

**TENTATIVE AGENDA**  
**RAYTOWN BOARD OF ALDERMEN**  
**AUGUST 6, 2019**  
REGULAR SESSION No. 8  
RAYTOWN CITY HALL  
10000 EAST 59<sup>TH</sup> STREET  
RAYTOWN, MISSOURI 64133  
7:00 P.M.

**OPENING SESSION**

Invocation/Pledge of Allegiance  
Roll Call

Public Comments  
Communication from the Mayor  
Communication from the City Administrator  
Committee Reports

**1. CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda. If there is no objection by the remaining members of the board, such item will be removed from the consent agenda and considered separately. If there is an objection, the item may only be removed by a motion and vote of the board.

Approval of the Regular July 16, 2019 Board of Aldermen meeting minutes.

**NEW BUSINESS**

2. Public Hearing: A public hearing to consider a Conditional Use Permit for property located at 9100 E. 350 Highway.
  - 2a. **FIRST READING: Bill No. 6508-19, Section XIII. AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR MOHAMED ALSIYOUHI TO OPERATE A VEHICLE REPAIR (LIMITED) USE AT 9100 E. 350 HIGHWAY IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ray Haydaripoor, Community Development Director.**
3. Public Hearing: A public hearing to consider a Conditional Use Permit for property located at 5247 Woodson Road.
  - 3a. **FIRST READING: Bill No. 6509-19, Section XIII. AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR BRYAN BOSLEY TO OPERATE A VEHICLE REPAIR (GENERAL) USE WITH LIMITED VEHICLE SALES AT 5247 WOODSON ROAD IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ray Haydaripoor, Community Development Director.**
4. **FIRST READING: Bill No. 6510-19, Section XIII. AN ORDINANCE APPROVING THE "FINAL PLAT OF BRYWOOD CENTRE, SECOND PLAT" LOCATED GENERALLY IN THE NORTHWEST QUADRANT OF 63rd STREET AND BLUE RIDGE CUTOFF AND COMPRISING 25.6 ACRES, OF WHICH APPROXIMATELY 24 ACRES IS IN KANSAS CITY, MISSOURI, AND 1.5 ACRES IS IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ray Haydaripoor, Community Development Director.**

5. **R-3227-19: A RESOLUTION** AUTHORIZING AND APPROVING THE EXPENDITURE OF FUNDS FOR MICRO-SURFACING IN AN AMOUNT NOT TO EXCEED \$20,000.00 AND AMEND THE FISCAL YEAR 2018-2019 BUDGET. Point of Contact: Dave Turner, Parks and Recreation Director.
6. **R-3228-19: A RESOLUTION** AUTHORIZING AND APPROVING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH YELLOW BLUE LED FOR SOLAR AND LED LIGHTING IN AN AMOUNT NOT TO EXCEED \$15,000.00 AND AMEND THE FISCAL YEAR 2018-2019 BUDGET. Point of Contact: Dave Turner, Parks and Recreation Director.

## **ADJOURNMENT**

**DRAFT**

**MINUTES**

**RAYTOWN BOARD OF ALDERMEN**

**JULY 16, 2019**

REGULAR SESSION NO. 7

RAYTOWN CITY HALL

10000 EAST 59<sup>TH</sup> STREET

RAYTOWN, MISSOURI 64133

7:00 P.M.

**OPENING SESSION**

Mayor Michael McDonough called the July 16, 2019 Board of Aldermen meeting to order at 7:03 p.m. and Dr. Bill Tenny-Brittian of the Raytown Christian Church provided the invocation and led the pledge of allegiance.

**Roll**

Roll was called by Teresa Henry, City Clerk and the attendance was as follows:

Alderman Janet Emerson, Alderman Derek Ward, Alderman Jim Aziere, Alderman Frank Hunt, Alderman Bill Van Buskirk, Alderman Greg Walters, Alderman Mary Jane Van Buskirk, Alderman Jason Greene, Alderman Ryan Myers, Alderman Bonnaye Mims

**Public Comments**

Comments were made by:

Tony Jacob, 10201 E 64 Street, Raytown, MO

**Communication from the Mayor**

Mayor McDonough spoke on recent events and City business.

**Communication from the City Administrator**

Damon Hodges, City Administrator, provided an update on the City's current projects and plans.

**Committee Reports**

Comments were made by Aldermen Greene and Walters.

**1. CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda. If there is no objection by the remaining members of the board, such item will be removed from the consent agenda and considered separately. If there is an objection, the item may only be removed by a motion and vote of the board.

Approval of the Regular July 2, 2019 Board of Aldermen meeting minutes.

Alderman Mims, seconded by Alderman Mary Jane Van Buskirk, made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Aldermen Mims, Mary Jane Van Buskirk, Ward, Hunt, Bill Van Buskirk, Emerson, Myers, Greene, Aziere, Walters  
Nays: None

### **STUDY SESSION**

Board Goals Update  
Damon Hodges, City Administrator

Damon Hodges, City Administrator, presented on the Board Goals for Fiscal Year 2019-2020.

The presentation was discussed.

### **OLD BUSINESS**

2. **SECOND READING: Bill No. 6507-19, Section IV-A. AN ORDINANCE ESTABLISHING A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS IN THE CITY OF RAYTOWN, MISSOURI.** Point of Contact: Teresa Henry, City Clerk.

The ordinance was read by title only by Teresa Henry, City Clerk.

Teresa Henry, City Clerk, remained available for any discussion.

There was no discussion.

Alderman Greene, seconded by Alderman Mims, made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Aldermen Greene, Mims, Hunt, Emerson, Bill Van Buskirk, Ward, Walters, Aziere, Myers, Mary Jane Van Buskirk  
Nays: None

**Became Ordinance 5608-19**

### **NEW BUSINESS**

3. **R-3223-19: A RESOLUTION AUTHORIZING AND APPROVING THE PROFESSIONAL SERVICES OF STORM SEWER INFRASTRUCTURE REPAIR IN THE CITY OF RAYTOWN, MISSOURI FROM WIEDENMANN, INC. UTILIZING THE CITY OF LEE'S SUMMIT, MISSOURI COOPERATIVE PURCHASE CONTRACT AND APPROVING PROJECT EXPENSES FOR 6012 HARRIS IN THE AMOUNT OF \$92,467.05.** Point of Contact: Damon Hodges, City Administrator.

The resolution was read by title only by Teresa Henry, City Clerk.

Damon Hodges, City Administrator, and Tony Mesa, Superintendent, remained available for any discussion.

The resolution was discussed.

Alderman Mims, seconded by Alderman Aziere, made a motion to adopt.

Discussion continued.

The motion was approved by a vote of 10-0.

Ayes: Aldermen Mims, Aziere, Greene, Mary Jane Van Buskirk, Myers, Walters, Ward, Hunt, Bill Van Buskirk, Emerson

Nays: None

4. **R-3224-19: A RESOLUTION** DIRECTING THE CITY CLERK TO PLACE ON FILE FOR A PERIOD OF NINETY DAYS CERTAIN UNIFORM CODES REGULATING THE CONSTRUCTION OF BUILDINGS AND CONTINUED OCCUPANCY THEREOF; MECHANICAL, PLUMBING AND ELECTRICAL CONSTRUCTION; AND FIRE PREVENTION. Point of Contact: Ray Haydaripoor, Community Development Director.

The resolution was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, remained available for any discussion.

Alderman Myers, seconded by Alderman Mims, made a motion to adopt.

The resolution was discussed.

The motion was approved by a vote of 9-1.

Ayes: Aldermen Myers, Mims, Emerson, Walters, Mary Jane Van Buskirk, Greene, Hunt, Aziere, Ward

Nays: Alderman Bill Van Buskirk

5. **R-3225-19: A RESOLUTION** AUTHORIZING AND APPROVING PARTICIPATION BY THE CITY IN THE DRIVE SOBER OR GET PULLED OVER ENFORCEMENT CAMPAIGN AND AUTHORIZING A GRANT APPLICATION THROUGH THE MISSOURI DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY & TRAFFIC DIVISION. Point of Contact: Randy Hudspeth, Interim Chief of Police.

The resolution was read by title only by Teresa Henry, City Clerk.

Randy Hudspeth, Interim Chief of Police, remained available for any discussion.

Alderman Bill Van Buskirk, seconded by Alderman Ward, made a motion to adopt.

The resolution was discussed.

The motion was approved by a vote of 10-0.

Ayes: Aldermen Bill Van Buskirk, Ward, Mary Jane Van Buskirk, Greene, Myers, Mims, Emerson, Aziere, Hunt, Walters

Nays: None

6. **R-3226-19: A RESOLUTION** AUTHORIZING AND APPROVING AN AGREEMENT FOR THE RECRUITMENT OF A CHIEF OF POLICE WITH BAKER TILLY VIRCHOW KRAUSE, LLP IN AN AMOUNT NOT TO EXCEED \$25,000.00 PLUS CANDIDATE EXPENSES FOR A TOTAL RECRUITMENT AMOUNT NOT TO EXCEED \$30,000.00 AND AMEND THE FISCAL YEAR 2018-2019 BUDGET. Point of Contact: Damon Hodges, City Administrator.

The resolution was read by title only by Teresa Henry, City Clerk.

Damon Hodges, City Administrator, remained available for any discussion.

The resolution was discussed.

Alderman Mims, seconded by Alderman Aziere, made a motion to adopt.

Discussion continued.

The motion was approved by a vote of 9-0-0-1.

Ayes: Aldermen Mims, Aziere, Hunt, Greene, Bill Van Buskirk, Walters, Myers, Mary Jane Van Buskirk, Ward

Nays: None

Absent: None

Abstain: Alderman Emerson

## **DISCUSSION ITEM**

7. Trash Containers-Chapter 34, Alderman Jim Aziere

Alderman Aziere presented the discussion item.

The item was discussed.

Alderman Myers, seconded by Alderman Ward, made a motion to send the item to the Municipal Committee.

Discussion continued.

The motion was approved by a vote of 10-0.

Ayes: Aldermen Myers, Ward, Bill Van Buskirk, Hunt, Mims, Greene, Emerson, Aziere, Walters, Mary Jane Van Buskirk

Nays: None

Alderman Mims, seconded by Alderman Ward, made a motion to adjourn. The motion was approved by a majority of those present.

## **ADJOURNMENT**

The meeting adjourned at 8:46 p.m.

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Teresa M. Henry, MRCC  
City Clerk

**CITY OF RAYTOWN**  
**Request for Board Action**

**Date:** August 1, 2019

**Bill No.:** 6508-19

**To:** Mayor and Board of Aldermen

**Section No.:** XIII

**From:** Chris Gilbert, Planning & Zoning Coordinator

**Department Head Approval:** \_\_\_\_\_

**Finance Director Approval:** \_\_\_\_\_ (Only if funding is requested)

**City Administrator Approval:** \_\_\_\_\_



**Action Requested:** Board of Aldermen consideration and approval of a Conditional Use Permit authorizing a Vehicle Repair (Limited) use at 9100 E. 350 Highway in a Highway Commercial (HC) zoning district.

**Recommendation:** Staff recommends approval as submitted. The Planning & Zoning Commission voted (7-0) to recommend approval of the Conditional Use Permit with all conditions as contained in the staff report.

**Analysis:** Mohamed Alsiyouhi, the applicant, has a lease agreement with the property owner, Henry Machauf, to operate a tire and minor auto repair shop in the former Auto Cool building which has been vacant since 2016. The 2-bay building was originally designed and built for minor automotive work in the 1960s or 1970s and the requested use would be consistent with the original purpose of the building and consistent with automotive work previously performed on the site. The building was continuously occupied by the most recent business, Auto Cool, from 1998 until 2016.

Several conditions of approval were attached to the Conditional Use by staff and concurred with by the Planning Commission relating to required property maintenance and upgrades to bring the property up to current code requirements. These conditions are stated in the attached Ordinance.

**Alternatives:** Alternatives to the recommendation of the Planning & Zoning Commission would be to approve, conditionally approve, or deny the Conditional Use Permit.

**Budgetary Impact:**

Not Applicable

**Additional Reports Attached:**

- Staff Report from July 11, 2019, Planning & Zoning Commission meeting.

**AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR MOHAMED ALSIYOUHI TO OPERATE A VEHICLE REPAIR (LIMITED) USE AT 9100 E. 350 HIGHWAY IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI**

**WHEREAS** Application PZ-2019-03, submitted by Mohamed Alsiyouhi, and property owner Henry Machauf, of 9532 Russell, Overland Park, Kansas, for approval of a Conditional Use Permit for Vehicle Repair (Limited), for 9100 E. 350 Highway within a Highway Commercial (HC) Zone in the City of Raytown, Jackson County, Missouri, was referred to the Planning Commission; and

**WHEREAS**, the Planning Commission considered the application on April 4 and July 11, 2019, and by a vote of 7 in favor and 0 against rendered a report to the Board of Aldermen recommending that the Conditional Use Permit be approved; and

**WHEREAS**, the Board of Aldermen considered the application on August 6, 2019 and August 20, 2019, and finds and declares that the provisions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raytown and rendered a decision to approve the Conditional Use Permit.

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

**SECTION 1 – APPROVAL OF CONDITIONAL USE PERMIT.** That the Conditional Use Permit for Mohamed Alsiyouhi to operate a Vehicle Repair (Limited) business at 9100 E. 350 Highway, is hereby approved.

**SECTION 2 – CONDITIONS OF APPROVAL.** That the Conditional Use Permit for Mohamed Alsiyouhi to operate a Vehicle Repair (Limited) business at 9100 E. 350 Highway be approved subject to the following conditions as contained in the staff report and as amended and approved by the Planning Commission:

1. Parking lot and driveway throughout the property is in disrepair. It shall be repaired and then maintained in good condition at all times.
2. Parking lot shall be properly striped with 9 ft x 19.5 ft spaces for customers. Spaces shall include a single handicapped parking space accessible to the main entrance of the building that is 8 ft x 19.5 ft with an 8 ft x 19.5 ft striped unloading zone and shall have a pole sign in front of the space with the international symbol of accessibility and “van accessible” upon it.
3. Some areas on the sides and back of the building shall be scraped, primed, and painted and thenceforth maintained in good condition at all times.
4. Pieces of siding on the front of the building shall be replaced and maintained.
5. Windows are in poor condition and shall be replaced or repaired to acceptable condition.
6. Front entrance doors including the garage doors are in poor condition and shall be replaced or repaired to acceptable condition.

- 7. Tree growing from asphalt directly behind the building shall be removed.
- 8. Dumpster shall be screened from view of adjoining properties in the rear area of the lot using approved shrubbery or an enclosure constructed of materials consistent with the main building on the property.
- 9. If inoperable or unlicensed vehicles will be stored on the property, the asphalted storage area at the rear of the building shall be screened from view with an approved fence.
- 10. All signage shall be approved under separate permit.
- 11. No Certificate of Occupancy or Commercial Use Permit will be issued until all requirements of this section have been met. The property should not be occupied and used for private or public auto repair until the Commercial Use Permit and Business License to operate are issued.
- 12. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

**SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 4 – SEVERABILITY CLAUSE.** The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

**SECTION 5 – EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after the date of its passage and approval.

**BE IT REMEMBERED** that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this \_\_\_\_day of August, 2019.

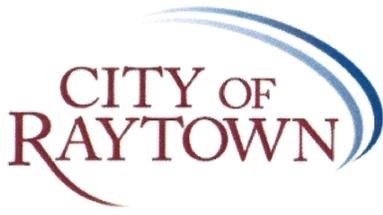
\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

\_\_\_\_\_  
Jennifer M. Baird, City Attorney



# Staff Report

Community Development  
Planning and Development Services

**PZ 2019-03**

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: July 11, 2019

Re: Application for Conditional Use Permit (Continued from April 4, 2019)

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## CONDITIONAL USE PERMIT APPLICATION SUMMARY

Applicant: Mohamed Alsiyouhi

Property Owner: Henry and Bella Machauf

Property Location: 9100 E 350 Highway

Request: Conditional Use Permit approval of a tire repair and minor auto repair shop

Mohamed Alsiyouhi, on behalf of property owners Henry and Bella Machauf, is requesting Conditional Use Permit (CUP) approval for a tire repair and minor auto repair shop in a Highway Commercial (HC) zoning district. Per the city's land use table, vehicle repair shops are only conditionally approved in this zoning district. The applicant is not proposing any structural or site changes be made to the existing location.

The building previously ran a business licensed under "AUTO COOL" from 8/26/1998 to 6/30/2016. Since then, the structure has sat vacant.

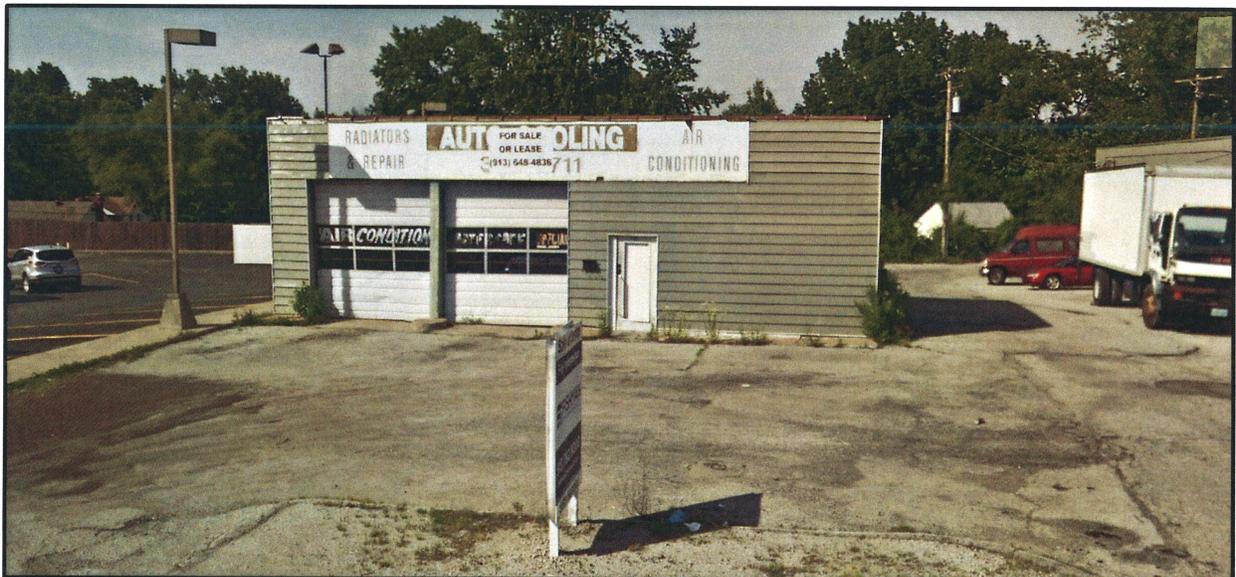


Figure 1 – Street view of proposed auto shop

## BACKGROUND

Property's Zoning Classification	Highway Commercial (HC)
Surrounding Properties' Zoning	Highway Commercial (HC)
Surrounding Overlay	Highway 350 Corridor
Surrounding Land Use	Commercial Businesses and Single Family Homes
Designated Future Land Use	Commercial
Ward	Ward 1
Approximate Land Area	0.39 acres
Roadway Classification	Expressway

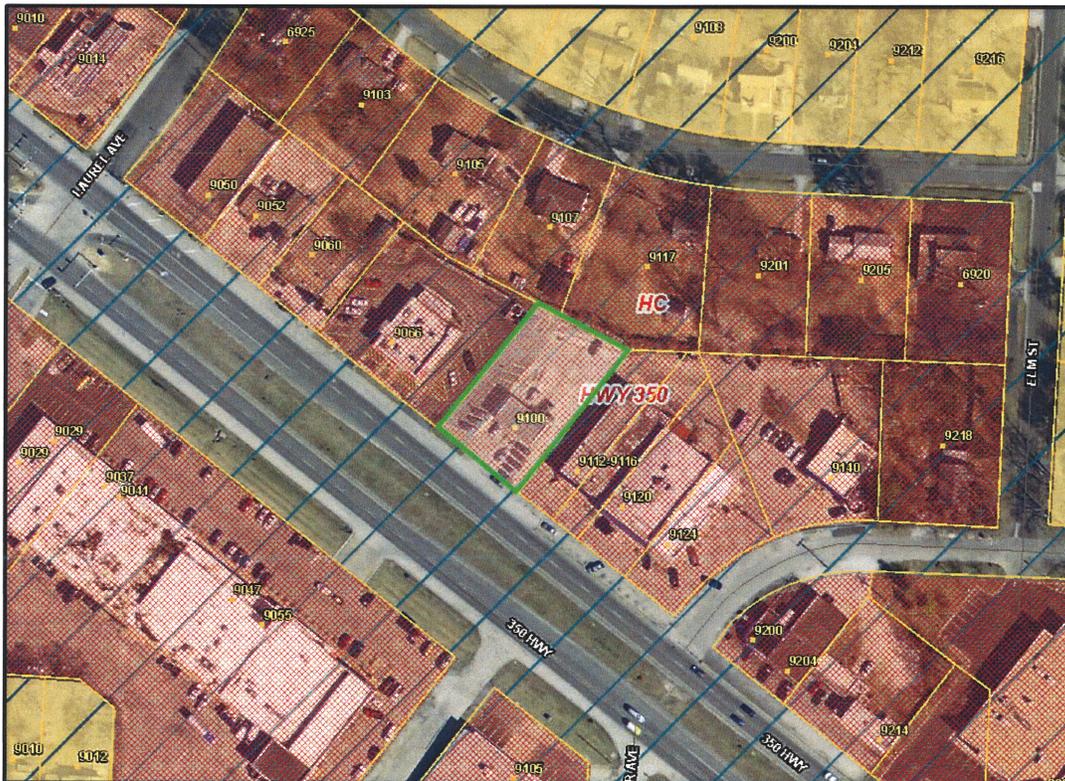


Figure 2 – Aerial view of proposed auto shop and surrounding zoning

### SITE DESCRIPTION AND PRESENT USE

The building has sat vacant for approximately three years.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The structure faces 350 Highway, which is designated as an expressway by the City of Raytown. On the back side of the subject parcel, commercially zoned nonconforming homes adjoin the property. To the West of the structure, there is a fast food restaurant on the adjoining parcel (Arby's), and on the east, a variety of commercial businesses in a single long façade.



# Staff Report

Community Development  
Planning and Development Services

## HISTORY

The building previously ran a business licensed under "AUTO COOL" from 8/26/1998 to 6/30/2016. Since then, the structure has sat vacant. The structure appears to have been built during the late 1960's / early 1970's but it is not clear what the use was prior to AUTO COOL.

## PUBLIC COMMENTS

The public notice was published in *The Daily Record* on March 20, 2019, and again on June 26, 2019. Public notice letters were sent to property owners within 185 feet of the property by the applicant. The Neighborhood Information Meeting was held on March 26, 2019. To date, the Community Development Department has received no letters/calls regarding this application other than from additional prospective users who were informed that an open application for a CUP was being processed by the Planning Commission. The property was posted with a Public Hearing Notice Sign on the property in March and again in June with an updated hearing date.

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## ANALYSIS

In considering and making a decision on an application for a conditional use permit, consideration is required to be given by the city to the health, safety, morals, comfort and general welfare of the inhabitants of the city, including but not limited to, the following factors.

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

The parcel and all adjacent lots are zoned Highway Commercial (HC). This zoning district is designed to accommodate commercial activities that draw business from, provide services to and would benefit from a location easily accessible to a highway or arterial street. The zoning of commercial property to this district shall be for the purpose of encouraging and requiring appropriate business development and redevelopment on a quality level generally equal to or exceeding that, which prevails in the city. It is the opinion of city staff that the proposed use would maintain the stability and integrity of the Highway Commercial zoning district.

### 2. Conservation of property values

An improvement to neighboring property values is expected based upon the conditions of approval in this staff report that would bring the property up to code and remove the blighted look that vacant buildings typically present. The applicant and the property owner will need to figure out the cost sharing for meeting these conditions. The main impact will be the return of a business to the structure, which will prevent further decline in the condition of the property.

### 3. Protection against fire and casualties

Staff believes having a new business occupant that provides ongoing maintenance will make the property less subject to vandalism and arson than it does now as a vacant building.

### 4. Observation of general police regulations

The proposed business will not violate any general police regulations.

### 5. Prevention of traffic congestion

The proposed business will not increase traffic congestion beyond what is normal for an auto repair shop.



# Staff Report

Community Development  
Planning and Development Services

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

The proposed business will not affect traffic safety nor the orderly parking of motor vehicles. As a repair shop, customer parking is minimal, but vehicle-awaiting-repair storage is more significant and can easily be addressed by the large asphalt storage area behind the building that may have to be screened if the applicant plans to leave unlicensed and inoperable vehicles sitting there visible to the street and adjacent properties.

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

The proposed business will not affect the safety of individuals or property. To the contrary, an operating business will deter criminal activity that has a greater chance of occurring on vacant, abandoned properties.

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

The proposed business will not affect the air quality of the area beyond what is normal for an automotive repair shop.

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

The proposed business will not affect the intensity of land uses in the area. It is an existing developed property and the proposed use is consistent with previous uses on the property.

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

The proposed business will not affect any public utilities or schools and could generate revenues that benefit the taxing entities including the school district.

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

Staff does not view the proposed business as an inappropriate use at this location. Previous uses on the site and the building/site layout are both consistent with an auto repair business, of which there are many along 350 Highway.

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

The property on which the proposed business would be located is developed and will require site and/or building improvements to bring the property to code that are addressed in the conditions of approval. Requiring 350 Highway Corridor standards for a reuse of an existing structure will be extremely difficult to enforce as the site is not being modified, expanded, reconstructed, etc., so as such does not require application of such standards at the present time with this application.

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

As the property is a currently existing developed parcel with a structure designed specifically for automotive repair, the proposed business is consistent with overall planning principles.

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

The proposed business, if approved, will reoccupy a site that has been vacant for years, resulting in blight creeping into the 350 Highway Corridor. By reutilizing the property for what it is designed for and eliminating an unsightly vacant property situation, the proposed use will contribute to the orderly and proper renewal, development and growth of the City.



## RECOMMENDATION

Staff recommends approval of Case No. PZ 2019-03 – Conditional Use Permit for a tire repair and minor auto repair shop to be located at 9100 E. 350 Highway based off the completion of the following conditions:

1. No Certificate of Occupancy will be issued until all requirements of this section have been met.
2. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.
3. Parking lot and driveway throughout the property is in disrepair. It shall be repaired and then maintained in good condition at all times.
4. Some areas on the sides and back of the building need to be scraped, primed and repainted and maintained in good condition at all times.
5. Pieces of the siding on the front of the building need to be replaced and maintained.
6. Windows are in poor condition, and will need to be repaired to acceptable condition.
7. Front entrance doors including garage doors in poor condition, will need to be repaired to acceptable condition.
8. Tree growing from asphalt in the rear of property must be removed.
9. Dumpster needs to be screened from view of adjoining properties using approved shrubbery or an enclosure in the rear of the building.
10. If inoperable or unlicensed vehicles will be stored on the property, the asphalted storage area at the rear of the building will need to be screened from view.
11. Signage approved under separate permit.
12. Follow all applicable federal, state, and local laws, rules, regulations, and guidelines.

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

April 3, 2019  
7:00 pm

Raytown City Hall  
Board of Aldermen Chambers  
10000 East 59<sup>th</sup> Street  
Raytown, Missouri 64133

**1. Welcome by Chairperson**

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

Wilson:	Present	Meyers:	Absent	Emerson:	Present
Bettis:	Absent	Robinson:	Present	Frazier:	Present
Stock:	Absent	Dwight:	Present	Cochran:	Present

**3. Approval of March 7, 2019 Meeting Minutes**

- a) Revisions – N/A
- b) Motion to approve – Mrs. Cochran
- c) Second – Mr. Frazier
- d) Additional Board Discussion – N/A
- e) Vote – Approve (5-0) – Mrs. Emerson abstained due to being absent from the meeting

**4. Old Business - None**

**5. New Business**

**A. Case No.: PZ-2019-03**

Applicant: Mohamed Alsiyouhi

Reason: Conditional Use Permit for a tire repair and minor auto repair shop

**Introduction of Application by Chair (Mr. Wilson)**

- 1. Explanation of any exparte' communication from Commission members regarding the application**  
None
- 2. Enter Additional Relevant City Exhibits into the Record:**
  - a. Staff report
  - b. Conditional Use Permit Application
  - c. Application Supporting Documents
  - d. Application Permit and Receipt
  - e. Public Notice Guide
  - f. Neighborhood meeting invite, summary and sign-in sheet
  - g. Applicant's site plan and supporting plan documents

### **3. Introduction of Application by Staff**

Director of Community Development introduces the case by explaining that Mohamed Alsiyouhi is requesting Conditional Use Permit (CUP) approval for a tire repair and minor auto repair shop in a Highway Commercial (HC) zoning district. He states that per the city's land use table, vehicle repair shops are only conditionally approved in this zoning district. The applicant is not proposing any structural or site changes be made to the existing location. Mr. Haydaripoor states that the building previously ran a business licensed under "AUTO COOL" from 8/26/1998 to 6/30/2016. Since then, the structure has sat vacant.

Mr. Haydaripoor temporarily pauses the progress of the Planning and Zoning Commission meeting to wait for applicant, Mohamed Alsiyouhi to arrive to the hearing. In the meantime, Chairman Wilson hands the floor over to Assistant City Administrator, Missy Wilson for a brief announcement.

Mrs. Wilson announces that contrary to the April 2019 PZ agenda that states there would not be a May PZ Meeting because of no new applications, the Planning and Zoning Commission will host a forum to hear about the potential planning and zoning requirement for medical marijuana. Since Missouri voted in Amendment 2 last year, the rules and regulations on this subject have not been published yet. Mrs. Wilson states that these regulations are expected in June. She adds that communities across the state are already having public hearings on the matter to address zoning from a commercial and residential standpoint.

Mrs. Wilson states that on May 2 at 7:00pm the Division Director for Medical Marijuana from the Department of Housing and Senior Services come and make a presentation to the commission. The city's legal counsel has been working on the subject for multiple clients and will also provide information prior to and during the meeting. Mrs. Wilson states that with the short amount of time between the announcement of the state's rules and regulations and the time the city's zoning changes will need to be in effect, the Planning and Zoning will be discussing the subject in advance. Mrs. Wilson announces that the public will be notified of this meeting.

Mr. Wilson asks how the turnout has been at forums that Mrs. Wilson has attended so far. Mrs. Wilson states that the turnout has been good but that some questions that the public asks did not yet have answers by state representatives, but they plan to address these issues in the final rules and regulations that will be published. Mrs. Wilson states that she does not yet have a draft of these rules and regulations but will be sure to get the commissioners what she can prior to the May 3 meeting.

Mr. Frazier asks if there are any potential applicants in Raytown as of yet. Mrs. Wilson states that the city does not have this information as interested applicants have filed with the state. According to Mrs. Wilson, the state announced in March that they have received approximately 400-450 dispensary applications and that they will only issue 192 permits.

Mr. Wilson resumes the discussion on PZ Case 2019-03 as applicant, Mohamed Alsiyouhi has arrived at the hearing.

**4. Presentation of Application by Applicant**

Mr. Alsiyouhi appears at the podium and announces his name and address, 8819 Eastern Avenue, Kansas City, Missouri 64138. He states that he intends to reopen the business as the same use that it was previously. Mr. Alsiyouhi states that he is not changing anything in the store, just some simple remodeling. He states that he is proposing at the shop is tire repair and minor auto repair.

Mr. Wilson asks if Mr. Alsiyouhi was able to read the conditions for approval that city staff included as part of their recommendation to the commissioners. Mr. Alsiyouhi states that he is unfamiliar. Mr. Wilson states that city staff has recommended six items as part of the approval for his application this evening. He wants to make sure the applicant has read, understood and agrees to those conditions. Mr. Haydaripoor brings the applicant a copy of the staff report and shows him the six conditions for approval that staff has included.

Mr. Alsiyouhi states that he is accepting of the six conditions and will comply. He goes on to state that currently he runs a store with his friend and has not had any issues. He states that he is confident in his ability to follow the rules.

**5. Additional Staff Comments and Recommendation**

Mr. Haydaripoor states that staff recommends approval of Case No. PZ 2019-03 – Conditional Use Permit for a tire repair and minor auto repair shop to be located at 9100 E. 350 Highway based off the completion of the following conditions:

1. Parking lot and driveway throughout the property is in disrepair. It shall be repaired and then maintained in good condition at all times.
2. Some areas on the sides and back of the building need to be scraped, primed and repainted and maintained in good condition at all times.
3. Pieces of the siding on the front of the building need to be replaced and maintained.
4. Trash enclosure needs to be screened from view of adjoining properties.
5. No Certificate of Occupancy will be issued until all requirements of this section have been met.
6. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

Mr. Haydaripoor states that with that, he will be happy to answer any questions the commissioners may have.

**6. Board Discussion**

Mrs. Cochran asks if Mohamed owns the property. Mr. Haydaripoor responds with no, Mr. Alsiyouhi will lease the property. Mrs. Cochran then asks whose responsibility it would be to meet the conditions for approval – the property owner or the tenant. Mr. Haydaripoor states that it is typically the owner who makes the property changes to meet the conditions for approval but it would be between the property owner and the tenant to make the agreement.

Mrs. Dwight states that it is a concern that the property owner would need to agree to the monetary things that need to be done to the property. She also states that the parking lot on the East side of the drawing is paved by Arby's and the grass area is maintained by Arby's. She states that it looks like Arby's goes to the sidewalk. Mrs. Dwight wonders how that agreement came about. She mentions that the Planning and Zoning commission required Arby's to have a sidewalk.

Mr. Haydaripoor states that half of the Arby's parking lot belongs to the property in question tonight. He mentions that there was an agreement in the past between the property owners and Arby's that the restaurant would be able to utilize the parking.

Mrs. Dwight asks for clarification on how much time a business would have to be out of business which would require them to get a CUP again, as in the case tonight. Mr. Haydaripoor states that in the Highway Commercial zoning district, that this number is six months. Since the building was vacant for about three years, the CUP needs to be renewed.

Mr. Haydaripoor reiterates that the conditions listed on the staff report for approval are property maintenance issues. If extensive work is done to the exterior of the building (unlike the minor property maintenance work recommended by city staff), the property would then need to follow the Highway 350 Corridor Design Guidelines.

Mrs. Dwight asks what makes this case different from the R & R Auto shop that the planning commission approved previously. She was under the impression that Mr. Alsiyouhi's proposed property would also need to follow the Highway 350 Corridor Design Guidelines. Mr. Haydaripoor states that because the applicant is not requesting to remodel the entire building, it does not trigger the need to follow these design guidelines, add a sidewalk or similar tasks.

Mr. Wilson mentions that he did not have the oath of truthfulness applied this evening. City Attorney, Julian Hartner swears Mr. Alsiyouhi in.

Mr. Frazier asks if the planning and zoning commission can request that the property be updated to fit the Highway 350 Corridor Design Guidelines. Mr. Haydaripoor states that the commission does have that power. They can add or take away conditions that city staff has set forth. Mr. Frazier asks if city staff will approve the location of the trash enclosure. Mr. Haydaripoor says that the trash enclosure is required to be screened by shrubbery or an actual enclosure. Mr. Frazier states he visited the site and noticed the rear property line.

Mrs. Dwight asks if someone were to buy the property next door and start a new business after two or three years of vacancy, would they not need to follow the Highway 350 Corridor Design Guidelines. If the applicant were to request to make exterior renovations, it would trigger the need to follow the guidelines. Mr. Haydaripoor states that Mrs. Dwight's statement is true.

Mr. Wilson asks for additional comments from the commission. None appear.

**7. Board Decision to Approve, Conditionally Approve or Deny the Application**

- a. Motion – Mrs. Emerson motions to approve with the six conditions recommended by staff.
- b. Second – Mr. Robinson seconds the motion.
- c. Additional Board Discussion –  
Mrs. Dwight is concerned with the Highway 350 Corridor Design Guidelines not applying to this site. She also wonders what city staff is meaning by maintaining the property in good condition. What would constitute as good condition. Mrs. Dwight wonders how the property will look in 20 or so years if the surrounding properties are required to follow the Guidelines and this one is not.

Mr. Wilson asks how long the Conditional Use Permit (CUP) would be good for. Mr. Haydaripoor states that staff did not set a time limit but is willing to hear the commissioners' opinions on the matter.

Mr. Wilson states that had the business not sat vacant, the case would not have come to the Planning Commission and it would have only been handled in the business licensing department. Mr. Wilson states that the changing over of tenants on the 350 Highway corridor happens frequently and that it is the commissioners responsibility to regulate this.

Mrs. Dwight brings up the Tint Zone property where the applicant agreed to the conditions of city staff, but the commission brought the property owner to the next meeting to get their official approval of the recommended approval conditions.

Mr. Alsiyouhi states that the property has been sitting vacant for three years and that if he were to be able to start his business, the property would not continue to decline as he will be up keeping it. He then states that he may not be able to do everything the commission is requesting, as it would be the property owner's responsibility. He says he would upkeep the property to the best of his ability. He says as he does not own the property, he will not speak on the property owner's behalf.

Mr. Wilson states that the commission is struggling with the fact of approval without hearing from the property owner.

Mrs. Cochran asks that even if the business does not get approved and begin in the property, city staff is now aware of these property maintenance violations and they would need to be resolved. Mr. Haydaripoor agrees with her statement. Mr. Haydaripoor states that staff provided Mr. Alsiyouhi with the packet including the six recommended conditions for approval. He is unsure if that was shared and/or discussed with the property owners.

Mr. Haydaripoor recommends that the commission may request a letter from the property owner agreeing to follow the six conditions. Mrs. Dwight mentions that if they approve the CUP tonight, there is no incentive to get the building up to code. If they were to require the property owner to make the changes then obtain the CUP. Several members of the commission state that they agree.

Mr. Frazier states that since they are discussing property maintenance issues, there should be a condition that the property owner needs to approve the recommendations. He states that overall, they should try and require making the property meet as many design guidelines as they can. Mr. Frazier states that whether or not they approve the CUP, the property owner should be getting a property maintenance violation letter in the mail soon. He suggests that the applicant and property owner get together to figure out which design guidelines they can meet and come back to the commission with that information.

Mr. Wilson states that with all of the talk, he would ask the commission to consider rescinding the motion and second for approval of the case and rather continue the case to the next meeting that is appropriate as determined by city staff.

Mrs. Emerson and Mr. Robinson rescind their motion and second.

Mr. Wilson states that Case PZ 2019-03 will be continued to the next available PZ meeting giving the applicant and property owner the chance to discuss the recommendations staff is recommending, costs and design guidelines they would be able to meet.

- d. Motion - Mr. Frazier motions to continue Case PZ 2019-03 to the next available planning and zoning meeting.
- e. Second – Mrs. Cochran seconds the motion.
- f. Additional Board Discussion –  
Mrs. Dwight suggests the applicant and property owner be provided with the Highway 350 Corridor Design Guidelines and a copy of their property maintenance violations. She would also like city staff to revisit the agreement between Arby's and the property owner.

Mr. Haydaripoor states that he has not seen the agreement. He has heard it second hand from other members of city staff.

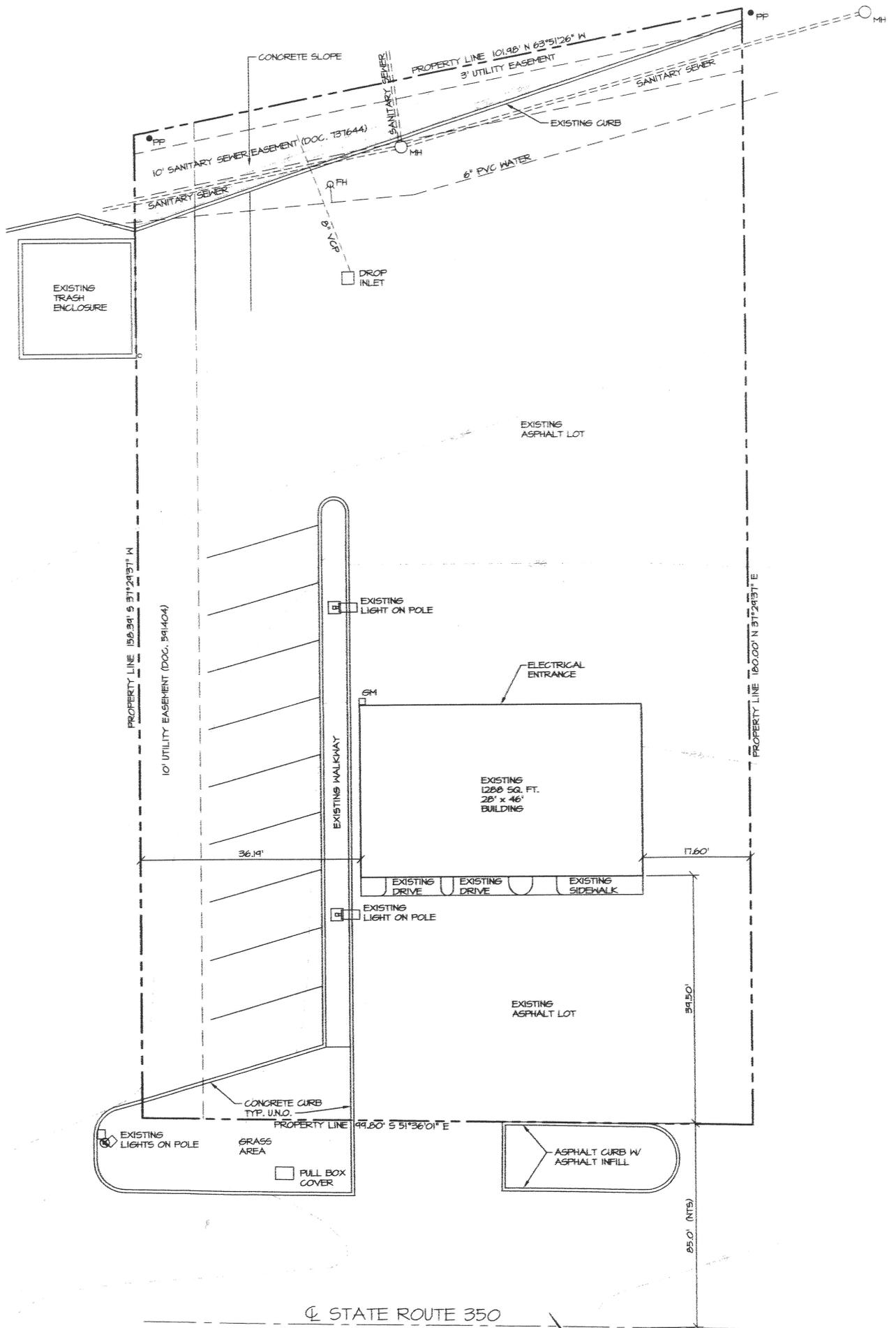
Mrs. Dwight asks that that agreement also be sent back to the commissioners for review.

- g. Vote (6-0) – Motion continues unanimously.

**6. Other Business- None**

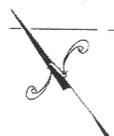
**8. Set Future Meeting Date - Thursday, May 2, 2019 at 7:00 PM**

**9. Adjourn**



STATE ROUTE 350

**EXISTING SITE PLAN**  
SCALE: 1" = 10'



Case Number \_\_\_\_\_  
Date Received 11/14/18  
Map Page \_\_\_\_\_

CITY OF RAYTOWN  
APPLICATION FOR CONDITIONAL USE PERMIT

**PART I Background Information**

1. This request applies to property at the following address:

9100 E. 350 Hwy

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

Name Address Phone

Henry and Bella Machauf

9532 Russell St. Shawnee Mission, KS 66212

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

Name Address Phone/Email

HENRY MACHAUF 9532 Russell, O.P. KS 66212 913-648-4183

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

Vacant

5. Zoning classification of the property: Hwy Commercial HC

6. Specify the use desired for the property: Tire repairs and minor auto repairs

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

Structure

Height

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

Colinwood AP 11/14/18

Henry Machauf

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI  
COUNTY OF JACKSON

} S.S.

Before the undersigned Notary Public personally appeared Chanel Jones on behalf of THE DAILY RECORD, KANSAS CITY who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the June 26, 2019 edition and ending with the June 26, 2019 edition, for a total of 1 publications:

06/26/2019

Notice of Public Hearing

The Community Development Department has received an application for a Conditional Use Permit for an auto/tire repair shop for the property at 9100 E. 350 Highway in Raytown, Missouri.

A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission at 7:00pm on Thursday July 11, 2019.

The Raytown Board of Aldermen will also hold public hearings regarding the above-described application tentatively scheduled for 7:00pm on Tuesday, August 6, 2019 and 7:00pm on Tuesday, August 20, 2019.

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

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

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

11761380 Jackson Jun. 26, 2019

*Chanel Jones*

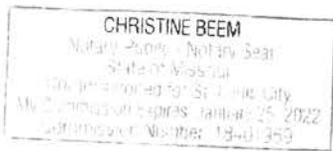
Chanel Jones

Subscribed & sworn before me this 26th day of Jun, 2019

(SEAL)

*Christine Beem*

Notary Public



**CITY OF RAYTOWN**  
**Request for Board Action**

**Date:** August 1, 2019

**Bill No.:** 6509-19

**To:** Mayor and Board of Aldermen

**Section No.:** XIII

**From:** Chris Gilbert, Planning & Zoning Coordinator

**Department Head Approval:** \_\_\_\_\_

**Finance Director Approval:** \_\_\_\_\_ (Only if funding is requested)

**City Administrator Approval:** \_\_\_\_\_



**Action Requested:** Board of Aldermen consideration and approval of a Conditional Use Permit authorizing a Vehicle Repair (General) use with accessory limited auto sales at 5247 Woodson Road in a Neighborhood Commercial (NC) zoning district.

**Recommendation:** Staff recommends approval as submitted. The Planning & Zoning Commission voted (7-0) to recommend approval of the Conditional Use Permit with all conditions as contained in the staff report.

**Analysis:** Bryan Bosley, owner of Bosley Automotive, has leased the former Carwash Plaza Lube and Fuel Outlet building and applied for a Conditional Use Permit to operate a Vehicle Repair (General) business doing all forms of automotive maintenance and repair, primarily transmission repair, on the property, with limited vehicle sales as an accessory use. The building was originally designed and built for quick-lube type automotive work in 2004 and the requested use would be consistent with the designed purpose of the building but more intense than activities previously performed on the site under the Vehicle Repair (Limited) classification and a preceding Fueling Station use category. The building has been continuously occupied since 2004, but activities appear to have been closer related to limited repair than general repair, based on available records.

Several conditions of approval were attached to the Conditional Use by staff and concurred with by the Planning Commission relating to required property maintenance and upgrades to bring the property up to current code requirements. These conditions are stated in the attached Ordinance.

**Alternatives:** Alternatives to the recommendation of the Planning & Zoning Commission would be to approve, conditionally approve, or deny the Conditional Use Permit.

**Budgetary Impact:**

Not Applicable

**Additional Reports Attached:**

- Staff Report from July 11, 2019, Planning & Zoning Commission meeting.

**AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR BRYAN BOSLEY TO OPERATE A VEHICLE REPAIR (GENERAL) USE WITH LIMITED VEHICLE SALES AT 5247 WOODSON ROAD IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI**

**WHEREAS** Application PZ-2019-07, submitted by Crystal Kent of 10009 E. 38<sup>th</sup> Terrace, Kansas City, Missouri, on behalf of the business operator, Bryan Bosley, and the property owner Car Wash Plaza, LLC, for approval of a Conditional Use Permit for Vehicle Repair (General) with Limited Vehicle Sales, for 5247 Woodson Road within a Neighborhood Commercial (NC) Zone in the City of Raytown, Jackson County, Missouri, was referred to the Planning Commission; and

**WHEREAS**, the Planning Commission considered the application on July 11, 2019, and by a vote of 7 in favor and 0 against rendered a report to the Board of Aldermen recommending that the Conditional Use Permit be approved; and

**WHEREAS**, the Board of Aldermen considered the application on August 6, 2019 and August 20, 2019, and finds and declares that the provisions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raytown and rendered a decision to approve the Conditional Use Permit.

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

**SECTION 1 – APPROVAL OF CONDITIONAL USE PERMIT.** That the Conditional Use Permit for Bryan Bosley to operate a Vehicle Repair (General) business with Limited Vehicle Sales at 5247 Woodson Road, is hereby approved.

**SECTION 2 – CONDITIONS OF APPROVAL.** That the Conditional Use Permit for Bryan Bosley to operate a Vehicle Repair (General) business with Limited Vehicle Sales at 5247 Woodson Road be approved subject to the following conditions as contained in the staff report and as amended and approved by the Planning Commission:

1. The Conditional Use Permit, if approved, shall be limited to the period of the property lease, or to a period to be determined by the Planning Commission. Prior to expiration of the initial CUP period, a Planning Commission review shall be required of the applicant's compliance with CUP standards and these conditions of approval prior to extending the life of the CUP. The applicant shall approach the City to begin the renewal process at least six (6) months prior to expiration of the CUP to ensure sufficient time exists to complete the renewal process.
2. Parking lot and driveway is in varying degrees of disrepair. It shall be repaired and then maintained in good condition at all times.
3. Parking lot shall be properly striped with 9 ft x19.5 ft spaces. Spaces shall include a single handicapped parking space accessible to the main entrance of the building that is 8 ft x 19.5 ft with an 8 ft x 19.5 ft striped unloading zone and shall have a pole sign in front of the space with the international symbol of accessibility and "van accessible" upon it.
4. Accessory limited vehicle sales shall be limited to no more than 6 vehicles at a time, wholly displayed on applicant's property, and not blocking ingress/egress through the property out to Woodson Road.

- 5. Ensure the entire building exterior is maintained in good condition at all times.
- 6. All signage shall be issued under separate permit process and shall meet Municipal Code requirements.
- 7. Existing trash enclosure shall be updated with a proper gate that can be accessed by trash truck and also screen the container from view at all times. This condition may require the property owner to participate if the applicant uses this dumpster, as it is offsite on the adjacent Carwash property owned by the same owner as the subject property. If a separate dumpster is used on the applicant’s property, it shall either be placed inside a full gated enclosure accessible to the trash truck or inside a fully screened vehicle storage area.
- 8. If unlicensed/inoperable vehicles will be stored on the property, a six (6) foot screening fence shall be required to avoid nuisance enforcement actions. Submit screening plan to City if such a screen is necessary.
- 9. No Certificate of Occupancy or Commercial Use Permit will be issued until all requirements of this section have been met. The property should not be occupied and used for private or public auto repair until the Commercial Use Permit and/or a Business License to operate are issued, depending on outcome of the Commercial Use Permit process for quick lube operations that is presently open.
- 10. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

**SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 4 – SEVERABILITY CLAUSE.** The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

**SECTION 5 – EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after the date of its passage and approval.

**BE IT REMEMBERED** that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this \_\_\_\_ day of August, 2019.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

\_\_\_\_\_  
Jennifer M. Baird, City Attorney



## PZ 2019-07

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: July 11, 2019

Re: Application for Conditional Use Permit

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### CONDITIONAL USE PERMIT APPLICATION SUMMARY

Applicant: Crystal Kent on behalf of Bryan Bosley

Property Owner: Carwash Plaza, LLC

Property Location: 5247 Woodson

Request: Conditional Use Permit approval for Auto Repair (General) use with Limited Vehicle Sales

Crystal Kent is requesting Conditional Use Permit (CUP) approval for an Auto Repair (General) use with Limited Vehicle Sales in a Neighborhood Commercial (NC) zoning district. Per the city's land use table, vehicle repair shops can only be conditionally approved in this zoning district under the category of "Commercial and Retail uses that are not permitted by District Regulations" as "Vehicle Repair, Limited" and "Vehicle Repair, General" are not permitted in this District in any form. Additionally "Vehicle and Equipment Sales" is not permitted either.



Figure 1 – Surrounding Zoning and Location Map



# Staff Report

Community Development  
Planning and Development Services

The building was constructed in 2004 and operated under the name of Carwash Plaza Lube and Fuel Outlet until 6/30/15, pursuant to a Conditional Use Permit (Ord. 4862-03, attached) that specifically restricted the activities to those of a Fueling Station and covering the gas pump and quick lube operations being conducted on the property. Then the site operated under the name of Brandon’s Automotive until 1-31-17, then as JD’s Auto and Detail until Bryan Bosley leased the property for his transmission business, Bosley Automotive, in March, and attempted to acquire a Commercial Use Permit. At this time staff informed Mr. Bosley that he would need a Conditional Use Permit for heavy engine and transmission repair as it was a significant increase in intensity of use over a quick lube shop. Staff did, however, permit the applicant to apply for a Commercial Use Permit for a quick lube level of use similar to that which the original CUP permitted. That Commercial Use Permit process is still open awaiting more signoffs.

## SURROUNDING ZONING AND LAND USES

Property’s Zoning Classification	Neighborhood Commercial (NC)
Surrounding Properties’ Zoning	Neighborhood Commercial (NC)
Surrounding Overlay	None
Surrounding Land Use	Commercial
Designated Future Land Use	Commercial
Ward	Ward 3
Approximate Land Area	0.67 acres
Roadway Classification	Local

## SITE DESCRIPTION AND PRESENT USE

The building has never been vacant. Business licenses have been valid on the property from 2004 until this year for three different business, all doing automotive-related work from the property. The site has the quick lube building with 2 bays, an office/waiting room, customer and vehicle parking on the south side and to the northwest is the canopy remaining from the gas station that once operated here. The gas pumps are gone now. The applicant is attempting to acquire a business license to continue the automotive use of the property but must first receive a Conditional Use Permit to do so for Vehicle Repair, General, and limited Vehicle and Equipment Sales.

## SURROUNDING PROPERTIES AND NEIGHBORHOOD

The structure is surrounded by commercial development. On the North side of the structure is a shopping center and a McDonald’s Restaurant. To the West of the structure, there is a car wash. To the South is a CVS Pharmacy. To the East is the former Goodyear Tire and Wheel shop that was the subject of a CUP hearing by the Planning Commission last month for Javid Chaudhri.



# Staff Report

Community Development  
Planning and Development Services

## HISTORY

The building was constructed in 2004 and a CUP was issued for a Fueling Station that was permanent and ran with the land not the operator per the language in the Ordinance. Thus when the quick lube operation ceased around 2015, the use could be continued by another operator, Brandon's Automotive, until January 2017. Then JD's Automotive continued the use until earlier this year when Mr. Bosley leased the property and began operations. He was made aware of the need for a Zoning Permit and a new Conditional Use Permit for transmission work on this property as the intensity of use exceeded what was contemplated by the previous 2004 CUP. Staff has multiple times attempted to get the applicant a zoning permit under the original CUP, for now, for quick lube type work as the new CUP application is pending, but the applicant continues to perform work without a license on the property so we were not able to sign off yet.

## PUBLIC COMMENTS

The public notice was published in *The Daily Record* on June 26, 2019. Public notice letters were sent to property owners within 185 feet of the property by the applicant. The Neighborhood Information Meeting was held on June 26, 2019, and no one showed up. To date, the Community Development Department has received no letters/calls regarding this application.

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## ANALYSIS

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

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

The parcel and all adjacent lots are zoned Neighborhood Commercial (NC). This zoning district is designed to accommodate commercial activities that provide services to residents in the surrounding neighborhoods and do not generally draw from a wide area as a destination business. Auto repair, unless it is a highly regarded, much sought after phenomenon, tends to be neighborhood in character, drawing business from nearby areas. The building is also designed for automotive work, having been a quick lube business. It is the opinion of city staff that the proposed use would maintain the stability and integrity of the Neighborhood Commercial zoning district even if heavier automotive work is performed with appropriate mitigating factors contained in the conditions of approval.

### 2. Conservation of property values

No negative change to neighboring property values is expected. Requirements are being added as conditions of approval. The only impact will be the arrival of a more intense level of auto repair than had been normal for almost 15 years.

### 3. Protection against fire and casualties

Staff has no concerns regarding fire and/or casualties on this project. The structure was built in 2004 to modern code standards and is still in decent repair. Additionally, the building has been inspected already and signed off on as part of the zoning permit process by both the Building Official and the Raytown Fire District.



# Staff Report

Community Development  
Planning and Development Services

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

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

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

The proposed business will not increase traffic congestion above what is normal for the vicinity. With a shopping center and McDonald's Restaurant adjacent, the additional traffic generated by the occasional auto repair customer will be minimal.

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

The proposed business will not affect traffic safety, nor the orderly parking of motor vehicles. Adequate access to the property is presently available from Woodson Road directly and also from the adjoining shopping center parking lot. There is sufficient space to permit some customer parking in addition to space under the fuel canopy to display a few vehicles for sale.

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

The proposed business will not affect the safety of individuals or property. The structure is a modern building, and has already been inspected and signed off on by both the Building Official and the Raytown Fire District.

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

The proposed business will not significantly affect the air quality of the area above what is normal for an automotive repair shop, and should have no additional impact on neighboring properties.

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

The proposed business will not affect the intensity of land uses in the area. The adjacent shopping center is already underutilized from an intensity of use standpoint so the overall effect of this new business will only make the area a bit less underutilized.

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

The proposed business will not affect any public utilities or schools but may generate some additional revenue in return. The business will occupy an existing structure already connected to utility services.

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

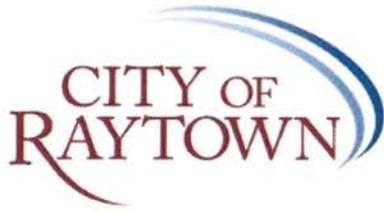
Staff does not view the proposed business as an inappropriate use at this location. It was an auto repair shop since 2004 and is only being utilized as such now at a higher use level. The accessory limited vehicle sales is typical of many auto repair shops and should not detract from the area.

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

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

#### **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.



# Staff Report

Community Development  
Planning and Development Services

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

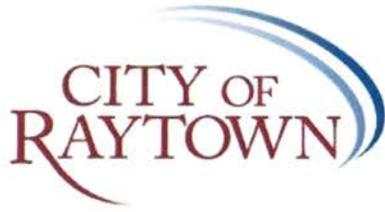
The proposed business will not affect the orderly and proper renewal, development or growth of the city. The applicant's use of a building designed for a similar albeit less intense use, combined with the recommended conditions of approval will contribute to the orderly renewal of the city.

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## RECOMMENDATION

Staff recommends approval of Case No. PZ 2019-07 – Conditional Use Permit for an auto repair shop to be located at 5247 Woodson Road with the following conditions to mitigate the impact of the higher intensity of use:

1. The Conditional Use Permit, if approved, shall be limited to the period of the property lease, or to a period to be determined by the Planning Commission. Prior to expiration of the initial CUP period, a Planning Commission review shall be required of the applicant's compliance with CUP standards and these conditions of approval prior to extending the life of the CUP. The applicant shall approach the City to begin the renewal process at least six (6) months prior to expiration of the CUP to ensure sufficient time exists to complete the renewal process.
2. Parking lot and driveway is in varying degrees of disrepair. It shall be repaired and then maintained in good condition at all times.
3. Parking lot shall be properly striped with 9 ft x 19.5 ft spaces. Spaces shall include a single handicapped parking space accessible to the main entrance of the building that is 8 ft x 19.5 ft with an 8 ft x 19.5 ft striped unloading zone and shall have a pole sign in front of the space with the international symbol of accessibility and "van accessible" upon it.
4. Accessory limited vehicle sales shall be limited to no more than 6 vehicles at a time, wholly displayed on applicant's property, and not blocking ingress/egress through the property out to Woodson Road.
5. Ensure the entire building exterior is maintained in good condition at all times.
6. All signage shall be issued under separate permit process and shall meet Municipal Code requirements.
7. Existing trash enclosure shall be updated with a proper gate that can be accessed by trash truck and also screen the container from view at all times. This condition may require the property owner to participate if the applicant uses this dumpster, as it is offsite on the adjacent Carwash property owned by the same owner as the subject property. If a separate dumpster is used on the applicant's property, it shall either be placed inside a full gated enclosure accessible to the trash truck or inside a fully screened vehicle storage area.



# Staff Report

Community Development  
Planning and Development Services

8. If unlicensed/inoperable vehicles will be stored on the property, a six (6) foot screening fence shall be required to avoid nuisance enforcement actions. Submit screening plan to City if such a screen is necessary.
9. No Certificate of Occupancy or Commercial Use Permit will be issued until all requirements of this section have been met. The property should not be occupied and used for private or public auto repair until the Commercial Use Permit and/or a Business License to operate are issued, depending on outcome of the Commercial Use Permit process for quick lube operations that is presently open.
10. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

BILL NO. 5699-03 ORDINANCE NO. 4862-03 SECTION NO. XIII

1 AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO OPERATE A  
2 FUELING STATION IN DISTRICT NC (NEIGHBORHOOD COMMERCIAL) ON LAND  
3 LOCATED AT 5245 WOODSON, FOR AN UNLIMITED TERM OF YEARS, ALL IN  
4 ACCORDANCE WITH SECTION 20 OF THE COMPREHENSIVE ZONING  
5 REGULATIONS, FOR THE CITY OF RAYTOWN, MISSOURI.

6  
7 WHEREAS, Application No. PZ-2003-006 CUP, submitted by Ed Atchity, on behalf of  
8 Patricia Atchity, requesting a conditional use permit to operate a fueling station in District NC  
9 (Neighborhood Commercial) on land located at 5245 Woodson, was referred to the Planning  
10 Commission to hold a public hearing; and,

11  
12 WHEREAS, after due public notice in the manner prescribed by law, the Planning  
13 Commission held a public hearing for the request on February 6, 2003, and rendered a report to the  
14 Board of Aldermen containing findings of fact and a recommendation that the conditional use permit  
15 be approved; and,

16  
17 WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen  
18 held a public hearing on March 4, 2003, and rendered a decision to grant said conditional use permit.

19  
20 Now therefore, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF  
21 RAYTOWN, MISSOURI, as follows:

22  
23 Section 1. That the application pursuant to Section 20 of the Comprehensive Zoning  
24 Regulations to allow a fueling station in District NC (Section 20-2.01.10) is hereby granted for an  
25 unlimited term of years, with respect to the following described property:

26  
27 All that part of Lot 1, PENDLETON'S BLUE RIDGE PLACE, a subdivision in  
28 Raytown, Jackson County, Missouri, described as follows: Beginning at the Southwest  
29 corner of said Lot 1; thence North 90 degrees 00 minutes 00 seconds East along the South  
30 line of said Lot 1, a distance of 198.91 feet to a point on the South line of said Lot 1,  
31 thence North 00 degrees 00 minutes 00 seconds West a distance of 170.00 feet, thence  
32 North 90 degrees 00 minutes 00 seconds East a distance of 24.89 feet to the southwest  
33 corner of a parcel of land described in Document No. 1-399540, recorded in Book 1-963,  
34 Page 1761 in said Recorder's Office; thence North 00 degrees 03 minutes 00 seconds  
35 East along the West lie of last said parcel of land, a distance of 109.98 feet to the  
36 Northwest corner thereof; thence North 90 degrees 00 minutes 00 seconds West and  
37 parallel to the South line of said Lot 1, a distance of 227.83 feet to a point on the West  
38 line of said Lot 1, said point also being on the East right-of-way line of Woodson  
39 Avenue, as now established; thence South 00 degrees 49 minutes 32 seconds East along  
40 the West line of said Lot 1 and along the East right-of-way of said Woodson Avenue, a  
41 distance of 280.01 feet to the Point of beginning. Containing 58,987 square feet.

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

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- h) A change in patterns or phases of development that will impose greater demands on public infrastructure, including streets, storm water or sanitary sewer facilities.
- i) An increase or decrease of any setback by 25% or more, provided that an increase or decrease of one (1) foot or less shall not be considered a substantial change and may be approved by staff, provided that the staff shall document the same in writing, and an increase or decrease of more than one (1) foot but less than 25% may be approved by the Planning Commission.
- j) A decrease of an individual open space area by 10% or more.
- k) The Community Development Director, in his/her sole discretion may determine that changes are significant enough to constitute a "substantial change". If the Community Development Director so determines, the decision shall be rendered in writing.

Section 4. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Comprehensive Zoning Regulations.

Section 5. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times, and upon final vote taken the 18 day of March, 2003, was approved by the Board of Aldermen of the City of Raytown, Jackson County, Missouri upon the following vote:

2003-004810

# Certificate of Survey (Lot Split) Re-Subdivision of Lot 1, Pendleton's Blue Ridge Place

### DESCRIPTION:

All that part of Lot 1, PENDLETON'S BLUE RIDGE PLACE, a subdivision in Raytown, Jackson County, Missouri, described as follows: Beginning at Southwest corner of said Lot 1, thence North 90 degrees 00 minutes 00 seconds East along the South line of said Lot 1, a distance of 293.91 feet to the Southwest corner of a parcel of land described in Document No. 1-78460, recorded in Book 1-1834, Page 1834 in the Office of the Recorder of Deeds for said Jackson County; thence North 0 degrees 00 minutes 00 seconds West along the West line of said parcel of land, a distance of 170.00 feet to the Northwest corner of said parcel of land, said point being on the South line of a parcel of land described in Document No. 1-398540, recorded in Book 1-963, Page 1781 in said Recorder's Office; thence North 90 degrees 00 minutes 00 seconds West along the South line of said parcel of land, a distance of 72.21 feet to the Southwest corner of said parcel of land; thence North 0 degrees 03 minutes 00 seconds East along the West line of the said parcel of land, a distance of 108.98 feet; thence North 89 degrees 00 minutes 00 seconds East to the South line of said Lot 1, a distance of 227.83 feet to a point on the West line of said Lot 1, said point also being on the East right-of-way line of Woodson Avenue, as now established; thence North 90 degrees 00 minutes 00 seconds East along the West line of said Lot 1 and along the East right-of-way of said Woodson Avenue, a distance of 280.01 feet to the Point of Beginning, containing 7013.77 square feet or 1.725 Acres, more or less.

### TRACT 1 DESCRIPTION:

All that part of Lot 1, PENDLETON'S BLUE RIDGE PLACE, a subdivision in Raytown, Jackson County, Missouri, described as follows: Beginning at the Southwest corner of said Lot 1, said point being on the East Right of Way line of Woodson Avenue; thence North 90 degrees 00 minutes 00 seconds East along the South line of said Lot 1, a distance of 198.91 feet to a point on the South line of said Lot 1, said point being 85.00 feet west of the Southwest corner of said Lot 1; thence North 0 degrees 00 minutes 00 seconds West along a line parallel with the East line of said Lot 1, a distance of 142.89 feet; thence North 50 degrees 03 minutes 42 seconds West 50.64 feet to a point on the West line of said Lot 1, said point being 33.50 feet South of the Northwest corner of said Lot 1, and being on the aforementioned East Right of Way line of Woodson Avenue; thence South 89 degrees 00 minutes 00 seconds West, 119.43 feet; thence South 90 degrees 00 minutes 00 seconds West, 15.37 feet to a point on the West line of said Lot 1, said point being 33.50 feet South of the Northwest corner of said Lot 1, and being on the aforementioned East Right of Way line of Woodson Avenue; thence South 09 degrees 49 minutes 32 seconds East along the West line of said Lot 1, and the said East line Right of Way of Woodson Avenue, a distance of 280.01 feet to the POINT OF BEGINNING, said tract containing 45,537.705 square feet.

### TRACT 2 DESCRIPTION:

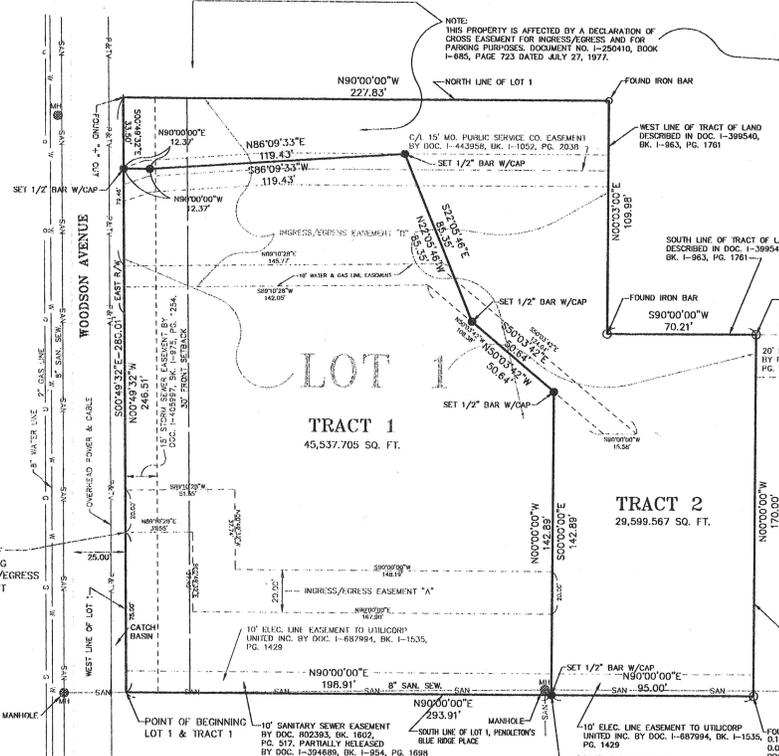
All that part of Lot 1, PENDLETON'S BLUE RIDGE PLACE, a subdivision in Raytown, Jackson County, Missouri, described as follows: Commencing at the Southwest corner of said Lot 1; thence North 90 degrees 00 minutes 00 seconds East along the South line of said Lot 1, a distance of 198.91 feet to a point on the South line of said Lot 1, said point being 85.00 feet West of the Southwest corner of said Lot 1, and being the POINT OF BEGINNING; thence North 90 degrees 00 minutes 00 seconds East along the South line of said Lot 1, a distance of 50.00 feet to the Southwest corner of said Lot 1 being the Southwest corner of a parcel of land as described in Document No. 1-748401, recorded in Book 1-1834, Page 1834 in the Jackson County Recorder of Deeds Office; thence North 90 degrees 00 minutes 00 seconds East along the West line of the aforementioned parcel 170.00 feet to a point being the Northwest corner of a parcel of land, and being the Northwest corner of a parcel of land described in Document No. 1-398540, recorded in Book 1-963, Page 1781 in the Jackson County Recorder of Deeds Office; thence along said South line North 90 degrees 00 minutes 00 seconds West, 70.21 feet; thence North 00 degrees 00 minutes 00 seconds East along the West line of the aforementioned parcel 109.98 feet to a point; thence North 90 degrees 00 minutes 00 seconds West 227.83 feet to a point on the East Right of Way of Woodson Avenue on now established, said point being on the West line of said Lot 1; thence South 09 degrees 49 minutes 32 seconds West along the said East Right of Way line and the West line of said Lot 1, a distance of 33.50 feet; thence North 90 degrees 00 minutes 00 seconds East, 12.27 feet; thence North 89 degrees 00 minutes 33 seconds East, 119.43 feet; thence South 22 degrees 03 minutes 46 seconds East, 85.35 feet; thence South 00 degrees 03 minutes 42 seconds East, 50.64 feet; thence South 00 degrees 00 minutes 00 seconds East along a line that is parallel with the East line of said Lot 1, a distance of 142.89 feet to the POINT OF BEGINNING, said Tract 2, containing 29,599.567 square feet of land.

### INGRESS/EGRESS EASEMENT "A":

A 50.00 foot Perpetual Ingress/Egress Easement being all that part of Lot 1, PENDLETON'S BLUE RIDGE PLACE, a subdivision in Raytown, Jackson County, Missouri, described as follows: Commencing at the Southwest corner of said Lot 1; thence North 09 degrees 49 minutes 32 seconds West, along the West line of said Lot 1, a distance of 75.00 feet to the Point of Beginning; thence North 89 degrees 10 minutes 28 seconds East, a distance of 33.25 feet; thence South 00 degrees 49 minutes 32 seconds East, a distance of 37.45 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 167.90 feet; thence North 00 degrees 00 minutes 00 seconds West, a distance of 20.00 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 148.19 feet; thence North 00 degrees 49 minutes 32 seconds West, a distance of 37.74 feet; thence South 00 degrees 49 minutes 32 seconds East along the West line of said Lot 1, a distance of 20.00 feet to the Point of Beginning, containing 4,744 square feet.

### INGRESS/EGRESS EASEMENT "B":

An Ingress/Egress Easement for the benefit of all that part of Lot 1, PENDLETON'S BLUE RIDGE PLACE, now shown on Tract 2, and being over the North 89.94 feet of said Lot 1, and all the East 87.80 feet of the South 81.68 feet of the North 150.63 feet of said Tract 1, except that part in Tract 2.



DEVELOPER:  
Patricia Atchity  
5577 Blue Ridge Boulevard  
Raytown, MO 64133  
353-7084

Bridges Land Surveying Services, LLC  
P. O. Box 895  
Blue Springs, MO 64013  
Office (816) 228-2292  
Fax (816) 228-1957

IN WITNESS WHEREOF: Patricia Atchity, of the County of Jackson, State of Missouri, has caused these presents to be signed this day of APRIL, 2003.

STATE OF MISSOURI )  
COUNTY OF JACKSON )  
BE IT REMEMBERED that on this 22 day of APRIL, 2003, before me, the undersigned, a Notary Public in and for the County and State aforesaid, appeared Patricia Atchity of the County and State of Missouri, known to be the person described herein and who executed the foregoing instrument and being duly sworn by me acknowledged that she executed the same on her free act and deed.

IN WITNESS WHEREOF: I have hereunto set my hand and affixed my notarial seal of my office in said County, this day and year last above written.  
*Shirley Young*  
Shirley Young  
Notary Public in and for said County and State

SHIRLEY A. YOUNG  
Notary Public-Notary Seal  
STATE OF MISSOURI  
Commission Expires September 15, 2006

Filed for Record this 24 day of APRIL, 2003 at 9 O'Clock 54 Minutes AM.  
Recorded in Book 176 At Page 87

By [Signature]  
Recorder's Fee \$ 40

REvised DATE: 3/4/2002

SCALE IN FEET  
0 30 60

I HEREBY CERTIFY that this survey is based on an actual survey made by me or under my supervision and that said survey meets or exceeds the current Minimum Standards for Property Boundary Surveys, Lateral Property, and Land Surveyors and the Department of Natural Resources of the State of Missouri. I further certify that I have complied with all statutes, ordinances and regulations governing the practice of surveying and the plotting of subdivisions to the best of my professional information, knowledge and belief.

APPROVED BY:  
*[Signature]*  
The Director, Director of Community Development  
APPROVED BY:  
*[Signature]*  
Deputy  
Recorder's Fee \$ 40  
Kurtis D. Clark, City Clerk



LS-Cert-Program-020285-emp-020285REV04/04/04 Job No. 030285REV04/04 Job Date 03/23/03 File Path C:\Program Files\LS-Cert-Program-020285-emp-020285REV04\Job 030285REV04/04

Case Number \_\_\_\_\_  
Date Received \_\_\_\_\_  
Map Page \_\_\_\_\_

CITY OF RAYTOWN  
APPLICATION FOR CONDITIONAL USE PERMIT

PART I Background Information

1. This request applies to property at the following address:  
5247 Woodson Rd. Raytown, MO 64133

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

Name	Address	Phone
<u>Carwash PLAZA, LLC</u>	<u>5247 Woodson Rd. Raytown, MO</u>	<u><del>816-518-</del> 816-589-8144</u>

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

Name	Address	Phone/Email
<u>Crystal Kent</u>	<u>10009 E 38th Terr Kansas City, MO 64133</u>	<u>816-745-6873 Crystal.Kent07@gmail.com</u>

4. The property is currently being used for the following purposes:  
Active Business Lic. for Auto Repair - Currently N/A - Auto Repair Intentions

5. Zoning classification of the property: NC

6. Specify the use desired for the property: Vehicle Repair - Mechanical - Limited Aut Sales @

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

Structure	Height
<u>Fueling Canopy - no pumps</u>	<u>[Redacted]</u>
<u>Shop including 2 service Bays and office</u>	<u>[Redacted]</u>

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

Carwash Plaza, LLC  
[Signature]

# AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI  
COUNTY OF JACKSON

} S.S.

Page 1 of 1

Before the undersigned Notary Public personally appeared **Chanel Jones** on behalf of **THE DAILY RECORD, KANSAS CITY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **June 26, 2019** edition and ending with the **June 26, 2019** edition, for a total of 1 publications:

06/26/2019

### Notice of Public Hearing

The Community Development Department has received an application for a Conditional Use Permit for a general vehicle repair shop with limited vehicle sales for the property at 5247 Woodson Road in Raytown, Missouri.

A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission at 7:00pm on Thursday July 11, 2019.

The Raytown Board of Aldermen will also hold public hearings regarding the above-described application tentatively scheduled for 7:00pm on Tuesday, August 6, 2019 and 7:00pm on Tuesday, August 20, 2019.

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

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

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

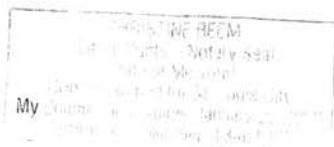
11761381 Jackson Jun. 26, 2019

Chanel Jones

Subscribed & sworn before me this 26th day of Jun, 2019

(SEAL)

Notary Public



**CITY OF RAYTOWN**  
**Request for Board Action**

**Date:** August 1, 2019

**Bill No.:** 6510-19

**To:** Mayor and Board of Aldermen

**Section No.:** XIII

**From:** Chris Gilbert, Planning & Zoning Coordinator

**Department Head Approval:** \_\_\_\_\_

**Finance Director Approval:** \_\_\_\_\_ (Only if funding is requested)

**City Administrator Approval:** \_\_\_\_\_



**Action Requested:** Board of Aldermen consideration and approval of the "Final Plat of Brywood Centre, Second Plat", located generally in the northeast quadrant of 63<sup>rd</sup> Street and Blue Ridge Cutoff and comprising 25.6 acres, of which approximately 24 acres is in Kansas City, Missouri, and 1.5 acres is in the City of Raytown.

**Recommendation:** Staff recommends approval as submitted. The Planning & Zoning Commission voted (7-0) to recommend approval of the Conditional Use Permit with all conditions as contained in the staff report.

**Analysis:** The "Final Plat of Brywood Centre, Second Plat", located generally in the northeast quadrant of 63<sup>rd</sup> Street and Blue Ridge Cutoff and comprising 25.6 acres, of which approximately 24 acres is in Kansas City, Missouri, and 1.5 acres is in the City of Raytown, is a replatting of the existing Brywood Shopping Center. This is being done in advance of an effort by the developers, RCG Ventures, LLC, to modernize the layout of the center by adding pad sites along 63<sup>rd</sup> Street, an additional big box retail space on the west end of the main part of the center, and space for a multi-tenant building on the northeast portion that would extend into Raytown. The plat has already been approved by both the City of Kansas City Planning and Zoning Commission and the City Council and now needs approval by Raytown as a small portion of the plat is within Raytown city limits. The entirety of the 1.5 acre portion within Raytown is vacant land, including an access drive into the shopping center from Blue Ridge Cutoff. Public works has no additional requirements for utilities or roadway construction as all these improvements are already in place.

Several conditions of approval were attached to the Conditional Use by staff and concurred with by the Planning Commission. These conditions are stated in the attached Ordinance.

**Alternatives:** Alternatives to the recommendation of the Planning & Zoning Commission would be to approve, conditionally approve, or deny the Final Plat.

**Budgetary Impact:**

Not Applicable

**Additional Reports Attached:**

- Staff Report from July 11, 2019, Planning & Zoning Commission meeting.

**AN ORDINANCE APPROVING THE “FINAL PLAT OF BRYWOOD CENTRE, SECOND PLAT” LOCATED GENERALLY IN THE NORTHWEST QUADRANT OF 63<sup>RD</sup> STREET AND BLUE RIDGE CUTOFF AND COMPRISING 25.6 ACRES, OF WHICH APPROXIMATELY 24 ACRES IS IN KANSAS CITY, MISSOURI, AND 1.5 ACRES IS IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI**

**WHEREAS** Application PZ-2019-08, submitted by Matt Eblen of McClure Engineering, 11250 Corporate Avenue, representing the property owner RCG VENTURES, LLC, for approval of the “Final Plat of Brywood Centre, Second Plat” located generally in the northeast quadrant of 63<sup>rd</sup> Street and Blue Ridge Cutoff and comprising 25.6 acres, of which approximately 24 acres is in Kansas City, Missouri, and 1.5 acres is in the City of Raytown, Jackson County, Missouri, was referred to the Planning Commission; and

**WHEREAS**, the Planning Commission considered the application on July 11, 2019, and by a vote of 7 in favor and 0 against rendered a report to the Board of Aldermen recommending that the “Final Plat of Brywood Centre, Second Plat” be approved; and

**WHEREAS**, the Board of Aldermen considered the application on August 6, 2019 and August 20, 2019, and finds and declares that the provisions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raytown and rendered a decision to approve the “Final Plat of Brywood Centre, Second Plat”

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

**SECTION 1 – APPROVAL OF FINAL PLAT.** That the “Final Plat of Brywood Centre, Second Plat”, is hereby approved.

**SECTION 2 – CONDITIONS OF APPROVAL.** That the “Final Plat of Brywood Centre, Second Plat” be approved subject to the following conditions as contained in the staff report and as amended and approved by the Planning Commission:

1. Place permanent monuments, pins, or markers at all property corners within Raytown City Limits.
2. No public improvements are required per Raytown City Engineer, as sewer already exists at the property and Blue Ridge Cutoff has full right of way width past the frontage of the property in Raytown.
3. No development permitted on the Raytown portion of the plat before complying with Raytown Zoning Ordinance requirements as contained in Chapter 50 of the Raytown Municipal Code.
4. Submit seven copies of the final subdivision plat of which four will be paper prints and three will be Mylar prints. All seven copies shall carry the original signatures of the owner or owners and acknowledgement by a notary public.
5. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

**SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 4 – SEVERABILITY CLAUSE.** The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

**SECTION 5 – EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after the date of its passage and approval.

**BE IT REMEMBERED** that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this \_\_\_\_ day of August, 2019.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

\_\_\_\_\_  
Jennifer M. Baird, City Attorney



# Staff Report

Community Development  
Planning and Development Services

PZ 2019-08

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: July 11, 2019

Re: Application for Final Plat

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## PLAT APPLICATION SUMMARY

Applicant: Matt Eblen, McClure Engineering, representing RCG Ventures, LLC

Project: The Brywood Centre, Second Plat

Property Location: NW Quadrant of 63<sup>rd</sup> Street and Blue Ridge Cutoff

Request: For approval of a Final Plat replatting Brywood Centre into 7 lots.

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## SITE DATA

Legal Description is attached with Application Supporting Documentation. Entire site being platted is 25.6 acres, all of which, except the northeasternmost segment comprising 1.5 acres, lies in Kansas City Missouri.

Land Use Data	
Surrounding Zoning	South: Neighborhood Commercial
	North: R-3 Multi-Family Residential
	West: Urban Redevelopment (KCMO)
	East: R-1, Single Family Residential
Ward(s)	Ward 1
Approximate Land Area	1.5 Acres

## ZONING AND CURRENT USES OF NEARBY PROPERTY

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

	<u>ZONING</u>	<u>EXISTING LAND USES</u>
South:	NC	Offices
North:	R-3	Multi family homes
East:	R-1	Single Family homes
West:	KCMO code UR	Major Commercial



Location of Final Plat, The Brywood Centre, Second Plat

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## BACKGROUND

The owners of the Brywood Center Shopping Center in Kansas City are replatting the entirety of the shopping center property, amounting to 25.6 acres, in an effort to revitalize the shopping center by adding more pad sites and a potential big box retail location on the west end of the existing main structure. In the northeast corner of the plat is a 1.5 acre area that is within the city limits of Raytown, thereby requiring approval of the plat by both the Kansas City City Council and the Raytown Board of Aldermen. Kansas City Planning Commission and the City Council have both acted on the plat already and the consultant applicant has submitted the plat as approved by Kansas City for approval by Raytown for our small 1.5 acre portion that is vacant land and directly abuts Blue Ridge Cutoff.

## SITE DESCRIPTION AND PRESENT USE

The property to be platted is approximately 25.6 acres, with all but 1.5 acres of the property located within Kansas City, Missouri. Present use is as the Brywood Shopping Centre, with multiple big and small box retail businesses located in the center, including a Price Chopper and a Planet Fitness. The 1.5 acre portion in Raytown is vacant land.



# Staff Report

Community Development  
Planning and Development Services

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The neighborhood is occupied primarily by retail commercial and office uses. Some multi-family residential exists to the north and some single family residential across Blue Ridge Cutoff to the east.

---

## **FINDINGS OF FACT**

### 1. Conformance to the City of Raytown Ordinances

Staff has reviewed the submitted final plat with respect to the City of Raytown Subdivision Regulations (Chapter 36) and Zoning Regulations (Chapter 50). Staff has determined that the final plat does meet City of Raytown regulations as pertains to the 1.5 acres of land actually within Raytown city limits.

### 2. Suitability of the land for subdivision development

The 1.5 acres of the project within Raytown is vacant.

### 3. Consistency with adjoining uses and platted property

The majority of adjoining uses are commercial, office and multi-family. Some single family exists across Blue Ridge Cutoff adjacent to the multi-story State office building.

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

The site is undeveloped but currently served by public facilities and utilities. The existing public facilities and utilities are adequate for future development per the City Engineer.

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

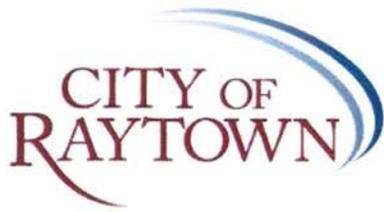
The topography of the site does not present any issues. Lot layout is in accordance with sound land-use planning principles and is logical given the existing development and the applicant's primary reason for platting the property.

---

## **RECOMMENDATION**

Staff recommends approval of Case No. PZ 2019-08, Final Plat of Brywood Centre, Second Plat, based on the conditions stated below:

1. Place permanent monuments, pins, or markers at all property corners within Raytown City Limits.
2. No public improvements are required per Raytown City Engineer, as sewer already exists at the property and Blue Ridge Cutoff has full right of way width past the frontage of the property in Raytown.
3. Provide statement from Jackson County that all property taxes are paid and current on the entire plat area.



# Staff Report

Community Development  
Planning and Development Services

4. No development permitted on the Raytown portion of the plat before complying with Raytown Zoning Ordinance requirements as contained in Chapter 50 of the Raytown Municipal Code.
5. Submit seven copies of the final subdivision plat of which four will be paper prints and three will be Mylar prints. All seven copies shall carry the original signatures of the owner or owners and acknowledgement by a notary public.

Attachments:

Final Plat, The Brywood Centre, Second Plat  
Legal Description  
Application  
Kansas City, Missouri City Council Staff Report



FINAL PLAT DESCRIPTION OF THE BRYWOOD CENTRE, SECOND PLAT  
A REPLAT OF LOT 1, THE BRYWOOD CENTRE AND LOT 5, PRIMM'S ACRES  
KANSAS CITY AND RAYTOWN, JACKSON COUNTY, MISSOURI

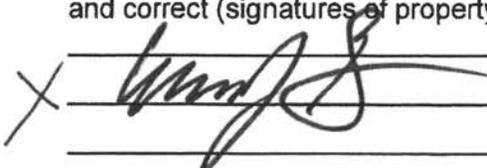
This is a resurvey and re-subdivision of all of Lot 1, THE BRYWOOD CENTRE and part of Lot 5, PRIMM'S ACRES, each being subdivisions of land lying partially in Kansas City and partially in the City of Raytown, all in Jackson County, Missouri and being now more particularly described as follows:

Beginning at the Northwest corner of Lot 1 of aforesaid THE BRYWOOD CENTRE; thence S 87° 23' 55" E, along the North line of said Lot 1, a distance of 1,639.11 feet to the Northeast corner of said Lot 1, being also a point on the West right-of-way line of Blue Ridge Cutoff as now established; thence Southerly along the East line of said Lot 1 and along the Southerly extension thereof, being also along the West right-of-way line of said Blue Ridge Cutoff, the following courses and distances; thence S 2° 27' 57" W, a distance of 297.00 feet; thence S 11° 05' 10" W, a distance of 60.00 feet to the most East, Southeast corner of said Lot 1; thence N 87° 23' 55" W along the South line of said Lot 1, departing from the West right-of-way line of said Blue Ridge Cutoff, a distance of 190.98 feet; thence S 2° 27' 57" W along the East line of said Lot 1, a distance of 382.65 feet, to the most South, Southeast corner of said Lot 1, being also a point on the North right-of-way line of East 63rd Street Trafficway as now established; thence Westerly along the South line of said Lot 1, being also along the North right-of-way line of said East 63rd Street Trafficway, the following courses and distances; thence S 84° 03' 43" W, a distance of 26.58 feet; thence N 87° 15' 10" W, a distance of 1,230.23 feet (1,230.37 feet, Plat) to the most South, Southwest corner of said Lot 1, being also a point on the Easterly right-of-way line of Blue Ridge Parkway Drive as now established; thence N 31° 50' 42" W, being now along the Westerly line of said Lot 1 and along the Easterly right-of-way line of said Blue Ridge Parkway Drive, a distance of 176.14 feet; thence N 87° 15' 10" W along the South line of said Lot 1, being also along the Easterly right-of-way line of said Blue Ridge Parkway Drive, a distance of 79.71 feet, to the most West, Southwest corner of said Lot 1, being also a point on the East right-of-way line of Booth Avenue as now established; thence N 2° 06' 55" E along the West line of said Lot 1, being also along the East right-of-way line of said Booth Avenue, a distance of 594.37 feet to the Point of Beginning.

Containing 1,117,224 square feet or 25.648 acres, more or less.

Case Number: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Fee Paid: \$300.00 + \$4.00 / lot

## City of Raytown Application for Final Plat

- |  |   |
|--|---|
| <p>1. Name, address and phone number of property owner(s):<br/>RCG Ventures, LLC<br/>_____<br/>3060 Peachtree Rd NW, Suite 400<br/>_____<br/>Atlanta, GA 30305<br/>_____<br/>(404) 816-5454<br/>_____<br/>(404) 816-5445 -- Fax<br/>_____</p> <p>2. Name, address, phone and fax numbers of engineer(s) or surveyor(s) preparing the plat:<br/>McClure<br/>_____<br/>11250 Corporate Ave<br/>_____<br/>Lenexa, KS 66219<br/>_____<br/>(Survey), (913) 888-7800<br/>_____<br/>(913) 888-7868 -- Fax<br/>_____</p> | <p>3. Name, address and phone number of developer(s):<br/>RCG Ventures, LLC<br/>_____<br/>3060 Peachtree Rd NW, Suite 400<br/>_____<br/>Atlanta, GA 30305<br/>_____<br/>(404) 816-5454<br/>_____<br/>(404) 816-5445 -- Fax<br/>_____</p> <p>McClure<br/>_____<br/>1700 Swift Ave, Suite 100<br/>_____<br/>North Kansas City, MO 64108<br/>_____<br/>(Engineering), (816) 756-0444<br/>_____<br/>(816) 756-1763 -- Fax<br/>_____</p> |
|--|---|
4. Legal description of the land to be subdivided (please attach a deed showing the legal description and the ownership of the tract(s) on a separate sheet).  
See attached
5. Approximate street address or location:  
NW Corner of East 63rd Trafficway & Blue Ridge Cutoff  
\_\_\_\_\_  
\_\_\_\_\_
6. Name of proposed subdivision:  
Final Plat, The Brywood Centre, Second Plat, a replat of Lot 1, The Brywood Centre and Lot 5, Primm's Acres  
\_\_\_\_\_  
Kansas City and Raytown, Jackson County, Missouri  
\_\_\_\_\_
7. We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all the information contained therein is true and correct (signatures of property owners).  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF RAYTOWN  
Request for Board Action**

**Date:** August 1, 2019 **Resolution No.:** R-3227-19  
**To:** Mayor and Board of Aldermen  
**From:** David Turner, Director of Raytown Parks Department

**Department Head Approval:** \_\_\_\_\_

**Finance Director Approval:** \_\_\_\_\_ (only if funding is requested)

**City Administrator Approval:** \_\_\_\_\_

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**Action Requested:** Authorize and approve the Micro-Surfacing of parking lots in Colman Park, in conjunction to the street work by Public Works on Lane Ave and amend the fiscal year 2018-2019 budget.

**Recommendation:** Raytown Park Board recommends for approval.

**Analysis:** The City of Raytown Public Works Department is scheduling the Micro-Surfacing of Lane Avenue through Colman Park and has suggested the Raytown Parks Department take advantage of the pricing that is approved for this job to overlay the parking lots in Colman Park.

This is a non-budgeted item, with a cost of \$16,029.85 for an estimated 6,095 square yards of material. This project is to be added to the current 2019 budget, from the Park reserve fund. The amount requested by the Raytown Park Board is \$20,000.00 to pay for the Micro-Surfacing and restriping the parking and handicap areas.

The project that Public Works is moving forward with will leave the parking lots adjacent to Lane Avenue in Colman Park in better shape for the long term and will be the most aesthetically pleasing appearance, since the public streets and parking areas will be completed at the same time, with the same material.

Purchasing policy requires staff to seek additional purchasing authority for spending funds for contractual work in this amount.

**Alternatives:** Do not approve the resolution for Micro-Surfacing and schedule the surface maintenance at a different time.

**Budgetary Impact:**

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

**FROM:**

Amount: \$20,000.00  
Department: Parks  
Fund: Unappropriated Fund Balance  
Account(s): 201.00.00.100.39999

**TO:**

\$20,000.00  
Parks  
Capital Improvement  
201.92.00.100.57000

**Additional Reports Attached:** Scope of Work

**A RESOLUTION AUTHORIZING AND APPROVING THE EXPENDITURE OF FUNDS FOR MICRO-SURFACING IN AN AMOUNT NOT TO EXCEED \$20,000.00 AND AMEND THE FISCAL YEAR 2018-2019 BUDGET**

**WHEREAS**, the City of Raytown Public Works department has scheduled their Micro-Surfacing Project; and

**WHEREAS**, the City of Raytown Parks and Recreation Department would like to micro-surface parking lots in Colman-Livengood Park in conjunction with the street work that is being performed by the Public Works Department; and

**WHEREAS**, the Board of Aldermen find it is in the best interests of the City to authorize and approve the expenditure of funds for Micro-Surfacing in an amount not to exceed \$20,000.00 and amend the Fiscal Year 2018-2019 Budget;

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

**THAT** the Board of Aldermen find it is in the best interests of the City to authorize and approve the expenditure of funds for Micro-Surfacing in an amount not to exceed \$20,000.00 and amend the Fiscal Year 2018-2019 Budget; and

**FURTHER THAT** the Fiscal Year 2018-2019 Budget approved by Resolution No. R-3134-18 is hereby amended as follows:

<b>FROM:</b>		<b>TO:</b>
Amount:	\$20,000.00	\$20,000.00
Department:	Parks	Parks
Fund:	Unappropriated Fund Balance	Capital Improvement
Account(s):	201.00.00.100.39999	201.92.00.100.57000

**FURTHER THAT** the City Administrator is hereby authorized to execute all documents necessary and to take any and all actions necessary to effectuate the terms of the agreement and the City Clerk is authorized to attest to the same.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 6<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

\_\_\_\_\_  
Jennifer M. Baird, City Attorney

**2019 Micro Surfacing**

July 22, 2019

<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Lanes</u>	<u>Section Length</u>	<u>Units</u>	<u>Width</u>	<u>Section Area</u>	<u>Units</u>
Colman Parking Lot	shelter parking area						2,000	SY
Colman Parking Lot	ballfield parking area						1,800	SY
Colman Parking Lot	maint. parking area						1,500	SY
<b>Total =</b>							<b>5,300</b>	<b>SY</b>
							add 15% contingency	
							<b>6,095.00</b>	<b>SY</b>

<u>Description</u>	<u>Approx. Unit Qty.</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Unit</u>	<u>Estimated Total Cost</u>
1. Micro Surfacing	6,095	SY	\$2.63	SY	\$16,029.85

**CITY OF RAYTOWN  
Request for Board Action**

**Date:** August 1, 2019 **Resolution No.:** R-3228-19  
**To:** Mayor and Board of Aldermen  
**From:** David Turner, Director of Raytown Parks Department

**Department Head Approval:** \_\_\_\_\_

**Finance Director Approval:** \_\_\_\_\_ (only if funding is requested)

**City Administrator Approval:** \_\_\_\_\_



**Action Requested:** Authorize and approve the purchase of 10 solar/LED area lights to be installed in the Raytown Parks system.

**Recommendation:** Raytown Park Board recommends for approval.

**Analysis:** The City of Raytown Parks Department sent an RFQ to six (6) companies for information and pricing of free standing solar/LED area lighting to be placed in the dark areas of the City Parks. The Park Board reviewed the quotes that were submitted and chose the product from Yellow Blue LED to light those dark areas in the City of Raytown Park properties.

This is a non-budgeted item, with a cost of \$12,813.56 for 10 solar/LED area lights. Staff has requested \$15,000.00 be added to the current 2019 budget, from the Park reserve fund, to make the purchase and begin in house installation of the solar/LED units.

The solar/LED lights will be installed on poles 15 feet high and cast a 60'x40' area of light. The units will be dawn to dusk lights operated by a photo cell with no electric utility costs, and also come with a 5 year full replacement warranty. The lights can be aimed to avoid light spilling into neighboring properties, while providing 1000 lumens of light to the desired areas. The product will function normally for 48 hours without a charge. All photocells, solar panels, and batteries are contained within the unit.

Purchasing policy requires staff to seek additional purchasing authority for any vendor in excess of \$15,000.00 single or cumulative purchase within a fiscal year.

**Alternatives:** Do not approve the resolution for increased lighting in the Parks until the next budget year.

**Budgetary Impact:**

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

**FROM:**

Amount: \$15,000.00  
Department: Parks  
Fund: Unappropriated Fund Balance  
Account(s): 201.00.00.100.39999

**TO:**

\$15,000.00  
Parks  
Capital Improvement  
201.92.00.100.57000

**Additional Reports Attached:** n/a

**A RESOLUTION AUTHORIZING AND APPROVING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH YELLOW BLUE LED FOR SOLAR AND LED LIGHTING IN AN AMOUNT NOT TO EXCEED \$15,000.00 AND AMEND THE FISCAL YEAR 2018-2019 BUDGET**

**WHEREAS**, the City of Raytown Parks and Recreation Department solicited requests for qualifications from qualified firms interested in providing solar and LED lighting; and

**WHEREAS**, the City of Raytown Parks and Recreation Department received two (2) sealed bids in response which were opened on August 9, 2018; and

**WHEREAS**, the proposal submitted by Yellow Blue LED for solar and LED lighting was determined to be the lowest and best bidder qualified to provide such services; and

**WHEREAS**, the Board of Aldermen find it is in the best interest of the City to authorize and approve the expenditure of funds with Yellow Blue LED for solar and LED lighting in the amount of \$15,000.00; and

**WHEREAS**, the Board of Aldermen find it is in the best interests of the City to authorize and approve the expenditure of funds with Yellow Blue LED for solar and LED lighting and amend the Fiscal Year 2018-2019 Budget;

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

**THAT** the Board of Aldermen find it is in the best interest of the City to authorize and approve an agreement with Yellow Blue LED for solar and LED lighting in the amount of \$15,000.00; and

**FURTHER THAT** the Fiscal Year 2018-2019 Budget approved by Resolution No. R-3134-18 is hereby amended as follows:

<b>FROM:</b>		<b>TO:</b>
Amount:	\$15,000.00	\$15,000.00
Department:	Parks	Parks
Fund:	Unappropriated Fund Balance	Capital Improvement
Account(s):	201.00.00.100.39999	201.92.00.100.57000

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 6<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

\_\_\_\_\_  
Jennifer M. Baird, City Attorney

## Lighting Bid Tab Breakdown

	<b>Yello Blue LED</b>	<b>First Light Technologies</b>
Bulk Price	\$1,281.36 ea.	\$2,025 ea.
Warranty	5 year	5 year
Pole height	15'	12'
Timer options	none-photo cell *	11
No Charge lighting	48 hours	14+ Days
Lighted area	60'x40'	75'x25'
Lumens	1000	800
Bulk Price number	10 units/\$12,813.56	12 units/\$24,300 plus shipping

## Dave Turner

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**From:** Chris Meyer <dmeyer@borderstates.com>  
**Sent:** Thursday, July 11, 2019 9:06 AM  
**To:** Dave Turner  
**Cc:** KSMO Quotes; Nick Rawls  
**Subject:** FW: Raytown Parks Request for Quote, Parks trail/area lighting, Solar/LED

Good Morning Dave,

We appreciate the opportunity however I wanted to let you know that we will not be quoting this project.

Thank You,

### Chris Meyer

Area Quotations Manager

D 816.556.1226 | EXT 62626

T 800.279.8833

[dmeyer@borderstates.com](mailto:dmeyer@borderstates.com) | [borderstates.com](http://borderstates.com) | [connect with us](#)

Border States Electric (BSE)

1470 Liberty St | Kansas City MO 64102



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**From:** KSMO Quotes  
**Sent:** Monday, July 8, 2019 2:11 PM  
**To:** Nick Rawls <NRawls@borderstates.com>; Chris Meyer <dmeyer@borderstates.com>  
**Subject:** FW: Raytown Parks Request for Quote, Parks trail/area lighting, Solar/LED

**From:** Dave Turner <[davet@raytownparks.com](mailto:davet@raytownparks.com)>  
**Sent:** Monday, July 8, 2019 2:05 PM  
**To:** KSMO Quotes <[ksmoquotes@borderstates.com](mailto:ksmoquotes@borderstates.com)>  
**Subject:** Raytown Parks Request for Quote, Parks trail/area lighting, Solar/LED

**From:** Dave Turner  
**Sent:** Monday, July 8, 2019 1:56 PM  
**To:** Michelle Truesdale <[mtruesdale@myyellowblue.com](mailto:mtruesdale@myyellowblue.com)>; Tony A. Jacob <[Tony.Jacob@basupply.com](mailto:Tony.Jacob@basupply.com)>;

**Raytown Park Board  
Minutes  
July 22, 2019**

**Attendance:**

**Park Board:** Chris Rathbone, Terry Copeland, Dave Thurman, Robbie Tubbs, Brian Morris, George Mitchell, Loretha Hayden and Brent Hugh

**Staff:** Dave Turner, Ron Fowler, Mike Conrad and Mary Ann McCormick

**Guests:** Missy Wilson, Janet Emerson, Tony Jacobs, Ralph & Rosemary Boudreaux

A quorum was declared present and the meeting was called to order at 7:00 pm.

**Public Participation:**

**Tony Jacobs** – talked about closed sessions and thanked Park Board for listening to neighbors at last meeting.

**Rosemary Boudreaux** – why did the police not respond to neighbors calls before shooting happened at Colman park? She has a copy of police logs and shows no evidence that police were at any other parks as they have stated. Chris Rathbone told her to talk to the police department about this.

Terry Copeland made a motion to approve the minutes from June 16, 2019. Robbie Tubbs seconded and the motion passed.

**Reports of Officers:**

**President** – attended Raytown Live, the band was great and approx. 300 people attended, also attended Parks Adhoc Committee

**Vice President** – also attended Raytown Live thanked Mike Conrad for a great job

**Reports of Standing & Special Committees:**

**Mayor's Violence Reduction Adhoc Committee:** Robbie Tubbs stated they had a meeting and Sisters In Christ came and talked about different ideas to curb crime in our area. Once suggestion is to have anyone in Raytown with a security camera to register with police department so if crime happens police can check to see if your camera captured anything.

**Personnel** - no report

**Finance** – Terry Copeland reported we are on target for our budget for this year.

**Program** – no report

**Buildings & Grounds** – no report

**Rice Tremonti** – Brian Morris stated that they will be close the home at 11 pm every night. Board looking into security cameras. Structural engineer has looked at storm cellar and plans will be going to City for approval.

**BMX** – George Mitchell stated that Harley Kennedy is putting together a list of capital improvements for next budget year.

**Safe Parks Committee:** Loretha Hayden and Chris Rathbone attended meeting. The committee is working on ideas for safe parks.

**Staff Reports:**

**Director** – a written report was distributed.

**Superintendent of Parks** – a written report was distributed. Wifi in the parks is taking a little longer than expected here at Colman, AT&T will need to bore under the street connect WIFI and staff took down tire swing at Colman for safety and have ordered replacement parts.

**Recreation** – a written report was distributed.

**New Business:**

1. Robbie Tubbs made a motion to spend up to \$5000 from XE203619 (Capital Expenditures - Park Improvements) to stabilize rock retaining wall at the Kenagy pond. Loretha Hayden seconded and the motion passed. Staff will pour concrete behind the blocks as time permits.
2. Online registration – staff will continue to look into this
3. Sunshine Law – Staff has been directed not to put “Closed Session” information on agenda unless we are going into closed session. If we go into “Closed Session” we must move the meeting to City Hall to accommodate everyone.
4. Robbie Tubbs made a motion to purchase 10 LED Light poles from Yellow Blue LED up to \$12,813.56. Brian Morris seconded. Robbie Tubbs made a motion to amend motion to read not to exceed \$15,000. Loretha Hayden seconded and the motion passed. Staff will decide where the lights will go. Dave Turner sent out 6 RFQ’s and only received 2 bids back. Update: City Hall stated we need to have at least 3 bids.
5. Robbie Tubbs made a motion to approve the FY2019-20 budget at written. Brian Morris seconded and the motion passed.
6. Terry Copeland made a motion to Micro Surface the Colman Park parking lot by shelters, the shop parking lot and the parking spots by the ballfield not to exceed \$20,000 and to add to the City’s contract for. Dave Thurman seconded and the motion passed.
7. Robbie Tubbs asked staff to get information on speed bumps – different types, etc. for next meeting.
8. George Mitchell made a motion to adjourn at 8:36 pm. Terry Copeland seconded and the motion passed.