues in the past with the existing parking layout on the property. Therefore, due to the minimal increase in the number of vehicles that would result from approval of the application, there will be orderly off-street parking and no traffic safety issues will be created.

7. Promotion of the safety of individuals and property.
As previously described, prior to the business opening the building and property will be inspected by the City's Building Official and the Fire Marshal from the Raytown Fire Protection District to ensure the building complies with all applicable life safety codes and that the property is in compliance with the city's property maintenance codes.

8. Provision for adequate light and air.
The residential use is proposing to locate within the existing building on the property with no new construction. Therefore, there will be no impact on the provision for adequate light and air.

9. Prevention of overcrowding and excessive intensity of land uses.
The proposed residential use will generate a minimal amount of traffic. Therefore the proposed use is low intensity in nature and does not appear it will cause overcrowding or be an excessively intense land use.

10. Provision for public utilities and schools.
The proposed use will have a minimal impact if any on schools. In addition, all utilities are available to serve the property.

11. Invasion by inappropriate uses.
There is a mix of residential and commercial uses in the neighborhood in which the subject property is located. Therefore, it does not appear that the proposed residential use will be invasion of an inappropriate use.

12. Value, type and character of existing or authorized improvements and land uses.
The property on which the proposed use would be located is developed and does not necessitate any exterior site or building improvements. Additionally, as previously described, the proposed use will use the existing building and parking area. Therefore, the proposed use is in keeping with the value, type and character of existing or authorized improvements and land uses.

13. Encouragement of improvements and land uses in keeping with overall planning.
The City's Central Business District (CBD) Plan identifies the area in which the subject property is located as an area for a mix of small businesses and residential uses. As such the proposed residential use and the existing small business are in keeping with the vision for the area.

14. Provision for orderly and proper renewal, development and growth.
If approved, the proposed use will occupy an existing building in which the applicant also operates his business. The applicant has stated to staff that allowing someone to reside in the building will help provide increased security for the property.

STAFF RECOMMENDATION:

It is the recommendation of staff that the conditional use permit to allow a residential use in the Neighborhood Commercial (NC) District be approved subject to the following conditions:

1. The residential use shall only be allowed as long as the applicant leases the property.
2. Compliance with all applicable ordinances and codes of the City of Raytown, the State of Missouri and the United States.

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:
   10200 E 63rd Terr 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
Joseph Medlin		
LEM Contracting LLC	904 NE Fairway Homes Ct Lees Summit MO 64064	

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

Name	Address	Phone/Email
John F Smith	5123 Hedges KCMO 64133	816-419-7084

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

5. Zoning classification of the property: Commercial

6. Specify the use desired for the property: Residential

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

Structure	Height
House Structure	
Garage foundation 24x12	

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)

Joe Medlin 3/23/2015

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:

Most Surrounding Properties are Residential, and changing the property to Residential would keep the neighborhood quiet and more appealing to surrounding properties.

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

They are Residential quiet and said property has the characteristics of a residential home.

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

The characteristic of the property is more suitable as a residential home. The area is quiet and peaceful. Changing this use would be beneficial to area neighbors

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

None.

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

Property is not vacant.

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

Would have to find a suitable business that would want a residential type structure and would probably end up a vacant property.

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

Facilities and utilities are already suitable for residential use.

H. Additional comments:

We ask that you please consider our request, as we feel this change would not have any negative effects on the city, neighborhood or neighbors and would only help to make this particular neighborhood maintain the quiet, peaceful, and friendly status it currently has

Development & Public Affairs Department
10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6014
www.raytown.mo.us

April 29, 2015

Notice of Public Hearing

The City of Raytown Development & Public Affairs Department has received a Conditional Use Permit application that seeks to allow a residential use on a commercially zoned property located at 10200 E. 63rd Terrace in Raytown, MO.

A public hearing to consider this conditional use permit application will be held by the City of Raytown Planning and Zoning Commission on **Thursday, May 14, 2015 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 conditional use permit application on **Tuesday, June 2, 2015 at 7:00 p.m. at 7:00pm Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.**

You are invited to attend any or all of the public hearings to learn more about the application, ask questions and / or provide comment regarding this application. Additional information regarding this application or the public hearings can be obtained from the City of Raytown Development and Public Affairs Department located in Raytown City Hall at 10000 East 59th Street, by telephone at (816) 737-6011 or by e-mail at jbenson@raytown.mo.us.

If you will require any special 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 applicable public hearing date.

NOTICE OF PUBLIC HEARING

Application: Conditional use permit that seeks to allow a residential use in a Neighborhood Commercial Zoning District.

Proposed Location: 10200 E. 63rd Terrace, Raytown, MO 64133

Legal Description: Due to its length the legal description is on file and available for review at the offices of the Raytown Development and Public Affairs Department in Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

Notice is hereby given that the Raytown Planning and Zoning Commission will hold a public hearing regarding the above-described application on May 14, 2015 at 7:00 p.m., at Raytown City Hall. Notice is also hereby given that the Raytown Board of Aldermen will hold a public hearing regarding the above-described application on Tuesday, May 19, 2015 at 7:00 p.m. at Raytown City Hall. The public is invited to attend each of the public hearings and be heard.

Certified for publication this 21st day of April2015.

MCCLENDON WILLIAM AARON
6325 CEDAR
RAYTOWN, MO 64133

MCCOY MARK
549 LAKEVIEW WAY
EMERALD HILLS, CA 94062

DANIEL NANCY L-TR
10201 E 63RD TER
RAYTOWN, MO 64133-5115

TATUM LINDA S & MILLER ROBERT
10109 E 63RD TER
RAYTOWN, MO 64133

REFFITT REGINA
10107 E 63RD TER
RAYTOWN, MO 64133

JOHNSON VICTORIA L
6321 CEDAR AVE
RAYTOWN, MO 64133

MUCHMORE GORDAN W-TR
10216 E 64TH ST
RAYTOWN, MO 64133

PORTILLO JULIA A
10212 E 64TH ST
RAYTOWN, MO 64133

MCLAUGHLIN JAMES E
10208 E 64TH ST
RAYTOWN, MO 64133

MANN HAROLD E & PAULA S
12307 E 51ST ST
INDEPENDENCE, MO 64055

LINEBACK BARRY PATRICK & LORI A
5151 CORP DR
TROY, MI 48098-2639

WARRICK SHANE DALE & HEATHER LEA
10106 E 64TH ST
RAYTOWN, MO 64133

COWAN BRIAN J & KIMBERLY A
10110 E 64TH ST
RAYTOWN, MO 64133

TRAVIS JOYCE D
PO BOX 16566
RAYTOWN, MO 64133

CLARK LIZABETH LEE
10217 E 63RD TER
RAYTOWN, MO 64133

PEWTHERS DELENE
6510 BLUE RIDGE BLVD
RAYTOWN, MO 64133

GOFORTH SAMUEL DALE & PHYLIS JEAN TRUST
4003 WOODBURY
INDEPENDENCE, MO 64055

FRANKLIN C CHARLES III & WESLEY GLENN
3600 S NOLAND RD STE C
INDEPENDENCE, MO 64055

LEM LING
48 WOODPARK CLOSE SW
CALGARY, AB T2W 6G9

ARVAN MARY & ARVANITAKIS SPIRO TRUSTEE
4950 CENTRAL # 402
KANSAS CITY, MO 64112

LEM CONTRACTING LLC
517 NE NEWPORT DR
LEES SUMMIT, MO 64064

MAH MARGARET S & TERRY S
10109 E 63RD ST
RAYTOWN, MO 64133

TAYLOR SHARON JUNE & TAYLOR EDWARD R
11151 GLEN ARBOR TER
KANSAS CITY, MO 64114

ACP BA MISSOURI LLC
280 S BEVERLY DR STE 211
BEVERLY HILLS, CA 90212

MARY ARVAN INVESTMENT TRUST
4950 CENTRAL # 402
KANSAS CITY, MO 64112

MAH MARGARET S & TERRY S
10109 E 63RD ST
RAYTOWN, MO 64133

MILLS GREGORY - SUCC TRUSTEE
1939 ALTIVO DR
HENDERSON, NV 89074

MONOPOLY ACQUISTIONS LLC
6140 RAYTOWN RD
RAYTOWN, MO 64133

SUNDAY PROPERTIES LLC
110 E 51ST ST
KANSAS CITY, MO 64112

PITCHER NEAL K & LAURIE K
11523 E EASLEY DR
LEES SUMMIT, MO 64086

DEMOSS MICHELE SHANAHAN & BRIAN
12906 E 50TH TER S
INDEPENDENCE, MO 64055

STAFF REPORT

TO: **The City of Raytown Planning and Zoning Commission**

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

DATE: **MAY 14, 2015**

SUBJECT: **AGENDA ITEM NO. 5.C:** **(CASE NO. PZ-2015-006) CONDITIONAL USE PERMIT APPLICATION TO ALLOW A SHOOTING RANGE IN THE HIGHWAY CORRIDOR COMMERCIAL (HC) DISTRICT ON PROPERTY LOCATED AT 8830 HIGHWAY 350.**

BACKGROUND INFORMATION:

Jim Bloomquist is seeking approval of a conditional use permit application to allow an indoor shooting range to be located at 8830 Highway 350. The applicant leases space from the property owners, Billy and Marilyn Green. The proposed use will be located in an existing building with multiple tenant spaces adjacent to an existing gun and ammunition store (Blue Steel Gun & Ammo), which is owned by the applicant. The property is zoned Highway Corridor Commercial (HC) zoning district.

FACTORS TO BE CONSIDERED:

In considering and making a decision on an application for a conditional use permit, consideration is required to be given by the city 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.
   The property to which the conditional use permit application applies is zoned Highway Corridor Commercial (HC). The zoning and uses on surrounding properties are more specifically described below:

   East: Two single-family homes are located to the east (rear) of the proposed shooting range location. The properties on which the residential homes are located are zoned Highway Corridor Commercial (HC).

   West: The parking lot for Extreme Grand Prix Indoor Go-Cart Racing is located immediately to the west of the proposed shooting range location with Dunkin Donuts located further to the west. The area to the west is zoned Highway Corridor Commercial (HC).

   South: The applicant's existing gun and ammunition business, which is owned by the applicant, as well as a pawn shop and transmission repair business are located to the south of the proposed shooting range location. 69th Street and Highway 350 are located further south. The area to the south is zoned Highway Corridor Commercial (HC).

   North: The building in which Extreme Grand Prix Indoor Go-Cart racing is located immediately to the north of the proposed location of the shooting range with Sutherland's retail store located further to the north all of which are zoned Highway Corridor Commercial (HC).

2. Conservation of property values.
   The proposed use, if approved, will allow the applicant to open the shooting range adjacent to his existing gun and ammunition store in a tenant space that has been vacant for 4 years. It will also result in the entire building being fully occupied for the first time in 15 years, which will help attract increased customer traffic to the area that can be of benefit to neighboring businesses in the area. Because the shooting range will be the only one in Raytown it will help attract customers that may not otherwise come to Raytown which can be of benefit to surrounding businesses as well. The increased number of customers will help strengthen the business climate that can help strengthen property values.

3. Protection against fire and casualties.
   If the conditional use permit application is approved, the city's adopted codes require the building to be inspected by the city and Raytown Fire Protection District to ensure compliance with life safety codes contained in the city's adopted Building Codes and Fire Codes.

4. Observation of general police regulations.
   The applicant is not proposing to alter or add onto the existing buildings or parking area. The existing parking lot can accommodate the anticipated traffic from the proposed use. In addition, as indicated on the interior drawings submitted with their

application, the shooting range will be constructed in a manner to ensure bullets cannot go through exterior walls or the ceiling / roof of the tenant space.

5. Prevention of traffic congestion.
The number of shooting lanes is limited the amount of traffic generated at any given time by the proposed use will be limited resulting in a minimal increase of traffic. In addition, the majority of the traffic anticipate to be generated will use Highway 350 which has the capacity to accommodate the increased traffic volume. For these reasons, the applicant requested a waiver to the city's traffic impact analysis submittal requirements, which the Public Works Department granted.

6. Promotion of traffic safety and the orderly parking of motor vehicles.
The parking is limited to the number of spaces existing on the property. The applicant is not proposing to change the layout of the existing parking area and to utilize the existing parking area which the applicant has stated is largely unused currently. Staff is not aware of any traffic safety issues in the past with the existing parking layout on the property or onto 69th Street or Highway 350. Therefore, due to the minimal increase in the number of vehicles that would result from approval of the application, it appears there will be orderly off-street parking and no traffic safety issues will be created.

7. Promotion of the safety of individuals and property.
As previously described, prior to the business opening the building and property will be inspected by the City's Building Official and the Fire Marshal from the Raytown Fire Protection District to ensure the building complies with all applicable life safety codes and that the property is in compliance with the city's property maintenance codes. In addition, the application states that there will be at least two certified range masters on duty, one of which will man the range and one who will monitor the surveillance cameras placed in each lane at all times during business operation. The application also states that the business will be a drug and alcohol free zone.

8. Provision for adequate light and air.
The residential use is proposing to locate within the existing building on the property with no new construction. Therefore, there will be no impact on the provision for adequate light and air in the area.

9. Prevention of overcrowding and excessive intensity of land uses.
The proposed use will is expected to generate a minimal amount of traffic. Therefore the proposed use is relatively low intensity in nature. As such, it does not appear it will cause overcrowding or be an excessively intense land use.

10. Provision for public utilities and schools.
All utilities are available to serve the property and the proposed use. In addition, the proposed use is not anticipated to not have any impact on schools.

11. Invasion by inappropriate uses.
The proposed use will be located in an existing commercial building adjacent to other commercial uses. The neighboring residential uses to the east are located to the rear of the proposed location and will not be able to see the entrance or parking area for the proposed business. Therefore, it does not appear that the proposed shooting range will be invasion of an inappropriate use.

12. Value, type and character of existing or authorized improvements and land uses.
The property on which the proposed use would be located is developed and does not necessitate any exterior site or building improvements. Additionally, as previously described, the proposed use will use the existing building and parking area. Therefore, the proposed use is in keeping with the value, type and character of existing or authorized improvements and land uses.

13. Encouragement of improvements and land uses in keeping with overall planning.
The City's Comprehensive Plan identifies the area in which the subject property is located as an area for commercial uses. The property has an existing paved parking area which can accommodate the traffic that is anticipated to be generated by the proposed business. As such the proposed use is in keeping with the type of uses envisioned for the area and there are no anticipated improvements needed.

14. Provision for orderly and proper renewal, development and growth.
If approved, the proposed use will occupy an existing tenant space adjacent to the applicant gun and ammunition business (Blue Steel Gun & Ammo). The proposed business will be located in a tenant space that has been vacant for 4 years and will also result in the entire building being fully occupied for the first time in 15 years.

STAFF RECOMMENDATION:

It is the recommendation of staff that the conditional use permit for an indoor shooting range be approved subject to the following conditions:

1. Compliance with all applicable ordinances and codes of the City of Raytown, the State of Missouri and the United States.

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:
   8830 E 350 HWY 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
Billy V Green and Marilyn K.Green	8201 Ash Ave	Home 816-356-9530 Cell 816-550-8333
	Raytown, Mo 64138	

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

Name	Address	Phone/Email
Jim Blomquist	843 N Main st Independence, Mo 64050	816-813-6538

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

5. Zoning classification of the property: Commercial

6. Specify the use desired for the property: Shooting Range

7. Please list all existing structures and their heights located on the property: 8830-8832-8834

Structure	Height
Block	12'

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)

_____ _____

_____ _____

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:

Our current store Blue Steel Guns & Ammo Inc. is located in the adjoining building, the Race Experience is located In front of us, and the purposed Gun Range will be promoted as a family recreational center with a safe drug and alcohol free zone.

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

The purposed Gun Range is in the adjoining building, so in effect it will be an extension to the existing business Blue Steel Guns & Ammo Inc.

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

The purposed Gun Range will provide tax revenue to our city. This particular address (8830) has been vacant for the past 4 years, and in the 15 years I have had my business at (8832) this will be the first time including Golden Pawn that the entire building will be in use.

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

The two addresses 8830-8832 are located on a dead end parking lot and I do not foresee any detrimental effects this proposed Gun Range would cause. There is adequate parking and lighting already in place.

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

This address 8830 has been vacant for the last 4 years, again in the 15yrs I have been located at 8832 this will be the first time including Golden Pawn the entire building has been in use.

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

The property owner will be denied the long term lease/ rents that I am willing to provide them.

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

All public facilities and utilities are already in place and nothing new needs to be adapted.

H. Additional comments:

I believe that the Traffic Study can be bypassed due to the fact that Hy-Vee and Walmart have moved, Southerland, Dunkin Donuts and the Race Experience do not even begin to scrach the surface of the amount of traffic that Hy-Vee and Walmart brought to this area. I also believe that we will only have 10-15 cars per hour "if that". Our purposed range hours of operation will be 9am-9pm if business is good, if not we will shorten our evening hours to 7pm. We will not affect morning rush hour and or evening rush hour traffic is East bound.

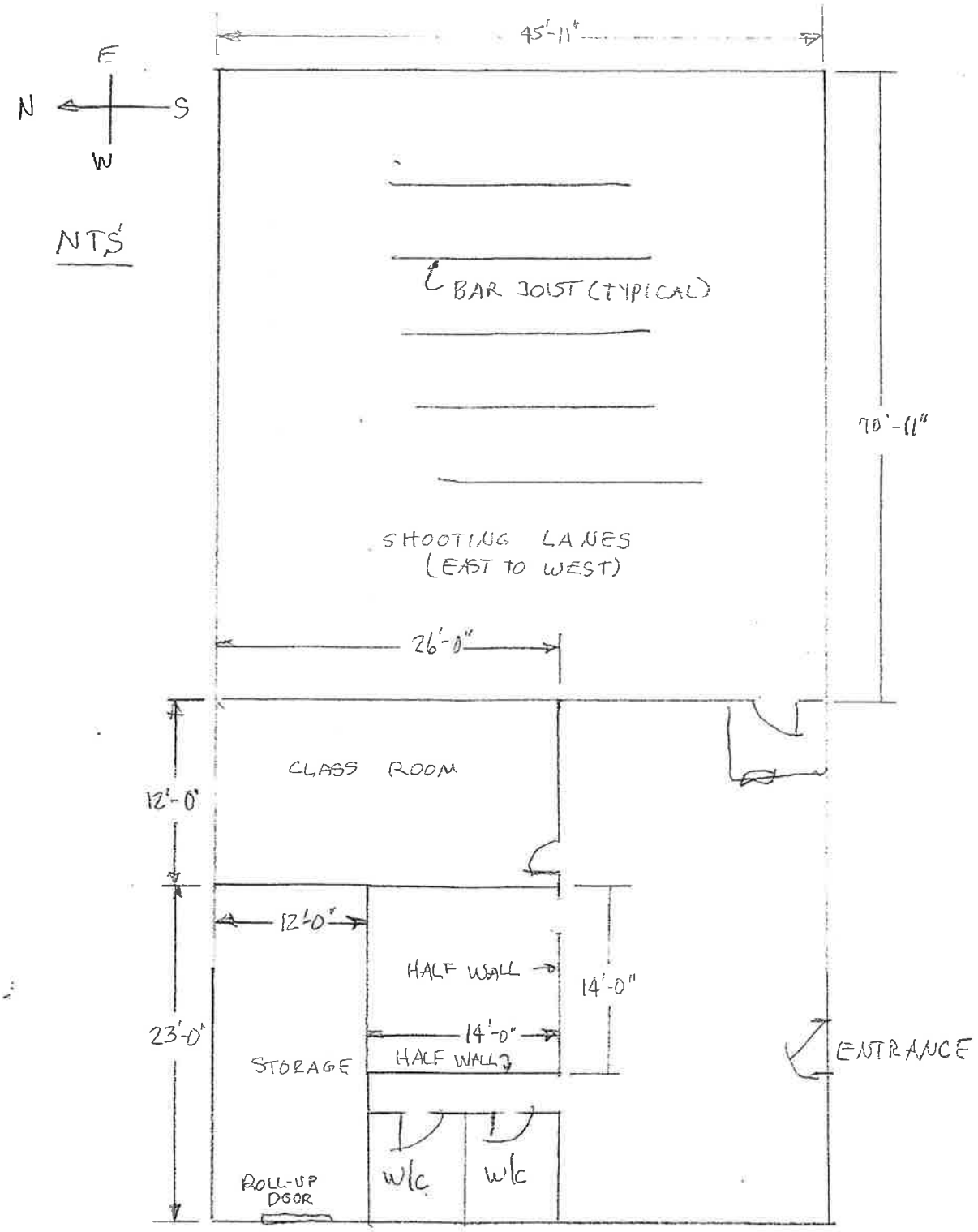
To provide the safest environment possible, the purposed range will have at least two certified range masters on duty, one to man the range and one will be monitoring the surveillance cameras placed in each lane at all times of operation. ALL employees working at the range will have extensive knowledge of guns and gun safety for instruction and lessons that will be provided to our customers.

BLUESTEEL

Guns & Ammo
bluesteelguns@aol.com

8832 E 350 Highway
Raytown, MO 64133

Sales: 816.358.8004
Fax: 816.358.8011



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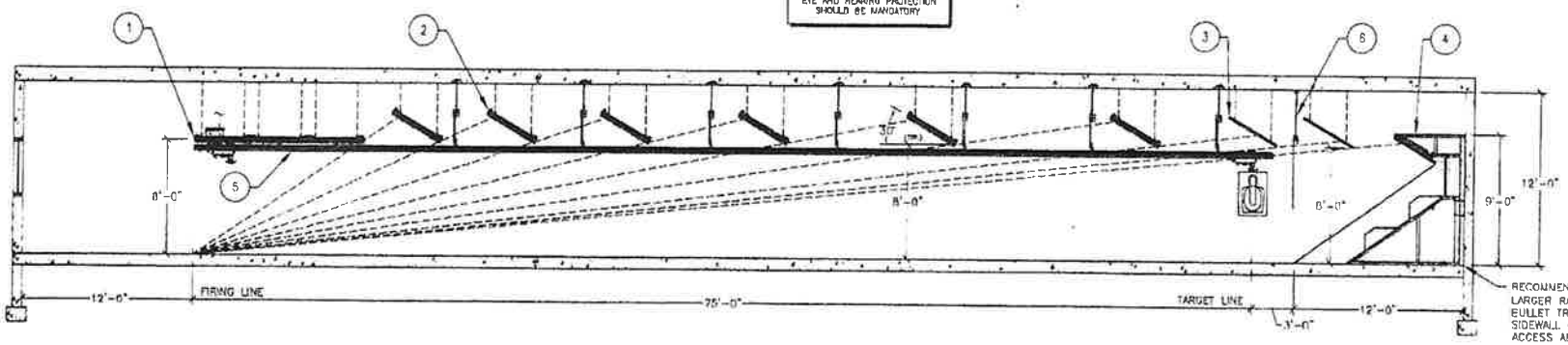
THIS DOCUMENT IS CONTROLLED UNDER THE EXPORT ADMINISTRATION REGULATION. DIVERSION CONTRARY TO U.S. LAW IS PROHIBITED.

IMPORTANT SAFETY NOTICE

RANGE SAFETY DEPENDS CHIEFLY UPON RANGE DISCIPLINE. USE OF EYE AND HEARING PROTECTION SHOULD BE MANDATORY

REVISION HISTORY

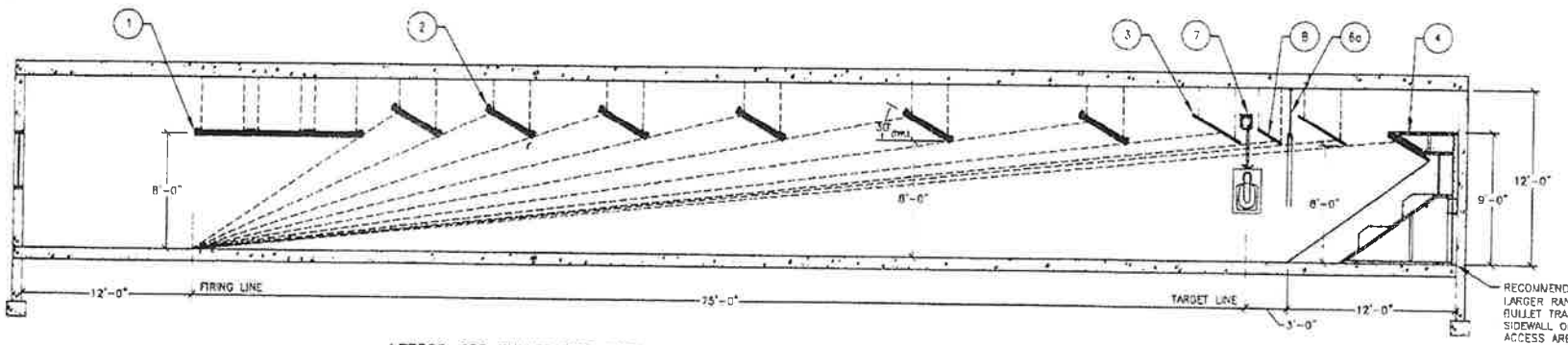
ENG. APP.	DATE	ECN	LTR	REVISIONS	DATE	DOC. APP.



RECOMMENDED - BUT NOT REQUIRED - FOR LARGER RANGES, ADD 3'-4' OF SPACE BEHIND BULLET TRAP - FOR EASIER FUTURE ACCESS SIDEWALL OR REAR WALL DOOR NEEDED TO ACCESS AREA.

LE7500-OTR BULLET TRAP WITH XWT AND RUNNING MAN TARGET SYSTEM - OPTION C
SCALE: 1/4"=1'-0"

ITEM	DESCRIPTION
1	SAFETY CEILING MODEL JG12
2	CEILING BAFFLE MODEL JA4
3	RED/RECTIVE GUARD MODEL JR5
4	BULLET TRAP MODEL LE7500-OTR
5	WIRELESS MONORAIL TARGET SYSTEM MODEL XWT
6	RUNNING MAN MODEL DP29
6a	RUNNING MAN MODEL DP55
7	TARGET SYSTEM MODEL AA2
8	RED/RECTIVE GUARD MODEL JR5-2



RECOMMENDED - BUT NOT REQUIRED - FOR LARGER RANGES, ADD 3'-4' OF SPACE BEHIND BULLET TRAP - FOR EASIER FUTURE ACCESS, SIDEWALL OR REAR WALL DOOR NEEDED TO ACCESS AREA.

LE7500-OTR BULLET TRAP WITH AA2 AND RUNNING MAN TARGET SYSTEM - OPTION D
SCALE: 1/4"=1'-0"

ITEM	PART NUMBER	DESCRIPTION	QTY

BILL OF MATERIALS

APPROVALS	DATE
DRAWN BY DWH	11.09.11
NAME	
U.S.S.	

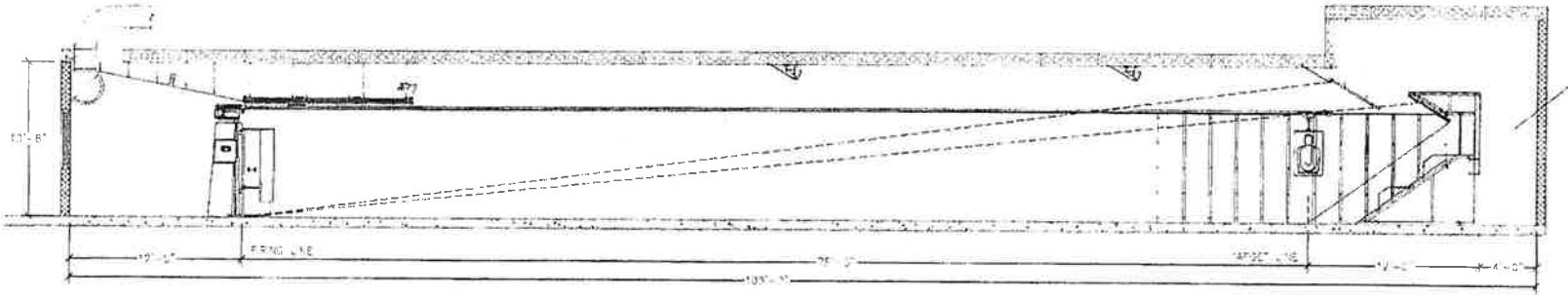
NEXT ASSY | USED ON
APPLICATION
FINISH
DIMENSIONS APPLY AFTER FINISH
U.S.S. ALL DIMENSIONS IN INCHES
DIMENSIONS AND TOLERANCES PER ASME Y14.5M
WELD PER AWS D1.1, BREAK SHARP EDGES .005-.010
MAX SURFACE ROUGHNESS 100
ALL BURRS SURFACE
DO NOT SCALE DRAWING

MEGGITT
Meggitt Training Systems, Inc.
298 Brogdon Rd, Suwanee GA 30024, USA

LE7500-OTR
BULLET TRAP
OPTIONS

SIZE D | CAGE CODE 0B7W6 | DRAWING NO. OPTIONS C AND D | REV 1

SCALE: 1/4"=1'-0" | FILENAME: [illegible] | SHEET 1 OF 1



MEGGITT

EXAMPLE RANGE

Development & Public Affairs Department
10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6014
www.raytown.mo.us

April 29, 2015

Notice of Public Hearing

The City of Raytown Development & Public Affairs Department has received a Conditional Use Permit application that seeks to operate an indoor shooting range at 8830 W. Highway 350 in Raytown, MO.

A public hearing to consider this conditional use permit application will be held by the City of Raytown Planning and Zoning Commission on **Thursday, May 14, 2015 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 conditional use permit application on **Tuesday, June 2, 2015 at 7:00 p.m. at 7:00pm Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.**

You are invited to attend any or all of the public hearings to learn more about the application, ask questions and / or provide comment regarding this proposed conditional use permit application. Additional information regarding this application or the public hearings can be obtained from the City of Raytown Development and Public Affairs Department located in Raytown City Hall at 10000 East 59th Street, by telephone at (816) 737-6011 or by e-mail at jbenson@raytown.mo.us.

If you will require any special 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 applicable public hearing date.

NOTICE OF PUBLIC HEARING

Application: Conditional use permit that seeks to allow an indoor shooting range in a Highway Corridor Commercial Zoning District.

Proposed Location: 8830 E. Highway 350, Raytown, MO 64133

Legal Description: Due to its length the legal description is on file and available for review at the offices of the Raytown Development and Public Affairs Department in Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

Notice is hereby given that the Raytown Planning and Zoning Commission will hold a public hearing regarding the above-described application on May 14, 2015 at 7:00 p.m., at Raytown City Hall. Notice is also hereby given that the Raytown Board of Aldermen will hold a public hearing regarding the above-described application on Tuesday, June 2, 2015 at 7:00 p.m. at Raytown City Hall. The public is invited to attend each of the public hearings and be heard.

Certified for publication this 28th day of April 2015.

PUBLIC WATER SUPPLY DISTRICT
6945 BLUE RIDGE BLVD
RAYTOWN, MO 64133

CALDWELL ALICE DIANE
637 NE SHORELINE DR
LEES SUMMIT, MO 64064-1382

H & H 350 LLC
20836 W 91ST TER
LENEXA, KS 66220

UMBACH DONALD
616 NE PERSIMMON LN
LEES SUMMIT, MO 64064

TUCKER LOREN GENE
8904 E STATE ROUTE 350
RAYTOWN, MO 64133

FARRAH IMPEX CORP
8900 E M 350 HWY
RAYTOWN, MO 64133

RAYTOWN AUTO LLC
6401 E 40 HIGHWAY
KANSAS CITY, MO 64129

CAUTHON CHARLES R
6822 LANE
RAYTOWN, MO 64133

RYE GARY & CHERYL K
6819 HUNTER ST
RAYTOWN, MO 64133

GREEN 350 HIGHWAY PROPERITES LLC
8201 ASH
RAYTOWN, MO 64138

DESAI BAKUL & PRITI B
10909 W 128TH TER
OVERLAND PARK, KS 66213

MISSOURI COLLISION REPAIR SHOPS LLC
9641 DEER RUN ST
LENEXA, KS 66220

SEEM JENNIFER M
10125 HIGHWAY EE
RICHMOND, MO 64085

DAVIS CINDY M
10328 E 63RD ST APT 4
RAYTOWN, MO 64133

SAWYER JAMES R
338 RAMBLING ACRES DR
GRAVOIS MILLS, MO 65037

GREEN 350 HIGHWAY PROPERITES LLC
8201 ASH
RAYTOWN, MO 64138

MISCO INDUSTRIES INC
8809 E M 350 HWY
KANSAS CITY, MO 64133

GRISSOM JENNIFER M
6824 N CRYSTAL AVE
KANSAS CITY, MO 64119

HARDY JOSHUA S
6807 HUNTER ST
RAYTOWN, MO 64133

BROWN STEPHEN F
6805 HUNTER AVE
RAYTOWN, MO 64133

SCHAUFFLER ROSETTA M
6803 HUNTER
KANSAS CITY, MO 64133

CTA PROPERTIES LLC
6140 RAYTOWN RD
RAYTOWN, MO 64133

VK INVESTMENTS LLC
35 PENNYMEADOW RD
SUDBURY, MA 1776

STAFF REPORT

TO: **The City of Raytown Planning and Zoning Commission**

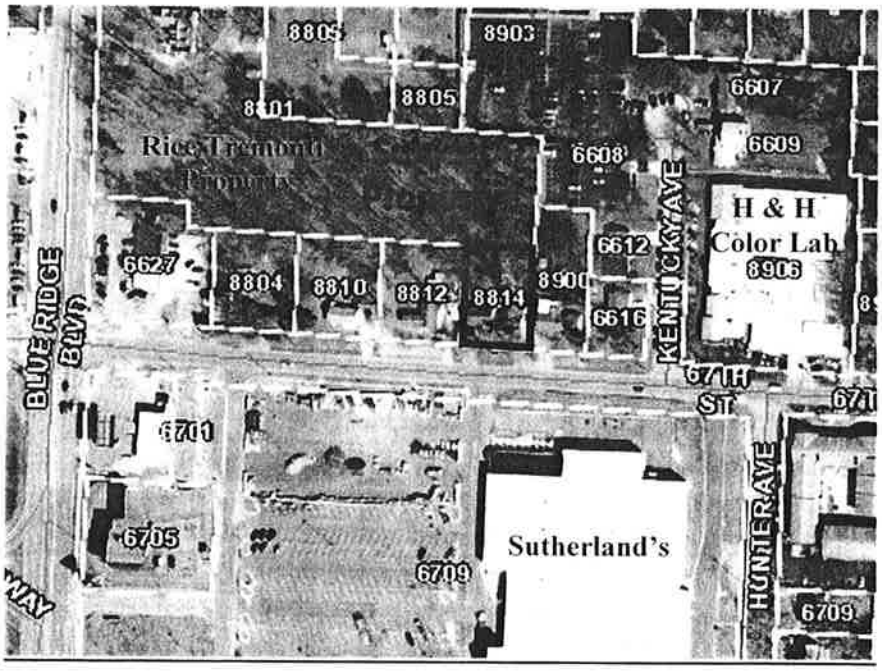
FROM: **JOHN BENSON, AICP,**
DIRECTOR OF DEVELOPMENT AND PUBLIC AFFAIRS

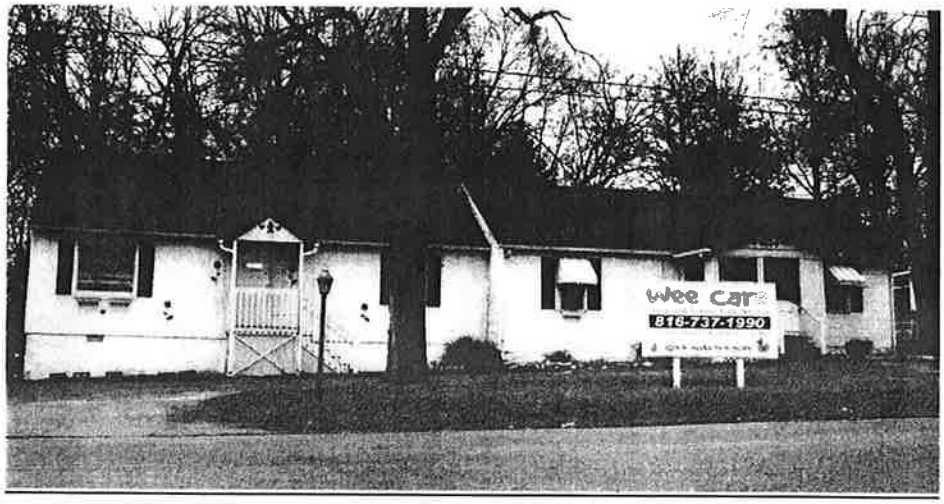
DATE: **MAY 14, 2015**

SUBJECT: **AGENDA ITEM NO. 5.D:** **(CASE NO. PZ-2015-007) CONDITIONAL USE PERMIT APPLICATION TO ALLOW AN ANIMAL KENNEL IN THE HIGHWAY CORRIDOR COMMERCIAL (HC) DISTRICT ON PROPERTY LOCATED AT 8814 E. 67TH STREET.**

BACKGROUND INFORMATION:

Susan Jones President of Chain of Hope, an animal outreach and rescue organization, on behalf of Summit Bank of Kansas City, is seeking approval of a conditional use permit application to allow their facility to be located at 8814 E. 67th Street. Their facility will include offices as well as kennels for up to fifteen dogs they take in. A day care was previously located on the property but closed several months ago. The subject property is in foreclosure and owned by a bank. The property is zoned Highway Corridor Commercial (HC) zoning district. The applicant is seeking this conditional use permit as they want to move from their current location at 8000 Woodson Road, which is on the northwest corner of Woodson Road and westbound Highway 350. They state in their application, however, that the additional space will not result in additional animals. Rather it will provide improved facilities and space for the animals they care for.





FACTORS TO BE CONSIDERED:

In considering and making a decision on an application for a conditional use permit, consideration is required to be given by the city 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.

   The property to which the conditional use permit application applies is zoned Highway Corridor Commercial (HC). The zoning and uses on surrounding properties are more specifically described below:

   East: Two single-family homes are located to the east of the subject property with H&H Color Lab located further east. The properties on which the residential homes and H&H Color Lab are located are all zoned Highway Corridor Commercial (HC).

   West: Three single-family homes are located to the west of the subject property with an auto repair business located further to the west at the intersection of 67th Street and Blue Ridge Boulevard. The properties to the west are zoned Highway Corridor Commercial (HC).

   South: 67th Street abuts the south side of the property with Sutherland's being located on the south side of 67th Street. The area to the south is zoned Highway Corridor Commercial (HC).

   North: The Rice Tremonti' property is located to the north (rear) of the subject property and is zoned Highway Corridor Commercial (HC).

2. Conservation of property values.

   The proposed use will occupy a building that has been vacant since last year and is has gone into foreclosure. Also, as stated in their application, the applicant will make repairs to the building and property to bring it into compliance with city codes, thereby improving the value of the subject property as well as neighboring properties.

3. Protection against fire and casualties.

If the conditional use permit application is approved, the city's adopted codes require the building to be inspected by the city and Raytown Fire Protection District to ensure compliance with life safety codes contained in the city's adopted Building Codes and Fire Codes.

4. Observation of general police regulations.

The applicant is not proposing to alter or add onto the existing buildings or parking area. As previously described, the applicant has stated they will make repairs to the building and property which will help ensure it complies with the city's codes.

5. Prevention of traffic congestion.

The applicant has indicated that the public will not come to the property. Rather, the only persons who will come to the property will be employees, which would be less than four persons at any given time.

6. Promotion of traffic safety and the orderly parking of motor vehicles.

As depicted on the attached aerial photograph, there is an existing driveway on the front of the property that will provide access and parking for employees. The existing driveway is large enough to accommodate this number of vehicles.

7. Promotion of the safety of individuals and property.

As previously described, prior to the business opening the building and property will be inspected by the City's Building Official and the Fire Marshal from the Raytown Fire Protection District to ensure the building complies with all applicable life safety codes and that the property is in compliance with the city's property maintenance codes.

8. Provision for adequate light and air.

The proposed use would locate within the existing building on the property with no new additions or construction. Therefore, there will be no impact on the provision for adequate light and air in the area.

9. Prevention of overcrowding and excessive intensity of land uses.

The proposed use will is expected to generate a minimal amount of traffic. Therefore the proposed use is relatively low intensity in nature. In addition, dogs that are kept at the location will be kept in kennels inside the building. The dogs will be taken to the back yard, which is enclosed with a six foot high fence, but will always be supervised when they are outside to control noise such as barking. As such, it does not appear it will cause overcrowding or be an excessively intense land use.

10. Provision for public utilities and schools.

All utilities are available to serve the property and the proposed use. In addition, the proposed use is not anticipated to not have any impact on schools.

11. Invasion by inappropriate uses.

The proposed use will be located in a building in which a day care has previously been located. Additionally, the property is located directly across the street from Sutherland's, which generates a relatively larger volume of traffic than the proposed use. The kennels in which the dogs will be kept will be located inside the building except when they are given access to the back yard on the property. The applicant has stated that when the dogs are in the back yard they will always be supervised. Additionally, the back yard area is enclosed with a six foot high fence.

12. Value, type and character of existing or authorized improvements and land uses.

No improvements are proposed to the property except for repairs to the building and property the applicant has stated they will make to bring it into compliance with city codes.

13. Encouragement of improvements and land uses in keeping with overall planning.

The City's Comprehensive Plan identifies the area in which the subject property is located as an area for commercial uses. The property has an existing driveway that the applicant has stated will be used for employee parking, which will not be more than four vehicles at any given time. As such the proposed use is in keeping with the type of uses envisioned for the area.

14. Provision for orderly and proper renewal, development and growth.

If approved, the proposed use will occupy a currently vacant property in a commercial area.

STAFF RECOMMENDATION:

It is the recommendation of staff that the conditional use permit for an animal kennel be approved subject to the following conditions:

1. The number of kennels shall not exceed fifteen (15).
2. All kennels shall be located inside the building.
3. Animals when outside of the building shall be supervised by an employee of Chain of Hope.
4. Veterinary services, micro-chipping, adoption, or other events shall not be held on the property that results in the general public coming to the property.
5. Compliance with all applicable ordinances and codes of the City of Raytown, the State of Missouri and the United States.

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: 8814 E 67th Street, 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/Email

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

Property is currently vacant

5. Zoning classification of the property: Commercial

6. Specify the use desired for the property: Animal Rescue

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

Structure	Height

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)

_____ _____

_____ _____

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

The property is located near commercial and residential property. Aspects of the property that are in disrepair will be repaired and upgraded and the property will be well maintained.

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

The proposed use will generate less traffic than the previous use on the property, a day care center, and will generate less traffic than neighboring commercial uses such as Sutherlands and the convenience store. The majority of Chain of Hope operations is outreach and takes place off site, in the community. Activity at the property is limited to care and maintenance of the animals in our care, and administrative / office functions. On average, 10-15 animals are on site.

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

The property is currently vacant. Other than needed repairs to the exterior of the building, the property would not be altered. Anticipated interior upgrades would add value to the property. Impact of traffic, noise, and trash is expected to be much less than previous property use, which was a daycare.

Chain of Hope is licensed by the Department of Agriculture and is in good standing. Our licensing representative has toured the property and found it to be well suited for our needs as well as meeting requirements for maintaining licensure.

D. The proposed conditional use could have the following detrimental effects as a result of the proposed use:

We do not anticipate any detrimental effects as a result of the proposed use. Dogs would have access to the fenced backyard (6 foot wood privacy fence) with no more noise (barking) than a typical residence with owned dogs. Dogs would only be allowed outside when staff or volunteers are on the property, and otherwise housed inside. Animals will never be left alone in the yard without supervision.

Chain of Hope has been leasing space from a veterinary clinic at 8000 Woodson Road in Raytown for the last three years without incident. Chain of Hope is seeking to move as the current space is too small and we continue to face rent increases. Chain of Hope does not seek to expand its program, only to better accommodate the needs of the program as it stands.

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

See attached

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

See attached

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

6 months

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

This is a bank owned property, thus a financial liability to the owner.

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

The proposed use will generate less traffic than neighboring commercial properties and would use less public facility and utilities than previous use/owner (a day care center)

H. Additional comments:

See attached, Chain of Hope description, mission, and fact sheet.

note: We are aware of back taxes owed on the property in the amount of approximately $1700.00 and are working with the agent and county to clarify and resolve.

Helping animals who can't help themselves...

Chain of Hope is a grass roots outreach organization that provides essential items for survival to neglected and abused animals in the urban core of Kansas City. We provide education to pet owners, referrals for medical and spay/neutering, and preventative care. Many animals who cannot be maintained in their owner's care are surrendered to Chain of Hope, nurtured, trained, brought to good health then placed in an adoptive home or transferred to another rescue.

The mission of Chain of Hope is to alleviate the suffering of abused and neglected animals within the urban core of Kansas City, Missouri, to break the chain of ignorance, break the chain of suffering, and break the chain of unwanted litters.

Facts about Chain of Hope Operations:

- Chain of Hope staff, Board, and core volunteers have more than 30 year collective experience working in the field of animal rescue.
- An average of 10-15 dogs would be housed on-site.
- Dogs will have access to the back yard of the property for exercise, but never left without supervision. If staff or volunteers are not on-site, dogs are kept be indoors.
- Chain of Hope holds liability insurance and is licensed and in good standing with the Missouri Department of Agriculture.

P. O. Box 16926 Kansas City, MO 64133
www.chainofhopekc.org 816.221.8080

Raytown, MO

Legend

- Parcel
- Road
- Railroad
- Address Point
- City Limit

1: 325

54.1 0 27.07 54.1 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Development & Public Affairs Department
10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6014
www.raytown.mo.us

April 29, 2015

Notice of Public Hearing

The City of Raytown Development & Public Affairs Department has received a Conditional Use Permit application that seeks to operate a kennel facility as part of an animal rescue operation at 8814 E. 67th Street in Raytown, MO.

A public hearing to consider this conditional use permit application will be held by the City of Raytown Planning and Zoning Commission on **Thursday, May 14, 2015 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 conditional use permit application on **Tuesday, June 2, 2015 at 7:00 p.m. at 7:00pm Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.**

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NOTICE OF PUBLIC HEARING

Application: Conditional use permit that seeks to allow an animal kennel in a Highway Corridor Commercial Zoning District.

Proposed Location: 8814 E. 67th Street, Raytown, MO 64133

Legal Description: Due to its length the legal description is on file and available for review at the offices of the Raytown Development and Public Affairs Department in Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

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Certified for publication this 28th day of April 2015.

SUMMIT BANK OF KANSAS CITY
1650 NE GRAND AVE STE 100
LEES SUMMIT, MO 64086

SUTHERLAND LUMBER COMPANY OF KC LLC
4000 MAIN ST
KANSAS CITY, MO 64111

HOLSBURG FRANK S SR
8812 E 67TH ST
RAYTOWN, MO 64133

MENJIVAR NICOLAS
3805 S CANTERBURY PL
INDEPENDENCE, MO 64055

CITY OF RAYTOWN
10000 E 59TH ST
RAYTOWN, MO 64133

CITY OF RAYTOWN
10000 E 59TH ST
RAYTOWN, MO 64133

SANCHEZ MARIA TERESA
6616 KENTUCKY
RAYTOWN, MO 64133

CITY OF RAYTOWN PARK DEPARTMENT
5912 LANE
RAYTOWN, MO 64133

H & H COLOR LAB INC
8906 E 67TH ST
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NDRIA INC
1070 W CENTRAL DR STE 101
LOUISVILLE, CO 80027

STAFF REPORT

TO: **The City of Raytown Planning and Zoning Commission**

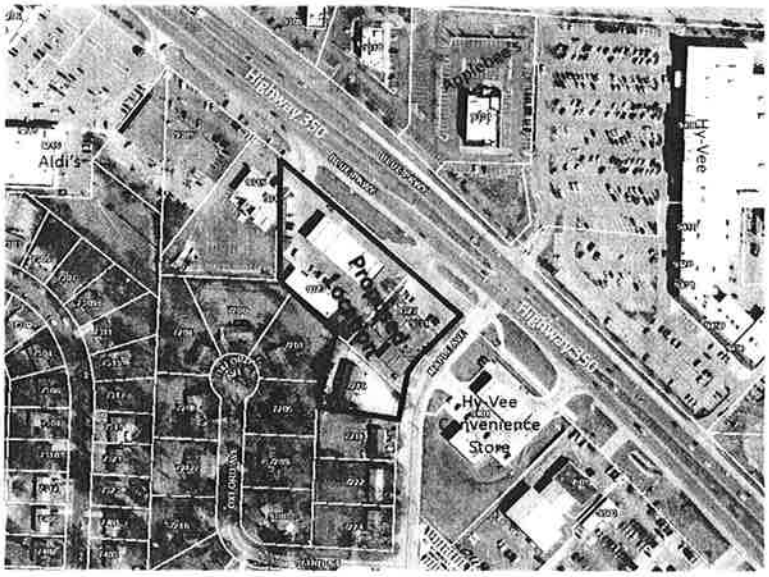
FROM: **John Benson, Senior Planner**

DATE: **May 14, 2015**

Subject: **Agenda Item No. 5.E.** **SITE PLAN FOR PROPOSED QUIKTRIP CONVENIENCE STORE AT 9323 E. 350 HIGHWAY**

BACKGROUND INFORMATION

Triple M Enterprises, doing business as QuikTrip, is seeking approval of the Site Plan for a new convenience store at 9323 Highway 350 that will replace the existing QuikTrip store. A copy of the site development plan for this proposed redevelopment is enclosed. The project proposes demolition of the existing QuikTrip store and gas canopy as well as demolition of the buildings on the adjacent properties to the east and southeast of the existing QuikTrip property.



The existing buildings, paved areas, and driveway entrances / exits on each of the properties are proposed to be demolished and the following are proposed to be constructed as part of this redevelopment project:

- New convenience store building;
- New gas pump islands and canopy;
- New entrance / exit drives on Highway 350 and on Maple Avenue including removal / relocation of the existing driveway entrance on Maple Avenue near the intersection of Maple Avenue and Highway 350; and
- Storm water detention facility constructed to meet pre-development storm water runoff standards.

- Five (5) foot wide sidewalk along that portion of Maple Avenue abutting the project.

The Missouri Department of Transportation (MoDOT) has reviewed the proposed redevelopment plans for this property and has approved the driveway locations on Highway 350. The applicant is not being required to construct / extend the bicycle-pedestrian trail along Highway 350 as the city has obtained grant funding to construct / extend the trail along this portion of Highway 350. This segment of the trail has already been designed by the city and is anticipated to be constructed this fall or early next spring. The design for the new trail has been shared with QuikTrip so that the two projects will be coordinated.

Staff from the City and the Raytown Fire Protection District has reviewed the submitted site development plan in accordance with the bulk regulations of the Highway Corridor Commercial (HC) zoning district as well as the site development plan content requirements and the Highway 350 Corridor Design Standards specified in the Raytown Zoning Ordinance. Based upon this review the proposed site development plan has been found to comply with the bulk regulations of the HC zoning district and the site plan content requirements. The site development plan does not, however, conform to all of the applicable Highway 350 Corridor Design Standards. As such the applicant is requesting a waiver certain standards.

The Highway 350 Design Standards state a request for a waiver is to be provided in writing stating the reasons why, considering only the physical characteristics of the property, compliance is not possible. The Highway 350 Design Standards further state that economic hardship cannot be considered as a reason for non-compliance.

The applicant has provided a letter requesting the waivers, a copy of which is attached. The letter is seeking a waiver to the following standards:

- Section 29-5.01 of the Highway 350 Corridor Design Guidelines states that "lots with frontage on both Highway 350 and an adjacent or intersecting collector, except where it can be proven that other potential access points would cause greater traffic impacts as identified in the City's Comprehensive Plan, shall not be permitted access to Highway 350."

    City staff and staff from MoDOT have reviewed the proposed driveway locations on Highway 350 and are agreement with the waiving of this standard as it would require all of the traffic to and from the QuikTrip location to access Maple Avenue and adjoining properties to the west. Based upon the traffic volume generated by QuikTrip limiting their access to these locations would cause traffic congestion on Maple Avenue and adjoining properties to the west.

- Section 29-5.01 of the Highway 350 Corridor Design Guidelines states that "Driveways shall have a minimum spacing of at least 440 feet from roadway intersections measured from center line of roadway intersection to center line of driveway."

    As described above, City staff and staff from MoDOT have reviewed the proposed driveway locations on Highway 350 and are agreement with the waiving of this standard as it would require all of the traffic to and from the QuikTrip location to access Maple Avenue and adjoining properties to the west. Based upon the traffic volume generated by QuikTrip limiting their access to these locations would cause traffic congestion on Maple Avenue and adjoining properties to the west. This necessitates the

driveway locations to be located less than the 440 feet from the intersection of Highway 350 and Maple Avenue. Construction of a right-turn lane on Highway 350 will help alleviate the impact of the close proximity of the driveway locations.

- Section 29-5.01 of the Highway 350 Corridor Design Guidelines states that "Driveways shall have a minimum spacing of 440 feet between adjacent driveways measured from centerline to centerline, unless both driveways allow for right-in, right-out access (controlled by a restrictive median), in which case the minimum spacing shall be 330 feet from centerline to centerline. If the parcel is less than 440 feet in frontage, then one curb cut may be allowed, if cross or joint connections are not possible."

  As described above, City staff and staff from MoDOT have reviewed the proposed driveway locations on Highway 350 and are agreement with the waiving of this standard. The driveway located to the west will need to be removed at a future point as there is an existing driveway further to the west which, in combination with the cross access between properties will provide access to the all properties. As previously described, based upon the traffic volume generated by QuikTrip limiting direct their access to their property would cause traffic congestion on the adjoining properties to the west. This necessitates the driveway locations to be located less than the 440 feet apart.

- Section 29-5.01 of the Highway 350 of the Highway 350 Corridor Design Guidelines states that "All vehicular driveways are to be located off of side streets or frontage roads and shall be encouraged to not have direct ingress or egress from Highway 350."

  As previously stated, city staff and staff from MoDOT have reviewed the proposed driveway locations on Highway 350 and are agreement with the waiving of this standard as it would require all of the traffic to and from the QuikTrip location to access Maple Avenue and adjoining properties to the west. Based upon the traffic volume generated by QuikTrip limiting their access to these locations would cause traffic congestion on Maple Avenue and adjoining properties to the west.

- Section 29-5.06 of the Highway 350 Corridor Design Guidelines states that "Parking facilities shall be located to the side of buildings away from street frontages."

  As shown on the site plan parking is to be located between the convenience store building and Highway 350 as well as between the building and Maple Avenue. Complying with this standard creates two issues: 1) It would place the gas pump islands and canopy in close proximity to the residential properties to the south, which would not be compatible; and 2) the topography of the site makes it difficult to comply with this standard while still maintaining the cross access drive with the adjoining property to the west. As shown on the Landscape Plan a wider (ten foot wide) landscape area is proposed along the front of the parking area and gas pump areas abutting Highway 350 and Maple Avenue that will provide additional screening of these areas. As such, city staff is in support of a waiver to this request

STAFF RECOMMENDATION

Staff recommends approval of the submitted Site Plan and granting of the waivers as requested for the QuikTrip Convenience Store.

Development & Public Affairs Department
10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6014
www.raytown.mo.us

April 29, 2015

Notice of Public Hearing

Notice is hereby given that the City of Raytown Planning and Zoning Commission will hold a public hearing on **Thursday, May 14, 2015 at 7:00 p.m. in the Raytown City Hall Council Chambers located at 10000 East 59th Street, Raytown, Missouri** to consider an application seeking approval of the site development plan proposing construction of a new convenience store as well as waivers to certain design standards specified in the Highway 350 Design Standards specified in Article IV Division 18 of the City of Raytown Code of Ordinances.

Notice is also hereby given that the Raytown Board of Aldermen will hold a public hearing regarding the above-described application on **Tuesday, June 2, 2015 at 7:00 p.m., at Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.**

The application has been submitted as the subject property is proposed to be redeveloped. In advance of the above indicated public hearings, the submitted site development plan for the redevelopment of the property is available for review in the Raytown Development and Public Affairs Department located in Raytown City Hall at 10000 East 59th Street, Raytown, Missouri.

You are invited to attend either or both of the public hearings to learn more about the application, ask questions and / or provide comment regarding the application. Additional information regarding this application or the public hearings can be obtained from the City of Raytown Development and Public Affairs Department located in Raytown City Hall at 10000 East 59th Street, by telephone at (816) 737-6011 or by e-mail at jbenson@raytown.mo.us.

If you will 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

NOTICE OF PUBLIC HEARING

Application: Final Site Plan for a proposed convenience store

Proposed Location: 9323 E. 350 Highway, Raytown, MO

Legal Description: *Due to the length of the legal, it is on file and available for review at the offices of the Raytown Community Development Department, 10000 East 59th Street, Raytown, MO 64133.*

Notice is hereby given that the Raytown Planning and Zoning Commission will hold a public hearing regarding the above-described application on Thursday, May 14, 2015 at 7:00 p.m., at Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

Notice is also hereby given that the Raytown Board of Aldermen will hold a public hearing regarding the above-described application on Tuesday, May 19, 2015 at 7:00 p.m., at Raytown City Hall.

The public is invited to attend each of the public hearings and be heard.

Certified for publication this 21st day of April 2015

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