

CITY OF RAYTOWN
PLANNING & ZONING COMMISSION

AGENDA

Raytown City Hall
Board of Aldermen Meeting Chambers
10000 East 59th Street
May 2, 2024
7:00 pm

1. Welcome by Chairperson

2. Call meeting to order and Roll Call

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

3. Approval of Minutes – March 7, 2024, 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: None

6. New Business:

A. Case No.: PZ-2024-04

Applicant: Thiago Guerra

Reason: Requesting the approval of a Rezoning for a portion of the Brywood Centre Development from R-3, High-Density Residential to NC, Neighborhood Commercial for Parcel ID #: 45-310-05-68-00-0-00-000, generally located at the northwest corner of Blue Ridge Cutoff and 62nd Street.

- 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 and PowerPoint Presentation.

5. Introduction of Application and Power Point by Staff
6. Presentation of Application by Applicant
7. Enter Relevant Applicant's Exhibits into Record as Necessary
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

B. Case No.: PZ-2024-05

Applicant: Naveed Khalid, Monster Garage LLC.

Reason: Requesting the approval of a Conditional Use Permit for "Vehicle Repair, Limited" for the property addressed as 8830 E. 350 Highway.

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 and PowerPoint Presentation.
5. Introduction of Application and Power Point by Staff
6. Presentation of Application by Applicant
7. Enter Relevant Applicant's Exhibits into Record as Necessary
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

C. Case No.: PZ-2024-06

Applicant: Joshua Miller, Emerald Auto

Reason: Requesting the approval of a Conditional Use Permit for "Vehicle Repair, Limited" for the property addressed as 9305 E. 350 Highway.

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 and PowerPoint Presentation.
5. Introduction of Application and Power Point by Staff
6. Presentation of Application by Applicant
7. Enter Relevant Applicant's Exhibits into Record as Necessary
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

D. Case No.: PZ-2024-08

Applicant: City Staff

Reason: Requesting the approval Text Amendment to allow for the "Utility, Major" land use to be included as an approved land use, and to determine the requirements for the development of new and for the expansion of existing major utility facilities.

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 and PowerPoint Presentation.
5. Introduction of Application and Power Point by Staff
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

- 7. Other Business:** *Please mark your calendar to join The Lakota Group and City staff at a Community Workshop on **Wednesday, May 22nd, 6:30 pm**, at the **Raytown School Wellness Center, 10301 E State Rte. 350, Raytown, MO 64138.***

8. **Set Future Meeting Date – No applications have been received for the Thursday, June 6, 2024, meeting. The next Regular Planning Commission Meeting is Scheduled for Thursday, July 11, 2024, at 7:00 PM.**
9. **Adjourn**

CITY OF RAYTOWN
PLANNING & ZONING COMMISSION
REGULAR MEETING
MINUTES

March 7, 2024
7:00 pm
Council Meeting Chambers

1. **Welcome by Chairman Meyers.** Chairman Meyers called the meeting to order at 7:00 PM.

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

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

3. **Approval of Minutes:** Minutes of February 1, 2024, Regular Meeting were approved 7-0-1 upon a motion by Ms. Stock and a second by Ms. Thurman. Ms. Emerson abstained from voting.

4. **Public Discussion:** None.

5. **Request to suspend the rules to place New Business before Old Business:** Motion was passed to place New Business before Old Business by a motion by Ms. Emerson and a second by Mr. Frazier.

6. **New Business:**

A. **Case No.: PZ-2024-01 and PZ-2024-02:**

Applicant: Andrew Osman, EIEIO Real Estate, LLC.

Request: Requesting the approval of a Preliminary and Final Plat for “Laurel 350 Highway” for the properties addressed as 9010 E. 350 Highway, 9014 E. 350 Highway, 6920 Laurel Ave., 9005 E. 69th Street, and 9002 E. 350 Hwy.

1. **Introduction of Applications by Chairman.**

Chairman Meyers introduced the applications.

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

No members reported any ex parte communications regarding these applications.

3. **Swearing in of all speakers by City Attorney that plan to give testimony during hearing.**

4. Enter Relevant Exhibits into the Record.

Planning & Zoning Coordinator, Shana Kelly, entered the staff reports and supporting documents into the record.

5. Staff Presentation of Applications.

Shana Kelly, Planning & Zoning Coordinator, provided the staff reports and Power Point, addressing the background of the request, and purpose of the requested Preliminary and Final Plat.

6. Commission Discussion.

Mr. Bruenger inquired about the process of recording the plat with the county and when the clock begins for the schedule and timing of public improvements. Ms. Kelly responded.

Mr. Sneddon asked why the platting applications are being done now when development is not ready to be proposed. The applicant's father, Mr. Osman, responded that it was for the sake of preparing the properties for the future development in terms of property legal descriptions which affect the paperwork necessary prior to development.

7. Commission Decision to Approve, Conditionally Approve, or Deny the Preliminary Plat Application.

Ms. Stock motioned and Mr. Bruenger seconded to recommend approval with conditions outlined in the staff report of the requested Preliminary Plat application to the Board of Aldermen. Ms. Kelly read the conditions outlined in the staff report. Ms. Thurman asked the applicant if they own 9005 E. 69th Street, to which the applicant responded, yes. Mr. Jean-Paul asked if the applicant will need to return to the Planning Commission for approval of the Site Plan. Ms. Kelly responded that it depends on the level of conformance to the three (3) levels of design standards outlined in the Highway 350 Corridor Overlay district.

VOTE: Motion passed 7-0-1. Ms. Thurman abstained from voting.

8. Commission Discussion

Ms. Kelly read the conditions of the Final Plat. Mr. Frazier asked about the amount of the escrow check. Ms. Kelly responded to his questions. Mr. Sneddon asked about the attendance of the neighborhood meeting and why the rest of the residents in the block were not present for the meeting. Ms. Kelly responded that all property owners and residents within 185 feet were notified of the application.

9. Commission Decision to Approve, Conditionally Approve, or Deny the Final Plat Application.

Mr. Jean-Paul moved, and Ms. Stock seconded to recommend approval with conditions outlined in the staff report of the requested Final Plat application to the Board of Aldermen. Mr. Meyers asked the applicant if they were in agreement with the conditions as written.

VOTE: Motion passed 7-0-1. Ms. Thurman abstained from voting.

7. Old Business:

B. Case No.: PZ-2023-10

Applicant: Laark Investments, LLC.

Reason: Applicant is seeking the approval of a Conditional Use Permit for “Vehicle Sales, New and Used” for the property located at 10004 E. 350 Highway

1. Introduction of Application by Chairman.

Chairman Meyer introduced the application.

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

Mr. Meyers reported ex parte communications regarding this application.

3. Swearing in of all speakers by City Attorney that plan to give testimony during hearing.

4. Enter Relevant Exhibits into the Record.

Shana Kelly, Planning & Zoning Coordinator, entered the staff report and supporting documents into the record.

5. Staff Presentation of Application.

Shana Kelly, Planning & Zoning Coordinator, provided the staff report, addressing the background of the request, and use intentions for the property under the requested Conditional Use Permit.

6. Planning Commission Discussion on Application: Mr. Sneddon asked how many display vehicles are currently allowed to be on the site and mentioned that there are significantly more than the allowed number of permitted vehicles. Community Development Director, Diane Egger, mentioned that in the aerial view from November of 2023, there are 58 vehicles parked on site. Mr. Sneddon stated that there was a vehicle parked within the access aisle adjacent to the handicap stall. Mr. Jean-Paul asked what the process of enforcement of the conditions in the staff report. Ms. Egger said that if the conditions were not followed, we would have the authority to cite them and write them a ticket for noncompliance. Mr. Jean-Paul asked if they would be allowed to continue to operate if they received a ticket for noncompliance. Ms. Egger said that we would have to look at the code, but that there are several ways we could enforce violations of local, state, or federal codes, but that hopefully it would not come to that. Mr. Jean-Paul asked if it was typical to see the vehicles at other vehicle sale lots “jammed in” like we see at Vantage Motors. Ms. Egger said that she could not speak for all dealerships in all cities, but that Auto Max, down the street, does not pack cars in like Vantage Motors does. Mr. Frazier asked if this property has received any citations prior to the expiration of their Conditional Use Permit. Ms. Egger said that we do not have records to all the police and court records, but that we looked deeply at this case because in 2013, the minutes show that the Planning Commissioners at that time were very concerned about the overcrowding of the site with vehicles. Mr. Meyers asked if the questions in the “Factors to be

Considered” were standard questions. Ms. Kelly responded that the Code specifically lists the “Factors to be Considered” in Conditional Use Permit applications and that they were taken specifically from there. Mr. Meyers asked if the questions were the same for all CUP applications. Ms. Kelly responded that they are. Mr. Meyers said that he had questions about the fire safety questions and how we were able to respond. Ms. Kelly explained that we consult the fire department and receive their input.

7. Applicant’s Comments on Application.

Mr. Kamali presented his application to the Planning Commission and discussed the reasons for the request. Mr. Kamali stated that he felt like they were being pushed out of Raytown. He acknowledged that site parking is a problem and that they will fix it. Mr. Kamali stated that they could not comply with the city requirement of a sidewalk because MoDOT will not allow it. He requested two (2) years instead of one (1) for the construction of the sidewalk.

Mr. Kamali said that in 2009, the City had asked for an easement for a Raytown City monument on the corner of their property, which they agreed to. He stated that since the monument still hasn’t been installed, they would like the space back to incorporate more parking.

8. Commission Discussion.

Mr. Frazier addressed the applicant’s comment about feeling “pushed out” of Raytown. He stated that the goal is to uphold the Code and that requesting that businesses follow the Code is not an effort to “push out,” but to beautify the community. He asked Mr. Kamali which of the conditions he was not ok with, as he had stated that he was “pretty much good with most of the conditions.” Mr. Kamali stated that they don’t agree with condition #15, which states that the city will allow one (1) year for the completion of the sidewalk.

Mr. Frazier inquired about the estimate of the sidewalk and asked if an escrow payment could be collected for the sidewalk. Ms. Kelly clarified that the “Option 3, Escrow Agreement” is specific to Final Plat applications and is not extended to Conditional Use Permit applications. Ms. Kelly explained that if this were a new case, the applicant would not be allowed to operate the business at all until all public improvements were completed, but that she was trying to be very flexible by giving them one (1) year for the completion of improvements.

Mr. Jean-Paul asked the applicant what the plan is for bringing the site into compliance with the current inventory maximum. Mr. Kamali stated that he would bring the site into compliance. Mr. Jean-Paul said that he appreciated that, but that he was asking how he plans to do this. Mr. Kamali stated that once they get the other sites operational, parking won’t be a problem because they’ll have so much space. Mr. Kamali said that he doesn’t like parking the cars too close together because they get “dings” and damage. Mr. Jean-Paul asked if the applicant intended to leave the vehicles as-is on the current parking lot until the new sites are ready. Mr. Kamali stated that they can put cars in the back. Mr. Jean-Paul asked staff if that would be acceptable to store vehicles in the back. Staff responded that yes, any cars enclosed from public view are acceptable.

Mr. Sneddon stated that he is ok with amendment of the condition for the time of sidewalk construction to be lengthened to two (2) years instead of one (1) and asked about placing some of the duplicates of the same cars in the back. He asked if the applicant could comply with the conditions. Mr. Kamali stated that he would comply in two (2) years. Mr. Sneddon clarified the question, asking if he could comply now. The commission discussed placing a time limit on the approval of the Conditional Use Permit application.

Mr. Frazier inquired about the condition that required an access agreement to be established with 7403 Raytown Road, currently occupied by O'Reilly's Automotive. Mr. Kamali stated that it is included in the property deed.

Mr. Sneddon asked the applicant if he could comply with the total number of display vehicles allowed. Mr. Kamali said that it would be difficult. Mr. Sneddon repeated the question and asked for a yes or no answer. Mr. Kamali stated that he would. Mr. Sneddon asked what the ramifications are if he does not comply. Ms. Egger added that any conditions not followed would be a violation of the business license.

Mr. Jean-Paul discussed with the applicant how important their site is to Raytown because it's one of the first things people see when they enter it. He explained how vehicle clutter reflects on the entire city and that they have a responsibility to keep the site nicely maintained.

Ms. Stock stated that she thought we were not including the alleyway in this application. Ms. Kelly explained that they had requested to hold the application over in order have time to obtain proof of ownership to include the alleyway.

Mr. Kamali inquired again if they could have the monument easement area for more parking. Mr. Meyers stated that we do not have the authority to overturn this. Ms. Egger added that these three (3) monument easement locations are required by the Code. Mr. Kamali stated that he would give it back. Mr. Meyers stated that, again, we do not have the authority to grant him the easement.

Mr. Jean-Paul made a motion to change condition #15 from one (1) year to two (2) years for the completion of the public improvements. Ms. Thurman seconded the motion.

VOTE: Motion passed 5-3.

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

Mr. Frazier made a motion to recommend approval of the application to the Board of Aldermen subject to the amended conditions. Mr. Jean-Paul seconded the motion. Ms. Emerson requested that all the conditions be read. Ms. Kelly read the conditions. Mr. Frazier asked for clarification on the conditions, to which Ms. Kelly responded. Ms. Stock asked for clarification on the conditions, to which Ms. Kelly responded. Ms. Emerson asked the applicant if he agrees with all the conditions. Ms. Thurman moved, and Mr. Jean-Paul seconded to recommend approval with conditions outlined in the staff report of the requested Conditional Use Permit application to the Board of Aldermen.

VOTE: Motion passed 8-0.

8. **Other Business:** Missy Wilson, Assistant City Administrator, announced that we have selected a consultant for the Comprehensive Plan update and that the next Board of Aldermen meeting, we will bring forward a proposed contract.

Mr. Frazier made a motion to reschedule the July 4th meeting to the following Thursday, July 11th. Ms. Thurman seconded the motion.

VOTE: Motion passed 8-0.

9. **Set Future Meeting Date – No applications have been received for the Thursday, April 4, 2024, meeting. The next Regular Planning Commission Meeting is Scheduled for Thursday, May 2, 2024, at 7:00 PM.**
10. **Meeting was Adjourned at 9:00 PM.**



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

Staff Report

To: City of Raytown, Planning & Zoning Commission

From: Shana Kelly, Planning & Zoning Coordinator

Case #: Rezoning PZ-2024-04

Planning & Zoning Meeting Date: May 2, 2024

Board of Aldermen Date: June 4, 2024, and
June 18, 2024



Applicant: Thiago Guerra | Ipanema Brywood II, LLC.

Location: Parcel ID# 45-310-05-68-00-0-00-000, Generally located at the corner of Blue Ridge Cut-Off and 62nd Terrace.

Ward: 1

Property Owner: Ipanema Brywood, LLC.

Project Summary: The applicant is requesting a Rezoning from **R-3, High-Density Residential** to **NC, Neighborhood Commercial** for the purpose of bringing the site into conformance with the land use and to allow the continued operation of an annual fireworks vendor stand.

Staff Recommendation: Staff recommends **Approval** of the Rezoning Application.

Background Information: The Brywood Shopping Centre was constructed several decades ago and was replatted in the year 2019. The vast majority of the subdivision is within the city limits of Kansas City, Missouri, however, the eastern portion lies within the City of Raytown. This parcel is mostly paved and is used as an access drive to and from the commercial development, primarily for the use of delivery trucks to enter and exit at the rear of the buildings.

Although this property is commercial in nature and serves the commercial development, it has retained its existing R-3, High-Density Residential zoning designation. The Future Land Use Map contained in the 1996 Comprehensive Plan, as amended, designates the subject property as Commercial. Approval of this application for rezoning will bring the site into compliance with the Future Land Use Map and Comprehensive Plan.



A portion of this property has been used for more than a decade for the purpose of an annual Fourth of July fireworks vendor stand. The City of Raytown Fireworks Ordinance states that properties used for fireworks sales must be within commercial or industrial zoning districts and must be placed on a paved surface.

In order to bring the site into compliance with the Comprehensive Plan and with the City of Raytown Fireworks ordinance, the property owners are requesting the approval of this rezoning application. No development is being proposed.

Total Land Area: 1.63 Acres

Public Noticing: *The Daily Record:* A public hearing notice was published in The Daily Record Kansas City, on **April 9, 2024**. A copy of the affidavit of publication is included with the attachments to this report. Letters to Residents and Property Owners were mailed to property owners within 185 feet of the subject property on **April 11, 2024**. A copy of the letter is included with the attachments to this report.

Neighborhood Meeting: The applicant held a neighborhood meeting on **Monday, April 15, 2024**. Other than the applicant, no one attended the meeting.

Adjacent Properties:

	Zoning:	Current Land Use:
North:	R-3, High-Density Residential	Apartment Complex
South:	NC, Neighborhood Commercial	Office Building
East:	Public Right-of-Way	Blue Ridge Cut-off
West:	(Kansas City, Missouri)	Brywood Shopping Centre

Street Classification: Blue Ridge Cutoff is classified as an **Arterial Street**.

Vehicular and Pedestrian Access: The subject property provides vehicular access to and from the Brywood Shopping Centre. Pedestrian access is provided via a sidewalk along the frontage of Blue Ridge Cutoff.

Rezoning Application Factors To Be Considered:

1. The Character of the Neighborhood:

The neighborhood is predominantly commercial in nature due to the Brywood Shopping Centre, and other neighboring businesses along 63rd Street and Blue Ridge Cutoff, both major arterials. To the north of the subject property, the neighborhood is residential, with multi-family homes (apartments) directly behind the shopping center.



2. Zoning and current uses of nearby properties:

The property adjacent to the west of the subject property is located within the city limits of Kansas City, Missouri, and is used for commercial purposes. Other zoning districts in the area include R-3, High-Density Residential, and R-1, Low-Density Residential. There are multi-family homes to the north and single-family homes to the east.

3. Suitability of Zoning for current use:

The approval of this rezoning application will allow this property to be zoned appropriately according to its use, as it serves as a vehicular access drive to a major commercial development. The site cannot be developed according to its current zoning designation, as it is presently zoned R-3, which allows for apartments.

4. Detrimental effects to nearby properties if Rezoning is approved:

If this application is approved, there will be no detrimental effects to neighboring properties as there is no development being proposed, and this application is solely for the purpose of bringing the zoning into alignment with the current and future use of the property and for the continued operation of an annual fireworks vendor stand.

5. The length of time the property has been vacant:

The property is partially paved, to provide vehicular access to and from the shopping center. The remainder of the parcel is an undeveloped grassy area which used to have a house, but has remained undeveloped since the early 2000's.

6. Consideration of public interest:

a. Public Health:

This application will not affect public health. There is no development proposed and there will be no physical changes to the property. If approved, the site will continue to be used for approximately one week of the year for a fireworks vendor stand. This stand must operate in accordance with all City of Raytown requirements as well as fire safety. If all requirements are followed, there will be no negative impact to public health.

b. Public Safety:

Public safety will not be affected due to the reasons listed above. No development is being proposed and the annual fireworks stand must operate in accordance with all City of Raytown and Raytown Fire Protection requirements.



c. Public Welfare:

The approval of the rezoning request will not affect the public welfare because no physical changes are being proposed to the property. The purpose of this application is to bring the property into conformance with the Future Land Use Map of the Comprehensive Plan and support the activities for which it has been traditionally used.

7. Impacts on public services and utilities:

As there are no physical changes being made to the property, there will be no effects on public services and utilities. The lot is currently being used for commercial purposes. The rezoning will bring the site into compliance with the natural use of the property.

8. Conformance with the Comprehensive Plan:

The Future Land Use Map contained in the 1996 Comprehensive Plan, as amended, designates the subject property as Commercial. Approval of this application for rezoning will bring the site into compliance with the Future Land Use Map and Comprehensive Plan.

PUBLIC WORKS:

- **Items that require plan revision or additional documentation before engineering can recommend approval:**
 - NONE
- **Items that are conditions of approval:**
 - NONE
- **Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
 - NONE

ATTACHMENTS:

- Zoning Map
- Site Photo
- Neighborhood Letter
- 185-ft Buffer Map
- Affidavit of Publication
- Application



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

- Receipt of Paid Taxes
- Receipt
- Street Classification Map

RECOMMENDATION:

Staff recommends that the Planning Commission hold this public hearing, take testimony from all parties, and consider recommending **APPROVAL** of this rezoning application **RZ-2024-04** for the subject parcel identified by Parcel ID #: 45-310-05-68-00-0-00-000 from **R-3, High-Density Residential** to **NC, Neighborhood Commercial**.



Community Development Department
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Zoning Map





Community Development Department
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Phone: 816-737-6014 • Fax: 816-737-6164

Site Photo



April 9, 2024
Re: Case No: PZ-2024-04

Dear Property Owner/Tenant:

Notice of Neighborhood Meeting and Public Hearings in Your Area

The Raytown Community Development Department is processing a Rezoning application filed by property owner, Thiago Guerra of Ipanema Brywood II LLC., from R-3, High-Density Residential, to NC, Neighborhood Commercial for parcel ID #: 45-310-05-68-00-0-00-000, which is generally located at the corner of Blue Ridge Cut Off and 62nd Terrace. This property consists of 1.63 acres of land and is located within the City of Raytown, Missouri.

Brywood Centre is a commercial center which exists mostly within the city limits of Kansas City, Missouri. Only a small portion on the eastern edge, which serves as an access point to the shopping center, is within the City of Raytown. A portion of that property retains its R-3, High-Density Residential, zoning designation. The purpose of this application is to bring the zoning into compatibility with the rest of the commercial development. In addition, this property has been used annually for the display and sale of fireworks. City of Raytown ordinance states that fireworks vendor stands must be located on a paved surface and the property must be zoned commercially or industrially. Approval of this application will allow the continued sale of annual fireworks at this location.

As a nearby owner or tenant, you are entitled to appear and provide comments at any of the public hearings on this matter or to provide written comments.

The applicant will be holding a neighborhood information meeting at Raytown City Hall at **2:00pm on Monday, April 15, 2024**, 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, we highly recommend that you attend this meeting.

A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission at 7:00 PM on **Thursday May 2, 2024**. The full packet and agenda should be available for view on the City of Raytown website on **Friday, April 26, 2024**.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for 7:00 PM on **Tuesday, June 4, 2024**.

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

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

If you will require any special accommodations (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.

The Daily Record Kansas City
920 Main St
Kansas City, MO, 64105
Phone: 8163841801 Fax: 0

The Daily Record

KANSAS CITY

Affidavit of Publication

To: Raytown, City Of, Missouri - City Clerk
10000 E 59Th St
Raytown, MO, 641333915

Re: Legal Notice 2601519, 6130 Blue Ridge Cut Off, Raytown,
Missouri

State of MO

County of Jackson County

Notice of Public Hearings

Affected Property: 6130 Blue Ridge
Cut Off, Raytown, Missouri

Jackson County Parcel ID # 45-310-05-
68-00-0-00-000

A public hearing to consider a
Rezoning application from R-3,
High-Density Residential, to NC,
Neighborhood Commercial for the
purpose of annual fireworks vender
use on the property identified by tax
parcel ID#: 45-310-05-68-00-0-00-000,
generally located on the corner of Blue
Ridge Cut Off and 62nd Terrace.

The application was filed by the
property owner, Thiago Guerra, of
Ipanema Brywood II, LLC., and will be
held by the Raytown Planning & Zoning
Commission at 7:00pm on Thursday,
May 2, 2024. The packet and agenda
will be available for view on the City
of Raytown website on Friday, April
26, 2024.

The Raytown Board of Aldermen will
also hold a public hearing to consider
this Rezoning application, tentatively
scheduled for 7:00pm on Tuesday, June
4, 2024.

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

The public is invited to attend the
public hearings to ask questions
and provide comments. Additional
information can be obtained from
the Department of Community
Development located in Raytown
City Hall at 10000 E. 59th Street, by
telephone at (816)737-6059 or by email
at shanak@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.

2601519 Jackson Apr. 12, 2024

Publishers fee: \$61.48

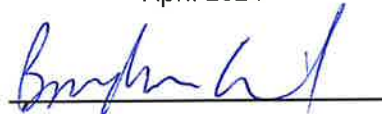
By:



Lisa Fowler

Sworn to me on this 16th day of
April 2024

By:



Brandon M. Crail

Notary Public, State of MO
No. 20297982
Qualified in St. Louis County
My commission expires on
March 5, 2028








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

PLANNING APPLICATION


Office Use Only	Application Type(s):
Case #: RZNE-000174-2024	Rezoning
Fee Paid: \$450.00 - paid	
PC Meeting Date: 5/2/24	
B of A Meeting Date: 6/4/24 & 6/18/24	
Newspaper Notice Date: 4/9/24	
Notice Letters Date: 4/11/24	

Project Info:	
Project Name: Brywood Centre	
Project Address: 6130 Blue Ridge Cut-off, Raytown, MO 64133 Parcel ID: 45-310-05-68-00-0-00-000	
Existing Zoning: R-3 High-Density Residential/NC, Neighborhood Commercial	Existing Land Use: Residential Paved Surface
Proposed Zoning: NC, Neighborhood Commercial	Proposed Land Use: Commercial
Total Acreage: 0.44 acres 0.867 Acres	

Applicant:	
Name of Applicant: Thiago Guerra	Company (If Applicable): Ipanema Brywood II LLC
Address: 5150 N Miami Ave City: Miami State: FL Zip: 33127	
Phone: 786-797-3763	Email: thiago@ipanemamanagement.com
Applicant Signature: 	
X	



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

Property Owner:	
Name of Owner:	Company (If Applicable):
Ipanema Brywood LLC & Ipanema Brywood II LLC	
Address:	
5150 N Miami Ave	City: Miami State: FL Zip: 33127
Phone:	Email:
786-797-3763	thiago@ipanemamanagement.com
Property Owner Signature:	
	
X	

Please Give a Detailed Description of the Proposal Below:

Due to city ordinance, Sky Bloom Fireworks, which has operated at Brywood Centre for many years, has to move their July 4th fireworks tent to a concrete area. The concrete area on parcel number 45-310-05-68-00-0-00-000 is currently zoned Residential and needs to be zoned Commercial in order to accommodate Sky Bloom Fireworks.



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Additional Contact Information

Please provide additional contact information if applicable below:

Project Lead:			
Name:	Amanda Bellemere	Company:	Ipanema Management
Address:	5150 N Miami Ave	City:	Miami
		State:	FL
		Zip:	33127
Phone:	816-824-8864	Email:	amanda.bellemere@ipanemamanagement.com
Developer:			
Name:	Thiago Guerra	Company:	Ipanema Brywood II LLC
Address:	5150 N Miami Ave	City:	Miami
		State:	FL
		Zip:	33127
Phone:	786-797-3763	Email:	thiago@ipanemamanagement.com
Engineer:			
Name:		Company:	
Address:		City:	
		State:	
		Zip:	
Phone:		Email:	
Architect:			
Name:		Company:	
Address:		City:	
		State:	
		Zip:	
Phone:		Email:	
Surveyor:			
Name:		Company:	
Address:		City:	
		State:	
		Zip:	
Phone:		Email:	



Community Development Department
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10000 E 59th Street • Raytown, MO 64133
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Landscape Architect:			
Name:		Company:	
Address:			
City:		State:	Zip:
Phone:		Email:	
Attorney:			
Name:		Company:	
Address:			
City:		State:	Zip:
Phone:		Email:	
Other:			
Name:		Company:	
Address:			
City:		State:	Zip:
Phone:		Email:	

1. The proposed action will be in keeping with the character of the neighborhood because:
There will be no physical changes to the parcel in question

2. The proposed use will be consistent with the uses and zoning on nearby parcels because:
The zoning being requested is the same as every other parcel that comprises Brywood Centre

3. Prior to submitting this application, the property has been vacant for:
It has been a parking lot since Brywood Centre was first built



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

Because it is consistent with the use of all the other parcels that comprise Brywood Centre

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

None

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

The current use will be inconsistent with the zoning of the parcel

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

N/A

8. The proposed development implements the Comprehensive Plan in the following ways:

N/A

9. Additional comments:

N/A

From: Jackson County Parcel Viewer
The true property boundaries



Current Zoning:





Legal description of this parcel only is: THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG NE
COR SD LOT 1 TH S 02 DEG 27 MIN 57 SEC W 297' TH S 11 DEG 05 MIN 10 SEC W 60' TH N 87 DEG
23 MIN 55 SEC W 190.98' TH N 02 DEG 27 MIN 57 SEC W 356'MOL TH S 87 DEG 23 MIN 55 SEC E
205' MOL TO POB



ELECTRONICALLY RECORDED
JACKSON COUNTY, MISSOURI

06/08/2022 9:32 AM

COV FEE: \$30.00 4 PGS

INSTRUMENT NUMBER

2022E0054650

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

DOCUMENT TITLE: SPECIAL WARRANTY DEED

DOCUMENT DATE: June 1, 2022

GRANTOR NAME AND MAILING ADDRESS: RCG-BRYWOOD OWNER, LLC, a Delaware limited liability company
3060 Peachtree Road, Suite 400
Atlanta, Georgia 30305
Attention: Frank Meyrath

GRANTEE NAME AND MAILING ADDRESS: IPANEMA BRYWOOD LLC, a Delaware limited liability company, and IPANEMA BRYWOOD II LLC, a Delaware limited liability company, as Tenants in Common
5150 N. Miami Avenue
Miami, FL 33127
Attention: Rick Cava

LEGAL DESCRIPTION: See Exhibit A attached hereto and incorporated herein.

REFERENCE BOOK AND PAGES: Instrument No. 2016E0034604

Chicago Title
KCC211884

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, is made this 1st day of June, 2022, by and between **RCG-BRYWOOD OWNER, LLC**, a Delaware limited liability company, having an address at 3060 Peachtree Road, Suite 400, Atlanta, Georgia 30305 ("Grantor"), in favor of **IPANEMA BRYWOOD LLC**, a Delaware limited liability company, as to an undivided 51.71% interest, and **IPANEMA BRYWOOD II LLC**, a Delaware limited liability company, as to an undivided 48.29% interest, as Tenants in Common, with a mailing address of 5150 N. Miami Avenue, Miami, Florida 33127 (collectively, "Grantee") ("Grantor" and "Grantee" shall include their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H:

WHEREAS, Grantor holds title to that certain real property located in Jackson County, Missouri, said real property together with all the improvements and fixtures located thereon, being more particularly described on Exhibit "A" which is attached to this deed and is incorporated herein by reference (collectively, the "Property"); and

NOW, THEREFORE, Grantor, for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00) and other good and valuable considerations in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents GRANT, SELL AND CONVEY unto Grantee, its successors and assigns, the Property.

This conveyance is made by the Grantor and accepted by the Grantee subject to all covenants, conditions, restrictions, and other matters of record in the office of the County Recorder of Jackson County, Missouri, and all unpaid taxes and assessments, and Sections 11, 19, 20, and 21 of that certain Agreement for the Implementation of the Brywood Centre Tax Increment Financing Plan, dated as of May 15, 2009, by and between the Tax Increment Financing Commission of Kansas City, Missouri and the Grantor (herein collectively called the "Permitted Exceptions").

TO HAVE AND TO HOLD the premises aforesaid, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors and assigns, to WARRANT and FOREVER DEFEND, all and singular, the Property and premises unto the Grantee, and Grantee's heirs, successors, and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

[Remainder of Page Intentionally Left Blank; Signature Appears on Next Page]

IN WITNESS WHEREOF, Grantor has signed and sealed this deed as of the day and year first above written.

"GRANTOR":

RCG-BRYWOOD OWNER, LLC, a Delaware limited liability company

By: RCG Ventures Distressed Real Estate Opportunity Fund, LP, a Georgia limited partnership, its manager

By: RCG Ventures Fund II GP, LLC, a Georgia limited liability company, its general partner

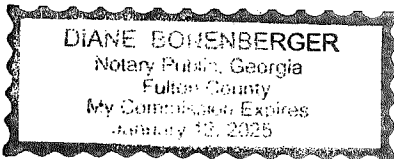
By: *[Signature]*
Wilkes J. Graham
Chief Financial Officer

STATE OF GEORGIA)
) ss.
COUNTY OF FULTON)

On this ____ day of May, 2022, before me, personally appeared Wilkes J. Graham, to me personally known, who being by me duly sworn did say that he is the Chief Financial Officer of RCG Ventures Fund II GP, LLC, a Georgia limited liability company, which is the general partner of RCG Ventures Distress Real Estate Opportunity Fund, LP, a Georgia limited partnership, which is the manager of RCG-Brywood Owner, LLC, a Delaware limited liability company, and that the foregoing instrument was signed on behalf of said company and is the free act and deed of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Fulton County the day and year above written.

(Notary Seal)



[Signature]
Printed Name: Diane Borenberger
Notary Public in and for said State
Commissioned in Fulton County
My commission expires: January 12, 2025

EXHIBIT "A"

Legal Description

Lots 1, 2, 3, 4, 5, and 6, THE BRYWOOD CENTRE, SECOND PLAT, a subdivision partially in Raytown and Partially in Kansas City, all in Jackson County, Missouri, according to the final plat recorded in Instrument No. 2019E0077717 in the Jackson County, Missouri Recorder's Office.

Official Tax Payment Receipt

Receipt No.: 13508971 **Date and Time:** 12/30/2022 05:31 **Print Date:** 03/12/2024

Receipt Details

Parcel No.	Tax Year	TCA/District	Amount Applied	Unpaid Balance	Amount*	Description
45-310-05-52-00-00-000	2022	019	\$27,512.65		\$0.00	A/V Principal-Commercial
	2022	REPL	\$4,225.93		\$0.00	Replacement Tax
45-310-05-55-00-00-000	2022	019	\$29.94		\$0.00	A/V Principal-Commercial
	2022	REPL	\$4.60		\$0.00	Replacement Tax
45-310-05-56-00-00-000	2022	019	\$82,150.18		\$0.00	A/V Principal-Commercial
	2022	REPL	\$12,618.23		\$0.00	Replacement Tax
	2022	STBP	\$318.81		\$0.00	TIF
	2022	REPL	\$15,271.07		\$0.00	TIF
	2022	CTKC	\$99,010.10		\$0.00	TIF
	2022	LDMC	\$92.46		\$0.00	TIF
45-310-05-57-00-00-000	2022	019	\$29.94		\$0.00	A/V Principal-Commercial
	2022	REPL	\$4.60		\$0.00	Replacement Tax
45-310-05-58-00-00-000	2022	019	\$1,676.51		\$0.00	A/V Principal-Commercial
	2022	REPL	\$257.51		\$0.00	Replacement Tax
45-310-05-59-00-00-000	2022	019	\$1,886.07		\$0.00	A/V Principal-Commercial
	2022	REPL	\$289.70		\$0.00	Replacement Tax
45-310-05-60-00-00-000	2022	019	\$29.94		\$0.00	A/V Principal-Commercial

	2022	REPL	\$4.60	\$0.00	Replacement Tax
45-310-05-61-00-00-000	2022	019	\$479.00	\$0.00	A/V Principal-Commercial
	2022	REPL	\$73.57	\$0.00	Replacement Tax
45-310-05-62-00-00-000	2022	019	\$2,095.63	\$0.00	A/V Principal-Commercial
	2022	REPL	\$321.89	\$0.00	Replacement Tax
45-310-05-63-00-00-000	2022	019	\$2,604.57	\$0.00	A/V Principal-Commercial
	2022	REPL	\$400.06	\$0.00	Replacement Tax
45-310-05-64-00-00-000	2022	019	\$898.13	\$0.00	A/V Principal-Commercial
	2022	REPL	\$137.95	\$0.00	Replacement Tax
45-310-05-65-00-00-000	2022	019	\$2,424.95	\$0.00	A/V Principal-Commercial
	2022	REPL	\$372.47	\$0.00	Replacement Tax
45-310-05-66-00-00-000	2022	019	\$1,856.13	\$0.00	A/V Principal-Commercial
	2022	REPL	\$285.10	\$0.00	Replacement Tax
45-310-05-67-00-00-000	2022	019	\$3,562.57	\$0.00	A/V Principal-Commercial
	2022	REPL	\$547.21	\$0.00	Replacement Tax
45-310-05-68-00-00-000	2022	022	\$6,953.36	\$0.00	A/V Principal-Commercial
	2022	REPL	\$1,062.23	\$0.00	Replacement Tax

Payer Name and Address Information

Name	Address	Tender Type	Amount Tendered
IPANEMA BRYWOOD LLC	5150 N MIAMI AVE ,MIAMI ,FL33127	Electronic Check	\$269,487.66

Owner Name and Address Information				
Parcel No.	Name	Address	Since	To
45-310-05-68-00-0-00-000	IPANEMA BRYWOOD LLC	5150 N MIAMI AVE, MIAMI, FL 33127	06/01/2022	Current

Distribution of Districts			
Parcel No.	Tax Year	Agency	Amount
45-310-05-52-00-0-00-000	2022	BOARD OF DISABLED SERVICES	245.8508
	2022	CITY - KANSAS CITY	4975.2446
	2022	JACKSON COUNTY	1740.9534
	2022	MENTAL HEALTH	327.3110
	2022	METRO JUNIOR COLLEGE	596.3941
	2022	MID-CONTINENT LIBRARY	952.8190
	2022	RAYTOWN SCHOOL C-II	18585.8531
	2022	REPLACEMENT TAX	4225.9300
	2022	STATE BLIND PENSION	88.2240
45-310-05-55-00-0-00-000	2022	BOARD OF DISABLED SERVICES	0.2675
	2022	CITY - KANSAS CITY	5.4142
	2022	JACKSON COUNTY	1.8946
	2022	MENTAL HEALTH	0.3562
	2022	METRO JUNIOR COLLEGE	0.6490
	2022	MID-CONTINENT LIBRARY	1.0369
	2022	RAYTOWN SCHOOL C-II	20.2256
	2022	REPLACEMENT TAX	4.6000
	2022	STATE BLIND PENSION	0.0960
45-310-05-56-00-0-00-000	2022	BOARD OF DISABLED SERVICES	734.0874
	2022	CITY - KANSAS CITY	14855.6116
	2022	JACKSON COUNTY	5198.3226
	2022	MENTAL HEALTH	977.3197
	2022	METRO JUNIOR COLLEGE	1780.7766
	2022	MID-CONTINENT LIBRARY	2845.0279
	2022	RAYTOWN SCHOOL C-II	55495.6056
	2022	REPLACEMENT TAX	12618.2300
	2022	STATE BLIND PENSION	263.4285
45-310-05-57-00-0-00-000	2022	BOARD OF DISABLED SERVICES	0.2675
	2022	CITY - KANSAS CITY	5.4142
	2022	JACKSON COUNTY	1.8946
	2022	MENTAL HEALTH	0.3562

	2022	METRO JUNIOR COLLEGE	0.6490
	2022	MID-CONTINENT LIBRARY	1.0369
	2022	RAYTOWN SCHOOL C-II	20.2256
	2022	REPLACEMENT TAX	4.6000
	2022	STATE BLIND PENSION	0.0960
45-310-05-58-00-0-00-000	2022	BOARD OF DISABLED SERVICES	14.9812
	2022	CITY - KANSAS CITY	303.1714
	2022	JACKSON COUNTY	106.0867
	2022	MENTAL HEALTH	19.9450
	2022	METRO JUNIOR COLLEGE	36.3419
	2022	MID-CONTINENT LIBRARY	58.0610
	2022	RAYTOWN SCHOOL C-II	1132.5470
	2022	REPLACEMENT TAX	257.5100
	2022	STATE BLIND PENSION	5.3760
45-310-05-59-00-0-00-000	2022	BOARD OF DISABLED SERVICES	16.8538
	2022	CITY - KANSAS CITY	341.0671
	2022	JACKSON COUNTY	119.3473
	2022	MENTAL HEALTH	22.4381
	2022	METRO JUNIOR COLLEGE	40.8845
	2022	MID-CONTINENT LIBRARY	65.3184
	2022	RAYTOWN SCHOOL C-II	1274.1128
	2022	REPLACEMENT TAX	289.7000
	2022	STATE BLIND PENSION	6.0480
45-310-05-60-00-0-00-000	2022	BOARD OF DISABLED SERVICES	0.2675
	2022	CITY - KANSAS CITY	5.4142
	2022	JACKSON COUNTY	1.8946
	2022	MENTAL HEALTH	0.3562
	2022	METRO JUNIOR COLLEGE	0.6490
	2022	MID-CONTINENT LIBRARY	1.0369
	2022	RAYTOWN SCHOOL C-II	20.2256
	2022	REPLACEMENT TAX	4.6000
	2022	STATE BLIND PENSION	0.0960
45-310-05-61-00-0-00-000	2022	BOARD OF DISABLED SERVICES	4.2803
	2022	CITY - KANSAS CITY	86.6199
	2022	JACKSON COUNTY	30.3103
	2022	MENTAL HEALTH	5.6985
	2022	METRO JUNIOR COLLEGE	10.3833

	2022	MID-CONTINENT LIBRARY	16.5887
	2022	RAYTOWN SCHOOL C-II	323.5829
	2022	REPLACEMENT TAX	73.5700
	2022	STATE BLIND PENSION	1.5360
45-310-05-62-00-0-00-000	2022	BOARD OF DISABLED SERVICES	18.7264
	2022	CITY - KANSAS CITY	378.9628
	2022	JACKSON COUNTY	132.6079
	2022	MENTAL HEALTH	24.9312
	2022	METRO JUNIOR COLLEGE	45.4272
	2022	MID-CONTINENT LIBRARY	72.5759
	2022	RAYTOWN SCHOOL C-II	1415.6787
	2022	REPLACEMENT TAX	321.8900
	2022	STATE BLIND PENSION	6.7200
45-310-05-63-00-0-00-000	2022	BOARD OF DISABLED SERVICES	23.2742
	2022	CITY - KANSAS CITY	470.9969
	2022	JACKSON COUNTY	164.8127
	2022	MENTAL HEALTH	30.9859
	2022	METRO JUNIOR COLLEGE	56.4595
	2022	MID-CONTINENT LIBRARY	90.2016
	2022	RAYTOWN SCHOOL C-II	1759.4872
	2022	REPLACEMENT TAX	400.0600
	2022	STATE BLIND PENSION	8.3520
45-310-05-64-00-0-00-000	2022	BOARD OF DISABLED SERVICES	8.0256
	2022	CITY - KANSAS CITY	162.4132
	2022	JACKSON COUNTY	56.8321
	2022	MENTAL HEALTH	10.6848
	2022	METRO JUNIOR COLLEGE	19.4688
	2022	MID-CONTINENT LIBRARY	31.1041
	2022	RAYTOWN SCHOOL C-II	606.7214
	2022	REPLACEMENT TAX	137.9500
	2022	STATE BLIND PENSION	2.8800
45-310-05-65-00-0-00-000	2022	BOARD OF DISABLED SERVICES	21.6692
	2022	CITY - KANSAS CITY	438.5154
	2022	JACKSON COUNTY	153.4467
	2022	MENTAL HEALTH	28.8490
	2022	METRO JUNIOR COLLEGE	52.5659
	2022	MID-CONTINENT LIBRARY	83.9810

	2022	RAYTOWN SCHOOL C-II	1638.1470
	2022	REPLACEMENT TAX	372.4700
	2022	STATE BLIND PENSION	7.7760
45-310-05-66-00-0-00-000	2022	BOARD OF DISABLED SERVICES	16.5862
	2022	CITY - KANSAS CITY	335.6529
	2022	JACKSON COUNTY	117.4527
	2022	MENTAL HEALTH	22.0819
	2022	METRO JUNIOR COLLEGE	40.2355
	2022	MID-CONTINENT LIBRARY	64.2816
	2022	RAYTOWN SCHOOL C-II	1253.8872
	2022	REPLACEMENT TAX	285.1000
	2022	STATE BLIND PENSION	5.9520
45-310-05-67-00-0-00-000	2022	BOARD OF DISABLED SERVICES	31.8348
	2022	CITY - KANSAS CITY	644.2366
	2022	JACKSON COUNTY	225.4333
	2022	MENTAL HEALTH	42.3830
	2022	METRO JUNIOR COLLEGE	77.2261
	2022	MID-CONTINENT LIBRARY	123.3790
	2022	RAYTOWN SCHOOL C-II	2406.6530
	2022	REPLACEMENT TAX	547.2100
	2022	STATE BLIND PENSION	11.4240
45-310-05-68-00-0-00-000	2022	BOARD OF DISABLED SERVICES	61.7971
	2022	CITY - RAYTOWN	351.6375
	2022	FIRE DISTRICT - RAYTOWN	936.7144
	2022	JACKSON COUNTY	437.6065
	2022	MENTAL HEALTH	82.2730
	2022	METRO JUNIOR COLLEGE	149.9098
	2022	MID-CONTINENT LIBRARY	239.5008
	2022	RAYTOWN SCHOOL C-II	4671.7449
	2022	REPLACEMENT TAX	1062.2300
	2022	STATE BLIND PENSION	22.1760

Motor Vehicles

Parcel No.	Tax Year	Type	Make	Model	Series	Model Year	Item ID	Plate No.	Name on Title 1	Name on Title 2
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No Motor Vehicle Assets Found

Business Assets

Parcel No.	Tax Year	Category	Purchase Year
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No Business Assets Found

Real Estate Legal Descriptions

Parcel No.	Legal Line	Line No.
45-310-05-52-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT --- PT LOT 1 DAF: BEG NW COR SD LOT 1 TH S 87 DEG 23 MIN 55 SEC E 457.32' TH S 25 DEG 57 MIN 01 SEC W 44.89' TH S 02 DEG 44 MIN 50 SEC W 2695.29' TH N 87 DEG 15 MIN 10 SEC	1
	W 1.35' TH S 02 DEG 44 MIN 50 SEC W 159.99' TH N 87 DEG 15 MIN 10 SEC W 74.56' TH N 02 DEG 44 MIN 50 SEC E 155' TH N 87 DEG 15 MIN 16 SEC W 4.80' TH N 02 DEG 44 MIN 50 SEC E 363.20' TH N 87 DEG 15	2
	MIN 10 SEC W 355.15' TH N 02 DEG 06 MIN 55 SEC E 326.06' TO POB	3
45-310-05-55-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG AT SWLY COR SD LOT 1 TH N 02 DEG 44 MIN 50 SEC E 155' TH S 87 DEG 15 MIN 16 SEC E 4.8' TH S 02 DEG 44 MIN 50 SEC W 155' TH N 87 DEG 15 MIN 15 SEC W	1
	5.33' TO POB	2
45-310-05-56-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG NE COR SD LOT 1 TH N 87 DEG 23 MIN 55 SEC W 325' MOL TH S 02 DEG 27 MIN 53 SEC W 305.03' S 87 DEG 31 MIN 55 SEC W 120' TH S 02 DEG 27 MIN 56 SEC W	1
	43.50' TH N 87 DEG 30 MIN 26 SEC W 92' TH S 02 DEG 27 MIN 57 SEC E 207' TH S 87 DEG 30 MIN 09 SEC E 92' TH S 02 DEG 27 MIN 58 SEC W 17.74' TH N 87 DEG 15 MIN 10 SEC W 368' TH S 02 DEG 44 MIN 50 SEC W	2
	165' TH N 87 DEG 15 MIN 10 SEC W 64.82' TH N 02 DEG 44 MIN 50 SEC E 165' TH 87 DEG 15 MIN 10 SEC W 406.36' TH S 02 DEG 44 MIN 50 SEC W 165' TH N 02 DEG 44 MIN 50 SEC W 154.99' TH S 87 DEG 15 MIN 21	3
	SEC E 1.35' TH N 02 DEG 44 MIN 50 SEC E 265.29' TH N 25 DEG 57 MIN 01 SEC E 44.89' TH N 02 DEG 40 MIN 23 SEC E 273.95' TH S 87 DEG 23 MIN 55 SEC E 861.83' TO POB	4
45-310-05-57-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 6 DAF: BEG SW SD LOT 6 TH N02 DEG 39 MIN 07 SEC E 165' TH S 87 DEG 15 MIN 10 SEC E 121.95' TH S 02 DEG 44 MIN 50 SEC W 10' MOL TH N87 DEG 15 MIN 10 SEC W 112 MOL	1
	TH S 02 DEG 44 MIN 50 SEC W 155' TH N 87 DEG 15 MIN 10 SEC W 10' MOL TO POB	2
45-310-05-58-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 6 DAF: BEG SE COR SD LOT 6 TH N 87 DEG 15 MIN 10 SEC W 112' TH N 02 DEG 44 MIN 48 SEC E 155' TH S 87 DEG 15 MIN 18 SEC E 112' TH S 02 DEG 44 MIN 50 SEC W 155'	1
	MOL TO POB	2
45-310-05-59-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 5 DAF: BEG NW COR SD LOT 5 BEG SE COR TH N 87 DEG 15 MIN 10 SEC W 124.10' TH N 02 DEG 44 MIN 50 SEC E 155' TH S 87 DEG 15 MIN 10 SEC E 121.10' TH S 02 DEG 44 MIN	1
	50 SEC W 155' TO POB	2
45-310-05-60-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 5 DAF: BEG NW COR SD LOT 5 TH S 87 DEG 15 MIN 10 SEC E 124.10' TH S 02 DEG 44 MIN 50 SEC W 154.93' TH N 87 DEG 15 MIN 10 SEC W 124.10' TH N 02 DEG 44 MIN 50 SEC E	1
	10' MOL TO POB	2

45-310-05-61-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 4 DAF: BEG SW COR SD LOT 4 TH N 02 DEG 44 MIN 50 SEC E 155' TH S 87 DEG 15 MIN 10 SEC E 31.25' TH S 02 DEG 44 MIN 50 SEC W 155' TH N 87 DEG 15 MIN 11 SEC W 31'	1
	MOL TO POB	2
45-310-05-62-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 4 DAF: BEG NE COR SD LOT 4 TH S 02 DEG 44 MIN 50 SEC W 165' TH N 87 DEG 15 MIN 10 SEC W 129' TH N 02 DEG 44 MIN 50 SEC E 155' MOL TH N 87 DEG 15 MIN 10 SEC W 31'	1
	MOL TO N 02 DEG 44 MIN 50 SEC E 10' MOL TH S 87 DEG 15 MIN 10 SEC E 160.31' TO POB	2
45-310-05-63-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---LOT 3	1
45-310-05-64-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 2 DAF: BEG SW COR SD LOT 2 TH N 02 DEG 44 MIN 50 SEC E 155' TH S 87 DEG 15 MIN 10 SEC E 205.14' TH S 02 DEG 27 MIN 57 SEC W 10' MOL TH N 87 DEG 32 MIN 10 SEC W	1
	160' MOL TH S 02 DEG 44 MIN 50 SEC W 155' MOL TH N 87 DEG 15 MIN 10 SEC W 46' MOL TO POB	2
45-310-05-65-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 2 DAF: BEG SE COR SD LOT 2 TH N 87 DEG 15 MIN 10 SEC W 159' MOL TH N 02 DEG 27 MIN 55 SEC W 159' MOL TH S 87 DEG 32 MIN 10 SEC E 159' MOL TH S 02 DEG 27 MIN 56 SEC	1
	W 155' MOL TO TRU POB	2
45-310-05-66-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG SELY COR SD LOT 1 TH N 02 DEG 27 MIN 57 SEC E 17' MOL TO TRU POB TH N 8 7DEG 30 MIN 30 SEC W 92' TH N 02 DEG 27 MIN 57 SEC E 207' TH S 87 DEG 30 MIN 26	1
	SEC E 92' TH S 02 DEG 27 MIN 57 SEC W 207' TO TRU POB	2
45-310-05-67-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG NE COR SD LOT 1 TH N 87 DEG 23 MIN 55 SEC W 205' MOL TO TRU POB TH S 02 DEG 27 MIN 55 SEC W 305' MOL TH N 87 DEG 31 MIN 55 SEC W 120' TH N 02 DEG 27 MIN	1
	53 SEC E 305.03' TH S 87 DEG 23 MIN 55 SEC E 120' TO TRU POB	2
45-310-05-68-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG NE COR SD LOT 1 TH S 02 DEG 27 MIN 57 SEC W 297' TH S 11 DEG 05 MIN 10 SEC W 60' TH N 87 DEG 23 MIN 55 SEC W 190.98' TH N 02 DEG 27 MIN 57 SEC W 356'	1
	MOL TH S 87 DEG 23 MIN 55 SEC E 205' MOL TO POB	2

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

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

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

Official Tax Payment Receipt

Receipt No.: 13978473 **Date and Time:** 12/21/2023 08:31 **Print Date:** 03/12/2024

Receipt Details

Parcel No.	Tax Year	TCA/District	Amount Applied	Unpaid Balance	Amount*	Description
45-310-05-68-00-0-00-000	2023	022	\$10,244.51		\$0.00	A/V Principal-Commercial
	2023	REPL	\$1,643.01		\$0.00	Replacement Tax

Payer Name and Address Information

Name	Address	Tender Type	Amount Tendered
IPANEMA BRYWOOD LLC	5150 N MIAMI AVE ,MIAMI ,FL33127	Electronic Check	\$11,887.52

Owner Name and Address Information

Parcel No.	Name	Address	Since	To
45-310-05-68-00-0-00-000	IPANEMA BRYWOOD LLC	5150 N MIAMI AVE, MIAMI, FL 33127	06/01/2022	Current

Distribution of Districts

Parcel No.	Tax Year	Agency	Amount
45-310-05-68-00-0-00-000	2023	BOARD OF DISABLED SERVICES	81.8646
	2023	CITY - RAYTOWN	433.5623
	2023	FIRE DISTRICT - RAYTOWN	1238.4881
	2023	JACKSON COUNTY	584.9432
	2023	MENTAL HEALTH	108.9622
	2023	METRO JUNIOR COLLEGE	203.5182
	2023	MID-CONTINENT LIBRARY	332.8322
	2023	RAYTOWN SCHOOL C-II	7226.0383
	2023	REPLACEMENT TAX	1643.0100
	2023	STATE BLIND PENSION	34.3008

Motor Vehicles

Parcel No.	Tax Year	Type	Make	Model	Series	Model Year	Item ID	Plate No.	Name on Title 1	Name on Title 2
------------	----------	------	------	-------	--------	------------	---------	-----------	-----------------	-----------------

No Motor Vehicle Assets Found

Business Assets			
Parcel No.	Tax Year	Category	Purchase Year
No Business Assets Found			

Real Estate Legal Descriptions		
Parcel No.	Legal Line	Line No.
45-310-05-68-00-0-00-000	THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG NE COR SD LOT 1 TH S 02 DEG 27 MIN 57 SEC W 297' TH S 11 DEG 05 MIN 10 SEC W 60' TH N 87 DEG 23 MIN 55 SEC W 190.98' TH N 02 DEG 27 MIN 57 SEC W 356'	1
	MOL TH S 87 DEG 23 MIN 55 SEC E 205' MOL TO POB	2

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

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

RECEIPT (REC-029904-2024)
FOR CITY OF RAYTOWN

BILLING CONTACT

CAPSTONE EQUITY PARTNERS LLC
DOUGLAS CLEVELAND
433 N CRESTWAY ST
WICHITA, KS 67208



Payment Date: 03/13/2024

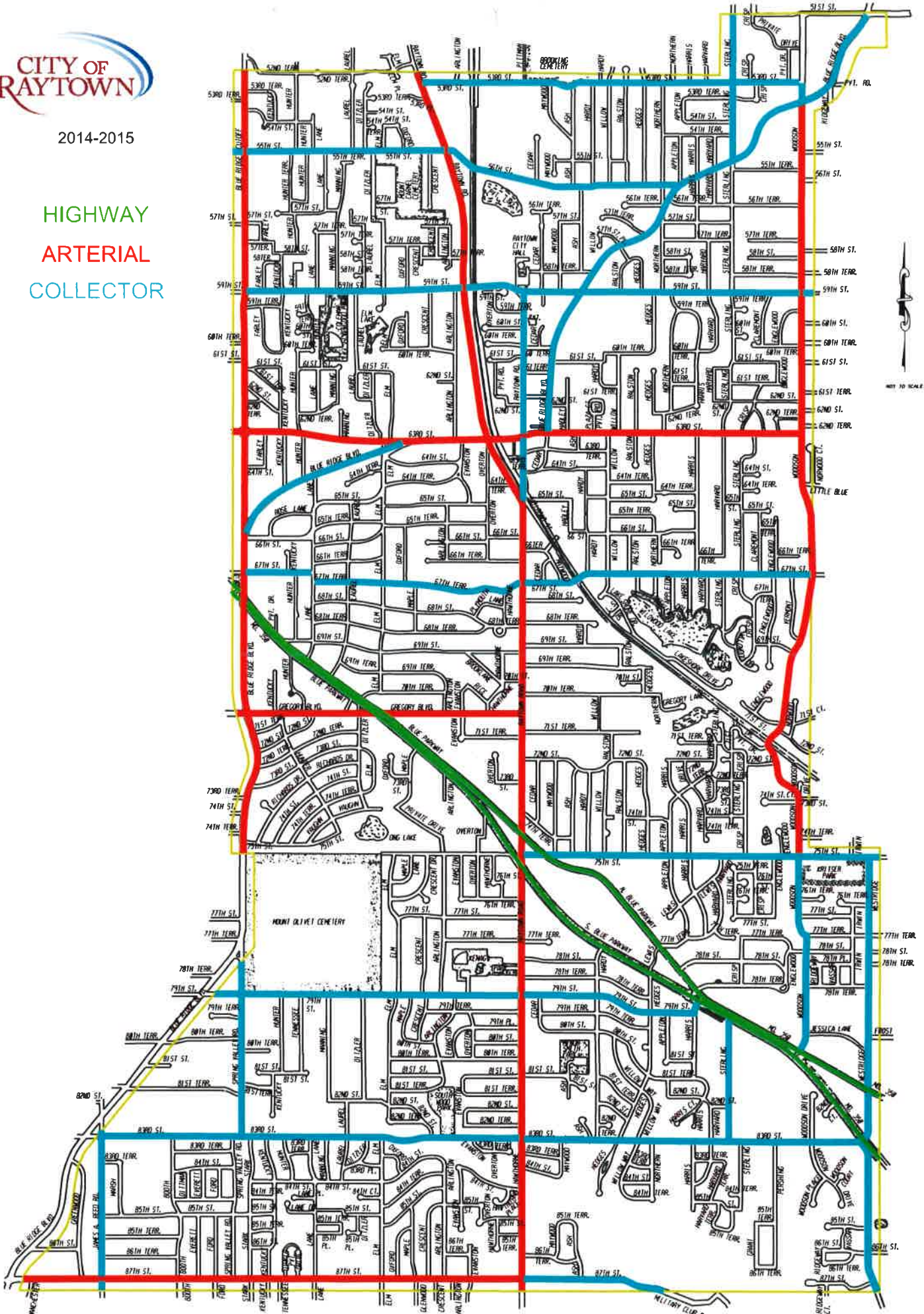
Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
RZNE-000174-2024	Rezone Fee	Fee Payment	Check #1004	\$450.00
6130 BLUE RIDGE CUTOFF Raytown, MO 64133			SUB TOTAL	\$450.00
			TOTAL	\$450.00





2014-2015

HIGHWAY
ARTERIAL
COLLECTOR





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

Staff Report

To: City of Raytown, Planning & Zoning Commission

From: Shana Kelly, Planning & Zoning Coordinator

Case #: Conditional Use Permit PZ-2024-05

Planning & Zoning Meeting Date: May 2, 2024

Board of Aldermen Dates: June 4, 2024, and
June 18, 2024



Applicant: Naveed Khalid | Monster Garage, LLC.

Location: 8830 E. 350 Highway

Ward: 1

Property Owner: Green 350 Highway Properties, LLC.

Project Summary: The applicant is requesting the approval of a **Conditional Use Permit** for the purpose of **“Vehicle Repair, Limited”** and for **“Limited Vehicle Sales,”** for the property located at 8830 E. 350 Highway.

Staff Recommendation: Staff recommends **Approval with Conditions** of the Conditional Use Permit Application. Conditions are outlined below.

Background Information: The applicant, Naveed Khalid, of Monster Garage, LLC., is requesting the approval of a Conditional Use Permit for **“Vehicle Repair, Limited.”** for the property located at 8830 E. 350 Highway. In addition, the applicant is also requesting that the Conditional Use Permit include permission for **“Limited Vehicle Sales,”** to sell cars that may be abandoned at his place of business.

8830 is part of a multi-tenant facility which is home to other vehicle repair facilities such as “The Kandy Shop” located on the same parcel at 8834 E. 350 Highway. Businesses on adjacent properties are “Pay Right Auto Repair” at 8838 E. 350 Highway and “Carstar” located at 8906 E. 69th Street. Mr. Khalid intends to have up to five (5) employees.

Zoning: HC/350, Highway Commercial/350 Corridor Overlay District

Total Land Area: 0.80 Acre



Public Noticing: *The Daily Record:* A public hearing notice was published in The Daily Record Kansas City, on **April 9, 2024**. A copy of the affidavit of publication is included with the attachments to this report. Letters to Residents and Property Owners were mailed to property owners within 185 feet of the subject property on **April 11, 2024**. A copy of the letter is included with the attachments to this report.

Neighborhood Meeting: The applicant held a neighborhood meeting on **Wednesday, April 17, 2024**. Other than the applicants, no one attended the meeting.

Adjacent Properties:

	Zoning:	Current Land Use:
North:	HC/350, Highway Commercial / 350 Corridor Overlay District	Commercial Businesses
South:	Public Right-of-Way	Highway 350
East:	HC/350, Highway Commercial / 350 Corridor Overlay District	Single Family Homes
West:	HC/350, Highway Commercial / 350 Corridor Overlay District	Commercial Businesses

Street Classification: **Highway 350** is classified as a **Highway**.

Vehicular and Pedestrian Access: Vehicular access is provided via an existing drive aisle from Highway 350. A five-foot ADA-compliant sidewalk will be constructed along the Highway 350 frontage that will connect to the existing sidewalk to the northwest of the property to provide pedestrian connectivity.

Parking Requirement: Automobile service stations and repair garages – One (1) parking space for each employee plus two (2) spaces for each service bay plus one (1) for each 500 square feet of floor area. This facility has three (3) service bays and a total floor area of approximately 7,000 square feet. The applicant expects to have up to five (5) employees. Thus, parking is calculated below:

Requirement:	8838 E. 350 Hwy:	Total Number of Spaces:
One (1) space per employee	5 employees	5
Two (2) spaces per each service bay	3 service bays	6
One (1) space per each 500 square feet of floor area	7,000 square feet	14
Total:		25



Conditional Use Permit Factors to Be Considered:

1. The stability and integrity of the various zoning districts.

The subject parcel and all adjacent lots are zoned Highway Commercial (HC). This zoning district is designed to accommodate commercial activities that service and draw customers from a broad, regional area, not only the surrounding neighborhoods. The presence of 350 Highway and the large daily count of vehicles along this roadway provide a ready and visible customer base for vehicle repair businesses.

2. The conservation of property values.

No negative change to neighboring property values is expected. Requirements have been added as conditions of approval to mitigate any negative impacts.

The proposed use, if approved, will occupy a currently vacant property that was previously in use as a janitorial supply store, and will be compatible with neighboring automotive-related commercial uses.

3. Protection against fire casualties.

Prior to occupying the property, the applicant will be required to obtain a Commercial Use Permit from the Community Development Department. As part of review and approval of the Use Permit, the buildings and property will be inspected by the City's Building Official and Property Code Enforcement Officer as well as the Raytown Fire Protection District to ensure compliance with the applicable life safety codes contained in the city and fire district's adopted Building and Fire Codes as well as the City's Property Maintenance Code.

4. Observation of general police regulations.

It does not appear that the proposed vehicle repair, general establishment will violate any general police regulations.

5. Prevention of traffic congestion.

The proposed vehicle repair will not increase traffic congestion above what is normal for the vicinity. Additional traffic generated by the vehicle repair shop will be minimal and easily handled with the direct highway access to 350 Highway.

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

The proposed vehicle repair shop will not substantially increase traffic safety risk over what is already present, nor the orderly parking of motor vehicles as staff believes the site is confirmed to contain enough parking to address all the combined uses. Adequate



access to the property is presently available directly from 350 Highway. Customer parking is located on the west and south of the property.

Staff has analyzed the parking demands for the site as follows, which has 37 parking spaces available (30 along the west side of the property and 7 on the south side next to the car racing business) and has determined that enough parking exists to meet the demands of every tenant on the property.

7. Promotion of the safety of individuals and property.

As previously described, if the application is approved, prior to opening for business, Raytown City Municipal Code requires that the applicant obtain a Use Permit from the Community Development Department. As part of the review and approval of the Use Permit application, the buildings and property will be inspected by the City's Building Official and Property Code Enforcement Officer as well as by the Fire Marshall with the Raytown Fire Protection District to ensure compliance with the applicable life safety codes contained in the city and fire district's adopted building and fire codes.

8. Provisions for adequate light and air.

The applicant is not proposing any additional construction on the site, so light and air will be the same as it currently exists on the property. The applicant will be required to follow all state and federal laws regarding the handling and disposal of toxic or hazardous materials that could impact air quality.

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

The applicant property has a garage to allow for work on vehicles inside the building. Given the location is in a strip mall with neighboring businesses active to either side of the applicant, it is possible that vehicle overflow could crowd the parking lot of the property. If approved, all inoperable vehicles shall be stored indoors at all times while on the property.

10. Provision for public utilities and schools.

It is not anticipated that the proposed conditional use will have any impact on schools, and all necessary utilities are available to serve the property.

11. Invasion by inappropriate uses.

There are other vehicle repair facilities in the same block as the applicant property. The land use table does allow for conditional use permits for this type of establishment along Highway 350. As such, it does not appear that the proposed use will be an invasion of an inappropriate use if the use and property comply with other city codes and regulations.



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

There are no planned improvements to this property as a result of the applicant business.

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.

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

The proposed use is located in an existing commercial area and, if the application is approved in a manner that is consistent with city codes and regulations, the proposed use will allow continued commercial use of the property while providing for the orderly and proper renewal, redevelopment and growth along 350 Highway.

PUBLIC WORKS:

- **Items that require plan revision or additional documentation before engineering can recommend approval:**
 - NONE
- **Items that are conditions of approval:**
 - NONE
- **Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
 - NONE

ATTACHMENTS:

- Zoning Map
- Site Photos
- Neighborhood Letter
- 185-ft Buffer Map
- Affidavit of Publication
- Application
- Receipt of Paid Taxes
- Receipt
- Street Classification Map



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

Staff recommends that the Planning & Zoning Commission **Approve** Conditional Use Permit application **PZ-2024-05** subject to the following conditions:

1. A five-foot (5') ADA-compliant sidewalk will be required to be constructed along the frontage of Highway 350 within one (1) year of the approval of the Conditional Use Permit.
2. Parking stalls must be clearly striped and ADA-compliant handicap stalls must be clearly marked.
3. Any inoperable, dismantled, or damaged vehicle shall be stored within the building so that it is not visible to persons outside of the building.
4. All tires and equipment must be stored inside the building at all times.
5. Compliance with all applicable local, state and federal laws and ordinances.
6. Toxic and/or hazardous materials must be disposed of properly in accordance with all local, state, and federal laws and ordinances.
7. The number of vehicles permitted to be for sale at any time is limited to six (6), placed in an appropriate location on the property that will not interfere with available repair customer parking or with access through the property by repair customer traffic.

Zoning Map





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

Site Photos



April 9, 2024
Re: Case No: PZ-2024-05

Dear Property Owner/Tenant:

Notice of Neighborhood Meeting and Public Hearings in Your Area

The Raytown Community Development Department is processing a Conditional Use Permit application filed by Naveed Khalid of Monster Garage, LLC., requesting the approval of a Conditional Use Permit for "*Vehicle Repair, Limited*" for the property located at 8830 E. 350 Hwy. This property consists of 0.798 acre of land and is located within the City of Raytown, Missouri.

As a nearby owner or tenant, you are entitled to appear and provide comments at any of the public hearings on this matter or to provide written comments.

The applicant will be holding a neighborhood information meeting at Raytown City Hall at **12:00pm on Wednesday, April 17, 2024**, 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, we highly recommend that you attend this meeting.

A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission at 7:00 PM on **Thursday May 2, 2024**. The full packet and agenda should be available for view on the City of Raytown website on **Friday, April 26, 2024**.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for 7:00 PM on **Tuesday, June 4, 2024**.

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

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

If you will require any special accommodations (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.



Jim Bourquist (816) 813-6538



UPRMT-000175-2024

Community Development Department

Planning and Zoning Division

10000 E 59th Street • Raytown, MO 64133

Phone: 816-737-6014 • Fax: 816-737-6164

PLANNING APPLICATION

Office Use Only	Application Type(s):
Case #:	Conditional Use Permit
Fee Paid: \$450.00	
PC Meeting Date: 5/2/24	
B of A Meeting Date: 6/4/24 and 6/18/24	
Newspaper Notice Date: 4/9/24	
Notice Letters Date: 4/11/24	

Project Info:	
Project Name: Green 350 Hwy Properties LLC	
Project Address: 8830 E. 350 Hwy Raytown, MO 64133	
Existing Zoning: HC/350, Highway Commercial/ 350 Highway Corridor Overlay	Existing Land Use: Industrial Floor Machine Repair & Tannery Supplies Tannery Cleaning Services
Proposed Zoning: (Same)	Proposed Land Use: Auto repair Mechanical / repair limited repair Dealer to sale cars as repaired
Total Acreage: 7200 sq Ft	

Applicant:	
Name of Applicant: Naveed Khalid	Company (If Applicable): Monster Garage LLC.
Address: 2009 Sequoia Dr. City: Raymore State: MO Zip: 64083	
Phone: (817) 333-7225	Email: Naveed.khalid@gmail.com
Applicant Signature: X	



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

Property Owner:	
Name of Owner:	Company (If Applicable):
Green 350 Hy. Prop. LLC	
Address:	
311 Third Ave	City: Farmville State: VA Zip: 23901
Phone:	Email:
(434) 390 7355	
Property Owner Signature:	
X	

Please Give a Detailed Description of the Proposal Below:

To Approve New tenant
for 64 months



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

Landscape Architect:			
Name:	N/A		
Company:			
Address:	City:	State:	Zip:
Phone:	Email:		
Attorney:			
Name:	N/A		
Company:			
Address:	City:	State:	Zip:
Phone:	Email:		
Other:			
Name:	N/A		
Company:			
Address:	City:	State:	Zip:
Phone:	Email:		

- The proposed action will be in keeping with the character of the neighborhood because:
 Yes Per Applicant: "It was previously used as an auto shop."

- The proposed use will be consistent with the uses and zoning on nearby parcels because:
 Yes Per Applicant: "The other business tenants are automotive-related."

- Prior to submitting this application, the property has been vacant for: NO,
 Still has been rented until new tenant is approved,



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

All the other properties do similar service, Auto Body Shop, Slot Car racing, and tire Shop.

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

None

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

Financial. This propertie is the owner income for living expense.

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

Yes

8. The proposed development implements the Comprehensive Plan in the following ways:

It will offer repairs at a reasonable price for the community. Also, will added benefit for tow service & or pick at no charge. With in a 5 mile radius.

9. Additional comments:

He will have up to 5 employee's. & Create 150,000⁰⁰ in rev.



2000I 0081633

JACKSON COUNTY DEPARTMENT OF RECORDS
308 WEST KANSAS
INDEPENDENCE, MO 64050

RECORDER OF DEEDS DOCUMENT IDENTIFICATION & CERTIFICATION SHEET

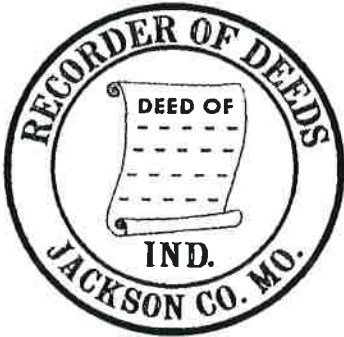
TYPE OF INSTRUMENT PARTIAL PRINCIPALS IDENTIFIED FROM DOCUMENT FOR DOCUMENT TRACKING PURPOSES
WD **GREEN BILLY V & WF** **GREEN 350 HIGHWAY PROPERTIES LLC**
BRIEF PROPERTY DESCRIPTION: **LOT 10 & 11 LANE ACRES**

NOTE: Document information on this certification sheet is furnished as a convenience only, and in the case of any discrepancy between same and the attached instrument, the attached instrument governs. The Recorder's official Grantor/Grantee indices are created from the information contained in the actual instrument attached hereto.

STATE OF MISSOURI)
 SS.
COUNTY OF JACKSON)

I, the undersigned Recorder of Deeds for said County and State, do hereby certify that the following and annexed instrument of writing, which consists of 3 pages (this page inclusive), was filed for record in my office on the 7 day of December, 2000, at 14:22:18 and is truly recorded as the document number shown at the top and/or bottom of this page.

In witness whereof I have hereunto set my hand and official seal the day, month and year aforesaid.



Fees:
MO HOUSING TRUST FUND 001-2473 \$3.00
HOMELESS 043-250-2195 \$3.00
RECORDING FEE \$11.00
USER FEE \$4.00

Mary H. Murphy

Director of Records
Jackson County, MO

J. POOLE
Recording Deputy

Recording Fee: \$21.00
(Paid at time of Recording)

Return to:

R JAMES STILLEY JR
6240 RAYTOWN RD
RAYTOWN, MO 64133

Document Number / Book & Page:
2000I 0081633 (1 - 3)

PLEASE DO NOT REMOVE THIS PAGE FROM THE DOCUMENT

3090-12-08/2005

2000I81633

REC-15/05/2005

MISSOURI WARRANTY DEED

THIS INDENTURE, made on the 16th day of November A.D., Two Thousand, by and between Billy V. Green and Marilyn Kay Green, husband and wife, of the County of Jackson, State of Missouri, ("Grantors"), and Green 350 Highway Properties, L.L.C., a Missouri limited liability company, ("Grantee").

(Mailing address of said first named grantee is: 8201 Ash, Raytown MO 64138)

WITNESSETH, THAT THE SAID GRANTORS, do by these presents Grant, Convey, Transfer and Confirm unto the said Grantee and Grantee's successors and assigns, the following described lots, tracts or parcels of land, lying, being and situate in the County of Jackson and State of Missouri, to-wit:

- Tract I: Lots 10 and 11, LANE ACRES, a subdivision in Raytown, Jackson County, Missouri
- Tract II: Lot 12, LANE ACRES, a subdivision in Raytown, Jackson County, Missouri, according to the recorded plat thereof; together with an easement for ingress and egress over adjacent land as described in the instrument filed November 24, 1964, under Recorder's Document No. 849255, recorded in Book 1735 at page 704, in the office of the Recorder of Deeds for Jackson County, Missouri, at Independence.
- Tract III: Beginning at the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of Section 8, Township 48, Range 32, thence along the South line of said 1/4 1/4 section a distance of 865.5 feet; thence left by deflection of 91 degrees 25 minutes a distance of 50 feet to the true point of beginning; thence along the last described line a distance of 170 feet; thence West 180 feet; thence South 53 feet; thence Southeasterly along a line parallel and 80 feet Northeasterly from the center line of U.S. Highway No. 50, 173 feet to a point 25 feet North of the center line of 69th Street; thence Easterly and parallel to the center line of 69th Street 42 feet, more or less, to the true point of beginning, EXCEPT the East 64 feet measured parallel to the East line of the above described tract, in Raytown, Jackson County, Missouri.

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

TO HAVE AND TO HOLD THE SAME the premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining, unto the said Grantee and unto Grantee's successors and assigns forever; the said Grantors hereby covenanting that they are lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that they have good right to convey the same; except for deeds of trust, covenants, easements, restrictions, and reservations of record, the said premises are free and clear from any encumbrance done or suffered by them or those under whom they claim, and that they will warrant and defend the title to the said premises unto the said Grantee and unto Grantee's successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, The said Grantors have hereunto set their hands the day and year above written.

Billy V. Green
BILLY V. GREEN

Marilyn Kay Green
MARILYN KAY GREEN

ACKNOWLEDGEMENT

STATE OF MISSOURI)
COUNTY OF JACKSON) SS

On this 16th day of November, 2000, before me, a Notary Public, personally appeared Billy V. Green and Marilyn Kay Green to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed, and the said Billy V. Green and Marilyn Kay Green further declare themselves to be married to each other.

In Witness Whereof, I have hereunto set my hand and affixed my official seal at my office the day and year last above written.


Notary Public

My Term Expires:

R. JAMES STILLEY, JR.
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: October 31, 2004

R. JAMES STILLEY, JR.
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: October 31, 2004



CERTIFICATE

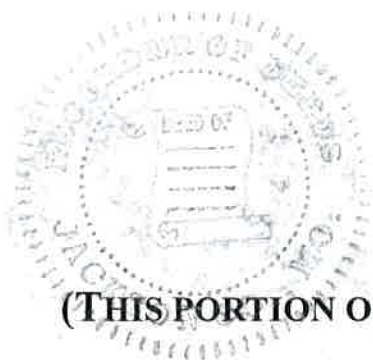
STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

I, Diana Smith, Director of Recorder of Deeds within and for the County of Jackson, in the State of Missouri, aforesaid, do hereby certify that the above is a full, true and complete copy of the instrument (i.e. numbered and/or book & page) 200070681633 as the same appears on file in my office.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of said office of the Recorder of Deeds of Jackson County, Missouri, this 14th day of March, 2024.

Diana Smith
Director of Recorder of Deeds

BY: *Cathy A. Waterford*
DEPUTY



(THIS PORTION ONLY USED WHEN NOTARIZATION IS REQUIRED)

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

On this _____ day of _____, _____, before me, _____, a Notary Public for the State and County above mentioned, personally appeared _____, known to me to be the party signing this document as his free act and deed, for the Department of Recorder of Deeds, in his capacity as Deputy.

Notary Public

TAX BILL

5828

2023 JOINT GOVERNMENTAL REAL PROPERTY TAX STATEMENT

Property Account #: 45-520-04-21-00-0-00-000

Pay your bill online at: payments.jacksongov.org

PIN #: 727177

ACCOUNT VALUE	
DESCRIPTION	2023
Market Value Total	\$566,300
Taxable Value Total	\$181,216
Assessed Value Total	\$181,216

TAX DISTRIBUTION		
AGENCY	LEVY	AMOUNT
RAYTOWN SCHOOL C-II	6.3200	11,452.86
FIRE DISTRICT - RAYTOWN	1.0832	1,962.93
JACKSON COUNTY	0.5116	927.10
CITY - RAYTOWN	0.3792	687.17
MID-CONTINENT LIBRARY	0.2911	527.52
METRO JUNIOR COLLEGE	0.1780	322.56
MENTAL HEALTH	0.0953	172.70
BOARD OF DISABLED SERVICES	0.0716	129.75
STATE BLIND PENSION	0.0300	54.36
Total Levy Rate	8.9600	

TCA: 022
Lender:
Location: 8830 E M 350 HWY



05828

45-520-04-21-00-0-00-000
GREEN 350 HIGHWAY PROPERITES LLC
311 3RD AVE
FARMVILLE VA 23901

TAXES AND SPECIAL ASSESSMENTS

YEAR DESCRIPTION	AMOUNT BILLED	BALANCE DUE
2023 A/V Principal- Commercial	16236.95	16236.95
2023 Replacement Tax	2604.07	2604.07
Total for Tax Year 2023		\$18,841.02
Total for All Tax Years		\$18,841.02

Description of Property
LANE ACRES
LOTS 10, 11 & 12

Check # 625 L.A. News Digest Acc.

\$18,842.02

12/28 / 2023

28110





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

Zoning Map:







RECEIPT (REC-029929-2024)
FOR CITY OF RAYTOWN

BILLING CONTACT

GREEN 350 HIGHWAY PROPERITES LLC
311 3RD AVE
FARMVILLE, VA 23901



Payment Date: 03/15/2024

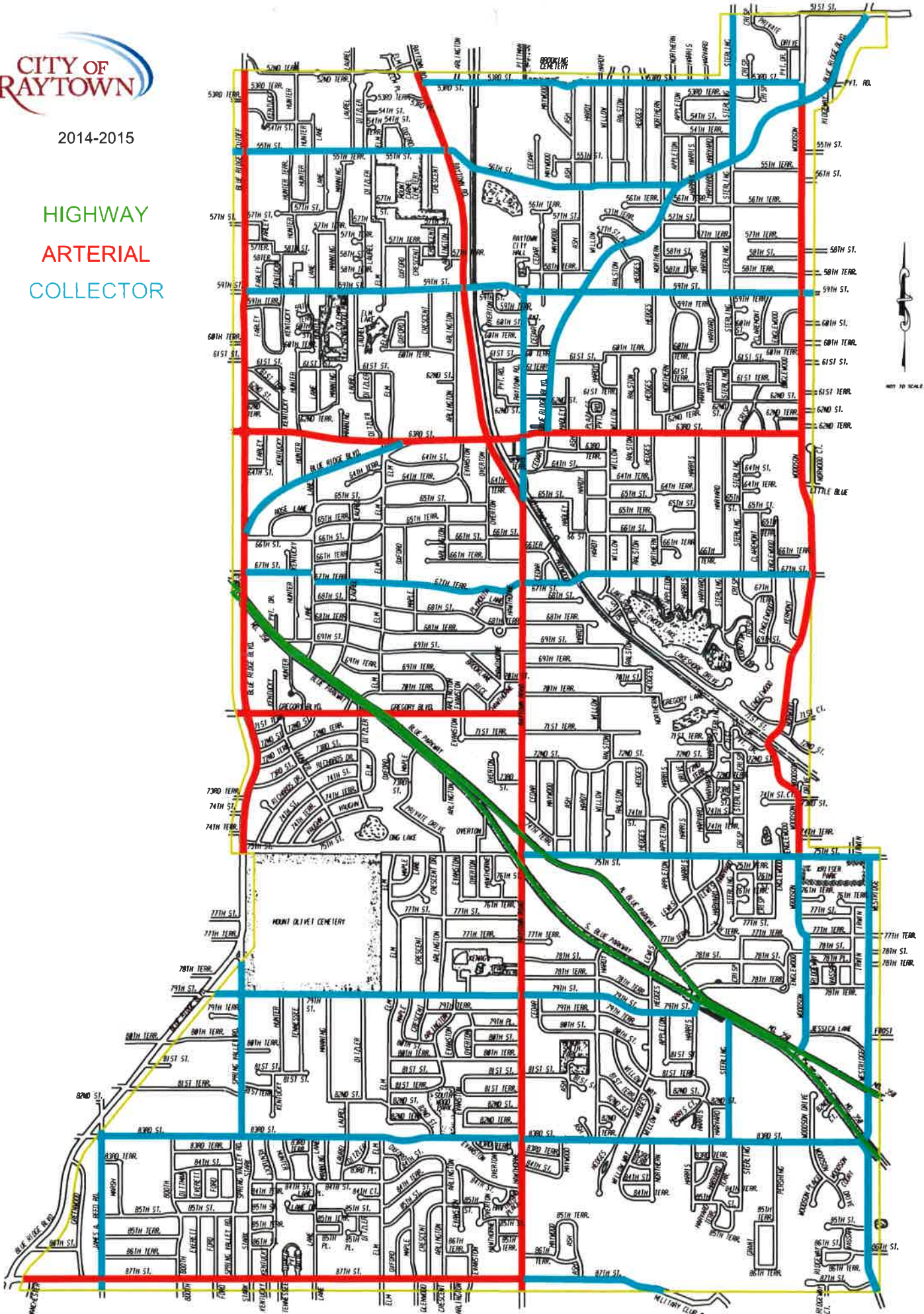
Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
UPRMT-000175-2024	Conditional Use Fee	Fee Payment	Check #113	\$450.00
8830 E STATE ROUTE 350 Raytown, MO 64133			SUB TOTAL	\$450.00
			TOTAL	\$450.00





2014-2015

HIGHWAY
ARTERIAL
COLLECTOR





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

Staff Report

To: City of Raytown, Planning & Zoning Commission

From: Shana Kelly, Planning & Zoning Coordinator

Case #: Conditional Use Permit PZ-2024-06

Planning & Zoning Meeting Date: May 2, 2024

Board of Aldermen Dates: June 4, 2024, and
June 18, 2024



Applicant: Joshua Miller | Emerald Auto Repair, LLC.

Location: 9305 E. 350 Highway

Ward: 1

Property Owner: Advance Stores Company, Inc.

Project Summary: The applicant is requesting the approval of a **Conditional Use Permit** for the purpose of **“Vehicle Repair, Limited”** for the property located at 9305 E. 350 Highway.

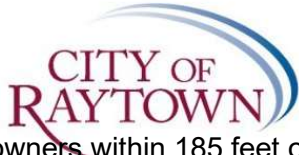
Staff Recommendation: Staff recommends **Approval with Conditions** of the Conditional Use Permit Application. Conditions are outlined below.

Background Information: The applicant, Joshua Miler of Emerald Auto Repair, LLC., is requesting the approval of a Conditional Use Permit for **“Vehicle Repair, Limited,”** for the property located at 9305 E. 350 Highway. 9305 E. 350 Highway is adjacent to Advance Auto Parts and was formerly occupied by another vehicle repair business, “All American Auto.”

Zoning: HC/350, Highway Commercial/350 Corridor Overlay District

Total Land Area: 0.80 Acre

Public Noticing: *The Daily Record:* A public hearing notice was published in The Daily Record Kansas City, on **April 9, 2024**. A copy of the affidavit of publication is included with the attachments to this report. Letters to Residents and Property Owners were mailed to property



Community Development Department

Planning and Zoning Division

10000 E 59th Street • Raytown, MO 64133

Phone: 816-737-6014 • Fax: 816-737-6164

owners within 185 feet of the subject property on **April 11, 2024**. A copy of the letter is included with the attachments to this report.

Neighborhood Meeting: The applicant held a neighborhood meeting on **Tuesday, April 16, 2024**. A summary of the meeting and a copy of the sign-in sheet are included with the attachments to this report.

Adjacent Properties:

	Zoning:	Current Land Use:
North:	Public Right-of-Way	Highway 350
South:	HC/350, Highway Commercial / 350 Corridor Overlay District	Single Family Homes
East:	HC/350, Highway Commercial / 350 Corridor Overlay District	Single Family Homes
West:	HC/350, Highway Commercial / 350 Corridor Overlay District	Commercial Businesses

Street Classification: Highway 350 is classified as a **Highway**.

Vehicular and Pedestrian Access: Vehicular access is provided via an existing drive aisle from Highway 350. A ten-foot ADA-compliant sidewalk/bicycle trail will be constructed along the Highway 350 frontage that will connect to the existing trail on both adjacent properties.

Parking Requirement: Automobile service stations and repair garages – One (1) parking space for each employee plus two (2) spaces for each service bay plus one (1) for each 500 square feet of floor area. Parking is calculated below:

Requirement:	Emerald Auto:	Total Number of Spaces:
One (1) space per employee	2	2
Two (2) spaces per each service bay	6	12
One (1) space per each 500 square feet of floor area	Approximately 3,000 square feet	6
Total:		20

Conditional Use Permit Factors to Be Considered:

1. The stability and integrity of the various zoning districts.

The subject parcel and all adjacent lots are zoned Highway Commercial (HC). This zoning district is designed to accommodate commercial activities that service and draw customers from a broad, regional area, not only the surrounding neighborhoods. The



presence of 350 Highway and the large daily count of vehicles along this roadway provide a ready and visible customer base for vehicle repair businesses.

2. The conservation of property values.

No negative change to neighboring property values is expected. Requirements have been added as conditions of approval to mitigate any negative impacts.

The proposed use, if approved, will occupy a currently vacant property that was previously in use as a vehicle repair shop, and will be compatible with neighboring commercial uses.

3. Protection against fire casualties.

Prior to occupying the property, the applicant will be required to obtain a Commercial Use Permit from the Community Development Department. As part of review and approval of the Use Permit, the buildings and property will be inspected by the City's Building Official and Property Code Enforcement Officer as well as by the Fire Marshall from the Raytown Fire Protection District to ensure compliance with the applicable life safety codes contained in the city and fire district's adopted Building and Fire Codes as well as the city's Property Maintenance Code.

4. Observation of general police regulations.

It does not appear that the proposed vehicle repair, general establishment will violate any general police regulations.

5. Prevention of traffic congestion.

The proposed auto repair will not increase traffic congestion above what is normal for the vicinity. Additional traffic generated by the vehicle repair shop will be minimal and easily handled with the direct highway access to 350 Highway.

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

The proposed auto repairs will not substantially increase traffic safety risk over what is already present, nor the orderly parking of motor vehicles as staff believes the site is confirmed to contain enough parking to address all the combined uses. Adequate access to the property is presently available directly from 350 Highway. Customer parking is located on the north, south, and east of the property.

7. Promotion of the safety of individuals and property.

As previously described, if the application is approved, prior to opening for business city code requires that the applicant obtain a Use Permit from the Community Development Department. As part of the review and approval of the Use Permit application, the



buildings and property will be inspected by the City's Building Official and Property Code Enforcement Officer as well as by the Fire Marshall with the Raytown Fire Protection District to ensure compliance with the applicable life safety codes contained in the city and fire district's adopted building and fire codes.

8. Provisions for adequate light and air.

The applicant is not proposing any additional construction on the site, so light and air will be the same as it currently exists on the property. The applicant will be required to follow all state and federal laws regarding the handling and disposal of toxic or hazardous materials that could impact air quality.

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

The applicant property has a garage to allow for work on vehicles inside the building. Given the location is adjacent to neighboring businesses active to either side of the applicant, it is possible that vehicle overflow could crowd the parking lot of the property. If approved, all inoperable vehicles shall be stored indoors at all times while on the property.

10. Provision for public utilities and schools.

It is not anticipated that the proposed conditional use will have any impact on schools, and all necessary utilities are available to serve the property.

11. Invasion by inappropriate uses.

There are other vehicle repair facilities along 350 Highway. The land use table does allow for conditional use permits for this type of establishment along Highway 350. As such, it does not appear that the proposed use will be an invasion of an inappropriate use if the use and property comply with other city codes and regulations.

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

There are no planned improvements to this property as a result of the applicant business.

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.

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

The proposed use is located in an existing commercial area and, if the application is approved in a manner that is consistent with city codes and regulations, the proposed



use will allow continued commercial use of the property while providing for the orderly and proper renewal, redevelopment and growth along 350 Highway.

PUBLIC WORKS:

- **Items that require plan revision or additional documentation before engineering can recommend approval:**
 - NONE
 - **Items that are conditions of approval:**
 - NONE
 - **Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
 - NONE
-

ATTACHMENTS:

- Zoning Map
 - Parking Diagram
 - Site Photos
 - Neighborhood Letter
 - 185-ft Buffer Map
 - Neighborhood Meeting Sign-In Sheet
 - Neighborhood Meeting Minutes
 - Letters of Public Support
 - Affidavit of Publication
 - Application
 - Receipt of Paid Taxes
 - Receipt
 - Street Classification Map
-

Staff recommends that the Planning & Zoning Commission **Approve** Conditional Use Permit application **PZ-2024-06** subject to the following conditions:

1. A ten-foot (10') ADA-compliant sidewalk will be required to be constructed along the frontage of Highway 350 within one (1) year of the approval of the Conditional Use Permit.
2. Any inoperable, dismantled, or damaged vehicle shall be stored within the building so that it is not visible to persons outside of the building.
3. All tires and equipment must be stored inside the building at all times.
4. Compliance with all applicable local, state and federal laws and ordinances.



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

5. Toxic and/or hazardous materials must be disposed of properly in accordance with all local, state, and federal laws and ordinances.

Parking Diagram





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

Site Photos





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



April 9, 2024
Re: Case No: PZ-2024-06

Dear Property Owner/Tenant:

Notice of Neighborhood Meeting and Public Hearings in Your Area

The Raytown Community Development Department is processing a Conditional Use Permit application filed by Joshua Miller of Emerald Auto, LLC., requesting the approval of a Conditional Use Permit for “*Vehicle Repair, Limited*” for the property located at 9305 E. 350 Hwy. This property consists of 0.80 acre of land and is located within the City of Raytown, Missouri.

As a nearby owner or tenant, you are entitled to appear and provide comments at any of the public hearings on this matter or to provide written comments.

The applicant will be holding a neighborhood information meeting at Raytown City Hall at 10:00am on Tuesday, April 16, 2024, 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, we highly recommend that you attend this meeting.

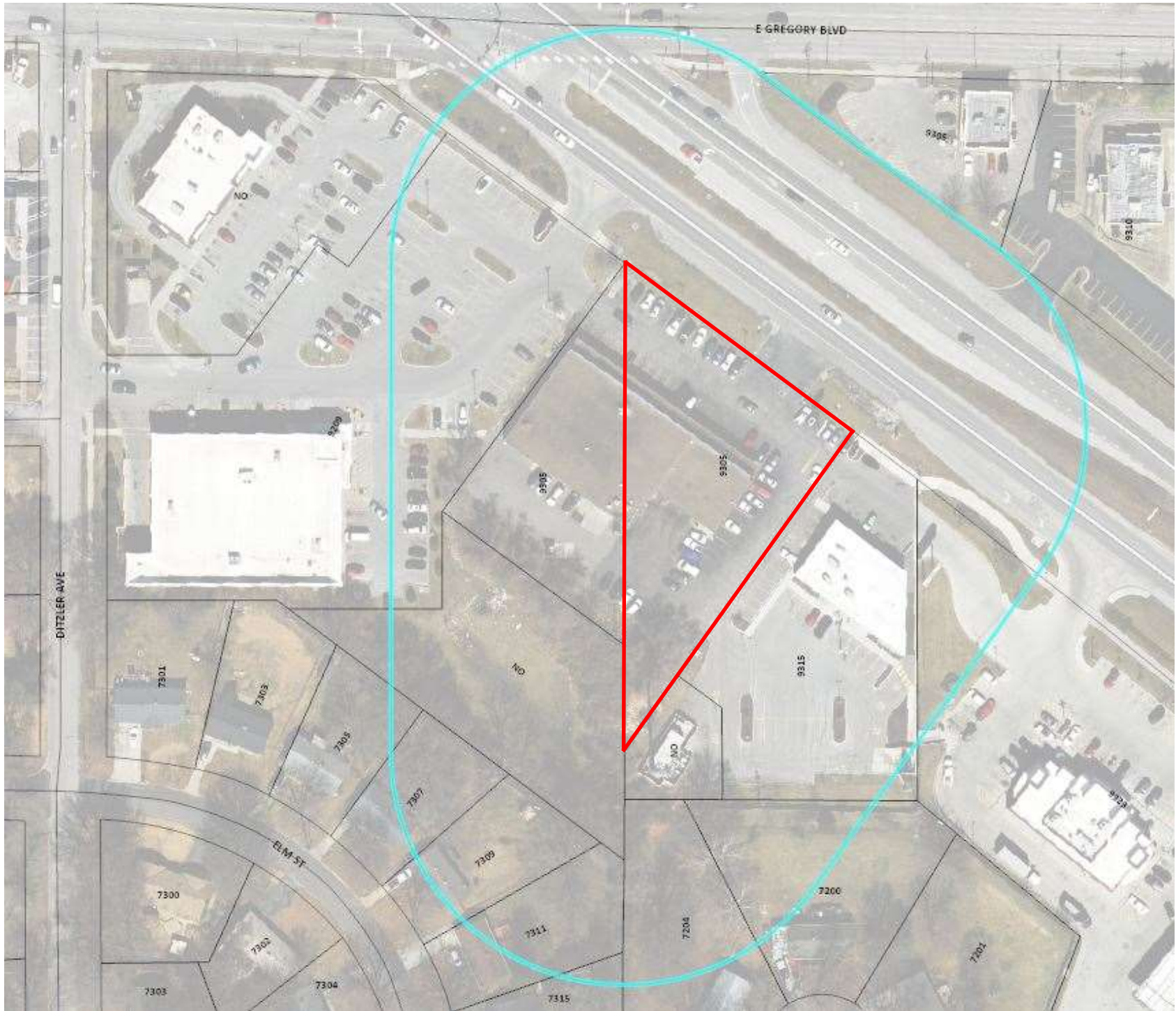
A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission at 7:00 PM on **Thursday May 2, 2024**. The full packet and agenda should be available for view on the City of Raytown website on **Friday, April 26, 2024**.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for 7:00 PM on **Tuesday, June 4, 2024**.

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

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

If you will require any special accommodations (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.



Shana Kelly

From: Josh Miller <emeraldautorepairllc@gmail.com>
Sent: Wednesday, April 17, 2024 9:03 AM
To: Shana Kelly
Subject: Re: Neighborhood Meeting

Everyone that shown up were our customers who support our move.

On Wed, Apr 17, 2024 at 9:02 AM Shana Kelly <shanak@raytown.mo.us> wrote:

Good Morning Emerald Auto Team,

I received your Neighborhood Meeting sign-in sheet. Thank you! I'm sorry I wasn't in the office yesterday, but I trust everything went well. When you get a minute, please email me a brief summary of the meeting. Specifically, please note if anyone asked questions and what the responses were. If everyone was there in support of your application, please let me know, and if anyone was there in opposition or had concerns, please let me know that as well.

Thank you!

Shana

Shana Kelly
Planning & Zoning Coordinator

Crossroads Community • Embracing Diversity • Growing Together

Office: (816) 737-6059 Direct

Address: [10000 East 59th Street, Raytown MO. 64133](#)

Email: shanak@raytown.mo.us

Connect With Us



Shana Kelly

From: Brooke Walter <brooke@post-press.com>
Sent: Friday, March 22, 2024 3:42 PM
To: Shana Kelly
Subject: EMERALD

Dear Shana Kelly and Members of the Planning & Zoning Division of Raytown,

I am writing to express my strong support for Emerald Auto's proposed move back to Raytown. As a previous member of the Raytown community and longstanding customer of Emerald Auto, I believe having Emerald Auto back in the city will have a positive impact on our community.

Emerald Auto has a proven track record of providing high quality auto services to the residents of Raytown, as well as the KC Metro area. Their commitment to excellent customer service and fair pricing has earned them a loyal following in our community. Bringing Emerald Auto back to Raytown will not only benefit their business, but also provide residents with a trusted and reliable option for their auto maintenance and repair needs.

Additionally, having Emerald Auto back in Raytown will also create job opportunities for local residents and contribute to the economic growth of our city. This will not only benefit the employees of Emerald Auto, but also the broader community by supporting local businesses and stimulating our local economy.

I urge the Raytown City Council to support Emerald Auto's move back to Raytown and to work towards creating a welcoming environment for businesses to thrive in our city. I believe that having Emerald Auto back in Raytown will be a win-win for both the business and the community.

Thank you for considering my thoughts on this matter. I look forward to seeing Emerald Auto back in Raytown and continuing to contribute to the vibrancy of our community.

Sincerely,

Brooke Walters

816-309-6480

Shana Kelly

From: nickyzaguirre <nickyzaguirre@ymail.com>
Sent: Monday, March 25, 2024 4:43 PM
To: Shana Kelly
Subject: Emerald Auto

To whom it may concern

I'm writing this email in regards to owners Josh and Miranda Miller of Emerald Auto. My name is Nick Yzaguirre I'm a full time uber/lyft driver and Josh and his team always keeps me on the road....there is No other place i will take my vehicles to...I reside in Raytown and take my business to blue springs where they are currently. To my understanding they are trying to move their business back to our beloved town where they once where some years back, I've followed them every since they left they are a great at what they do and most importantly honest. This is definitely a type of auto shop that Raytown could definitely benefit from all around.....bringing business back to our town. Alot of us left when they left its hard to find a good reputable mechanic and I couldn't be more happy for them to bring their business back. I understand there are plenty of other auto mechanic shops in our town but adding one more will not hurt it will just help keep us Raytown peoples rolling. I really hope they can get what needs to be done so that Emerald Auto can be back in Raytown. Thanks for your time.

Sent from my T-Mobile 5G Device

Sent from my T-Mobile 5G Device

Shana Kelly

From: Melissa Madison <madisonann216@gmail.com>
Sent: Wednesday, April 10, 2024 8:09 AM
To: Shana Kelly
Subject: Emerald

I think you should bring them back because for one they are honest hardworking people that bring in a lot of business. They work with you on prices for your car. They support local business around the area. They provided Easter egg hunt for kids. They will bring alot of business to raytown so that when they come to get car fixed they will see what kind of restaurants and shopping places you have. Everyone wants a good honest mechanic that won't screw them over when they left raytown alot of people were sad and want them back. BRING EMERALD AUTO BACK!!!!!!

The Daily Record Kansas City
920 Main St
Kansas City, MO, 64105
Phone: 8163841801 Fax: 0

The Daily Record

KANSAS CITY

Affidavit of Publication

To: Raytown, City Of, Missouri - City Clerk
10000 E 59Th St
Raytown, MO, 641333915

Re: Legal Notice 2601505, 9305 E. 350 Highway, Raytown,
Missouri
State of MO
County of Jackson County

Notice of Public Hearings

Affected Property: 9305 E. 350
Highway, Raytown, Missouri
Jackson County Parcel ID # 45-540-03-
12-00-0-00-000

A public hearing to consider a
Conditional Use Permit application
for "Vehicle Repair, Limited," filed by
Joshua Miller of Emerald Auto Repair,
LLC, for the property addressed as 9305
E. 350 Highway, in Raytown, Missouri,
will be held by the Raytown Planning
& Zoning Commission at 7:00pm on
Thursday, May 2, 2024. This property
is zoned "HC" (Highway Commercial)
and is located within the 350 Highway
Overlay District. The packet and agenda
will be available for viewing on the City
of Raytown's website on Friday, April
26, 2024.

The Raytown Board of Aldermen will
also hold a public hearing to consider
this Conditional Use Permit application,
tentatively scheduled for 7:00pm on
Tuesday, June 4, 2024.

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

The public is invited to attend the
public hearings to ask questions
and provide comments. Additional
information can be obtained from
the Department of Community
Development located in Raytown
City Hall at 10000 E. 59th Street, by
telephone at (816)737-6059 or by email
at shanak@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.


2601505 Jackson Apr. 12, 2024

Before the undersigned Notary Public personally appeared Lisa Fowler
on behalf of The Daily Record Kansas City, Jackson County who, being
duly sworn, attests that the said newspaper is qualified under the
provisions of Missouri Law governing public notices to publish, and did
so publish, the notice annexed hereto; starting with the 04/12/2024
edition and ending with the 04/12/2024 edition for a total of 1
publications, and that the date of publications were as follows:
04/12/2024.

Publishers fee: \$60.32

By: 
Lisa Fowler

Sworn to me on this 16th day of
April 2024

By: 
Brandon M. Crail
Notary Public, State of MO
No. 20297982
Qualified in St. Louis County
My commission expires on
March 5, 2028





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

PLANNING APPLICATION

Office Use Only	Application Type(s):
Case #: UPRMT-000176-2024	Conditional Use Permit
Fee Paid: \$450.00	
PC Meeting Date: 5/2/24	
B of A Meeting Date: 6/4/24 and 6/18/24	
Newspaper Notice Date: 4/9/24	
Notice Letters Date: 4/11/24	

Project Info:	
Project Name: Emerald Auto Repair 11c	
Project Address: 9305 E. State 350 Raytown, MO 64133	
Existing Zoning: HC/350, Highway Commercial / 350 Corridor Overlay District	Existing Land Use: Vacant Tenant Space
Proposed Zoning: (Same)	Proposed Land Use: Automotive Shop
Total Acreage: 0.80 Acre	

Applicant:	
Name of Applicant: Joshua Miller	Company (If Applicable): Emerald Auto
Address: 3301 Blue Ridge Blvd Independence MO Zip: 64052	
Phone: 816 838-2441	Email: Emeraldautorepair11c@gmail
Applicant Signature: X	



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

Property Owner:

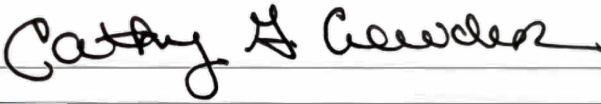
Name of Owner:

Company (If Applicable):

Advance Stores Company, Incorporated

5008 Airport Road, Roanoke, VA 24012

Property Owner Signature:

x 

Cathy Crowder
Real Estate Portfolio Manager

Please Give a Detailed Description of the Proposal Below:



Landscape Architect:			
Name:		Company:	
Address:			
City:		State:	Zip:
Phone:		Email:	
Attorney:			
Name:		Company:	
Address:			
City:		State:	Zip:
Phone:		Email:	
Other:			
Name:		Company:	
Address:			
City:		State:	Zip:
Phone:		Email:	

1. The proposed action will be in keeping with the character of the neighborhood because:

it will not change since its been
 a mechanic shop

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

it will not change since its been
 a mechanic shop

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

9 months



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

it will not change since its been
a mechanic shop

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

it will not have any as its
already been a mechanic shop

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

loss of revenue, taxes
more crime with abandoned buildy

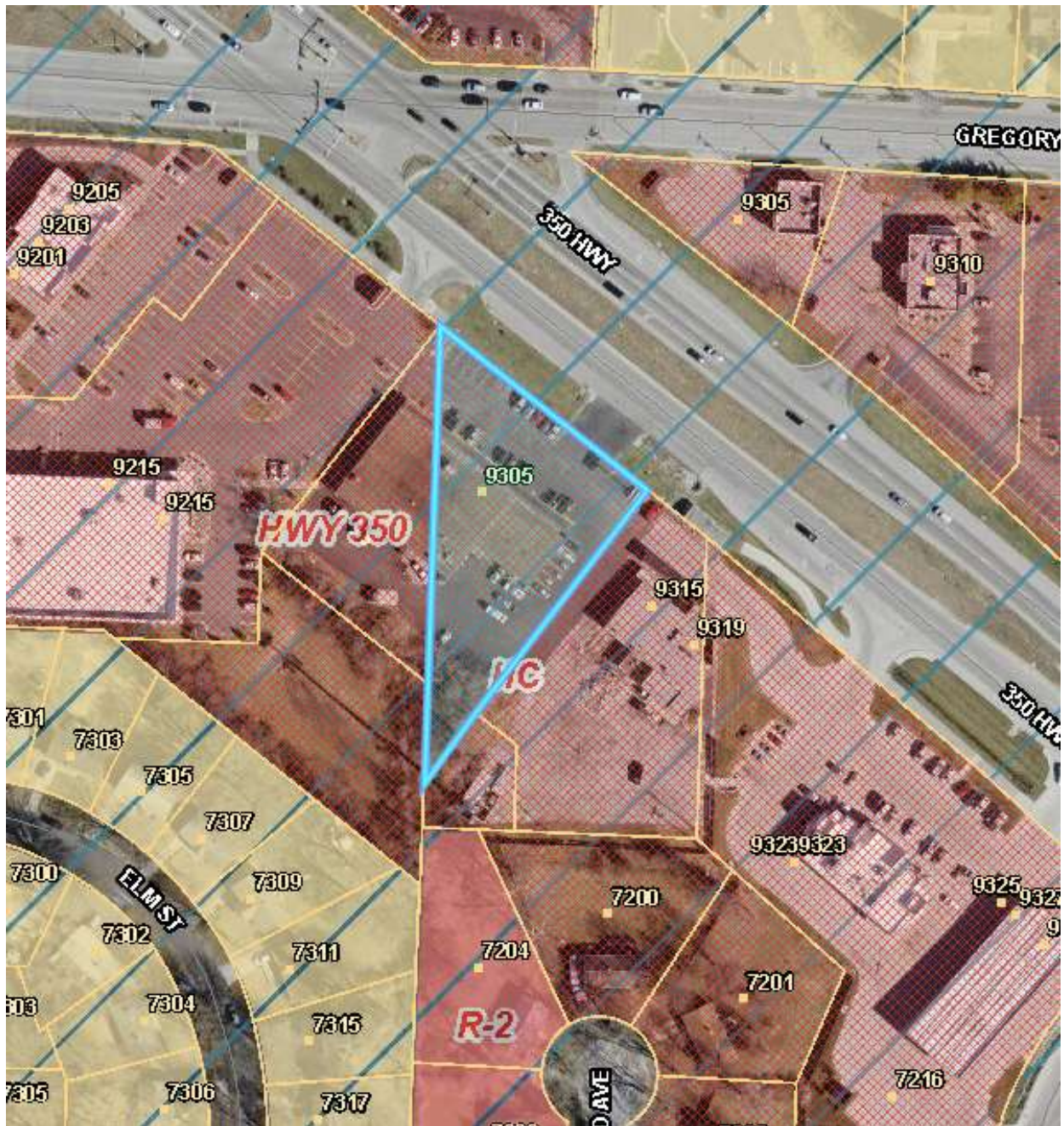
7. Public facilities and utilities are adequate to serve the proposed use as follows:

yes ada bathroom and entry
offices and garage doors

8. The proposed development implements the Comprehensive Plan in the following ways:

9. Additional comments:

Emold Job was a repair shop in raytown that
paid taxes and provided a service to residents.
We will increase income and tax revenue.







Property Account Summary

Parcel ID: 45-530-01-01-01-0-00-000 **Property Address:** 9305 E M 350 HWY , RAYTOWN, MO 64133

General Information

Property Description SEC-8 TWP-48 RNG-32PT SW 1/4 DAF: BEG 184.59' S OF NE COR SO 1/4AT PT OF INTERSEC SWLY ROW LI US 50 HWY & E LI SOSW 1/4 TH S 38 DEG W 244 TH S 51 DEG E 179.19' THN 2 DEG E ALG SO E LI 302.73' TO POB

Property Category Land and Improvements

Status Active, Host Other Property, Locally Assessed

Tax Code Area 022

Remarks From Conversion

Property Characteristics

No Property Characteristics Found

Parties

Role	Percent	Name	Address
Taxpayer	100	ADVANCE STORES COMPANY INC	5008 AIRPORT RD, ROANOKE, VA 24012
Owner	100	ADVANCE STORES COMPANY INC	5008 AIRPORT RD, ROANOKE, VA 24012

Property Values

Value Type	Tax Year 2023	Tax Year 2022	Tax Year 2021	Tax Year 2020	Tax Year 2019
Market Value Total	334000	303000	303000	302200	302200
Taxable Value Total	106880	96960	96960	96704	96704

Assessed Value Total	106880	96960	96960	96704	96704
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Motor Vehicle Account Asset Inventory

Item Type	Make	Model	Series	Model Year	Item ID	Plate Number	Name on Title 1	Name on Title 2
-----------	------	-------	--------	------------	---------	--------------	-----------------	-----------------

No Vehicle Account Assets Found

Active Exemptions

No Exemptions Found

Tax Balance

No Charge Amounts are due for this property. If you believe this is incorrect, please contact a Property Support Specialist.

Distribution of Current Taxes

District	Amount
BOARD OF DISABLED SERVICES	\$76.53
CITY - RAYTOWN	\$405.29
FIRE DISTRICT - RAYTOWN	\$1,157.72
JACKSON COUNTY	\$546.80
MENTAL HEALTH	\$101.86
METRO JUNIOR COLLEGE	\$190.25
MID-CONTINENT LIBRARY	\$311.13
RAYTOWN SCHOOL C-II	\$6,754.82
STATE BLIND PENSION	\$32.06
REPLACEMENT TAX	\$1,535.87

Receipts

Date	Receipt No.	Amount Applied to Parcel	Amount Due for Parcels Selected	Receipt Total	Change
12/28/2023 00:00:00	<u>14037865</u>	\$11,112.32	\$11,112.32	\$12,602.82	\$0.00
01/23/2023 10:05:00	<u>13570951</u>	\$10,513.96	\$11,525.39	\$10,513.96	\$0.00
12/21/2021 00:00:00	<u>12867008</u>	\$10,545.67	\$10,545.67	\$10,545.67	\$0.00
01/06/2021 00:00:00	<u>12408241</u>	\$10,605.82	\$10,605.82	\$10,605.82	\$0.00

01/24/2020 12:32:00	<u>11866939</u>	\$10,556.41	\$10,556.41	\$10,556.41	\$0.00
01/10/2019 13:58:00	<u>11279219</u>	\$8,717.43	\$8,717.43	\$8,717.43	\$0.00
01/08/2018 12:33:00	<u>10701975</u>	\$8,502.18	\$8,502.18	\$8,502.18	\$0.00
12/20/2016 00:00:00	<u>10007319</u>	\$7,485.31	\$7,485.31	\$7,485.31	\$0.00
12/22/2015 00:00:00	<u>9467442</u>	\$7,502.00	\$7,502.00	\$7,502.00	\$0.00
05/26/2015 14:49:00	<u>9128470</u>	\$15,173.95	\$15,173.95	\$15,173.95	\$0.00
12/18/2012 11:51:00	<u>7753672</u>	\$6,024.84	\$6,024.84	\$6,024.84	\$0.00
12/22/2011 00:00:00	<u>7232991</u>	\$6,021.33	\$6,021.33	\$6,021.33	\$0.00
12/28/2010 00:00:00	<u>6707546</u>	\$6,635.89	\$6,635.89	\$6,635.89	\$0.00
12/17/2009 00:00:00	<u>6098477</u>	\$6,551.02	\$6,551.02	\$6,551.02	\$0.00
12/11/2008 00:00:00	<u>5462251</u>	\$6,069.12	\$6,743.55	\$6,743.55	\$0.00
12/14/2007 00:00:00	<u>4944860</u>	\$5,504.40	\$6,116.08	\$6,116.08	\$0.00
12/18/2006 00:00:00	<u>4418066</u>	\$5,614.04	\$5,614.04	\$5,614.04	\$0.00
12/12/2005 00:00:00	<u>3796253</u>	\$5,316.32	\$5,316.32	\$5,316.32	\$0.00
12/20/2004 00:00:00	<u>3354544</u>	\$5,501.75	\$5,501.75	\$5,501.75	\$0.00
12/01/2003 00:00:00	<u>2651071</u>	\$5,501.69	\$5,501.69	\$5,501.69	\$0.00
12/31/2002 00:00:00	<u>2375554</u>	\$8,319.14	\$8,319.14	\$8,319.14	\$0.00
01/08/2002 12:00:00	<u>1902247</u>	\$8,312.97	\$8,312.97	\$8,312.97	\$0.00
12/19/2000 12:00:00	<u>1141346</u>	\$7,661.31	\$7,661.31	\$7,661.31	\$0.00
12/31/1999 12:00:00	<u>667574</u>	\$7,668.65	\$7,668.65	\$7,668.65	\$0.00
12/31/1998 12:00:00	<u>159752</u>	\$7,696.71	\$7,696.71	\$7,696.71	\$0.00

RECEIVED - NOTE

1525384

SBA Loan No. L-154 768 30 02-KC

111-415187 (2)

DEED OF TRUST

(Direct)

I1221P1290

This DEED OF TRUST, made this 3rd day of June 19 83, by and between ADVANCE AUTO PARTS & PAINT, INC. (A Missouri Corporation) hereinafter referred to as "Grantor," FREDA W. DURBIN whose address is 818 Grand Avenue, Kansas City, Missouri 64106 hereinafter referred to as "Trustee," and the Administrator of the Small Business Administration, an agency of the Government of the United States of America, hereinafter referred to as "Beneficiary," who maintains an office and place of business at 818 Grand Avenue, Kansas City, Missouri 64106

WITNESSETH, that for and in consideration of \$1.00 and other good and valuable consideration, receipt of which is hereby acknowledged, the Grantor does hereby bargain, sell, grant, assign, and convey unto the Trustee, his successors and assigns, all of the following described property situated and being in the County of Jackson State of Missouri

01-1370

The West 150 feet of LOT 73, ASKANAS HEIGHTS, a subdivision of land in the City of Raytown, Jackson County, Missouri, more particularly described as follows:

Beginning at the Southwest corner of said Lot 73 as shown by plat thereof, recorded as No. 79694, in Plat Book 6, at Page 104, of the records of Jackson County, Missouri; thence North along the West line of said Lot 73, 91.76 feet to the Northwest corner of said Lot 73; thence East along the North line of Lot 73, 150 feet; thence South 91.40 feet to a point on the South line of said Lot 73, 150 feet East of the Southwest corner of said Lot; thence West along the South line of said lot, 150 feet to the point of beginning, according to the recorded plat thereof.

Together with and including all buildings, all fixtures, including but not limited to all plumbing, heating, lighting, ventilating, refrigerating, incinerating, air conditioning apparatus, and elevators (the Trustor hereby declaring that it is intended that the items herein enumerated shall be deemed to have been permanently installed as part of the realty), and all improvements now or hereafter existing thereon; the hereditaments and appurtenances and all other rights thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, and the rents, issues, and profits of the above described property. To have and to hold the same unto the Trustee, and the successors in interest of the Trustee, forever, in fee simple or such other estate, if any, as is stated herein in trust, to secure the payment of a promissory note dated June 3, 1983

in the principal sum of \$150,000.00, signed by JERRY D. ELLIS, President, & PATRICIA L. ELLIS, Secretary in behalf of ADVANCE AUTO PARTS & PAINT, INC. (A Missouri Corporation)
The beneficial owner and holder of said note and of the indebtedness evidenced thereby is the Beneficiary.

1. This conveyance is made upon and subject to the further trust that the said Grantor shall remain in quiet and peaceable possession of the above granted and described premises and take the profits thereof to his own use until default be made in any payment of an installment due on said note or in the performance of any of the covenants or conditions contained therein or in this Deed of Trust; and, also to secure the reimbursement of the Beneficiary or any other holder of said note, the Trustee or any substitute trustee of any and all costs and expenses incurred, including

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reasonable attorneys' fees, on account of any litigation which may arise with respect to this Trust or with respect to the indebtedness evidenced by said note, the protection and maintenance of the property hereinabove described or in obtaining possession of said property after any sale which may be made as hereinafter provided.

2. Upon the full payment of the indebtedness evidenced by said note and the interest thereon, the payment of all other sums herein provided for, the repayment of all monies advanced or expended pursuant to said note or this instrument, and upon the payment of all other proper costs, charges, commissions, and expenses, the above described property shall be released and reconveyed to and at the cost of the Grantor.

3. Upon default in any of the covenants or conditions of this instrument or of the note or loan agreement secured hereby, the Beneficiary or his assigns may without notice and without regard to the adequacy of security for the indebtedness secured, either personally or by attorney or agent without bringing any action or proceeding, or by a receiver to be appointed by the court, enter upon and take possession of said property or any part thereof, and do any acts which Beneficiary deems proper to protect the security hereof, and either with or without taking possession of said property, collect and receive the rents, royalties, issues, and profits thereof, including rents accrued and unpaid, and apply the same, less costs of operation and collection, upon the indebtedness secured by this Deed of Trust, said rents, royalties, issues, and profits, being hereby assigned to Beneficiary as further security for the payment of such indebtedness. Exercise of rights under this paragraph shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice but shall be cumulative to any right and remedy to declare a default and to cause notice of default to be recorded as hereinafter provided, and cumulative to any other right and/or remedy hereunder, or provided by law, and may be exercised concurrently or independently. Expenses incurred by Beneficiary hereunder including reasonable attorneys' fees shall be secured hereby.

4. The Grantor covenants and agrees that if he shall fail to pay said indebtedness, or any part thereof, when due, or shall fail to perform any covenant or agreement of this instrument or of the promissory note secured hereby, the entire indebtedness hereby secured shall immediately become due, payable, and collectible without notice, at the option of the Beneficiary or assigns, regardless of maturity, and the Beneficiary or assigns may enter upon said property and collect the rents and profits thereof. Upon such default in payment or performance, and before or after such entry, the Trustee, acting in the execution of this Trust, shall have the power to sell said property, and it shall be the Trustee's duty to sell said property (and in case of any default of any purchaser, to resell) at public auction, to the highest bidder, first giving four weeks' notice of the time, terms, and place of such sale, by advertisement not less than once during each of said four weeks in a newspaper published or distributed in the county or political subdivision in which said property is situated, all other notice being hereby waived by the Grantor (and the Beneficiary or any person on behalf of the Beneficiary within said county or political subdivision. Such sale will be held at a suitable place to be selected by the Beneficiary within said county or political subdivision. The Trustee is hereby authorized to execute and deliver to the purchaser at such sale a sufficient conveyance of said property, which conveyance shall contain recitals as to the happening of a default upon which the execution of the power of sale herein granted depends; and the said Grantor hereby constitutes and appoints the Trustee as his agent and attorney in fact to make such recitals and to execute said conveyance and hereby covenants and agrees that the recitals so made shall be binding and conclusive upon the Grantor, and said conveyance shall be effectual to bar all equity or right of redemption, homestead, dower, right of appraisement, and all other rights and exemptions of the Grantor, all of which are hereby expressly waived and conveyed to the Trustee. In the event of a sale as hereinabove provided, the Grantor, or any person in possession under the Grantor, shall then become and be tenants holding over and shall forthwith deliver possession to the purchaser at such sale or be summarily dispossessed, in accordance with the provisions of law applicable to tenants holding over. The power and agency hereby granted are coupled with an interest and are irrevocable by death or otherwise, and are granted as cumulative to all other remedies for the collection of said indebtedness. The Beneficiary or Assigns may take any other appropriate action pursuant to state or Federal statute either in state or Federal court or otherwise for the disposition of the property.

5. In the event of a sale as provided in paragraph 4, the Trustee shall be paid a fee by the Beneficiary in an amount not in excess of _____ percent of the gross amount of said sale or sales, provided, however, that the amount of such fee shall be reasonable and shall be approved by the Beneficiary as to reasonableness. Said fee shall be in addition to the costs and expenses incurred by the Trustee in conducting such sale. The amount of such costs and expenses shall be deducted and paid from the sale's proceeds. It is further agreed that if said property shall be advertised for sale as herein provided and not sold, the Trustee shall be entitled to a reasonable fee, in an amount acceptable to the Beneficiary for the services so rendered. The Trustee shall also be reimbursed by the Beneficiary for all costs and expenses incurred in connection with the advertising of said property for sale if the sale is not consummated.

6. The proceeds of any sale of said property in accordance with paragraph 4 shall be applied first to payment of fees, costs, and expenses of said sale, the expenses incurred by the Beneficiary for the purpose of protecting or maintaining said property and reasonable attorneys' fees; secondly, to payment of the indebtedness secured hereby; and thirdly, to pay any surplus or excess to the person or persons legally entitled thereto.

7. In the event said property is sold pursuant to the authorization contained in this instrument or at a judicial foreclosure sale and the proceeds are not sufficient to pay the total indebtedness secured by this instrument and evidenced by said promissory note, the Beneficiary will be entitled to a deficiency judgment for the amount of the deficiency without regard to appraisement, the Grantor having waived and assigned all rights of appraisement to the Trustee.

8. The Grantor covenants and agrees as follows:

a. He will promptly pay the indebtedness evidenced by said promissory note at the times and in the manner therein provided.

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b. He will pay all taxes, assessments, water rates, and other governmental or municipal charges, fines, or impositions, for which provision has not been made hereinbefore, and will promptly deliver the official receipts therefor to the Beneficiary.

c. He will pay such expenses and fees as may be incurred in the protection and maintenance of said property, including the fees of any attorney employed by the Beneficiary for the collection of any or all of the indebtedness hereby secured, or such expenses and fees as may be incurred in any foreclosure sale by the Trustee, or court proceedings or in any other litigation or proceeding affecting said property, and attorneys' fees reasonably incurred in any other way.

d. The rights created by this conveyance shall remain in full force and effect during any postponement or extension of the time of the payment of the indebtedness evidenced by said note or any part thereof secured hereby.

e. He will continuously maintain hazard insurance of such type or types and in such amounts as the Beneficiary may from time to time require, on the improvements now or hereafter on said property, and will pay promptly when due any premiums therefor. All insurance shall be carried in companies acceptable to Beneficiary and the policies and renewals thereof shall be held by Beneficiary and have attached thereto loss payable clauses in favor of and in form acceptable to the Beneficiary. In the event of loss, Grantor will give immediate notice in writing to Beneficiary and Beneficiary may make proof of loss if not made promptly by Grantor, and each insurance company concerned is hereby authorized and directed to make payment for such loss directly to Beneficiary instead of to Grantor and Beneficiary jointly, and the insurance proceeds, or any part thereof, may be applied by Beneficiary at its option either to the reduction of the indebtedness hereby secured or to the restoration or repair of the property damaged. In the event of a Trustee's sale or other transfer of title to said property in extinguishment of the indebtedness secured hereby, all right, title, and interest of the Grantor in and to any insurance policies then in force shall pass at the option of the Beneficiary to the purchaser or Beneficiary.

f. He will keep the said premises in as good order and condition as they are now and will not commit or permit any waste thereof, reasonable wear and tear excepted, and in the event of the failure of the Grantor to keep the buildings on said premises and those to be erected on said premises, or improvements thereon, in good repair, the Beneficiary may make such repairs as in the Beneficiary's discretion it may deem necessary for the proper preservation thereof, and any sums paid for such repairs shall bear interest from the date of payment at the rate specified in the note, shall be due and payable on demand and shall be fully secured by this Deed of Trust.

g. He will not without the prior written consent of the Beneficiary voluntarily create or permit to be created against the property subject to this Deed of Trust any lien or liens inferior or superior to the lien of this Deed of Trust and further that he will keep and maintain the same free from the claim of all persons supplying labor or materials which will enter into the construction of any and all buildings now being erected or to be erected on said premises.

h. He will not rent or assign any part of the rent of said property or demolish, remove, or substantially alter any building without the written consent of the Beneficiary.

9. In the event the Grantor fails to pay any Federal, state, or local tax assessment, income tax or other tax lien, charge, fee, or other expense charged to the property hereinabove described, the Beneficiary is hereby authorized to pay the same and any sum so paid by the Beneficiary shall be added to and become a part of the principal amount of the indebtedness evidenced by said promissory note. If the Grantor shall pay and discharge the indebtedness evidenced by said promissory note, and shall pay such sums and shall discharge all taxes and liens and the costs, fees, and expenses of making, enforcing, and executing this Deed of Trust, then this Deed of Trust shall be canceled and surrendered.

10. The Grantor covenants that he is lawfully seized and possessed of and has the right to sell and convey said property; that the same is free from all encumbrances except as hereinabove recited; and that he hereby binds himself and his successors in interest to warrant and defend the title aforesaid thereto and every part thereof against the lawful claims of all persons whomsoever.

11. For better security of the indebtedness hereby secured, the Grantor, upon the request of the Beneficiary, his successors or assigns, shall execute and deliver a supplemental mortgage or mortgages covering any additions, improvements, or betterments made to the property hereinabove described and all property acquired after the date hereof (all in form satisfactory to Grantee). Furthermore, should Grantor fail to cure any default in the payment of a prior or inferior encumbrance on the property described by this instrument, Grantor hereby agrees to permit Beneficiary to cure such default, but Beneficiary is not obligated to do so; and such advances shall become part of the indebtedness secured by this instrument, subject to the same terms and conditions.

12. That all awards of damages in connection with any condemnation for public use of or injury to any of said property are hereby assigned and shall be paid to Beneficiary, who may apply the same to payment of the installments last due under said note, and the Beneficiary is hereby authorized, in the name of the Grantor, to execute and deliver valid acquittances thereof and to appeal from any such award.

13. The irrevocable right to appoint a substitute trustee or trustees is hereby expressly granted to the Beneficiary, his successors or assigns, to be exercised at any time hereafter without notice and without specifying any reason therefor, by filing for record in the office where this instrument is recorded an instrument of appointment. The Grantor and the Trustee herein named or that may hereinafter be substituted hereunder expressly waive notice of the exercise of this right as well as any requirement or application to any court for the removal, appointment or substitution of any trustee hereunder.

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14. Notice of the exercise of any option granted herein to the Beneficiary or to the holder of the note secured hereby is not required to be given the Grantor, the Grantor having hereby waived such notice.

15. If more than one person joins in the execution of this Instrument as Grantor or if anyone so joined be of the feminine sex, the pronouns and relative words used herein shall be read as if written in the plural or feminine, respectively, and the term "Beneficiary" shall include any payee of the indebtedness hereby secured or any assignee or transferee thereof whether by operation of law or otherwise. The covenants herein contained shall bind and the rights herein granted or conveyed shall inure to the respective heirs, executors, administrators, successors, and assigns of the parties hereto.

16. In compliance with section 101.1(d) of the Rules and Regulations of the Small Business Administration (13 C.F.R. 101.1(d)), this instrument is to be construed and enforced in accordance with applicable Federal law.

17. A judicial decree, order, or judgment holding any provision or portion of this instrument invalid or unenforceable shall not in any way impair or preclude the enforcement of the remaining provisions or portions of this instrument.

IN WITNESS WHEREOF, the Grantor has executed this instrument and the Trustee and Beneficiary have accepted the delivery of this instrument as of the day and year aforesaid.

ADVANCE-AUTO PARTS & PAINT, INC. (A Mo. Corp.)



BY: Jerry D. Ellis
JERRY D. ELLIS, President

ATTEST: Patricia L. Ellis
PATRICIA L. ELLIS, Secretary

(STATE OF MISSOURI) SS
(COUNTY OF JACKSON)
CERTIFY INSTRUMENT RECEIVED

1983 JUN 13 P 2:32.5

RECORDED BOOK I1221P1290
KAREN KIRTLEY STUBBS
DIRECTOR OF RECORDS

Executed and delivered in the presence of the following witnesses:

Handwritten notes: 11.00 / 12.25 / 21.25

(S)

(Add Appropriate Acknowledgment)
STATE OF Missouri COUNTY OF Jackson SS:
I, Maureen Shelton, a Notary Public in and for said County, in the State aforesaid, do hereby certify that on this day personally appeared Jerry D. Ellis and Patricia L. Ellis, personally known to me to be the same persons whose names are subscribed to the foregoing instrument and personally known to me to be the President and Secretary, respectively, of Advance-Auto Parts & Paint, Inc., a corporation, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act and deed, for the uses and purposes therein set forth as President and Secretary, respectively, of said corporation, that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed, sealed and delivered in the name and behalf of said corporation by the authority of its Board of Directors as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.



Given under my hand and notarial seal this 3rd day of June, 1983.

Maureen Shelton
Notary Public in and for said County and State
Notary Public - State of Missouri
Commissioned in Jackson County
My Commission Expires April 25, 1986

1525384 V-54P
DEED OF TRUST

Between
ADVANCE AUTO PARTS & PAINT, INC.,
A Missouri Corporation, GRANTOR

and
FREDA W. DURBIN, TRUSTEE

and
SMALL BUSINESS ADMINISTRATION, BENEFICIARY

RECORDING DATA

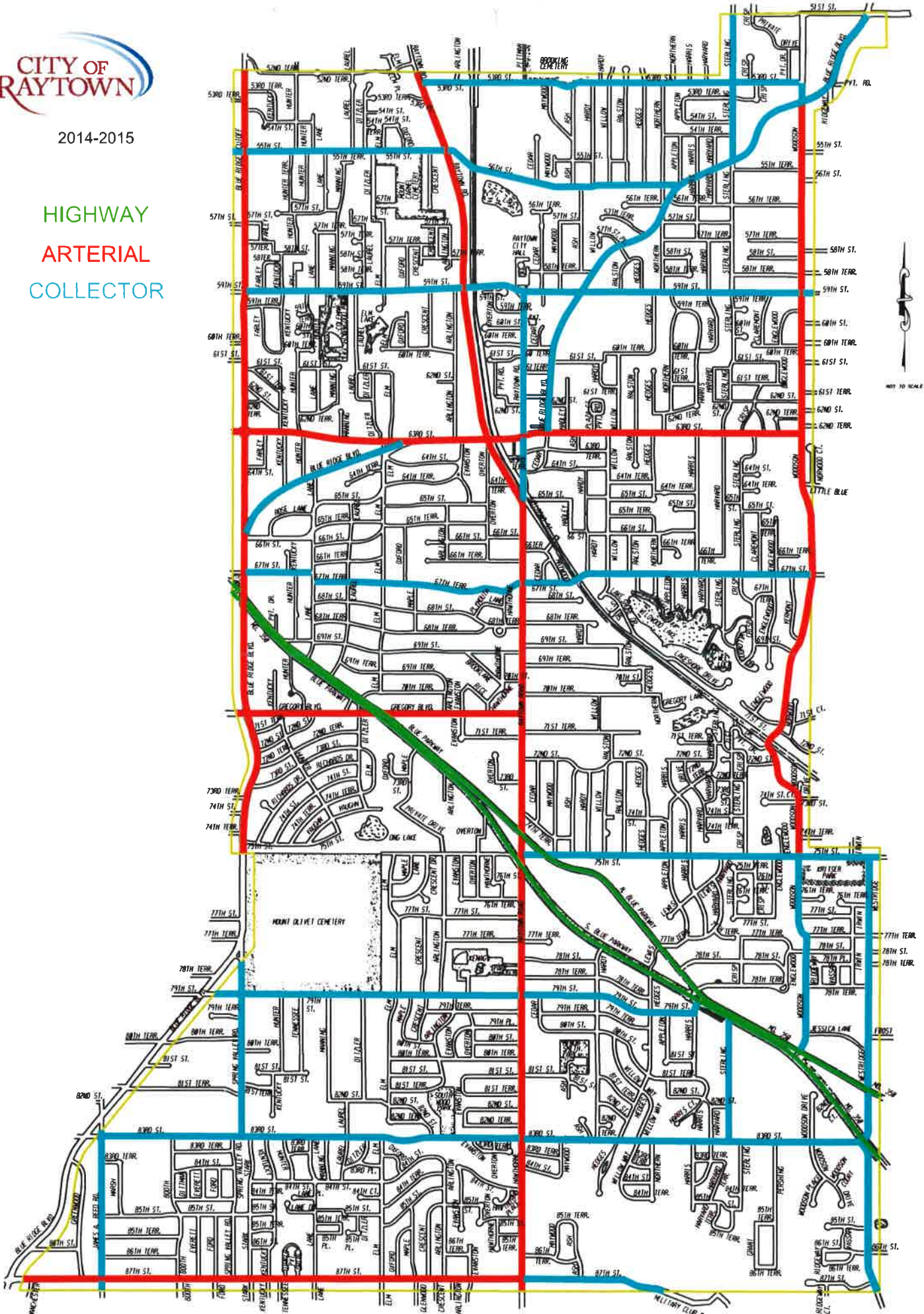
Return to: CTIC - Shelton
Small Business Administration
Address: 818 Grand Avenue
Kansas City, Missouri 64106

GPO 932-929



2014-2015

HIGHWAY
ARTERIAL
COLLECTOR





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

Staff Report

To: City of Raytown, Planning & Zoning Commission

From: Shana Kelly, Planning & Zoning Coordinator

Case #: Text Amendment PZ-2024-08

Planning & Zoning Meeting Date: May 2, 2024

Board of Aldermen Dates: June 4, 2024, and June 16, 2024

Applicant: City of Raytown

Project Contact: Shana Kelly, Planning & Zoning Coordinator

Property Location: Citywide

Request: Chapter 50, Article 4, of the Raytown Municipal Code to allow for and regulate the new construction and/or the expansion of land uses defined as "Utility, Major."

BACKGROUND INFORMATION:

The "Utility, Major" land use is defined in the Raytown Municipal Code **Section 50-4** as follows:

Utility, major, means generating plants; electrical switching facilities and primary substations; water and wastewater treatment plants; water tanks; and radio, television and microwave transmission towers; and similar facilities of agencies that are under public franchise or ownership to provide the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other similar service. The term "utility, major," shall not be construed to include corporate or general offices, gas or oil processing, manufacturing facilities, postal facilities or other uses defined in this section.

Despite the definition of "Utility, Major" establishments since 2010, the Raytown Municipal Code does not give provisions or guidelines for the development of new or the expansion of existing facilities. For this reason, Staff is presenting the attached amendments to Chapter 50, Article 4, to ensure that major utility stations are allowed to be developed and expanded according to the needs of the City and its inhabitants, while ensuring protection from any undesirable effects as a result of the nature of such facilities.



Included in the recommended text amendment update are the following key changes from the current Raytown Municipal Code.

- The addition of the “Utility, Major” land use to the Land Use Table, including permitting in certain zoning districts with the approval of a Conditional Use permit.
- The addition of Conditions of approval for any “*Utility, Major*” facilities.

Staff proposes to allow for the development of and the expansion of major utility facilities, with the approval of a Conditional Use Permit, in the following zoning and overlay districts:

- R-1, Low-Density Residential
- R-2, Medium-Density Residential
- R-3, High-Density Residential
- MH, Manufactured Home Park Residential
- M, Industrial
- FP, Floodplain Overlay
- HO, Housing Opportunity Residential Overlay
- P, Planned Zoning Overlay
- CD, Condominium Dwelling Overlay
- AE, Adult Entertainment Use Overlay

Staff Recommends that the following standing Conditions of approval be placed on all major utility facilities that propose to develop or expand within the City of Raytown, regardless of the zoning or overlay district:

- Location.** For major utility infrastructure in a Residential Zone or within two hundred feet (200') of a Residential Zone, the applicant must address the City's preferred locations with a detailed explanation justifying why a site of higher priority was not selected.
- Setbacks.** The setbacks of any proposed new major utility development or expansion must conform to the setback requirements of that particular zoning and overlay district.
- Screening.** Adequate screening of the major utility infrastructure shall be provided by a solid or semi-solid wall, fence or a permanent building enclosure not less than eight feet (8') in height. Fences must be made of solid masonry, wood, vinyl, or composite fence with masonry columns. Chain link is not allowed. All equipment cabinets shall be adequately secured to prevent access by other than authorized personnel. Landscaping shall be required around the base or perimeter of the screening wall or fence. A combination of coniferous and deciduous trees and shrubs is required, and drought tolerant plant materials are encouraged. When the visual impact of the equipment compound would be minimal, the landscaping requirement may be reduced or waived by the director of community development.
- Lighting.** Proposed Lighting may not shine outward and create a glare onto any abutting residential district or public right-of-way. A Photometric Plan must be included with any



Conditional Use Permit application for the approval of a Major Utility facility. This plan must indicate a 0.0 footcandle reading at all property lines.

Proposed Updates to the Land Use Table:

	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP	AE	Conditions
Temporary Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(22)
Tobacco or Vape/E-cigarette Product Sales					P	P										(24)
Transit Facility							P		P			P				(14)
Two-household condominium dwellings		P	P						P			P				(9), (15)
Two-household dwellings		P	P						P			P				(9), (15)
Utility, Major	C	C	C	C			C			C	C	C	C		C	(30)
Utility, Minor							P		P			P				(14)
Vehicle and Equipment Rental					C	C	C									
Vehicle Sales, New or Used						C	C					P				(28)
Vehicle Repair, General						C	P									
Vehicle Repair, Limited						C	P		P			P				(14)
Vehicle/Equipment Storage Yard						C	C									
Veterinary and small animal hospitals with outdoor containment						C	P									
Vocational School							P		P			P				(14),(29)
Warehousing and Wholesale							P		P			P				(14),(29)
Water towers	C	C	C	C	C	C	C	C								

(30) Utility, Major.

- A. Location.** For major utility infrastructure in a Residential Zone or within two hundred feet (200') of a Residential Zone, the applicant must address the City's preferred locations with a detailed explanation justifying why a site of higher priority was not selected.



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

- B. **Setbacks.** The setbacks of any proposed new major utility development or expansion must conform to the setback requirements of that particular zoning and overlay district.
- C. **Screening.** Adequate screening of the major utility infrastructure shall be provided by a solid or semi-solid wall, fence, or a permanent building enclosure not less than eight feet (8') in height. Fences must be made of solid masonry, wood, vinyl, or composite fence with masonry columns. Chain link is not allowed. All equipment cabinets shall be adequately secured to prevent access by other than authorized personnel. Landscaping shall be required around the base or perimeter of the screening wall or fence. A combination of coniferous and deciduous trees and shrubs is required, and drought tolerant plant materials are encouraged. When the visual impact of the equipment compound would be minimal, the landscaping requirement may be reduced or waived by the director of community development.
- D. **Lighting.** Proposed Lighting may not shine outward and create a glare onto any abutting residential district or public right-of-way. A Photometric Plan must be included with any Conditional Use Permit application for the approval of a Major Utility facility. This plan must indicate a 0.0 footcandle reading at all property lines.

ATTACHMENTS:

- Zoning Map
- Affidavit of Publication

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 4, of the Raytown Municipal Code as pertains to zoning regulations for "*Utility, Major*" facilities.



Zoning Map:

