

CITY OF RAYTOWN
PLANNING & ZONING COMMISSION
AGENDA

Raytown City Hall
Board of Aldermen Meeting Chambers
10000 East 59th Street
Raytown, Missouri 64133
March 3, 2022
7:00 pm

1. Welcome by Chairperson

2. Call meeting to order and Roll Call

Wilson:	Thurman:	Emerson:
Hunt:	Frazier:	Stock:

3. Approval of February 3, 2022, 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 2022-03

Applicant: Jesus and Georgina Aguilera

Reason: Approval of Conditional Use Permit for an "Assembly" Use in the Form of an Event Space, to be Located at 10028 E. 63rd Street in an NC, Neighborhood Commercial District.

- 1. Introduction of Application by Chair
- 2. Explanation of any exparte' communication from Commission members regarding the application
- 3. Swearing in of all speakers by City Attorney that plan to give testimony during hearing
- 4. Enter Additional Relevant City Exhibits into the Record:
 - a. Staff report
 - b. 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, April 7, 2022, at 7:00 PM.

9. Adjourn

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

**February 3, 2022
7:00 pm**

****ZOOM MEETING DUE TO WINTER WEATHER WARNING IN EFFECT****

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

Wilson:	Present	Thurman:	Present	Emerson:	Present
Stock:	Present	Frazier:	Absent	Hunt:	Present
Meyers:	Present	Bruenger:	Present		

- 3. Approval of Minutes:** Minutes of January 6, 2022, were approved 5-0-1 (Bruenger abstaining and 6 total commissioners present at time of vote) upon motion by Ms. Stock and second by Mr. Meyers.

- 4. Old Business:**

- A. Case No.: PZ 2021-09: (Continued from December 2, 2021, Meeting) Application filed by James McCray Requesting Approval of a Conditional Use Permit for a Group Home for Disabled Individuals to be Located at 6209 Blue Ridge Cutoff in an R-1, Low Density Residential, District.**

Chris Gilbert informed the Planning Commission that the Applicant has withdrawn this application until issues with State of Missouri licensing can be worked out and a new application will be filed at some point in the future when he is ready to move forward.

- 5. New Business:**

- A. Case No.: PZ 2022-02: Application filed by Monopoly Acquisitions, LLC, Requesting Approval of a Conditional Use Permit for an Animal Kennel Facility providing Animal Rescue Services, Training Services, and Animal Adoption Services, to be Located at 6204 Arlington Avenue in a NC, Neighborhood Commercial District.**

- 1. Introduction of Application by Chairman.**

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

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

Mr. Meyers and Mr. Bruenger both noted ex-parte contacts with the parties involved in this case but both stated it would not affect their decisions on the matter.

3. Enter Relevant Exhibits into the Record.

Chairman Wilson entered the staff report and supporting documents into the record.

4. Applicant Presentation of Application.

Stacey Payne of Monopoly Acquisitions, LLC, and Melody Huff of Asherville Road, Beloit , Kansas, representing Pet Connection, which will use the space on behalf of the owner, presented how they would manage the property for the range of activities that are proposed under the CUP for an Animal Kennel Facility.

5. Staff Presentation of Application.

Chris Gilbert, Planning & Zoning Coordinator provided the staff report, reviewing the location of the application, surrounding zoning and uses of property, compliance with factors to be considered, in addition to the detailed Conditions of Approval for the application.

6. Request for Public Comment by Chairman.

Chairman Wilson asked if anyone was present to speak on this application. Matthew Tholen, the resident caretaker on the property, stated he would be there to assist with off hours care of the animals. It was determined after the meeting that one neighbor attempted join the meeting but was unable to do so even though everyone else expected at the meeting was able to connect. The neighbor was asked to attend the Board of Aldermen meeting in person.

7. Commission Discussion.

The commissioners asked several questions of the applicant. The applicant agreed to all staff conditions of approval.

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

Ms. Stock moved, and Ms. Emerson seconded, to recommend approval of the Conditional Use Permit to the Board of Aldermen with the conditions contained in the staff report.

VOTE: Motion passed 7-0.

6. Other Business- Annual Meeting and Election of Officers:

A. Election of Officers. The Planning Commission elected its officers for 2022 as follows:

Ms. Stock moved and Ms. Emerson seconded to nominate Kevin Wilson to continue as Chairman of the Planning Commission. The motion passed 7-0

Mr. Meyers moved and Ms. Stock seconded to nominate David Frazier as Vice-Chairman of the Planning Commission. The motion passed 7-0

Ms. Emerson moved and Mr. Wilson seconded to nominate DeeAnn Stock to continue as Secretary of the Planning Commission. The motion passed 7-0

B. Legal Briefing on Planning Commission Duties and Responsibilities.

City Attorney Jennifer Baird provided the legal briefing PowerPoint presentation going over the history of zoning, what types of matters Planning Commissioners review and what their powers are in relation to the matters under their purview.

C. Briefing on the Path of a Typical Application from Filing of the Application to Ordinance.

Planning and Zoning Coordinator Chris Gilbert provided the briefing explaining the numerous steps involved in the review of a Planning Commission application, using a Conditional Use Permit as the application type since so many cases reviewed by the Planning Commission are of this variety.

7. Set Future Meeting Date – Next scheduled meeting date is March 3, 2022.

8. Meeting was Adjourned at 8:47 upon motion by Ms. Thurman and second by Ms. Stock.

PZ 2022-03

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: March 3, 2022

Re: Application for Conditional Use Permit

CONDITIONAL USE PERMIT APPLICATION SUMMARY

Applicant: Jesus and Georgina Aguilera

Property Owner: Jesus and Georgina Aguilera

Property Location: 10028 E. 63rd Street

Request: Conditional Use Permit approval for "Assembly" Use in the form of an Event Space, to be Located at 10028 E. 63rd Street in an NC, Neighborhood Commercial District

The applicants, Jesus and Georgina Aguilera, are requesting Conditional Use Permit (CUP) approval to open an Assembly Use in the form of an Event Space at 10028 E. 63rd Street on the downtown block of Raytown, within both the Neighborhood Commercial (NC) zoning district and the Central Business District Overlay. Per the statement of intent from the applicants included as an attachment to this staff report, they purchased this property about a year ago and have been remodeling it inside to modernize the space for a small family-run event center in what used to be known as Wal-Nic's. Per the city's land use table, this type of use can only be conditionally approved in the NC, Neighborhood Commercial, zoning district.



Figure 1 – Location and Vicinity Map – Downtown Raytown

The subject property is the largest property on the north side of 63rd Street in the Downtown block of Raytown where all the businesses open directly onto the public sidewalk and share common walls, anchored at the west end by Fox Drugs and the east end by Robert Atkins' Farmer's Insurance Office. The applicant has provided a conceptual layout for how the interior and exterior areas can be set up for this use that is included in the attachments to this staff report.

SURROUNDING ZONING AND LAND USES

Property's Zoning Classification	Neighborhood Commercial (NC)
Surrounding Properties' Zoning	Neighborhood Commercial (NC)
Surrounding Overlay	Central Business District (CBD)
Surrounding Land Use	Commercial
Designated Future Land Use	Downtown District
Ward	Ward 2
Approximate Land Area	0.2 Acres
Roadway Classification	Arterial w/ City Alley along the back side

SITE DESCRIPTION, HISTORY, AND PRESENT USE

This building, which shares common walls with neighbors to the east and west, has been licensed as an event space multiple times in the past, including as Wal-Nic's from 2003 to 2014, then as KZZ from 2016 to 2020, when, shortly thereafter, was purchased by the applicants. Prior to 2003 there were a variety of tenants, including BBQ restaurant, sales outlet, and used furniture store. Copies of CUP Ordinances for event spaces approved in 2008 and 2014 are included in the attachments to this report. The approximate usable floor space for assembly purposes that is not bathrooms, storage areas, hallways, and the kitchen, in this building is 2400 square feet based upon the architectural analysis attached to this report.



Figure 2 – Site Photos – (L) Storefront on 63rd Street. (R) Rear of Property on Public Alley



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Planning and Development Services

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is surrounded by the following types of development:

To the West: Zero-lot-line businesses, including a bar, insurance agency, barber shop, and Fox Drugs.

To the South: Raytown Water Company Headquarters, shoe repair, fitness center, with upper floor loft residential.

To the East: Insurance agency and cigar lounge.

To the North: The Town Square property owned by the City and used for seasonal performance events. Used to be the First Baptist Church site until it moved to 350 Highway and the old buildings and lots demolished and is now a grass field.

PUBLIC COMMENTS

The public hearing notice was published in *The Daily Record* on February 14, 2022. Public notice letters were sent to property owners within 185 feet of the property by the applicant. The Neighborhood Information Meeting was held on February 22, 2022 (had to be rescheduled due to winter weather emergency to this date and new letters were hand carried to businesses within 185 feet as there was not enough time to mail new letters). A sign-in sheet from this meeting and a detailed synopsis of the discussions held with the attendees, as prepared by the applicant following the meeting, is attached to this staff report. To date, the Community Development Department has received two additional letters/calls/emails regarding this application, in the form of a letter of support (attached to this report) from Neal Clevenger, who owns a lot of property in the vicinity of this application. The second inquiry came in the form of questions asked by the Sue Frank Insurance Agency. The property was posted by the applicant with the required public hearing sign on February 16, 2022.

ANALYSIS

Evaluating an application for a conditional use permit requires consideration to be given by the City of Raytown to the health, safety, morals, comfort and general welfare of the inhabitants of the City, including but not limited to, the following factors:

1. Stability and integrity of the various zoning districts

The parcel and all adjacent lots are shown as "Downtown District" or "Commercial" on the Future Land Use Map incorporated in the Raytown Comprehensive Plan and also presently zoned Neighborhood Commercial (NC).

Section 50-185 of the Raytown Municipal Code, describing the NC zoning district, states it is designed to "provide a location for miscellaneous retail, wholesale, and businesses serving the consumer public and business". This application meets this intent for the NC zone as it is a business serving the consumer public by providing a gathering and entertainment venue, not too unlike the public venue on the adjacent Town Square tract to the north.

The proposed use would maintain the stability and integrity of the Neighborhood Commercial zoning district as assembly uses can generate increased revenues for nearby businesses



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during events and the small size of the assembly area will not lead to excessive overcrowding in the downtown area during events as the applicant is being required to provide a minimum amount of dedicated parking required by Ordinance that is not inclusive of all on-street "extra" parking on 63rd Street along this block.

2. Conservation of property values

Due to the significant amount of money put into upgrading the property, there should be a beneficial impact on property values. The Downtown Raytown block between Raytown Road and Blue Ridge Blvd. has existed for over 70 years and has hosted a variety of uses and tenants during this time of which the current applicants' building was formerly an event space itself for many years between 2003 and 2020, so the proposed application would be re-introducing this use.

3. Protection against fire and casualties

The applicant has submitted an architectural analysis as required, and all internal modifications in accordance with the architect's recommendations shall be completed in accordance with Raytown Fire District requirements and City of Raytown Building Codes.

4. Observation of general police regulations

The proposed business will not violate any general police regulations if the events are handled in an orderly manner. Nightclubs, dance halls, and discotheque style assembly which has a greater chance of generating situations requiring police response is not permitted under the requested "assembly" use which includes Event Spaces. There is a specific separate Conditional Use required for the Nightclub category, which the applicant is not intending to operate.

5. Prevention of traffic congestion

Multiple access points out to Blue Ridge Blvd. and Raytown Road from the parking area in back should be sufficient to handle the event traffic for the requested use, particularly given its small size. Additionally, the overflow parking on 63rd Street is available as well.

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

The applicants are required to provide 24 parking spaces uniquely under their control, of which 11 are shown directly behind their building including handicapped parking. The additional 13 are required to be provided within 300 feet and the applicant is still attempting to confirm control of these spaces. Initially he had them lined up with adjacent owners but due to how the spaces were accounted for was unable to include them in the count and is still looking.

7. Promotion of the safety of individuals and property

The Applicant will be required to ensure the Assembly activities are managed in a manner that observes proper decorum, providing a safe environment for all patrons and their property.

8. Provision for adequate light and air

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



9. Prevention of overcrowding and excessive intensity of land uses

The proposed business will affect the intensity of land uses in the area but only for short periods during events. It is an existing commercial area that has hosted events for years in the past thus the proposed use can easily be compatible with the other uses in the downtown area if the required committed parking is available.

10. Provision for public utilities and schools

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

11. Invasion by inappropriate uses

Staff does not view the proposed business as an inappropriate use at this location. The proposed Assembly use is a commercial use that has twice been approved at this location in the past by CUP Ordinance, in 2008 and 2015. This would be a continuation of similar activities by a different owner.

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

The proposed use will require interior improvements in accordance with the architects recommendations to meet Building and Fire Code for group events but no exterior improvements other than striping and properly marking the parking in the rear of the building.. Requiring Central Business District (CBD) Overlay standards for a reuse of an existing commercial structure will be extremely difficult to enforce as the site is not being modified, expanded, reconstructed, etc., so as such does not require application of such standards at the present time with this application. Any new signage required for the business, however, will have to meet the channel lettering design style requirement of the CBD standards. Signage is approved under a separate permit process.

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

As the property is a currently existing developed commercial building and the use is a commercial use consistent with approved uses over the past 20 years, the proposed business is consistent with overall planning principles.

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

The proposed business, if approved and managed properly by the applicant, will contribute to the orderly and proper renewal, development and growth of the City. The proposed business should not affect the orderly and proper renewal, development or growth of the city. The applicant's proposed re-use of a vacant building, combined with the recommended conditions of approval, will contribute to the orderly renewal of the city by continuing occupancy in a structure that risks remaining vacant for an extended period otherwise, which is already being experienced by the building on the immediate west side of this property.

The view can also be taken that the property might be better utilized as a pure retail use. By taking this approach, there is no guarantee that the building will get an interested party that would invest the significant sums needed to redevelop a building designed as an event space into a retail-viable facility. The possibility exists if this application is turned down, the subject



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property would remain vacant for a much longer time, delaying site improvements and maintenance, and creating a significant appearance issue, while also lowering surrounding property values and potentially creating a target for vandalism and other forms of crime.

RECOMMENDATION

Staff recommends CONTINUANCE of Case No. PZ 2022-03 to the April 7, 2022, Planning Commission Meeting to provide the applicant additional time to secure 13 parking spaces

Based upon the present situation, this Request for Conditional Use Permit approval for an "Assembly" Use in the form of an Event Space, to be located at 10028 E. 63rd Street, in an NC, Neighborhood Commercial District, should only be approved with the following conditions:

The following Conditions of Approval of this CUP shall be satisfied within 30 days of approval of the Ordinance and prior to approval of the Commercial Use Permit. In exceptional circumstances, such as seasonal weather constraints, the Director of Community Development may grant an extension:

1. Ensure rear parking lot is properly striped to include a single handicapped "Van Accessible" parking space accessible to the main entrance of the building that meets all Americans with Disabilities Act (ADA) standards regarding striping and signage.
2. Prove through signed and notarized cross-parking easement agreements with property owners possessing extra parking not required for their needs within 300 feet that the required 24 parking spaces to serve this use are fully under the control of the applicant.
3. Remove all reference to "Wal-Nic's" from the Building Façade.

The following conditions are required to be met on an ongoing basis:

4. Any future intent to serve alcohol by the drink on the premises shall require an application be filed with the City and a permit be issued for such activity before any drinks are served.
5. The occupant load of the building shall be kept under 100 persons per the submitted architectural analysis.
6. The exterior areas of the building and property shall be illuminated in such a manner as to ensure the safety of the public before, during, and after events.
7. Parking area behind the building shall be maintained in good condition at all times.



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8. Ensure the entire building exterior is maintained in good condition at all times, including paint, doors, windows, foundation, roof, and storage areas.
9. Ensure the site is maintained in good condition at all times, including trimming of weeds and grass growing in cracks. All junk, trash, and debris that collects on the site to be removed immediately and not permitted to remain.
10. All signage for the use shall be issued under separate permit process and shall meet Municipal Code requirements.
11. Any trash dumpster placed on site needs to be either within a fully enclosed dumpster enclosure or stored indoors, except on trash pickup day.

General Conditions of Approval:

12. A Commercial Use Permit or business license shall not be issued until Items #1 to #3 under Conditions of Approval are completed. The property should not be occupied and used for private or public auto repair until the Commercial Use Permit and/or a Business License to operate are issued.
13. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

CODE ANALYSIS

LOCATION:
10028 E 69RD STREET
RAYTOWN, MO 64135

BUILDING OWNER:
KEVIN AQUILERA
341 NE SUMMIT DRIVE
BLUE SPRINGS, MO 64014

ARCHITECT:
GVENTHER STUDIO
P.O. BOX 184
BLUE SPRINGS, MO 64015
(816) 418-7645

BUILDING DESCRIPTION:
-EXISTING ONE-STORY (NO BASEMENT)
-NOT SPRINKLED
-EXTERIOR WALLS - MASONRY
-FIRST FLOOR - CONCRETE SLAB ON GRADE
-STRUCTURE - EXPOSED STEEL COLUMNS & MASONRY BEARING WALLS
-ROOF - WOOD JOISTS

APPLICABLE CODES:
INTERNATIONAL BUILDING CODE (IBC), 2018 EDITION
INTERNATIONAL CODE FOR EXISTING BUILDINGS (IEBC), 2018 EDITION
INTERNATIONAL MECHANICAL CODE (IMC), 2018 EDITION
INTERNATIONAL PLUMBING CODE (IPC), 2018 EDITION
INTERNATIONAL FIRE CODE (IFC), 2018 EDITION
NATIONAL ELECTRICAL CODE (NECA 70), 2017 EDITION
INTERNATIONAL ENERGY CONSERVATION CODE (IECC), 2018 EDITION
ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES, 2011 ICC A117.1

CONSTRUCTION TYPE AND USE:
TYPE III - B

USE GROUP AREAS & OCCUPANCY LOAD:
A-2, BANQUET HALL

AREA:
5172 GROSS SQUARE FEET

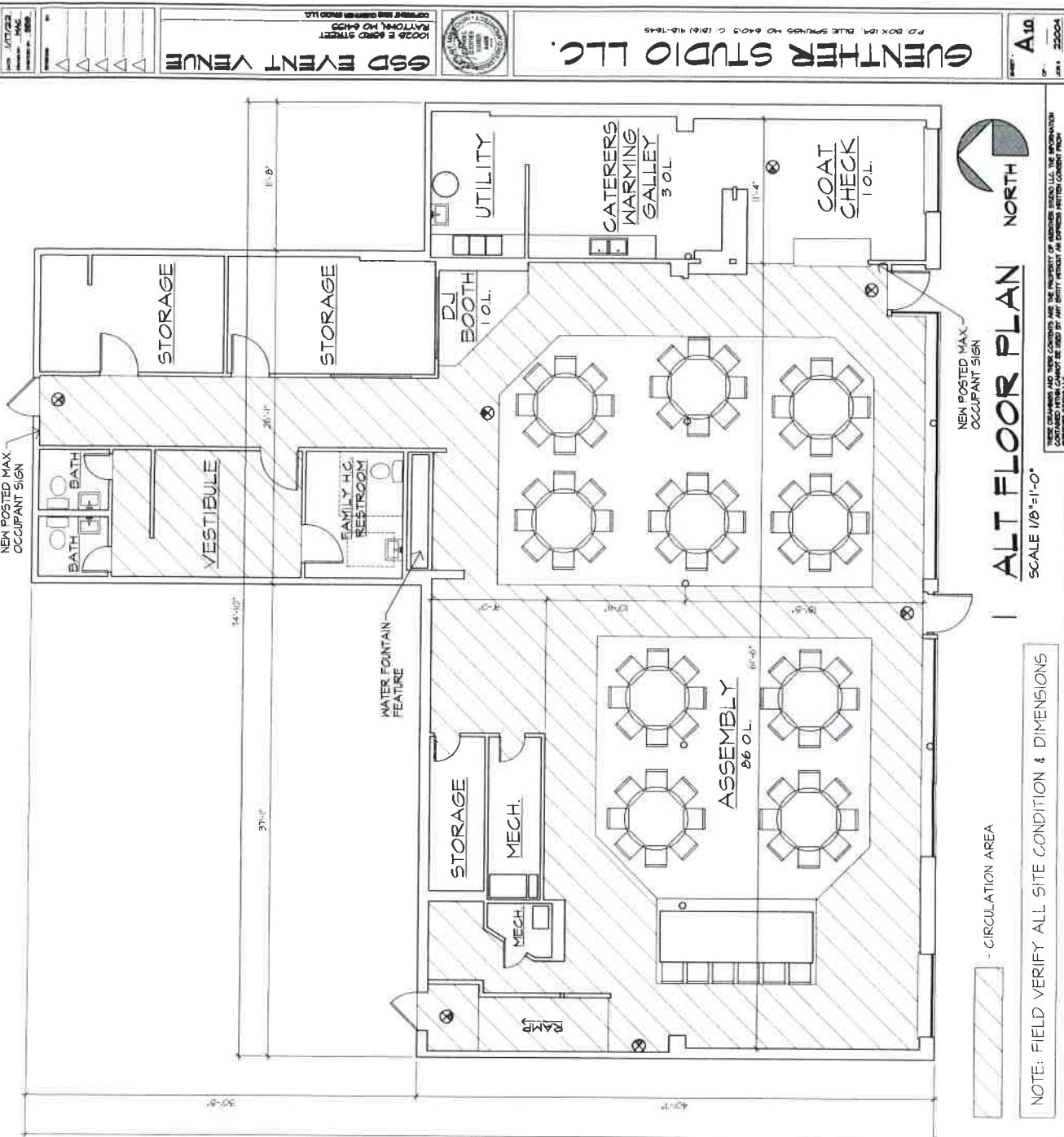
OCCUPANT LOAD:
ASSEMBLY 86 O.L.
D.J. BOOTH 1 O.L.
COAT CHECK 1 O.L.
GALLEY 5 O.L.
MISC. 5 O.L.

TOTAL O.L. = 104 O.L.

EGRESS REQUIREMENTS:
2 EXITS REQUIRED, 4 PROVIDED

FIRE RESISTANCE RATING REQUIREMENTS TABLE 601:

STRUCTURAL FRAME	0 HOUR
EXTERIOR BEARING WALL	2 HOUR
INTERIOR BEARING WALL	0 HOUR
INTERIOR NON-BEARING WALL	0 HOUR
FLOOR CONSTRUCTION	0 HOUR
ROOF CONSTRUCTION	0 HOUR



ALT FLOOR PLAN
SCALE 1/8"=1'-0"
NEW POSTED MAX. OCCUPANT SIGN
NEW POSTED MAX. OCCUPANT SIGN
NORTH

NOTE: FIELD VERIFY ALL SITE CONDITION & DIMENSIONS

CODE ANALYSIS

LOCATION:
10028 E 63RD STREET
RAYTOWN, MO 64133

BUILDING OWNER:
LEAS AGUILERA
541 NE SUMMIT DRIVE
BLUE SPRINGS, MO 64014

ARCHITECT:
GÜENTHER STUDIO
P.O. BOX 184
BLUE SPRINGS, MO 64015
(816) 918-7645

BUILDING DESCRIPTION:
-EXISTING ONE-STORY (NO BASEMENT)
-NOT SPRINKLED
-EXTERIOR WALLS - MASONRY
-FIRST FLOOR - CONCRETE SLAB ON GRADE
-STRUCTURE - EXPOSED STEEL COLUMNS & MASONRY BEARING WALLS
-ROOF - WOOD JOISTS

APPLICABLE CODES:
INTERNATIONAL BUILDING CODE (IBC), 2018 EDITION
INTERNATIONAL CODE FOR EXISTING BUILDINGS (IEBC), 2018 EDITION
INTERNATIONAL MECHANICAL CODE (IMC), 2018 EDITION
INTERNATIONAL PLUMBING CODE (IPC), 2018 EDITION
INTERNATIONAL FIRE CODE (IFC), 2018 EDITION
NATIONAL ELECTRICAL CODE (NECA 70), 2017 EDITION
INTERNATIONAL ENERGY CONSERVATION CODE (IECC), 2018 EDITION
ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES, 2011 ICC A11.1

CONSTRUCTION TYPE AND USE:
TYPE III - B

USE GROUP, AREAS & OCCUPANCY LOAD:
A-2, BANQUET HALL

AREA:
3742 GROSS SQUARE FEET

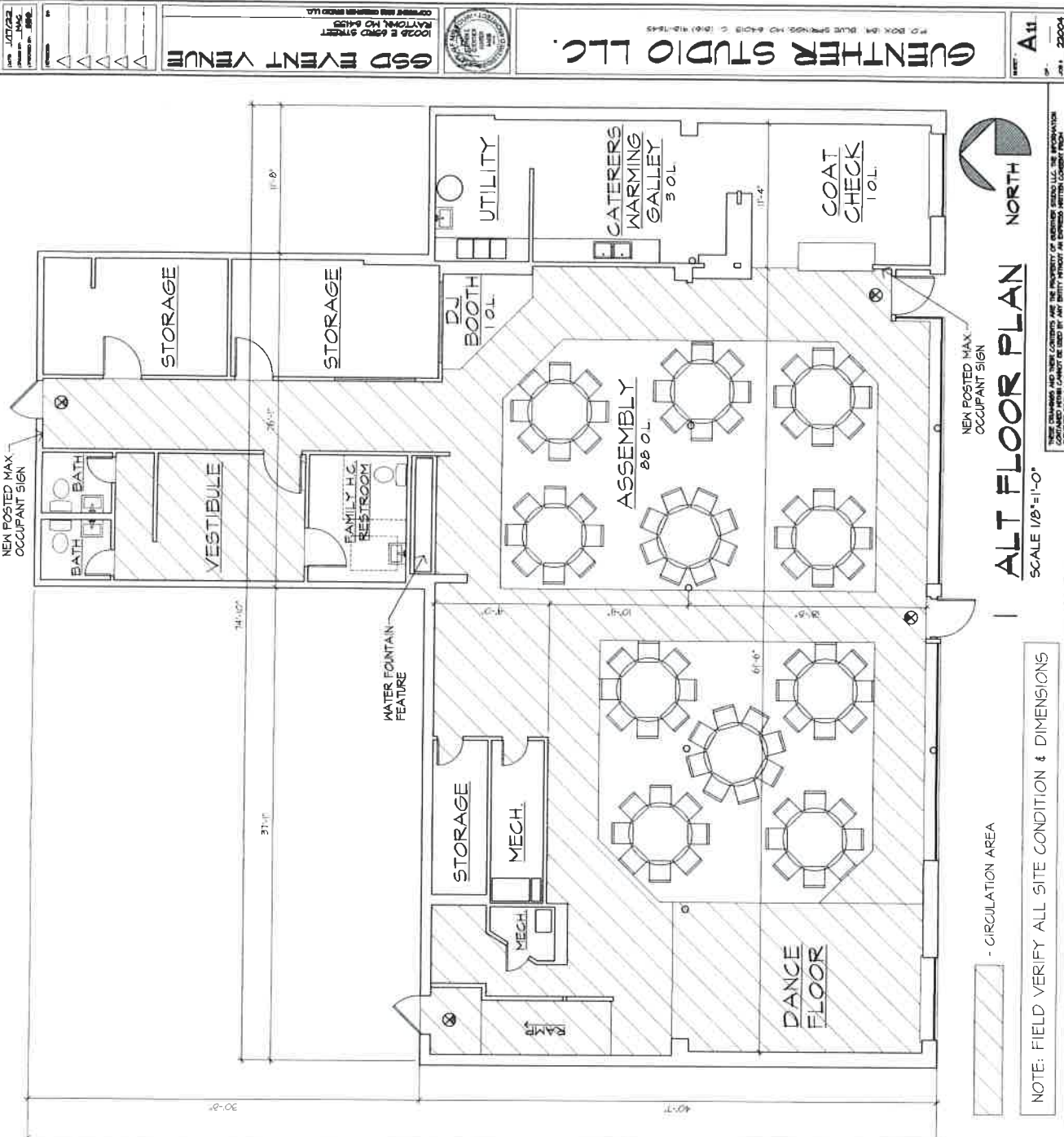
OCCUPANT LOAD:
ASSEMBLY 88 O.L.
D.J. BOOTH 1 O.L.
COAT CHECK 1 O.L.
GALLEY 5 O.L.
MISC. 9 O.L.

TOTAL O.L. = 96 O.L.

EGRESS REQUIREMENTS:
2 EXITS REQUIRED, 4 PROVIDED

FIRE RESISTANCE RATING REQUIREMENTS TABLE 601:

STRUCTURAL FRAME	0 HOUR
EXTERIOR BEARING WALL	2 HOUR
INTERIOR BEARING WALL	0 HOUR
INTERIOR NON-BEARING WALL	0 HOUR
FLOOR CONSTRUCTION	0 HOUR
ROOF CONSTRUCTION	0 HOUR



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Case Number _____
Date Received _____
Map Page _____

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

PART I Background Information

1. This request applies to property at the following address:
10028 E 63rd St Raytown, MO 64133

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

Name	Address	Phone
<u>Jesus Aguilera</u>	<u>541 NE Summit Dr</u>	<u>816-585-5787</u>
<u>Georgina Aguilera</u>	<u>Blue Springs 64014</u>	<u>816-328-7630</u>

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

Name	Address	Phone/Email
<u>JESUS AGUILERA</u>	<u>SAME IS ABOVE</u>	

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

Event Center

5. Zoning classification of the property: NC

6. Specify the use desired for the property: FAMILY/ADULT EVENT CENTER

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

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

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

<u>JESUS AGUILERA</u>	<u>Georgina Aguilera</u>
<u>Geo Aguilera</u>	<u>Georgina Aguilera</u>

Jesus & Georgina Aguilera
541 NE Summit Drive
Blue Springs MO 64014
Aguileragto@yahoo.com
(816) 585-5787

January 10, 2022

Mr. Ray Haydaripoor, Community Development Director
Raytown MO, city of
Community Development Department
Planning and Development Services
1000 East 59th Street
Raytown, MO 64133

Sir:

We are Georgina and Jesus Aguilera. We presently reside at 541 NE Summit Drive, Blue Springs MO 64014. We came to the United States in 1994 as a young couple in search of opportunity and a better life. We aspired to one day own a business and start a family. We worked hard and saved money. Here we are today with teenage children and having purchased a piece of commercial property in Raytown.

We purchased the property here in Raytown at 10028 E 63rd Street about a year ago. This property had been an event center for some fifteen years but fell into decline. We saw an opportunity to continue to build upon our dream. We invested most of our saving in the property acquisition and poured in a lot of sweat equity. The vision begin to come into focus for a nice place for small graduation and wedding receptions, birthday parties and other special events for less than one hundred people. The old was being made new and inviting.

We have already spent most of our savings to purchase the building and over \$8,000 on new flooring, repainting the inside, and replacing light and bathroom fixtures. When you approve the site plan, we will repaint the outside of the building and restripe the parking lot according to municipal code. We will complete all recommended improvements to ensure the new event centers meets all municipal building standards and has that special curb appeal.

We will certainly listen to the wisdom of the Council to help us continue to build our dream and help make Raytown the best it can be.

Thank you for considering our application. We will attempt to answer all of your questions.

Kind regards,

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO OPERATE A BANQUET HALL IN DISTRICT N-C (NEIGHBORHOOD COMMERCIAL) ON LAND LOCATED AT 10020 – 10030 EAST 63RD STREET, ALL IN ACCORDANCE WITH THE PROVISIONS OF COMPREHENSIVE ZONING REGULATIONS, FOR THE CITY OF RAYTOWN, MISSOURI.

WHEREAS, pursuant to City Code Chapter 26, Section 20 of the Zoning Ordinance, Application No. PZ-2008-011, submitted by Regina Walters and Shawna Nicholls on behalf of Siatta Investments LLC, requesting a conditional use permit to use property located in a Neighborhood Commercial (NC) District at 10020-10030 East 63rd Street for operation of a commercial banquet hall was referred to the Planning Commission to hold a public hearing; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing on June 5, 2008, and rendered a report to the Board of Aldermen containing findings of fact and a recommendation that the conditional use permit requested be approved; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on July 1, 2008 and July 15, 2008, and rendered a decision to grant said conditional use permit.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – GRANT OF CONDITIONAL USE PERMIT. That pursuant to City Code Chapter 26, Section 20 of the Zoning Ordinance of the City of Raytown, Missouri, a Conditional Use Permit, subject to the conditions set forth herein, is hereby granted to Siatta Investments, LLC to allow property located at 10020-10030 East 63rd Street to be used as a banquet hall in the Neighborhood Commercial (NC) District, on said property legally described as follows:

Lots 11, 12 and 13, Rieder's Subdivision, Jackson County, Missouri.

SECTION 2 – CONDITIONS OF APPROVAL AND OPERATION. That the following conditions of approval shall apply and be followed during the operation of the business allowed by this Conditional Use Permit:

1. The occupant load within the assembly area inside the building shall not exceed 297 persons.
2. Loitering or the creation of a public nuisance or disturbance of the peace by any patron of the banquet hall on the premises or in the immediate vicinity of the banquet hall shall be prohibited. Loitering shall not include walking between the banquet hall building and the patron's vehicle, nor shall it include the act of waiting in line to gain admission to the hall as long as the patrons are not creating a public nuisance or disturbing the peace while waiting in line.
3. The premises shall be kept free from litter resulting from the operation of the banquet hall.
4. No controlled substances shall be offered for sale or consumed on the premises.

5. The premises shall be illuminated adequately to ensure the safety of the public.
6. The business shall remove, or have removed, from the premises any person who is or appears to be under the influence or affected by the use of alcohol and/or drugs, or whose conduct poses a physical danger to the safety of others present.
7. The business shall comply with all applicable local, state, and federal laws and regulations.
8. The business shall enter into and maintain off-street parking sufficient to provide at least 110 off-street parking spaces. Failure to maintain the minimum number of parking spaces at any time during the period of time the conditional use permit is effective shall result in immediate revocation of the right to utilize the property as a banquet hall.
9. The conditional use permit shall be valid only as long as the applicants, Regina Walters and Shawna Nicholls operate the use at the specified location. Any change of ownership in Siatta Investments shall also require issuance of a new conditional use permit to use the property as allowed herein.

SECTION 3 – FAILURE TO COMPLY. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Comprehensive Zoning Regulations.

SECTION 4 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 6 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times, and upon final vote taken the 16th day of September, 2008, was approved by the Board of Aldermen of the City of Raytown, Jackson County, Missouri upon the following vote:

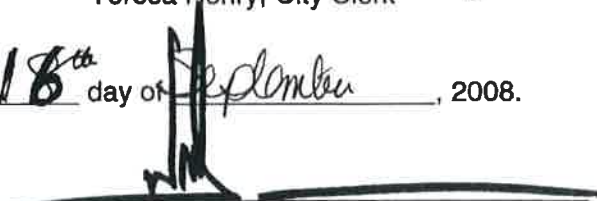
Alderman	Aye	Nay	Absent/Abstain
Walters			✓
Creamer	✓		
Aziere	✓		
White	✓		
Hamilton	✓		
Melson			✓
Schlapia	✓		
Ertz	✓		
Fleming	✓		
Sargeon	✓		
Tie Vote: Mayor Bower			

SUBSTITUTE BILL NO. 6150-08 ORDINANCE NO. 5298-08 SECTION NO. XIII



Teresa Henry, City Clerk

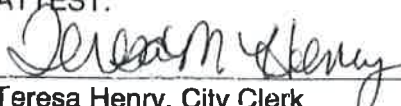
APPROVED BY THE MAYOR the 18th day of September, 2008.



David Bower, Mayor

or, APPROVED without the Mayor's signature the ____ day of _____, 2008.

or, APPROVED over the Mayor's veto the ____ day of _____, 2008.

ATTEST:


Teresa Henry, City Clerk

APPROVED AS TO FORM:

Nancy Thompson, City Attorney

Sponsor(s): The Planning Commission

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO OPERATE AN EVENT SPACE ON PROPERTY LOCATED AT 10028 EAST 63RD STREET IN RAYTOWN, MISSOURI

WHEREAS, Nathan Prather, on behalf of Siatta Investments, LLC, is seeking approval of a conditional use permit application for operation of an event space at 10028 East 63rd Street; and

WHEREAS, pursuant to City Code Chapter 50, Article V of the City of Raytown Code of Ordinances, application no. PZ-2014-008, was referred to the Planning Commission to hold a public hearing; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held said public hearing on December 11, 2014; and

WHEREAS, at the conclusion of said public hearing the Planning Commission by a vote of six (6) in favor and zero (0) against rendered a report to the Board of Aldermen recommending that the Conditional Use Permit Application be approved subject to certain conditions; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held public hearings on January 6, 2015 and January 20, 2015; and

WHEREAS, based on all of the information presented the Board of Aldermen finds it is in the best interest of the citizens of the City of Raytown to grant said Conditional Use Permit subject to certain conditions;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – GRANT OF CONDITIONAL USE PERMIT. That a Conditional Use Permit is hereby granted to Siatta Investments, LLC, for operation of an event space / banquet hall at 10028 East 63rd Street, as legally described in Exhibit "A", subject to the conditions set forth in Section 2.

SECTION 2 – CONDITIONS OF APPROVAL AND OPERATION. That the following conditions of approval shall apply to the granting of this Conditional Use Permit.

- A. The occupant load within assembly area inside building shall not exceed 100 persons.
- B. It shall be the obligation of the operator of the banquet facility to prevent loitering or the creation of public nuisances or disturbances of the peace by any patrons of the banquet hall on the premises of the banquet hall or the immediate vicinity of the same. Loitering, however, shall not include walking between the banquet hall building and the patron's vehicle, nor shall it include the act of waiting in line to gain admission to the banquet hall as long as the patrons are not creating public nuisance or disturbing the peace.
- C. It shall be the obligation of the operator of the banquet facility to clean up all litter on the premises resulting from the banquet hall operations.
- D. It shall be the obligation of the operator of the banquet facility to insure that no controlled substances are offered for sale or consumed on the club premises.
- E. It shall be the obligation of the operator of the banquet facility to remove, or have removed, from the banquet premises any person who is or appears to be under the influence of or affected by the use of alcohol and/or drugs, or whose conduct poses a physical danger to the safety of others present.

- F. It shall be the obligation of the operator of the banquet facility to provide proper and adequate illumination.
- G. Compliance with all applicable local, state and federal laws and regulations.

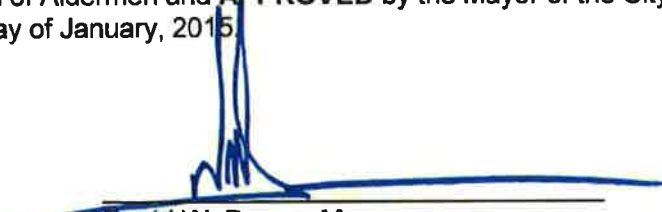
SECTION 3 – FAILURE TO COMPLY. That failure to comply with any of the conditions or provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Comprehensive Zoning Code and shall be cause for revocation of the Conditional Use Permit granted herein in addition to other penalties contained in the City Code.

SECTION 4 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 6 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 20th day of January, 2015.



David W. Bower, Mayor

ATTEST:



Teresa M. Henry, City Clerk

Approved as to Form:



Joe Willerth, City Attorney

Exhibit "A"

Lots 11, 12 and 13, Rieder's Subdivision, Jackson County, Missouri.

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF JACKSON

} S.S.

Page 1 of 1

Before the undersigned Notary Public personally appeared **Brandon Crail** 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 **February 14, 2022** edition and ending with the **February 14, 2022** edition, for a total of 1 publications:

02/14/2022

Notice of Public Hearings

Affected Property: 10028 E. 63rd Street, Raytown, Missouri
Jackson County Parcel ID # 45-120-09-19-00-0-00-000

A public hearing to consider a Conditional Use Permit application to operate an "Assembly" Use in the form of an Event Center, filed by Jesus Aguilera of Blue Springs, Missouri, will be held by the Raytown Planning & Zoning Commission at 7:00pm on Thursday, March 3, 2022. The packet and agenda should be available for view on the City of Raytown website on Friday, February 25, 2022.

The Raytown Board of Aldermen will also hold a public hearing to consider this Conditional Use Permit, tentatively scheduled for 7:00pm on Tuesday, April 19, 2022.

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 chrsg@raytown.mo.us.

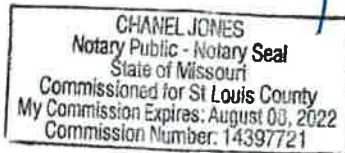
If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the applicable public hearing date.

12086374 Jackson Feb. 14, 2022

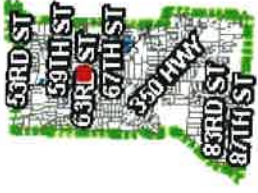
Brandon Crail

Subscribed & sworn before me this 14th day of Feb., 2022
(SEAL)



Notary Public

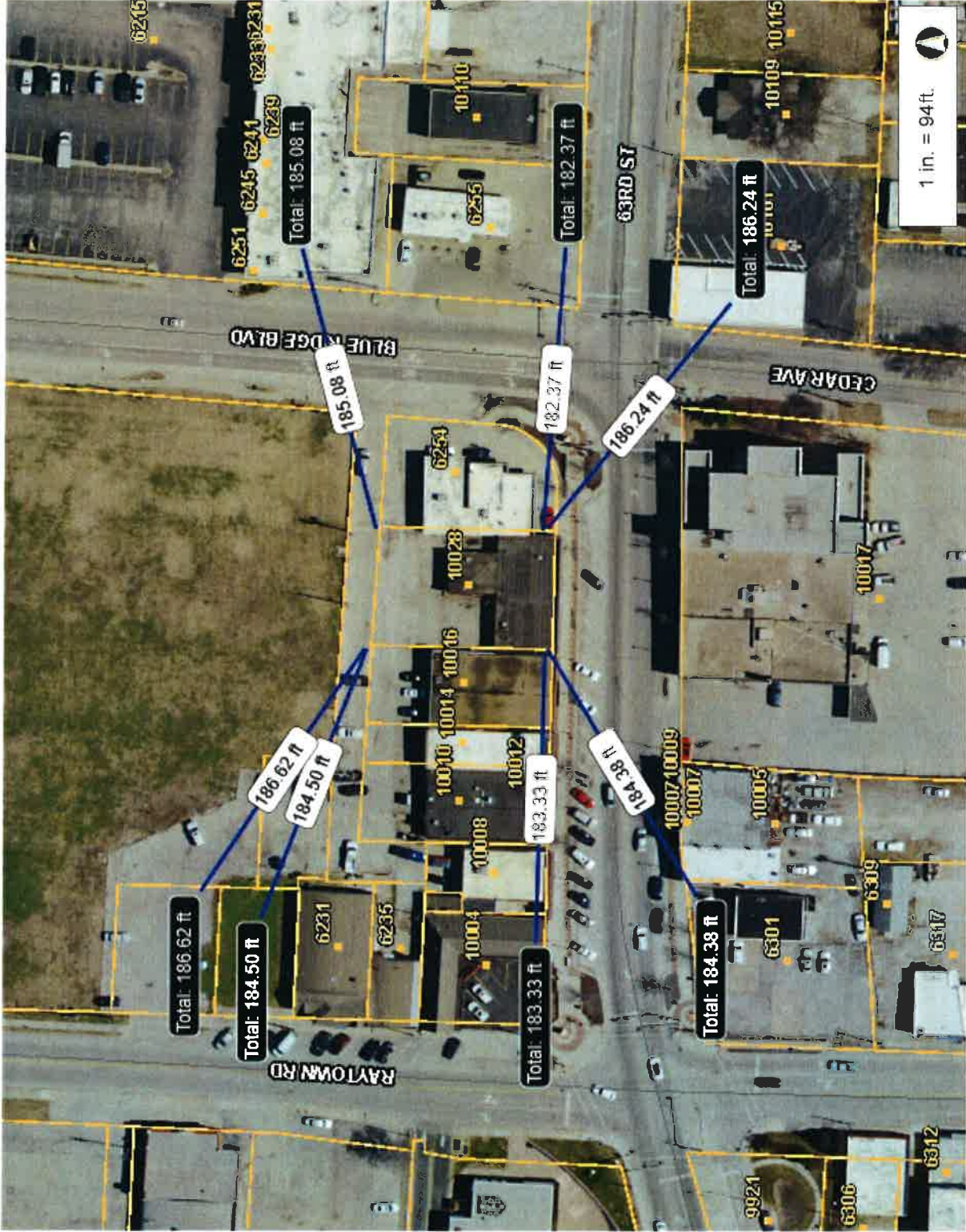


Raytown, MO



Legend

-  Road
-  Parcel
-  Address Point
-  City Limit



1 in. = 94 ft.



Notes

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

February 9, 2022

Dear Property Owner/Tenant:

Notice of Neighborhood Meeting and Public Hearings in Your Area

The Raytown Community Development Department is processing an application for a Conditional Use Permit for an Assembly Use, filed by Jesus Aguilera of Blue Springs, MO, to be located at 10028 E. 63rd Street in Raytown, Missouri. The applicant intends to operate an event center from the subject property, which requires a Conditional Use Permit per the City of Raytown Municipal Code. As a nearby owner or tenant, you are entitled to appear and provide comment at any of the public hearings on this matter or to provide written comment.

The applicant will be holding a neighborhood information meeting in the City Council Chambers at 4:00 PM on Thursday, February 17, 2022, to which you are invited to discuss the application directly with them. City staff will not be present at this time. If you have any concerns or need more information about the application, this is a good meeting to attend.

A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission **at 7:00 PM on Thursday, March 3, 2022.** The full packet and agenda should be available for view on the City of Raytown website on Friday, February 25, 2022.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for **7:00 PM on Tuesday, April 19, 2022.**

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

The public is invited to attend the public hearings to ask questions and provide comment regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59th Street, by phone at (816) 737-6059 or by e-mail at chrisg@raytown.mo.us.

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) 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.

February 18, 2022

Dear Property Owner/Tenant:

Notice of Neighborhood Meeting and Public Hearings in Your Area

The Raytown Community Development Department is processing an application for a Conditional Use Permit for an Assembly Use, filed by Jesus Aguilera of Blue Springs, MO, to be located at 10028 E. 63rd Street in Raytown, Missouri. The applicant intends to operate an event center from the subject property, which requires a Conditional Use Permit per the City of Raytown Municipal Code. As a nearby owner or tenant, you are entitled to appear and provide comment at any of the public hearings on this matter or to provide written comment.

The applicant will be holding a neighborhood information meeting in the City Council Chambers at 4:00 PM on Tuesday, February 22, 2022, to which you are invited to discuss the application directly with them. City staff will not be present at this time. If you have any concerns or need more information about the application, this is a good meeting to attend.

A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission **at 7:00 PM on Thursday, March 3, 2022.** The full packet and agenda should be available for view on the City of Raytown website on Friday, February 25, 2022.

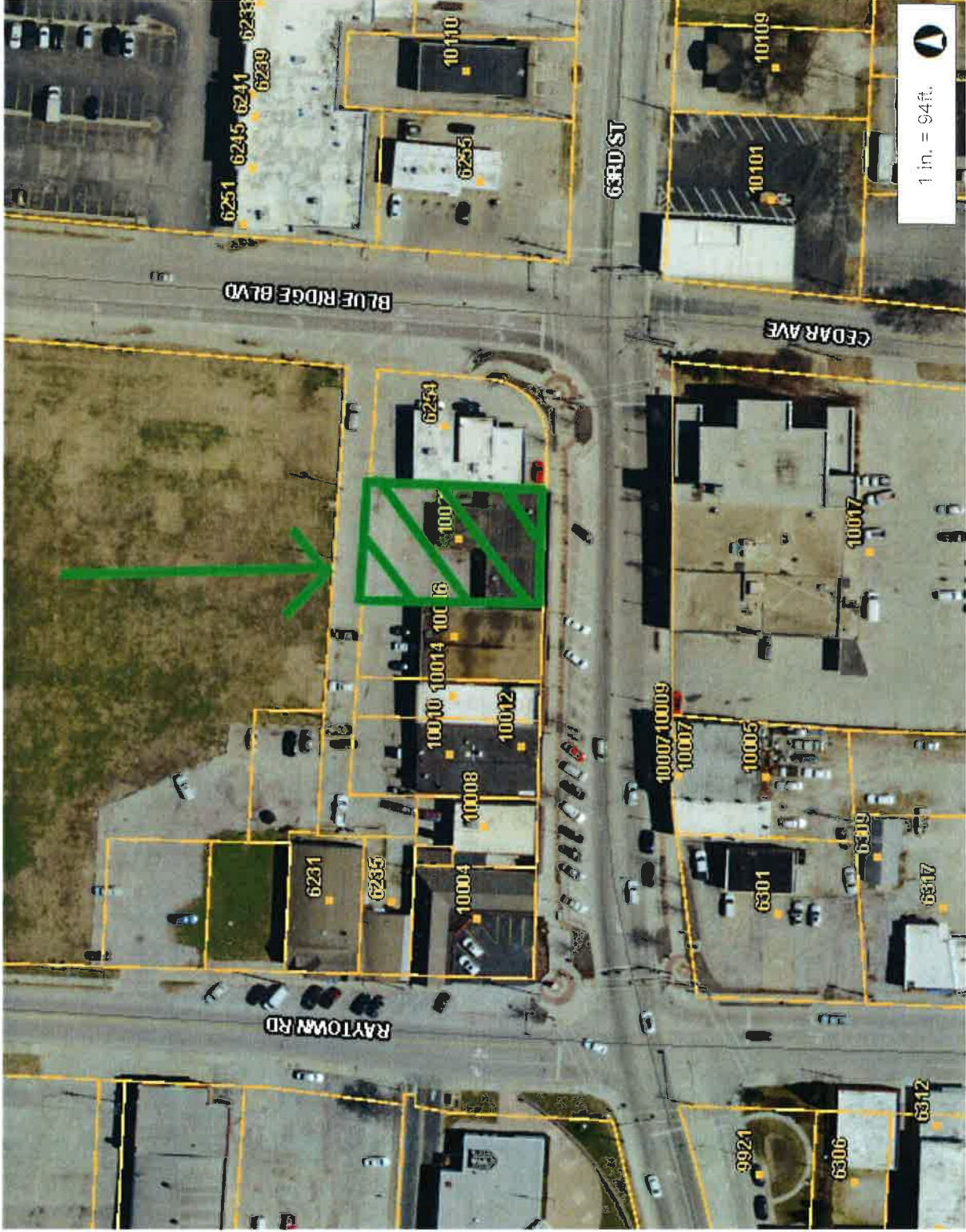
The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for **7:00 PM on Tuesday, April 19, 2022.**

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

The public is invited to attend the public hearings to ask questions and provide comment regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59th Street, by phone at (816) 737-6059 or by e-mail at chrisg@raytown.mo.us.

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the applicable public hearing date.

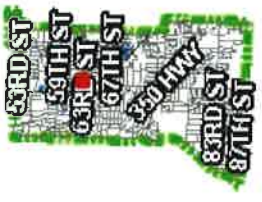
Raytown, MO



1 in. = 94ft.

187.9 0 93.94 187.9 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.
THIS MAP IS NOT TO BE USED FOR NAVIGATION



- Legend**
- Road
 - Parcel
 - Address Point
 - City Limit

Notes

Chris Gilbert

From: Erica Baier <ebaier@raytownwater.net>
Sent: Friday, February 18, 2022 10:15 AM
To: Chris Gilbert
Subject: Neal Clevenger Commercial Shops & Garages LLC

Good morning Raytown Community Development,

From: Commercial Shops & Garages LLC/Retail Centers LLC/ Owner Neal Clevenger

Thank you for the notice on "assembly use" use at 10028 E 63rd St.

With properties about the area, we welcome new business owners to Raytown. The building has assembly use prior to Jesus Aguilera's applications.

I've heard some comment about parking issues but a lot of downtown Raytown has that same problem.

Kindest Regards,

Commercial Shops & Garages LLC/Retail Centers LLC/Owner Neal Clevenger

Erica Baier

Admin. Sr. CSR Supervisor

Raytown Water Company

10017 E. 63rd St.

Raytown, MO 64133

P: 816-356-0333 Ext 105

F: 816-356-0331

Have a good day!!

Based on the Neighborhood Meeting last Tuesday/22/2022 where I, Georgina Aguilera, held this meeting and where only the SR attended. Doug Brink owner of Raytown Rec Pool Hall at 10012 E. 63rd street.

We shared ideas and comments and he mentioned to me that he agreed that more businesses should open in the area, especially to help the growth of the city of Raytown MO., and he also told me that he agrees with the ideas that Georgina and my husband have. Jesus Aguilera for our GSD Event Venue business. My responses to SR. Doug Brink were very appreciative because I could see that he really understood our purpose of growing the Raytown MO community. and of course also being able to see our dream of having our own business for the Aguilera family.

Thanks

Georgina and Jesus Aguilera.

ELECTRONICALLY RECORDED
JACKSON COUNTY, MISSOURI

10/12/2021 11:06 AM
FEE: \$24.00 2 PGS

INSTRUMENT NUMBER
2021E0112256



Assured Quality Title Company
MJ115254

Deed of Release

(Full)

This Deed of Release Witnesseth, That

Saitta Investments, LLC

GRANTOR(S), owner and holder of the note evidencing the debt secured by deed of trust excuted by

Jesus and Georgina Aguilera

GRANTEE(S), dated **July 1, 2020**, and recorded **July 2, 2020**,

in the office of Recorder of Deeds for Jackson County, Missouri, at Jackson as

Document No. 2020E0056194

does hereby acknowledge satisfaction of said deed of trust and releases the property described herein from the lien and effect of the same.

Lots 11, 12 and 13, RIEDER'S SUBDIVISION, a subdivision in Raytown, Jackson County, Missouri

Saitta Investments, LLC

By: Joseph Saitta


Dated: 09/30/2021

STATE OF missouri
COUNTY OF jackson

On this 30 day, of September, 2021, before me, the undersigned, a Notary Public, in and for said state, personally appeared Joseph Saitta, to me personally known, who being duly sworn, did say that he/she is of Saitta Investments, LLC, a corporation, and that said instrument was executed on behalf of said corporation by authority of its Board of Directors, and said authorized officer acknowledged said instrument to be the free act and deed of said corporation.

Witness my hand and Notarial Seal subscribed and affixed in said County and State, the day and year first above written. missour

My term expires: 9-26-2022


Print Name: James Krueger
Notary Public in and for said County and State



JAMES KRUEGER
My Commission Expires
September 26, 2022
Clay County
Commission #17068141



Official Receipt

Jackson County, MO

2021 Property Tax

Paid December 30th, 2021

Receipt Details

Receipt Number
12948242

Amount Applied
\$6,262.01

Payer Name
AGUILERA JESUS

Tender Type
PAYIT ONLINE

Payer Address
541 NE SUMMIT DR
BLUE SPRINGS, MO 64014

Real Property

Property Account Number 45-120-09-19-00-0-00-000

Name
AGUILERA JESUS & GEORGINA

Address
10028 E 63RD ST
RAYTOWN, MO 64133

Since
2020-06-30

To
--

Legal Line

RIEDERS SUB ALL OF LOTS 11 12 & 13

Tax Year 2021

Receipt Details

Amount Applied
\$4,379.84

Unpaid Balance
\$0.00

Description
A/V Principal-Commer

Amount Applied
\$666.77

Unpaid Balance
\$0.00

Description
Replacement Tax

Amount Applied
\$755.00

Unpaid Balance
\$0.00

Description
Certified City

Distribution of Districts

STATE BLIND PENSION

\$13.92

BOARD OF DISABLED SERVICES

\$30.76

MENTAL HEALTH

\$49.97
 METRO JUNIOR COLLEGE
 \$94.10
 MID-CONTINENT LIBRARY
 \$160.92
 CITY - RAYTOWN
 \$221.10
 JACKSON COUNTY
 \$270.23
 FIRE DISTRICT - RAYTOWN
 \$606.36
 RAYTOWN SCHOOL C-II
 \$2,932.48

Personal Property

Property Account Number 100411123

Name
 AGUILERA JESUS & GEORGINA

Address
 541 NE SUMMIT DR
 BLUE SPRINGS, MO 64014

Since 2006-01-01 **To** --

Tax Year 2021 Receipt Details

Type TRUCK	Make HUMMER	Model H2
Series 4D 4WD V8	Model Year 2005	
Item ID 5GRGN23U95H127959	Plate Number --	

Type AUTO	Make MITSUBISHI	Model ECLIPSE
Series 2D GS SPYDER CV I4	Model Year 2012	
Item ID 4A37L2EF2CE003839	Plate Number --	

Type TRUCK	Make LINCOLN	Model NAVIGATOR
Series 4D 4WD V8	Model Year 2006	
Item ID 5LMFU285X6LJ17014	Plate Number --	

Amount Applied \$450.90	Unpaid Balance \$0.00	Description A/V Principal-Regular
-----------------------------------	---------------------------------	---

Amount Applied \$9.50	Unpaid Balance \$0.00	Description City Sticker Fee
---------------------------------	---------------------------------	--

Distribution of Districts
 STATE BLIND PENSION

\$1.50
BOARD OF DISABLED SERVICES
\$3.31
MENTAL HEALTH
\$5.37
METRO JUNIOR COLLEGE
\$10.11
MID-CONTINENT LIBRARY
\$17.29
JACKSON COUNTY
\$29.03
CITY - BLUE SPRINGS
\$31.73
FIRE DISTRICT - CENTRAL JACKSON
\$67.00
BLUE SPRINGS SCHOOLR-IV
\$285.57

Any unpaid balance will continue to accumulate interest, penalties, and fees.

This receipt reflects the amount of any current unpaid balance at the time this receipt is generated. It does not include any such interest, penalties and fees that are later accrued. Changes to the account may change the unpaid balance amount.

If this payment does not clear your financial institution, this receipt is void and you may receive a returned item fee and late penalty. Please verify with your financial institution that this payment has cleared.