

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

October 17, 2019  
7:00 pm

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

**1. Welcome by Chairman Wilson**

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

Wilson:Present	Thurman:	Present	Emerson:	Present
Bettis: Present	Robinson:	Present	Frazier:	Present
Stock: Present	Dwight:	Present		

**3. Approval of Minutes**

**A. August 15, 2019, Meeting Minutes**

The minutes were approved unanimously (8-0) upon motion by Ms. Stock and second by Mr. Frazier.

**B. September 5, 2019 Work Session Minutes**

The minutes were approved as amended to show Commissioners Ms. Dwight and Ms. Thurman present for the meeting, upon motion by Mr. Frazier and second by Ms. Stock.

**4. Old Business: None**

**5. New Business**

**A. Case No.: PZ-2019-09**

Applicant: Christopher Bowers

Reason: Conditional Use Permit for Vehicle Repair/General at 8838 E. 350 Hwy. in a Highway Commercial, HC, zone

**Introduction of Application by Chairman Wilson**

Jennifer Baird, Raytown City Attorney, swore in all members of the public that wished to speak regarding this application.

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

No exparte communications reported.

**2. Enter Additional Relevant City Exhibits into the Record:**

- a. Staff report
- b. Conditional Use Permit Application
- c. Public Notice Information
- d. Applicant's site plan
- e. Site photos

**3. Introduction of Application by Staff**

Chris Gilbert, Planning & Zoning Coordinator, provided the staff report for the application, showing site location and surrounding zoning, a site plan, and various photos of the site. Mr. Gilbert addressed the history of the property, having been Raytown Transmission for many years before becoming vacant in 2017 and remaining so until the present.

**4. Presentation of Application by Applicant**

Christopher Bowers appeared as the representative for the application. Chairman Wilson asked if he was ok with the conditions of approval and what his hours of operation would be. Mr. Bowers said he was okay with the conditions and his hours of operation would be 9 am to 6 pm.

Ms. Dwight asked Mr. Bowers if he was fixing issues with the owner of the property through an agreement. Mr. Bowers said he was.

Ms. Bettis asked if any of the issues were a hardship. Mr. Bowers said just moving in the wintertime.

Ms. Dwight asked if the Payright Auto Repair sign was okay. Mr. Gilbert said that the applicant was informed that his contractor needs to come in and get the sign permit.

Mr. Frazier asked if he had a business in Independence and if he had any violations on the property. Mr. Bowers said yes but is moving it to Raytown from the Englewood area. He wont be staying because he is being forced out to make way for redevelopment. Mr. Bowers said he had received citations in the past but all of those were corrected.

Mr. Bettis asked what his open date might be. Mr. Bowers said end of November, December, if possible.

Mr. Frazier asked if he was intending to have any vehicle sales. Mr. Bowers said not right now.

An extended fence repair discussion took place regarding the chain link, barbed wire-topped fence at the rear of the property that was leaning into Mr. Bowers' building's emergency egress area.

**5. Public Comment**

None.

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

- a. Motion – Ms. Emerson moved to recommend approval based upon the recommendations in the staff report.
- b. Second – Mr. Bettis, voicing support for the applicant's efforts at this location.
- c. Vote (8-0) – Motion passes unanimously.

**B. Case No.: PZ-2019-10**

Applicant: Anthony LaRose

Reason: Conditional Use Permit for Tattoo/Body Piercing Shop at 6132 Blue Ridge Blvd. in a Neighborhood Commercial, NC, zone.

**Introduction of Application by Chairman Wilson**

Jennifer Baird, Raytown City Attorney, swore in all members of the public that wished to speak regarding this application.

**1. Explanation of any ex parte' communication from Commission members regarding the application**

No ex parte communications reported.

**2. Enter Additional Relevant City Exhibits into the Record:**

- a. Staff report
- b. Conditional Use Permit Application
- c. Public Notice Information
- d. Applicant's site plan
- e. Site photos

**3. Introduction of Application by Staff**

Chris Gilbert, Planning & Zoning Coordinator, provided the staff report for the application, showing site location and surrounding zoning, a site plan, and various photos of the site. Mr. Gilbert addressed the history of the property, having been an Allstate insurance office for Terry Mammen, then used for other office-type business until 2017 when the most recent tenant's license expired. Mr. Gilbert stated that he had a copy of the applicant's medical test results if any of the commissioners wished to see them but was not providing them publicly since a lot of what was in the results was covered by privacy laws.

**4. Presentation of Application by Applicant**

Anthony LaRose presented himself as the applicant. He said he had worked previously at Working Class Tattoos in the Raytown Plaza before they moved to Westport. He said he doesn't want to work in Westport and would rather stay out here in Raytown.

Ms. Dwight said the building needed to be repaired before any sign is put back up.

Mr. Bettis asked how long the applicant has been tattooing. Mr. LaRose said 23 years.

Ms. Stock said she was happy that another vacant building was being occupied.

Ms. Dwight asked what his hours of operation would be. Mr. LaRose said 12 noon to 11 pm.

Mr. Frazier asked if he had a state license and if he would have other chairs in the space. Mr. LaRose said he did have a license. Mr. Gilbert added that a copy of the license was included in the staff report attachments. Mr. LaRose said he wasn't sure about other chairs as he found it hard to be around others.

Ms. Dwight asked if the applicant would be ok with limiting his hours to 10pm. Mr. LaRose said he could use the extra open time but can be closed by 10 pm if required to do so.

Ms. Dwight asked about refurbishing the monument signage. Mr. Gilbert said a sign package would need to be submitted to the City and approved and staff would like to see the frame of the sign refurbished.

Mr. Robinson asked for a better floor plan to be submitted. Mr. Gilbert said he would work with the applicant to get a better one for the council meeting.

A discussion took place among several commissioners regarding handicapped access to the building. Mr. Gilbert said it wasn't originally designed and built under ADA guidelines and is a difficult building to retrofit as it is a split entry style. Mr. Gilbert said he would work with the property owner to see what if anything is reasonably feasible to do.

Mr. Bettis thanked the applicant for choosing Raytown.

**5. Public Comment**

None.

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

Motion – Ms. Stock to recommend approval based upon the conditions contained in the staff report and the applicant reduce hours to close by 10pm instead of 11pm.

Second – Mr. Frazier

Vote (8-0) – Motion passes unanimously.

**C. Case No.: PZ-2019-11**

Applicant: Mohammad Murayan

Reason: Conditional Use Permit for Vehicle Sales and Detailing at 10805 E. 350 Hwy. in a Highway Commercial, HC, zone

**Introduction of Application by Chairman Wilson**

Jennifer Baird, Raytown City Attorney, swore in all members of the public that wished to speak regarding this application. Chairman Wilson asked staff to present the staff report for the case. Mr. Wilson entered into the record a letter received from Jeff Page questioning the need for a used auto sales business at this location.

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

No exparte communications reported.

**2. Enter Additional Relevant City Exhibits into the Record:**

- a. Staff report
- b. Conditional Use Permit Application
- c. Public Notice Information
- d. Applicant's site plan
- e. Site photos

**3. Introduction of Application by Staff**

Chris Gilbert, Planning & Zoning Coordinator, provided the staff report for the application, showing site location and surrounding zoning, a site plan, and various photos of the site. Mr. Gilbert addressed the history of the building, having been the East 350 Highway Car Wash until the license expired in August, 2019. At present no licensed business is operating on the site. Mr. Gilbert said the intensity of use on the property has been substantially increased from a mere car wash by adding auto sales and detailing to it and this would trigger compliance with the 350 corridor design standards contained in the Zoning Ordinance.

**4. Presentation of Application by Applicant**

Mohammad Murayan spoke as the applicant. He stated he will remodel the property including the building. His efforts will bring jobs and make an unattractive property look better. He will take care of the parking lot, handicapped access, replace the signage, install a nice sign on the building. He said that he would generate more taxes and revenue for the City with his proposed project.

Chairman Wilson Asked if the applicant had spoken to an architect about what it would take to meet the 350 Highway Corridor Standards. Mr. Murayan said he was going to remodel the existing footprint. Chairman Wilson asked if he was planning a display on the westbound lanes. Mr. Murayan said he wasn't sure.

Ms. Emmerson asked how many cars he would be selling. Mr. Murayan said 30 to 35. Ms. Emmerson asked where the cars would be coming from. Mr. Murayan said from auctions.

Ms. Thurman asked if the applicant was going to be doing vehicle repair on the site as well. Mr. Murayan said he was not except for some minor work to prep the cars through his detailing operation to be ready for sale. Mr. Gilbert added that repair work would require a new Conditional Use Permit application.

Mr. Bettis asked how many bays the building had. Mr. Murayan said eight. Mr. Bettis asked if there were any display limits. Mr. Gilbert said there were not but the site would have to provide for not just display but also for Fire Access, customer parking and handicapped access.

Mr. Frazier said meeting the 350 Highway overlay standards will require more investment than is required to meet normal standards. Chairman Wilson said he is concerned about the cost investment of the project. Ms. Stock asked about the process of meeting 350 Corridor design standards. Mr. Gilbert explained that the applicant would move forward with site plan submittal after getting approval for the Conditional use Permit to know he has the ability to actually operate his business before spending so much money on design.

Ms. Dwight said she was concerned about the existing used auto sales businesses in the vicinity and mentioned some past issues with code compliance by those businesses. She also said she was concerned about the condition of the car wash and utilizing it as an occupied building. Ms. Dwight also thought the density of car sales businesses was too high.

Chairman Wilson said he thought the market would speak as far as how many are able to stay in business. He said he is still concerned the 350 guidelines cost will be feasible. Mr. Robinson said he was concerned as well.

Mr. Frazier said the issue is to decide if this use is appropriate at this location. He said he supports it but thinks staff will enforce the standards making the project quite costly.

**5. Public Comment**

**Maheer Chamma, 10214 E. 96<sup>th</sup> Terrace, Kansas City**, said he was concerned about requiring the owner to absorb the large cost of building small sections of sidewalk that don't connect to anything.

**Hamid Amellal, 1001 SE Bridgehampton Way, Lee's Summit, Missouri**, said he was a friend of the applicant, the applicant is a trustworthy person, and as far as use is concerned, he believes its just like fast food restaurants where several can locate in a small area close to each other.

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

Mr. Bettis said he hoped the applicant would be successful.

Motion – Ms. Stock moved to recommend approval based upon the recommendations in the staff report.

Second – Mr. Bettis

Vote (7-1) – Ms. Dwight voted against the Motion to Approve.

**6. Other Business.**

Staff discussed the possibility of having the November Planning Commission date on a later Thursday in November, such as November 14, if the Commissioners felt that would be a good night since so many text amendments were being brought forward regarding moratorium uses, used vehicle sales, and sign code amendments, the extra time would be very helpful. The Commissioners felt this wouldn't be an issue or a hindrance to attendance and staff stated they would move forward it.

**7. Future Meeting Date –** No cases are scheduled for the December 5, 2019, Meeting, and it is hereby cancelled. Next Meeting is anticipated to be January 2, 2020, at 7:00 PM.

**8. Adjourn -** Mr. Frazier motioned, Mr. Bettis seconded, vote was unanimous by acclamation to adjourn at 9:30 PM

350 Properties LLC  
10624 E 56 Terrace  
Raytown, Mo 64133

October 17, 2019

City of Raytown  
Planning and Zoning Commission

Case No. PZ-2019-11

Dear P & Z members;

I write today to express my opposition to the conditional use as proposed. I would have participated in the October 1st informal meeting, had my notice been received before Oct 11, 2019.

My observations are these:

Adding and additional non-conforming use to this property will not improve the aesthetic appeal of the property and there is no reasonable assumption that general maintenance of the property will be increased over time. The area is already saturated with small used car lots and repair facilities in poor condition.

Altering some wash bays of a car wash to office and waiting area will most certainly fall short of desired functionality and yield less service area as a car wash, thus reducing the functionality of the primary use.

Existing wash bays will surely morph into auto repair bays further exasperating hazard and aesthetic concerns. Every car lot performs mechanical and body repair.

Additional non-conforming use will further impede re-development and help cement the low use, and larger image problems of the area.

I would not be opposed to a limited number of vehicles for sale on the eastbound side of the property, if no conversion of the built space were allowed.

Most Respectfully,



Jeff Page  
Managing member, 350 Properties



**People that participated in the Planning Commission Meeting (10/17/2019):**

**10805 E 350 Hwy Auto Sale**

**Names and Address**

- 1- Hamid Amellal, 1001 SE Bridgehampton Way, Leesummit mo 64081
- 2- Maher Chamma, 10214 E 96<sup>th</sup> Terr, Kansas City MO 64134
- 3- Ziad RaFei , 9409 E 90<sup>th</sup> Ter, Kansas City MO 64138
- 4- Khaled Ahmad, 7500 E 89<sup>th</sup> Ter, Kansas city mo 64138
- 5- Mohammad Karraz, 8601 E 97<sup>th</sup> Ter, Kansas city mo 64134
- 6- Anas ALbashaSheh , 9500 Manning Ave, Kansas city mo 64134
- 7- Jaberyahya ALKilani , 8700 E 96<sup>th</sup> Ter, Kansas City mo 64134.
- 8- Basil Foster, 5906 Fairlane Drive, Kansas city mo 64134
- 9- Ahmad Murayan, 8640 E 97<sup>th</sup> Ter, Kansas city mo 64134
- 10- Mohammad Murayan, 8640 E 97<sup>th</sup> Ter , KC mo 64134
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