

CITY OF RAYTOWN
PLANNING & ZONING COMMISSION
AGENDA

Raytown City Hall
Board of Aldermen Meeting Chambers
10000 East 59th Street
Raytown, Missouri 64133
September 2, 2021
7:00 pm

1. Welcome by Chairperson

2. Call meeting to order and Roll Call

Wilson:

Thurman:

Emerson:

Hunt:

Frazier:

Stock:

3. Approval of July 1, Regular Meeting Minutes

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

4. Old Business - None

5. New Business:

A. Case No.: PZ-2021-04 (Administrative Only)

Applicant: SBD Capital Development

Reason: Approval of Preliminary Plat of Utopia Gardens in SE Quadrant of Lane Avenue and 85th Place

- 1. Introduction of Application by Chair
- 2. Explanation of any exparte' communication from Commission members regarding the application
- 3. Enter Additional Relevant City Exhibits into the Record:
 - a. Staff report
 - b. Application Supporting Documents
- 4. Introduction of Application by Applicant
- 5. Presentation of Application by Staff

6. Additional Staff Comments and Recommendation
7. Commission Discussion
8. Commission Decision to Approve, Conditionally Approve or Deny the Application
 - a. Motion
 - b. Second
 - c. Additional Board Discussion
 - d. Vote

B. Case No.: PZ-2021-05

Applicant: Advanced Recovery Systems, c/o Polsinelli PC, acting on behalf of ARS

Reason: Application for Conditional Use Permit to Operate a Residential/Outpatient Facility for the Treatment of Drug and Alcohol Abuse at 11901 Jessica Lane

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:
 - c. Staff report
 - d. Application Supporting Documents
5. Introduction of Application by Applicant
6. Presentation of Application by Staff
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

C. Case No.: PZ-2021-06

Applicant: City of Raytown

Reason: Consideration of Revocation of a Conditional Use Permit Issued to Recon Automotive on March 17, 2020, for Failure to Meet Conditions of Approval.

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:
 - e. Staff report
 - f. Application Supporting Documents
5. Introduction of Application by Applicant
6. Presentation of Application by Staff

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

6. Other Business- None

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

9. Adjourn

**CITY OF RAYTOWN
PLANNING & ZONING COMMISSION
REGULAR MEETING**

MINUTES

**July 1, 2021
7:00 pm**

1. **Welcome by Chairman Wilson.** Vice-Chairman Frazier called the meeting to order at 7:00 PM.
2. **Call meeting to order and Roll Call.**

Wilson:	Absent	Thurman:	Present	Emerson:	Present
Stock:	Present	Frazier:	Present	Hunt:	Present
3. **Approval of Minutes: Minutes of May 6, 2021, approved 5-0 upon motion by Ms. Stock and second by Ms. Emerson.**
4. **Old Business - None**
5. **New Business:**
 - A. **Case No.: PZ 2021-02: Application for Approval of a Conditional Use Permit to operate a Convenience Store with Fuel Sales to be Located at 6709 Raytown Road in an NC, Neighborhood Commercial District.**

1. Introduction of Application by Chairman.

Vice-Chairman Frazier 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 with the applicant regarding this application.

3. Enter Relevant Exhibits into the Record.

Vice-Chairman Frazier entered the staff report and supporting documents into the record.

4. Applicant Presentation of Development Plan.

Mr. Mark Murdoch of Sullivan Palmer Architects presented a Powerpoint explanation of the proposed project, a copy of which is attached to these minutes. A large stack of signed petitions collected from the commercial and residential areas in the vicinity of the proposed project were entered into the record that is too large to attach to these minutes and will be stored in the project file. A site feasibility study prepared by SFS Corporation was also placed into the record and is attached to these minutes.

5. 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 approved. Mr. Gilbert reviewed the major changes made to the proposed project from the original 2016 application.

6. Request for Public Comment by Chairman.

Vice- Chairman Frazier asked if anyone was present to speak on this application. Sign In sheet of those present at the meeting is attached to these minutes. Not everyone present chose to speak.

Ms. Carol Hinesley, Raytown, appeared and spoke in opposition to the application.

Ms. C. Maxwell, Raytown appeared and spoke in opposition to the application.

Mr. Sajid Hafiz, Raytown, spoke in opposition to the application.

Ms. Tammie Bennett, Raytown, spoke in favor of the application.

Mr. Lee White, Raytown, spoke in favor of the application.

7. Commission Discussion.

The commissioners asked numerous questions of the applicant and the applicant's design professional. The applicant agreed to all staff conditions of approval.

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

Chris Gilbert provided the staff recommendation to recommend approval of the application to the Board of Aldermen with the conditions as listed in the staff report plus any additional conditions the Planning Commission wishes to add.

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

VOTE: Motion passed 4-1 with Vice-Chairman Frazier opposed.

6. Other Business- None

6. Set Future Meeting Date – Next regularly scheduled meeting date is August 5, 2021.

7. Adjourn at 8:34 upon motion by Ms. Emerson and second by Ms. Thurman. Passed unanimously by acclamation.



Staff Report

Community Development
Planning and Development Services

PZ 2021-04

ONLY ADMINISTRATIVE ACTION REQUIRED. NOT A PUBLIC HEARING

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: September 2, 2021

Re: Application for Preliminary Plat Approval

PLAT APPLICATION SUMMARY

Applicant: SBD Capital Development

Project: Utopia Gardens Preliminary Plat

Property Location: South Side of 85th Place east of Lane Ave.

Request: Approval of Preliminary Plat

SITE DATA

Legal Description is attached with Application Supporting Documentation. Entire site being platted is 2.3 acres.

Land Use Data	
Surrounding Zoning	South: High Density Residential
	North: High Density Residential
	West: High Density Residential
	East: High Density Residential
Ward(s)	Ward 5
Approximate Land Area	1.74 Acres

ZONING AND CURRENT USES OF NEARBY PROPERTY

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

	<u>ZONING</u>	<u>EXISTING LAND USES</u>
South:	R-3	Single Family, Apartments
North:	R-3	Townhomes
East:	R-3	Duplexes
West:	R-3, some R-2	Single Family, Vacant Land



Fig. 1: Proposed Location of Utopia Gardens

BACKGROUND

The proposed project is on a nearly 2-acre parcel of land that has always been vacant. Land in all directions contains a few older single family residences and more recent multi-family development including townhomes and duplexes, so the proposed project would be consistent with development in the area. In addition, there is an apartment complex to the south and a large one to the southwest, as well as large amounts of undeveloped acreage.

SITE DESCRIPTION AND PRESENT USE

The property to be platted is approximately 1.74 acres in size, has a private street already constructed and some utility access. Additional easements are proposed to be provided to accommodate a sewer main extension. All of the property contained in the plat area is vacant land.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The neighborhood around the proposed plat is occupied primarily by medium and high density residential uses and are consistent with the proposed 4-plex development intended for this project.



Fig. 2 Photos of Location of Plat. Left Picture looking West. Right Picture looking East.

FINDINGS OF FACT

1. Conformance to the City of Raytown Ordinances

Staff has reviewed the submitted preliminary plat with respect to the City of Raytown Subdivision Regulations (Chapter 36) and Zoning Regulations (Chapter 50). Staff has determined that the preliminary plat does meet City of Raytown regulations as pertains to the 1.74 acres of land actually within the plat.

2. Suitability of the land for subdivision development

The 1.74 acres within the plat area is vacant and already has a public street with utilities and sewer available.

3. Consistency with adjoining uses and platted property

Adjoining uses are mostly high density residential with some medium density and the entire area is zoned for such high density residential development. There are some low density residential (single family) homes in the vicinity and they are consistent with R-3 High density Residential zoning as well.



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

The plat area is undeveloped but currently served by all public facilities and utilities but will require street cuts and line extensions.

5. Consideration of planning principles on site including lot layout and topography

The topography of the site does not present any issues and the proposed development meets all R-3, High Density Residential District bulk regulations.

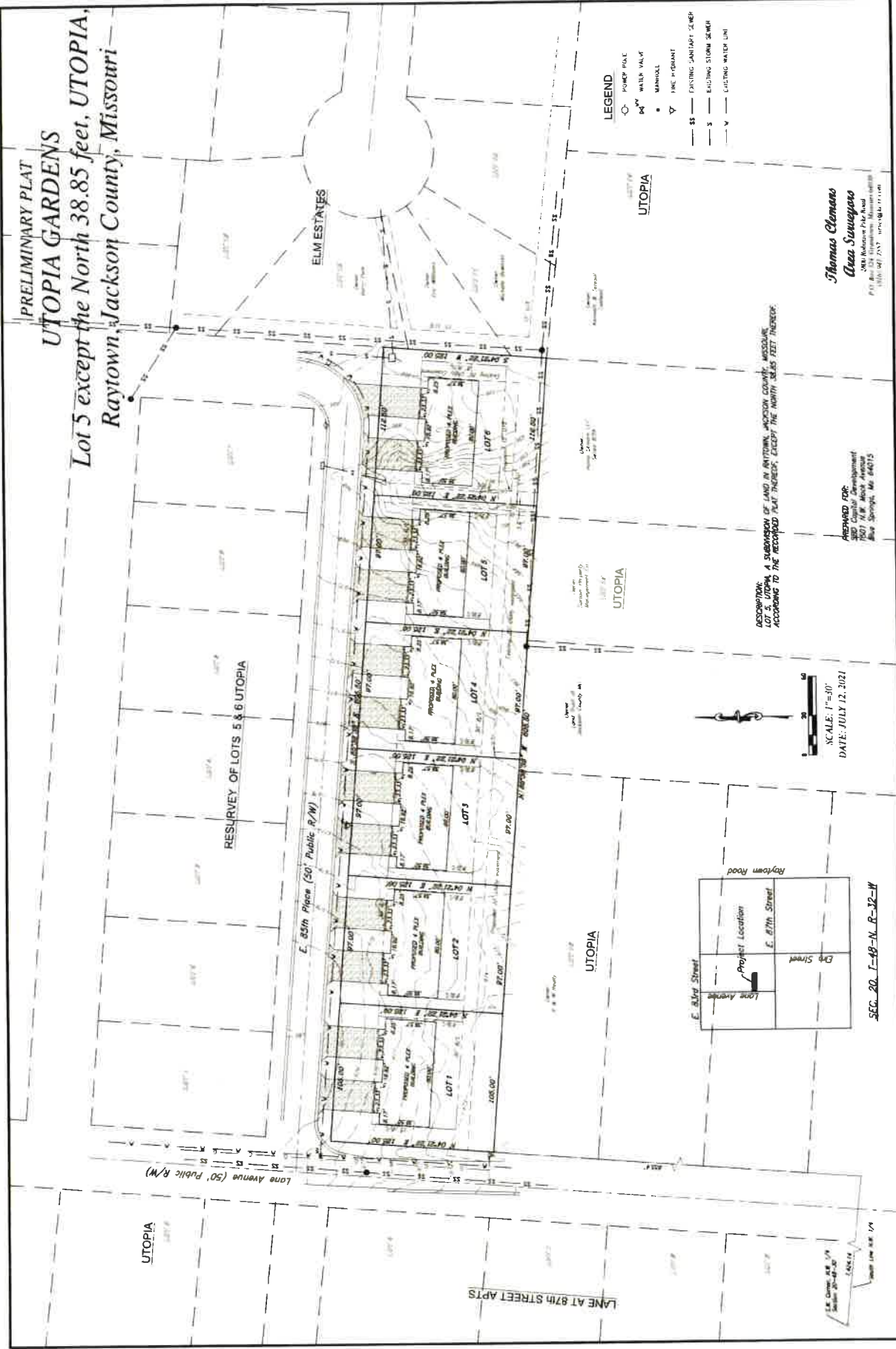
RECOMMENDATION

Staff recommends approval of Case No. PZ 2021-04, Utopia Gardens Preliminary Plat, based on the conditions stated below:

1. Place permanent monuments, pins, or markers at all property corners.
2. The public access easement is described twice below legal description.
3. Add more Easement owner identifiers to reduce confusion.
4. Construction drawings provided for review shall provide for extension of the sewer main to serve the lots on the east side that are not presently sewered.
5. Address attached City Engineer comment regarding fixing the discrepancy in legal description of the property.
6. Show side yard setback distances on plat drawing.
7. Submit Final Subdivision Plat, preferred option for covering cost of public improvement installation, application, and fee to the City, Public Water District #2, and the Raytown Fire District for Final Plat review.

PRELIMINARY PLAT
UTOPIA GARDENS

Lot 5 except the North 38.85 feet, UTOPIA,
Raytown, Jackson County, Missouri



LEGEND

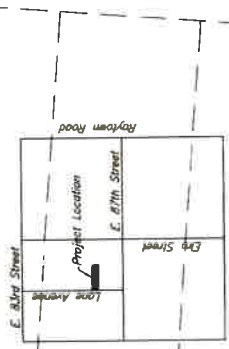
- PUMP PILE
- 4" WATER VALVE
- MANHOLE
- ▽ FIRE HYDRANT
- SS — EXISTING SANITARY SEWER
- S — EXISTING STORM SEWER
- V — EXISTING WATER LINE

DESCRIPTION:
LOT 5, UTOPIA. A SUBDIVISION OF LAND IN RAYTOWN, JACKSON COUNTY, MISSOURI,
ACCORDING TO THE RECORDED PLAT THEREOF, EXCEPT THE NORTH 38.85 FEET THEREOF.

Thomas Clemens
Alan Szwajewski
2016 Robinson Park Road
Raytown, MO 64133
TEL: 816.947.7257

APPROVED FOR:
380 Capital Development
1807 N.W. 16th Avenue
Boca Raton, FL 33431

SCALE: 1"=30'
DATE: JULY 12, 2021



SEC. 20, T-48-N, R-12-W

LANE AT 87th STREET APTS

UTOPIA

RESURVEY OF LOTS 5 & 6 UTOPIA

E. 85th Place (50' Public R/W)

Lane Avenue (50' Public R/W)

ELM ESTATES

UTOPIA

UTOPIA

UTOPIA

U.S. Census Bureau
2010 Census
Block 20-0001



Public Works Department

10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6012
www.raytown.mo.us



To: Community Development Dept.
From: Public Works Department
Date: August 9, 2021
Re: Utopia Gardens Preliminary Plat

The Public Works Department has reviewed the Utopia Gardens Preliminary Plat at 85th Place and Lane Ave. with the following comments:

- What is the correct way to write the existing property description:
 - The Preliminary Plate title lists it as "Lot 5 except the North 38.85 feet, Utopia, Raytown, Jackson County, Missouri
 - The description at the bottom of the page lists it as "Lot 5, Utopia, A subdivision of land in Raytown, Jackson County, Missouri, according to the recorded plat thereof, except the north 38.85 feet thereof.
 - The Jackson County website lists the property legal description as "UTOPIA, S 125' OF LOT 5".

Sincerely,

A handwritten signature in blue ink that reads "Jason M. Hanson".

Jason M. Hanson
City Engineer

Case Number: _____
Date Received: _____
Fee: \$450.00 + \$4.00 / lot

City of Raytown Application for Preliminary Plat

- Name, address and phone number of property owner(s):
SBD Capital Development
1501 N.W. Acker Ave
Blue Springs Mo.
64015
816-804-1110
- Name, address, phone and fax numbers of engineer(s) or surveyor(s) preparing the plat:
Tom Clemons
Area Surveyors
P.O. Box 324
Grandview Mo
816-941-7557
- Name, address and phone number of developer(s):
same
- Legal description of the land to be subdivided (please attach a deed showing the legal description and the ownership of the tract(s) on a separate sheet).
South 125', Lot 5, Utopia
- Approximate street address or location:
E. 85th Place & Lane Ave
- Name of proposed subdivision:
Utopia Gardens
- We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all the information contained therein is true and correct (signatures of property owners).

Rob Clayton
dotloop verified
07/15/21 5:01 PM CDT
E56-ZWQ-4M4D-DUEX

8. Site Characteristics

- A. Total acreage of subdivision: 1.74 acres
- B. Total number of lots: 6
- C. Current zoning classification: R-3
- D. Proposed zoning classification (if applicable): N.A.
- E. Number of phases (if applicable): 1
- F. Minimum lot width: 97'
- G. Lot Area
Maximum: 0.32
Minimum: 0.27
Average: 0.28

9. How will the proposed subdivision be consistent with other developments in the area?
Please attach a separate sheet with a detailed explanation.

10. Public Improvements

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

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

- ✓ How will the configuration of streets in this development fit with the transportation network of Raytown? How will the traffic generated from this development affect the traffic circulation in the area? Explain in detail on separate sheets.

- B. Will this development be served by public water? yes
- B (1) What is the water flow rate? 840 GPM
- B (2) How many hydrants are proposed? None
- C. Will this development be served by public sanitary sewer? yes
- D. Will this development be served by public storm sewer? yes
- E. Describe the drainage plan for this development, including any easements. Please attach a separate sheet.
- F. Will parkland or green space be dedicated? No

Signatures of Acknowledgement

The following signatures by authorized representatives indicate the applicable entity has had preliminary notification of the proposed development. Comprehensive review will follow plat submittal.

Director of Development and Public Affairs:

Water District (Raytown Water or PWSD #2):

Raytown Fire Protection District:

Raytown Public Works Department:

Thomas Clemons

Area Surveyors

P.O. Box 324

Grandview, MO 64030

(816) 941-7557

email: cclemons@kc.rr.com

July 14, 2021

Application for Preliminary Plat of UTOPIA GARDENS

Item 9: There are 4 plex units adjoining this property to the North. The area was originally designed for 4 Plexes on this property.

Item 10A: No new streets are proposed.

Item 10E: There is a drainage swale crossing this property. We are not changing the existing drainage. A new easement will be given for this swale.

There is a newer version of this Section 

2018 Missouri Revised Statutes

Title VII - Cities, Towns and Villages

Chapter 89 - Zoning and Planning

Section 89.410 Regulations governing subdivision of land, limitations, contents — public hearing — escrow funds, when released.

Universal Citation: MO Rev Stat § 89.410 (2018)

Effective 28 Aug 2004

Title VII CITIES, TOWNS AND VILLAGES

Chapter 89

89.410. Regulations governing subdivision of land, limitations, contents — public hearing — escrow funds, when released. — 1. The planning commission shall recommend and the council may by ordinance adopt regulations governing the subdivision of land within its jurisdiction. The regulations, in addition to the requirements provided by law for the approval of plats, may provide requirements for the coordinated development of the city, town or village; for the coordination of streets within subdivisions with other existing or planned streets or with other features of the city plan or official map of the city, town or village; for adequate open spaces for traffic, recreation, light and air; and for a distribution of population and traffic; provided that, the city, town or village may only

impose requirements for the posting of bonds, letters of credit or escrows for subdivision-related improvements as provided for in subsections 2 to 5 of this section.

2. The regulation may include requirements as to the extent and the manner in which the streets of the subdivision or any designated portions thereto shall be graded and improved as well as including requirements as to the extent and manner of the installation of all utility facilities. Compliance with all of these requirements is a condition precedent to the approval of the plat. The regulations or practice of the council may provide for the tentative approval of the plat previous to the improvements and utility installations; but any tentative approval shall not be entered on the plat. The regulations may provide that, in lieu of the completion of the work and installations previous to the final approval of a plat, the council shall accept, at the option of the developer, an escrow secured with cash or an irrevocable letter of credit deposited with the city, town, or village. The city, town, or village may accept a surety bond, and such bond shall be in an amount and with surety and other reasonable conditions, providing for and securing the actual construction and installation of the improvements and utilities within a period specified by the council and expressed in the bond. The release of any such escrow, letter of credit, or bond by the city, town or village shall be as specified in this section. The council may enforce the escrow or bond by all appropriate legal and equitable remedies. The regulations may provide, in lieu of the completion of the work and installations previous to the final approval of a plat, for an assessment or other method whereby the council is put in an assured position to do the work and make the installations at the cost of the owners of the property within the subdivision. The regulations may provide for the dedication, reservation or acquisition of lands and open spaces necessary for public uses indicated on the city plan and for appropriate means of providing for the compensation, including reasonable charges against the subdivision, if any, and over a period of time and in a manner as is in the public interest.

3. The regulations shall provide that in the event a developer who has posted an escrow, or letter of credit, or bond with a city, town, or village in accordance with subsection 2 of this section transfers title of the subdivision property prior to full release of the escrow, letter of credit, or bond, the municipality shall accept a replacement escrow or letter of credit from the successor developer in the form allowed in subsection 2 of this section and in the amount of the escrow or letter of credit held by the city, town, or village at the time of the property transfer, and upon receipt of the replacement escrow or letter of credit, the city, town, or village shall release the original escrow or letter of credit in full and release the prior developer from all further obligations with respect to the subdivision improvements if the successor developer assumes all of the outstanding obligations of the previous developer. The city, town, or village may accept a surety bond from the successor developer

in the form allowed in subsection 2 of this section and in the amount of the bond held by the city, town, or village at the time of the property transfer, and upon receipt of the replacement bond, the city, town, or village shall release the original bond in full, and release the prior developer from all further obligations with respect to the subdivision improvements.

4. The regulations shall provide that any escrow or bond amount held by the city, town or village to secure actual construction and installation on each component of the improvements or utilities shall be released within thirty days of completion of each category of improvement or utility work to be installed, minus a maximum retention of five percent which shall be released upon completion of all improvements and utility work. The city, town, or village shall inspect each category of improvement or utility work within twenty business days after a request for such inspection. Any such category of improvement or utility work shall be deemed to be completed upon certification by the city, town or village that the project is complete in accordance with the ordinance of the city, town or village including the filing of all documentation and certifications required by the city, town or village, in complete and acceptable form. The release shall be deemed effective when the escrow funds or bond amount are duly posted with the United States Postal Service or other agreed-upon delivery service or when the escrow funds or bond amount are hand delivered to an authorized person or place as specified by the owner or developer.

5. If the city, town or village has not released the escrow funds or bond amount within thirty days as provided in this section or provided a timely inspection of the improvements or utility work after request for such inspection, the city, town or village shall pay the owner or developer in addition to the escrow funds due the owner or developer, interest at the rate of one and one-half percent per month calculated from the expiration of the thirty-day period until the escrow funds or bond amount have been released. Any owner or developer aggrieved by the city's, town's or village's failure to observe the requirements of this section may bring a civil action to enforce the provisions of this section. In any civil action or part of a civil action brought pursuant to this section, the court may award the prevailing party or the city, town or village the amount of all costs attributable to the action, including reasonable attorneys' fees.

6. Nothing in this section shall apply to performance, maintenance and payment bonds required by cities, towns or villages.

7. Before adoption of its subdivision regulations or any amendment thereof, a duly advertised public hearing thereon shall be held by the council.

8. The provisions of subsection 2 of this section requiring the acceptance of an escrow secured by cash or an irrevocable letter of credit, rather than a surety bond, at the option of the developer, all of the provisions of subsection 3 of this section, and the provisions of subsections 4 and 5 of this section regarding an inspection of improvements or utility work within twenty business days shall not apply to any home rule city with more than four hundred thousand inhabitants and located in more than one county.

9. Notwithstanding the provisions of section 290.210 to the contrary, improvements secured by escrow, letter of credit, or bond as provided in this section shall not be subject to the terms of sections 290.210 to 290.340 unless they are paid for wholly or in part out of public funds.

(L. 1963 p. 146 § 12, A.L. 1999 S.B. 20, A.L. 2004 H.B. 795, et al.)

(1977) Held, that the rule for mandatory dedications in this state is “If the requirement is within the statutory grant of powers of the municipality and if the burden cast upon the subdivider is reasonably attributable to his activity, then the requirement is permissible; if not, it is forbidden and amounts to a confiscation of private property in contravention of the constitutional prohibitions.” Home Builders Association of Greater Kansas City et al., (Mo.), 555 S.W.2d 832.

→ (1992) Where subdivision plat meets requirements of city ordinance, municipal planning and zoning commission and city council do not have authority to refuse to approve subdivision plat, therefore it is a ministerial act to approve the plat. Plaintiff’s request for writ of mandamus was appropriate to compel ministerial action. State ex rel. Schaefer v. Cleveland, 847 S.W.2d 867 (Mo. App. E.D.)

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PZ 2021-05

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: September 2, 2021

Re: Application for Conditional Use Permit

CONDITIONAL USE PERMIT APPLICATION SUMMARY

Applicant: Advanced Recovery Systems LLC, c/o Polsinelli PC, acting on behalf of ARS

Property Owner: TI-Westridge gardens LLC

Property Location: 11901 Jessica Lane

Request: Conditional Use Permit approval for Residential/Outpatient Facility for Treatment of Drug and Alcohol Abuse

The applicant, Advanced Recovery Systems, is a nation-wide chain of treatment facilities that is requesting Conditional Use Permit (CUP) approval to re-use a former nursing home facility for an Outpatient Facility for the Treatment of Drug and Alcohol Abuse, in an R-3, High Density Residential zoning district. Per the city's land use table, such use requires a Conditional use Permit. The facility is presently being used as Park Place Care Center according to water and sewer billing records but there is almost no activity on the property. The building and grounds are in a state of severe disrepair as can be partly seen by the site photos on page 2 of this report.



Figure 1 – Surrounding Zoning and Location Map

SURROUNDING ZONING AND LAND USES

Property's Zoning Classification	High Density Residential (R-3)
Surrounding Properties' Zoning	R-2, Medium Density Residential to the West, R-3, High Density Residential to the North and East, and HC, Highway Commercial to the South
Surrounding Overlay	350 Highway Corridor Overlay
Surrounding Land Use	Commercial to the south with Two-Family and Multi-Family in all other Directions
Designated Future Land Use	Multi-Family Residential
Ward	Ward 4
Approximate Land Area	4.7 Acres
Roadway Classification	Collector (Westridge Road) with Arterial (350 Highway) one block south



Figure 2 – Site Photos As Currently Existing Showing Degradation of Site

SITE DESCRIPTION, HISTORY, AND PRESENT USE

The site has been used as some form of nursing care facility for decades and continues to be utilized in a minimal capacity as Park Place Care Center, according to water and sewer billing records. The current applicant has had professional staff look inside the structure and report that there is considerable interior degradation, most particularly the roof.



The building has 5 wings with a central entrance hub on 4.7 acres of land. The parking lot will be reduced in size to make room for a number of new amenities as shown on the attached site plan drawings, but compensated for by reducing the number of beds in the facility.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject site is surrounded by commercial development to the south (gas station) and medium to high density residential on all other sides including another nursing care facility on the north side of Jessica Lane. Westridge Road is a collector street that can handle the minimal traffic this proposed use would cause as shown in the attached traffic study. The arterial 350 Highway is a block to the south, so there is sufficient access to handle the amount of traffic that this use will generate.

PUBLIC COMMENTS

The public notice was published in *The Daily Record* on August 17, 2021. Public notice letters were sent to property owners within 185 feet of the property by the applicant, who then proceeded to hold an early neighborhood meeting on July 28, followed by a courtesy second meeting on August 12, held by special request. A letter in support of the project is also attached to this staff report.

ANALYSIS

Evaluating an application for a conditional use permit requires consideration 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 proposed reuse of the nursing care facility will be very close in use type to what the building has been traditionally used for and will even host fewer individuals than the care center did at its peak. This should lessen the historical impact of the use on the surrounding area, which built up around the facility over the years.

2. Conservation of property values

Staff believes that a properly reconstructed and modernized facility should enhance the surrounding property values and generate additional revenue for the various taxing entities.

3. Protection against fire and casualties

Staff does not have concerns regarding fire and/or casualties on this project if the Conditional Use Permit is approved. The proposed multi-million dollar investment will restore the building to a near new condition and includes addressing any outstanding issues with fire protection.

4. Observation of general police regulations

The proposed business itself is not anticipated to violate any general police regulations due to the nature of the operations and security on the site. This is not a typical treatment facility as the applicants will explain in their presentation.



5. Prevention of traffic congestion

A traffic study has been provided and is attached that shows the facility will not cause traffic problems in excess of what the former facility at peak operation generated.

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

The proposed use will reduce the size of the parking area and restore the drive aisles and remaining spaces to serviceable condition.

7. Promotion of the safety of individuals and property

The proposed business will not affect the safety of individuals or property as the operator has its own security methods it uses to manage its patients. The applicant can go into more detail on their methods as part of their presentation.

8. Provision for adequate light and air

The proposed business will have a small impact on air quality as it is reusing an existing facility and the patients will be mostly on site.

9. Prevention of overcrowding and excessive intensity of land uses

The proposed use will not cause overcrowding as the number of beds is being reduced from what was occupied when the facility was a nursing care center.

10. Provision for public utilities and schools

The proposed use will impact some public utilities with the planned improvements but not schools except to generate some additional revenue. The proposed use will be on land already connected to utility services.

11. Invasion by inappropriate uses

Staff does not view the proposed use as an inappropriate use at this location. The building is highly underutilized and is continuing to fall into greater disrepair every year. The proposed new use will rescue the building and site and restore it to a serviceable condition.

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

The property on which the proposed use would be located is fully developed. Various amenities will be added by the proposed project, including a vinyl fence, exterior landscaping around the fence, and various activities for the patients.

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

Staff has no concerns regarding the proposed use adhering to overall planning principles if the recommended conditions of approval are adopted.

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

The proposed business will affect the orderly and proper renewal, development or growth of the city, by preventing an old facility from continuing to become a blighted property and restore it to a serviceable condition which will have a positive impact on surrounding property values.



RECOMMENDATION

Staff recommends that approval of Case No. PZ 2021-05 – Conditional Use Permit for a Residential/Outpatient facility for the treatment of drug and alcohol abuse with the following conditions of approval:

1. All signage shall be issued under separate permit process and shall meet Municipal Code requirements.
2. Upon approval of the Conditional Use Permit by the Board of Aldermen, applicant shall submit revised plan set for staff review that addresses these conditions of approval, any additional conditions added through the public hearing process, and all Public Works comments regarding the proposed project contained as an attachment to this staff report. This site plan shall substantially conform to the plan that is contained in this staff report.
3. No Certificate of Occupancy or Commercial Use Permit shall be issued until all conditions of approval have been met. The property included in this CUP should not be occupied and used until the Commercial Use Permit and/or a Business License to operate are issued. Access by construction crews under approved permits issued by the City may enter to perform all work authorized under the permits.
4. These conditions of approval shall be met no later than 2 years from the date of any Ordinance approving the Conditional Use Permit. If the entirety of the conditions are not met by this date the CUP becomes null and void and a new application is required to be filed.
5. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

August 27, 2021

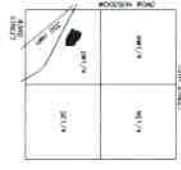
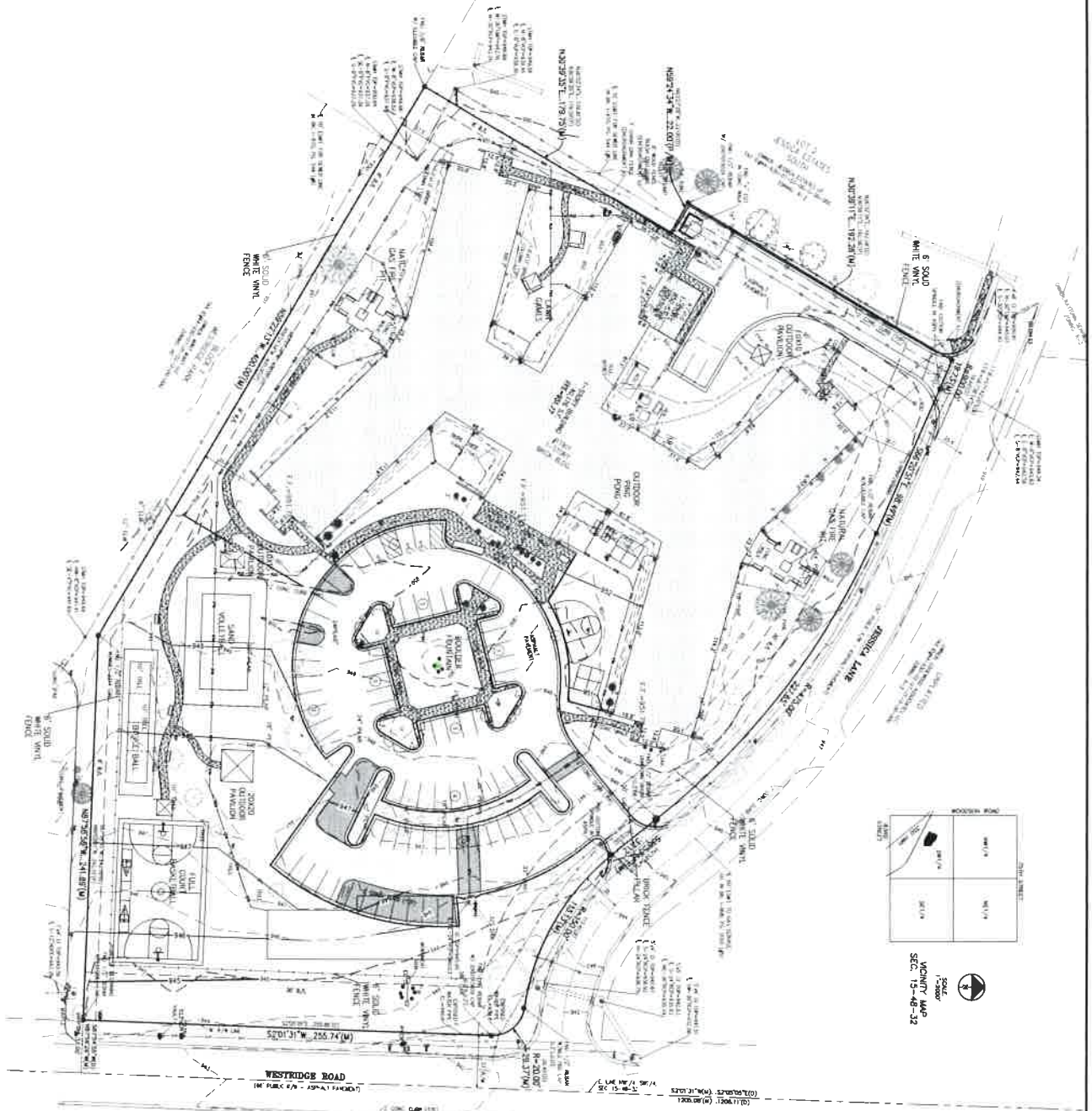
To: Citizens of Raytown

We are in favor of the proposed residential treatment facility located at 11901 Jessica Lane by the Advanced Recovery Systems.

The proposal sounds like a great plan for this space and thought that the facility would be good neighbors.

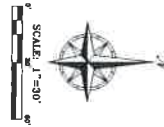
S. Braswell

S. Braswell



SITE GRADING NOTES:

1. EXISTING AND PROPOSED GRADING AND PROPOSED STRUCTURES ARE SHOWN ON THIS PLAN. THE GRADING SHALL BE AS SHOWN UNLESS OTHERWISE NOTED. THE GRADING SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
2. THE PROPOSED GRADING SHALL BE AS SHOWN UNLESS OTHERWISE NOTED. THE GRADING SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
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PROJECT NO. 210447
 DATE 08-28-2024
 SHEET 03

No.	Date	Revisions
1	08-28-2024	REVISED PER STAFF COMMENTS

GRADING PLAN
 ADVANCED RECOVERY SYSTEMS
 RAYTOWN, JACKSON COUNTY, MISSOURI
 11901 JESSICA LANE

PEI PLANNING
 CONSULTING
 IMPLEMENTATION

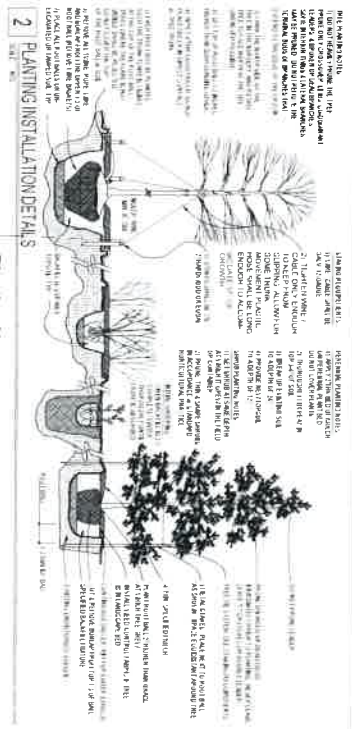
WELLS ENGINEERING, INC.
 1100 S. MAIN ST.
 OMAHA, NEBRASKA 68102
 (402) 466-1111
 FAX (402) 466-1112
 www.wells-engineering.com



CLIENT
ARS Westridge

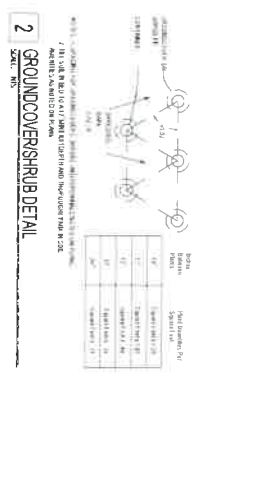
PROJECT
ARS Westridge
11901 Jessica Ln
Raytown, Missouri 64138

Date: 7.16.2021
Project #: 733
Landscape Plan



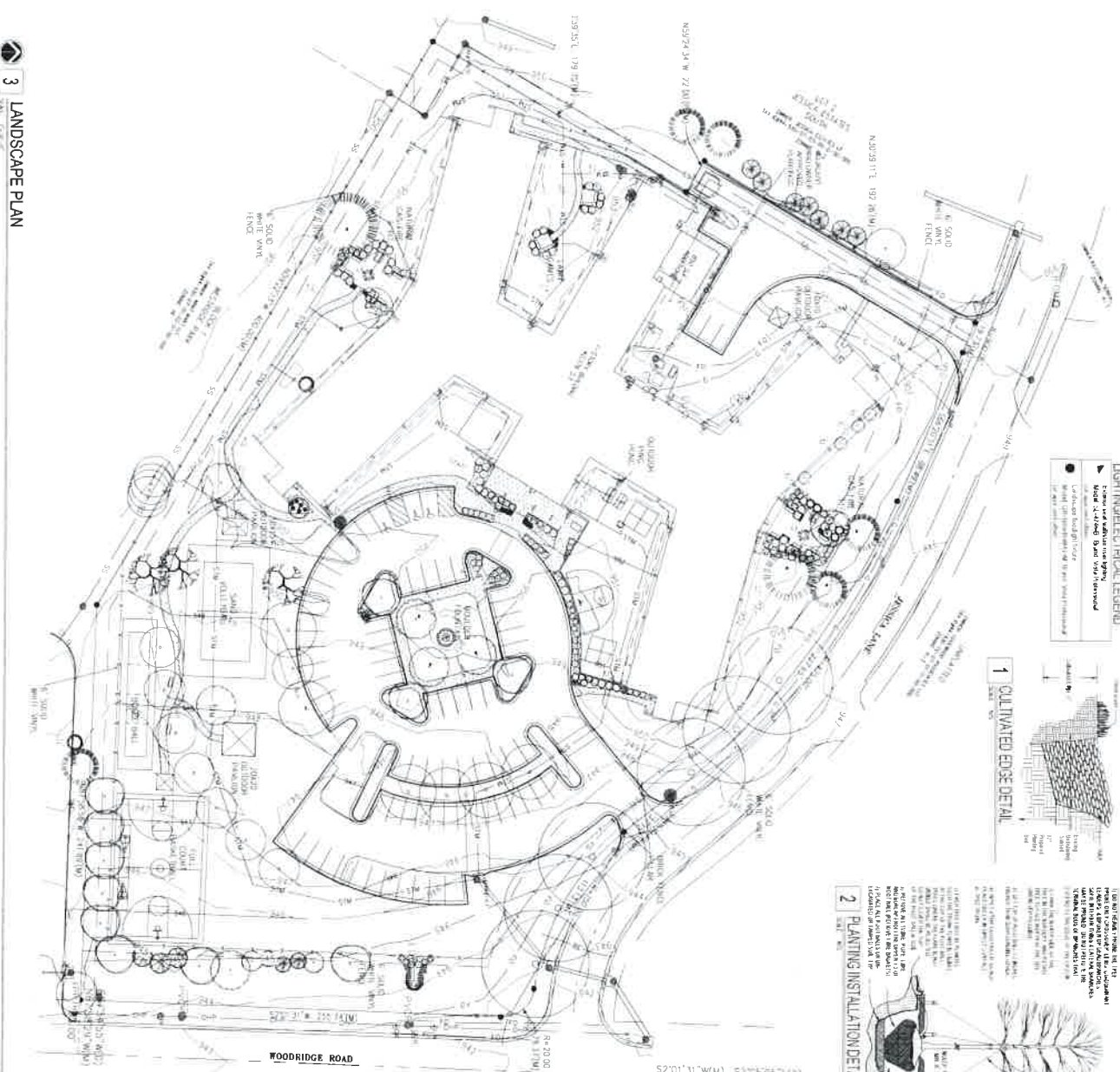
Planting Notes

1. Carefully examine site plan and planting schedule to determine appropriate planting dates.
2. The planting schedule is based on the current weather conditions and the anticipated weather conditions for the planting date.
3. All trees and shrubs shall be planted in the hole with the root ball at the same depth as it was in the nursery.
4. All trees and shrubs shall be planted in the hole with the root ball at the same depth as it was in the nursery.
5. All trees and shrubs shall be planted in the hole with the root ball at the same depth as it was in the nursery.
6. All trees and shrubs shall be planted in the hole with the root ball at the same depth as it was in the nursery.
7. All trees and shrubs shall be planted in the hole with the root ball at the same depth as it was in the nursery.
8. All trees and shrubs shall be planted in the hole with the root ball at the same depth as it was in the nursery.
9. All trees and shrubs shall be planted in the hole with the root ball at the same depth as it was in the nursery.
10. All trees and shrubs shall be planted in the hole with the root ball at the same depth as it was in the nursery.



Landscape Schedule

Item No.	Description	Quantity	Planting Date	Notes
1	Planting Schedule			
2	Planting Schedule			
3	Planting Schedule			
4	Planting Schedule			
5	Planting Schedule			
6	Planting Schedule			
7	Planting Schedule			
8	Planting Schedule			
9	Planting Schedule			
10	Planting Schedule			
11	Planting Schedule			
12	Planting Schedule			
13	Planting Schedule			
14	Planting Schedule			
15	Planting Schedule			
16	Planting Schedule			
17	Planting Schedule			
18	Planting Schedule			
19	Planting Schedule			
20	Planting Schedule			

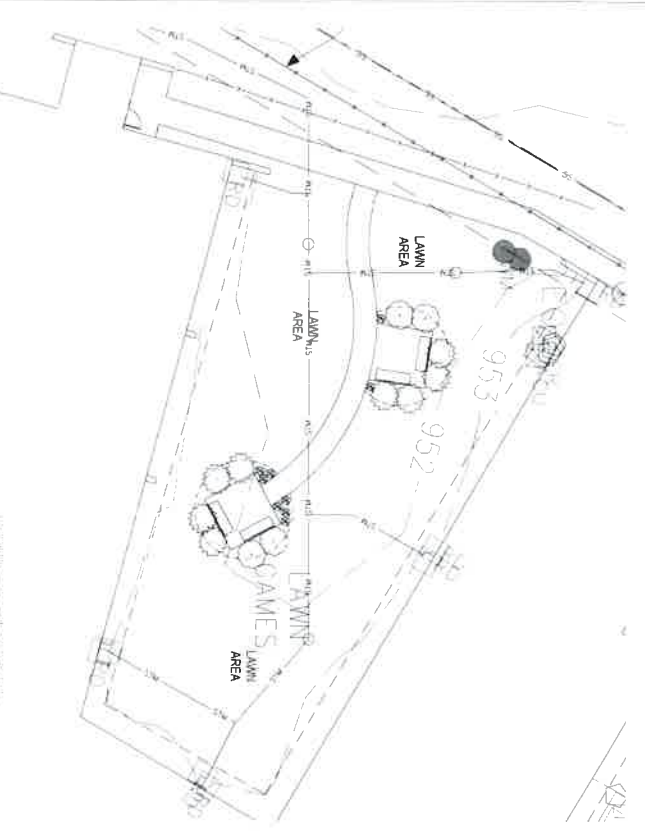




CLIENT
AR3 Westidge

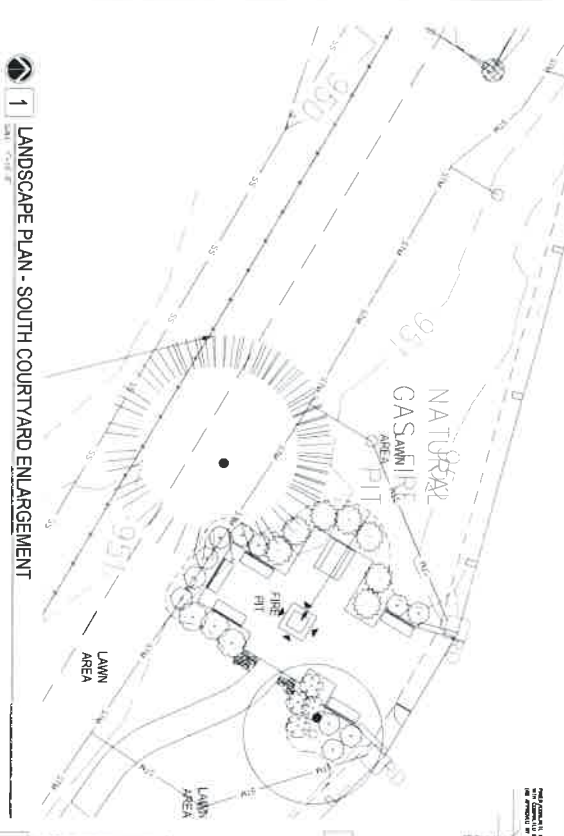
PROJECT
AR3 Westidge
11901 Jessica Ln
Roytown, Missouri 64138

2 LANDSCAPE PLAN - NORTH COURTYARD ENLARGEMENT

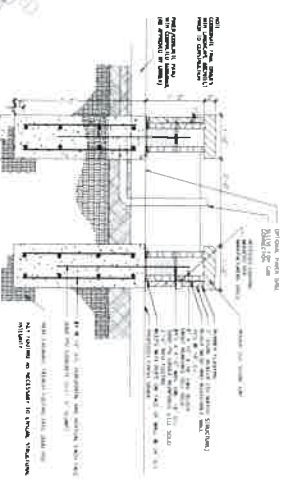


LIGHTING/ELECTRICAL LEGEND

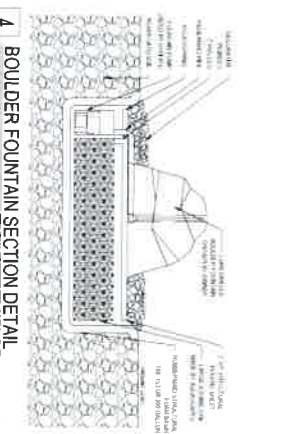
- Light fixture symbol: Light fixture
- Light fixture symbol: Light fixture
- Light fixture symbol: Light fixture
- Light fixture symbol: Light fixture



3 FIRE PIT SECTION DETAIL

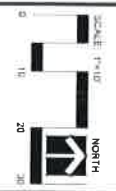


4 BOULDER FOUNTAIN SECTION DETAIL



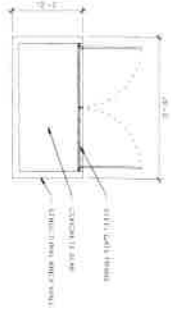
Landscape Schedule

Item	Description	Quantity	Unit	Notes
1	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
2	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
3	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
4	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
5	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
6	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
7	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
8	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
9	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
10	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
11	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
12	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
13	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
14	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
15	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
16	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
17	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
18	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
19	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'
20	Plant Material	15	Each	15' x 15' x 15' - 15' x 15' x 15'



Date: 7.16.2021
Project #: 733
Landscape Plan

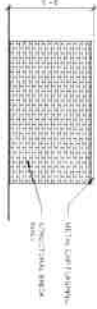




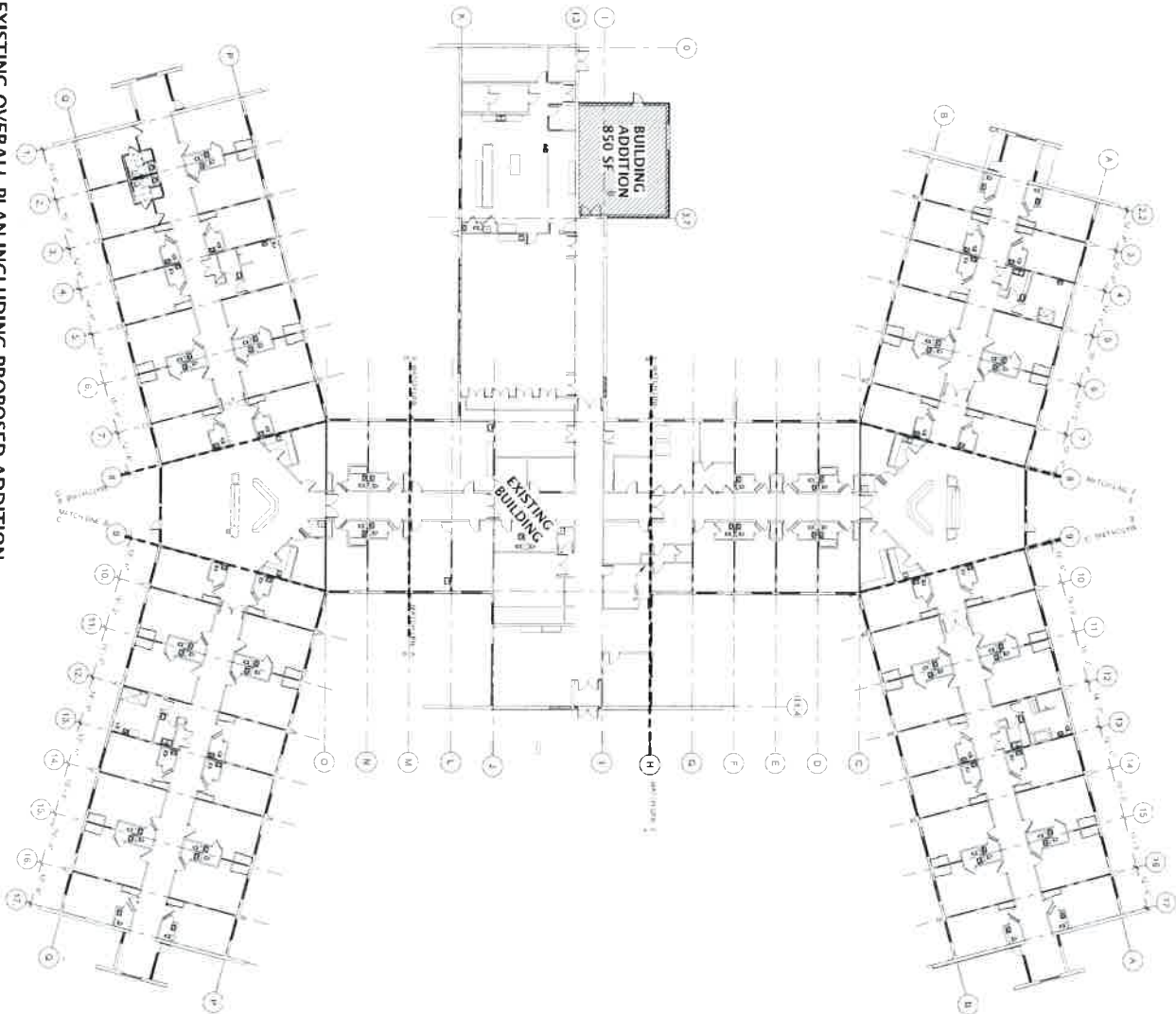
2 TRASH ENCLOSURE FLOOR PLAN
 10'-0" x 10'-0"



3 TRASH ENCLOSURE NORTH ELEVATION
 10'-0" x 10'-0"



4 TRASH ENCLOSURE EAST ELEVATION
 10'-0" x 10'-0"



EXISTING OVERALL PLAN INCLUDING PROPOSED ADDITION



Johansson Wing
 Architects, PC
 411 S. East Loop, Suite 100
 P.O. Box 786
 Tulsa, Oklahoma 74102
 Phone: 918.466.8277
 www.johanssonwing.com

**ADVANCED RECOVERY SYSTEMS
 WESTRIDGE GARDENS**

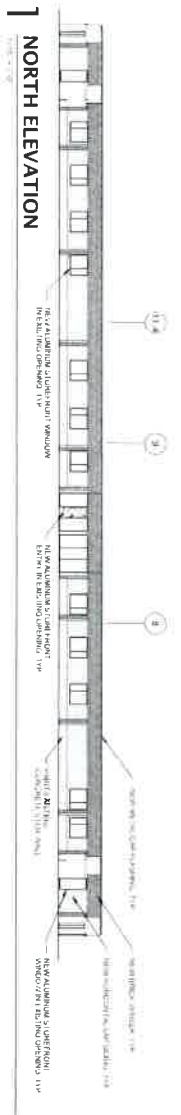
11000 EAST 50 HIGHWAY
 RAYTOWN, MO

OVERALL FLOOR
 PLAN

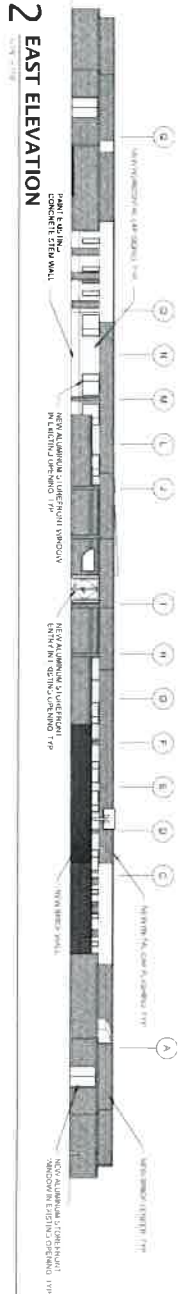
PROJECT #	21019
DATE	07/15/2021
DATE	07/15/2021
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DATE	07/15/2021

A201

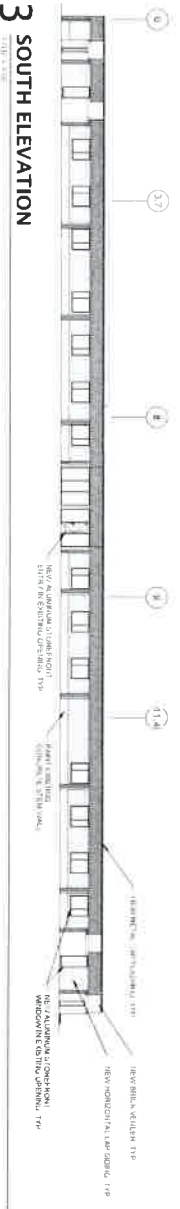
CONCEPTUAL DESIGN



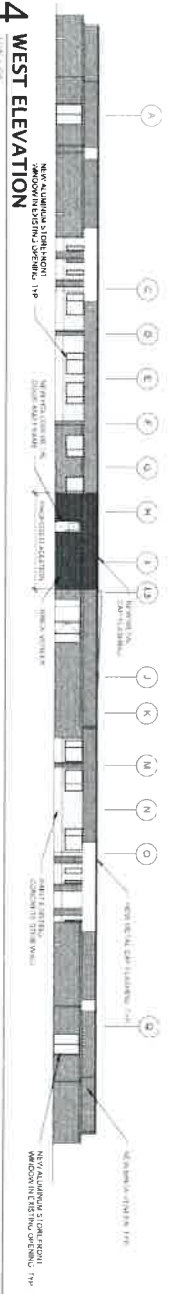
1 NORTH ELEVATION



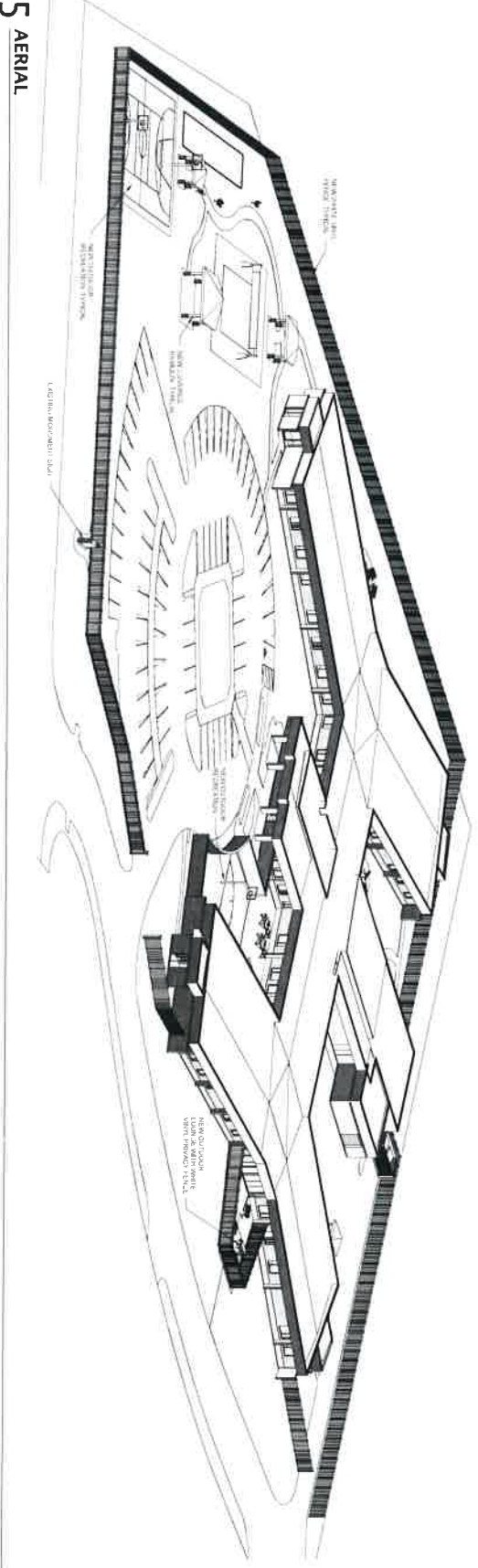
2 EAST ELEVATION



3 SOUTH ELEVATION



4 WEST ELEVATION



5 AERIAL

JW architects
Johansson Wing Architects, PC
 431 N. 14th Street, Suite 200
 Raytown, MO 64133
 Phone: 816.335.1100
 www.johanssonwing.com

ADVANCED RECOVERY SYSTEMS
WESTRIDGE GARDENS
 11000 EAST 50 HIGHWAY
 RAYTOWN, MO

BUILDING ELEVATIONS	
PROJECT #	21018
DATE	07/15/2021
NO. #	001
SCALE	AS SHOWN

A301
 CONCEPTUAL DESIGN



ADVANCED RECOVERY SYSTEMS
WESTRIDGE GARDENS

11000 EAST 50 HIGHWAY
RAYTOWN, MO

PERSPECTIVES

PROJECT #	21039
DATE	08/04/2021
DRAWN BY	JOHNSON WING ARCHITECTS
CHECKED BY	
DATE	
DATE	
DATE	
DATE	
DATE	
DATE	
DATE	

A311

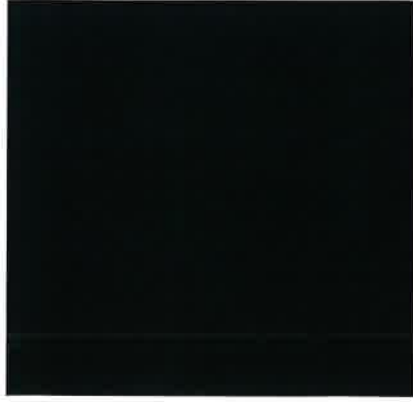
CONCEPTUAL DESIGN



Johansson Wing
Architects, PC
4511 W. Lake Street, Suite 100
Mesa, Arizona 85206
Tel: 480-841-4339
www.johanssonwing.com



Replace Existing Brick Veneer



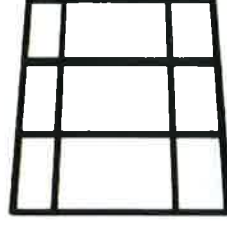
Concrete Base, painted "Dark Gray"



Replace Existing Metal Cap Flashing



Ship-lap Siding to Replace Existing



Replace Existing Aluminum Windows with Anodized Black Aluminum Storefront Window Systems

ADVANCED RECOVERY SYSTEMS

WESTRIDGE GARDENS

11000 EAST 50 HIGHWAY
RAYTOWN, MO



Johansson Wing
Architects, PC

821 SE 14th Loop, Suite 109
PO Box 7398
Battle Ground, WA 98604
PH: 360.687.8370
www.johanssonwing.com



COMMUNITY DEVELOPMENT DEPARTMENT

10000 EAST 59TH STREET

RAYTOWN, MISSOURI 64133-3993

PHONE: 816-737-6014

FAX: 816-737-6164

July 28, 2021

Curtis Petersen, representing ARS
Polsinelli Law Firm
900 W. 48th Place, Suite 900
Kansas City, MO 64112

Re: *Review Comments on 11901 Jessica Lane Nursing Home Re-Use for ARS CUP Application*

Based upon our review of the submitted site plan for the above referenced project, we have the following comments:

- A. Review comments from Building Official Andy Boyd:
 - 1. Fire sprinkler system may be required based upon new use of structure. Contact Building Official for more information.
- B. Review comments from City Engineer Jason Hanson:
 - 1. See attached review comments from Jason Hanson, City Engineer
- C. Review comments from Planning and Zoning Coordinator Chris Gilbert:
 - 1. Front yard setback of 30 feet for full privacy fence is required and is observed along front of property on Westridge Road. Street side yard setback of 10 feet is required on Jessica Lane and appears to be observed.
 - 2. Parking requirement is one space per 3 beds plus one per staff member or visiting doctor. Best staff can determine is approximately 70 beds, requiring 27 spaces plus staff size, so the displayed number of spaces should be sufficient for the proposed use, even with some parking removed.
 - 3. Provide color and material board for the remodel effort.
 - 4. Provide construction type details on portable building to be placed at west end of the property behind existing building to the Building Official.

Upon request, an appointment can be made for City staff to be available to meet with you and your design professional to discuss these comments as well as any other aspects of this project.

Sincerely,



Chris Gilbert
Planning & Zoning Coordinator
City of Raytown Community Development Department

cc: Ray Haydaripoor, Director of Community Development
Jason Hanson, P.E., City Engineer
Andy Boyd, Building Official
File

Att: City Engineer Comments



Public Works Department

10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6012
www.raytown.mo.us



To: Community Development Dept.
From: Public Works Department
Date: July 27, 2021
Re: Westridge Gardens Redevelopment

The Public Works Department has reviewed the Utopia Gardens Preliminary Plat at 85th Place and Lane Ave. with the following comments:

- Sheet C2 – Site Plan:
 - Woodridge Road needs to be changed to Westridge Road.
 - Street right-of-way widths need to be shown.
 - Existing stormwater system needs to be added.
 - Proposed stormwater system improvements need to be added.
 - Existing sanitary sewer system needs to be added.
 - Site key note J, 7" thick concrete pad in front of trash enclosure isn't shown.
- Preliminary Stormwater Management Plan.
 - Pages 1 & 2 change Woodridge Road to Westridge Road, in multiple locations.
 - Page 2 & 3 preliminary stormwater detention is approved.
 - Page 3 water quality requirements look good, but aren't required. Just detention.

Sincerely,

A handwritten signature in blue ink that reads "Jason M. Hanson".

Jason M. Hanson
City Engineer

July 12, 2021

Judd Claussen, PE
President
Phelps Engineering, Inc.
1270 N. Winchester
Olathe, KS 66061

SUBJECT Traffic Engineering Services
Westridge Gardens Trip Generation
Raytown, Missouri

Dear Mr. Claussen:

As requested, Merge Midwest Engineering, LLC has completed the trip generation calculations for the Westridge Gardens Rehabilitation Facility development located on the southwest quadrant of the intersection of Westridge Road & Jessica Lane in Raytown, Missouri. The existing lot currently contains a vacant nursing home that will be converted into a rehabilitation facility for mental illness, depression, and alcoholism. The site plan for the proposed development is shown on **Exhibit 1**.

Trip Generation

The estimated trip generation for the proposed Westridge Gardens Rehabilitation Facility development was based upon the 10th Edition of the Institute of Transportation Engineers (ITE) *Trip Generation Handbook*. The handbook does not include a land-use category for a rehabilitation facility. The closest description the handbook offers is for Land Use: 630 Clinic: *"A clinic is any facility that provides limited diagnostic and outpatient care but is unable to provide prolonged in-house medical and surgical care. Clinics commonly have lab facilities, supporting pharmacies, and a wide range of services (compared to the medical office, which may only have specialized or individual physicians). Hospital (Land Use 610), free-standing emergency room (Land Use 650), and medical-dental office building (Land Use 720) are related uses."* The description does not match the intended use for the Westridge Gardens Rehabilitation development, nor do the independent variables such as building square-footage (40,176 square feet) or number of employees (45) fall within the range the manual offers (13,140 square feet – 31,340 square feet and 46 – 450 employees).

The patients at the rehabilitation clinic will not drive to the facility. Trips would only be generated by employees and delivery vehicles. The development team has indicated that the maximum number of employees during any shift would be 45. Utilizing the conservative assumption that every employee will drive a vehicle for their shift, the maximum number of trips anticipated to and from the site would be well under the 100 trips per hour required for a traffic study analysis.

For comparison purposes, peak-hour trip generations for the adjacent street and the generator for the Clinic land use code were calculated, knowing it would be an overestimate of the anticipated trips for the Westridge Gardens Rehabilitation development. The resulting trips are shown in **Table 1** below:

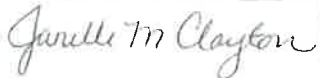
Table 1 –Peak Hour Trip Generation										
Land Use	Qty	Unit	ADT (VPD)	AM Peak Hour (VPH)			PM Peak Hour (VPH)			
				TOTAL	IN	OUT	TOTAL	IN	OUT	
Westridge Gardens Rehabilitation Facility – Adjacent Street Peak Hour										
630	Clinic	45	Employees	416	50	38	12	38	14	24
Westridge Gardens Rehabilitation Facility – Generator Peak Hour										
630	Clinic	45	Employees	416	49	26	23	45	22	23

As shown in the table, even with utilizing a Clinic land use code that would overestimate the trips, the proposed Westridge Gardens Rehabilitation Facility would be expected to generate less than the 100 trips required during the adjacent street or generator peak hours to require a traffic impact study per the City’s Traffic Impact Analysis Policy.

We appreciate the opportunity to serve you on this very important project. Please feel free to contact us if you should have any questions.

Respectfully submitted,

Merge Midwest Engineering, LLC



Janelle M. Clayton, P.E., PTOE
 Manager / Co-Owner



Community Development Department
 Planning and Zoning Division
 10000 E 59th Street • Raytown, MO 64133
 Phone: 816-737-6014 • Fax: 816-737-6164

CONDITIONAL USE PERMIT APPLICATION

1. Location 11901 Jessica Lane

2. Property Owner (Printed, as appears on deed) TI - Westridge Gardens, LLC
 Address 7611 State Line Road, Suite 301, Kansas City, Missouri
 Phone N/A Email N/A
 Property Owner (Signature) See Ownership Affidavit

3. Applicant/Agent Advanced Recovery Systems, LLC c/o Polsinelli PC
 Phone (913) 234-7458 Email cpetersen@polsinelli.com; agrant@polsinelli.com
 Applicant/Agent (Signature) Curtis J. Petersen

4. The property's current use/purpose is: Vacant building

5. The property's current zoning classification is: R-3

6. The proposed use/purpose of the property is: Residential/Outpatient facility for the treatment of alcohol and drug abuse

7. The proposed conditional use will be in keeping with the character of the neighborhood because:
The proposed use will be in keeping with the character of the neighborhood in that it will serve
residents of both the adjacent and surrounding neighborhoods and is a very quiet use that generates
little to no traffic.

8. The proposed use will be consistent with the uses and zoning on nearby parcels because:
The proposed use intends to serve the residents of both the adjacent and surrounding areas. The property
is suited for the proposed use as the configuration of the building was previously utilized for rehabilitation care
following surgery and the proposed use will provide rehabilitation care for those suffering from addiction.

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



Community Development Department
Planning and Zoning Division
10000 E 59th Street • Raytown, MO 64133
Phone: 816-737-6014 • Fax: 816-737-6164

10. This property is more suited for the proposed use than its current use(s) because:

The proposed use intends to serve the residents of both the adjacent and surrounding areas. The property is suited for the proposed use as the configuration of the building was previously utilized for rehabilitation care following surgery and the proposed use will provide rehabilitation care for those suffering from addiction.

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

The proposed conditional use will not have any detrimental effects on nearby parcels. The major renovation of the building and site improvements will greatly benefit the neighborhood.

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

If the application is denied, the existing property owner will not be able to complete the proposed real estate transaction with the applicant and the building and site will continue to fall into disrepair.

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

The property is currently adequately served with all utilities.

14. Additional comments:

15. Filing Fee payable to the City of Raytown, for \$450.00 (cash, check or credit card).

16. Signature - Property Owner or Legal Agent See Ownership Affidavit

17. Signature - Applicant or Legal Agent Curtis J. Petersen

MAILING LIST FOR 11901 WESTRIDGE

PARCEL #	PROPERTY OWNER	OWNER ADDRESS
44-930-07-01-02-0-00-000	Mint Mart LLC	Attn: Property Tax Dept., 165 Flanders Rd., Westborough, MA 01581
44-930-07-03-00-0-00-000	Jessica Estates LP	5000 W. 95 th Street, Ste. 120, Prairie Village, KS 66207
44-930-07-02-00-0-00-000	Dean Development LLC	5000 W. 95 th Street, Ste. 120, Prairie Village, KS 66207
44-930-02-13-00-0-00-000	Raytown Seniors Apartments LP	3556 S. Culpepper, Ste. 7, Springfield, MO 65804
44-930-02-07-01-0-00-000	Edgewood Assoc. LLC	1969 Craig Park Ct., St. Louis, MO 63146
44-930-04-20-00-0-00-000	Quality Property LLC	5922 Southview Drive, Liberty, MO 64068
44-930-04-02-01-3-00-000	**Same As Immediately Above**	
44-930-04-02-01-1-00-000	**Same As Immediately Above**	
44-930-04-17-00-0-00-000	Westridge Homes Association	8001 Westridge, Raytown, MO 64138
THE FOLLOWING PROPERTIES ARE CONDOS:		
44-930-04-17-00-0-02-013	Virginia Marple	8001 Westridge, Unit 12, Raytown, MO 64138
44-930-04-17-00-0-03-017	Connie Valverde	8001 Westridge, Unit 24, Raytown, MO 64138
44-930-04-17-00-0-03-006	Handy Homes LLC	31408 E. Stringtown Rd., Greenwood, MO 64034
44-930-04-17-00-0-03-010	Patsy Willins	8001 Westridge, Unit 204, Raytown, MO 64138
44-930-04-17-00-0-01-009	Linda Spence	8001 Westridge, Unit 108, Raytown, MO 64138
44-930-04-17-00-0-02-015	Sara Nauser	8001 Westridge, Unit 22, Raytown, MO 64138
44-930-04-17-00-0-02-014	Doris Merrick	8001 Westridge, Unit 21, Raytown, MO 64138
44-930-04-17-00-0-01-018	Vincent Alexandria	8001 Westridge, Unit 109, Raytown, MO 64138
44-930-04-17-00-0-03-019	Wendy Nolan	8001 Westridge, Unit 305, Raytown, MO 64138

X Party Name	Property No.	Active	Alt. Prop. N	Relator Party Address	Status Address
X BARNES LEVI H & PATSY J	44-930-04-16-00-0-01-015	Y	7983028	Owner 8001 WESTRIDGE RD, KANSAS CITY, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 6, KANSAS CITY, MO 64138, UNITED STATES
X BARNES LEVI H & PATSY J	44-930-04-16-00-0-01-015	Y	7983028	Owner 8001 WESTRIDGE RD, KANSAS CITY, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 6, RAYTOWN, MO 64138, UNITED STATES
X FRITTS-KENNEY ALICE NADINE	44-930-04-16-00-0-03-020	Y	8930569	Owner 8001 WESTRIDGE 306, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 28, KANSAS CITY, MO 64138, UNITED STATES
X MURRY CAPTRIA R	44-930-04-16-00-0-02-012	Y	8930348	Owner 8001 WESTRIDGE RD UNIT 206, KANSAS CITY, MO 64138	8001 WESTRIDGE RD UNIT 17, KANSAS CITY, MO 64138, UNITED STATES
X RICHARDSON ALICE L	44-930-04-16-00-0-02-001	Y	6319031	Owner 8001 WESTRIDGE RD, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 18, KANSAS CITY, MO 64138, UNITED STATES
X RICHARDSON ALICE L	44-930-04-16-00-0-02-001	Y	6319031	Owner 8001 WESTRIDGE RD, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 18, RAYTOWN, MO 64138, UNITED STATES
X RICHEY PAMELA ANN	44-930-04-16-00-0-01-014	Y	7672286	Owner 8001 WESTRIDGE RD UNIT 7, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 7, RAYTOWN, MO 64138, UNITED STATES
X RICHEY PAMELA ANN	44-930-04-16-00-0-01-014	Y	7672286	Owner 8001 WESTRIDGE RD, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 7, KANSAS CITY, MO 64138, UNITED STATES
X WESTRIDGE HOMES ASSOC INC	44-930-04-16-00-0-03-000	Y	6318298	Owner 8001 WESTRIDGE RD, RAYTOWN, MO 64138, UNITED STATES	CA RESIDENTIAL, KANSAS CITY, MO 64138, UNITED STATES
X WRIGHT VICTORIA M	44-930-04-16-00-0-03-001	Y	6319243	Owner 8001 WESTRIDGE RD #29, RAYTOWN, MO 64138	8001 WESTRIDGE RD UNIT 29, KANSAS CITY, MO 64138, UNITED STATES
X WRIGHT VICTORIA M	44-930-04-16-00-0-03-001	Y	6319243	Owner 8001 WESTRIDGE RD #29, RAYTOWN, MO 64138	8001 WESTRIDGE RD UNIT 29, RAYTOWN, MO 64138, UNITED STATES
X ALEXANDRIA VINCENT R	44-930-04-17-00-0-01-018	Y	8930151	Owner 8001 WEST RIDGE 109, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 9, RAYTOWN, MO 64138, UNITED STATES
X BARREDO ROBERT & KAREN I	44-930-04-17-00-0-02-011	Y	6318981	Owner 8001 WESTRIDGE RD UNIT 205, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 16, RAYTOWN, MO 64138, UNITED STATES
X BARNES LEVI H & PATSY J	44-930-04-17-00-0-01-015	Y	7982129	Owner 8001 WESTRIDGE RD, KANSAS CITY, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 6, RAYTOWN, MO 64138, UNITED STATES
X GILLIAND LOIS E	44-930-04-17-00-0-03-008	Y	6319171	Owner 8001 WESTRIDGE RD UNIT 30, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 23, RAYTOWN, MO 64138, UNITED STATES
X HANDY HOMES LLC	44-930-04-17-00-0-03-006	Y	6319197	Owner 31408 E STRINGTOWN RD, GREENWOOD, MO 64034, UNITED STATES	8001 WESTRIDGE RD UNIT 25, RAYTOWN, MO 64138, UNITED STATES
X HAWTHORNE ANNA M	44-930-04-17-00-0-01-016	Y	8930208	Owner 8001 WESTRIDGE RD UNIT 110, KANSAS CITY, MO 64138	8001 WESTRIDGE RD UNIT 10, RAYTOWN, MO 64138, UNITED STATES
X HENDERSON DEBORAH	44-930-04-17-00-0-01-020	Y	8930089	Owner 8001 WESTRIDGE RD 104, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 4, RAYTOWN, MO 64138, UNITED STATES
X HICKS SHEILA J	44-930-04-17-00-0-02-016	Y	8930411	Owner 8001 WESTRIDGE RD UNIT 209, KANSAS CITY, MO 64138	8001 WESTRIDGE RD UNIT 4, RAYTOWN, MO 64138, UNITED STATES
X HILTON DM	44-930-04-17-00-0-01-019	Y	8930071	Owner 12513 FRENCH RDG, KEARNEY, MO 64060	8001 WESTRIDGE RD UNIT 20, RAYTOWN, MO 64138, UNITED STATES
X HURLBERT JUDITH W	44-930-04-17-00-0-02-013	Y	8930658	Owner 8001 WESTRIDGE RD UNIT 311, RAYTOWN, MO 64138	8001 WESTRIDGE RD UNIT 3, RAYTOWN, MO 64138, UNITED STATES
X JACOBS RIVAL TRUST	44-930-04-17-00-0-03-015	Y	8930640	Owner 8001 WESTRIDGE RD UNIT 310, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 33, RAYTOWN, MO 64138, UNITED STATES
X LORBECKI DAVID & LINDA	44-930-04-17-00-0-02-019	Y	8930313	Owner 3916 DOTS DAM AVE PNB 4186, SIOUX FALLS, SD 57104	8001 WESTRIDGE RD UNIT 32, RAYTOWN, MO 64138, UNITED STATES
X MARBLE VIRGINIA L	44-930-04-17-00-0-02-014	Y	7672511	Owner 8001 WESTRIDGE RD UNIT 12, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 14, RAYTOWN, MO 64138, UNITED STATES
X MERRILL DORIS M	44-930-04-17-00-0-02-015	Y	8930496	Owner 8001 WESTRIDGE RD UNIT 22, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 12, RAYTOWN, MO 64138, UNITED STATES
X NAUSER SARAH M	44-930-04-17-00-0-03-018	Y	8930526	Owner 8001 WESTRIDGE RD # 304, RAYTOWN, MO 64138	8001 WESTRIDGE RD UNIT 21, RAYTOWN, MO 64138, UNITED STATES
X NEWELL CHERYL & BENJAMIN	44-930-04-17-00-0-01-014	Y	7982099	Owner 8001 WESTRIDGE RD 102, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 26, RAYTOWN, MO 64138, UNITED STATES
X NIDAY RICHARD V & FRANCES	44-930-04-17-00-0-03-019	Y	8930534	Owner 8001 WESTRIDGE RD UNIT 305, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 2, RAYTOWN, MO 64138, UNITED STATES
X NOLAN WENDY	44-930-04-17-00-0-02-002	Y	6319120	Owner 8001 WESTRIDGE RD, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 27, RAYTOWN, MO 64138, UNITED STATES
X RICHARDSON ALICE L	44-930-04-17-00-0-01-013	Y	6318735	Owner 8001 WESTRIDGE RD UNIT 7, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 18, RAYTOWN, MO 64138, UNITED STATES
X RICHEY PAMELA ANN	44-930-04-17-00-0-02-017	Y	8930399	Owner 8001 WESTRIDGE RD UNIT 19, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 7, RAYTOWN, MO 64138, UNITED STATES
X ROSS SHARON VAN	44-930-04-17-00-0-03-016	Y	8930607	Owner PO BOX 2105, MISSION, TX 78573	8001 WESTRIDGE RD UNIT 19, RAYTOWN, MO 64138, UNITED STATES
X SHIDDELL JOHN E	44-930-04-17-00-0-01-021	Y	8930119	Owner 8001 WESTRIDGE RD, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 30, RAYTOWN, MO 64138, UNITED STATES
X SPENCE LINDA S	44-930-04-17-00-0-01-009	Y	6318808	Owner 8001 WESTRIDGE RD 108, KANSAS CITY, MO 64138	8001 WESTRIDGE RD UNIT 5, RAYTOWN, MO 64138, UNITED STATES
X STANLEY SAMMY & MARY JANE	44-930-04-17-00-0-03-014	Y	8930623	Owner 8001 WESTRIDGE RD UNIT 309, RAYTOWN, MO 64138	8001 WESTRIDGE RD UNIT 8, RAYTOWN, MO 64138, UNITED STATES
X STEVENS LARRY	44-930-04-17-00-0-01-008	Y	6318646	Owner 8001 WESTRIDGE RD APT 101, RAYTOWN, MO 64138	8001 WESTRIDGE RD UNIT 31, RAYTOWN, MO 64138, UNITED STATES
X TEGHTMEYER DONALD R & LAURA E	44-930-04-17-00-0-01-017	Y	8930232	Owner 8001 WESTRIDGE RD #111, RAYTOWN, MO 64138	8001 WESTRIDGE RD UNIT 1, RAYTOWN, MO 64138, UNITED STATES
X VALVERDE CONNIE	44-930-04-17-00-0-03-015	Y	8930658	Owner 8001 WESTRIDGE RD UNIT 24, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 11, RAYTOWN, MO 64138, UNITED STATES
X WESTRIDGE HOMES ASSOCIATION	44-930-04-17-00-0-00-000	Y	6318263	Owner 8001 WESTRIDGE, RAYTOWN, MO 64138, UNITED STATES	8001 WESTRIDGE RD UNIT 33, RAYTOWN, MO 64138, UNITED STATES
X WILLIAMS PATSY A	44-930-04-17-00-0-02-010	Y	6318972	Owner 8001 WESTRIDGE # 204, RAYTOWN, MO 64138	CA RESIDENTIAL, RAYTOWN, MO 64138, UNITED STATES
X WINTER ARTHUR N & ANNIE E-TRUSTEE	44-930-04-17-00-0-02-018	Y	8930275	Owner 8001 WESTRIDGE RD APT 13(2021), RAYTOWN, MO 64138	8001 WESTRIDGE RD UNIT 15, RAYTOWN, MO 64138, UNITED STATES
X WRIGHT VICTORIA M	44-930-04-17-00-0-03-002	Y	6319251	Owner 8001 WESTRIDGE RD #29, RAYTOWN, MO 64138	8001 WESTRIDGE RD UNIT 13, RAYTOWN, MO 64138, UNITED STATES
					8001 WESTRIDGE RD UNIT 29, RAYTOWN, MO 64138, UNITED STATES

**Advanced Recovery Systems – Conditional Use Permit
July 28, 2021 Neighborhood Meeting**

Attendance:

Curt Petersen, Polsinelli PC

Amy Grant, Polsinelli PC

**Approximately 15 people - Sign-in Sheet is attached.

The meeting began at approximately 6:30 p.m. Curt Petersen began by explaining the zoning approval process, including upcoming Planning Commission and Board of Alderman meeting dates. Mr. Petersen then provided a brief explanation about who Advanced Recovery Systems (“ARS”) is and locations of other facilities. Next, Mr. Petersen provided information about the proposed use as a residential additional recovery facility and explained that the proposed facility is not a crisis center or emergency center. The facility will have a hospitality feel to it and will include a very thorough pre-screening process for potential clients. The facility will include approximately 60 beds, including 10 beds for youth clients. On average, ARS facilities primarily treat alcohol recovery (50-60%), opioid-type addiction recovery (20%) and the remaining treatments are for a variety of treatments.

Next, Mr. Petersen utilized two exhibits showing a current aerial of the property and the proposed site plan for the project. He walked through the proposed site plan explaining points of ingress/egress, revisions to the parking lot and building, landscaping, fencing, and outdoor amenity areas.

The following is a summary of the Q&A portion of the meeting.

Q: Will this facility be federally funded?

A: No.

Q: Do you need a referral to come to this facility?

A: No, but there is a pre-screening process that must take place prior to residing at the facility. A majority of the facilities clients will come from other doctor referrals.

Q: Will the facility treat sex-addiction?

A: No.

Q: How will people pay to reside at the facility?

A: For the most part, through insurance plans. Some people may pay privately with cash or other means. Medicare and Medicaid will not be accepted at this facility.

Q: Will this be a lockdown facility?

A: The facility will have 24/7 medical supervision. It will have security cameras both inside and outside of the building and will also have magnetic door locks. Anytime a client is enjoying the outside amenity areas they will be accompanied by a staff member.

Q: Can people leave the facility whenever they want?

A: Individuals who want to leave the facility will need to go through a typical discharge process – similar to a hospital. The facility will arrange for transportation with family or friends.

Q: Can people just leave the facility and enter the surrounding neighborhood?

A: ARS has not experienced that scenario in any of its facilities during their 10-years of operation.

Comment: This facility is not a crisis/emergency center and is not like what you see on “intervention” type tv shows. This facility does not receive clients from court-ordered treatment plans. The client at this facility are people who willingly want to receive treatment and are typically paying for treatment through their private insurance plans.

Q: Will visitors be allowed at the facility?

A: Only occasionally, there is family counseling available once a week.

Q: How long has current building been vacant?

A: About 2 years.

Q: Will these be private rooms?

A: Yes.

Q: What is the average stay for an individual?

A: There is no set timeframe. It depends on each individual’s recovery and treatment plan.

Q: How many people will be employed at this facility?

A: We are still designing the facility and do not have a final employee count yet.

Q: What kind of food will be served?

A: The facility will have a chef on-site with tailored eating plans for each client based on allergies, among other things.

Q: Is this facility connected to the assisted living facility across the street?

A: No.

Q: Will this facility require more Raytown police officers to be hired?

A: No.

Q: Will there be any spiritual components to the recovery plan?

A: There are three components to the recovery treatment plan, one of those is cognitive therapy that may include some type of meditation/spiritual aspect.

Q: Why did ARS choose Raytown for this facility?

A: The location and demographics of the facility are very appealing as well as the amount of land available here for the outdoor amenity component. Raytown is very centrally located to the greater metropolitan area and the demand for this type of facility is very high.

Q: What happens to property values near ARS facilities?

A: ARS has seen either a neutral or positive affect to property values. There is a facility located in Portland, Oregon that was proposed next to very high-end single-family homes and the facility was approved without any concerns for property values.

Q: If approved, when will construction start?

A: More than likely the 1st quarter of 2022.

Comments from Ron Dean: Ron is associated with the Jessica Estates property. He explained that they had looked at buying this land to expand Jessica Estates but price was too high. Ron was glad that the facility will include beds for the youth and believes it will fill an important need for the community.

Comment: The individual did not feel that a \$7 million dollar investment would go very far given today's economics. Response: We respectfully disagreed with this statement and further clarified that the proposed project is a redevelopment of site and not a demolition/new construction project which helps reduce some of the cost of the project.

Comments from Ron Dean: Ron offered to work with the Developer to discuss potential additional landscaping along the service drive adjacent to the Jessica Estates property. Ron also mentioned an issue with the prior owner whereby staff would leave the facility and would purchase drinks from the nearby C-store and then consume those drinks in the gazebo area on the Jessica Estates property.

Q: What is the Conditional Use Permit process?

A: The conditional use permit must be approved by the Board of Aldermen. Sometimes the approval includes conditions that must be met and occasionally the permit must be renewed from time to time. ARS will be seeking no time limit for this facility given the financial investment being made to the renovation of the project.

MEETING SIGN-IN SHEET

Project: Advanced Recovery Systems

Meet Date: Wednesday, July 28, 2021

Facilitator: Polsinelli PC

Place/Room: Wellness Center

Application #: 11901 Jessica Lane, Raytown, Missouri

Name	Address	Email Address
Sam Richey		parichey101@aol.com
RON DEAN	Jessica Lane 5000 W. 95 th St. #170	RON-DEAN3@SBCglobal.com
Judith Hurlbert	8001 Westridge #311	
Debbie Henderson	8001 Westridge #104	
VIRGINIA MARPLE	" " 201	
LARRY SILKES	" " #101	
Judy GROUSE	11844 E 80 th	RAYTOWN, MO 64138
Meri Goul		
MAYOR MIKE McDONOUGH	11715 E 78 th ST RAYTOWN, MO 64138	mayer-mike-mcdonough@raytown.mo.gov
Jannah Prince WS	7907 E. 87 th St.	Bannap64134@yahoo.com
Janel Emerson		jemerson@lymax.com
Steve Meyer	7804 Woodson	smeyers823@gmail.com
Dan Van Buskirk	11900 E 78 th Ter	danvan55@comcast.net
MARY J. VAN BUSKIRK	7812 Woodson	hmtvanbw@comcast.net
Bill Van Buskirk	7812 Woodson Rd.	



900 W. 48th Place, Suite 900, Kansas City, MO 64112 • (816) 753-1000

July 20, 2021

Amy L. Grant
Senior Paralegal
816.572.4503
816-753-1536 Fax
agrant@polsinelli.com

REGULAR MAIL

RE: Neighborhood meeting for property located at 11901 Jessica Lane

Dear Property Owner/HOA,

You are receiving this courtesy notice letter as we have determined that you own property within 185-feet of the above-referenced property. We would like to invite you to a presentation and discussion regarding the proposed redevelopment of the subject property. Advanced Recovery Systems, LLC has filed Conditional Use Permit and Site Development Plan applications with the City in order to allow for the renovation of the existing building to allow for its use as a Residential Treatment Facility along with some improvements to the parking lot and to provide outdoor amenities for use by the clients of the facility.

Date: Wednesday, July 28, 2021

Time: 6:30 p.m.

Location: Raytown Schools Wellness Center, Community Room, 10301 E. State Rte. 350, Raytown, Missouri 64138

If you are unable to attend this meeting, please feel free to contact me directly for more information about the project.

Sincerely,

A handwritten signature in blue ink that reads 'Amy Grant'.

Amy L. Grant
Senior Paralegal

ALG:jlh

polsinelli.com

Owner Name	Address #1	Address #2
Minit Mart LLC		Attn: Property Tax Dept., 165 Flanders Rd., Westborough, MA 01581
Jessica Estates LP		5000 W. 95 th Street, Ste. 120, Prairie Village, KS 66207
Dean Development LLC		5000 W. 95 th Street, Ste. 120, Prairie Village, MO 65804
Raytown Seniors Apartments LP		1969 Craig Park Ct., St. Louis, MO 63146
Edgewood Assoc. LLC		5922 Southview Drive, Liberty, MO 64068
Quality Property LLC		8001 Westridge, Raytown, MO 64138
Westridge Homes Association		8001 WEST RIDGE RD UNIT 9, RAYTOWN, MO 64138
ALEXANDRIA VINCENT R		8001 WESTRIDGE RD UNIT 16, RAYTOWN, MO 64138
ARREDONDO ROBERT & KAREN I		8001 WESTRIDGE RD UNIT 6, KANSAS CITY, MO 64138
BARNES LEVI H & PATSY J		8001 WESTRIDGE RD UNIT 28, KANSAS CITY, MO 64138
FRITTS-KENNEY ALICE NADINE		8001 WESTRIDGE RD UNIT 23, RAYTOWN, MO 64138
GILLILAND LOIS E		8001 WESTRIDGE RD UNIT 25, RAYTOWN, MO 64138
HANDY HOMES LLC		8001 WESTRIDGE RD UNIT 10, RAYTOWN, MO 64138
HAWTHORNE ANNA M		8001 WESTRIDGE RD UNIT 4, RAYTOWN, MO 64138
HENDERSON DEBORHA		8001 WESTRIDGE RD UNIT 20, RAYTOWN, MO 64138
HICKS SHELAH J		8001 WESTRIDGE RD UNIT 3, RAYTOWN, MO 64138
HILTON DM		8001 WESTRIDGE RD UNIT 33, RAYTOWN, MO 64138
HURLBERT JUDITH W		8001 WESTRIDGE RD UNIT 32, RAYTOWN, MO 64138
JACOBS RIVA L TRUST		8001 WESTRIDGE RD UNIT 14, RAYTOWN, MO 64138
LORBECKI DAVID & LINDA		8001 WESTRIDGE RD UNIT 12, RAYTOWN, MO 64138
MARPLE VIRGINIA L		8001 WESTRIDGE RD UNIT 21, RAYTOWN, MO 64138
MERRICK DORIS M		8001 WESTRIDGE RD UNIT 17, KANSAS CITY, MO 64138
MURRY CAPTORIA R		8001 WESTRIDGE RD UNIT 22, RAYTOWN, MO 64138
NAUSER SARA M		8001 WESTRIDGE RD UNIT 26, RAYTOWN, MO 64138
NEWELL CHERYL & BENJAMIN		8001 WESTRIDGE RD UNIT 2, RAYTOWN, MO 64138
NIDAY RICHARD V & FRANCES		8001 WESTRIDGE RD UNIT 27, RAYTOWN, MO 64138
NOLAN WENDY		8001 WESTRIDGE RD UNIT 18, KANSAS CITY, MO 64138
RICHARDSON ALICE L		8001 WESTRIDGE RD UNIT 7, RAYTOWN, MO 64138
RICHEY PAMELA ANN		8001 WESTRIDGE RD UNIT 19, RAYTOWN, MO 64138
ROSS SHARON VAN		8001 WESTRIDGE RD UNIT 30, RAYTOWN, MO 64138
SECOND WIND ENTERPRISES LP		8001 WESTRIDGE RD UNIT 5, RAYTOWN, MO 64138
SHIDDELL JOHN E		8001 WESTRIDGE RD UNIT 8, RAYTOWN, MO 64138
SPENCE LINDA S		8001 WESTRIDGE RD UNIT 31, RAYTOWN, MO 64138
STANLEY SAMMY & MARY JANE		8001 WESTRIDGE RD UNIT 1, RAYTOWN, MO 64138
STEVENS LARRY		8001 WESTRIDGE RD UNIT 11, RAYTOWN, MO 64138
STEVENS ROBERT L		8001 WESTRIDGE RD UNIT 33, RAYTOWN, MO 64138
TEGHTMEYER DONALD R & LAURA E		8001 WESTRIDGE RD UNIT 24, RAYTOWN, MO 64138
VALVERDE CONNIE		
WESTRIDGE DEVELOPMENT CORP.		
WILLIAMS PATSY A		8001 WESTRIDGE RD UNIT 15, RAYTOWN, MO 64138
WINTER ARTHUR N & ANNIE E-TRUSTEES		8001 WESTRIDGE RD UNIT 13, RAYTOWN, MO 64138
WRIGHT VICTORIA M		8001 WESTRIDGE RD UNIT 29, KANSAS CITY, MO 64138

3640 Noland Road, Independence, MO 64056

8001 WESTRIDGE # 204, RAYTOWN, MO 64138

8001 WESTRIDGE RD APT 13(202), RAYTOWN, MO 64138

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF JACKSON

} S.S.

Page 1 of 1

Before the undersigned Notary Public personally appeared **Stephen Pope** 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 **August 17, 2021** edition and ending with the **August 17, 2021** edition, for a total of 1 publications:

08/17/2021

Notice of Public Hearings

Affected Property: 11901 Jessica Lane, Raytown, Missouri, in the south-west quadrant of Jessica Lane and Westridge Road.

Jackson County Parcel ID

44-930-07-10-00-0-00-000

A public hearing to consider a Conditional Use Permit to operate a "Residential or outpatient facility for the treatment of alcohol or drug abuse" Use, for Advanced Recovery Systems, represented by Curtis Peterson of Polsinelli Law Firm, 900 W. 48th place, Suite 900, Kansas City, Missouri, will be held by the Raytown Planning & Zoning Commission at **7:00pm on Thursday, September 2, 2021**. The packet and agenda should be available for view on the City of Raytown website on Friday, August 27, 2021.

The Raytown Board of Aldermen will also hold a public hearing to consider this Conditional Use Permit, tentatively scheduled for **7:00 on Tuesday, October 5, 2021**.

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. Additional information 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 chris@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.

12026869 Jackson Aug. 17, 2021

Stephen Pope

Stephen Pope

Subscribed & sworn before me this 19 day of Aug, 2021
(SEAL)

Brandon M. Crail

Notary Public





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

August 12, 2021

Notice of Public Hearings

Affected Property: 11901 Jessica Lane, Raytown, Missouri, in the southwest quadrant of Jessica Lane and Westridge Road.

Jackson County Parcel ID # 44-930-07-10-00-0-00-000

A public hearing to consider a Conditional Use Permit to operate a “Residential or outpatient facility for the treatment of alcohol or drug abuse” Use, for Advanced Recovery Systems, represented by Curtis Peterson of Polsinelli Law Firm, 900 W. 48th place, Suite 900, Kansas City, Missouri, will be held by the Raytown Planning & Zoning Commission **at 7:00pm on Thursday, September 2, 2021.** The packet and agenda should be available for view on the City of Raytown website on Friday, August 27, 2021.

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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.



CONDITIONAL USE PERMIT

APPLICATION NUMBER **URS**
PC 2021-05 *AFB applicant*

Posting
FROM **8-18-21** TO **10-19-21**

**PUBLIC HEARING AT CITY HALL
BEFORE THE RAYTOWN PLANNING COMMISSION ON
September 2, 2021 at 7:00 PM**

CITY OF RAYTOWN, MISSOURI

Unauthorized Removal, Defacing, or Destruction of this Sign Punishable by Law.



CONDITIONAL USE PERMIT

APPLICATION NUMBER NO.
PC 2021-05 *AKR applicant*
VALID FROM 8-18-21 TO 10-18-21
PUBLIC HEARING AT CITY HALL
BEFORE THE HARTWYN PLANNING COMMISSION ON
September 2, 2021 at 7:00 PM
CITY OF HARTWYN, MISSOURI
Unsubstantiated Petition, Violating or Derivative of this
MPL Petitionable by Law



ELECTRONICALLY RECORDED
JACKSON COUNTY, MISSOURI
08/04/2009 12:37:02 PM
WD FEE: \$ 42.00 8 Pages

INSTRUMENT NUMBER:
2009E0077440

[Above Space Reserved for Recorder of Deeds]

Prepared by: Michael F. Flanagan, Esq.
7611 State Line Road, Suite 303
Kansas City, Missouri 64114

Document Title: Special Warranty Deed

Date of Document: July 1, 2009

Grantor Name: Diana K. Merrion, as Trustee under the Second Amended and Restated Diana K. Merrion Revocable Trust dated June 26, 2008 and Larry McDaniel and Pamela Markeson as Co-Trustees of the Harley C. McDaniel and Delores M. McDaniel Revocable Living Trust dated December 20, 2005

Grantee Name: TI - Westridge Gardens, L.L.C.

Statutory Address: 11901 Jessica Lane, Raytown, Jackson County, Missouri 64138

Legal Description: See page 6 / *Exhibit A*

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made effective as of July 1, 2009 by Diana K. Merrion, as Trustee under the Second Amended and Restated Diana K. Merrion Revocable Trust dated June 26, 2008 and Larry McDaniel and Pamela Markeson, as Co-Trustees of the Harley C. McDaniel and Delores M. McDaniel Revocable Living Trust dated December 20, 2005 (collectively, the "Grantor"), to TI - Westridge Gardens, L.L.C., a Missouri limited liability company (the "Grantee"), whose mailing address is 7611 State Line Road, Suite 301, Kansas City, MO 64114.

WITNESS that Grantor, for good and valuable consideration, receipt of which is acknowledged, sells and conveys to Grantee, to its successors and assigns, the real property legally described on Exhibit "A" attached hereto, subject to all easements, covenants, conditions, rights-of-way and other matters now of record.

TO HAVE AND TO HOLD the premises aforesaid with all and singular, the rights, privileges, tenements, hereditaments, appurtenances and immunities thereto belonging or in any wise appertaining unto the said Grantee and unto its successors and assigns forever; the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that it has good right to convey the same; that (other than those of record) the said premises is free and clear from any encumbrance done or suffered by the Grantor; that Grantor will forever warrant and defend the title to said premises unto Grantee and Grantee's successors and assigns, against claims of all persons claiming by, through or under Grantor. No other covenants or warranties, express or implied, are given by this Special Warranty Deed.

[signatures appear on following page]

IN WITNESS WHEREOF, Grantor has set its hand as of the day and year first above written.

GRANTOR:

Second Amended and Restated Diana K. Merrion
Revocable Trust dated June 26, 2008

By: 
Diana K. Merrion


Its: Trustee

Harley C. McDaniel and Delores M. McDaniel
Revocable Living Trust dated December 20, 2005

By: _____
Larry McDaniel

Its: Co-Trustee

Harley C. McDaniel and Delores M. McDaniel
Revocable Living Trust dated December 20, 2005

By: 
Pamela Markeson

Its: Co-Trustee

IN WITNESS WHEREOF, Grantor has set its hand as of the day and year first above written.

GRANTOR:

Second Amended and Restated Diana K. Merrion
Revocable Trust dated June 26, 2008

By: _____
Diana K. Merrion
Its: Trustee

Harley C. McDaniel and Delores M. McDaniel
Revocable Living Trust dated December 20, 2005

By: 
Larry McDaniel
Its: Co-Trustee

Harley C. McDaniel and Delores M. McDaniel
Revocable Living Trust dated December 20, 2005

By: _____
Pamela Markeson
Its: Co-Trustee

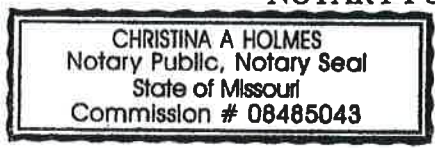
STATE OF Missouri)
) ss.
COUNTY OF Jackson)

On this 20th day of July, 2009, to me personally known, appeared Diana K. Merrion who, being by me duly sworn did say that she is the Trustee of the Second Amended and Restated Diana K. Merrion Revocable Trust dated June 26, 2008, and that said instrument was signed and delivered in behalf of said trustee by authority of the trust, and said Diana K. Merrion acknowledged said instrument to be the free act and deed of said trust acting with full power and authority to so bind the trust.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

Christina A Holmes
NOTARY PUBLIC

My Commission Expires:
2/14/2012
[SEAL]



STATE OF _____)
) ss.
COUNTY OF _____)

On this ____ day of _____, 2009, to me personally known, appeared Larry McDaniel who, being by me duly sworn did say that he is a Co-Trustee of the Harley C. McDaniel and Delores M. McDaniel Revocable Living Trust dated December 20, 2005, and that said instrument was signed and delivered in behalf of said trustee by authority of the trust, and said Larry McDaniel acknowledged said instrument to be the free act and deed of said trust acting with full power and authority to so bind the trust.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

NOTARY PUBLIC

My Commission Expires:

[SEAL]

STATE OF _____)
) ss.
COUNTY OF _____)

On this ____ day of _____, 2009, to me personally known, appeared Diana K. Merrion who, being by me duly sworn did say that she is the Trustee of the Second Amended and Restated Diana K. Merrion Revocable Trust dated June 26, 2008, and that said instrument was signed and delivered in behalf of said trustee by authority of the trust, and said Diana K. Merrion acknowledged said instrument to be the free act and deed of said trust acting with full power and authority to so bind the trust.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

NOTARY PUBLIC

My Commission Expires:

[SEAL]

STATE OF Virginia)
) ss.
COUNTY OF Virginia Beach)

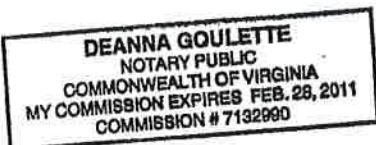
On this 20 day of July, 2009, to me personally known, appeared Larry McDaniel who, being by me duly sworn did say that he is a Co-Trustee of the Harley C. McDaniel and Delores M. McDaniel Revocable Living Trust dated December 20, 2005, and that said instrument was signed and delivered in behalf of said trustee by authority of the trust, and said Larry McDaniel acknowledged said instrument to be the free act and deed of said trust acting with full power and authority to so bind the trust.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

Deanna M. Goulette
NOTARY PUBLIC

My Commission Expires:

Feb 28 2011
[SEAL]



STATE OF Missouri)
) ss.
COUNTY OF JACKSON)

On this 20 day of July, 2009, to me personally known, appeared Pamela Markeson who, being by me duly sworn did say that she is a Co-Trustee of the Harley C. McDaniel and Delores M. McDaniel Revocable Living Trust dated December 20, 2005, and that said instrument was signed and delivered in behalf of said trustee by authority of the trust, and said Pamela Markeson acknowledged said instrument to be the free act and deed of said trust acting with full power and authority to so bind the trust.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

Christina A. Holmes
NOTARY PUBLIC

My Commission Expires:

2/14/2012
[SEAL]



File No.: 900062563

File No. 900062563

EXHIBIT A

All that part of the Northwest Quarter of the Southwest Quarter of Section 15, Township 48, Range 32, in Raytown, Jackson County, Missouri, described as follows: commencing at the Northeast corner of said Quarter Quarter Section; thence South 2 degrees 05 minutes 05 seconds East along the East line of said Quarter Quarter Section, 1206.11 feet; thence South 87 degrees 54 minutes 55 seconds West, 33.00 feet to a point on the West line of Westridge Road, as now established and the true point of beginning of the tract of land herein described, said point also being 360 feet North of the point of intersection of the West line of said Westridge Road and the Northeasterly line of Missouri Highway No. 350, as now established; thence South 87 degrees 34 minutes 55 seconds West, 242.10 feet; thence North 63 degrees 27 minutes 28 seconds West along a line that is 200 feet Northeasterly of and parallel with the Northeasterly line of said Missouri Highway No. 350, a distance of 400.00 feet; thence North 26 degrees 32 minutes 34 seconds East, 179.81 feet; thence North 63 degrees 27 minutes 28 seconds West, 22.00 feet; thence North 26 degrees 32 minutes 34 seconds East, 192.08 feet to the Southwesterly line of Jessica Lane as now established; thence in a Southeasterly direction along said Southwesterly line on a curve to the right having a radius of 900.00 feet and tangent to a line bearing South 71 degrees 42 minutes 20 seconds East, an arc distance of 19.60 feet; thence South 70 degrees 27 minutes 28 seconds East, 98.49 feet; thence in a Southeasterly direction along a curve to the right having a radius of 475.00 feet and tangent to the last described course, an arc distance of 227.65 feet; thence South 42 degrees 59 minutes 54 seconds East, tangent to said curve 37.12 feet; thence in a Southeasterly direction along a curve to the left having a radius of 150.00 feet and tangent to the last described course, an arc distance of 113.41 feet; thence in an Easterly, Southeasterly and Southerly direction along a curve to the right, having a radius of 20.00 feet and a tangent common to the last described curve, an arc distance of 29.40 feet to a point on the West line of said Westridge Road; thence South 2 degrees 05 minutes 05 seconds East along said West line, 255.86 feet to the true point of beginning.

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 48, RANGE 32, IN RAYTOWN, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE SOUTH 2 DEGREES 05 MINUTES 05 SECONDS EAST ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, 1206.11 FEET; THENCE SOUTH 87 DEGREES 54 MINUTES 55 SECONDS WEST, 33.00 FEET TO A POINT ON THE WEST LINE OF WESTRIDGE ROAD, AS NOW ESTABLISHED AND THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED, SAID POINT ALSO BEING 360 FEET NORTH OF THE POINT OF INTERSECTION OF THE WEST LINE OF SAID WESTRIDGE ROAD AND THE NORTHEASTERLY LINE OF MISSOURI HIGHWAY NO. 350, AS NOW ESTABLISHED; THENCE SOUTH 87 DEGREES 34 MINUTES 55 SECONDS WEST, 242.10 FEET; THENCE NORTH 63 DEGREES 27 MINUTES 28 SECONDS WEST ALONG A LINE THAT IS 200 FEET NORTHEASTERLY OF AND PARALLEL WITH THE NORTHEASTERLY LINE OF SAID MISSOURI HIGHWAY NO. 350, A DISTANCE OF 400.00 FEET; THENCE NORTH 26 DEGREES 32 MINUTES 34 SECONDS EAST, 179.81 FEET; THENCE NORTH 63 DEGREES 27 MINUTES 28 SECONDS WEST, 22.00 FEET; THENCE NORTH 26 DEGREES 32 MINUTES 34 SECONDS EAST, 192.08 FEET TO THE SOUTHWESTERLY LINE OF JESSICA LANE AS NOW ESTABLISHED; THENCE IN A SOUTHEASTERLY DIRECTION ALONG SAID SOUTHWESTERLY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 900.00 FEET AND TANGENT TO A LINE BEARING SOUTH 71 DEGREES 42 MINUTES 20 SECONDS EAST, AN ARC DISTANCE OF 19.60 FEET; THENCE SOUTH 70 DEGREES 27 MINUTES 28 SECONDS EAST, 98.49 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 475.00 FEET AND TANGENT TO THE LAST DESCRIBED COURSE, AN ARC DISTANCE OF 227.65 FEET; THENCE SOUTH 42 DEGREES 59 MINUTES 54 SECONDS EAST, TANGENT TO SAID CURVE 37.12 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET AND TANGENT TO THE LAST DESCRIBED COURSE, AN ARC DISTANCE OF 113.41 FEET; THENCE IN AN EASTERLY, SOUTHEASTERLY AND SOUTHERLY DIRECTION ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET AND A TANGENT COMMON TO THE LAST DESCRIBED CURVE, AN ARC DISTANCE OF 29.40 FEET TO A POINT ON THE WEST LINE OF SAID WESTRIDGE ROAD; THENCE SOUTH 2 DEGREES 05 MINUTES 05 SECONDS EAST ALONG SAID WEST LINE, 255.86 FEET TO THE TRUE POINT OF BEGINNING.

AFFIDAVIT, PROPERTY OWNER CONSENT FORM

Comes now Joseph C. Tutera ("Affiant"), of lawful age, sound mind and upon his/her oath states as follows:

1. That Affiant is the authorized representative of TI-Westridge Gardens, L.L.C. ("Land Owner").
2. That Land Owner is the property owner of property located at 11901 Jessica Lane, Raytown, Jackson County, Missouri (the "Property").
3. That Land Owner has authorized Advanced Recovery Systems, Inc. and Polsinelli PC to secure Conditional Use Permit, Preliminary Site Plan, Final Site Plan and any other necessary zoning approvals for the Property.

Further Affiant saith not.

TI-Westridge Gardens, L.L.C.

By: 

Name: Joseph C. Tutera

Title: Manager

STATE OF MISSOURI

COUNTY OF JACKSON

SUBSCRIBED IN MY PRESENT AND SWORN to before me this 16th day of July, 2021.

My commission expires: *March 29, 2025*




Notary Public



Official Tax Payment Receipt

Receipt No.:	12406371	Date and Time:	01/05/2021 00:00	Print Date:	7/16/2021 9:23:29 AM
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Receipt Details

Parcel No.	Tax Year	TCA/District	Amount Applied	Unpaid Balance Amount*	Description
44-930-07-10-00-0-00-000	2020	022	20,823.71	0.00	A/V Principal-Residential

Payer Name and Address Information

Name	Address	Tender Type	Amount Applied
TI WESTRIDGE GARDENS LLC	11901 JESSICA LANE, RAYTOWN, MO 64138	Personal Check	54,005.83

Owner Name and Address Information

Parcel No.	Name	Address	Since	To
44-930-07-10-00-0-00-000	TI WESTRIDGE GARDENS LLC	11901 JESSICA LANE, RAYTOWN, MO 64138 UNITED STATES	07/01/2009	Current

Distribution to Districts

Parcel No.	Tax Year	Agency	Amount
44-930-07-10-00-0-00-000	2020	BOARD OF DISABLED SERVICES	141.8065
	2020	CITY - RAYTOWN	1046.8337
	2020	FIRE DISTRICT - RAYTOWN	2922.0011
	2020	JACKSON COUNTY	1335.0353
	2020	MENTAL HEALTH	230.7360
	2020	METRO JUNIOR COLLEGE	464.9681
	2020	MID-CONTINENT LIBRARY	807.5762
	2020	RAYTOWN SCHOOL C-II	13809.2030
	2020	STATE BLIND PENSION	65.5500

Real Estate Legal Descriptions

Parcel No.	Legal Line	Line No.
44-930-07-10-00-0-00-000	RNG-32 TWP-48 SEC-15	1
	BEG 1185' E & 925' S OF NW COR SW TH S 258.86' TH W 242.1'	2
	NW 400' NE 179.81' NW 22' NE 192.08' TH FOL S ROW JESSICA	3
	LANE TO POB	4

***Interest, penalties and fees will be assessed on any unpaid balance amount.** The amount of any unpaid balance shown on this receipt is the unpaid balance amount at the time the receipt is run, exclusive of such interest, penalties and fees. Changes in the taxable value may alter your unpaid balance amount.

Failure of this payment to clear your financial institution will void this receipt. A returned item fee and late penalty may be assessed.

Please verify with your financial institution that this payment has cleared.

REMINDER: This application is for research purposes only and cannot be used to pay taxes. To pay your taxes, [Click here](#). Occasionally, the parcel number for a real estate parcel changes, due to a parcel segregation or merge. In such a case, a search of the new parcel number may not reflect tax delinquency or a full tax history concerning that parcel. You may wish to contact us to obtain that information. Or, you may wish to search all relevant parcel numbers of parcels involved in such a segregation or merge. [Click here to begin a search on this website to see if a parcel was involved in a segregation or merge occurring within the past five years and to see a list of parent parcel\(s\) and child parcel\(s\) involved.](#) **NOTE: Information concerning a segregation or merge occurring more than five years prior to the search is not available on this website.**

PZ 2021-06

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: September 2, 2021

Re: Revocation of Conditional Use Permit for Accessory Vehicle Sales from Recon Auto

CONDITIONAL USE PERMIT APPLICATION SUMMARY

Applicant: Stephen Jones, Recon Auto

Property Owner: William Graham

Property Location: 7609 Raytown Road

Request: Revoke Conditional Use Permit Issued to Recon Auto to Permit Accessory Vehicle Sales of up to 12 vehicles at a time.

On March 17, 2021, Stephen Jones, owner of Recon Auto, requested and was granted a Conditional Use Permit to add accessory Vehicle Sales of up to 12 vehicles at a time to his existing Vehicle Repair Business at 7609 Raytown Road in a Highway Commercial (HC) zoning district. Other tenants in the building include the property owner's Graham Plumbing business on the west end, Sisters in Christ next, then Recon Auto Repair, and the Disabled Veterans donation drop off facility on the far east end.



Figure 1 – Surrounding Zoning and Location Map



Staff Report

Community Development
Planning and Development Services

SURROUNDING ZONING AND LAND USES

Property's Zoning Classification	Highway Commercial (HC)
Surrounding Properties' Zoning	Highway Commercial (HC), High Density Residential (R-3), Low Density Residential (R-1)
Surrounding Overlay	350 Corridor Overlay
Surrounding Land Use	Commercial, Residential
Designated Future Land Use	Commercial
Ward	Ward 4
Approximate Land Area	1.54 Acres
Roadway Classification	Arterial, Highway

SITE DESCRIPTION, HISTORY, AND PRESENT USE

The site upon which Recon Auto is located consists of a 14,000 square foot multi-tenant office warehouse building surrounded by driveways and parking spaces. The lot is a through lot connecting Raytown Road with 350 Highway's eastbound lanes. The site plan for the property is dated 1987 and the building is identified as a "Retail Service Center" and has hosted numerous auto repair and motorcycle-related businesses over the years since construction. The primary tenant occupying 6500 square feet, about half the overall, is the property owner's business, Graham Plumbing. There are also three tenants in the remaining 7500 square feet, including Sisters in Christ, a religious organization in 1300 square feet that operates primarily at night, Recon Auto, the applicant, in 3500 square feet, and Disabled American Veterans in 2600 square feet on the easternmost end operating a donation drop off facility. These are the same tenants as existed in March, 2020, when the subject CUP was first issued to Recon Auto.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The structure is surrounded by commercial and apartment development on the east side of Raytown Road. On the North side of the subject property are two commercial buildings, including Popeyes Chicken. To the West are commercial multi-tenant buildings and the corner of a single family residential neighborhood on the west side of Raytown Road. To the South is the Raytown Village Apartments complex. To the East is the 350 Highway Corridor with Ace Hardware directly across the Eastbound Lanes of 350 Highway.

PUBLIC COMMENTS

The public notice was published in *The Daily Record* on August 17, 2021. Public notice letters were sent to property owners within 185 feet of the property by City Staff. The Neighborhood Information Meeting was held on August 19, and the business owner, property owner, and a relative of the business owner showed up for the meeting. The property was also posted with a public hearing sign. To date, the Community Development Department has received no additional calls or written emails or letters regarding this application.



ANALYSIS

The Conditional Use Permit contained several conditions of approval upon which very little work had been done since the permit was issued a year and a half ago. At the time of publication of the hearing notice to revoke the conditional use permit, it was not in compliance with most of the Conditions. Progress has occurred since and following is the current state of compliance as of August 27, 2021:

1. The Applicant shall mark the 12 spaces dedicated for used vehicle sales clearly with a professionally stenciled label "Vehicles For Sale Only" and a wide painted stripe across the ends of the 12 parking spaces dedicated to vehicle sales.

Each individual space of the 12 is properly stenciled as "Vehicle for Sale" and easily visible to any enforcement officer driving through the property.

2. The two handicapped parking spaces shown on the original site plan shall be restored to the site and properly marked with pole signs and have a properly striped unloading zone placed next to each marked handicapped space.

This has NOT been done. The property owner, Bill Graham has asserted to staff that this will be finished prior to the Board of Aldermen meeting on the revocation on October 5.

3. All signage shall be issued under separate permit process and shall meet Municipal Code requirements.

No new signage has been put up as originally anticipated and the dilapidated wooden sign backing on the front of the building Façade over Recon Auto's office has been completely removed.

4. No unlicensed/inoperable vehicles will be permitted to be stored on the property outside of the principal structure without proper screening if such is designed to contain vehicles overnight. All vehicles for sale shall be properly marked as "For Sale".

Code Enforcement inspected on August 27, 2021, and took photos and some inoperable/unlicensed vehicles are still on the property in violation of city ordinances and in violation of this condition of approval.

5. No Commercial Use Permit for vehicle sales will be issued until all requirements of this section have been met. A new business license shall be applied for to add the vehicle sales component.

No Commercial Use Permit has been issued for the Accessory Vehicle Sales nor has the Business License been updated to reflect the added Vehicle Sales



Staff Report

Community Development
Planning and Development Services

Component. Evidence is attached that vehicle sales are linked to this business and location by State of Missouri Sales Records.

6. The Recon Center shall not exceed the 24 parking spaces designated by its use category as auto repair and the 12 spaces designated for vehicle sales and shall not impede the activities of its neighbors by consuming parking spaces that are intended for their use. Further complaints received by the City from neighboring tenants regarding parking and drive aisle issues may result in this Conditional Use Permit being returned to the Planning Commission for reconsideration.

Code Enforcement inspected on August 27, 2021, and found this condition to be in compliance.

7. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

Catchall condition that Recon Auto is not in compliance with as a result of not having a valid business license to conduct vehicle sales.

RECOMMENDATION

Staff recommends the following:

The Planning Commission recommend to the Board of Aldermen that the Conditional Use Permit for Recon Automotive be revoked based upon non-compliance with the conditions of approval, given the 18 months of time that have passed within which the applicant could have easily become compliant. Additionally, Recon Center has been selling vehicles without a license to do so issued by the City of Raytown as evidenced by the attached State of Missouri Vehicle Sales documentation.

Boatmen's Bank - South Raytown
c/o Burr Wolf, LP
P.O. Box 2818
Alpharetta, GA 30023

Westlake Raytown Ctr., LLC
1120 California Cir.
Milipitas, CA 95035

James & Diane Caldwell
637 NE Shoreline Dr.
Lee's Summit, MO 64064

Sammye Wandick
9905 E. 76th Terr.
Raytown, MO 64138

Alfreda Boutell
9909 E. 76th Terr.
Raytown, MO 64138

9912 East 77th LLC
c/o Wayne Brockman
10900 E. State Hwy 350
Raytown, MO 64138

Mary Spidle
9908 E. 77th St.
Raytown, MO 64138

SRI Raytown, LLC
c/o Howard Schertz
232 Madison Ave., Ste. 608
New York, NY 10016

Raytown Fire District
7611 Raytown Rd.
Raytown, MO 64138

Bunde Investments, LLC
3414 Shawnee Mission Pkwy.
Fairway, KS 66205

Lockwood, LLC
7609 Raytown Road
Raytown, MO 64138

Lewis & Gloria Webb, Trustees
P.O. Box 2113
Lee's Summit, MO 64063

517 West 180th Street LLC
307 E. 91st St., Ste. 1E
New York, NY 10128

Tenant
9912 E. 77th St.
Raytown, MO 64138

Management
7705 Raytown Rd.
Raytown, MO 64138

Store Manager
7601 Raytown Rd.
Raytown, MO 64138

Liberty Tree Holdings
7608 Raytown Road
Raytown, MO 64138

Branch Manager
10100 E. 350 Hwy
Raytown, MO 64138

All persons & agencies listed notified
by US Mail letters sent on
August 11, 2021.


Chris Gilbert
Planning & Zoning Coordinator



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

August 11, 2021

Notice of Neighborhood Meeting in Your Area

And

Notice of Public Hearings

A neighborhood meeting is being hosted by the City of Raytown for all neighborhood residents, business owners and business operators to visit with staff regarding revoking a Conditional Use Permit for non-compliance with Conditions of approval, that was issued to Recon Automotive located at 7609 Raytown Road in the City of Raytown, Missouri, on March 17, 2020, permitting accessory sales of vehicles. This meeting will be held at Raytown City Hall in the Council Chambers **at 4:00pm on Thursday, August 19, 2021.**

A public hearing to consider revocation of this Conditional Use Permit will be held by the Raytown Planning & Zoning Commission **at 7:00pm on Thursday, September 2, 2021.** The packet and agenda should be available for view on the City of Raytown website on Friday, August 27, 2021.

The Raytown Board of Aldermen will also hold a public hearing to consider revocation of this Conditional Use Permit, tentatively scheduled for **7:00pm on Tuesday, October 5, 2021.**

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 neighborhood meeting and these public hearings to ask questions and provide comment regarding the proposed action. Additional information 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.

Neighborhood Meeting -- Recon Auto CUP Revocation

August 19, 2021
SIGN-IN SHEET

PLEASE PRINT LEGIBLY

Name	Mailing Address (Include City, State & Zip Code)	Daytime Phone #	Evening Phone #	E-Mail Address
Bill Graham	7609 Raytown Rd	313-5000		bill@graham
Stephen Jones	7609 Raytown Rd	816-433-6008		plumbing.com
Ernest Jones	7609 Raytown Rd	816-337-6939		joneserest@graham.com

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF JACKSON

} S.S.

Page 1 of 1

Before the undersigned Notary Public personally appeared **Stephen Pope** 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 **August 17, 2021** edition and ending with the **August 17, 2021** edition, for a total of 1 publications:

08/17/2021

Notice of Public Hearing

A public hearing to consider revoking a Conditional Use Permit for non-compliance with Conditions of approval, that was issued to Recon Automotive located at 7609 Raytown Road in the City of Raytown, Missouri, on March 17, 2020, permitting accessory sales of vehicles, will be held by the Raytown Planning & Zoning Commission at **7:00pm on Thursday, September 2, 2021**. The packet and agenda should be available for view on the City of Raytown website on Friday, August 27, 2021.

The Raytown Board of Aldermen will also hold a public hearing to consider revocation of this Conditional Use Permit, tentatively scheduled for **7:00pm on Tuesday, October 5, 2021**.

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 these revocation hearings. Additional information 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.

12026842 Jackson Aug. 17, 2021

Stephen Pope

Stephen Pope

Subscribed & sworn before me this 18 day of Aug, 2021
(SEAL)

Brandon Crail

Notary Public



ARTICLE V. - CONDITIONAL USES

Sec. 50-443. - Application of conditional uses.

- (a) Recognizing that certain uses may be desirable when located in the city but that these uses may be incompatible with other uses permitted in a district, certain conditional uses listed herein, when found to be in the interest of the public health, safety, morals and general welfare of the community, may be permitted by conditional use permit, except as otherwise specified, in any district from which they are not prohibited.
- (b) Before the location or establishment of, or before any changes in a conditional use permit, the application procedures, site plan requirements, public hearing requirements and actions as outlined in these regulations shall be followed. All applications for conditional use permits shall be reviewed by the planning commission. The commission shall make a recommendation to the board of aldermen, which may approve, approve conditionally or deny the application for a conditional use permit.
- (c) In case a protest against such conditional use permit is presented, duly signed and acknowledged (properly notarized) by the owners of 30 percent or more, either of the areas of land (exclusive of streets and alleys) included in such proposed permit, or within an area determined by lines drawn parallel to and 185 feet distant from the boundaries of the district proposed to be changed, such amendment shall not become effective except by the favorable vote of two-thirds of all members of the board of aldermen.
- (d) The city may, within the specifications herein provided, permit such buildings, structures or uses where requested. In considering any 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.

In this regard, the city may impose reasonable conditions on the approval of a conditional use permit. Such conditions may include a provision approving a conditional use permit limited to an individual property owner or owners alone or a provision approving a conditional use permit for a specific period of time.

- (e) Upon approval of a conditional use permit, the zoning district map shall be changed in the manner outlined in article XI of this chapter.

(Comp. Ord. of 4-20-2010, § 20-1)

Sec. 50-444. - Conditional uses enumerated.

The conditional uses may be approved by the city as provided in the use table in section 50-107. If no zoning district is listed after a particular conditional use, it may be placed in any zoning district consistent with the procedures contained in these regulations.

(Comp. Ord. of 4-20-2010, § 20-2)



Sec. 50-445. - Continuance of a conditional use.

A conditional use permit shall be allowed to continue, unless specified otherwise as a condition of its authorization, as long as all conditions placed on it are met; however, if after a public hearing the city finds that a particular use ceases to exist for a period of six months, or if the use is no longer in compliance with the conditions placed upon such conditional use permit by the planning commission and/or the board of aldermen, the property forfeits its conditional use permit. The permit will not be allowed to exist again unless a new application is made, a public hearing held as provided for in these regulations and a new conditional use permit approved.

(Comp. Ord. of 4-20-2010, § 20-3)

Sec. 50-446. - Parking regulations.

- (a) Parking requirements for conditional uses shall be approved by the city. The following shall be taken into consideration when reviewing and approving parking requirements:
 - (1) The use of the facility.
 - (2) The square footage of the building.
 - (3) The surrounding land uses and zoning districts.
- (b) Where appropriate, the parking regulations of the underlying zoning district or the most analogous zoning district shall be followed.
- (c) Additional parking requirements are contained in article X of this chapter.

(Comp. Ord. of 4-20-2010, § 20-4)

Secs. 50-447—50-452. - Reserved.

19497 WHITE OAK TRL KIRKSVILLE MO 63501 COUNTY: ADAIR
 OWNERS: L LAKE JERROD
 REG: 01/01/20 EXP: 21 BIG-PLTS: 4 SMALL-PLTS: 0 TOTAL-PLTS: 4
 UNITS SOLD IN 2021 NEW: 0 USED: 8 TOTAL: 8
 UNITS SOLD IN 2020 NEW: 0 USED: 31 TOTAL: 31
 UNITS SOLD IN 2019 NEW: 0 USED: 73 TOTAL: 73
 UNITS SOLD IN 2018 NEW: 0 USED: 40 TOTAL: 40
 UNITS SOLD IN 2010 NEW: 0 USED: 10 TOTAL: 10
 UNITS SOLD IN 2009 NEW: 0 USED: 14 TOTAL: 14
 UNITS SOLD IN 2008 NEW: 0 USED: 20 TOTAL: 20
 UNITS SOLD IN 2007 NEW: 0 USED: 42 TOTAL: 42
 UNITS SOLD IN 2006 NEW: 0 USED: 35 TOTAL: 35

DEALER# *****

D6426 THE RANCH LLC PHONE: 816-436-0040
 12723 N VIRGINIA AVE KANSAS CITY MO 64165 COUNTY: CLAY
 OWNERS: SCHMIDT REBEKAH L
 REG: 01/01/21 EXP: 22 BIG-PLTS: 8 SMALL-PLTS: 2 TOTAL-PLTS: 10
 UNITS SOLD IN 2021 NEW: 0 USED: 28 TOTAL: 28
 UNITS SOLD IN 2020 NEW: 0 USED: 161 TOTAL: 161
 UNITS SOLD IN 2019 NEW: 2 USED: 102 TOTAL: 104
 UNITS SOLD IN 2018 NEW: 0 USED: 103 TOTAL: 103
 UNITS SOLD IN 2017 NEW: 0 USED: 401 TOTAL: 401
 UNITS SOLD IN 2016 NEW: 0 USED: 172 TOTAL: 172
 UNITS SOLD IN 2015 NEW: 0 USED: 34 TOTAL: 34
 UNITS SOLD IN 2009 NEW: 0 USED: 1 TOTAL: 1
 UNITS SOLD IN 2008 NEW: 0 USED: 8 TOTAL: 8
 UNITS SOLD IN 2006 NEW: 0 USED: 13 TOTAL: 13

DEALER# *****

D4680 THE RECON CENTER LLC PHONE: 816-433-6008
 7609 RAYTOWN RD RAYTOWN MO 64138 COUNTY: JACKSON
 OWNERS: JONES STEPHEN K JONES ISEANIE T
 REG: 01/01/21 EXP: 22 BIG-PLTS: 10 SMALL-PLTS: 0 TOTAL-PLTS: 10
 UNITS SOLD IN 2021 NEW: 1 USED: 87 TOTAL: 88
 UNITS SOLD IN 2020 NEW: 2 USED: 186 TOTAL: 188
 UNITS SOLD IN 2019 NEW: 1 USED: 60 TOTAL: 61
 UNITS SOLD IN 2010 NEW: 0 USED: 58 TOTAL: 58
 UNITS SOLD IN 2009 NEW: 0 USED: 126 TOTAL: 126
 UNITS SOLD IN 2008 NEW: 0 USED: 101 TOTAL: 101
 UNITS SOLD IN 2007 NEW: 0 USED: 115 TOTAL: 115
 UNITS SOLD IN 2006 NEW: 0 USED: 139 TOTAL: 139

DEALER# *****

T343 THE RV FIRM PHONE: 417-771-9761
 16326 LAWRENCE 1232 MARIONVILLE MO 65705 COUNTY: LAWRENCE
 OWNERS: BOSOVIK PAVEL PETROVICH
 REG: 01/01/21 EXP: 21 BIG-PLTS: 1 SMALL-PLTS: 0 TOTAL-PLTS: 1

DEALER# *****

D7934 THE SALVATION ARMY PHONE: 816-421-5434
 1351 E 10TH ST KANSAS CITY MO 64106 COUNTY: JACKSON
 OWNERS: THOMAS MICHAEL T
 REG: 02/07/20 EXP: 21 BIG-PLTS: 2 SMALL-PLTS: 0 TOTAL-PLTS: 2
 UNITS SOLD IN 2021 NEW: 0 USED: 6 TOTAL: 6
 UNITS SOLD IN 2020 NEW: 0 USED: 0 TOTAL: 0
 UNITS SOLD IN 2019 NEW: 0 USED: 9 TOTAL: 9
 UNITS SOLD IN 2018 NEW: 0 USED: 8 TOTAL: 8
 UNITS SOLD IN 2017 NEW: 0 USED: 17 TOTAL: 17
 UNITS SOLD IN 2016 NEW: 0 USED: 30 TOTAL: 30
 UNITS SOLD IN 2015 NEW: 0 USED: 21 TOTAL: 21
 UNITS SOLD IN 2014 NEW: 0 USED: 12 TOTAL: 12
 UNITS SOLD IN 2013 NEW: 0 USED: 50 TOTAL: 50