

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

**AGENDA**

June 6, 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:	Thurman:	Emerson:
Bettis:	Robinson:	Frazier:
Stock:	Dwight:	Cochran:

**3. Approval of April 4, 2019 Meeting Minutes**

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

**4. Old Business – None**

**5. New Business**

**A. Case No.: PZ-2019-04**

**Applicant:** Javaid Chaudhri

**Reason:** Conditional Use Permit for an auto repair shop

- 1. Introduction of Application by Chair
- 2. Explanation of any exparte' communication from Commission members regarding the application
- 3. Swearing in of Speakers
- 4. 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 Affidavit

- f. Neighborhood meeting documentation
  - g. Applicant's site plan
  - h. Existing Site Photos
5. Introduction of Application by Staff
  6. Presentation of Application by Applicant
  7. Request for Public Comment by Chairman
  8. Additional Staff Comments and Recommendation
  9. Commission Discussion
  10. Commission Decision to Approve, Conditionally Approve or Deny the Application
    - a. Motion
    - b. Second
    - c. Additional Commission Discussion
    - d. Vote

**B. Case No.: PZ-2019-04**

**Applicant:** City of Raytown

**Reason:** Zoning Ordinance Amendments Regarding Medical Marijuana

1. Introduction of Application by Chair
2. Explanation of any exparte' communication from Commission members regarding the application
3. Swearing in of Speakers
4. Enter Additional Relevant City Exhibits into the Record:
  - i. Staff report
  - j. Public Notice Affidavit
5. Introduction of application by staff
6. Additional Staff Comments and Recommendation
7. Request for Public Comments by Chairman
8. Commission Discussion
7. Commission Decision to Approve, Conditionally Approve or Deny the Application
  - a. Motion
  - b. Second
  - c. Additional Board Discussion
  - d. Vote

**6. Other Business- None**

- 7. Set Future Meeting Date – Tentatively, Special Meeting, June 13, 2019 at 7:00 PM**  
**Next Regular Meeting, Thursday, July 11, 2019 at 7:00 PM**

**9. Adjourn**

**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**



# Staff Report

Community Development  
Planning and Development Services

**PZ 2019-04**

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert

Date: June 6, 2019

Re: Application for Conditional Use Permit

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## CONDITIONAL USE PERMIT APPLICATION SUMMARY

Applicant: Javaid Chaudhri

Property Owner: Javaid Chaudhri

Property Location: 5270 Blue Ridge Blvd

Request: Conditional Use Permit approval for an auto repair shop

Javaid Chaudhri is requesting Conditional Use Permit (CUP) approval for an auto repair shop 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. The applicant is proposing some minor exterior site changes be made to the existing location.

The building previously ran a business licensed under "Goodyear Tire and Rubber" until 6/30/17. Since then, the structure has sat vacant. This extended period of vacancy has resulted in any non-conforming aspects of the property to lose their "grandfathering" status.



Figure 1 – Parking Lot entrance view of proposed auto shop

## BACKGROUND

Property's Zoning Classification	Neighborhood Commercial (NC)
Surrounding Properties' Zoning	Neighborhood Commercial (NC), R-2 Medium Density Residential
Surrounding Overlay	None
Surrounding Land Use	Commercial Businesses and Single/Two Family Homes
Designated Future Land Use	Commercial
Ward	Ward 3
Approximate Land Area	0.8 acres
Roadway Classification	Collector

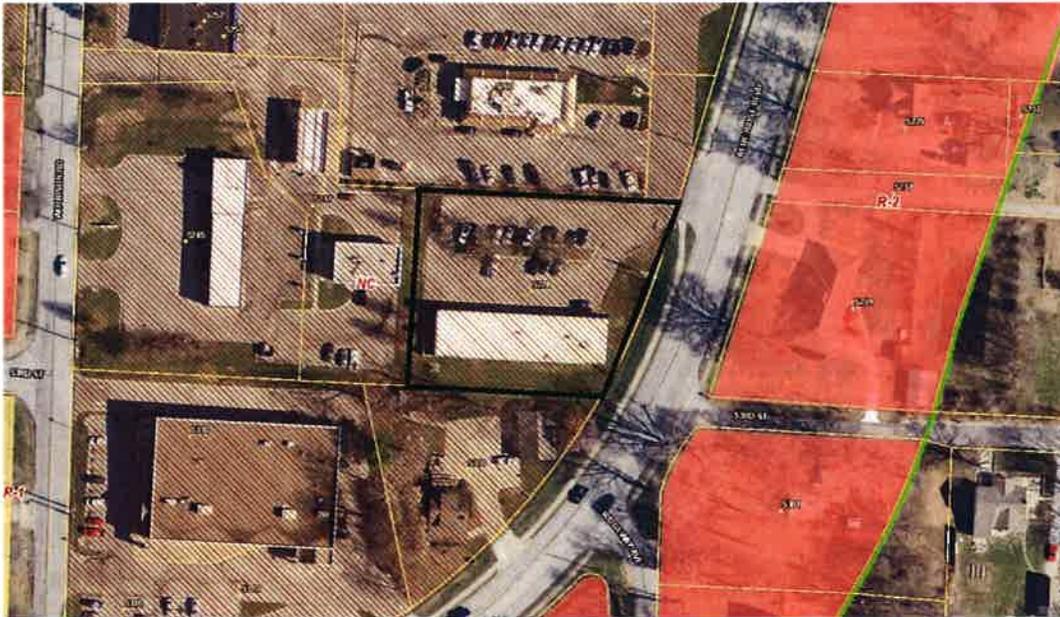


Figure 2 – Aerial view of proposed auto shop and surrounding zoning

### SITE DESCRIPTION AND PRESENT USE

The building has sat vacant since 2017 when it was licensed under “Goodyear Tire & Rubber”. No business license has been issued on the property since.



# Staff Report

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Planning and Development Services

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The structure tangentially faces Blue Ridge Blvd. to the east, which is designated as a collector by the City of Raytown. On the North side of the structure is a shopping center and a McDonald's Restaurant. To the West of the structure, there is another vacant automotive-related structure and car wash. To the South is a small office type business and to the Southwest is a CVS Pharmacy.

## **HISTORY**

The building previously ran a business licensed under "Goodyear Tire & Rubber" until 6/30/2017. Since then, the structure has sat vacant. The structure was built in 1989.

## **PUBLIC COMMENTS**

The public notice was published in *The Daily Record* on May 16, 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 May 23, 2019, and one individual 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 most adjacent lots are zoned Neighborhood Commercial (NC), with some R-2, Medium Density Residential across Blue Ridge Blvd. 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 Goodyear Tire & Rubber store until 2017. It is the opinion of city staff that the proposed use would maintain the stability and integrity of the Neighborhood Commercial zoning district.

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

No negative change to neighboring property values is expected. The applicant is proposing some site changes to be made to the existing property and additional requirements are being added as conditions of approval. The only impact will be the return of a similar type business that had occupied the structure for many years.

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

Staff has no concerns regarding fire and/or casualties on this project. The structure was built in 1989 to somewhat modern code standards and is still in decent repair. Additionally, the building will be inspected prior to occupancy permit issuance 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 will not 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 Blue Ridge Blvd directly and also from the adjoining shopping center parking lot.

#### **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, will be inspected prior to occupancy permit issuance 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, and should have no 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 and the subject property is vacant now, 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. 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 for many years prior to 2017 and is only being reutilized as such again.

#### **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 minor site and/or building improvements to bring the property into current code compliance. 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 re-use of a vacant building, 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 2019-04 – Conditional Use Permit for an auto repair shop to be located at 5270 Blue Ridge Blvd. with the following conditions to bring the property into current code compliance:

1. Parking lot and driveway is in varying degrees of disrepair. It shall be repaired and then maintained in good condition at all times.
2. Parking lot shall be properly striped with 9 ft x19.5 ft spaces. Spaces shall include a 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 surfaces of the building need to be properly repainted and the entire building shall be maintained in good condition at all times. The roll up doors on the front of the building are not all in good condition and need proper maintenance or replacement.
4. Trash enclosure shall be updated with a proper gate that can be accessed by trash truck.
5. Existing pylon sign frame shall be removed. Applicant may replace it with a monument base sign under a separate permit process or apply for wall sign permit.
6. Submit landscaping and irrigation plan for shrubbery plantings along Blue Ridge Blvd. frontage.
7. 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.
8. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

Case Number \_\_\_\_\_  
Date Received 4/18  
Map Page \_\_\_\_\_

CITY OF RAYTOWN  
APPLICATION FOR CONDITIONAL USE PERMIT

PART I Background Information

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

5270 Blue Ridge Blvd, 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
Javaid Chaudhri	155 S 18th ST STE 105 Kansas City, KS 66102	913-269-8208

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

Name	Address	Phone/Email
Javaid Chaudhri	155 S 18th ST STE 105 Kansas City, KS 66102	913-269-8208 Jay@alphapetroco.com

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

Currently Vacant

5. Zoning classification of the property: \_\_\_\_\_

6. Specify the use desired for the property: Automotive Repair and limited vehicle sales

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

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

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

\_\_\_\_\_  
\_\_\_\_\_

**Checklist for  
Planning and Zoning Commission Applications**

This application cannot be processed until each of the following items has been submitted.

**Date Completed**

- |             |   |
|-------------|---|
| <u>4-18</u> | Application fee of \$450.00.  |
| <u>4-18</u> | A written and signed certification from the County Treasurer's office that all property taxes for the parcel has been paid. |
| <u>4-25</u> | Legal description of the property to which the request applies in an electronic format.                                     |
| <u>4-18</u> | Copy of a deed showing ownership.   |
| <u>4-18</u> | A site plan indicating information specified for the Site Plan Review Process.  |
| <u>N/A</u>  | Traffic Impact Analysis containing information as specified on the attached sheet.  |
| <u>N/A</u>  | Storm Drainage Analysis unless waived by Director of Public Works.  |
| <u>N/A</u>  | Signage information for any signage to be installed as part of the proposed use.  |

**Step-By-Step Directions for  
Conditional Use Permit Application Process**

**STEP 1**

Submit application with \$450 and the items listed on the attached checklist to the Community Development Department by the applicable application submittal deadline.

**PART I BACKGROUND INFORMATION**

Please note that only the property owner, or an authorized agent acting on his/her behalf, can apply for Zoning Amendments. If an agent is appointed, the owner must still sign item 8. The application will not be accepted without this signature.

**PART II CONDITIONAL USE PERMIT INFORMATION**

Please answer all questions as completely as possible. If you need help, the Community Development Department would be glad to assist you in completing this form.

**PART III DOCUMENT CHECKLIST**

The application cannot be processed without each of the listed documents. Please submit with application.

**STEP 2**

The Community Development Department sets a date for a public hearing before the Planning and Zoning Commission. All property owners within 185 feet are notified by mail of the hearing. There will also be a notice published in the newspaper and a sign posted on the property. Members of the general public are invited to comment.

**STEP 3**

Following the hearing the Planning and Zoning Commission submits a recommendation to approve or deny the request to the Raytown Board of Aldermen.

**STEP 4**

The Board of Aldermen normally meets at 7:00 p.m. on the first and third Tuesday of each month. Applications can only be approved after two readings and approval by the Board of Aldermen.

**NOTE:**

UNDER NORMAL CIRCUMSTANCES, A MINIMUM OF 74 DAYS IS REQUIRED FROM SUBMISSION OF A COMPLETED APPLICATION TO FINAL DECISION.

**PART II Conditional Use Permit Information**

In considering an application for a conditional use permit, the city shall give consideration to the health, safety, morals, comfort and general welfare of the inhabitants of the city, including but not limited to the following factors:

1. The stability and integrity of the various zoning districts;
2. Conservation of property values;
3. Protection against fire and casualties;
4. Observation of general police regulations;
5. Prevention of traffic congestion;
6. Promotion of traffic safety and the orderly parking of motor vehicles;
7. Promotion of the safety of individuals and property;
8. Provision for adequate light and air;
9. Prevention of overcrowding and excessive intensity of land uses;
10. Provision for public utilities and schools;
11. Invasion by inappropriate uses;
12. Value, type and character of existing or authorized improvements and land uses;
13. Encouragement of improvements and land uses in keeping with overall planning; and
14. Provision for orderly and proper renewal, development and growth.

The information provided by the applicant to the following questions is an opportunity to justify approval of a conditional use permit based on the above listed factors.

If the space provided is not adequate, the applicant may attach additional pages. The applicant is also encouraged to submit any other pertinent information, such as photographs, drawings, maps, statistics, legal documents, and letters of support.

A. The proposed conditional use will be in keeping with the character of the neighborhood because:

The proposed use will contribute to the image that the neighborhood is thriving and is not only pro-business but also pro-community. Located on Blue Ridge close to the edge of the city, this location previews what lies ahead within the city. Currently the property has been vacant for a number of years, and we wish to change that. By opening our automotive repair business we hope to welcome people entering the city with a image of a thriving business who provides quality service to the community.

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

The operation of our business will with the scope of it zoning and its location within a commercial area. The majority of adjacent properties are commercial including retail sales, food sales, and a partially function gas station.

C. This property is more suited for the proposed use than its current uses because:

In fact this property historical and intended use has been for automotive service. It was constructed in the mid 1980's with design explicitly intended for this purpose. We recently purchased the property after the previous occupant, a national automotive service brand, closed their operation. Certainly a functioning automotive repair business will be a better use than a vacant building.

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

We anticipate no detrimental effects on nearby parcels.

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

Approximately 2 years

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

This building is currently owned whoever is unoccupied. There are not only cost associated with ownership such as real estate taxes, utilities, landscaping but there is the additional burden of invested capital that continues to accrue interest.

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

The existing utilities remain connected to the property inside and outside the structure. As the property operated for decades with the existing utilities we see no issues in this regard with operating our business.

H. Additional comments:

My family has either grown up or grown old in and around Raytown. My son a recent former Marine has been following his passion for Cars and completed training and certification in automotive repair. It is our sincere hope that the city of Raytown is receptive to our desire to bring a passionate business operation to the community to serve its residents.

**CITY OF RAYTOWN**  
**INSPECTIONS DIVISION**  
**PUBLIC WORKS DEPARTMENT**  
10000 E. 59th STREET, RAYTOWN, MO. 64133  
(Telephone 737-0550)

**INSPECTION REPORT**

5270 Blue Ridge  
(Address)

4-11-86  
(Date)  
3:00  
(Time)

Sewer Tap  
(Type of Inspection)

Dan's Plumbing  
(Contractor)

**FINDINGS AND/OR REMARKS:**

Ok to Cover



D. Scoville  
(Inspector)

**IF CHECKED:** The items listed above require re-inspection. DO NOT COVER until re-inspected and cleared by the Building Inspection Division.

**IF CHECKED:** Call for re-inspection \_\_\_\_\_

If you have any questions, or if we can be of further assistance, please call on Mon. through Fri. from 8:00 A.M. to 5:00 P.M.  
Inspections are normally performed between 9:00 A.M. TO 4:00 P.M.  
Please direct your inquiry to the inspector whose name appears above.

1250410

②

I 685P 723

DECLARATION OF CROSS EASEMENT FOR DRIVEWAY,  
INGRESS AND EGRESS AND FOR PARKING PURPOSES

THIS DECLARATION, made and entered into this 30th day of June, 1976, by JACQUE P. LOREY, a single woman, of Kansas City, Jackson County, Missouri,

W I T N E S S E T H :

WHEREAS, the undersigned is the owner of two (2) contiguous and adjacent tracts of land in Raytown, Jackson County, Missouri, being those tracts described as Tracts One and Two, respectively, in Exhibit "A", attached hereto and incorporated herein by reference, and

WHEREAS, the property described as Tract One is in the process of development for Phase I of a shopping center, and it is contemplated that the property described as Tract Two will be hereafter developed in conjunction with said shopping center, and the undersigned desires to establish easements over portions of the said properties for the use of the owners of each of said tracts, their heirs, successors, assigns and the respective tenants and/or business invitees of said parties, for parking purposes and for ingress and egress to public roads adjacent thereto,

NOW, THEREFORE, the undersigned does hereby covenant and agree for her heirs, successors and assigns as follows:

1. It is agreed that from and after this date, the owners of Tracts One and Two, and their respective heirs, successors, assigns, tenants and/or business invitees, shall be entitled to use such driveways, roadways and entrances as may from time to time be provided for the purpose of ingress and egress to Tracts One and Two and to the public roads adjacent thereto as the same may exist from time to time. It is further agreed that said parties shall have the right to use such portion of said tracts as may from time to time be established for parking purposes, it being understood and agreed that the within

I 685P 724

provisions shall not in any manner restrict the future development and construction of the tract owned by any party at any future date, and shall apply to such parking areas as may from time to time exist upon the said tracts.

2. It is agreed that no fences shall be erected between the said tracts without the express written consent of the owners of each tract. Each owner shall maintain the property owned from time to time in good condition and repair, subject only to such contribution for such purpose as may from time to time be agreed upon in writing.

3. This agreement shall run with the land and any modification hereof shall be in writing, oral agreements to be without force and effect.

IN WITNESS WHEREOF, the undersigned has executed this Declaration, the day and year first above written.

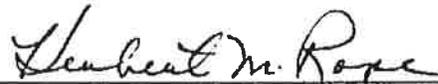
  
Jacque P. Lorey

STATE OF MISSOURI )  
                          ) ss.  
COUNTY OF JACKSON )

On this 30<sup>th</sup> day of June, 1976, before me, the undersigned, a notary public, personally appeared JACQUE P. LOREY, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Jacquie P. Lorey further declared herself to be single and unmarried.

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



  
Herbert M. Rope, Notary Public

I 685' 725

06-6305

TRACT ONE:

Beginning at the N.W. corner of Lot 2, Pendletons Blue Ridge Place, a subdivision in Raytown, Missouri; thence along the North line of said Lot 2, North 89 degrees 59 minutes East 680.04 feet to the N.E. corner thereof, said point being on the Westerly right of way line of Blue Ridge Blvd. (40 feet from the center line thereof); thence along said road right of way line in a Southwesterly direction along a curve to the left (having a radius of 1186.30 feet) 208.42 feet to the point of tangent; thence continuing along said road right of way line (40 feet from the center line thereof) South 14 degrees 33 minutes West 220.54 feet; thence due West parallel to and 280 feet North of the South line of Lot 1, in said subdivision, 548.61 feet to a point on the East right of way line of Woodson Road (25 feet from the center line thereof); thence along said Woodson Road right of way line North 0 degrees 53 minutes West 407.90 feet to the point of beginning, containing 248,404.851 sq. ft.; and

TRACT TWO:

Beginning at the S.W. corner of Lot 1, Pendletons Blue Ridge Place, a subdivision in Raytown, Missouri; thence along the West line of said Lot 1, North 0 degrees 53 minutes West 280 feet; thence due East parallel to and 280 feet North of the South line of said Lot 1, a distance of 548.61 feet to a point on the Westerly right of way line of Blue Ridge Blvd. (40 feet from the center line thereof); thence along said road right of way line South 14 degrees 33 minutes West 178.73 feet to the point of curve; thence in a Southwesterly direction along a curve to the right (having a radius of 533.68 feet) 114.56 feet; thence along the South line of said Lot 1, due West 458.97 feet to the point of beginning, containing 142,843.149 sq. ft.

EXHIBIT "A"

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

1976 JUL 9 AM 11 00 .3

RECORDED 768 PAGE 723  
STEPHEN A. CLERIGEO  
DIRECTOR OF RECORDS

*Loel* 700

3/2

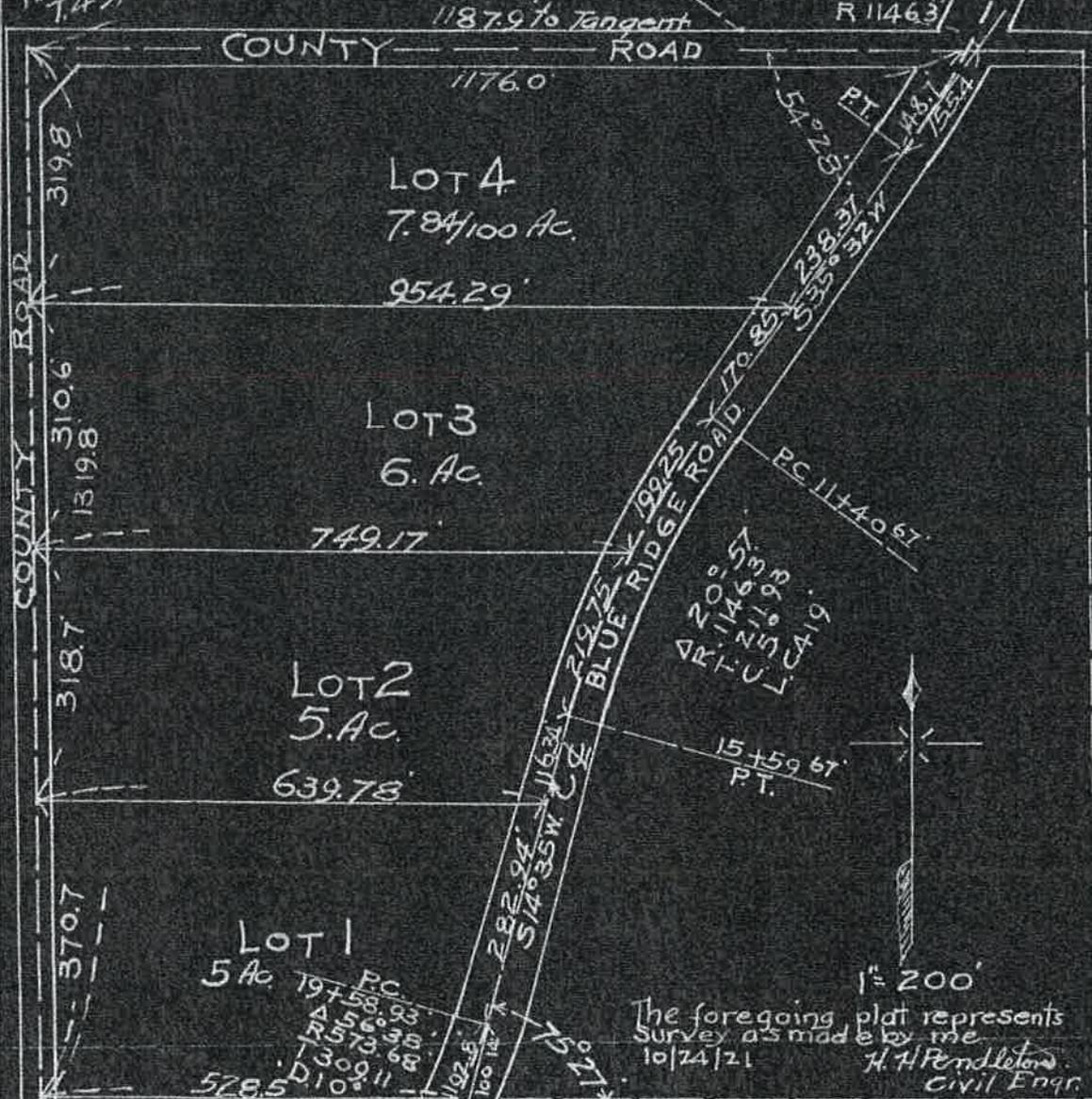
# PENDLETON'S BLUE RIDGE PLACE

Being a subdivision of all that part of the north West quarter of the North West quarter of Section 34 Township 49, Range 32 that lies West of the center line of the BLUE RIDGE ROAD.

N.W. COR. Sec 34  
T. 49, R. 32

Jackson County  
Mo

C 5°  
T 378.13  
Δ 36° 34'  
R 1146.3



The foregoing plat represents survey as made by me  
10/24/21  
H. H. Pendleton  
Civil Engr.

IN WITNESS WHEREOF, I, William T. Campbell, Special Commissioner appointed by the Court in Cause No. 41050, Henry C. Pendleton, et al., Plaintiffs, vs. Velma Dehoney, et al., Defendants, in Circuit Court of Jackson County Missouri, at Independence, have hereunto set my hand this 10th day of November 1921.

State of Missouri }  
County of Jackson } ss  
On this 10th day of November 1921 before me personally appeared William T. Campbell, Special Commissioner, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Independence, Mo., the day and year last aforesaid.  
My term expires December 7th, 1922.  
Notary Public  
in and for Jackson County, Missouri.

1695

Grant 3000000

(President's Bill Lodge) 1862

1862  
No. 1000000  
1000000

1862  
No. 1000000  
1000000

President's Bill Lodge

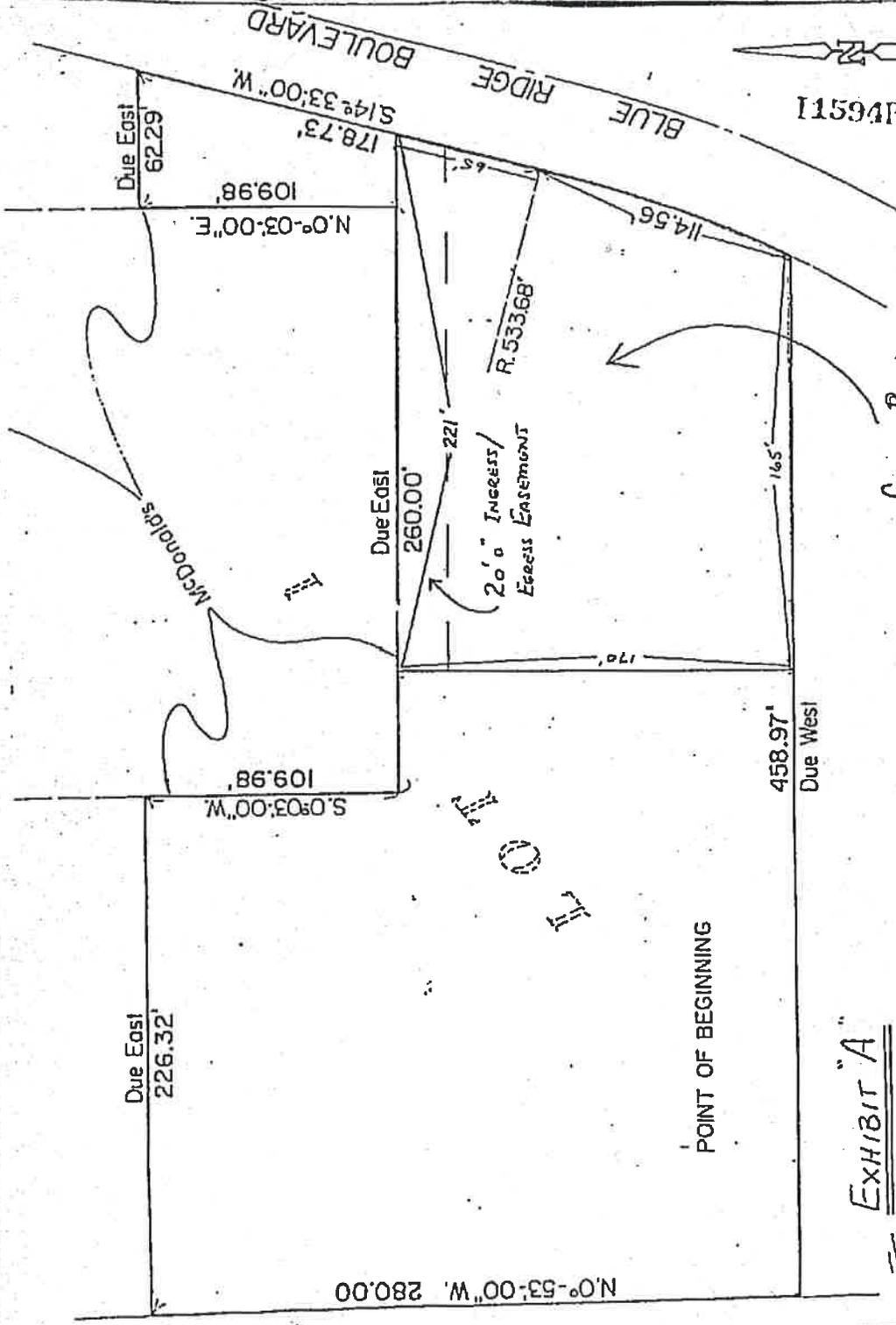
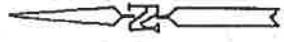
1862

11594P1577

ACKNOWLEDGMENT BY LESSOR (CORPORATION)

STATE OF  
COUNTY OF

875146511



Goodwin Parcel  
33,520 SQ. FT.

T  
T  
O

POINT OF BEGINNING

EXHIBIT "A"

32  
SENBERG & CO.  
TILE TOWER

7/1

PROPERTY PHOTO



STREET MAP



AERIAL PHOTO



<b>Parcel ID:</b>	33-920-04-36-01-0-00-000	
<b>Parcel Address:</b>	5270 BLUE RIDGE BLVD RAYTOWN MO 64133	
<b>Owner Information:</b>	A2Z TOTAL CAR CARE LLC 155 S 18TH ST KANSAS CITY KS 66102	
<b>Complex Name:</b>	N/A	
<b>Mortgage Holder Information:</b>	N/A	
<b>Property Characteristics:</b>	Year Built:	N/A
	Approx. Bldg. Area:	N/A sq. ft.
	Neighborhood Tax Code:	9815
	Approx. Area (Sq Ft):	34,866.13 sq. ft.
	Approx. Area (Acres):	0.80 acres
<b>Property Class (PCA Code):</b>	N/A	
<b>Land Use Type:</b>	2262 - Service Garage	
<b>Tax Code Area:</b>	Code:	
	City:	N/A
	Fire:	N/A
	Library:	N/A
	School:	N/A
	Water:	N/A
<b>Assessment Information:</b>	Tax Year:	2018
	Land Value:	
	Agricultural:	N/A
	Residential:	N/A
	Commercial:	\$166,920
	Improvements Value:	
	Agricultural:	N/A
	Residential:	N/A
	Commercial:	\$262,000
	Total Market Value:	\$428,920
	Total Assessed Value:	\$137,254
	Total Taxable Value:	\$137,254
<b>Exemptions and Abatements:</b>	No exemptions or abatements.	
<b>Community Improvement Dist:</b>	Property is not in a CID for which Jackson County collects a tax or assessment.	
<b>TIF Information:</b>	Property is not in a TIF Plan area or TIF Project area known to Jackson County.	

**ELECTED OFFICIALS**

<b>Jackson County</b>	<b>State of Missouri</b>	<b>United States</b>
<b>County Executive:</b> Frank White Jr. (D)	<b>Representative:</b> Jerome Barnes (D) - District 28	<b>Representative:</b> Emanuel Cleaver II (D) - District 5
<b>Individual Legislator:</b> Scott Burnett (D) - District 1	<b>Senator:</b> John Rizzo (D) - District 11	<b>Senator:</b> Roy Blunt (R)
<b>At-Large Legislator:</b> Crystal Williams (D) - District 2	<b>Governor:</b> Michael L Parson (R)	<b>Senator:</b> Claire McCaskill (D)

### **Easement Description (Exhibit A)**

All that part of the Grantors land, Lot 1, Pendleton's Blue Ridge Place, a subdivision in Raytown, Jackson County, Missouri, (as described in Missouri Warranty Deed, filed as Document No. 11211330 Book I2439, Page 1235), located in the Northwest Quarter of the Northwest quarter, Section 34, Township 49 North, Range 32 West, Jackson County, Missouri, lying within widths as hereinafter designated 30 feet on the left or Northerly side of the following described centerline: Beginning at the Northwest corner of said Section, Thence Southerly along said Section line a distance of 1,313 feet to a point being 330 feet West of the West property line, Thence Easterly and perpendicular to last described course, a distance of 330 feet to the South property line, the true point of beginning of the centerline herein to be described:

Thence continuing Easterly along said South property line terminating at the most Easterly property line, a distance of 168.21 feet:

Containing 5,265 square feet more or less.



**JACKSON COUNTY**  
**Collection Department – Kansas City**

415 East 12<sup>th</sup> Street, Suite 100  
Kansas City, Missouri 64106  
www.jacksongov.org

(816) 881-3232

April 4, 2019

Javid Chaudhri  
5270 Blue Ridge Blvd  
Raytown, MO 64133

Re: Tax Clearance to provide to City of Raytown

Also has several tax parcels as: A J Partnership LLC  
and Javid & Arshad Chaudhri

To Whom It May Concern:

The above named individual has requested a tax clearance from the Jackson County Collector in order to provide to the City of Raytown for permit application. Based on the provided name(s) and address(es) listed above and a search of the records available for our review, the Collection Department concludes that there are no outstanding taxes for the year 2018 and prior on 33-920-04-36-01-0-00-000 (5270 Blue Ridge Blvd).

There are 10 business accounts with adjusted tax bills for 2015-17, 2016-17, and 2017 taxes due which will become delinquent if not paid by April 25, 2019 adjusted due date.

If you have any questions, please contact me at (816) 881-3038.

Thank you,

A handwritten signature in black ink, appearing to read "Karey Schulze".

Karey Schulze  
Office Administrator  
Collection Department  
Jackson County, Missouri



# Jackson County Missouri

## Official Tax Payment Receipt

Receipt No.:	11198742	Date and Time:	12/28/2018 16:32	Print Date:	4/4/2019 2:23:53 PM
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### Receipt Details

Parcel No.	Tax Year	TCA/District	Amount Applied	Unpaid Balance Amount*	Description
33-920-04-36-01-0-00-000	2018	022	12,930.29	0.00	A/V Principal- Commercial
	2018	REPL	1,972.34	0.00	Replacement Tax

### Payer Name and Address Information

Name	Address	Tender Type	Amount Applied
ASSOCIATED PROPERTIES LC	PO BOX 478, SALT LAKE CITY, UT 84110	Electronic Check	14,902.63

### Owner Name and Address Information

Parcel No.	Name	Address	Since	To
33-920-04-36-01-0-00-000	ASSOCIATED PROPERTIES LC	PO BOX 478, SALT LAKE CITY, UT 84110	08/27/2015	03/20/2019

### Distribution to Districts

Parcel No.	Tax Year	Agency	Amount
33-920-04-36-01-0-00-000	2018	BOARD OF DISABLED SERVICES	98.8229
	2018	CITY - RAYTOWN	706.7210
	2018	FIRE DISTRICT - RAYTOWN	1425.5203
	2018	JACKSON COUNTY	962.5625
	2018	MENTAL HEALTH	160.7245
	2018	METRO JUNIOR COLLEGE	316.3705
	2018	MID-CONTINENT LIBRARY	543.9377
	2018	RAYTOWN SCHOOL C-II	8674.4544
	2018	REPLACEMENT TAX	1972.3400
	2018	STATE BLIND PENSION	41.1762

### Real Estate Legal Descriptions

Parcel No.	Legal Line	Line No.
33-920-04-36-01-0-00-000	PENDLETON'S BLUE RIDGE PLACE	1
	PT OF LOT 1 DAF: BEG SE COR SD LOT 1 TH W ALG S LI SD LOT	2
	165.06' TH N 170' TH E 221.84' TO PT ON WLY ROW LI BLUE	3
	RIDGE BLV TH SWLY ALG SD ROW LI 179.69' TO POB	4

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

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

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

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



ELECTRONICALLY RECORDED  
JACKSON COUNTY, MISSOURI  
**03/25/2019 03:55:03 PM**  
WD FEE: \$ 27.00 3 Pages

INSTRUMENT NUMBER:  
**2019E0020557**

### GENERAL WARRANTY DEED

THIS DEED, Made and entered into this 21 day of March, 2019, by and between Associated Properties, LC, a Utah limited liability company, **Grantor**, and A2Z Total Car Care, LLC, a Missouri limited liability company, **Grantee, said grantee address: 155 S 18<sup>th</sup> Street, Kansas City, KS 66102**

WITNESSETH, that Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration. the receipt and sufficiency is hereby acknowledged by GRANTOR, does hereby GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM to the said Grantee, the following described real property (the Property) situated in the County of Jackson and the State of Missouri as described on Exhibit A, attached hereto and made a part thereof.

**Subject to all easements, restrictions and reservations, if any, now of record.**

TO HAVE AND TO HOLD the Property aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto GRANTEE, and unto GRANTEE'S successors and assigns forever; GRANTOR hereby covenanting that GRANTOR is lawfully seized of an indefeasible estate in fee of the Property herein conveyed; that GRANTOR has good right to convey the same; that the Property is free and clear from any encumbrance done or suffered by GRANTOR or those under whom GRANTOR claims, except as stated above and except for all taxes and assessments, general and special, not now due and payable; and that GRANTOR will warrant and defend the title to the said property unto GRANTEE, and GRANTEE'S successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 21 day of ~~MARCH~~ 2019.

Associated Properties, LC,  
a Utah limited liability company

By: Lisa Mariel Wirthlin

Name: LISA MARIEL WIRTHLIN

Title: MANAGING MEMBER

ACKNOWLEDGEMENT

STATE OF Utah )  
)  
COUNTY OF Salt Lake

On this 21<sup>st</sup> day of March, 2019, before me, a Notary Public in and for said County and State, personally appeared Lisa Mariel Wirthlin to me known to be the person(s) who executed the foregoing instrument, who, being by me duly sworn, did say that he/she is a managing member of Associated Properties, LC, a Utah limited liability company that instrument was signed in behalf of said company by authority of its members and said person acknowledged said instrument to be the free act and deed of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Myrleen Wright

Notary Public

Myrleen Wright Printed Name

My Commission Expires: November 17, 2019

(stamp)



EXHIBIT A

ALL THAT PART OF LOT 1, PENDLETON'S BLUE RIDGE PLACE, A SUBDIVISION IN RAYTOWN, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 90° 00' 00" WEST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 165.06 FEET;  
THENCE NORTH 0° 00' 00" EAST, A DISTANCE OF 170.00 FEET; THENCE NORTH 90° 00' 00" EAST, A DISTANCE OF 221.84 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF BLUE RIDGE BOULEVARD, AS NOW ESTABLISHED; THENCE SOUTH 14° 33' 00" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 65.13 FEET; THENCE SOUTHWESTERLY CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 533.68 FEET AND TANGENT TO THE LAST DESCRIBED COURSES, AN ARC DISTANCE OF 114.56 FEET TO THE POINT OF BEGINNING.



Community Development Department  
 Planning & Zoning Division  
 10000 E. 59<sup>th</sup> Street  
 Raytown, MO 64133  
 Office (816) 737-6011 Fax (816) 737-6164

**CONDITIONAL USE PERMIT - PERMIT**

<b>PERMIT #:</b>	<b>USE-000029-2019</b>	APPLICATION DATE:	4/18/2019
		EXPIRATION DATE:	10/18/2019
JOB ADDRESS:	5270 BLUE RIDGE BOULEVARD	LOT #:	
		BLK #:	
SUBDIVISION:			
PROPERTY OWNER:	JAVOID CHAUDHRI		
ADDRESS:	155 S, 18 <sup>th</sup> STREET STE 105		
CITY, STATE ZIP:	KANSAS CITY, KS 66102		
PHONE:	913-269-8208		
VALUATION:	N/A		
SQ FT:			
OCCP TYPE:			
CNST TYPE:			
DESCRIPTION OF WORK:			

FEE CODE	DESCRIPTION	AMOUNT
PZ-09	CONDITIONAL USE PERMIT	\$450.00
<b>TOTAL</b>		<b>\$450.00</b>

**Inspection Information**

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

This permit is issued in reliance upon information submitted by the applicant. The permit whenever the permit is issued in error, on the basis of incorrect information city ordinance or regulations. This permit shall become null and void if the work period of 180 days or is not commenced within 180 days. Approval of the plans construed as an approval of a violation of the codes or ordinances of the City of Ra

CITY OF RAYTOWN  
 10000 East 59th Street  
 Raytown, MO 64133  
 816-737-6000

DATE : 05/01/2019 10:53 AM  
 OPER : CD  
 TKBY : Community Developmen  
 TERM : 35  
 REC# : R00285880

5-1-19

Issued By:

Date:

Applicant:

EG EnterGov 450.00  
 INV-00004870 450.00

Paid By: Chaudhri, Javaid  
 2-CHK 450.00 REF:1367

APPLIED 450.00  
 TENDERED 450.00  
 CHANGE 0.00

# 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 **May 16, 2019** edition and ending with the **May 16, 2019** edition, for a total of 1 publications:

05/16/2019

### Notice of Public Hearing

The Community Development Department has received an application for a Conditional Use Permit for a vehicle repair shop with vehicle sales for the property at 5270 Blue Ridge Blvd. in Raytown, Missouri.

A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission at 7:00pm on Thursday June 6, 2019.

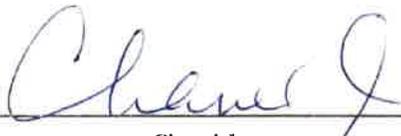
The Raytown Board of Aldermen will also hold public hearings regarding the above-described application tentatively scheduled for 7:00pm on Tuesday, July 2, 2019 and 7:00pm on Tuesday, July 16, 2019.

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.

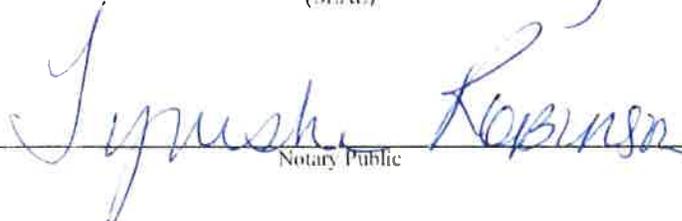
11745600 Jackson May 16, 2019

  
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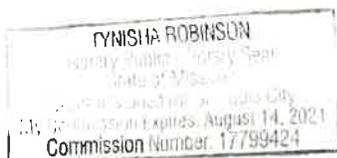
Chanel Jones

Subscribed & sworn before me this 16<sup>th</sup> day of May 2019

(SEAL)

  
\_\_\_\_\_

Tynisha Robinson  
Notary Public



## *A2Z Total Car Care, LLC*

May 23, 2019

City of Raytown  
10000 E 59th St  
Raytown, MO 64133

Re: **Neighborhood Meeting Recap**

Greetings,

On Thursday May 23, 2019 at Raytown City Hall's Community Room (10000 E 59th St, Raytown, MO 64133) a meeting was held from 11:00am-12:00pm. This meeting was to answer questions and concerns of neighbors of the property (5270 Blue Ridge Blvd, Raytown, MO 64133). The meeting was announced by 20 letters mailed via USPS on May 15, 2019 and an informational sign posted at the property on May 22, 2019. Both the sign and list of recipients were provided by the City of Raytown.

A single neighbor (Michael Brush 5237 Blue Ridge Blvd, Raytown, MO 64133) arrived and expressed his support for the future use of the property. He explained that it would be a blessing to see a vacant former automotive facility reopen in the near future. We trust our diligence in meeting deadlines and following procedure for our application will be looked upon favorably by the City of Raytown.

Best Regards,



Jay Chaudhri  
A2Z Total Car Care, LLC  
A2z@alphapetroco.com

Parcel Number	owner	owneraddress	ownercity	ownerstate	ownerzipco	SitusAdresse	SitusCity	SitusState	SitusZipCo
33-920-04-21-00-0-00-000	BROCKA JAMES & DONNA K	5300 E BLUE RIDGE BLVD	RAYTOWN	MO	64133	5300 BLUE RIDGE BLVD	RAYTOWN	MO	64133
33-920-04-37-02-0-00-000	SALINAS TERESA M	12121 E 49TH ST	KANSAS CITY	MO	64133	NO ADDRESS ASSIGNED BY CITY	RAYTOWN	MO	64133
33-920-03-16-00-0-00-000	BRUSH MERLENE G	5239 BLUE RIDGE BLVD	RAYTOWN	MO	64133	5239 BLUE RIDGE BLVD	RAYTOWN	MO	64133
33-920-03-12-00-0-00-000	BRUSH MERLENE G	5235 BLUE RIDGE BLVD	RAYTOWN	MO	64133	5235 BLUE RIDGE BLVD	RAYTOWN	MO	64133
33-920-04-38-00-0-00-000	MCDONALDS CORP 24-0157 AMF OHARE AIRPORT	12121 E 49TH ST	KANSAS CITY	MO	64133	5260 BLUE RIDGE BLVD	RAYTOWN	MO	64133
33-920-09-01-00-0-00-000	BISKINIS SAVVA G & SHELLEY	5301 BLUE RIDGE BLVD	KANSAS CITY	MO	64133	5301 BLUE RIDGE BLVD	RAYTOWN	MO	64133
33-920-14-06-00-0-00-000	HENSLEY TONEY B & KIMBERLY S	1729 NE DEBONAIR DR	LEES SUMMIT	MO	64063	5301 RIDGEWAY AVE	RAYTOWN	MO	64133
33-920-04-40-00-0-00-000	CARWASH PLAZA LLC	5577 BLUE RIDGE BLVD	RAYTOWN	MO	64133	5245 WOODSON RD	RAYTOWN	MO	64133
33-920-04-41-00-0-00-000	1340 E 9TH STREET REALTY CORP	805 AVE L	BROOKLYN	NY	11230	5228 BLUE RIDGE BLVD	RAYTOWN	MO	64133
33-920-03-27-00-0-00-000	GAHM GARY B & ALTHA E	5227 BLUE RIDGE BLVD	RAYTOWN	MO	64133	5227 BLUE RIDGE BLVD	RAYTOWN	MO	64133
33-920-14-07-00-0-00-000	EDWARDS JACOB	5305 RIDGEWAY AVE	KANSAS CITY	MO	64133	5305 RIDGEWAY AVE	RAYTOWN	MO	64133
33-920-04-36-01-0-00-000	AZZ TOTAL CAR CARE LLC	155 S 18TH ST	KANSAS CITY	KS	66102	5270 BLUE RIDGE BLVD	RAYTOWN	MO	64133
33-920-04-39-00-0-00-000	CARWASH PLAZA LLC	5577 BLUE RIDGE BLVD	RAYTOWN	MO	64133	5247 WOODSON RD	RAYTOWN	MO	64133
33-920-04-43-00-0-00-000	SCP 2006 C23 087 LLC	ONE CVS DRIVE	WOONSOCKET	RI	02895	5304 BLUE RIDGE BLVD	RAYTOWN	MO	64133
33-920-03-15-00-0-00-000	BRUSH MICHAEL J	5237 BLUE RIDGE BLVD	RAYTOWN	MO	64133	5237 BLUE RIDGE BLVD	RAYTOWN	MO	64133



Case Number: 2019-04 Public Hearing Date: June 6<sup>th</sup>

### Sign Posting

As the applicant of a rezoning, preliminary plat, planned development, conditional use permit and/or site plan application, you are required to post a sign informing the general public that a hearing will be held concerning the pending application. The sign can be picked up from the Community Development Department at Raytown City Hall during regular business hours. It must be posted at least 15 days prior to the date of the public hearing.

Sign must be posted by: May 22<sup>nd</sup>

The sign must be posted so that the sign is clearly visible from the street. As the applicant, you are responsible for maintaining the sign on the property leading up to the hearing, through the hearing, and through any continuances of the hearing.

### Neighborhood Information Meeting

As the applicant of a rezoning, preliminary plat, planned development, conditional use permit and/or site plan application, you are required to host a neighborhood information meeting prior to the public hearing date. This citizen participation requirement is designed to inform and involve neighboring residents in the process of community change. It is not intended that complete consensus be achieved on all applications, but rather neighborhood concerns be identified early on and addressed to some degree prior to the public hearing.

You will be required to send a courtesy notice to property owners within 185 feet of the applicant property. City Staff will provide you with the list of addresses you will be required to send letters to. Staff will also provide you with a notice letter template.

The notice should provide a brief description of the application and will establish a date and location for a neighborhood meeting to discuss the issues regarding the application. The meeting shall be held at least two weeks prior to the planning commission meeting for which the application is scheduled. Notices must be sent out at least eight (8) days prior to the neighborhood meeting date.

Meeting must be held by: May 23<sup>rd</sup> Notices must be sent by: May 15<sup>th</sup>

The applicant is welcome to host the neighborhood meeting at Raytown City Hall in our council chambers during regular business hours. Please contact the Community Development Department to schedule a time.

The applicant should submit a written summary report identifying the number of persons attending the meeting, the issues raised, and the resolution to any issues solved. The report shall be submitted to the Community Development Department at least ten (10) days prior to the date of the planning commission meeting.

Meeting summary submitted by: May 24<sup>th</sup>

# SITE PLAN

APPLICATION NUMBER

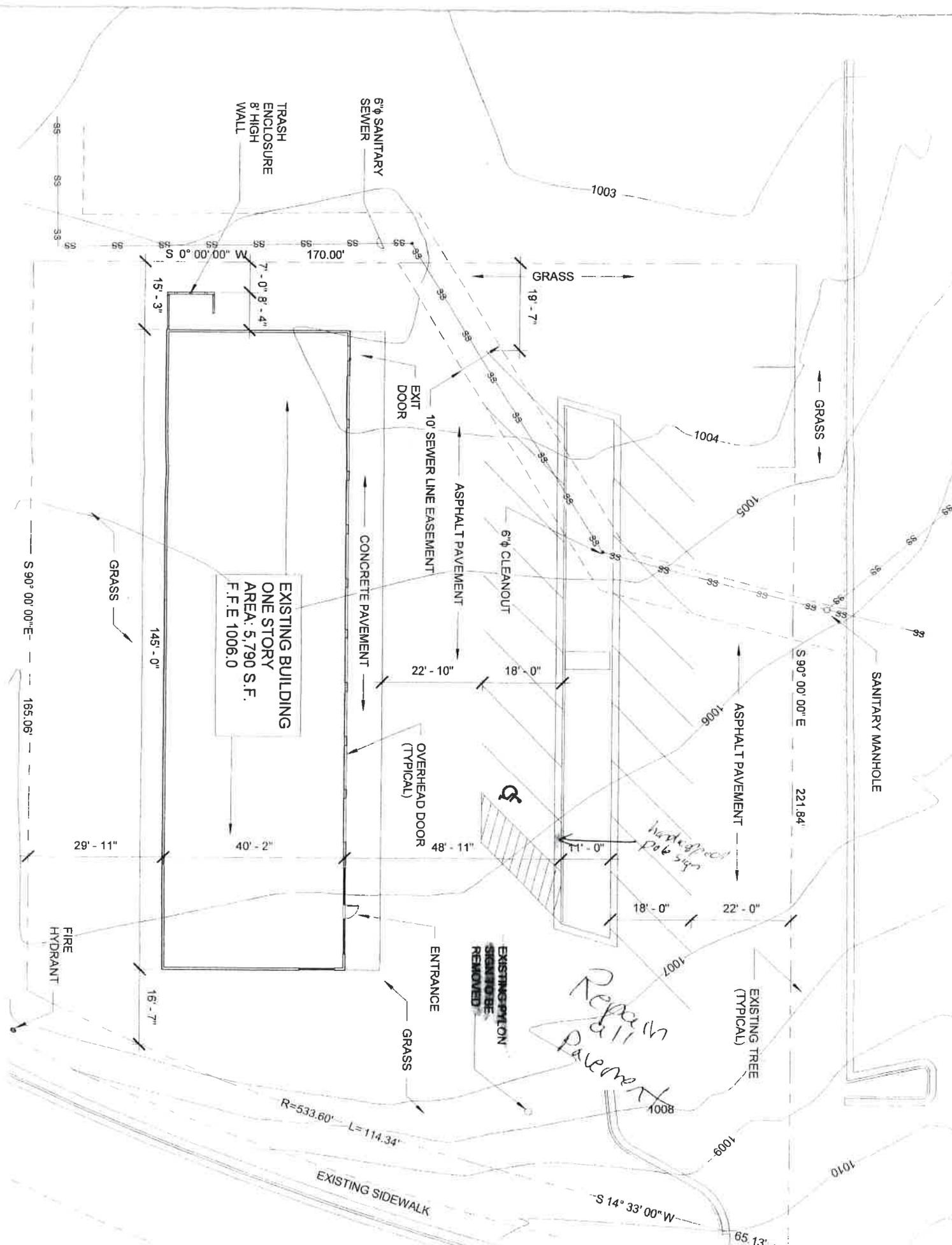
2019-04

**PUBLIC HEARING AT CITY HALL  
BEFORE PLANNING COMMISSION ON**

**June 6, 2019 7:00 P.M.**

CITY OF RAYTOWN, MISSOURI

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



EXISTING BUILDING  
ONE STORY  
AREA: 5,790 S.F.  
F.F.E. 1006.0

6" SANITARY  
SEWER

TRASH  
ENCLOSURE  
8' HIGH  
WALL

EXIT  
DOOR

CONCRETE PAVEMENT

10' SEWER LINE EASEMENT

ASPHALT PAVEMENT

6" CLEANOUT

OVERHEAD DOOR  
(TYPICAL)

ENTRANCE

EXISTING PYLON  
SIGN TO BE  
REMOVED

SANITARY MANHOLE

FIRE  
HYDRANT

EXISTING TREE  
(TYPICAL)

EXISTING SIDEWALK

S 14° 33' 00" W

S 90° 00' 00" E

S 90° 00' 00" E

S 0° 00' 00" W

GRASS

GRASS

GRASS

29' - 11"

40' - 2"

15' - 3"

145' - 0"

16' - 7"

22' - 10"

18' - 0"

18' - 0"

22' - 0"

1003

1004

1005

1006

1007

1008

1009

1010

65 13'

R=533.60' L=114.34'

*Horizontal Pole sign*

*Repair Pylon Pavement*













# Staff Report

Community Development  
Planning and Development Services

## PZ 2019-05

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: June 6, 2019

Re: Zoning Ordinance Text Amendments Regarding Medical Marijuana

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### MEDICAL MARIJUANA TEXT AMENDMENTS SUMMARY

In November, 2018, Missouri voters went to the polls and one of the issues they voted on, and approved, was an amendment to the Missouri Constitution that legalized the sale and use of Marijuana for medical uses and purposes only, pursuant to state regulations. Those regulations were just finalized on May 24, 2019, providing staff with fairly solid guidelines to go by in preparing this report for the Planning Commission. The actual regulations are very complex and broken out into numerous sections, but can all be accessed at the Missouri Department of Health and Senior Services at: <https://health.mo.gov/safety/medical-marijuana/faqs.php>

Staff has decided to add the new regulations, designed to be consistent with state law while also protecting Raytown neighborhoods and residents from undesirable impacts of such operations, as an entirely new Article XII addition to Chapter 50 of the Raytown Municipal Code. Included in the proposed regulations are new medical marijuana-specific definitions, detailed requirements for siting the various types of facilities and types of approval methods required, and basic regulations for residential based medical marijuana operations. The draft regulations are attached for your review. An entirely new code section is being added to the existing Municipal Code for the purpose of permitting Medical Marijuana Facilities.

## Medical Marijuana Draft Zoning Ordinance Amendments

Sec. 50-565-579.-Reserved.

Add the following Sections

ARTICLE XII. -MEDICAL MARIJUANA

Add the entire following Article XII

Sec 50-580. –Definitions

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

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

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

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

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

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

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

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

*Medical Marijuana Facility* means a Medical Marijuana Dispensary Facility, Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Infused Products Manufacturing Facility, and a Medical Marijuana Transportation Facility.

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

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

*Medical Marijuana Transportation Facility* means a facility licensed by the Missouri Department of Health and Senior Services to transport marijuana to a Qualifying Patient, Primary Caregiver, a Medical Marijuana Cultivation Facility, a Medical Marijuana-Infused Products Manufacturing Facility, a Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or another Medical Marijuana Transportation Facility.

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

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

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

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

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

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

**Sec. 50-583. -Medical Marijuana Dispensary General Rules**

In addition to the requirements for dispensary facilities in 19 CSR 30-95.080, dispensary facilities shall also comply with the following:

- (a) Medical Marijuana Dispensaries shall not be open to the public or make any sales between the hours of 10:00 PM and 8:00 AM.
- (b) Medical Marijuana Dispensaries shall only transport medical marijuana:
  - a. To Qualifying Patients, Primary Caregivers, a Medical Marijuana Testing Facility, a Medical Marijuana Dispensary, a Medical Marijuana-Infused Product Manufacturing Facility;
  - b. If the Medical Marijuana Dispensary complies with the requirements of 19 CSR 30-95.100(2)
- (c) No Marijuana, of any type, may be smoked, ingested, or otherwise consumed on the premises of a Medical Marijuana Dispensary at any time, nor shall the licensee permit such consumption.
- (d) Medical Marijuana Dispensaries shall not disburse medical marijuana as part of a promotional event.
- (e) All Medical Marijuana Dispensaries shall only sell medical marijuana seeds acquired from licensed Medical Marijuana Cultivation facilities.
- (f) No Medical Marijuana Dispensary shall sell medical marijuana seeds to a Qualifying Patient or Primary Caregiver who is not currently authorized to cultivate medical marijuana.
- (g) All Medical Marijuana Dispensaries shall require every customer to display the customer's identification card issued by the Missouri Department of Health and Senior Services or other proof of eligibility at the time of each purchase.
- (h) Medical Marijuana Dispensaries shall not sell medical marijuana to a Qualifying Patient or Primary Caregiver in amounts greater than what that individual is currently authorized to purchase per the statewide track and trace system.

- (i) No person under the age of eighteen (18) years old shall be permitted into a Medical Marijuana Dispensary; except that a Qualifying Patient who is under the age of eighteen (18) years but who has been emancipated by a court order and a Qualifying Patient, under the age of eighteen (18) years when accompanied by the Qualifying Patient's parent or guardian.
- (j) No Medical Marijuana Dispensary shall emit any odor of Marijuana which is capable of being smelled by a person of ordinary senses outside of the boundary of the lot upon which the Medical Marijuana Dispensary is located.
- (k) Each Medical Marijuana Dispensary shall be operated from a permanent and fixed location. No Medical Marijuana Dispensary shall be permitted to operate from a moveable, mobile, or transitory location. This subsection shall not prevent the physical delivery of medical marijuana to a Qualifying Patient or Primary Caregiver at a location off of the premises of the licensee's Medical Marijuana Dispensary, to the extent so permitted by law.

**Sec. 50-584. -Medical Marijuana Dispensary Siting Requirements**

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

- (a) As a Permitted Use in the Highway Commercial District (HC):
  - a. A Medical Marijuana Dispensary shall have the appropriate license from the Missouri Department of Health and Senior Services, pursuant to 19 CSR 30-95.
  - b. A Medical Marijuana Dispensary shall not be located closer than one thousand (1000) feet from any other Medical Marijuana Dispensary or Medical Marijuana Facility except when marijuana sales represent less than five percent (5%) of the dollar volume of business in a state or federally licensed pharmacy.
  - c. No Dispensary shall be located closer than one thousand (1000) feet from any Elementary or Secondary School, Daycare, or Church.
  - d. No Medical Marijuana Dispensary shall be located closer than one hundred fifty (150) feet from a residentially zoned district.
  - e. A Medical Marijuana Dispensary may opt to conduct secondary operations of another type of Medical Marijuana Facility within the same structure space if the secondary operations constitute 25% or less of both the overall floor space and revenue of the business. The Medical Marijuana Dispensary shall have all required licenses pursuant to 19 CSR 30-95 for both the Medical Marijuana Dispensary and the secondary Medical Marijuana Facility operation, in addition to all required City permits and licenses.

- f. The applicant for a Medical Marijuana Dispensary Commercial Zoning Permit shall provide the following plans and documentation for city review and approval.
- (1) Site plan for the Medical Marijuana Dispensary that shall include a floor plan showing where the various activities will be conducted. No medical marijuana products shall be visible from the exterior of the building.
  - (2) All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction.
  - (3) A plan which reasonably shows that the Medical Marijuana Dispensary is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the Medical Marijuana Dispensary is located.
  - (4) A security plan for review and approval by the Raytown Police Department, which reasonably shows that the Medical Marijuana Dispensary can be kept secure from access by unauthorized persons both during and after normal operating hours and provides adequate overnight security for product trucks parked outside the Medical Marijuana Dispensary at any hour.
  - (5) A parking plan that meets the required parking ratio for commercial uses as contained in Chapter 50, Article X of the Municipal Code. The parking plan shall also show loading docks and product truck circulation patterns to ensure that such deliveries do not interfere with proper parking and circulation of other vehicles on the property upon which the Medical Marijuana Dispensary is located.
  - (6) A hazardous waste disposal plan for any unused product or hazardous materials used as part of normal operations by a Medical Marijuana Dispensary in accordance with 19 CSR 30-95.040.
  - (7) All signage shall conform to the standards in Chapter 50, Article VIII of the Municipal Code and shall be reviewed and approved under a separate permit process.

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

- a. Medical Marijuana Dispensary applicants in the Neighborhood Commercial (NC) District shall comply with all provisions of Chapter 50, Article V, of the Municipal Code, regarding Conditional Use Permit applications, including but not limited to the requirements of this section.
- b. A Medical Marijuana Dispensary shall have the appropriate state license pursuant to 19 CSR 30-95. Applicant may apply for a Conditional Use Permit upon showing that the applicant has applied for this state license, but the Conditional Use Permit shall not be issued until such license has been obtained from the Missouri Department of Health and Senior Services.

- c. A Medical Marijuana Dispensary shall not be located closer than one thousand (1000) feet from any other Medical Marijuana Dispensary or Medical Marijuana Facility except when marijuana sales represent less than five percent (5%) of the dollar volume of business in a state or federally licensed pharmacy.
- d. No Medical Marijuana Dispensary shall be located within one thousand (1000) feet of any Elementary or Secondary School, Daycare, or Church.
- e. No Medical Marijuana Dispensary shall be located within five hundred (500) feet of a residentially zoned district.
- f. The Applicant for a Medical Marijuana Dispensary Conditional Use Permit shall provide the following plans and documentation for city review and approval.
  - (1) A site plan for the Medical Marijuana Dispensary shall include a floor plan showing where the various activities will be conducted. No medical marijuana products shall be visible from the exterior of the building.
  - (2) All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction.
  - (3) A plan which reasonably shows that the Medical Marijuana Dispensary is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the Medical Marijuana Dispensary is located.
  - (4) A security plan for review and approval by the Raytown Police Department, which reasonably shows that the Medical Marijuana Dispensary can be kept secure from access by unauthorized persons both during and after normal operating hours and provides adequate overnight security for product trucks parked outside the Medical Marijuana Dispensary at any hour.
  - (5) A parking plan that meets the required parking ratio for commercial uses as contained in Chapter 50, Article X. of the Municipal Code. The parking plan shall also show loading docks and product truck circulation patterns to ensure that such deliveries do not interfere with proper parking and circulation of other vehicles on the property.
  - (6) A hazardous waste disposal plan for any unused product or hazardous materials used as part of normal operations by a Medical Marijuana Dispensary in accordance with Missouri Department of Health and Senior Services guidelines.
  - (7) All signage shall conform to the standards in Chapter 50, Article VIII of the Municipal Code and shall be reviewed and approved under a separate permit process.

- (c) When a Conditional Use Permit is applied for, the Conditional Use Permit, if approved, shall be personal to the applicant at the approved site and shall not run with the land. In addition, the Conditional Use Permit shall be subject to the applicant's continued compliance with all applicable city ordinances and state law regarding operation of a Medical Marijuana Facility. The Conditional Use Permit shall not be portable with the applicant and shall be reviewed annually by the Community Development Department for compliance. In the event the applicant's state-issued license expires for any reason, the Conditional Use Permit shall terminate immediately.
- (d) If any change occurs from the permitted use of a structure as a Medical Marijuana Dispensary, a new Conditional Use Permit shall be required in all cases. Medical Marijuana Dispensaries located in the Highway Commercial (HC) District that opt to comply with Section 50-584(a) of the Raytown Municipal Code, regarding secondary Medical Marijuana Facility activities in the same structure constituting 25% or less of both overall floor area and revenue, are not required to apply for a Conditional Use Permit.
- (e) The state licensed operator of any Medical Marijuana Dispensary shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the Community Development Department annually to confirm their continuing licensed status with the State of Missouri. In the case of a Medical Marijuana Dispensary that was granted a Conditional Use Permit by the City, the state licensed operator and the applicant to whom the Conditional Use Permit was issued shall be the same. The City may request such documentation at any time.

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

- (a) A Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility may be located as a Conditional Use in the Industrial District (M), and shall comply with all provisions of Chapter 50, Article V, of the Municipal Code, regarding Conditional Use Permit applications, including but not limited to the requirements of this section.
- (b) A Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility shall have the appropriate license pursuant to 19 CSR 30-95. Applicant may apply for a Conditional Use Permit upon showing that the applicant has applied for a state license for each Medical Marijuana Facility type applied for, but the Conditional Use Permit shall not be issued until such license from the Missouri Department of Health and Senior Services has been obtained.
- (c) A Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility shall not be located closer than one thousand (1000) feet from any other Medical Marijuana Facility.

- (d) Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility, or Medical Marijuana Transportation Facility may be permitted to operate together in a single location under a single Conditional Use Permit provided that the applicant has complied with the requirements of 19CSR 30-95.040.
- (e) No Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility shall be located within one thousand (1000) feet of any Elementary or Secondary School, Daycare, or Church.
- (f) No Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility shall be located within five hundred (500) feet of a residentially zoned district.
- (g) The applicant for a Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility shall provide the following plans and documentation for city review and approval.
  - a. A site plan for the operation that also includes a floor plan for any internal facilities showing where the various activities will be conducted. No medical marijuana products or plants shall be visible from the exterior of the Medical Marijuana Facility.
  - b. All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction related to a Facility.
  - c. A plan which reasonably shows that the Medical Marijuana Facility is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the Medical Marijuana Facility is located.
  - d. A security plan which reasonably shows that the Medical Marijuana Facility can be kept secure from access by unauthorized persons both during and after normal operating hours.
  - e. A parking plan that meets the required parking ratio for Industrial Districts as contained in Chapter 50, Article X. of the Municipal Code.
  - f. A hazardous waste disposal plan for any unused product or hazardous materials used as part of normal operations by a Medical Marijuana Facility in accordance with Missouri Department of Health and Senior Services guidelines.
  - g. All signage shall conform to the standards in Chapter 50, Article VIII of the Municipal Code and shall be reviewed and approved under a separate permit process.

- (h) The applicant for a Medical Marijuana Cultivation Facility, Testing Facility, Medical Marijuana Transportation Facility, or Marijuana-Infused Products Manufacturing Facility shall comply with Chapter 39 of the 2018 International Fire Code, which is currently adopted by the Raytown Fire District, and acquire any operational permits as required by the Fire District, and provide a copy of such permit to the City prior to issuance of the Conditional Use Permit.
- (i) The Conditional Use Permit, if approved, shall be personal to the applicant and shall not run with the land. In addition, the Conditional Use Permit shall be subject to the applicant's continued compliance with all applicable city ordinances and state law regarding operation of a Medical Marijuana Facility. The Conditional Use Permit shall be reviewed annually by the Community Development Department for compliance. In the event the applicant's state-issued license expires for any reason, the Conditional Use Permit shall terminate immediately.
- (j) If any change occurs from the original permitted use of a structure as a Medical Marijuana Facility, a new Conditional Use Permit shall be required in all cases.
- (k) The state licensed operator of any Medical Marijuana Facility shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the Community Development Department annually to confirm their continuing licensed status with the State of Missouri. The state licensed operator and the applicant to whom the Conditional use Permit was issued shall be the same. The City may request such documentation at any time.

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

- (a) Should a Qualifying Patient or Primary Caregiver decide to cultivate medical marijuana at their residence, the Qualifying Patient or Primary Caregiver shall do so in accordance with 19 CSR 30-95.
- (b) All residential medical marijuana cultivation by a Qualifying Patient or primary Caregiver shall be kept in an Enclosed, Locked Facility in accordance with 19 CSR 30-95.010.
- (c) All residential medical marijuana cultivation by a Qualifying Patient or a Primary Caregiver shall be done in such a way as to prevent odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot upon which the medical marijuana plants are located.
- (d) All residential medical marijuana cultivation by a Qualifying Patient or Primary Caregiver shall be in conformance with Chapter 39 of the 2018 International Fire Code, which is currently adopted by the Raytown Fire District, and acquire any operational permits as required by the Fire District.

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

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

**Sec. 50-588-603.-Reserved.**