

TENTATIVE AGENDA
RAYTOWN BOARD OF ALDERMEN
JANUARY 5, 2016
REGULAR SESSION NO. 18
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133

OPENING SESSION
7:00 P.M.

Invocation
Pledge of Allegiance
Roll Call

Proclamations & Presentations

- ★ Proclamation recognizing Reverend Dr. Martin Luther King Jr.

Public Comments

Communication from the Mayor

Communication from the City Administrator

Committee Reports

LEGISLATIVE SESSION

1. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda. If there is no objection by the remaining members of the board, such item will be removed from the consent agenda and considered separately. If there is an objection, the item may only be removed by a motion and vote of the board.

Approval of the Regular December 15, 2015 Board of Aldermen meeting minutes.

R-2836-16: A RESOLUTION AUTHORIZING AND APPROVING THE APPOINTMENT OF DARRELL SWOFFORD AS THE WARD 4 REPRESENTATIVE TO THE SPECIAL SALES TAX REVIEW COMMITTEE.
Point of Contact: Teresa Henry, City Clerk.

REGULAR AGENDA

2. Public Hearing: A public hearing to approve a site plan for land located at 5902 Blue Ridge Boulevard.

2a. **SECOND Reading: Bill No. 6400-15, Section XIII. AN ORDINANCE GRANTING APPROVAL OF THE SITE PLAN FOR A BAKERY ON LAND LOCATED AT 5902 BLUE RIDGE BOULEVARD IN ACCORDANCE WITH THE PROVISIONS OF THE COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF RAYTOWN, MISSOURI.** Point of Contact: John Benson, Development & Public Affairs Director.

3. Public Hearing: A public hearing to grant a change in zoning on land located at 6200 Blue Ridge Boulevard.
 - 3a. **SECOND Reading: Bill No. 6401-15, Section XIII. AN ORDINANCE** GRANTING A CHANGE IN ZONING FROM NEIGHBORHOOD COMMERCIAL DISTRICT AND PLANNED ZONING OVERLAY DISTRICT (NC-P) TO NEIGHBORHOOD COMMERCIAL AND CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT AND TOWN SQUARE OVERLAY DISTRICT (NC-CBD-TS) ON LAND LOCATED AT 6200 BLUE RIDGE BOULEVARD IN RAYTOWN, MISSOURI. Point of Contact: John Benson, Development & Public Affairs Director.
4. **R-2837-16: A RESOLUTION** AUTHORIZING AND APPROVING AN AGREEMENT WITH WIEDENMANN, INC. FOR AN EMERGENCY REPAIR PROJECT TO THE SANITARY SEWER MAIN LOCATED IN THE VICINITY OF 10717 E. 71st TERRACE IN AN AMOUNT NOT TO EXCEED \$69,500.00. Point of Contact: Kati Horner Gonzalez, Assistant Director of Public Works.
5. **R-2838-16: A RESOLUTION** AUTHORIZING AND APPROVING THE EXPENDITURE OF FUNDS WITH SMARTCOVER SYSTEMS IN AN AMOUNT NOT TO EXCEED \$23,045.00 FOR FISCAL YEAR 2015-2016. Point of Contact: Kati Horner Gonzalez, Assistant Director of Public Works.
6. **SECOND READING: Bill No. 6402-15, Section V-A: AN ORDINANCE** AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE JACKSON COUNTY BOARD OF ELECTION COMMISSIONERS TO UTILIZE CITY HALL AS A POLLING PLACE FOR THE 2016 CALENDAR YEAR. Point of Contact: Teresa Henry, City Clerk.

ADJOURNMENT

Next Ordinance No. 5536-15



PROCLAMATION

WHEREAS, Dr. Martin Luther King Jr. devoted his life to advancing equality, social justice, and opportunity for all, and challenged all Americans to participate in the never-ending work of building a more perfect union; and

WHEREAS, Dr. King's teachings can continue to guide and inspire us in addressing challenges in our communities; and

WHEREAS, since 1994 millions of Americans have been inspired by the life and work of Dr. Martin Luther King Jr. to serve their neighbors and communities; and

WHEREAS, celebrating this holiday is an appropriate way to honor Dr. King, meet local and national needs, bring our citizens together, and strengthen our communities and nation; and

WHEREAS, this is the only federal holiday commemorated as a national day of service, and offers an opportunity for Americans to give back to their communities on the holiday and make an ongoing commitment to service throughout the year; and

WHEREAS, projects are being organized by a wide range of nonprofit and community organizations, educational institutions, public agencies, private businesses, and other organizations across the nation; and

WHEREAS, each of us can and must contribute to making our communities better with increased opportunity for all our citizens, and

WHEREAS, citizens of Raytown have the opportunity to participate in events throughout our City as well as create and implement community service projects where they identify the need;

NOW, THEREFORE, I, Michael McDonough, Mayor of the City of Raytown proclaim January 18, 2016 as

Martin Luther King Jr. Day

in the City of Raytown and call upon the people of the City to pay tribute to the life and works of Dr. Martin Luther King Jr. through participation in community service projects on this day and throughout the year in honor of Dr. King's life and lasting legacy.

Signed this Fifth Day of January, in the Year Two Thousand and Sixteen.

Michael McDonough, Mayor

**DRAFT
MINUTES
RAYTOWN BOARD OF ALDERMEN
DECEMBER 15, 2015
REGULAR SESSION NO. 17
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133**

**OPENING SESSION
7:00 P.M.**

Mayor Michael McDonough called the December 15, 2015 Board of Aldermen meeting to order at 7:00 p.m. Sue Klotz of Blue Ridge Boulevard United Methodist Church provided the invocation and led the pledge of allegiance.

Roll Call

The roll was called by Teresa Henry, City Clerk, and the attendance was as follows:

Present: Alderman Mark Moore, Alderman Eric Teeman, Alderman Jim Aziere, Alderman Steve Mock, Alderman Josh Greene, Alderman Bill Van Buskirk, Alderman Karen Black, Alderman Steve Meyers, Alderman Jason Greene, Alderman Janet Emerson

Public Comments

None.

Communication from the Mayor

Mayor Mike McDonough reported that the Mayor's Christmas Tree Lighting was a success and well attended. Mayor McDonough thanked Raytown Main Street Association, Police, Fire and Public Works for their help in making the event a success.

Mayor McDonough encouraged Raytown residents to visit the Rice-Tremonti home during their annual Christmas Tour. Tour dates are December 5-20, 2015 from 1:00 p.m. to 5:00 p.m.

Mayor McDonough wished residents a safe and wonderful Merry Christmas.

Communication from the City Administrator

Mahesh Sharma, City Administrator wished Raytown staff and residents Happy Holidays.

Committee Reports

Alderman Teeman reported that the Park Board met recently to discuss the findings from the master plan. Based on the information in the plan, some major decisions will need to be made regarding the future and success of Raytown Parks.

Alderman Jason Greene presented Alderman Mock with a belated birthday gift from Raytown Middle School wrestlers.

Alderman Van Buskirk reported he attended the ribbon cutting for the Crane Brewing Company. He encouraged residents to visit the new business and tour the facility.

Alderman Van Buskirk thanked all the volunteers who helped at the Lighting Ceremony and wished Raytown residents a Merry Christmas and Happy New Year.

Alderman Mock thanked several Aldermen and residents for their help with making the Lighting Ceremony a success.

Alderman Mock reported the Municipal Committee had its first meeting and he thanked the other committee members for their input. The next meeting is scheduled for January 19, 2016.

LEGISLATIVE SESSION

1. **CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda. If there is no objection by the remaining members of the board, such item will be removed from the consent agenda and considered separately. If there is an objection, the item may only be removed by a motion and vote of the board.

Approval of the Regular December 1, 2015 Board of Aldermen meeting minutes.

R-2833-15: A RESOLUTION AUTHORIZING AND APPROVING THE REAPPOINTMENT OF PAT JACKSON TO THE JACKSON COUNTY BOARD OF EQUALIZATION TO REPRESENT THE CITY ON ISSUES RELATING TO THE CITY OF RAYTOWN. Point of Contact: Teresa Henry, City Clerk.

R-2834-15: A RESOLUTION AUTHORIZING AND APPROVING THE REAPPOINTMENT OF JIM SCHAAP AS THE WARD 5 REPRESENTATIVE TO THE SPECIAL SALES TAX REVIEW COMMITTEE. Point of Contact: Teresa Henry, City Clerk.

Alderman Teeman, seconded by Alderman Mock, made a motion to approve the consent agenda. The motion was approved by a vote of 10-0.

Ayes: Aldermen Teeman, Mock, Van Buskirk, Josh Greene, Jason Greene, Moore, Aziere, Black, Meyers, Emerson

Nays: None

REGULAR AGENDA

2. Public Hearing: A public hearing to approve a site plan for land located at 5902 Blue Ridge Boulevard.

2a. **FIRST Reading: Bill No. 6400-15, Section XIII. AN ORDINANCE GRANTING APPROVAL OF THE SITE PLAN FOR A BAKERY ON LAND LOCATED AT 5902 BLUE RIDGE BOULEVARD IN ACCORDANCE WITH THE PROVISIONS OF THE COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF RAYTOWN, MISSOURI.** Point of Contact: John Benson, Development & Public Affairs Director.

The bill was read by title only by Teresa Henry, City Clerk.

Mayor McDonough opened the public hearing and called for any ex parte' communication(s). Alderman Steve Meyers had communication regarding the issue but would weigh all facts before making a decision.

John Benson, Development & Public Affairs Director and applicant Wanda Mullins, provided the Staff Report and remained available for discussion.

Mayor McDonough opened the floor for public comment. There were none.

Board discussion included whether or not the applicant was in agreement with the recommendations made by Planning & Zoning Commission and the type of greenery that could be planted near the street.

Alderman Josh Greene, seconded by Alderman Meyers made a motion to continue to a date certain of January 5, 2016. The motion was approved by a vote of 10-0.

Ayes: Aldermen Josh Greene, Meyers, Emerson, Moore, Black, Jason Greene, Van Buskirk, Aziere, Teeman, Mock

Nays: None

3. Public Hearing: A public hearing to grant a change in zoning on land located at 6200 Blue Ridge Boulevard.

3a. **FIRST Reading: Bill No. 6401-15, Section XIII. AN ORDINANCE GRANTING A CHANGE IN ZONING FROM NEIGHBORHOOD COMMERCIAL DISTRICT AND PLANNED ZONING OVERLAY DISTRICT (NC-P) TO NEIGHBORHOOD COMMERCIAL AND CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT AND TOWN SQUARE OVERLAY DISTRICT (NC-CBD-TS) ON LAND LOCATED AT 6200 BLUE RIDGE BOULEVARD IN RAYTOWN, MISSOURI.** Point of Contact: John Benson, Development & Public Affairs Director.

The bill was read by title only by Teresa Henry, City Clerk.

Mayor McDonough opened the public hearing and called for any ex parte' communication(s). Alderman Van Buskirk had communication regarding the topic but would weigh all facts before making a decision.

John Benson, Development & Public Affairs, provided the Staff Report and remained available for discussion.

Mayor McDonough opened the floor for public comment. There were none.

Board discussion included clarification regarding the correct zoning for the proposed property, if the town square overlay designation would limit future businesses from rebuilding under a different classification, if future developers would have to be consistent with streetscape designs and if future developers could ask for the space to be rezoned to benefit their needs.

Alderman Aziere, seconded by Alderman Jason Greene made a motion to continue to a date certain of January 5, 2016. The motion was approved by a vote of 10-0.

Ayes: Aldermen Aziere, Jason Greene, Van Buskirk, Josh Greene, Teeman, Mock, Moore, Black, Meyers, Emerson
Nays: None

4. **R-2835-15: A RESOLUTION AUTHORIZING AND APPROVING THE PURCHASE OF AMMUNITION FROM GULF STATES DISTRIBUTORS OFF THE STATE OF MISSOURI LAW ENFORCEMENT AGENCY COOPERATIVE PURCHASE CONTRACT IN AN AMOUNT NOT TO EXCEED \$38,400.00 FOR FISCAL YEAR 2015-2016.** Point of Contact: Jim Lynch, Police Chief.

The resolution was read by title only by Teresa Henry, City Clerk.

Jim Lynch, Police Chief, provided the Staff Report and remained available for discussion.

Discussion included if ammunition would be used for target practice and if purchased ammunition would last the fiscal year.

Alderman Van Buskirk, seconded by Alderman Black made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Aldermen Van Buskirk, Black, Meyers, Jason Greene, Emerson, Josh Greene, Moore, Aziere, Mock, Teeman
Nays: None

5. **FIRST READING: Bill No. 6402-15, Section V-A: AN ORDINANCE AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE JACKSON COUNTY BOARD OF ELECTION COMMISSIONERS TO UTILIZE CITY HALL AS A POLLING PLACE FOR THE 2016 CALENDAR YEAR.** Point of Contact: Teresa Henry, City Clerk.

The bill was read by title only by Teresa Henry, City Clerk.

Teresa Henry, City Clerk, presented an overview of the Staff Report and remained available for questions.

Discussion included if fee paid by Jackson County Board of Election had decreased from previous contract agreement.

ADJOURNMENT

Alderman Teeman, seconded by Alderman Mock made a motion to adjourn. The motion was approved by a majority of those present.

The meeting adjourned at 7:43 p.m.

Teresa M. Henry, MRCC
City Clerk

CITY OF RAYTOWN
Request for Board Action

Date: December 29, 2015
To: Mayor and Board of Aldermen
From: Teresa Henry, City Clerk

Resolution No. R-2836-16

Department Head Approval: _____

City Administrator Approval: _____

Action Requested: Appointment of Special Sales Tax Review Committee member to represent Ward 4.

Recommendation: None.

Analysis: The Special Sales Tax Review Committee was originally established in 2002 to provide guidance and oversight on how money from the Transportation Sales Tax, Capital Improvement Sales Tax and Public Safety Sales Taxes approved by the voters is spent. In doing so, the Committee is required to meet at least once each quarter to monitor the plan.

The Committee is comprised of one citizen member from each of the five Wards selected by mutual agreement of the Aldermen elected to represent the Ward and the appointment of two additional citizen members by the Mayor. If the two Aldermen representing that Ward cannot agree on a citizen member, then each of the two Aldermen nominate a citizen member and the Board of Aldermen select the committee member by majority vote.

There is currently a vacancy on the Committee from Ward 4 and the Aldermen from Ward 4 have reached a consensus and recommend Darrell Swafford be appointed to fill the vacant position.

To be qualified for appointment a citizen must meet the following criteria:

1. current resident
2. at least 21 years of age
3. citizen of US
4. resident of the City for at least one year prior to appointment.

A RESOLUTION AUTHORIZING AND APPROVING THE APPOINTMENT OF DARRELL SWOFFORD AS THE WARD 4 REPRESENTATIVE TO THE SPECIAL SALES TAX REVIEW COMMITTEE

WHEREAS, Resolution 1312-02 provides for appointment of a Special Sales Tax Review Committee; and

WHEREAS, such Special Sales Tax Review Committee is comprised of one citizen from each of the five Wards appointed by the Aldermen who represent that Ward and two citizens appointed at-large by the Mayor; and

WHEREAS, in the event the Aldermen representing the Ward are unable to agree on an individual to appoint to the Committee, each Alderman nominates a representative to serve on the Committee and the representative for the Ward is selected by a vote of the Board of Aldermen; and

WHEREAS, a vacancy exists in Ward 4 on the Special Sales Tax Review Committee and the Aldermen from Ward 4 recommend the appointment of Darrell Swofford to be the Ward 4 representative to the Special Sales Tax Review Committee.

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

THAT Darrell Swofford, 7712 Westridge Road, Raytown, MO is hereby appointed as the Ward 4 member of the Special Sales Tax Review Committee, to fill the remainder of an unexpired term ending November 1, 2017, or until a successor is duly appointed;

FURTHER THAT this resolution shall be in full force and effect from and after the date of its passage and approval.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 5th day of January, 2016.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Joe Willerth, City Attorney

Date:
December 29, 2015

Last Name:
Swofford

First Name:
Darrell

Middle Name:
Edwin

Address:
7712 Westridge Road, Raytown, MO 64138

Phone: Day:
816-820-7375

Phone: Evening:
816-820-7375

Cell Phone Number:
816-820-7375

Fax No.:
877-608-4452

Email Address:
dswofford01@comcast.net

Which board would you like to serve on?
Special Sales Tax Oversight Committee

Because:

I believe that the work of this committee is not only extremely important, but essential. Raytown voters created these special sales tax categories to generate much needed funds to move our city forward and make it the best place we can afford. Promises were made to the voters as to what the money from the sales taxes would be used. These promises have been kept to the satisfaction of the voters as evidenced by the April 2014 renewal of the Transportation Sales Tax and the Capital Improvement Sales Tax. The best way to keep Raytown voters supportive of these two taxes and the Public Safety Sales Tax is to ensure through oversight that the monies from the taxes are being spent in keeping with the promises made to the voters and in such a way as to give them the best "bang for their bucks." This all comes down to what is missing far too much in certain levels of government: Accountability. The involvement of a citizen-based oversight committee gives accountability, which the voters appreciate.

My strength(s) on this Committee will be:

A strong work ethic and sense of responsibility to the Raytown voters, which will drive me to study what is brought before the committee and be sure that I am properly and adequately prepared to vote on the issues and ensure that the expenditures I vote to approve fall within the scope of the voters' intent when they passed the various taxes.

I am principled.

I am a listener and always try to have all the facts before making my decisions. I am willing to change my mind and my vote, should I be furnished additional or different facts than I had when first forming my opinion and decision.

I have experience with financial oversight in my service on the boards of other organizations.

Education: High School/City/State/Date:

Paseo High School, Kansas City, Missouri. Graduated 1962.

Trade/College/University/Degree/Date:

MJC-KC, Kansas City, Missouri. Associate in Arts, 1968.

Post Graduate/College/Degree/Date:

Cleveland Chiropractic College, Kansas City, Missouri. Doctor of Chiropractic (D.C.), 1971.

Current: Employer/Address/Position:

Retired.

Past Employer/Address/Position/Dates:

Hubbell Law Firm, Union Station Kansas City, 30 West Pershing Road, Kansas City, Missouri 64108. Medicolegal investigator and analyst. January 2, 1972 to April 30, 2013.

Organization/Leadership Position(s)/Membership Dates (s):

- Board of Education, Raytown C-2 School District, appointed November 1997; elected April 1998; re-elected April 2001 & April 2004; Vice president, 2001-03; President, 2003-04; Vice president, 2004-05, 2005-06.
- Raytown Board of Education Representative to Cooperating School Districts of Greater Kansas City, 1997 to 2007. Member, Legislative Committee of Cooperating School Districts of Greater Kansas City, 1997 to 2007; co-chairman, legislative committee, 2001 to 2007.
- Raytown Board of Education Representative to Raytown Area Chamber of Commerce Legislative Committee, 2001 to 2007.
- Raytown C-2 School District Drug-free Schools/Community Advisory Council, 1987 to 2007.
- School District of Raytown Educational Foundation, Board of Directors - 1993 to 2004; Vice President, 1996-97; President 1997-98, 1998-99, 1999-2000, 2000-01, 2001-02 and 2003-04.
- Missouri PTA Board of Managers, Vice president and Director, Department of Legislation and Advocacy, October 2003 to October 2005.
- Missouri PTA Board of Managers, Vice president and Director, Department of Legislation, October 2001 to October 2003.

- Missouri PTA Board of Managers, State Legislative Chairman, October 1997 to October 2001.
- Raytown PTA Council, Legislative Chairman, 1988 to 2004.
- Raytown PTA Council, President, 1993 to 1995.
- Raytown South High School PTSA, President, 1992 to 1994.
- Boy Scouts of America, Raytown Troop 550, Troop Committee Chairman, 1989 to 1993; adult leader, 1987 to 1994.
- Raytown/Lee's Summit YMCA, Member of Board of Managers, 1980 to 1988; Chairman, 1984 to 1986.
- Raytown Partners for Education (a community group successfully promoting a \$33.5 million school bond (capital improvements) issue for Raytown C-2 School District), Co-Chairman, 1990-1991.
- Western Regional Advisory Council, State of Missouri Department of Mental Health, Division of Alcohol and Drug Abuse, Member, 1988-1990; Chairman, Prevention and Education Committee, 1989 to 1990.

Do you have business or property interests that might place you in a conflict of interest situation should you be appointed to this Board/Commission/Committee?

No.

Do you anticipate that there will be times when you will not be able to attend the Board/Commission/Committee meeting?

No.

CITY OF RAYTOWN

Request for Board Action

Date: December 9, 2015

Bill No. 6400-15

To: Mayor and Board of Aldermen

Section No.: XIII

From: John Benson, Director, Development and Public Affairs Department

Department Head Approval: _____

Finance Director Approval: _____ (only if funding requested)

City Administrator Approval: _____



Action Requested: Conduct a public hearing to consider the Site Plan and requested waivers to the Central Business District Design Standards for a proposed bakery on property located at 5902 Blue Ridge Boulevard.

Recommendation: The Planning & Zoning Commission by a vote of 6 in favor, 0 against and 1 abstention recommends approval of the Site Plan and granting of the requested waivers relating to the location of the parking lot area as specified in the conditions stipulated in the attached ordinance.

Analysis: Wanda Mullins is seeking approval of the attached site development plan for a bakery she plans to open in an existing building located at 5902 Blue Ridge Boulevard. The property is located within the CBD Overlay District and is; therefore, subject to the applicable design standards specified within this overlay district. The CBD Design Standards are divided into the following three categories:

- Commercial Site Design;
- Commercial Building Design; and
- Commercial Sign Design.

There is an existing building on the property that is not proposed to have any additions or exterior alterations made to it. Therefore the building design standards and sign design standards are not applicable. The applicant is, however, proposing to construct a parking lot on the property which is subject to the Site Design Standards provided in the CBD Overlay District. The submitted site development plan identifies the location of the proposed parking lot as well as proposed landscaping to be installed. Staff has reviewed the site plan in relation to the Commercial Site Design standards and found it to comply with all of the applicable standards except for the standard stating the parking lot be located to the side or rear of the building on the property.

According to the CBD Design Standards, the intent of this requirement is to maintain a contiguous, active pedestrian street front by locating parking facilities behind buildings. In this case, the subject property is a corner lot with an existing building on it. Therefore, in order to comply with this standard the parking lot would need to be located to the rear (west) or on the south side of the existing building. As shown on the submitted plans the proposed parking is proposed to be located on the north side of the existing building adjacent to Blue Ridge Boulevard and 59th Street. Because the parking lot would be between the building and these streets, it is considered to be located in front of the building and therefore does not comply with this CBD design standard.

The applicant wants to have the parking lot in this area of the property in order to:

- Utilize the existing driveway on the property;
- Provide access to the existing garage that is located in the basement of the building and accessed on the north side of the building; and

- Provide parking in closer proximity to the entrance to the bakery.

If the parking lot were to be located on the south side of the building, it would necessitate either a separate driveway from Blue Ridge Boulevard and construction of a long drive from the parking lot around the building to access the garage, which the applicant says would increase their construction costs. Also, if the parking area were constructed entirely to the rear of the building, it would require customers to walk back to the front of the building, which they feel would be inconvenient and hurt their business.

The CBD Design Standards allow the Board of Aldermen to approve an alternative to this design standard. The CBD Design standards additionally state that if an alternative is approved and parking is allowed to be located to the side of the building, then parking facilities are to provide a 10-foot-wide planting area between the parking facility and street right-of-way to include:

- a year-round sight barrier;
- evergreen shrubs;
- evergreen ground cover; and
- shrub material maintained at a maximum height of 3 feet for visibility.

The submitted site development plan depicts a 10-foot-wide landscape buffer between the parking area and 59th Street as well as Blue Ridge Boulevard which meets this standard when an alternative is approved. The location of the street trees to be planted along Blue Ridge Boulevard, however, need to be moved onto the applicant's property behind the sidewalk so they will not interfere with the overhead power lines along Blue Ridge Boulevard. This applicant has no objection to relocating the proposed trees onto their property as recommended.

The following four options to this design issue were identified and discussed at the Planning Commission meeting.

- a. Require the entire parking lot area to be relocated to the south side of the building so that it will be in full compliance with this design standard; or
- b. Approve the parking lot layout alternative as proposed.
- c. Approve a modified parking layout that relocates the two handicap parking spaces to the west thereby placing the parking lot area no closer to Blue Ridge Boulevard than the front porch of the building on the property, thereby placing it to the side of the building in context to Blue Ridge Boulevard while allowing the parking area to be located between (i.e. in 'front' of) the building and 59th Street. This alternative would also necessitate the site detention area to be modified, the final design of which has not yet been completed.
- d. The same as option c above but require the three parking spaces near the northeast corner of the parking lot area to also be moved to the west side of the proposed parking area thereby extending the parking lot area further to the west along 59th Street while maintaining more open landscape area along Blue Ridge Boulevard and at the intersection of 59th Street and Blue Ridge Boulevard. This alternative would also necessitate the site detention area to be modified, the final design of which has not yet been completed.

After discussing these options at their meeting on December 3, 2015, the Planning Commission recommends that alternative d be required. The applicant indicated this option would be acceptable.

Alternatives: The alternative to the recommendation of the Planning & Zoning Commission would be to:

1. Deny the site plan and requested waivers to the Central Business District (CBD) Design Standards; or
2. Approve a modified site development plan; or
3. Refer the application back to the Planning Commission for revisions and/or further review.

Fiscal Impact: N/A

Budgetary Impact

Not Applicable

Additional Reports / Information:

- Staff Report for the December 3, 2015 Planning & Zoning Commission Meeting
- Minutes of the December 3, 2015 Planning & Zoning Commission Meeting
- Site Development Plan

STAFF REPORT

To: The City of Raytown Planning and Zoning Commission

From: The Community Development Department

Date: December 3, 2015

Subject: Agenda Item No. 5.B: Final Site Development Plan for a Bakery at 5902 Blue Ridge Boulevard

Background Information:

Wanda Mullins is seeking to open a bakery in an existing building located at 5902 Blue Ridge Boulevard. The property is located within the CBD Overlay District and is therefore, subject to the applicable design standards specified within this overlay district. The CBD Design Standards are divided into the following three categories:

- Commercial Site Design;
- Commercial Building Design; and
- Commercial Sign Design.

There is an existing building on the property that is not proposed to have any additions or exterior alterations made to it. Therefore the building design standards and sign design standards are not applicable. The applicant is, however, proposing to construct a parking lot on the property which is subject to the Site Design Standards provided in the CBD Overlay District. The applicant has submitted a site development plan, a copy of which is attached, and identifies the location of the proposed parking lot.



MATTERS TO BE CONSIDERED

Staff has reviewed the submitted site development plan in relation to the following Commercial Site Design standards specified in the CBD Design Standards Overlay District.

1. Location of Parking Facilities: According to the CBD Design Standards the intent of this requirement is to maintain a contiguous, active pedestrian street front by locating parking facilities behind buildings. The subject property is a corner lot. Therefore, in order to comply with this standard the parking lot would need to be located to the rear (west) or on the south side of the existing building. As shown on the submitted plans the proposed parking is proposed to be located on the north side of the existing building adjacent to Blue Ridge Boulevard and 59th Street. Because the parking lot is would be between the building and these streets, it is considered to be located in front of the building and therefore does not comply with this CBD design standard.

The applicant wants to have the parking lot in this area of the property in order to:

- Utilize the existing driveway on the property;
- Provide access to the existing garage that is located in the basement of the building and accessed on the north side of the building; and
- Provide parking in closer proximity to the entrance to the bakery.

If the parking lot were to be located on the south side of the building, it would necessitate either a separate driveway from Blue Ridge Boulevard or construction of a long drive off of the parking area to access the garage, which the applicant says would increase their construction costs. Also, if the parking area were constructed to entirely the rear of the building, it would require customers to walk back to the front of the building, which they feel would be inconvenient and hurt their business.

The CBD Design Standards allow the Board of Aldermen to approve an alternative to this design standard that requires parking facilities to be located behind the building. The CBD Design standards additionally state that if an alternative is approved and parking is allowed to be located to the side of the building, then parking facilities are to provide a 10 foot wide planting area between the parking facility and street right-of-way to include:

- a year-round sight barrier;
- evergreen shrubs;
- evergreen ground cover; and
- shrub material maintained at a maximum height of 3 feet for visibility.

There are a few options to this design issue.

- a. Require the entire parking lot area to be relocated to the south side of the building so that it will be in full compliance with this design standard; or
- b. Approve the parking lot layout alternative as proposed.

- c. Approve a modified parking layout that relocates the two handicap parking spaces to the west thereby placing the parking lot area no closer to Blue Ridge Boulevard than the front porch of the building on the property, thereby placing it to the side of the building in context to Blue Ridge Boulevard while allowing the parking area to be located between (i.e. in 'front' of) the building and 59th Street. This alternative would also necessitate the site detention area to be modified, the final design of which has not yet been completed.
- d. The same as option c above but require the three parking spaces near the northeast corner of the parking lot area to also be moved to the west side of the proposed parking area thereby extending the parking lot area further to the west along 59th Street while maintaining more open landscape area along Blue Ridge Boulevard and at the intersection of 59th Street and Blue Ridge Boulevard. This alternative would also necessitate the site detention area to be modified, the final design of which has not yet been completed.

The submitted site development plan does depict a 10-foot-wide landscape buffer between the parking area and 59th Street as well as Blue Ridge Boulevard which meets this standard when an alternative is approved.

Staff recommends that Alternative c or d be required.

2. Consolidating Parking Facilities: According to the CBD Design Standards the intent of this requirement is to reduce the overall impact of parking within the CBD by consolidating parking facilities whenever possible. There are no other businesses on adjoining properties therefore this standard is not applicable.
3. Location of Driveways: According to the CBD Design Standards the intent of this requirement is to maintain a contiguous, uninterrupted sidewalk by minimizing, consolidating and/or eliminating driveway access off Primary Pedestrian Streets. The CBD Design Standards identify 59th Street and Blue Ridge Boulevard as a 'Primary Pedestrian Street'. As such, because both streets are 'Primary Pedestrian' streets, the CBD Design Standards allow for access to the property to be from one of these streets. The CBD Design Standards also state when a driveway is allowed on a 'Primary Pedestrian Street', the driveway entrance shall include an identifying feature of low-maintenance materials, such as an iron-work trellis, monument, low wall/column or special landscape treatment. Furthermore, the sidewalk-paving material/treatment shall extend across the driveway entrance. The site development plan complies with this standard as the applicant has added additional landscaping plantings on either side of the entrance drive on Blue Ridge Boulevard and extended sidewalk pavement treatment across the driveway entrance.
4. Parking Lot Landscape: According to the CBD Design Standards the intent of this requirement is to reduce the visual impact of parking lots through landscape areas, trellises and/or other architectural features, and to visually maintain a building line along the street. This standard states that parking lot landscape is to be used to reinforce pedestrian, bicycle and vehicular circulation, such as: parking lot entrances, ends of driving aisles, and to define pedestrian connections through parking lots. Staff feels the submitted site development plan achieves this standard.
5. Pedestrian Connections: The intent of this CBD Design Standard is to create a network of linkages for pedestrians, including locating building entrances adjacent to sidewalks. The existing house on the property is not located immediately adjacent to the sidewalk. The front entrance to the building, however, is located on the front of the building facing Blue Ridge Boulevard and is accessible from the sidewalk along Blue Ridge Boulevard as well as the

parking area. The location and design of the front entrance complies with the requirements for this standard.

6. Blocks, Crosswalks and Intersections: Because the proposed project encompasses only one property rather than a larger area, this standard is not applicable.
7. Through-Block Passages: Because the proposed project encompasses only one property rather than a larger area, this standard is not applicable.
8. Site Landscape Areas: According to the CBD Design Standards the intent of this requirement is to reinforce the character of downtown Raytown and the surrounding built environment through site landscaping. This requirement states that:
 - a. All areas not otherwise devoted to landscape required by the CBD Design Elements, the Raytown Municipal Code, parking, structures or other site improvements shall be planted, or remain in existing native, non-invasive vegetation.
 - b. Where new landscape areas are provided, plant materials shall provide year-round color, texture and/or other special interest.
 - c. Landscaping shall consist of drought-tolerant plantings such as evergreens, deciduous trees and shrubs, and decorative grasses. A minimum 20% of plant varieties shall provide year-round color, texture and/or other special interest. Shrubs shall be maintained at a maximum 3-foot height for visibility.
 - d. All landscape areas shall be maintained per the Raytown Landscape Ordinance.

Staff has reviewed the Site Development Plan and, though specific detail of the type of plantings needs to be provided, staff has determined that it complies with the above requirements for this standard.

9. Street Trees: According to the CBD Design Standards the intent of this requirement is to maintain a consistent street frontage throughout the downtown area through the planting of trees along streets and sidewalks. This requirement states that street trees are to be located between the sidewalk and curb edge within the public right-of-way, where feasible. In reviewing the submitted plans, staff feels that there is not sufficient space to plant street trees along Blue Ridge Boulevard due to the narrow space between the sidewalk and the street. In addition, there are overhead utility lines along the Blue Ridge Boulevard right-of-way, which the trees would interfere with as they grew taller. Therefore, it is not feasible to plant the trees within the street right-of-way as called for by this standard. Staff recommends that the street trees along Blue Ridge Boulevard proposed be relocated onto the applicant's property behind the sidewalk. This will enable the street trees to meet the intent of this standard.
10. Site Lighting: The intent of this requirement is to provide pedestrian scale lighting, accent lighting and festival lighting to accompany street lighting in the downtown area. Exterior lighting for the property is proposed to be located on the exterior of the building.
11. Sidewalk Paving: The intent of this requirement is to maintain a consistent street frontage throughout the Central Business District. This requirement stipulates that sidewalk paving material shall be not less than 5-feet and shall be separated from the curb by a strip of land that consists of either grass or a strip of bricks, stone, or stamped and color-blended concrete.

As depicted on the Site Plan, there is an existing sidewalk along Blue Ridge Boulevard and 59th Street which is separated from the curb by a street of grass. These sidewalks will remain.

12. Bicycle Lanes: Because the proposed project encompasses only one property rather than a larger area, this standard is not applicable.
13. Site Furnishings: The intent of this requirement is to create a more pedestrian friendly street through the use of site furnishings at plazas, building entrances and other pedestrian areas. This regulation does not require site furnishings. Rather, it specifies durability standards and location standards if site furnishings are provided. The proposed project does not propose any site furnishings. Therefore, this design standard is not applicable.
14. Courtyards, Plazas and Open Space: The intent of this requirement is to reinforce the pedestrian nature of the downtown area by creating usable open space for pedestrians. This regulation does not require courtyards, plazas and open spaces to be provided. Rather, it specifies standards relating to safety and security if they are provided. The proposed project does not propose a courtyard, plaza or open space area. Therefore, this design standard is not applicable.
15. Town Square Gateways: Because the proposed project is not located at the intersection of in the Town Square Area (as defined in the CBD Plan) this design standard is not applicable to this project.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed Final Site Development Plan subject to the following modifications:

1. The parking lot be modified so that handicap parking spaces are moved further to the west thereby placing the parking lot area no closer to Blue Ridge Boulevard than the front porch of the building on the property.
2. The three parking spaces near the northeast corner of the parking lot area be moved to the west thereby extending the parking lot area further to the west along 59th Street while maintaining more open landscape area along Blue Ridge Boulevard and at the intersection of 59th Street and Blue Ridge Boulevard.
3. The location of the street trees to be planted along Blue Ridge Boulevard be moved onto the applicant's property behind the sidewalk so they will not interfere with the overhead power lines along Blue Ridge Boulevard.

MINUTES
CITY OF RAYTOWN
PLANNING AND ZONING COMMISSION MEETING

December 3, 2015
Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133

7:00 pm

1. Welcome by Chairperson.

Chairman Wilson and Vice Chairman Bettis were not present at the meeting. Ms. Stock motioned to appoint Steve Meyers as a temporary Chairman for the meeting; Ms. Dwight seconded the motion, and the motion passed unanimously 7-0.

2. Call meeting to order and Roll Call.

Wilson: Absent

Jimenez: Present

Stock: Present

Bettis: Absent

Robinson: Present

Lightfoot: Present

Hartwell: Present

Dwight: Present

Meyers: Present

Also present: John Benson, Director of Development and Public Affairs, Joe Willerth, City Attorney, and Scott Peterson, Permit Technician.

3. Approval of minutes

A. November 5, 2015 meeting

1. Revisions- None.
2. Motion- Ms. Hartwell motioned to approve the minutes.
3. Second- Ms. Stock seconded the motion.
4. Additional Board Discussion- None
5. Vote- Motion passed unanimously 7-0.

B. November 12, 2015 meeting

1. Revisions-None
2. Motion- Ms. Stock motioned to approve the minutes.
3. Second- Ms. Hartwell seconded the motion.
4. Additional Board Discussion- None.
5. Vote- Motion passed unanimously 7-0.

4. Old Business – None

5. New Business

A. Application: Conditional Use Permit application for a Food Production / Manufacturing business in the Center 63 Shopping Center located at 6240 Raytown Trafficway, Raytown, MO 64133

Case No.: PZ-2015-012

Applicant: Cindy Rupp on behalf of AHG, Inc.

Mr. Benson informed the Commission that the applicant had withdrawn the application after they found another location for their business.

B. Application: Final Site Development Plan for a bakery at 5902 Blue Ridge Boulevard
Case No.: PZ-2015-013
Applicant: Wanda Mullins

1. Open Public Hearing: Mr. Meyers opened the public hearing.
2. Explain Procedure for a Public Hearing and swear-in speakers: Mr. Willerth swore in those wishing to speak on the application.
3. Enter Relevant City Exhibits into the Record
 - a. Application submitted by applicant
 - b. Site Development Plan submitted by applicant
 - c. Publication of Public Hearing Notice
 - 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
4. Explanation of any exparte' communication from Commission members regarding the application: None
5. Introduction of Application by Staff: Mr. Benson introduced the site plan for the proposed bakery at 5902 Blue Ridge Blvd; Mr. Benson explained the waiver being sought by the applicant which, if approved, would allow for the parking lot and detention area to be located to the side of the building, as opposed to the rear as dictated by the Central Business District (CBD) Design Guidelines.
6. Presentation of Application by Applicant: Ms. Wanda Mullins, the applicant, and Jeff Shinkle, the architect for the project, spoke on behalf of the application. Mr. Shinkle stated that they had no objections to the staff recommendations, and that they would like to locate the parking lot at the proposed location due to the existing garage and curb cut already located there for use.
7. Request for Public Comment: Larry Hesel, 5833 Blue Ridge Blvd, made a comment before the board. He requested that the Board consider the road conditions during winter weather, and how the parking lot location would affect neighboring properties in such conditions. He requested that the driveway and parking lot be relocated to the south side of the property along Blue Ridge in order to alleviate these concerns.
8. Additional Comment by Applicant, if necessary: Mr. Shinkle clarified that the concerns of Mr. Hesel would be addressed due to grading the parking lot to be level. He stated that the parking lot would not be built on a slope, but would instead be graded to be level.
9. Additional Staff Comments and Recommendation: Mr. Benson stated that the staff recommended approval of the site development plan, based on the following conditions:
 - a. The parking lot be modified to put the handicap spaces closest to the front door.
 - b. The three parking spaces near the northeast corner of the lot be moved to the west.
 - c. The location of the street trees along Blue Ridge Boulevard be moved behind the sidewalk so as not to interfere with power lines along the street.
10. Board Discussion: Mr. Jimenez asked about relocating the parking lot to the south side. Mr. Benson stated that if the parking lot were moved to the south side, then the application would no longer require board approval, since it would not be in violation with the CBD Design Guidelines.

11. Close Public Hearing: Mr. Meyers closed the public hearing.
12. Board Decision to Approve, Conditionally Approve or Deny the Application.
 - a. Motion- Ms. Hartwell motioned to approve the application subject to staff recommendations.
 - b. Second- Ms. Stock made a second on Ms. Hartwell's motion.
 - c. Additional Board Discussion- Both Ms. Stock and Mr. Lightfoot said they are wary to make exceptions to the CBD Design Guidelines, but felt that this application had a clear distinction in the layout of the property that allowed for approval.
 - d. Vote- Motion passed unanimously 7-0.

C. Application: Application to rezone property located at 6200 Blue Ridge Boulevard from Neighborhood Commercial and Planned District Overlay (NC-P) to Neighborhood Commercial, Central Business District Overlay District and Town Square Overlay District (NC-CBD-TS).

Case No.: PZ-2015-011

Applicant: City of Raytown

1. Open Public Hearing: Mr. Meyers opened the Public Hearing.
2. Explain Procedure for a Public Hearing
3. Enter the Following Relevant Exhibits into the Record:
 - a. Application for Rezoning
 - b. Public Hearing Notice published in The Daily Record newspaper
 - c. Public Hearing Notice 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
4. Introduction of Application by Staff: Mr. Benson introduced the application to the Board. The property is currently owned by the City of Raytown, and has been vacant since the City acquired the property and demolished the building that had been located on the site. The application upon Board approval will be rezoned to its original NC-CBD-TS zoning, which had been changed to accommodate a retail development that ultimately did not come to fruition.

Mr. Lightfoot asked if there had been any potential buyers of the property recently. Mr. Benson stated that there had not been any serious buyers since the property had been rezoned for the previous retail development that did not get constructed.

Mr. Benson was asked about the potential uses of the property under the new zoning classification. The property would be allowed to construct a mixed-use development with both commercial and residential tenants. Any future buyer of the property could still apply to rezone the property through the Planning and Zoning Commission should they feel the need, but the purpose of the rezoning application before the board was to provide more flexibility to potential buyers.
5. Presentation of Application by Applicant: Mr. Benson served as the applicant on behalf of the City.
6. Request for Public Comment: Sue Frank, 8512 Harvard Ter., spoke in favor of the rezoning.
7. Additional Comments by Applicant, if necessary: None.
8. Additional Staff Comments and Recommendation: None.
9. Board Discussion: None.

10. Close Public Hearing: Mr. Meyers closed the public hearing.
11. Board Decision to Approve, Conditionally Approve or Deny the Application.
 - a. Motion- Ms. Stock made a motion to approve the application.
 - b. Second- Ms. Hartwell made a second on Ms. Stock's motion.
 - c. Additional Board Discussion- None.
 - d. Vote- Vote passed 6-0 with Mr. Meyers abstaining due to his current position on the Board of Aldermen.
6. Other Business: None.
7. Planning Projects Report: None.
8. Set Future Meeting Date – January 7, 2016
9. Adjourn

AN ORDINANCE GRANTING APPROVAL OF THE SITE PLAN FOR A BAKERY ON LAND LOCATED AT 5902 BLUE RIDGE BOULEVARD IN ACCORDANCE WITH THE PROVISIONS OF THE COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF RAYTOWN, MISSOURI

WHEREAS, Application PZ-2015-013, submitted by Wanda Mullins (“Applicant”) requesting site plan approval; and

WHEREAS, said site plan application also seeks the granting of certain waivers to the City of Raytown Central Business District Design Standards as specified in Division 17, Article IV, Chapter 50 of the City of Raytown Code of Ordinances; and

WHEREAS, the property to which the site plan application applies is located at 5902 Blue Ridge Boulevard; and

WHEREAS, said site plan application, including the request for waivers to said City of Raytown Central Business District Design Standards was referred to the Planning Commission to hold a public hearing; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing on December 3, 2015, and by a vote of 6 in favor, 0 against and 1 abstention rendered a report to the Board of Aldermen recommending that the site plan application be approved and that certain waivers being sought by the application to Central Business District Design Standards as specified in Division 17, Article IV, Chapter 50 of the City of Raytown Code of Ordinances be granted; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on December 15, 2015 and January 5, 2016; and

WHEREAS, the Board of Aldermen, after considering the evidence presented during such public hearings have determined it is in the best interest of the citizens of the City of Raytown to approve said site plan and grant certain requested waivers as specified in Section 1 below;

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

SECTION 1 –SITE PLAN APPROVAL. That the site plan for property located at 5902 Blue Ridge Boulevard and legally described in Exhibit “A” attached hereto and incorporated herein by reference is hereby approved subject to the following condition.

1. Granting of a waiver to the requirement specifying that parking facilities be located to the side of buildings away from street frontages as specified in Section 50-396 of the Raytown Code of Ordinances.
2. The location of the street trees to be planted along Blue Ridge Boulevard be moved onto the applicant’s property behind the sidewalk so they will not interfere with the overhead power lines along Blue Ridge Boulevard.

SECTION 2 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 4 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND APPROVED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri this 5th day of January, 2016.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved to as Form:

Joe Willerth, City Attorney

Bill No. 6400-15

ORDINANCE NO. _____

SECTION NO. XIII

Exhibit "A"

CASELL HOMESTEAD N 2 AC OF LOT 1 (EX W 170' THOF & EX PT TAKEN FOR ROW)
A SUBDIVISION IN JACKSON COUNTY, MISSOURI



BCS Design, Inc.

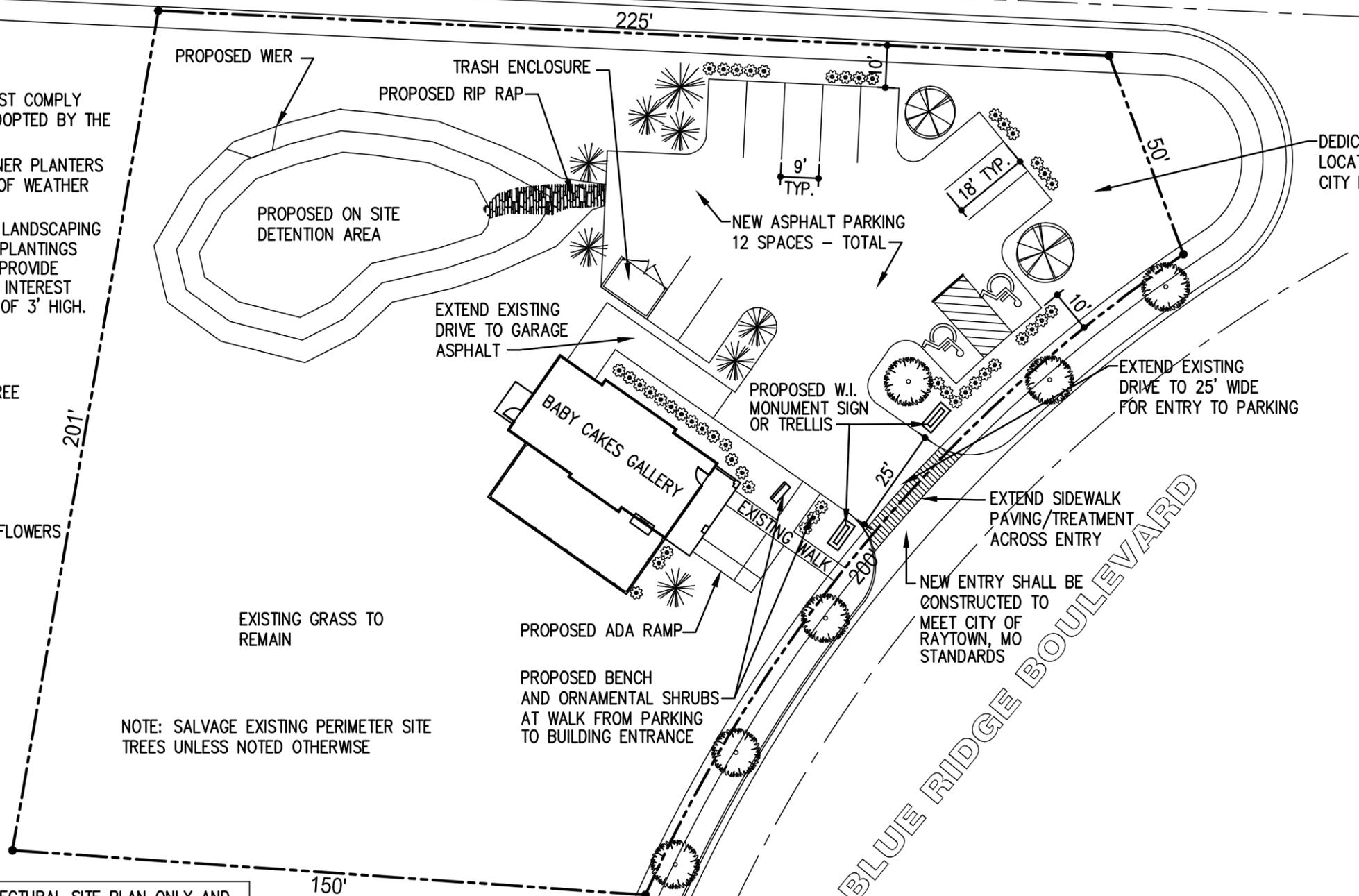
WWW.BCSARCHITECTS.COM
19920 West 161st Street
Olathe, Kansas 66062
Phone: (913) 780-4820
Fax: (913) 780-5088

EAST 59th STREET

GENERAL NOTES:

- STREET TREE SELECTION BY OWNER; MUST COMPLY WITH THE STREET TREE REGULATIONS ADOPTED BY THE CITY OF RAYTOWN TREE BOARD
- ANY PROPOSED WINDOW BOXES, CONTAINER PLANTERS OR HANGING BASKETS SHALL BE MADE OF WEATHER RESISTANT MATERIALS
- LANDSCAPING AS SELECTED BY OWNER; LANDSCAPING SHALL CONSIST OF DROUGHT TOLERANT PLANTINGS A MINIMUM OF 20% OF PLANTS SHALL PROVIDE YEAR ROUND COLOR OR OTHER SPECIAL INTEREST SHRUBS SHALL BE MAINTAINED AT MAX OF 3' HIGH.

- PROPOSED DECIDUOUS STREET TREE
- PROPOSED EVERGREE TREE
- PROPOSED SHRUB/ORNAMENTAL FLOWERS



NOTE: SALVAGE EXISTING PERIMETER SITE TREES UNLESS NOTED OTHERWISE

NOTE: THIS IS AN ARCHITECTURAL SITE PLAN ONLY AND IS INTENDED TO SHOW PROPOSED PARKING, LANDSCAPING, PEDESTRIAN TRAFFIC MOVEMENT AND DRAINAGE AREAS. DRAINAGE CALCULATIONS, SOILS TESTING AND GRADING TO BE COMPLETED BY A CIVIL ENGINEER OR OTHERS.

1 SITE PLAN

1" = 30'-0"

24 NOVEMBER, 2015

BABY CAKES GALLERY
5902 Blue Ridge Boulevard
Raytown, Missouri 64133

CITY OF RAYTOWN
Request for Board Action

Date: December 29, 2015

Bill No. 6401-15

To: Mayor and Board of Aldermen

Section No.: XIII

From: John Benson, Director of Development & Public Affairs

Department Head Approval: _____

Finance Director Approval: _____ (only if funding requested)

City Administrator Approval: _____

Action Requested: Conduct a public hearing on an application seeking to rezone property located at 6200 Blue Ridge Boulevard from Neighborhood Commercial District and Planned Zoning Overlay District (NC-P) to Neighborhood Commercial and Central Business District Overlay District and Town Square Overlay District (NC-CBD-TS).

Recommendation: The Planning & Zoning Commission by a vote of 6 in favor, 0 against and 1 abstention recommends approval of the rezoning application.

Analysis: The City of Raytown is seeking to rezone a 3.85 acre area located at 6200 Blue Ridge Boulevard from Neighborhood Commercial District and Planned District Overlay (NC-P) to Neighborhood Commercial, Central Business District Overlay and Town Square Overlay District (NC-CBD-TS). The rezoning is being sought as the City wishes to revert the zoning of this City-owned property back to what the zoning was prior to the proposed Walmart Neighborhood Market grocery store, which was proposed and approved in 2013.

Alternatives: The alternative to the recommendation of the Planning & Zoning Commission would be to approve the rezoning application; or refer the application back to the Planning & Zoning Commission for revisions and/or further review.

Budgetary Impact: This application does not require the City to provide any funding. The proposed business would provide an increase in sales tax revenue to City and other tax entities.

Not Applicable

Additional Reports Attached:

- Staff Report for December 3, 2015 Planning & Zoning Commission meeting.
- Minutes of the December 3, 2015 Planning & Zoning Commission meeting

STAFF REPORT

To: The City of Raytown Planning and Zoning Commission
FROM: The Community Development Department
DATE: December 3, 2015
SUBJECT: Agenda Item No. 5.C: Application to rezone property located at 6200 Blue Ridge Boulevard from Neighborhood Commercial and Planned District Overlay (NC-P) to Neighborhood Commercial, Central Business District Overlay District and Town Square Overlay District (NC-CBD-TS).

Background Information:

The City of Raytown is seeking to rezone a 3.85 acre area located at 6200 Blue Ridge Boulevard from Neighborhood Commercial District and Planned District Overlay (NC-P) to Neighborhood Commercial, Central Business District Overlay and Town Square Overlay District (NC-CBD-TS). The area proposed to be rezoned is depicted on the aerial photo below. The rezoning is being sought as the city wishes to revert the zoning of this city owned property back to what the zoning was prior to the proposed Walmart Neighborhood Market grocery store, which was proposed and approved in 2013.



Rezoning Application Factors To Be Considered:

When considering a rezoning request the Zoning Ordinance states that the following criteria should be considered in order to determine whether the application should be approved or denied.

1. CHARACTER OF THE NEIGHBORHOOD

The area surrounding the property proposed to be rezoned consists of a mix of commercial, institutional and residential uses.

2. ZONING AND CURRENT USES OF NEARBY PROPERTY

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

	<u>ZONING</u>	<u>EXISTING LAND USES</u>
South:	NC	Commercial uses consisting of office, service, bar and retail uses are located to the south of the subject property.
North:	NC and R-3	62 nd Street abuts the north side of the property with the library (institutional) and an auto repair business located on north side of the street. To the north east and further north are multi-family and single residential uses.
East:	NC	Blue Ridge Boulevard abuts the east side of the subject property with retail, restaurant and service uses located on the east side of Blue Ridge Boulevard.
West:	NC	Raytown Road abuts the west side of the property along with an office and light industrial business. Commercial property containing office and service uses as well as a vacant property is located on the west side of Raytown Road.

3. SUITABILITY OF ZONING FOR CURRENT USE

The Neighborhood Commercial (NC) zoning district allows retail stores, office and restaurant uses. Because the NC zoning of the property is not proposed to change the proposed rezoning will not change the type of uses that are currently allowed on the property. Rather, the proposed addition of the CBD Overlay District and the TS Overlay District will provide requirements that relating to the layout of development on the property and the building architecture.

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

As previously stated, the NC District zoning of the property is not proposed to change and is the same as the zoning for surrounding properties. Therefore, the type of uses allowed on the property will not be altered. The following describes the affect that the proposed CBD Overlay District and the TS Overlay District would have:

- A. Central Business District (CBD) Overlay District: Require future development on the property to comply with the design standards elements specified in the Central Business District (CBD) Design Standards unless otherwise waived by the Board of Aldermen. The properties surrounding the area proposed to be rezoned are currently subject to the same CBD Design Standards.

B. Town Square Overlay (TS) District: The intent of the TS Overlay District is to require development to occur as envisioned in the city's Central Business District (CBD) Plan. Though there are some existing buildings in the central business district area that would comply with the provisions of the TS Overlay District there are no properties surrounding the area proposed to be rezoned that are currently zoned TS. The TS Overlay District alters the following aspects of the NC District:

- **Height of Buildings:** The TS Overlay District allows buildings of any height to be constructed on the property. This allows the height of buildings to be dictated primarily by the strength of the development market in the Raytown CBD.
- **Front Yards:** The TS Overlay District changes the front yard setback from a minimum of 25 feet to a maximum of five (5) feet unless otherwise approved by the Board of Aldermen as part of a development plan in the Town Square Overlay District thereby requiring buildings to be built in close proximity to the sidewalk along the street as commonly found in central business district areas. Several buildings along 63rd Street, including those located between Raytown Road and Blue Ridge Boulevard, as well as some along Blue Ridge Boulevard are consistent with this provision.
- **Side Yards:** The TS Overlay District changes the side yard setback from a minimum of thirty (30) feet to no minimum side yard setback thereby allowing buildings to abut one another as commonly found in central business district areas. Several buildings along 63rd Street, including those located between Raytown Road and Blue Ridge Boulevard are consistent with this provision.
- **Rear Yard:** The TS Overlay District changes the rear yard setback from a minimum of twenty (20) feet to no minimum rear yard setback thereby allowing buildings to abut one another as commonly found in central business district areas.
- **Off-Street Parking Requirements:** The TS Overlay District allows uses to not have to provide any off-street parking spaces. Currently, the number of off-street parking spaces required is based upon the type of use on each property as is typically found in other commercial areas of Raytown. The TS Overlay District alters this so that each property does not provide off-street parking; rather, off-street parking is provided on-street and in shared parking lots that serve multiple businesses and properties. This allows buildings to abut each other and / or in closer proximity to each other, which results in shorter walking distances between businesses thereby making the CBD more walkable. Several buildings along 63rd Street, including those located between Raytown Road and Blue Ridge Boulevard are consistent with this provision.

5. LENGTH OF TIME OF VACANCY.

A church was previously located on the property which was torn down in 2009. The property has been vacant since June 2009.

6. CONSIDERATION OF PUBLIC INTEREST.

The city's existing sanitary sewer system is capable of accommodating the increased sewage from development of the property. City code requires that a storm water detention basin be constructed as part of any development on the property to alleviate any adverse impacts on the city's existing storm water system from the increased storm water runoff that could result from

development on the property. Raytown Water Company has previously indicated that adequate water supply is available to serve the development of the property.

In addition, the proposed zoning and zoning overlay districts are consistent with the city's CBD Plan.

7. IMPACTS ON PUBLIC SERVICES AND UTILITIES.

Because the area surrounding the property is developed all necessary utilities are available to serve the property.

8. CONFORMANCE WITH THE COMPREHENSIVE PLAN.

The following aspects of the city's adopted Comprehensive Plan relate to the rezoning application.

- A. Future Land Use Map: The Future Land Use Map in the Raytown Comprehensive Plan identifies the subject property as an area for commercial use. The existing / proposed NC District is consistent with the Comprehensive Plan's Future Land Use Map.
- B. Commercial Development Efforts: The Comprehensive Plan further states that commercial development efforts in Raytown should focus on existing commercial intersections; downtown commercial revitalization; and attracting quality regional commercial activity to the Highway 350 corridor. The rezoning application is consistent with the Comprehensive Plan's commercial development efforts as subject property is located in the downtown area and the proposed zoning district and overlay districts allow for commercial development of the property.
- C. Creating Quality Places Design Guidelines: The Comprehensive Plan includes guidelines for the "built environment", which consists of man-made buildings, structures and other features that are constructed. The Comprehensive Plan states that the built environment influences people's perceptions of an area and of the entire community. Therefore the built environment can help provide a positive or negative image of an area as well as the entire community. This in turn is a factor that impacts investment and reinvestment in an area.

In order to strengthen the quality of the built environment in Raytown the Creating Quality Places design guidelines were developed and adopted as part of the city's Comprehensive Plan and are the basis on which the city has developed design standards that are specified in the CBD Overlay District as specified in the City's Zoning Ordinance. Additionally, provisions of the TS Overlay District, as previously described, promote development that is consistent with the Comprehensive Plan includes guidelines for the "built environment" in downtown Raytown.

- D. Downtown Development: The Comprehensive Plan states that "preferred commercial development in Raytown is broken into four categories: along M-350, in the Downtown, along the entryways and in smaller commercial clusters at critical locations in the City." In relation to the downtown area the Comprehensive Plan states:

"The Downtown area should be actively developed as a mixed-use district. In addition to medium and high density housing, locally oriented commercial uses or specialty retail should be located within the Downtown. While some traffic oriented commercial establishments could flourish in the Downtown area, it is intended that the Downtown develop as a center for destination activity. The district would be unique and permit residential quarters above street level retail establishments. To exert greater control over the type of development that may occur in the Downtown, there will be additional development controls through the use of new zoning requirements or development review processes."

In regards to the mixed-use nature of the downtown this exists as the downtown area is comprised of a mix of uses that include retail stores, restaurants, a coffee shop, office uses, banks, institutional uses, which include the library, Raytown High School, and churches as well as residential uses that include Bowen Apartments, single-family homes and a nursing home. The proposed NC-CBD-TS zoning will not prevent this from occurring.

- E. Central Business District (CBD) Plan: As previously described, the CBD Plan was adopted by the city as an amendment to the city's Comprehensive Plan. The CBD plan provides a vision and policies for the physical development of the downtown area. In addition, it is this vision and policies that form the legal basis for the CBD Overlay District and the TS Overlay District in the city's Zoning Ordinance.

Staff Recommendation:

It is the recommendation of staff that the application to rezone the subject property from Planned Overlay District (NC-P) to Neighborhood Commercial, Central Business District Overlay District and Town Square Overlay District (NC-CBD-TS) be approved.

MINUTES
CITY OF RAYTOWN
PLANNING AND ZONING COMMISSION MEETING

December 3, 2015

Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street

Raytown, Missouri 64133

7:00 pm

1. Welcome by Chairperson.

Chairman Wilson and Vice Chairman Bettis were not present at the meeting. Ms. Stock motioned to appoint Steve Meyers as a temporary Chairman for the meeting; Ms. Dwight seconded the motion, and the motion passed unanimously 7-0.

2. Call meeting to order and Roll Call.

Wilson: Absent

Jimenez: Present

Stock: Present

Bettis: Absent

Robinson: Present

Lightfoot: Present

Hartwell: Present

Dwight: Present

Meyers: Present

Also present: John Benson, Director of Development and Public Affairs, Joe Willerth, City Attorney, and Scott Peterson, Permit Technician.

3. Approval of minutes

A. November 5, 2015 meeting

1. Revisions- None.
2. Motion- Ms. Hartwell motioned to approve the minutes.
3. Second- Ms. Stock seconded the motion.
4. Additional Board Discussion- None
5. Vote- Motion passed unanimously 7-0.

B. November 12, 2015 meeting

1. Revisions-None
2. Motion- Ms. Stock motioned to approve the minutes.
3. Second- Ms. Hartwell seconded the motion.
4. Additional Board Discussion- None.
5. Vote- Motion passed unanimously 7-0.

4. Old Business – None

5. New Business

A. Application: Conditional Use Permit application for a Food Production / Manufacturing business in the Center 63 Shopping Center located at 6240 Raytown Trafficway, Raytown, MO 64133

Case No.: PZ-2015-012

Applicant: Cindy Rupp on behalf of AHG, Inc.

Mr. Benson informed the Commission that the applicant had withdrawn the application after they found another location for their business.

B. Application: Final Site Development Plan for a bakery at 5902 Blue Ridge Boulevard
Case No.: PZ-2015-013
Applicant: Wanda Mullins

1. Open Public Hearing: Mr. Meyers opened the public hearing.
2. Explain Procedure for a Public Hearing and swear-in speakers: Mr. Willerth swore in those wishing to speak on the application.
3. Enter Relevant City Exhibits into the Record
 - a. Application submitted by applicant
 - b. Site Development Plan submitted by applicant
 - c. Publication of Public Hearing Notice
 - 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
4. Explanation of any exparte' communication from Commission members regarding the application: None
5. Introduction of Application by Staff: Mr. Benson introduced the site plan for the proposed bakery at 5902 Blue Ridge Blvd; Mr. Benson explained the waiver being sought by the applicant which, if approved, would allow for the parking lot and detention area to be located to the side of the building, as opposed to the rear as dictated by the Central Business District (CBD) Design Guidelines.
6. Presentation of Application by Applicant: Ms. Wanda Mullins, the applicant, and Jeff Shinkle, the architect for the project, spoke on behalf of the application. Mr. Shinkle stated that they had no objections to the staff recommendations, and that they would like to locate the parking lot at the proposed location due to the existing garage and curb cut already located there for use.
7. Request for Public Comment: Larry Hesel, 5833 Blue Ridge Blvd, made a comment before the board. He requested that the Board consider the road conditions during winter weather, and how the parking lot location would affect neighboring properties in such conditions. He requested that the driveway and parking lot be relocated to the south side of the property along Blue Ridge in order to alleviate these concerns.
8. Additional Comment by Applicant, if necessary: Mr. Shinkle clarified that the concerns of Mr. Hesel would be addressed due to grading the parking lot to be level. He stated that the parking lot would not be built on a slope, but would instead be graded to be level.
9. Additional Staff Comments and Recommendation: Mr. Benson stated that the staff recommended approval of the site development plan, based on the following conditions:
 - a. The parking lot be modified to put the handicap spaces closest to the front door.
 - b. The three parking spaces near the northeast corner of the lot be moved to the west.
 - c. The location of the street trees along Blue Ridge Boulevard be moved behind the sidewalk so as not to interfere with power lines along the street.
10. Board Discussion: Mr. Jimenez asked about relocating the parking lot to the south side. Mr. Benson stated that if the parking lot were moved to the south side, then the application would no longer require board approval, since it would not be in violation with the CBD Design Guidelines.

11. Close Public Hearing: Mr. Meyers closed the public hearing.
12. Board Decision to Approve, Conditionally Approve or Deny the Application.
 - a. Motion- Ms. Hartwell motioned to approve the application subject to staff recommendations.
 - b. Second- Ms. Stock made a second on Ms. Hartwell's motion.
 - c. Additional Board Discussion- Both Ms. Stock and Mr. Lightfoot said they are wary to make exceptions to the CBD Design Guidelines, but felt that this application had a clear distinction in the layout of the property that allowed for approval.
 - d. Vote- Motion passed unanimously 7-0.

C. Application: Application to rezone property located at 6200 Blue Ridge Boulevard from Neighborhood Commercial and Planned District Overlay (NC-P) to Neighborhood Commercial, Central Business District Overlay District and Town Square Overlay District (NC-CBD-TS).

Case No.: PZ-2015-011

Applicant: City of Raytown

1. Open Public Hearing: Mr. Meyers opened the Public Hearing.
2. Explain Procedure for a Public Hearing
3. Enter the Following Relevant Exhibits into the Record:
 - a. Application for Rezoning
 - b. Public Hearing Notice published in The Daily Record newspaper
 - c. Public Hearing Notice 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
4. Introduction of Application by Staff: Mr. Benson introduced the application to the Board. The property is currently owned by the City of Raytown, and has been vacant since the City acquired the property and demolished the building that had been located on the site. The application upon Board approval will be rezoned to its original NC-CBD-TS zoning, which had been changed to accommodate a retail development that ultimately did not come to fruition.

Mr. Lightfoot asked if there had been any potential buyers of the property recently. Mr. Benson stated that there had not been any serious buyers since the property had been rezoned for the previous retail development that did not get constructed.

Mr. Benson was asked about the potential uses of the property under the new zoning classification. The property would be allowed to construct a mixed-use development with both commercial and residential tenants. Any future buyer of the property could still apply to rezone the property through the Planning and Zoning Commission should they feel the need, but the purpose of the rezoning application before the board was to provide more flexibility to potential buyers.
5. Presentation of Application By Applicant: Mr. Benson served as the applicant on behalf of the City.
6. Request for Public Comment: Sue Frank, 8512 Harvard Ter., spoke in favor of the rezoning.
7. Additional Comments by Applicant, if necessary: None.
8. Additional Staff Comments and Recommendation: None.
9. Board Discussion: None.

10. Close Public Hearing: Mr. Meyers closed the public hearing.
11. Board Decision to Approve, Conditionally Approve or Deny the Application.
 - a. Motion- Ms. Stock made a motion to approve the application.
 - b. Second- Ms. Hartwell made a second on Ms. Stock's motion.
 - c. Additional Board Discussion- None.
 - d. Vote- Vote passed 6-0 with Mr. Meyers abstaining due to his current position on the Board of Aldermen.
6. Other Business: None.
7. Planning Projects Report: None.
8. Set Future Meeting Date – January 7, 2016
9. Adjourn

AN ORDINANCE GRANTING A CHANGE IN ZONING FROM NEIGHBORHOOD COMMERCIAL DISTRICT AND PLANNED ZONING OVERLAY DISTRICT (NC-P) TO NEIGHBORHOOD COMMERCIAL AND CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT AND TOWN SQUARE OVERLAY DISTRICT (NC-CBD-TS) ON LAND LOCATED AT 6200 BLUE RIDGE BOULEVARD IN RAYTOWN, MISSOURI

WHEREAS, Application PZ-2015-013, submitted by the City of Raytown ("Applicant") requesting a change in zoning from Neighborhood Commercial District and Planned Zoning Overlay District (NC-P) to Neighborhood Commercial and Central Business District Overlay District and Town Square Overlay District (NC-CBD-TS) on land located at 6200 Blue Ridge Boulevard was referred to the City of Raytown Planning & Zoning Commission to hold a public hearing; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning & Zoning Commission held a public hearing on December 3, 2015; and

WHEREAS, at the conclusion of the meeting on December 3, 2015 a motion by the Planning & Zoning Commission to recommend approval of the application was approved by a vote of 6 in favor, 0 against and 1 abstention; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on December 15, 2015 and January 5, 2016; and

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

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

SECTION 1 – REZONING OF PROPERTY. That the zoning of property identified in Exhibit A is hereby changed from Neighborhood Commercial District and Planned Zoning Overlay District (NC-P) to Neighborhood Commercial and Central Business District Overlay District and Town Square Overlay District (NC-CBD-TS).

SECTION 2 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 4 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

Bill No. 6401-15

ORDINANCE NO. _____

SECTION NO. XIII

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this ____ day of January, 2016.

Michael McDonough, Mayor

ATTEST:

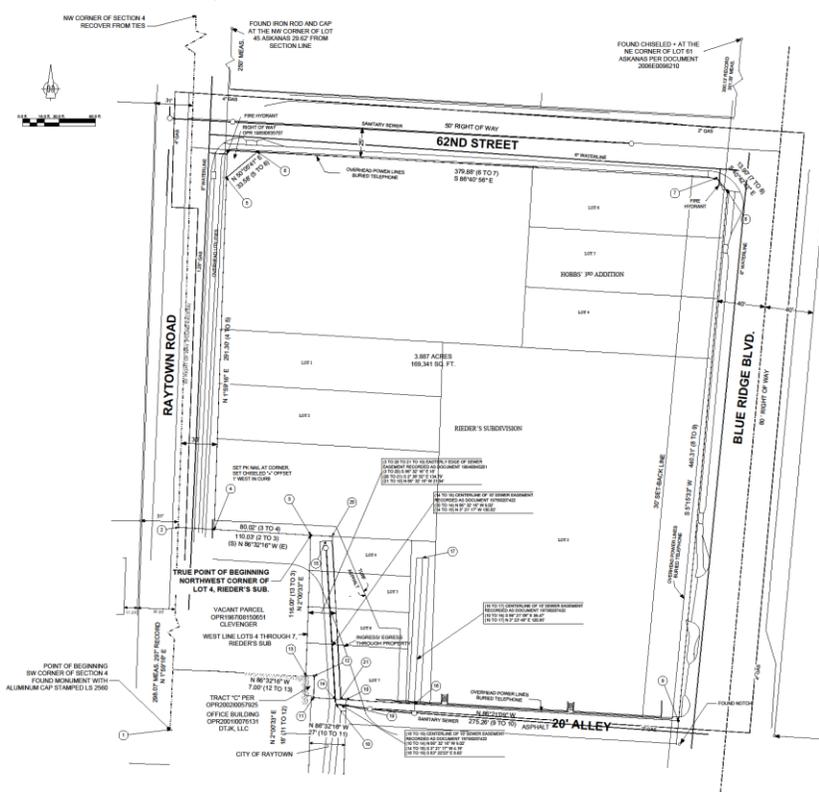
Teresa M. Henry, City Clerk

Approved to as Form:

Joe Willerth, City Attorney

Exhibit "A"

CERTIFICATE OF SURVEY
PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 48, RANGE 32
IN RAYTOWN, JACKSON COUNTY, MISSOURI



REVISED DESCRIPTION

LOTS 1 THROUGH 4, AND PART OF LOT 7, REEDER'S SUBDIVISION; LOTS 4 THROUGH 6, BOBB'S 3RD ADDITION, AND PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 48, RANGE 32, ALL IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI, AND MORE PARTICULARLY, THE FOLLOWING BEING THE TRUE POINT OF BEGINNING AT THE SW CORNER OF LOT 4, REEDER'S SUBDIVISION, AS SHOWN ON THE OFFICIAL PUBLIC RECORD 306286701, (THE FOLLOWING TWO COURSES ARE ALONG THE EAST AND NORTH SIDES OF SAID TRACT, C):

THENCE NORTH 18 DEGREES, 31 MINUTES, 14 SECONDS EAST ALONG SAID EAST LINE OF RAYTOWN ROAD, 261.30 FEET; THENCE NORTH 18 DEGREES, 31 MINUTES, 14 SECONDS EAST, 13.18 FEET TO A POINT ON THE SOUTH LINE OF 62ND STREET BEING 1.1 FEET FROM THE CENTERLINE THEREOF;

THENCE SOUTH 88 DEGREES, 40 MINUTES, 34 SECONDS EAST ALONG THE SOUTH LINE OF 62ND STREET, 176.88 FEET;

THENCE SOUTH 88 DEGREES, 40 MINUTES, 34 SECONDS EAST, 1.10 FEET TO A POINT ON THE WEST LINE OF BLUE RIDGE BOULEVARD BEING 48 FEET FROM THE CENTERLINE THEREOF;

THENCE NORTH 1 DEGREE, 12 MINUTES, 11 SECONDS WEST ALONG THE WEST LINE OF BLUE RIDGE BOULEVARD, 446.11 FEET;

THENCE NORTH 88 DEGREES, 31 MINUTES, 14 SECONDS WEST ALONG THE NORTH LINE OF THE 20 FOOT ALLEY, 271.34 FEET;

THENCE NORTH 88 DEGREES, 31 MINUTES, 14 SECONDS WEST, 7 FEET TO THE WESTWEST CORNER OF TRACT "C" AS SHOWN ON OFFICIAL PUBLIC RECORD 306286701, (THE FOLLOWING TWO COURSES ARE ALONG THE EAST AND NORTH SIDES OF SAID TRACT, C):

THENCE NORTH 1 DEGREE, 00 MINUTES, 11 SECONDS EAST, 18 FEET;

THENCE NORTH 88 DEGREES, 31 MINUTES, 14 SECONDS WEST, 1 FEET;

THENCE NORTH 1 DEGREE, 00 MINUTES, 11 SECONDS EAST, 110 FEET TO THE TRUE POINT OF BEGINNING.

NOTE:

THE SECTION CORNER FOUND AT POINT (1) APPEARS TO HAVE BEEN REESTABLISHED FROM LEGAL SURVEYOR, REESTABLISHMENT ACCEPTANCE OF THIS CORNER FOR THIS SURVEY DOES NOT IMPLY IT SHOULD BE REESTABLISHED TO BE BUILDINGS CONSTRUCTED ON LOT LINES DESCRIBED FROM THIS CORNER.

HALF INCH DIAMETER IRON ROD WITH CAPS STAMPED L3871 SET AT CORNER UNLESS NOTED OTHERWISE.

UTILITY LOCATIONS ARE SHOWN BASED ON INFORMATION SUPPLIED BY OTHERS AND ARE NOT EXACT LOCATIONS.

PERMIT THERE IS BASED ON THE PERMIT ISSUED BY THE CITY OF RAYTOWN, MISSOURI, DATED JUNE 18, 2014, THE LAST PAGE OF THE PERMIT PLAN APPEARS TO HAVE BEEN OMITTED IN THE OFFICIAL PUBLIC RECORD 306286701.

This is to certify that this survey was executed by me or under my direct personal supervision, and is in accordance with the current Missouri Minimum Standards for Property Boundary Surveys, to the best of my professional knowledge and belief.

Date: Kenneth B. Swindell LS 2072

PREPARED BY:
GEC SURVEYS
1801 S EAST 86TH TERRACE
RAYTOWN, MISSOURI 64133
PHONE: (816) 353-4030

PREPARED FOR:
THE CITY OF RAYTOWN
1800 S 86TH STREET
RAYTOWN, MISSOURI 64133

VERSION 1: MARCH 25, 2010

Case Number _____
Date Received _____

**CITY OF RAYTOWN
APPLICATION FOR REZONING**

PART I BACKGROUND INFORMATION

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

_____ 6200 Blue Ridge Boulevard _____

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

Name	Address	Phone
_____ City of Raytown	_____ 10000 E. 59 th Street, Raytown, MO 64133	_____ (816) 737-6007

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

Name	Address	Phone
_____	_____	_____

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

_____ Vacant _____

5. We propose that the zoning of the property be changed from NC-P to NC-CBD-TS.

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

<u>Structure</u>	<u>Height</u>
_____ N/A	_____

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

PART II REZONING AMENDMENT STATEMENT

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

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

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

The proposed NC-CBD zoning will be consistent with the zoning of surrounding properties and the TS

Overlay District will allow development to occur in manner that is consistent with the existing buildings and

properties in the Raytown CBD.

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

The NC zoning district will not be changed. Therefore, the type of uses allowed (i.e. retail, office and restaurant uses) on the property are not proposed to change.

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

The proposed NC-CBD zoning will be consistent with the zoning of surrounding properties and the TS

Overlay District will allow development to occur in manner that is consistent with the existing buildings and

properties in the Raytown CBD.

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

The NC District zoning will not change. The proposed CBD overlay district currently is applicable to all surrounding properties in the CBD. Therefore, rezoning the subject property to the CBD Overlay District will make future development on the property to be consistent with surrounding properties. The TS overlay district will allow development on the property to be consistent with the setbacks of existing buildings on neighboring properties. In addition, the TS district will enable future development to be consistent with the city's adopted CBD Plan.

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

The property has been vacant since approximately 2008 when former buildings on the property were demolished.

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

Denial of the application will leave the property zoned as NC-P. The approved site development plan associated Planned overlay district allows development of the property in a manner that is not consistent with the city's adopted CBD Plan as well as the existing buildings and development on the majority of surrounding properties in the Raytown CBD.

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

The type of uses allowed in the NC District are consistent with the type of uses identified in the city's
Comprehensive Plan. In addition, the CBD Overlay District and the TS Overlay District were both adopted
with the intent to implement the city's adopted CBD Plan. More specifically, these overlay districts help guide
the site development and building architecture so that it occurs in a manner as envisioned by the CBD Plan.

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

All necessary utilities needed to serve development of the property are available on or near the property.

I. Additional comments:

CITY OF RAYTOWN
Request for Board Action

Date: December 29, 2015

Resolution No.: R-2837-16

To: Mayor and Board of Aldermen

From: Kati Horner Gonzalez, Assistant Director of Public Works

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____



Action Requested: Board of Aldermen notification of an emergency sewer repair near 10717 E. 71st Terrace.

Recommendation: Authorization of immediate sanitary sewer repairs.

Analysis: The Public Works Department identified a sanitary sewer manhole (WWS-562) which had cracked due to pressure build-up during a storm. Upon investigation, the manhole was found to be structurally unsound as well as two other manholes (WWS-563 and WWS-123) in need of immediate repairs; further, the camera crew found the pipe to be undersized and several areas where the pipe was in need of repair. It is the opinion of the Public Works Department that these repairs must be made on an emergency basis. The collapsing manholes in conjunction with the undersized pipe could lead to significant back-ups and the inability to access the sewer line. The City Administrator agreed that this is an emergency repair.

Staff contacted Weidenmann Inc. (the contractor on the Lee's Summit annual repair co-op contract). Weidenmann estimated the cost of the repairs at \$69,500.00.

Alternatives: N/A

Budgetary Impact:

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Amount to Spend: \$69,500.00
Department: Public Works
Fund: Sewer Fund

Additional Reports Attached: Weidenmann Quotation

RESOLUTION NO.: R-2837-16

A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT WITH WIEDENMANN, INC. FOR AN EMERGENCY REPAIR PROJECT TO THE SANITARY SEWER MAIN LOCATED IN THE VICINITY OF 10717 E. 71ST TERRACE IN AN AMOUNT NOT TO EXCEED \$69,500.00

WHEREAS, in order to ensure the safety of the public, it was necessary to commence emergency repairs to a sanitary sewer main located in the vicinity of 10717 E. 71st Terrace which had cracked; and

WHEREAS, the City received a written quote from Wiedenmann, Inc. to perform emergency repairs to the cracked sanitary sewer main in the amount of \$69,500.00; and

WHEREAS, the Board of Alderman find it is in the best interest of the citizens of the City of Raytown to approve and to ratify the expenditure of funds with Wiedenmann, Inc. in the amount of \$69,500.00 for the purpose of conducting such emergency repairs located in the vicinity of 10717 E. 71st Terrace;

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

THAT the Board of Aldermen find it is in the best interest of the City of Raytown to approve and to ratify the expenditure of funds with Wiedenmann, Inc. for the purpose of conducting emergency repairs to a sanitary sewer main located in the vicinity of 10717 E. 71st Terrace in an amount not to exceed \$69,500.00; and

FURTHER THAT the City Administrator, or designee, is hereby authorized to execute any and all documents and to take any and all actions necessary to effectuate the terms of the Agreement and exercise the authority granted herein on behalf of the City.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 5th day of January, 2016.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Joe Willerth, City Attorney

WIEDENMANN, INC.

950 N. Scott / PO BOX 245
Belton, MO 64012
816-322-1125 / Fax 816-322-1126
general@wiedenmanninc.com

December 16, 2015

Engineering Department
10000 East 59th Street
Raytown, Missouri 64133

Attn: Mr. Tony Mesa

RE: 10717 E 71st Terrace
10" Sewer Repair

Dear Tony,

Pursuant to your request, we here by submit the following budget price to replace approximately 286 LF of 10 inch sewer line and 3 manholes. This price includes clearing, removing and replacing the old cast iron line, 40 feet of encasement, rip rap, replacement of three manholes, restoration of access route, reseeding the areas we disturb.

The total budget value of this work is:

SIXTY NINE THOUSAND FIVE HUNDRED DOLLARS
\$69,500.00

We understand that this is a budget price for the scope of work outlined, and that the actual work will be completed per the established Maintenance Contract.

We appreciate the opportunity to price and preform work for The City of Raytown.
Please call with questions.

Sincerely,
Wiedenmann Inc.
David Grossman
Project Manager

CITY OF RAYTOWN
Request for Board Action

Date: December 29, 2015

Resolution No.: R-2838-16

To: Mayor and Board of Aldermen

From: Kati Horner Gonzalez, Assistant Director of Public Works

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Board of Aldermen approval of the 2016 purchase of five SmartCover flow monitoring systems.

Recommendation: Staff recommends approval as submitted.

Analysis: Currently, the City has 33 unmonitored in- and out-fall sanitary sewer connections. The Public Works Department has identified a flow metering system, the SmartCover System, that will provide flow volume data for these in- and out-fall locations to the Public Works Department to aid in identifying problem areas for inflow and infiltration. By obtaining this data, the Public Works Department will have more accurate information on where future projects should be located.

The Public Works Department requested a bid for five SmartCover units which came out to be \$23,045.00 initially with ongoing maintenance and warranty costs amounting to \$988.00 per unit per year (\$4,940.00 total annually) in the years following. This system is mounted directly to the manhole covers and can be moved from one manhole to another. Moving the monitoring system will not require special equipment but will involve recalibration performed by our operations staff.

Traditional flow metering is very costly and requires significant amounts of ongoing maintenance. Traditional meters are not portable and can be installed and maintained by the Little Blue Valley Sewer District at \$10,000.00 per unit per year.

Approval is requested of the budgeted amount of \$23,045.00 to purchase these monitoring units.

Alternatives: Pay Little Blue Valley Sewer District \$10,000.00 per meter per year for the installation and maintenance of flow meters. Or continue with no flow metering systems in place.

Budgetary Impact:

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Amount to Spend: \$23,045.00
Department: Pubic Works
Fund: Sewer Fund

Additional Reports Attached: SmartCover Quote, Product Specifications, Sole Source Letter

A RESOLUTION AUTHORIZING AND APPROVING THE EXPENDITURE OF FUNDS WITH SMARTCOVER SYSTEMS IN AN AMOUNT NOT TO EXCEED \$23,045.00 FOR FISCAL YEAR 2015-2016

WHEREAS, the City of Raytown has unmonitored sewer connections and has identified a flow metering systems that will provide volume data for these locations; and

WHEREAS, the City of Raytown in adoption of its purchasing policy has required Board of Aldermen approval for purchases in which the cumulative value with a single vendor exceeds \$15,000.00 during the fiscal year; and

WHEREAS, the City of Raytown in the adoption of its purchasing policy has further approved the practice of purchasing goods and services from sole-source vendors without competitive bid; and

WHEREAS, the cost of the expenditure of funds with SmartCover Systems is anticipated to exceed \$15,000.00 in fiscal year 2015-2016; therefore, Board of Aldermen approval is required; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City to authorize and approve the expenditure of funds with SmartCover Systems for flow metering systems for fiscal year 2015-2016 in an amount not to exceed \$23,045.00;

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

THAT the expenditure of funds with SmartCover Systems as a sole-source vendor for flow metering systems in an amount not to exceed \$23,045.00 for fiscal year 2015-2016 is hereby authorized and approved; and

FURTHER THAT the City Administrator is authorized to execute all documents necessary to these transactions and the City Clerk is authorized to attest thereto.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 5th day of January, 2016.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Joe Willerth, City Attorney

QUOTATION

For

City of Raytown, MO

Attn: Tony Mesa

offered by

Key Equipment and Supply CO., KS



Quotation Date: 12/29/2015
Quote Validity: 90 days.
By: Steve Williams Key Equipment and Supply Co.
Representing SmartCover Systems[™]

Section I: Pricing

SmartCover[®] Systems[™] (SCS) is pleased to provide the following Proposal for **SmartCover[®]** level and flow-estimating monitoring system. Please find in this document:

- Pricing Summary as shown in Section 1
- System Description in Sections 2-5
- Warranty statement in Section 6
- Acceptance in Section 7

Pricing Summary

Part Number	Description	Unit Qty.	Unit Price (Each)	Extended
SC-D-S-15	SmartCover® System Components E-Box System Control with onboard computer, modem, digital radio; fully potted and IP-68 rated. Distance Sensing Module (DSM) with 3" to 81" sensor range, with 15' cable. PowerPack® - lithium thionyl chloride battery with high power density. E-Square™ antenna , including antenna and installation kit. Mounting bracket kit - three-part amounting bracket set made of heavy gauge, hard-anodized aluminum; includes all mounting hardware.	5	\$3,985	\$19,925
Parts Warranty	One (1) Year, Parts-Only Warranty Limited Parts-Only Warranty on all system SmartCover® hardware. See Warranty Statement for complete details.	5	Included	Included
ASM-SC1	Active Site Management (ASM), One-Year. Comprehensive support services including: <ul style="list-style-type: none"> • Software subscription with <i>unlimited number of users</i> accessed with secure user name and password • Complete maintenance of all cloud based software • Regular feature updates and upgrades including the all new <i>SmartTrend™</i>. • Hosting of data storage – unlimited data storage • Iridium Satellite connectivity service with bi-directional communication. • Advisories, Maintenance Alerts and Alarms issued to customer defined personnel via email and/or text message • Ongoing technical support via phone or online. 	5	\$364	\$1,820
IST-1	Dedicated Customer Website: Initial Set-up & Training (IST) <ul style="list-style-type: none"> • Dedicated Customer Website set-up and training • Browser-based, secure user access • Includes map view, site-specific data and information • Alarm and Advisories set-up • Comprehensive training for login, website features and website functions • Note: this is a one-time charge for new customers and does not apply to follow up orders. 	1	\$899	\$899
Freight Out	Shipping and Handling UPS Ground	1	\$151	\$151
Installation Labor	Installation to be performed by Key Equipment Company	5	\$250	\$1,250
TOTAL	All items above			\$24,045.00

Delivery

- **Standard: Six (6)** weeks upon receipt of a Purchase Order and with receipt of complete engineering and site information from the customer as requested.
- All customers will be notified of the shipment date upon Order Acknowledgement.
- Actual availability may vary depending on total demand. The “Standard six weeks” is not a guarantee but a good faith estimate. It is strongly recommended that an order be placed as early as possible. Reasonable efforts will be made to provide earlier delivery if requested.

Terms and Conditions

- Payment: Net 30 days
- Late charges: A service charge of 1.5% per month will be added to all balances unpaid 30 days after invoice date. Failure to pay in accordance with these terms may void all warranties.
- Cancellations: for all orders of less than \$10,000, cancellation is accepted prior to shipment. For orders equal to or greater than \$10,000, a 15% restocking charge is applied for cancellation.
- Returns: returns are accepted with a valid Return Material Authorization (RMA) number only.

Ongoing Annual Costs

After the first year of operation, the following fees will provide ***continued comprehensive services*** including ***software support, data storage, upgrades, added features, and satellite connectivity and PowerPack™ Warranty.***

These are *annual charges* paid prior to the start of the year.

Active Site Management (ASM)

ASM-SC1

\$364

One-Year software subscription, satellite connectivity, online maintenance, online S/C monitoring per unit per year.

PowerPack Warranty

PowerPack™ Warranty (PW-LTC1):

\$225

One-Year **PARTS-ONLY** PowerPack Warranty for each installation site, part-only warranty on the PowerPack™ offering unlimited replacements during the Warranty term.

Extended Part Warranty

Extended Parts Warranty (EW-SC1, Optional):

\$ 399

One-Year **PARTS-ONLY** covers: E-Box System Control, Distance Sensing Module (DSM), antenna, and mounting bracket.

This is a PARTS ONLY warranty extension after the first year.

NOTE: Warranty extensions must be for consecutive years. Should a warranty be purchased after any initial year where the warranty was not purchased then the previous year(s) must be additionally purchased.

End Section 1; proceed to Section 2, next page.

SmartCover[®] PowerPack[™]

Distance Sensing Module (DSM)

The distance sensing module is an ultrasonic distance sensor. It is enclosed and sealed in an ABS housing. It is fully potted and completely water-proof, meeting IP-68 standards. The crystal controlled oscillator sensor is self-calibrating.

There are two [distance] ranges available.

- The standard range senses between 3” and 81”
- The long-range sensor’s range is 11” to 240”.

The DSM has two standard cable lengths of 15’ and 25’. Custom lengths are available, application dependent, up to 300’. SCS Application Engineers are available to assist users to determine the correct DSM range and cable lengths.



SmartCover[®] DSM

E-Series[™] Antennae

The E-Series[™] antennae include the “E-Square” and the “E-Dot” types. Both are traffic rated and designed to mount directly to the manhole cover or vault lid. They communicate directly to the Iridium Satellite System and do not require any intermediary devices for boosting signals. The antennae are secured to the top of the manhole cover using a high strength, two-part acrylic adhesive specifically designed for high stress, structural applications.

The E-Square antenna is a road-reflector type used in areas where there is no opportunity for dislocation from such hazards as snow plows.

The E-Dot antenna is for cold-weather climates where snow plow operations occur and are designed to be mounted below the manhole profile.



E-Square[™] Antenna



E-Dot[™] Antenna

Mounting Bracket Kit

The mounting bracket is a ruggedized, corrosion resistant assembly designed to protect and secure system components. The bracket is secured with two stainless steel bolts whereby the installer drills two 1/4" holes into the cover. The bracket is designed in such a manner such that **NO CONFINED SPACE ENRTY IS REQUIRED FOR INSTALLATION**. Its hard-anodized aluminum housing encloses the PowerPack and the E-Box control. The DSM (distance sensing module) is connected to the E-Box and suspended via a cable, typically over the invert.

The bracket is supplied as a three-piece kit for mounting directly to the underside "flat" of the manhole or, alternately, to the manhole cover vein.



Bracket with kit



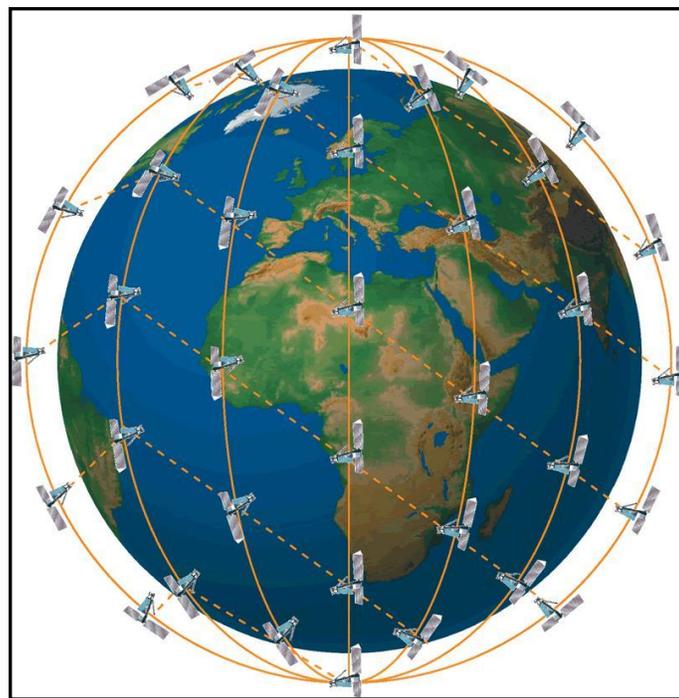
Mounted Bracket

SECTION 3: DESCRIPTION OF THE SATELLITE COMMUNICATION SYSTEM

The SmartCover[®] system uses the high reliability, highly secure ***Iridium Satellite System*** as its communications backbone. Iridium is a state-of-the-art communications system consisting of 66 Low Earth Orbiting (LEO) satellites. It has global, redundant coverage and is known to provide highly superior connectivity to that of terrestrial systems such as GSM, GPRS and other cell phone based systems. Iridium has a very strong record of performance and reliability. It is used by the US DOD for its reliability.

Iridium Satellites are in orbit across the globe and assured connectivity is achieved requiring but a small fraction of the available horizon. SmartCover[®] systems are able to communicate in challenging locations with such impediments as tree canopies, overpasses or buildings.

SmartCover[®] data is highly secure with servers using 2048 bit encryption. These are redundant servers located in a climate controlled; secure facility with emergency power to prevent any interruptions. Servers store Historical Communication, Data, and Data Access information. Being a web or “cloud” based system; data is available at all times through a browser from a computer, tablet or phone. Users can access data through any web browser to the server via encrypted data and send notifications directly to the user.



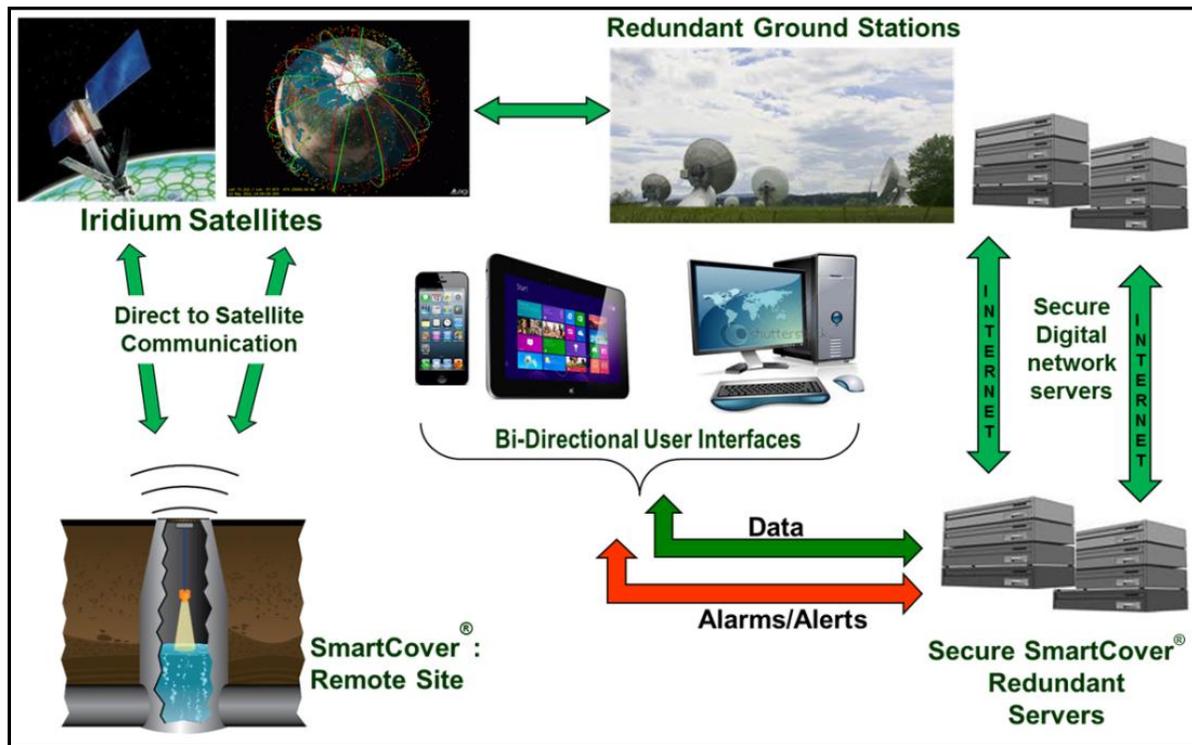
Iridium Satellite Constellation

The Communication Process

As per the diagram below, the SmartCover® system communicates directly to an orbiting satellite. The communication signals are then sent to Iridium earth link stations, and then to SCS secure servers.

For alarm signals, they are subsequently sent to the Customer via cell phone, Smart Phone, digital pager and/or to computers via the internet. It is possible to have alarms sent to a central control room as well.

SmartCover® communication is *bi-directional* and the user has control over the remote sites. A major benefit of the SCS system is that data acquisition, alarms and system setting changes are enabled *remote from the installation* site saving time and resources. For example, the alarm level [distance] setting can be accessed via the Dedicated User Website to be changed or disabled. Changes to these settings are communicated from the SCS servers through the Iridium system and to the SmartCover® system at the designated site.



SmartCover® communications system diagram

SmartCover[®]: Measurement, Data Acquisition, Transmission and Process Overview

The SmartCover[®] system monitors continuously 24 hours per day, seven (7) days per week. SCS has cumulatively acquired thousands of years of data and experience with this basic measurement protocol to assure users that this methodology is extremely sound and reliable for ongoing data acquisition and alarming functions.

Measurement Frequency

The SmartCover[®] system takes a measurement every six (6) minutes. If the measured level is below the pre-set alarm level then the cycle begins again.

Data Acquisition Frequency

The SmartCover[®] logs alternate readings of the six (6) minute measurement cycle. In other words it log a measurement every 12 minutes, five (5) times per hour. These readings are “batched” and sent once per hour via satellite to the server and stored for user access such as trending and analysis.

Alarming

If the SmartCover[®] system measures and senses that the water it is *above* the alarm level, an alarm notification is sent to the designated users and by a pre-established communication protocol i.e., text message to a mobile device or an email message to a computer. Alarms through cell phones or pagers are via Short Message Service (SMS), or Smart Phones and emails via email messaging. Alarms will continue to be sent until acknowledged. The system will continue to monitor, even though the alarm has been acknowledged. Note: a dedicated direct-from-satellite handheld system is available option for highly critical communications. Contact SCS for more information.

A LEVEL MEASUREMENT IS TAKEN EVERY 6 MINUTES AND DATA IS UPDATED ON THE SERVER EVERY HOUR. IN THE EVENT OF A HIGH WATER EVENT, THE ALARM IS SENT THE NEXT TIME A LEVEL MEASUREMENT IS MADE. THE LONGEST TIME BETWEEN THE TIME THE WATER REACHES THE ALARM LEVEL, AND WHEN THE ALARM SOUNDS IS 5 MINUTES AND 59 SECONDS.

Graphical Data

The website is accessed by designated users through a secure portal and using a user name and password. Upon login a map of the system appears as shown below.



System Map

System Map

The system map has five, colored-coded symbols for ease of viewing and management where:

GREEN (circle) – Indicates that the SmartCover[®] system is functioning properly and that the site does not have any alarms or maintenance alerts.

GRAY (circle) – Indicates that the SmartCover[®] system was previously located at this site but has been moved. The data for this site is archived and accessible.

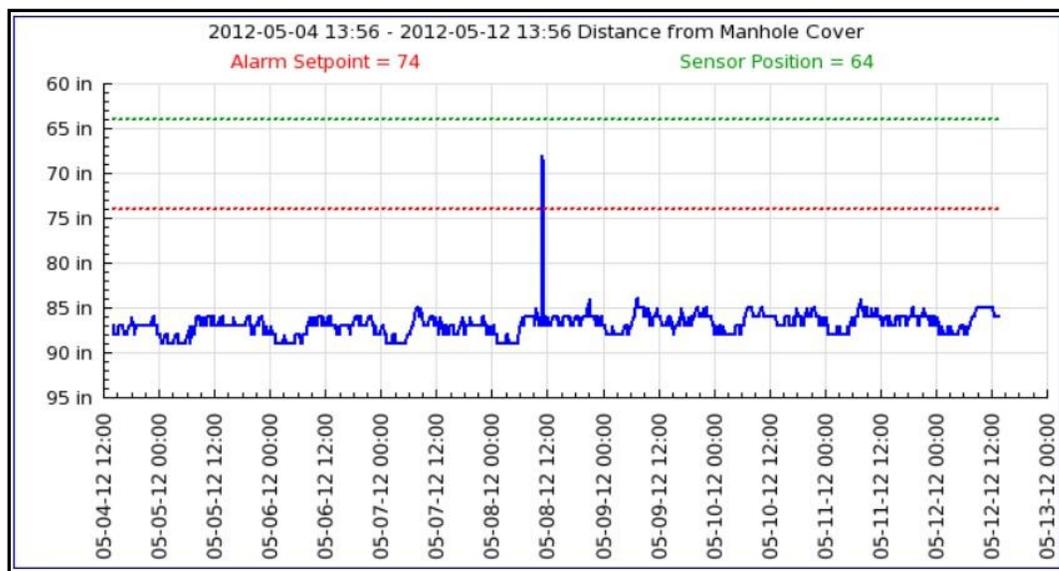
ORANGE (circle) – Indicates that the SmartCover[®] system, while not in an Alert or Alert state, has issued an “Advisory”. The Advisory is an email message has been sent because the site data trend indicates that an anomaly is occurring. It advises users to view this site’s data and determine what, if any, remedial action should be taken.

BLUE (square) – Indicates an “alert” and that a SmartCover[®] maintenance action is required. For example, it could mean the battery has low voltage and needs to be replaced or that a unit has not communicated within the expected interval.

RED (triangle) – Indicates that an “alarm” condition exists at this location. It could be high water event (surcharge) or an intrusion. Action is required.

Site Graph

A user may access any remote site by clicking on the map or on the address location. As an example, the graph below illustrates level in inches (y-axis), date/time (x-axis), flow levels (blue line), and the alarm setting (red line). We see in this case flow levels are below the alarm and then followed by a surcharge. The surcharge would have triggered an alarm. Note that the alarm is set well below the level where a spill may occur (green line) and allows for sufficient time to respond. In this case the bottom of the sensor is 64 inches from the manhole cover and the alarm is set for 74 inches below the manhole cover.



Site Graph

SECTION 4: INSTALLATION AND ACTIVATION

Installation

It is most important to note that the SmartCover installation never requires confined space entry. With this, a typical installation is inexpensive and takes much less than one hour for physically attaching of the SmartCover[®] system. The antenna is mounted to the top of the cover or lid and the mounting bracket, housing the PowerPack and E-Box with the DSM connected to the E-Box, to the bottom.

The antenna is mounted and secured with a high strength, MIL-Spec grade, two part adhesive and a hole is drilled to feed the antenna wire to the underside where the E-Box control is located.

The bracket is mounted to the underside by drilling to two holes into the cover or lid. Two stainless steel screws secure the bracket. The DSM is connected to the E-Box control and it is suspended and aligned to the flow target area i.e., the invert.

On-site testing of the communication link is performed to ensure that the unit is operational.

- **Standard Installation:** The SmartCover[®] system (hardware) is installed in the field at the designated site.
- **Offsite Installation:** The SmartCover[®] system is installed on the selected cover at an offsite facility and transported to the designated location. This method can minimize onsite time to a few minutes reducing the need for traffic control and disruption.
- Typically, the Customer will provide personnel and equipment, as appropriate for traffic control as required by local regulations and safety of field personnel.

Activation

After the physical installation of the SmartCover[®] system(s), the following actions are taken to bring full functionality to the SmartCover[®] system. SCS technicians will assist with all installation activation as part of our standard service protocol.

- ***SmartCover[®] Activation: Customer Actions***
 - Upon receipt of a Purchase Order, SCS the user will receive a questionnaire to obtain the information necessary to perform the SmartCover[®] service Set-Up. Proper system operation is dependent upon receipt of required information.
 - This information is used as part of installation where communication will be tested to verify functionality.
- ***SmartCover[®] Activation: SCS Actions***
 - At the SCS technical Support offices, the secure Customer Web Site is set up including a private account and database on the SCS secure server.
 - Web site is configured for the Customer Web Site with SmartCover[®] system locations and users.
 - Initial population of the Customer SmartCover[®] database.
 - Registration of the SmartCover[®] system wireless radios with the network and setting the Customer default system operational parameters.

Training

Training is provided after completion of the installation process. Once on-site personnel are trained, SCS will be available to provide additional web site training remotely after the SmartCover[®] system has been installed and operational.

SECTION 5: ACTIVE SITE MANAGEMENT

Active Site Management (ASM) is a **compressive support service** for the SmartCover[®] system. It includes software support, satellite connectivity and ongoing technical support with these three elements described below.

It is an annual, per site service provided by SCS. ASM includes but is not limited to:

- **Website hosting-** initial set-up and ongoing hosting of all software and customer data. Note that all data is owned by the customer.
- **Website / Software Upgrades-** from time to time SCS provides new features and tools at no charge including such features supporting improved analytical tools, improved graphical tools and new reports.
- **Website maintenance** – maintaining the secure servers on which your web site resides, and providing free upgrades to the web sites as they become available.
- **Standard Reports** - SCS will support Customer in the preparation of these reports for management or regulators **Technical Telephone Support** - This service is offered by the SCS Technical Services team from 7am to 5 pm Pacific time and with additional support from local representatives.
- **Management Oversight**
 - SCS Technical Services team monitors the proper operation of all installed systems including battery voltage, the radio signal strength and the communication to/from the systems.
 - SCS coordinates the appropriate service to repair any components in the field with you or the local dealer
- **Alarm Processing** – maintaining the infrastructure of the alarm contact system.
- **After Hours Support** – on an as-needed basis. Contact SCS for details
- **Wireless Communications Connectivity** – Access to the two-way, wireless satellite network.

Product Improvements

The SmartCover[®] is continuously improving, adding new features and functions. SCS often uses customer input to add new features. Product improvements are backwards compatible to existing satellite systems with 0.10” resolution. There is no charge for these improvements as they are part of the annual ASM.

SmartTrend[™]

SmartTrend[™] is an all-new addition to **SmartCover[®]** that enables notifies and enable users to anticipate events at remote monitoring sites. **SmartTrend[™]** automatically scans each remote site to assess data trends. Should it see an “anomaly”, it provides users an Advisory email message. This important addition to the **SmartCover[®]** system means that users now have the most advanced predictive method available identifying future issues such as SSO days or even weeks *before they occur*.

SECTION 6: ADDITIONAL TERMS & CONDITIONS, LIMITED WARRANTY

Mutual Hold Harmless

SCS hereby holds Customer harmless from any and all claims that may arise, or damages that may result, to SCS or SCS staff during the performance of this contract. Customer hereby holds harmless SCS, its founders, owners and staff, from any and all claims that may arise, of any kind or from any cause whatsoever, due to or as a result of the installation, operation, or use of the SmartCover[®] system.

Loss of Communications

Customer acknowledges that SCS is not responsible for the loss of wireless communication or internet communications or any communications used in the operation of this system.

Advisory Only

The SmartCover[®] System is an advisory service only. As such, SCS and its founders, owners, or staff are not responsible for any damage of any kind or from any cause whatsoever that may result from, in relation to, in connection with, due to, or as a result of the installation or operation of the system, including without limitation, equipment failure, or any consequential damages caused by, or resulting from, the use or installation of the SmartCover[®] system.

Limited Warranty

The equipment components of the SmartCover[®] system are warranted free from material defects of material and workmanship for a period of one year from the date of installation. Unless otherwise stated, the SCS warranty herein is a parts-only warranty.

Should the Customer discover any condition that might invoke a warranty claim, they are to expeditiously and without delay notify the SCS Technical Services group.

Upon notification, SCS will assess and instruct the user on follow-on actions.

Should a component fail as a result of a defect in material or workmanship, SCS will replace the component or repair it at the SCS location.

For all valid warranty claims, as determined by SCS, reasonable freight charges to and from Customer shall be paid by SCS. In all cases, SCS shall determine the shipping method and/or carrier unless otherwise agreed to in writing by Customer and SCS.

Upon approval of a warranty failure by SCS, SCS will either repair or replace the defective component at SCS' sole discretion.

THE FOREGOING WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES OR CONDITIONS, EXPRESS OR IMPLIED (INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE). REPAIR OR REPLACEMENT IN THE MANNER PROVIDED ABOVE SHALL BE THE SOLE AND EXCLUSIVE REMEDY FOR BREACH OF WARRANTY AND SHALL CONSTITUTE FULFILLMENT OF ALL LIABILITIES OF SCS WITH RESPECT TO THE QUALITY AND PERFORMANCE OF THE PRODUCTS.

THIS WARRANTY DOES NOT COVER DAMAGE OR REPAIRS OR REPLACEMENTS BY ANY CAUSE BEYOND THE CONTROL OF SCS, INCLUDING ACTS OF NATURE, IMPROPER USE, LACK OF PROPER MAINTENANCE OR UNAUTHORIZED REPAIR.

REPLACEMENT AS PROVIDED UNDER THIS WARRANTY IS THE EXCLUSIVE REMEDY. SCS SHALL NOT BE LIABLE FOR ANY ACTUAL, EXEMPLARY, INDIRECT OR CONSEQUENTIAL DAMAGES, INCLUDING DAMAGES FOR LOSS OF GOODWILL OR PROFITS AND/OR LOSSES FROM ANY CAUSE WHATSOEVER, EVEN IF SCS HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGE.

In no event shall SCS's liability, whether in contract or in tort (including negligence and strict liability), exceed the price of the Product from which such liability arises.

SECTION 7: Acceptance

The undersigned have read and acknowledge their understanding of this offer.

Signatures

City of Raytown, KS

**Key Equipment Inc.
Exclusive distributors for
SmartCover[®] Systems[™]**

Steve Williams

Signature

Date: 12/15/2015

Date

Sole Source Letter- Exclusive Manufacturer
December 17, 2015

This letter is to provide notification that Hadronex, Inc. doing business as SmartCover® Systems™ and herein known as “SCS”, with corporate offices located at 2067 Wineridge Pl Suite E. Escondido, Ca. 92029 is the creator, manufacturer and marketer of systems and products, including the proprietary, patented and award winning *SmartCover*® and *SmartFLOE*™, *SmartTrend*®, *SmartVault*™ and *SmartRain*™ systems.

These systems are **proprietary** and have certain **patents**. They are designed and manufactured by SCS and provide users with unique qualities and functions to acquire water level or flow data below the manhole cover or lift station lid, or other structures with open channel flows, using ultrasonic technology. The system acquires and transmits data through a satellite network and provides 24/7 user access via a secure web browser and through a dedicated, secure user website. It *uniquely* communicates by an embedded digital radio through the Iridium Satellite System assuring secure, global, redundant coverage.

SCS systems enable users acquire *trend data* via the *proprietary and patent pending SmartTrend*™ analysis software tool that issues predictive “Advisories” on developing trends. The SCS systems are capable of acquiring and fully integrating rain data into the same graphical display with level or flow data, providing a composite picture of the effects of rain versus level or flow data via the proprietary *SmartRain*™ software tool. In the event that water levels surcharge or an intrusion occurs “Alarms” for surcharges are issued via text message or email with no limit to the quantities of these communications.

The system has certain self-monitoring characteristics providing information on specific operational parameters system. It communicates to users with “Maintenance Alerts” using the proprietary satellite communication network. All notifications provide information and resources to users that improve user intelligence and enable effective, informed decision making for corrective action.

These systems uniquely provide real-time, continuous monitoring capability operated by an engineered and proprietary long-life, lithium thionyl chloride battery pack. The system uniquely measures and displays the battery pack voltage level. It communicates to the user when voltage has reached a low limit.

These systems are protected by the following US Patents 7,292,143, 7,948,215, 7,944,352, 7,598,858 and 7,589,630. The product is also protected by registered trademarks and international patents. Company also has a Madrid Treaty filing for its main trademark.

We hope this information will satisfy your requirements and that it clearly demonstrates the unique, patented and proprietary features of our systems.

Sincerely,



Chief Operating Officer

Sewer/Stormwater Monitoring System Specifications

A sewer monitoring system shall be provided with the following characteristics:

1. The system shall provide continuous, real time monitoring of water level in manholes, lift stations and related wastewater structures.
2. The system shall use a dedicated, map-oriented web page, secure to at least 2048 bit security, to display data logging of water levels, alarms, and maintenance data.
3. The system shall have the capability of providing flow data as well as level data using a software interface to access either.
4. The system shall perform a scan of all sites at least once per day; it shall use algorithms to assess the scans to determine level or flow trend changes. It shall report level or flow trend changes to the user via email.
5. The web site shall provide for sending of control commands to the field units. The commands will be received and executed within one hour.
6. The level or flow trend change emails shall indicate the site location, the time, the date and the type of trend change as a “rise” or “fall”.
7. The system shall provide a specific symbol with a specific color on the dedicated user map display to graphically indicate the site or sites with trend changes.
8. The system shall collect and transmit data to a secure server. The data shall be accessible via device with a web browser.
9. The data shall be stored at no charge for an unlimited period of time and shall have no limits on the amount of data being stored.
10. The system shall use self-contained, battery power with an operating lifetime of at least one year.
11. The system shall provide system status and maintenance information including battery voltage, sensor performance, and radio signal strength.
12. The system shall provide notifications for instances where the battery, sensor or communications may require maintenance.
13. The system shall provide a specific symbol with a specific color on the dedicated user map display to graphically indicate the site or sites that may require maintenance.
14. The system shall provide a real-time security alarm that will transmit its signal typically within one minute, if the manhole cover or hatch is removed or tilted.

15. The system shall provide a specific symbol with a specific color on the dedicated user map display to graphically indicate the site or sites with an alarm that has been activated because a cover or hatch has been removed.
16. Installation shall not require confined space entry of any type and as defined by OSHA 1910.146 for installation or maintenance.
17. The system shall have a remote field unit that contains system control, system sensor, system power pack, system bracket assembly, and system antenna.
18. The remote field unit shall be mounted directly onto the sewer manhole or hatch in order to minimize time and expense of installation and service.
19. The antenna shall be mounted directly onto the top of the manhole cover and shall only require a 3/8" drilled hole into the cover to connect to the system control.
20. The system will communicate using two-way digital radio signals directly to orbiting satellites in order to provide uninterrupted operations in times of local, regional, or massive power outage.
21. The orbiting satellite system shall have 66 satellites in low earth orbit to assure communication redundancy.
22. No additional terrestrial communications systems shall be required to send or receive information to or from the installed units.
23. The field units shall be capable of surviving immersion in sewage water for at least one hour.
24. The system field units shall use ultrasonic water level sensing, with a resolution of at least 0.1". .
25. The system remote field units shall monitor water levels at a fixed rate of at least 10 times per hour.
26. The monitoring system type shall be installed at more than 50 other public agencies in the US.
27. The monitoring system type shall cumulatively have in excess of 80,000,000 operating hours of field unit operational experience.
28. The system field units shall be capable of replacement in under 15 minutes of on-site labor and without any confined space entry as per OSHA 1910.146.
29. Alarms shall be set and adjusted through the user website and shall not require any adjustment at the remote field unit to change alarms settings.
30. Alarms from the system shall be able to be acknowledged through a handheld wireless device.
31. Data updates from the remote field unit shall be no less frequent than once per hour.

32. The system shall, on the user website, calculate flow from water levels and adjust parameters needed to calibrate these flow levels.
33. The system will provide: alarms under conditions of high water levels or intrusion; alerts indicating the need for service of the remote field unit; and advisories for trends in data that indicate the water levels are not normal and require attention.
34. The remote field unit shall be capable of supporting more than one sensor at a time.

**CITY OF RAYTOWN
Request for Board Action**

Date: December 29, 2015
To: Mayor and Board of Aldermen
From: Teresa Henry, City Clerk

Bill No.: 6402-15
Section No.: V-A

Department Head Approval: _____

Finance Director Approval: _____

City Administrator Approval: _____

Action Requested: Approve a Poll Contract with the Jackson County Board of Election Commissioners.

Recommendation: Recommended for approval.

Analysis: This is a request for a cooperative agreement with Jackson County to provide a polling location for two precincts that serve the City. Under state law, public entities are required to provide polling locations to election authorities free of charge and City Hall has been used as a polling location for many years. The attached contract specifies the rights and responsibilities of the parties with respect to such use.

To continue the service, the City needs to approve a new contract with Jackson County.

Alternatives: Deny the request.

Fiscal Impact: None

Budgetary Impact

Not Applicable

AN ORDINANCE AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE JACKSON COUNTY BOARD OF ELECTION COMMISSIONERS TO UTILIZE CITY HALL AS A POLLING PLACE FOR THE 2016 CALENDAR YEAR

WHEREAS, the Jackson County Election Board has requested to use the Raytown City Hall at 10000 East 59th Street as a polling place for the calendar year 2016; and

WHEREAS, pursuant to state statute, public facilities are required to be provided as polling places, free of charge.

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

SECTION 1 – APPROVAL OF CONTRACT. That the poll contract(s) submitted by the Jackson County Board of Election Commissioners in connection with conducting elections in Jackson County and the use of the Raytown City Hall as a polling place for the calendar year 2016, the same being attached hereto and by this reference made a part hereof, is (are) hereby accepted and approved.

SECTION 2 – AUTHORITY TO EXECUTE DOCUMENTS. That the Mayor is hereby authorized to execute said contractual agreement(s) on behalf of the City and City Clerk is hereby authorized to attest the same.

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

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

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

BE IT REMEMBERED that the above was read two times by heading only, **PASSED and ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 5th day of January, 2016.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Joe Willerth, City Attorney

Jackson County Board of Election Commissioners

Web Address: www.jcebmo.org

215 North Liberty

P.O. Box 296

Independence, MO 64051



POLLING PLACE AGREEMENT 2016

Tuesday, November 24, 2015

TERESA M HENRY
CITY OF RAYTOWN
10000 E 59TH ST
RAYTOWN, MO 64133

Polling Place:
Raytown City Hall
10000 E 59th St
Raytown, MO 64133

CITY OF RAYTOWN hereby agrees to provide said premises to Jackson County, MO for election purposes, for the following election(s):

- | | |
|---|---|
| 2016 February Indep. Primary / Special Bond Election,
2/2/2016 | 2016 March Presidential Preference Primary Election,
3/15/2016 |
| 2016 April General Municipal Election, 4/5/2016 | 2016 August Primary Election, 8/2/2016 |
| 2016 November General Election, 11/8/2016 | 2017 February Special Bond Election, 2/7/2017 |

SECTION 1 -The Jackson County Board of Election Commissioners requires a clean area with adequate heat and/or cooling, electrical outlets, lighting and restroom facilities unless other arrangements are noted in Section 1A.

SECTION 1A - _____

SECTION 2 -The use of a poll location telephone is required under this contract unless other arrangements are noted in Section 2A.

SECTION 2A - _____

SECTION 3 -Adequate chairs ten (10) and four (4) tables (six or eight feet) are required unless other arrangements are noted in Section 3A.

SECTION 3A - PLEASE HAVE TABLES SET UP

SECTION 4 - It is necessary that someone be present on a predesignated day preceding the election so that voting equipment and supplies can be delivered and someone must be present on a predesignated day following the election so that voting equipment and supplies can be picked up unless other arrangements are noted in Section 4A.

SECTION 4A - _____

SECTION 5 - Election judges must be able to gain entry to the poll at 5:00 a.m. on election day and will remain there until all closing procedures are completed after 7:00 p.m. There shall be no exceptions on Section 5.

SECTION 6 - Other conditions may be required at times due to changes in state statutes or Election Commission rules. These changes will be noted in Section 6A.

SECTION 6A - _____

SECTION 7 -The Jackson County Board of Election Commissioners agrees that it will provide no obstructions to the conduct of normal and necessary business in this poll location and will make no obstructions to any common use areas, such as lobbies, halls, stairways and parking lots, other than those restrictions which are necessary to guarantee the conduct of the election under and as provided by the statutes and the laws of the State of Missouri, and any changes in this paragraph will be noted in Section 7A.

SECTION 7A - _____

SECTION 8 -The Jackson County Board of Election Commissioners will provide liability coverage for the premises to be occupied by them for use as a poll. This coverage is limited to operations performed by, or on behalf of, the Election Board. Coverage is provided only for the facilities owned or used by the Election Board in the conduct of the election.

Fee Payable to Facility: \$80.00

RETURN ONE COMPLETED COPY OF THIS CONTRACT
Building must be open at 5:00 AM on election day.

PLEASE VERIFY and complete any information not provided below:

General Election Voting Room(s)

On-site Contact Person

TERESA M HENRY

Is Phone Available to Judges?

Yes

Phone Number:

(816)838-4445

Phone Location:

In the event that the building is not open in the morning on election day, election judge may call:

(list any available contacts who have keys)

JUDGE PICKS UP KEY DAY BEFORE ELECTION

In case of an emergency, call:

Secure Equipment Storage Location

Instructions for Delivery Personnel:

Signed:

Representing Raytown City Hall

Print Name: _____

Date: _____