

**CITY OF RAYTOWN
PLANNING & ZONING COMMISSION**

AGENDA

Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133
January 7, 2021
7:00 pm

BY VIDEO CONFERENCE

In response to the current Jackson County COVID-19 Order, this meeting will be held by on-line video conference. A video recording of the Planning Commission meeting will be available within 48 hours on the City's website. For additional questions, please contact City Planning and Zoning Staff at (816) 737-6059.

Individuals wishing to make Public Comments at the Planning Commission meeting should contact Chris Gilbert at chrisg@raytown.mo.us or (816) 737-6059 by 10:00 am, January 7, 2021, to obtain the on-line video information.

1. Welcome by Chairperson

2. Call meeting to order and Roll Call

Wilson:	Thurman:	Emerson:
Robinson:	Frazier:	Stock:
Dwight:		

3. Approval of December 3, 2020, Regular Meeting Minutes

- a) Revisions
- b) Motion
- c) Second
- d) Additional Board Discussion
- e) Vote

4. Old Business:

A. Case No.: PZ-2020-10

Applicants: Miesha Ross and Amia Walker

Reason: Conditional Use Permit for “Assembly” Use for dance instruction and assembly space for The Event Palace to be located at 6217-19 Blue Ridge Blvd. in the Raytown Plaza Shopping Center, in an NC, Neighborhood Commercial District

1. Introduction of Application by Chair
2. Swearing in of all speakers by City Attorney that plan to give testimony during hearing
3. Explanation of any exparte’ communication from Commission members regarding the application
4. Enter Additional Relevant City Exhibits into the Record:
 - a. Staff report
 - b. Application Supporting Documents
5. Introduction of Application by Staff
6. Presentation of Application by Applicant
7. Request for Public Comment by Chairman
8. Additional Staff Comments and Recommendation
9. Commission Discussion
10. Commission Decision to Approve, Conditionally Approve or Deny the Application
 - a. Motion
 - b. Second
 - c. Additional Board Discussion
 - d. Vote

5. New Business – None.

6. Other Business-

A. Planning Commission Election of Officers for 2021.

B. Legal Briefing on Planning Commission Duties and Responsibilities by City Attorney.

C. Briefing on Path of a Typical Application from Filing of Application to Ordinance by Planning and Zoning Coordinator.

7. Set Future Meeting Date – Next Regular Meeting, Thursday, February 4, 2021, at 7:00 PM.

9. Adjourn

CITY OF RAYTOWN
PLANNING & ZONING COMMISSION
REGULAR MEETING
MINUTES

December 3, 2020
7:00 pm

SPECIAL NOTE: Meeting was Held Remotely on Zoom due to Continuing COVID-19 Pandemic. Everyone From the Public that Wished to Participate was Granted Access and Had an Opportunity to Speak During the Meeting.

1. Welcome by Chairman Wilson

2. Call meeting to order and Roll Call

Wilson:	Present	Thurman:	Present	Emerson:	Present
Stock:	Present	Robinson:	Present	Frazier:	Absent

3. Approval of Minutes: Minutes of November 5, 2020, approved 5-0-1 (Frazier abstained) upon motion by Ms. Stock and second by Mr. Robinson, including a correction on page 3 to change vote from 5-0 to 6-0.

4. New Business

A. Case No.: PZ 2020-10: Conditional Use Permit for an “Assembly” Use for Dance Instruction and Event Space for The Event Palace, to be located at 6217-19 Blue Ridge Blvd. in the Raytown Plaza Shopping Center in a Neighborhood Commercial (NC) zone.

1. Introduction of Application by Chairman.

Chairman Wilson opened the public hearing and introduced the application. A motion to continue the hearing to January 7, 2021, was requested by staff.

2. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Ms. Stock moved and Mr. Frazier seconded to continue this hearing to January 7, 2021. Motion passed 6-0.

B. Case No.: PZ 2020-13: Conditional Use Permit filed by Edward Golden of the Kandy Shop for Accessory Vehicle Sales to be Located at 8832 E. 350 Highway in a Highway Commercial (HC) zone.

1. Introduction of Application by Chairman.

Chairman Wilson opened the public hearing and introduced the application. All persons providing testimony were sworn in by Jennifer Baird, City Attorney.

2. Explanation of any Ex Parte Communications Regarding the Application.

No commissioners reported Ex Parte communications regarding this application.

3. Enter Relevant Exhibits into the Record.

Chairman Wilson entered the staff report into the record as an exhibit.

4. Staff Presentation of proposed Text Amendments.

Chris Gilbert, Planning & Zoning Coordinator provided the staff report, reviewing the location of the application, surrounding zoning and uses of property and addressed all the criteria required for a Conditional Use Permit to be issued.

5. Request for Public Comment by Chairman.

Chairman Wilson asked if anyone was present to speak on the application.

Edward Golden, owner of the Kandy Shop, explained his purpose for filing the application, that the vehicles would only be out during the day and generally stored inside overnight for security reasons.

6. Commission Discussion.

Limited Planning Commission discussion with some questions for staff and the applicant.

7. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Chris Gilbert provided the staff recommendation to recommend approval of the Conditional Use Permit to the Board of Aldermen with the conditions as specified in the staff report.

Ms. Stock moved and Ms. Emerson seconded to recommend approval to the Board of Aldermen with the recommendations contained in the staff report. Motion passed 6-0.

- C. Case No.: PZ 2020-14: Application for Conditional Use Permit Approval Filed by Debra Thomas for an "Adult Day Care" Use to be Located at 7838 Raytown Road in an R-1, Low Density Residential District.**

1. Introduction of Application by Chairman.

Chairman Wilson opened the public hearing and introduced the application. All persons providing testimony were sworn in by Jennifer Baird, City Attorney.

2. Explanation of any Ex Parte Communications Regarding the Application.

Commissioner Stock reported an Ex Parte communication with Pat Ertz regarding this application, but stated she could objectively review the application.

3. Enter Relevant Exhibits into the Record.

Chairman Wilson entered the staff report into the record as an exhibit.

4. Staff Presentation of proposed Text Amendments.

Chris Gilbert, Planning & Zoning Coordinator provided the staff report, reviewing the location of the application, surrounding zoning and property conditions.

5. Request for Public Comment by Chairman.

Chairman Wilson asked if anyone was present to speak on the application.

Debra Thomas of Belton, Missouri, spoke on behalf of her application.

The following persons provided comments regarding the application: Pat Ertz; Lori Blankenship; Carolyn McGlothen; Katherine Rush; Kris Bradley; and Lesley Hoser. George Yocum was present as well.

6. Commission Discussion.

Planning Commission discussion with questions for staff and the applicant.

7. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Chris Gilbert provided the staff recommendation to recommend approval of the application with the conditions as stated in the staff report.

Mr. Stock moved and Ms. Stock seconded to recommend approval to the Board of Aldermen with all conditions in the staff report and the additional two:

1. Hours of operation Monday through Sunday be limited to 6 AM to 7 PM.
2. Maximum number of individuals under care at any time be limited to 15.

Motion passed 6-0.

5. **Other Business-** The Planning Commission requested that the Annual Meeting consist of a legal requirements review, election of officers, and a briefing on the patch of an application through the process from filing to approval. Staff agreed to look into the resource binders that commissioners get and see if anything needs updating.
6. **Set Future Meeting Date – Next regular meeting on January 7, 2021.**
7. **Adjourn at 8:39 upon motion by Ms. Thurman and second by Mr. Frazier. Passed unanimously by acclamation.**

PLANNING COMMISSION MEETING, DECEMBER 3, 2020
Held Remotely Via Zoom Video Link
Attendance Sheet

Name	Mailing Address (Include City, State & Zip Code)	Daytime Phone #	Evening Phone #	E-Mail Address
Carolyn McGlothen	Raytown, MO	816-778-5350		
Lori Blankenship	P.O. Box 300614, KCMO 64130			
Kris Bradley	522 Bradford Ct., Raymore, MO 64083	816-518-7980		
Lesley Hoser	8405 Marsh, Raytown, MO 64138	816-616-8527		
Katherine Rush	14212 S. Smart Rd., Greenwood, MO 64034			
Pat Ertz	9802 E. 79 th Terr., Raytown, MO 64138			
George Yocum	9806 E. 79 th Terr., Raytown, MO 64138			
Debra Thomas, Applicant	715 Berkshire Dr., Belton, MO 64012	816-878-3181		
Edward Golden, Applicant	8832 E. 350 Hwy., Raytown, MO 64133	816-886-5439		
The Kandy Shop				

Chris Gilbert

From: PATRICK ERTZ [REDACTED]
Sent: Wednesday, December 2, 2020 1:31 PM
To: Missy Wilson; Chris Gilbert [REDACTED]
Subject: Re: Raytown Planning Commission Meeting

Hi Chris,

I would like the commission to consider the following when they take up the property at 7838 Raytown Road.

- 1) This is a zoned residential property; my first choice would be that it finely become just that. There is nothing preventing it from doing so.
It was sold as "residential" to Harmony Properties, so they should expect it to stay that way. You can look up what they paid for it.
- 2) Harmony Properties has tried to turn this into an event space just last summer, please ask the Police Chief of all the problems that happened as noise, late parties, crudeness and more happened there while Harmony owned this.
- 3) I do not feel that the neighborhood needs 50 cars or buses pulling in and out of their every day as you state a 25-person capacity.
- 4) What assurances do the neighbors have that people will not be left overnight?
- 5) What assurances do we have that other operations will not be held at night? Harmony Properties, when used for parties would start out as kids' parties with bounce houses etc. but degraded as the night came to vulgar levels.
- 6) This is a very visible corner. I would expect the property to reflect the care that neighboring property owners have put into their addresses.
- 7) Have codes inspected Debra Thomas's other properties in Raytown?

Thank You, I know that your job is hard, I appreciate you doing it.

Patrick Ertz
9802 E 79th Ter
Raytown MO 64138

From: chrisg@raytown.mo.us <chrisg@raytown.mo.us> on behalf of Missy Wilson <missyw@raytown.mo.us>
Sent: Tuesday, December 1, 2020 9:27 AM
To: [REDACTED]
Subject: FW: Raytown Planning Commission Meeting
When: Thursday, December 3, 2020 7:00 PM-9:00 PM.
Where: <https://zoom.us/j/93609641251?pwd=cXk1ZzA3THM5NjdpeEZiQldFMW4vdz09>

-----Original Appointment-----

From: Missy Wilson
Sent: Tuesday, November 24, 2020 12:57 PM
To: Missy Wilson; Chris Gilbert; Ray Haydaripoor; Jennifer Baird
Cc: Records

Chris Gilbert

From: Yocum, George J. <[REDACTED]>
Sent: Thursday, December 3, 2020 10:35 AM
To: Missy Wilson; Chris Gilbert
Cc: [REDACTED]
Subject: Property at 7838 Raytown Road

Importance: High

Raytown Planning Commission,

My name is George Yocum and I live on 79th Terrace close to this property. I wish to echo the concerns that Pat Ertz has brought before you as I too would want this property to remain zoned for single family residential use only. This year we experienced several disturbances directly related to this property being used as a party rental place with much lawlessness, heavy traffic, traffic violations, lewd and extremely loud music that many times was clearly audible inside my home, there were several weekends where my wife and I did not feel comfortable in our own back yard and I had to call the police several times this year due to these disturbances with some of these calls being made very late like 2AM and so on and I know other neighbors also had to call the police several times as well. Also I have it 2nd hand from a member of the Southwood United Church of Christ next door to me that a representative for Harmony property had told him that he did not care what went on or happened at this property which as far as I'm concerned demonstrates that Harmony property has no regards nor respect for my neighborhood.

If this application is accepted by the city what assurances do we have that any of the agreement details would be enforced by the city?

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Staff Report

Community Development
Planning and Development Services

PZ 2020-10

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: January 7, 2021

Re: Application for Conditional Use Permit

CONDITIONAL USE PERMIT APPLICATION SUMMARY

Applicant: Miesha Ross and Amia Walker

Property Owner: 1340 E. 9th Street Realty Corporation

Property Location: 6217-19 Blue Ridge Blvd. in Raytown Plaza

Request: Conditional Use Permit approval for an Assembly Use to utilize a shopping center suite for event space including dance instruction.

Miesha Ross and Amia Walker, the applicants, have leased 6217-19 Blue Ridge Blvd. in the Raytown Plaza and are requesting Conditional Use Permit (CUP) approval for an Assembly Use to permit the unit to be utilized for dance instruction as well as assembly space in a Neighborhood Commercial (HC) zoning district. Per the city's land use table, such assembly uses can only be conditionally approved in this zoning district. The applicant is not proposing any site changes be made to the existing location. Interior improvements will be likely necessary based upon the architectural analysis. All improvements shall be coordinated with the Raytown Fire District Fire Marshal and the City of Raytown Building Official if this application is approved.



Figure 1 – View of South Building of Raytown Plaza Shopping Center

BACKGROUND

Property's Zoning Classification	Neighborhood Commercial (NC)
Surrounding Properties' Zoning	Neighborhood Commercial (NC), R-3, High Density Residential to the east beyond Hadley Street
Surrounding Overlay	Central Business District
Surrounding Land Use	Commercial Businesses, Offices, Residential to the east beyond Hadley Street
Designated Future Land Use	Commercial
Ward	Ward 2
Approximate Land Area	Existing Shopping Center Suite
Roadway Classification	Collector



Figure 2 – Surrounding zoning map

SITE DESCRIPTION AND PRESENT USE

The subject location is a suite in the Raytown Plaza, a multi-tenant shopping center just north of 63rd Street off of Blue Ridge Blvd. in the Central Business District. The use of the property is a combination of general office, services, and retail uses. The north and south buildings have approximately 200 parking spaces directly in front of the business and there are 3 additional parking areas owned by the center owners behind the shopping center with 2 off of Hadley to the east and one off 63rd Street to the south which could hold approximately another 100 vehicles although the spaces are not marked at present. Staff does not believe combined parking demand will be an issue at any time.



Staff Report

Community Development
Planning and Development Services

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The shopping center is completely surrounded by commercial zoning with the town square park to the west, additional commercial and office use to the north and south along Blue Ridge Blvd. and parking areas and some non-conforming residential uses to the east on Hadley Street. Access to the shopping center is primarily from Blue Ridge Blvd. with an additional access from Hadley Street.

HISTORY

The Raytown Plaza is one of the City's original shopping centers, having been remodeled from time to time since the 1950s and has hosted a large variety of commercial, retail, and office uses over the years. This proposed use would occupy one of these spaces in the south "L"-shaped building of the Shopping Center.

PUBLIC COMMENTS

The public notice was published in *The Daily Record* on October 19, 2020. Public notice letters were sent to property owners within 185 feet of the property by the applicant. The Neighborhood Information Meeting was held on October 22, 2020, and a synopsis of the meeting is attached. To date, the Community Development Department has received calls from two nearby business owners that did not attend the neighborhood meeting, one in Raytown Plaza and one on 63rd Street in the downtown block between Raytown Road and Blue Ridge Blvd. The property was posted with a Public Hearing Notice Sign on the property stating the hearing date. This hearing was continued at both the November and December meetings pending the architectural analysis of the space which has now been provided.

ANALYSIS

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. Stability and integrity of the various zoning districts

The parcel and all adjacent lots are zoned Neighborhood Commercial (NC). Per the Zoning Ordinance, "this zoning district is intended to provide a location for miscellaneous retail, wholesale, and businesses serving the consumer public", which is consistent with the requested use. It is the opinion of city staff that the proposed use would maintain the stability and integrity of the Neighborhood Commercial zoning district as assembly uses can generate increased revenues for nearby businesses during events.

2. Conservation of property values

No change in property values is expected. The Raytown Plaza has existed for over 60 years and has hosted a variety of uses and tenants during this time of which the current applicant's business would just be another of many. Staff does not believe that the nature of events that would be held at the dance academy would detract from other businesses in the vicinity if appropriate mitigating measures were required as conditions of approval.



Staff Report

Community Development
Planning and Development Services

3. Protection against fire and casualties

The applicant has submitted an architectural analysis as required, and all internal modifications in accordance with the architect's recommendations shall be completed in accordance with Raytown Fire District requirements and City of Raytown Building Codes. These modifications, based on modern code requirements are tailored to the specific type of use proposed for the space.

4. Observation of general police regulations

The proposed business will not violate any general police regulations if the events are handled in an orderly manner. Nightclubs, dance halls, and discotheque style assembly which has a greater chance of generating situations requiring police response is not permitted under the requested "Assembly" type use. There is a specific separate Conditional Use required for those types of events. Staff does recommend that the owners develop a crowd control plan for large events.

5. Prevention of traffic congestion

Multiple access points out to Blue Ridge Blvd. from the shopping center and a back exit onto Hadley Street should be sufficient to handle all event traffic for the requested use. Blue Ridge Blvd. is 4 lanes across and Hadley Street connects to 63rd Street which is also 4 lanes across except in the downtown block.

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

With approximately 300 total parking spaces available to the Shopping Center, events held at this facility based on the 3,822 square feet of space within the leasehold, would need to provide at least 39 parking spaces. The Zoning Ordinance requires at least 1 parking space per 100 square feet of area for Assembly uses with no fixed seating. This equates to approximately 15% of the total available parking but activities intended to be held in the space will not generally coincide with normal business hours parking for most of the tenants in the center, and thus no parking issues are anticipated based upon total parking used. There may, however, be some localized parking issues for the tenants open late hours that neighbor this space where prime storefront parking may be taken up by event attendees. Staff recommends the applicant work with the Shopping Center owner and with the neighboring business owners to look at the possibility of installing some dedicated parking signage for a few of these spaces.

7. Promotion of the safety of individuals and property

The Applicant will be required to ensure the Assembly activities are managed in a manner that observes proper decorum, providing a safe environment for all patrons and their property. Staff recommends the applicants develop a crowd control plan for large events.

8. Provision for adequate light and air

The proposed business will not affect the air quality of the area beyond what is normal for a commercial district. All activities are to be contained inside the building.



Staff Report

Community Development
Planning and Development Services

9. Prevention of overcrowding and excessive intensity of land uses

The proposed business will affect the intensity of land uses in the area but only for short periods of time during events. It is an existing developed shopping center property and the proposed use can be compatible with the other uses on the property if appropriate mitigating measures are taken to manage noise.

10. Provision for public utilities and schools

The proposed business will not affect any public utilities or schools and could generate revenues that benefit the taxing entities including the school district and encourage additional ancillary spending in the community by attendees at events both before and after the events are held.

11. Invasion by inappropriate uses

Staff does not view the proposed business as an inappropriate use at this location. The proposed Assembly use is a commercial use and there are many different kinds of schools and training centers that can be found in commercial zones.

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

The proposed use will require interior improvements in accordance with the architects recommendations to meet Building and Fire Code for group events. No exterior improvements are needed unless the applicants and property owner work out a plan for identifying some parking spaces in front of neighboring business with signs restricting parking to patrons of those businesses only. Requiring Central Business District (CBD) Overlay standards for a reuse of an existing suite inside a shopping center structure will be extremely difficult to enforce as the site is not being modified, expanded, reconstructed, etc., so as such does not require application of these standards at the present time with this application. Any signage required for the business, however, will have to meet the channel lettering design style requirement within the CBD standards. Signage is approved under a separate permit process.

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

As the property is a currently existing developed retail commercial shopping center and the use is a commercial use, the proposed business is consistent with overall planning principles.

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

The proposed business, if approved, and managed properly by the applicant, can contribute to the orderly and proper renewal, development and growth of the City. Raytown shopping centers struggle with vacancies and keeping the spaces occupied with viable businesses provides more resources to the property owner to hopefully reinvest in the property to attract more businesses.

RECOMMENDATION

Staff recommends approval of Case No. PZ 2020-10 – Conditional Use Permit for an Assembly Use at 6217-19 Blue Ridge Blvd. with the following conditions:



Staff Report

Community Development
Planning and Development Services

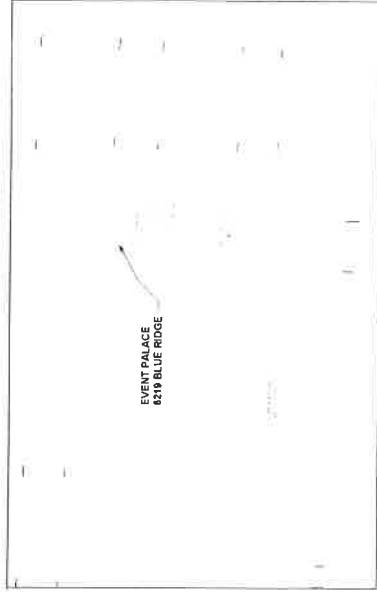
1. The approved Assembly Use does not include activities contained under the "Nightclubs, Dance Halls, and Discotheques" Use category. Birthday parties, receptions, and similar gatherings as noted on the applicant-provided list of events would be consistent with Assembly Use.
2. Any interior renovations in accordance with the architect's recommendations to be performed in accordance with procedures of both the Raytown Fire District Fire Marshal and City of Raytown Building Official prior to any Use Permit being issued, including applying for building permits and providing construction plans for approval.
3. Any activities that generate significant noise levels shall be wholly contained within the structure and not be permitted to negatively impact neighboring businesses and properties, up to and including the installation of sound mitigating material inside the unit on shared walls and the ceiling. Staff recommends mitigation be installed as part of initial construction work.
4. Any signage shall be approved under separate permit and shall meet Central Business District Overlay Guidelines.
5. No Commercial Use Permit or business license shall be issued until all requirements of this section have been met.
6. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

- CONTRACTOR: Builders by Design, LLC
- ARCHITECT: Builders by Design, LLC
- MECHANICAL: Builders by Design, LLC
- ELECTRICAL: Builders by Design, LLC
- PLUMBING: Builders by Design, LLC
- CONCRETE: Builders by Design, LLC
- IRONWORK: Builders by Design, LLC
- PAINT: Builders by Design, LLC
- GLASS: Builders by Design, LLC
- ADJUSTABLE PARTITIONS: Builders by Design, LLC
- CEILING: Builders by Design, LLC
- FLOORING: Builders by Design, LLC
- MECHANICAL: Builders by Design, LLC
- ELECTRICAL: Builders by Design, LLC
- PLUMBING: Builders by Design, LLC
- CONCRETE: Builders by Design, LLC
- IRONWORK: Builders by Design, LLC
- PAINT: Builders by Design, LLC
- GLASS: Builders by Design, LLC
- ADJUSTABLE PARTITIONS: Builders by Design, LLC
- CEILING: Builders by Design, LLC
- FLOORING: Builders by Design, LLC



Event Palace
 6219 Blue Ridge Raytown, MO
 CUP Application
 Code Analysis &
 Improvements
 Project Number: A101
 Issue Date: 11/14/18
 Checked: [Signature]

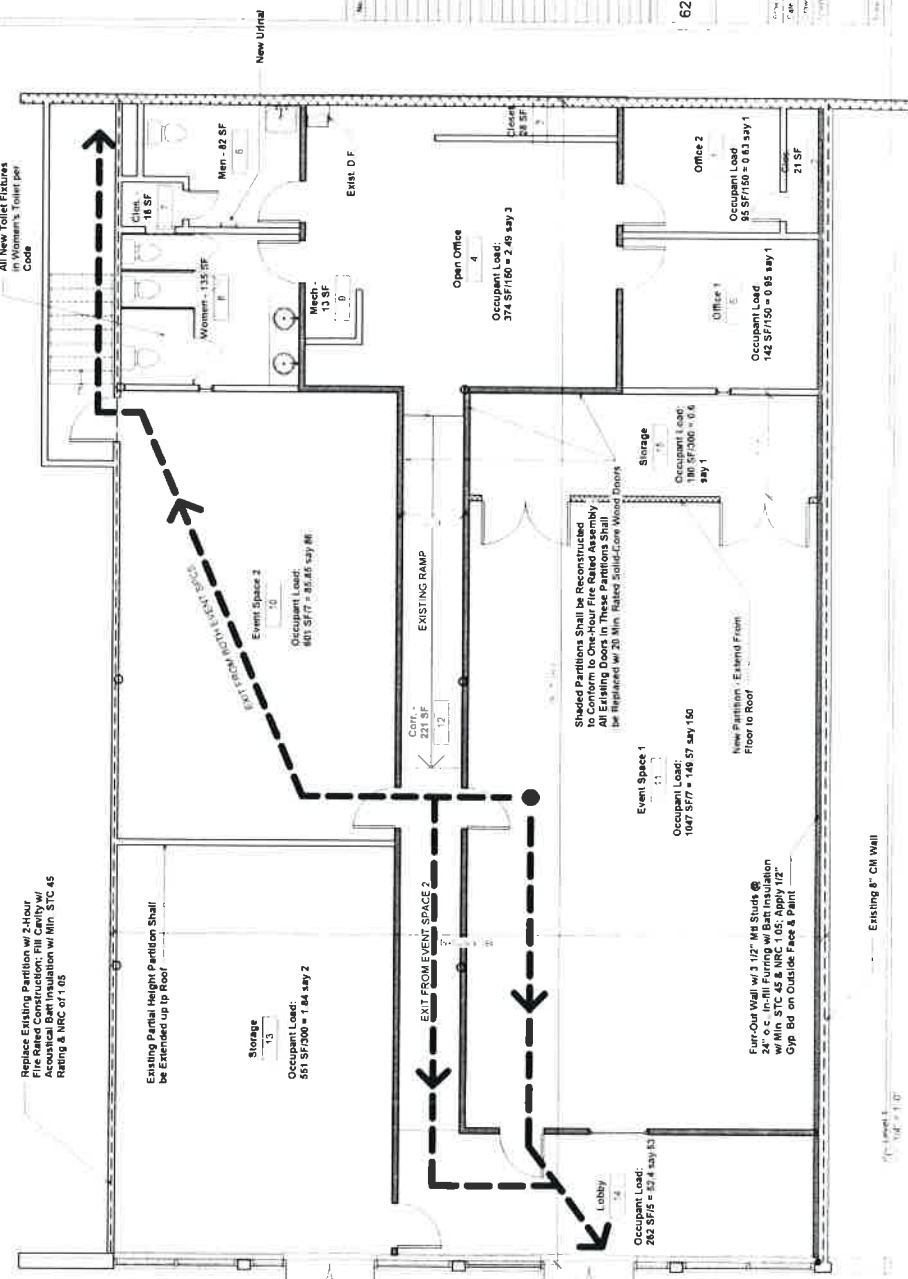
A101



RAYTOWN PLAZA SHOPPING CENTER
 SITE PLAN

- PLUMBING FIXTURE COUNT:**
- MEN @ 1/25, L.A.S. - 2 FIXTURES
 - WOMEN @ 1/65, L.A.S. - 3 FIXTURES
 - DRINKING FOUNTAIN @ 1/500
 - 25" x 10" F. EXISTING;
- FIRE RESISTANCE RATING REQUIRED PER TABLE 601:**
- BEARING ON BEARING WALLS 0 HRS
 - STRUCTURAL FRAME 0 HRS
 - INTERIOR WALLS 0 HRS
 - FLOOR CONSTRUCTION 0 HRS
 - ROOF CONSTRUCTION 0 HRS
- ACTIVE FIRE SAFETY SYSTEMS:**
- SPRINKLER SYSTEM REQUIRED IF ONE OF FOLLOWING IS MET
 - 1) FIRE AREA EXCEEDS 10,000 SF
 - 2) HAS OCCUPANT LOAD OF 200 OR MORE
 - 3) FIRE AREA IS LOCATED ON A FLOOR OTHER THAN A LEVEL OF EXIT DISCHARGE SERVING SUCH OCCUPANCIES
 - NONE OF THESE CONDITIONS ARE MET
 - CORRIDOR RATING AND FIRE SPRINKLER PER TABLE 1020.1 SHALL BE 1 - HOUR

- 2017 NATIONAL ELECTRICAL CODE (NFPA 70)
- 2018 INTERNATIONAL ENERGY CONSERVATION CODE
- 2017 ICC ANSIA A117.1 FOR ACCESSIBILITY
- CONSTRUCTION TYPE:** I-B
- BUILDING AREA:** 40,830 SQ. FT.
- MAIN FLOOR LEVEL:** 40,830 SQ. FT.
- TENANT SPACE:** 3,842 SQ. FT.
- OCCUPANCY GROUP:** A3
- ASSEMBLY GROUP:** A3
- OCCUPANCY SEPARATION:** NONE, SPRINKLERED BUILDING REQUIRES 2 HOUR SEPARATION FROM ADJACENT B OCCUPANCIES
- OCCUPANCY LOAD:** 297 OCCUPANTS
- EXIT WIDTHS:**
- REQUIRED - 0.2 X 797 = 69 INCHES
 - ACTUAL - 108 INCHES



See on Next Page

Existing 8" CM Wall

Scale: 1/4" = 1'-0"

CODE ANALYSIS:

PROJECT DESCRIPTION:

TENANT FINISH OF A 3,822 SQ. FT. LEASE SPACE TO ACCOMMODATE A NEW DANCE ACADEMY.

LOCATION: IN THE RAYTOWN PLAZA SHOPPING CENTER AT 6247 BLUE RIDGE BLVD. RAYTOWN, MO 64133.

BUILDING CONSTRUCTION:

- EXT. WALL MATERIALS - LOAD BEARING 12" CONCRETE BLOCK
- STRUCTURE - STEEL FRAMED INTERIOR
- ROOF MATERIAL - SINGLE-PLY MEMBRANE ON RIGID BOARD INSULATION OVER METAL ROOF DECK

CURRENT APPLICABLE CODES:

- 2018 INTERNATIONAL BUILDING CODE (IBC)
- 2018 INTERNATIONAL EXISTING BUILDING CODE - LEVEL 2 ALTERATIONS
- 2018 INTERNATIONAL MECHANICAL CODE (IMC)
- 2018 INTERNATIONAL PLUMBING CODE (UPC)
- 2018 INTERNATIONAL FIRE CODE

2017 NATIONAL ELECTRICAL CODE (NFPA 70)
2018 INTERNATIONAL ENERGY CONSERV CODE
2017 ICC/ANSI-A117.1 FOR ACCESSIBILITY

CONSTRUCTION TYPE:

CONSTRUCTION TYPE II-B

BUILDING AREA

MAIN FLOOR LEVEL - 40,830 SQ. FT.
TENANT SPACE - 3,822 SQ. FT.

OCCUPANCY GROUP:

ASSEMBLY GROUP - A3

OCCUPANCY SEPARATION:

NON-SPRINKLERED BUILDING REQUIRES 2-HOUR SEPARATION FROM ADJACENT B OCCUPANCIES.

OCCUPANCY LOAD:

297 OCCUPANTS

EXIT WIDTH:

- REQUIRED - 0.2 X 297 = 60 INCHES
- ACTUAL - 108 INCHES

PLUMBING FIXTURE COUNT:

- MEN @ 1/125 148.5 = 2 FIXTURES
- WOMEN @ 1/65 148.5 = 3 FIXTURES
- DRINKING FOUNTAIN @ 1/500 297 = 1 D.F. (EXISTING);

FIRE RESISTANCE RATING REQUIRED PER TABLE 601:

BEARING/NON BEARING WALLS	-0 HRS
STRUCTURAL FRAME	-0 HRS
INTERIOR WALLS	-0 HRS
FLOOR CONSTRUCTION	-0 HRS
ROOF CONSTRUCTION	-0 HRS

ACTIVE FIRE SAFETY SYSTEMS

AUTOMATIC SPRINKLER SYSTEM REQ'D IF ONE OF FOLLOWING CONDITIONS MET:

- FIRE AREA EXCEEDS 12,000 SF
- HAS OCCUPANT LOAD OF 300 OR MORE
- FIRE AREA IS LOCATED ON A FLOOR OTHER THAN A LEVEL OF EXIT DISCHARGE SERVING SUCH OCCUPANCIES

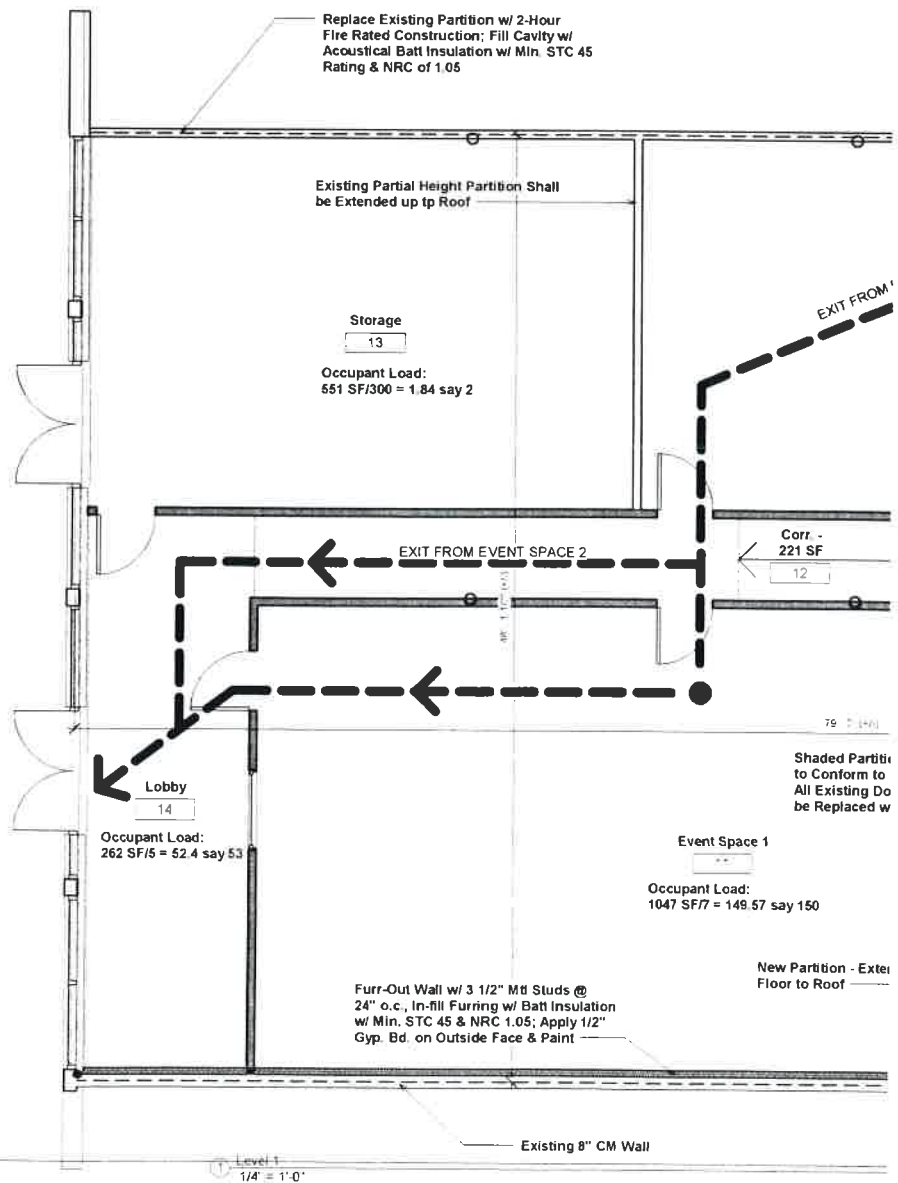
NONE OF THESE CONDITIONS ARE MET

CORRIDOR RATING w/o FIRE SPRINKLER PER TABLE 1020.1 SHALL BE 1-HOUR

EVENT PAL
6219 BLUE F



RAYTOWN PLAZA SHOF SITE PLAN



ESTIMATE DETAIL COSTCODE
 Event Palace_6219_Estimate.xls
 12/21/20



Builders by Design, LLC
a design/build company

Costcode	Description	Quantity	Unit	Material \$	Labor \$	Other \$	Total \$
General							
01020	PROFESSIONAL	1.00		0.00	0.00	0.00	0.00
010201000	Building permit	1.00	Ea	0.00	0.00	206.25	206.25
010201100	Engineer	1.00	Ls	0.00	1,515.00	0.00	1,515.00
010201200	Architect	1.00	LS	0.00	0.00	1,000.00	1,000.00
010203160	Supervision	40.00	Hr	0.00	2,750.00	0.00	2,750.00
017001100	Final cleanup	1.00	LS	0.00	0.00	600.00	600.00
018001145	Dumpster, per load, small, incl haul	1.00	Ea	0.00	0.00	218.75	218.75
	Subtotal General			0.00	4,265.00	2,025.00	6,290.00
Exterior							
07210	BUILDING INSULATION	1.00		0.00	0.00	0.00	0.00
072103450	Wall insulation, fiberglass, acoustical, 4"	1400.00	Sf	1,960.00	882.00	0.00	2,842.00
	Subtotal Exterior			1,960.00	882.00	0.00	2,842.00
Interior							
08200	WOOD AND PLASTIC DOORS	1.00		0.00	0.00	0.00	0.00
082002120	Wood door, interior, solid, Pr.3'-0"x6'-8", 1-3/8"	2.00	Ea	500.00	343.75	0.00	843.75
082003120	Wood door, interior, solid, 3'-0"x6'-8", 1-3/4"	8.00	Ea	1,117.20	825.04	0.00	1,942.24
08700	HARDWARE	1.00		0.00	0.00	0.00	0.00
087001210	Door closer, interior	8.00	Ea	1,223.60	440.00	0.00	1,663.60
087002150	Hinge, 4x4 butt type	10.00	Ea	179.60	687.50	0.00	867.10
087002160	Lockset, cylindrical	1.00	Ea	172.90	68.75	0.00	241.65
09250	GYPSUM BOARD	1.00		0.00	0.00	0.00	0.00
092501330	One-hour rated Gyp. bd. Partition	2260.00	Sf	1,695.00	1,672.40	2,825.00	6,192.40
092501430	Drywall, 5/8", walls, incl. 3'5/8" Mtl. Furring	1400.00	Sf	1,100.00	1,100.00	0.00	2,200.00
09900	PAINTING	1.00		0.00	0.00	0.00	0.00
099002320	Paint, plaster/drywall, wall, 2 coats	5680.00	Sf	965.60	3,919.20	0.00	4,884.80
	Subtotal Interior			6,953.90	9,056.64	2,825.00	18,835.54
Equipment							
10150	COMPARTMENTS AND CUBICLES	1.00		0.00	0.00	0.00	0.00
101501210	Toilet partitions, steel, floor mounted	3.00	Ea	2,400.00	825.00	0.00	3,225.00
10520	FIRE PROTECTION SPECIALTIES	1.00		0.00	0.00	0.00	0.00
105201220	Fire extinguisher, 3 Gal.	2.00	Ea	292.60	68.76	0.00	361.36
10800	TOILET AND BATH ACCESSORIES	1.00		0.00	0.00	0.00	0.00
108001370	Toilet tissue dispenser, SS, surface mounted	3.00	Ea	185.55	51.57	0.00	237.12

108001490	Grab bar, SS, 36"	4.00	Ea	452.20	137.52	0.00	589.72
108001570	Mirror, SS frame, 18"x30"	2.00	Ea	532.00	137.50	0.00	669.50
Subtotal Equipment				3,862.35	1,220.35	0.00	5,082.70
Mechanical							
15400	PLUMBING	1.00		0.00	0.00	0.00	0.00
154007110	Water closet, with tank, floor	3.00	Ea	1,494.00	825.00	0.00	2,319.00
154007130	Urinal, wall hung, plastic pipe	1.00	Ea	400.00	275.00	0.00	675.00
154007220	Faucet, bath, basic	2.00	Ea	200.00	137.50	0.00	337.50
154007280	Sink, porcelain Cl, bathroom, 1 bowl, basic	2.00	Ea	532.00	446.88	0.00	978.88
Subtotal Mechanical				2,626.00	1,684.38	0.00	4,310.38
Estimate Total				15,402.25	17,108.37	4,850.00	37,360.62

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF JACKSON

} S.S.

Page 1 of 1

Before the undersigned Notary Public personally appeared **Kathy Travis** on behalf of **THE DAILY RECORD, KANSAS CITY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **October 19, 2020** edition and ending with the **October 19, 2020** edition, for a total of 1 publications:

10/19/2020

Notice of Public Hearing

The Community Development Department has received an application filed by Meisha Ross of The Event Palace, for a Conditional Use Permit to operate an Assembly-Type Use including a dance studio to be located at 6217-19 Blue Ridge Blvd. (within the Raytown Plaza Shopping Center) in Raytown, Missouri.

A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission at **7:00pm on Thursday, November 5, 2020.**

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for **7:00pm on Tuesday, December 1, 2020.**

All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.

The public is invited to attend the public hearing to ask questions and provide comment regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59th Street, by telephone at (816) 737-6059 or by e-mail at chrisg@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 Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the applicable public hearing date.

11927784 Jackson Oct. 19, 2020

Kathy Travis

Kathy Travis

Subscribed & sworn before me this 20 day of Oct, 2020
(SEAL)

Brandon M. Grail

Notary Public



PC 2020-10

6235 & 6217 BRB cases

Property Owners
Within 185 Feet
of Raytown Plaza
Shopping Center
(South Building) as
gathered from
Jackson Co. records
on 10-13-2020

No address	- Town Center Field	45-120-09-32-01	City of Raytown
10028 E 63rd St		-19	Blue Springs, MO 64014
10032	"	-20	Jesus & Georgina Aguilera 5411 NE Summit Dr.
10101	"	07	James Atkins
10109	"	06	Velocity Const. Services LLC 329 N. Madison #1253 Raytown, MO 64083
10115	"	05	Sword of Joy Consulting LLC 7701 Harris Ave, Raytown 64138
10201	"	04	Mary Ann Investment Trust 4950 Central # 402, KCMO 64112
10205	"	03	"
10209	"	02	"
6255 Blue Ridge Blvd		03	Sunday Properties LLC 110 E. 51st St., KCMO 64112
10110 E. 63rd St.		03	Michelle & Brian Demoss 12906 E. 50th Ter S Independence, MO 64085
10120	"	10	1340 E. 9th St. Realty Corp 184 New Egypt Rd Lakewood, MO 64701
10212	"	11-26	Laurie Pither 11523 E. Easley Dr. Lees Summit, MO 64086
10212	> vacant lot	27	
6248 Ash Ct.		31	Constance Jones & Linda Colbern Lee's Summit, MO 64092
6246	"	32	Randy Meek, Trustee 3412 SW Lois Ln.
6228	"	39	Joseph Burton
6226	"	40	Holly Smith
6208	"	72	Lula Worboys
6136	"	21	Paul Keleti Clearwater, FL 33761
6201 Hadley St.		22	dupl 1340 E. 9th St. Realty Corp 2549 Skipper Trl.
6211	"	23	Curry Holdings, LLC 5116 Northern Ave. KCMO 64133
6213	"	24	"
No address	Vacant lot	25	
6121 Blue Ridge Blvd		13	

(T) = Possible tenant on site. Send separate letter to "Tenant" at listed actual property location.

Mailed 10-15-2020
Marina Ray

October 13, 2020

Dear Property Owner/Tenant:

Notice of Neighborhood Meeting and Public Hearings in Your Area

The Raytown Community Development Department is processing an application for a Conditional Use Permit for a dance studio related to The Event Palace to be located within the Raytown Plaza Shopping Center at 6217-6219 Blue Ridge Blvd. in Raytown, Missouri. The applicant intends to operate an Assembly type use, which requires a Conditional Use Permit. As a nearby owner or tenant, you are entitled to appear and provide comment at any of the public hearings on this matter or to provide written comment.

The applicant will be holding a neighborhood information meeting in the City Council Chambers at 9:00 AM on Thursday, October 22, 2020, to which you are invited to discuss the application directly with them. City staff will not be present at this time. If you have any concerns or need more information about the application, this is a good meeting to attend.

A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission **at 7:00 PM on Thursday, November 5, 2020.** The full packet and agenda should be available for view on the City of Raytown website on Friday, October 30, 2020.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for **7:00 PM on Tuesday, December 1, 2020.**

All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.

The public is invited to attend the public hearings to ask questions and provide comment regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59th Street, by phone at (816) 737-6059 or by e-mail at chrisg@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 Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the applicable public hearing date.

Raytown, MO



Legend

- Road
- Parcel
- Address Point
- City Limit



**Location
of CUP
application**



1 in. = 219ft.



Notes

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

437.6

218.81

0

437.6 Feet

CONDITIONAL USE PERMIT
APPLICANT: [illegible]
PC 2020-19
FILED: 10-21-20 BY: [illegible]
PUBLIC HEARING AT CITY HALL
BEFORE PLANNING COMMISSION ON
NOVEMBER 19, 2020 @ 6:00 PM
CITY OF WASHINGTON, MO
[illegible]



Chris Gilbert

From: [REDACTED]
Sent: Wednesday, October 28, 2020 10:43 PM
To: Chris Gilbert
Subject: Synopsis

Synopsis from October 22, 2020

We had 1 person show up to our neighborhood meeting. His concern was from his experience with a previous event space that was next door to his business. He stated that they had several teen parties that carried into the parking lot. We informed him that we are aware of those parties and we explained that the lease in the Raytown Plaza states that the parking lots are a common area and are not to be used for business purposes. Our contract states that any event that is carried outside will cause for immediate event cancellations and/or a forfeited security deposit. We also informed him that while, we would like to empower our youth, we are going to do that by having more organized activities verse teen party nights.

We had another person write us via email. She stated that she was not able to make it to the neighborhood meeting but was interested in hearing more about our business. She told us about her business and said that she would love to keep in contact.

We did not receive any other questions, concerns, nor comments from the neighborhood meeting.

Thank you,
Miesha Ross and Amia Walker
[REDACTED]

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:
6217-19 Blue Ridge Blvd Raytown MO, 64133

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

Name	Address	Phone
<u>1340 East 9th Street Realty Corp</u>	<u>805 Ave. L, Brooklyn,</u>	<u>800-558-7692 or 256-813-9532</u>
<u>NY 11230</u>		

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:

Dance Studio

5. Zoning classification of the property: NC

6. Specify the use desired for the property: Dance Studio and Event Space

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)

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:

We are a family owned small business. Our mission is to provide quality and affordable events. We create memories that will last a lifetime. Our vision is to bring families and communities together. We have 5 star ratings from several clients who have used our services. We have several repeat clients because we like to build relationships.

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

We want to bring more positive traffic^{and attention} to our shopping center + community.

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

The current use ~~is~~ was awesome. It was a dance studio empowering youth. The owner is preparing to retire. We will continue to empower youth through creative expressions. We will also host, Birthday parties, Gender Reveals, Graduation parties, Retirement parties, book signings, and weddings.

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

There will not be any detrimental effects on nearby parcels.

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

It is still being occupied, they are in the process of moving out.

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

We were a home based ~~but~~^{MR} business, we will not be able to reach our full potential by continuing to operate out of a small space.

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

Yes

FF Additional comments:

We are looking to be a long term tenant.



ELECTRONICALLY RECORDED
JACKSON COUNTY, MISSOURI
02/22/2017 08:44:36 AM
WD FEE \$ 24 00 2 Pages

INSTRUMENT NUMBER:
2017E0016083

Special Warranty Deed

THIS DEED dated this 21 day of February, 2017 WITNESSETH That **Monopoly Acquisitions, LLC, a Missouri limited liability company**, Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS does by these presents, BARGAIN AND SELL, Convey and Confirm unto **1340 East 9th Street Realty Corp**, whose mailing address is 805 Ave. L, Brooklyn, NY 11230, Grantee, its successors and assigns, the following described land situate in **Jackson County, Missouri**, to wit:

Tract 1:

A tract of land located in part of Section 34, Township 49 North, Range 32 West, being part of the tract described by the Warranty Deed recorded under Document No. 2012E0027701 of the Jackson County Records, and being part of Lot 1 and part of Lot 2, PENDLETON'S BLUE RIDGE PLACE, a subdivision in Raytown, Jackson County, Missouri, and being more particularly described as follows:

Beginning at the Northwest corner of said Lot 2; thence along the North line of said Lot 2, South 86°58'07" East, 235.35 feet; thence leaving said North line, South 3°02'21" West, 232.83 feet; thence South 86°58'07" East, 365.36 feet, to a point on the Westerly right-of-way line of Blue Ridge Boulevard, as now established; thence along said Westerly right-of-line, South 17°35'47" West, 182.25 feet; thence leaving said Westerly right-of-way line, North 87°01'24" West, 60.53 feet; thence North 03°03'47" East, 65.00 feet; thence North 87°01'24" West, 260.09 feet; thence South 03°01'59" West, 65.00 feet; thence North 87°01'24" West, 227.97 feet, to a point on the East right-of-way line of Woodson Avenue, as now established; thence along said East right-of-way line, North 02°09'12" East, 409.79 feet to the point of beginning.

Also known as Tract 1 on the Certificate of Survey recorded March 3, 2016, as Document No 2016E0018613, in Book T42, Page 40.

Tract 2:

Together with easements for ingress, egress and parking across all of Lots 1 and 2, PENDLETON'S BLUE RIDGE PLACE, as established by instrument recorded as Document No. I-250410, in Book I-685, Page 723 and modified by instrument recorded as Document No. I-399543, in Book I-963, Page 1785.

File No.: 20171967
D-Special Warranty Deed-IND MO

20171967
Chicago Title Company, LLC *lc*

Page 1 of 2

Tract 3

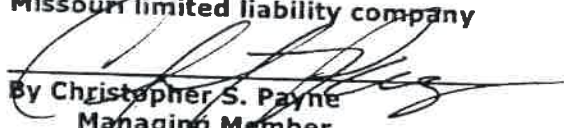
Perpetual, non-exclusive easement for parking of motor vehicles and free right of access, ingress, and egress and all vehicular and pedestrian traffic over the tract of land described as Tract 2 on the Certificate of Survey recorded March 3, 2016, as Document No. 2016E0018613, in Book T42, Page 40, as established by instrument recorded February 25, 2016, as Document No. 2016E0016448.

Subject to easements, reservations, restrictions, and covenants, if any of record.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular rights, privileges, appurtenances and immunities thereto belonging or in anywise appearing unto said Grantee, and unto its successors and assigns forever; said Grantor hereby covenanting that the said premises are free and clear from any encumbrance done or suffered by it; and that it will warrant and defend the title to said premises unto said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons claiming under Grantor but none other.

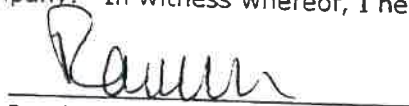
IN WITNESS WHEREOF, said Grantor has caused these presents to be executed, IN WITNESS WHEREOF, said Grantor has caused these presents to be executed, pursuant to due authority, this 21 day of February, 2017

**Monopoly Acquisitions, LLC, a
Missouri limited liability company**


By Christopher S. Payne
Managing Member

STATE OF Kansas
COUNTY OF Johnson

On this 21 day of February, 2017 before me, the undersigned notary public personally appeared, Christopher S. Payne, Managing Member on behalf of Monopoly Acquisitions, LLC, a Missouri limited liability company, known to me to be the person who executed the instrument within and who duly acknowledged execution of the same on behalf of said Limited Liability Company. In witness whereof, I hereunto set my hand and official seal.


Randi K. Canon, Notary Public

My Commission expires: 3/12/20



**INVOICE (INV-00012440)
FOR CITY OF RAYTOWN**

BILLING CONTACT
MEISHA ROSS



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-00012440	08/25/2020	08/25/2020	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
UPRMT-000066-2020	Final Site Plan Fee	\$450.00
6217 Blue Ridge Blvd Raytown, MO 64133		SUB TOTAL \$450.00

REMITTANCE INFORMATION
City of Raytown 10000 East 59th st Raytown, MO 64133

TOTAL **\$450.00**

CITY OF RAYTOWN
10000 East 59th Street
Raytown, MO 64133
816-737-6000

DATE : 8/31/2020 10:14 AM
OPER : 012
TKBY : Community Development
TERM : 34
REC# : R00125291

EG EnterGov 450.00
INV-00012441 450.00
- CAINVOICEFEE 450.0000


EG EnterGov 450.00
INV-00012441 450.00
- CAINVOICEFEE 450.0000

Paid By:ROSS, MELBA
4-CC 900.00

APPLIED 900.00
TENDERED 900.00

CHANGE 0.00

Cardmember acknowledges receipt of goods and/or services in the amount of the total shown hereon and agrees to perform the obligations set forth by the cardmember's agreement with the issuer.



XXXXXXXXXX2526
entry Mode: CIMP READ
CVM:

EMV Details:
AC: 03E4ED2E7B1E7743
ATC: 01ED
ATD: A0000000031010
TVR: 8080008000
TST: 6800

**PLANNING AND ZONING COMMISSION MEMBERS
(As of January 1, 2021)**

**Total Membership: 9
Filled Seats: 6
Vacancies: 3**

Kevin Wilson (Chairman)

8608 Ridgeway
Raytown, Missouri 64138
Term Expires: 07/01/2019

Mobile: 816-651-9009
Email: krwilson65@gmail.com

Dee Ann Stock (Secretary)

6125 Manning
Raytown, Missouri 64133
Term Expires: 07/01/21

Home: 816-356-6654
Email: DEEANNS@COMCAST.NET

Dwight G. Robinson

11713 E 78 Street
Raytown, Missouri 64138-2546
Term Expires: 07/01/19

Home: 816-353-4946
Mobile: 816-686-1280
Email: drobin1935@aol.com

Janet Emerson (Board of Alderman)

10920 E. 57th Terrace
Raytown, MO 64133
Term Expires: 04/20/2023

Mobile: 816-737-5050
Work:
Email: janet4raytown@gmail.com

Daneen Ann Thurman

10500 E 80TH ST
Raytown MO 64138
Term Expires: 06/1/2022

Home: 816-678-4839
Fax : 816-434-6771
Email: daneen.t@psllp.biz

David Frazier

11223 E 63rd Street
Raytown, MO 64133
Term Expires: 10/1/2022

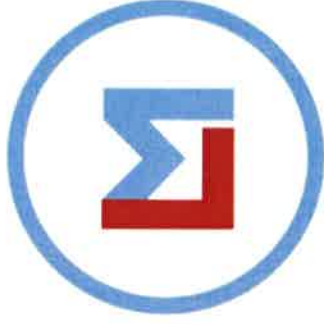
Home:
Mobile: 816-807-0145
Email: david.frazier@bluebirdnetwork.com

VACANCY

VACANCY

VACANCY

Planning, Zoning, and Subdivision



LAUBER MUNICIPAL LAW, LLC

Raytown Planning and Zoning Commission

January 7, 2021

Serving those who serve the public

The Dawn of Planning and Zoning

= Nuisance



“Without government life would be poor, nasty, brutish, and short.”
Thomas Hobbes 1651

“In the beginning...

... there was Nuisance”

- ④ The basic theme of nuisance is that you are free enjoy the use of your property up to the point that your use infringes on the right of someone else to use their property.
- ④ Problem: You had to wait until someone actually moved in and began to ruin your quiet enjoyment before you could do anything about it.

The Dawn of Planning and Zoning- Planning & Zoning Enabling Acts



Fort Fourth Street, looking north toward Fort Hamilton Parkway - 1928

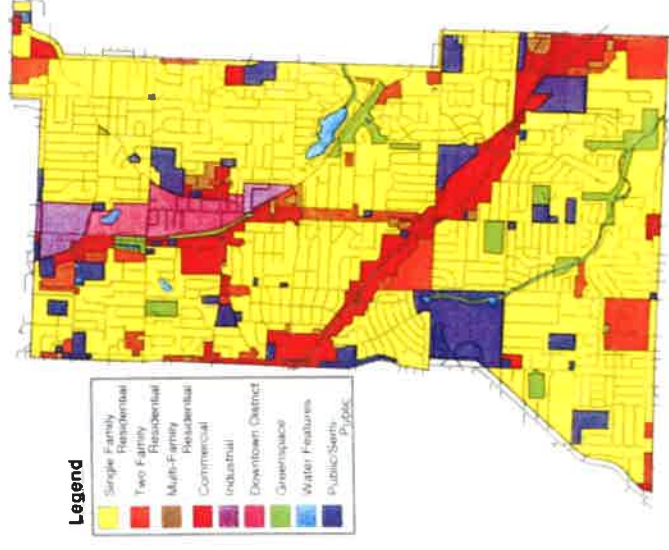
- ④ New York City had first Planning Enabling Act in 1916.
- ④ By 1928 there were two “model acts” created by the federal government. Both were adopted by every state in the union within one year of their creation.
 - ④ Standard Planning Enabling Act (SPEA)
 - ④ Standard Zoning Enabling Act (SZA)
- ④ Missouri’s is found in Chapter 89 of the statute books.

Planning



- ④ **Planning** is the process of creating a **Vision** of how you want your city to develop
- ④ This **Vision** becomes the Comprehensive Plan
- ④ Serves as a guide to future development and redevelopment
- ④ It's a general policy, not legally binding

FIGURE 11
Future Land Use Map



Planning – Creating the Plan

- ④ Establish Goals and Objectives

④ What do we want this plan to show?

- ④ Basic Research

④ Population Studies

④ Current land uses

④ Economic Studies

- ④ Prepare the Plan

④ Land Uses

④ Community Facilities

④ Open Areas

Comprehensive Plan



Planning – Adopting the Plan

- ④ Requires Public Hearing on Plan
- ④ 15 Day published notice
- ④ Requires majority of full planning commission to approve
- ④ After approval certified copies sent to the Council, City Clerk, and County Recorder (§ 89.360)
- ④ Council may also wish to adopt the Comprehensive Plan by Resolution

Planning Commission



Planning and Zoning Commission

Purpose

The Planning and Zoning Commission meets once a month to hear, discuss and vote on applications and plans dealing with land use or land division developments in Raytown.

Schedule

Click [here](#) to access the dates for PZ meetings through the end of 2019. This document also includes all deadlines that need to be met in order to remain on the agenda for a specific meeting.

Members

The Planning and Zoning Commission, in accordance to city ordinances, is made up of 7-15 members appointed by the Mayor for terms of four years.

The current members include Kevin Wilson-chair, Tommy Bellis, DeeAnn Stock, Mary Phyl Dwight, Dwight G. Robinson, Alderman Janet Emerson, David Frazier, Daneen Thurman.

Meeting Archives

Click [here](#) to view the agendas, packets and minutes from the 2018 PZ meetings. Click [here](#) to view PZ meeting archives (2015+)

- ④ Membership
 - ④ 7 -15 Members
 - ④ One may be the Mayor (optional)
 - ④ One may be a council person (optional)
 - ④ Council or mayor may also be non-voting liaison
- ④ Four-year staggered terms
- ④ Elect their own chairman and secretary
- ④ May be combined with the Zoning Commission (more on that later)

Zoning

- ④ Zoning is the local laws that determine how land can be used
 - ④ Activities that can take place on the property
 - ④ Height and mass of buildings
 - ④ Density of buildings
 - ④ Appearance
- ④ All Cities in Missouri may establish zoning, but only in compliance with Chapter 89 RSMo.
- ④ Zoning frequently divides city into areas with specific types of uses for each area:
 - ④ This is done by the **Zoning Map**
 - Single Family
 - Apartments (Multiple Family)
 - Commercial
 - Industrial
 - Agricultural
 - ④ Typical Zones
 - Single Family
 - Apartments (Multiple Family)
 - Commercial
 - Industrial
 - Agricultural



As Secretary of Commerce, Herbert Hoover initiated the drafting of the Model Zoning Code

Zoning Commission

- ④ Zoning Commission is a body that recommends zoning amendments to the Board of Aldermen (Text amendments and Map Amendments)
- ④ Must have Zoning Commission if you want to do zoning
- ④ Can be combined with Planning Commission (usually is)
- ④ Thus, you have the **Planning & Zoning Commission**



Missouri Revised Statutes

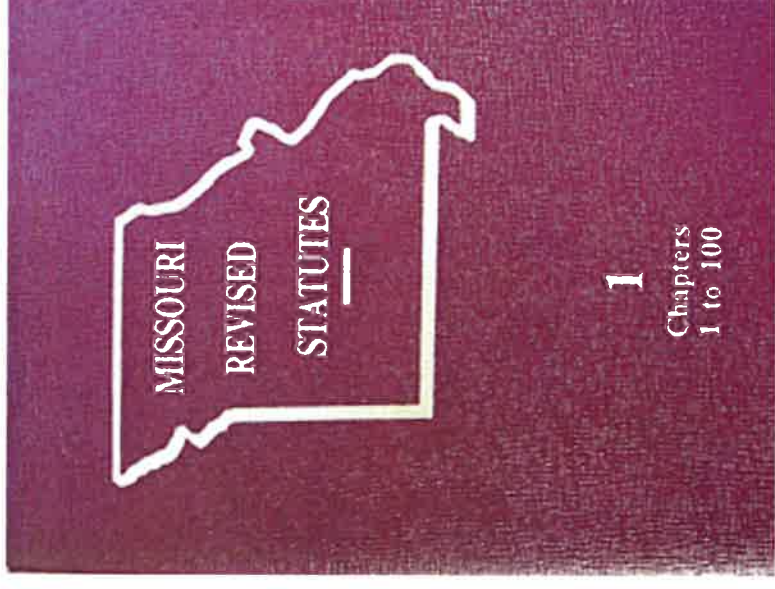
Chapter 89- Commission Provisions



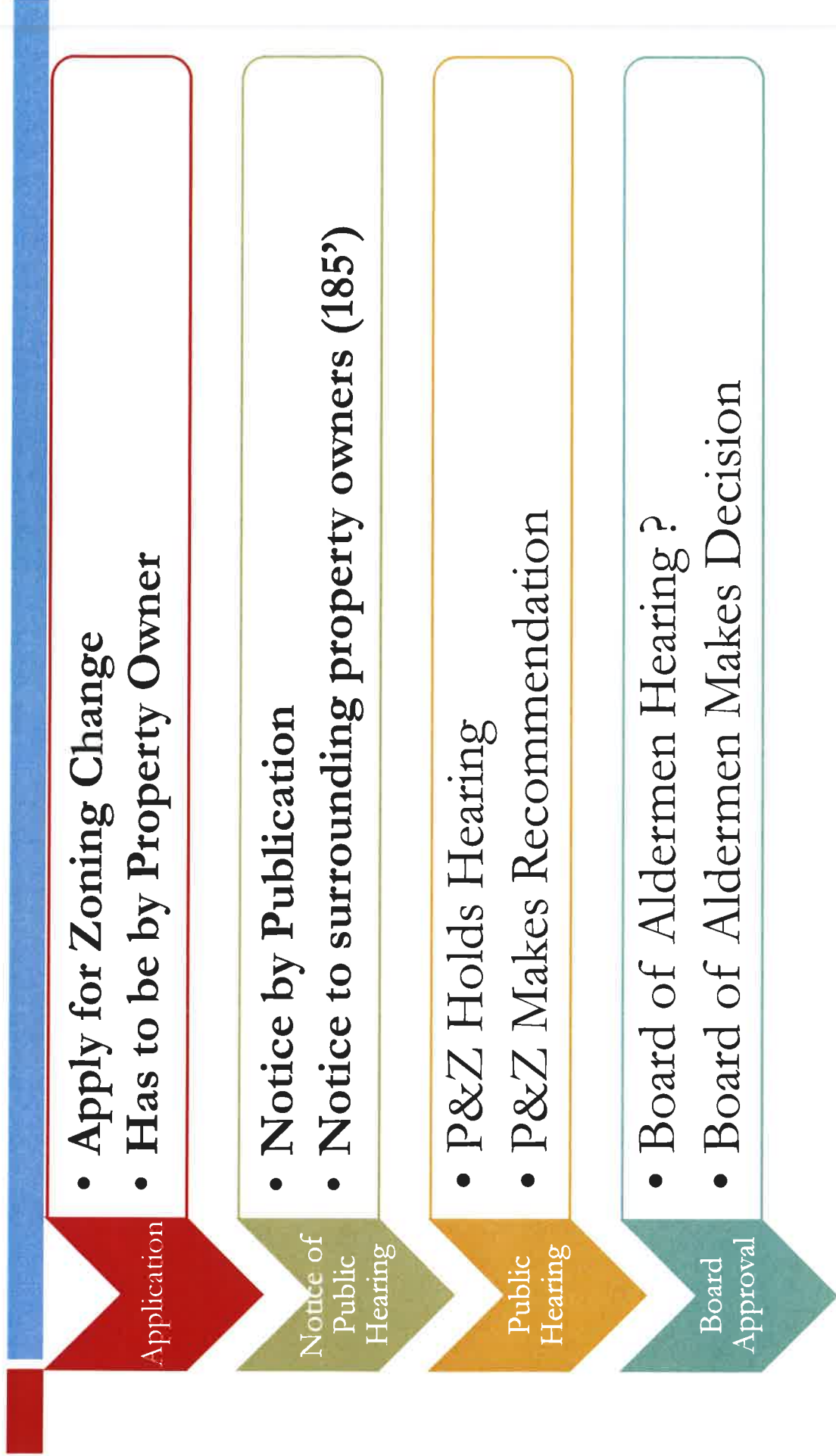
- ④ Creation of the Commission
- ④ §89.070, RSMo requires the City to appoint a zoning commission if it wishes to exercise zoning powers
- ④ §89.320, RSMo sets forth the membership of the planning commission
- ④ §89.330, RSMo addresses commission officers and rules and regulations

Role of Commission in Planning, Zoning and Subdivision Decisions

- ④ Recommending body
 - ④ Zoning requests
 - ④ Zoning regulations
 - ④ Subdivision regulations
- ④ Adopt Comprehensive Plan
 - ④ Public hearing
 - ④ By resolution
- ④ Review and approve all plans for new public infrastructure and facilities
 - ④ In case of disapproval, Governing Body can overrule disapproval by two-thirds vote



Zoning Process in a Nutshell



Subdivisions and Plats

- ④ Planning Commission also reviews proposed subdivision plats (§ 89.410)
- ④ City can establish requirements for subdivisions
 - Requirements for the posting of bonds to ensure infrastructure is constructed
 - Requirements regarding the construction standards for streets and installation of utility facilities
- ④ Plat Approval- 89.420
 - Plats are subject to the rules of Chapter 445, RSMo
 - Must approve plats within 60 days of application or deemed approved



Discretion in Zoning Decisions



④ Zoning decisions generally* fall into two categories:

④ Legislative

- Defined by the police power (remember Euclid)
- Done by elected officials
- Examples: Aldermen enact or amend zoning, rezone an area, or set the standards for exercising discretion

④ Quasi-judicial

- Defined by State statutes and/or local ordinances
 - Key point is that the officials **only have the power outlined in the statute**
- Done by officials appointed to perform a statutory function
- Example: Board of Adjustment makes a decision regarding how the application of a legislative decision has affected an individual



Little or No Discretion in Platting Decisions

- Platting approval is the ministerial application of zoning requirements, uniformly, to all particular parcels within the zoned area
- When considering plat applications, the Planning Commission and Governing Body act in an administrative capacity and not in a legislative capacity.
- No arbitrary and subjective authority in whether to approve or deny a plat application – only determine whether a plan meets the subdivision requirements

Furlong Companies, Inc. v. City of Kansas City, Missouri



Constitutional Limitations



- Ⓜ If an ordinance goes “too far” it will be declared void as a taking of property without just compensation. 5th Amend. U.S. Const.
- Ⓜ As a result, the Enabling Act provides for the Board of Adjustment to act as a safety valve to provide for relief when the application of an ordinance would be unreasonable on a particular property.

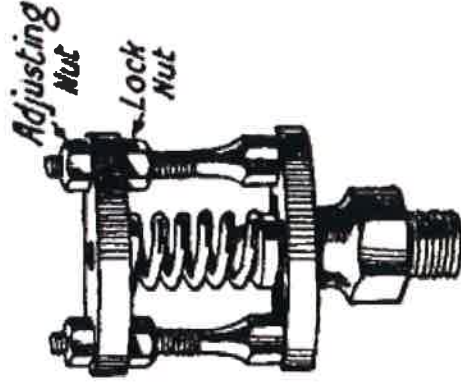


FIG. 89.—Safety valve.

Planning Commission Annual Meeting

January 7, 2021

Election of Officers for 2021

- Chairman
- Vice-Chairman
- Secretary

Briefing on Legal Aspects of Planning Commission Actions

- Separate PowerPoint Presentation by
City Attorney Jennifer Baird

Briefing on Path of a Land Use Application From Filing to Ordinance

- Pre-Application Meeting (If necessary)
- Application Filed
 1. Checked for Completeness
 2. Checked for Supporting Documentation
 3. Fee is Paid
- If Plan Review is needed, plans are examined and comments returned to applicant with request for resubmittal. Many Applications do not require this process, for example Conditional Use Permits.

Briefing on Path of a Land Use Application From Filing to Ordinance

- When Case is Ready for Planning Commission Review, the Public Noticing Phase begins:
 1. Case placed on agenda
 2. Applicant schedules a Neighborhood Meeting date and location and informs staff
 3. Mailing Address Information for all property owners with 185 feet of the boundary of the property is provided to the applicant along with an invitation letter for the Neighborhood Meeting and scheduled public hearings before Planning Commission and Board of Aldermen
 4. Public Hearing Notice is Mailed to a local Paper for Publishing

Briefing on Path of a Land Use Application From Filing to Ordinance

- Following Publication and Notification:
 1. Applicant picks up Public Hearing yard sign from City and posts on property
 2. Applicant holds Neighborhood Meeting without City Staff present
 3. Applicant provides synopsis of Neighborhood Meeting discussion items and sign in sheet to staff.

Briefing on Path of a Land Use Application From Filing to Ordinance

- Meeting Preparation Stage:
 1. Staff gauges Commission attendance for upcoming meeting to determine if a quorum will be present and notifies video streaming service
 2. Planning Commission Staff Reports are Prepared for each case and the Full Packet put together
 3. Full Packets are distributed to Commissioners and key staff by email with paper copies available for pickup at City Hall
 4. Meeting Agenda is posted on meeting board in City Hall and Website is updated with both Agenda and Full Packet

Briefing on Path of a Land Use Application From Filing to Ordinance

- Planning Commission Meeting Day:
 1. Staff Prepares Council Chamber for meeting with proper setup including nametags, seating, microphones, staff tables, cameras and display projectors.
 2. Sign in sheets and Meeting Agendas placed by entrance
 3. Backup DVD disks placed in recorders in IT office
 4. Front door electronic lock timers set to facilitate public access for meeting

Briefing on Path of a Land Use Application From Filing to Ordinance

- After Planning Commission Meeting:
 1. Staff collects all notes and documents for preparation of Meeting Minutes
 2. Requests for Board Action and accompanying Ordinances for each case heard by the Planning Commission are prepared and sent to City Attorney for review
 3. Upon approval, RBA's, Ordinances, and accompanying documents are provided to the City Clerk for scheduled Board of Aldermen Public Hearing date.

Briefing on Path of a Land Use Application From Filing to Ordinance

- Board of Aldermen holds Public Hearing following First Reading of Ordinance on scheduled Hearing Date. May or may not suspend rules to perform second reading of ordinance on same night.
- Board of Aldermen has Second Reading of ordinance at next meeting date.
- Final Action taken on Ordinance by Board of Aldermen. Mayor has timeframe afterward within which to sign or veto Ordinance.