

**AGENDA**  
**CITY OF RAYTOWN**  
**PLANNING AND ZONING COMMISSION MEETING**

**May 12, 2016**  
**Raytown City Hall**  
**Board of Aldermen Chambers**  
**10000 East 59<sup>th</sup> Street**  
**Raytown, Missouri 64133**

**7:00 pm**

- 1. Welcome by Chairperson**
- 2. Call meeting to order and Roll Call.**

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

- 3. Approval of minutes – April 7, 2016 meeting**

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

- 4. Old Business – None**

- 5. New Business:**

**A. Application: Application for conditional use permit for a fueling station at 6709 Raytown Road in Raytown, MO.**

**Case No.: PZ-2016-006**

**Applicant: Aim Investments, LLC**

1. Introduction of Application by Chair
2. Open Public Hearing
3. Explain Procedure for a Public Hearing and swear-in speakers
4. Enter Additional Relevant City Exhibits into the Record:
  - a. Conditional Use Permit Application submitted by applicant
  - b. Publication of Notice of Public Hearing in Daily Record Newspaper.
  - c. Public Hearing Notices mailed to property owners within 185-feet of subject property
  - d. City of Raytown Zoning Ordinance, as amended
  - e. City of Raytown Comprehensive Plan
  - f. Staff Report on application for May 12, 2016 Planning & Zoning Commission meeting

5. Explanation of any exparte' communication from Commission members regarding the application.
6. Introduction of Application by Staff
7. Presentation of Application by Applicant
8. Request for Public Comment
9. Additional Comment from Applicant, Additional Comment from Applicant, if necessary
10. Additional Staff Comments and Recommendation
11. Board Discussion
12. Close Public Hearing
13. Board Decision to Approve, Conditionally Approve or Deny the Application.
  - a. Motion
  - b. Second
  - c. Additional Board Discussion
  - d. Vote

**B. Application: Application for Final Plat for Vishnani Subdivision for property located at 6709 Raytown Road in Raytown, MO.**

**Case No.:** PZ-2016-0009

**Applicant:** Aim Investments, LLC

1. Introduction of application.
2. Explanation of any exparte' communication from Commission members regarding the application.
3. Introduction of application by staff.
4. Presentation by applicant.
5. Board Discussion.
6. Board Decision to Approve, Conditionally Approve or Deny the Application.
  - a. Motion
  - b. Second
  - c. Additional Board Discussion
  - d. Vote

**C. Application: Application for a conditional use permit for a tow lot on property located at 6218 Arlington Avenue, Suite B in Raytown, MO.**

**Case No.:** PZ-2016-007

**Applicant:** DeAndre & Leunique Briscoe on behalf of Commercial Shops & Garages, LLC

1. Introduction of Application by Chair
2. Open Public Hearing
3. Explain Procedure for a Public Hearing and swear-in speakers

4. Enter Additional Relevant City Exhibits into the Record:
  - a. Conditional Use Permit Application submitted by applicant
  - b. Publication of Notice of Public Hearing in Daily Record Newspaper.
  - c. Public Hearing Notices mailed to property owners within 185-feet of subject property
  - d. City of Raytown Zoning Ordinance, as amended
  - e. City of Raytown Comprehensive Plan
  - f. Staff Report on application for May 12, 2016 Planning & Zoning Commission meeting
5. Explanation of any exparte' communication from Commission members regarding the application.
6. Introduction of Application by Staff
7. Presentation of Application by Applicant
8. Request for Public Comment
9. Additional Comment from Applicant, Additional Comment from Applicant, if necessary
10. Additional Staff Comments and Recommendation
11. Board Discussion
12. Close Public Hearing
13. Board Decision to Approve, Conditionally Approve or Deny the Application.
  - a. Motion
  - b. Second
  - c. Additional Board Discussion
  - d. Vote

**D. Application: Application for a conditional use permit for a vehicle sales business on property located at 9601 & 9617 E. Highway 350 in Raytown, MO.**

**Case No.:** PZ-2016-008

**Applicant:** Dick Smith Ford, Inc.

1. Introduction of Application by Chair
2. Open Public Hearing
3. Explain Procedure for a Public Hearing and swear-in speakers
4. Enter Additional Relevant City Exhibits into the Record:
  - a. Conditional Use Permit Application submitted by applicant
  - b. Publication of Notice of Public Hearing in Daily Record Newspaper.
  - c. Public Hearing Notices mailed to property owners within 185-feet of subject property
  - d. City of Raytown Zoning Ordinance, as amended
  - e. City of Raytown Comprehensive Plan
  - f. Staff Report on application for May 12, 2016 Planning & Zoning Commission meeting
5. Explanation of any exparte' communication from Commission members regarding the application.
6. Introduction of Application by Staff
7. Presentation of Application by Applicant
8. Request for Public Comment

9. Additional Comment from Applicant, Additional Comment from Applicant, if necessary
10. Additional Staff Comments and Recommendation
11. Board Discussion
12. Close Public Hearing
13. Board Decision to Approve, Conditionally Approve or Deny the Application.
  - a. Motion
  - b. Second
  - c. Additional Board Discussion
  - d. Vote

**E. Application: Application to rezone property at 6812 & 6816 Hunter Street in Raytown, MO from Highway Corridor Commercial (HC) to Low Density Residential (R-1)**

**Case No.: PZ-2016-10**

**Applicant: James Sawyer**

1. Introduction of Application by Chair
2. Open Public Hearing
3. Explain Procedure for a Public Hearing and swear-in speakers
4. Enter Additional Relevant City Exhibits into the Record:
  - a. Rezoning Application submitted by applicant
  - b. Publication of Notice of Public Hearing in Daily Record Newspaper.
  - c. Public Hearing Notices mailed to property owners within 185-feet of subject property
  - d. City of Raytown Zoning Ordinance, as amended
  - e. City of Raytown Comprehensive Plan
  - f. Staff Report on application for May 12, 2016 Planning & Zoning Commission meeting
5. Explanation of any exparte' communication from Commission members regarding the application.
6. Introduction of Application by Staff
7. Presentation of Application by Applicant
8. Request for Public Comment
9. Additional Comment from Applicant, Additional Comment from Applicant, if necessary
10. Additional Staff Comments and Recommendation
11. Board Discussion
12. Close Public Hearing
13. Board Decision to Approve, Conditionally Approve or Deny the Application.
  - a. Motion
  - b. Second
  - c. Additional Board Discussion
  - d. Vote

**6. Other Business**

**7. Planning Projects Report**

**8. Set Future Meeting Date – June 2, 2016**

**9. Adjourn**

A. Motion

B. Second

C. Vote

**CITY OF RAYTOWN**  
**PLANNING AND ZONING COMMISSION MEETING**  
**MINUTES**

**April 7, 2016**

**7:00 pm**

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

**1. Welcome by Chairperson-** Mr. Tommy Bettis, Vice-chairman, served as Chairman for the meeting in Mr. Kevin Wilson's absence.

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

Wilson: Absent

Jimenez: Present

Stock: Present

Bettis: Present

Robinson: Present

Lightfoot: Present

Hartwell: Absent

Dwight: Present

Meyers: Absent

Also Present: John Benson, Director of Development and Public Affairs, George Kapke, City Attorney, and Scott Peterson, Permit Technician.

**3. Approval of Minutes of February 29, 2016 Meeting Minutes**

A. Revisions- None

B. Motion- Ms. Stock motioned to approve the minutes as submitted.

C. Second- Ms. Dwighed seconded Ms. Stock's motion to approve.

D. Additional Board Discussion- None

E. Vote- Motion passed unanimously 6-0.

**4. Old Business. – None**

**5. New Business**

**A. Application: Waiver to the approved exterior building materials specified in the City of Raytown Highway 350 Corridor Design Standards provided in Section 50-421(h) of the City of Raytown Code of Ordinances.**

**Case No.: PZ-2016-004**

**Applicant: Mike Leardi on behalf of Brian and Kenda Bamesberger**

1. Introduce Application- Mr. Bettis introduced PZ-2016-004 to the board.
2. Open Public Hearing- Mr. Bettis opened the public hearing.
3. Explain Procedure for a Public Hearing and swear-in speakers:  
Mr. Kapke swore in those wishing to speak on behalf of the application.
4. Enter Relevant City Exhibits into the Record:
  - a. Application for Waiver submitted by applicant
  - b. Publication of Notice of Public Hearing in Daily Record Newspaper
  - c. Public Hearing Notices sent to property owners within 185-feet of subject property
  - d. City of Raytown Zoning Ordinance, as amended
  - e. City of Raytown Comprehensive Plan
  - f. Staff Report on application for April 7, 2016 Planning & Zoning Commission meeting
  - g. Material sample for proposed exterior siding
5. Explanation of any exparte' communication from Commission members regarding the application.
6. Introduction of Application by Staff-  
Mr. Benson introduced the application to the board. He added exhibit "g", a material sample, into the public record.
7. Presentation of Application By Applicant-  
Mr. Wolfgang Trost, 5300 W 94<sup>th</sup> Ter., Prairie Village, KS, architect on behalf of the applicant, presented the application to the board. The applicant wished to use a Trex decking composite material as an exterior finish on the wall of his client's building, located in the Highway 350 Corridor.  
  
There was some discussion regarding the lifespan of the proposed exterior material, as well as its ability to withstand wind and precipitation.
8. Request for Public Comment- None
9. Additional Comment from Applicant, necessary- None
10. Additional Staff Comments and Recommendation-  
Mr. Benson clarified that the proposed material had not been included in the 350 Design Standards because it was an unknown material and had not been considered for approval. There is no specific restriction on this material.

11. Board Discussion-

Several board members expressed their support for the unique use of the material as an exterior finish.

12. Close Public Hearing-

Mr. Bettis closed the public hearing.

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

- a. Motion- Mr. Jimenez made a motion to approve the application.
- b. Second- Ms. Stock seconded the motion made by Mr. Jimenez.
- c. Additional Board Discussion- None
- d. Vote- Motion passed unanimously 6-0.

**B. Application: Conditional Use Permit Application that seeks to allow an indoor shooting range in the Highway Corridor Commercial (HC) District at 6326 Raytown Road, Raytown, MO 64133.**  
**Case No.: PZ-2016-005**  
**Applicant: Steve Brackeen on behalf of Gary Knabe, Cary Properties, LLC**

1. Introduce Application-

Mr. Bettis introduced PZ-2016-005 to the board.

2. Open Public Hearing-

Mr. Bettis opened the public hearing.

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

Mr. Kapke swore in those wishing to speak on behalf of the application.

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 April 7, 2016 Planning & Zoning Commission meeting

5. Explanation of any exparte' communication from Commission members regarding the application- None

6. Introduction of Application by Staff- None

7. Presentation of Application by Applicant-



Mr. Steve Brackeen, 12116 E 78<sup>th</sup> Ter., Kansas City, MO, presented the application to the board. Mr. Brackeen sought to build an indoor shooting range in the basement of his business. Mr. Brackeen described the safety components of the range, as well as the ventilation system designed to ensure user safety.

8. Request for Public Comment- None
9. Additional Comment from Applicant, if necessary- None
10. Additional Staff Comments and Recommendation-

Mr. Benson noted that there was sufficient parking at the location, and that a waiver to the Traffic Impact Analysis was granted by the Public Works Department. Mr. Benson recommended approval of the application subject to the condition that the applicant comply with all applicable Raytown City Ordinances, and the laws of the State of Missouri and the United States.

11. Board Discussion- None
12. Close Public Hearing-

Mr. Bettis closed the public hearing.

13. Board Decision to Approve, Conditionally Approve or Deny the Application.
  - a. Motion- Ms. Stock made a motion to approve the application subject to the staff recommendation.
  - b. Second- Mr. Jimenez seconded the motion made by Ms. Stock.
  - c. Additional Board Discussion- Mr. Robinson asked about the legality of carrying firearms on city streets. Mr. Brackeen stated that it is legal to carry firearms into the store according to state law.
  - d. Vote- Motion passed unanimously 6-0.

**C. Application: Final Site Development Plan and a request for a waiver to the minimum driveway width requirements in the Commercial Site Design Standards of the City of Raytown Central Business District Design Standards as provided in Section 50-396 of the City of Raytown Code of Ordinances.**

**Case No.: PZ-2016-006**

**Applicant: Robert Chapman on behalf of Tru-Path Counseling**

1. Introduce Application-

Mr. Benson stated that the applicant had withdrawn their application ~~on behalf of finding~~ due to a resolution with Staff regarding the driveway regulations that no longer required Board approval. The applicant will move forward with the project with the new agreement.

**6. Other Business – None**

**7. Planning Project Reports:**

Mr. Benson updated the board on the status of the Comprehensive Plan Review, and discussed future meeting dates to continue the review process.

**8. Set Future Meeting Date - Thursday, April 28, 2016 at 7:00 PM**

**9. Adjourn**

## STAFF REPORT

**To:** The City of Raytown Planning and Zoning Commission  
**FROM:** The Community Development Department  
**DATE:** MAY 12, 2016  
**Subject:** Agenda Item No. 5. A: Application for conditional use permit for a fueling station at 6709 Raytown Road.

### **BACKGROUND INFORMATION:**

James Sullivan with Sullivan Palmer Architects on behalf of Aim Investments, LLC, is seeking approval of a conditional use permit application that proposes to allow a vehicle fueling station at 6709 Raytown Road, which is on the northeast corner of Raytown Road and 67<sup>th</sup> Street. The subject property is owned by Aim Investments, LLC.

The applicant is seeking the conditional use permit as they want to tear down the existing building at 6709 Raytown Road and install gas pumps and construct a canopy on the property. The applicant also owns the adjoining property to the east of the subject property. The existing building on the abutting property to the east would be remodeled into a convenience store. The applicant has submitted a final plan to combine these two lots into one lot, which is agenda item 5.B.



## **FACTORS TO BE CONSIDERED:**

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

1. The stability and integrity of the various zoning districts.

The property to which the conditional use permit application applies is zoned Neighborhood Commercial (HC). The zoning and uses on surrounding properties are more specifically described below:

East: A dental office is located to the east and is zoned Neighborhood Commercial (NC).

West: Raytown Road abuts the west side of the property. Offices are located on the west side of Raytown Road and are zoned Neighborhood Commercial (NC).

South: 67<sup>th</sup> Street is located along the south side of the property. A commercial property with offices and a restaurant is located on the south side of 67<sup>th</sup> Street which is zoned Neighborhood Commercial (NC).

North: An office is located on the north side of the subject property which is zoned Neighborhood Commercial (NC). Further north are additional commercial uses which are zoned Neighborhood Commercial (NC).

2. Conservation of property values.

The proposed use, if approved, will occupy a currently vacant property as well as the adjoining property to the east. The property at 6709 Raytown Road was originally developed as a restaurant while the property to the east has previously been used as a dry-cleaner and more recently as a church. Both properties have been vacant for several years.

3. Protection against fire and casualties.

Construction of the gas pumps and canopy will require submittal of construction and engineering plans which will be reviewed by city staff for compliance with the city's adopted construction codes. In addition, prior to occupying the property, the applicant will be required to obtain a Use Permit from the Development and Public Affairs Department. As part of review and approval of the Use Permit, the buildings and property will be inspected by the City's Building Official and Property Code Enforcement Officer as well as by the Fire Marshall from the Raytown Fire Protection District to ensure compliance with the applicable life safety codes contained in the city and fire district's adopted Building and Fire Codes as well as the city's Property Maintenance Code.

4. Observation of general police regulations.

It does not appear that the proposed automotive sales business will violate any general police regulations.

5. Prevention of traffic congestion.

The subject property is located at the intersection of Raytown Road and E 67<sup>th</sup> Street. As such, it is important to prevent congestion from vehicles entering and exiting the property. To alleviate this concern the three driveways currently along 67<sup>th</sup> St will be

consolidated into one driveway large enough to fit two-way traffic, and will be placed further back from the intersection.

6. Promotion of traffic safety and the orderly parking of motor vehicles.  
As stated above, the three driveways along 67<sup>th</sup> St. will be reduced down to one driveway large enough to allow two-way traffic. This will provide a reduced number of entrances and exits for vehicles, providing fewer opportunities for incidents of vehicles crossing into or out of traffic.
7. Promotion of the safety of individuals and property.  
As previously described, if the application is approved, prior to opening for business city code requires that the applicant obtain a Use Permit from the Development and Public Affairs Department. As part of the review and approval of the Use Permit application, the buildings and property will be inspected by the City's Building Official and Property Code Enforcement Officer as well as by the Fire Marshall with the Raytown Fire Protection District to ensure compliance with the applicable life safety codes contained in the city and fire district's adopted building and fire codes.
8. Provision for adequate light and air.  
There is a proposed canopy to be built over the fuel pumps as part of the proposed conditional use. This will not have any negative impact on the provision for adequate light and air for any neighboring properties.
9. Prevention of overcrowding and excessive intensity of land uses.  
The proposed fuel pumps and canopy will sit on the opposite end of the lot, away from the convenience store. This will provide adequate room for parking and vehicle traffic, in addition to the consolidated driveways which will provide better traffic and congestion control. As such the proposed use will not provide overcrowding or an excessive land use intensity.
10. Provision for public utilities and schools.  
It is not anticipated that the proposed conditional use will have any impact on schools, and all necessary utilities are available to serve the property.
11. Invasion by inappropriate uses.  
There are other fuel stations and convenience stores along Raytown Road of similar size. As such, it does not appear that the proposed use will be an invasion of an inappropriate use if the use and property are in compliance with other city codes and regulations.
12. Value, type and character of existing or authorized improvements and land uses.  
The building on the property is proposed to be demolished and replaced with four gas pump islands and canopy. The site will be regraded and landscaping installed along 67<sup>th</sup> Street and along Raytown Road. The existing building on the property to the east, which will be combined with the subject property will be renovated and expanded into the convenience store building. Additionally, two of the existing driveways on 67<sup>th</sup> Street will be removed to improve traffic safety and reduce congestion.
13. Encouragement of improvements and land uses in keeping with overall planning.  
In addition to the proposed improvements described above, the following modifications to the proposed plans are recommended by staff:
  - a. The trash enclosure should be rotated so that the gates and opening face the parking lot and not the street in order to enable a trash truck more direct access to the trash container.

- b. The exterior appearance of the trash enclosure should match the exterior material and color of the building addition.
  - c. Landscaping consisting of shrubs need to be planted along the south and east sides of the trash enclosure to help screen it. As a result, the curb line of the parking lot adjacent to the trash enclosure needs to be changed so that the curb line on the east side of the parking lot aligns with the opening of the trash enclosure, rather than with the back of the trash enclosure.
  - d. The type and size of the shrubs at the time of planting need to be submitted to for review and approval by staff to ensure compliance with the city's adopted landscape standards.
  - e. The parking space located near the monument sign should be removed as it will interfere with traffic movement and circulation on the property.
  - f. Building elevation drawings for the existing building, the proposed building addition and proposed canopy need to be submitted for review and approval.
  - g. The exterior material of the building addition needs to be indicated and match the exterior material and color of the remainder of the building.
14. Provision for orderly and proper renewal, development and growth.  
The proposed use is located in an existing commercial area and, if the application is approved in a manner that is consistent with city codes and regulations, the proposed use will allow continued commercial use of the property while providing for the orderly and proper renewal, redevelopment and growth along Raytown Road.

**STAFF RECOMMENDATION:**

It is the recommendation of staff that the conditional use permit application to operate a fueling station at 6709 Raytown Road be approved subject to the following conditions:

- 1. The trash enclosure shall be rotated so that the gates and opening face the parking lot and not the street in order to enable a trash truck more direct access to the trash container.
- 2. The exterior appearance of the trash enclosure shall match the exterior appearance of the building addition.
- 3. Landscaping consisting of shrubs need to be planted along the south and east sides of the trash enclosure to help screen it. As a result, the curb line of the parking lot adjacent to the trash enclosure is to be changed so that the curb line on the east side of the parking lot aligns with the opening of the trash enclosure, rather than with the back of the trash enclosure.
- 4. The type and size of the shrubs at the time of planting need to be submitted to for review and approval by staff to ensure compliance with the city's adopted landscape standards.
- 5. The parking space located near the monument sign shall be removed.
- 6. Building elevation drawings for the existing building, the proposed building addition and proposed canopy shall be submitted for staff review and approval.
- 7. The exterior material of the building addition shall be indicated and shall match the exterior material and color of the remainder of the building.



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

**CONDITIONAL USE PERMIT**

<b>PERMIT #:</b> 20160282	<b>DATE ISSUED:</b> 3/22/2016
	<b>MUST COMMENCE BY:</b> 3/22/2017
<b>JOB ADDRESS:</b> 6709 RAYTOWN RD	<b>LOT #:</b>
<b>SUBDIVISION:</b>	<b>BLK #:</b>
<b>OWNER:</b> CLOUD 9 LIQUOR LLC	<b>CONTRACTOR:</b> CLOUD 9 LIQUOR LLC
<b>ADDRESS:</b> 6709 RAYTOWN RD	<b>ADDRESS:</b> 6709 RAYTOWN RD
<b>CITY, STATE ZIP:</b> RAYTOWN MO 64133-5241	<b>CITY, STATE ZIP:</b> RAYTOWN MO 64133-5241
<b>PHONE:</b>	<b>PHONE:</b>
<b>VALUATION:</b> \$ 0.00	
<b>SQ FT:</b> 0.00	
<b>OCCP TYPE:</b>	
<b>CNST TYPE:</b>	
<b>DESCRIPTION OF WORK:</b> CONDITIONAL USE PERMIT TO OPERATE A FUELING STATION ON A PROPERTY ZONED NEIGHBORHOOD COMMERCIAL (NC)	

FEE CODE	DESCRIPTION	AMOUNT
PZ-07	CONDITIONAL USE PERMIT	\$ 250.00
<b>TOTAL</b>		<b>\$ 250.00</b>

**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: \_\_\_\_\_ Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

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

**CITY OF RAYTOWN  
APPLICATION FOR CONDITIONAL USE PERMIT**

**PART I Background Information**

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

6709 Raytown Rd

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

Name	Address	Phone
<u>Aim Investments, LLC</u>	<u>14304 Robinson St., Overland Park, KS 66223</u>	<u>(513) 682-5802</u>
<u>Sameer Vishnani</u>		

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

Name	Address	Phone/Email
<u>James Sullivan, Sullivan Palmer Architects</u>	<u>8621 Johnson Dr. Merriam, KS 66202</u>	<u>(913) 888-8540</u>

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

Property is Vacant

5. Zoning classification of the property Neighborhood Commercial (NC)

6. Specify the use desired for the property: Fueling Station w/ Canopy

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

<u>Structure</u>	<u>Height</u>
<u>West building to be demolished</u>	
<u>East building</u>	<u>40' X 50'</u>

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

[Signature] \_\_\_\_\_  
[Signature] \_\_\_\_\_



**PART II Conditional Use Permit Information**

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

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

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

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

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

**A Convenience Store with fuel is a basic necessity of any neighborhood. It will provide a lot of convenience to the community. It will add to the neighborhood based retail already established along Raytown Road.**

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

**The proposed uses are a perfect combination and will add to the neighboring strip malls and retail stores. However this type of neighborhood convenience store is currently poorly served in the local community.**

Case Number: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Fee Paid: \$100.00 + \$3.00 / lot

### City of Raytown Application for Final Plat

1. Name, address and phone number of property owner(s):  
ATM INVESTMENTS, LLC  
SAMEER VISHNANI  
14304 ROBINSON STREET  
OVERLAND PARK, KANSAS 66223  
(510) 682-5802

3. Name, address and phone number of developer(s):  
SAME AS OWNER

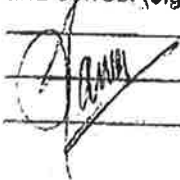
2. Name, address, phone and fax numbers of engineer(s) or surveyor(s) preparing the plat:  
ANDERSON SURVEY COMPANY  
ROBERT ANDERSON  
203 NW EXECUTIVE WAY  
LEE'S SUMMIT, MISSOURI 64063  
P. (816) 246-5050 F. (816) 246-0502

4. Legal description of the land to be subdivided (please attach a deed showing the legal description and the ownership of the tract(s) on a separate sheet).

5. Approximate street address or location:  
6709 RAYTOWN RD  
RAYTOWN, MISSOURI 64133

6. Name of proposed subdivision:  
VISHNANI SUBDIVISION

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

 SAMEER VISHNANI

8. Site Characteristics

- |                                                             |                                                                   |
|-------------------------------------------------------------|-------------------------------------------------------------------|
| A. Total acreage of subdivision:<br><u>0.473 ACRES</u>      | E. Total number of lots:<br><u>1</u>                              |
| B. Acreage this phase (if applicable):<br><u>→</u>          | F. Lots this phase (if applicable):<br><u>→</u>                   |
| C. Current zoning classification:<br><u>NC</u>              | G. Lot Area<br>Maximum: _____<br>Minimum: _____<br>Average: _____ |
| D. Proposed zoning classification (if applicable):<br>_____ |                                                                   |

9. Public Improvements

Public improvements are required for subdivisions of land in Raytown, such as public roadways, sidewalks, water, sanitary sewer, storm sewer, etc. All improvements must be constructed to City standards.

- A. Streets:  
Classification (local, collector or arterial): \_\_\_\_\_  
Proposed surface material: \_\_\_\_\_  
Length of roadway: \_\_\_\_\_  
Maximum grade: \_\_\_\_\_

✓ How will the configuration of streets in this development fit with the transportation network of Raytown? How will the traffic generated from this development affect the traffic circulation in the area? Explain in detail on separate sheets.

- B. Will this development be served by public water? Yes
- C. Will this development be served by public sanitary sewer? Yes

- D. Will this development be served by public storm sewer? YES
- E. Describe the drainage plan for this development, including any easements. Please attach a separate sheet.
- F. Will parkland or green space be dedicated? \_\_\_\_\_

#### 10. Construction Guarantee

The City of Raytown Subdivision Regulations offer 4 options for construction of public improvements within the City. Developers must indicate the options elected.

- Option 1: Complete all required public improvements prior to Board of Aldermen final approval and recording of the plat.
- Option 2: Post a performance bond to the benefit of the City in the amount of the remaining construction costs. Bonds are presented to the Board of Aldermen with the final plat.
- Option 3: Enter into an escrow agreement for the remaining construction costs. Escrow agreements are presented to the Board of Aldermen with the final plat.
- Option 4: Delay construction or bonding until final approval, upon which an escrow agreement or performance bond for 110% of the construction costs must be submitted.

**All public improvements must be inspected.** No Certificates of Occupancy will be issued before final approval of the public improvements. Developers must file a maintenance bond for 25% of the cost of construction to run for 2 years before acceptance of the improvements by the Raytown Board of Aldermen.

Option selected for street construction: \_\_\_\_\_

Option selected for sanitary sewer construction: \_\_\_\_\_

Option selected for storm sewer construction: \_\_\_\_\_

Option selected for other construction: \_\_\_\_\_

Option selected for other construction: \_\_\_\_\_

Have construction plans for the improvements been submitted to the Community

Development Department? \_\_\_\_\_

## 11. Required Submittals

**Eight (8)** copies of the plat are required for initial review by staff and the utilities serving the proposed development. Upon review, a letter detailing any required revisions will be released. Ten (10) days prior to the Planning Commission meeting copies of the revised plat must be submitted in the following formats: **Twenty Five (25)** full size folded paper copies and an electronic copy.

Unless Option 4 is selected, construction plans for the City maintained public improvements must be submitted and approved before the final plat can be placed on the agenda of the Planning Commission. Streets, streetlights, sidewalks, sanitary sewer, and storm sewer must be designed in accordance with the most current APWA regulations. In addition, Missouri Department of Natural Resources must approve water and sanitary sewer lines. Copies of letters of authorization from the Department of Natural Resources should be provided to the Raytown Public Works Department. Developers must also submit **two (2) sets of construction plans** to the Raytown Public Works Department and an electronic copy of the plans.

The Raytown Planning Commission may approve, conditionally approve or deny the plat. If the plat is approved or conditionally approved, the plat may be presented to the Board of Aldermen. Additional copies will be required at that time, along with any required plat revisions or submittals associated with the construction of the public improvements. Following approval of the final plat by the Board of Aldermen **three (3) mylar copies, five (5) paper copies** of the approved final plat need to be provided to the Community Development Department all of which need to have been signed by the applicable property owners. The City will then apply the applicable signatures from city officials to each copy of the approved final plat. When all copies of the final plat have been signed the signed final plats shall be provide to the applicant for recording. **Following recording, one mylar copy and two paper copies of the recorded final plat will need to be returned to the Community Development Department.**

Further information is available at the Raytown Community Development Department at 816-737-6010.



ELECTRONICALLY RECORDED  
JACKSON COUNTY, MISSOURI

02/12/2015 01:53:50 PM

WD FEE: \$ 24.00 2 Pages

INSTRUMENT NUMBER:  
2015E0012230

### General Warranty Deed (Individual)

**This Deed**, made and entered into on February 9, 2015, by and between **Grantor(s)**: Vincent C. Vitale and Rosemary Vitale, husband and wife whose address is 6709 Raytown Road, Raytown, MO 64133 of the County of Jackson, State of MO and **Grantee(s)**: AIM Investments, LLC limited liability company of the County of Jackson, State of KS. **Mailing Address of the Grantee(s)**: 14304 Robinson Street, Overland Park, KS 66223

**Witnesseth**, that the Grantor(s), for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration paid by the Grantee(s), the receipt of which is hereby acknowledged, do(es) by these presents **Grant, Bargain and Sell, Convey and Confirm** unto the Grantee(s), the following described Real Estate, situated in the County of Jackson and State of Missouri, to-wit:

TRACT I:

A TRACT OF LAND SITUATED IN THE NORTHWEST  $\frac{1}{4}$ , OF SECTION 9, TOWNSHIP 48, RANGE 32, RAYTOWN, JACKSON COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF RAYTOWN ROAD, 60 FEET SOUTH OF THE SOUTHWEST CORNER OF LOT 1, DRAPER'S SUBDIVISION; THENCE CONTINUING SOUTH ALONG SAID RIGHT-OF-WAY A DISTANCE OF 90.08 FEET TO A POINT 40 FEET NORTH OF THE CENTERLINE OF PAVEMENT OF 67TH STREET; THENCE EAST, PARALLEL TO AND 40 FEET NORTH OF SAID CENTERLINE A DISTANCE OF 120 FEET, THENCE NORTH AND PARALLEL TO THE EAST RIGHT-OF-WAY LINE OF RAYTOWN ROAD A DISTANCE OF 62 FEET; THENCE NORTHWESTERLY A DISTANCE OF 35.84 FEET; THENCE WEST, PARALLEL TO AND 60 FEET SOUTH OF THE SOUTH LINE OF LOT 1, DRAPER'S SUBDIVISION, A DISTANCE OF 95 FEET TO THE POINT OF BEGINNING, AND EXCEPT ANY PART THEREOF IN THE RIGHT-OF-WAY CONVEYED TO THE STATE OF MISSOURI, BY THE DEED FILED APRIL 15, 1971, AS DOCUMENT NO. I-82795 IN BOOK I-249 AT PAGE 250.

Subject to Building lines, easements, restrictions and conditions of record, if any, and to any zoning law or ordinance affecting the herein described property.

**To Have and To Hold** the same, together with all rights and appurtenances to the same belonging, unto the Grantee(s) and to the heirs and assigns of such Grantee(s) forever.

The Grantor(s) hereby covenanting that Grantor(s) and the heirs, executors, administrators, and assigns of such Grantor(s), shall and will **Warrant and Defend** the title to the premises unto the Grantee(s), and to the successors and assigns of such Grantee(s) forever, against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the calendar year and thereafter, and special taxes becoming a lien after the date of this deed.

First American Title  
400 State Line Rd., Ste. 204  
Prairie Village, KS 66208

File No.: 1372421





**ELECTRONICALLY RECORDED  
JACKSON COUNTY, MISSOURI**

**12/22/2015 09:11:59 AM**

WD FEE: \$ 27.00 3 Pages

**INSTRUMENT NUMBER:  
2015E0114353**

## **WARRANTY DEED**

**THIS INDENTURE**, Made this 19<sup>th</sup> day of December, 2015, by and between

Grantor: Stephen J. Schranz, Jr. AKA Steve Joseph Schranz and Tamara Schranz,  
husband and wife

AND

Grantee: AIM Investments, LLC, a Missouri limited liability company  
whose mailing address is: 14304 Robinson Street, Overland Park, KS 66223

**WITNESSETH:** THAT THE SAID GRANTOR, in consideration of the sum of Ten Dollars, the receipt of which is hereby acknowledged does hereby these presents, Grant, Bargain, Sell and Convey unto the said GRANTEE, its successors and assigns, all their undivided interest in and to the following described real estate situated in the County of Jackson and the State of Missouri, to-wit:

See Attached Exhibit "A"

SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, IF ANY, NOW OF RECORD.

**TO HAVE AND TO HOLD THE SAME**, Together with all and singular the tenements, hereditaments an appurtenances thereunto belonging or in any wise appertaining, forever. And said party for their heirs and assigns, does hereby covenant, promise and agree to and with said GRANTEE, that at the delivery of these presents they are lawfully seized in their own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises with the appurtenances that the same are free, clear, discharge and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of what nature or kind whatsoever: and that they will warrant and forever defend the same unto the said GRANTEE, its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.



**CITY OF RAYTOWN  
NOTICE OF PUBLIC HEARING**

Application: Request for a Conditional Use Permit seeking to operate a fueling station.

Proposed Location: 6709 Raytown Road, Raytown, MO 64133

Legal Description: Due to the length of the legal, it is on file and available for review at the offices of the Raytown Community Development Department, 10000 East 59th Street, Raytown, MO 64133.

Notice is hereby given that the Raytown Planning and Zoning Commission will hold a public hearing on the above-described application on Thursday, May 12, 2016 at 7:00 p.m., at Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

Notice is also hereby given that the Raytown Board of Aldermen will hold a public hearing regarding the above-described application on Tuesday, May 17, 2016 at 7:00 p.m., at Raytown City Hall.

The public is invited to attend each of the public hearings and be heard.

Certified for publication this 22<sup>nd</sup> day of April 2016.



Development & Public Affairs Department

10000 East 59<sup>th</sup> Street  
Raytown, Missouri 64133  
(816) 737-6014  
[www.raytown.mo.us](http://www.raytown.mo.us)

April 25, 2016

### **Notice of Public Hearing**

The City of Raytown Development & Public Affairs Department has received a Conditional Use Permit application seeking to allow a vehicle fueling station at 6709 Raytown Road in Raytown, MO.

A public hearing to consider this conditional use permit application will be held by the City of Raytown Planning and Zoning Commission on **Thursday, May 12, 2016 7:00 p.m. in the Raytown City Hall Council Chambers located at 10000 East 59<sup>th</sup> Street, Raytown, Missouri**

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described conditional use permit application on **Tuesday, May 17, 2016 at 7:00 p.m. at 7:00pm Raytown City Hall located at 10000 East 59<sup>th</sup> Street, Raytown, Missouri.**

You are invited to attend any or all of the public hearings to learn more about the application, ask questions and / or provide comment regarding this proposed conditional use permit application. Additional information regarding this application or the public hearings can be obtained from the City of Raytown Development and Public Affairs Department located in Raytown City Hall at 10000 East 59<sup>th</sup> Street, by telephone at (816) 737-6011 or by e-mail at [jbenson@raytown.mo.us](mailto:jbenson@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 Development and Public Affairs Department at Raytown City Hall at (816) 737-6011 no later than 48 hours prior to the applicable public hearing date.

FUELING STATION LABELS

AWCP REALTY HOLDINGS LLC  
3450 NE RALPH POWELL ROAD  
LEE'S SUMMIT, MO 64064

REED & WILSON PROPERTIES  
6708 RAYTOWN ROAD  
RAYTOWN, MO 64133

KIM JONGWOONG & SOONZA TRUSTEE  
9316 E 69<sup>TH</sup> TERRACE  
RAYTOWN, MO 64133

DANNY & TRINA WORTHLEY  
9911 E 80<sup>TH</sup> STREET  
RAYTOWN, MO 64138

BA INTERNATIONAL USA LLC  
8413 NORTHERN STREET  
RAYTOWN, MO 64138

REED WILSON & PROPERTIES LLC  
737 NW SILVER RDG  
LEE'S SUMMIT, MO 64081

WILLIAM CRANFILL JR  
8307 E 98<sup>TH</sup> STREET  
KANSAS CITY, MO 64134

MARTHA LEA APPLEBY  
10008 E 68<sup>TH</sup> STREET  
RAYTOWN, MO 64133

BLACK SHIRT LLC  
1112 MONTANA AVE STE 247  
SANTA MONICA, CA 90403

ROUND TABLE PROPERTY  
2700 SW LEDBURY COVE  
BENTONVILLE, AR 72712

DIVYA LLC  
7713 W 145<sup>TH</sup> STREET  
OVERLAND PARK, KS 66213

AIM INVESTMENTS LLC  
14304 ROBINSON STREET  
OVERLAND PARK, KS 66223

SPIRIT MASTER FUNDING VI LLC  
16767 N PERIMETER DRIVE  
SUITE 210  
SCOTTSDALE, AZ 85260

CONTINENTAL ADJUSTMENT  
PO BOX 166604  
RAYTOWN, MO 64133

MID AMERICA LAMINATING INC  
6636 CEDAR AVE  
RAYTOWN, MO 64133-5254

BRETT GOSSEN  
PO BOC 88144  
CAROL STREAM, ILL 60188



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

**FINAL PLAT PERMIT**

<b>PERMIT #:</b> 20160200	<b>DATE ISSUED:</b> 3/01/2016
<b>JOB ADDRESS:</b> 6709 RAYTOWN RD	<b>MUST COMMENCE BY:</b> 3/01/2017
<b>SUBDIVISION:</b>	<b>LOT #:</b>
	<b>BLK #:</b>
<b>OWNER:</b> CLOUD 9 LIQUOR LLC	<b>CONTRACTOR:</b> CLOUD 9 LIQUOR LLC
<b>ADDRESS:</b> 6709 RAYTOWN RD	<b>ADDRESS:</b> 6709 RAYTOWN RD
<b>CITY, STATE ZIP:</b> RAYTOWN MO 64133-5241	<b>CITY, STATE ZIP:</b> RAYTOWN MO 64133-5241
<b>PHONE:</b>	<b>PHONE:</b>
<b>VALUATION:</b> \$ 0.00	
<b>SQ FT:</b> 0 00	
<b>OCCP TYPE:</b>	
<b>CNST TYPE:</b>	
<b>DESCRIPTION OF WORK:</b> LOT COMBINE/FINAL PLAT	

FEE CODE	DESCRIPTION	AMOUNT
PZ-04	FINAL PLATS/PER LOT	\$ 103.00
<b>TOTAL</b>		<b>\$ 103.00</b>

**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: 03/01/16

Applicant: \_\_\_\_\_ Date \_\_\_\_\_

## Exhibit "A"

### Legal Description

Real property in the City of Raytown, County of Jackson, State of Missouri, described as follows:

ALL THE PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9,  
TOWNSHIP 48, RANGE 32, IN RAYTOWN, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SAID QUARTER QUARTER SECTION; RUN SOUTH ALONG THE WEST LINE OF SAID QUARTER QUARTER SECTION 151.23 FEET; RUN THENCE EAST ALONG THE WESTERLY PROLONGATION AND ALONG THE NORTH LINE OF PUBLIC ROAD DESCRIBED IN DEED OF DEDICATION FILED FOR RECORD MAY 2, 1968 AS DOCUMENT NO. I-13048 IN THE OFFICE OF RECORDER OF DEEDS OF JACKSON COUNTY, AT INDEPENDENCE, MISSOURI, 150.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED FILED FOR RECORDED JUNE 25, 1970 AS DOCUMENT NO. I-63607, WHICH ALSO IS THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 91.23 FEET; THENCE EAST AND PARALLEL TO THE NORTH LINE OF SAID PUBLIC ROAD 120.00 FEET TO THE WEST LINE OF LOT 10, RAYVIERA, A SUBDIVISION IN JACKSON COUNTY, MISSOURI; THENCE SOUTH ALONG THE SAID WEST LINE 91.23 FEET TO THE NORTH LINE OF SAID PUBLIC ROAD; THENCE WEST ALONG THE SAID NORTH LINE 120.00 FEET TO THE POINT OF BEGINNING.

First American Title Insurance - NCS  
7200 College Blvd.  
Overland Park, KS 66210

File # 765881

**Form:** The final plat prepared to be recorded must be provided on sheets of at least 16.25 inches by 19 inches, but must not exceed 23 inches by 36 inches. Each sheet must have a 1.25-inch binding edge along the 23-inch dimension and a one-quarter-inch border along all other sides. Where the proposed plat is of unusual size, the final plat must be submitted on two or more sheets of the same dimensions. If more than two sheets are required, an index sheet of the same dimensions must be filed to show the entire development at a smaller scale.

Final Plat Checklist	Yes	No	N/A
1. 5 copies of the final plat submitted for staff review.	X		
2. Application fee of \$100 plus \$3.00 per lot has been paid.	X		
3. Final Plat is drawn at a scale of no less than "1 inch=100 feet", with north point provided.	X		
4. Name of the subdivision is shown (not to be duplicate or too closely approximate the name of any existing subdivision).	X		
5. Location by section, township, range, county and state, and including descriptive boundaries which must be mathematically close.	X	→ see Susan's comment	
6. All calculations are furnished showing bearings and distances of all boundary lines and lot lines.	X		
7. Lots are numbered clearly. If blocks are to be numbered or lettered, they are shown clearly in the center of the block.	X		
8. Location of boundaries are shown in reference to existing official monuments or the nearest established street lines, including true angles and distances to such reference points or monuments.	X		
9. Location of lots, streets, public highways, alleys, parks and features with accurate dimensions in feet and decimals of feet, with the length of radii and/or arcs of all curves, and with all other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all angle points and points of curve to lot lines.	X		
10. The exact locations, widths, and names of all streets to be dedicated are clearly labeled.			X
11. Location and width of all easements to be dedicated are clearly labeled.	X		
12. Boundary lines and descriptions of boundary lines of <del>the</del> areas other than streets and alleys which are to be dedicated or reserved for public use are clearly labeled.			X



866 MAR 11 05

All that part of the Northwest quarter of Section 9, Township 48, Range 32, described as follows: Beginning at the Southwest corner of Section 4, of said Township 48, Range 32, and running thence south 351.25 feet; thence east 876.5 feet thence north parallel with west line of said Section 9 to the intersection with Southerly line of right of way of Rock Island Railroad; thence northwesterly along said right of way to the North line of said Section 9; thence West to the place of beginning, containing 6 1/2 acres, more or less.



TO HAVE AND TO HOLD The premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said parties of the second part and unto their heirs and assigns forever; the said Pete Lalla and Marie Lalla, Husband and wife, hereby covenanting that they are lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that they have good right to convey the same; that the said premises are free and clear from any incumbrance done or suffered by them or those under whom they claim, and that they will warrant and defend the title to the said premises unto the said part 2nd unto their heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal on the day and year above written.

Pete Lalla (SEAL)  
Marie Lalla (SEAL)  
(SEAL)  
(SEAL)

MISSOURI ACKNOWLEDGMENT—MAN AND WIFE

STATE OF MISSOURI }  
COUNTY OF JACKSON } On this 2nd day of August, 1949

before me, the undersigned, a Notary Public, personally appeared PETE LALLA and MARIE LALLA, who claim to be the persons described in and who executed the foregoing instrument, and acknowledging that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal as my office in Kansas City, Missouri, the day and year first above written.

My term expires September 7, 1952. [Signature] Notary Public in and for said County and State.

FILED FOR RECORD AND DULY RECORDED IN MY OFFICE THIS 4 DAY OF Aug. A.D., 1949, AT 1 O'CLOCK 0.2 MINUTES P.M.  
DAN T. MOFFETTER, Recorder. BY W. Payne, DEPUTY.



I 189P1059

I 63067

Warranty Deed

FROM

TO

Filed for record this \_\_\_\_\_ day

of \_\_\_\_\_ A. D. 19\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Recorded in Book \_\_\_\_\_ at Page \_\_\_\_\_

By \_\_\_\_\_ Recorder.

Deputy \_\_\_\_\_

Recorder's Fee \$ \_\_\_\_\_

I 189P1058

McDaniel Title Company

G-138594-1-1 dnd

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

IN THE RECORDER'S OFFICE

I, \_\_\_\_\_ Recorder of said County, do hereby certify that the within instrument of writing was, at \_\_\_\_\_ o'clock and \_\_\_\_\_ minutes \_\_\_\_\_ P. M., on the \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_ duly filed for record in my office, and is recorded in the records of this office, in book \_\_\_\_\_ of page \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_

BILL W. JENSEN, Recorder

*Sanita B...* Deputy

I 189P1058

MISSOURI CORPORATION ACKNOWLEDGMENT

I 350P 424

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } On this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_

before me, appeared \_\_\_\_\_  
to me personally known, who being by me duly sworn, did say that he is the President of \_\_\_\_\_

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said \_\_\_\_\_  
acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in \_\_\_\_\_ Missouri, the day and year last above written.

My commission expires \_\_\_\_\_ Notary Public within and for said County and State

387  
1118910

Warranty Deed

FROM

TO

Filed for record this \_\_\_\_\_ day  
of \_\_\_\_\_ A. D., 19\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_\_ minutes \_\_\_\_\_ M.  
Recorded in Book \_\_\_\_\_ as Page \_\_\_\_\_  
By \_\_\_\_\_ Recorder  
Deputy  
Recorder's Fee \$ \_\_\_\_\_

I 350P 423

Benson Title Co.  
204-205 Security Bank Bldg.  
Kansas City, Kansas 66101

ST. PAUL TITLE INS. CORP.

STATE OF MISSOURI }  
COUNTY OF JACKSON } IN THE RECORDER'S OFFICE

I, BILL W. AUSTIN Recorder of said County, do hereby certify that the within instrument of writing was, at 10 o'clock and 52.9 minutes A M. on the 2 day of June A. D., 19\_\_72, duly filed for record in my office, and is recorded in the records of this office, in book 180 at page 423

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at INDEPENDENCE MO. this 2 day of June A. D., 19\_\_72

BILL W. AUSTIN RECORDER  
[Signature] Deputy

I 359P 658

and conditions of the Lease between Lessor and Lessee of even date herewith, which is by this reference incorporated herein and made part thereof.

IN WITNESS WHEREOF, this Memorandum is executed as of the date first herein written.

THE MINNESOTA MUTUAL LIFE INSURANCE COMPANY

Witness:

Marlys Maher  
Marlys Maher

By J.R. Bird  
VICE PRESIDENT  
J.R. Bird

Arnold H. Heinsch III  
Notary Public  
ARNOLD H. HEINSCH III  
[Notary Seal]  
My Commission Expires Feb. 6, 1977

ATTEST: R.W. Watling  
ASSISTANT SECRETARY  
R.W. Watling

CHURCH'S FRIED CHICKEN, INC.

Witness:

D. Marie Wellman  
D. Marie Wellman

By David B. Davis  
Vice-President  
David B. Davis

Marian R. Eller  
Notary Public  
[Notary Stamp] [Notary Seal]

ATTEST: Janis M. Sells  
Janis M. Sells

MARIAN R. ELLER  
Notary Public  
My Commission Expires Feb. 1, 1973

STATE OF *Texas* )  
COUNTY OF *Bexar* ) ss.:

I 350P 660

On this *7th* day of *June*, 1972 before  
me appeared *David B. Davis*  
to me personally known who, being by me duly sworn, did  
say that he is the Vice President of CHURCH'S FRIED CHICKEN, INC.  
the corporation described in and  
which executed the foregoing instrument, and that the  
seal affixed to the foregoing instrument is the corporate  
seal of said corporation, and that said instrument was  
signed and sealed on behalf of said corporation by  
authority of its Board of Directors, and said *David B. Davis*  
acknowledged said instrument to be the free act and deed  
of said corporation.

*Marian R. Eiler*  
MARIAN R. EILER  
Notary Public for the County of Bexar, Texas  
COMMISSION EXPIRES JUNE 1, 1973

1122309

I 359P 662

I 359P 657

ST. PAUL TITLE INS. CORP.

*Return to  
Benson Title Co  
Security Bank Bldg  
Kansas City Mo. 64101*

STATE OF MISSOURI )  
COUNTY OF JACKSON )  
IN RECORDER'S OFFICE

I, BILL W. AUSTIN, Recorder of Deeds within and for the County aforesaid, do hereby certify that the foregoing instrument of writing was on the 15 day of July, A. D. 1970 at 1:30 P. M. duly filed for record in this office, and with the certificate of acknowledgment thereon endorsed, is recorded in the records of this office, in Book 1357 at page 60.

IN WITNESS WHEREOF I hereunto set my hand and affix the seal of said office, at Independence, Missouri the day and year first above written.  
BILL W. AUSTIN, Recorder By *[Signature]* Deputy

MISSOURI ACKNOWLEDGMENT—UNMARRIED PERSON 1237P 494

STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

before me, \_\_\_\_\_, a Notary Public, personally appeared

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that \_\_\_\_\_  
 executed the same as \_\_\_\_\_ free act and deed. And the said \_\_\_\_\_  
 further declare \_\_\_\_\_ to be single and unmarried.

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

My term expires \_\_\_\_\_, 19\_\_\_\_ Notary Public in and for said County and State.

MISSOURI ACKNOWLEDGMENT—MAN AND WIFE

STATE OF Missouri )  
 COUNTY OF Jackson ) On this 10th day of August, 1983

before me, \_\_\_\_\_ the undersigned, a Notary Public, personally appeared

Leo J. Ingolia and Josephine M. Ingolia

his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged  
 that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at  
 my office in Raytown, Missouri the day and year last above written.

My term expires January 8, 1984 \_\_\_\_\_  
 Notary Public in and for said County and State.

*Linda D. Miller*  
 Notary Public in and for said County and State.

Linda D. Miller



1533526

Warranty Deed

FROM \_\_\_\_\_ TO \_\_\_\_\_

Filed for record this \_\_\_\_\_ day  
 of \_\_\_\_\_ A. D., 19\_\_\_\_  
 at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
 Recorded in Book \_\_\_\_\_ as Page \_\_\_\_\_  
 Recorder \_\_\_\_\_  
 By \_\_\_\_\_ Deputy \_\_\_\_\_  
 Recorder's Fee, \$ \_\_\_\_\_

C B E A

11-26-79-59-3

MCDANIEL TITLE CO.  
 1300 BALTIMORE  
 KANSAS CITY, MO. 64105

STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) IN THE RECORDER'S OFFICE

I, \_\_\_\_\_, Recorder of said County, do hereby certify that the within  
 instrument of writing was, at \_\_\_\_\_ o'clock and \_\_\_\_\_ minutes \_\_\_\_\_ M., on the \_\_\_\_\_ day of \_\_\_\_\_  
 A.D., 19\_\_\_\_, duly filed for record in my office, and is recorded in the records of this office, in book \_\_\_\_\_ at page \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at  
 this \_\_\_\_\_ day of \_\_\_\_\_ A. D., 19\_\_\_\_

Recorder.

1217212

12450P1499

CORPORATION WARRANTY DEED  
AND BILL OF SALE

This Deed, Made and entered into this 7<sup>th</sup> day of September 1993, by and between AMERICA'S FAVORITE CHICKEN COMPANY, successor in interest to Al Copeland Enterprises, Inc., f/k/a Church's Fried Chicken, Inc., organized and existing under the laws of the State of Minnesota with its principal office in the County of Fulton, State of Georgia, party of the first part, and VINCENT C. VITALE and ROSEMARY VITALE,\* of the County of Jackson, State of Missouri party or parties of the second part.

\* husband and wife (grantees mailing address: P.O. Box 480344, Kansas City, Mo. 64048)  
WITNESSETH, that the said party of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations paid by the said party or parties of the second part, the receipt of which is hereby acknowledged, does by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said party or parties of the second part, the Real Estate situated in the County of Jackson and State of Missouri, described in Exhibit "A" attached hereto and made a part hereof, together with all improvements thereon and appurtenances thereto (collectively, the "Premises").

Grantee agrees to accept said Premises that are included in this sale "as is". Grantee further acknowledges and agrees that the Premises are to be sold and conveyed to, and accepted by Grantee, in an "as is" condition with all faults. Grantee has investigated and has knowledge of operative or proposed governmental laws and regulations (including, but not limited to, zoning, environmental, and land use laws and regulations) to which said Premises are or may be subject and accepts the Premises upon the basis of its review and determination of the applicability and effect of such laws and regulations. Grantee acknowledges accepting this deed on the basis of Grantee's own investigation of the physical and environmental conditions of said Premises. Grantee shall not test the soil of the premises for environmental contaminants unless Grantor approves of such testing. Grantee assumes the risk that adverse physical and environmental conditions may not have been revealed by its own investigation and agrees to indemnify and hold Grantor harmless against any claims, actions, causes of actions, demands, rights, costs, expenses or compensation whatsoever, direct or indirect, known or unknown, foreseen or unforeseen, arising out of the current or prior physical and environmental condition of the Premises. Grantee further acknowledges that Grantor, its agents and employees and other persons acting on behalf of Grantor, have made no representation or warranty of any kind in connection with any matter relating to the condition, value, fitness, use or zoning of said Premises upon which Grantee has relied directly or indirectly for any purpose. Grantee hereby waives and releases Grantor, of and from any claims, actions, causes of action, demands, rights, damages, costs, expenses or compensation whatsoever, direct or indirect, known or unknown, foreseen or unforeseen, which Grantee now has or which may arise in the future on account of or in any way growing out of or connected with the physical or environmental condition of the Premises or any law or regulation applicable to it.


12450P1501

STATE OF GEORGIA  
COUNTY OF FULTON

On this 5<sup>th</sup> day of September, 1993, before me appeared Kamal M. Nassar to me personally known, who, being by me duly sworn, did say that he is the Executive Vice President of America's Favorite Chicken Company a corporation of the State of Minnesota, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, by authority of its Board of Directors; and said Kamal M. Nassar acknowledged said instrument to be the free act and deed of said corporation.

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

Carol E. Bickert  
Notary Public  
My term expires  
Notary Public, Fulton County, Georgia  
My Commission Expires Dec. 10, 1993



This Instrument was prepared by America's Favorite Chicken Company,  
Legal Department, Six Concourse Parkway, Atlanta, Georgia 30328-  
5352.





ELECTRONICALLY RECORDED  
JACKSON COUNTY, MISSOURI  
**02/12/2015 01:53:50 PM**  
WD FEE: \$ 24.00 2 Pages  
INSTRUMENT NUMBER:  
**2015E0012230**

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### General Warranty Deed (Individual)

**This Deed**, made and entered into on February 9, 2015, by and between **Grantor(s)**: Vincent C. Vitale and Rosemary Vitale, husband and wife whose address is 6709 Raytown Road, Raytown, MO 64133 of the County of Jackson, State of MO and **Grantee(s)**: AIM Investments, LLC limited liability company of the County of Jackson, State of KS. **Mailing Address of the Grantee(s)**: 14304 Robinson Street, Overland Park, KS 66223

**Witnesseth**, that the Grantor(s), for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration paid by the Grantee(s), the receipt of which is hereby acknowledged, do(es) by these presents **Grant, Bargain and Sell, Convey and Confirm** unto the Grantee(s), the following described Real Estate, situated in the County of Jackson and State of Missouri, to-wit:

TRACT I:

A TRACT OF LAND SITUATED IN THE NORTHWEST ¼, OF SECTION 9, TOWNSHIP 48, RANGE 32, RAYTOWN, JACKSON COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF RAYTOWN ROAD, 60 FEET SOUTH OF THE SOUTHWEST CORNER OF LOT 1, DRAPER'S SUBDIVISION; THENCE CONTINUING SOUTH ALONG SAID RIGHT-OF-WAY A DISTANCE OF 90.08 FEET TO A POINT 40 FEET NORTH OF THE CENTERLINE OF PAVEMENT OF 67TH STREET; THENCE EAST, PARALLEL TO AND 40 FEET NORTH OF SAID CENTERLINE A DISTANCE OF 120 FEET, THENCE NORTH AND PARALLEL TO THE EAST RIGHT-OF-WAY LINE OF RAYTOWN ROAD A DISTANCE OF 62 FEET; THENCE NORTHWESTERLY A DISTANCE OF 35.84 FEET; THENCE WEST, PARALLEL TO AND 60 FEET SOUTH OF THE SOUTH LINE OF LOT 1, DRAPER'S SUBDIVISION, A DISTANCE OF 95 FEET TO THE POINT OF BEGINNING, AND EXCEPT ANY PART THEREOF IN THE RIGHT-OF-WAY CONVEYED TO THE STATE OF MISSOURI, BY THE DEED FILED APRIL 15, 1971, AS DOCUMENT NO. I-82795 IN BOOK I-249 AT PAGE 250.

Subject to Building lines, easements, restrictions and conditions of record, if any, and to any zoning law or ordinance affecting the herein described property.

**To Have and To Hold** the same, together with all rights and appurtenances to the same belonging, unto the Grantee(s) and to the heirs and assigns of such Grantee(s) forever.

The Grantor(s) hereby covenanting that Grantor(s) and the heirs, executors, administrators, and assigns of such Grantor(s), shall and will **Warrant and Defend** the title to the premises unto the Grantee(s), and to the successors and assigns of such Grantee(s) forever, against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the calendar year and thereafter, and special taxes becoming a lien after the date of this deed.

First American Title  
400 State Line Rd., Ste. 204  
Prairie Village, KS 66208

File No.: 1372421

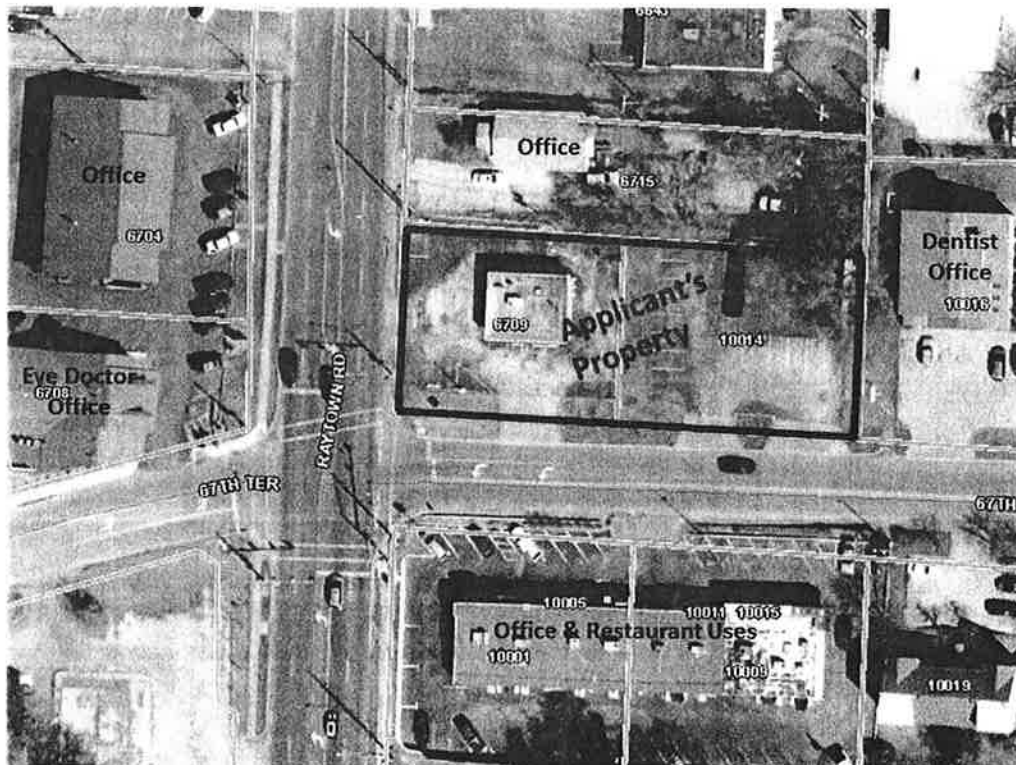
## STAFF REPORT

**To:** The City of Raytown Planning and Zoning Commission  
**FROM:** The Community Development Department  
**DATE:** MAY 12, 2016  
**Subject:** Agenda Item No. 5. A: Application for conditional use permit for a fueling station at 6709 Raytown Road.

### BACKGROUND INFORMATION:

James Sullivan with Sullivan Palmer Architects on behalf of Aim Investments, LLC, is seeking approval of a conditional use permit application that proposes to allow a vehicle fueling station at 6709 Raytown Road, which is on the northeast corner of Raytown Road and 67<sup>th</sup> Street. The subject property is owned by Aim Investments, LLC.

The applicant is seeking the conditional use permit as they want to tear down the existing building at 6709 Raytown Road and install gas pumps and construct a canopy on the property. The applicant also owns the adjoining property to the east of the subject property. The existing building on the abutting property to the east would be remodeled into a convenience store. The applicant has submitted a final plan to combine these two lots into one lot, which is agenda item 5.B.



consolidated into one driveway large enough to fit two-way traffic, and will be placed further back from the intersection.

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

As stated above, the three driveways along 67<sup>th</sup> St. will be reduced down to one driveway large enough to allow two-way traffic. This will provide a reduced number of entrances and exits for vehicles, providing fewer opportunities for incidents of vehicles crossing into or out of traffic.

7. Promotion of the safety of individuals and property.

As previously described, if the application is approved, prior to opening for business city code requires that the applicant obtain a Use Permit from the Development and Public Affairs Department. As part of the review and approval of the Use Permit application, the buildings and property will be inspected by the City's Building Official and Property Code Enforcement Officer as well as by the Fire Marshall with the Raytown Fire Protection District to ensure compliance with the applicable life safety codes contained in the city and fire district's adopted building and fire codes.

8. Provision for adequate light and air.

There is a proposed canopy to be built over the fuel pumps as part of the proposed conditional use. This will not have any negative impact on the provision for adequate light and air for any neighboring properties.

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

The proposed fuel pumps and canopy will sit on the opposite end of the lot, away from the convenience store. This will provide adequate room for parking and vehicle traffic, in addition to the consolidated driveways which will provide better traffic and congestion control. As such the proposed use will not provide overcrowding or an excessive land use intensity.

10. Provision for public utilities and schools.

It is not anticipated that the proposed conditional use will have any impact on schools, and all necessary utilities are available to serve the property.

11. Invasion by inappropriate uses.

There are other fuel stations and convenience stores along Raytown Road of similar size. As such, it does not appear that the proposed use will be an invasion of an inappropriate use if the use and property are in compliance with other city codes and regulations.

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

The building on the property is proposed to be demolished and replaced with four gas pump islands and canopy. The site will be regraded and landscaping installed along 67<sup>th</sup> Street and along Raytown Road. The existing building on the property to the east, which will be combined with the subject property will be renovated and expanded into the convenience store building. Additionally, two of the existing driveways on 67<sup>th</sup> Street will be removed to improve traffic safety and reduce congestion.

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

In addition to the proposed improvements described above, the following modifications to the proposed plans are recommended by staff:

- a. The trash enclosure should be rotated so that the gates and opening face the parking lot and not the street in order to enable a trash truck more direct access to the trash container.

**CITY OF RAYTOWN  
NOTICE OF PUBLIC HEARING**

Application: Request for a Conditional Use Permit seeking to operate a vehicle tow lot.

Proposed Location: 6218 Arlington Avenue, Raytown, MO 64133

Legal Description: Due to the length of the legal, it is on file and available for review at the offices of the Raytown Community Development Department, 10000 East 59th Street, Raytown, MO 64133.

Notice is hereby given that the Raytown Planning and Zoning Commission will hold a public hearing on the above-described application on Thursday, May 12, 2016 at 7:00 p.m., at Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

Notice is also hereby given that the Raytown Board of Aldermen will hold a public hearing regarding the above-described application on Tuesday, May 17, 2016 at 7:00 p.m., at Raytown City Hall.

The public is invited to attend each of the public hearings and be heard.

Certified for publication this 22<sup>nd</sup> day of April 2016.

## STAFF REPORT

**To:** The City of Raytown Planning and Zoning Commission  
**FROM:** JOHN BENSON, AICP  
DIRECTOR OF DEVELOPMENT AND PUBLIC AFFAIRS  
**DATE:** MAY 12, 2016  
**SUBJECT:** AGENDA ITEM NO. 5.C: (CASE NO. PZ-2016-007) APPLICATION FOR  
CONDITIONAL USE PERMIT FOR A VEHICLE TOW LOT  
ON PROPERTY LOCATED AT 6218 ARLINGTON  
AVE IN RAYTOWN, MO.

### BACKGROUND INFORMATION:

DeAndre Briscoe, serving as the agent on behalf of the property owner, Commercial Shops & Garages, LLC, is seeking approval of a conditional use permit application to allow a vehicle tow lot to operate at 6218 Arlington Ave. There is an existing business at the subject address which Hemi Auto that would continue to operate at this location as well. The subject property is zoned Neighborhood Commercial (NC).



### FACTORS TO BE CONSIDERED:

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

1. The stability and integrity of the various zoning districts.

The property to which the conditional use permit application applies is zoned Neighborhood Commercial (NC). The zoning and uses on surrounding properties are more specifically described below:

East: The property immediately to the East of the applicant property is a multi-use shopping center zoned Neighborhood Commercial (NC).

West: A water tower and equestrian park sit to the west of the applicant property. The property immediately to the west is zoned Neighborhood Commercial (NC).

South: The properties to the South of the applicant property are all zoned Neighborhood Commercial (NC), and have uses comprised of restaurant, retail, and professional office space.

North: The property immediately north of the applicant property serves as an office and warehouse for a glass and window company.

2. Conservation of property values.

If approved, the proposed use will have a minimal impact on the conservation of property values in the area. The proposed tow lot is similar in use to the existing vehicle repair business at the subject location.

3. Protection against fire and casualties.

If the application is approved, prior to opening the applicant will be required to obtain a Use Permit from the Development and Public Affairs Department. In order to obtain a Use Permit the City's Building Official and the Fire Marshal will inspect the building and property to ensure that the building and property do not pose a fire threat and are safe to occupy.

4. Observation of general police regulations.

It does not appear that the proposed tow lot will violate any general police regulations.

5. Prevention of traffic congestion.

The applicant property will be using an existing parking lot to store the vehicles it tows. Additional traffic will be limited to the trucks used for towing vehicles to the site. Therefore, the property will be producing low traffic levels, and as such a traffic impact analysis was not submitted.

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

Both the existing and proposed uses on the property generate minimal customer traffic. Staff feels that the number of parking spaces that currently exist on the property are adequate to meet the needs of both uses on the property.

7. Promotion of the safety of individuals and property.

As previously stated, prior to the business opening the property will be inspected by the City's Building Official and the Fire Marshal from the Raytown Fire Protection District to ensure the applicant complies with all applicable life safety codes and that the property is in compliance with the city's property maintenance codes.

8. Provision for adequate light and air.

The conditional use permit would not result in any new construction or alterations to the exterior the building that would alter or affect the provision of light and air on or adjacent to the property.

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

The property has previously been developed and no additions or alterations to the building are proposed. In addition, due to the low traffic generation expected, the proposed tow lot will have a negligible impact on traffic along Arlington Ave. Based upon this information, the proposed use will not result in overcrowding or be an excessively intense land use for this area of Raytown.

10. Provision for public utilities and schools.

The property contains an existing building that is served by public utilities. In addition, it does not appear that the proposed conditional use will have an impact on schools.

11. Invasion by inappropriate uses.

The applicant feels because the property is currently being used to store vehicles that the proposed use will be suitable for the proposed additional use of a tow lot on the property. Therefore, the location is suitable for the proposed use and will not be an invasion of an inappropriate use.

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

The property on which the proposed use would be located is developed and does not necessitate any exterior site or building improvements. Additionally, as previously described, the proposed use will use the existing parking area. Therefore, the proposed use is in keeping with the value, type and character of existing or authorized improvements and land uses.

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

The applicant is not proposing to construct any additions or alter the exterior of the existing building on the property.

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

With the tow low business that is proposed, staff does not have any information that indicates the proposed use will have any adverse impacts on existing land uses or infrastructure located in the surrounding area.

**STAFF RECOMMENDATION:**

It is the recommendation of staff that the conditional use permit to allow a tow lot business at the applicant property be approved, subject to the following conditions:

1. A site plan shall be submitted by the applicant for staff approval indicating the location on the property where towed vehicles shall be parked or stored.
2. A six foot high pvc / vinyl privacy fence with a, white of earth tone color, shall be constructed along the side and rear property lines so as to screen towed vehicles on the property. The fence shall begin not less than 110 feet from the edge of the street on each side of the property.
3. Any inoperable, dismantled, or damaged vehicle shall be stored or placed behind a solid pvc/vinyl fence located not closer than 110 feet from the edge of the street pavement.
4. Compliance with local, state and federal laws and regulations.



**CITY OF RAYTOWN  
NOTICE OF PUBLIC HEARING**

Application: Request for a Conditional Use Permit seeking to operate a vehicle tow lot.

Proposed Location: 6218 Arlington Avenue, Raytown, MO 64133

Legal Description: Due to the length of the legal, it is on file and available for review at the offices of the Raytown Community Development Department, 10000 East 59th Street, Raytown, MO 64133.

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The public is invited to attend each of the public hearings and be heard.

Certified for publication this 22<sup>nd</sup> day of April 2016.



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

**CONDITIONAL USE PERMIT**

**PERMIT #:** 20160318

DATE ISSUED 3/30/2016  
 MUST COMMENCE BY 3/30/2017

JOB ADDRESS 6218 ARLINGTON

LOT #  
 BLK #

SUBDIVISION:

OWNER: COMMERCIAL SHOPS & GARAGES LLC

CONTRACTOR: COMMERCIAL SHOPS & GARAGES LLC

ADDRESS 6218 ARLINGTON AVE STE B  
 CITY, STATE ZIP RAYTOWN MO 64133-3800  
 PHONE

ADDRESS: 6218 ARLINGTON AVE STE B  
 CITY, STATE ZIP RAYTOWN MO 64133-3800  
 PHONE:

VALUATION \$ 0 00  
 SQ FT 0 00  
 OCCP TYPE  
 CNST TYPE

DESCRIPTION OF WORK CONDITIONAL USE PERMIT TO ALLOW A TOW LOT IN ZONED NC PROPERTY

FEE CODE	DESCRIPTION	AMOUNT
PZ-07	CONDITIONAL USE PERMIT	\$ 250 00
<b>TOTAL</b>		<b>\$ 250 00</b>

**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 03/30/16

Applicant:

Date:

REC'D : 3/5  
R000000

Cit

Development & Public A

911 Building Perm.  
20160318  
COMMERCIAL  
6218 ARLINGTON  
PZ-CUSE  
101.42.00.000.42122 MISC  
MISC 6.25  
4-CC 256.25

APPLIED  
TENDERED  
CHANGE  
25  
256.  
0.00

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

CITY OF RAYTOWN  
APPLICATION FOR CONDITIONAL USE PERMIT

PART I Background Information

1. This request applies to property at the following address:  
6218 Arlington

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

Name	Address	Phone
<u>Commercial Shps &amp; Garages LLC</u>	<u>816</u>	
<u>Office</u>	<u>9508 E. 63 St. Raytown, MO</u>	
<u>Neal Cleverger, Principal</u>		

Cardmember acknowledges receipt of goods and/or services in the amount of the total shown hereon and agrees to perform the obligations set forth by the cardmember's agreement with the user.

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

Name	Address	Phone	Email	License
<u>DeAndre + LeUnique</u>	<u>Briscoe - 12419<sup>E</sup> 55 Ter</u>	<u>Kc mo</u>	<u>816-707-0628</u>	<u>ts01n.0 yard</u>

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

Auto shop + storage

5. Zoning classification of the property: C-2 Grandfathered

6. Specify the use desired for the property: Tow business on rear fenced storage Lot.

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

Structure	Height
<u>Garage</u>	<u>18'</u>

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

Neal Cleverger

**PART II Conditional Use Permit Information**

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

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

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

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

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

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

**PART II Conditional Use Permit Information**

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

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

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

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

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

The property is currently being used to store vehicles being serviced & it will still be used to store vehicles for/as a tow lot.

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

The use of the property will be for the same general use.

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

• Not applicable

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

NONE

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

The property is currently being used.

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

None

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

Customers will need to view/retrieve property from their vehicle or the vehicle from the facility & both the facility & utilities are adequate for that purpose.

H. Additional comments:



### TRAFFIC IMPACT ANALYSIS POLICY

To ensure fair consideration of each proposed use a traffic impact analysis of the proposed use is required to be submitted unless otherwise waived by the Director of Public Works. The following outlines the two levels of traffic impact analysis information required to be submitted.

#### Level A:

Any development project requiring a rezoning, Conditional Use Permit, or subdivision must provide a Traffic Impact Study accompanied by the seal of an Engineer currently licensed to practice in the State of Missouri or Kansas. This Study shall:

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

Any project anticipated to generate more than 100 PM peak hour trips must also provide the following items, accompanied by the seal of a Traffic Engineer currently licensed to practice in the State of Missouri or Kansas.

#### Level B:

1. Document current peak hour traffic volumes at proposed access locations.
2. Distribute and assign the development traffic volumes through the site access and on the public street(s).
3. Conduct volume/capacity analyses at site driveways and key intersections to determine the projected level of service.
4. Compare existing plus development traffic conditions with established guidelines and policies for acceptable levels of service and turn lanes.
5. Identify geometric and/or traffic control improvements to mitigate deficiencies and/or comply with established policies.
6. Prepare a report outlining the findings and conclusions of the study, including exhibits illustrating the site plan, traffic volumes, and existing street conditions.

Form updated 02/05/2014

These reports shall be submitted to the Development and Public Affairs Department with the project application.





## Official Tax Payment Receipt

Receipt No. | 9410765 | Date and Time: | 12/15/2015 08:25 | Print Date: | 3/15/2016 10:36:04 AM

### Receipt Details

Parcel No.	Tax Year	TCA/District	Amount Applied	Unpaid Balance Amount*	Description
45-210-08-27-00-0-00-000	2015	022	3,065.66	0.00	A/V Principal- Commercial
	2015	REPL	482.83	0.00	Replacement Tax

### Payer Name and Address Information

Name	Address	Tender Type	Amount Applied
COMMERICAL SHOPS & GARAGES LLC	9508 E 63RD, RAYTOWN, MO 64133	Personal Check	3,548.49

### Owner Name and Address Information

Parcel No.	Name	Address	Since	To
45-210-08-27-00-0-00-000	COMMERICAL SHOPS & GARAGES LLC	9508 E 63RD, RAYTOWN, MO 64133 UNITED STATES	08/26/2009	Current

### Distribution to Districts

Parcel No.	Tax Year	Agency	Amount
45-210-08-27-00-0-00-000	2015	BOARD OF DISABLED SERVICES	24.7968
	2015	CITY - RAYTOWN	177.9118
	2015	FIRE DISTRICT - RAYTOWN	338.1500
	2015	JACKSON COUNTY	166.5214
	2015	MENTAL HEALTH	40.2528
	2015	METRO JUNIOR COLLEGE	78.7247
	2015	MID-CONTINENT LIBRARY	105.7055
	2015	RAYTOWN SCHOOL C-II	2123.5172
	2015	REPLACEMENT TAX	482.8300
	2015	STATE BLIND PENSION	10.0800

### Real Estate Legal Descriptions

Parcel No.	Legal Line	Line No.
45-210-08-27-00-0-00-000	SECTION 05 TWNSHP 48 RANGE	1
	32 BEG 346.14' N & 25' W OF SECOR SW NE TH S 132' TH	2
	WLY 305' TH N132' TH E 305' TO BEG	3

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

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

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

**REMINDER:** Occasionally, the parcel number for a real estate parcel changes, due to a parcel segregation or merge. In such a case, a search of the new parcel number may not reflect tax delinquency or a

full tax history concerning that parcel. You may wish to contact us to obtain that information. Or, you may wish to search all relevant parcel numbers of parcels involved in such a segregation or merge. [Click here to begin a search on this website to see if a parcel was involved in a segregation or merge occurring within the past five years and to see a list of parent parcel\(s\) and child parcel\(s\) involved.](#) **NOTE: Information concerning a segregation or merge occurring more than five years prior to the search is not available on this website.**

**ATTENTION: This website will close at 11:00 p.m. on December 31.**

Taxes paid online after the website reopens in the New Year will accrue interest, penalties and fees.

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Version 1.0.5228.20119



## Property Account Summary

Parcel Number | 45-210-08-27-00-0-00-000 | Property Address | 6218 ARLINGTON AVE , RAYTOWN, MO 64133

### General Information

Property Description | SECTION 05 TWNSHP 48 RANGE 32 BEG 346.14' N & 25' W OF SECOR SW NE TH S 132' TH WLY 305' TH N132' TH E 305' TO BEG  
 Property Category | Land and Improvements  
 Status | Active, Host Other Property, Locally Assessed  
 Tax Code Area | 022

### Property Characteristics

Property Class | 3010

### Parties

Role	Percent	Name	Address
Taxpayer	100	COMMERICAL SHOPS & GARAGES LLC	9508 E 63RD, RAYTOWN, MO 64133 UNITED STATES
Owner	100	COMMERICAL SHOPS & GARAGES LLC	9508 E 63RD, RAYTOWN, MO 64133 UNITED STATES

### Property Values

Value Type	Tax Year 2015	Tax Year 2014	Tax Year 2013	Tax Year 2012	Tax Year 2011
Market Value Total	105,000	105,000	105,000	105,000	105,000
Taxable Value Total	33,600	33,600	33,600	33,600	33,600
Assessed Value Total	33,600	33,600	33,600	33,600	33,600

No Charges are currently due.

No Charge Amounts are currently due for this property. If you believe this is incorrect, please contact the Taxpayer Services Unit at (816) 881-3232(816) 881-3232

**NOTICE:** Telephones are staffed during regular business hours (8am to 5pm, Monday through Friday, excluding holidays observed by Jackson County).

### Distribution of Current Taxes

District	Amount
BOARD OF DISABLED SERVICES	24.800000
CITY - RAYTOWN	177.910000
FIRE DISTRICT - RAYTOWN	338.150000
JACKSON COUNTY	166.520000
MENTAL HEALTH	40.250000
METRO JUNIOR COLLEGE	78.720000
MID-CONTINENT LIBRARY	105.710000
RAYTOWN SCHOOL C-II	2,123.520000
STATE BLIND PENSION	10.080000
REPLACEMENT TAX	482.830000

### Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
12/15/2015 08:25	9410765	3,548.49	3,548.49	3,548.49	0.00
12/31/2014 14:22	8989592	3,574.37	3,574.37	3,574.37	0.00

12/31/2013 09:51	8406360	3,576.45	3,576.45	3,576.45	0.00
12/31/2012 15:27	7857115	3,572.42	3,572.42	3,572.42	0.00
01/04/2012 10:41	7331755	3,570.33	3,570.33	3,570.33	0.00

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

**ATTENTION: This website will close at 11:00 p.m. on December 31.**  
Taxes paid online after the website reopens in the New Year will accrue interest, penalties and fees.

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Version 1.0.5228.20119

1351763

In 390982-1

I 880P1650

TRUSTEES' DEED

THIS INDENTURE, made this 19th day of September, 1978, by and between Anna M. Robinson and John W. Reed, in their capacity as Trustees under the Revocable Living Trust Agreement dated February 18, 1970, James Luther Robinson, Grantor, hereinafter referred to as "Grantors," and Neal S. Clevenger and Mitsue I. Clevenger, husband and wife, hereinafter referred to as "Grantees," whose mailing address is 9508 E. 63rd St. Raytown, Missouri, 64133.

WITNESSETH:

That the said Grantors, in consideration of the sum of Sixty-five Thousand Nine Hundred Sixteen and 00/100 Dollars (\$65,916.00) to them paid by the said Grantees, the receipt of which is hereby acknowledged, do by these presents GRANT, BARGAIN, SELL AND CONVEY unto the said Grantees, their heirs and assigns, that real property hereinafter described lying, being and situate in the County of Jackson, State of Missouri, to-wit:

All that part of the Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 5, Township 48, Range 32, in Raytown, Jackson County, Missouri, described as follows: Commencing at a point on the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 5, which said point is 112.14 feet North of the Southeast corner of said 1/4 1/4 section; thence Westerly parallel with North line of the last mentioned 1/4 1/4 section 25 feet to the true point of beginning of the tract of land herein described, which said point is also the Southeast corner of the tract described in the deed filed February 14, 1974, in the Office of the Recorder of Deeds for Jackson County, Missouri, for Independence, as Recorder's Document No. I-174553, in Book I-499, page 214 (hereinafter referred to as "The Reese Tract") thence Southerly and parallel with the East line of said 1/4 1/4 section and parallel with the East line of the Northwest 1/4 of the Southeast 1/4 of said Section 5 a distance of 257.25 feet to the centerline of Blue Ridge Boulevard as now established; thence Westerly along said centerline a distance of 101.66 feet to a point on the Southerly prolongation of the East line of the tract described in the deed filed in the Office of the Recorder of Deeds

99-5-48-32

I 880P1651

for Jackson County, Missouri, as Recorder's Document No. 821357, in Book 1652, at page 522, (hereinafter referred to as "The Herndon Tract") thence North along the southerly prolongation of the East line of the Herndon Tract and continuing North along the East line of the Herndon Tract a distance of 257.25 feet to the Southwest corner of Reese Tract, thence Easterly along the South line of the Reese Tract to the point of beginning.

Subject, however, to all easements; to all rights-of-way for public thoroughfares; to all recorded restrictions, homes association declarations, community contracts, covenants and reservations affecting title to said real property; to all encroachments, if any; to all applicable zoning laws; and to all general taxes and special assessments which are a lien upon said real property.

which real property is hereinafter referred to as "the Premises."

This deed is made and given by the undersigned as Trustees under the Revocable Living Trust Agreement dated February 18, 1970, between James Luther Robinson, as Donor and the undersigned as Trustees, pursuant to the power of sale contained in Article VI of said Trust Agreement. Grantors state that said Trust Agreement dated February 18, 1970, is presently in full force and effect and the same has not been amended or revoked at any time from its inception on February 18, 1970 through the date hereof, and that James Luther Robinson, Donor, died on May 22, 1974, and therefore no written approval of said Donor to this sale and conveyance is necessary.

TO HAVE AND TO HOLD the Premises aforesaid, together with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or any wise appertaining, unto the said Grantees and unto their heirs and assigns forever; the said Grantors in their capacity as Trustees hereby covenanting that the said Premises are free and clear from any encumbrance done or suffered by them, except as hereinabove provided; and that they will warrant and defend the title to said Premises unto the said Grantees and unto their heirs and assigns forever against all lawful claims and demands not herein excepted of any persons claiming by, through or under them in their capacity as Trustees, but not otherwise.

I 880P1652

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands the day and year first above written.

John W. Reed  
John W. Reed

Anna M. Robinson  
Anna M. Robinson

In Their Capacity as Trustees under the Revocable Living Trust dated February 18, 1970

STATE OF Michigan )  
COUNTY OF Washtenaw ) ss.

On this 19<sup>th</sup> day of September, 1978, before me, a Notary Public, personally appeared John W. Reed to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed as Trustee of The Revocable Living Trust Agreement dated February 18, 1970.

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

Helen L. Betts

HELEN L. BETTS  
Notary Public, Washtenaw County, Mich.  
Notary Public 1014-76

(The Notary Public must type, print or stamp the Notary's name immediately below the Notary's signature.)

My Commission Expires:  
HELEN L. BETTS  
Notary Public, Washtenaw County, Mich.  
My Commission Expires 10-14-78

STATE OF Missouri )  
COUNTY OF Jackson ) ss.

On this 19th day of September, 1978, before me, a Notary Public, personally appeared Anna M. Robinson to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed as Trustee of The Revocable Living Trust Agreement dated February 18, 1970.

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

S. Kay Draper

S. Kay Draper, Notary Public  
State of Missouri, County of Jackson  
Notary Public

(The Notary Public must type, print or stamp the Notary's name immediately below the Notary's signature.)

My Commission Expires:  
SEAL  
My Commission Expires March 2, 1982

I 880P1653

STATE OF MISSOURI



STATE OF MISSOURI

*In Deed*

1351763

STATE OF MISSOURI  
JACKSON COUNTY ) SS  
I CERTIFY INSTRUMENT RECEIVED

1978 OCT 2 AM 10 11 6

I 880P1650

CLERK OF THE COURT  
DIRECTOR OF RECORDS

*1.20*  
*11.00*  

---

*12.00*

Mail to:  
Spradley, Morrison, Wirken  
& Readey  
2nd Floor  
1009 Baltimore  
Kansas City, Mo. 64105  
ATTN: Ronald C. Spradley

CHICAGO TITLE INS. CO.



RECORDER'S CERTIFICATION  
JACKSON COUNTY, MISSOURI  
08/26/2009 03:48:50 PM

INSTRUMENT TYPE: LD FEE: \$24.00 2 Pages



INSTRUMENT NUMBER/BOOK & PAGE:

2009E0086107

ROBERT T. KELLY, DIRECTOR, RECORDER OF DEEDS

## MISSOURI WARRANTY DEED

This Indenture, Made on the 26<sup>th</sup> day of August A.D., Two Thousand Nine by and between Neal S. Clevenger and Mitsue I. Clevenger, husband and wife, of the County of Jackson, State of Missouri, parties of the first part, and Commercial Shops & Garages, LLC, a Missouri limited liability company located in the County of Jackson, State of Missouri, party of the second part, (Mailing address of said first named grantee is 9508 E. 63<sup>rd</sup> Street, Raytown, Missouri 64133).

**WITNESSETH: THAT THE SAID PARTIES OF THE FIRST PART**, in consideration of the sum of Ten Dollars and other valuable consideration to be paid by said party of the second part (the receipt of which is hereby acknowledged), do by these presents, Grant, Bargain and Sell, Convey and Confirm unto the said party of the second part, the following described lots, tracts or parcels of land lying, being and situated in the County of Jackson and State of Missouri, to-wit:

All that part of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 5, Township 48, Range 32, in Raytown, Jackson County, Missouri, described as follows:

Beginning at a point on the East line of said  $\frac{1}{4}$   $\frac{1}{4}$  section 214.14 feet North of the Southeast corner of said  $\frac{1}{4}$   $\frac{1}{4}$  section; thence West parallel to the North line of said  $\frac{1}{4}$   $\frac{1}{4}$  section 330 feet; thence North parallel to the East line of said  $\frac{1}{4}$   $\frac{1}{4}$  section 132 feet; thence East 300 feet to a point on the East line of said  $\frac{1}{4}$   $\frac{1}{4}$  section; thence South along said East line 132 feet to the place of beginning, except the East 25 feet thereof in Davenport Road.

Subject to easements, restrictions, reservations and covenants of record, if any.

**TO HAVE AND TO HOLD** The premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said party of the second part and unto the assigns of such party of the second part forever; the said parties hereby covenanting that they are lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that they have good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by them or those under whom they claim; and that they will

warrant and defend the title to the said premises unto the said party of the second part and unto the assigns of such party, against the lawful claims and demands of all persons whomsoever.

**IN WITNESS WHEREOF**, The said parties of the first part have hereunto set their hands and seals the day and year above written.

Neal S. Clevenger  
Neal S. Clevenger

Mitsue I. Clevenger  
Mitsue I. Clevenger

STATE OF MISSOURI     )  
                                          )ss.  
COUNTY OF JACKSON    )

On this 26<sup>th</sup> day of August, 2009, before me, a Notary Public, personally appeared Neal S. Clevenger and Mitsue I. Clevenger his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my official seal the day and year last above written.

Judy A. Beatie  
Notary Public in and for said  
County and State

My Commission Expires:

JUDY A. BEATIE  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Commissioned for Jackson County  
Commission # 07537345  
My Commission Expires: Apr. 15, 2011

**REAL PROPERTY CERTIFICATE OF VALUE - JACKSON COUNTY, MISSOURI**

(REQUIRED TO BE FILED WITH DEED AT TIME OF RECORDING)

Please type or print all information. This form must be filed with the deed.

RECORDER'S CERTIFICATION  
JACKSON COUNTY, MISSOURI

08/26/2009 03:48:50 PM

SEP 1 0 2009

INSTRUMENT TYPE: HD FEB 24 00 2 Pages



INSTRUMENT NUMBER/BOOK & PAGE:

2009E0086107

ROBERT T. KELLY, DIRECTOR, RECORDER OF DEEDS

**FOR OFFICE USE ONLY  
DO NOT WRITE IN THIS SPACE**

Grantor's (Seller) Name: Neal S. Clevenger  
+ Mitsue I. Clevenger  
Grantee's (Buyer) Name: Commercial  
Shops + Garages, LLC  
Address of Property: 6218 Arlington Ave,  
Raytown, MO 64133  
Grantee's address, if different from above: 9508  
E. 63rd St, Raytown, MO 64133  
Parcel ID Number: 45-216-08-27



1. Is this newly constructed residential property?  YES Date occupied:   /  /    NO
2. Is this vacant land?  YES  NO
3. Intended use of property: Present Use  Renovation  New Development / Construction   
Other

4. Check if the transaction transfers property in any of the following ways:

- |                                                                                                                                                          |                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> sale for delinquent taxes                                                                                                       | <input type="checkbox"/> by deed pursuant to merger, consolidation, sale or transfer of substantially all of the assets of a corporation.                                    |
| <input type="checkbox"/> sale of cemetery lot                                                                                                            | <input checked="" type="checkbox"/> by deed as a part of the contribution to the capital of a corporation, partnership, limited liability company, or other similar entity.  |
| <input type="checkbox"/> lease or transfer of severed mineral interests                                                                                  | <input type="checkbox"/> by deed executed by personal representative to convey to devisees or heirs property passing by testate or intestate succession                      |
| <input type="checkbox"/> by order of any court                                                                                                           | <input type="checkbox"/> by deed which conveys property held in name of any partnership, not a family, to any partner or his or her spouse.                                  |
| <input type="checkbox"/> by executory contract for deed                                                                                                  | <input type="checkbox"/> by deed which is a gift of property.                                                                                                                |
| <input type="checkbox"/> by lease or easement                                                                                                            | <input type="checkbox"/> by deed between family members, or to or from a family corporation, partnership, or trust for the benefit of a family member, for no consideration. |
| <input type="checkbox"/> to or from the United States, the State of Missouri, or any agency, or political subdivision thereof.                           |                                                                                                                                                                              |
| <input type="checkbox"/> for purpose of confirming, correcting, modifying, or supplementing a previously recorded deed, without additional consideration |                                                                                                                                                                              |
| <input type="checkbox"/> solely for the purpose of releasing security for a debt or other obligation                                                     |                                                                                                                                                                              |
| <input type="checkbox"/> by deed of partition                                                                                                            |                                                                                                                                                                              |
| <input type="checkbox"/> by deed where no money or other valuable consideration is given for the transfer.                                               |                                                                                                                                                                              |

IF ANY OF THE ABOVE ITEMS IN THE SHADED BOX ARE CHECKED, PLEASE PROCEED TO #11 BELOW

5. Total Sales Price (including all assumed mortgages and liens): \$ \_\_\_\_\_  
Points were paid by:  SELLER  BUYER  NONE
6. Was there new financing?  YES  NO Did financing concessions affect sales price?  YES  NO
7. Is this deed part of a trade?  YES  NO
8. Was any personal property included in the sale price? (For example: furniture, equipment, machinery, livestock, crops, business franchise or inventory... etc.)  YES  NO  
Please describe: \_\_\_\_\_
9. Was this transaction at arm's length?  YES  NO  
(An arm's length transaction is one between unrelated parties under no duress.)
10. If you believe this transaction does not represent market value, please attach any additional information that you want the county assessor to consider.
11. I certify, under penalties of law, that this statement has been examined by me and, to the best of my knowledge and belief, is a true, correct and complete statement.

ANY PERSON WHO FAILS TO FILE A COMPLETED CERTIFICATE OF VALUE WHEN REQUIRED BY LAW, OR WHO KNOWINGLY FILES A FALSE CERTIFICATE, MAY BE PUNISHED BY A FINE OF UP TO \$1,000.

For assistance in filing this form,  
Call the Assessor's Office at (816) 881-3530  
415 E. 12<sup>th</sup> St., Suite 100M  
Kansas City, MO 64106-2752

8/31/09  
Date

[Signature]  
Signature of Grantee/Representative  
Lhnel Blauvelt, Attorney  
Print Name and Position

**CITY OF RAYTOWN  
NOTICE OF PUBLIC HEARING**

Application: Request for a Conditional Use Permit seeking to operate a vehicle tow lot.

Proposed Location: 6218 Arlington Avenue, Raytown, MO 64133

Legal Description: Due to the length of the legal, it is on file and available for review at the offices of the Raytown Community Development Department, 10000 East 59th Street, Raytown, MO 64133.

Notice is hereby given that the Raytown Planning and Zoning Commission will hold a public hearing on the above-described application on Thursday, May 12, 2016 at 7:00 p.m., at Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

Notice is also hereby given that the Raytown Board of Aldermen will hold a public hearing regarding the above-described application on Tuesday, May 17, 2016 at 7:00 p.m., at Raytown City Hall.

The public is invited to attend each of the public hearings and be heard.

Certified for publication this 22<sup>nd</sup> day of April 2016.



Development & Public Affairs Department  
10000 East 59<sup>th</sup> Street  
Raytown, Missouri 64133  
(816) 737-6014  
[www.raytown.mo.us](http://www.raytown.mo.us)

April 25, 2016

### **Notice of Public Hearing**

The City of Raytown Development & Public Affairs Department has received a Conditional Use Permit application seeking to operate a vehicle tow lot at 6218 Arlington Avenue in Raytown, MO.

A public hearing to consider this conditional use permit application will be held by the City of Raytown Planning and Zoning Commission on **Thursday, May 12, 2016 7:00 p.m. in the Raytown City Hall Council Chambers located at 10000 East 59<sup>th</sup> Street, Raytown, Missouri**

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described conditional use permit application on **Tuesday, May 17, 2016 at 7:00 p.m. at 7:00pm Raytown City Hall located at 10000 East 59<sup>th</sup> Street, Raytown, Missouri.**

You are invited to attend any or all of the public hearings to learn more about the application, ask questions and / or provide comment regarding this proposed conditional use permit application. Additional information regarding this application or the public hearings can be obtained from the City of Raytown Development and Public Affairs Department located in Raytown City Hall at 10000 East 59<sup>th</sup> Street, by telephone at (816) 737-6011 or by e-mail at [jbenson@raytown.mo.us](mailto:jbenson@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 Development and Public Affairs Department at Raytown City Hall at (816) 737-6011 no later than 48 hours prior to the applicable public hearing date.

**TOW LOT ADDRESSES**

YU JIAN M  
9700 E 63<sup>RD</sup> STREET  
RAYTOWN, MO 64133

KOOROSH & MINA SHAHLARI  
9604 E 63<sup>RD</sup> STREET  
RAYTOWN, MO 64133

RAYTOWN CAR WASH  
9508 E 63<sup>RD</sup> STREET  
RAYTOWN, MO 64133

PROFESSIONAL OFFICE BUILDINGS LLC  
9508 E 63<sup>RD</sup> STREET  
RAYTOWN, MO 64133

H & C BUILDINGS LLC  
10303 E 87<sup>TH</sup> STREET  
RAYTOWN, MO 64138

PROFESSIONAL OFFICE BUILDINGS LLC  
9508 E 63<sup>RD</sup> STREET  
RAYTOWN, MO 64133

PCJW LLC  
700 W 4<sup>TH</sup> STREET STE 200  
KANSAS CITY, MO 64112

RAYTOWN WATER COMPANY  
9820 E 63<sup>RD</sup> STREET  
RAYTOWN, MO 64133

COMMERCIAL SHOPS & GARAGES LLC  
9508 E 63<sup>RD</sup> STREET  
RAYTOWN, MO 64133

GMK  
4813 RAYTOWN ROAD  
KANSAS CITY, MO 64133

TIMOTHY AND KATHY DUNBAR  
6204 ARLINGTON AVE  
RAYTOWN, MO 64133

LEO ABLES  
1416 NE GEORGIAN PLACE  
LEES SUMMIT, MO 64064

PATRICIA O'DONNELL  
11310 MULLEN ROAD  
LENEXA, KANSAS 66215

MONOPOLY ACQUISITIONS LLC  
PO BOX 16687  
RAYTOWN, MO 64113

RAYTOWN EQUESTRIAN PARK LLC  
9508 E 63<sup>RD</sup> STREET  
RAYTOWN, MO 64133