

**CITY OF RAYTOWN  
PLANNING & ZONING COMMISSION  
AMENDED AGENDA**

**Raytown City Hall  
Board of Aldermen Meeting Chambers  
10000 East 59<sup>th</sup> Street  
Raytown, Missouri 64133  
June 1, 2023  
7:00 pm**

**1. Welcome by Chairperson**

**2. Call meeting to order and Roll Call**

Wilson:	Thurman:	Emerson:	Meyers:	Sneddon:
Jean-Paul:	Frazier:	Stock:	Bruenger:	

**3. Approval of Minutes – May 11, 2023, Regular Meeting Minutes**

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

**4. Public Discussion (Regarding matters not on this agenda only)**

**5. Old Business:**

**A. Case No.: PZ 2023-03**

**Applicant: City of Raytown**

**Reason: Amending Chapter 50, Article 12, of the Raytown Municipal Code to Conform to New State of Missouri Regulations Issued Following Voter Approval of a Constitutional Amendment Approving Recreational Marijuana on November 8, 2022.**

- 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 Relevant City Exhibits into the Record:
  - a. Staff report
  - b. Application Supporting Documents

5. City Staff Presentation
6. Request for Public Comment by Chairman
7. Additional Staff Comments and Recommendation
8. Commission Discussion
9. Commission Decision to Approve, Conditionally Approve or Deny the Application
  - a. Motion
  - b. Second
  - c. Additional Board Discussion
  - d. Vote

## **6. New Business**

### **A. Case No.: PZ 2023-04**

**Applicant: Eduardo Ruiz**

**Reason: Conditional Use Permit Approval for Car Wash to be Located at 5318 Raytown Road in an NC, Neighborhood Commercial, District.**

1. Introduction of Application by Chair.
2. Explanation of any ex parte' 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 Staff
6. Presentation of Application by Applicant
7. Application Analysis by Staff
8. Request for Public Comment by Chairman
9. Additional Staff Comments and Recommendation
10. Commission Discussion
11. Commission Decision to Approve, Conditionally Approve or Deny the Application
  - a. Motion
  - b. Second
  - c. Additional Board Discussion
  - d. Vote

## **7. Other Business: None.**

## **8. Set Future Meeting Date – Next Regular Meeting, Thursday, July 6, 2023, at 7:00 PM.**

## **9. Adjourn**

**CITY OF RAYTOWN**  
**PLANNING & ZONING COMMISSION**  
**REGULAR MEETING**  
**MINUTES**  
**May 11, 2022**  
**7:00 pm**  
**Council Meeting Chambers**

**1. Welcome by Chairman Wilson**

2. Chairman Wilson called the meeting to order late at 7:15 PM to accommodate the large number of attendees that were still in line to sign in. Mr. Wilson went over procedural rules for the night’s meeting with approximately 80 people in attendance and many intending to speak. The sign in sheet from the meeting is attached to the back of these minutes.

**3. Call meeting to order and Roll Call.**

Wilson:	Present	Thurman:	Present	Emerson:	Present
Stock:	Present	Frazier:	Present	Sneddon:	Present
Meyers:	Present	Bruenger:	Present	Jean-Paul	Present

4. **Approval of Minutes:** Minutes of April 6, 2023, Regular Meeting were approved 8-0-1.

5. **Public Discussion:** One person spoke in open discussion not related to items on the agenda to ask for a better sign in process for future public hearings.

**6. New Business:**

At the request of City staff, the following case listed on the agenda as “New Business” after the “Old Business” case on the agenda was acted upon first by the Planning Commission in order to continue it to immediately continue it to the next meeting.

**A. Case No.: PZ 2023-03:**

**Applicant: City of Raytown**

**Reason: Amending Chapter 50, Article 12, of the Raytown Municipal Code to Conform to New State of Missouri Regulations Issued Following Voter Approval of a Constitutional Amendment Approving Recreational Marijuana on November 8, 2022.**

Ms. Stock motioned and Ms. Thurman seconded to continue the public hearing for this case to the June 1, 2023, Regular Meeting.

VOTE: Passed 9-0.

**7. Old Business:**

**A. Case No.: PZ 2023-01**

**Applicant: Nasruddin Bhamani, owner; Dana Blay of DBL Architecture, agent**

**Reason: Amending the City of Raytown's Official Zoning Map on a Portion of a 5.2-Acre Tract of Land Located at 5348 Blue Ridge Blvd. from District R-1, Low Density Residential to District NC, Neighborhood Commercial.**

**1. Introduction of Application by Chairman.**

Chairman Wilson opened the hearing and introduced the application.

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

All commissioners reported some form of ex parte communication from persons in the community in relation to the application. No commissioners stated the communications would impact their ability to make a fair decision.

**3. Enter Relevant Exhibits into the Record.**

A list of Exhibits entered into the record by all parties at different times during the meeting is attached to the back of these minutes. A copy of these exhibits is available in the office of the City Clerk for viewing by any interested person.

**4. Applicant Presentation of Application.**

The applicant, Kevin Bhamani, and his team of experts, including a traffic engineer, attorney, and design professional presented the proposed shopping center/convenience store project that would be constructed should the rezoning be approved. A number of questions were asked by the commissioners of the applicant's team during the presentation.

**5. Staff Presentation of the Application.**

Diane Egger, Community Development Director, briefed the commissioners on the number and type of liquor licenses issued in the City of Raytown. Chris Gilbert, Planning & Zoning Coordinator provided the staff report, reviewed the location, history, and suitability of the proposed project for the subject area.

**6. Public Comments on Application.**

A number of persons from the public (over 20) spoke during the public comments portion of the hearing and some submitted documents entered as Exhibits. A list of those present and signed up to speak is attached to the back of these minutes. All persons that spoke were not in favor of the rezoning application.

**7. Commission Discussion.**

The commissioners asked numerous questions of staff and the applicant following completion of public discussion, which were answered.

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

Mr. Bruenger motioned and Ms. Stock seconded to recommend approval of the rezoning application with the conditions as presented in the staff report, except removing Condition #3 requiring the turning of the convenience store and pumps to face the CVS across Woodson Road.

VOTE: Motion failed 3-6. Case proceeds to Board of Aldermen on June 6, 2023, without Planning Commission recommendation for approval.

**8. Other Business- None**

**7. Set Future Meeting Date – Next scheduled meeting date is June 1, 2023.**

**9. Meeting was Adjourned at 12:51 AM.**

## **List of Exhibits Entered into the Record at this Meeting:**

- A. Planning Commission Staff Report**
- B. Applicant's Powerpoint Presentation –Has not been provided to City yet**
- C. Publication Affidavit for May 11, 2023, Public Hearing Reschedule**
- D. Traffic Impact Study Re-Submittal to correct typos from Initial Submission**
- E. List of Corrections Memo from Traffic Engineer Regarding Exhibit D**
- F. Appraisal Valuation document for proposed Rezoning submitted by Interested Party**
- G. Notice of Hearings Letter to Neighbors within 185 Feet Dated April 18, 2023**
- H. Contour map of Drainage Patterns in Vicinity of Proposed Rezoning**
- I. Staff PowerPoint Presentation at Hearing**
- J. January 2023 Homebuilder's Association Residential Building Permit Statistics**
- K. Notice of Public Hearing letter with Map to Neighbors Within 185 Feet Dated April 18, 2023**
- L. 8 Page Citizen Memo Listing Concerns With the Proposed Rezoning Application**
- M. List of Recent Residential Sales in Raytown Vicinity**
- N. Sample Subdivision Layouts for Rezoning Area if Built as Single Family**
- O. Environmental Concerns With Proposed Project if Rezone Approved**
- P. Copy of Protest Petition Signed Documents filed with City by Nearby Property Owners**
- Q. Advertisements and Photos of Vacant Retail Space in Raytown**
- R. Citizen Provided Timeline of History of the Subject Property 1865 to 2013**
- S. Memo and Separate Set of Oversized Color Photos of Ways the Property can be retained as Green Space**

# Planning Commission Meeting

May 11, 2023

SIGN-IN SHEET

PLEASE PRINT LEGIBLY

Name	Speaking tonight? (Y/N)	Mailing Address (Include City, State & Zip Code)	Phone #	E-Mail Address
Rita Crocker		Raytown Mo 64133		
Carol Hinesley	Yes	11300 Hidden Lakes Dr Box 507 Raytown Mo 64082	816-738-3539	geogalbs@icloud.com
Joy Parrish	YES	6184 Scott Ave Belton MO	816-331-8773	Joy Parrish @msn.com
Jules Sneddon	NO	7037 Lakeshore Dr.	816-878-1894	jules@greaterkc.comes.com
Jan Marie Sajna	NO	5402 Blue Ridge Blvd	816-918-8285	jmsajna@gmail.com
Robbie Tubbs	NO	6250 Ash Court	816-392-2459	Robbie T317@167ugil.com
JANE MAPES	Y	5903 Crisp Ave	816-373-1444	JMMapes11@gmail.com
Lisa Shockey	N	5403 Woodson Raytown Mo 64133	816-457-9544	lisa.shockey2012@gmail.com
Tom Noff	Y	5103 Woodson Rd	479-301-7044	tomnoff2@gmail.com
<del>Jane Raffel</del>	<del>Y</del>	<del>5203 Dune Ridge Blvd 131 S.W. KC</del>	<del>816-811-9906</del>	<del>SPORTIE ROCKETS@aol.com</del>
Infinatasa Nading	Y	Safe at Home	816-215-5854	infinatasa@icloud.com
Liz Moon	Y	5376 Blue Ridge Blvd	816-616-5223	lizsm524@gmail.com
Mark Weiss	Y	11304 E 53 <sup>rd</sup> St	816-392-2433	Weiss m@att.net
Jean Denham	Y	11308 E 53 <sup>rd</sup> St	816-737-2934	J.Denham@aol.com
Dan Thera Bohm	N	10909 E 56 <sup>th</sup> St	816-358-0521	inchristijh3.16@attsec.com

Time

Pg 2

# Planning Commission Meeting

May 11, 2023

SIGN-IN SHEET

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Name	Speaking tonight? (Y/N)	Mailing Address (Include City, State & Zip Code)	Phone #	E-Mail Address
✓ MORRIS MCELROY Wynncrap	Y	5816 morning 64063	816 2601925	
✓ Mary Ann Wynncrap	Y	5540 Wood Lake Rd. 644133	816 353-213	
W.A. Winkler	N	6921 Endeavor		
Mary Bryant	N	602 Pawnee Lane 64010		
<del>Mark Winkler</del> MARK WINKLER	Y	7812 Wisdom Rd		
MARK WINKLER	Y	5414 MAYWOOD RD	816 729 2441	
Theresa Garza	No	870 Appleton Ave Raytown, MO	816 353 2341	
✓ Kimberly McDaniel	Y	5914 Hunter Raytown, MO	816 494-0601	
Ⓞ Kristin Skinner	Y	31720 S. McClain Rd Harrisonville MO 64701	816-738- 4400	
Ⓞ DANA BLAY	Y	8031 WENONAH RD. LEAVENWORTH, KS 66204		
Ⓞ Kevin Bhamani	Y	16347 S. Twilight Lane Clatwe KS 66002	512-9105 2356	
✓ Kerri Hulten	Y	5608 Harris Ave Raytown, MO	816 564 4505	
✓ Cheryl Wyndy	N			
✓ Zach M. Holland	Y	11216 E 57th Ter Raytown, MO	636-577-7467	
✓ Jaxopi Zant	N	11216 E 57th Ter		

# Planning Commission Meeting

May 11, 2023

SIGN-IN SHEET

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Name	Speaking tonight? (Y/N)	Mailing Address (Include City, State & Zip Code)	Phone #	E-Mail Address
✓ Kevin Winchester	Y	1020 E 55 <sup>th</sup> Terr CA 133	816-517-7484	winchesterkevin@gmail.com
Hayleigh Winchester	N	"		
Joyce McFadden	N	1302 E 53 <sup>rd</sup> Terr.		
✓ Nicole Pearce	N	Subd. 04 none	816-446-3355	winchesterkevin@gmail.com
✓ Kyle Shughnessy	Y	131 W High, J4th Con Sch. 01 Home pgs	(P) 616-616-6166	Kyle.Shughnessy@pub.com
✓ Ken Moore	Y	5376 Blue Ridge	816-510-2472	
Cecilia Felske	N	11020 E 54th ST	816-919-6368	gfalske@k@y.ch.com
MARTIN DRISCOLL	N	5525 OLIVE RIDGE DR ND		
Carol Sweetland	N	6325 Harbor Ave	816-556-2299	
Alice Sweetland	N	6325 Harbor Ave		
Lisa Blume	N	10801 Lakewood		lbls@swc-hotel.com
<del>TRAVIS STEVENS</del>	<del>Y</del>	<del>11029 E 53rd ST</del>		
<del>Bonnie Stevens</del>	<del>Y</del>			
<del>Bonnie Stevens</del>	<del>Y</del>			
Loretha Hayden	N	7001 Lakeshore Dr <sup>MO</sup> 64133	816-510-5243	LHAYDEN@SOCGLOBAL.NET
✓ GREG WALTERS	Y	8959 E. 65 <sup>th</sup>		GREG.WALTERS@SPPA12.COM

# Planning Commission Meeting

May 11, 2023  
SIGN-IN SHEET

PLEASE PRINT LEGIBLY

Name	Speaking tonight? (Y/N)	Mailing Address (Include City, State & Zip Code)	Phone #	E-Mail Address
✓ Marilyn Layton	Yes	5307 Crisp Raytown	816-789-2851	Mclayton@jacksangary.org
✓ Connie Drose	<del>Yes</del>	9100 E 94th St.	816-737-1153	117
✓ Angela Allard	yes	5151 Blue Ridge Blvd	816-914-6210	pealallard@att.net
✓ Melanie Rossiter	yes	5248 Medges Ave.	816-804-2448	rossitermelanie@gmail.com
✓ Berno Mathlaeus	Y	11321 E 55th St	816-259-3572	berno@mathlaeus.co
✓ Kathy Wolff	Y?	7505 Crisp Ave, Raytown	816-338-0575	k-wolff@tda.com
✓ Sherry Miller	Y?	11318 E. 51st St	816-492-5365	
✓ Rebecca Pennington	Y	11215 E 53rd St	816-674-7841	bee.pennington@gmail.com
✓ Erin Pennington	yes	11215 E 53rd St	816-876-5104	ERINPENNINGTON2704@GMAIL
Trina Shults	N	11012 E 78th St	816-356-9885	shults3200@yahoo.com
Eric Shults	IN	11012 E 78th St	816-356-9885	
✓ Robert McInnell	yes	11405 E 18th St	913-645-2330	professional@live.com
Muhammad Hadez	No	1181 SW Burrow Sim Ct	816-786-1600	
Jessica Ave	N	1181 SW Burrow Sim Ct	816-786-1600	
Kris Simpson	<del>Yes</del>	5577 Blue Ridge Blvd	816-588-6887	





**PZ 2023-03**

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: June 1, 2023

Re: Text Amendment Amending Chapter 50, Article 12, to Conform to State Regulations Related to Voter Approved Constitutional Amendment Permitting Recreational Marijuana

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**APPLICATION SUMMARY**

Applicant: City of Raytown

Project Contact: Chris Gilbert, Planning and Zoning Coordinator

Property Location: Citywide

Request: Amending Chapter 50, Article 12, of the Raytown Municipal Code to Conform to New State of Missouri Regulations Issued Following Voter Approval of a Constitutional Amendment Approving Recreational Marijuana on November 8, 2022.

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**BACKGROUND INFORMATION:**

The 2018 November General Election witnessed Missouri voters give their approval for marijuana use for medical purposes. The City of Raytown adopted Medical Marijuana Zoning Regulations in July of 2019 when state regulations became available that were placed in Chapter 50, Article 12, of the Raytown Municipal Code. The recent 2022 November General Election witnessed Missouri voters give their approval to an amendment to the Missouri Constitution legalizing the sale and use of Marijuana for recreational uses. The State of Missouri's Department of Health and Senior Services has been working on rules for recreational use of marijuana since the voter approval and now have a final set of rules prepared that are expected to go into effect on July 30, 2023.

Staff is presenting the attached amendments to Chapter 50, Article 12, to ensure our laws stay consistent with state law while also protecting Raytown neighborhoods and residents from the undesirable impacts of operations related to the sale, transport, manufacturing, storing and growing of marijuana. Included in the recommended amendments are the following key changes from the previous Medical Marijuana-only regulations:

- Adding some new definitions.
- Removal of references to medical use only, except in certain sections where medical use is separate from Recreational requirements.
- Changing state statutory references from the previous 19 CSR 95 to the new 19 CSR 100.
- Adding off-site warehouses to list of marijuana related uses requiring M, Manufacturing zoning.



# Staff Report

Community Development  
Planning and Development Services

- Adding Dispensary Microbusinesses to Marijuana Dispensary Rules section for HC, Highway Commercial and NC, Neighborhood Commercial zones.
- Adding Wholesale Microbusinesses to list of marijuana related uses requiring M, Manufacturing zoning.
- Reduce the required closure period overnight from 10 PM to 8 AM (current code) to 12 AM to 6 AM for state licensed dispensaries and microbusiness dispensaries.
- Permit drive-through sales in a manner that does not conflict with other Municipal Code provisions.
- Require all Recreational Consumer Cultivators to be state licensed prior to cultivating at their residence.
- Prohibiting seed markets, popups, exchanges, and other activities that are not expressly permitted by State Law.

## **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission hold this public hearing, take testimony from all parties, and consider recommending approval to the Board of Aldermen of this application proposing various amendments to Chapter 50, Article 12, of the Raytown Municipal Code as pertains to zoning regulations for recreational marijuana facilities.

## ARTICLE XII. - ~~MEDICAL MARIJUANA~~, **MEDICAL AND ADULT USE**

### Sec 50-580. –Definitions

*Church* means a permanent building primarily and regularly used as a place of worship.

*Consumer* means a person who is at least 21 years of age per 19 CSR 100. This term shall also be considered to be interchangeable with the terms “recreational use” and “adult use” as used in this Article.

*Daycare* means a child-care facility, as defined by Section 210.201, RSMo, that is licensed by the State of Missouri.

*Elementary or Secondary School* means any public school as defined by Section 160.011, RSMo, or any private school giving instruction in a grade or grades not higher than the twelfth (12<sup>th</sup>) grade, including any property owned by the public or private school that is regularly used for extracurricular activities, but does not include any private school in which education is primarily conducted in private homes.

*Enclosed, Locked Facility* means: (A) An indoor stationary closet, room, garage, greenhouse, or other comparable fully enclosed space equipped with locks or other functioning security devices that permit access to only the qualifying patient(s) or primary caregiver(s) who have informed the department that this is the space where they will cultivate marijuana; or (B) An outdoor stationary structure: 1. That is enclosed on all sides, except at the base, by wooden slats, or a similar material that is anchored, attached, or affixed to the ground and that cannot be accessed from the top; 2. In which the plants are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level; and 3. That is equipped with locks or other security devices that restrict access to only the qualifying patient(s) or primary caregiver(s) who have informed the department that this is the space where they will cultivate marijuana.

*Marijuana or Marihuana* means Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. Marijuana, or Marihuana, does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent (0.3%) on a dry weight basis, or commodities or products manufactured from industrial hemp, including non-psychoactive Cannabidiol (CBD) Oil extracted from hemp seeds, including non-psychoactive Cannabidiol (CBD) Oil extracted from hemp seeds.

*Marijuana-Infused Products* means products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures, and concentrates.

~~*Medical-Marijuana Cultivation Facility*~~ means a facility licensed by the Missouri Department of Health and Senior Services to acquire, cultivate, process, store, transport, and sell marijuana to a ~~Medical-Dispensary Facility~~, ~~Medical-Marijuana Testing Facility~~, **Warehouse**, or to a ~~Medical-Marijuana-Infused Products Manufacturing Facility~~.

*Medical-Marijuana Dispensary Facility* means a facility licensed by the Missouri Department of Health and Senior Services to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia **for adult use in amounts permitted by state law, or** used to administer marijuana as provided for in this section to a qualifying patient, a primary caregiver, another ~~Medical-Marijuana Dispensary Facility~~, a ~~Medical Marijuana Testing Facility~~, **Warehouse**, or a ~~Medical-Marijuana Infused Products Manufacturing Facility~~.

*Medical-Marijuana Facility* means a ~~Medical Marijuana Dispensary Facility~~, ~~Medical Marijuana Cultivation Facility~~, ~~Medical Marijuana Testing Facility~~, ~~Medical Marijuana Infused Products Manufacturing Facility~~, **Warehouse**, and a ~~Medical-Marijuana Transportation Facility~~, **Microbusiness Dispensary Facility and Microbusiness Wholesale Facility**.

*Medical-Marijuana-Infused Products Manufacturing Facility* means a facility licensed by the Missouri Department of Health and Senior Services, to acquire, store, manufacture, transport, and sell marijuana-infused products to a ~~Medical-Marijuana Dispensary Facility~~, a ~~Medical Marijuana Testing Facility~~, **Warehouse**, or to another ~~Medical Marijuana-Infused Products Manufacturing Facility~~.

*Medical-Marijuana Testing Facility* means a facility certified by the Missouri Department of Health and Senior Services, to acquire, test, certify, and transport marijuana.

*Medical-Marijuana Transportation Facility* means a facility licensed by the Missouri Department of Health and Senior Services to transport marijuana **for adult use in amounts permitted by state law, or** to a Qualifying Patient, Primary Caregiver, a Medical Marijuana Cultivation Facility, a ~~Medical-Marijuana-Infused Products Manufacturing Facility~~, a ~~Medical-Marijuana Dispensary Facility~~, a ~~Medical-Marijuana Testing Facility~~, **Warehouse**, or another ~~Medical-Marijuana Transportation Facility~~.

*Microbusiness Dispensary Facility* means a microbusiness facility licensed by the Missouri Department of Health and Senior Services under 19 CSR 100 where marijuana is dispensed for medical or adult use.

*Microbusiness Wholesale Facility* means a microbusiness facility licensed by the Missouri Department of Health and Senior Services under 19 CSR 100 where marijuana cultivation operations for medical or adult use occur and/or where marijuana-infused products and prerolls are manufactured for medical or adult use.

*Qualifying Patient* means a Missouri resident diagnosed with at least one (1) qualifying medical condition.

*Primary Caregiver* means an individual twenty-one (21) years of age or older who has significant responsibility for managing the well-being of a Qualifying Patient and who is designated as such on the primary caregiver's application for an identification card from the Missouri Department of Health and Human Services.

**Warehouse** means a facility granted a certificate by the Missouri Department of Health and Senior Services for off-site storage of marijuana product.

**Sec. 50-581. -Rules of Interpretation**

- (a) The distance limitations in this article, when referring to distances between ~~Medical Marijuana Facilities~~ and Schools, Daycares, and Churches, shall be measured in accordance with 19 CSR 30-95.040.
- (b) The distance limitations in this article, when referring to distances between a ~~Medical Marijuana Facility~~ and a separate ~~Medical-Marijuana Facility~~ not contained in the same structure, shall be measured in a straight line between the primary entrances of each ~~Medical-Marijuana Facility~~.
- (c) The distance limitations in this article, when referring to distances between a ~~Medical Marijuana Facility~~ and a residential district, shall be measured in a straight line between the primary entrance of the ~~Medical-Marijuana Facility~~ and the nearest point on the property line of a residential district.

**Sec. 50-582. -No Additional Licenses**

All ~~Medical-Marijuana Facilities~~ shall be required to be properly licensed and/or certified by the Missouri Department of Health and Senior Services as required by 19 CSR 30-95 100. Furthermore, ~~Medical-Marijuana Facilities~~ shall have a city business license as required in Chapter 10 of the Raytown Municipal Code, and a Commercial Use Permit as required by Section 50-518 of the Raytown Municipal Code, and any other license required by the City that complies with 19 CSR 30-95 100. Certain activities performed in relation to such facilities may require permits from other agencies not related to the City such as the Raytown Fire District.

**Sec. 50-583. -~~Medical-Marijuana Dispensary~~ and ~~Microbusiness Dispensary~~ General Rules**

In addition to the requirements for dispensary facilities including ~~microbusiness dispensaries~~ in 19 CSR 30-95-080 100, ~~dispensary~~ such facilities shall also comply with the following:

- (a) ~~Medical-Marijuana Dispensaries~~ shall not be open to the public or make any sales between the hours of ~~10:00 PM and 8:00 AM~~ 12:00 AM (Midnight) and 6:00 AM or as established by the Ordinance approving a Conditional Use Permit in cases where such a permit is required.
- (b) ~~Medical-Marijuana Dispensaries~~ shall only transport ~~medical-marijuana~~:
  - a. To Qualifying Patients, Primary Caregivers, a Medical Marijuana Testing Facility, a Medical Marijuana Dispensary, a Medical Marijuana-Infused Product Manufacturing Facility;
  - b. If the ~~Medical-Marijuana Dispensary~~ complies with the requirements of 19 CSR 30-95.100(2) 100.

- (c) No Marijuana, of any type, may be smoked, ingested, or otherwise consumed on the premises of a ~~Medical Marijuana~~ Dispensary at any time, nor shall the licensee permit such consumption.
- (d) ~~Medical Marijuana~~ Dispensaries shall not disburse ~~medical-marijuana~~ as part of a promotional event.
- (e) All ~~Medical Marijuana~~ Dispensaries shall only sell ~~medical-marijuana~~ seeds acquired from **state** licensed ~~Medical-Marijuana~~ Cultivation facilities.
- (f) No ~~Medical-Marijuana~~ Dispensary shall sell ~~medical marijuana~~ seeds to a Qualifying Patient or Primary Caregiver who is not currently authorized to cultivate ~~medical marijuana~~.
- (g) All ~~Medical-Marijuana~~ Dispensaries shall require every **Medical Marijuana** customer to display the customer's identification card issued by the Missouri Department of Health and Senior Services or other proof of eligibility at the time of each purchase.
- (h) ~~Medical-Marijuana~~ Dispensaries shall not sell ~~medical-marijuana~~ to a Qualifying Patient or Primary Caregiver in amounts greater than what that individual is currently authorized to purchase ~~per the statewide track and trace system by the Missouri Department of Health and Senior Services.~~
- (i) No person under the age of eighteen (18) years old shall be permitted into a ~~Medical Marijuana~~ Dispensary; except that a **Medical Marijuana** Qualifying Patient who is under the age of eighteen (18) years but who has been emancipated by a court order and a Qualifying Patient, under the age of eighteen (18) years when accompanied by the Qualifying Patient's parent or guardian.
- (j) No ~~Medical Marijuana~~ Dispensary shall emit any odor of Marijuana which is capable of being smelled by a person of ordinary senses outside of the boundary of the lot upon which the ~~Medical-Marijuana~~ Dispensary is located.
- (k) Each ~~Medical Marijuana~~ Dispensary shall be operated from a permanent and fixed location. No ~~Medical Marijuana~~ Dispensary shall be permitted to operate from a moveable, mobile, or transitory location. This subsection shall not prevent the physical delivery of medical marijuana to a Qualifying Patient or Primary Caregiver at a location off of the premises of the licensee's ~~Medical-Marijuana~~ Dispensary, to the extent so permitted by law.
- (l) **Dispensary facilities of any type properly licensed by the Missouri Department of Health and Senior Services may opt to provide drive-through service at the licensed location following approval of the security plan for the facility by the Raytown Police Department including the drive-through component. Dispensary facilities opting to provide drive through service at a future date following approval of the original facility security plan shall submit an amended security plan for the drive-through component to the Raytown Police Department for review and approval.**

**Sec. 50-584. ~~Medical Marijuana Dispensary~~ or **Microbusiness Dispensary** Siting Requirements**

A ~~Medical~~ Marijuana Dispensary or ~~Microbusiness~~ Dispensary may be located as a Permitted Use in the Highway Commercial District (HC), or as a Conditional Use in the Neighborhood Commercial District (NC), upon satisfactory compliance with the provisions of this section. A Conditional Use Permit is required in the Neighborhood Commercial District (NC), due to its close proximity to residential districts, lower capacity to handle increases in traffic flow and absorb related noise, and the limitations of adaptability of older commercial structures to meet modern building code requirements for the proposed uses.

(a) As a Permitted Use in the Highway Commercial District (HC):

- a. A ~~Medical~~ Marijuana Dispensary shall have the appropriate license from the Missouri Department of Health and Senior Services, pursuant to 19 CSR ~~30-95-100~~ 100.
- b. No ~~Marijuana~~ Dispensary shall be located closer than one thousand (1000) feet from any Elementary or Secondary School, Daycare, or Church.
- c. No ~~Medical~~ Marijuana Dispensary shall be located closer than one hundred fifty (150) feet from a residentially zoned district.
- d. A ~~Medical~~ Marijuana Dispensary may have secondary operations of another type of ~~Medical~~ Marijuana Facility within the same structure space if the secondary operations constitute 25% or less of both the overall floor space and revenue of the business. The ~~Medical~~ Marijuana Dispensary shall have all required licenses pursuant to 19 CSR ~~30-95-100~~ 100 for both the ~~Medical~~ Marijuana Dispensary and the secondary ~~Medical~~ Marijuana Facility operation, in addition to all required City permits and licenses.
- e. The applicant for a ~~Medical~~ Marijuana Dispensary Commercial Zoning Permit shall provide the following plans and documentation for city review and approval.
  - (1) Site plan for the ~~Medical~~ Marijuana Dispensary that shall include a floor plan showing where the various activities will be conducted. No ~~medical~~ marijuana products shall be visible from the exterior of the building.
  - (2) All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction.
  - (3) A plan which reasonably shows that the ~~Medical~~ Marijuana Dispensary is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the ~~Medical~~ Marijuana Dispensary is located.
  - (4) A security plan for review and approval by the Raytown Police Department, which reasonably shows that the ~~Medical~~ Marijuana Dispensary can be kept secure from access by unauthorized persons both during and after normal operating hours and provides adequate overnight security for product trucks parked outside the ~~Medical~~ Marijuana Dispensary at any hour.

- (5) A parking plan that meets the required parking ratio for commercial uses as contained in Chapter 50, Article X of the Municipal Code. The parking plan shall also show loading docks and product truck circulation patterns to ensure that such deliveries do not interfere with proper parking and circulation of other vehicles on the property upon which the ~~Medical-Marijuana~~ Dispensary is located.
- (6) A hazardous waste disposal plan for any unused product or hazardous materials used as part of normal operations by a ~~Medical-Marijuana~~ Dispensary in accordance with 19 CSR ~~30-95-040~~ 100.
- (7) All signage shall conform to the standards in Chapter 50, Article VIII of the Municipal Code and shall be reviewed and approved under a separate permit process.

(b) As a Conditional Use in the Neighborhood Commercial District (NC):

- a. ~~Medical Marijuana~~ Dispensary applicants in the Neighborhood Commercial (NC) District shall comply with all provisions of Chapter 50, Article V, of the Municipal Code, regarding Conditional Use Permit applications, including but not limited to the requirements of this section.
- b. A ~~Medical-Marijuana~~ Dispensary shall have the appropriate state license pursuant to 19 CSR ~~30-95~~ 100. Applicant may apply for a Conditional Use Permit upon showing that the applicant has applied for this state license, but the Conditional Use Permit shall not be issued until such license has been obtained from the Missouri Department of Health and Senior Services.
- c. A ~~Medical-Marijuana~~ Dispensary shall not be located closer than one thousand (1000) feet from any other ~~Medical-Marijuana~~ Dispensary or ~~Medical-Marijuana~~ Facility.
- d. No ~~Medical Marijuana~~ Dispensary shall be located within one thousand (1000) feet of any Elementary or Secondary School, Daycare, or Church.
- e. No ~~Medical-Marijuana~~ Dispensary shall be located within five hundred (500) feet of a residentially zoned district.
- f. The Applicant for a ~~Medical Marijuana~~ Dispensary Conditional Use Permit shall provide the following plans and documentation for city review and approval.
  - (1) A site plan for the ~~Medical Marijuana~~ Dispensary shall include a floor plan showing where the various activities will be conducted. No ~~medical-marijuana~~ products shall be visible from the exterior of the building.
  - (2) All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction.

- (3) A plan which reasonably shows that the ~~Medical~~ Marijuana Dispensary is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the ~~Medical~~ Marijuana Dispensary is located.
  - (4) A security plan for review and approval by the Raytown Police Department, which reasonably shows that the ~~Medical~~ Marijuana Dispensary can be kept secure from access by unauthorized persons both during and after normal operating hours and provides adequate overnight security for product trucks parked outside the ~~Medical~~ Marijuana Dispensary at any hour.
  - (5) A parking plan that meets the required parking ratio for commercial uses as contained in Chapter 50, Article X of the Municipal Code. The parking plan shall also show loading docks and product truck circulation patterns to ensure that such deliveries do not interfere with proper parking and circulation of other vehicles on the property.
  - (6) A hazardous waste disposal plan for any unused product or hazardous materials used as part of normal operations by a ~~Medical~~ Marijuana Dispensary in accordance with Missouri Department of Health and Senior Services guidelines.
  - (7) All signage shall conform to the standards in Chapter 50, Article VIII of the Municipal Code and shall be reviewed and approved under a separate permit process.
- (c) When a Conditional Use Permit is applied for, the Conditional Use Permit, if approved, shall be personal to the applicant at the approved site and shall not run with the land. In addition, the Conditional Use Permit shall be subject to the applicant's continued compliance with all applicable city ordinances and state law regarding operation of a ~~Medical~~ Marijuana Facility. The Conditional Use Permit shall not be portable with the applicant and shall be reviewed annually by the Community Development Department for compliance. In the event the applicant's state-issued license expires for any reason, the Conditional Use Permit shall terminate immediately.
- (d) If any change occurs from the permitted use of a structure as a ~~Medical~~ Marijuana Dispensary, a new Conditional Use Permit shall be required in all cases. ~~Medical~~ Marijuana Dispensaries located in the Highway Commercial (HC) District that comply with Section 50-584(a) of the Raytown Municipal Code, regarding secondary ~~Medical~~ Marijuana Facility activities in the same structure constituting 25% or less of both overall floor area and revenue, are not required to apply for a Conditional Use Permit.
- (e) The state licensed operator of any ~~Medical~~ Marijuana Dispensary shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the Community Development Department annually to confirm their continuing licensed status with the State of Missouri. In the case of a ~~Medical~~ Marijuana Dispensary that was granted a Conditional Use Permit by the City, the state licensed operator and the applicant to whom the Conditional Use Permit was issued shall be the same. The City may request such documentation at any time.

**Sec. 50-585. ~~Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility and Marijuana-Infused Products Manufacturing Facility, Warehouse, and Microbusiness Wholesale Facility~~ Siting Requirements**

- (a) A ~~Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility,~~ **Warehouse, and/or Microbusiness Wholesale Facility** may be located as a Conditional Use in the Industrial District (M), and shall comply with all provisions of Chapter 50, Article V, of the Municipal Code, regarding Conditional Use Permit applications, including but not limited to the requirements of this section.
- (b) A ~~Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility,~~ **Warehouse, and/or Microbusiness Wholesale Facility** shall have the appropriate license pursuant to 19 CSR 30-95 100. Applicant may apply for a Conditional Use Permit upon showing that the applicant has applied for a state license for each ~~Medical Marijuana Facility~~ type applied for, but the Conditional Use Permit shall not be issued until such license from the Missouri Department of Health and Senior Services has been obtained.
- (c) A ~~Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility, or Medical Marijuana Transportation Facility,~~ **or Warehouse** may be permitted to operate together in a single location under a single Conditional Use Permit provided that the applicant has complied with the requirements of 19CSR 30-95.040 100.
- (d) No ~~Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility,~~ **Warehouse, and/or Microbusiness Wholesale Facility,** shall be located within one thousand (1000) feet of any Elementary or Secondary School, Daycare, or Church.
- (e) No ~~Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility,~~ **Warehouse, and/or Microbusiness Wholesale Facility,** shall be located within five hundred (500) feet of a residentially zoned district.
- (f) The applicant for a ~~Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility,~~ **Warehouse, and/or Microbusiness Wholesale Facility,** shall provide the following plans and documentation for city review and approval.
  - a. A site plan for the operation that also includes a floor plan for any internal facilities showing where the various activities will be conducted. No medical marijuana products or plants shall be visible from the exterior of the ~~Medical Marijuana Facility.~~
  - b. All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction related to a Facility.

- c. A plan which reasonably shows that the ~~Medical~~ Marijuana Facility is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the ~~Medical~~ Marijuana Facility is located.
  - d. A security plan which reasonably shows that the ~~Medical~~ Marijuana Facility can be kept secure from access by unauthorized persons both during and after normal operating hours.
  - e. A parking plan that meets the required parking ratio for Industrial Districts as contained in Chapter 50, Article X. of the Municipal Code.
  - f. A hazardous waste disposal plan for any unused product or hazardous materials used as part of normal operations by a ~~Medical~~ Marijuana Facility in accordance with Missouri Department of Health and Senior Services guidelines.
  - g. All signage shall conform to the standards in Chapter 50, Article VIII of the Municipal Code and shall be reviewed and approved under a separate permit process.
- (g) The applicant for a ~~Medical~~ Marijuana Cultivation Facility, Testing Facility, ~~Medical~~ Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility, **Warehouse, and/or Microbusiness Wholesale Facility**, shall comply with ~~Chapter 39 of the 2018~~ **the International Fire Code, which is version** currently adopted by the Raytown Fire District, and acquire any operational permits as required by the Fire District, and provide a copy of such permit to the City prior to issuance of the Conditional Use Permit.
- (h) The Conditional Use Permit, if approved, shall be personal to the applicant and shall not run with the land. In addition, the Conditional Use Permit shall be subject to the applicant's continued compliance with all applicable city ordinances and state law regarding operation of a ~~Medical~~ Marijuana Facility. The Conditional Use Permit shall be reviewed annually by the Community Development Department for compliance. In the event the applicant's state-issued license expires for any reason, the Conditional Use Permit shall terminate immediately.
- (i) If any change occurs from the original permitted use of a structure as a ~~Medical~~ Marijuana Facility, a new Conditional Use Permit shall be required in all cases.
- (j) The state licensed operator of any ~~Medical~~ Marijuana Facility shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the Community Development Department annually to confirm their continuing licensed status with the State of Missouri. The state licensed operator and the applicant to whom the Conditional use Permit was issued shall be the same. The City may request such documentation at any time.

**Sec. 50-586. -Residential Medical or Recreational Marijuana Operations**

- (a) Should a Qualifying Patient or Primary Caregiver decide to cultivate medical marijuana at their residence, the Qualifying Patient or Primary Caregiver shall do so in accordance with 19 CSR 30-95 100.
- (b) All residential medical marijuana cultivation by a Qualifying Patient or primary Caregiver shall be kept in an Enclosed, Locked Facility in accordance with 19 CSR 30-95.040 100.
- (c) All residential recreational or medical marijuana cultivation by a Recreational Consumer, Qualifying Patient or a Primary Caregiver shall be done in such a way as to prevent odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot upon which the medical marijuana plants are located.
- (d) All residential medical marijuana cultivation by a Qualifying Patient or Primary Caregiver shall be in conformance with Chapter 39 of the 2018 International Fire Code, which is the International Fire Code Version currently adopted by the Raytown Fire District, and acquire any operational permits as required by the Fire District.
- (e) Up to two (2) Adult Use Marijuana Consumers with valid State of Missouri-issued consumer personal cultivation identification cards may reside in a single residential dwelling for the purpose of cultivating marijuana for their own personal use in accordance with 19 CSR 100. All amounts of prepared dried marijuana cultivated on the premises exceeding three ounces shall be kept in a secure locked facility in accordance with 19 CSR 100.

**Sec. 50-587. -Disposal of Medical Marijuana**

No person shall dispose of medical-marijuana or medical-marijuana-infused products, extracts, and waste materials except in accordance with 19 CSR 30-95.040 100.



# Staff Report

Community Development  
Planning and Development Services

## PZ 2023-04

To: City of Raytown Planning and Zoning Commission  
From: Chris Gilbert, Planning & Zoning Coordinator  
Date: June 1, 2023  
Re: Application for Conditional Use Permit for Car Wash

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### CONDITIONAL USE PERMIT APPLICATION SUMMARY

Applicant: Eduardo Ruiz of Kansas City, Missouri  
Property Owner: Eduardo Ruiz, Ruiz and Sons Properties, Inc.  
Property Location: 5318 Raytown Road  
Request: Conditional Use Permit approval for Car Wash  
Zoning: NC, Neighborhood Commercial District

The applicant is requesting Conditional Use Permit (CUP) approval to reopen a car wash in an NC, Neighborhood Commercial zoning district that was used as such twice previously as Stadium Car Wash, which acquired a CUP in 2003 to operate the facility (copy attached), and succeeded by Blue Top Car Wash, which closed in 2018. The immediate previous owner to Mr. Ruiz, Clint Barr, had reutilized the former car wash bays and hidden from view west side of the building to put various warehousing and auto repair entities in that were not permitted uses, resulting in enforcement action being taken. Mr. Ruiz has restored the integrity of the car wash and its related systems and just needs this CUP to move forward with business licensing to reopen and re-sign the property. Per the city’s land use table, a car wash can only be conditionally approved in this zoning district and the previous use as a car wash under Blue Top Car Wash, LLC, ceased more than 6 months prior and was converted to a completely different use than was approved by the CUP in 2003, so any legal non-conforming rights have long expired.

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### BACKGROUND

<b>Property’s Zoning Classification</b>	Neighborhood Commercial (NC)
<b>Surrounding Properties’ Zoning</b>	Neighborhood Commercial (NC) All Sides
<b>Surrounding Overlay</b>	None
<b>Surrounding Land Use</b>	Retail, Office, Vacant Land, Former Super Splash, Industrial Non-Conforming Uses
<b>Designated Future Land Use</b>	Public, Semi-Public
<b>Ward</b>	Ward 3
<b>Approximate Land Area</b>	1.09 Acres
<b>Roadway Classification</b>	Arterial and Local



Figure 2 – Surrounding Zoning and Location Map

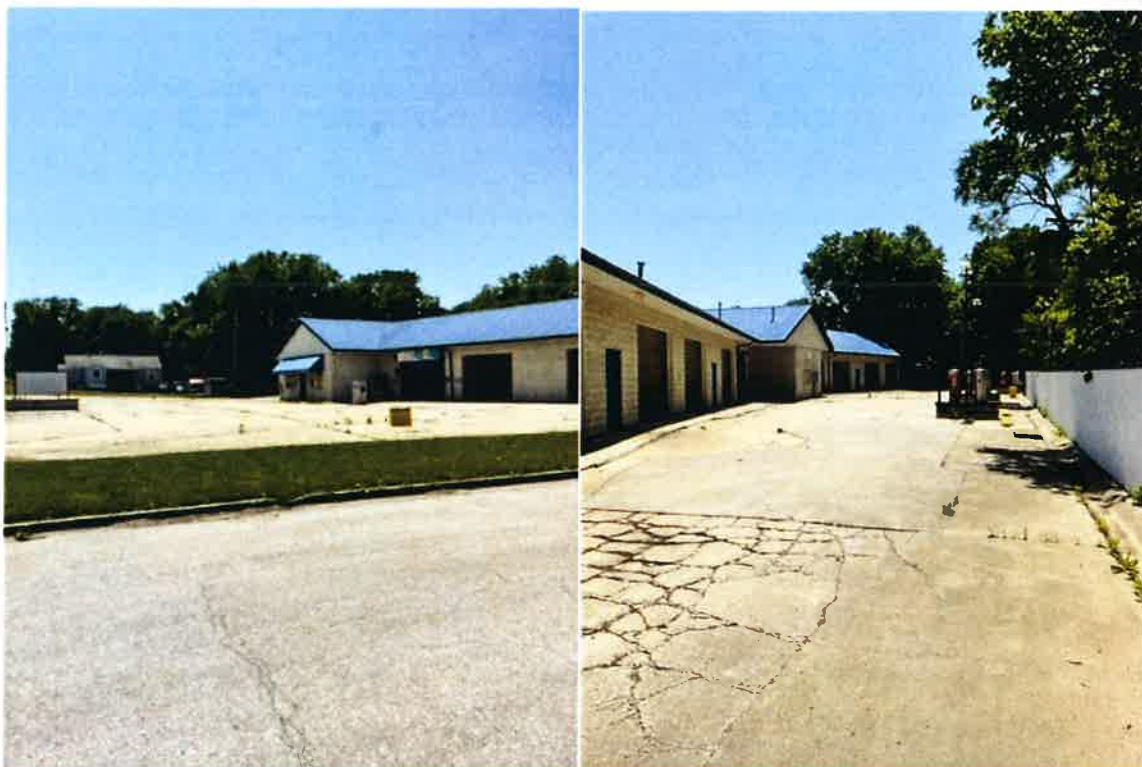


Figure 1 – Site Photos Showing Front and Rear Facades of the Car Wash



## **SITE DESCRIPTION AND PRESENT USE**

The 1.09-acre site is presently vacant, but the new owner has spent a lot of resources returning the car wash to its former condition, repairing all the damage to the property and replacing missing equipment that was caused by the previous owner and its tenants that were treating the bays similar to commercial warehouse and auto repair bay space without business licenses or permits to be there.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The subject property is surrounded by industrial, office, commercial, retail, and institutional uses, including the former Super Splash water park.

## **HISTORY**

The subject property was a car wash in the 1990s, sat vacant for about 7 years until 2003 when the CUP for Stadium Car Wash was approved, including significant site remodeling and upgrades to the building. Following Stadium Car Wash was Blue Top Car Wash which closed in 2018, and the property has not had a legal licensed use in it since then.

## **PUBLIC COMMENTS**

The public notice was published in *The Daily Record* on May 12, 2023. Public notice letters were sent to property owners within 185 feet of the property by the applicant. The Neighborhood Information Meeting was held on May 18, 2023, and no persons showed up for the meeting. To date, the Community Development Department has received no calls or written emails or letters regarding this application.

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## **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 (the 2003 CUP had to meet the same criteria):

### **1. Stability and integrity of the various zoning districts**

The proposed use in in a commercial area, so fits right in with the surrounding uses.

### **2. Conservation of property values**

Property values typically rise when vacant buildings are fixed up and reoccupied.

### **3. Protection against fire and casualties**

Staff has no concerns regarding fire and/or casualties on this project. The existing building is a modern building remodeled in 2003.

### **4. Observation of general police regulations**

The proposed new vehicle sales business is not anticipated to violate any general police regulations.



## **5. Prevention of traffic congestion**

The proposed new business will not increase traffic congestion above what has existed on the property throughout its entire life as a car wash.

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

The proposed new business will not substantially increase traffic safety risk over what is already present or what has historically been generated by this car wash. Overall numbers at this location will be way lower now than in the past due to the permanent closure of the Super Splash water park by the City.

## **7. Promotion of the safety of individuals and property**

The proposed new business will not affect the safety of individuals or property. The structure is in reasonable condition and no building modifications are required outside of any minor improvements required when the commercial use permit inspection is performed.

## **8. Provision for adequate light and air**

The proposed new business will not significantly affect the air quality of the area above what is normal for a car wash, and should have minor additional impacts on neighboring properties, and should be comparable to previous operations at the site as a car wash.

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

The proposed new business will be consistent with the previous car wash intensity of use on the property and has sufficient parking to adequately address customer load.

## **10. Provision for public utilities and schools**

The proposed new business will not affect any public utilities or schools but will generate some additional revenue. The existing structure is already connected to utility services.

## **11. Invasion by inappropriate uses**

This particular use is a commercial use located in a commercial zoned area adjacent to an arterial roadway and surrounded by other more and less intense commercial/industrial uses.

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

The property on which the proposed business would be located is developed. Staff has provided recommended conditions of approval to ensure compliance with existing code standards.

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

Staff has no concerns regarding the proposed business adhering to overall planning principles if the recommended conditions of approval are adopted and followed by the applicant. This reuse of the property is wholly consistent with existing zoning and previous use of the property as a car wash.

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

The proposed vehicle sales business should not affect the orderly and proper renewal, development or growth of the city. To the contrary, this use will permit the property to continue operating and generating revenue in a manner consistent with previous car wash uses on the Property and cease being a blight indicator as a vacant structure.



## RECOMMENDATION

Staff recommends approval of Case No. PZ 2023-04 – Conditional Use Permit for a Car Wash use filed by Eduardo Ruiz, to be located at 5318 Raytown Road with the following recommended conditions of approval:

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

1. Parking and entrance drives shall be maintained in good condition at all times.
2. Ensure the entire building exterior is maintained in good condition at all times, including paint, bay doors, vacuum stands, and facade. This includes perimeter fencing and trash enclosure maintenance and repair.
3. Ensure the site is maintained in good condition at all times including trimming of weeds and grass. All junk, trash, and debris that collects on the site to be removed immediately and not permitted to remain.
4. Any additional site lighting installed for security purposes shall be fully shielded and not cast light onto neighboring properties.
5. All signage shall be issued under separate permit process and shall meet Municipal Code requirements.
6. Any trash dumpster placed on site needs to be within a fully screened enclosure unless stored indoors except on trash pickup day. Such enclosure shall have a proper solid metal gate that can be accessed by the trash truck and also screen the container from view at all times.

### **General Conditions of Approval:**

7. The Conditional Use Permit shall be issued only to the applicant and is not transferable. Any new business acquiring the vehicle sales operation from the applicant shall apply for and obtain its own Conditional Use Permit.
8. The property should not be occupied and used until the Commercial Use Permit and/or a Business License to operate are issued. This does not apply to currently licensed vehicle repair businesses operating on the property.
9. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

**FILE COPY**

BILL NO. 5685-03

ORDINANCE NO. 4849-03

SECTION NO. X 111

1 **AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO OPERATE A CAR**  
2 **WASH IN THE NC (NEIGHBORHOOD COMMERCIAL) DISTRICT ON LAND**  
3 **LOCATED AT 5318 RAYTOWN ROAD, FOR AN UNLIMITED TERM OF YEARS, ALL**  
4 **IN ACCORDANCE WITH SECTION 20 OF THE COMPREHENSIVE ZONING**  
5 **REGULATIONS FOR THE CITY OF RAYTOWN, MISSOURI.**

6  
7 WHEREAS, Conditional Use Permit Application # PZ-2003-003 CUP, submitted by  
8 William V. Padgett, on behalf of Calvin Porter, owner, requesting a conditional use permit to operate  
9 a carwash in District NC (Neighborhood Commercial) on land located at 5318 Raytown Road, was  
10 referred to the Planning Commission to hold a public hearing; and

11  
12 WHEREAS, after due public notice in the manner prescribed by law, the Planning  
13 Commission held a public hearing for the request on January 9, 2003, and rendered a report to the  
14 Board of Aldermen containing findings of fact and a recommendation that the conditional use permit  
15 be approved; and,

16  
17 WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen  
18 held a public hearing on January 21, 2003, and rendered a decision to grant said conditional use  
19 permit.

20  
21 Now therefore, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF  
22 RAYTOWN, MISSOURI, as follows:

23  
24 Section 1. That the application pursuant to Section 20 of the Comprehensive Zoning  
25 Regulations to allow a convenience car wash in District NC (Neighborhood Commercial) is hereby  
26 granted for an unlimited term of years, with respect to the following described property:

27  
28 That part of the southwest one-quarter of the northeast one-quarter of Section 32, Township  
29 49, Range 32, in Raytown, Jackson County, Missouri, described as follows to wit: Commencing at a  
30 point in the centerline of Raytown Road, 62.95 feet south (measured along said centerline) of the  
31 north line of the southwest one-quarter of the northeast one-quarter of Section 32, Township 49,  
32 Range 32 and which point is the northeasterly corner of a tract described in Book 1227 at page 553;  
33 thence deflecting to the right 90 degrees and running along the northerly line of said tract, a distance  
34 of 55 feet; thence deflecting to the left 44 degrees 13 minutes 33 seconds and running along the  
35 northwesterly line of said tract and along the northwesterly line of a tract described in Book 1286 at  
36 page 683, a distance of 279.42 feet to the most westerly point of a public road described in Book  
37 1286 at page 683, which point is the true point of beginning, thence southwesterly along a line  
38 parallel with the centerline of Raytown Road to a point of intersection with the southerly line of a  
39 tract described in Book 1217 at page 451; thence north 67 degrees 54 minutes east to the westerly  
40 right-of-way of Raytown Road; thence northwesterly along said right-of-way to a point of  
41 intersection with the southerly line of public road described in Book 1286 at page 683; thence  
42 westerly following said southerly line of said public road to the true point of beginning.

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44 Section 2. That the following conditions of approval apply:

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- a. Approval of a Flood Plain Development Permit and a No-Rise Certificate by the City's Flood Plain Administrator;
- b. All wash bays shall discharge into the City sewer system;
- c. Efforts to further investigate and remediate petroleum-contaminated soil and groundwater on the property are required in accordance with the Missouri Department of Natural Resources (MDNR);
- d. Access shall be provided on the property for the purpose of conducting any investigation of cleanup activities required by the MDNR;
- e. Redevelopment of the property shall be in accordance with the site plan titled, "Topographic Survey" by Boundary and Construction Surveying, Inc., as attached to the staff report to the Planning Commission, dated January 9, 2003;
- f. Compliance with applicable City of Raytown codes and ordinances is required; and
- g. Location of the trash enclosure is subject to approval of a variance by the Board of Zoning Adjustments.
- h. At least the center section of the exterior of the existing building, beginning at the point on each side of where the interior wash bay wall starts, shall be finished with split face concrete block measuring 8"x8"x16" in either grey or buff (an earth-tone that is a grey-tan mix); at least the exterior entrances and exits of the wash bays will be finished with concrete block measuring 4"x8"x16", laid vertically on the door edges to replace existing woodwork; and the roof shall be gabled or peaked and shall not be flat.

Section 3. 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. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5. That 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 4 day of February, 2003, was approved by the Board of Aldermen of the City of Raytown, Jackson County, Missouri upon the following vote:

Aldermen	Aye	Nay	Absent/Abstain
Neal	✓		

BILL NO. 5685-03

ORDINANCE NO. 4849-03

SECTION NO. X111

Walters	✓		
Jerry Kinman	✓		
Wiley	✓		
Jeff Kinman	✓		
Melson	✓		
Schlapia	✓		
Briggs	✓		
Knabe	✓		
Fleming	✓		
Tie Vote: Mayor Frank			

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Deborah F. Grant  
DEPUTY CITY CLERK

APPROVED BY THE MAYOR the 4 day of February, 2003.  
[Signature]  
MAYOR

or:  
APPROVED without the Mayor's signature the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

or:  
APPROVED over the Mayor's veto the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

ATTEST:  
\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:  
[Signature]  
CITY ATTORNEY

Sponsor(s): Fleming

# CITY OF RAYTOWN

## Request for Board Action

<b>Originating Department:</b> <u>Community Development</u> <b>Department Head Approval:</b> <hr style="width: 80%; margin-left: 0;"/> <b>Date:</b> January / 10 / 2003	<b>Supplemental Department Report(s)</b> <input type="checkbox"/> Administration <input type="checkbox"/> Finance <input type="checkbox"/> Law  <input type="checkbox"/> Public Works <input type="checkbox"/> Pks. & Rec <input type="checkbox"/> Police <input type="checkbox"/> Emerg. Services <input type="checkbox"/> Munic Ct.
<b>APPROVED FOR AGENDA</b> <b>CITY ADMINISTRATOR:</b>  	<b>Agenda Section:</b> <b>Item Number:</b> <b>Title / Subject:</b> BILL # <u>568503</u> SECTION # <u>X/11</u>

### DEPARTMENTAL ANALYSIS

**I. ISSUE / PROBLEM:**

Mr. William V. (Vernon) Padgett is seeking approval of his conditional use permit application to operate a car wash at 5318 Raytown Road. The property to which this application applies was previously known as Stadium Car Wash.

**II. REPORT:**

The Zoning Ordinance requires that a site plan be submitted as part of a conditional use permit, which the applicant has done. The site plan indicates that the applicant proposes to renovate and make other alterations to the exiting building and property. The renovations and alterations include:

1. Tear down the middle portion of the building façade that previously housed the car wash office and construct a new façade.
2. Remove the existing roof on the entire building and replace with a new roof.
3. Repave and repair the parking and driveway areas that have been removed or damaged.
4. Remove and replace existing parking lot curbing along the east (Raytown Road) and north sides (53<sup>rd</sup> Street Place) of the property and install grass and shrubbery along the edges of the parking lot.
5. Remove a portion of the existing curb along 53<sup>rd</sup> Street Place near its intersection with Raytown Road and construct a new curb along this street.
6. Construct new curbing on the north end of the building and along 53<sup>rd</sup> Street Place north of the building.

7. Remove the existing vacuum islands and construct new vacuum and carpet cleaning islands.
8. Install new parking lot lighting.
9. Construct a monument sign along Raytown Road.
10. Construct a wood fence along a portion of the drive to the rear of the building.
11. Construct a new trash enclosure to the rear of the building near the northwest corner of the property.

### **III. FACTORS TO BE CONSIDERED**

In considering any application for a conditional use permit, the Planning Commission 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 zoning and current uses of nearby property.**

The property to which the conditional use permit application applies is zoned Neighborhood Commercial (NC). The zoning and existing uses on surrounding properties is as follows:

- East: Raytown Road abuts the east side of the property with office uses and a vacant tract of land located on the east side of the street. Properties to the east are zoned Neighborhood Commercial (NC).
- West: A creek abuts the west of the property with the parking lot for Super Splash located on the west side of the creek. The Super Splash property to the west is zoned Neighborhood Commercial (NC).
- South: Residential houses in which retail businesses are operated from are located to the south and zoned Neighborhood Commercial (NC).
- North: 53<sup>rd</sup> Street Place abuts the north side of the property with a convenience store (Total) and two small office buildings located on the north side of the 53<sup>rd</sup> Street Place. The properties to the north are zoned Neighborhood Commercial (NC).

#### **2. Character of the neighborhood.**

Based upon the existing uses, as described in review factor number 1 above, the neighborhood in which the subject property is located is predominately commercial in nature. Based upon the predominate nature of the existing uses in the surrounding area staff feels that the proposed car wash would be consistent with the character of the area.

#### **3. Suitability of the current zoning and duration of vacancy.**

The Neighborhood Commercial (NC) district allows car washes upon approval of conditional use permit. The subject property previously was used as a car wash but has been vacant for approximately 6 to 7-years. It appears that the proposed car

wash is suitable at this location as there are uses of similar intensity on neighboring properties and a car wash was previously operated at this location.

**4. Potential effects of conditional use permit approval.**

The subject property is located within a flood plain as designated by the Flood Insurance Rate Maps (FIRM). As such the property is subject to the City of Raytown Flood Plain Management Regulations, which require the applicant to submit for City approval a Flood Plain Development Permit. In addition, because the applicant will be making renovations and alterations to the property which will exceed 50-percent of the property's current value the City's Flood Plain Management Regulations require that a No-Rise Certificate must also be submitted by the applicant for city approval. The applicant has submitted a Flood Plain Development Permit and a No-Rise Certificate. The Flood Plain Development Permit and the No-Rise Certificate have been approved by the City's Flood Plain Administrator.

In addition to the need to comply with the City's Flood Plain Management Regulations, if the conditional use permit is approved, another effect of the proposed car wash will be increased traffic on Raytown Road. In reviewing this issue staff feels that the traffic impact of the proposed conditional use will not adversely effect Raytown Road as it is classified as an arterial roadway, is four-lanes in width and the subject property previously contained a car wash which did not cause any adverse traffic impacts on Raytown Road.

Because the property has been previously developed there are existing utilities available to serve the site that can adequately accommodate the proposed use. In discussions with the applicant, the northern most wash bay discharges directly into the creek located along the rear of the property while all of the other wash bays discharge in to the City sewer system. Staff has discussed the need for all of the wash bays to discharge into the city sewer system. Therefore, if the conditional use permit is approved this needs to be a condition of approval.

**5. Consideration of public interest versus landowner hardship.**

As previously stated the subject property formerly had a car wash on it. In addition the former car wash also sold gas. The underground fuel tanks have been removed. The Missouri Department of Natural Resources (MDNR) has reviewed their file for the subject property and has provided a letter (a copy of which is attached) stating that there is still petroleum impacted soil and groundwater on the property. The MDNR further states that they have no objection to the development of this property but that efforts to further investigate and remediate contamination on the property will be required and will need to be coordinated with any development on the property. The MDNR letter further states that cooperation in providing access on the property to conduct any investigation of cleanup activities required by the MDNR. In order to protect the public's interest if the conditional use permit is approved, conditions of approval should be that efforts to further investigate and remediate contamination on the property are required in accordance with the MDNR and that access be provided on the property for the purpose of conducting any investigation of cleanup activities required by the MDNR.

**6. Consistency with the adopted comprehensive plan.**

The Comprehensive Plan identifies the area in which the subject property is located as an area for commercial uses. Based upon this designation, the proposed car wash is consistent with the City's adopted Comprehensive Plan.

**IV. PUBLIC COMMENTS:**

At the public hearing held before the Planning Commission on January 9, 2003, members of the public had the following comments:

Robert Neds, Attorney, 7608 Raytown Road spoke on behalf of his client, Ed Atchity. Mr. Atchity owns and operates a neighborhood car wash on Woodson Road near Blue Ridge Boulevard. Mr. Neds had the following concerns:

1. The market in that area is saturated with neighborhood type car washes.
2. A traffic count, supplied by the Public Works Department, indicated that the count for 52 Street and Raytown Road is 7,200 vehicles per day, which is too low to provide adequate business for another car wash.
3. The Planning Commission had an application by Mr. Atchity for a neighborhood car wash before them several years ago and required Mr. Atchity to limit his hours of operation. Mr. Atchity wants the same restrictions placed on Mr. Padgett's car wash if the Conditional Use Permit is approved.
4. Safety concerns were also an issue. Mr. Neds indicated that the car wash would create a haven for crime if allowed to be open for 24 hours.
5. Mr. Atchity and Mr. Neds did not think that another neighborhood car wash was the highest and best use of this property.

Tracy Darby  
5104 Woodson Road

Ms. Darby indicated that she would prefer to have the land used as a City Park. She thought that it would be the highest and best use of the land and that it would be very compatible with the City's "Super Splash Park" next door.

The Planning Commission considered the information provided by staff, the applicant, and the public and recommended approval of the application, subject to the conditions proposed by staff and adding two additional conditions.

**V. STAFF RECOMMENDATION:**

It is the recommendation of staff that the proposed conditional use permit be approved subject to the following conditions:

1. Approval of a Flood Plain Development Permit and a No-Rise Certificate by the City's Flood Plain Administrator.
2. All wash bays discharge in to the City sewer system.

3. Efforts to further investigate and remediate petroleum-contaminated soil and groundwater on the property are required in accordance with the MDNR.
4. Access be provided on the property for the purpose of conducting any investigation of cleanup activities required by the MDNR.
5. Redevelopment of the property be in accordance with the site plan attached to this staff report.

## **VI. PLANNING COMMISSION RECOMMENDATION**

It is the recommendation of the Planning Commission that the application be approved, subject to conditions 1 through 5 of the Staff's recommendation and adding the following conditions:

6. Compliance with applicable City of Raytown codes and ordinances.
7. Location of the trash enclosure is subject to approval of a variance by the Board of Zoning Adjustments.

## **VII. SPONSOR(S): ALDERMAN FLEMING**

**TOPOGRAPHIC SURVEY**  
**A PART OF THE SW 1/4, NE 1/4**  
**SEC. 32, T19S, R49, RG. 32**  
**RAYTOWN, JACKSON COUNTY, MISSOURI**

**GENERAL NOTES:**

1. EXISTING SYSTEMS OF SEWER, RAIN-FALL, AND WATER FOR ALL NEW AREAS SHALL BE ELECTRICALLY CONTROLLED.
2. ALL NEW SYSTEMS SHALL BE ELECTRICALLY CONTROLLED.
3. ALL NEW SYSTEMS SHALL BE ELECTRICALLY CONTROLLED.
4. ALL NEW SYSTEMS SHALL BE ELECTRICALLY CONTROLLED.
5. ALL NEW SYSTEMS SHALL BE ELECTRICALLY CONTROLLED.
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8. ALL NEW SYSTEMS SHALL BE ELECTRICALLY CONTROLLED.
9. ALL NEW SYSTEMS SHALL BE ELECTRICALLY CONTROLLED.
10. ALL NEW SYSTEMS SHALL BE ELECTRICALLY CONTROLLED.

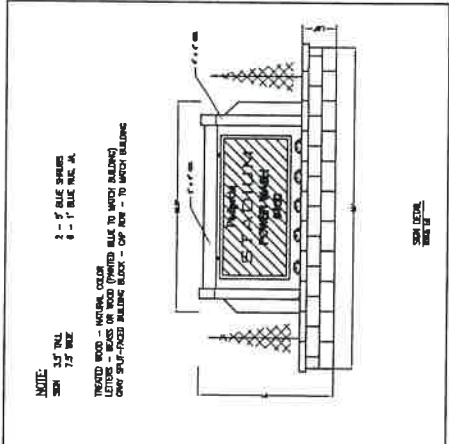


CONTIGUOUS TO 1/4 INTERVALS  
 DIMENSIONS BASED ON LOCAL TIERED DATUM AND  
 HORIZONTAL CONTROL STATION 44-101, 1988  
 MISSOURI CITY METRIC CONTROL STATION 44-101, 1988

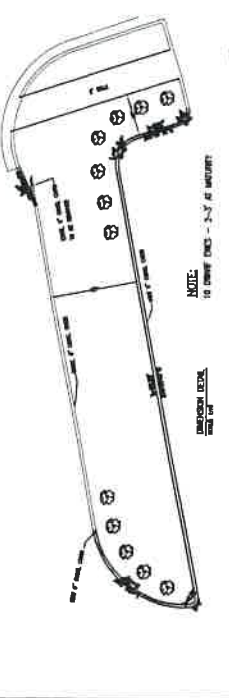
UNIMPROVED ROAD

ALL NEW SYSTEMS SHALL BE ELECTRICALLY CONTROLLED.

**TOTAL AREA**  
 46,242 sq. ft.  
**BUILDING AREA**  
 128 sq. ft.  
**PAVEMENT / ACCESSORY**  
 46,114 sq. ft.

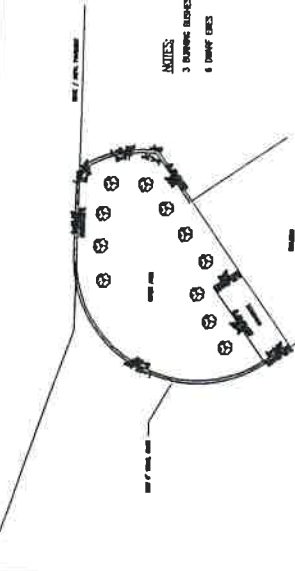


**NOTE:**  
 2 - 5" BLUE SHAPES  
 8 - 1" BLUE REC. A.  
 10 - 1" BLUE REC. B.  
 10 - 1" BLUE REC. C.  
 10 - 1" BLUE REC. D.  
 10 - 1" BLUE REC. E.  
 10 - 1" BLUE REC. F.  
 10 - 1" BLUE REC. G.  
 10 - 1" BLUE REC. H.  
 10 - 1" BLUE REC. I.  
 10 - 1" BLUE REC. J.  
 10 - 1" BLUE REC. K.  
 10 - 1" BLUE REC. L.  
 10 - 1" BLUE REC. M.  
 10 - 1" BLUE REC. N.  
 10 - 1" BLUE REC. O.  
 10 - 1" BLUE REC. P.  
 10 - 1" BLUE REC. Q.  
 10 - 1" BLUE REC. R.  
 10 - 1" BLUE REC. S.  
 10 - 1" BLUE REC. T.  
 10 - 1" BLUE REC. U.  
 10 - 1" BLUE REC. V.  
 10 - 1" BLUE REC. W.  
 10 - 1" BLUE REC. X.  
 10 - 1" BLUE REC. Y.  
 10 - 1" BLUE REC. Z.



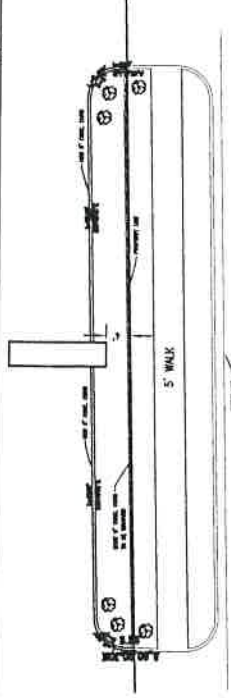
AREA - A

**NOTE:**  
 10 DRIVE ENDS - 2-5' AT INTERITY



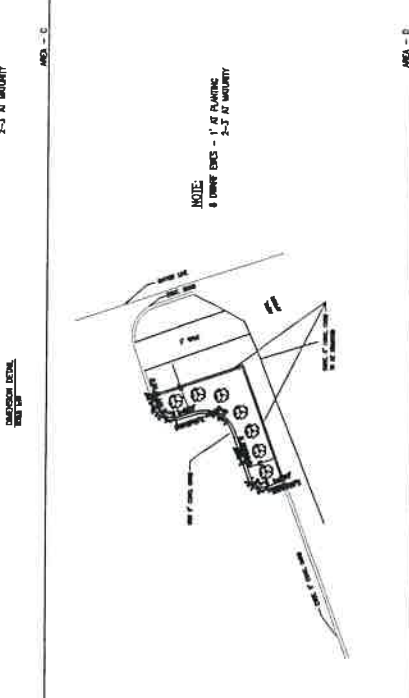
AREA - B

**NOTE:**  
 3 DRIVE ENDS - 1' AT PLAYING  
 5 DRIVE ENDS - 2' AT INTERITY  
 6 DRIVE ENDS - 2-5' AT INTERITY



AREA - C

**NOTE:**  
 6 DRIVE ENDS - 1' AT PLAYING  
 2-5' AT INTERITY



AREA - D

**NOTE:**  
 8 DRIVE ENDS - 1' AT PLAYING  
 2-5' AT INTERITY

**BOUNDARY & CONSTRUCTION**  
**SURVEYING, INC.**  
 10000 CHERRYWOOD DRIVE, SUITE 100  
 JACKSON, MISSOURI 64501  
 PROJECT NO. 02-273

CLIENT:  
 WILLIAM V. PROBERT  
 10000 CHERRYWOOD DRIVE, SUITE 100  
 JACKSON, MISSOURI 64501

RAYTOWN PLANNING & ZONING COMMISSION

MINUTES

January 9, 2003

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Chairman, Dave Bower called the Planning Commission to order at 7:04 p.m.

**Roll Call**

Present

Mr. Bower

Mr. Fields

Mr. Ertel

Ms. Stock

Mr. Ward

Ms. Fleming

Mr. Youngs

Ms. Frank

Mr. Yeokum (Arrived at 7:20 p.m.)

**Minutes**

Ms. Stock made a motion to approve the Minutes of November 7, 2002

Ms. Ward seconded the motion.

All Commissioners voted in favor and the Motion carried. The Minutes of November 7, 2002 were approved and entered into the record.

Mr. Ertel motioned to amend the Agenda. He requested that item 6 (a) the Car Wash and item 6 (b) the Credit Union switch positions on the Agenda because of a time constraint for the Applicant of the Car Wash.

Ms. Stock seconded the motion

All Commissioners voted in favor of the motion. The motion carried and was entered into the record.

Ms. Frank made a motion to move the election of officers to the end of the Agenda.

Mr. Ward seconded the motion.

All Commissioners voted in favor of the motion. The motion carried and was entered into the record.

**Old Business:**

There was no old business.

**New Business:**

<b>B.</b>	<b>Application:</b>	<b>Conditional Use Permit for Car Wash</b>
	<b>Case No.:</b>	PZ-2003-003 CUP
	<b>Applicant:</b>	William V. Padgett

The Public Hearing was opened at this time:

The Relevant City Exhibits were entered into the record:

- a. City of Raytown Comprehensive Plan
- b. City of Raytown Zoning Ordinance as amended
- c. Application for proposed conditional use permit and accompanying materials
- d. Publication of Notice of Public Hearing.
- e. Staff Report.

Explanation of any exparte' communication from Commission members regarding the application. None noted.

**Summary of Application by staff:**

**BACKGROUND INFORMATION:**

Mr. William V. Padgett (Vernon) is seeking approval of his conditional use permit application to operate a car wash at 5318 Raytown Road. The property to which this application applies was previously known as Stadium Car Wash.

The Zoning Ordinance requires submittal of a site plan, which the applicant has done. A copy of the site plan is attached for your review: As indicated on the site plan the applicant proposes to renovate and make other alterations to the exiting building and property. The renovations and alterations include:

1. Tear down the middle portion of the building that previously housed the car wash office and construct a new façade.
2. Remove the existing roof on the entire building and replace with a new roof.
3. Repave and repair the parking and driveway areas that have been removed or damaged.
4. Remove and replace existing parking lot curbing the east (Raytown Road) and north sides (53<sup>rd</sup> Street Place) of the property and install grass and shrubbery along the edges of the parking lot.
5. Remove a portion of the existing curb along 53<sup>rd</sup> Street Place near its intersection with Raytown Road and construct a new curb along this street.
6. Construct new curbing on the north end of the building and along 53<sup>rd</sup> Street Place north of the building.
7. Remove the existing vacuum islands and construct new vacuum and carpet cleaning islands.
8. Install new parking lot lighting.
9. Construct a monument sign along Raytown Road.
10. Construct a wood fence along a portion of the drive to the rear of the building.

11. Construct a new trash enclosure to the rear of the building near the northwest corner of the property.

### **Factors To Be Considered**

In considering any application for a conditional use permit, the Planning Commission 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 zoning and current uses of nearby property.**

The property to which the conditional use permit application applies is zoned Neighborhood Commercial (NC). The zoning and existing uses on surrounding properties is as follows:

East: Raytown Road abuts the east side of the property with office uses and a vacant tract of land located on the east side of the street. Properties to the east are zoned Neighborhood Commercial (NC).

West: A creek abuts the west of the property with the parking lot for Super Splash located on the west side of the creek. The Super Splash property to the west is zoned Neighborhood Commercial (NC).

South: Residential houses in which retail businesses are operated from are located to the south and zoned Neighborhood Commercial (NC).

North: 53<sup>rd</sup> Street Place abuts the north side of the property with a convenience store (Total) and two small office buildings located on the north side of the 53<sup>rd</sup> Street Place. The properties to the north are zoned Neighborhood Commercial (NC).

- 2. Character of the neighborhood.**

Based upon the existing uses, as described in review factor number 1 above, the neighborhood in which the subject property is located is predominately commercial in nature. Based upon the predominate nature of the existing uses in the surrounding area staff feels that the proposed car wash would be consistent with the character of the area.

- 3. Suitability of the current zoning and duration of vacancy.**

The Neighborhood Commercial (NC) district allows car washes upon approval of conditional use permit. The subject property previously was used as a car wash but has been vacant for approximately 6 to 7-years. It appears that the proposed car wash is suitable at this location as there are uses of similar intensity on neighboring properties and a car wash was previously operated at this location.

- 4. Potential effects of conditional use permit approval.**

The subject property is located within a flood plain as designated by the Flood Insurance Rate Maps (FIRM). As such the property is subject to the City of Raytown Flood Plain Management Regulations, which require the applicant to submit for City approval a Flood Plain Development Permit. In addition, because the applicant will be making renovations and alterations to the property which will exceed 50-percent of the property's current value the City's Flood Plain Management Regulations require that a No-Rise Certificate must also be submitted by the applicant for city approval.

The applicant has submitted a Flood Plain Development Permit and a No-Rise Certificate that are currently under review by the City's Flood Plain Administrator in the public Works Department. At the time that this staff report is being written, these applications had not been approved. Therefore, if the conditional use permit is approved, a condition of approval will need to be approval of the Flood Plain Development Permit and a No-Rise Certificate, as redevelopment cannot occur on this property unless the City's Flood Plain Administrator has granted approval.

In addition to the need to comply with the City's Flood Plain Management Regulations, if the conditional use permit is approved, another effect of the proposed car wash will be increased traffic on Raytown Road. In reviewing this issue staff feels that the traffic impact of the proposed conditional use will not adversely effect Raytown Road as it is classified as an arterial roadway, is four-lanes in width and the subject property previously contained a car wash which did not cause any adverse traffic impacts on Raytown Road.

Because the property has been previously developed there are existing utilities available to serve the site that can adequately accommodate the proposed use. In discussions with the applicant, the northern most wash bay discharges directly into the creek located along the rear of the property while all of the other wash bays discharge in to the City sewer system. Staff has discussed the need for all of the wash bays to discharge into the city sewer system. Therefore, if the conditional use permit is approved this needs to be a condition of approval.

**5. Consideration of public interest versus landowner hardship.**

As previously stated the subject property formerly had a car wash on it. In addition the former car wash also sold gas. The underground fuel tanks have been removed. The Missouri Department of Natural Resources (MDNR) has reviewed their file for the subject property and has provided a letter (a copy of which is attached) stating that there is still petroleum impacted soil and groundwater on the property. The MDNR further states that they have no objection to the development of this property but that efforts to further investigate and remediate contamination on the property will be required and will need to be coordinated with any development on the property. The MDNR letter further states that cooperation in providing access on the property to conduct any investigation of cleanup activities required by the MDNR. In order to protect the public's interest if the conditional use permit is approved, conditions of approval should be that efforts to further investigate and remediate contamination on the property are required in accordance with the MDNR and that access be provided on the property for the purpose of conducting any investigation of cleanup activities required by the MDNR.

**6. Consistency with the adopted comprehensive plan.**

The Comprehensive Plan identifies the area in which the subject property is located as an area for commercial uses. Based upon this designation, the proposed car wash is consistent with the City's adopted Comprehensive Plan.

**STAFF RECOMMENDATION:**

It is the recommendation of staff that the proposed conditional use permit be approved subject to the following conditions:

1. Approval of a Flood Plain Development Permit and a No-Rise Certificate by the City's Flood Plain Administrator.
2. All wash bays discharge in to the City sewer system.
3. Efforts to further investigate and remediate petroleum-contaminated soil and groundwater on the property are required in accordance with the MDNR.
4. Access is provided on the property for the purpose of conducting any investigation of cleanup activities required by the MDNR.
5. Redevelopment of the property is in accordance with the site plan attached to this staff report.
6. Compliance with applicable City of Raytown codes and ordinances.

At this time the court reporter administered the Oath of Truthfulness to all in the audience that wished to speak at any of the public hearings on the Agenda for January 9<sup>th</sup>.

**Presentation by the Applicant:**

William V. (Vern) Padgett  
700 East Howell Avenue  
Marceline, MO 64658

- *Mr. Padgett was present and displayed two photos of the car wash at 5318 Raytown Road.*
- *These two photos were entered into the record as exhibit (f).*
- *Mr. Padgett also presented a display board depicting two versions of roof design.*
- *This was entered into the record as exhibit (g).*
- *Mr. Padgett also presented a feasibility study – pertaining to gross profit margin.*
- *This was entered into the record as exhibit (h).*

Mr. Ward had a question about the contamination of the soil and questions whether an attendant would be present during hours of operation.

Mr. Padgett stated that the contamination is not a problem and would be cleaned up. He also stated that he did not plan to have an attendant on duty.

Ms. Frank asked about the amount of renovation to be done to the parking lot. Mr. Padgett stated that he would remove any damaged concrete and replace it with new but did not intend to completely demo the whole parking lot and redo it unless it was in disrepair.

Robert Neds, Attorney, 7608 Raytown Road spoke on behalf of his client, Ed Atchity. Mr. Atchity owns and operates a neighborhood car wash on Woodson Road near Blue Ridge Boulevard. Mr. Neds had the following concerns:

1. The market in that area is saturated with neighborhood type car washes.
2. A traffic count, supplied by the Public Works Department, indicated that the count for 52 Street and Raytown Road is 7,200 vehicles per day, which is too low to provide adequate business for another car wash.
3. The Planning Commission had an application by Mr. Atchity for a neighborhood car wash before them several years ago and required Mr. Atchity to limit his hours of operation. Mr. Atchity wants the same restrictions placed on Mr. Padgett's car wash if the Conditional Use Permit is approved.
4. Safety concerns were also an issue. Mr. Neds indicated that the car wash would create a haven for crime if allowed to be open for 24 hours.
5. Mr. Atchity and Mr. Neds did not think that another neighborhood car wash was the highest and best use of this property.

Tracy Darby  
5104 Woodson Road

Ms. Darby indicated that she would prefer to have the land used as a City Park. She thought that it would be the highest and best use of the land and that it would be very compatible with the City's "Super Splash Park" next door.

Mr. Benson stated that the City did not own the property and could not market it for others uses.

Mr. Benson noted that the property is in the "flood way" and the building is waterproof and that all electrical work would be high enough to stay clear of any water unless it was a 100 year flood.

Discussion items included lighting, crime, and hours of operation. The commissioners felt that perhaps 24 hours of operation may in fact deter crime because of the added lighting.

Mr. Bower noted that the Comprehensive Plan called for that area to be used for commercial uses.

There was some concern about water running down the parking lot and damming up near the corner. Mr. Benson indicated that he would have Public Works look at the drainage again before the application went to the Board of Aldermen on January 21, 2003.

Mr. Ward made a motion to approve the application including the following seven (7) conditions:

Mr. Fields seconded the motion.

The conditions are as follows:

1. Approval of a Flood Plain Development Permit and a No-Rise Certificate by the City's Flood Plain Administrator.

2. All wash bays discharge in to the City sewer system.
3. Efforts to further investigate and remediate petroleum-contaminated soil and groundwater on the property are required in accordance with the MDNR.
4. Access be provided on the property for the purpose of conducting any investigation of cleanup activities required by the MDNR.
5. Redevelopment of the property be in accordance with the site plan attached to this staff report.
6. Compliance with applicable City of Raytown codes and ordinances.
7. Location of the trash enclosure is subject to approval of a variance by the Board of Zoning Adjustments.

A roll call vote was taken with the following results:

Yes: Mr. Bower, Mr. Ward, Mr. Fields, Ms. Frank, Ms. Fleming, Mr. Ertel, Ms. Stock, Mr. Yeokum, Mr. Youngs.

All commissioners voted in favor and the motion carried by a vote of 9 – 0 to approve. The application was approved and was entered into the record. The application will go before the Board of Aldermen on January 21, 2003 for a public hearing.

Date: February 3, 2003

To: Mayor and Board of Aldermen

From: Tim Truesdale, Director of Community Development  
Joanne L. Graham, City Attorney


Re: Ordinance for Stadium Carwash  
Conditional Use Permit Application # PZ-2003-003 CUP  
On Land Located At 5318 Raytown Road

At the public hearing regarding the conditional use permit for Stadium Carwash, there were some questions regarding the exterior finish of the building. The applicant has always intended to finish at least a portion of the existing building with split-face concrete block. To assure that the conditional use permit requires the exterior finish that the applicant intends to build, staff recommends that the following condition be added to the ordinance approving the conditional use permit:

- h. At least the center section of the exterior of the existing building, beginning at the point on each side of where the interior wash bay wall starts, shall be finished with split face concrete block measuring 8"x8"x16" in either grey or buff (an earth-tone that is a grey-tan mix); at least the exterior entrances and exits of the wash bays will be finished with concrete block measuring 4"x8"x16", laid vertically on the door edges to replace existing woodwork; and the roof shall be gabled or peaked and shall not be flat.

The applicant has always intended to construct these improvements to the exterior of the building. Adding this as a condition of the ordinance assures that if the ownership of the property were to change, the exterior of the building will be finished out as proposed by the applicant.

A motion to amend by substitution is appropriate if the Board chooses to add this condition to the existing bill. A copy of the revised bill is attached.



**CONDITIONAL USE PERMIT APPLICATION**

1. Location 5318 Raytown Rd.
2. Property Owner (Printed, as appears on deed) 5318 Raytown Rd. Eduardo Ruiz  
 Address 2117 bunker ave , Kansas city Kansas  
 Phone 9133199407 Email laloman1311@gmail.  
 Property Owner (Signature) \_\_\_\_\_
3. Applicant/Agent Eduardo Ruiz  
 Phone 9133199407 Email laloman1311@gmail.  
 Applicant/Agent (Signature) \_\_\_\_\_
4. The property's current use/purpose is: Warehousing and related uses
5. The property's current zoning classification is: NC
6. The proposed use/purpose of the property is: Original use carwash
7. The proposed conditional use will be in keeping with the character of the neighborhood because:  
Because it will help neighbors maintain their cars in good condition.
8. The proposed use will be consistent with the uses and zoning on nearby parcels because:  
It's easily accessible to the community, being in a safe spot.
9. Prior to submitting this application, the property has been vacant for:  
It has been vacant for 3 years.

Case #: PC 2023-04



Community Development Department  
 Planning and Zoning Division  
 10000 E 59<sup>th</sup> 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 property was originally designed to be a carwash, but was used improperly by the last owner. We as new owner's have reestablished it for its intended purpose as a carwash.

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

There would be no negative or detrimental effect. On the contrary we are trying to make the area/neighborhood better by upbrining it due to the area being mainly abandoned. It's on a main street that with good use upbrining the community instead of being used for wrong doings.

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

Property owners would lose all of money that has been used to better the carwash/along with the time put in to try and open the carwash because the property was only opened and created to be a carwash and ran as such.

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

all public facilities and utilities are adequate to the surroundings of the carwash to serve its purpose as such. The property doesn't have much public facilities around.

14. Additional comments:

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

16. Signature - Property Owner or Legal Agent

17. Signature - Applicant or Legal Agent



**Community Development**  
 10000 East 59th St, Raytown, MO 64133  
 Office: (816) 737-6014

Permit NO. **BLDC-016825-2023**

Permit Type: **Building (Commercial)**

Work Classification: **Plumbing**

Permit Status: **Issued**

Issue Date: **03/24/2023**

Expiration: **09/20/2023**

Location Address

5318 RAYTOWN RD, RAYTOWN, MO 64133

Contacts

JUNIORS CARWASH 3 2117 BUNKER AVE, KANSAS CTIY, KS 66102 (913)319-9407	Property Owner	GGLLC Jomeque 6820 NW Cross RD, Parkville, MO 64152 (816)808-9863	Applicant ggllcjomeque@yahoo.com
GG LLC 6820 NW CROSS RD, PARKVILLE, MO 64152 (816)382-1854	Master Plumber		

Description: Install 85,000 BTUs gas boiler

Valuation: \_\_\_\_\_  
 Total Sq Feet: 0.00

Inspection Requests:  
 816-737-6014

Fees	Amount
Building Permit Valuation Fee - Commercial	
Permit Adjustment Fee	
<b>Total:</b>	

Payments	Amt Paid
<b>Total Fees</b>	
Check # EfQ3cfx423VZ	
<b>Amount Due:</b>	

Inspection Information

1. All inspections require two working days (48 hours) advance notice.
2. Inspections must be scheduled and approved before covering any work.
3. APPROVED PLANS AND SITE PLAN MUST BE ONSITE FOR INSPECTIONS!

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

*Deb Gorman*

Issued By: Deb Gorman

March 24, 2023

Date

*Gisselle Jomeque*

Applicant

03/27/2023

Date



May 9, 2023

Dear Property Owner/Tenant:

**Notice of Neighborhood Meeting and Public Hearings in Your Area**

The Raytown Community Development Department is processing an application for a Conditional Use Permit for a "Car Wash" use in an NC, Neighborhood Commercial, District, filed by Eduardo Ruiz of Ruiz and Sons, Inc., to be located at 5318 Raytown Road in Raytown, Missouri. The applicant intends to reopen a building as a car wash that was a car wash in the past but has been used for other purposes for a few years. 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 10:00 AM on Thursday, May 18, 2023, 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, June 1, 2023.** The full packet and agenda should be available for view on the City of Raytown website on Friday, May 26, 2023.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for **7:00 PM on Tuesday, July 11, 2023.**

**All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59<sup>th</sup> 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 59<sup>th</sup> Street, by phone at (816) 737-6059 or by e-mail at [chrisg@raytown.mo.us](mailto: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.

*May 18, 23*

*Thank you for the notice. Please excuse my humble response, no Typist.*

*As a neighbor in the area, a Car Wash here seems to be the best use of the property. It has been a car wash prior for years & reopening of the business. I bet the Ruiz family will make it a success. Thank you, Neal Clump*





MAILING LIST FOR 5318 Raytown Road Car Wash CUP

OWNER	OWNER ADDRESS	OWNER	OWNER ADDRESS
City of Raytown	6301 James A Reed Rd, Raytown, MO 64133		
Saaid Cheema, LLC	5304 Raytown Rd, Raytown, MO 64133		
Commercial Shops and Garages, LLC	9508 E. 63 <sup>rd</sup> St., Raytown, MO 64133		
Caldwell Living Trust	637 NE Shoreline Dr., Lee's Summit, MO 64064		
Edmund North LLC	P. O. Box 32284, Kansas City, MO 64171		
David Johnson	5404 Raytown Rd, Raytown, MO 64133		
Raytown Road Properties, LLC	5401 Raytown Rd, Raytown, MO 64133		
David & Polly Dresnick, Trustees	5713 Laurel Ave., Raytown, MO 64133		
DS Morgan LLC	5539 Raytown Rd, Raytown, MO 64133		

May 9, 2023

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# Raytown, MO



### Legend

-  Road
-  Parcel
-  Address Point
-  City Limit

1 in. = 91ft.



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

### Notes





ELECTRONICALLY RECORDED  
JACKSON COUNTY, MISSOURI

12/09/2022 3:59 PM

COV FEE: \$24.00 2 PGS

INSTRUMENT NUMBER

2022E0108781

### WARRANTY DEED

THIS DEED, dated as of this 4th day of December, 2022 WITNESSETH, that **5318 LLC**, a **Missouri limited liability company**, Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD VALUABLE CONSIDERATIONS, does by these presents, GRANT, BARGAIN AND SELL, Convey and Confirm unto **Ruiz and Son's Properties Inc**, a **Kansas corporation**, whose mailing address is **2117 Bunker Ave, Kansas City, KS 66102**, Grantee, its successors and assigns, the following described land situated in **Jackson County, Missouri**:

That part of the Southwest One-Quarter of the Northeast One-Quarter of Section 32, Township 49, Range 32, in Raytown, Jackson County, Missouri described as follows, to-wit: Commencing at a point in the centerline of Raytown Road 62.95 feet South (measured along said centerline) of the North line of the Southwest One-Quarter of the Northeast One-Quarter of Section 32, Township 49, Range 32, and which point is the Northeasterly corner of a tract described in Book 1227 at Page 553; thence deflecting to the right 90 degrees and running along the Northerly line of said tract, a distance of 55 feet; thence deflecting to the left 44 degrees 13 minutes 33 seconds and running along the Northwesternly line of said tract and along the Northwesternly line of a tract described in Book 1286 at Page 683, a distance of 279.42 feet to the most Westerly point of a public road described in Book 1286 at Page 683, which point is the true point of beginning; thence Southeasterly along a line parallel with the centerline of Raytown Road to a point of intersection with the Southerly line of a tract described in Book 1217 at Page 451; thence North 67 degrees 54 minutes East to the Westerly right-of-way of Raytown Road; thence Northwesternly along said right-of-way to a point of intersection with the Southerly line of a public road described in Book 1286 at Page 683; thence Westerly following said Southerly line of said public road to the true point of beginning. Except that part in E. 53rd Place and Except that part in Raytown Road.

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

TO HAVE AND TO HOLD The premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto said Grantee, and unto its successors and assigns forever; said Grantor does hereby covenant 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 said premises are free and clear from any encumbrance done or suffered by it or those under whom it claims, and that it will warrant and defend the title to said premises unto said Grantee unto its successors and assigns forever, against the lawful claims and demand of all persons whomsoever.

Filed by Chicago Title Company, LLC

*File 2226-15*  
Deed (Warranty - Commercial)  
MOD1176.doc / Updated: 04.19.18

Page 1

Printed: 12.08.22 @ 02:56 PM by JB  
MO-CT-FKCM-01080.330711-KCC222695

**WARRANTY DEED**  
(continued)

IN WITNESS WHEREOF, said Grantor has hereunto set his hand this 9th day of December, 2022.

5318 LLC, a Missouri limited liability company

BY: 

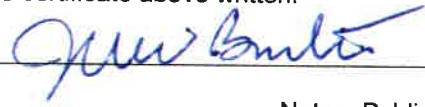
Clint Barr  
Sole Member

STATE OF Missouri

COUNTY OF Jackson

On this 9th day of December, 2022 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Clint Barr, Sole Member, on behalf of 5318 LLC, a Missouri limited liability company known to me to be the person who executed the instrument within and who duly acknowledged execution of the same on behalf of said LLC.

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

  
\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

JILL D. BURTON  
Notary Public-Notary Seal  
STATE OF MISSOURI  
County of Jackson  
My Commission Expires: 08-25-2024  
Commission #15997738

**Filed by Chicago Title Company, LLC**

This document has been  
electronically recorded by  
Chicago Title Insurance Co.

12/9/22 2022E0108781

## WARRANTY DEED

THIS DEED, dated as of this 9th day of December, 2022 WITNESSETH, that **5318 LLC**, a **Missouri limited liability company**, Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD VALUABLE CONSIDERATIONS, does by these presents, GRANT, BARGAIN AND SELL, Convey and Confirm unto **Ruiz and Son's Properties Inc, a Kansas corporation**, whose mailing address is **2117 Bunker Ave, Kansas City, KS 66102**, Grantee, its successors and assigns, the following described land situated in **Jackson County, Missouri**:

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TO HAVE AND TO HOLD The premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto said Grantee, and unto its successors and assigns forever; said Grantor does hereby covenant 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 said premises are free and clear from any encumbrance done or suffered by it or those under whom it claims, and that it will warrant and defend the title to said premises unto said Grantee unto its successors and assigns forever, against the lawful claims and demand of all persons whomsoever.

Filed by Chicago Title Company, LLC

Deed (Warranty - Commercial)  
MOD1176.doc / Updated: 04.19.18

Page 1

Printed: 12.08.22 @ 02:56 PM by JB  
MO-CT-FKCM-01080.330711-KCC222695

**REAL PROPERTY CERTIFICATE OF VALUE - JACKSON COUNTY, MISSOURI**

(REQUIRED TO BE FILED WITH DEED AT TIME OF RECORDING)

Please type or print all information. This form must be prepared by the Buyer or his/her Representative.

Grantor's (Seller) Name: 5318 LLC, a Missouri limited liability company

Grantee's (Buyer) Name: Ruiz and Son's Properties Inc, a Kansas corporation

Address of Property: 5318 E Raytown Road

Raytown, MO 64133

Grantee's address, if different from above: \_\_\_\_\_

2117 BUNKER AVE KCK 66102

Parcel ID Number: 32-810-06-40-0-00-0-00-000

FOR OFFICE USE ONLY  
DO NOT WRITE IN THIS SPACE

- 1. Is this newly constructed residential property?  YES Date occupied: \_\_\_/\_\_\_/\_\_\_  NO
- 2. Is this vacant land?  YES  NO
- 3. Intended use of property: Present Use  Renovation  New Development / Construction   
Other  \_\_\_\_\_
- 4. Check if the transaction transfers property in any of the following ways:

- |  |  |
|--|--|
| <input type="checkbox"/> sale for delinquent taxes   | <input type="checkbox"/> by deed pursuant to merger, consolidation, sale or transfer of substantially all of the assets of a corporation.                                    |
| <input type="checkbox"/> sale of cemetery lot  | <input type="checkbox"/> by deed as part of the contribution to the capital of a corporation, partnership, limited liability company, or other similar entity.               |
| <input type="checkbox"/> lease or transfer of severed mineral interests  | <input type="checkbox"/> by deed executed by personal representative to convey to devisees or heirs property passing by testate or intestate succession                      |
| <input type="checkbox"/> by order of any court   | <input type="checkbox"/> by deed which conveys property held in name of any partnership, not a family, to any partner or his or her spouse.                                  |
| <input type="checkbox"/> by executory contract for deed  | <input type="checkbox"/> by deed which is a gift of property.  |
| <input type="checkbox"/> by lease or easement  | <input type="checkbox"/> by deed between family members, or to or from a family corporation, partnership, or trust for the benefit of a family member, for no consideration. |
| <input type="checkbox"/> to or from the United States, the State of Missouri, or any agency, or political subdivision thereof.                           |  |
| <input type="checkbox"/> for purpose of confirming, correcting, modifying, or supplementing a previously recorded deed, without additional consideration |  |
| <input type="checkbox"/> solely for the purpose of releasing security for a debt or other obligation   |  |
| <input type="checkbox"/> by deed of partition  |  |
| <input type="checkbox"/> by deed where no money or other valuable consideration is given for the transfer.   |  |

IF ANY OF THE ABOVE ITEMS IN THE SHADED BOX ARE CHECKED, PLEASE PROCEED TO #11 BELOW

- 5. Total Sales Price (including all assumed mortgages and liens): \$210,000.00  
Points were paid by:  SELLER  BUYER  NONE
- 6. Was there new financing?  YES  NO Did financing concessions affect sales price?  YES  NO
- 7. Is this deed part of a trade?  YES  NO
- 8. Was any personal property included in the sale price? (For example: furniture, equipment, machinery, livestock, crops, business franchise or inventory... etc.)  YES  NO  
Please describe: \_\_\_\_\_
- 9. Was this transaction at arm's length?  YES  NO  
(An arm's length transaction is one between unrelated parties under no duress.)
- 10. If you believe this transaction does not represent market value, please attach any additional information that you want the county assessor to consider.
- 11. I certify, under penalties of law, that this statement has been examined by me and, to the best of my knowledge and belief, is a true, correct and complete statement.

ANY PERSON WHO FAILS TO FILE A COMPLETED CERTIFICATE OF VALUE WHEN REQUIRED BY LAW, OR WHO KNOWINGLY FILES A FALSE CERTIFICATE, MAY BE PUNISHED BY A FINE OF UP TO \$1,000.

For assistance in filing this form,  
Call the Assessor's Office at (816) 881-3530  
415 E. 12th St., Suite 100M  
Kansas City, MO 64106-2572

12/9/22  
Date

[Signature]  
Signature of Grantee/Representative

JIM BURTON AGENT  
Print Name and Position



Official Receipt

# Jackson County, MO 2020-2022 Property Tax

Paid December 15th, 2022

## Receipt Details

<b>Receipt Number</b> 13385068	<b>Amount Applied</b> \$23,480.85
<b>Payer Name</b> CHICAGO TITLE COMPANY LLC	<b>Tender Type</b> ACH
<b>Payer Address</b> 5318 RAYTOWN RD RAYTOWN, MO 64133	

## Real Property Property Account Number 32-810-06-40-00-0-00-000

**Name**  
RUIZ & SONS PROPERTIES INC

**Address**  
5318 RAYTOWN RD  
RAYTOWN, MO 64133

**Since** 2022-12-09 **To** -

**Legal Line**  
SEC 32 TWP 49 RNG 32 PT OF SW 1/4 NE 1/4 DAF: BEG SW COR 53RD ST PL & RAYTOWN RD

## Tax Year 2020 Receipt Details

<b>Amount Applied</b> \$5,794.42	<b>Unpaid Balance</b> \$0.00	<b>Description</b> A/V Principal-Commer
<b>Amount Applied</b> \$2,431.64	<b>Unpaid Balance</b> \$0.00	<b>Description</b> Replacement Tax
<b>Amount Applied</b> \$2,085.99	<b>Unpaid Balance</b> \$0.00	<b>Description</b> A/V Interest
<b>Amount Applied</b> \$314.53	<b>Unpaid Balance</b> \$0.00	<b>Description</b> A/V Interest
<b>Amount Applied</b> \$157.61	<b>Unpaid Balance</b> \$0.00	<b>Description</b> Chapter 52 Gener

CITY - RAYTOWN  
 \$258.30  
 JACKSON COUNTY  
 \$315.71  
 FIRE DISTRICT - RAYTOWN  
 \$708.39  
 RAYTOWN SCHOOL C-II  
 \$3,425.95

**Tax Year 2022  
Receipt Details**

<b>Amount Applied</b> \$5,099.13	<b>Unpaid Balance</b> \$0.00	<b>Description</b> A/V Principal-Commer
<b>Amount Applied</b> \$295.00	<b>Unpaid Balance</b> \$0.00	<b>Description</b> Certified City

**Distribution of Districts**

STATE BLIND PENSION  
 \$16.26  
 BOARD OF DISABLED SERVICES  
 \$45.32  
 MENTAL HEALTH  
 \$60.33  
 METRO JUNIOR COLLEGE  
 \$109.93  
 MID-CONTINENT LIBRARY  
 \$175.63  
 CITY - RAYTOWN  
 \$257.87  
 JACKSON COUNTY  
 \$320.91  
 FIRE DISTRICT - RAYTOWN  
 \$686.92  
 RAYTOWN SCHOOL C-II  
 \$3,425.95

**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.

Amount Applied	Unpaid Balance	Description
\$78.80	\$0.00	Chapter 52 Maint
Amount Applied \$23.76	Unpaid Balance \$0.00	Description Chapter 52 Gener
Amount Applied \$11.88	Unpaid Balance \$0.00	Description Chapter 52 Maint
Amount Applied \$394.02	Unpaid Balance \$0.00	Description Chapter 141 Gene
Amount Applied \$59.41	Unpaid Balance \$0.00	Description Chapter 141 Gene

**Distribution of Districts**

STATE BLIND PENSION  
\$18.24  
BOARD OF DISABLED SERVICES  
\$39.46  
MENTAL HEALTH  
\$64.20  
METRO JUNIOR COLLEGE  
\$129.38  
MID-CONTINENT LIBRARY  
\$224.72  
CITY - RAYTOWN  
\$291.29  
JACKSON COUNTY  
\$371.49  
FIRE DISTRICT - RAYTOWN  
\$813.08  
RAYTOWN SCHOOL C-II  
\$3,842.56

**Tax Year 2021**

**Receipt Details**

Amount Applied	Unpaid Balance	Description
\$5,116.86	\$0.00	A/V Principal-Commer
Amount Applied \$921.03	Unpaid Balance \$0.00	Description A/V Interest
Amount Applied \$140.21	Unpaid Balance \$0.00	Description A/V Interest
Amount Applied \$120.76	Unpaid Balance \$0.00	Description Chapter 52 Gener
Amount Applied \$60.38	Unpaid Balance \$0.00	Description Chapter 52 Maint
Amount Applied \$18.38	Unpaid Balance \$0.00	Description Chapter 52 Gener
Amount Applied \$9.19	Unpaid Balance \$0.00	Description Chapter 52 Maint
Amount Applied \$301.89	Unpaid Balance \$0.00	Description Chapter 141 Gene
Amount Applied \$45.96	Unpaid Balance \$0.00	Description Chapter 141 Gene

**Distribution of Districts**

STATE BLIND PENSION  
\$16.26  
BOARD OF DISABLED SERVICES  
\$35.94  
MENTAL HEALTH  
\$58.38  
METRO JUNIOR COLLEGE  
\$109.93  
MID-CONTINENT LIBRARY  
\$187.99