



Staff Report

Community Development
Planning and Development Services

PZ 2017-015

To: City of Raytown Planning and Zoning Commission
 From: Michael Swan, Planning and Zoning Coordinator
 Date: January 4, 2018
 Re: Application for Right-of-Way Vacation
 Agenda Item: 5A

STREET VACATION APPLICATION SUMMARY

Applicant: Raytown Wash LLC
 Project Contact: Mitch DiCarlo
 Property Location: 75th St., east of Raytown Road
 Request: To vacate a portion of 75th Street from Raytown Road on the west and Lot 2, Raytown Crossing East – 1st Plat on the east.

SITE DATA

Legal Description: A tract of land in the Southwest Quarter of Section 9 and the Northwest Quarter of Section 16, Township 48 North, Range 32 West of the 5th Principal Meridian in Raytown, Jackson County, Missouri being bounded and described as follows: Beginning at the Northeast Corner of Lot 1, RAYTOWN CROSSING EAST – FIRST PLAT, a subdivision in Raytown, Jackson County, Missouri; thence North 86°42'06" West, along the North line of said Lot 1 and its Westerly prolongation, 231.06 feet to a point on the East right-of-way line of Raytown Road, as now established; thence North 01°49'12" East, along said East right-of-way-line, 45.01 feet; thence South 86°42'06" East, 232.00 feet to a point on the West line of Lot 2, RAYTOWN CROSSING EAST – SECOND PLAT, a subdivision in Raytown, Jackson County, Missouri; thence South 03°01'07" West, along said West line, 45.00 feet to the Point of Beginning. Containing 10,419 square feet or 0.24 acres, more or less.

Surrounding Zoning	Highway Commercial (HC)
Surrounding Overlay	Highway 350 Design Corridor
Surrounding Land Use	Commercial/Retail
Designated Future Land Use	Commercial
Ward(s)	Ward 2 (North) / Ward 4 (South)
Approximate Land Area	10,419 square feet
Roadway Classification	Collector



Figure 1 - Right-of-Way to be vacated with Property Lines



Figure 2 - Right-of-Way to be vacated with recent development



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BACKGROUND

SITE DESCRIPTION AND PRESENT USE

The portion of 75th Street to be vacated is located east of Raytown Road and extends approximately 232 feet to the east. The portion of 75th Street to be vacated is used to access commercial properties to the south and to access westbound MO-350.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The right-of-way proposed to be vacated is surrounded by commercial businesses. The vacant parcel to the north is proposed to be redeveloped as an automatic carwash whose primary access point will be located on this portion of right-of-way proposed to be vacated.

HISTORY

In 2005, the City of Raytown entered into a development agreement with Raytown 350 INV Group as part of the TIF agreement. Raytown 350 INV Group is the Master Developer of this TIF district.

Throughout 2006, MODOT and the City of Raytown participated in the creation of the 350 Highway/ Blue Parkway Corridor Plan, a long-term land use and transportation plan for the redevelopment of the corridor. One of the long-term goals is to vacate 75th St. right-of-way (between both directions of traffic on Missouri Highway 350) once the surrounding properties are redeveloped.

In December 2015, the request by Block & Co. on behalf of Raytown Auto Developers, LLC. to vacate a 130-foot section of 75th Street just east of the proposed site location was approved by the Board of Aldermen. The former Raytown Dodge dealership was redeveloped and a new driveway has since been constructed to provide access to the Freddy's & IHOP. Vacating this portion of 75th Street will complete the process of making all of 75th Street (from Raytown Road to westbound MO-350) a private drive.

In October 2017, a conditional use permit (CUP) was granted to Tidal Wave Auto Spa to allow for the construction of a car wash. One of the conditions placed on the CUP is "that an application be submitted to the City to vacate East 75th Street with public notice issued and a public hearing required..."

Therefore, this application to vacate the remaining right-of-way on 75th Street was submitted by Mitch DiCarlo (Block & Co.) on behalf of Raytown Wash LLC.

PUBLIC COMMENTS

The public notice was published in *The Daily Record* on December 12, 2017. Public notice letters were sent to all adjacent property owners by the applicant with a postmark date of November 30, 2017. To date, the Community Development Department has not received any phone calls or written comment regarding this application.



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ANALYSIS

PROJECT DESCRIPTION

Mitch DiCarlo (Block & Co.), on behalf of Raytown Wash LLC, is proposing to vacate right-of-way on 75th St. The vacation has been requested because the property owner is in the process of building a new automatic auto spa on the adjacent parcel located at 10001 E. MO-350. The area to be vacated is approximately 232 ft. by 45 ft.

DEVELOPMENT PLAN

The area was occupied by a former Dodge dealership until 2009. Starting in 2011, the parcels to the south began to be redeveloped as multi-phase development known as Raytown Crossing. Currently, there is an IHOP restaurant and Freddy's fast food restaurant. Both of which will be parties, as well as additional adjacent property owners, to a cross-access easement for the vacated right-of-way. The redevelopment of the parcel to the north is the catalyst for this right-of-way vacation request which is proposed to be redeveloped as an automatic car wash. This parcel and the vacated right-of-way are in the process of being platted; the access agreement will be a condition of said plat. Additionally, a maintenance agreement for the private drive will need to be established and referenced on the forthcoming plat.

VACATION

The applicant is requesting to vacate the 232 feet of public right-of-way known as 75th Street which is bounded by Raytown Road on the west side and Lot 2, Raytown Crossing East – 1st Plat. If this vacation is granted, all public right-of-way between Raytown Road and westbound MO-350 will be vacated and 75th Street will function as a private drive.

UTILITY PROVIDERS

In regards to utilities, Kansas City Power and Light (KCP&L), KC Water, Public Water Supply District #2, and Spire (formerly MGE) have all waived objections subject to retaining their utility easements and protection of existing facilities.

AT&T will waive objections subject to cables on both sides of 75th Street being relocated at the applicant's expense.

Staff believes it is in the city's best interest to retain the vacated 75th Street right-of-way as a utility easement for all public utilities. By dedicating the entire vacated right-of-way as a utility easement, the private drive will retain its function as a utility corridor for current and future public utilities. Additionally, this was a condition placed on the Conditional Use Permit that was approved by the Board of Alderman on November 7, 2017.

AFFECTED PROPERTY OWNERS

Pursuant to RSMO 71.260, written consent to vacate has been received by 2/3 of adjacent property owners. Notices for Consent to Vacate have been provided by the following adjacent property owners: FJM Distributing Company LP, Raytown Wash LLC, and Raytown Auto Developers LLC.



Staff Report

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Planning and Development Services

RECOMMENDATION

Staff recommends approval of Case No. PZ 2017-015, Request to Vacate Right of Way – 75th St., subject to the following conditions:

1. The applicant shall relocate all AT&T fiber-optic cables on both sides of 75th Street.
2. The ordinance approving the vacation shall contain a clause that provides access to all adjacent properties.
3. The ordinance approving the vacation shall include a clause retaining vacated 75th Street as a utility easement for all public utilities as required per Condition #2 on City Ordinance No. 5583-17 (Conditional Use Permit for Tidal Wave Car Wash).
4. The ordinance approving the vacation shall include a clause regarding maintenance of vacated 75th Street as a private drive.
5. All of former 75th Street right-of-way shall be included in the plat as required per Condition #9 on City Ordinance No. 5583-17 (Conditional Use Permit for Tidal Wave Car Wash).



Community Development Department
 10000 E 59th Street
 Raytown, MO 64133-3993
 Phone: 816-737-6173 Fax: 816-737-6164
 Email: Chucke@raytown.mo.us

APPLICATION FOR RIGHT-OF-WAY VACATION

FOR OFFICE USE ONLY	Case Number: <u>2017-015</u>	Date Received: <u>11/06/2017</u>
	Staff Planner: <u>SWIN</u>	P&Z Date: <u>01/04/2018</u>
	BOA 1 st Date: <u>01/16/2018</u>	BOA 2 nd Date: <u>02/06/2018</u>

APPLICANT/OWNER INFORMATION

Applicant Name: Mitch DiCarlo Company: Raytown Wash, LLC
 Street Address: 605 W. 47th St. Suite 200 City: Kansas City State: MO Zip: 64112
 Telephone: 816.753.6000 Fax: 816.412.7402 E-Mail: mjdicarlo@blockandco.com

Property Owner Name (if different than applicant): _____
 Street Address: s/a above City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____ E-Mail: _____

Firm Preparing Exhibits: Olsson Associates, Inc. Contact: Jed A.M. Baughman, PLS
 Street Address: 1301 Burlington Suite 100 City: North Kansas City State: MO Zip: 64116
 Telephone: 816.587.4320 Fax: 816.587.1393 E-Mail: jbaughman@olssonassociates.com

*All correspondence on this application should be sent to (check one): Applicant Property Owner

Property Area in Acres and/or Square Feet: 0.24 acres
 Platin Which the Property is Located: NA
 Present Use of Surrounding Property: Commercial
 Future Use of Vacated Property: Commercial/Access

VACATION REQUEST

The applicant is hereby requesting the vacation of property generally described as:

See Attached.

APPLICANT'S DECLARATION

My application consists of the following items and information necessary for a complete application:

Completed Application Form	Ownership affidavit OR owner(s) consent form (two-thirds of property owners)
Attached Legal Description and Exhibit	Required Fee:

The following declarations are hereby made:

- The undersigned is the owner or authorized agent of the owner or the officers of a corporation or partnership.
- The applicant has discussed this application with the Community Development Department.
CDD Staff Member _____ Date: _____
- The information presented and contained within this application is true and correct to the best of the undersigner(s) knowledge.

SIGNATURE OF OWNER(S) AND APPLICANT(S)

Printed Name: Raytown Wash, LLC

Signature: [Handwritten Signature] Date: 4/2/17

Subscribed and sworn to me on this the 2nd day of November 2017

in the County of Jackson State of Missouri

Notary Public: [Handwritten Signature] My Commission Expires: 3/14/20
Stamp:

John V. Moffitt
 Notary Public - Notary Seal
 State of Missouri
 Jackson County
 My Commission Expires: March 14, 2020
 Commission #12314615



Development & Public Affairs Department
 Building Inspections Division
 10000 E. 59th Street
 Raytown, MO 64133
 Office (816) 737-6011 Fax (816) 737-6164

COMMERCIAL OTHER PERMIT

PERMIT #: 20171460	DATE ISSUED: 11/16/2017
JOB ADDRESS: 75TH STREET	MUST COMMENCE BY: 5/15/2018
OWNER: MITCH DICARLO ADDRESS: 605 W 47TH STREET CITY, STATE ZIP: KANSAS CITY MO 64112 PHONE:	CONTRACTOR: MITCH DICARLO ADDRESS: 605 W 47TH STREET CITY, STATE ZIP: KANSAS CITY MO 64112 PHONE:
VALUATION: \$ 0.00 SQ FT: OCCP TYPE: CNST TYPE:	LOT #: BLK #:
DESCRIPTION OF WORK: RIGHT AWAY VACTION	

WORK DESCRIPTION	CONTRACTOR	TOTAL
COMMERCIAL OTHER	MITCH DICARLO	\$ 250.00

Inspection Information

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

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


 Issued By: _____ Date: 11/16/17
 Applicant: _____ Date: _____

Raytown Crossing East
Project No. 017-2609
Date: September 1, 2017
Revised: December 12, 2017
75th Street R/W Vacation

Property Description:

A tract of land in the Southwest Quarter of Section 9 and the Northwest Quarter of Section 16, Township 48 North, Range 32 West of the 5th Principal Meridian in Raytown, Jackson County, Missouri, being bounded and described as follows: Beginning at the Northeast Corner of Lot 1, RAYTOWN CROSSING EAST – FIRST PLAT, a subdivision in Raytown, Jackson County, Missouri; thence North 86°42'06" West, along the North line of said Lot 1 and its Westerly prolongation, 231.06 feet to a point on the East right-of-way line of Raytown Road, as now established; thence North 01°49'12" East, along said East right-of-way line, 45.01 feet; thence South 86°42'06" East, 232.00 feet to a point on the West line of Lot 2, RAYTOWN CROSSING EAST – SECOND PLAT, a subdivision in Raytown, Jackson County, Missouri; thence South 03°01'07" West, along said West line, 45.00 feet to the Point of Beginning. Containing 10,419 square feet or 0.24 acres, more or less.

DWG: F:\2017\2501-3000\017-2609\40-Design\Survey\SRVY\Sheets\RW Vacation\2609_RW VAC EXH.dwg
DATE: Dec 12, 2017 3:06pm
USER: pougman

RAYTOWN ROAD RW

UNPLATTED
RAYTOWN WASH LLC

S86°42'06"E 232.00'

N01°49'12"E
45.01'

C/L 75TH STREET (45' R/W)

N86°42'06"W 231.06'

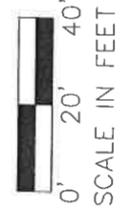
UNPLATTED
VIACOM OUTDOOR INC

POINT OF BEGINNING
NE. COR., LOT 1

LOT 1
RAYTOWN CROSSING EAST
- FIRST PLAT
BK. 1135, PG. 49
FJM DISTRIBUTING COMPANY LP

Lot 2
S03°01'07"W
45.00'

Tract A
RAYTOWN
CROSSING EAST
- SECOND PLAT
BK. K50, PG. 42



drawn by JAMB
surveyed by RH
checked by JSR
approved by JSR
project no. 017-2609
file name: 2609_RW VAC

SHEET
1

RAYTOWN CROSSING EXHIBIT
75TH STREET

RAYTOWN CROSSING EAST

RAYTOWN, JACKSON COUNTY, MISSOURI

2017



CONSENT TO VACATION

IN THE MATTER OF THE VACATION OF:

75th Street from the east right-of-way line of Raytown Road to the west boundary of Lot 2, RAYTOWN CROSSINGS EAST-SECOND PLAT, all in Raytown, Jackson County, Missouri.

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

Comes now **David M. Block**, manager of **RAYTOWN WASH LLC**, who being duly sworn upon his oath, does state that Raytown Wash LLC is the owner of The Property described below and immediately adjoining the area for vacation of which an application has been filed with the City of Raytown, Missouri and hereby **CONSENTS** that said area may be vacated in the manner as set forth in said application for vacation of right-of-way.

The Property: All that part of Lot 5, SUBDIVISION OF T.W. GREENE HOMESTEAD, a subdivision of land in Raytown, Jackson County, Missouri, as shown on the recorded plat thereof on file and of record in the Office of the Recorder of Deeds at Independence, described as follows: Beginning at a point on the Easterly right-of-way line of Raytown Road, as now established, said point also being 10.00 feet North of the North right-of-way of 75th Street, as now established; thence Northeasterly, a distance of 47.93 feet to a point 60.00 feet East of the West line of said Section and 79.00 feet North of the South line of said Section; thence East and parallel with the South line of said Section, a distance of 100.00 feet to a point 79.00 feet North of the South line of said Section; thence Northeasterly, a distance of 82.92 feet, more or less, to a point on the Southwesterly right-of-way line of Highway 350 (formerly Highway No. 50), as now established; thence Southeasterly and at right angles to the last described course and along said Southwesterly right-of-way line of Highway No. 350, a distance of 178.76 feet to the point of intersection of the North right-of-way line of said 75th Street with the Southwesterly right-of-way line of Highway No. 350; thence West and along said North right-of-way line, a distance of 308.28 feet to a point of intersection with the Easterly right-of-way line of said Raytown Road; thence North along said Easterly right-of-way line of Raytown Road, a distance of 10.00 feet to the point of beginning.

LESS AND EXCEPT all that part thereof platted as Lot 2 and Tracts A and B, RAYTOWN CROSSING EAST - SECOND PLAT.

[Signature page to Consent to Vacation re 75th Street, Raytown, Missouri]

Dated: December 19, 2017.


David M. Block

Subscribed and sworn to before me this 27th day of December, 2017.


Notary Public

My Commission Expires:

11-18-2020

LISA R. STANLEY
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES: NOV. 16, 2020
MY COMMISSION # 12402622

CONSENT TO VACATION

IN THE MATTER OF THE VACATION OF:

75th Street from the east right-of-way line of Raytown Road to the west boundary of Lot 2, RAYTOWN CROSSINGS EAST-SECOND PLAT, all in Raytown, Jackson County, Missouri

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

Comes now **David M. Block**, manager of **RAYTOWN AUTO DEVELOPERS LLC**, who being duly sworn upon his oath, does state that Raytown Auto Developers LLC is the owner of The Property described below and immediately adjoining the area for vacation of which an application has been filed with the City of Raytown, Missouri and hereby **CONSENTS** that said area may be vacated in the manner as set forth in said application for vacation of right-of-way.

The Property: Lot 2 and Tracts A and B, RAYTOWN CROSSING EAST - SECOND PLAT, a subdivision in Raytown, Jackson County, Missouri.

Dated: December 19, 2017.


David M. Block

Subscribed and sworn to before me this 27th day of December, 2017.


Notary Public

My Commission Expires:
11.16.2020

LISA R. STANLEY
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES: NOV. 16, 2020
12402622



Public Works Department

10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6012
www.raytown.mo.us



UTILITY / AGENCY COMMENTS VACATION OF STREETS, ALLEYS, AND PLATS

CASE NO 2017-015

UTILITY CO AT&T

Be it known that Raytown 350 Inv. Group LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Raytown, Missouri to pass an ordinance vacating: 75th Street Right-of-way

for the following purpose: Future Development

1. Our utility/agency has facilities or interest within this right of way:

- Yes (proceed to #2)
- No (form complete)

2. Our utility/agency:

- has no objections
- objects to the vacation and will not waive objection under any conditions (describe below)
- will waive objections subject to the following conditions (describe below)
 - Retain utility easement and protect facilities
 - Relocate facilities CWOT - 866-457-0777
 - Other: _____

We have cables on both side of 75th that will need relocated at project owners expense

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Darris Shepard
Authorized Representative

Darris Shepard, AT&T Engineer

9-13-17
Date

Return this form to:

Jed Baughman
Applicant Name

816-587-4320
Phone

Olsson Associates
1301 Burlington, Suite 100
North Kansas City, Missouri 64116
Address

jbaughman@olssonassociates.com
Email



Public Works Department

10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6012
www.raytown.mo.us



UTILITY / AGENCY COMMENTS VACATION OF STREETS, ALLEYS, AND PLATS

CASE NO. 2017-015

UTILITY CO. KCP&L

Be it known that Raytown 350 Inv. Group LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Raytown, Missouri to pass an ordinance vacating: 75th Street Right-of-way

for the following purpose: Future Development

1. Our utility/agency has facilities or interest within this right of way:

- Yes (proceed to #2)
- No (form complete)

2. Our utility/agency:

- has no objections
- objects to the vacation and will not waive objection under any conditions (describe below)
- will waive objections subject to the following conditions (describe below)
 - Retain utility easement and protect facilities
 - Relocate facilities
 - Other: _____

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Douglas L. Davin *Douglas L. Davin*
Authorized Representative

9/15/17
Date

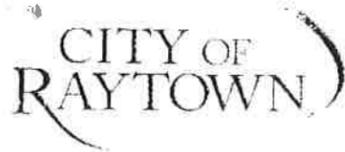
Return this form to:

Jed Baughman
Applicant Name

816-587-4320
Phone

Olsson Associates
1301 Burlington, Suite 100
North Kansas City, Missouri 64116
Address

jbaughman@olssonassociates.com
Email



Public Works Department

10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6012
www.raytown.mo.us



UTILITY / AGENCY COMMENTS VACATION OF STREETS, ALLEYS, AND PLATS

CASE NO. 2017-615

UTILITY CO. KC Water

Be it known that Raytown 350 Inv. Group LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Raytown, Missouri to pass an ordinance vacating: 75th Street Right-of-way _____

for the following purpose: Future Development _____

1. Our utility/agency has facilities or interest within this right of way:

- Yes (proceed to #2)
- No (form complete)

2. Our utility/agency:

- has no objections
- objects to the vacation and will not waive objection under any conditions (describe below)
- will waive objections subject to the following conditions (describe below)
 - Retain utility easement and protect facilities
 - Relocate facilities
 - Other: _____

Retain a Full width easement over the vacated area for the operation, maintenance, construction, and repair of KC Water infrastructure.

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Authorized Representative

9/14/17
Date

Return this form to:

Jed Baughman
Applicant Name

816-587-4320
Phone

Olsson Associates
1301 Burlington, Suite 100
North Kansas City, Missouri 64116
Address

jbaughman@olssonassociates.com
Email



Public Works Department

10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6012
www.raytown.mo.us



UTILITY / AGENCY COMMENTS VACATION OF STREETS, ALLEYS, AND PLATS

CASE NO. 2017-615

UTILITY CO. Spire

Be it known that Raytown 350 Inv. Group LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Raytown, Missouri to pass an ordinance vacating: 75th Street Right-of-way

for the following purpose: Future Development

1. Our utility/agency has facilities or interest within this right of way:

- Yes (proceed to #2)
- No (form complete)

2. Our utility/agency:

- has no objections
- objects to the vacation and will not waive objection under any conditions (describe below)
- will waive objections subject to the following conditions (describe below)
 - Retain utility easement and protect facilities
 - Relocate facilities
 - Other: _____

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

[Signature]
Authorized Representative

09-18-17
Date

Return this form to:

<u>Jed Baughman</u> Applicant Name	<u>816-587-4320</u> Phone
Olsson Associates 1301 Burlington, Suite 100 North Kansas City, Missouri 64116 Address	jbaughman@olssonassociates.com Email



Public Works Department

10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6012
www.raytown.mo.us



UTILITY / AGENCY COMMENTS VACATION OF STREETS, ALLEYS, AND PLATS

CASE NO. 2017-015

UTILITY CO. Public Water Supply District #2

Be it known that Raytown 350 Inv. Group LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Raytown, Missouri to

pass an ordinance vacating: 75th Street Right-of-way

for the following purpose: Future Development

1. Our utility/agency has facilities or interest within this right of way:

- Yes (proceed to #2)
- No (form complete)

2. Our utility/agency:

- has no objections
- objects to the vacation and will not waive objection under any conditions (describe below)
- will waive objections subject to the following conditions (describe below)
 - Retain utility easement and protect facilities
 - Relocate facilities
 - Other: _____

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Peter E...
Authorized Representative
DISTRICT MANAGER

9/20/17
Date

Return this form to:

Jed Baughman
Applicant Name

816-587-4320
Phone

Olsson Associates
1301 Burlington, Suite 100
North Kansas City, Missouri 64116
Address

jbaughman@olssonassociates.com
Email

Michael Swan

From: Jason Hanson
Sent: Wednesday, December 13, 2017 6:11 PM
To: Michael Swan
Subject: RE: Public Works Comments for R/W Vacation: 75th St

In the 350 Highway and Raytown Road Intersection Master Planning, Raytown Public Works and MoDOT both planned for 75th Street between 350 Highway to be vacated, once development came forth adjacent to this stretch of 75th Street.

From: Michael Swan
Sent: Wednesday, December 13, 2017 3:48 PM
To: Jason Hanson <jasonh@raytown.mo.us>
Subject: Public Works Comments for R/W Vacation: 75th St

Jason,

Good Afternoon. I am working on the staff report for the right-of-way vacation of 75th Street and I would like to include an email or letter from Public Works in the staff packet providing any comments you all have regarding this request to vacate right-of-way.

Attached is my draft version of the staff report and the application.

Thanks,

Michael Swan
PLANNING AND ZONING COORDINATOR
City of Raytown
10000 E. 59th Street
Raytown, MO 64133
816.737.6059 Direct
mswan@raytown.mo.us

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF JACKSON

} S.S.

Before the undersigned Notary Public personally appeared Karie Clark 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 December 12, 2017 edition and ending with the December 12, 2017 edition, for a total of 1 publications:

12/12/2017

Notice of Public Hearing

The Department of Community Development has received an application to vacate public right-of-way along a portion of East 75th Street in Raytown, MO.

A public hearing to consider the application to vacate public right-of-way will be held by the City of Raytown Planning & Zoning Commission on Thursday, January 4, 2018.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application on Tuesday, January 16, 2018.

Both public hearings will begin at 7:00pm and will take place in Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.

You are invited to attend both public hearings to ask questions and provide comment regarding the proposed applications. 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 mswan@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.

11453318 Jackson Dec. 12, 2017

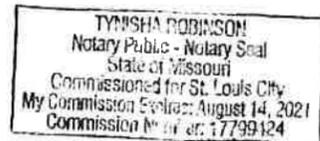
Karie Clark

Karie Clark

Subscribed & sworn before me this 12th day of Dec, 2017

(SEAL)

Tymisha Robinson
Notary Public





Community Development Department
10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6014
www.raytown.mo.us

Case No. PZ 2017-015

Notice of Public Hearing

The Department of Community Development has received an application to vacate public right-of-way along a portion of East 75th Street in Raytown, MO.

A public hearing to consider the application to vacate public right-of-way will be held by the City of Raytown Planning & Zoning Commission on **Thursday, January 4, 2018**.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application on **Tuesday, January 16, 2018**.

Both public hearings will begin at 7:00pm and will take place in Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.

You are invited to attend both public hearings to ask questions and provide comment regarding the proposed applications. 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 m Swan@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.

Situs Address	Situs City	Situs State	SitusZip Code	Current Owner
7501 RAYTOWN RD	RAYTOWN	MO	64138	VIACOM OUTDOOR INC
10001 E M 350 HWY	RAYTOWN	MO	64133	RAYTOWN 350 INV GROUP LLC
NO ADDRESS ASSIGNED BY CITY	RAYTOWN	MO	64138	FJM DISTRIBUTING COMPANY LP
NO ADDRESS ASSIGNED BY CITY	RAYTOWN	MO	64138	RAYTOWN AUTO DEVELOPERS LLC
NO ADDRESS ASSIGNED BY CITY	RAYTOWN	MO	64138	FREDDY'S LAND LLC
NO ADDRESS ASSIGNED BY CITY	RAYTOWN	MO	64138	RAYTOWN AUTO DEVELOPERS LLC
NO ADDRESS ASSIGNED BY CITY	RAYTOWN	MO	64138	RAYTOWN AUTO DEVELOPERS LLC

Owner Address	Owner City	Owner State	Owner Zip	Stated Area	Parcel ID
2459 SUMMIT ST	KANSAS CITY	MO	64108	0.1721 a	45-720-02-02-00-0-00-000
605 W 47TH ST 200	KANSAS CITY	MO	64112	0.4822 a	45-630-17-01-01-0-00-000
16107 SAMUEL STUART DR	CHESTERFIELD	MO	63005	1.208 a 0.3724 a	45-720-02-17-00-0-00-000
605 W 47TH ST # 200	KANSAS CITY	MO	64112	0.7972 a	45-720-02-01-05-0-00-000
206 N ROCK RD STE 200	WICHITA	KS	67206	1.329 a	45-720-02-01-03-0-00-000
605 W 47TH ST STE 200	KANSAS CITY	MO	64112	0.0244 a	45-720-02-01-02-0-00-000
605 W 47TH ST STE 200	KANSAS CITY	MO	64112	0.2141 a	45-720-02-01-04-0-00-000

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR AN AUTOMATED AUTO SPA ON LAND LOCATED AT 10001 MISSOURI HIGHWAY 350 IN ACCORDANCE WITH THE PROVISIONS OF THE COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF RAYTOWN, MISSOURI

WHEREAS, Application PZ-2017-009, submitted by Thomas Wells on behalf of Tidal Wave Car Wash, is seeking a conditional use permit on land located at 10001 Missouri Highway 350, was referred to the Planning Commission for consideration; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing on October 5, 2017, and rendered a report to the Board of Aldermen recommending that the conditional use permit be approved; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on November 7, 2017, which public hearing was continued to November 21, 2017 for further consideration and public comment; and

WHEREAS, the Board of Aldermen, after considering the evidence presented during such public hearings have determined it is in the best interest of the citizens of the City of Raytown to grant the conditional use permit for said property;

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

SECTION 1 – GRANT OF CONDITIONAL USE PERMIT. That a Conditional Use Permit is hereby granted to allow an automated auto spa facility on land located at 10001 Missouri Highway 350 in Raytown, Missouri, as legally described in Exhibit "A", subject to the conditions set forth in Section 2 herein.

SECTION 2 – CONDITIONS OF APPROVAL. That the following conditions shall apply and be followed during the duration of the use allowed by this Conditional Use Permit:

1. That an application be submitted to the City to vacate East 75th Street with public notice issued and a public hearing conducted. The occupancy permit shall not be given until such time as the street vacation has been approved by ordinance from the Board of Aldermen.
2. That as a condition of the vacation, 75th Street be granted as a utility easement.
3. That the applicant will be required to widen the private drive (formerly 75th Street) and construct a center turn lane between Raytown Road and the east side of Tidal Wave's private driveway, unless Tidal Wave can provide a traffic study and come to an agreement with Public Works Department that the proposed project's additional traffic, along with current traffic traveling to and from Freddy's and I-HOP, will not cause an increase in traffic congestion along northbound Raytown Road at the intersection of Raytown Road and 75th Street private drive. Tidal Wave will be required to curb and gutter the north side of 75th Street private drive.
4. That the applicant submits a landscape plan for staff review and approval prior to obtaining a building permit.

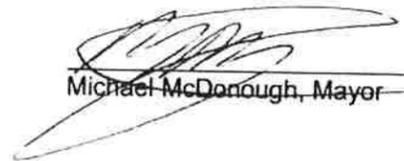
5. That the applicant provide an easement for a gateway feature as required in Sec. 50-418 (f).
6. That the applicant provide bicycle racks as required in Sec. 50-421 (f) (3).
7. That staff review and approve final plans relative to all city codes, but particularly in regard to the HWY 350 Corridor Design Guidelines prior to issuing a building permit.
8. That the applicant provide site furnishings as required in Sec. 50-424 (4).
9. That the applicant plat the property combining the two lots and vacated 75th Street into one lot and that the plat be completed prior to issuing an occupancy permit.
10. That the conditional use permit shall be valid for a period of ten (10) years from the date of issuance of the Certificate of Occupancy and is subject to automatic renewal by the Community Development Director provided that Condition #11 is satisfied.
11. That this conditional use permit shall comply with all local, state and federal rules and regulations that may be applicable.
12. That a transfer of ownership notification providing new ownership's identity and contact information be provided to the Community Development Department within thirty (30) days of transfer.

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

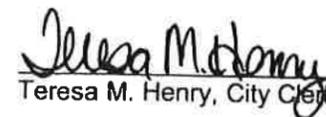
SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

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

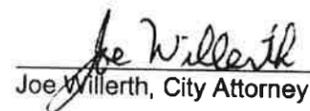
BE IT REMEMBERED that the above was read two times by heading only, **PASSED** and **APPROVED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 7th day of November, 2017.


 Michael McDonough, Mayor

ATTEST:


 Teresa M. Henry, City Clerk

Approved as to Form


 Joe Willerth, City Attorney

Title VII CITIES, TOWNS AND VILLAGES

71.260. What consent necessary. — But no such vacation of a street or alley shall take place, unless the consent of the persons owning two-thirds of the property immediately adjoining thereto be obtained therefor in writing, which consent shall be acknowledged before some circuit or associate circuit judge and filed for record in the recorder's office in said county.

(RSMo 1939 § 7318, A.L. 1978 H.B. 1634)

Prior revisions: 1929 § 7167; 1919 § 8616; 1909 § 9504

Effective 1-02-79

< end of effective 02 Jan 1979 >

use this link to bookmark section 71.260

In accordance with Section 3.090, the language of statutory sections enacted during a legislative session are updated and available on this website on the effective date of such enacted statutory section.

Contact

Other Information



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MOGA

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20:13:53



Words 1st search term

And 2nd search term



Effective 28 Aug 1939, highlighted 1 Chapter 88

Title VII CITIES, TOWNS AND VILLAGES

88.673. Board may open and vacate streets. — The board of aldermen shall have power to create, open and improve any public square, public park, street, avenue, alley or other highway, old or new, and also to vacate or discontinue the same whenever deemed necessary or expedient; provided, that all damages sustained by the citizens of the city or the owners of the property therein shall be ascertained as prescribed in that portion of this chapter relating to the condemnation of private property for public use; and provided further, that whenever any public square, street, avenue or alley, or other highway, shall be vacated, the same shall revert to the owners of the adjacent lots in proportion as it was taken from them; and when the grade of any street or alley shall have been once established by ordinance, it shall not be lawful to change such grade without making compensation to all persons owning real estate on such street or square, avenue, alley or other highway, who may be damaged by such change of grade, to be determined and governed in all respects, with reference to benefit and damages, as is provided in sections 88.667 to 88.773.

(RSMo 1939 § 7212)

Prior revisions: 1929 § 7062; 1919 § 8512; 1909 § 9412

< end of effective 28 Aug 1939 >

use this link to bookmark section 88.673



In accordance with Section 3.090, the language of statutory sections enacted during a legislative session are updated and available on this website on the effective date of such enacted statutory section. Contact

Other Information



Sec. 36-130. - Right-of-way vacation.

- (a) If the city vacates a right-of-way which contains the facilities of the service provider, and if the vacation does not require the relocation of the service provider's facilities, the city shall reserve, to and for itself and all service providers having facilities in the vacated right-of-way, an easement for the right to install, maintain and operate any facilities in the vacated right-of-way and to enter upon such vacated right-of-way at any time for the purpose of reconstructing, inspecting, maintaining or repairing the same.
- (b) If the vacation requires the relocation of facilities, and:
 - (1) If the vacation proceedings are initiated by the service provider, the service provider must pay the relocation costs;
 - (2) If the vacation proceedings are initiated by the city, the service provider must pay the relocation costs unless otherwise agreed to by the city and the service provider; or
 - (3) If a person other than the service provider or the city initiates the vacation proceedings, such other person must pay the relocation costs.

(Code 1969, § 21-41; Ord. No. 4605-00, § 6, 6-6-2000)



Staff Report

Community Development
Planning and Development Services

STAFF REPORT

To: City of Raytown Planning and Zoning Commission

FROM: Michael Swan, Planning & Zoning Coordinator

DATE: January 4, 2018

CASE NUMBER: PZ 2017-013

SUBJECT: Agenda Item No. 5.B: Application proposing to amend a planned development overlay district & a site plan for a 10-unit assisted living facility

BACKGROUND INFORMATION:

Ivan Chiang, on behalf of LIY Financial LLC., is requesting to amend a planned development overlay district, Blue Ridge Villas, located at 59th Street and Hunter Court. The planned development (R-3-P) was approved by the Board of Aldermen in January 2006. To date, 27 of the 34 lots remain vacant. Blue Ridge Villas is surrounded by residential uses (R-1 and R-2).

The applicant is requesting to amend the planned development to allow for a 10-unit assisted living facility on Lot 5, which is outlined in green in the aerial photo below.





Staff Report

Community Development
Planning and Development Services

PLANNED DEVELOPMENT AMENDMENT APPLICATION FACTORS TO BE CONSIDERED

When considering an amendment request the following criteria that should be considered in order to determine whether the application should be approved or denied:

1. CHARACTER OF THE NEIGHBORHOOD

The character of the neighborhood is residential with single family homes to the north, east and south. To the west, there are duplex houses.

2. ZONING AND CURRENT USES OF NEARBY PROPERTY

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

	<u>ZONING</u>	<u>EXISTING LAND USES</u>
South:	R-1	Single Family Housing
North:	R-1	Single Family Housing
East:	R-1	Single Family Housing
West:	R-2	Medium-Density Housing

3. SUITABILITY OF ZONING FOR CURRENT USE

Blue Ridge Villas is a planned residential development zoned High-Density Residential (R-3). The purpose of the planned development overlay district is to provide for and encourage latitude and flexibility in the location of buildings, structures, roads, drives, variations in yards, open spaces and uses subject to approval of the plan by the board of aldermen.

The planned development has higher density housing than what is typical of Raytown neighborhoods. There are 34 lots in the 3-acre development. Lots range from 3-plex to 5-plex townhouse development. The average lot size is approximately 1,415 square feet. The majority of the area and yard requirements were either reduced or eliminated to allow for a denser community.

The planned development does provide a common area buffer along the perimeter of the community which ranges from 15-25 feet wide as well as additional common green space throughout the community.

The Blue Ridge Villas Design Manual (11/17/2005) calls for zero lot line, single-story patio homes with one-car garages. The neighborhood is modeled as a retirement community and the planned development specifies that residents of the development shall not be younger than 55 years of age.

4. DETRIMENTAL EFFECTS TO NEARBY PROPERTIES IF AMENDMENT IS APPROVED.

Amending the planned development to allow for an assisted living facility could have negative effects on surrounding lots and nearby properties. The potential effects of this higher density use include:



Staff Report

Community Development
Planning and Development Services

A. Increased Traffic

The proposed assisted living facility will produce more traffic than the planned 2 bedroom patio homes as the facility will require employees and outside vendors (e.g. medical staff, physical therapists, beauticians, deliveries etc.)

B. Parking Shortage

The increase of traffic will constitute the need for additional parking for full-time and part-time employees, outside vendors, and visitors. While staff believes that there will be sufficient parking on an average day, there is concern that from time to time, parking demands from Turn Leaf Villas might outweigh available parking.

As Section 50-539–*Supplementary Parking Requirements* of the City of Raytown Zoning Code does not have a standard for 'assisted living facilities', the Director of Community Development has determined that for this development project, there shall be 1 parking spot per 2 units as well as 1 parking spot per employee on maximum shift. Per this standard, Turn Leaf Assisted Living would be required to have eight (8) off-street parking spots. The site plan indicates six (6) parking spots on Lot 5. The applicant is also requesting to create four (4) new parking spots with two (2) insets on the north and south sides of the central green space. The site plan does dedicate two (2) of the six (6) allocated parking spots as 'Handicap Parking'.

Therefore, there would be six (6) dedicated spots for Turn Leaf Villas and eight (8) community parking spots at the central green space. The site plan indicates only six (6) dedicated parking spots; however, staff believes that the eight (8) additional central green space parking spots can be included in the reaching the required number of parking spots. The central green space island is less than 100 feet from the main entrance of the proposed Turn Leaf Villas.

While the developer and/or HOA could propose to place signs restricting the use of the two (2) northernmost parking spots on the central green space to Turn Leaf Assisted Living affiliated vehicles only, staff is concerned about Turn Leaf's ability to enforce this rule.

C. Overcrowding

While the development is designed for zero lot line homes, staff is concerned about the overall scale of the project. The 10-unit assisted living facility will occupy the entire lot. Additionally, parking will consume some of the green common area which was intended to offset the lack of open space with these denser residential units.

D. Loss of Common Area/Green Space

The common areas in Blue Ridge Villas were designed to account for open green space provided that the residences would not have private yards. Turn Leaf Villas is proposed to have lot coverage of 84%. Due to the need for on-site parking, the common area in the front of Lot 5 is proposed to be parking, which will diminish the amount of green space. Additionally, the two (2) proposed insets will reduce the size of the central green space and require the removal of landscaping. To offset the loss of green space, the developer has agreed to constructing a walking path along the perimeter of the drainage basin as well as adding three park benches along the path.



Staff Report

Community Development
Planning and Development Services

5. LENGTH OF TIME OF VACANCY.

Lot 5 has been vacant since the property was platted in May 2006. Approximately, 80 percent of the development remains undeveloped.

6. CONSIDERATION OF PUBLIC INTEREST.

Public Health: The proposed changes to the planned development should not have any noticeable effect on public health. The applicant is proposing to build an assisted living facility on a vacant lot. Utilities have already been established in this development for existing residences. Lot 5 will have a more intensive use than originally anticipated, but sanitary sewer systems will be able to accommodate the additional load.

Public Safety: As the proposed use on Lot 5 is a denser use, there will be an increase in vehicular traffic that may cause concern to surrounding lots. Additionally, street parking is not allowed on Hunter Court as it has been identified as a fire lane.

Public Welfare: The site plan proposes a dumpster which is in close proximity to Lot 4D. This could have a negative effect towards the overall aesthetic of the planned development.

7. IMPACTS ON PUBLIC SERVICES AND UTILITIES.

Because the area surrounding the property is developed, and the proposed use is of a residential nature, all necessary utilities and public services are available and capable of serving the property.

8. CONFORMANCE WITH THE COMPREHENSIVE PLAN.

The following are aspects of the city's adopted Comprehensive Plan that relate to the amendment of the planned development application:

A. Future Land Use Map: The Future Land Use Map in the Raytown Comprehensive Plan identifies the subject property as an area for single-family residential use. The property was rezoned from R-1 to R-3-P (High-Density Residential Planned Development) in 2006.

B. Residential Development Efforts: The Comprehensive Plan further states that multifamily development efforts in Raytown should not be encouraged within single-family neighborhoods. It also states that new multifamily dwelling units should be permitted primarily along arterial streets. Blue Ridge Villas is a high-density planned residential development (R-3-P) that is surrounded by more mature R-1 and R-2 housing. In regards to the street network, the proposed assisted living facility is limited to access via a private drive, Hunter Court, (fire lane) which connects to East 59th Street (collector roadway).



Staff Report

Community Development
Planning and Development Services

C. Residential Locational Guidelines: The Comprehensive Plan also provides the following locational guidelines for residential development in Raytown.

1. *Single-family residential uses should be separated from adverse surrounding land use types, such as major industrial and commercial areas. Appropriate buffering includes open space, bodies of water, abrupt changes in topography, and a combination of landscaping and walls.*

The location of the proposed development is consistent with this guideline.

2. *Single-family residential lots should not front directly onto arterials but onto local and neighborhood streets, so as to minimize the number of access points along major streets.*

This guideline is not applicable to the proposed development.

3. *Two-family residences may serve as a transitional land use between low and high density residential uses; as a buffer between lower-density residential from commercial uses; multi-family residential areas should be located within walking distance of commercial centers, parks, schools and public transportation routes and be in proximity to employment concentrations, major thoroughfares and utility trunk lines.*

There is two-family housing (R-2) to the west of the planned development as well as a 15-25 ft. wide common area buffer along the perimeter of the development. The only community feature (from the list above) within a close proximity (400 ft.) is Sarah Colman-Livengood Park; however, it is important to note that the proposed use is an assisted living facility which will house residents with a more limited range of mobility.

4. *Two-family to multi-family residential areas should be sited where they will not overload or create congestion in existing and planned facilities and utilities.*

The location of the proposed residential development is in the rear of a three-acre development with access to E. 59th Street limited to a single 20' wide private drive. While the majority of the development is currently vacant, the intent is for each lot to be developed. Upon full development, there could be concern of the private drive being overloaded and congestion from the assisted living facility. However, it is important to note that Blue Ridge Villas is limited by city ordinance to residents 55+ years old; therefore, the traffic characteristics are not expected to mimic typical residential neighborhoods.

Additionally, the 2005 Traffic Impact Study for Blue Ridge Villas (prepared by: MKEC Engineering Consultants) concluded, "The relatively low number of afternoon peak hour vehicles entering and exiting the site should have a nominal impact on existing traffic flow on 59th St. and does not warrant the need for any additional or supplemental traffic control devices or turn lanes." While the traffic study was conducted with the notion that there would be attached single-family housing only, the assisted living facility will most likely not increase the amount of residents driving but rather the amount of daily visitors.



Staff Report

Community Development
Planning and Development Services

Therefore, the proposed development is consistent with this locational guideline as congestion and overloading is not anticipated.

STAFF RECOMMENDATION:

Staff recommends that the request to amend the Blue Ridge Villas planned development (R-3-P) be approved subject to the following conditions:

1. The Blue Ridge Villas planned development shall make a 10-unit assisted living facility a permitted use on Lot 5.
2. The applicant shall submit a final site plan for staff review and approval subject to all city codes.
3. The applicant shall submit a revised landscape plan for Lot 5 for staff review and approval prior to obtaining a building permit.
4. The assisted living facility building shall be exempt from the front porch and staggered front façade requirements.
5. Six (6) off-street parking spots shall be permitted and constructed in the common area between Lot 5 and Hunter Court.
6. On-street parking on Hunter Court shall be limited to the four (4) inset areas on the central green space island as indicated on the site plan dated December 27, 2017.
7. The exterior building colors and materials of all buildings and accessory structures shall be as provided in the Design Manual for Blue Ridge Villas - November 17, 2005.
8. Lot 5 shall be permitted one (1) wall sign not to exceed sixteen (16) square feet in area. The applicant shall submit sign plans for staff review and approval subject to all applicable regulations in Article VIII of the City of Raytown Code of Ordinances.
9. The variety of trees to be planted shall be diversified by adding European Hornbeam; Columnar Maples of the Red maple and/or Norway maple varieties.
10. All development on Lot 5, except as otherwise noted in this ordinance, shall be in accordance with the Design Manual dated November 17, 2005 and the amended site plan dated December 27, 2017.
11. The trash dumpster shall remain in the trash enclosure and the trash enclosure doors shall remain closed at all times, except for trash collection day.
12. All new sidewalks, paths and parking lots shall be ADA-compliant (e.g. curb ramps).
13. All new parking lots shall be curbed.



LETTER OF INTENT
For Proposed Development Of
5811 - 5819 Hunter Court, Raytown (Lot 5 in Blue Ridge Villas)
Project Name: Turnleaf Villas Assisted Living Facility (ALF)
Applicant: Ivan Chiang
Property Owner: LIY Financial, LLC

October 9, 2017

Michael Swan
Planning and Zoning Coordinator
City of Raytown
10000 E. 59th Street
Raytown, MO 64133

Dear Michael,

It is my pleasure to submit this letter of intent to pursue approvals for the change in permitted use and development of the Lot 5 property in Blue Ridge Villas situated at 5811 – 5819 Hunter Court, Raytown (Legal Description: Blue Ridge Villas—Units A, B, C, D & E Lot 5) bordering on E. 59th St. east of Blue Ridge Cut Off into an Assisted Living Facility for the elderly 55+ years old. The property is currently owned by LIY Financial, LLC.

Our Preliminary Site Plan along with accompanying drawings, documents, files and a check for \$450 are being submitted for receiving preliminary approval for the development of an assisted living facility for the elderly as detailed in the Design Review Checklist. With your help, I wish to proceed in the most prudent and expedient manner permitted by the City of Raytown Planning and Development Division.

If there are any questions, please don't hesitate to contact me immediately by phone or email.

Most Sincerely,

Ivan Chiang
LIY Financial, LLC
949-232-3054 (mobile)
info@fourgemsdevelopment.com



Development & Public Affairs Department
 Building Inspections Division
 10000 E. 59th Street
 Raytown, MO 64133
 Office (816) 737-6011 Fax (816) 737-6164

REZONING PERMIT

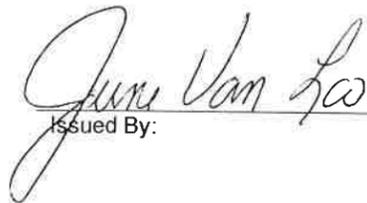
PERMIT #: 20171342	DATE ISSUED: 10/13/2017
	MUST COMMENCE BY: 10/13/2018
JOB ADDRESS: 5811-5819 HUNTER COURT	LOT #:
SUBDIVISION:	BLK #:
OWNER: SRG PROPERTIES	CONTRACTOR: SRG PROPERTIES
ADDRESS: 2570 N SANTIAGO BLVD	ADDRESS: 2570 N SANTIAGO BLVD
CITY, STATE ZIP: ORANGE CA 92867	CITY, STATE ZIP: ORANGE CA 92867
PHONE:	PHONE:
VALUATION: \$ 0.00	
SQ FT 0.00	
OCCP TYPE:	
CNST TYPE:	
DESCRIPTION OF WORK: RE ZONING APPLICATION FOR 5811-5819 HUNTER COURT	

FEE CODE	DESCRIPTION	AMOUNT
PZ-09	REZONING	\$ 250.00
TOTAL		\$ 250.00

Inspection Information

1. All inspections require one working day (24 hours) advance notice.
2. Inspections must be scheduled and approved before covering any work.
3. APPROVED PLANS AND SITE PLAN MUST BE ONSITE FOR INSPECTIONS!

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


 Issued By: _____ Date: 10/13/17 _____ Applicant: _____ Date: _____

Case Number 2017-013
Date Received 11/09/2017

**CITY OF RAYTOWN
APPLICATION FOR REZONING**

PART I BACKGROUND INFORMATION

1. This request applies to property at the following address:
5815 Hunter Ct., Raytown, MO 64133

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

Name	Address	Phone
<u>LJY Financial, LLC</u>	<u>1038 E. Bastanchury Rd. Suite 200, Fullerton, CA 92835</u>	<u>949-232-3054</u>
<u>Ivan Chiang and Yale Chiang, Managers</u>		

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

Name	Address	Phone
<hr/>		

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

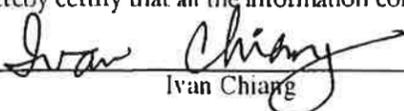
Vacant land parcel

5. We propose that the zoning of the property be changed from R-3-P to R-3-P.

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

<u>Structure</u>	<u>Height</u>
<u>None</u>	

7. 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)


Ivan Chiang

PART II REZONING AMENDMENT STATEMENT

This statement will become part of the application. This is an opportunity to justify approval of a zoning amendment. The information requested pertains to factors that will be considered in reaching a decision on applications.

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 development will be in keeping with the character of the neighborhood because:

The building will be a single story facility with exterior elevations that matches and conforms with existing structures that are approximately 10 years old.

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

The proposed use is for a group care home for the elderly and not heavy commercial nor industrial in nature.

C. This property is more suited for its proposed zoning than its current zoning because:

The existing community is approved for independent living 55+ senior housing and the proposed use is for the inclusion of an assisted living residential care facility for the elderly (RCFE) on the lot.

The current lot has been approved for 55+ senior housing and the proposed zoning and use is more suitable for the senior residents in the community for it allows them to age in place and be transferred into an assisted living facility if and when the need arises rather than having the residents moving out of the community that they are most familiar with. The assisted living RCFE is the highest and best use for the property on the site where located.

D. The proposed zoning will have the following detrimental effects on nearby parcels:

No detrimental effects foreseen nor expected.

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

More than 10 years.

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

The property owners will face financial hardship because without the change in usage, the property will not produce sufficient income to allow the owners to retain the property. The owners will likely have to sell the property after completion or not do the project in the first place.

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

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

The utilities and infrastructure are already in place and adequate to serve the proposed development.

I. Additional comments:



Development & Public Affairs Department
 Building Inspections Division
 10000 E. 59th Street
 Raytown, MO 64133
 Office (816) 737-6011 Fax (816) 737-6164

SITE DEVELOPMENT PLAN PERMIT

PERMIT #: 20171341	DATE ISSUED: 10/13/2017
	MUST COMMENCE BY: 10/13/2018
JOB ADDRESS: 5811-5819 HUNTER COURT	LOT #:
SUBDIVISION:	BLK #:
OWNER: SRG PROPERTIES	CONTRACTOR: SRG PROPERTIES
ADDRESS: 2570 N SANTIAGO BLVD	ADDRESS: 2570 N SANTIAGO BLVD
CITY, STATE ZIP: ORANGE CA 92867	CITY, STATE ZIP: ORANGE CA 92867
PHONE:	PHONE:
VALUATION: \$ 0.00	
SQ FT: 0.00	
OCCP TYPE:	
CNST TYPE:	
DESCRIPTION OF WORK: SITE PLAN APPLICATION FOR 5811-5819 HUNTER COURT	

FEE CODE	DESCRIPTION	AMOUNT
PZ-10	SITE/DEVELOPMENT PLAN-STAFF REVIEW	\$ 200.00
TOTAL		\$ 200.00

Inspection Information

1. All inspections require one working day (24 hours) advance notice.
2. Inspections must be scheduled and approved before covering any work.
3. APPROVED PLANS AND SITE PLAN MUST BE ONSITE FOR INSPECTIONS!

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


 Issued By: _____ Date: 10/13/17 Applicant: _____ Date: _____

**CITY OF RAYTOWN
PRELIMINARY SITE PLAN & DESIGN REVIEW CHECKLIST**

The following checklist is to be completed by the applicant and submitted with the Preliminary Site Plan. The Preliminary Site Plan shall include the following data, details, and supporting information, which are found to be relevant to the proposal and may be supplemented by additional information required by the Director of Community Development to determine whether the Preliminary Site Plan is in compliance with the other ordinances of the City. The number of pages to be submitted will be dependent upon the size and complexity of the proposed development.

NAME OF PROPOSED DEVELOPMENT: Turnleaf Villas ALF

STREET ADDRESS OF PROPOSED DEVELOPMENT: 5811 - 5819 Hunter Ct., Raytown, MO 64133

Current Zoning of Property: R-3 Proposed Zoning of Property: R-3

Proposed Use of Property: Assisted Living Facility (ALF) for seniors 55+

APPLICANT: Ivan Chiang

Address: 1038 E. Bastanchury Road, Suite 200, Fullerton, CA 92835

Phone: (949)232-3054 Fax: (855)243-3331

E-Mail: ivan@fourgemhomes.com

PROPERTY OWNER: LIY Financial, LLC; Ivan I. Chiang and Yale E. Chiang, Managers

Address: 1038 E. Bastanchury Road, Suite 200, Fullerton, CA 92835

Phone: (949)232-3054 Fax: (855)243-3331

E-Mail: info@fourgemhomes.com

ARCHITECT: Curtis Ong

State of MO. Registration No. _____

Address: 7534 Shady Glen Circle, Huntington Beach, CA 92648

Phone: (714)862-7076 Fax: (855)243-3331

E-Mail: curtis@fourgemsdevelopment.com

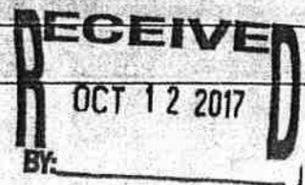
ENGINEER: _____

State of MO. Registration No. _____

Address: _____

Phone: () Fax: ()

E-Mail: _____



LANDSCAPE ARCHITECT: Yermali Ceballos

State of MO. Registration No _____

Address: Argentina

Phone: () _____ Fax: () _____

E-Mail: _____

THE FOLLOWING MUST ACCOMPANY THIS PRELIMINARY SITE PLAN CHECKLIST IN ORDER TO BE PROCESSED:

1. Preliminary Site Plan Checklist
2. ~~5~~ 8-folded & collated copies of the Preliminary Site Plan; exterior building elevation drawings, including colors and exterior building materials; and landscape plan. *5 x full size 5 sets*
3. Title Report. From Platinum Title.
4. Letter of Authorization from the Property Owner stating the applicant can represent the owner, if applicable. Owner is the applicant.
5. Traffic Impact Study (See Section C) or sign off sheet from Director of Public Works. *Traffic will be no more no less than originally entitled use.*
6. 1 Set of the Preliminary Site Plan, exterior building elevation drawings; and landscape plan reduced to 8½ x 11.
7. An electronic copy (pdf) of the preliminary site plan, exterior building elevation drawings; and landscape plan. In USB flash drive stick. *with mtd!*
8. A statement as to whether public utilities are available to the property. Utilities already on site.
9. An analysis of the capacity of the sanitary sewer receiving system. *It is fine.*
10. To the extent that any permitted alternative to the applicable design standards or underlying zoning district regulations is proposed, a narrative stating the section under which the alternative is permitted and an explanation of why the alternative should be approved. No alternative to design standards.

*450
\$ 200 fee
for site plan
review*

By signing below and submitting this checklist, the property owner authorizes the City of Raytown to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by the Raytown Joint Review Committee, Board of Aldermen, Board of Zoning Adjustment and / or Planning & Zoning Commission.

Ivan Chiang Date: Oct 9, 2017
Applicant's Signature Ivan Chiang

Ivan Chiang Date: Oct 9, 2017
Property Owner's Signature LIY Financial, LLC Ivan Chiang - Manager

A. PRELIMINARY SITE PLAN CONTENT REQUIREMENTS:

Does the Preliminary Site Plan comply with and/or show the following information?		
General Information	YES	NO
1. North arrow	X	
2. Scale	X	
3. Vicinity map	X	
4. Area of land in square feet	X	
5. Ratio of lot coverage	X	
6. Name of design professional who prepared the drawings, and the seal of a design professional licensed in the State of Missouri no seal	X	
7. Existing and proposed contours of the site at two (2) foot intervals or less		X
8. Phasing schedule for the proposed development (if applicable)		X
9. Compliance with applicable design standards for the Highway 350 Corridor		X
Access & Circulation	YES	NO
10. All existing and proposed public and private streets, medians, driveways, curb cuts and turn lanes within 185 feet of the property	X	
11. All existing and proposed internal and adjacent rights-of-way (including location, width, centerline, curb cuts median breaks, turning lanes and radii)	X	
12. All existing and proposed internal and adjacent private drives (including location, width, centerline, curb cuts median breaks, turning lanes and radii)	X	
13. All existing and proposed parking areas, including spaces and handicap spaces, dimensions, and a schedule showing the total number of spaces and handicap spaces	X	
14. All existing and proposed internal and adjacent, public and private sidewalks, bicycle paths and trails and pedestrian ways, including location and width	X	
Easement & Utility Information	YES	NO
15. All existing and proposed public or private easements, including location, width and centerline	X	
Setback Information	YES	NO
16. All distances between buildings, buildings and property lines, and building and parking areas	X	
17. All distances between parking areas, parking areas and property lines, and parking areas and buildings	X	
Storm Water Information	YES	NO
18. Any areas located within the 100-year flood plain		X
19. All existing and proposed storm water collection, detention, and retention facilities (including location, dimensions, and capacity)	X	

Building & Structure Information	YES	NO
20. All existing and proposed buildings or structures (including location, dimensions, number of stories and area)	X	
21. Typical elevations of all existing and proposed buildings and structures, (including exterior building / structure materials and roofing materials)	X	
22. All existing and proposed signage by location and type (i.e. wall sign, monument sign, etc.)	X	
23. All existing and proposed trash enclosures (including location, dimensions and materials)	X	

B. LANDSCAPE PLAN CONTENT REQUIREMENTS:

Does the Preliminary Landscape Plan comply with and/or show the following information?	YES	NO
1. Scale at 1" = 20' to 50' Scale is 1" = 4'		X
2. North reference	X	
3. Location and size of all utilities on the site On site plan		X
4. Location of all existing and proposed impervious surfaces (i.e. sidewalks, parking areas, etc.)	X	
5. The location of all existing and proposed buildings and structures.	X	
6. Location (with their mature crown spread drawn to scale), condition, size and quantity of all proposed landscaping materials. Plant materials shall be identified by both the common and botanical name	X	
7. Location, size and common name of all existing plant materials to be retained. Every effort should be made to retain trees of 12" diameter (at 5 feet above the ground) or larger There are none existing.		X
8. Location and common name of 12" diameter or larger (at 5 feet above the ground) trees, which are to be removed There are none.		X
9. Notation of all areas to be seeded or sodded	X	
10. Location, size and materials to be used for all screening and/or outside trash enclosure areas See Front & Rear Elevations.	X	
12. All portions of the site not covered with paving or buildings shall be landscaped. Open areas not covered with other materials shall be covered with turf or ground cover. Ground cover shall be utilized on all slopes in excess of twenty-five percent (25%)	X	
13. Each interior parking lot landscaped area is situated within the parking lot so that it is surrounded by parking lot pavement on at least three (3) sides There is no interior parking lot.		X
14. Each interior parking lot landscaped area contains at least on (1) tree, which is adaptable to the environment of parking areas, and the remaining area is landscaped using shrubs, ground cover and other suitable landscaping material There is no interior parking lot.		X
15. Each landscaped area is separated from the pavement material by straight-back concrete curbing or by an integral concrete sidewalk and curb with a vertical face so as to prevent vehicle encroachment and pavement breakup	X	
16. A table or chart indicating that there is a minimum of one (1) tree and two (2) shrubs per 5,000 square feet of total lot area (excluding single-family and duplex development)	X	

LANDSCAPE PLAN CONTENT REQUIREMENTS (CONTINUED):		YES	NO
17. A table or chart indicating the interior landscaping of any parking lot containing more than one aisle in width (excluding automobile storage and sales lots) complies with the following (the trees and shrubs used to meet the requirements of comment 16 above shall not be counted toward this requirement)	There is no interior parking lot.		
a. The minimum requirement for parking lot interior landscaping is not less than two and one-half percent (2.5%) of the total parking lot square footage			X
b. The number of trees used in the parking lot interior is not less than one (1) for each two hundred (200) square feet, or portions thereof, of required parking lot interior landscaping			

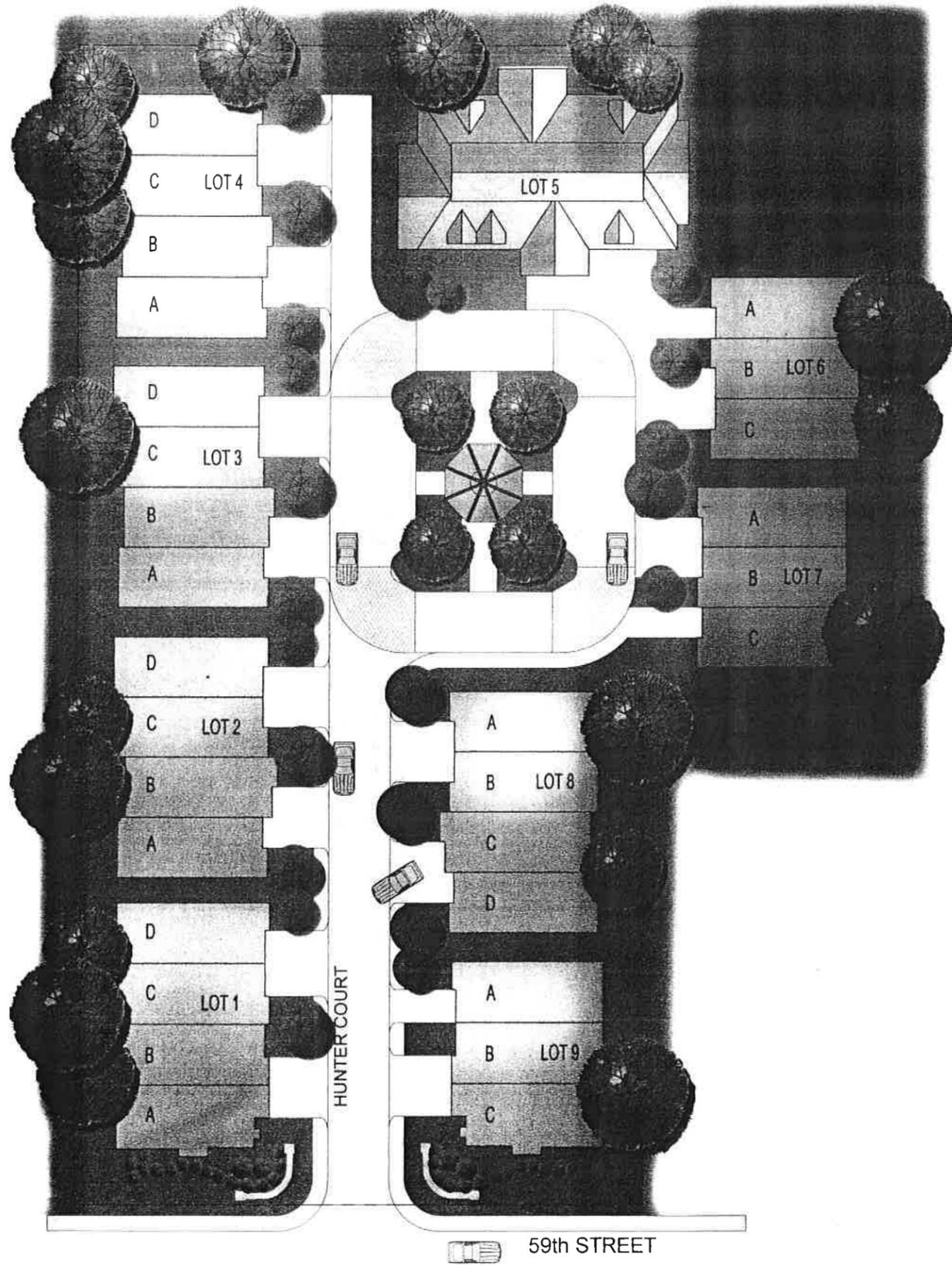
C. Traffic Impact Study REQUIREMENTS:

A Traffic Impact Study sealed of an Engineer currently licensed to practice in the State of Missouri shall be submitted with the Final Site Plan. The traffic impact study shall provide the following applicable level of information:

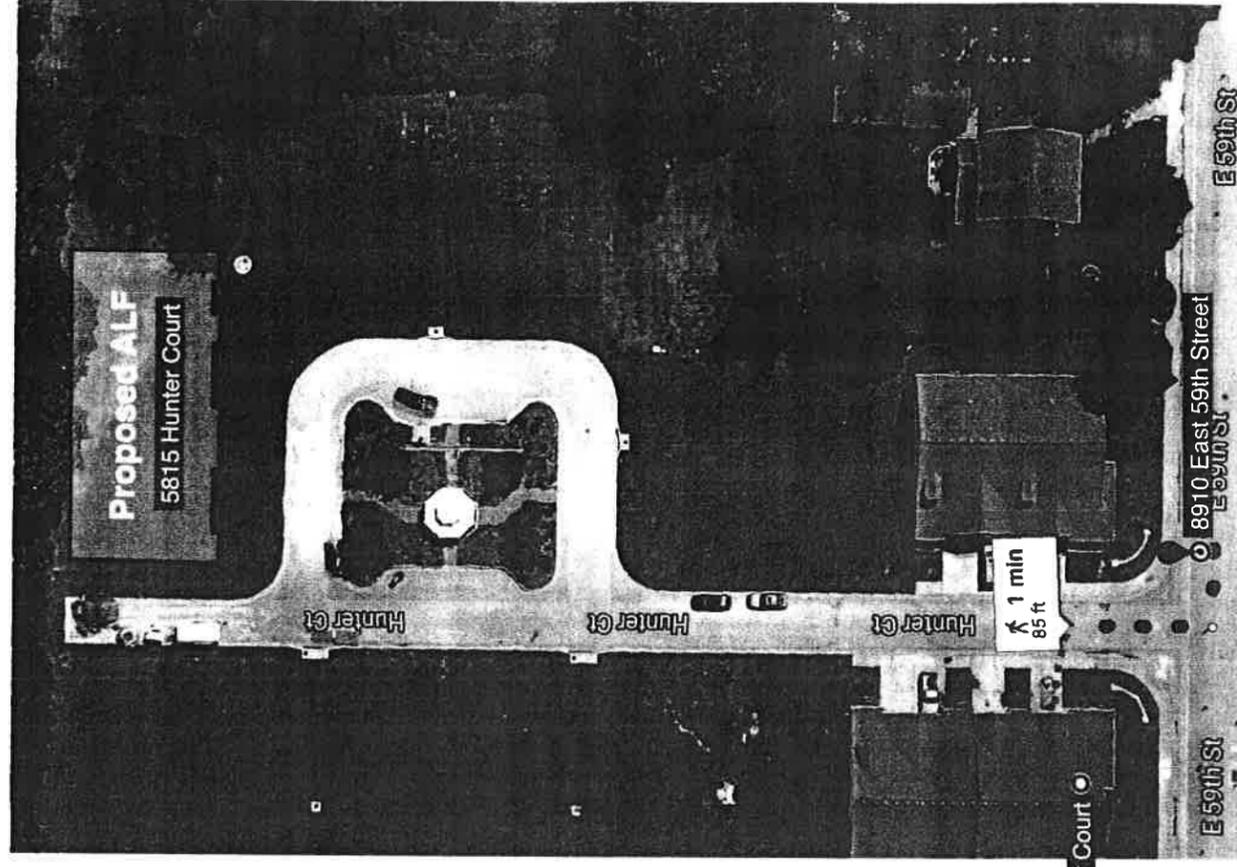
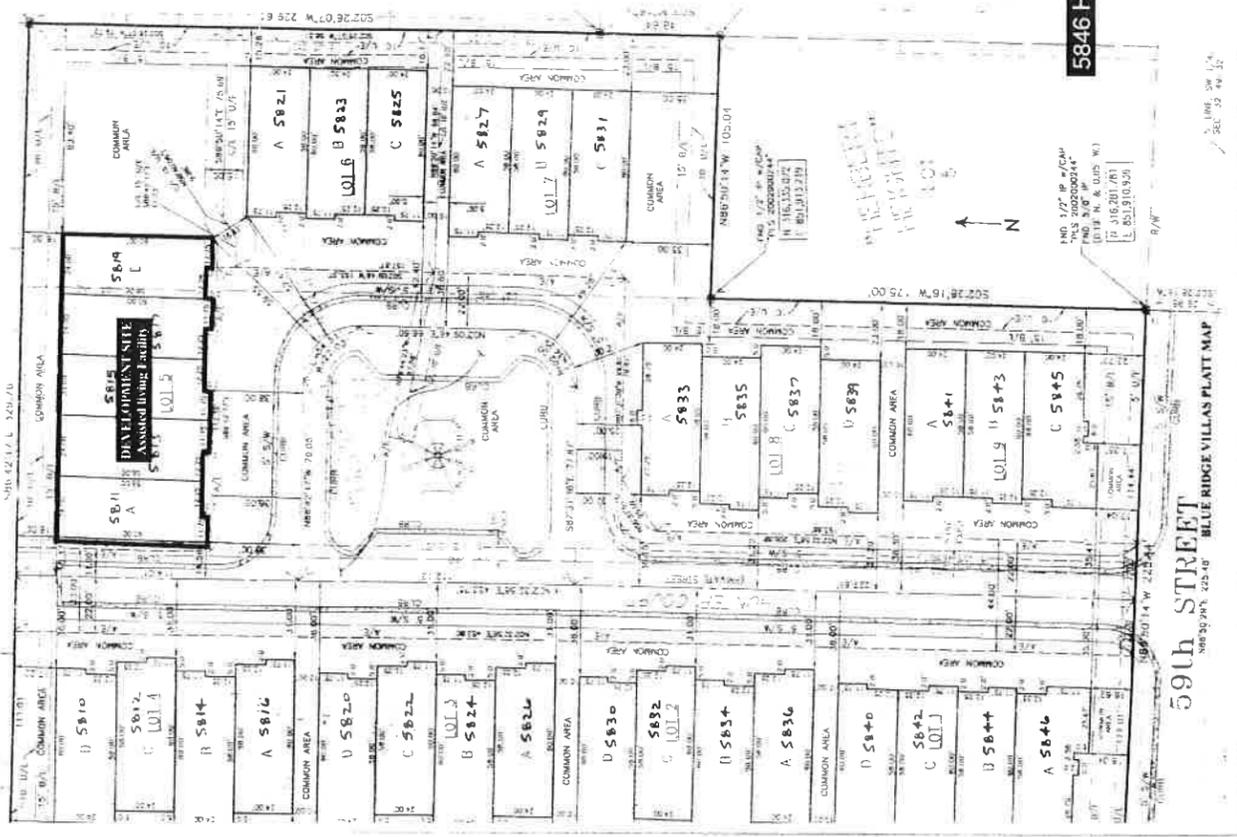
1. Level 1 traffic impact study:

- a. Identify the specific land use types and intensities and the arrangement of buildings, parking, and access to public streets.
- b. Identify the functional classification of the public street(s) to be accessed.
- c. Document current characteristics of the public street(s) – number of types of lanes, speed limits or 85th percentile speeds, and sight distances from proposed streets and driveways.
- d. Compare the proposed access with established design criteria spacing from other driveways or streets, width of driveway, minimum sight distance, etc.
- e. Estimate the number of vehicle trips that the development will generate. The common source is the Trip Generation manual published by the Institute of Transportation Engineers.

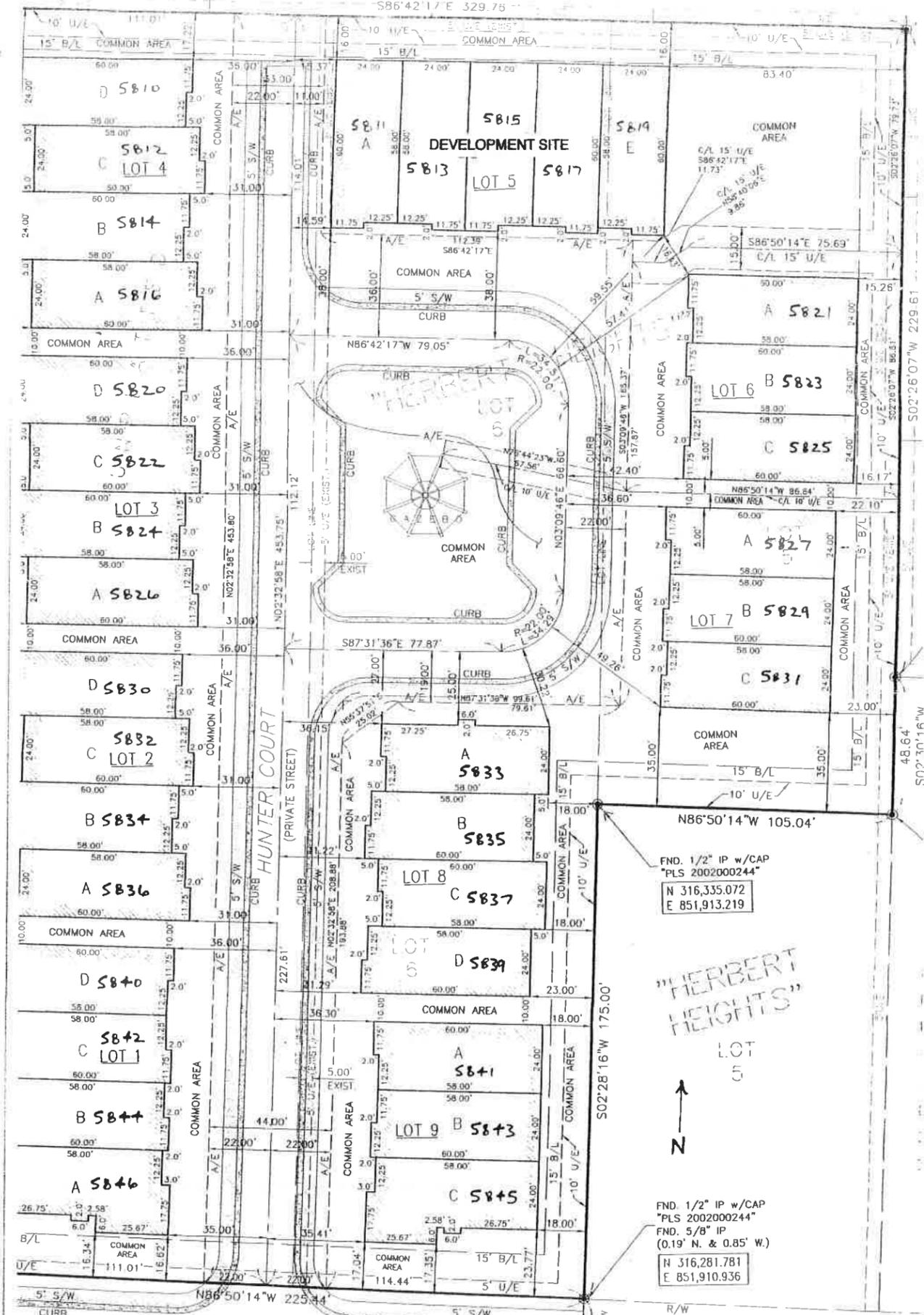
2. Level 2 traffic impact study shall be provided for any project that is in part or cumulatively projected to generate more than 100 PM peak hour trips. A level 2 traffic impact study shall contain the information as stated in the City of Raytown Permitting, Development, Design Criteria & Technical Specifications Manual.



Comparison of Plat Map to Aerial View - probable address: 5815 Hunter Ct, Raytown, MO 64133
(39.017623, -94.478002)



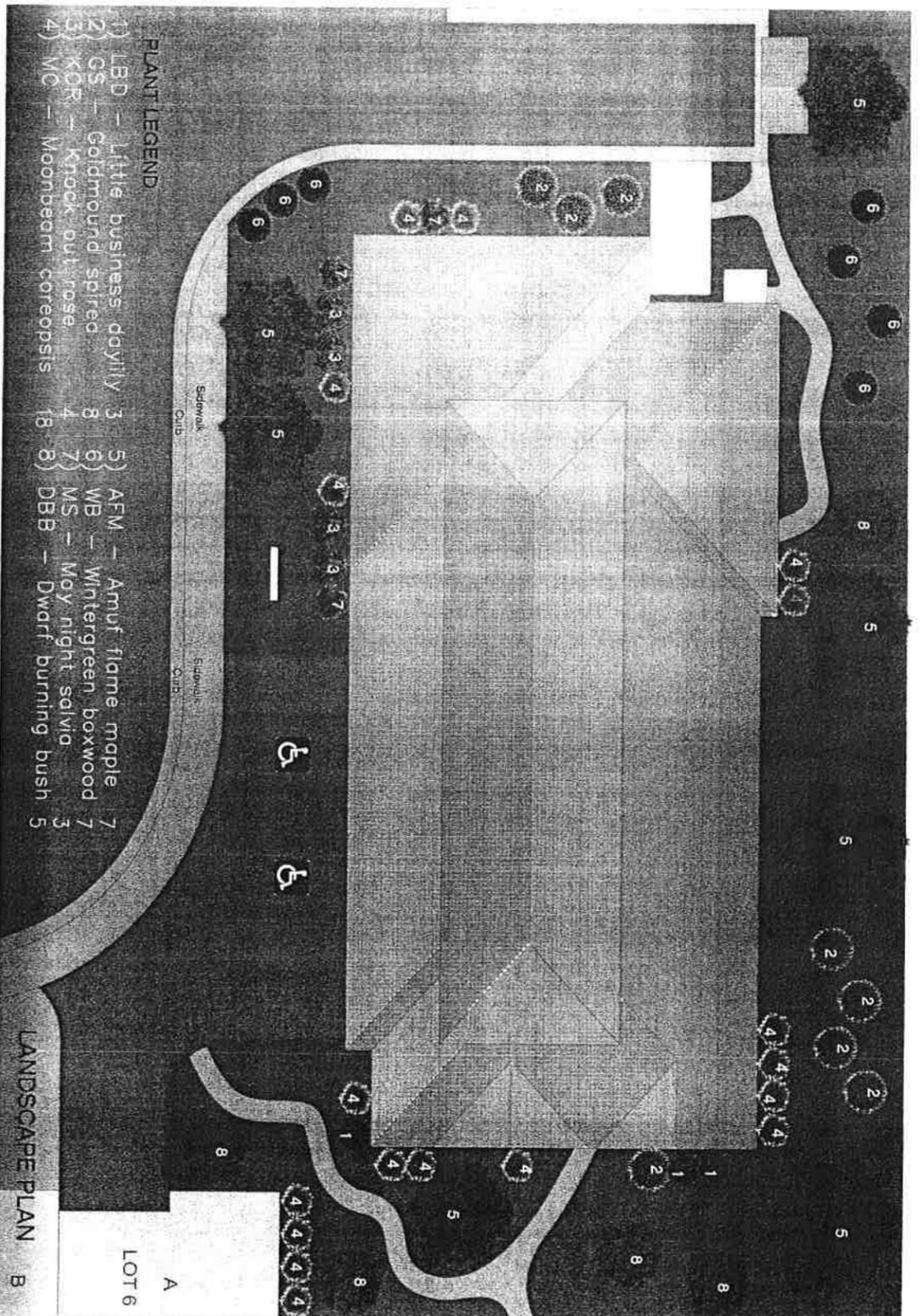
S86°42'17"E 329.75'



59th STREET
S86°50'29"E 225.48'

PLATT MAP

S. LINE, SW 1/4,
SEC. 32-49-32





Community Development Department

10000 E 59th Street
Raytown, MO 64133-3993
Phone: 816-737-6059
Fax: 816-737-6164
Email: mswan@raytown.mo.us

November 9, 2017

Four Gems Development
1038 Bastanchury Road
Suite 200
Fullerton, CA 92835

RE: PZ 2017-013 (Turn Leaf Villas ALF)

Mr. Chiang:

Provided that this case will require a public hearing, the following items need to be completed by the Applicant:

1. Applicant needs to come to the Community Development Department to pick up a 'Site Plan' sign to be posted in the front yard of the subject development no later than **November 22, 2017**. The sign needs to remain in the yard until December 8, 2017.
2. Applicant needs to obtain from the Community Development Department a public hearing letter and address labels of all property owners within 185 feet of subject property. Applicant must make copies of the letter and send each property owner within 185 feet a copy of the letter. Letters need to be mailed no later than **November 22, 2017**.
3. Applicant needs to hold a meeting with property owners within 185 feet of subject property to discuss the application. Applicant must provide from this meeting the minutes and a list of attendees to the Planning and Zoning Coordinator no later than **November 27, 2017**.

We look forward to continuing to work with you on this project. After you have had an opportunity to review these comments pertaining to this project, please contact us to discuss any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Swan".

Michael Swan
Planning & Zoning Coordinator

Michael Swan

From: Jason Hanson
Sent: Monday, November 13, 2017 11:59 AM
To: Michael Swan
Subject: RE: Request for Agency Comments - Turn Leaf Villas Assisted Living Facility
Attachments: Site_Plan_Turnleaf_ALF_BRV-Lot5_24X36.pdf

My thoughts:

- I need them to add the storm sewer system to the site plan, and its proximity to the proposed building. Add the water main system as well. They do show the existing sanitary sewer system.
- The walkway through the common area needs to be designed around the stormwater detention basin area.
- The sidewalk should not be depicted to be built at the front of the driveways.

From: Michael Swan
Sent: Monday, November 13, 2017 11:18 AM
To: Jason Hanson <jasonh@raytown.mo.us>; mikeh@raytownfire.com; mattm@raytownfire.com
Subject: Request for Agency Comments - Turn Leaf Villas Assisted Living Facility

Hello All,

We have received an application to amend a planned development – Blue Ridge Villas. This is a retirement community (55+) located at 59th St. and Hunter Court. It is zoned Planned High-Density Residential(R-3-P).

The applicant, Ivan Chiang, is requesting to build a 10-unit assisted living facility on Lot 5. His group, LIY Financial, owns all 27 vacant lots. As this is a substantial change to the planned development, any modifications must go before the Planning Commission and Board of Aldermen.

If you could please take a look at the application + site plan (attached) and let me know if you have concerns or comments. I would greatly appreciate it.

Thank you,

Michael Swan
PLANNING AND ZONING COORDINATOR
City of Raytown
10000 E. 59th Street
Raytown, MO 64133
816.737.6059 Direct
mswan@raytown.mo.us



Community Development Department

10000 E 59th Street
Raytown, MO 64133-3993
Phone: 816-737-6059 Fax: 816-737-6164
Email: mswani@raytown.mo.us

Planning & Zoning Review

November 14, 2017

Case Number	2017-013
Project	Turn Leaf Villas ALF
Applicant	Ivan Chiang (LIY Financial)
Zoning	R-3-P

Mr. Chiang:

This letter is to follow up with the original review letter sent on November 7th. While some of the items have been addressed, many items remain unanswered or are not indicated on the revised site plan that was submitted November 13th. Staff is requesting the information below either be indicated on the site plan or answered in a letter.

Preliminary Site Plan

- ~~1. Indicate name of design professional who prepared the drawings and the seal of the Missouri state licensed individual~~
- ~~2. Relocate the north arrow to a more visible location~~
3. Provide square footage of Lot 5
4. Calculate lot coverage based off only Lot 5
5. Show and label property lines, lot lines, common areas and central green space
6. Provide HVAC Enclosure elevations and design materials in accordance with Blue Ridge Villas Design Manual
7. Show distance between BBQ and building to ensure Fire Code is satisfied
- ~~8. Show detention pond in common area~~
- ~~9. Show path in common area (perimeter path around detention pond)~~
10. Indicate square footage of dwelling units (not including office space)
11. Indicate the width of the private drive
12. Include parking schedule and number of employees on maximum shift
- ~~13. Show the distance between the building and all property lines and the parking area~~
14. Show existing and proposed storm water collection, detention and retention facilities
15. Reposition the trash enclosure to face east and specify trash enclosure materials (brick veneer to compliment building exterior)
16. Remove monument sign and provide wall sign plans
17. Indicate location(s) of brick veneer on building exteriors as required by the Blue Ridge Villas Design Manual
18. Indicate distance between southeast corner of building and storm sewer
19. Show 6ft privacy fence along perimeter of site (area to be disturbed)

20. Is the back terrace covered?

21. Is the front porch covered?

Amending the Planned Development

Staff has provided a working list of amendments that will need to be made to the planned development – Blue Ridge Villas. The items below are some of the most apparent items that will need to be changed; however, it is up to the applicant to ensure that all necessary amendments are requested to the planned development.

1. Allow for a 10-unit assisted living facility for seniors (55 y/o +) on Lot 5
2. Allow for parking in the common area to the south of Lot 5
3. Allow for two additional insets along the north and south sides of the central green space
4. Amend the landscape plan for the front of the building
5. Exempt Lot 5 from the porch requirement
6. Exempt Lot 5 from the staggering of the front building setbacks
7. Allow for a wall sign on the building

Public Works Comments

1. Indicate storm sewer and proximity to building
2. Indicate the water main system (fire hydrants)
3. The path through the common area shall be designed around the storm water detention basin
4. The sidewalk should not be depicted to be built at the front of the driveways.

Please provide all requested info by 12pm Friday, November 17th to ensure that the case remains on the December agenda. If not received by this time, the case will be continued to the January agenda.

Sincerely,



Michael Swan
Planning & Zoning Coordinator
10000 E 59th St.
Raytown, MO 64133-3993
816-737-6059
mswan@raytown.mo.us

Michael Swan

From: Ivan Chiang <info@fourgemsdevelopment.com>
Sent: Wednesday, November 15, 2017 12:09 PM
To: Michael Swan
Cc: Cheryl Thompson; Kristine Tolentino
Subject: Re: PZ Review Letter

Hi Michael,

Per our discussion, I'd like to have the Public Hearing moved (continued) from December 7, 2017 to January 4, 2018 to give me more time to make all the necessary changes. I understand the new deadline for submission with all the changes will be December 1st instead of this Friday November 17th.

I still plan to have the Neighborhood Information Meeting held as scheduled at noon on Tuesday, November 28th.

Let me know if there are any questions.

Have a great vacation and Thanksgiving.

Best Regards,

      Follow me on:
IVAN CHIANG **Commercial Real Estate Developer**
Senior Housing and Care Facilities
Phone: 714-888-7888
Mobile: 949-232-3054
Email: info@fourgemsdevelopment.com
1038 E Bastanchury Rd
Suite 200
Fullerton, CA 92835

On Nov 15, 2017, at 7:00 AM, Michael Swan <mswan@raytown.mo.us> wrote:

Ivan,

I did want to point your attention to some of the remaining items on the Planning and Zoning Review letter:

Item #4 – If you want, you could show a comparison of lot coverage: Lot 5 vs. Lot 5 + surrounding common area

Item #5 – “Show and label property lines, lot lines, common areas and central green space.” Please make sure to include the central green space on the site plan because we want to the Planning and Zoning Commission to be able to visualize the inset parking located on this island and its proximity to Turn Leaf Villas.

Also, please pay special attention to Item #10 & #12. I think these contain important info that the Planning Commissioners will want to know and discuss.

Please let me know if you have any questions about this letter and/or the project in general.

I will be leaving this Friday, Nov. 17th and will be out of the office until Wednesday, November 29th.

Thank you,

Michael Swan

Michael Swan

From: Andy Boyd
Sent: Friday, November 17, 2017 7:34 AM
To: Michael Swan
Subject: RE: Building Code - BBQ

Per section 308.1.4 of the 2012 International Fire Code, the distance from a "open-flame cooking device" shall not be operated within 10 feet of combustible construction.

Wm. Andrew Boyd C.B.O

BUILDING OFFICIAL
10000 E. 59th Street
Raytown, Mo 64133
816.737.6186
andyb@raytown.mo.us

From: Michael Swan
Sent: Thursday, November 16, 2017 8:29 AM
To: Andy Boyd <andyb@raytown.mo.us>
Subject: Building Code - BBQ

Andy,

When (IF) you have a moment, do you know what the building code says about how close a bbq can be to a building? I'm reviewing the site plan for this assisted living facility at Blue Ridge Villas. His revised site plan shows it at about 8 ft. from the bldg.

Thank you,

Michael Swan
PLANNING AND ZONING COORDINATOR
City of Raytown
10000 E. 59th Street
Raytown, MO 64133
816.737.6059 Direct
mswan@raytown.mo.us

Sec. 36-87. - Parking facilities required for handicapped persons.

(a) Off-street parking spaces shall be provided for physically handicapped persons for all commercial establishments.

(b) The number of such parking spaces shall be as follows:

Parking capacity	Spaces required
Up to 10	0
11 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
Over 500	2 percent of total

- (c) Parking spaces for physically handicapped persons shall be at least 12 feet wide and located as close as possible to accessible elevators, ramps, walkways and entrances.
- (d) Where a curb exists between a parking lot surface and a sidewalk surface, an inclined curb approach or a curb cut with a grading of not more than one inch in 12 inches with a width of not less than four feet shall be provided for wheelchair access.
- (e) Parking spaces for physically handicapped persons shall be designated by posting immediately adjacent to, and visible from, each parking space, a sign upon which shall be inscribed the international symbol of accessibility and the words "Handicapped Parking" in white on a blue background.

(Code 1969, § 21-21; Ord. No. 2599-83, § 1, 11-1-1983; Ord. No. 3074-87, § 1, 4-21-1987; Ord. No. 4605-00, § 5, 6-6-2000)

Neighborhood Information Meeting
10000 E. 59th Street Raytown, MO 64133
November 28, 2017 (Noon-1pm)

Attendees:

1. Ivan Chiang – Applicant/Meeting Host
2. Berda Sewell
 - a. 816-358-4988
 - b. 5844 Hunter Court, Raytown 64133
 - c. berdasewell@gmail.com
3. Jack W. Maybee
 - a. 816-729-4732
 - b. 2111 NE Waterfield Dr. Blue Spring 64014
 - c. jack-pam522@live.com

- Ivan Chiang (hereafter “Ivan”) began the meeting by explaining the Turnleaf Villas Assisted Living Facility (ALF) at Blue Ridge Villas is a change in use (not change in zoning) from development of five senior 55+ townhouses to a single 10-bed assisted living facility (called Turnleaf Villas ALF) for seniors 55+ years old.
- Development and construction plans for Turnleaf Villas ALF and independent living townhouses in Blue Ridge Villas were explained.
- The meeting went in a question and answer format after. Ivan explained the site plans, floor plans and the interior house structure with high ceilings, common dining room, living room, family room areas and big commercial kitchen.
- Color renderings of the interiors and exteriors were shown. There will be a community dining room that serves independent living senior residents that lives in Blue Ridge Villas if they purchase meal tickets.
- Jack Maybee asked nearly all the questions which included:
 - Lot setback from rear property line,
 - Sewer line and their stub outs for the ALF and entire Blue Ridge Villas community,
 - The requirements for licensing of an assisted living facility in Missouri,
 - The difference in services provided and staff requirements between an ALF and a Skilled Nursing Facility (SNF),
 - Potential rental rates according to level of care for the ALF residents,
- Turnleaf Villas ALF is modeled after The Green House Project (TGHP) concept and essentially that is where the floor plan and resident care model originated.
 - There will be 3 shifts for caregivers – two caregivers on first shift and on second shift and one caregiver during the third (late night) shift,

- TGHP is headquartered in Arlington, Virginia. They have several projects (operating and in development) in Missouri and Kansas.
- Jack Maybee owns a duplex that borders Blue Ridge Villas' western boundary.
 - He requested that the HOA trim and cleans up the trees and shrubs on the shared boundary.
 - He asked for and later received by email 1) location of nearest facilities modeled after TGHP concept, 2) information of the sewer lines and sewer stubs of the Blue Ridge Villas, and 3) the by-laws and declarations of the Blue Ridge Villas HOA.



Community Development Department
10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6014
www.raytown.mo.us

Case No. PZ 2017-013

Notice of Public Hearing

The Department of Community Development has received an application to amend the Blue Ridge Villas RP-3 Planned development overlay district to allow for a ten-unit assisted living facility on Lot 5 of Blue Ridge Villas located at 5811-19 Hunter Court in Raytown, MO.

A public hearing to consider the amendment to the planned development and the site plan will be held by the City of Raytown Planning & Zoning Commission on **Thursday, January 4, 2017.**

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described applications on **Tuesday, February 6, 2017.**

Both public hearings will begin at 7:00pm and will take place in Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.

You are invited to attend both public hearings to ask questions and provide comment regarding the proposed applications. 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 mewan@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.

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF JACKSON

} S.S.

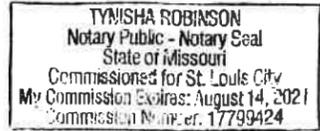
Before the undersigned Notary Public personally appeared **Karie Clark** on behalf of **THE DAILY RECORD, KANSAS CITY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **December 12, 2017** edition and ending with the **December 12, 2017** edition, for a total of 1 publications:

12/12/2017

Notice of Public Hearing
The Department of Community Development has received an application to amend the Blue Ridge Villas R-P-3 planned development overlay district to allow for a ten-unit assisted living facility on Lot 5 of Blue Ridge Villas located at 5811-19 Hunter Court in Raytown, MO.
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Both public hearings will begin at 7:00pm and will take place in Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.
You are invited to attend both public hearings to ask questions and provide comment regarding the proposed applications. 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 mswan@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.
11453315 Jackson Dec. 12, 2017

Karie Clark
Karie Clark
Subscribed & sworn before me this 12th day of Dec. 2017
(SEAL)

Tynisha Robinson
Notary Public



LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LEPHAM INVESTMENTS LLC
9250 GLENWOOD ST STE 200
OVERLAND PARK KS 66212

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

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1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

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CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

GREEN FIDEL B & JENNIFER A
5903 KENTUCKY
RAYTOWN MO 64033

FALWELL TERRY LEE
5901 HUNTER ST
RAYTOWN MO 64133

BLAIN DONALD C
8915 E 59TH ST
RAYTOWN MO 64133

ELLIS ROBERT
8913 E 59TH ST
RAYTOWN MO 64133

YAW GAIL
8911 E 59TH ST
RAYTOWN MO 64133

NAKASONE DAVID K
5901 KENTUCKY AVE
RAYTOWN MO 64133

RUIZ J JESUS & HERMILA
8857 E 59TH ST
RAYTOWN MO 64133

DODD RUFUS
5845 HUNTER CT
RAYTOWN MO 64133

MARABLE MARGARITA GARCIA
5846 HUNTER CT
RAYTOWN MO 64133

DODD RUFUS JR
5843 HUNTER COURT
RAYTOWN MO 64133

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

SEWELL BERDA R
5841 HUNTER CT
RAYTOWN MO 64133

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

BARTON MONICA
5825 KENTUCKY AVE
RAYTOWN MO 64133

MORGAN SHARON H
5840 HUNTER CT
RAYTOWN MO 64133

GOLSTON RUBY F
8932 E 59TH ST
RAYTOWN MO 64133

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

QUIASON MARIO G & AIDA E
8928 E 59TH ST
RAYTOWN MO 64133

WILLIAMS KIMBLEY R
8900 E 59TH ST
RAYTOWN MO 64133-3704

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

QUIASON MARIO G & AIDA E
8920 E 59TH ST
RAYTOWN MO 64133

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

TLC RENTAL PROPERTIES NO TWO LL
24094 AA HWY
CORDER MO 64021

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIPPS HOLLY A
5820 LANE
RAYTOWN MO 64133-3218

QUIASON MARIO G & AIDA E
8920 E 59TH ST
RAYTOWN MO 64133

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

VERMILLION MILDRED ELIZABETH & JE
5820 KENTUCKY AVE
RAYTOWN MO 64133

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

CSMA BLT LLC
875 THIRD AVE FL 12
NEW YORK NY 10022

MAYBEE JACK W & PAMELA JEAN
2111 NE WATERFIELD DR
BLUE SPRINGS MO 64014

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

JOHNSON DIANE & JOHNSON SADIE &
5818 KENTUCKY AVE
RAYTOWN MO 64133

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

OVERBAY MICHAEL D & CANDYCE L
5812 LANE
RAYTOWN MO 64133

LIY FINANCIAL LLC
1883 W ROYAL HUNTE DR STE 200-A
CEDAR CITY UT 84720

BOYKIN COURTNEY D
17016 E 44TH ST
INDEPENDENCE MO 64055

BLUE RIDGE VILLAS HOMEOWNERS AS
502 WESTCHESTER AVE
HARRISONVILLE MO 64701

GRAY MARY J-TRUSTEE
5808 LANE AVE
RAYTOWN MO 64133

BROWN ALBERTA L & STEVENSON STE
5809 KENTUCKY AVE
RAYTOWN MO 64133

WATTS JACQUELINE R
5810 KENTUCKY AVE
RAYTOWN MO 64133

JOHNSON GARRY V
5804 LANE AVE
RAYTOWN MO 64133-3218

LARRICK REX E
PO BOX 491
OLATHE KS 66051

LARK BETH
5800 LANE
RAYTOWN MO 64133

TAYLOR ADRIAN J
8929 E 58TH ST
RAYTOWN MO 64133

SHIREMAN CHERENE A
8925 E 58TH ST
RAYTOWN MO 64133

BARNES WILLIAM M & AUDREY J
919 COUNTY RD 123
WHARTON TX 77488

SHIREMAN STEVEN & LORA
8917 E 58TH ST
RAYTOWN MO 64133

HOUSER HENRY J-TR &
4525 HEDGES AVE
KANSAS CITY MO 64133

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI
10/24/2016 04:19:53 PM
INSTRUMENT TYPE QCD FEE \$33 00 5 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2016E0100181

Robert T Kelly, Director, Recorder Of Deeds

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

On October 21, 2016 THE GRANTOR(S),

- Li-Yong Chiang Family Trust, Ivan I. Chiang and Yale E. Chiang, Trustees,

for and in consideration of: One Dollar (\$1.00) and/or other good and valuable consideration conveys, releases and quitclaims to the GRANTEE(S):

- LIY Financial, LLC, Ivan I. Chiang and Yale E. Chiang, Managers, at 1883 W. Royal Hunte Drive, Suite 200-A, Cedar City, Iron County, Utah 84720

the following described real estate, situated in Raytown, in the County of Jackson, State of Missouri:

- Situs Address: 5836 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT A LOT 2
- Tax Parcel Number: 32-830-08-74-00-0-00-000
- Situs Address: 5834 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT B LOT 2
- Tax Parcel Number: 32-830-08-73-00-0-00-000
- Situs Address: 5832 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT C LOT 2
- Tax Parcel Number: 32-830-08-72-00-0-00-000
- Situs Address: 5830 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT D LOT 2
- Tax Parcel Number: 32-830-08-71-00-0-00-000
- Situs Address: 5826 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT A LOT 3
- Tax Parcel Number: 32-830-08-70-00-0-00-000

- Situs Address: 5824 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT B LOT 3
- Tax Parcel Number: 32-830-08-69-00-0-00-000

- Situs Address: 5822 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT C LOT 3
- Tax Parcel Number: 32-830-08-68-00-0-00-000

- Situs Address: 5820 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT D LOT 3
- Tax Parcel Number: 32-830-08-67-00-0-00-000

- Situs Address: 5816 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT A LOT 4
- Tax Parcel Number: 32-830-08-66-00-0-00-000

- Situs Address: 5814 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT B LOT 4
- Tax Parcel Number: 32-830-08-65-00-0-00-000

- Situs Address: 5812 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT C LOT 4
- Tax Parcel Number: 32-830-08-64-00-0-00-000

- Situs Address: 5810 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT D LOT 4
- Tax Parcel Number: 32-830-08-63-00-0-00-000

- Situs Address: 5811 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT A LOT 5
- Tax Parcel Number: 32-830-08-81-00-0-00-000

- Situs Address: 5813 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT B LOT 5
- Tax Parcel Number: 32-830-08-82-00-0-00-000

- Situs Address: 5815 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT C LOT 5
- Tax Parcel Number: 32-830-08-83-00-0-00-000

- Situs Address: 5817 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT D LOT 5
- Tax Parcel Number: 32-830-08-84-00-0-00-000

- Situs Address: 5819 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT E LOT 5
- Tax Parcel Number: 32-830-08-85-00-0-00-000

- Situs Address: 5821 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT A LOT 6
- Tax Parcel Number: 32-830-08-86-00-0-00-000

- Situs Address: 5823 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT B LOT 6
- Tax Parcel Number: 32-830-08-87-00-0-00-000

- Situs Address: 5825 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT C LOT 6
- Tax Parcel Number: 32-830-08-88-00-0-00-000

- Situs Address: 5827 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT A LOT 7
- Tax Parcel Number: 32-830-08-89-00-0-00-000

- Situs Address: 5829 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT B LOT 7
- Tax Parcel Number: 32-830-08-90-00-0-00-000

- Situs Address: 5831 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT C LOT 7
- Tax Parcel Number: 32-830-08-91-00-0-00-000

- Situs Address: 5833 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT A LOT 8
- Tax Parcel Number: 32-830-08-92-00-0-00-000

- Situs Address: 5835 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT B LOT 8
- Tax Parcel Number: 32-830-08-93-00-0-00-000

- Situs Address: 5837 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT C LOT 8
- Tax Parcel Number: 32-830-08-94-00-0-00-000

- Situs Address: 5839 HUNTER CT, RAYTOWN, MO 64133
- Legal Description: BLUE RIDGE VILLAS--UNIT D LOT 8
- Tax Parcel Number: 32-830-08-95-00-0-00-000

Grantor does hereby convey, release and quitclaim all of the Grantor's rights, title, and interest in and to the above described property and premises to the Grantee(s), and to the Grantee(s) heirs and assigns forever, so that neither Grantor(s) nor Grantor's heirs, legal representatives or assigns shall have, claim or demand any right or title to the property, premises, or appurtenances, or any part thereof.

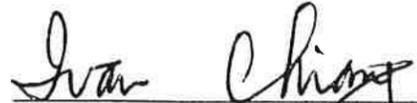
This land transfer is from a Trust to a LLC entity that is owned by the Trust.

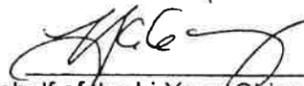
Mail Tax Statements To:

Ivan Chiang
2271 W Malvern Ave, Suite 230
Fullerton, California 92833-5075

Grantor Signatures:

DATED: Oct 21, 2016


Ivan I. Chiang



Ivan I. Chiang and Yale E. Chiang, Trustees on behalf of the Li-Yong Chiang Family Trust

Prepared By:

Ivan Chiang

After Recording Return To:

Ivan Chiang
2271 W Malvern Ave #230
Fullerton, California 92833

STATE OF CALIFORNIA COUNTY OF ORANGE

On _____, 2016 before me, _____, personally appeared Ivan I. Chiang and Yale E. Chiang on behalf of Li-Yong Chiang Family Trust, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Please see attachment



(Notary Seal) Signature of Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual(s) who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.



All-purpose Acknowledgment California only

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

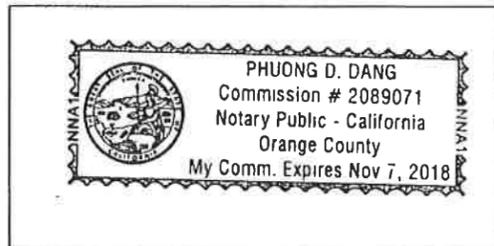
State of California

County of Orange

On 10/21/2016 before me, Phuong D Dang (here insert name and title of the officer),

personally appeared Ivan Ichun Chuang and Yale Enphei Chang

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Notary Seal

WITNESS my hand and official seal

Signature [Handwritten Signature]

Description of Attached Document

Type or Title of Document Quitclaim Deed (Real Estates in Raytown MO)

Document Date 10/21/2016 Number of Pages 04 pages

Signer(s) Other Than Named Above N/A



Platinum Title, LLC
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

File No.: 20175366

Inquiries Should Be Directed To:

Sale Side - Stefanie Hardacre at stefanie@platinumtitlellc.com, Ph: 913-491-5001 or Fax: 913-948-9236
Buy Side -

1. Effective Date: August 25, 2017 at 8:00 A.M.

2. Policy or Policies to be issued: **Amount of Insurance**

(a) ALTA Owner's Policy

Proposed Insured:

TBD

(b) ALTA Loan Policy

Proposed Insured:

Lender

3. The estate or interest in the land described or referred to in this Commitment is:

Fee Simple

4. Title to the said estate or interest in the land is at the Effective Date hereof vested in:

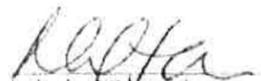
LIY Financial, LLC; Ivan I. Chiang and Yale E. Chiang, Managers

5. The land referred to in this Commitment is described as follows:

Units A, B, C, D, and E of Lot 5, BLUE RIDGE VILLAS, a subdivision in Raytown, Jackson County, Missouri, according to the recorded plat thereof.

For information purposes only, the property address is purported to be:
5811 - 5819 Hunter Ct., Raytown, MO 64133

Countersigned:


Authorized Countersignature

Authorized Officer or Agent
PLATINUM TITLE, LLC
4501 College Blvd, Ste 110, Leawood, Kansas 66211
Ph (913) 491-5001, Fax (913) 491-5450



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART I

File No.: 20175366

The following are the requirements to be complied with:

1. Instruments in insurable form which must be executed, delivered and duly filed for record:

2. Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest or mortgage to be insured.

3. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.

4. Pay us the premiums, fees and charges for the policy.

5. Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded:
 - A. FOR YOUR INFORMATION, the public records reveal the following information regarding conveyances affecting the status of the fee title to the premises, including the 24-month period next preceding the effective date hereof:
 - a) Warranty Deed recorded May 3, 2013, from Arvest Bannister Realty Company f/k/a Bannister Realty Company, Inc., a Missouri Corporation, Grantor, to Estella M. O'Neal, a single person and Travis T. Hux, a single person, Grantee.
 - b) Warranty Deed recorded August 24, 2016, from Estella M. O'Neal and Travis T. Hux, wife and husband, Grantor, to Ivan Chiang and Yale Chiang, Trustees of the Li-Yong Chiang Family Trust, dated May 26, 2000, Grantee.
 - c) Quit Claim Deed recorded October 24, 2016, from Li-Yong Chiang Family Trust, Ivan I. Chiang and Yale E. Chiang, Trustees, Grantor, to LIY Financial, LLC, Ivan I. Chiang and Yale E. Chiang, Managers, Grantee.

 - B. Per the Customer's Request, this is only a Report. If a policy is requested, we reserve the right to make additional requirements.
NOTE: It is agreed that, as between the Company, the applicant for this report and every person relying on this report, the total liability of the Company on account of this report shall not exceed the amount paid for same.

 - C. No open mortgages/deeds of trust are found filed of record up to our effective date. If a mortgage is to be paid through closing please provide us with all of the information that is currently available as soon as possible. It is the responsibility of all parties to this title commitment who have knowledge of anything omitted from this commitment to provide any available information to The Company immediately upon receipt of this commitment.

 - D. NOTE: Current tax records indicate the following taxes:
 - a. Real estate taxes for the year 2016 in the base amount of \$103.75 are paid.
Prior years are paid.
Parcel No. 32-830-08-81-00-0-00-000 (Unit A)
 - b. Real estate taxes for the year 2016 in the base amount of \$103.75 are paid.
Prior years are paid.
Parcel No. 32-830-08-82-00-0-00-000 (Unit B)
 - c. Real estate taxes for the year 2016 in the base amount of \$103.75 are paid.
Prior years are paid.



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART I

File No.: 20175366

Parcel No. 32-830-08-83-00-0-00-000 (Unit C)

- d. Real estate taxes for the year 2016 in the base amount of \$103.75 are paid.
Prior years are paid.

Parcel No. 32-830-08-84-00-0-00-000 (Unit D)

- e. Real estate taxes for the year 2016 in the base amount of \$103.75 are paid.
Prior years are paid.

Parcel No. 32-830-08-85-00-0-00-000 (Unit E)

- E. Note: We've made no search to determine if the City of Raytown has any special assessment due.
- F. FOR YOUR INFORMATION: General taxes are a lien for the calendar year and become due and payable on December 1 and delinquent after December 31 of each year.
- G. NOTE: Closings wherein Platinum Title, LLC will be acting as Settlement and Disbursing Agent, will require that funds be placed on deposit with us in the form of either a Cashier's Check or Wired Funds prior to disbursement.

Instruments recorded in connection with this file are to be recorded in Jackson County, Missouri.

Recording fees and filing fees are as follows:

Real Estate -	\$21.00 (first page)
	\$ 3.00 (each additional page)
UCC Filing Fees - contact our office	
Electronic Filing Fee	\$ 5.00 (per document)
Potential additional charges and fees are:	
Non-standard document fee	\$25.00 (per document)
Reference to more than one document	\$ 5.00 (per reference)
Recorder-required cover sheet	\$ 3.00 (per document)

6. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II

File No.: 20175366

1. Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:
 - a. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Standard Exceptions:
 - a. Rights or claims of parties in possession not shown by the public records.
 - b. Easements, or claims of easements, not shown by the public records.
 - c. Any encroachments, encumbrance, violation, variation, or adverse circumstance that would be disclosed by an accurate and complete land survey of the Land.
 - d. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
 - e. Taxes or special assessments which are not shown as existing liens by the public records.

Special Exceptions:

3. Taxes for the year 2017 and subsequent years.
4. Tenancy rights, either as month-to-month, or by virtue of written leases of any person (s) now in possession of any part of the land.
5. Future installments levied by the City of Raytown.
6. Building setback lines, utility easements and restrictions as shown on the recorded plat thereof.
7. Terms and provisions of the covenants and restrictions contained in the instrument recorded as Documents No. 2006E0085975, No. 2009E0118265, and No. 2016E0002069.
NOTE: This exception omits any covenant, condition or restrictions based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 U.S.C. §3604, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C. §3607, or (c) relates to a handicap, but does not discriminate against handicapped people.
8. Terms and provisions of the Homes Association Declaration contained in the instrument recorded as Documents No. 2006E0085975, No. 2009E0118265, and No. 2016E0002069, providing, among other things, for annual assessments to be levied and become a lien thereon.

The lien of assessments levied under the aforesaid Homes Association Declaration, which may be due and unpaid at the date hereof.
(NOTE: Any unpaid assessments are hereby excepted.)
9. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II

File No.: 20175366

Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

10. Judgments and tax liens, if any, against the proposed purchaser(s).

NOTE: The foregoing exception will be deleted from a loan policy insuring purchase-money financing, in which case the fact of such purchase-money status should appear on the face of the financing instrument. If the proposed loan includes any non-purchase money, this Company must be so informed and additional exception will be taken to any judgments and/or tax liens against parties of similar name. We reserve the right to make such additional requirements and exceptions as we may then deem necessary.

11. NOTICE PROVISION:

Please read the exceptions and the terms shown or referred to herein carefully. The exceptions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.



stewart title

ALTA COMMITMENT FOR TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY

STEWART TITLE GUARANTY COMPANY, a Texas Corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, Stewart Title Guaranty Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

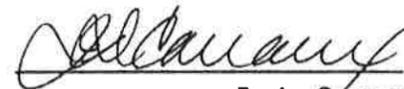
Countersigned by:


Authorized Countersignature





Matt Morris
President and CEO



Denise Carraux
Secretary

Platinum Title, LLC
4200 Somerset Dr., Ste. 121
Prairie Village, KS 66208

For purposes of this form the "Stewart Title" logo featured above is the represented logo for the underwriter, Stewart Title Guaranty Company.

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252.

BILL NO. 5945-05 ORDINANCE NO. 5093-06 SECTION NO. X111

1 AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION ON LAND
2 LOCATED AT 8910 AND 8916 EAST 59TH STREET FROM LOW DENSITY
3 RESIDENTIAL (R-1) TO PLANNED HIGH DENSITY RESIDENTIAL (R-P-3), ALL IN
4 ACCORDANCE WITH THE PROVISIONS OF COMPREHENSIVE ZONING
5 REGULATIONS FOR THE CITY OF RAYTOWN, MISSOURI.

6
7 **WHEREAS**, Application PZ-2004-014, submitted by MKEC Engineering Consultants,
8 Inc., on behalf of DPF Development Corporation, requesting a change in zoning classification from
9 Low Density Residential (R-1) to Planned High Density Residential (R-P-3) on land located at 8910
10 and 8916 East 59th Street, was referred to the Planning Commission to hold a public hearing; and,
11

12 **WHEREAS**, after due public notice in the manner prescribed by law, the Planning
13 Commission held a public hearing for the request on December 1, 2005, and rendered a report to the
14 Board of Aldermen recommending that the zoning requested be approved; and,
15

16 **WHEREAS**, after due public notice in the manner prescribed by law, the Board of
17 Aldermen held a public hearing on January 3, 2006, and rendered a decision to rezone said property.
18

19 Now therefore, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF
20 RAYTOWN, MISSOURI, AS FOLLOWS:

21
22 Section 1. That the following property, is hereby rezoned from Low Density
23 Residential (R-1) to Planned High Density Residential (R-P-3):
24

25 Part of the Southwest quarter of Section 32, Township 49, Range 32, in Jackson County,
26 Missouri, more particularly described as follows: Beginning at a point 13 chains East of the
27 Southwest corner of said Section 32, thence East 120 feet, thence North parallel to the West line
28 of said Quarter Section 484 feet, thence West 120 feet, thence South 484 feet to beginning.
29

30 Lot 5, except the South 176 feet thereof, Herbert Heights, a subdivision in Raytown,
31 Jackson County, Missouri
32

33 Lot 6, Herbert Heights, a subdivision in Raytown, Jackson County, Missouri, according
34 to the recorded plat thereof.
35

36 Section 2. That the following conditions of approval apply with regard to the rezoning:
37

- 38 1. That the residents of the development shall not be younger than 55 years of age, as
39 described in the covenants and restrictions for the property and enforced by the Home
40 Owners Association. The City shall not be responsible to enforcing the provisions of the
41 covenants and restrictions regarding the property.
42
43 2. Hunter court shall have a minimum width of 20-feet.
44

BILL NO. 5945-05 ORDINANCE NO. 5093-06 SECTION NO. XIII

- 1 3. On-street parking along Hunter court shall be limited only to that area located in the inset
2 area along the east and west side of the central green space as shown on the Pre-
3 Development Plan, dated November 17, 2005.
4
- 5 4. Hunter court shall be identified as a fire lane.
6
- 7 5. Hunter Court shall be constructed in a manner that will allow it to carry the weight of a
8 standard fire truck.
9
- 10 6. A homeowners association shall be established and shall be responsible for the ownership
11 and maintenance of the central green space; Hunter Court; all grass areas on the property;
12 sidewalks, storm sewers and the stormwater detention basin.
13
- 14 7. The variety of trees to be planted shall be diversified by adding European Hornbeam
15 and/or Columnar Maples of the Red maple and/or Norway maple varieties to the English
16 Oak varieties indicated on the landscape plan.
17
- 18 8. Porches shall be constructed on the front of each unit and shall have the following design
19 features:
20
 - 21 a. A minimum depth of eight feet;
 - 22 b. The floor of the porch and the railing shall extend a minimum of four feet in front
23 of an adjoining garage door;
 - 24 c. A roof with a minimum depth of seven feet shall be constructed over each porch;
25 and
 - 26 d. A railing shall extend around the perimeter of the porch.
27
- 28 9. The primary materials on the exterior facades of each unit facing a street shall consist of
29 either concrete-board siding, brick, stone or stucco and that vinyl siding, wood or other
30 material shall be used only as a secondary material on such facades.
31
- 32 10. A wrap around porch on each of the units abutting 59th Street shall be constructed so that
33 the porch, as well as the roof over the porch and porch railings, extends from in front of
34 the front door around the corner of the building, and across a portion of the façade facing
35 59th Street.
36
- 37 11. Units A and C on Lots 2, 3, and 4 shall extend a minimum of five-feet in front of Unit B
38 and the Units B and D on Lot 8 shall extend a minimum of five-feet in front of Unit C.
39
- 40 12. The exterior building colors shall be as provided in the Design Manual for Blue Ridge
41 Villas dated November 17, 2005.
42

BILL NO. 5945-05 ORDINANCE NO. 5093-06 SECTION NO. X14

- 1 13. The applicant shall obtain and dedicate a utility easement from the adjoining property
2 owner to the north for the purpose of extending the sanitary sewer main to the subject
3 property.
4
5 14. All development, except as otherwise noted in this ordinance, shall be in accordance with
6 the Design Manual dated November 17, 2005 and the site plan.
7

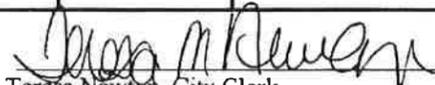
8 Section 3. That failure to comply with all of the provisions contained in this ordinance shall
9 constitute violations of both this ordinance and the City's Comprehensive Zoning Regulations.
10

11 Section 4. That all ordinances or parts of ordinances in conflict with this ordinance are
12 hereby repealed.
13

14 Section 5. That this ordinance shall be in full force and effect from and after the
15 date of its passage and approval.
16

17 BE IT REMEMBERED that the above was read two times, and upon final vote taken the 12th
18 day of January, 2006, was approved by the Board of Aldermen of the City of
19 Raytown, Jackson County, Missouri upon the following vote:
20

Alderman	Aye	Nay	Absent/Abstain
Walters	✓		
NESS	✓		
Aziere	✓		
White			✓
Kinman			✓
Melson	✓		
Schlapia	✓		
Hartwell	✓		
Fleming	✓		
Riehle	✓		
Tie Vote: Mayor Frank			

21
22
23 
24 Teresa Newton, City Clerk
25

26 APPROVED BY THE MAYOR the 12th day of January, 2006.
27
28
29
30
31


Sue Frank, Mayor
3

BILL NO. 5945-05 ORDINANCE NO. 5093-06 SECTION NO. XIII

1 APPROVED without the Mayor's signature the _____ day of _____, 2006.

2

3 or:

4

5 APPROVED over the Mayor's veto the _____ day of _____, 2006.

6

7 ATTEST:

APPROVED AS TO FORM:

8 Teresa M. Newton
9
10 Teresa Newton, City Clerk

Joanne L. Graham
Joanne L. Graham, City Attorney

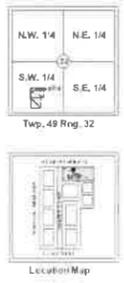
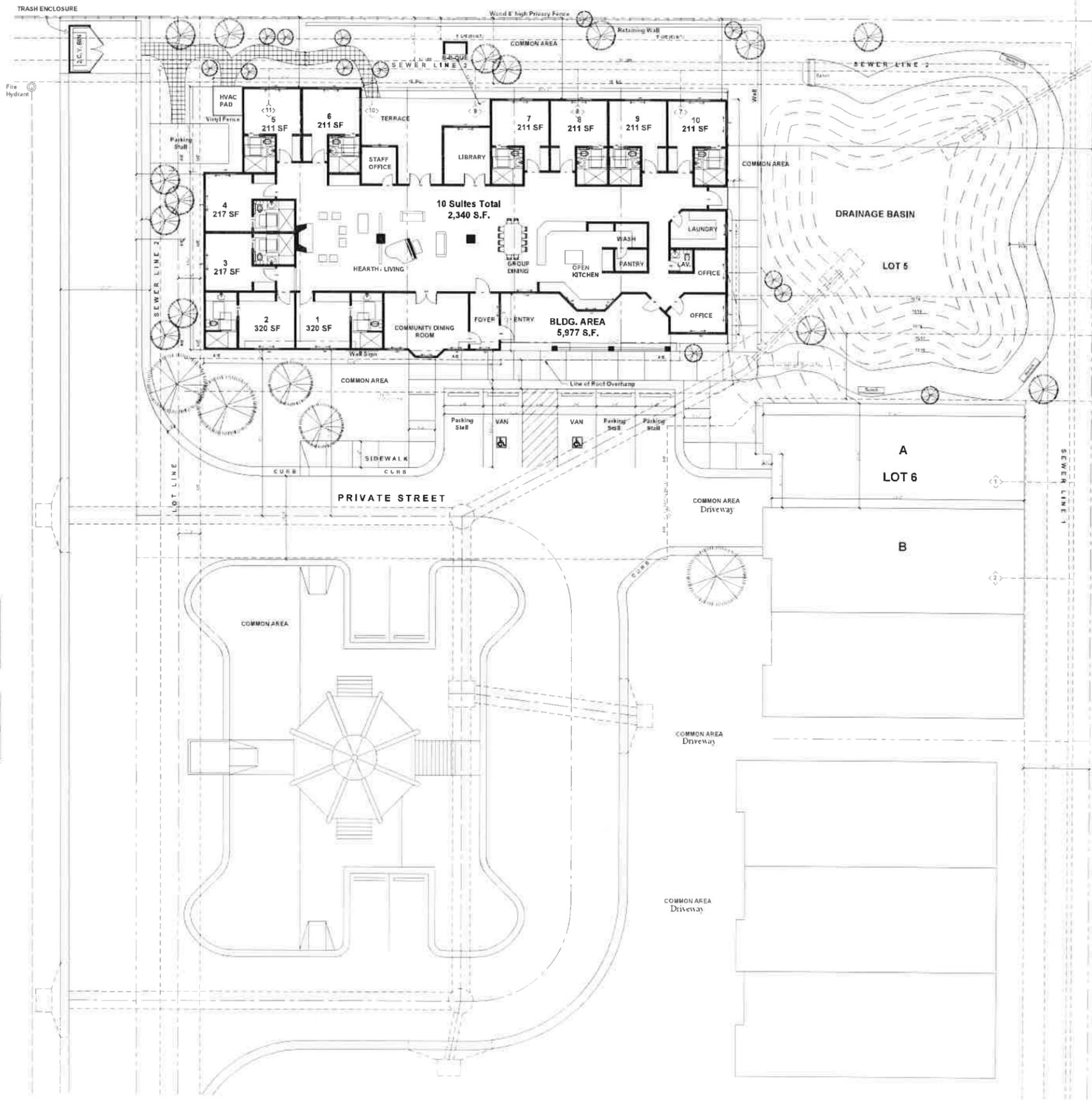
11

Sponsor(s): The Planning Commission

12

13

14



**TURNLEAF VILLAS
ASSISTED LIVING
FACILITY
RAYTOWN, MISSOURI**

DATE:

PROJECT NO.:

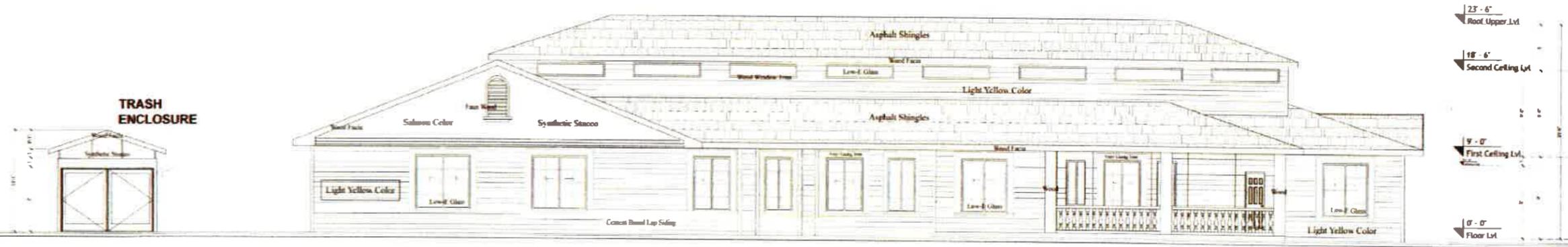
REVISION:

**EDWIN
KORFF
& ASSOCIATES**
ARCHITECTURE/ PLANNING
PRAIRIE VILLAGE, KANSAS

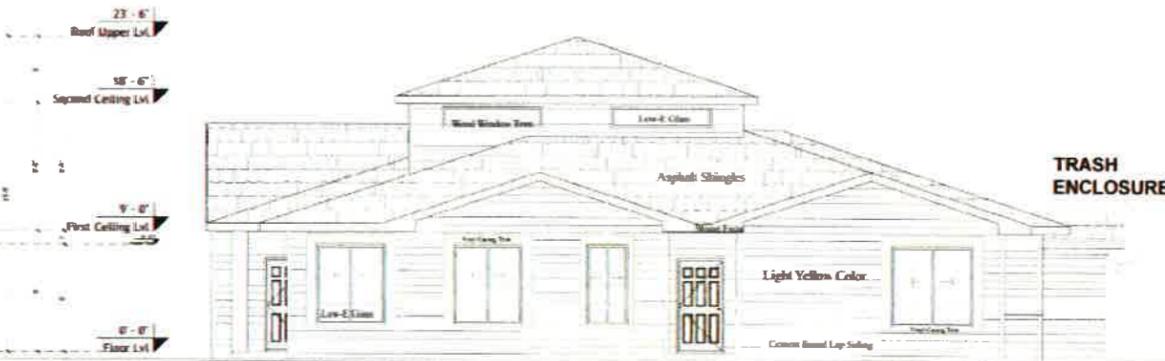
SHEET NO.:

SITE PLAN
SCALE: 1/8" ===== 1'-0"





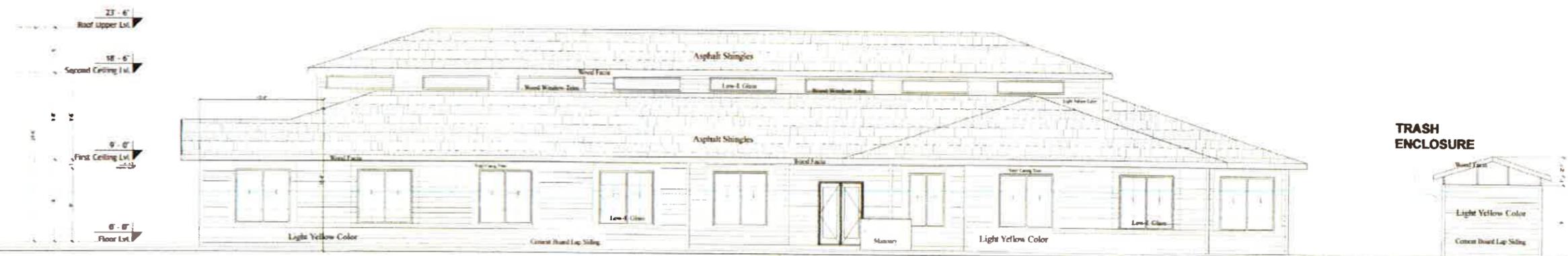
FRONT ELEVATION
SCALE: 1/4" ===== 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4" ===== 1'-0"



LEFT SIDE ELEVATION
SCALE: 1/4" ===== 1'-0"



REAR ELEVATION
SCALE: 1/4" ===== 1'-0"

