

CITY OF RAYTOWN
PLANNING AND ZONING COMMISSION MEETING
MINUTES

May 14, 2015
7:00 pm
Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133

1. Welcome by Chairperson

Chairman Wilson welcomed all to the Planning and Zoning meeting for May 14, 2015.

2. Call meeting to order and Roll Call

Mr. Wilson called the meeting of May 14, 2015 to order, and the following members were present.

Wilson: Present	Jimenez: Absent	Stock: Absent
Bettis: Present	Robinson: Present	Lightfoot: Present
Hartwell: Present	Dwight: Present	Meyers: Absent

3. Approval of Minutes of February 12, 2015 Meeting Minutes

- A. Revisions- None
- B. Motion- Ms. Hartwell made a motion to approve
- C. Second- Mr. Bettis seconded the motion.
- D. Additional Board Discussion- Mr. Lightfoot abstained from the vote due to his absence from the February 12, 2015 meeting.
- E. Vote- Passed unanimously.

4. Old Business. – None

5. New Business

A. Application: **Conditional Use Permit Application that seeks to allow a residential use in the Neighborhood Commercial (NC) District at 5902 Blue Ridge Boulevard, Raytown, MO 64133**

Case No.: **PZ-2015-004**

Applicant: **Wanda Mullins**

1. Introduce Application

Mr. Wilson introduced PZ-2015-004 to the board.

2. Open Public Hearing

Mr. Wilson opened the Public Hearing of PZ-2015-001.

3. Explain Procedure for a Public Hearing and swear-in speakers

The City Attorney, George Kapke, swore in all that were planning to speak on this application.

4. Mr. Wilson Entered Relevant City Exhibits into the Record:

- a. Conditional Use Permit Application submitted by applicant
- c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
- d. Public Hearing Notices sent to property owners within 185-feet of subject property
- e. City of Raytown Zoning Ordinance, as amended
- f. City of Raytown Comprehensive Plan
- g. Staff Report on application for May 14, 2015 Planning & Zoning Commission meeting

5. Explanation of any exparte' communication from Commission members regarding the application.

None.

6. Introduction of Application by Staff

Mr. Benson introduced this application to the board and stated that Ms. Wanda Mullins is seeking to operate a bakery and residential use for a building located at 5902 Blue Ridge Boulevard. The building on the property is built as a house, but is zoned in a Neighborhood Commercial (NC) district. The most recent use of the property was as a residential use, but since it has been vacant for longer than six months, the residential use is no longer allowed and requires Board approval. Mr. Benson also stated that as a part of the CUP for this property the applicant would be required to install a parking lot with handicap spaces as well as fire protection between the first and second floors of the building, and these

plans had not yet been approved, so they were not brought before the Board during this meeting.

7. Presentation of Application By Applicant

Wanda Mullins of 5902 Blue Ridge Boulevard introduced herself as the applicant. Ms. Mullins mentioned that she was working with her contractor and Andy Boyd, Raytown Building Inspector, to make the necessary changes to the building to make it compliant with all local, state, and federal codes. Ms. Mullins clarified that she will be the tenant of the building as she operates her bakery business in the kitchen on the first floor.

8. Request for Public Comment

None

9. Additional Comment from Applicant, if necessary

None

10. Additional Staff Comments and Recommendation

Mr. Benson clarified that Andy Boyd had not spoken with the architect for the applicant prior to the drafting of the meeting's agenda, but since has, and City Staff was comfortable with the Commission taking action on the application instead of the recommendation in the staff report that the project be continued to a future meeting. Mr. Benson further clarified that Mr. Boyd said that after talking with the applicant's architect, fire separation between the first and second floors will be required.

Mr. Lightfoot asked if the Conditional Use Permit would remain in effect should the permit be given and the business would subsequently close. Mr. Benson stated that such a requirement is up to the Board to decide, but that staff would recommend that the use be permitted to all future applicants due to the cost of constructing the fire separation per city construction codes.

11. Board Discussion

None.

12. Close Public Hearing

With no further discussion, Mr. Wilson closed the public hearing.

13. Board Decision to Approve, Conditionally Approve or Deny the Application.

- a. Motion- Mr. Lightfoot made a motion to approve the application subject to Staff recommendations.
- b. Second- Mr. Bettis made a second on Mr. Lightfoot's motion.
- c. Additional Board Discussion- None.

d. Vote- Motion was passed unanimously (6-0).

B. Application: Conditional Use Permit Application that seeks to allow a residential use in the Neighborhood Commercial (NC) District at 10200 E. 63rd Terrace, Raytown, MO 64133.

Case No.: PZ-2015-005

Applicant: John Smith on behalf of Joe Medlin

1. Introduce Application

Mr. Wilson introduced PZ-2015-005 to the board.

2. Open Public Hearing

Mr. Wilson opened the public hearing.

3. Explain Procedure for a Public Hearing and swear-in speakers

The City Attorney, George Kapke, swore in all that were planning to speak.

4. Enter Relevant City Exhibits into the Record:

- a. Conditional Use Permit Application submitted by applicant
- c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
- d. Public Hearing Notices sent to property owners within 185-feet of subject property
- e. City of Raytown Zoning Ordinance, as amended
- f. City of Raytown Comprehensive Plan
- g. Staff Report on application for May 14, 2015 Planning & Zoning Commission meeting

5. Explanation of any exparte' communication from Commission members regarding the application.

Mr. Lightfoot stated that he had in the past had exparte' communication with the property owner, but stated it would not affect his ability to make a decision on the application.

6. Introduction of Application by Staff

Mr. Benson stated that the applicant, John Smith, was seeking a residential use in a house at 10200 E 63rd Terrace, which is currently zoned Neighborhood Commercial. Mr. Benson also stated that Mr. Smith currently legally operates a business out of the property.

7. Presentation of Application By Applicant

John Smith came forward and stated that seeks to purchase the property at 10200 E 63rd Ter. He clarified that his mother will be the occupant of the house and he will continue to use the house for his business, mostly file storage and

parking for his trailers. He also stated that he is purchasing the house and not renting it.

8. Request for Public Comment

None.

9. Additional Comment from Applicant, if necessary.

None.

10. Additional Staff Comments and Recommendation

Staff recommended approval of the application subject to the following requirements:

1. The residential used be allowed as long as the applicant, John Smith, owns the property.
2. The applicant remains in compliance with all applicable ordinances and codes and ordinances.

11. Board Discussion

Mr. Lightfoot asked if the 353 tax abatement still applied to the property from previous owners. Mr. Benson stated that transfer of ownership does not affect the status of the Chapter 353 tax abatement as there are no new jobs or a specific type of use or business made as a condition of abatement.

Mr. Bettis asked what the sunset date was for the tax abatement. Mr. Benson replied that he did not recall the exact date but estimated that there was about 5-10 years remaining on the abatement.

12. Close Public Hearing

With no further discussion, Mr. Wilson closed the public hearing.

13. Board Decision to Approve, Conditionally Approve or Deny the Application.

- a. Motion- Mr. Robinson made a motion to approve the application subject to Staff recommendations.
- b. Second- Ms. Dwight made a second to Mr. Robinson's motion.
- c. Additional Board Discussion- None.
- d. Vote- Motion passed unanimously (6-0).

C. Application: Conditional Use Permit Application that seeks to allow an indoor shooting range in the Highway Corridor Commercial (HC) District at 8830 Highway 350, Raytown, MO 64133.

Case No.: PZ-2015-006

Applicant: Jim Bloomquist on behalf of Billy and Marilyn Green

1. Introduce Application

Mr. Wilson introduced PZ-2015-006 to the board.

2. Open Public Hearing

Mr. Wilson opened the Public Hearing.

3. Explain Procedure for a Public Hearing and swear-in speakers

The City Attorney, George Kapke, swore in all that were speaking.

4. Enter Relevant City Exhibits into the Record:

- a. Conditional Use Permit Application submitted by applicant
- c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
- d. Public Hearing Notices sent to property owners within 185-feet of subject property
- e. City of Raytown Zoning Ordinance, as amended
- f. City of Raytown Comprehensive Plan
- g. Staff Report on application for May 14, 2015 Planning & Zoning Commission meeting

5. Explanation of any exparte' communication from Commission members regarding the application.

Mr. Wilson stated that he has had exparte' communication with the applicant, including doing business with the applicant in the past, but felt that it would not affect his ability to make a decision on the application.

6. Introduction of Application by Staff

Mr. Benson stated that the applicant was representing Blue Steel Guns and Ammo, located at 8830 Highway 350, which seeks to build an indoor shooting range, requiring a Conditional Use Permit. He deferred all other information to the application.

7. Presentation of Application By Applicant

Steve Brackeen of 12116 E. 78th Ter, Kansas City, MO, owner of Blue Steel Guns and Ammo, requested that the board grant a Conditional Use Permit to build an indoor shooting range next door to his gun shop. Mr. Brackeen made clear that the shooting range will have a separate entrance from the gun shop. The range

will have twelve (12) total shooting lanes, with two of them allowing rifles, the remainder being only for the shooting of handguns. Mr. Brackeen also clarified that there will always be two licensed shooting range guards while the range is operational, as well as security cameras.

Mr. Wilson asked about the ventilation of the shooting range. Mr. Brackeen responded that they will be using a state of the art "negative filtration" system, which is in fact the most costly portion of the shooting range. He stated that the air flow system will constantly draw out the gases and contaminants expended by the firearms, then filter them before they reach the air outside.

Mr. Wilson asked about the sound level of the shooting range. Mr. Brackeen stated that the whole building is concrete cinder block with a steel and wood barrier on the ceiling. Mr. Brackeen stated that if you're in the gun shop you may be able to hear the guns firing, but outside of the building no one will be able to hear the guns firing.

Mr. Wilson asked about the hours of operation for the gun range. Mr. Brackeen stated that the hours of operation to begin would be 10:00 a.m. to 9:00 p.m., but would consider shortening the hours if they do not get enough evening business.

8. Request for Public Comment

None.

9. Additional Comment from Applicant, if necessary.

None.

10. Additional Staff Comments and Recommendation

Mr. Benson stated that Staff recommends approval of the application subject to compliance with all applicable local, state, and federal laws.

11. Board Discussion

Mr. Lightfoot asked Mr. Benson if there were any other known gun ranges uses so close to a highway in the area. Mr. Benson replied that there is a shooting range in Lee's Summit near a highway, as well as one in Claycomo near Highway 69. Mr. Benson stated that to his knowledge there are no issues regarding a shooting range's proximity to a highway.

12. Close Public Hearing

With there being no further discussion, Mr. Wilson closed the Public Hearing.

13. Board Decision to Approve, Conditionally Approve or Deny the Application.
 - a. Motion- Mr. Lightfoot made a motion to approve the application subject to staff recommendations.
 - b. Second- Mr. Robinson seconded Mr. Lightfoot's motion.
 - c. Additional Board Discussion- None
 - d. Vote- Motion passed unanimously (6-0).

D. Application: Conditional Use Permit Application that seeks to allow an animal kennel in the Highway Corridor Commercial (HC) District at 8814 E. 67th Street, Raytown, MO 64133.
Case No.: PZ-2015-007
Applicant: Susan Jones on behalf of Chain of Hope on behalf of Summit Bank of Kansas City

1. Introduce Application
Mr. Wilson introduced PZ-2015-007
2. Open Public Hearing
Mr. Wilson opened the Public Hearing
3. Explain Procedure for a Public Hearing and swear-in speakers
The City Attorney, George Kapke, swore in all that were speaking.
4. Enter Relevant City Exhibits into the Record:
 - a. Conditional Use Permit Application submitted by applicant
 - c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
 - d. Public Hearing Notices sent to property owners within 185-feet of subject property
 - e. City of Raytown Zoning Ordinance, as amended
 - f. City of Raytown Comprehensive Plan
 - g. Staff Report on application for May 14, 2015 Planning & Zoning Commission meeting
5. Explanation of any exparte' communication from Commission members regarding the application.
None.
6. Introduction of Application by Staff
Mr. Benson stated that Chain of Hope is currently seeking to move its operations to 8814 E 67th St. The facility would hold an average of fifteen (15) dogs in the kennels, but could have more than that number at times. The property is currently vacant and in foreclosure, with taxes from the previous owner overdue. Mr. Benson stated that the City's Building Official, Andy Boyd, has performed an

inspection on the building and has indicated the building will be able to comply with the city's adopted construction and fire codes for the use as proposed by the applicant.

7. Presentation of Application By Applicant

Susan Jones of 409 SW Lakeview Blvd., Lee's Summit, MO, Board President of Chain of Hope, stated that the purpose for the application is to move the Chain of Hope operations to a larger space, as well as to reduce the cost of rent. Ms. Jones emphasized that the larger space required is not to increase the number of dogs they care for, but to increase the quality of care they provide to their current number of dogs. Chain of Hope would still focus most of its resources on community outreach, not dog collection. She also stated that the facilities would comply with the Department of Agriculture requirements and would be inspected by that department.

Ms. Hartwell asked if boarding rentals would be provided to the public. Ms. Jones responded that they would not provide boarding services to the general public, and that all kennels would be provided solely for care of animals in need.

Mr. Lightfoot asked if the dogs would be outdoors at night. Ms. Jones said no, they would be kenneled at night, and dogs would only be allowed outside during the day under supervision.

8. Request for Public Comment

None.

9. Additional Comment from Applicant, Additional Comment from Applicant, if necessary

None.

10. Additional Staff Comments and Recommendation

Mr. Benson stated that he would be willing to remove the first recommendation in the staff report limiting the maximum number of kennels to 15 due to the regulations of the Department of Agriculture with which the applicant will have to comply. Mr. Benson further stated that subject to the removal of the first recommendation, Staff would recommend approval of the application, subject to the following recommendations:

1. All kennels shall be located inside of the building.
2. Animals when outside of the building shall be supervised by an employee of Chain of Hope.

3. All licensing and micro chipping events, etc. that would bring the public to Chain of Hope be held outside of the property, excluding volunteers.
4. Compliance with all applicable ordinances and codes with the City of Raytown, and all state and federal ordinances and codes.
5. All taxes applicable to the property be paid in full prior to the use beginning operations on the subject property.
11. Board Discussion
None.
12. Close Public Hearing
With no further discussion, Mr. Wilson closed the Public Hearing.
13. Board Decision to Approve, Conditionally Approve or Deny the Application.
 - a. Motion- Ms. Hartwell made a motion to approve the application subject to Staff recommendations.
 - b. Second- Mr. Bettis made a second on Ms. Hartwell's motion.
 - c. Additional Board Discussion- None.
 - d. Vote- The motion passed unanimously

E. Application: Final Site Plan for a proposed convenience store at 9323 E. 350 Highway, Raytown, MO

Case No.: PZ-2015-003

Applicant: Triple M Enterprises dba QuikTrip

1. Introduce Application
Mr. Wilson introduced PZ-2015-003 to the board.
2. Open Public Hearing
Mr. Wilson opened the Public Hearing.
3. Explain Procedure for a Public Hearing and swear-in speakers
The City Attorney, George Kapke, swore in all that were speaking.
4. Enter Relevant City Exhibits into the Record:
 - a. Site Plan Application submitted by applicant
 - b. Site Development Plan
 - c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
 - d. Public Hearing Notices sent to property owners within 185-feet of subject property
 - e. City of Raytown Zoning Ordinance, as amended
 - f. City of Raytown Comprehensive Plan

- g. Staff Report on application for May 14, 2015 Planning & Zoning Commission meeting
 - 5. Explanation of any exparte' communication from Commission members regarding the application.

None.
 - 6. Introduction of Application by Staff
- Mr. Benson entered in some additional exhibits to be seen by the board. They were:
 - h. Material sample board for the proposed application.
 - i. Waiver letter from the applicant for waiver requests to the Highway 350 Design Standards.
 - j. Cross-section drawing of the landscape plan showing residence line-of-sights behind the convenience store.

Mr. Benson stated that the QuikTrip currently located at 9323 Highway 350 is proposing to upgrade its convenience store and services. QuikTrip has purchased both of their neighboring properties to the east of the store, and will tear down buildings on those properties to expand the property of the applicant. The proposed redevelopment project requires Site Plan Approval from the Commission due to their proposed use not complying with several of the Highway 350 Design Standards, to which the applicant has requested waivers.

7. Presentation of Application by Applicant

Matt Brooks of 5725 Foxridge Dr., Mission, KS, represented QuikTrip for the application. Mr. Brooks stated that they are wanting to upgrade their facilities to the new "Generation 3" facilities that QuikTrip is building. Mr. Brooks stated that they will also build a new canopy for gas stations, new underground stormwater detention facilities, and new fuel storage tanks. Mr. Brooks stated that the new buildings will employ an additional 5-8 employees, and that there will be no requested tax incentives for the project, so the new building will be taxable income as soon as it is completed.

Ms. Hartwell requested clarification on the location of the stormwater detention basin. Mr. Brooks responded that it would be under the pavement of the store.

Mr. Bettis asked what would happen with the old storage tanks. Mr. Brooks responded that they work with state agencies to properly and safely decommission and remove the old tanks.

Mr. Lightfoot asked when the construction would be occurring during the week. Mr. Brooks responded that they would work six days a week, and there would likely be some work in the evenings, but that they would remain mindful of the residential properties nearby.

Ms. Hartwell asked how long the construction would take. Mr. Brooks responded that the target period is around twenty (20) weeks, but that that date is often optimistic and usually takes longer. He further clarified that they would like to start around July or August, but due to some unforeseen circumstances they may have to start around November or December.

8. Request for Public Comment

None

9. Additional Comment from Applicant, if necessary.

None

10. Additional Staff Comments and Recommendation

Mr. Benson stated that the site plan was for the most part approved through Staff review, with a few minor details still outstanding, but that a few waivers from the Highway 350 Design Standards were requested by the applicant. Mr. Benson stated that Staff recommended approval of the Site Plan requested, subject to board approval of the necessary waivers. Those waivers requested were:

1. Direct access to Highway 350 from the lot. Due to the high volume of traffic generated by the project, Staff felt that limiting access from Highway 350 would actually increase traffic issues on neighboring properties and on Maple Avenue.
2. Driveways are required to be a minimum of 440 feet from roadway intersections. Both driveways would be less than 440 feet from the intersection of Highway 350 and Maple Ave, but for reasons listed in the previous waiver, Staff recommended approval of this waiver.
3. Driveways are required to have a minimum spacing of 440 feet from adjacent driveways. Both driveways on Highway 350 would not comply with this standard, but Mr. Benson stated that Staff recommended granting this waiver, as the western-most driveway proposed would ultimately provide access to neighboring properties, since an existing driveway west of the property will ultimately need to be removed.
4. All vehicle driveways must be located on side roads, and not to have direct ingress or egress from Highway 350. For reasons similar with waiver #1, Staff recommends approval of this waiver.

5. Parking facilities are to be located away from frontages on Highway 350. Mr. Benson stated that due to the property's use as a convenience store it would be very difficult for them to comply with this standard. Mr. Benson further clarified that the relocation of the pump canopy in accordance with this standard would place the pumps, canopy and traffic in close proximity to the neighboring residential properties.

11. Board Discussion

A ten minute recess was declared in order for the board to review the site plan provided in the application.

Ms. Harwell requested clarification on the height of the privacy fence along the south side of the property facing the residential buildings. Mr. Brooks stated that the fence would be a six-foot privacy fence, and that any indication of the fence being four feet in height was a typographical error. He also clarified that security around the property would provide constant coverage, both visual and audio, of everywhere on the property.

12. Close Public Hearing

With there being no further discussion, Mr. Wilson closed the Public Hearing.

13. Board Decision to Approve, Conditionally Approve or Deny the Application.

- a. Motion- Mr. Lightfoot made a motion to approve the Site Plan application and all waivers requested, subject to Staff recommendations.
- b. Second- Ms. Hartwell seconded Mr. Lightfoot's motion.
- c. Additional Board Discussion
- d. Vote- the motion passed unanimously.

6. Other Business

None.

7. Planning Project Reports:

Mr. Benson updated the board on the Family Dollar project. The construction is moving along, and the footings have been poured. Second, the Public Works Department met with the engineering firm responsible for designing the bike lanes on Blue Ridge Boulevard from 59th St. to Woodson Rd., and Woodson Rd. to 51st St. The City received a Congestion Mitigation and Air Quality Grant to perform that work. The City plans to go out for bid on that project this summer. Mr. Benson also stated that the City is designing sidewalks along the south side of 59th St. from Raytown Middle School east to Woodson Road. This project is anticipated to go out for bid this summer also. Finally, Mr. Benson stated that representatives of the Public Works department and himself met with the Missouri Department of Transportation regarding improvements at the intersections of Raytown

Road and Highway 350. Public meetings will be held regarding those improvements later this year.

8. Set Future Meeting Date - Thursday, June 4, 2015 at 7:00 PM

9. Adjourn