

**TENTATIVE AGENDA**  
**RAYTOWN BOARD OF ALDERMEN**  
**JUNE 4, 2024**  
REGULAR SESSION NO. 28  
RAYTOWN CITY HALL  
10000 EAST 59<sup>TH</sup> STREET  
RAYTOWN, MISSOURI 64133  
AND  
ONLINE ZOOM WEBINAR  
7:00 P.M.

The meeting will be streamed live and can be accessed on the City's website at [www.raytown.mo.us](http://www.raytown.mo.us). In addition, a video recording of the meeting will be available within 48 hours on the City's website. For questions, contact City Clerk, Teresa Henry at (816) 737-6004 or [thenry@raytown.mo.us](mailto:thenry@raytown.mo.us).

Public comments can be made in-person by signing in before the meeting using the sign-in sheet available in the City Hall Council Chamber. To make public comments remotely, please use the Zoom Webinar ID and Passcode below and notify the Clerk, using the contact information above, of your intent to give a Public Comment remotely during the live online meeting, or send your Public Comments to the City Clerk at the email address above by 12:00 p.m. (noon) on June 4, 2024 so that your comments can be presented in writing to the Board of Aldermen during the Public Comments section of the meeting agenda. All Public Comments received will be kept on file in the City Clerk's office.

zoom.us/join  
Webinar ID: 882 1462 8643  
Passcode: 548823

**OPENING SESSION**

Invocation/Pledge of Allegiance  
Roll Call

Proclamations/Presentations

Public Comments

Comments from the Mayor  
Comments from the City Administrator  
Committee Reports

**STUDY SESSION**

**Parks & Recreation Annual Report**  
Dave Turner, Parks & Recreation Director

**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. An item designated for the Consent Agenda may be removed from the Consent Agenda at the request of the Mayor or an Alderman, where there is no objection by the remaining members of the Board. If there is an objection to removal of an item from the Consent Agenda, the item may be removed by a motion and vote of the Board.

**Minutes from the May 21, 2024 Board of Aldermen Meeting**

## **NEW BUSINESS**

2. Public Hearing: A public hearing to consider an amendment to the Official Zoning Map of the City of Raytown regarding property located at Blue Ridge Cutoff and 62<sup>nd</sup> Terr.
  - 2a. **FIRST READING: Bill No. 6666-24, Section XIII. AN ORDINANCE** APPROVING AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY OF RAYTOWN FROM R-3, HIGH DENSITY RESIDENTIAL TO NC, NEIGHBORHOOD COMMERCIAL, FILED BY THE PROPERTY OWNER, THIAGO GUERRA, IPANEMA BRYWOOD II, LLC., AFFECTING THE NORTHERN APPROXIMATELY 0.87-ACRE OF A 1.63-ACRE PARCEL OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF BLUE RIDGE CUTOFF AND E 62ND TERR., WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Diane Egger, Community Development Director.
3. Public Hearing: A public hearing to consider a Conditional Use Permit for property located at 8830 E. 350 Highway.
  - 3a. **FIRST READING: Bill No. 6667-24, Section XIII. AN ORDINANCE** APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO NAVEED KHALID, MONSTER GARAGE, LLC. TO OPERATE A "VEHICLE REPAIR, LIMITED" FACILITY WITH "LIMITED VEHICLE SALES" AT 8830 E. 350 HIGHWAY IN AN HC, HIGHWAY COMMERCIAL, DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Diane Egger, Community Development Director.
4. Public Hearing: A public hearing to consider a Conditional Use Permit for property located at 9305 E. 350 Highway.
  - 4a. **FIRST READING: Bill No. 6668-24, Section XIII. AN ORDINANCE** APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO JOSHUA MILLER, EMERALD AUTO, LLC. TO OPERATE A "VEHICLE REPAIR, LIMITED" FACILITY AT 9305 E. 350 HIGHWAY IN AN HC, HIGHWAY COMMERCIAL, DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Diane Egger, Community Development Director.
5. Public Hearing: A public hearing to consider a text amendment to Chapter 50, to govern the development and expansion of major utilities within the City of Raytown.
  - 5a. **FIRST READING: Bill No. 6669-24, Section XIII. AN ORDINANCE** AMENDING CHAPTER 50, ARTICLE IV, OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI, TO GOVERN THE DEVELOPMENT AND EXPANSION OF MAJOR UTILITIES WITHIN THE CITY OF RAYTOWN. Point of Contact: Diane Egger, Community Development Director.
6. **FIRST READING: Bill No. 6670-24, Section VI-B-I. AN ORDINANCE** AN AUTHORIZING AND APPROVING THE ACCEPTANCE OF EASEMENTS IN CONNECTION WITH THE 83<sup>RD</sup> STREET STORMWATER IMPROVEMENT PROJECT. Point of Contact: Robinson Camp, Public Works Director.
7. **R-3606-24: A RESOLUTION** AUTHORIZING AND APPROVING AN ON-CALL PROFESSIONAL SERVICES AGREEMENT FOR WASTEWATER, STORMWATER SERVICES WITH LEATH & SONS, INC. UTILIZING THE CITY OF BELTON, MISSOURI'S COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$110,000.00 FOR FISCAL YEAR 2023-2024. Point of Contact: Robinson Camp, Public Works Director.
8. **R-3607-24: A RESOLUTION** AMENDING THE FISCAL YEAR 2023-2024 BUDGET RELATED TO PUBLIC WORKS PROJECTS UTILIZING AMERICAN RESCUE PLAN ACT FUNDS. Point of Contact: Robinson Camp, Public Works Director.

9. **R-3608-24: A RESOLUTION** AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH LEGACY UNDERGROUND CONSTRUCTION, INC. FOR THE 53<sup>rd</sup> STREET UTILITY IMPROVEMENTS PROJECT IN A TOTAL AMOUNT NOT TO EXCEED \$605,883.50 AND AMEND THE FISCAL YEAR 2023-2024 BUDGET. Point of Contact: Point of Contact: Robinson Camp, Public Works Director.
10. **R-3609-24: A RESOLUTION** AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH GEORGE BUTLER ASSOCIATES, INC. FOR THE CONSTRUCTION PHASE OF THE 53RD STREET UTILITY RELOCATION PROJECT IN AN AMOUNT NOT TO EXCEED \$81,378.00 AND AMEND THE FISCAL YEAR 2023-2024 BUDGET. Point of Contact: Robinson Camp, Public Works Director.
11. **R-3610-24: A RESOLUTION** AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LAMP RYNEARSON FOR RAYTOWN MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) IMPLEMENTATION SERVICES IN AN AMOUNT NOT TO EXCEED \$28,877.00 FOR FISCAL YEAR 2023-2024 AND AMEND THE FISCAL YEAR 2023-2024 BUDGET. Point of Contact: Robinson Camp, Public Works Director.
12. **R-3611-24: A RESOLUTION** AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH GEORGE BUTLER ASSOCIATES, INC. FOR SURVEYING SERVICES FOR THE WHITE OAK WEST SANITARY SEWER BASIN IN AN AMOUNT NOT TO EXCEED \$178,589.00 AND AMEND THE FISCAL YEAR 2023-2024 BUDGET. Point of Contact: Robinson Camp, Public Works Director.

## **ADJOURNMENT**

# Raytown Parks & Recreation Department

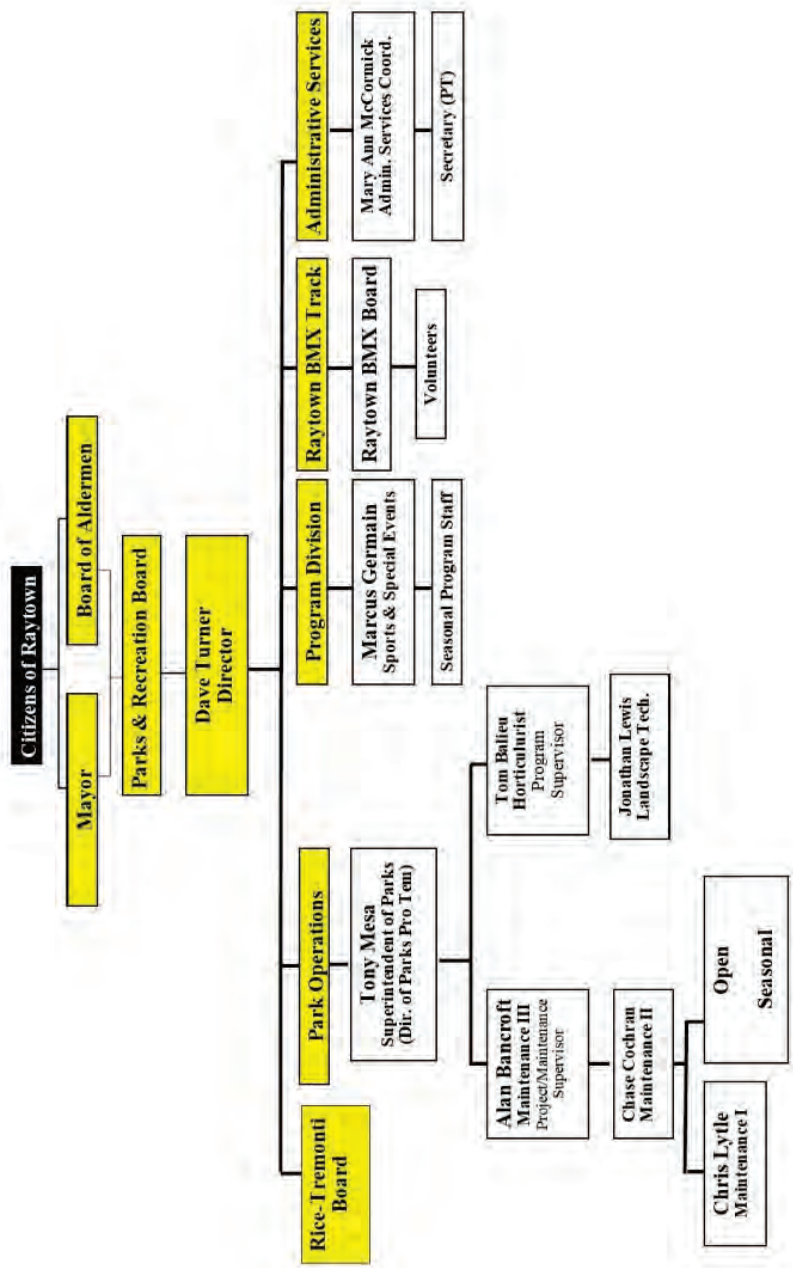


**June 2023 – May 2024**

# Parks Staff

- 9 Park Board appointed citizens
- 9 Full Time Employee's
- 3 Administrative office
- 6 Maintenance staff
- 5 BMX Board volunteers
- 10 Rice-Tremonti Board volunteers

## Raytown Parks & Recreation



# 2023 End of year Actuals

- Revenue: \$1,219,297.72
- Expense: \$1,118,859.56

Due to waiting on CIP projects and grant funds  
Our expenses were lower  
than the Parks revenue for 2023 FY

## Revenue History

|    |             |
|----|-------------|
| 03 | \$1,645,219 |
| 04 | \$1,429,836 |
| 05 | \$1,513,402 |
| 06 | \$1,636,801 |
| 07 | \$1,501,404 |
| 08 | \$1,403,238 |
| 09 | \$1,330,984 |
| 10 | \$1,242,746 |
| 11 | \$1,320,402 |
| 12 | \$1,318,428 |
| 13 | \$1,233,429 |
| 14 | \$1,299,293 |
| 15 | \$1,376,751 |
| 16 | \$1,291,150 |
| 17 | \$975,450   |
| 18 | \$974,400   |
| 19 | \$1,092,857 |
| 20 | \$978,546   |
| 21 | \$1,070,528 |
| 22 | \$1,335,620 |
| 23 | \$1,219,298 |

# Revenue Sources End of FY2023

Revenue-\$ 1,219,297.72

|                           |       |
|---------------------------|-------|
| • Property Tax            | 53.5% |
| • Sales Tax               | 29.5% |
| • Fees and Charges        | 6%    |
| • Grants                  | 4%    |
| • Sponsorship/Investments | 7%    |

# Expense Sources 2024 Budget

|                                          |             |       |
|------------------------------------------|-------------|-------|
| Budgeted Expenses                        | \$3,299,004 |       |
| Staffing                                 | \$753,004   | 23%   |
| Maintenance                              | \$446,400   | 14%   |
| Programs/Events                          | \$51,800    | 1.5%  |
| Capital Improvements<br>(Grant Projects) | \$2,041,000 | 61.5% |

# Accomplishments and CIP

- LWCF Grant award for \$1,012,000 project, 50% matching
- OMNIBUS Grant award for \$3,000,000, 100% fully funded
- TRIM Grant 2023 \$19,000
- Tree City designation 21 years
- Security contractor after park curfew
- Two new Sculptures in Raytown 2024-2026, and one in 2023-2025
- Hosting Raytown High Tennis team at Colman 2024 season
- Raytown BMX National Race 2023
- New Raytown Little League at Little Blue Trace 2023
- 100% Staffing of Full-time employees

# Ongoing Duties and Maintenance

- Maintains 176 acres of Park land, Shelter houses, playgrounds, and sporting fields.
- Median beautification 63<sup>rd</sup> ST, Raytown Rd & 50 Hwy, 63<sup>rd</sup> ST & Blue Ridge Cut-off, Gregory & Raytown Rd, Raytown City Hall, Street Scape, and the 10 Welcome to Raytown signs.
- Monitoring Budget expenditures and revenue for FY 2024.
- Reporting and bidding projects for grant redevelopment.
- Planning and Implementing Parks events and Programs.
- Snow removal in support of Public Works and Police.
- Discussion on plans for Parks Sales Tax on upcoming election.

# Popular Programs and Events

- Raytown Youth Basketball League
- 50+ Softball league
- Tennis league and lessons
- Fishing Derby
- Kids Day at Kenagy
- Raytown Live Concert series
- BMX racing and National Race July 2023, and State Race 2024
- Festival of Trails September 14<sup>th</sup>, Rice-Tremonti Home

# Festival of Trails

## September 9, 2023

### EVENT SCHEDULE

#### Rice-Tremonti Home

8801 E. 66th Street | 10:00am to 5:00pm

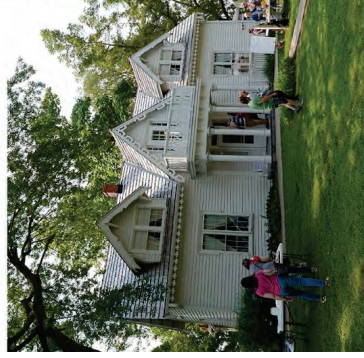
- Bake Sale (whole pies) and ice cream treats
- Blacksmith
- Buffalo Soldiers 2:00pm - 3:30pm
- Craft Fair
- Food Trucks and Dining Tent
- Home tours, scheduled periodically
- Kids Crafts
- Kids Games by Connection Point and the River Church
- Living Historians
- Messner Bee Farm
- Missouri Free Trappers

- Sophie White portrayal 11:00am - 1:30pm
- Windy Hollow Historical Band
- Wool Spinning Demonstrations
- Information Booth presented by the Raytown Chamber

#### Raytown Live, Greenspace in Town Center in downtown Raytown

10009 62nd Street | 6:00pm - 8:00pm

- Food for purchase
- Kids Games
- Live Music – Levee Town Band 6:00pm



# Raytown Live 2024 Schedule



The poster features a stylized guitar with 'RAYTOWN Live' written on its body. The background is a vibrant purple and blue sky with musical notes. At the bottom, a pair of feet in sneakers is visible.

**2024 Summer Family Concert Series**

**7-9 p.m. on the Greenspace**  
Town Center, Downtown Raytown

|                                           |                                  |
|-------------------------------------------|----------------------------------|
| <b>May 11</b><br>Levee Town Band          | <b>June 8</b><br>Brass Rewind    |
| <b>July 13</b><br>AnnaLee & the So & So's | <b>August 10</b><br>The Vincents |
| <b>September 14</b><br>Lucidity           |                                  |

Food trucks & vendors will be onsite

# Metal Roof updates Southwood Park

## December 2023



# Future Plans

- 53<sup>rd</sup> ST Demolition project-LWCF grant.
- Redevelopment of 53<sup>rd</sup> ST property with MO-DNR approval and OMNIBUS grant funding.
- Redevelopment of Kenagy ADA compliance, OMNIBUS grant funding.
- Replace or redevelop aging structures at Colman and Kritser Parks.
- Plan for Sales Tax renewal/increase before August 2025.
- Follow Park Board 5 year schedule for CIP and infrastructure renovations.
- Add to trail system and interconnect to larger Metro wide trail systems.
- Attract and hire quality staff to maintain and enhance the Raytown Parks Department for the enjoyment of its citizens.

# Challenges of the Raytown Parks Department

- Staffing levels make it difficult to expand our duties.
- Vandalism, Ordinance violations, and new mowing contractor.
- Keeping Horticulture and Program staff on board.
- Sponsorships and donations for public events.
- Storage of Parks vehicles and maintenance equipment.
- Limited capabilities with revenue level.
- Trouble keeping up with aging infrastructure and facilities, playgrounds and shelter houses.
- Ongoing security issues and side shows in parking areas

# Budget Concerns- Fixed Expenses

## 2024 Expense Budget

|                   |                       |
|-------------------|-----------------------|
| \$753,004         | Personnel             |
| \$269,200         | Supplies & Services   |
| \$121,000         | Repairs & Maintenance |
| <u>\$ 56,200+</u> | <u>Utilities</u>      |

**\$1,199,404 Fixed Expenses**

## Parks Revenue:

|       |             |
|-------|-------------|
| 2017- | \$975,450   |
| 2018- | \$974,400   |
| 2019- | \$1,092,857 |
| 2020- | \$978,546   |
| 2021- | \$1,070,528 |
| 2022- | \$1,335,620 |
| 2023- | \$1,219,298 |

# 10 Year Budget Comparison

2013

Revenue

\$1,233,429

2023

Revenue

\$1,219,298

Full Time

Employees

\$ 404,964

Full Time

Employees

\$747,188

Staffing = 33% of Parks

2013 Revenue Budget

Staffing = 61% of Parks

2023 Revenue Budget

# City of Raytown Support

- Toni Alexander PIO has been very beneficial to Parks.
- Raytown Police giving support through staffing concerns.
- Public Works loaning equipment, machinery, and expertise.
- Finance & Administration supporting Parks long term and short term goals.

Special Thanks to Raytown volunteers: BMX Board, Rice-Tremonti Board, Kiwanis, Connection Point Church, Chamber of Commerce, Raytown Rotary, Scouts, River Church, Graceway, High School Honor Society, and many individuals who make Raytown a better place.

**MINUTES**  
**RAYTOWN BOARD OF ALDERMEN**  
**MAY 21, 2024**  
REGULAR SESSION NO. 27  
RAYTOWN CITY HALL  
10000 EAST 59<sup>TH</sup> STREET  
RAYTOWN, MISSOURI 64133  
AND  
ONLINE ZOOM WEBINAR  
7:00 P.M.

Mayor Pro Tem Ian Scott called the May 21, 2024, Board of Aldermen Regular meeting to order at 7:17 p.m. Timmy Hensel of River Church Family, provided the invocation and led the pledge of allegiance.

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

Present: Alderman Loretha Hayden, Alderman Greg Walters, Alderman Ian Scott, Alderman Ryan Myers, Alderman Janet Emreson, Alderman Theresa Garza, Alderman Bill Van Buskirk, Alderman Bonnaye Mims, Alderman Diane Krizek

Absent: Alderman Jim Aziere

Alderman Scott confirmed that while presiding over the meeting as Mayor Pro Tem, he reserved his right to vote as an Alderman of Ward 1.

**Public Comments**

None

**Communication from the Mayor**

Mayor Pro Tem Scott spoke about Public Works Week 2024.

**Communication from the City Administrator**

Damon Hodges, City Administrator, provided an update on the City's current projects and plans.

**Committee Reports**

Comments and reports were shared by Aldermen Hayden, Myers, and Mims.

**STUDY SESSION**

**ARPA Funding Update**

Damon Hodges, City Administrator

Damon Hodges, City Administrator, presented the item.

**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. An item designated for the Consent Agenda may be removed from the Consent Agenda at the request of the Mayor or an Alderman, where there is no objection by the remaining members of the Board. If there is an objection to removal of an item from the Consent Agenda, the item may be removed by a motion and vote of the Board.

**Minutes from the May 7, 2024 Board of Aldermen Meeting**

Alderman Mims, seconded by Alderman Krizek, made a motion to adopt. The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Mims, Krizek, Hayden, Emerson, Van Buskirk, Walters, Myers, Garza, Scott  
Nays: None  
Absent: Alderman Aziere

### **NEW BUSINESS**

2. **R-3603-24: A RESOLUTION** DECLARING CERTAIN PROPERTY OWNED BY THE CITY OF RAYTOWN AS SURPLUS AND AUTHORIZING DISPOSITION OF SUCH PROPERTY BY AUCTION. Point of Contact: Robinson Camp, Public Works Director.

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

Robinson Camp, Public Works Director, presented the item.

Alderman Mims, seconded by Alderman Hayden, made a motion to adopt. The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Mims, Hayden, Walters, Krizek, Emerson, Van Buskirk, Myers, Garza, Scott  
Nays: None  
Absent: Alderman Aziere

3. **R-3604-24: A RESOLUTION** AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH GENESIS ENVIRONMENTAL SOLUTIONS, INC. FOR THE 53RD STREET DEMOLITION PROJECT IN AN AMOUNT NOT TO EXCEED \$949,397.03 FOR FISCAL YEAR 2023-2024. Point of Contact: Dave Turner, Parks & Recreation Director.

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

Dave Turner, Parks & Recreation Director, presented the item.

Alderman Hayden, seconded by Alderman Mims, made a motion to adopt. The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Hayden, Mims, Walters, Krizek, Emerson, Van Buskirk, Myers, Garza, Scott  
Nays: None  
Absent: Alderman Aziere

4. **R-3605-24: A RESOLUTION** AUTHORIZING AND APPROVING A RAYTOWN BMX GRANT REQUEST IN THE AMOUNT OF \$25,000.00 FOR FISCAL YEAR 2023-2024. Point of Contact: Dave Turner, Parks & Recreation Director.

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

Dave Turner, Parks & Recreation Director, presented the item.

Alderman Hayden, seconded by Alderman Mims, made a motion to adopt. The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Hayden, Mims, Walters, Krizek, Emerson, Van Buskirk, Myers, Garza, Scott  
Nays: None  
Absent: Alderman Aziere

## ADJOURNMENT

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

The meeting adjourned at 7:52 p.m.

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Teresa M Henry, City Clerk, MRCC

DRAFT

## **CITY OF RAYTOWN**

### **Request for Board Action**

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**DATE SUBMITTED:** 05/20/2024

**MEETING DATE:** June 4, 2024

**SUBMITTED BY:**

**DEPARTMENT:** Community Development

**Document Type:** Ordinance

#### **SUBJECT/REQUEST**

**FIRST READING:** Bill No. 6666-24, Section XII: Rezoning - Brywood Centre

#### **BACKGROUND/JUSTIFICATION**

The Brywood Shopping Centre was constructed several decades ago and was replatted in the year 2019. The vast majority of the subdivision is within the city limits of Kansas City, Missouri, however, the eastern portion lies within the City of Raytown. This parcel is mostly paved and is used as an access drive to and from the commercial development, primarily for the use of delivery trucks to enter and exit at the rear of the buildings. Although this property is commercial in nature and serves the commercial development, it has retained its existing R-3, High-Density Residential zoning designation. The Future Land Use Map contained in the 1996 Comprehensive Plan, as amended, designates the subject property as Commercial. Approval of this application for rezoning will bring the site into compliance with the Future Land Use Map and Comprehensive Plan. A portion of this property has been used for more than a decade for the purpose of an annual Fourth of July fireworks vendor stand. The City of Raytown Fireworks Ordinance states that properties used for fireworks sales must be within commercial or industrial zoning districts and must be placed on a paved surface. In order to bring the site into compliance with the Comprehensive Plan and with the City of Raytown Fireworks ordinance, the property owners are requesting the approval of this rezoning application. No development is being proposed.

#### **RECOMMENDED MOTION**

Approval

#### **PREVIOUS ACTION**

#### **COMMISSION/COMMITTEE REVIEW**

Planning Commission - May 2, 2024

**FINANCIAL IMPACT**

|                             |         |
|-----------------------------|---------|
| Contractor:                 |         |
| Amount of Request/Contract: |         |
| Amount Budgeted:            |         |
| From Account Name and #:    | Amount: |
| To Account Name and #:      | Amount: |

**REVIEWED BY**

|                                                               |
|---------------------------------------------------------------|
| Diane Egger<br>Jennifer Baird<br>Damon Hodges<br>Teresa Henry |
|---------------------------------------------------------------|

**LIST OF REFERENCE DOCUMENTS ATTACHED**

|    |                                        |
|----|----------------------------------------|
| 1. | ORD_PZ.2024.04_Brywood.Center_Rezoning |
| 2. | Brywood.Rezoning_PZ.2024.04            |

**SUPPORTING DOCUMENTS  
(FOR CONTRACT ITEMS ONLY)**

| Document                                           | Attached | If not attached, explain |
|----------------------------------------------------|----------|--------------------------|
| Secretary of State:                                |          |                          |
| Certificate of Insurance:                          |          |                          |
| E-Verify Affidavits:                               |          |                          |
| E-Verify proof of enrollment:                      |          |                          |
| Bond:                                              |          |                          |
| IRS Form W-9:                                      |          |                          |
| Bid/RFP/RFQ: (submit all)                          |          |                          |
| Bid/RFP/RFQ Tabulation:                            |          |                          |
| Bid Waiver: Sole source<br>or less than three bids |          |                          |
| Contractor address and email:                      |          |                          |
| Project Exemption Certificate needed:              |          |                          |
| Other:                                             |          |                          |

**AN ORDINANCE APPROVING AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY OF RAYTOWN FROM R-3, HIGH DENSITY RESIDENTIAL TO NC, NEIGHBORHOOD COMMERCIAL, FILED BY THE PROPERTY OWNER, THIAGO GUERRA, IPANEMA BRYWOOD II, LLC., AFFECTING THE NORTHERN APPROXIMATELY 0.87-ACRE OF A 1.63-ACRE PARCEL OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF BLUE RIDGE CUTOFF AND E 62<sup>ND</sup> TERR., WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI**

**WHEREAS**, Application PZ-2024-04, was duly submitted on or about March 15, 2024, by Thiago Guerra, Ipanema Brywood II LLC., requesting approval of an amendment to the Official Zoning Map of the City of Raytown from R-3, High Density Residential, to NC, Neighborhood Commercial, affecting the Northern approximately 0.87 acre of a 1.63 acre parcel of land of Parcel ID #: 45-310-05-68-00-0-00-000, generally located at the Northwest corner of Blue Ridge Cutoff and E 62<sup>nd</sup> Terr., in the City of Raytown, Jackson County, Missouri (the "Application"), and being more properly described in Section 2 of this Ordinance; and

**WHEREAS**, the Application was considered by the Planning Commission on May 2, 2024, was determined to be consistent with the Comprehensive Plan Future Land Use Map, and by a vote of 6 in favor and 0 against, rendered a report to the Board of Aldermen recommending that the Application be approved; and

**WHEREAS**, after opening the public hearing, considering all testimony and the record, and then closing the public hearing, the Board of Aldermen finds and declares that this amendment to the Official Zoning Map of the City of Raytown is enacted pursuant of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raytown and rendered a decision to approve the Application.

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

**SECTION 1 – APPROVAL OF AMENDMENT TO THE OFFICIAL ZONING MAP.**

Upon review of the record preserved in a public hearing before the Planning Commission, the final report and recommendation of the Commission, and the information presented before the Board of Aldermen, the Board hereby approves the Application filed by the property owner, Thiago Guerra, Ipanema Brywood II, LLC., requesting approval of an amendment to the Official Zoning Map of the City of Raytown from R-3, High-Density Residential to NC, Neighborhood Commercial affecting the Northern approximately 0.87-acre of a 1.63-acre parcel of land of Parcel ID #: 45-310-05-68-00-0-00-000, generally located at the Northwest Corner of Blue Ridge Cutoff and E 62<sup>nd</sup> Terr., within the City of Raytown, Jackson County, Missouri, is hereby approved.

**SECTION 2 – OFFICIAL ZONING MAP HEREBY AMENDED.** That the following described property located at 45-310-05-68-00-0-00-000 is hereby rezoned from R-3, High-Density Residential to NC, Neighborhood Commercial, and the Official Zoning Map of the City of Raytown is hereby directed to be so amended:

THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG NE COR SD LOT 1 TH S 02 DEG 27 MIN 57 SEC W 297' TH S 11 DEG 05 MIN 10 SEC W 60' TH N 87 DEG 23 MIN 55 SEC W 190.98' TH N 02 DEG 27 MIN 57 SEC W 356'; MOL TH S 87 DEG 23 MIN 55 SEC E 205' MOL TO POB

**SECTION 3 – DETERMINATION OF COMPATIBILITY.** In granting the change described in Section 2 above, the Board of Aldermen concludes that the proposed land use will provide sustainable value to the City of Raytown, help conserve the value of the building at 45-310-05-68-00-0-00-000, and further the goals, spirit, and intent of the City's Comprehensive Plan and Chapter 50 of the Raytown Municipal Code.

**SECTION 4 – REPEAL OF ORDINANCES IN CONFLICT.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. The City's Official Zoning Map shall remain unaltered except to change the zoning of the Northernmost approximately 0.87 acre of a 1.63 acre parcel of land of Parcel ID #: 45-310-05-68-00-0-00-000, and more properly described in Section 2 of this Ordinance, from District R-3, High Density Residential, to NC, Neighborhood Commercial.

**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 \_\_\_\_ day of June, 2024.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

\_\_\_\_\_  
Jennifer M. Baird, City Attorney



**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

## Staff Report

**To:** City of Raytown, Planning & Zoning Commission

**From:** Shana Kelly, Planning & Zoning Coordinator

**Case #:** Rezoning PZ-2024-04

**Planning & Zoning Meeting Date:** May 2, 2024

**Board of Aldermen Date:** June 4, 2024, and  
June 18, 2024



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**Applicant:** Thiago Guerra | Ipanema Brywood II, LLC.

**Location:** Parcel ID# 45-310-05-68-00-0-00-000, Generally located at the corner of Blue Ridge Cut-Off and 62<sup>nd</sup> Terrace.

**Ward:** 1

**Property Owner:** Ipanema Brywood, LLC.

**Project Summary:** The applicant is requesting a Rezoning from **R-3, High-Density Residential** to **NC, Neighborhood Commercial** for the purpose of bringing the site into conformance with the land use and to allow the continued operation of an annual fireworks vendor stand.

**Staff Recommendation:** Staff recommends **Approval** of the Rezoning Application.

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**Background Information:** The Brywood Shopping Centre was constructed several decades ago and was replatted in the year 2019. The vast majority of the subdivision is within the city limits of Kansas City, Missouri, however, the eastern portion lies within the City of Raytown. This parcel is mostly paved and is used as an access drive to and from the commercial development, primarily for the use of delivery trucks to enter and exit at the rear of the buildings.

Although this property is commercial in nature and serves the commercial development, it has retained its existing R-3, High-Density Residential zoning designation. The Future Land Use Map contained in the 1996 Comprehensive Plan, as amended, designates the subject property as Commercial. Approval of this application for rezoning will bring the site into compliance with the Future Land Use Map and Comprehensive Plan.



A portion of this property has been used for more than a decade for the purpose of an annual Fourth of July fireworks vendor stand. The City of Raytown Fireworks Ordinance states that properties used for fireworks sales must be within commercial or industrial zoning districts and must be placed on a paved surface.

In order to bring the site into compliance with the Comprehensive Plan and with the City of Raytown Fireworks ordinance, the property owners are requesting the approval of this rezoning application. No development is being proposed.

**Total Land Area: 1.63 Acres**

**Public Noticing:** *The Daily Record:* A public hearing notice was published in The Daily Record Kansas City, on **April 9, 2024**. A copy of the affidavit of publication is included with the attachments to this report. Letters to Residents and Property Owners were mailed to property owners within 185 feet of the subject property on **April 11, 2024**. A copy of the letter is included with the attachments to this report.

**Neighborhood Meeting:** The applicant held a neighborhood meeting on **Monday, April 15, 2024**. Other than the applicant, no one attended the meeting.

**Adjacent Properties:**

|               | <b>Zoning:</b>                | <b>Current Land Use:</b> |
|---------------|-------------------------------|--------------------------|
| <b>North:</b> | R-3, High-Density Residential | Apartment Complex        |
| <b>South:</b> | NC, Neighborhood Commercial   | Office Building          |
| <b>East:</b>  | Public Right-of-Way           | Blue Ridge Cut-off       |
| <b>West:</b>  | (Kansas City, Missouri)       | Brywood Shopping Centre  |

**Street Classification:** Blue Ridge Cutoff is classified as an **Arterial Street**.

**Vehicular and Pedestrian Access:** The subject property provides vehicular access to and from the Brywood Shopping Centre. Pedestrian access is provided via a sidewalk along the frontage of Blue Ridge Cutoff.

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**Rezoning Application Factors To Be Considered:**

**1. The Character of the Neighborhood:**

The neighborhood is predominantly commercial in nature due to the Brywood Shopping Centre, and other neighboring businesses along 63<sup>rd</sup> Street and Blue Ridge Cutoff, both major arterials. To the north of the subject property, the neighborhood is residential, with multi-family homes (apartments) directly behind the shopping center.



**2. Zoning and current uses of nearby properties:**

The property adjacent to the west of the subject property is located within the city limits of Kansas City, Missouri, and is used for commercial purposes. Other zoning districts in the area include R-3, High-Density Residential, and R-1, Low-Density Residential. There are multi-family homes to the north and single-family homes to the east.

**3. Suitability of Zoning for current use:**

The approval of this rezoning application will allow this property to be zoned appropriately according to its use, as it serves as a vehicular access drive to a major commercial development. The site cannot be developed according to its current zoning designation, as it is presently zoned R-3, which allows for apartments.

**4. Detrimental effects to nearby properties if Rezoning is approved:**

If this application is approved, there will be no detrimental effects to neighboring properties as there is no development being proposed, and this application is solely for the purpose of bringing the zoning into alignment with the current and future use of the property and for the continued operation of an annual fireworks vendor stand.

**5. The length of time the property has been vacant:**

The property is partially paved, to provide vehicular access to and from the shopping center. The remainder of the parcel is an undeveloped grassy area which used to have a house, but has remained undeveloped since the early 2000's.

**6. Consideration of public interest:**

**a. Public Health:**

This application will not affect public health. There is no development proposed and there will be no physical changes to the property. If approved, the site will continue to be used for approximately one week of the year for a fireworks vendor stand. This stand must operate in accordance with all City of Raytown requirements as well as fire safety. If all requirements are followed, there will be no negative impact to public health.

**b. Public Safety:**

Public safety will not be affected due to the reasons listed above. No development is being proposed and the annual fireworks stand must operate in accordance with all City of Raytown and Raytown Fire Protection requirements.



**c. Public Welfare:**

The approval of the rezoning request will not affect the public welfare because no physical changes are being proposed to the property. The purpose of this application is to bring the property into conformance with the Future Land Use Map of the Comprehensive Plan and support the activities for which it has been traditionally used.

**7. Impacts on public services and utilities:**

As there are no physical changes being made to the property, there will be no effects on public services and utilities. The lot is currently being used for commercial purposes. The rezoning will bring the site into compliance with the natural use of the property.

**8. Conformance with the Comprehensive Plan:**

The Future Land Use Map contained in the 1996 Comprehensive Plan, as amended, designates the subject property as Commercial. Approval of this application for rezoning will bring the site into compliance with the Future Land Use Map and Comprehensive Plan.

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**PUBLIC WORKS:**

- **Items that require plan revision or additional documentation before engineering can recommend approval:**
  - NONE
- **Items that are conditions of approval:**
  - NONE
- **Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
  - NONE

**ATTACHMENTS:**

- Zoning Map
- Site Photo
- Neighborhood Letter
- 185-ft Buffer Map
- Affidavit of Publication
- Application



**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

- Receipt of Paid Taxes
- Receipt
- Street Classification Map

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**RECOMMENDATION:**

Staff recommends that the Planning Commission hold this public hearing, take testimony from all parties, and consider recommending **APPROVAL** of this rezoning application **RZ-2024-04** for the subject parcel identified by Parcel ID #: 45-310-05-68-00-0-00-000 from **R-3, High-Density Residential** to **NC, Neighborhood Commercial**.



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## Zoning Map





**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

**Site Photo**



April 9, 2024  
Re: Case No: PZ-2024-04

Dear Property Owner/Tenant:

### **Notice of Neighborhood Meeting and Public Hearings in Your Area**

The Raytown Community Development Department is processing a Rezoning application filed by property owner, Thiago Guerra of Ipanema Brywood II LLC., from R-3, High-Density Residential, to NC, Neighborhood Commercial for parcel ID #: 45-310-05-68-00-0-00-000, which is generally located at the corner of Blue Ridge Cut Off and 62<sup>nd</sup> Terrace. This property consists of 1.63 acres of land and is located within the City of Raytown, Missouri.

Brywood Centre is a commercial center which exists mostly within the city limits of Kansas City, Missouri. Only a small portion on the eastern edge, which serves as an access point to the shopping center, is within the City of Raytown. A portion of that property retains its R-3, High-Density Residential, zoning designation. The purpose of this application is to bring the zoning into compatibility with the rest of the commercial development. In addition, this property has been used annually for the display and sale of fireworks. City of Raytown ordinance states that fireworks vendor stands must be located on a paved surface and the property must be zoned commercially or industrially. Approval of this application will allow the continued sale of annual fireworks at this location.

As a nearby owner or tenant, you are entitled to appear and provide comments at any of the public hearings on this matter or to provide written comments.

The applicant will be holding a neighborhood information meeting at Raytown City Hall at **2:00pm on Monday, April 15, 2024**, to which you are invited to discuss the application directly with them. City Staff will not be present at this time. If you have any concerns or need more information about the application, we highly recommend that you attend this meeting.

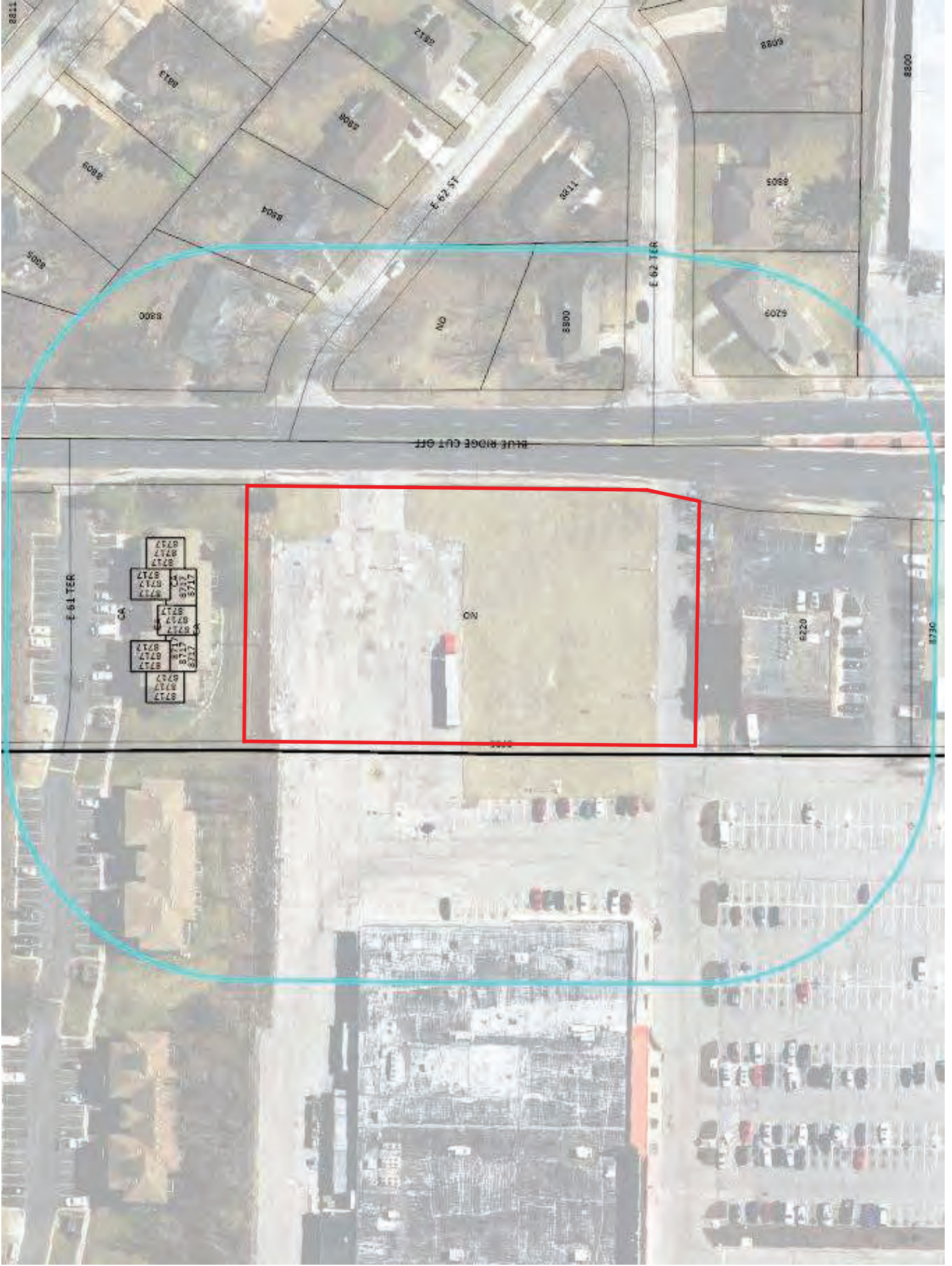
A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission at 7:00 PM on **Thursday May 2, 2024**. The full packet and agenda should be available for view on the City of Raytown website on **Friday, April 26, 2024**.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for 7:00 PM on **Tuesday, June 4, 2024**.

**All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E 59<sup>th</sup> Street, Raytown, MO 64133.**

The public is invited to attend the neighborhood meeting and the public hearings to ask questions and provide comments regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59<sup>th</sup> Street, by phone at (816)737-6059 or by email at [shanak@raytown.mo.us](mailto:shanak@raytown.mo.us).

If you will require any special accommodations (i.e., qualified interpreter, large print reader, hearing assistance) to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816)737-6014 no later than 48 hours prior to the applicable public hearing date.



The Daily Record Kansas City  
920 Main St  
Kansas City, MO, 64105  
Phone: 8163841801 Fax: 0

# The Daily Record

KANSAS CITY

## Affidavit of Publication

To: Raytown, City Of, Missouri - City Clerk  
10000 E 59th St  
Raytown, MO, 641333915

Re: Legal Notice 2601519, 6130 Blue Ridge Cut Off, Raytown,  
Missouri

State of MO }

County of Jackson County }

Before the undersigned Notary Public personally appeared Lisa Fowler on behalf of The Daily Record Kansas City, Jackson County who, being duly sworn, attests that the said newspaper is qualified under the provisions of Missouri Law governing public notices to publish, and did so publish, the notice annexed hereto; starting with the 04/12/2024 edition and ending with the 04/12/2024 edition for a total of 1 publications, and that the date of publications were as follows: 04/12/2024.

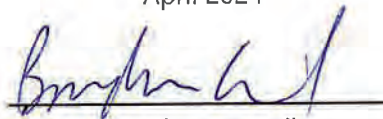
Publishers fee: \$61.48

By:

  
Lisa Fowler

Sworn to me on this 16<sup>th</sup> day of  
April 2024

By:

  
Brandon M. Crail  
Notary Public, State of MO  
No. 20297982  
Qualified in St. Louis County  
My commission expires on  
March 5, 2028



### Notice of Public Hearings

Affected Property: 6130 Blue Ridge  
Cut Off, Raytown, Missouri  
Jackson County Parcel ID # 45-310-05-68-00-0-00-000

A public hearing to consider a  
Rezoning application from R-3,  
High-Density Residential, to NC,  
Neighborhood Commercial for the  
purpose of annual fireworks vender  
use on the property identified by tax  
parcel ID#: 45-310-05-68-00-0-00-000,  
generally located on the corner of Blue  
Ridge Cut Off and 62nd Terrace.

The application was filed by the  
property owner, Thiago Guerra, of  
Ipanema Brywood II, LLC., and will be  
held by the Raytown Planning & Zoning  
Commission at 7:00pm on Thursday,  
May 2, 2024. The packet and agenda  
will be available for view on the City  
of Raytown website on Friday, April  
26, 2024.

The Raytown Board of Aldermen will  
also hold a public hearing to consider  
this Rezoning application, tentatively  
scheduled for 7:00pm on Tuesday, June  
4, 2024.

All public hearings will take place  
in the Council Chambers at Raytown  
City Hall located at 10000 E. 59th St.  
Raytown, MO 64133.

The public is invited to attend the  
public hearings to ask questions  
and provide comments. Additional  
information can be obtained from  
the Department of Community  
Development located in Raytown  
City Hall at 10000 E. 59th Street, by  
telephone at (816)737-6059 or by email  
at [shanak@raytown.mo.us](mailto:shanak@raytown.mo.us).

If you will require any special  
accommodation (i.e., qualified  
interpreter, large print, reader,  
hearing assistance) to attend either  
of these public hearings, please  
notify the Department of Community  
Development at Raytown City Hall at  
(816)737-6014 no later than 48 hours  
prior to the applicable public hearing  
date.

2601519 Jackson Apr. 12, 2024



Community Development Department  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

## PLANNING APPLICATION

| Office Use Only                       | Application Type(s): |
|---------------------------------------|----------------------|
| Case #: RZNE-000174-2024              | Rezoning             |
| Fee Paid: \$450.00 - paid             |                      |
| PC Meeting Date: 5/2/24               |                      |
| B of A Meeting Date: 6/4/24 & 6/18/24 |                      |
| Newspaper Notice Date: 4/9/24         |                      |
| Notice Letters Date: 4/11/24          |                      |

### Project Info:

Project Name:

Brywood Centre

Project Address: 6130 Blue Ridge Cut-off, Raytown, MO 64133  
Parcel ID: 45-310-05-68-00-0-00-000

Existing Zoning:

R-3 High-Density Residential/NC,  
Neighborhood Commercial

Existing Land Use:

~~Residential~~

Paved Surface

Proposed Zoning:

NC,  
Neighborhood Commercial

Proposed Land Use:

Commercial

Total Acreage:

~~0.44 acres~~

0.867 Acres

### Applicant:

Name of Applicant:

Thiago Guerra

Company (If Applicable):

Ipanema Brywood II LLC

Address:

5150 N Miami Ave

City: Miami

State: FL Zip: 33127

Phone:

786-797-3763

Email:

thiago@ipanemamanagement.com

Applicant Signature:

X



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Phone: 816-737-6014 • Fax: 816-737-6164

|                                                                                        |                                  |
|----------------------------------------------------------------------------------------|----------------------------------|
| <b>Property Owner:</b>                                                                 |                                  |
| Name of Owner:                                                                         | Company (If Applicable):         |
| Ipanema Brywood LLC & Ipanema Brywood II LLC                                           |                                  |
| Address:                                                                               |                                  |
| 5150 N Miami Ave                                                                       | City: Miami State: FL Zip: 33127 |
| Phone:                                                                                 | Email:                           |
| 786-797-3763                                                                           | thiago@ipanemamanagement.com     |
| Property Owner Signature:                                                              |                                  |
| <br>X |                                  |

**Please Give a Detailed Description of the Proposal Below:**

Due to city ordinance, Sky Bloom Fireworks, which has operated at Brywood Centre for many years, has to move their July 4th fireworks tent to a concrete area. The concrete area on parcel number 45-310-05-68-00-0-00-000 is currently zoned Residential and needs to be zoned Commercial in order to accommodate Sky Bloom Fireworks.



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### Additional Contact Information

Please provide additional contact information if applicable below:

|                           |  |                                               |                      |
|---------------------------|--|-----------------------------------------------|----------------------|
| <b>Project Lead:</b>      |  |                                               |                      |
| Name: Amanda Bellemere    |  | Company: Ipanema Management                   |                      |
| Address: 5150 N Miami Ave |  | City: Miami                                   | State: FL Zip: 33127 |
| Phone: 816-824-8864       |  | Email: amanda.bellemere@ipanemamanagement.com |                      |
| <b>Developer:</b>         |  |                                               |                      |
| Name: Thiago Guerra       |  | Company: Ipanema Brywood II LLC               |                      |
| Address: 5150 N Miami Ave |  | City: Miami                                   | State: FL Zip: 33127 |
| Phone: 786-797-3763       |  | Email: thiago@ipanemamanagement.com           |                      |
| <b>Engineer:</b>          |  |                                               |                      |
| Name:                     |  | Company:                                      |                      |
| Address:                  |  | City:                                         | State: Zip:          |
| Phone:                    |  | Email:                                        |                      |
| <b>Architect:</b>         |  |                                               |                      |
| Name:                     |  | Company:                                      |                      |
| Address:                  |  | City:                                         | State: Zip:          |
| Phone:                    |  | Email:                                        |                      |
| <b>Surveyor:</b>          |  |                                               |                      |
| Name:                     |  | Company:                                      |                      |
| Address:                  |  | City:                                         | State: Zip:          |
| Phone:                    |  | Email:                                        |                      |



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|                             |  |          |             |
|-----------------------------|--|----------|-------------|
| <b>Landscape Architect:</b> |  |          |             |
| Name:                       |  | Company: |             |
| Address:                    |  | City:    | State: Zip: |
| Phone:                      |  | Email:   |             |
| <b>Attorney:</b>            |  |          |             |
| Name:                       |  | Company: |             |
| Address:                    |  | City:    | State: Zip: |
| Phone:                      |  | Email:   |             |
| <b>Other:</b>               |  |          |             |
| Name:                       |  | Company: |             |
| Address:                    |  | City:    | State: Zip: |
| Phone:                      |  | Email:   |             |

1. The proposed action will be in keeping with the character of the neighborhood because:  
There will be no physical changes to the parcel in question  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. The proposed use will be consistent with the uses and zoning on nearby parcels because:  
The zoning being requested is the same as every other parcel that comprises Brywood Centre  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Prior to submitting this application, the property has been vacant for:  
It has been a parking lot since Brywood Centre was first built  
\_\_\_\_\_



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4. This property is more suited for the proposed use than its current use(s) because:

Because it is consistent with the use of all the other parcels that comprise Brywood Centre

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

None

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

The current use will be inconsistent with the zoning of the parcel

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

N/A

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

N/A

9. Additional comments:

N/A

From: Jackson County Parcel Viewer  
The true property boundaries



**Current Zoning:**





Legal description of this parcel only is: THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG NE  
COR SD LOT 1 TH S 02 DEG 27 MIN 57 SEC W 297' TH S 11 DEG 05 MIN 10 SEC W 60' TH N 87 DEG  
23 MIN 55 SEC W 190.98' TH N 02 DEG 27 MIN 57 SEC W 356'MOL TH S 87 DEG 23 MIN 55 SEC E  
205' MOL TO POB



ELECTRONICALLY RECORDED  
JACKSON COUNTY, MISSOURI

06/08/2022 9:32 AM

COV FEE: \$30.00 4 PGS

INSTRUMENT NUMBER  
2022E0054650

---

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

DOCUMENT TITLE: SPECIAL WARRANTY DEED

DOCUMENT DATE: June 1, 2022

GRANTOR NAME AND  
MAILING ADDRESS: RCG-BRYWOOD OWNER, LLC, a Delaware limited  
liability company  
3060 Peachtree Road, Suite 400  
Atlanta, Georgia 30305  
Attention: Frank Meyrath

GRANTEE NAME  
AND MAILING ADDRESS: IPANEMA BRYWOOD LLC, a Delaware limited liability  
company, and IPANEMA BRYWOOD II LLC, a Delaware  
limited liability company, as Tenants in Common  
5150 N. Miami Avenue  
Miami, FL 33127  
Attention: Rick Cava

LEGAL DESCRIPTION: See Exhibit A attached hereto and incorporated herein.

REFERENCE BOOK  
AND PAGES: Instrument No. 2016E0034604

Chicago Title  
KCC211884

## SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, is made this 1<sup>st</sup> day of June, 2022, by and between **RCG-BRYWOOD OWNER, LLC**, a Delaware limited liability company, having an address at 3060 Peachtree Road, Suite 400, Atlanta, Georgia 30305 ("Grantor"), in favor of **IPANEMA BRYWOOD LLC**, a Delaware limited liability company, as to an undivided 51.71% interest, and **IPANEMA BRYWOOD II LLC**, a Delaware limited liability company, as to an undivided 48.29% interest, as Tenants in Common, with a mailing address of 5150 N. Miami Avenue, Miami, Florida 33127 (collectively, "Grantee") ("Grantor" and "Grantee" shall include their respective heirs, successors and assigns where the context requires or permits).

### W I T N E S S E T H:

WHEREAS, Grantor holds title to that certain real property located in Jackson County, Missouri, said real property together with all the improvements and fixtures located thereon, being more particularly described on Exhibit "A" which is attached to this deed and is incorporated herein by reference (collectively, the "Property"); and

NOW, THEREFORE, Grantor, for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00) and other good and valuable considerations in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents GRANT, SELL AND CONVEY unto Grantee, its successors and assigns, the Property.

This conveyance is made by the Grantor and accepted by the Grantee subject to all covenants, conditions, restrictions, and other matters of record in the office of the County Recorder of Jackson County, Missouri, and all unpaid taxes and assessments, and Sections 11, 19, 20, and 21 of that certain Agreement for the Implementation of the Brywood Centre Tax Increment Financing Plan, dated as of May 15, 2009, by and between the Tax Increment Financing Commission of Kansas City, Missouri and the Grantor (herein collectively called the "Permitted Exceptions").

TO HAVE AND TO HOLD the premises aforesaid, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors and assigns, to WARRANT and FOREVER DEFEND, all and singular, the Property and premises unto the Grantee, and Grantee's heirs, successors, and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

[Remainder of Page Intentionally Left Blank; Signature Appears on Next Page]

IN WITNESS WHEREOF, Grantor has signed and sealed this deed as of the day and year first above written.

"GRANTOR":

**RCG-BRYWOOD OWNER, LLC**, a Delaware limited liability company

By: RCG Ventures Distressed Real Estate Opportunity Fund, LP, a Georgia limited partnership, its manager

By: RCG Ventures Fund II GP, LLC, a Georgia limited liability company, its general partner

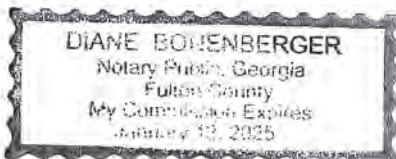
By: [Signature]  
Wilkes J. Graham  
Chief Financial Officer

STATE OF GEORGIA     )  
                                  ) ss.  
COUNTY OF FULTON    )

On this \_\_\_\_ day of May, 2022, before me, personally appeared Wilkes J. Graham, to me personally known, who being by me duly sworn did say that he is the Chief Financial Officer of RCG Ventures Fund II GP, LLC, a Georgia limited liability company, which is the general partner of RCG Ventures Distress Real Estate Opportunity Fund, LP, a Georgia limited partnership, which is the manager of RCG-Brywood Owner, LLC, a Delaware limited liability company, and that the foregoing instrument was signed on behalf of said company and is the free act and deed of said company.

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

(Notary Seal)



[Signature]  
Printed Name: Diane Bohenberger  
Notary Public in and for said State  
Commissioned in Fulton County  
My commission expires: January 12, 2025

## **EXHIBIT "A"**

### Legal Description

Lots 1, 2, 3, 4, 5, and 6, THE BRYWOOD CENTRE, SECOND PLAT, a subdivision partially in Raytown and Partially in Kansas City, all in Jackson County, Missouri, according to the final plat recorded in Instrument No. 2019E0077717 in the Jackson County, Missouri Recorder's Office.

# Official Tax Payment Receipt

**Receipt No.:** 13508971 **Date and Time:** 12/30/2022 05:31 **Print Date:** 03/12/2024

## Receipt Details

| Parcel No.             | Tax Year | TCA / District | Amount Applied | Unpaid Balance | Amount * | Description              |
|------------------------|----------|----------------|----------------|----------------|----------|--------------------------|
| 45-310-05-52-00-00-000 | 2022     | 019            | \$27,512.65    |                | \$0.00   | A/V Principal-Commercial |
|                        | 2022     | REPL           | \$4,225.93     |                | \$0.00   | Replacement Tax          |
| 45-310-05-55-00-00-000 | 2022     | 019            | \$29.94        |                | \$0.00   | A/V Principal-Commercial |
|                        | 2022     | REPL           | \$4.60         |                | \$0.00   | Replacement Tax          |
| 45-310-05-56-00-00-000 | 2022     | 019            | \$82,150.18    |                | \$0.00   | A/V Principal-Commercial |
|                        | 2022     | REPL           | \$12,618.23    |                | \$0.00   | Replacement Tax          |
|                        | 2022     | STBP           | \$318.81       |                | \$0.00   | TIF                      |
|                        | 2022     | REPL           | \$15,271.07    |                | \$0.00   | TIF                      |
|                        | 2022     | CTKC           | \$99,010.10    |                | \$0.00   | TIF                      |
|                        | 2022     | LDMC           | \$92.46        |                | \$0.00   | TIF                      |
| 45-310-05-57-00-00-000 | 2022     | 019            | \$29.94        |                | \$0.00   | A/V Principal-Commercial |
|                        | 2022     | REPL           | \$4.60         |                | \$0.00   | Replacement Tax          |
| 45-310-05-58-00-00-000 | 2022     | 019            | \$1,676.51     |                | \$0.00   | A/V Principal-Commercial |
|                        | 2022     | REPL           | \$257.51       |                | \$0.00   | Replacement Tax          |
| 45-310-05-59-00-00-000 | 2022     | 019            | \$1,886.07     |                | \$0.00   | A/V Principal-Commercial |
|                        | 2022     | REPL           | \$289.70       |                | \$0.00   | Replacement Tax          |
| 45-310-05-60-00-00-000 | 2022     | 019            | \$29.94        |                | \$0.00   | A/V Principal-Commercial |

|                        |      |      |            |        |                          |
|------------------------|------|------|------------|--------|--------------------------|
|                        | 2022 | REPL | \$4.60     | \$0.00 | Replacement Tax          |
| 45-310-05-61-00-00-000 | 2022 | 019  | \$479.00   | \$0.00 | A/V Principal-Commercial |
|                        | 2022 | REPL | \$73.57    | \$0.00 | Replacement Tax          |
| 45-310-05-62-00-00-000 | 2022 | 019  | \$2,095.63 | \$0.00 | A/V Principal-Commercial |
|                        | 2022 | REPL | \$321.89   | \$0.00 | Replacement Tax          |
| 45-310-05-63-00-00-000 | 2022 | 019  | \$2,604.57 | \$0.00 | A/V Principal-Commercial |
|                        | 2022 | REPL | \$400.06   | \$0.00 | Replacement Tax          |
| 45-310-05-64-00-00-000 | 2022 | 019  | \$898.13   | \$0.00 | A/V Principal-Commercial |
|                        | 2022 | REPL | \$137.95   | \$0.00 | Replacement Tax          |
| 45-310-05-65-00-00-000 | 2022 | 019  | \$2,424.95 | \$0.00 | A/V Principal-Commercial |
|                        | 2022 | REPL | \$372.47   | \$0.00 | Replacement Tax          |
| 45-310-05-66-00-00-000 | 2022 | 019  | \$1,856.13 | \$0.00 | A/V Principal-Commercial |
|                        | 2022 | REPL | \$285.10   | \$0.00 | Replacement Tax          |
| 45-310-05-67-00-00-000 | 2022 | 019  | \$3,562.57 | \$0.00 | A/V Principal-Commercial |
|                        | 2022 | REPL | \$547.21   | \$0.00 | Replacement Tax          |
| 45-310-05-68-00-00-000 | 2022 | 022  | \$6,953.36 | \$0.00 | A/V Principal-Commercial |
|                        | 2022 | REPL | \$1,062.23 | \$0.00 | Replacement Tax          |

#### Payer Name and Address Information

| Name                | Address                          | Tender Type      | Amount Tendered |
|---------------------|----------------------------------|------------------|-----------------|
| IPANEMA BRYWOOD LLC | 5150 N MIAMI AVE ,MIAMI ,FL33127 | Electronic Check | \$269,487.66    |

| Owner Name and Address Information |                     |                                   |            |         |
|------------------------------------|---------------------|-----------------------------------|------------|---------|
| Parcel No.                         | Name                | Address                           | Since      | To      |
| 45-310-05-68-00-0-00-000           | IPANEMA BRYWOOD LLC | 5150 N MIAMI AVE, MIAMI, FL 33127 | 06/01/2022 | Current |

| Distribution of Districts |          |                            |            |
|---------------------------|----------|----------------------------|------------|
| Parcel No.                | Tax Year | Agency                     | Amount     |
| 45-310-05-52-00-0-00-000  | 2022     | BOARD OF DISABLED SERVICES | 245.8508   |
|                           | 2022     | CITY - KANSAS CITY         | 4975.2446  |
|                           | 2022     | JACKSON COUNTY             | 1740.9534  |
|                           | 2022     | MENTAL HEALTH              | 327.3110   |
|                           | 2022     | METRO JUNIOR COLLEGE       | 596.3941   |
|                           | 2022     | MID-CONTINENT LIBRARY      | 952.8190   |
|                           | 2022     | RAYTOWN SCHOOL C-II        | 18585.8531 |
|                           | 2022     | REPLACEMENT TAX            | 4225.9300  |
|                           | 2022     | STATE BLIND PENSION        | 88.2240    |
| 45-310-05-55-00-0-00-000  | 2022     | BOARD OF DISABLED SERVICES | 0.2675     |
|                           | 2022     | CITY - KANSAS CITY         | 5.4142     |
|                           | 2022     | JACKSON COUNTY             | 1.8946     |
|                           | 2022     | MENTAL HEALTH              | 0.3562     |
|                           | 2022     | METRO JUNIOR COLLEGE       | 0.6490     |
|                           | 2022     | MID-CONTINENT LIBRARY      | 1.0369     |
|                           | 2022     | RAYTOWN SCHOOL C-II        | 20.2256    |
|                           | 2022     | REPLACEMENT TAX            | 4.6000     |
|                           | 2022     | STATE BLIND PENSION        | 0.0960     |
| 45-310-05-56-00-0-00-000  | 2022     | BOARD OF DISABLED SERVICES | 734.0874   |
|                           | 2022     | CITY - KANSAS CITY         | 14855.6116 |
|                           | 2022     | JACKSON COUNTY             | 5198.3226  |
|                           | 2022     | MENTAL HEALTH              | 977.3197   |
|                           | 2022     | METRO JUNIOR COLLEGE       | 1780.7766  |
|                           | 2022     | MID-CONTINENT LIBRARY      | 2845.0279  |
|                           | 2022     | RAYTOWN SCHOOL C-II        | 55495.6056 |
|                           | 2022     | REPLACEMENT TAX            | 12618.2300 |
|                           | 2022     | STATE BLIND PENSION        | 263.4285   |
| 45-310-05-57-00-0-00-000  | 2022     | BOARD OF DISABLED SERVICES | 0.2675     |
|                           | 2022     | CITY - KANSAS CITY         | 5.4142     |
|                           | 2022     | JACKSON COUNTY             | 1.8946     |
|                           | 2022     | MENTAL HEALTH              | 0.3562     |

|                          |      |                            |           |
|--------------------------|------|----------------------------|-----------|
|                          | 2022 | METRO JUNIOR COLLEGE       | 0.6490    |
|                          | 2022 | MID-CONTINENT LIBRARY      | 1.0369    |
|                          | 2022 | RAYTOWN SCHOOL C-II        | 20.2256   |
|                          | 2022 | REPLACEMENT TAX            | 4.6000    |
|                          | 2022 | STATE BLIND PENSION        | 0.0960    |
| 45-310-05-58-00-0-00-000 | 2022 | BOARD OF DISABLED SERVICES | 14.9812   |
|                          | 2022 | CITY - KANSAS CITY         | 303.1714  |
|                          | 2022 | JACKSON COUNTY             | 106.0867  |
|                          | 2022 | MENTAL HEALTH              | 19.9450   |
|                          | 2022 | METRO JUNIOR COLLEGE       | 36.3419   |
|                          | 2022 | MID-CONTINENT LIBRARY      | 58.0610   |
|                          | 2022 | RAYTOWN SCHOOL C-II        | 1132.5470 |
|                          | 2022 | REPLACEMENT TAX            | 257.5100  |
|                          | 2022 | STATE BLIND PENSION        | 5.3760    |
| 45-310-05-59-00-0-00-000 | 2022 | BOARD OF DISABLED SERVICES | 16.8538   |
|                          | 2022 | CITY - KANSAS CITY         | 341.0671  |
|                          | 2022 | JACKSON COUNTY             | 119.3473  |
|                          | 2022 | MENTAL HEALTH              | 22.4381   |
|                          | 2022 | METRO JUNIOR COLLEGE       | 40.8845   |
|                          | 2022 | MID-CONTINENT LIBRARY      | 65.3184   |
|                          | 2022 | RAYTOWN SCHOOL C-II        | 1274.1128 |
|                          | 2022 | REPLACEMENT TAX            | 289.7000  |
|                          | 2022 | STATE BLIND PENSION        | 6.0480    |
| 45-310-05-60-00-0-00-000 | 2022 | BOARD OF DISABLED SERVICES | 0.2675    |
|                          | 2022 | CITY - KANSAS CITY         | 5.4142    |
|                          | 2022 | JACKSON COUNTY             | 1.8946    |
|                          | 2022 | MENTAL HEALTH              | 0.3562    |
|                          | 2022 | METRO JUNIOR COLLEGE       | 0.6490    |
|                          | 2022 | MID-CONTINENT LIBRARY      | 1.0369    |
|                          | 2022 | RAYTOWN SCHOOL C-II        | 20.2256   |
|                          | 2022 | REPLACEMENT TAX            | 4.6000    |
|                          | 2022 | STATE BLIND PENSION        | 0.0960    |
| 45-310-05-61-00-0-00-000 | 2022 | BOARD OF DISABLED SERVICES | 4.2803    |
|                          | 2022 | CITY - KANSAS CITY         | 86.6199   |
|                          | 2022 | JACKSON COUNTY             | 30.3103   |
|                          | 2022 | MENTAL HEALTH              | 5.6985    |
|                          | 2022 | METRO JUNIOR COLLEGE       | 10.3833   |

|                          |      |                            |           |
|--------------------------|------|----------------------------|-----------|
|                          | 2022 | MID-CONTINENT LIBRARY      | 16.5887   |
|                          | 2022 | RAYTOWN SCHOOL C-II        | 323.5829  |
|                          | 2022 | REPLACEMENT TAX            | 73.5700   |
|                          | 2022 | STATE BLIND PENSION        | 1.5360    |
| 45-310-05-62-00-0-00-000 | 2022 | BOARD OF DISABLED SERVICES | 18.7264   |
|                          | 2022 | CITY - KANSAS CITY         | 378.9628  |
|                          | 2022 | JACKSON COUNTY             | 132.6079  |
|                          | 2022 | MENTAL HEALTH              | 24.9312   |
|                          | 2022 | METRO JUNIOR COLLEGE       | 45.4272   |
|                          | 2022 | MID-CONTINENT LIBRARY      | 72.5759   |
|                          | 2022 | RAYTOWN SCHOOL C-II        | 1415.6787 |
|                          | 2022 | REPLACEMENT TAX            | 321.8900  |
|                          | 2022 | STATE BLIND PENSION        | 6.7200    |
| 45-310-05-63-00-0-00-000 | 2022 | BOARD OF DISABLED SERVICES | 23.2742   |
|                          | 2022 | CITY - KANSAS CITY         | 470.9969  |
|                          | 2022 | JACKSON COUNTY             | 164.8127  |
|                          | 2022 | MENTAL HEALTH              | 30.9859   |
|                          | 2022 | METRO JUNIOR COLLEGE       | 56.4595   |
|                          | 2022 | MID-CONTINENT LIBRARY      | 90.2016   |
|                          | 2022 | RAYTOWN SCHOOL C-II        | 1759.4872 |
|                          | 2022 | REPLACEMENT TAX            | 400.0600  |
|                          | 2022 | STATE BLIND PENSION        | 8.3520    |
| 45-310-05-64-00-0-00-000 | 2022 | BOARD OF DISABLED SERVICES | 8.0256    |
|                          | 2022 | CITY - KANSAS CITY         | 162.4132  |
|                          | 2022 | JACKSON COUNTY             | 56.8321   |
|                          | 2022 | MENTAL HEALTH              | 10.6848   |
|                          | 2022 | METRO JUNIOR COLLEGE       | 19.4688   |
|                          | 2022 | MID-CONTINENT LIBRARY      | 31.1041   |
|                          | 2022 | RAYTOWN SCHOOL C-II        | 606.7214  |
|                          | 2022 | REPLACEMENT TAX            | 137.9500  |
|                          | 2022 | STATE BLIND PENSION        | 2.8800    |
| 45-310-05-65-00-0-00-000 | 2022 | BOARD OF DISABLED SERVICES | 21.6692   |
|                          | 2022 | CITY - KANSAS CITY         | 438.5154  |
|                          | 2022 | JACKSON COUNTY             | 153.4467  |
|                          | 2022 | MENTAL HEALTH              | 28.8490   |
|                          | 2022 | METRO JUNIOR COLLEGE       | 52.5659   |
|                          | 2022 | MID-CONTINENT LIBRARY      | 83.9810   |

|                          |      |                            |           |
|--------------------------|------|----------------------------|-----------|
|                          | 2022 | RAYTOWN SCHOOL C-II        | 1638.1470 |
|                          | 2022 | REPLACEMENT TAX            | 372.4700  |
|                          | 2022 | STATE BLIND PENSION        | 7.7760    |
| 45-310-05-66-00-0-00-000 | 2022 | BOARD OF DISABLED SERVICES | 16.5862   |
|                          | 2022 | CITY - KANSAS CITY         | 335.6529  |
|                          | 2022 | JACKSON COUNTY             | 117.4527  |
|                          | 2022 | MENTAL HEALTH              | 22.0819   |
|                          | 2022 | METRO JUNIOR COLLEGE       | 40.2355   |
|                          | 2022 | MID-CONTINENT LIBRARY      | 64.2816   |
|                          | 2022 | RAYTOWN SCHOOL C-II        | 1253.8872 |
|                          | 2022 | REPLACEMENT TAX            | 285.1000  |
|                          | 2022 | STATE BLIND PENSION        | 5.9520    |
| 45-310-05-67-00-0-00-000 | 2022 | BOARD OF DISABLED SERVICES | 31.8348   |
|                          | 2022 | CITY - KANSAS CITY         | 644.2366  |
|                          | 2022 | JACKSON COUNTY             | 225.4333  |
|                          | 2022 | MENTAL HEALTH              | 42.3830   |
|                          | 2022 | METRO JUNIOR COLLEGE       | 77.2261   |
|                          | 2022 | MID-CONTINENT LIBRARY      | 123.3790  |
|                          | 2022 | RAYTOWN SCHOOL C-II        | 2406.6530 |
|                          | 2022 | REPLACEMENT TAX            | 547.2100  |
|                          | 2022 | STATE BLIND PENSION        | 11.4240   |
| 45-310-05-68-00-0-00-000 | 2022 | BOARD OF DISABLED SERVICES | 61.7971   |
|                          | 2022 | CITY - RAYTOWN             | 351.6375  |
|                          | 2022 | FIRE DISTRICT - RAYTOWN    | 936.7144  |
|                          | 2022 | JACKSON COUNTY             | 437.6065  |
|                          | 2022 | MENTAL HEALTH              | 82.2730   |
|                          | 2022 | METRO JUNIOR COLLEGE       | 149.9098  |
|                          | 2022 | MID-CONTINENT LIBRARY      | 239.5008  |
|                          | 2022 | RAYTOWN SCHOOL C-II        | 4671.7449 |
|                          | 2022 | REPLACEMENT TAX            | 1062.2300 |
|                          | 2022 | STATE BLIND PENSION        | 22.1760   |

#### Motor Vehicles

| Parcel No.                    | Tax Year | Type | Make | Model | Series | Model Year | Item ID | Plate No. | Name on Title 1 | Name on Title 2 |
|-------------------------------|----------|------|------|-------|--------|------------|---------|-----------|-----------------|-----------------|
| No Motor Vehicle Assets Found |          |      |      |       |        |            |         |           |                 |                 |

#### Business Assets

| Parcel No. | Tax Year | Category | Purchase Year |
|------------|----------|----------|---------------|
|------------|----------|----------|---------------|

No Business Assets Found

### Real Estate Legal Descriptions

| Parcel No.               | Legal Line                                                                                                                                                                                              | Line No. |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 45-310-05-52-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT --- PT LOT 1 DAF: BEG NW COR SD LOT 1 TH S 87 DEG 23 MIN 55 SEC E 457.32' TH S 25 DEG 57 MIN 01 SEC W 44.89' TH S 02 DEG 44 MIN 50 SEC W 2695.29' TH N 87 DEG 15 MIN 10 SEC | 1        |
|                          | W 1.35' TH S 02 DEG 44 MIN 50 SEC W 159.99' TH N 87 DEG 15 MIN 10 SEC W 74.56' TH N 02 DEG 44 MIN 50 SEC E 155' TH N 87 DEG 15 MIN 16 SEC W 4.80' TH N 02 DEG 44 MIN 50 SEC E 363.20' TH N 87 DEG 15    | 2        |
|                          | MIN 10 SEC W 355.15' TH N 02 DEG 06 MIN 55 SEC E 326.06' TO POB                                                                                                                                         | 3        |
| 45-310-05-55-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG AT SWLY COR SD LOT 1 TH N 02 DEG 44 MIN 50 SEC E 155' TH S 87 DEG 15 MIN 16 SEC E 4.8' TH S 02 DEG 44 MIN 50 SEC W 155' TH N 87 DEG 15 MIN 15 SEC W     | 1        |
|                          | 5.33' TO POB                                                                                                                                                                                            | 2        |
| 45-310-05-56-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG NE COR SD LOT 1 TH N 87 DEG 23 MIN 55 SEC W 325' MOL TH S 02 DEG 27 MIN 53 SEC W 305.03' S 87 DEG 31 MIN 55 SEC W 120' TH S 02 DEG 27 MIN 56 SEC W      | 1        |
|                          | 43.50' TH N 87 DEG 30 MIN 26 SEC W 92' TH S 02 DEG 27 MIN 57 SEC E 207' TH S 87 DEG 30 MIN 09 SEC E 92' TH S 02 DEG 27 MIN 58 SEC W 17.74' TH N 87 DEG 15 MIN 10 SEC W 368' TH S 02 DEG 44 MIN 50 SEC W | 2        |
|                          | 165' TH N 87 DEG 15 MIN 10 SEC W 64.82' TH N 02 DEG 44 MIN 50 SEC E 165' TH 87 DEG 15 MIN 10 SEC W 406.36' TH S 02 DEG 44 MIN 50 SEC W 165' TH N 02 DEG 44 MIN 50 SEC W 154.99' TH S 87 DEG 15 MIN 21   | 3        |
|                          | SEC E 1.35' TH N 02 DEG 44 MIN 50 SEC E 265.29' TH N 25 DEG 57 MIN 01 SEC E 44.89' TH N 02 DEG 40 MIN 23 SEC E 273.95' TH S 87 DEG 23 MIN 55 SEC E 861.83' TO POB                                       | 4        |
| 45-310-05-57-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 6 DAF: BEG SW SD LOT 6 TH N02 DEG 39 MIN 07 SEC E 165' TH S 87 DEG 15 MIN 10 SEC E 121.95' TH S 02 DEG 44 MIN 50 SEC W 10' MOL TH N87 DEG 15 MIN 10 SEC W 112 MOL  | 1        |
|                          | TH S 02 DEG 44 MIN 50 SEC W 155' TH N 87 DEG 15 MIN 10 SEC W 10' MOL TO POB                                                                                                                             | 2        |
| 45-310-05-58-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 6 DAF: BEG SE COR SD LOT 6 TH N 87 DEG 15 MIN 10 SEC W 112' TH N 02 DEG 44 MIN 48 SEC E 155' TH S 87 DEG 15 MIN 18 SEC E 112' TH S 02 DEG 44 MIN 50 SEC W 155'     | 1        |
|                          | MOL TO POB                                                                                                                                                                                              | 2        |
| 45-310-05-59-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 5 DAF: BEG NW COR SD LOT 5 BEG SE COR TH N 87 DEG 15 MIN 10 SEC W 124.10' TH N 02 DEG 44 MIN 50 SEC E 155' TH S 87 DEG 15 MIN 10 SEC E 121.10' TH S 02 DEG 44 MIN  | 1        |
|                          | 50 SEC W 155' TO POB                                                                                                                                                                                    | 2        |
| 45-310-05-60-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 5 DAF: BEG NW COR SD LOT 5 TH S 87 DEG 15 MIN 10 SEC E 124.10' TH S 02 DEG 44 MIN 50 SEC W 154.93' TH N 87 DEG 15 MIN 10 SEC W 124.10' TH N 02 DEG 44 MIN 50 SEC E | 1        |
|                          | 10' MOL TO POB                                                                                                                                                                                          | 2        |

|                          |                                                                                                                                                                                                          |   |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 45-310-05-61-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 4 DAF: BEG SW COR SD LOT 4 TH N 02 DEG 44 MIN 50 SEC E 155' TH S 87 DEG 15 MIN 10 SEC E 31.25' TH S 02 DEG 44 MIN 50 SEC W 155' TH N 87 DEG 15 MIN 11 SEC W 31'     | 1 |
|                          | MOL TO POB                                                                                                                                                                                               | 2 |
| 45-310-05-62-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 4 DAF: BEG NE COR SD LOT 4 TH S 02 DEG 44 MIN 50 SEC W 165' TH N 87 DEG 15 MIN 10 SEC W 129' TH N 02 DEG 44 MIN 50 SEC E 155' MOL TH N 87 DEG 15 MIN 10 SEC W 31'   | 1 |
|                          | MOL TO N 02 DEG 44 MIN 50 SEC E 10' MOL TH S 87 DEG 15 MIN 10 SEC E 160.31' TO POB                                                                                                                       | 2 |
| 45-310-05-63-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---LOT 3                                                                                                                                                                      | 1 |
| 45-310-05-64-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 2 DAF: BEG SW COR SD LOT 2 TH N 02 DEG 44 MIN 50 SEC E 155' TH S 87 DEG 15 MIN 10 SEC E 205.14' TH S 02 DEG 27 MIN 57 SEC W 10' MOL TH N 87 DEG 32 MIN 10 SEC W     | 1 |
|                          | 160' MOL TH S 02 DEG 44 MIN 50 SEC W 155' MOL TH N 87 DEG 15 MIN 10 SEC W 46' MOL TO POB                                                                                                                 | 2 |
| 45-310-05-65-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 2 DAF: BEG SE COR SD LOT 2 TH N 87 DEG 15 MIN 10 SEC W 159' MOL TH N 02 DEG 27 MIN 55 SEC W 159' MOL TH S 87 DEG 32 MIN 10 SEC E 159' MOL TH S 02 DEG 27 MIN 56 SEC | 1 |
|                          | W 155' MOL TO TRU POB                                                                                                                                                                                    | 2 |
| 45-310-05-66-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG SELY COR SD LOT 1 TH N 02 DEG 27 MIN 57 SEC E 17' MOL TO TRU POB TH N 8 7DEG 30 MIN 30 SEC W 92' TH N 02 DEG 27 MIN 57 SEC E 207' TH S 87 DEG 30 MIN 26  | 1 |
|                          | SEC E 92' TH S 02 DEG 27 MIN 57 SEC W 207' TO TRU POB                                                                                                                                                    | 2 |
| 45-310-05-67-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG NE COR SD LOT 1 TH N 87 DEG 23 MIN 55 SEC W 205' MOL TO TRU POB TH S 02 DEG 27 MIN 55 SEC W 305' MOL TH N 87 DEG 31 MIN 55 SEC W 120' TH N 02 DEG 27 MIN | 1 |
|                          | 53 SEC E 305.03' TH S 87 DEG 23 MIN 55 SEC E 120' TO TRU POB                                                                                                                                             | 2 |
| 45-310-05-68-00-0-00-000 | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG NE COR SD LOT 1 TH S 02 DEG 27 MIN 57 SEC W 297' TH S 11 DEG 05 MIN 10 SEC W 60' TH N 87 DEG 23 MIN 55 SEC W 190.98' TH N 02 DEG 27 MIN 57 SEC W 356'    | 1 |
|                          | MOL TH S 87 DEG 23 MIN 55 SEC E 205' MOL TO POB                                                                                                                                                          | 2 |

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

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

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

Official Tax Payment Receipt

**Receipt No.:** 13978473 **Date and Time:** 12/21/2023 08:31 **Print Date:** 03/12/2024

**Receipt Details**

| Parcel No.               | Tax Year | TCA / District | Amount Applied | Unpaid Balance Amount * | Description              |
|--------------------------|----------|----------------|----------------|-------------------------|--------------------------|
| 45-310-05-68-00-0-00-000 | 2023     | 022            | \$10,244.51    | \$0.00                  | A/V Principal-Commercial |
|                          | 2023     | REPL           | \$1,643.01     | \$0.00                  | Replacement Tax          |

**Payer Name and Address Information**

| Name                | Address                          | Tender Type      | Amount Tendered |
|---------------------|----------------------------------|------------------|-----------------|
| IPANEMA BRYWOOD LLC | 5150 N MIAMI AVE ,MIAMI ,FL33127 | Electronic Check | \$11,887.52     |

**Owner Name and Address Information**

| Parcel No.               | Name                | Address                           | Since      | To      |
|--------------------------|---------------------|-----------------------------------|------------|---------|
| 45-310-05-68-00-0-00-000 | IPANEMA BRYWOOD LLC | 5150 N MIAMI AVE, MIAMI, FL 33127 | 06/01/2022 | Current |

**Distribution of Districts**

| Parcel No.               | Tax Year | Agency                     | Amount    |
|--------------------------|----------|----------------------------|-----------|
| 45-310-05-68-00-0-00-000 | 2023     | BOARD OF DISABLED SERVICES | 81.8646   |
|                          | 2023     | CITY - RAYTOWN             | 433.5623  |
|                          | 2023     | FIRE DISTRICT - RAYTOWN    | 1238.4881 |
|                          | 2023     | JACKSON COUNTY             | 584.9432  |
|                          | 2023     | MENTAL HEALTH              | 108.9622  |
|                          | 2023     | METRO JUNIOR COLLEGE       | 203.5182  |
|                          | 2023     | MID-CONTINENT LIBRARY      | 332.8322  |
|                          | 2023     | RAYTOWN SCHOOL C-II        | 7226.0383 |
|                          | 2023     | REPLACEMENT TAX            | 1643.0100 |
|                          | 2023     | STATE BLIND PENSION        | 34.3008   |

**Motor Vehicles**

| Parcel No. | Tax Year | Type | Make | Model | Series | Model Year | Item ID | Plate No. | Name on Title 1 | Name on Title 2 |
|------------|----------|------|------|-------|--------|------------|---------|-----------|-----------------|-----------------|
|------------|----------|------|------|-------|--------|------------|---------|-----------|-----------------|-----------------|

No Motor Vehicle Assets Found

| Business Assets          |          |          |               |
|--------------------------|----------|----------|---------------|
| Parcel No.               | Tax Year | Category | Purchase Year |
| No Business Assets Found |          |          |               |

| Real Estate Legal Descriptions |                                                                                                                                                                                                       |          |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Parcel No.                     | Legal Line                                                                                                                                                                                            | Line No. |
| 45-310-05-68-00-0-00-000       | THE BRYWOOD CENTRE 2ND PLAT---PT LOT 1 DAF: BEG NE COR SD LOT 1 TH S 02 DEG 27 MIN 57 SEC W 297' TH S 11 DEG 05 MIN 10 SEC W 60' TH N 87 DEG 23 MIN 55 SEC W 190.98' TH N 02 DEG 27 MIN 57 SEC W 356' | 1        |
|                                | MOL TH S 87 DEG 23 MIN 55 SEC E 205' MOL TO POB                                                                                                                                                       | 2        |

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

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

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

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 Version 4.5.0.0

RECEIPT (REC-029904-2024)  
FOR CITY OF RAYTOWN

**BILLING CONTACT**  
CAPSTONE EQUITY PARTNERS LLC  
DOUGLAS CLEVELAND  
433 N CRESTWAY ST  
WICHITA, KS 67208



Payment Date: 03/13/2024

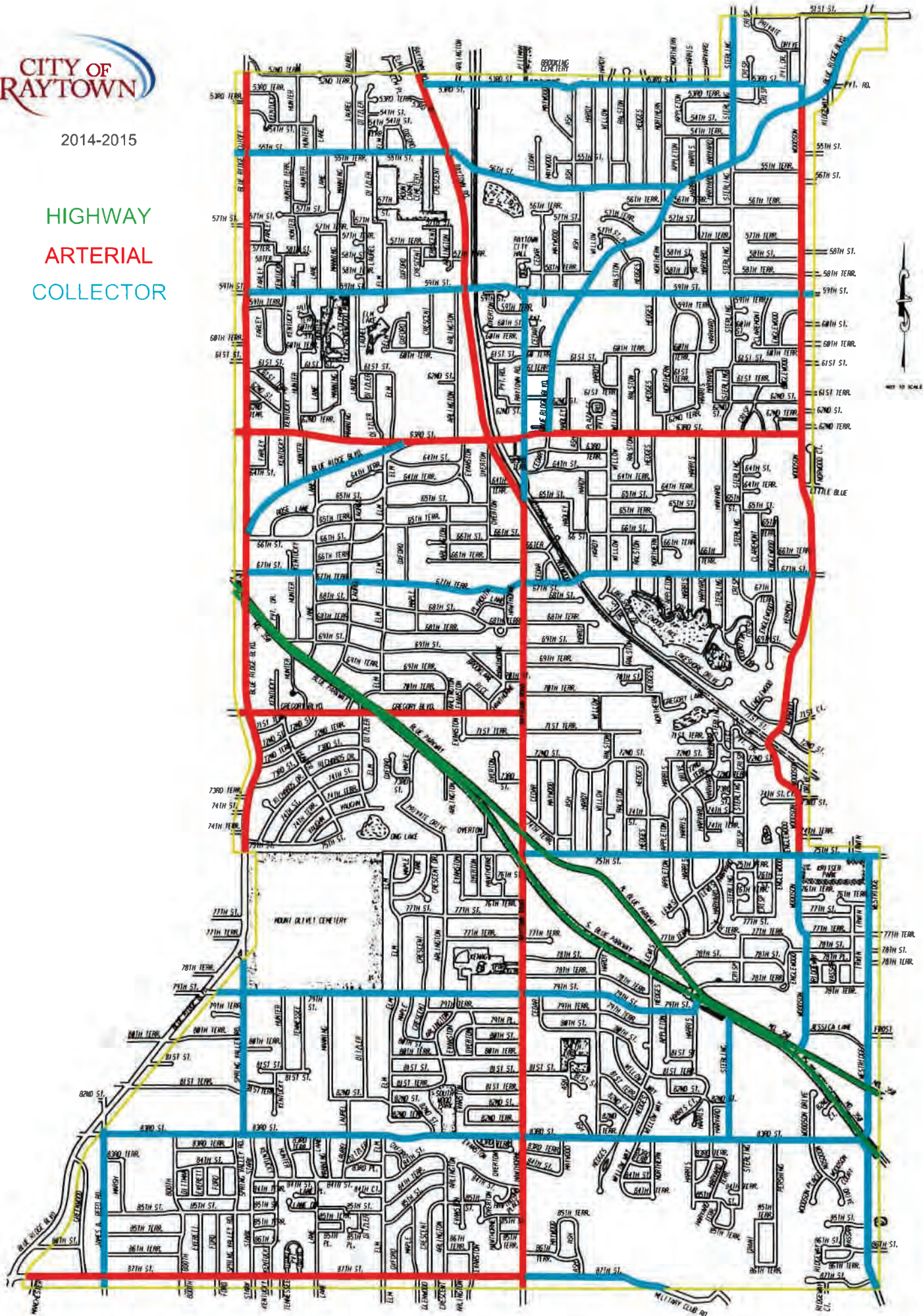
| Reference Number                         | Fee Name   | Transaction Type | Payment Method   | Amount Paid     |
|------------------------------------------|------------|------------------|------------------|-----------------|
| RZNE-000174-2024                         | Rezone Fee | Fee Payment      | Check #1004      | \$450.00        |
| 6130 BLUE RIDGE CUTOFF Raytown, MO 64133 |            |                  | <b>SUB TOTAL</b> | <b>\$450.00</b> |
|                                          |            |                  | <b>TOTAL</b>     | <b>\$450.00</b> |





2014-2015

HIGHWAY  
ARTERIAL  
COLLECTOR



## CITY OF RAYTOWN Request for Board Action

---

**DATE SUBMITTED:** 05/20/2024

**MEETING DATE:** June 4, 2024

**SUBMITTED BY:**

**DEPARTMENT:** Community Development

**Document Type:** Ordinance

### SUBJECT/REQUEST

**FIRST READING:** Bill No. 6667-24, Section XIII: Conditional Use Permit - Vehicle Repair and Limited Accessory Vehicle Sales

### BACKGROUND/JUSTIFICATION

The applicant, Naveed Khalid, of Monster Garage, LLC., is requesting the approval of a Conditional Use Permit for "Vehicle Repair, Limited." for the property located at 8830 E. 350 Highway. In addition, the applicant is also requesting that the Conditional Use Permit include permission for "Limited Vehicle Sales," to sell cars that may be abandoned at his place of business. 8830 is part of a multi-tenant facility which is home to other vehicle repair facilities such as "The Kandy Shop" located on the same parcel at 8834 E. 350 Highway. Businesses on adjacent properties are "Pay Right Auto Repair" at 8838 E. 350 Highway and "Carstar" located at 8906 E. 69th Street. Mr. Khalid intends to have up to five (5) employees.

### RECOMMENDED MOTION

Approval with Conditions

### PREVIOUS ACTION

### COMMISSION/COMMITTEE REVIEW

Planning Commission - May 2, 2024

### FINANCIAL IMPACT

|                             |         |
|-----------------------------|---------|
| Contractor:                 |         |
| Amount of Request/Contract: |         |
| Amount Budgeted:            |         |
| From Account Name and #:    | Amount: |

|                        |         |
|------------------------|---------|
| To Account Name and #: | Amount: |
|------------------------|---------|

**REVIEWED BY**

|                                                               |
|---------------------------------------------------------------|
| Diane Egger<br>Jennifer Baird<br>Damon Hodges<br>Teresa Henry |
|---------------------------------------------------------------|

**LIST OF REFERENCE DOCUMENTS ATTACHED**

|    |                                   |
|----|-----------------------------------|
| 1. | ORD_PZ.2024.05_Monster.Garage_CUP |
| 2. | Monster.Garage.CUP_PZ.2024.05     |

**SUPPORTING DOCUMENTS  
 (FOR CONTRACT ITEMS ONLY)**

| Document                                           | Attached | If not attached, explain |
|----------------------------------------------------|----------|--------------------------|
| Secretary of State:                                |          |                          |
| Certificate of Insurance:                          |          |                          |
| E-Verify Affidavits:                               |          |                          |
| E-Verify proof of enrollment:                      |          |                          |
| Bond:                                              |          |                          |
| IRS Form W-9:                                      |          |                          |
| Bid/RFP/RFQ: (submit all)                          |          |                          |
| Bid/RFP/RFQ Tabulation:                            |          |                          |
| Bid Waiver: Sole source<br>or less than three bids |          |                          |
| Contractor address and email:                      |          |                          |
| Project Exemption Certificate needed:              |          |                          |
| Other:                                             |          |                          |

**AN ORDINANCE APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO NAVEED KHALID, MONSTER GARAGE, LLC. TO OPERATE A “VEHICLE REPAIR, LIMITED” FACILITY WITH “LIMITED VEHICLE SALES” AT 8830 E. 350 HIGHWAY IN AN HC, HIGHWAY COMMERCIAL, DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI**

**WHEREAS**, Application PZ-2024-05, was duly submitted on or about March 15, 2024, by Naveed Khalid, Monster Garage, LLC., requesting approval of a Conditional Use Permit to operate a Vehicle Repair, Limited, Use with Limited Vehicle Sales on Property Located at 8830 E. 350 Highway Within an HC, Highway Commercial, District in the City of Raytown, Jackson County, Missouri (the “Application”); and

**WHEREAS**, the Application was considered by the Planning Commission on May 2, 2024, and by a vote of 6 in favor, 0 against, rendered a report to the Board of Aldermen recommending that the Application be approved; and

**WHEREAS**, after opening the public hearing, considering all testimony and the record, and then closing the public hearing, the Board of Aldermen finds and declares that the provisions hereinafter contained and enacted are in pursuit of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raytown and rendered a decision to approve the Application subject to conditions.

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

**SECTION 1 – APPROVAL OF CONDITIONAL USE PERMIT.** That the Application for approval of a Conditional Use Permit to operate a Vehicle Repair, Limited, Use with Limited Vehicle Sales on Property Located at 8830 E. 350 Highway within an HC, Highway Commercial, District in the City of Raytown, Jackson, County, Missouri is hereby approved and issued to Naveed Khalid, Monster Garage, LLC.

**SECTION 2 – CONDITIONS OF APPROVAL.** That the Application for approval of a Conditional Use Permit to operate a Vehicle Repair, Limited, Use with Limited Vehicle Sales on Property Located at 8830 E. 350 Highway within an HC, Highway Commercial, District in the City of Raytown, Jackson County, Missouri, be approved and issued to Naveed Khalid, Monster Garage LLC., subject to the following conditions as contained in the staff report and as modified and approved by the Planning Commission:

1. A five-foot (5') ADA-compliant sidewalk will be required to be constructed along the frontage of Highway 350 within one (1) year of the approval of the Conditional Use Permit.
2. Parking stalls must be clearly striped and ADA-compliant handicap stalls must be clearly marked.
3. Any inoperable, dismantled, or damaged vehicle shall be stored within the building so that it is not visible to persons outside of the building.
4. All tires and equipment must be stored inside the building at all times.
5. Compliance with all applicable local, state and federal laws and ordinances.
6. Toxic and/or hazardous materials must be disposed of properly in accordance with all local, state, and federal laws and ordinances.
7. The number of vehicles permitted to be for sale at any time is limited to six (6), placed in an appropriate location on the property that will not interfere with available repair,

customer parking or with access through the property by repair customer traffic. Appropriate signage be placed directly on each vehicle that is for sale that can easily be identified as marking such vehicle for that purpose. Such signage shall be placed on or inside the vehicle's windows and shall not consist of balloons, streamers, or other similar devices.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

\_\_\_\_\_  
Jennifer M. Baird, City Attorney



**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

## Staff Report

**To:** City of Raytown, Planning & Zoning Commission

**From:** Shana Kelly, Planning & Zoning Coordinator

**Case #:** Conditional Use Permit PZ-2024-05

**Planning & Zoning Meeting Date:** May 2, 2024

**Board of Aldermen Dates:** June 4, 2024, and  
June 18, 2024



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**Applicant:** Naveed Khalid | Monster Garage, LLC.

**Location:** 8830 E. 350 Highway

**Ward:** 1

**Property Owner:** Green 350 Highway Properties, LLC.

**Project Summary:** The applicant is requesting the approval of a **Conditional Use Permit** for the purpose of ***“Vehicle Repair, Limited”*** and for ***“Limited Vehicle Sales,”*** for the property located at 8830 E. 350 Highway.

**Staff Recommendation:** Staff recommends **Approval with Conditions** of the Conditional Use Permit Application. Conditions are outlined below.

---

**Background Information:** The applicant, Naveed Khalid, of Monster Garage, LLC., is requesting the approval of a Conditional Use Permit for ***“Vehicle Repair, Limited.”*** for the property located at 8830 E. 350 Highway. In addition, the applicant is also requesting that the Conditional Use Permit include permission for ***“Limited Vehicle Sales,”*** to sell cars that may be abandoned at his place of business.

8830 is part of a multi-tenant facility which is home to other vehicle repair facilities such as “The Kandy Shop” located on the same parcel at 8834 E. 350 Highway. Businesses on adjacent properties are “Pay Right Auto Repair” at 8838 E. 350 Highway and “Carstar” located at 8906 E. 69<sup>th</sup> Street. Mr. Khalid intends to have up to five (5) employees.

**Zoning:** HC/350, Highway Commercial/350 Corridor Overlay District

**Total Land Area:** 0.80 Acre



**Public Noticing:** *The Daily Record:* A public hearing notice was published in The Daily Record Kansas City, on **April 9, 2024**. A copy of the affidavit of publication is included with the attachments to this report. Letters to Residents and Property Owners were mailed to property owners within 185 feet of the subject property on **April 11, 2024**. A copy of the letter is included with the attachments to this report.

**Neighborhood Meeting:** The applicant held a neighborhood meeting on **Wednesday, April 17, 2024**. Other than the applicants, no one attended the meeting.

**Adjacent Properties:**

|               | <b>Zoning:</b>                                             | <b>Current Land Use:</b> |
|---------------|------------------------------------------------------------|--------------------------|
| <b>North:</b> | HC/350, Highway Commercial / 350 Corridor Overlay District | Commercial Businesses    |
| <b>South:</b> | Public Right-of-Way                                        | Highway 350              |
| <b>East:</b>  | HC/350, Highway Commercial / 350 Corridor Overlay District | Single Family Homes      |
| <b>West:</b>  | HC/350, Highway Commercial / 350 Corridor Overlay District | Commercial Businesses    |

**Street Classification:** **Highway 350** is classified as a **Highway**.

**Vehicular and Pedestrian Access:** Vehicular access is provided via an existing drive aisle from Highway 350. A five-foot ADA-compliant sidewalk will be constructed along the Highway 350 frontage that will connect to the existing sidewalk to the northwest of the property to provide pedestrian connectivity.

**Parking Requirement:** Automobile service stations and repair garages – One (1) parking space for each employee plus two (2) spaces for each service bay plus one (1) for each 500 square feet of floor area. This facility has three (3) service bays and a total floor area of approximately 7,000 square feet. The applicant expects to have up to five (5) employees. Thus, parking is calculated below:

| <b>Requirement:</b>                                  | <b>8830 E. 350 Hwy:</b> | <b>Total Number of Spaces:</b> |
|------------------------------------------------------|-------------------------|--------------------------------|
| One (1) space per employee                           | 5 employees             | 5                              |
| Two (2) spaces per each service bay                  | 3 service bays          | 6                              |
| One (1) space per each 500 square feet of floor area | 7,000 square feet       | 14                             |
| <b>Total:</b>                                        |                         | <b>25</b>                      |



**Conditional Use Permit Factors to Be Considered:**

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

The subject parcel and all adjacent lots are zoned Highway Commercial (HC). This zoning district is designed to accommodate commercial activities that service and draw customers from a broad, regional area, not only the surrounding neighborhoods. The presence of 350 Highway and the large daily count of vehicles along this roadway provide a ready and visible customer base for vehicle repair businesses.

**2. The conservation of property values.**

No negative change to neighboring property values is expected. Requirements have been added as conditions of approval to mitigate any negative impacts.

The proposed use, if approved, will occupy a currently vacant property that was previously in use as a janitorial supply store, and will be compatible with neighboring automotive-related commercial uses.

**3. Protection against fire casualties.**

Prior to occupying the property, the applicant will be required to obtain a Commercial Use Permit from the Community Development Department. As part of review and approval of the Use Permit, the buildings and property will be inspected by the City's Building Official and Property Code Enforcement Officer as well as the Raytown Fire Protection District to ensure compliance with the applicable life safety codes contained in the city and fire district's adopted Building and Fire Codes as well as the City's Property Maintenance Code.

**4. Observation of general police regulations.**

It does not appear that the proposed vehicle repair, general establishment will violate any general police regulations.

**5. Prevention of traffic congestion.**

The proposed vehicle repair will not increase traffic congestion above what is normal for the vicinity. Additional traffic generated by the vehicle repair shop will be minimal and easily handled with the direct highway access to 350 Highway.

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

The proposed vehicle repair shop will not substantially increase traffic safety risk over what is already present, nor the orderly parking of motor vehicles as staff believes the site is confirmed to contain enough parking to address all the combined uses. Adequate



access to the property is presently available directly from 350 Highway. Customer parking is located on the west and south of the property.

Staff has analyzed the parking demands for the site as follows, which has 37 parking spaces available (30 along the west side of the property and 7 on the south side next to the car racing business) and has determined that enough parking exists to meet the demands of every tenant on the property.

**7. Promotion of the safety of individuals and property.**

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

**8. Provisions for adequate light and air.**

The applicant is not proposing any additional construction on the site, so light and air will be the same as it currently exists on the property. The applicant will be required to follow all state and federal laws regarding the handling and disposal of toxic or hazardous materials that could impact air quality.

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

The applicant property has a garage to allow for work on vehicles inside the building. Given the location is in a strip mall with neighboring businesses active to either side of the applicant, it is possible that vehicle overflow could crowd the parking lot of the property. If approved, all inoperable vehicles shall be stored indoors at all times while on the property.

**10. Provision for public utilities and schools.**

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

**11. Invasion by inappropriate uses.**

There are other vehicle repair facilities in the same block as the applicant property. The land use table does allow for conditional use permits for this type of establishment along Highway 350. As such, it does not appear that the proposed use will be an invasion of an inappropriate use if the use and property comply with other city codes and regulations.



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

There are no planned improvements to this property as a result of the applicant business.

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

Staff has no concerns regarding the proposed business adhering to overall planning principles if the recommended conditions of approval are adopted.

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

The proposed use is located in an existing commercial area and, if the application is approved in a manner that is consistent with city codes and regulations, the proposed use will allow continued commercial use of the property while providing for the orderly and proper renewal, redevelopment and growth along 350 Highway.

---

**PUBLIC WORKS:**

- **Items that require plan revision or additional documentation before engineering can recommend approval:**
  - NONE
- **Items that are conditions of approval:**
  - NONE
- **Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
  - NONE

---

**ATTACHMENTS:**

- Zoning Map
- Site Photos
- Neighborhood Letter
- 185-ft Buffer Map
- Affidavit of Publication
- Application
- Receipt of Paid Taxes
- Receipt
- Street Classification Map



**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

Staff recommends that the Planning & Zoning Commission **Approve** Conditional Use Permit application **PZ-2024-05** subject to the following conditions:

1. A five-foot (5') ADA-compliant sidewalk will be required to be constructed along the frontage of Highway 350 within one (1) year of the approval of the Conditional Use Permit.
2. Parking stalls must be clearly striped and ADA-compliant handicap stalls must be clearly marked.
3. Any inoperable, dismantled, or damaged vehicle shall be stored within the building so that it is not visible to persons outside of the building.
4. All tires and equipment must be stored inside the building at all times.
5. Compliance with all applicable local, state and federal laws and ordinances.
6. Toxic and/or hazardous materials must be disposed of properly in accordance with all local, state, and federal laws and ordinances.
7. The number of vehicles permitted to be for sale at any time is limited to six (6), placed in an appropriate location on the property that will not interfere with available repair customer parking or with access through the property by repair customer traffic.

[illegible]

Page 72 of 197



**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

**Site Photos**



April 9, 2024  
Re: Case No: PZ-2024-05

Dear Property Owner/Tenant:

**Notice of Neighborhood Meeting and Public Hearings in Your Area**

The Raytown Community Development Department is processing a Conditional Use Permit application filed by Naveed Khalid of Monster Garage, LLC., requesting the approval of a Conditional Use Permit for "*Vehicle Repair, Limited*" for the property located at 8830 E. 350 Hwy. This property consists of 0.798 acre of land and is located within the City of Raytown, Missouri.

As a nearby owner or tenant, you are entitled to appear and provide comments at any of the public hearings on this matter or to provide written comments.

The applicant will be holding a neighborhood information meeting at Raytown City Hall at **12:00pm on Wednesday, April 17, 2024**, to which you are invited to discuss the application directly with them. City Staff will not be present at this time. If you have any concerns or need more information about the application, we highly recommend that you attend this meeting.

A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission at 7:00 PM on **Thursday May 2, 2024**. The full packet and agenda should be available for view on the City of Raytown website on **Friday, April 26, 2024**.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for 7:00 PM on **Tuesday, June 4, 2024**.

**All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E 59<sup>th</sup> Street, Raytown, MO 64133.**

The public is invited to attend the neighborhood meeting and the public hearings to ask questions and provide comments regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59<sup>th</sup> Street, by phone at (816)737-6059 or by email at [shanak@raytown.mo.us](mailto:shanak@raytown.mo.us).

If you will require any special accommodations (i.e., qualified interpreter, large print reader, hearing assistance) to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816)737-6014 no later than 48 hours prior to the applicable public hearing date.



The Daily Record Kansas City  
920 Main St  
Kansas City, MO, 64105  
Phone: 8163841801 Fax: 0

# The Daily Record

KANSAS CITY

## Affidavit of Publication

To: Raytown, City Of, Missouri - City Clerk  
10000 E 59Th St  
Raytown, MO, 641333915

Re: Legal Notice 2601499, 8830 E. 350 Highway, Raytown,  
Missouri

State of MO

County of Jackson County

Before the undersigned Notary Public personally appeared Lisa Fowler on behalf of The Daily Record Kansas City, Jackson County who, being duly sworn, attests that the said newspaper is qualified under the provisions of Missouri Law governing public notices to publish, and did so publish, the notice annexed hereto; starting with the 04/12/2024 edition and ending with the 04/12/2024 edition for a total of 1 publications, and that the date of publications were as follows: 04/12/2024.

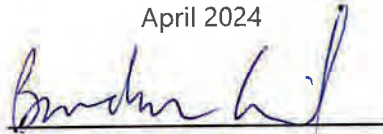
Publishers fee: \$59.16

By:

  
Lisa Fowler

Sworn to me on this 16<sup>th</sup> day of  
April 2024

By:

  
Brandon M. Crail  
Notary Public, State of MO  
No. 20297982  
Qualified in St. Louis County  
My commission expires on  
March 5, 2028



### Notice of Public Hearings

Affected Property: 8830 E. 350  
Highway, Raytown, Missouri  
Jackson County Parcel ID # 45-520-04-  
21-00-0-00-000

A public hearing to consider a  
Conditional Use Permit application  
for "Vehicle Repair, Limited," filed by  
Naveed Khalid of Monster Garage LLC,  
for the property addressed as 8830 E.  
350 Highway, in Raytown, Missouri,  
will be held by the Raytown Planning  
& Zoning Commission at 7:00pm on  
Thursday, May 2, 2024. This property  
is zoned "HC" (Highway Commercial)  
and is located within the 350 Highway  
Overlay District. The packet and agenda  
will be available for viewing on the City  
of Raytown's website on Friday, April  
26, 2024.

The Raytown Board of Aldermen will  
also hold a public hearing to consider  
this Conditional Use Permit application,  
tentatively scheduled for 7:00pm on  
Tuesday, June 4, 2024.

All public hearings will take place  
in the Council Chambers at Raytown  
City Hall located at 10000 E. 59th St.  
Raytown, MO 64133.

The public is invited to attend the  
public hearings to ask questions  
and provide comments. Additional  
information can be obtained from  
the Department of Community  
Development located in Raytown  
City Hall at 10000 E. 59th Street, by  
telephone at (816)737-6059 or by email  
at [shanak@raytown.mo.us](mailto:shanak@raytown.mo.us).

If you will require any special  
accommodation (i.e., qualified  
interpreter, large print, reader,  
hearing assistance) to attend either  
of these public hearings, please  
notify the Department of Community  
Development at Raytown City Hall at  
(816)737-6014 no later than 48 hours  
prior to the applicable public hearing  
date.

2601499 Jackson Apr. 12, 2024



**UPRMT-000175-2024**

Community Development Department

Planning and Zoning Division

10000 E 59<sup>th</sup> Street • Raytown, MO 64133

Phone: 816-737-6014 • Fax: 816-737-6164

## PLANNING APPLICATION

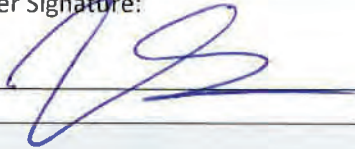
| Office Use Only                         | Application Type(s):   |
|-----------------------------------------|------------------------|
| Case #:                                 | Conditional Use Permit |
| Fee Paid: \$450.00                      |                        |
| PC Meeting Date: 5/2/24                 |                        |
| B of A Meeting Date: 6/4/24 and 6/18/24 |                        |
| Newspaper Notice Date: 4/9/24           |                        |
| Notice Letters Date: 4/11/24            |                        |

| Project Info:                                                                   |                                                                                                                    |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| Project Name:<br>Green 350 Hwy Properties LLC                                   |                                                                                                                    |
| Project Address:<br>8830 E. 350 Hwy Raytown, MO 64133                           |                                                                                                                    |
| Existing Zoning:<br>HC/350, Highway Commercial/<br>350 Highway Corridor Overlay | Existing Land Use:<br>Industrial Floor Machine Repair & Janitorial Supplies<br><i>Janitorial Cleaning Services</i> |
| Proposed Zoning:<br>(Same)                                                      | Proposed Land Use:<br>Auto repair Mechanical / repair limited repair<br><i>Dealer to sale cars as repaired</i>     |
| Total Acreage:<br>7200 Sq Ft                                                    |                                                                                                                    |

| Applicant:           |                                    |
|----------------------|------------------------------------|
| Name of Applicant:   | Company (If Applicable):           |
| Naveed Khalid        | Monster Garage LLC.                |
| Address:             |                                    |
| 2009 Sequoia Dr.     | City: Raymore State: MO Zip: 64083 |
| Phone:               | Email:                             |
| (817) 333-7225       | Naveed Khalid khalid@gmail.com     |
| Applicant Signature: |                                    |
| X                    |                                    |



Community Development Department  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

|                                                                                   |                          |
|-----------------------------------------------------------------------------------|--------------------------|
| <b>Property Owner:</b>                                                            |                          |
| Name of Owner:                                                                    | Company (If Applicable): |
| Green 350 Hy. Prop. LLC                                                           |                          |
| Address:                                                                          |                          |
| 311 Third Ave City: Farmville State: VA Zip: 23901                                |                          |
| Phone:                                                                            | Email:                   |
| (434) 390 7355                                                                    |                          |
| Property Owner Signature:                                                         |                          |
|  |                          |
| X                                                                                 |                          |

|                                                                  |
|------------------------------------------------------------------|
| <b>Please Give a Detailed Description of the Proposal Below:</b> |
| To Approve New tenant<br>for 64 months                           |



Community Development Department  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

|                             |          |        |      |
|-----------------------------|----------|--------|------|
| <b>Landscape Architect:</b> |          |        |      |
| Name:                       | Company: |        |      |
| N/A                         |          |        |      |
| Address:                    | City:    | State: | Zip: |
| Phone:                      | Email:   |        |      |
| <b>Attorney:</b>            |          |        |      |
| Name:                       | Company: |        |      |
| N/A                         |          |        |      |
| Address:                    | City:    | State: | Zip: |
| Phone:                      | Email:   |        |      |
| <b>Other:</b>               |          |        |      |
| Name:                       | Company: |        |      |
| N/A                         |          |        |      |
| Address:                    | City:    | State: | Zip: |
| Phone:                      | Email:   |        |      |

1. The proposed action will be in keeping with the character of the neighborhood because:

Yes Per Applicant: "It was previously used as an auto shop."  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Yes Per Applicant: "The other business tenants are automotive-related."  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Prior to submitting this application, the property has been vacant for: NO,

Still has been rented until new tenant is approved,  
\_\_\_\_\_  
\_\_\_\_\_



4. This property is more suited for the proposed use than its current use(s) because:

All the other properties do similar service, Auto Body Shop, Slot Car racing, and tire Shop.

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

None

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

Financial. This property is the owner income for living expense.

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

Yes

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

It will offer repairs at a reasonable price for the community. Also, will added benefit for tow service & or pick at no charge. With in a 5 mile radius.

9. Additional comments:

He will have up to 5 employee's. & Create 150,000<sup>00</sup> in rev.



\*2000I 0081633\*

JACKSON COUNTY DEPARTMENT OF RECORDS  
308 WEST KANSAS  
INDEPENDENCE, MO 64050

# RECORDER OF DEEDS DOCUMENT IDENTIFICATION & CERTIFICATION SHEET

TYPE OF INSTRUMENT PARTIAL PRINCIPALS IDENTIFIED FROM  
DOCUMENT FOR DOCUMENT TRACKING PURPOSES

WD GREEN BILLY V & WF GREEN 350 HIGHWAY PROPERTIES LLC  
BRIEF PROPERTY DESCRIPTION: LOT 10 & 11 LANE ACRES

**NOTE:** Document information on this certification sheet is furnished as a convenience only, and in the case of any discrepancy between same and the attached instrument, the attached instrument governs. The Recorder's official Grantor/Grantee indices are created from the information contained in the actual instrument attached hereto.

STATE OF MISSOURI )  
SS.  
COUNTY OF JACKSON )

I, the undersigned Recorder of Deeds for said County and State, do hereby certify that the following and annexed instrument of writing, which consists of 3 pages (this page inclusive), was filed for record in my office on the 7 day of December, 2000, at 14:22:18 and is truly recorded as the document number shown at the top and/or bottom of this page.

In witness whereof I have hereunto set my hand and official seal the day, month and year aforesaid.



Fees:  
MO HOUSING TRUST FUND 001-2473 \$3.00  
HOMELESS 043-250-2195 \$3.00  
RECORDING FEE \$11.00  
USER FEE \$4.00

*Mary H. Murphy*

Director of Records  
Jackson County, MO

J. POOLE  
Recording Deputy

Recording Fee: \$21.00  
(Paid at time of Recording)

Return to:

R JAMES STILLEY JR  
6240 RAYTOWN RD  
RAYTOWN, MO 64133

Document Number / Book & Page:  
**2000I 0081633 (1 - 3)**

PLEASE DO NOT REMOVE THIS  
PAGE FROM THE DOCUMENT

2000I81633

3000-1-1-00/2000

## MISSOURI WARRANTY DEED

THIS INDENTURE, made on the 16th day of November A.D., Two Thousand, by and between Billy V. Green and Marilyn Kay Green, husband and wife, of the County of Jackson, State of Missouri, ("Grantors"), and Green 350 Highway Properties, L.L.C., a Missouri limited liability company, ("Grantee").

(Mailing address of said first named grantee is: 8201 Ash, Raytown MO 64138)

WITNESSETH, THAT THE SAID GRANTORS, do by these presents Grant, Convey, Transfer and Confirm unto the said Grantee and Grantee's successors and assigns, the following described lots, tracts or parcels of land, lying, being and situate in the County of Jackson and State of Missouri, to-wit:

- Tract I: Lots 10 and 11, LANE ACRES, a subdivision in Raytown, Jackson County, Missouri
- Tract II: Lot 12, LANE ACRES, a subdivision in Raytown, Jackson County, Missouri, according to the recorded plat thereof; together with an easement for ingress and egress over adjacent land as described in the instrument filed November 24, 1964, under Recorder's Document No. 849255, recorded in Book 1735 at page 704, in the office of the Recorder of Deeds for Jackson County, Missouri, at Independence.
- Tract III: Beginning at the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of Section 8, Township 48, Range 32, thence along the South line of said 1/4 1/4 section a distance of 865.5 feet; thence left by deflection of 91 degrees 25 minutes a distance of 50 feet to the true point of beginning; thence along the last described line a distance of 170 feet; thence West 180 feet; thence South 53 feet; thence Southeasterly along a line parallel and 80 feet Northeasterly from the center line of U.S. Highway No. 50, 173 feet to a point 25 feet North of the center line of 69th Street; thence Easterly and parallel to the center line of 69th Street 42 feet, more or less, to the true point of beginning, EXCEPT the East 64 feet measured parallel to the East line of the above described tract, in Raytown, Jackson County, Missouri.

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

TO HAVE AND TO HOLD THE SAME the premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining, unto the said Grantee and unto Grantee's successors and assigns forever; the said Grantors hereby covenanting that they are lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that they have good right to convey the same; except for deeds of trust, covenants, easements, restrictions, and reservations of record, the said premises are free and clear from any encumbrance done or suffered by them or those under whom they claim, and that they will warrant and defend the title to the said premises unto the said Grantee and unto Grantee's successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

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

  
BILLY V. GREEN

  
MARILYN KAY GREEN

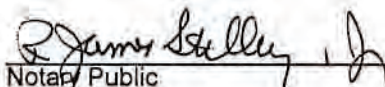
2000-12-21 09:00

# ACKNOWLEDGEMENT

STATE OF MISSOURI     }  
COUNTY OF JACKSON    } SS

On this 16th day of November, 2000, before me, a Notary Public, personally appeared Billy V. Green and Marilyn Kay Green to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed, and the said Billy V. Green and Marilyn Kay Green further declare themselves to be married to each other.

In Witness Whereof, I have hereunto set my hand and affixed my official seal at my office the day and year last above written.

  
Notary Public

My Term Expires:  
**R. JAMES STILLEY, JR.**  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Jackson County  
My Commission Expires: October 31, 2004

**R. JAMES STILLEY, JR.**  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Jackson County  
My Commission Expires: October 31, 2004

MWD-2.691



## CERTIFICATE

STATE OF MISSOURI     )  
                                      )     SS  
COUNTY OF JACKSON    )

I, Diana Smith, Director of Recorder of Deeds within and for the County of Jackson, in the State of Missouri, aforesaid, do hereby certify that the above is a full, true and complete copy of the instrument (i.e. numbered and/or book & page) 2000706 816 33 as the same appears on file in my office.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of said office of the Recorder of Deeds of Jackson County, Missouri, this 14<sup>th</sup> day of March, 2024.

Diana Smith  
Director of Recorder of Deeds

BY: *Cathy A. Laty*

DEPUTY

**(THIS PORTION ONLY USED WHEN NOTARIZATION IS REQUIRED)**

STATE OF MISSOURI     )  
                                      )     SS  
COUNTY OF JACKSON    )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, \_\_\_\_\_, a Notary Public for the State and County above mentioned, personally appeared \_\_\_\_\_, known to me to be the party signing this document as his free act and deed, for the Department of Recorder of Deeds, in his capacity as Deputy.

\_\_\_\_\_  
Notary Public

# TAX BILL

5828

## 2023 JOINT GOVERNMENTAL REAL PROPERTY TAX STATEMENT

Property Account #: 45-520-04-21-00-0-00-000

Pay your bill online at: [payments.jacksongov.org](https://payments.jacksongov.org)

PIN #: 727177

### ACCOUNT VALUE

| DESCRIPTION          | 2023      |
|----------------------|-----------|
| Market Value Total   | \$566,300 |
| Taxable Value Total  | \$181,216 |
| Assessed Value Total | \$181,216 |

TCA: 022

Lender:

Location: 8830 E M 350 HWY



05828

45-520-04-21-00-0-00-000  
GREEN 350 HIGHWAY PROPERITES LLC  
311 3RD AVE  
FARMVILLE VA 23901

### TAX DISTRIBUTION

| AGENCY                     | LEVY          | AMOUNT    |
|----------------------------|---------------|-----------|
| RAYTOWN SCHOOL C-II        | 6.3200        | 11,452.86 |
| FIRE DISTRICT - RAYTOWN    | 1.0832        | 1,962.93  |
| JACKSON COUNTY             | 0.5116        | 927.10    |
| CITY - RAYTOWN             | 0.3792        | 687.17    |
| MID-CONTINENT LIBRARY      | 0.2911        | 527.52    |
| METRO JUNIOR COLLEGE       | 0.1780        | 322.56    |
| MENTAL HEALTH              | 0.0953        | 172.70    |
| BOARD OF DISABLED SERVICES | 0.0716        | 129.75    |
| STATE BLIND PENSION        | 0.0300        | 54.36     |
| <b>Total Levy Rate</b>     | <b>8.9600</b> |           |

### TAXES AND SPECIAL ASSESSMENTS

| YEAR DESCRIPTION               | AMOUNT BILLED | BALANCE DUE        |
|--------------------------------|---------------|--------------------|
| 2023 A/V Principal- Commercial | 16236.95      | 16236.95           |
| 2023 Replacement Tax           | 2604.07       | 2604.07            |
| <b>Total for Tax Year 2023</b> |               | <b>\$18,841.02</b> |
| <b>Total for All Tax Years</b> |               | <b>\$18,841.02</b> |

### Description of Property

LANE ACRES  
LOTS 10, 11 & 12

Check # 625 L.A. News Digest Acc.

\$18,842.02

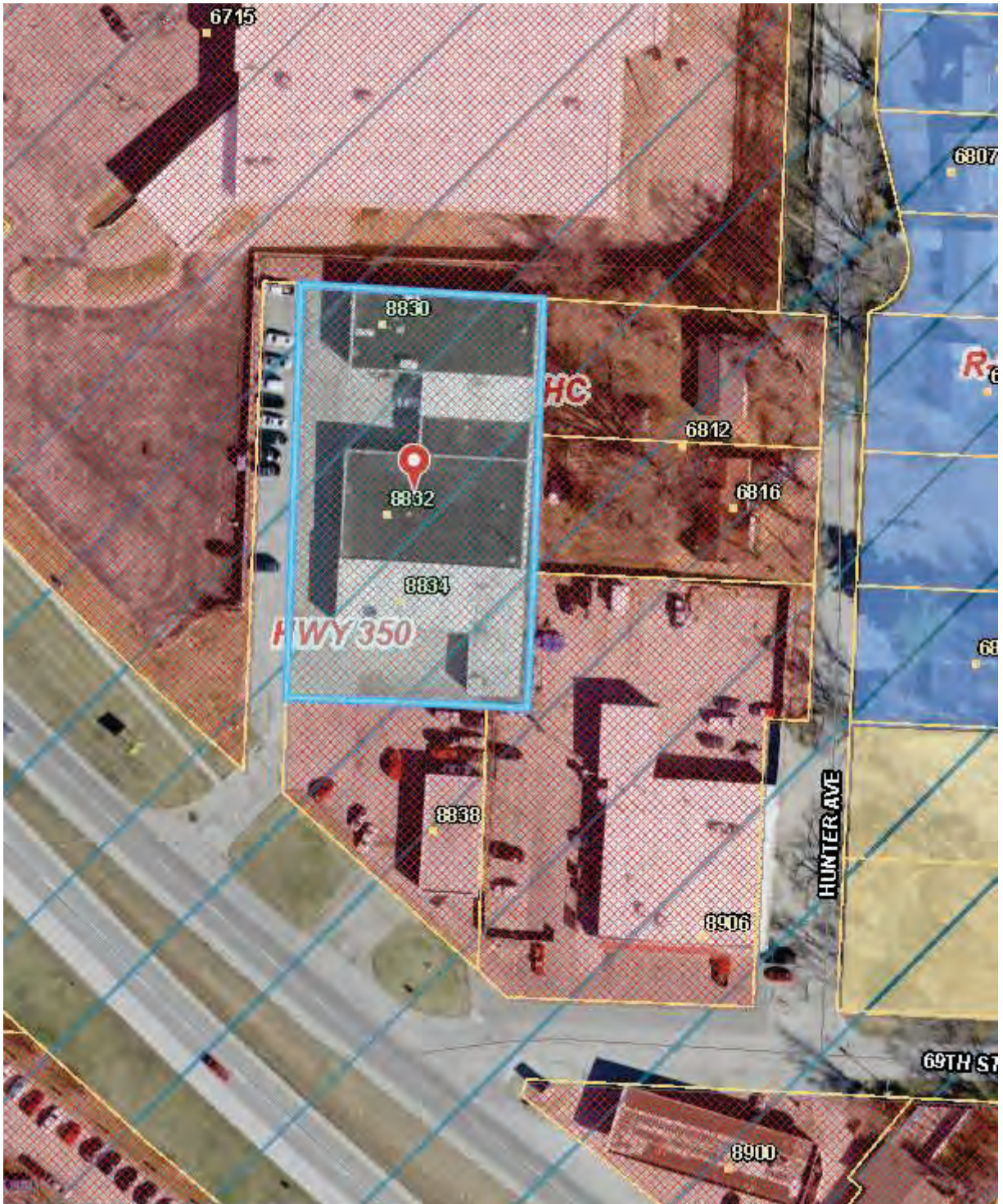
12/28/2023

PROPERTY TAXES ARE NOT COLLECTED BY THE COUNTY



**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

**Zoning Map:**







RECEIPT (REC-029929-2024)  
FOR CITY OF RAYTOWN

**BILLING CONTACT**  
GREEN 350 HIGHWAY PROPERITES LLC  
311 3RD AVE  
FARMVILLE, VA 23901



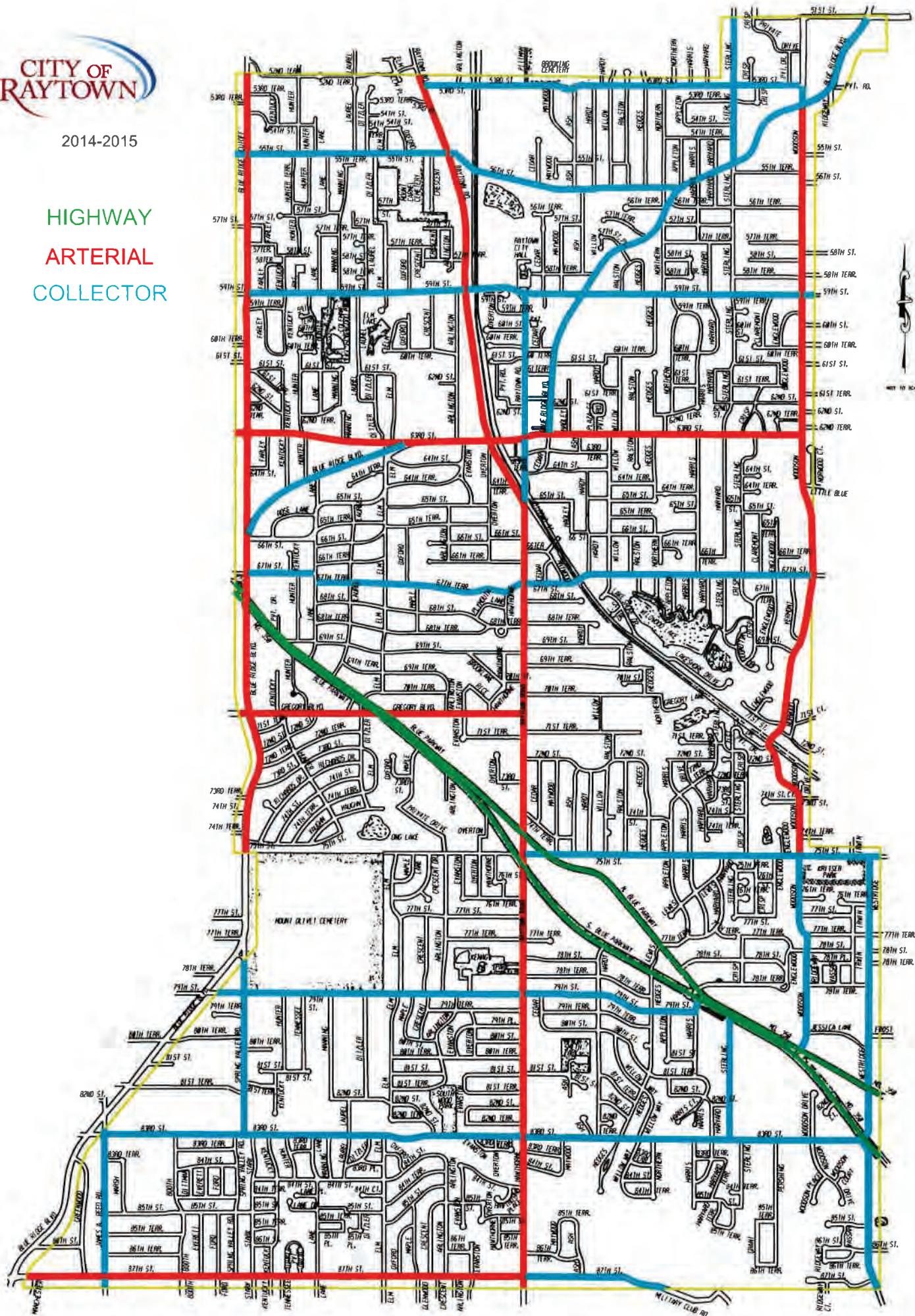
Payment Date: 03/15/2024

| Reference Number                         | Fee Name            | Transaction Type | Payment Method   | Amount Paid     |
|------------------------------------------|---------------------|------------------|------------------|-----------------|
| UPRMT-000175-2024                        | Conditional Use Fee | Fee Payment      | Check #113       | \$450.00        |
| 8830 E STATE ROUTE 350 Raytown, MO 64133 |                     |                  | <b>SUB TOTAL</b> | <b>\$450.00</b> |
|                                          |                     |                  | <b>TOTAL</b>     | <b>\$450.00</b> |



2014-2015

HIGHWAY  
ARTERIAL  
COLLECTOR



**CITY OF RAYTOWN**  
**Request for Board Action**

---

**DATE SUBMITTED:** 05/20/2024

**MEETING DATE:** June 4, 2024

**SUBMITTED BY:**

**DEPARTMENT:** Community Development

**Document Type:** Ordinance

**SUBJECT/REQUEST**

**FIRST READING:** Bill No. 6668-24, Section XIII Conditional Use Permit - Vehicle Repair, Limited

**BACKGROUND/JUSTIFICATION**

The applicant, Joshua Miler of Emerald Auto Repair, LLC., is requesting the approval of a Conditional Use Permit for "Vehicle Repair, Limited," for the property located at 9305 E. 350 Highway. 9305 E. 350 Highway is adjacent to Advance Auto Parts and was formerly occupied by another vehicle repair business, "All American Auto."

**RECOMMENDED MOTION**

Approval with Conditions

**PREVIOUS ACTION**

**COMMISSION/COMMITTEE REVIEW**

Planning Commission - May 2, 2024

**FINANCIAL IMPACT**

|                             |         |
|-----------------------------|---------|
| Contractor:                 |         |
| Amount of Request/Contract: |         |
| Amount Budgeted:            |         |
| From Account Name and #:    | Amount: |
| To Account Name and #:      | Amount: |

**REVIEWED BY**

Diane Egger  
Jennifer Baird  
Damon Hodges

Teresa Henry

**LIST OF REFERENCE DOCUMENTS ATTACHED**

1. ORD\_PZ.2024.06\_Emerald.Auto\_CUP
2. Emerald.Auto.CUP\_PZ.2024.06

**SUPPORTING DOCUMENTS  
(FOR CONTRACT ITEMS ONLY)**

| Document                                           | Attached | If not attached, explain |
|----------------------------------------------------|----------|--------------------------|
| Secretary of State:                                |          |                          |
| Certificate of Insurance:                          |          |                          |
| E-Verify Affidavits:                               |          |                          |
| E-Verify proof of enrollment:                      |          |                          |
| Bond:                                              |          |                          |
| IRS Form W-9:                                      |          |                          |
| Bid/RFP/RFQ: (submit all)                          |          |                          |
| Bid/RFP/RFQ Tabulation:                            |          |                          |
| Bid Waiver: Sole source<br>or less than three bids |          |                          |
| Contractor address and email:                      |          |                          |
| Project Exemption Certificate needed:              |          |                          |
| Other:                                             |          |                          |

**AN ORDINANCE APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO JOSHUA MILLER, EMERALD AUTO, LLC. TO OPERATE A “VEHICLE REPAIR, LIMITED” FACILITY AT 9305 E. 350 HIGHWAY IN AN HC, HIGHWAY COMMERCIAL, DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI**

**WHEREAS**, Application PZ-2024-06, was duly submitted on or about March 15, 2024, by Joshua Miller, Emerald Auto, LLC., requesting approval of a Conditional Use Permit to operate a Vehicle Repair, Limited, Use on property located at 9305 E. 350 Highway within an HC, Highway Commercial, District in the City of Raytown, Jackson County, Missouri (the “Application”); and

**WHEREAS**, the Application was considered by the Planning Commission on May 2, 2024, and by a vote of 6 in favor, 0 against, rendered a report to the Board of Aldermen recommending that the Application be approved; and

**WHEREAS**, after opening the public hearing, considering all testimony and the record, and then closing the public hearing, the Board of Aldermen finds and declares that the provisions hereinafter contained and enacted are in pursuit of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raytown and rendered a decision to approve the Application subject to conditions.

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

**SECTION 1 – APPROVAL OF CONDITIONAL USE PERMIT.** That the Application for approval of a Conditional Use Permit to operate a Vehicle Repair, Limited, Use on property located at 9305 E. 350 Highway within an HC, Highway Commercial, District in the City of Raytown, Jackson, County, Missouri is hereby approved and issued to Joshua Miller, Emerald Auto, LLC.

**SECTION 2 – CONDITIONS OF APPROVAL.** That the Application for approval of a Conditional Use Permit to operate a Vehicle Repair, Limited, Use on property located at 9305 E. 350 Highway within an HC, Highway Commercial, District in the City of Raytown, Jackson County, Missouri, be approved and issued to Joshua Miller, Emerald Auto LLC., subject to the following conditions as contained in the staff report and as modified and approved by the Planning Commission:

1. A ten-foot (10') ADA-compliant sidewalk will be required to be constructed along the frontage of Highway 350 within one (1) year of the approval of the Conditional Use Permit.
2. Any inoperable, dismantled, or damaged vehicle shall be stored within the building so that it is not visible to persons outside of the building.
3. All tires and equipment must be stored inside the building at all times.
4. Compliance with all applicable local, state and federal laws and ordinances.
5. Toxic and/or hazardous materials must be disposed of properly in accordance with all local, state, and federal laws and ordinances.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

\_\_\_\_\_  
Jennifer M. Baird, City Attorney



**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

## Staff Report

**To:** City of Raytown, Planning & Zoning Commission

**From:** Shana Kelly, Planning & Zoning Coordinator

**Case #:** Conditional Use Permit PZ-2024-06

**Planning & Zoning Meeting Date:** May 2, 2024

**Board of Aldermen Dates:** June 4, 2024, and  
June 18, 2024



---

**Applicant:** Joshua Miller | Emerald Auto Repair, LLC.

**Location:** 9305 E. 350 Highway

**Ward:** 1

**Property Owner:** Advance Stores Company, Inc.

**Project Summary:** The applicant is requesting the approval of a **Conditional Use Permit** for the purpose of **“Vehicle Repair, Limited”** for the property located at 9305 E. 350 Highway.

**Staff Recommendation:** Staff recommends **Approval with Conditions** of the Conditional Use Permit Application. Conditions are outlined below.

---

**Background Information:** The applicant, Joshua Miler of Emerald Auto Repair, LLC., is requesting the approval of a Conditional Use Permit for **“Vehicle Repair, Limited,”** for the property located at 9305 E. 350 Highway. 9305 E. 350 Highway is adjacent to Advance Auto Parts and was formerly occupied by another vehicle repair business, “All American Auto.”

**Zoning:** HC/350, Highway Commercial/350 Corridor Overlay District

**Total Land Area:** 0.80 Acre

**Public Noticing:** *The Daily Record:* A public hearing notice was published in The Daily Record Kansas City, on **April 9, 2024**. A copy of the affidavit of publication is included with the attachments to this report. Letters to Residents and Property Owners were mailed to property



**Community Development Department**

Planning and Zoning Division

10000 E 59<sup>th</sup> Street • Raytown, MO 64133

Phone: 816-737-6014 • Fax: 816-737-6164

owners within 185 feet of the subject property on **April 11, 2024**. A copy of the letter is included with the attachments to this report.

**Neighborhood Meeting:** The applicant held a neighborhood meeting on **Tuesday, April 16, 2024**. A summary of the meeting and a copy of the sign-in sheet are included with the attachments to this report.

**Adjacent Properties:**

|               | <b>Zoning:</b>                                             | <b>Current Land Use:</b> |
|---------------|------------------------------------------------------------|--------------------------|
| <b>North:</b> | Public Right-of-Way                                        | Highway 350              |
| <b>South:</b> | HC/350, Highway Commercial / 350 Corridor Overlay District | Single Family Homes      |
| <b>East:</b>  | HC/350, Highway Commercial / 350 Corridor Overlay District | Single Family Homes      |
| <b>West:</b>  | HC/350, Highway Commercial / 350 Corridor Overlay District | Commercial Businesses    |

**Street Classification:** Highway 350 is classified as a **Highway**.

**Vehicular and Pedestrian Access:** Vehicular access is provided via an existing drive aisle from Highway 350. A ten-foot ADA-compliant sidewalk/bicycle trail will be constructed along the Highway 350 frontage that will connect to the existing trail on both adjacent properties.

**Parking Requirement:** Automobile service stations and repair garages – One (1) parking space for each employee plus two (2) spaces for each service bay plus one (1) for each 500 square feet of floor area. Parking is calculated below:

| <b>Requirement:</b>                                  | <b>Emerald Auto:</b>            | <b>Total Number of Spaces:</b> |
|------------------------------------------------------|---------------------------------|--------------------------------|
| One (1) space per employee                           | 2                               | 2                              |
| Two (2) spaces per each service bay                  | 6                               | 12                             |
| One (1) space per each 500 square feet of floor area | Approximately 3,000 square feet | 6                              |
| <b>Total:</b>                                        |                                 | <b>20</b>                      |

---

**Conditional Use Permit Factors to Be Considered:**

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

The subject parcel and all adjacent lots are zoned Highway Commercial (HC). This zoning district is designed to accommodate commercial activities that service and draw customers from a broad, regional area, not only the surrounding neighborhoods. The



presence of 350 Highway and the large daily count of vehicles along this roadway provide a ready and visible customer base for vehicle repair businesses.

**2. The conservation of property values.**

No negative change to neighboring property values is expected. Requirements have been added as conditions of approval to mitigate any negative impacts.

The proposed use, if approved, will occupy a currently vacant property that was previously in use as a vehicle repair shop, and will be compatible with neighboring commercial uses.

**3. Protection against fire casualties.**

Prior to occupying the property, the applicant will be required to obtain a Commercial Use Permit from the Community Development Department. As part of review and approval of the Use Permit, the buildings and property will be inspected by the City's Building Official and Property Code Enforcement Officer as well as by the Fire Marshall from the Raytown Fire Protection District to ensure compliance with the applicable life safety codes contained in the city and fire district's adopted Building and Fire Codes as well as the city's Property Maintenance Code.

**4. Observation of general police regulations.**

It does not appear that the proposed vehicle repair, general establishment will violate any general police regulations.

**5. Prevention of traffic congestion.**

The proposed auto repair will not increase traffic congestion above what is normal for the vicinity. Additional traffic generated by the vehicle repair shop will be minimal and easily handled with the direct highway access to 350 Highway.

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

The proposed auto repairs will not substantially increase traffic safety risk over what is already present, nor the orderly parking of motor vehicles as staff believes the site is confirmed to contain enough parking to address all the combined uses. Adequate access to the property is presently available directly from 350 Highway. Customer parking is located on the north, south, and east of the property.

**7. Promotion of the safety of individuals and property.**

As previously described, if the application is approved, prior to opening for business city code requires that the applicant obtain a Use Permit from the Community Development Department. As part of the review and approval of the Use Permit application, the



buildings and property will be inspected by the City's Building Official and Property Code Enforcement Officer as well as by the Fire Marshall with the Raytown Fire Protection District to ensure compliance with the applicable life safety codes contained in the city and fire district's adopted building and fire codes.

**8. Provisions for adequate light and air.**

The applicant is not proposing any additional construction on the site, so light and air will be the same as it currently exists on the property. The applicant will be required to follow all state and federal laws regarding the handling and disposal of toxic or hazardous materials that could impact air quality.

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

The applicant property has a garage to allow for work on vehicles inside the building. Given the location is adjacent to neighboring businesses active to either side of the applicant, it is possible that vehicle overflow could crowd the parking lot of the property. If approved, all inoperable vehicles shall be stored indoors at all times while on the property.

**10. Provision for public utilities and schools.**

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

**11. Invasion by inappropriate uses.**

There are other vehicle repair facilities along 350 Highway. The land use table does allow for conditional use permits for this type of establishment along Highway 350. As such, it does not appear that the proposed use will be an invasion of an inappropriate use if the use and property comply with other city codes and regulations.

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

There are no planned improvements to this property as a result of the applicant business.

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

Staff has no concerns regarding the proposed business adhering to overall planning principles if the recommended conditions of approval are adopted.

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

The proposed use is located in an existing commercial area and, if the application is approved in a manner that is consistent with city codes and regulations, the proposed



use will allow continued commercial use of the property while providing for the orderly and proper renewal, redevelopment and growth along 350 Highway.

---

**PUBLIC WORKS:**

- **Items that require plan revision or additional documentation before engineering can recommend approval:**
    - NONE
  - **Items that are conditions of approval:**
    - NONE
  - **Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
    - NONE
- 

**ATTACHMENTS:**

- Zoning Map
  - Parking Diagram
  - Site Photos
  - Neighborhood Letter
  - 185-ft Buffer Map
  - Neighborhood Meeting Sign-In Sheet
  - Neighborhood Meeting Minutes
  - Letters of Public Support
  - Affidavit of Publication
  - Application
  - Receipt of Paid Taxes
  - Receipt
  - Street Classification Map
- 

Staff recommends that the Planning & Zoning Commission **Approve** Conditional Use Permit application **PZ-2024-06** subject to the following conditions:

1. A ten-foot (10') ADA-compliant sidewalk will be required to be constructed along the frontage of Highway 350 within one (1) year of the approval of the Conditional Use Permit.
2. Any inoperable, dismantled, or damaged vehicle shall be stored within the building so that it is not visible to persons outside of the building.
3. All tires and equipment must be stored inside the building at all times.
4. Compliance with all applicable local, state and federal laws and ordinances.



**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

5. Toxic and/or hazardous materials must be disposed of properly in accordance with all local, state, and federal laws and ordinances.



**Community Development Department**  
Planning and Zoning Division  
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## Zoning Map





**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

**Parking Diagram**





**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

**Site Photos**





**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164



April 9, 2024  
Re: Case No: PZ-2024-06

Dear Property Owner/Tenant:

**Notice of Neighborhood Meeting and Public Hearings in Your Area**

The Raytown Community Development Department is processing a Conditional Use Permit application filed by Joshua Miller of Emerald Auto, LLC., requesting the approval of a Conditional Use Permit for "*Vehicle Repair, Limited*" for the property located at 9305 E. 350 Hwy. This property consists of 0.80 acre of land and is located within the City of Raytown, Missouri.

As a nearby owner or tenant, you are entitled to appear and provide comments at any of the public hearings on this matter or to provide written comments.

The applicant will be holding a neighborhood information meeting at Raytown City Hall at **10:00am on Tuesday, April 16, 2024**, to which you are invited to discuss the application directly with them. City Staff will not be present at this time. If you have any concerns or need more information about the application, we highly recommend that you attend this meeting.

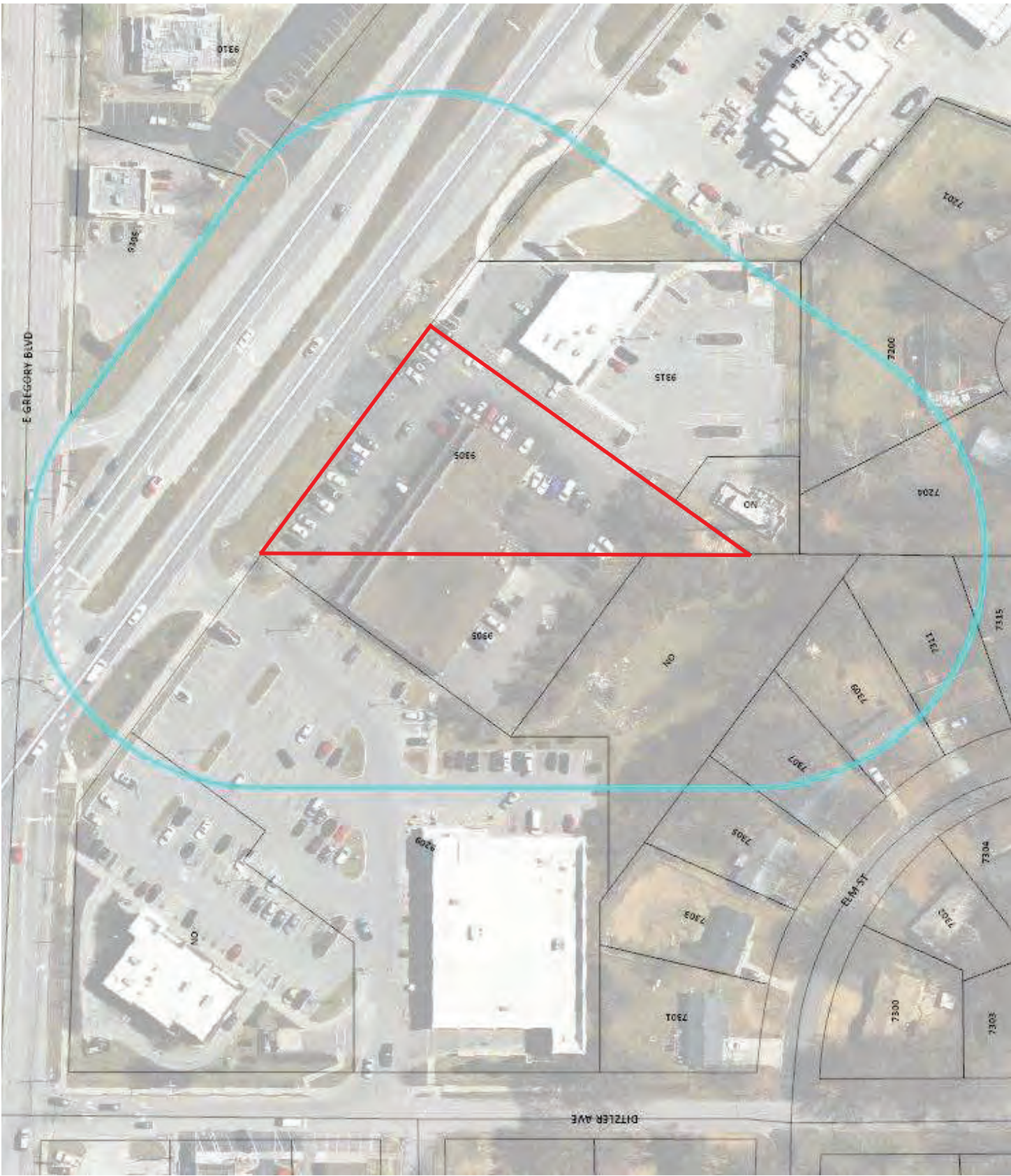
A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission at 7:00 PM on **Thursday May 2, 2024**. The full packet and agenda should be available for view on the City of Raytown website on **Friday, April 26, 2024**.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for 7:00 PM on **Tuesday, June 4, 2024**.

**All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E 59<sup>th</sup> Street, Raytown, MO 64133.**

The public is invited to attend the neighborhood meeting and the public hearings to ask questions and provide comments regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59<sup>th</sup> Street, by phone at (816)737-6059 or by email at [shanak@raytown.mo.us](mailto:shanak@raytown.mo.us).

If you will require any special accommodations (i.e., qualified interpreter, large print reader, hearing assistance) to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816)737-6014 no later than 48 hours prior to the applicable public hearing date.



# Emerald Auto - CUP

April 16, 2024

## SIGN-IN SHEET

**PLEASE PRINT LEGIBLY**

[illegible]

## Shana Kelly

---

**From:** Josh Miller <emeraldautorepairllc@gmail.com>  
**Sent:** Wednesday, April 17, 2024 9:03 AM  
**To:** Shana Kelly  
**Subject:** Re: Neighborhood Meeting

Everyone that shown up were our customers who support our move.

On Wed, Apr 17, 2024 at 9:02 AM Shana Kelly <[shanak@raytown.mo.us](mailto:shanak@raytown.mo.us)> wrote:

Good Morning Emerald Auto Team,

I received your Neighborhood Meeting sign-in sheet. Thank you! I'm sorry I wasn't in the office yesterday, but I trust everything went well. When you get a minute, please email me a brief summary of the meeting. Specifically, please note if anyone asked questions and what the responses were. If everyone was there in support of your application, please let me know, and if anyone was there in opposition or had concerns, please let me know that as well.

Thank you!

Shana

**Shana Kelly**  
**Planning & Zoning Coordinator**

Crossroads Community • Embracing Diversity • Growing Together

**Office:** (816) 737-6059 Direct

**Address:** [10000 East 59th Street, Raytown MO. 64133](#)

**Email:** [shanak@raytown.mo.us](mailto:shanak@raytown.mo.us)

**Connect With Us**



## Shana Kelly

---

**From:** Brooke Walter <brooke@post-press.com>  
**Sent:** Friday, March 22, 2024 3:42 PM  
**To:** Shana Kelly  
**Subject:** EMERALD

Dear Shana Kelly and Members of the Planning & Zoning Division of Raytown,

I am writing to express my strong support for Emerald Auto's proposed move back to Raytown. As a previous member of the Raytown community and longstanding customer of Emerald Auto, I believe having Emerald Auto back in the city will have a positive impact on our community.

Emerald Auto has a proven track record of providing high quality auto services to the residents of Raytown, as well as the KC Metro area. Their commitment to excellent customer service and fair pricing has earned them a loyal following in our community. Bringing Emerald Auto back to Raytown will not only benefit their business, but also provide residents with a trusted and reliable option for their auto maintenance and repair needs.

Additionally, having Emerald Auto back in Raytown will also create job opportunities for local residents and contribute to the economic growth of our city. This will not only benefit the employees of Emerald Auto, but also the broader community by supporting local businesses and stimulating our local economy.

I urge the Raytown City Council to support Emerald Auto's move back to Raytown and to work towards creating a welcoming environment for businesses to thrive in our city. I believe that having Emerald Auto back in Raytown will be a win-win for both the business and the community.

Thank you for considering my thoughts on this matter. I look forward to seeing Emerald Auto back in Raytown and continuing to contribute to the vibrancy of our community.

Sincerely,

Brooke Walters

816-309-6480

## Shana Kelly

---

**From:** nickyzaguirre <nickyzaguirre@ymail.com>  
**Sent:** Monday, March 25, 2024 4:43 PM  
**To:** Shana Kelly  
**Subject:** Emerald Auto

To whom it may concern

I'm writing this email in regards to owners Josh and Miranda Miller of Emerald Auto. My name is Nick Yzaguirre I'm a full time uber/lyft driver and Josh and his team always keeps me on the road....there is No other place i will take my vehicles to...I reside in Raytown and take my business to blue springs where they are currently. To my understanding they are trying to move their business back to our beloved town where they once where some years back, I've followed them every since they left they are a great at what they do and most importantly honest. This is definitely a type of auto shop that Raytown could definitely benefit from all around.....bringing business back to our town. A lot of us left when they left its hard to find a good reputable mechanic and I couldn't be more happy for them to bring their business back. I understand there are plenty of other auto mechanic shops in our town but adding one more will not hurt it will just help keep us Raytown peoples rolling. I really hope they can get what needs to be done so that Emerald Auto can be back in Raytown. Thanks for your time.

Sent from my T-Mobile 5G Device

Sent from my T-Mobile 5G Device

## Shana Kelly

---

**From:** Melissa Madison <madisonann216@gmail.com>  
**Sent:** Wednesday, April 10, 2024 8:09 AM  
**To:** Shana Kelly  
**Subject:** Emerald

I think you should bring them back because for one they are honest hardworking people that bring in a lot of business. They work with you on prices for your car. They support local business around the area. They provided Easter egg hunt for kids. They will bring alot of business to raytown so that when they come to get car fixed they will see what kind of restaurants and shopping places you have. Everyone wants a good honest mechanic that won't screw them over when they left raytown alot of people were sad and want them back. BRING EMERALD AUTO BACK!!!!!!

The Daily Record Kansas City  
920 Main St  
Kansas City, MO, 64105  
Phone: 8163841801 Fax: 0

# The Daily Record

KANSAS CITY

## Affidavit of Publication

To: Raytown, City Of, Missouri - City Clerk  
10000 E 59Th St  
Raytown, MO, 641333915

Re: Legal Notice 2601505, 9305 E. 350 Highway, Raytown,  
Missouri

State of MO

County of Jackson County

Before the undersigned Notary Public personally appeared Lisa Fowler on behalf of The Daily Record Kansas City, Jackson County who, being duly sworn, attests that the said newspaper is qualified under the provisions of Missouri Law governing public notices to publish, and did so publish, the notice annexed hereto; starting with the 04/12/2024 edition and ending with the 04/12/2024 edition for a total of 1 publications, and that the date of publications were as follows: 04/12/2024.

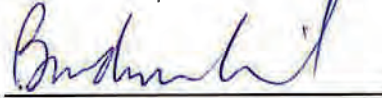
Publishers fee: \$60.32

By:

  
Lisa Fowler

Sworn to me on this 16<sup>th</sup> day of  
April 2024

By:

  
Brandon M. Crail  
Notary Public, State of MO  
No. 20297982  
Qualified in St. Louis County  
My commission expires on  
March 5, 2028



### Notice of Public Hearings

Affected Property: 9305 E. 350  
Highway, Raytown, Missouri  
Jackson County Parcel ID # 45-540-03-  
12-00-0-00-000

A public hearing to consider a  
Conditional Use Permit application  
for "Vehicle Repair, Limited," filed by  
Joshua Miller of Emerald Auto Repair,  
LLC, for the property addressed as 9305  
E. 350 Highway, in Raytown, Missouri,  
will be held by the Raytown Planning  
& Zoning Commission at 7:00pm on  
Thursday, May 2, 2024. This property  
is zoned "HC" (Highway Commercial)  
and is located within the 350 Highway  
Overlay District. The packet and agenda  
will be available for viewing on the City  
of Raytown's website on Friday, April  
26, 2024.

The Raytown Board of Aldermen will  
also hold a public hearing to consider  
this Conditional Use Permit application,  
tentatively scheduled for 7:00pm on  
Tuesday, June 4, 2024.

All public hearings will take place  
in the Council Chambers at Raytown  
City Hall located at 10000 E. 59th St.  
Raytown, MO 64133.

The public is invited to attend the  
public hearings to ask questions  
and provide comments. Additional  
information can be obtained from  
the Department of Community  
Development located in Raytown  
City Hall at 10000 E. 59th Street, by  
telephone at (816)737-6059 or by email  
at [shanak@raytown.mo.us](mailto:shanak@raytown.mo.us).

If you will require any special  
accommodation (i.e., qualified  
interpreter, large print, reader,  
hearing assistance) to attend either  
of these public hearings, please  
notify the Department of Community  
Development at Raytown City Hall at  
(816)737-6014 no later than 48 hours  
prior to the applicable public hearing  
date.

2601505 Jackson Apr. 12, 2024



Community Development Department  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

## PLANNING APPLICATION

| Office Use Only                         | Application Type(s):   |
|-----------------------------------------|------------------------|
| Case #: UPRMT-000176-2024               | Conditional Use Permit |
| Fee Paid: \$450.00                      |                        |
| PC Meeting Date: 5/2/24                 |                        |
| B of A Meeting Date: 6/4/24 and 6/18/24 |                        |
| Newspaper Notice Date: 4/9/24           |                        |
| Notice Letters Date: 4/11/24            |                        |

|                                                                                   |                                           |
|-----------------------------------------------------------------------------------|-------------------------------------------|
| <b>Project Info:</b>                                                              |                                           |
| Project Name:<br>Emerald Auto Repair 11c                                          |                                           |
| Project Address:<br>9305 E. State 350 Raytown, MO 64133                           |                                           |
| Existing Zoning:<br>HC/350, Highway Commercial<br>/ 350 Corridor Overlay District | Existing Land Use:<br>Vacant Tenant Space |
| Proposed Zoning:<br>(Same)                                                        | Proposed Land Use:<br>Automotive Shop     |
| Total Acreage:<br>0.80 Acre                                                       |                                           |

|                                                                             |                                          |
|-----------------------------------------------------------------------------|------------------------------------------|
| <b>Applicant:</b>                                                           |                                          |
| Name of Applicant:<br>Joshua Miller                                         | Company (If Applicable):<br>Emerald Auto |
| Address:<br>3301 Blue Ridge Blvd<br>City: Independence State: MO Zip: 64052 |                                          |
| Phone:<br>816 838-2441                                                      | Email:<br>Emeraldautorepair11c@gmail     |
| Applicant Signature:<br>X [Signature]                                       |                                          |



**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

**Property Owner:**

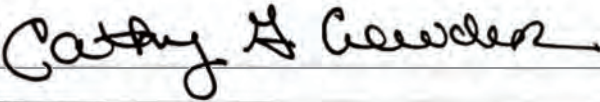
Name of Owner:

Company (If Applicable):

Advance Stores Company, Incorporated

5008 Airport Road, Roanoke, VA 24012

Property Owner Signature:

x 

Cathy Crowder  
Real Estate Portfolio Manager

**Please Give a Detailed Description of the Proposal Below:**



|                             |  |          |             |
|-----------------------------|--|----------|-------------|
| <b>Landscape Architect:</b> |  |          |             |
| Name:                       |  | Company: |             |
| Address:                    |  | City:    | State: Zip: |
| Phone:                      |  | Email:   |             |
| <b>Attorney:</b>            |  |          |             |
| Name:                       |  | Company: |             |
| Address:                    |  | City:    | State: Zip: |
| Phone:                      |  | Email:   |             |
| <b>Other:</b>               |  |          |             |
| Name:                       |  | Company: |             |
| Address:                    |  | City:    | State: Zip: |
| Phone:                      |  | Email:   |             |

1. The proposed action will be in keeping with the character of the neighborhood because:

it will not change since its been  
a mechanic shop

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

it will not change since its been  
a mechanic shop

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

9 months



4. This property is more suited for the proposed use than its current use(s) because:

it will not change since its been  
a mechanic shop

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

it will not have any as its  
already been a mechanic shop

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

~~loss~~ loss of revenue, taxes  
more crime with abandoned buildy

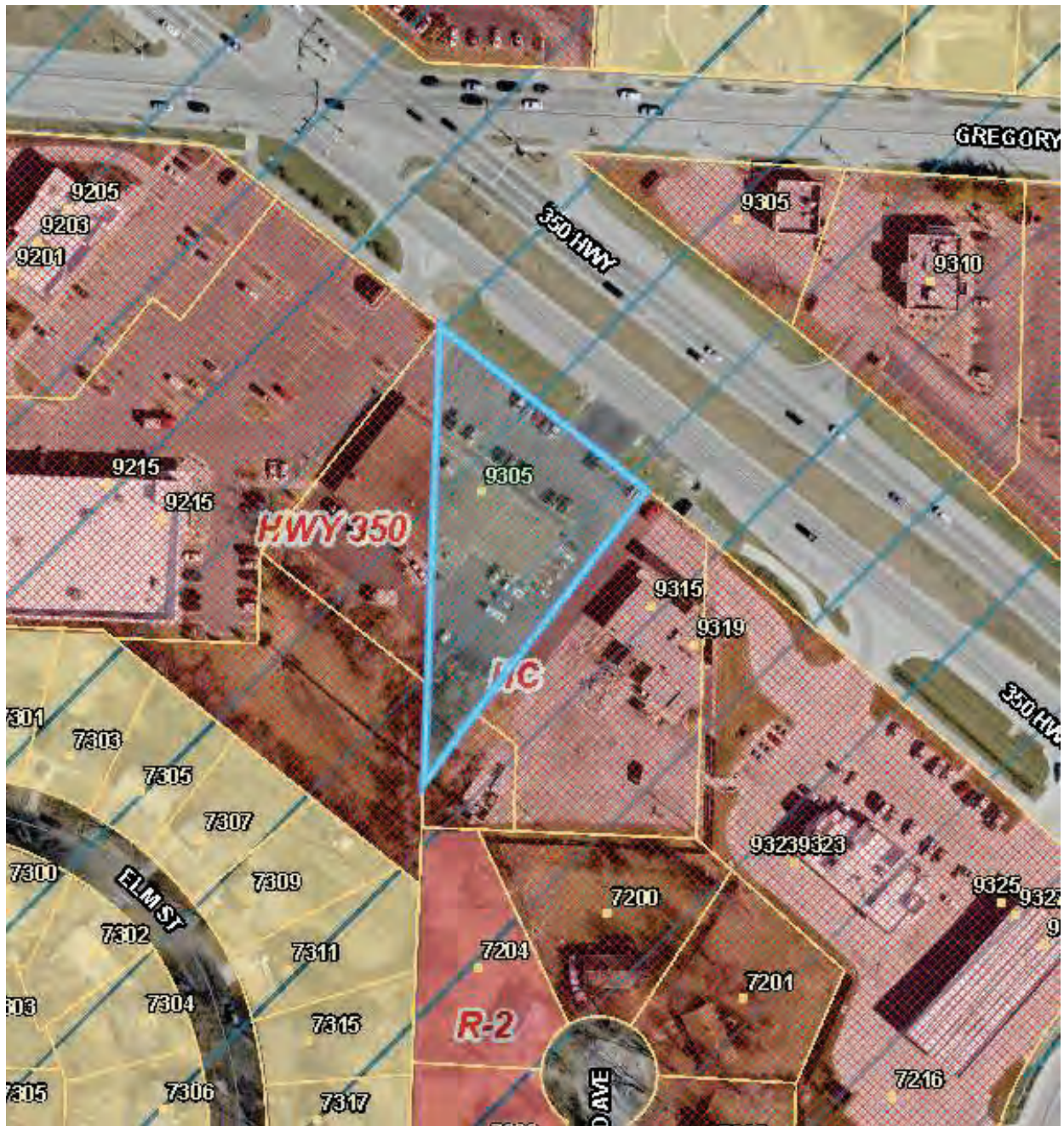
7. Public facilities and utilities are adequate to serve the proposed use as follows:

yes ada bathroom and entry  
offices and garage doors

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

9. Additional comments:

Emold Auto was a repair shop in raytown that  
paid taxes and provided a service to residents.  
We will increase income and tax revenue.







Property Account Summary

**Parcel ID:** 45-530-01-01-01-0-00-000 **Property Address:** 9305 E M 350 HWY , RAYTOWN, MO 64133

**General Information**

Property Description: SEC-8 TWP-48 RNG-32PT SW 1/4 DAF: BEG 184.59' S OF NE COR SO 1/4AT PT OF INTERSEC SWLY ROW LI US 50 HWY & E LI SOSW 1/4 TH S 38 DEG W 244 TH S 51 DEG E 179.19' THN 2 DEG E ALG SO E LI 302.73' TO POB

Property Category: Land and Improvements

Status: Active, Host Other Property, Locally Assessed

Tax Code Area: 022

Remarks: From Conversion

**Property Characteristics**

No Property Characteristics Found

**Parties**

| Role     | Percent | Name                       | Address                            |
|----------|---------|----------------------------|------------------------------------|
| Taxpayer | 100     | ADVANCE STORES COMPANY INC | 5008 AIRPORT RD, ROANOKE, VA 24012 |
| Owner    | 100     | ADVANCE STORES COMPANY INC | 5008 AIRPORT RD, ROANOKE, VA 24012 |

**Property Values**

| Value Type          | Tax Year 2023 | Tax Year 2022 | Tax Year 2021 | Tax Year 2020 | Tax Year 2019 |
|---------------------|---------------|---------------|---------------|---------------|---------------|
| Market Value Total  | 334000        | 303000        | 303000        | 302200        | 302200        |
| Taxable Value Total | 106880        | 96960         | 96960         | 96704         | 96704         |

|                                                                                                                              |      |       |        |            |         |              |                 |                 |
|------------------------------------------------------------------------------------------------------------------------------|------|-------|--------|------------|---------|--------------|-----------------|-----------------|
| Assessed Value Total                                                                                                         |      |       |        |            | 106880  | 96960        | 96704           | 96704           |
| Motor Vehicle Account Asset Inventory                                                                                        |      |       |        |            |         |              |                 |                 |
| Item Type                                                                                                                    | Make | Model | Series | Model Year | Item ID | Plate Number | Name on Title 1 | Name on Title 2 |
| No Vehicle Account Assets Found                                                                                              |      |       |        |            |         |              |                 |                 |
| Active Exemptions                                                                                                            |      |       |        |            |         |              |                 |                 |
| No Exemptions Found                                                                                                          |      |       |        |            |         |              |                 |                 |
| Tax Balance                                                                                                                  |      |       |        |            |         |              |                 |                 |
| No Charge Amounts are due for this property. If you believe this is incorrect, please contact a Property Support Specialist. |      |       |        |            |         |              |                 |                 |
| Distribution of Current Taxes                                                                                                |      |       |        |            |         |              |                 |                 |
| District                                                                                                                     |      |       |        |            |         |              |                 | Amount          |
| BOARD OF DISABLED SERVICES                                                                                                   |      |       |        |            |         |              |                 | \$76.53         |
| CITY - RAYTOWN                                                                                                               |      |       |        |            |         |              |                 | \$405.29        |
| FIRE DISTRICT - RAYTOWN                                                                                                      |      |       |        |            |         |              |                 | \$1,157.72      |
| JACKSON COUNTY                                                                                                               |      |       |        |            |         |              |                 | \$546.80        |
| MENTAL HEALTH                                                                                                                |      |       |        |            |         |              |                 | \$101.86        |
| METRO JUNIOR COLLEGE                                                                                                         |      |       |        |            |         |              |                 | \$190.25        |
| MID-CONTINENT LIBRARY                                                                                                        |      |       |        |            |         |              |                 | \$311.13        |
| RAYTOWN SCHOOL C-II                                                                                                          |      |       |        |            |         |              |                 | \$6,754.82      |
| STATE BLIND PENSION                                                                                                          |      |       |        |            |         |              |                 | \$32.06         |
| REPLACEMENT TAX                                                                                                              |      |       |        |            |         |              |                 | \$1,535.87      |

|                     |                 |                          |                                 |                      |
|---------------------|-----------------|--------------------------|---------------------------------|----------------------|
| Receipts            |                 |                          |                                 |                      |
| Date                | Receipt No.     | Amount Applied to Parcel | Amount Due for Parcels Selected | Receipt Total Change |
| 12/28/2023 00:00:00 | <u>14037865</u> | \$11,112.32              | \$11,112.32                     | \$12,602.82 \$0.00   |
| 01/23/2023 10:05:00 | <u>13570951</u> | \$10,513.96              | \$11,525.39                     | \$10,513.96 \$0.00   |
| 12/21/2021 00:00:00 | <u>12867008</u> | \$10,545.67              | \$10,545.67                     | \$10,545.67 \$0.00   |
| 01/06/2021 00:00:00 | <u>12408241</u> | \$10,605.82              | \$10,605.82                     | \$10,605.82 \$0.00   |

|                     |                 |             |             |             |        |
|---------------------|-----------------|-------------|-------------|-------------|--------|
| 01/24/2020 12:32:00 | <u>11866939</u> | \$10,556.41 | \$10,556.41 | \$10,556.41 | \$0.00 |
| 01/10/2019 13:58:00 | <u>11279219</u> | \$8,717.43  | \$8,717.43  | \$8,717.43  | \$0.00 |
| 01/08/2018 12:33:00 | <u>10701975</u> | \$8,502.18  | \$8,502.18  | \$8,502.18  | \$0.00 |
| 12/20/2016 00:00:00 | <u>10007319</u> | \$7,485.31  | \$7,485.31  | \$7,485.31  | \$0.00 |
| 12/22/2015 00:00:00 | <u>9467442</u>  | \$7,502.00  | \$7,502.00  | \$7,502.00  | \$0.00 |
| 05/26/2015 14:49:00 | <u>9128470</u>  | \$15,173.95 | \$15,173.95 | \$15,173.95 | \$0.00 |
| 12/18/2012 11:51:00 | <u>7753672</u>  | \$6,024.84  | \$6,024.84  | \$6,024.84  | \$0.00 |
| 12/22/2011 00:00:00 | <u>7232991</u>  | \$6,021.33  | \$6,021.33  | \$6,021.33  | \$0.00 |
| 12/28/2010 00:00:00 | <u>6707546</u>  | \$6,635.89  | \$6,635.89  | \$6,635.89  | \$0.00 |
| 12/17/2009 00:00:00 | <u>6098477</u>  | \$6,551.02  | \$6,551.02  | \$6,551.02  | \$0.00 |
| 12/11/2008 00:00:00 | <u>5462251</u>  | \$6,069.12  | \$6,743.55  | \$6,743.55  | \$0.00 |
| 12/14/2007 00:00:00 | <u>4944860</u>  | \$5,504.40  | \$6,116.08  | \$6,116.08  | \$0.00 |
| 12/18/2006 00:00:00 | <u>4418066</u>  | \$5,614.04  | \$5,614.04  | \$5,614.04  | \$0.00 |
| 12/12/2005 00:00:00 | <u>3796253</u>  | \$5,316.32  | \$5,316.32  | \$5,316.32  | \$0.00 |
| 12/20/2004 00:00:00 | <u>3354544</u>  | \$5,501.75  | \$5,501.75  | \$5,501.75  | \$0.00 |
| 12/01/2003 00:00:00 | <u>2651071</u>  | \$5,501.69  | \$5,501.69  | \$5,501.69  | \$0.00 |
| 12/31/2002 00:00:00 | <u>2375554</u>  | \$8,319.14  | \$8,319.14  | \$8,319.14  | \$0.00 |
| 01/08/2002 12:00:00 | <u>1902247</u>  | \$8,312.97  | \$8,312.97  | \$8,312.97  | \$0.00 |
| 12/19/2000 12:00:00 | <u>1141346</u>  | \$7,661.31  | \$7,661.31  | \$7,661.31  | \$0.00 |
| 12/31/1999 12:00:00 | <u>667574</u>   | \$7,668.65  | \$7,668.65  | \$7,668.65  | \$0.00 |
| 12/31/1998 12:00:00 | <u>159752</u>   | \$7,696.71  | \$7,696.71  | \$7,696.71  | \$0.00 |

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 Version 4.5.0.0

RECEIVED 1 MAY 1983

1525384

SBA Loan No. L-154 768 30 02-KC

11-4/5/87 (2)

# DEED OF TRUST (Direct)

11221P1290

THIS DEED OF TRUST, made this 3rd day of June 19 83, by and between ADVANCE AUTO PARTS & PAINT, INC. (A Missouri Corporation) hereinafter referred to as "Grantor," FRED A. DURBIN whose address is 818 Grand Avenue, Kansas City, Missouri 64106 hereinafter referred to as "Trustee," and the Administrator of the Small Business Administration, an agency of the Government of the United States of America, hereinafter referred to as "Beneficiary," who maintains an office and place of business at 818 Grand Avenue, Kansas City, Missouri 64106

WITNESSETH, that for and in consideration of \$1.00 and other good and valuable consideration, receipt of which is hereby acknowledged, the Grantor does hereby bargain, sell, grant, assign, and convey unto the Trustee, his successors and assigns, all of the following described property situated and being in the County of Jackson State of Missouri

01-1370

The West 150 feet of LOT 73, ASKANAS HEIGHTS, a subdivision of land in the City of Raytown, Jackson County, Missouri, more particularly described as follows:

Beginning at the Southwest corner of said Lot 73 as shown by plat thereof, recorded as No. 79694, in Plat Book 6, at Page 104, of the records of Jackson County, Missouri; thence North along the West line of said Lot 73, 91.76 feet to the Northwest corner of said Lot 73; thence East along the North line of Lot 73, 150 feet; thence South 91.40 feet to a point on the South line of said Lot 73, 150 feet East of the Southwest corner of said Lot; thence West along the South line of said lot, 150 feet to the point of beginning, according to the recorded plat thereof.

Together with and including all buildings, all fixtures, including but not limited to all plumbing, heating, lighting, ventilating, refrigerating, incinerating, air conditioning apparatus, and elevators (the Trustor hereby declaring that it is intended that the items herein enumerated shall be deemed to have been permanently installed as part of the realty), and all improvements now or hereafter existing thereon; the hereditaments and appurtenances and all other rights thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, and the rents, issues, and profits of the above described property. To have and to hold the same unto the Trustee, and the successors in interest of the Trustee, forever, in fee simple or such other estate, if any, as is stated herein in trust, to secure the payment of a promissory note dated June 3, 1983

in the principal sum of \$150,000.00, signed by JERRY D. ELLIS, President, & PATRICIA L. ELLIS, Secretary in behalf of ADVANCE AUTO PARTS & PAINT, INC. (A Missouri Corporation)  
The beneficial owner and holder of said note and of the indebtedness evidenced thereby is the Beneficiary.

1. This conveyance is made upon and subject to the further trust that the said Grantor shall remain in quiet and peaceable possession of the above granted and described premises and take the profits thereof to his own use until default be made in any payment of an installment due on said note or in the performance of any of the covenants or conditions contained therein or in this Deed of Trust; and, also to secure the reimbursement of the Beneficiary or any other holder of said note, the Trustee or any substitute trustee of any and all costs and expenses incurred, including

SBA Form 929 (10-71) Previous editions are obsolete.

11221P1290

11221P1231

reasonable attorneys' fees, on account of any litigation which may arise with respect to this Trust or with respect to the indebtedness evidenced by said note, the protection and maintenance of the property hereinabove described or in obtaining possession of said property after any sale which may be made as hereinafter provided.

2. Upon the full payment of the indebtedness evidenced by said note and the interest thereon, the payment of all other sums herein provided for, the repayment of all monies advanced or expended pursuant to said note or this instrument, and upon the payment of all other proper costs, charges, commissions, and expenses, the above described property shall be released and reconveyed to and at the cost of the Grantor.

3. Upon default in any of the covenants or conditions of this instrument or of the note or loan agreement secured hereby, the Beneficiary or his assigns may without notice and without regard to the adequacy of security for the indebtedness secured, either personally or by attorney or agent without bringing any action or proceeding, or by a receiver to be appointed by the court, enter upon and take possession of said property or any part thereof, and do any acts which Beneficiary deems proper to protect the security hereof, and either with or without taking possession of said property, collect and receive the rents, royalties, issues, and profits thereof, including rents accrued and unpaid, and apply the same, less costs of operation and collection, upon the indebtedness secured by this Deed of Trust, said rents, royalties, issues, and profits, being hereby assigned to Beneficiary as further security for the payment of such indebtedness. Exercise of rights under this paragraph shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice but shall be cumulative to any right and remedy to declare a default and to cause notice of default to be recorded as hereinafter provided, and cumulative to any other right and/or remedy hereunder, or provided by law, and may be exercised concurrently or independently. Expenses incurred by Beneficiary hereunder including reasonable attorneys' fees shall be secured hereby.

4. The Grantor covenants and agrees that if he shall fail to pay said indebtedness, or any part thereof, when due, or shall fail to perform any covenant or agreement of this instrument or of the promissory note secured hereby, the entire indebtedness hereby secured shall immediately become due, payable, and collectible without notice, at the option of the Beneficiary or assigns, regardless of maturity, and the Beneficiary or assigns may enter upon said property and collect the rents and profits thereof. Upon such default in payment or performance, and before or after such entry, the Trustee, acting in the execution of this Trust, shall have the power to sell said property, and it shall be the Trustee's duty to sell said property (and in case of any default of any purchaser, to resell) at public auction, to the highest bidder, first giving four weeks' notice of the time, terms, and place of such sale, by advertisement not less than once during each of said four weeks in a newspaper published or distributed in the county or political subdivision in which said property is situated, all other notice being hereby waived by the Grantor (and the Beneficiary or any person on behalf of the Beneficiary within said county or political subdivision. The sale will be held at a suitable place to be selected by the Beneficiary within said county or political subdivision. The Trustee is hereby authorized to execute and deliver to the purchaser at such sale a sufficient conveyance of said property, which conveyance shall contain recitals as to the happening of a default upon which the execution of the power of sale herein granted depends; and the said Grantor hereby constitutes and appoints the Trustee as his agent and attorney in fact to make such recitals and to execute said conveyance and hereby covenants and agrees that the recitals so made shall be binding and conclusive upon the Grantor, and said conveyance shall be effectual to bar all equity or right of redemption, homestead, dower, right of appraisement, and all other rights and exemptions of the Grantor, all of which are hereby expressly waived and conveyed to the Trustee. In the event of a sale as hereinabove provided, the Grantor, or any person in possession under the Grantor, shall then become and be tenants holding over and shall forthwith deliver possession to the purchaser at such sale or be summarily dispossessed, in accordance with the provisions of law applicable to tenants holding over. The power and agency hereby granted are coupled with an interest and are irrevocable by death or otherwise, and are granted as cumulative to all other remedies for the collection of said indebtedness. The Beneficiary or Assigns may take any other appropriate action pursuant to state or Federal statute either in state or Federal court or otherwise for the disposition of the property.

5. In the event of a sale as provided in paragraph 4, the Trustee shall be paid a fee by the Beneficiary in an amount not in excess of \_\_\_\_\_ percent of the gross amount of said sale or sales, provided, however, that the amount of such fee shall be reasonable and shall be approved by the Beneficiary as to reasonableness. Said fee shall be in addition to the costs and expenses incurred by the Trustee in conducting such sale. The amount of such costs and expenses shall be deducted and paid from the sale's proceeds. It is further agreed that if said property shall be advertised for sale as herein provided and not sold, the Trustee shall be entitled to a reasonable fee, in an amount acceptable to the Beneficiary for the services so rendered. The Trustee shall also be reimbursed by the Beneficiary for all costs and expenses incurred in connection with the advertising of said property for sale if the sale is not consummated.

6. The proceeds of any sale of said property in accordance with paragraph 4 shall be applied first to payment of fees, costs, and expenses of said sale, the expenses incurred by the Beneficiary for the purpose of protecting or maintaining said property and reasonable attorneys' fees; secondly, to payment of the indebtedness secured hereby; and thirdly, to pay any surplus or excess to the person or persons legally entitled thereto.

7. In the event said property is sold pursuant to the authorization contained in this instrument or at a judicial foreclosure sale and the proceeds are not sufficient to pay the total indebtedness secured by this instrument and evidenced by said promissory note, the Beneficiary will be entitled to a deficiency judgment for the amount of the deficiency without regard to appraisement, the Grantor having waived and assigned all rights of appraisement to the Trustee.

8. The Grantor covenants and agrees as follows:

a. He will promptly pay the indebtedness evidenced by said promissory note at the times and in the manner therein provided.

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b. He will pay all taxes, assessments, water rates, and other governmental or municipal charges, fines, or impositions, for which provision has not been made hereinbefore, and will promptly deliver the official receipts therefor to the Beneficiary.

c. He will pay such expenses and fees as may be incurred in the protection and maintenance of said property, including the fees of any attorney employed by the Beneficiary for the collection of any or all of the indebtedness hereby secured, or such expenses and fees as may be incurred in any foreclosure sale by the Trustee, or court proceedings or in any other litigation or proceeding affecting said property, and attorneys' fees reasonably incurred in any other way.

d. The rights created by this conveyance shall remain in full force and effect during any postponement or extension of the time of the payment of the indebtedness evidenced by said note or any part thereof secured hereby.

e. He will continuously maintain hazard insurance of such type or types and in such amounts as the Beneficiary may from time to time require, on the improvements now or hereafter on said property, and will pay promptly when due any premiums therefor. All insurance shall be carried in companies acceptable to Beneficiary and the policies and renewals thereof shall be held by Beneficiary and have attached thereto loss payable clauses in favor of and in form acceptable to the Beneficiary. In the event of loss, Grantor will give immediate notice in writing to Beneficiary and Beneficiary may make proof of loss if not made promptly by Grantor, and each insurance company concerned is hereby authorized and directed to make payment for such loss directly to Beneficiary instead of to Grantor and Beneficiary jointly, and the insurance proceeds, or any part thereof, may be applied by Beneficiary at its option either to the reduction of the indebtedness hereby secured or to the restoration or repair of the property damaged. In the event of a Trustee's sale or other transfer of title to said property in extinguishment of the indebtedness secured hereby, all right, title, and interest of the Grantor in and to any insurance policies then in force shall pass at the option of the Beneficiary to the purchaser or Beneficiary.

f. He will keep the said premises in as good order and condition as they are now and will not commit or permit any waste thereof, reasonable wear and tear excepted, and in the event of the failure of the Grantor to keep the buildings on said premises and those to be erected on said premises, or improvements thereon, in good repair, the Beneficiary may make such repairs as in the Beneficiary's discretion it may deem necessary for the proper preservation thereof, and any sums paid for such repairs shall bear interest from the date of payment at the rate specified in the note, shall be due and payable on demand and shall be fully secured by this Deed of Trust.

g. He will not without the prior written consent of the Beneficiary voluntarily create or permit to be created against the property subject to this Deed of Trust any lien or liens inferior or superior to the lien of this Deed of Trust and further that he will keep and maintain the same free from the claim of all persons supplying labor or materials which will enter into the construction of any and all buildings now being erected or to be erected on said premises.

h. He will not rent or assign any part of the rent of said property or demolish, remove, or substantially alter any building without the written consent of the Beneficiary.

9. In the event the Grantor fails to pay any Federal, state, or local tax assessment, income tax or other tax lien, charge, fee, or other expense charged to the property hereinabove described, the Beneficiary is hereby authorized to pay the same and any sum so paid by the Beneficiary shall be added to and become a part of the principal amount of the indebtedness evidenced by said promissory note. If the Grantor shall pay and discharge the indebtedness evidenced by said promissory note, and shall pay such sums and shall discharge all taxes and liens and the costs, fees, and expenses of making, enforcing, and executing this Deed of Trust, then this Deed of Trust shall be canceled and surrendered.

10. The Grantor covenants that he is lawfully seized and possessed of and has the right to sell and convey said property; that the same is free from all encumbrances except as hereinabove recited; and that he hereby binds himself and his successors in interest to warrant and defend the title aforesaid thereto and every part thereof against the lawful claims of all persons whomsoever.

11. For better security of the indebtedness hereby secured, the Grantor, upon the request of the Beneficiary, his successors or assigns, shall execute and deliver a supplemental mortgage or mortgages covering any additions, improvements, or betterments made to the property hereinabove described and all property acquired after the date hereof (all in form satisfactory to Grantee). Furthermore, should Grantor fail to cure any default in the payment of a prior or inferior encumbrance on the property described by this instrument, Grantor hereby agrees to permit Beneficiary to cure such default, but Beneficiary is not obligated to do so; and such advances shall become part of the indebtedness secured by this instrument, subject to the same terms and conditions.

12. That all awards of damages in connection with any condemnation for public use of or injury to any of said property are hereby assigned and shall be paid to Beneficiary, who may apply the same to payment of the installments last due under said note, and the Beneficiary is hereby authorized, in the name of the Grantor, to execute and deliver valid acquittances thereof and to appeal from any such award.

13. The irrevocable right to appoint a substitute trustee or trustees is hereby expressly granted to the Beneficiary, his successors or assigns, to be exercised at any time hereafter without notice and without specifying any reason therefor, by filing for record in the office where this instrument is recorded an instrument of appointment. The Grantor and the Trustee herein named or that may hereinafter be substituted hereunder expressly waive notice of the exercise of this right as well as any requirement or application to any court for the removal, appointment or substitution of any trustee hereunder.

I1221P1293

14. Notice of the exercise of any option granted herein to the Beneficiary or to the holder of the note secured hereby is not required to be given the Grantor, the Grantor having hereby waived such notice.

15. If more than one person joins in the execution of this instrument as Grantor or if anyone so joined be of the feminine sex, the pronouns and relative words used herein shall be read as if written in the plural or feminine, respectively, and the term "Beneficiary" shall include any payee of the indebtedness hereby secured or any assignee or transferee thereof whether by operation of law or otherwise. The covenants herein contained shall bind and the rights herein granted or conveyed shall inure to the respective heirs, executors, administrators, successors, and assigns of the parties hereto.

16. In compliance with section 101.1(d) of the Rules and Regulations of the Small Business Administration (13 C.F.R. 101.1(d)), this instrument is to be construed and enforced in accordance with applicable Federal law.

17. A judicial decree, order, or judgment holding any provision or portion of this instrument invalid or unenforceable shall not in any way impair or preclude the enforcement of the remaining provisions or portions of this instrument.

IN WITNESS WHEREOF, the Grantor has executed this instrument and the Trustee and Beneficiary have accepted the delivery of this instrument as of the day and year aforesaid.

ADVANCE-AUTO PARTS & PAINT, INC. (A Mo. Corp.)

BY: Jerry D. Ellis  
JERRY D. ELLIS, President

ATTEST: Patricia L. Ellis  
PATRICIA L. ELLIS, Secretary



(STATE OF MISSOURI) SS  
(COUNTY OF JACKSON) SS  
CERTIFY INSTRUMENT RECEIVED

Executed and delivered in the presence of the following witnesses:

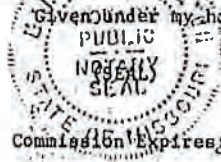
1983 JUN 13 P 2:32.5

RECORDED BOOK I1221P1290  
KAREN KIRLEY STUBBS  
DIRECTOR OF RECORDS

11.00  
1.25  
12.25  
Jm/Km

(Add Appropriate Acknowledgment)  
STATE OF Missouri COUNTY OF Jackson SS:  
I, Shirley S. Shelton, a Notary Public in and for said County, in the State aforesaid, do hereby certify that on this day personally appeared Jerry D. Ellis and Patricia L. Ellis, personally known to me to be the same persons whose names are subscribed to the foregoing instrument and personally known to me to be the President and Secretary, respectively, of Advance-Auto Parts & Paint, Inc., a corporation, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act and deed, for the uses and purposes therein set forth as President and Secretary, respectively, of said corporation, that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed, sealed and delivered in the name and behalf of said corporation by the authority of its Board of Directors as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 3rd day of June, 1983.



Shirley S. Shelton  
Notary Public in and for said County and State

My Commission Expires: April 25, 1986

Notary Public - State of Missouri  
Commissioned in Jackson County  
My Commission Expires April 25, 1986

1525384 1/54P  
DEED OF TRUST

Between  
ADVANCE AUTO PARTS & PAINT, INC.,  
A Missouri Corporation,  
GRANTOR

and  
FREDA W. DURBIN,  
TRUSTEE

and  
SMALL BUSINESS ADMINISTRATION,  
BENEFICIARY

RECORDING DATA

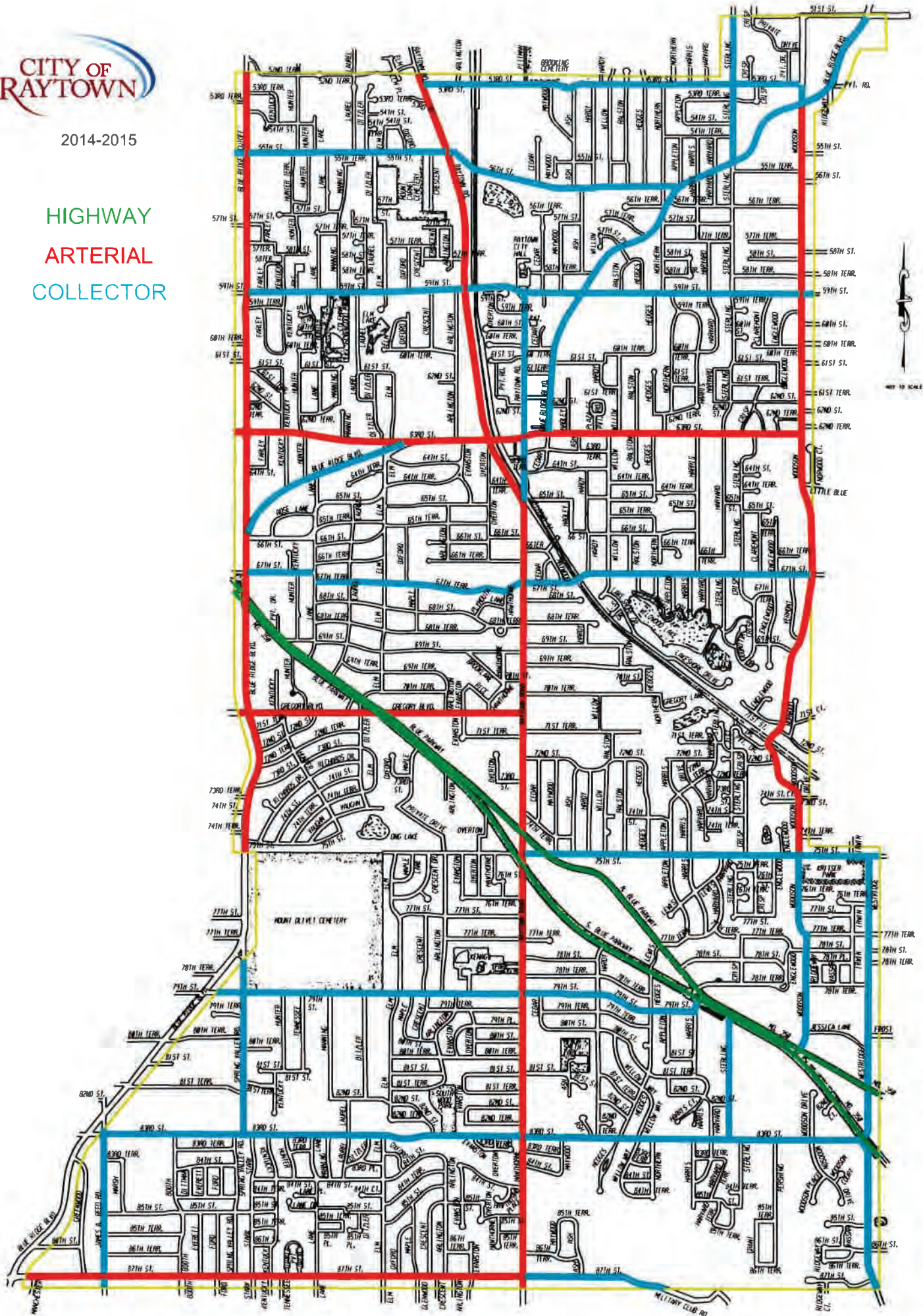
Return to: CTIC - Shelton  
Small Business Administration  
Address: 818 Grand Avenue  
Kansas City, Missouri 64106

GPO 932-929



2014-2015

HIGHWAY  
ARTERIAL  
COLLECTOR



**CITY OF RAYTOWN**  
**Request for Board Action**

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**DATE SUBMITTED:** 05/20/2024

**MEETING DATE:** June 4, 2024

**SUBMITTED BY:**

**DEPARTMENT:** Community Development

|                                 |
|---------------------------------|
| <b>Document Type:</b> Ordinance |
|---------------------------------|

**SUBJECT/REQUEST**

|                                                                                                      |
|------------------------------------------------------------------------------------------------------|
| <b>FIRST READING:</b> Bill No. 6669-24, Section XIII "Utility, Major" Text Amendment of Section 50-4 |
|------------------------------------------------------------------------------------------------------|

**BACKGROUND/JUSTIFICATION**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Despite the definition of "Utility, Major" establishments since 2010, the Raytown Municipal Code does not give provisions or guidelines for the development of new or the expansion of existing facilities. Because of this, Staff is presenting the attached amendments to Chapter 50, Article 4, to ensure that major utility stations are allowed to be developed and expanded according to the needs of the City and its inhabitants, while ensuring protection from any undesirable effects as a result of the nature of such facilities. |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**RECOMMENDED MOTION**

|          |
|----------|
| Approval |
|----------|

**PREVIOUS ACTION**

|      |
|------|
| None |
|------|

**COMMISSION/COMMITTEE REVIEW**

|                                   |
|-----------------------------------|
| Planning Commission - May 2, 2024 |
|-----------------------------------|

**FINANCIAL IMPACT**

|                             |         |
|-----------------------------|---------|
| Contractor:                 |         |
| Amount of Request/Contract: |         |
| Amount Budgeted:            |         |
| From Account Name and #:    | Amount: |

|                        |         |
|------------------------|---------|
| To Account Name and #: | Amount: |
|------------------------|---------|

**REVIEWED BY**

|                                                               |
|---------------------------------------------------------------|
| Diane Egger<br>Jennifer Baird<br>Damon Hodges<br>Teresa Henry |
|---------------------------------------------------------------|

**LIST OF REFERENCE DOCUMENTS ATTACHED**

|    |                                         |
|----|-----------------------------------------|
| 1. | ORD_PZ.2024.08_Major.Utility.Text.Amend |
| 2. | Exhibit A                               |
| 3. | Major.Utility.Txt.Amd_PZ.2024.08        |

**SUPPORTING DOCUMENTS  
 (FOR CONTRACT ITEMS ONLY)**

| Document                                           | Attached | If not attached, explain |
|----------------------------------------------------|----------|--------------------------|
| Secretary of State:                                |          |                          |
| Certificate of Insurance:                          |          |                          |
| E-Verify Affidavits:                               |          |                          |
| E-Verify proof of enrollment:                      |          |                          |
| Bond:                                              |          |                          |
| IRS Form W-9:                                      |          |                          |
| Bid/RFP/RFQ: (submit all)                          |          |                          |
| Bid/RFP/RFQ Tabulation:                            |          |                          |
| Bid Waiver: Sole source<br>or less than three bids |          |                          |
| Contractor address and email:                      |          |                          |
| Project Exemption Certificate needed:              |          |                          |
| Other:                                             |          |                          |

**AN ORDINANCE AMENDING CHAPTER 50, ARTICLE IV, OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI, TO GOVERN THE DEVELOPMENT AND EXPANSION OF MAJOR UTILITIES WITHIN THE CITY OF RAYTOWN**

**WHEREAS**, application PZ-2024-08, submitted by the City of Raytown, proposes to amend Chapter 50, Article IV, to govern the development and expansion of major utilities within the City of Raytown; and

**WHEREAS**, after due public notice in the manner prescribed by law, the Planning & Zoning Commission held a public hearing on May 2, 2024, and voted (6-0) on to advance the application for consideration by the Board of Aldermen; and

**WHEREAS**, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on June 4, 2024, and rendered a decision to approve the amendments to the Raytown Code of Ordinances, Chapter 50, Article IV, to govern the development and expansion of major utilities within the City of Raytown.

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

**SECTION 1 – APPROVAL OF AMENDMENTS.** The amendments to Chapter 50, Article IV, to govern the development and expansion of major utilities within the City of Raytown, are hereby amended as stated in Section 2.

**SECTION 2 – AMENDMENTS.** The amendments as shown on attached Exhibit A are hereby adopted.

**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 \_\_\_\_ day of \_\_\_\_ 2024.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

\_\_\_\_\_  
Jennifer M. Baird, City Attorney

## Exhibit A

Updates to the Land use Table (Section 50-107):

|                                                                | R-1 | R-2 | R-3 | MH | NC | HC | M | N | TS | FP | HO | P | CD | HP | AE | Conditions |
|----------------------------------------------------------------|-----|-----|-----|----|----|----|---|---|----|----|----|---|----|----|----|------------|
| Temporary Uses                                                 | P   | P   | P   | P  | P  | P  | P | P | P  | P  | P  | P | P  | P  | P  | (22)       |
| Tobacco or Vape/E-cigarette Product Sales                      |     |     |     |    | P  | P  |   |   |    |    |    |   |    |    |    | (24)       |
| Transit Facility                                               |     |     |     |    |    |    | P |   | P  |    |    | P |    |    |    | (14)       |
| Two-household condominium dwellings                            |     | P   | P   |    |    |    |   |   | P  |    |    | P |    |    |    | (9), (15)  |
| Two-household dwellings                                        |     | P   | P   |    |    |    |   |   | P  |    |    | P |    |    |    | (9), (15)  |
| Utility, Major                                                 | C   | C   | C   | C  |    |    | C |   |    | C  | C  | C | C  |    | C  | (30)       |
| Utility, Minor                                                 |     |     |     |    |    |    | P |   | P  |    |    | P |    |    |    | (14)       |
| Vehicle and Equipment Rental                                   |     |     |     |    | C  | C  | C |   |    |    |    |   |    |    |    |            |
| Vehicle Sales, New or Used                                     |     |     |     |    |    | C  | C |   |    |    |    | P |    |    |    | (28)       |
| Vehicle Repair, General                                        |     |     |     |    |    | C  | P |   |    |    |    |   |    |    |    |            |
| Vehicle Repair, Limited                                        |     |     |     |    |    | C  | P |   | P  |    |    | P |    |    |    | (14)       |
| Vehicle/Equipment Storage Yard                                 |     |     |     |    |    | C  | C |   |    |    |    |   |    |    |    |            |
| Veterinary and small animal hospitals with outdoor containment |     |     |     |    |    | C  | P |   |    |    |    |   |    |    |    |            |
| Vocational School                                              |     |     |     |    |    |    | P |   | P  |    |    | P |    |    |    | (14),(29)  |
| Warehousing and Wholesale                                      |     |     |     |    |    |    | P |   | P  |    |    | P |    |    |    | (14),(29)  |
| Water towers                                                   | C   | C   | C   | C  | C  | C  | C | C |    |    |    |   |    |    |    |            |

### (30) Utility, Major.

- A. Location. For major utility infrastructure in a Residential Zone or within two hundred feet (200') of a Residential Zone, the applicant must address the City's preferred locations with a detailed explanation justifying why a site of higher priority was not selected.
- B. Setbacks. The setbacks of any proposed new major utility development or expansion must conform to the setback requirements of that particular zoning and overlay district.

- C. Screening. Adequate screening of the major utility infrastructure shall be provided by a solid or semi-solid wall, fence, or a permanent building enclosure not less than eight feet (8') in height. Fences must be made of solid masonry, wood, vinyl, or composite fence with masonry columns. Chain link is not allowed. All equipment cabinets shall be adequately secured to prevent access by other than authorized personnel. Landscaping shall be required around the base or perimeter of the screening wall or fence. A combination of coniferous and deciduous trees and shrubs is required, and drought tolerant plant materials are encouraged. When the visual impact of the equipment compound would be minimal, the landscaping requirement may be reduced or waived by the director of community development.
- D. Lighting. Proposed Lighting may not shine outward and create a glare onto any abutting residential district or public right-of-way. A Photometric Plan must be included with any Conditional Use Permit application for the approval of a Major Utility facility. This plan must indicate a 0.0 footcandle reading at all property lines.



**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

## Staff Report

**To:** City of Raytown, Planning & Zoning Commission

**From:** Shana Kelly, Planning & Zoning Coordinator

**Case #:** Text Amendment PZ-2024-08

**Planning & Zoning Meeting Date:** May 2, 2024

**Board of Aldermen Dates:** June 4, 2024, and June 16, 2024

---

**Applicant:** City of Raytown

**Project Contact:** Shana Kelly, Planning & Zoning Coordinator

**Property Location:** Citywide

**Request:** Chapter 50, Article 4, of the Raytown Municipal Code to allow for and regulate the new construction and/or the expansion of land uses defined as "Utility, Major."

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### **BACKGROUND INFORMATION:**

The "Utility, Major" land use is defined in the Raytown Municipal Code **Section 50-4** as follows:

*Utility, major*, means generating plants; electrical switching facilities and primary substations; water and wastewater treatment plants; water tanks; and radio, television and microwave transmission towers; and similar facilities of agencies that are under public franchise or ownership to provide the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other similar service. The term "utility, major," shall not be construed to include corporate or general offices, gas or oil processing, manufacturing facilities, postal facilities or other uses defined in this section.

Despite the definition of "*Utility, Major*" establishments since 2010, the Raytown Municipal Code does not give provisions or guidelines for the development of new or the expansion of existing facilities. Because of this, Staff is presenting the attached amendments to Chapter 50, Article 4, to ensure that major utility stations are allowed to be developed and expanded according to the needs of the City and its inhabitants, while ensuring protection from any undesirable effects as a result of the nature of such facilities.



Included in the recommended text amendment update are the following key changes from the current Raytown Municipal Code.

- The addition of the “Utility, Major” land use to the Land Use Table, including permitting in certain zoning districts with the approval of a Conditional Use permit.
- The addition of Conditions of approval for any “*Utility, Major*” facilities.

Staff proposes to allow for the development of and the expansion of major utility facilities, with the approval of a Conditional Use Permit, in the following zoning and overlay districts:

- R-1, Low-Density Residential
- R-2, Medium-Density Residential
- R-3, High-Density Residential
- MH, Manufactured Home Park Residential
- M, Industrial
- FP, Floodplain Overlay
- HO, Housing Opportunity Residential Overlay
- P, Planned Zoning Overlay
- CD, Condominium Dwelling Overlay
- AE, Adult Entertainment Use Overlay

Staff Recommends that the following standing Conditions of approval be placed on all major utility facilities that propose to develop or expand within the City of Raytown, regardless of the zoning or overlay district:

- Location.** For major utility infrastructure in a Residential Zone or within two hundred feet (200') of a Residential Zone, the applicant must address the City's preferred locations with a detailed explanation justifying why a site of higher priority was not selected.
- Setbacks.** The setbacks of any proposed new major utility development or expansion must conform to the setback requirements of that particular zoning and overlay district.
- Screening.** Adequate screening of the major utility infrastructure shall be provided by a solid or semi-solid wall, fence or a permanent building enclosure not less than eight feet (8') in height. Fences must be made of solid masonry, wood, vinyl, or composite fence with masonry columns. Chain link is not allowed. All equipment cabinets shall be adequately secured to prevent access by other than authorized personnel. Landscaping shall be required around the base or perimeter of the screening wall or fence. A combination of coniferous and deciduous trees and shrubs is required, and drought tolerant plant materials are encouraged. When the visual impact of the equipment compound would be minimal, the landscaping requirement may be reduced or waived by the director of community development.
- Lighting.** Proposed Lighting may not shine outward and create a glare onto any abutting residential district or public right-of-way. A Photometric Plan must be included with any



Conditional Use Permit application for the approval of a Major Utility facility. This plan must indicate a 0.0 footcandle reading at all property lines.

**Proposed Updates to the Land Use Table:**

|                                                                | R-1 | R-2 | R-3 | MH | NC | HC | M | N | TS | FP | HO | P | CD | HP | AE | Conditions |
|----------------------------------------------------------------|-----|-----|-----|----|----|----|---|---|----|----|----|---|----|----|----|------------|
| Temporary Uses                                                 | P   | P   | P   | P  | P  | P  | P | P | P  | P  | P  | P | P  | P  | P  | (22)       |
| Tobacco or Vape/E-cigarette Product Sales                      |     |     |     |    | P  | P  |   |   |    |    |    |   |    |    |    | (24)       |
| Transit Facility                                               |     |     |     |    |    |    | P |   | P  |    |    | P |    |    |    | (14)       |
| Two-household condominium dwellings                            |     | P   | P   |    |    |    |   |   | P  |    |    | P |    |    |    | (9), (15)  |
| Two-household dwellings                                        |     | P   | P   |    |    |    |   |   | P  |    |    | P |    |    |    | (9), (15)  |
| Utility, Major                                                 | C   | C   | C   | C  |    |    | C |   |    | C  | C  | C | C  |    | C  | (30)       |
| Utility, Minor                                                 |     |     |     |    |    |    | P |   | P  |    |    | P |    |    |    | (14)       |
| Vehicle and Equipment Rental                                   |     |     |     |    | C  | C  | C |   |    |    |    |   |    |    |    |            |
| Vehicle Sales, New or Used                                     |     |     |     |    |    | C  | C |   |    |    |    | P |    |    |    | (28)       |
| Vehicle Repair, General                                        |     |     |     |    |    | C  | P |   |    |    |    |   |    |    |    |            |
| Vehicle Repair, Limited                                        |     |     |     |    |    | C  | P |   | P  |    |    | P |    |    |    | (14)       |
| Vehicle/Equipment Storage Yard                                 |     |     |     |    |    | C  | C |   |    |    |    |   |    |    |    |            |
| Veterinary and small animal hospitals with outdoor containment |     |     |     |    |    | C  | P |   |    |    |    |   |    |    |    |            |
| Vocational School                                              |     |     |     |    |    |    | P |   | P  |    |    | P |    |    |    | (14),(29)  |
| Warehousing and Wholesale                                      |     |     |     |    |    |    | P |   | P  |    |    | P |    |    |    | (14),(29)  |
| Water towers                                                   | C   | C   | C   | C  | C  | C  | C | C |    |    |    |   |    |    |    |            |

**(30) Utility, Major.**

- A. Location.** For major utility infrastructure in a Residential Zone or within two hundred feet (200') of a Residential Zone, the applicant must address the City's preferred locations with a detailed explanation justifying why a site of higher priority was not selected.



**Community Development Department**  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

- B. **Setbacks.** The setbacks of any proposed new major utility development or expansion must conform to the setback requirements of that particular zoning and overlay district.
- C. **Screening.** Adequate screening of the major utility infrastructure shall be provided by a solid or semi-solid wall, fence, or a permanent building enclosure not less than eight feet (8') in height. Fences must be made of solid masonry, wood, vinyl, or composite fence with masonry columns. Chain link is not allowed. All equipment cabinets shall be adequately secured to prevent access by other than authorized personnel. Landscaping shall be required around the base or perimeter of the screening wall or fence. A combination of coniferous and deciduous trees and shrubs is required, and drought tolerant plant materials are encouraged. When the visual impact of the equipment compound would be minimal, the landscaping requirement may be reduced or waived by the director of community development.
- D. **Lighting.** Proposed Lighting may not shine outward and create a glare onto any abutting residential district or public right-of-way. A Photometric Plan must be included with any Conditional Use Permit application for the approval of a Major Utility facility. This plan must indicate a 0.0 footcandle reading at all property lines.

**ATTACHMENTS:**

- Zoning Map
- Affidavit of Publication

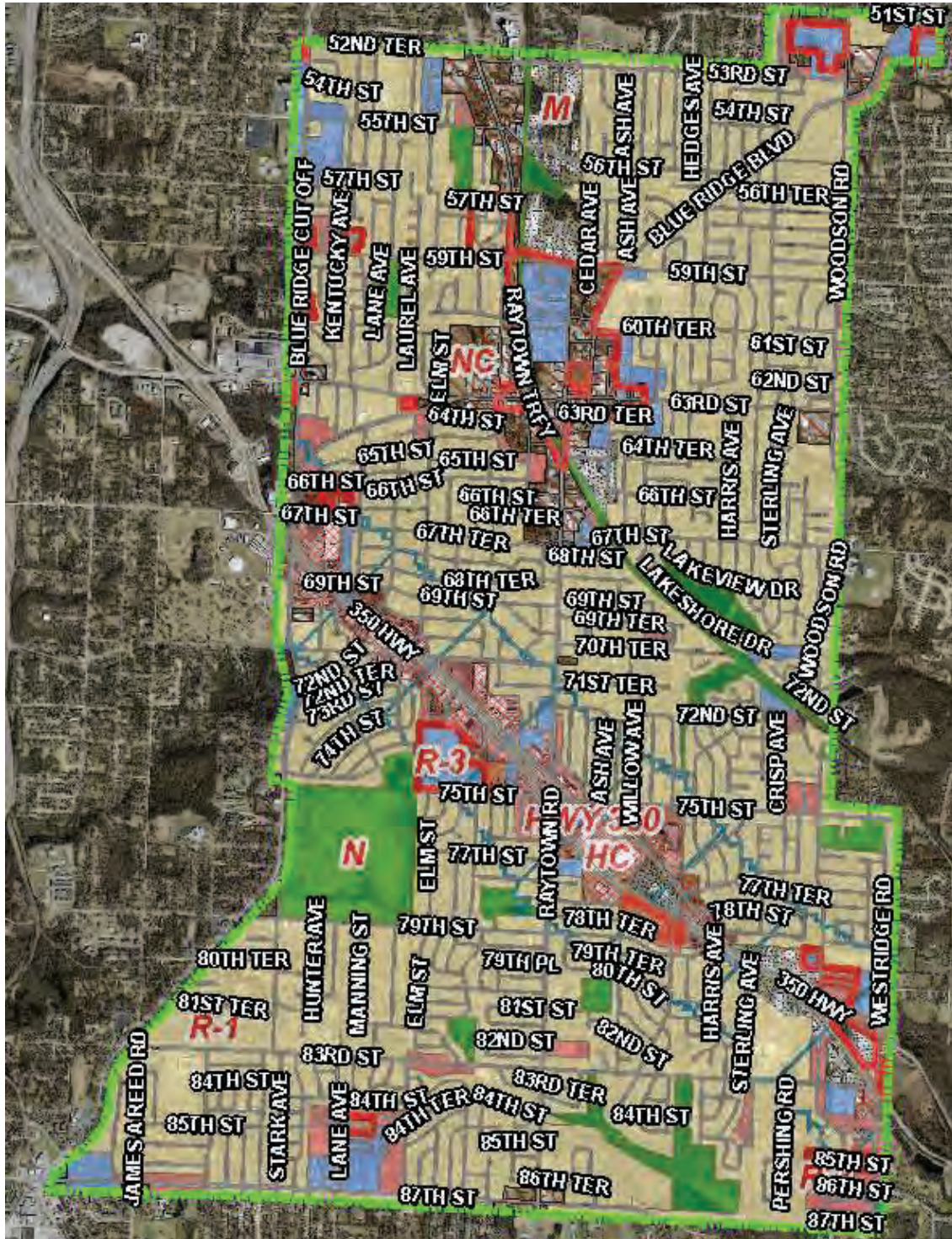
**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission hold this public hearing, take testimony from all parties, and consider recommending approval to the Board of Aldermen of this application proposing various amendments to Chapter 50, Article 4, of the Raytown Municipal Code as pertains to zoning regulations for "*Utility, Major*" facilities.



Community Development Department  
Planning and Zoning Division  
10000 E 59<sup>th</sup> Street • Raytown, MO 64133  
Phone: 816-737-6014 • Fax: 816-737-6164

Zoning Map:



The Daily Record Kansas City  
920 Main St  
Kansas City, MO, 64105  
Phone: 8163841801 Fax: 0

# The Daily Record

KANSAS CITY

## Affidavit of Publication

To: Raytown, City Of, Missouri - City Clerk  
10000 E 59Th St  
Raytown, MO, 641333915

Re: Legal Notice 2601513, "Utility, Major," land use  
State of MO }  
} SS:  
County of Jackson County }

Before the undersigned Notary Public personally appeared Lisa Fowler on behalf of The Daily Record Kansas City, Jackson County who, being duly sworn, attests that the said newspaper is qualified under the provisions of Missouri Law governing public notices to publish, and did so publish, the notice annexed hereto; starting with the 04/12/2024 edition and ending with the 04/12/2024 edition for a total of 1 publications, and that the date of publications were as follows: 04/12/2024.

Publishers fee: \$56.84

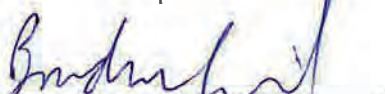
By:



Lisa Fowler

Sworn to me on this 16<sup>th</sup> day of  
April 2024

By:



Brandon M. Crail

Notary Public, State of MO  
No. 20297982

Qualified in St. Louis County  
My commission expires on  
March 5, 2028



## Notice of Public Hearing

An application amending Chapter 50, entitled, "Zoning", of the Raytown Municipal Code, and more specifically, Article 4, entitled "Districts and District Map," specifically for the "Utility, Major," land use is being initiated by the City of Raytown.

A public hearing to consider proposed new regulations for major utilities will be held by the Raytown Planning & Zoning Commission at 7:00pm on **Thursday, May 2, 2024**. A copy of the agenda and packet, including a staff report with the proposed changes, will be available for viewing on the City of Raytown's website, [www.raytown.mo.us](http://www.raytown.mo.us), on Friday, April 26, 2024.

**This public hearing will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.**

The Raytown Board of Aldermen will also hold a public hearing to consider this Rezoning application, tentatively scheduled for 7:00pm on Tuesday, June 4, 2024.

The public is invited to attend the public hearing to ask questions and provide comments. Additional information can be obtained from the Department of Community Development located in Raytown City Hall at 10000 E. 59th Street, by telephone at (816)737-6059 or by email at [shanak@raytown.mo.us](mailto:shanak@raytown.mo.us).

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) to attend this public hearing, please notify the Department of Community Development at Raytown City Hall at (816)737-6014 no later than 48 hours prior to the public hearing date.

2601513 Jackson Apr. 12, 2024

**CITY OF RAYTOWN**  
**Request for Board Action**

---

**DATE SUBMITTED:** 05/28/2024

**MEETING DATE:** June 4, 2024

**SUBMITTED BY:**

**DEPARTMENT:** Public Works

|                                 |
|---------------------------------|
| <b>Document Type:</b> Ordinance |
|---------------------------------|

**SUBJECT/REQUEST**

|                                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>FIRST READING:</b> Bill No. 6670-24, Section VI-B-I Approval of an Ordinance regarding easements in connection with the 83rd Street Stormwater Improvement Project. |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**BACKGROUND/JUSTIFICATION**

|                                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The Public Works Department and our engineering design firm of Lamp Rynearson has developed and obtained these easements from 2 properties in the 83<sup>rd</sup> Street Stormwater Improvements project area.</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>3 easements obtained from Clyde Edward Guiney, 8803 E. 83<sup>rd</sup> Street. Comprised of 2 temporary construction easements (688 sq.ft.), and 1 permanent drainage easement (318 sq.ft.). The City hired Valbridge Appraisals to negotiate and obtain these 3 easements from Mr. Guiney at a purchased amount of \$5000.</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>City staff obtained 1 easement from Higor Vinicius Canedo, 8816 E. 83<sup>rd</sup> Street. Comprised of 1 permanent drainage easement (23 sq.ft.) that the property owner donated to the City.</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**RECOMMENDED MOTION**

|                                                                 |
|-----------------------------------------------------------------|
| The Public Works Department recommends to accept the easements. |
|-----------------------------------------------------------------|

**PREVIOUS ACTION**

|  |
|--|
|  |
|--|

**COMMISSION/COMMITTEE REVIEW**

|  |
|--|
|  |
|--|

**FINANCIAL IMPACT**

|                             |             |
|-----------------------------|-------------|
| Contractor:                 | N/A         |
| Amount of Request/Contract: | N/A         |
| Amount Budgeted:            | N/A         |
| From Account Name and #:    | Amount: N/A |

|                        |             |
|------------------------|-------------|
| To Account Name and #: | Amount: N/A |
|------------------------|-------------|

**REVIEWED BY**

|                                                                 |
|-----------------------------------------------------------------|
| Robinson Camp<br>Damon Hodges<br>Teresa Henry<br>Jennifer Baird |
|-----------------------------------------------------------------|

**LIST OF REFERENCE DOCUMENTS ATTACHED**

|    |                                              |
|----|----------------------------------------------|
| 1. | Ord 83rd Street Easements                    |
| 2. | 3b Easement Legal Descriptions               |
| 3. | 3c Easement Acquisition List                 |
| 4. | 3d Easement slide show power point - updated |

**SUPPORTING DOCUMENTS  
 (FOR CONTRACT ITEMS ONLY)**

| Document                                           | Attached | If not attached, explain |
|----------------------------------------------------|----------|--------------------------|
| Secretary of State:                                |          | N/A                      |
| Certificate of Insurance:                          |          | N/A                      |
| E-Verify Affidavits:                               |          | N/A                      |
| E-Verify proof of enrollment:                      |          | N/A                      |
| Bond:                                              |          | N/A                      |
| IRS Form W-9:                                      |          | N/A                      |
| Bid/RFP/RFQ: (submit all)                          |          | N/A                      |
| Bid/RFP/RFQ Tabulation:                            |          | N/A                      |
| Bid Waiver: Sole source<br>or less than three bids |          | N/A                      |
| Contractor address and email:                      |          | N/A                      |
| Project Exemption Certificate needed:              |          | N/A                      |
| Other:                                             |          | N/A                      |

**AN ORDINANCE AUTHORIZING AND APPROVING THE ACCEPTANCE OF EASEMENTS  
IN CONNECTION WITH THE 83<sup>RD</sup> STREET STORMWATER IMPROVEMENT PROJECT**

**WHEREAS**, the City needs to acquire certain permanent and temporary easements for the construction and maintenance of stormwater improvement in connection with the 83<sup>rd</sup> Street Stormwater Improvement Project; and

**WHEREAS**, permanent drainage easements necessary to construct such project have been designated on the approved construction plans for the project on file in the office of the City Engineer and signed by the following property owners to facilitate construction of the project:

Higor Vinicius Canedo - 8816 E. 83<sup>rd</sup> Street (Tract 2)  
Clyde Edward Guiney - 8803 E. 83<sup>rd</sup> Street (Tract 5)

**WHEREAS**, temporary construction easements necessary to construct such project have been designated on the approved construction plans for the project on file in the office of the City Engineer and signed by the following property owners to facilitate construction of the project:

Clyde Edward Guiney - 8803 E. 83<sup>rd</sup> Street (Tract 5)  
Clyde Edward Guiney - 8803 E. 83<sup>rd</sup> Street (Tract 5)

**WHEREAS**, the Board of Aldermen find it in the best interest of the City to authorize and approve such easements.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, as follows:**

**SECTION 1 – AUTHORIZING AND APPROVING EASEMENTS.** That the easements attached hereto as Exhibit “A” are hereby authorized and approved.

**SECTION 2 – AUTHORITY TO EXECUTE DOCUMENTS.** That the City Administrator is hereby authorized to execute the easements and the City Clerk is authorized to attest to the same.

**SECTION 3 – RECORDING OF THE EASEMENTS.** That the easements shall be recorded with the Jackson County Recorder.

**SECTION 4 – REPEAL OF ORDINANCES IN CONFLICT.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

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

**BILL NO. 6670-24**

**ORDINANCE NO.**

**SECTION NO. VI-B-1**

**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 June, 2024.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

\_\_\_\_\_  
Jennifer M. Baird, City Attorney



## **Public Works Department**

10000 East 59<sup>th</sup> Street  
Raytown, Missouri 64133  
(816) 737-6012  
[www.raytown.mo.us](http://www.raytown.mo.us)



### **List of Easement Legal Descriptions to accept:**

Tract 2, 8816 E. 83<sup>rd</sup> Street, Permanent Drainage Easement, Higor Vinicius Canedo

## **ATTACHMENT "A"**

### **Permanent Drainage Easement**

All that part of Lot 6, N.J. SECHREST SUBDIVISION, a subdivision of record situate in the City of Raytown, Jackson County, Missouri, described as follows:

Beginning at the Southeast corner of said Lot 6; thence West, along the South line of said Lot 6, a distance of 19.45 feet; thence Northeast, departing the South line of said Lot 6, to a point on the East line of said Lot 6 that is 16.24 feet North of the Southeast corner thereof; thence South, along the East line of said Lot 6, a distance of 16.24 to the Point of Beginning.

Except for all that part lying within a Standard Easement for Storm Drainage abutting the East line of said Lot 6, filed with the Jackson County, Missouri Recorder of Deeds as Instrument No. 1992I1081793 on January 9, 1992.

Containing 23 square feet, more or less.

Tract 5, 8803 E. 83<sup>rd</sup> Street, Permanent Drainage Easement, Clyde Edward Guiney

## **ATTACHMENT "A"**

### **Permanent Drainage Easement**

All that part of Lot 145, GRAYMONT, a subdivision of record situate in the City of Raytown, Jackson County, Missouri, described as follows:

Beginning at a point on the North line of said Lot 145 that is 1.95 feet West of the Northeast corner thereof, as measured along said North line; thence North 86°39'20" West, along the North line of said Lot 145, a distance of 9.54 feet to the intersection with the Southeast line of a 15.00 feet-wide drainage easement filed with the Jackson County, Missouri Recorder of Deeds as Instrument No. 1963I0820641 on September 20, 1963; thence South 52°40'20" West, along the Southeast line of said 15.00 feet-wide drainage easement, a distance of 49.82 feet; thence South 36°48'58" East, departing the Southeast line of said 15.00 feet-wide drainage easement, a distance of 5.71 feet; thence North 53°11'02" East a distance of 57.12 feet to the Point of Beginning.

Containing 318 square feet, more or less.

The bearings in this description are based on the Missouri Coordinate System of 1983, West Zone, NAD83.

Established in 1849 as Ray's Town  
On the Santa Fe, California and Oregon Trail

## ATTACHMENT "A"

### Temporary Construction Easement

All that part of Lot 145, GRAYMONT, a subdivision of record situate in the City of Raytown, Jackson County, Missouri, described as follows:

Beginning at a point on the North line of said Lot 145 that is 15.00 feet East of the Northwest corner thereof, said point also being the intersection with the East line of a 15.00 feet-wide platted drainage easement; thence South 86°39'20" East, along the North line of said Lot 145, a distance of 30.49 feet to the intersection with the Northwest line of a 15.00 feet-wide drainage easement filed with the Jackson County, Missouri Recorder of Deeds as Instrument No. 1963I0820641 on September 20, 1963; thence South 52°40'20" West, along the Northwest line of said 15.00 feet-wide drainage easement, a distance of 40.19 feet to the intersection with the East line of said 15.00 feet-wide platted drainage easement; thence North 3°19'10" East, along the East line of said 15.00 feet-wide platted drainage easement, a distance of 26.19 feet to the Point of Beginning. Containing 399 square feet, more or less.

The bearings in this description are based on the Missouri Coordinate System of 1983, West Zone, NAD83.

## ATTACHMENT "B"

### Temporary Construction Easement

All that part of Lot 145, GRAYMONT, a subdivision of record situate in the City of Raytown, Jackson County, Missouri, described as follows:

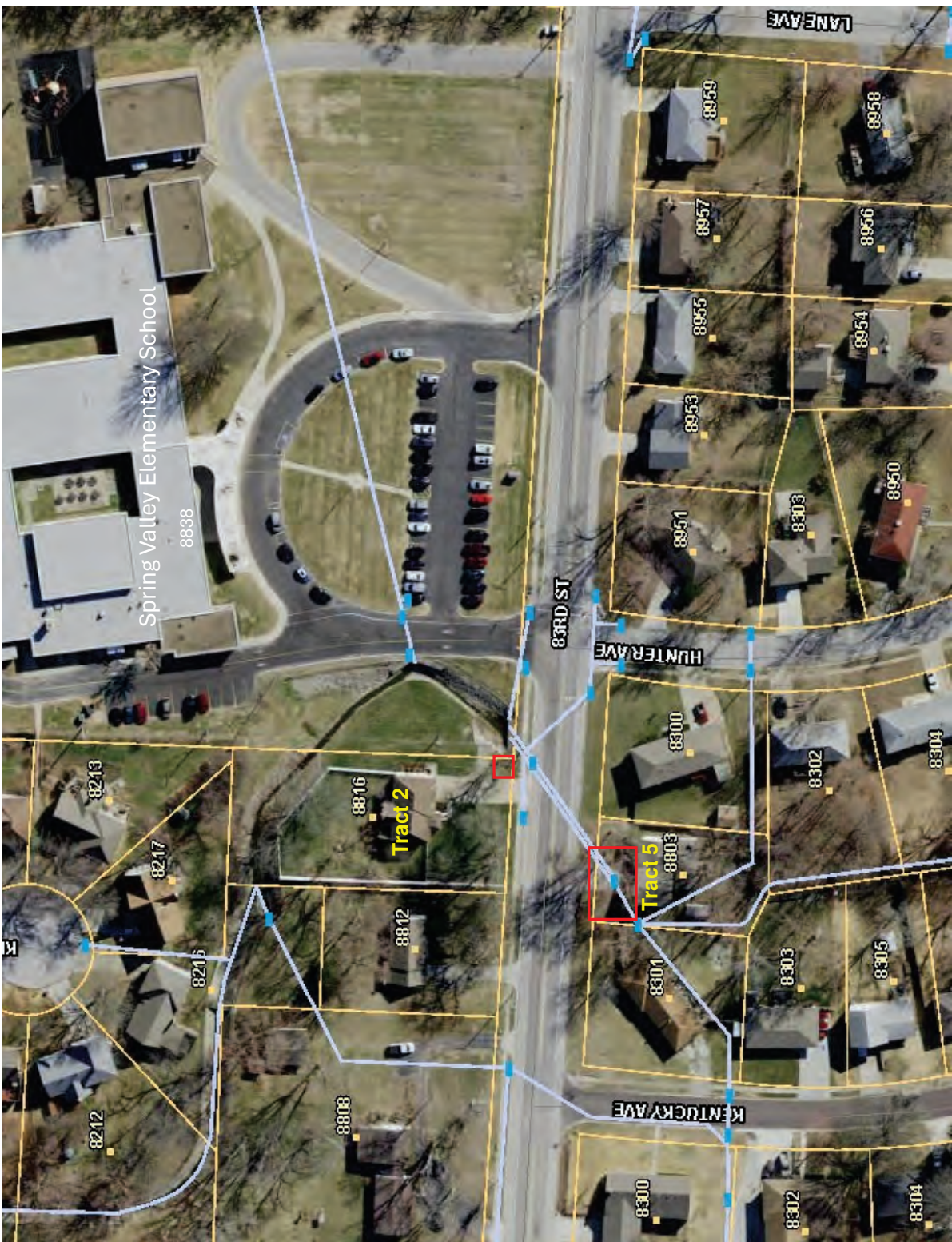
Commencing at the Northwest corner of said Lot 145; thence South 3°22'20" West, along the West line of said Lot 145, a distance of 41.00 feet; thence South 86°39'20" East, departing the West line of said Lot 145, a distance of 20.81 feet to the intersection with the Southeast line of a 15.00 feet-wide drainage easement filed with the Jackson County, Missouri Recorder of Deeds as Instrument No. 1963I0820641 on September 20, 1963, said point being the Point of Beginning; thence continuing South 86°39'20" East, a distance of 32.21 feet; thence North 3°20'40" East a distance of 19.86 feet; thence South 53°11'02" West a distance of 24.34 feet; thence North 36°48'58" West a distance of 5.71 feet to the intersection with the Southeast line of said 15.00 feet-wide drainage easement; thence South 52°40'20" West, along the Southeast line of said 15.00 feet-wide drainage easement, a distance of 13.09 feet to the Point of Beginning. Containing 289 square feet, more or less.

The bearings in this description are based on the Missouri Coordinate System of 1983, West Zone, NAD83.

## 83<sup>rd</sup> Street Stormwater Improvement Project

Easements obtained for approval:

| <u>Tract</u> | <u>Type of Easement Acquired</u> | <u>Easement Location</u>        | <u>Property Owner</u> |
|--------------|----------------------------------|---------------------------------|-----------------------|
| 2            | Permanent Drainage Easement      | 8816 E. 83 <sup>rd</sup> Street | Higor Vinicius Canedo |
| 5            | Permanent Drainage Easement      | 8803 E. 83 <sup>rd</sup> Street | Clyde Edward Guiney   |
| 5            | Temporary Construction Easement  | 8803 E. 83 <sup>rd</sup> Street | Clyde Edward Guiney   |
| 5            | Temporary Construction Easement  | 8803 E. 83 <sup>rd</sup> Street | Clyde Edward Guiney   |



Tract 2

EASEMENT EXHIBIT

8816 E. 83rd Street

LEGEND

- NEW EASEMENT AREA
- LOT LINE
- EXISTING EASEMENT
- RIGHT OF WAY



2

N.J. SECHREST  
SUBDIVISION

Higor Vinicius Carado  
8816 E. 83rd Street  
Lot 6



SHEET 2 OF 2

**LAMP  
RYNEARSON**  
LAMPRYNEARSON.COM

CHAD LAMPSON  
1210 S. MOORE BLVD., SUITE 100  
FORT COLLINS, COLORADO  
970-226-0000  
WWW.LAMPRYNEARSON.COM

DESIGNER / DRAFTER

EA

REVIEWER

KAC

PROJECT NUMBER

332208.07

DATE

9/7/2023

NO CERT. OF AUTHORITY

E-201-5071.953.118-2019053122

TRACT 2  
PERMANENT  
DRAINAGE  
EASEMENT

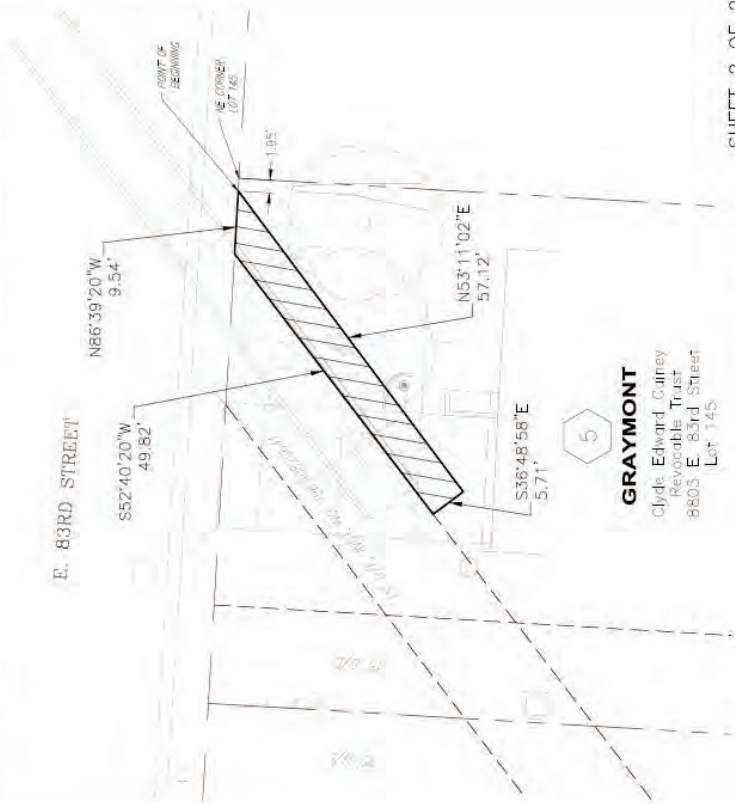
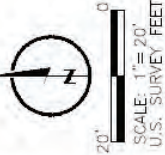
Tract 5

EASEMENT EXHIBIT

8803 E. 83rd Street

LEGEND

- NEW EASEMENT AREA
- LOT LINE
- EXISTING EASEMENT
- RIGHT OF WAY



SHEET 2 OF 2

| DESIGNER / DRAFTER          |  |
|-----------------------------|--|
| JEA                         |  |
| REVIEWER                    |  |
| KMC                         |  |
| PROJECT NUMBER              |  |
| 0322005.07                  |  |
| DATE                        |  |
| 9/7/2023                    |  |
| MO. CERT. OF AUTHORITY      |  |
| E-2013011903 JLE-2019043182 |  |

LAMP  
RYNEARSON

LAMPRYNEARSON.COM

STATE OF ILLINOIS  
JULIE M. MOORE, CLU  
VICE PRESIDENT  
FIRST COLLINS COLLEADCO  
400 WEST WASHINGTON ST. STE. 1000  
CHICAGO, IL 60601-3000  
TEL: (312) 467-4000  
FAX: (312) 467-4001  
WWW.FIRSTCOLLINS.COM

TRACT 5  
PERMANENT  
DRAINAGE  
EASEMENT

8803 E. 83<sup>rd</sup> Street



20' 0

SCALE: 1" = 20'

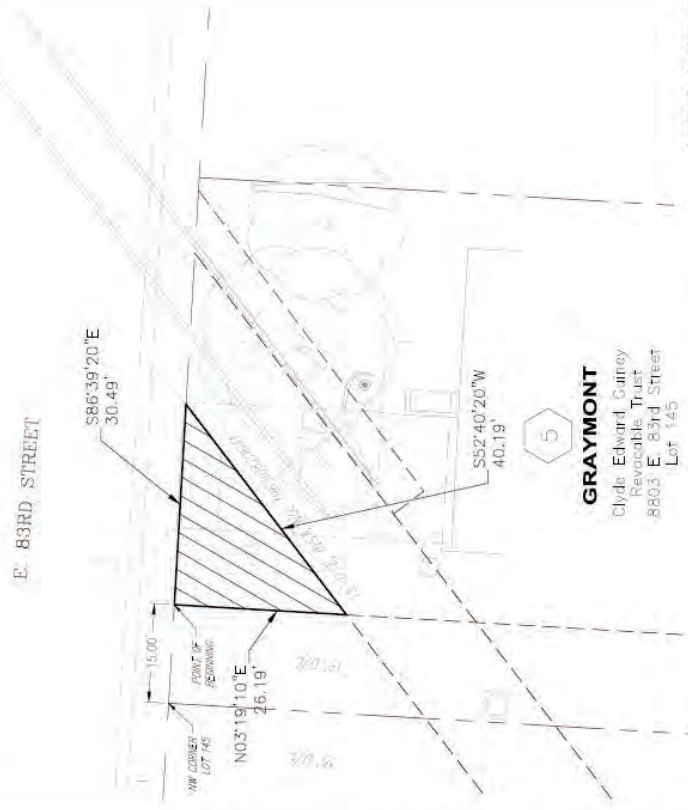
U.S. SURVEY FEET

NEW EASEMENT AREA

LOT LINE

EXISTING EASEMENT

RIGHT OF WAY



SHEET 2 OF 2

TRACT 5  
TEMPORARY  
CONSTRUCTION  
EASEMENT #1

|                    |                      |
|--------------------|----------------------|
| DESIGNER / DRAFTER | JEA                  |
| REVIEWER           | KMG                  |
| PROJECT NUMBER     | 0322008.07           |
| DATE               | 9/1/2023             |
| MO CERT. OF AUTHOR | E-2013011903   LS-20 |

**LAMP  
RYNEARSON**

LAMPRYNEARSON.COM

OMAHA, NEBRASKA  
1718 N. 100TH ST., STE. 200  
LINCOLN, NE 68504  
TEL: 402.464.2400  
FAX: 402.464.2401  
WWW.LAMPRYNEARSON.COM

FORT COLLINS, COLORADO  
1000 W. 10TH ST., STE. 100  
FORT COLLINS, CO 80501  
TEL: 970.226.1100  
FAX: 970.226.1101  
WWW.LAMPRYNEARSON.COM

MANASSAS, VIRGINIA  
10000 WOODBURN RD., STE. 200  
MANASSAS, VA 20108  
TEL: 703.261.1800  
FAX: 703.261.1801  
WWW.LAMPRYNEARSON.COM

LAMPYNEARSON.COM

## Tract 5

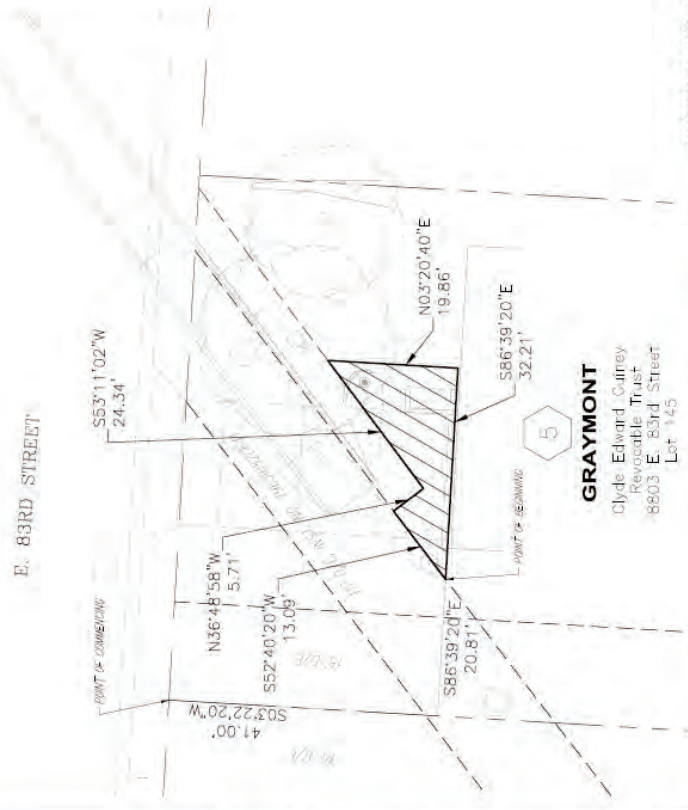
**EASEMENT EXHIBIT**

8803 E. 83<sup>rd</sup> Street

20' 0

SCALE: 1" = 20'  
U.S. SURVEY FEET

NEW EASEMENT AREA  
LOT LINE  
EXISTING EASEMENT  
RIGHT OF WAY



SHEET 2 OF 2

TRACT 5  
TEMPORARY  
CONSTRUCTION  
EASEMENT #2

|                       |                              |
|-----------------------|------------------------------|
| DESIGNER / DRAFTER    | JEA                          |
| REVIEWER              | KMG                          |
| PROJECT NUMBER        | 0322008.07                   |
| DATE                  | 9/5/2023                     |
| MO CERT. OF AUTHORITY | E-2013011903   LS-2013011903 |

**LAMP  
RYNEARSON**

OMAHA, NEBRASKA  
10101 DODGE ST. #100 OMAHA, NE 68114  
402-491-1100  
FAX 402-491-1101  
WWW.LAMPRYNEARSON.COM

FORT COLLINS, COLORADO  
4149 MONROVIE DR. FORT COLLINS, CO 80504  
970-225-0044  
WWW.LAMPRYNEARSON.COM

LANSING, MI  
10000 E. 15 MILE AVE. SUITE 200  
LANSING, MI 48203-1500  
248-460-2722  
WWW.LAMPRYNEARSON.COM

LAMPRYNEARSON.COM

LAMPYRNEARSON.COM

## CITY OF RAYTOWN Request for Board Action

---

**DATE SUBMITTED:** 05/28/2024

**MEETING DATE:** June 4, 2024

**SUBMITTED BY:**

**DEPARTMENT:** Public Works

**Document Type:** Resolution Agreement/Contract

### SUBJECT/REQUEST

**R-3606-24:** On-Call Point Repairs for Wastewater and Storm Water with Leath & Sons, Inc. in the amount of 110,000.00.

### BACKGROUND/JUSTIFICATION

Public Works is using an existing On-Call Water Wastewater, Stormwater Services, and Other City Assets Contract Resolution No. R2021-49 that was approved by the City of Belton on June 8, 2021, which has a five(5) year term with an option to renew five (5) subsequent one (1) year periods which is not to exceed ten (10) years. The City of Raytown has talked with Leath & Sons, Inc in which they would honor the same contract with the City of Belton.

The Public Works department has tried to put together a scope that would benefit the City of Raytown. Unfortunately, the scope was difficult to put together. This contract would benefit the City of Raytown when sanitary sewer and stormwater issues arise. This contract allows the City of Raytown Public Works Department to address issues quickly and provide a level of service that benefits its citizens that the City of Raytown does not currently provide.

The Public Works Department is asking to honor the City of Belton's contract with Leath & Sons, Inc. to address stormwater and sanitary sewer issues not to exceed the budgeted amount of \$110,000.00.

### RECOMMENDED MOTION

Staff recommends approval as submitted.

### PREVIOUS ACTION

### COMMISSION/COMMITTEE REVIEW

### FINANCIAL IMPACT

|                             |                   |
|-----------------------------|-------------------|
| Contractor:                 | Leath & Sons, Inc |
| Amount of Request/Contract: | \$110,000.00      |

|                  |                                            |
|------------------|--------------------------------------------|
| Amount Budgeted: | \$110,000.00                               |
| Account Name     | Storm Water Fund - Repair & Maintenance    |
| Account Number:  | 401-62-00-100-53600                        |
| Amount           | \$50,000.00                                |
| Account Name     | Sanitary Sewer Fund - Repair & Maintenance |
| Account Number:  | 501-62-00-100-53600                        |
| Amount           | \$60,000.00                                |

**REVIEWED BY**

|                                                                                   |
|-----------------------------------------------------------------------------------|
| Robinson Camp<br>Michael Graham<br>Jennifer Baird<br>Damon Hodges<br>Teresa Henry |
|-----------------------------------------------------------------------------------|

**LIST OF REFERENCE DOCUMENTS ATTACHED**

|                                          |
|------------------------------------------|
| 1. Reso Leath & Sons On Call             |
| 2. Leath & Sons - Notice of Award Letter |

**SUPPORTING DOCUMENTS  
(FOR CONTRACT ITEMS ONLY)**

| Document                                           | Attached | If not attached, explain                          |
|----------------------------------------------------|----------|---------------------------------------------------|
| Secretary of State:                                |          |                                                   |
| Certificate of Insurance:                          |          |                                                   |
| E-Verify Affidavits:                               |          | on file                                           |
| E-Verify proof of enrollment:                      |          |                                                   |
| Bond:                                              |          |                                                   |
| IRS Form W-9:                                      |          | on file                                           |
| Bid/RFP/RFQ: (submit all)                          |          | on file                                           |
| Bid/RFP/RFQ Tabulation:                            |          |                                                   |
| Bid Waiver: Sole source<br>or less than three bids |          |                                                   |
| Contractor address and email:                      |          |                                                   |
| Project Exemption Certificate needed:              |          |                                                   |
| Other:                                             | X        | City of Belton Letter of Award to<br>Leath & Sons |

**A RESOLUTION AUTHORIZING AND APPROVING AN ON-CALL PROFESSIONAL SERVICES AGREEMENT FOR WASTEWATER AND STORMWATER SERVICES WITH LEATH & SONS, INC. UTILIZING THE CITY OF BELTON, MISSOURI COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$110,000.00 FOR FISCAL YEAR 2023-2024**

**WHEREAS**, the City of Raytown would benefit from an On-Call Wastewater, and Stormwater Services agreements when sanitary sewer and stormwater issues arise; and

**WHEREAS**, the City of Belton, Missouri advertised a Request for Proposal for On-Call Wastewater and Stormwater services and Other City Assets and awarded an on-call professional services agreement to Leath & Son's, Inc. to address wastewater and stormwater issues; and

**WHEREAS**, the Board of Aldermen believe it is in the best interest of the City of Raytown to authorize and approve an on-call professional services agreement with Leath & Sons, Inc. utilizing the City of Belton, Missouri cooperative agreement in an amount not to exceed \$110,000.00 for fiscal year 2023-2024 for such purposes.

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

**THAT** an on-call professional services agreement for wastewater and stormwater services with Leath & Sons, Inc. utilizing the City of Belton, Missouri cooperative agreement in an amount not to exceed \$110,000.00 for fiscal year 2023-2024 is hereby authorized and approved; and

**FURTHER THAT** the City Administrator is hereby authorized to execute all documents necessary and to take any and all actions necessary to effectuate the terms of the contract and the City Clerk is authorized to attest to the same.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 4<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

\_\_\_\_\_  
Jennifer M. Baird, City Attorney



**City Hall Annex**  
520 Main Street  
Belton, MO 64012  
Phone: 816-331-4331  
Fax: 816-331-6973

June 16, 2021

Jeffery B. Leath, President  
Leath & Sons, Inc.  
9301 E. 63<sup>rd</sup> Street  
Raytown, Missouri 64133

Re: Notice of Award  
On-Call Water, Wastewater, Stormwater Services, and Other City Assets Contract

Dear Jeffery,

By passage of Resolution No. R2021-49 on June 8, 2021, the City Council approved the above-referenced contract.

This letter constitutes the official Notice of Award for the On-Call Water, Wastewater, Stormwater Services, and Other City Assets Contract. Going forward, any work to be done under this contract will be completed through a task agreement.

Please contact me with any questions or concerns.

Sincerely,

Greg Rokos  
Public Works Director

Attachment

## CITY OF RAYTOWN Request for Board Action

**DATE SUBMITTED:** 05/31/2024

**MEETING DATE:** June 4, 2024

**SUBMITTED BY:**

**DEPARTMENT:** Public Works

**Document Type:** Resolution Budget Amendment

### SUBJECT/REQUEST

**R-3607-24:** AMERICAN RESCUE PLAN ACT (ARPA) FUND TRANSFER IN THE AMOUNT OF \$894,739.50 FOR THE 2023-2024 BUDGET. Point of Contract: Robinson Camp

### BACKGROUND/JUSTIFICATION

On May 21, 2024, Damon Hodges, City Administrator, discussed with the Board of Alderman the American Rescue Plan Act (ARPA) funding that is available to spend. In addition, Damon Hodges explained which projects were going to utilize the ARPA funding. This resolution is the beginning of allocating the funding for the specified projects discussed on the May 21, 2024 meeting. In order to utilize this funding, a budget transfer needs to occur to fund the specified projects. This budget transfer only addresses the projects being brought forth today. Public Works is making its initial request of \$894,739.50 be transferred from the ARPA account and distributed to Stormwater Fund in the amount of \$578,698.20 as well as the Sanitary Sewer Fund in the amount of \$316,041.30.

The \$894,739.50 funding will fund the 53rd Street Utility Relocation project, the MS4 project, as well as the surveying of the Wild Oak West Sanitary Sewer Project.

### RECOMMENDED MOTION

Staff recommends approval as submitted.

### PREVIOUS ACTION

### COMMISSION/COMMITTEE REVIEW

### FINANCIAL IMPACT

|                    |                 |
|--------------------|-----------------|
| Budget Transfer    | City of Raytown |
| Amount of Request: | \$894,739.50    |
| ARPA Funding       | \$5,286,849.51  |
| From Account Name  | General Revenue |

|                        |                             |
|------------------------|-----------------------------|
| From Account Number    | 101-00-00-100-59951         |
| Amount                 | \$894,739.50                |
| To Account Name        | Storm Water Revenue Fund    |
| To Account Number      | 401-00-00-100-49999         |
| Amount                 | \$578,698.20                |
| To Account Name and #: | Sanitary Sewer Revenue Fund |
| To Account Number      | 501-00-00-100-49999         |
| Amount                 | \$316,041.30                |

**REVIEWED BY**

|                                                |
|------------------------------------------------|
| Michael Graham<br>Damon Hodges<br>Teresa Henry |
|------------------------------------------------|

**LIST OF REFERENCE DOCUMENTS ATTACHED**

|                                                           |
|-----------------------------------------------------------|
| 1. Reso 2023-2024 Budget Amendment-PW Projects-ARPA Funds |
|-----------------------------------------------------------|

**SUPPORTING DOCUMENTS  
 (FOR CONTRACT ITEMS ONLY)**

| Document                                           | Attached | If not attached, explain |
|----------------------------------------------------|----------|--------------------------|
| Secretary of State:                                |          |                          |
| Certificate of Insurance:                          |          |                          |
| E-Verify Affidavits:                               |          |                          |
| E-Verify proof of enrollment:                      |          |                          |
| Bond:                                              |          |                          |
| IRS Form W-9:                                      |          |                          |
| Bid/RFP/RFQ: (submit all)                          |          |                          |
| Bid/RFP/RFQ Tabulation:                            |          |                          |
| Bid Waiver: Sole source<br>or less than three bids |          |                          |
| Contractor address and email:                      |          |                          |
| Project Exemption Certificate needed:              |          |                          |
| Other:                                             |          |                          |

**A RESOLUTION AMENDING THE FISCAL YEAR 2023-2024 BUDGET RELATED TO PUBLIC WORKS PROJECTS UTILIZING AMERICAN RESCUE PLAN ACT FUNDS**

**WHEREAS**, pursuant to Resolution R-3550-23, the Fiscal Year 2023-2024 Budget was approved; and

**WHEREAS**, it is necessary to amend the Fiscal Year 2023-2024 Budget; and

**WHEREAS**, the Board of Aldermen find it is in the best interest of the City to amend the Fiscal Year 2023-2024 Budget;

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

**THAT** the Fiscal Year 2023-2024 budget approved by Resolution R-3550-23 is hereby amended as follows:

**Transfer From:**

101.00.00.100.59951

\$894,739.50

**Transfer To:**

401.00.00.100.49999

\$578,698.20

501.00.00.100.49999

\$316,041.30

**FURTHER THAT** the City Administrator is hereby authorized to execute all documents necessary to this transaction 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 4<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

\_\_\_\_\_  
Jennifer M. Baird, City Attorney

## CITY OF RAYTOWN Request for Board Action

**DATE SUBMITTED:** 05/29/2024

**MEETING DATE:** June 4, 2024

**SUBMITTED BY:**

**DEPARTMENT:** Public Works

**Document Type:** Resolution Budget Amendment

### SUBJECT/REQUEST

**R-3608-24:** Authorization to approve an agreement with Legacy Underground Construction, Inc. for the 53<sup>rd</sup> Street Utility Improvements Project and amend the fiscal year 2023-2024 budget.

### BACKGROUND/JUSTIFICATION

Public Works staff invited formal bids for the 53<sup>rd</sup> Street Utility Improvements project. This project will have the contractor re-route a sanitary sewer main line, and remove a concrete stormwater channel and replace it with an underground concrete box system. Bids were due on Wednesday, May 15<sup>th</sup>, 2024 by 2:00pm. The Public Works Department received four (4) sealed bids for the project which are listed below.

|                                       | Base Bid     | Aldernate Bid | Total Bid    |
|---------------------------------------|--------------|---------------|--------------|
| Legacy Underground Construction, Inc. | \$539,193.50 | \$11,690.00   | \$550,883.50 |
| Genesis Environmental Solutions       | \$637,480.73 | \$21,737.77   | \$659,218.50 |
| Abay Construction Inc                 | \$695,203.00 | \$5,418.00    | \$700,621.00 |
| Redford Construction                  | \$806,827.00 | \$35,000.00   | \$841,827.00 |

The total bid is in the amount of \$550,883.50. Staff is requesting purchasing authority up to \$605,883.50 to accommodate for potential change orders. This is an additional 10% (\$55,000.00) of the total bid cost to cover unforeseen circumstances that may arise with this underground work. Construction inspection services will be performed with City staff. Staff

recommends the award of an agreement to Legacy Underground Construction and is requesting purchasing authority up to \$605,883.50.

#### RECOMMENDED MOTION

Staff evaluated the bids and concluded that Legacy Underground Construction was the lowest responsive and responsible bidder.

#### PREVIOUS ACTION

#### COMMISSION/COMMITTEE REVIEW

#### FINANCIAL IMPACT

|                            |                                       |
|----------------------------|---------------------------------------|
| Contractor                 | Legacy Underground Construction, Inc. |
| Amount of Request/Contract | \$605,883.50                          |
| Amount Budgeted:           | \$450,000.00                          |
| From Account Name          | Amount: 401-00-00-100-4999            |
| From Account Number        | Storm Water Revenue Fund              |
| Amount                     | \$484,706.80                          |
| To Account Name            | Storm Water Capital Expenditures      |
| To Account Number          | 401-62-00-100-57000                   |
| Amount                     | \$484,706.80                          |
| From Account Name          | Sanitary Sewer Revenue Fund           |
| From Account Number        | 501-00-00-100-49999                   |
| Amount                     | \$121,176.70                          |
| To Account Name            | Sanitary Sewer Capital Expenditures   |
| To Account Number          | 501-62-00-100-57000                   |
| Amount                     | \$121,176.70                          |

#### REVIEWED BY

Robinson Camp  
Damon Hodges  
Teresa Henry

#### LIST OF REFERENCE DOCUMENTS ATTACHED

1. Reso 53rd Street Utility Improvements Project-Legacy Underground Construction Agreement

|    |                                                                 |
|----|-----------------------------------------------------------------|
| 2. | 2b Bid Results - 53rd St Utility Project - rev                  |
| 3. | 2c Bid Tabulation - 53rd Street Utility project - rev           |
| 4. | 2d 53rd_Steet_Utility_Improvements_Bid_Recommendation_Letter_V2 |

**SUPPORTING DOCUMENTS  
 (FOR CONTRACT ITEMS ONLY)**

| Document                                           | Attached | If not attached, explain |
|----------------------------------------------------|----------|--------------------------|
| Secretary of State:                                |          | On File                  |
| Certificate of Insurance:                          |          | On File                  |
| E-Verify Affidavits:                               |          | On File                  |
| E-Verify proof of enrollment:                      |          | On File                  |
| Bond:                                              |          | On File                  |
| IRS Form W-9:                                      |          | On File                  |
| Bid/RFP/RFQ: (submit all)                          |          | On File                  |
| Bid/RFP/RFQ Tabulation:                            | X        |                          |
| Bid Waiver: Sole source<br>or less than three bids |          | N/A                      |
| Contractor address and email:                      |          | On File                  |
| Project Exemption Certificate needed:              |          | On File                  |
| Other:                                             |          |                          |

**RESOLUTION NO.: R-3608-24**

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH LEGACY UNDERGROUND CONSTRUCTION, INC. FOR THE 53<sup>rd</sup> STREET UTILITY IMPROVEMENTS PROJECT IN A TOTAL AMOUNT NOT TO EXCEED \$605,883.50 AND AMEND THE FISCAL YEAR 2023-2024 BUDGET**

**WHEREAS**, the City of Raytown (the “City”) issued a invitation to bid on its 53<sup>rd</sup> Street Utility Improvements Project; and

**WHEREAS**, the Public Works Department received four (4) bids in response to the invitation and has determined that the bid submitted by Legacy Underground Construction, Inc. in the amount of \$605,883.50 for the 53<sup>rd</sup> Street Utility Improvements Project was the most advantageous bid received; and

**WHEREAS**, the City finds Legacy Underground Construction, Inc. meets all of the qualifications as the lowest and best bidder for the project; and

**WHEREAS**, the Board of Aldermen find it is in the best interest of the City to enter into a Professional Services Agreement with Legacy Underground Construction, Inc., as set forth in Exhibit “A” for the 53<sup>rd</sup> Street Utility Improvements Project in an amount not to exceed \$550,883.50 for fiscal year 2023-2024; and

**WHEREAS**, the Board of Aldermen find it is in the best interest of the City to authorize and approve an additional \$55,000.00 to fund any changes in the project for a total project amount not to exceed \$605,883.50; and

**WHEREAS**, pursuant to Resolution R-3550-23, the Fiscal Year 2023-2024 Budget was approved, and it is necessary to amend the Fiscal Year 2023-2024 Budget; and

**WHEREAS**, the Board of Aldermen find it is in the best interest of the City to amend the Fiscal Year 2023-2024 Budget.

**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 to enter into a Professional Services Agreement with Legacy Underground Construction, Inc., as set forth in Exhibit “A” for the 53<sup>rd</sup> Street Utility Improvements Project in an amount not to exceed \$550,883.50 for fiscal year 2023-2024 is hereby authorized and approved; and

**FURTHER THAT** the Board of Aldermen find it is in the best interest of the City to authorize and approve an additional \$55,000.00 to fund any changes in the project for a total project amount not to exceed \$605,883.50; and

**FURTHER THAT** the Fiscal Year 2023-2024 budget approved by Resolution R-3550-23 is hereby amended as follows:

**FROM:**

Stormwater Revenue Fund  
401.00.00.100.49999  
\$484,706.80

Sanitary Sewer Revenue Fund  
501.00.00.100.49999  
\$121,176.70

**TO:**

Stormwater Capital Expenditures  
401.62.00.100.57000  
\$484,706.80

Sanitary Sewer Capital Expenditures  
501.62.00.100.57000  
\$121,176.70

**RESOLUTION NO.: R-3608-24**

**FURTHER THAT** the City Administrator 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 4<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

\_\_\_\_\_  
Jennifer M. Baird, City Attorney



## BID RESULTS

### 2024 53rd Street Utility Improvements

2:00pm, Wed., May 15, 2024

|    | CONTRACTOR                            | Total Base Bid | Alternative 1 Bid | TOTAL               |
|----|---------------------------------------|----------------|-------------------|---------------------|
| 1. | Legacy Underground Construction, Inc. | \$539,193.50   | \$11,690.00       | <b>\$550,883.50</b> |
| 2. | Genesis Environmental Services        | \$637,480.73   | \$21,737.77       | <b>\$659,218.50</b> |
| 3. | Abay Construction                     | \$695,203.00   | \$5,418.00        | <b>\$700,621.00</b> |
| 4. | Redford Construction, Inc.            | \$806,827.00   | \$35,000.00       | <b>\$841,827.00</b> |

|                     |              |             |                     |
|---------------------|--------------|-------------|---------------------|
| Engineer's Estimate | \$464,400.00 | \$50,000.00 | <b>\$514,400.00</b> |
|---------------------|--------------|-------------|---------------------|

**BID TABULATIONS**

**PROJECT: 53<sup>rd</sup> Street Utility Improvements**

**DATE: 5/15/2024**

2.

1.

| Item No.                 | DESCRIPTION                                                                  | EST. QTY. | UNITS | Engineer's Estimate |                | Legacy Underground Construction, Inc. |                | Genesis Environmental Solutions |                |
|--------------------------|------------------------------------------------------------------------------|-----------|-------|---------------------|----------------|---------------------------------------|----------------|---------------------------------|----------------|
|                          |                                                                              |           |       | UNIT PRICE          | EXTENDED PRICE | UNIT PRICE                            | EXTENDED PRICE | UNIT PRICE                      | EXTENDED PRICE |
| 1.                       | Construct New 12-inch PVC Sanitary Sewer (Paved)                             | 311       | LF    | \$ 125.00           | \$ 38,900.00   | \$ 135.00                             | \$ 41,985.00   | \$ 197.51                       | \$ 61,425.61   |
| 2.                       | Construct New 12-inch PVC Sanitary Sewer (Unpaved)                           | 53        | LF    | \$ 135.00           | \$ 7,200.00    | \$ 110.00                             | \$ 5,830.00    | \$ 83.80                        | \$ 4,441.40    |
| 3.                       | Abandon 12-inch Sanitary Sewer (Plug and Fill)                               | 9.5       | CY    | \$ 250.00           | \$ 2,400.00    | \$ 225.00                             | \$ 2,137.50    | \$ 4,224.41                     | \$ 40,131.90   |
| 4.                       | 8-Inch Main Sewer CIPP                                                       | 120       | LF    | \$ 90.00            | \$ 10,800.00   | \$ 200.00                             | \$ 24,000.00   | \$ 229.03                       | \$ 27,483.60   |
| 5.                       | Construct New Sanitary Manhole                                               | 2         | EA    | \$ 10,000.00        | \$ 20,000.00   | \$ 7,500.00                           | \$ 15,000.00   | \$ 9,931.21                     | \$ 19,862.42   |
| 6.                       | Remove and Replace Manhole (Paved)                                           | 1         | EA    | \$ 12,600.00        | \$ 12,600.00   | \$ 9,500.00                           | \$ 9,500.00    | \$ 10,755.02                    | \$ 10,755.02   |
| 7.                       | Abandon Existing Sanitary Manhole In-Place                                   | 2         | EA    | \$ 4,000.00         | \$ 8,000.00    | \$ 2,800.00                           | \$ 5,600.00    | \$ 4,605.39                     | \$ 9,210.78    |
| 8.                       | Construct External Drop Connection to Sanitary Sewer Manhole                 | 1         | EA    | \$ 1,500.00         | \$ 1,500.00    | \$ 3,500.00                           | \$ 3,500.00    | \$ 5,454.07                     | \$ 5,454.07    |
| 9.                       | Remove Existing Concrete Channel                                             | 1         | LS    | \$ 16,250.00        | \$ 16,300.00   | \$ 7,500.00                           | \$ 7,500.00    | \$ 2,952.32                     | \$ 2,952.32    |
| 10.                      | Construct RFB with Drop Inlets                                               | 385       | LF    | \$ 725.00           | \$ 279,100.00  | \$ 1,000.00                           | \$ 385,000.00  | \$ 990.10                       | \$ 381,188.50  |
| 11.                      | RFB Construction Restoration                                                 | 1         | LS    | \$ 4,308.00         | \$ 4,300.00    | \$ 12,000.00                          | \$ 12,000.00   | \$ 7,128.86                     | \$ 7,128.86    |
| 12.                      | Stream Work                                                                  | 1         | LS    | -                   | \$ 25,600.00   | \$ 7,700.00                           | \$ 7,700.00    | \$ 18,455.66                    | \$ 18,455.66   |
| 13.                      | Force Account (Shall not exceed 5% of the Total of Items #1-12)              | 1         | LS    | -                   | \$ 21,400.00   | \$ 4,641.00                           | \$ 4,641.00    | \$ 26,368.56                    | \$ 26,368.56   |
| 14.                      | Mobilization (Shall not exceed 1% of Unit Price Extension Subtotal)          | 1         | LS    | -                   | \$ 4,481.00    | \$ 1,100.00                           | \$ 1,100.00    | \$ 3,950.04                     | \$ 3,950.04    |
| 15.                      | Bonds and Insurance (Shall not exceed 1.5% of Unit Price Extension Subtotal) | 1         | LS    | -                   | \$ 6,722.00    | \$ 8,700.00                           | \$ 8,700.00    | \$ 8,500.00                     | \$ 8,500.00    |
| 16.                      | Final Completion, Demobilization, Record Drawings, Close-Out                 | 1         | LS    | -                   | \$ 5,000.00    | \$ 5,000.00                           | \$ 5,000.00    | \$ 10,171.99                    | \$ 10,171.99   |
| BASE BID TOTALS =        |                                                                              |           |       | \$ 464,400.00       |                | \$ 539,193.50                         |                | \$ 637,480.73                   |                |
| Item No.                 | DESCRIPTION                                                                  | EST. QTY. | UNITS | Engineer's Estimate |                | Legacy Underground                    |                | Genesis Environmental           |                |
|                          |                                                                              |           |       | UNIT PRICE          | EXTENDED PRICE | UNIT PRICE                            | EXTENDED PRICE | UNIT PRICE                      | EXTENDED PRICE |
| 1.1                      | Stream Culvert Repair                                                        | 1         | LS    | \$ 50,000.00        | \$ 50,000.00   | \$ 11,690.00                          | \$ 11,690.00   | \$ 21,737.77                    | \$ 21,737.77   |
| ALTERNATIVE BID TOTALS = |                                                                              |           |       | \$ 50,000.00        |                | \$ 11,690.00                          |                | \$ 21,737.77                    |                |
| GRAND TOTAL BID TOTALS = |                                                                              |           |       | \$ 514,400.00       |                | \$ 550,883.50                         |                | \$ 659,218.50                   |                |

**BID TABULATIONS**

**PROJECT: 53<sup>rd</sup> Street Utility Improvements**

**DATE: 5/15/2024**

3. 4.

| Item No.                 | DESCRIPTION                                                                  | EST. QTY. | UNITS | Abay Construction Inc. |                | Redford Construction |                |
|--------------------------|------------------------------------------------------------------------------|-----------|-------|------------------------|----------------|----------------------|----------------|
|                          |                                                                              |           |       | UNIT PRICE             | EXTENDED PRICE | UNIT PRICE           | EXTENDED PRICE |
| 1.                       | Construct New 12-inch PVC Sanitary Sewer (Paved)                             | 311       | LF    | \$ 191.00              | \$ 59,401.00   | \$ 365.00            | \$ 113,515.00  |
| 2.                       | Construct New 12-inch PVC Sanitary Sewer (Unpaved)                           | 53        | LF    | \$ 116.00              | \$ 6,148.00    | \$ 350.00            | \$ 18,550.00   |
| 3.                       | Abandon 12-inch Sanitary Sewer (Plug and Fill)                               | 9.5       | CY    | \$ 1,182.00            | \$ 11,229.00   | \$ 500.00            | \$ 4,750.00    |
| 4.                       | 8-Inch Main Sewer CIPP                                                       | 120       | LF    | \$ 245.00              | \$ 29,400.00   | \$ 218.00            | \$ 26,160.00   |
| 5.                       | Construct New Sanitary Manhole                                               | 2         | EA    | \$ 8,264.00            | \$ 16,528.00   | \$ 10,000.00         | \$ 20,000.00   |
| 6.                       | Remove and Replace Manhole (Paved)                                           | 1         | EA    | \$ 8,560.00            | \$ 8,560.00    | \$ 12,000.00         | \$ 12,000.00   |
| 7.                       | Abandon Existing Sanitary Manhole In-Place                                   | 2         | EA    | \$ 5,824.00            | \$ 11,648.00   | \$ 1,000.00          | \$ 2,000.00    |
| 8.                       | Construct External Drop Connection to Sanitary Sewer Manhole                 | 1         | EA    | \$ 4,147.00            | \$ 4,147.00    | \$ 3,500.00          | \$ 3,500.00    |
| 9.                       | Remove Existing Concrete Channel                                             | 1         | LS    | \$ 17,353.00           | \$ 17,353.00   | \$ 38,000.00         | \$ 38,000.00   |
| 10.                      | Construct RFB with Drop Inlets                                               | 385       | LF    | \$ 1,045.00            | \$ 402,325.00  | \$ 1,160.00          | \$ 446,600.00  |
| 11.                      | RFB Construction Restoration                                                 | 1         | LS    | \$ 48,704.00           | \$ 48,704.00   | \$ 15,000.00         | \$ 15,000.00   |
| 12.                      | Stream Work                                                                  | 1         | LS    | \$ 33,504.00           | \$ 33,504.00   | \$ 45,000.00         | \$ 45,000.00   |
| 13.                      | Force Account (Shall not exceed 5% of the Total of Items #1-12)              | 1         | LS    | \$ 22,725.00           | \$ 22,725.00   | \$ 37,200.00         | \$ 37,200.00   |
| 14.                      | Mobilization (Shall not exceed 1% of Unit Price Extension Subtotal)          | 1         | LS    | \$ 6,698.00            | \$ 6,698.00    | \$ 7,822.00          | \$ 7,822.00    |
| 15.                      | Bonds and Insurance (Shall not exceed 1.5% of Unit Price Extension Subtotal) | 1         | LS    | \$ 8,461.00            | \$ 8,461.00    | \$ 11,730.00         | \$ 11,730.00   |
| 16.                      | Final Completion, Demobilization, Record Drawings, Close-Out                 | 1         | LS    | \$ 8,372.00            | \$ 8,372.00    | \$ 5,000.00          | \$ 5,000.00    |
| BASE BID TOTALS =        |                                                                              |           |       | \$ 695,203.00          |                | \$ 806,827.00        |                |
| Item No.                 | DESCRIPTION                                                                  | EST. QTY. | UNITS | Abay Construction Inc. |                | Redford Construction |                |
|                          |                                                                              |           |       | UNIT PRICE             | EXTENDED PRICE | UNIT PRICE           | EXTENDED PRICE |
| 1.1                      | Stream Culvert Repair                                                        | 1         | LS    | \$ 5,418.00            | \$ 5,418.00    | \$ 35,000.00         | \$ 35,000.00   |
| ALTERNATIVE BID TOTALS = |                                                                              |           |       | \$ 5,418.00            |                | \$ 35,000.00         |                |
| GRAND TOTAL BID TOTALS = |                                                                              |           |       | \$ 700,621.00          |                | \$ 841,827.00        |                |

May 20, 2024

City of Raytown, MO  
Attn: Robinson Camp, Director of Public Works  
Raytown City Hall  
10000 East 59<sup>th</sup> Street  
Raytown, MO 64133

SUBJECT: Bid Evaluation and Recommendation  
53<sup>rd</sup> Street Utility Improvements

Dear Mr. Camp,

We have reviewed the bid tabulations for the above referenced project. Bids were received from four bidders and opened on May 15, 2024. The lowest bid was received from Legacy Underground Construction, Inc. Bids are summarized in Table 1 below in order from lowest to highest.

**Table 1: Summary of Bids**

| Rank | Bidder                                | Total Base Bid | Total Alternate Bid | Grand Total Bid |
|------|---------------------------------------|----------------|---------------------|-----------------|
| 1    | Legacy Underground Construction, Inc. | \$539,193.50   | \$11,690.00         | \$550,883.50    |
| 2    | Genesis Environmental Solutions       | \$637,480.73   | \$21,737.77         | \$659,218.50    |
| 3    | Abay Construction Inc.                | \$695,203.00   | \$5,418.00          | \$700,621.00    |
| 4    | Redford Construction                  | \$806,827.00   | \$35,000.00         | \$841,827.00    |

#### **Bid Price**

The total bid price submitted by Legacy Underground Construction, Inc. is \$36,483.50 higher than the Engineers Estimate of \$514,400.00 and is \$108,335.00 less than the next lowest bid. GBA reviewed the Bid Unit Prices submitted by Legacy Underground Construction, Inc. and found no errors.

#### **Design Professional's Recommendation**

The bid tabulations appear to be in order and correct and all required documents were present with the bid. Based on this review, we would recommend the City of Raytown award the project to the apparent low bidder, Legacy Underground Construction, Inc., for a total amount of \$550,883.50.

Sincerely,

GEORGE BUTLER ASSOCIATES, INC.



Daria Sakharova, P.E.  
Project Manager

## CITY OF RAYTOWN Request for Board Action

---

**DATE SUBMITTED:** 05/31/2024

**MEETING DATE:** June 4, 2024

**SUBMITTED BY:**

**DEPARTMENT:** Public Works

**Document Type:** Resolution Budget Amendment

### SUBJECT/REQUEST

**R-3609-24:** FY23-24 budget amendment - GBA Oversight for the 53rd Street Utility Relocation Project

### BACKGROUND/JUSTIFICATION

The Public Works department recommends approval of the professional services of George Butler Associates (GBA) for the construction phase of the 53rd Street Utility Relocation Project. GBA will complete various testing and oversight of the 53rd Street Utility Relocation projected which includes sanitary sewer, stormwater, and bridge work. GBA will coordinate with the Parks Department demolition project at the 53rd Street location. The professional services will also help with oversight of the multiple creek crossings that has to deal with the Waters of the United States permitting of the project.

### RECOMMENDED MOTION

Staff recommends approval as submitted.

### PREVIOUS ACTION

### COMMISSION/COMMITTEE REVIEW

### FINANCIAL IMPACT

|                            |                                  |
|----------------------------|----------------------------------|
| Contractor                 | George Butler Associates         |
| Amount of Request/Contract | \$81,378.00                      |
| Amount Budgeted:           | \$0.00                           |
| From Account Name          | Amount: 401-00-00-100-49999      |
| From Account Number        | Storm Water Revenue Fund         |
| Amount                     | \$65,104.40                      |
| To Account Name            | Storm Water Capital Expenditures |
| To Account Number          | 401-62-00-100-57000              |
| Amount                     | \$65,104.40                      |

|                     |                                     |
|---------------------|-------------------------------------|
| From Account Name   | Sanitary Sewer Revenue Fund         |
| From Account Number | 501-00-00-100-49999                 |
| Amount              | \$16,275.60                         |
| To Account Name     | Sanitary Sewer Capital Expenditures |
| To Account Number   | 501-62-00-100-57000                 |
| Amount              | \$16,275.60                         |

**REVIEWED BY**

|                                              |
|----------------------------------------------|
| Teresa Henry<br>Damon Hodges<br>Teresa Henry |
|----------------------------------------------|

**LIST OF REFERENCE DOCUMENTS ATTACHED**

- |    |                                                                              |
|----|------------------------------------------------------------------------------|
| 1. | Reso GBA Professional Services-53rd Street Utility Relocation Project        |
| 2. | Scope - GBA Construction Oversight on 53rd Street Utility Relocation Project |
| 3. | Fee - GBA Construction Oversight on 53rd Street Utility Relocation Project   |
| 4. | Task Order 10 - GBA - 53rd Street Utility Relocation Oversight               |

**SUPPORTING DOCUMENTS  
 (FOR CONTRACT ITEMS ONLY)**

| Document                                           | Attached | If not attached, explain |
|----------------------------------------------------|----------|--------------------------|
| Secretary of State:                                |          |                          |
| Certificate of Insurance:                          |          |                          |
| E-Verify Affidavits:                               |          |                          |
| E-Verify proof of enrollment:                      |          |                          |
| Bond:                                              |          |                          |
| IRS Form W-9:                                      |          |                          |
| Bid/RFP/RFQ: (submit all)                          |          |                          |
| Bid/RFP/RFQ Tabulation:                            |          |                          |
| Bid Waiver: Sole source<br>or less than three bids |          |                          |
| Contractor address and email:                      |          |                          |
| Project Exemption Certificate needed:              |          |                          |
| Other:                                             |          |                          |

**A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH  
GEORGE BUTLER ASSOCIATES, INC. FOR THE CONSTRUCTION PHASE OF THE 53<sup>RD</sup>  
STREET UTILITY RELOCATION PROJECT IN AN AMOUNT NOT TO EXCEED \$81,378.00  
AND AMEND THE FISCAL YEAR 2023-2024 BUDGET**

**WHEREAS**, the City desires to engage the services of our on-call professional engineering firm to provide task order and scope of services for the Construction Phase of the 53<sup>rd</sup> Street Utility Relocation Project in the amount of \$81,378.00; and

**WHEREAS**, the Scope of Basic Services to be provided by George Butler Associates, Inc. (GBA) as described in the Professional Engineering Services Agreement are set forth in the attached Exhibit "A", and the time periods for the performance of specific services in the contract are stipulated therein; and

**WHEREAS**, the City Administrator is authorized and empowered by the City to execute contracts providing for professional services, upon approval by the Board of Aldermen; and

**WHEREAS**, the Board of Aldermen find that it is in the best interest of the citizens of the City of Raytown that the City enter into an agreement with GBA for such purposes; and

**WHEREAS**, pursuant to Resolution R-3550-23, the Fiscal Year 2023-2024 Budget was approved, and it is necessary to amend the Fiscal Year 2023-2024 Budget; and

**WHEREAS**, the Board of Aldermen find it is in the best interest of the City to amend the Fiscal Year 2023-2024 Budget.

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

**THAT** an Agreement for Professional Services by and between the City of Raytown, Missouri and George Butler Associates, Inc for the 53<sup>rd</sup> Street Utility Relocation Project. in an amount not to exceed \$81,378.00 in substantially the same form as attached hereto as Exhibit "A" and incorporated herein, is hereby approved; and

**FURTHER THAT** the Fiscal Year 2023-2024 budget approved by Resolution R-3550-23 is hereby amended as follows:

|                                 |                                         |
|---------------------------------|-----------------------------------------|
| <b>FROM:</b>                    | <b>TO:</b>                              |
| Stormwater Revenue Fund         | Stormwater Capital Expenditures         |
| 401.00.00.100.49999             | 401.62.00.100.57000                     |
| \$65,104.40                     | \$65,104.40                             |
| <br>Sanitary Sewer Revenue Fund | <br>Sanitary Sewer Capital Expenditures |
| 501.00.00.100.49999             | 501.62.00.100.57000                     |
| \$16,275.60                     | \$16,275.60                             |

**FURTHER THAT** the City Administrator is hereby authorized to execute any and all documents necessary in connection with such agreement and the City Clerk is authorized to attest thereto; and

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 4<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

\_\_\_\_\_  
Jennifer M Baird, City Attorney

**EXHIBIT A**  
**SCOPE OF SERVICES**

Engineer: George Butler Associates, Inc. (ENGINEER)  
Owner: City of Raytown, Missouri (CITY)  
Project: 53<sup>rd</sup> Street Utility Improvements Construction Phase Services  
City Project No: SSM-2024-XX

**I. GENERAL**

The following paragraphs provide a general description of the Work required of this Scope of Services. Subsequent paragraphs describe in detail the professional services to be provided by ENGINEER to facilitate the relocation of sanitary sewers, construction of storm sewer culvert, elimination of a sanitary sewer creek crossing, and rehabilitation of a storm culvert in Raytown, Missouri.

- A. The Project. The Public Works Department of the City of Raytown (CITY), Missouri, intends to improve the functionality and lifespan of its sanitary and storm sewer assets located in the City ROW at 53<sup>rd</sup> Plaza and Raytown Road, which is located in Raytown, Missouri. As such, the CITY is contracting with ENGINEER to provide the necessary professional services.
- B. Background Information. The CITY is undertaking this Project to provide construction phase services for the 53<sup>rd</sup> Street Utility Improvements Project. The project will focus on storm and sanitary sewer improvements through rehabilitation and relocation of public storm and sanitary sewers and manholes within the project area.
- C. Follow-On Phases. No additional follow-on phases are anticipated.
- D. General Description of Activities. The Basic Scope of Services to be performed by ENGINEER consists of professional services for the implementation of construction design plans. This Scope of Services includes review of payment applications, weekly construction progress reports, review of change orders, pre-construction conference and resident meetings, and serving as the Resident Project Representative on-site throughout construction.
- E. Task Series Listing. The Basic Scope of Services is organized under the following Task Series:
  - 1. Task Series 100 - PROJECT MANAGEMENT AND ADMINISTRATION
  - 2. Task Series 200 - CONSTRUCTION PHASE SERVICES
- F. Explicit Responsibilities. The Basic Scope of Services explicitly sets forth what ENGINEER shall perform and does not implicitly put additional responsibilities or duties upon ENGINEER. The ENGINEER agrees to provide the specific Basic Services as identified

herein. Work not specifically discussed herein shall not be performed without an amendment or shall be provided as Optional Services upon written authorization from the CITY.

## **II. PROJECT MILESTONES AND CITY REVIEW REQUIREMENTS**

- A. ENGINEER shall complete the services in this scope within 175 calendar days following NTP. ENGINEER's completion schedule will be extended by the CITY for delays beyond the reasonable control of the ENGINEER as approved by the CITY.
- B. The CITY hereby commits to review deliverables and provide comments within fourteen (14) calendar days after receipt of deliverables from ENGINEER. CITY will endeavor to provide consolidated written review comments to ENGINEER within a fourteen (14) calendar day period. A review meeting will be scheduled and conducted by ENGINEER no more than fourteen (14) calendar days after receipt of written consolidated CITY review comments, unless a mutually agreed upon date outside this schedule window is selected.

## **III. BASIC SCOPE OF SERVICES**

The following Task Series describe the Basic Scope of Services to be provided by the ENGINEER under the Project.

### **TASK SERIES 100 - PROJECT MANAGEMENT AND ADMINISTRATION**

The purpose of Project Management and Administration will be to manage, direct and oversee each element of Basic Services identified herein and subcontractors employed by the ENGINEER in completion of the Work. The following management activities will be provided by ENGINEER.

#### **Task 101 Project Management Services (5 months)**

Provide project management services necessary throughout the project to successfully manage and complete the work, including project correspondence and consultation with CITY Staff; supervision and coordination of services; scheduling and assignment of personnel resources; continuous monitoring of work progress; and maintenance of project controls.

Prepare and submit monthly invoices on a form acceptable to the CITY and provide a monthly project status report and updated project schedule, which shall accompany the monthly invoice submittal. The monthly project status report shall identify work performed by the ENGINEER, the work activities anticipated to be performed the next month, action items required by CITY, potential project scope variances with corrective action, a general assessment of the ENGINEER's ability to meet project schedule milestones, including identification of delays beyond its control, an estimate of work percent completion for each Task Series in the Basic Scope of Services based on the work completed, and the earned value of the completed work for each task series.

Schedule and attend up to 10 bi-weekly progress meetings with CITY and Contractor. Meetings to be held virtually via Teams and are budgeted for up to 1 hour. Progress meetings will be attended by up to two (2) people from ENGINEER.

### **Task 102      Review Applications for Payments**

Review applications for payment with the contractor for compliance with the contract documents and submit to the CITY with a recommendation for payment. A total of five (5) pay applications are budgeted for this project.

### **Task 103      Weekly Progress Reports**

Prepare and submit to the CITY and the contractor weekly progress reports that indicate the work completed by the contractor during the previous week, upcoming major tasks, and anticipated coordination necessary during the upcoming week. It is anticipated that construction will go on for 20 weeks resulting in 20 progress reports.

### **Task 104      Review Change Order Requests**

Review change order requests and discuss valid issues raised by the contractor in those requests with CITY staff. Develop and process change order documents requested by the CITY staff. It is anticipated that up to three (3) change order requests will be reviewed as part of this project.

## **TASK SERIES 200 - CONSTRUCTION PHASE SERVICES**

### **Task 201      Pre-Construction Conference / Resident Meeting**

Assist the CITY in conducting a pre-construction conference with the Contractor and other necessary parties. Up to three (3) team members from ENGINEER will attend this in-person conference that is budgeted to last up to two (2) hours. ENGINEER will provide a written summary of the conference. The ENGINEER will notify affected utility companies in writing, prior to the pre-construction conference so that they have a chance to attend if they want to.

### **Task 202      Act as City of Raytown's Professional Representative**

Act as the CITY's professional representative. Project coordinate and attend meetings with contractor and CITY at project site, if needed. Coordinate and conduct correspondence with residents on behalf of the CITY, if needed.

### **Task 203      Review Contractor's Submittals**

Review shop drawings, test results, and other submittals from Contractor to show conformance to the contract documents. Maintain a submittal log to document the processing of submittals. It is anticipated that up to 10 submittals will be reviewed, and up to five (5) re-submittals will be reviewed a second time.

### **Task 204      Pre-Construction Photos and Videos**

ENGINEER will coordinate with the Contractor the taking of pre-construction photos and video tapes of the construction alignment, temporary easements, adjacent developed properties, railroads, highways, and roadways. ENGINEER will review these items at the beginning of the

project. Also, ENGINEER will take construction progress photos of critical elements throughout the project.

#### **Task 205      Substantial Completion Inspection**

Conduct substantial completion inspection. Up to three (3) team members from ENGINEER will accompany CITY staff on-site to review project completion and prepare and submit a log of punch list items to the CITY. Up to eight (8) hours are budgeted for this task.

#### **Task 206      Final Completion Inspections**

Conduct final completion inspection. Up to three (3) team members from ENGINEER will accompany both the contractor and CITY staff on-site to review project completion and determine if outstanding issues are still observed. Up to eight (8) hours are budgeted for this task. ENGINEER will document a summary of the inspection and provide to the CITY.

#### **Task 207      As-Constructed Drawings**

Utilize the as-constructed information provided by the contractor and the Resident Project Representative to update the drawings. Provide the CITY with digital PDFs of record drawings.

#### **Task 208      Resident Project Representative (RPR)**

Provide construction observation by a qualified RPR as necessary to confirm that the completed project will conform to the project drawings and specifications. Immediately report to the CITY work that does not conform to the project documents. This task shall also include support for the RPR from the project management team. A total of 280 hours has been budgeted for the RPR to be on-site. The RPR will only be on-site if one of the following conditions is met:

1. A CITY or Contractor's representative has contacted GBA and requested RPR to be on-site on a specific day/time.
2. The Contractor is performing specialized work that requires GBA RPR to be on-site. This work includes: sewer line construction, manhole construction, creek crossing rehabilitation, materials/construction testing, or bridge culvert repairs.

Since the RPR may not be on-site for the entirety of the construction each day, ENGINEER will only be responsible for observations made during their time on-site.

### **IV. ASSUMPTIONS**

1. Assume that 10 bi-weekly progress meetings will be necessary to complete this project.
2. Assume that five (5) applications for payment will be reviewed and processed during this project.
3. Assume that three (3) change orders will be necessary to complete this project.

4. Assume that one (1) trip to the job site will be necessary to complete the substantial completion inspection.
5. Assume that one (1) trip to the job site will be necessary to complete the final completion inspection.

## **V. OPTIONAL SERVICES**

Work requested by the CITY that is not specifically stated in one of the Basic Scope of Services listed above shall be classified as Optional Services. ENGINEER's contract maximum upper limit for compensation includes an allowance amount for Optional Services not yet authorized by CITY that may be required throughout the course of the work. This allowance amount shall not be utilized unless specifically authorized in writing by the CITY to perform Optional Services. Optional Services shall not be performed, nor is the ENGINEER approved to utilize any of the allowance amount, unless the CITY provides written authorization to ENGINEER that includes the scope of work for each Optional Service to be performed and a maximum billing limit for compensation that has been mutually agreed upon. Optional Services shall include, but not limited to:

1. Additional time on-site above the 280 hours currently allotted for in this Scope.
2. Additional meetings with CITY or Contractor beyond those specifically spelled out in this Scope.

## **VI. CITY'S RESPONSIBILITIES**

CITY will furnish, as required by Basic Services and not at the expense of the ENGINEER, the following items:

- A. Provide available information pertinent to the assignment, including GIS data, previous reports, drawings, specifications, and other data relative thereto. Provide said information within thirty (30) calendar days of receipt of a written request by ENGINEER.
- B. CITY's Project Manager will coordinate meetings between CITY staff and the ENGINEER.
- C. CITY will provide the following services:
  1. The CITY will reproduce and submit Construction Contract Documents and construction permit application to MDNR for approval, if needed.

(End of Scope of Services)

**EXHIBIT B**  
**FEE SCHEDULE**

[illegible]

| City of Raytown, Missouri – Project Task Order                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                    |                                                                                                     |                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| Contract: _____ Scope of Services of George Bulter Associates for Oversight of the 2023 53rd Street Utility Relocation Project _____                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                    |                                                                                                     |                                                                    |
| Ordinance or Resolution: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Task Agreement No: _____ 10 _____                  | Funding Amount: _____ \$81,378.00 _____<br>Purchase Order No: _____                                 |                                                                    |
| Project Title: _____ SWM-2023-04 2023 53rd Street Utility Relocation Project _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                                                                                     |                                                                    |
| Contractor/Consultant:<br>GBA<br>10212 F Street<br>Omaha, Nebraska 68127                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                    | Division and Staff Project Manager:<br>Daria Sakharova P.E.<br>Senior Engineer<br>Water Environment |                                                                    |
| Project Management Manual reviewed: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                    | Attachments (Gantt Chart, etc.): _____ Scope & Fee for Project _____                                |                                                                    |
| <p>PROJECT Scope (can be in the form of an attachment):<br/> Project Design:<br/> <u>The Basic Scope of Services to be performed by ENGINEER consists of professional services for the implementation of construction design plans. This Scope of Services includes review of payment applications, weekly construction progress reports, review of change orders, pre-construction conference and resident meetings, and serving as the Resident Project Representative on-site throughout construction.</u></p> <p>_____</p> <p>_____</p> <p>_____</p> |                                                    |                                                                                                     |                                                                    |
| <b>City Signatures</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                    | <b>Partner Signatures</b>                                                                           |                                                                    |
| <b>City Administrator:</b><br><br>Damon Hodges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Public Works Director:</b><br><br>Robinson Camp | <b>Project Manager:</b><br><br>Daria Sakharova, P.E.                                                | <b>Company Principal (if different):</b><br><br>Kurt Hassler, P.E. |
| Signature:<br><br>_____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Signature:<br><br>_____                            | Signature:<br><br>_____                                                                             | Signature:<br><br>_____                                            |
| Date:<br><br>_____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Date:<br><br>_____                                 | Date:<br><br>_____                                                                                  | Date:<br><br>_____                                                 |
| Project Type:      Design _____ Construction <u>  X  </u> Property Acquisition _____ Conceptual/Problem Solving _____ Surveying _____<br>Project Discipline(s):      Transportation _____ Facilities _____ Water _____ Wastewater <u>  X  </u> Stormwater <u>  X  </u>                                                                                                                                                                                                                                                                                   |                                                    |                                                                                                     |                                                                    |
| Report(s) Received: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                    |                                                                                                     |                                                                    |
| Work on File: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                    |                                                                                                     |                                                                    |
| This Task Agreement is subject to all the provisions included in Exhibit A and Fee schedule in Exhibit B.                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                    |                                                                                                     |                                                                    |

Attach scope of work, budget, and other supporting material

## CITY OF RAYTOWN Request for Board Action

---

**DATE SUBMITTED:** 05/28/2024

**MEETING DATE:** June 4, 2024

**SUBMITTED BY:**

**DEPARTMENT:** Public Works

**Document Type:** Resolution Budget Amendment

### SUBJECT/REQUEST

**R-3610-24:** Amend the Fiscal Year 2023-2024 Budget related to Lamp Rynearson for Professional Services in Municipal Separate Storm Sewer System (MS4) Implementation Services.

### BACKGROUND/JUSTIFICATION

In January 2024, the Environmental Protection Agency (EPA) did an inspection of our Municipal Separate Storm Sewer System (MS4) permit. During the inspection, EPA pointed out some inconsistencies and formalities that the City of Raytown could improve. To address these issues, Lamp Rynearson is going to help the City of Raytown with an Illicit Discharge Detection & Elimination (IDDE) Program, Construction Site Runoff Control Program, Post Construction Program, Operations and Maintenance Manual for Municipal Facilities, Required Permit Training Program, Customize MS4 Program Checklists and Templates, and help with the 2024 Annual Report.

Our current 2023-2024 budget cannot absorb the professional services. To accommodate the cost, the City of Raytown will be using the American Rescue Plan Act (ARPA) funding to fund this project. The amount of the professional services is outlined in their scope of \$28,227.00.

### RECOMMENDED MOTION

Staff recommends approval as submitted.

### PREVIOUS ACTION

### COMMISSION/COMMITTEE REVIEW

### FINANCIAL IMPACT

|                            |                             |
|----------------------------|-----------------------------|
| Contractor                 | Lamp Rynearson              |
| Amount of Request/Contract | \$28,887.00                 |
| Amount Budgeted:           | \$0.00                      |
| From Account Name          | Amount: 401-00-00-100-49999 |
| From Account Number        | Storm Water Revenue Fund    |

|                   |                                  |
|-------------------|----------------------------------|
| Amount            | \$28,887.00                      |
| To Account Name   | Storm Water Capital Expenditures |
| To Account Number | 401-62-00-100-57000              |
| Amount            | \$28,887.00                      |

**REVIEWED BY**

|                                                                                   |
|-----------------------------------------------------------------------------------|
| Robinson Camp<br>Michael Graham<br>Jennifer Baird<br>Damon Hodges<br>Teresa Henry |
|-----------------------------------------------------------------------------------|

**LIST OF REFERENCE DOCUMENTS ATTACHED**

- |    |                                                                 |
|----|-----------------------------------------------------------------|
| 1. | Reso Lamp Rynearson-Municipal Separate Storm Sewer System (MS4) |
| 2. | Raytown 2024-04 Task Order - MS4 Implementation                 |

**SUPPORTING DOCUMENTS  
 (FOR CONTRACT ITEMS ONLY)**

| Document                                           | Attached | If not attached, explain |
|----------------------------------------------------|----------|--------------------------|
| Secretary of State:                                |          |                          |
| Certificate of Insurance:                          |          |                          |
| E-Verify Affidavits:                               |          |                          |
| E-Verify proof of enrollment:                      |          |                          |
| Bond:                                              |          |                          |
| IRS Form W-9:                                      |          |                          |
| Bid/RFP/RFQ: (submit all)                          |          | On File                  |
| Bid/RFP/RFQ Tabulation:                            |          |                          |
| Bid Waiver: Sole source<br>or less than three bids |          |                          |
| Contractor address and email:                      |          |                          |
| Project Exemption Certificate needed:              |          |                          |
| Other:                                             | X        |                          |

**A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LAMP RYNEARSON FOR RAYTOWN MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) IMPLEMENTATION SERVICES IN AN AMOUNT NOT TO EXCEED \$28,877.00 FOR FISCAL YEAR 2023-2024 AND AMEND THE FISCAL YEAR 2023-2024 BUDGET**

**WHEREAS**, the City desires to engage the services of our on-call professional engineering firm to provide Implementation Services for the Raytown Municipal Separate Storm Sewer Systems (MS4) in the amount of \$28,877.00; and

**WHEREAS**, the Scope of Basic Services to be provided by Lamp Rynearson as described in the Professional Engineering Services Agreement are set forth in the attached Exhibit "A", and the time periods for the performance of specific services in the contract are stipulated therein; and

**WHEREAS**, the City Administrator is authorized and empowered by the City to execute contracts providing for professional services, upon approval by the Board of Aldermen; and

**WHEREAS**, the Board of Aldermen find that it is in the best interest of the citizens of the City of Raytown that the City enter into an agreement with Lamp Rynearson for such purposes; and

**WHEREAS**, pursuant to Resolution R-3550-23, the Fiscal Year 2023-2024 Budget was approved, and it is necessary to amend the Fiscal Year 2023-2024 Budget; and

**WHEREAS**, the Board of Aldermen find it is in the best interest of the City to amend the Fiscal Year 2023-2024 Budget.

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

**THAT** an agreement with Lamp Rynearson for Implementation Services for the Raytown Municipal Separate Storm Sewer Systems (MS4) in an amount not to exceed \$28,877.00 for fiscal year 2023-2024 in substantially the same form as attached hereto as Exhibit "A" and incorporated herein, is hereby authorized and approved; and

**FURTHER THAT** the Fiscal Year 2023-2024 budget approved by Resolution R-3550-23 is hereby amended as follows:

| <b>FROM:</b>            | <b>TO:</b>                      |
|-------------------------|---------------------------------|
| Stormwater Revenue Fund | Stormwater Capital Expenditures |
| 401.00.00.100.49999     | 401.62.00.100.57000             |
| \$28,887.00             | \$28,887.00                     |

**FURTHER THAT** the City Administrator is hereby authorized to execute any and all documents necessary in connection with such agreement 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 4<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

\_\_\_\_\_  
Jennifer M. Baird, City Attorney

## City of Raytown, Missouri – Project Task Order

Contract: On Call Contract Project Number 0324008

Ordinance or Resolution:

Task Agreement No: 2024-04

Funding Amount: \$ 28,887

Purchase Order No:

Project Title: **Raytown MS4 Implementation Services**

Contractor/Consultant:  
Lamp Rynearson, Inc.  
9001 State Line Road, Suite 200  
Kansas City, MO 64114

Division and Staff Project Manager:  
Civil Design Group  
Daniel G. Miller, P.E. – Civil Design Group Leader

Project Management Manual reviewed:

Attachments (Gantt Chart, etc.): Scope and Fee estimate

PROJECT Scope (can be in the form of an attachment):

Please see attached

Additional items not included are as follows: Formal training presentations on permit mandatory items, 2024 Annual Report (to be submitted 2/28/2025), Additional EPA Responses and potential status updates, Field visits for construction inspections

The attached services will be provided for an hourly rate not to exceed **\$28,887** including direct expenses.

### City Signatures

### Partner Signatures

**City Administrator:**

**Mayor:**

**Project Manager:**

**Company Principal (if different):**

Damon Hodges

Mike McDonough

Daniel G. Miller, P.E.

Regan Pence, PLA

Signature:

Signature:

Signature:

Signature:

Date:

Date:

Date:

Date:

5/2/2024

Project Type: Design \_\_\_\_\_ Construction \_\_\_\_\_ Property Acquisition \_\_\_\_\_ Conceptual/Problem Solving \_\_\_\_\_ Surveying \_\_\_\_\_

Project Discipline(s): Transportation \_\_\_\_\_ Facilities \_\_\_\_\_ Water \_\_\_\_\_ Wastewater \_\_\_\_\_ Stormwater X \_\_\_\_\_

Report(s) Received:

Work on File:

This Task Agreement is subject to all the provisions included in the On-Call Professional Services Agreement by and between the City of Raytown, MO and Lamp Rynearson, Inc. (Professional), **dated 02/18/2020.**

Attach scope of work, budget, and other supporting material

# Raytown MS4 Program Implementation

## Scope of Services

### 1. Program Updates

All programs will be reviewed to have written procedures (SOPs), in a simple, short manner.

#### A. Illicit Discharge Detection & Elimination (IDDE) Program

##### i) Review Outfall Locations

- Obtain outfall shapefile from City and review outfall locations, updating as necessary.
- Identifying priority outfalls.
- Updating outfall shapefile attributes per permit requirements and delivering data.
- Virtual meeting to review updates with City.

##### ii) Updating the existing plan with the addition of a Sanitary Sewer Overflow section, including a Priority Outfall section.

##### iii) Determine best method for sampling suspected illicit discharges. Get a contract with a water testing laboratory setup. Update procedures in the IDDE Plan to include lab procedures.

##### iv) Work with the City to include detailed enforcement procedures (modify the existing IDDE Plan procedures) and procedures for record keeping and updating the GIS outfall attributes.

#### B. Construction Site Runoff Control Program

Work with the City to create a Construction Site Runoff Control Program. Update the Design and Construction Manual with the processes below. Update the plan review process online (as needed).

##### i) A plan review process that takes into account the potential water quality impacts laid out in Permit Section 4.4.B, as well as, strategies to minimize these impacts with structural and non-structural controls (Permit Section 4.5.B&C).

##### ii) Procedures for receipt and consideration of information submitted by the public

##### iii) Procedures for site inspections that follow Ordinance Section 18.4 and Permit Sections 4.4.C to 4.4.G. This includes detailed procedures for enforcement of control measures at active construction sites.

##### iv) Procedures for tracking construction projects, record keeping. We will work with the City to determine the best methods for record keeping, using Cityworks to serve as a possible records and tracking method.

##### v) Update process in the City Design Manual, in the Stormwater Management Plan (SWMP) and replace potential online processes.

C. Post Construction Program

Work with the City to create a Post Construction Program

i) Design and Construction Manual Updates

- Prepare minor updates to better align with the newly adopted Ordinance and remove CMP references.
- Provide a Post Construction Section in the City's Design and Construction Manual.

ii) Ordinance review and update

- Review KC Metro APWA Section 5600 and the APWA/MARC BMP Manual and list additions and modifications for SOP's that best fit the City. We will compare nearby Construction Programs at other Missouri MS4 communities and add to our findings.
- Review of the recently updated Ordinances and update to follow the City's updated Construction/PC programs.
- Prepare Ordinance Updates for adoption and City Council Packet item.

iii) Develop a post construction certification program SOP's

iv) Two meetings at City Hall are expected to review proposed updates and address City comments received.

v) Update process in the City Design Manual, in the Stormwater Management Plan (SWMP) and provide guidance on online content.

D. Operations and Maintenance Manual for Municipal Facilities

i) Review the existing O&M Manual created in 2022 with the PW Director. Edits to the manual will occur during a virtual meeting.

ii) Finish aerial mapping of 6 facilities and 8 parks.

- Create a base map of all locations (6 municipal facilities and 8 parks) and add required attribute data. Hold a virtual meeting with the City to review each location and identify potential pollutants. Address City comments and deliver GIS data.

E. Required Permit Training Program (Permit Sections 4.3.Q, 4.4.K, 4.5.L, 4.6.A)

i) Develop a spreadsheet that contains all MS4 training components

ii) Provide annual training material, sign in sheets covering the following topics:

- Construction / Erosion Plan Review and Maintenance Agreements
- Erosion/ Sediment Control Plan Inspections
- Stormwater Targeted Public Employees & identifying illicit discharges
- Illicit Discharge Response Form
- Outfall inspections

- Municipal Facilities
  - iii) Send Calendar Appointments to all City staff for required annual training. Follow-up a week in advance to determine everyone will be attending. Sign in sheets will be emailed to Lamp Rynearson.
2. Customize MS4 Program Checklists and Templates
- A. Prepare checklists (simple/short) for use as attachments in Cityworks and to have on hand for out in the field. The fields for the checklists will match with the fields in the tracking database to easily copy and paste information. The following checklists will be updated from the ones in the Appendix of the SWMP or created:
- Plan Review – Create
  - Long Term Structural BMP Plan Review Checklist- Update
  - IDDE Sampling – Update
  - Construction Oversight Inspections – Update
  - Enforcement Letter/ Notices for IDDE, Construction and PC Program – Create
  - Post Construction Inspection Form (for City to use) - Update
  - Post Construction Certification Form - Create
  - Post Construction Recertifications – Create (up to 4)
  - Municipal Facilities - Update
3. MS4 Implementation Program
- Implementation Support - Lamp Rynearson will be a part of the implementation process in 2024 with the following processes:
- A. Meet quarterly (in 2024) or as required with City staff to review progress in performing required tasks.
- i) Review the MS4 Tracking Database & provide feedback.
    - The City will send a copy of the excel file 'MS4 Tracking Database'
- B. Review 2 developments/redevelopments with the City Engineer following the proposed plan review processes.
- C. Receive copies of all checklists completed and provide feedback (outfall inspections, sampling results, plan reviews, inspections).
- D. Training Implementation
- i) IDDE Outfall Inspections
    - Hold a meeting with the City to review updates and do a test run of outfall inspections & sampling procedures.
  - ii) Hold a meeting at City Hall to review SOP's with the following departments:

- Community Development (Planning and Development, Code Enforcement and Building Inspections): Reviewing water quality impacts during plan / site reviews, Illicit Discharges, Erosion and sediment control best management practices (BMP) and water quality BMP inspections.
- Parks & Recreation: Municipal Facilities
- Fleet
- Public Works
- Code / Building Officials

Meetings will be set to .....

Tasks that may require a supplemental agreement include:

- Additional plan reviews
- Increased meetings
- Formal training presentations
- 2024 Annual Report
- Additional EPA Responses and potential status updates
- Field visits for construction inspections



## CIVIL DESIGN GROUP FEE ESTIMATE

PROJECT TITLE Raytown MS4 Implementation Services  
 LOCATION Raytown, Missouri  
 DATE 4/17/2024

PROJECT #  
 BY ams

| Classification: | Group<br>Leader Sr II | Project<br>Engineer IV | Admin<br>Assistant | Subtotal<br>of Hrs<br>per Item | Subtotal<br>of Fee<br>per Item |
|-----------------|-----------------------|------------------------|--------------------|--------------------------------|--------------------------------|
| Associate:      | Miller                | Schleicher             | Nichols            |                                |                                |
| Hourly Rate:    | \$298.00              | \$147.00               | \$115.00           |                                |                                |

| Program Assistance                                                                                 |     |    |   |     |         |
|----------------------------------------------------------------------------------------------------|-----|----|---|-----|---------|
| Project Management                                                                                 | 4   | 2  |   | 6   | \$1,486 |
| Printing/Documenting/QAQC Reviews                                                                  |     |    | 4 | 4   | \$460   |
| <b>I. Program Support</b>                                                                          |     |    |   |     |         |
| A. Illicit Discharge Detection & Elimination (IDDE) Program                                        |     |    |   |     |         |
| i) Review outfall locations, update GIS attributes (1 virtual meeting)                             |     | 6  |   | 6   | \$882   |
| ii) Updating plan with SSO, priority outfalls, contracted lab sections                             |     | 4  |   | 4   | \$588   |
| iii) Get a contract with a lab, coordinate and share procedures                                    |     | 3  |   | 3   | \$441   |
| iv) Standard Operating Procedures (SOPs) -Enforcement, Record Keeping, IDDE Binder for inspections |     | 4  |   | 4   | \$588   |
| B. Construction Site Runoff Control Program                                                        |     |    |   |     |         |
| i) Plan Review Standard Operating Procedures (SOP)                                                 | 0.5 | 4  |   | 4.5 | \$737   |
| ii) Procedures for receipt and consideration of information submitted by the public                |     | 4  |   | 4   | \$588   |
| iii) Procedures for site inspections & enforcement at active sites                                 | 0.5 | 4  |   | 4.5 | \$737   |
| iv) Procedures for tracking construction projects, record keeping                                  |     | 2  |   | 2   | \$294   |
| v) Updates of processes to City Design Manual, SWMP and online                                     | 0.5 | 4  |   | 4.5 | \$737   |
| C. Post Construction (PC) Program                                                                  |     |    |   |     |         |
| i) Design and Construction Manual updates                                                          | 0.5 | 8  |   | 8.5 | \$1,325 |
| ii) Ordinance review and update                                                                    | 2   | 20 |   | 22  | \$3,536 |
| iii) Post construction certification program                                                       | 0.5 | 4  |   | 4.5 | \$737   |
| iv) Two meetings at City Hall                                                                      | 4   | 4  |   | 8   | \$1,780 |
| v) Updates of processes to City Design Manual, SWMP and online                                     | 0.5 | 3  |   | 3.5 | \$590   |
| D. Operations and Maintenance Manual for Municipal Facilities                                      |     |    |   |     |         |
| i) Review & update the existing O&M Manual with the PW Director (virtual meeting)                  | 1   | 4  |   | 5   | \$886   |
| ii) Finish aerial mapping of 6 facilities and 8 parks.                                             |     | 8  |   | 8   | \$1,176 |
| E. Required Permit Training Program                                                                |     |    |   |     |         |
| i) Develop a spreadsheet                                                                           |     | 2  |   | 2   | \$294   |
| ii) Provide annual training material                                                               |     | 6  |   | 6   | \$882   |
| iii) Training calendar invites and followup                                                        |     | 2  | 1 | 3   | \$409   |

|                                                                                        |   |   |    |          |
|----------------------------------------------------------------------------------------|---|---|----|----------|
| 2. Custom Checklists and Templates                                                     |   |   |    |          |
| A. Prepare checklists - Plan reviews, inspections, enforcement notices, certifications |   |   |    |          |
| Plan Review (2) - Update                                                               | 1 |   | 1  | \$147    |
| IDDE Sampling Form Update                                                              | 1 |   | 1  | \$147    |
| IDDE Enforcement Notification/Violation - Create                                       | 2 | 1 | 3  | \$409    |
| Construction Oversight Inspection - Update                                             | 1 |   | 1  | \$147    |
| Construction Enforcement Notice/Violations - Create                                    | 2 | 1 | 3  | \$409    |
| PC Inspection Form (Final and Follow-up by City) - Update                              | 2 |   | 2  | \$294    |
| PC Certification Form - Create                                                         |   | 1 | 1  | \$115    |
| PC Construction Recertification Forms (4) - Create                                     |   | 4 | 4  | \$460    |
| PC Certification Notification Letter Template - Create                                 | 1 | 1 | 2  | \$262    |
| PC Maintenance Agreement - Update                                                      |   | 1 | 1  | \$115    |
| Municipal Facilities Inspection Form - Update to include Parks/ Reduce Content         | 1 |   | 1  | \$147    |
| 3. MS4 Implementation Program                                                          |   |   |    |          |
| A. Quarterly progress meetings with City (assume 3)                                    | 6 | 6 | 12 | \$2,670  |
| B. Development reviews (2 virtual)                                                     | 2 | 2 | 4  | \$890    |
| C. Verification of paperwork completed with feedback                                   |   | 4 | 4  | \$588    |
| D. Training Implementation                                                             | 4 | 8 | 12 | \$2,368  |
| Subtotal of Hours per Associate 26 129 14 159                                          |   |   |    |          |
| Subtotal of Fee per Associate \$7,748.00 \$18,963.00 \$1,610.00                        |   |   |    |          |
|                                                                                        |   |   |    | \$28,321 |
| Project Fee Summary                                                                    |   |   |    |          |
| Subtotal                                                                               |   |   |    | \$28,321 |
| Reimbursables 2%                                                                       |   |   |    | \$566    |
| PROJECT TOTAL                                                                          |   |   |    | \$28,887 |

## CITY OF RAYTOWN Request for Board Action

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**DATE SUBMITTED:** 05/28/2024

**MEETING DATE:** June 4, 2024

**SUBMITTED BY:**

**DEPARTMENT:** Public Works

**Document Type:** Resolution Budget Amendment

### SUBJECT/REQUEST

**R-3611-24:** AMENDING THE FISCAL YEAR 2023-2024 BUDGET RELATED TO GEORGE BUTLER ASSOCIATES FOR PROFESSIONAL SERVICES IN SURVEYING THE WHITE OAK WEST SANITARY SEWER BASIN.

### BACKGROUND/JUSTIFICATION

Public Works is continuing its Infiltration and Inflow Sanitary Sewer Program that George Butler Associates outlined for the City of Raytown. George Butler Associates completed the design portion for the sanitary sewer basin Wildwood North. This will soon go out for bid in mid-summer of 2024. To prepare for the next phase of the program, White Oak West Sewer Basin needs to be surveyed in order to design the project. The City of Raytown's Sanitary Sewer Department will help gather video footage to minimize the cost of the project.

To accommodate the cost, the City of Raytown will be using the American Rescue Plan Act (ARPA) funding to fund this project. The amount of the professional services is outlined in their scope of \$178,589.00.

### RECOMMENDED MOTION

Staff recommends approval as submitted.

### PREVIOUS ACTION

### COMMISSION/COMMITTEE REVIEW

### FINANCIAL IMPACT

|                            |                                     |
|----------------------------|-------------------------------------|
| Contractor                 | George Butler Associates            |
| Amount of Request/Contract | \$178,589.00                        |
| Amount Budgeted:           | \$0.00                              |
| From Account Name          | Sanitary Sewer Revenue Fund         |
| From Account Number        | 501-00-00-100-49999                 |
| Amount                     | \$178,589.00                        |
| To Account Name            | Sanitary Sewer Capital Expenditures |

To Account Number 501-62-00-100-57000  
 Amount \$178,589.00

**REVIEWED BY**

Robinson Camp  
 Michael Graham  
 Jennifer Baird  
 Damon Hodges  
 Teresa Henry

**LIST OF REFERENCE DOCUMENTS ATTACHED**

1. Reso GBA Professional Services-Surveying White Oak West Sanitary Sewer Basin
2. Sanitary Sewer White Oak West Basin Scope and Fee
3. Task Order 11 - GBA - White Oask West Survey

**SUPPORTING DOCUMENTS  
 (FOR CONTRACT ITEMS ONLY)**

| Document                                           | Attached | If not attached, explain |
|----------------------------------------------------|----------|--------------------------|
| Secretary of State:                                |          |                          |
| Certificate of Insurance:                          |          |                          |
| E-Verify Affidavits:                               |          |                          |
| E-Verify proof of enrollment:                      |          |                          |
| Bond:                                              |          |                          |
| IRS Form W-9:                                      |          |                          |
| Bid/RFP/RFQ: (submit all)                          |          | On File                  |
| Bid/RFP/RFQ Tabulation:                            |          |                          |
| Bid Waiver: Sole source<br>or less than three bids |          |                          |
| Contractor address and email:                      |          |                          |
| Project Exemption Certificate needed:              |          |                          |
| Other:                                             | X        |                          |

**A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH  
GEORGE BUTLER ASSOCIATES, INC. FOR SURVEYING SERVICES FOR THE WHITE  
OAK WEST SANITARY SEWER BASIN IN AN AMOUNT NOT TO EXCEED \$178,589.00 AND  
AMEND THE FISCAL YEAR 2023-2024 BUDGET**

**WHEREAS**, the City desires to engage the services of our on-call professional engineering firm to provide task order and scope of services for Surveying Services associated with the White Oak West Sanitary Sewer Basin in the amount of \$178,589.00; and

**WHEREAS**, the Scope of Basic Services to be provided by George Butler Associates, Inc. (GBA) as described in the Professional Engineering Services Agreement are set forth in the attached Exhibit "A", and the time periods for the performance of specific services in the contract are stipulated therein; and

**WHEREAS**, the City Administrator is authorized and empowered by the City to execute contracts providing for professional services, upon approval by the Board of Aldermen; and

**WHEREAS**, the Board of Aldermen find that it is in the best interest of the citizens of the City of Raytown that the City enter into an agreement with GBA for such purposes; and

**WHEREAS**, pursuant to Resolution R-3550-23, the Fiscal Year 2023-2024 Budget was approved, and it is necessary to amend the Fiscal Year 2023-2024 Budget; and

**WHEREAS**, the Board of Aldermen find it is in the best interest of the City to amend the Fiscal Year 2023-2024 Budget.

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

**THAT** an Agreement for Professional Services by and between the City of Raytown, Missouri and George Butler Associates, Inc for Surveying Services associated with the White Oak West Sanitary Sewer Basin in the amount of \$178,589.00 in substantially the same form as attached hereto as Exhibit "A" and incorporated herein, is hereby approved; and

**FURTHER THAT** the Fiscal Year 2023-2024 budget approved by Resolution R-3550-23 is hereby amended as follows:

**FROM:**

Sanitary Sewer Revenue Fund  
501.00.00.100.49999  
\$178,589.00

**TO:**

Sanitary Sewer Capital Expenditures  
501.62.00.100.57000  
\$178,589.00

**RESOLUTION NO.: R-3611-24**

**FURTHER THAT** the City Administrator is hereby authorized to execute any and all documents necessary in connection with such agreement and the City Clerk is authorized to attest thereto; and

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 4<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

\_\_\_\_\_  
Jennifer M Baird, City Attorney

## EXHIBIT A

### SCOPE OF SERVICES

It is expressly understood and agreed by the parties hereto that it is the intention of this Agreement to provide for furnishing engineering services for the subject project:

RAYTOWN, MISSOURI  
2024 SANITARY SEWER MAINTENANCE PROGRAM  
WHITE OAK WEST PRELIMINARY ENGINEERING SERVICES

The City of Raytown, Missouri (CITY) has identified the need to remove sources of Inflow and Infiltration from the sanitary sewer system. As such, CITY has contracted with George Butler Associates, Inc. (ENGINEER) to perform the tasks included herein.

The project will: inventory, inspect, and evaluate existing sanitary sewer lines and structures for both structural condition and inflow and infiltration (I&I) defects; analyze the extent of I&I in the project area through the use of flow monitoring; and provide rehabilitation recommendations for the studied assets.

Future phases of the project will provide engineering plans for rehabilitation design and follow-up inspections and monitoring.

The Scope of Services for this Project is organized into FOUR (4) major Task Series:

Task Series 100 – Project Management and Administration  
Task Series 200 – Field Investigations  
Task Series 300 – GIS Database Preparation and Data Entry  
Task Series 400 – Data Analysis and Recommendations

#### TASK SERIES 100 – PROJECT MANAGEMENT AND ADMINISTRATION

100. Project Management and Administration. Provide the management functions required to successfully complete the project, including all project correspondence with the CITY; a virtual Kick-off meeting consultation with the CITY's staff that will include the Project Manager and Project Engineer from ENGINEER and is anticipated to take one (1) hour; supervision and coordination of services, and a quality control/assurance; scheduling and assignment of personnel resources, continuous monitoring of work progress, and monthly invoicing for the work performed. ENGINEER shall prepare and distribute minutes of progress meetings with the CITY with action items.

This project is anticipated to take 150 days to complete. A total of FOUR (4) virtual progress meetings are anticipated as part of this project. Progress meetings will be attended by ENGINEER's Project Manager and are anticipated to last up to one (1) hour.

#### TASK SERIES 200 – FIELD INVESTIGATIONS

200. Field Investigations. The ENGINEER shall collect, compile, and evaluate pertinent and available data from the CITY.

Field investigations will be completed which include:

- flow monitoring at THREE (3) locations for a period of 90 days using Teledyne ISCO 2150 AV Sensors equipped with Teledyne ISCO 2105 Telemetry Units.

- Up to 24 site visits are permitted which include site investigation, install, maintenance, troubleshooting, and removal visits.
- Rainfall monitoring at TWO (2) locations for a period of 90 days using Teledyne ISCO Tipping Bucket Rain Gauge equipped with a Teledyne ISCO 2105 Telemetry Unit.
  - Up to 16 site visits are permitted which include site investigation, install, maintenance, troubleshooting, and removal visits.
- Simple manhole condition assessments of up to 115 sanitary sewer manholes.
  - Each inspection will include at least THREE (3) photos: General Location Photo, Topside Photo, and Channel Photo.
- Internal condition assessments of up to TEN (10) sanitary sewer manholes, as deemed necessary by the ENGINEER.
  - Internal condition assessments will include manned entry into the structure to collect manhole dimensions, lamping photos, defect photos, and other pertinent information as needed.
- Review of CCTV data collected by CITY of up to 22,000 LF. Review will include ensuring that sewer line defects were coded properly, and rehabilitation needs are tabulated and included in the rehabilitation plans.
- Smoke testing of up to 22,000 LF of sanitary sewers.
- Dyed water testing of up to 10 suspect sources, as deemed necessary by ENGINEER.
- Up to 24 hours for field verification of unusual or unclear conditions.

Manhole condition assessments, smoke testing, and dyed water testing (if needed) will be performed using ESRI Field Maps forms developed by the ENGINEER. Data will be stored electronically and provided to the CITY in the form of a GIS geodatabase.

Internal condition assessments, if needed, will be performed using Survey 123 forms developed by the ENGINEER. Data will be stored electronically and provided to the CITY in the form of a GIS geodatabase.

The anticipated flow and rainfall monitoring is anticipated to be from April 1, 2024 – June 30, 2024 unless otherwise mutually agreed upon by CITY and ENGINEER. Flow meter analysis will be performed using Microsoft Excel databases developed by the ENGINEER. Raw flow meter and rainfall data will be provided to the CITY at the conclusion of the monitoring analysis.

#### TASK SERIES 300 – GIS DATABASE PREPARATION AND DATA ENTRY

300. GIS Database Preparation and Data Entry. Based on the results of Task 200 ENGINEER shall develop, or modify the existing, GIS database structures and shapefiles for the purpose of mapping the data. Data to be mapped shall include:

- flow and rainfall monitoring locations
- CCTV locations and data
- manhole inspection data
- smoke testing results and source locations
- dyed water testing results and source locations

ENGINEER shall meet with representatives of the CITY to review the completed mapping and databases.

ENGINEER shall provide electronic files in shapefile or file geodatabase formats for the CITY's use in updating their GIS.

#### TASK SERIES 400 – DATA ANALYSIS AND RECOMMENDATIONS

400. Data Analysis and Recommendations. Based on work completed in Tasks 200 and 300 ENGINEER shall perform analysis of the existing data to identify locations of inflow and infiltration; to quantify inflow and infiltration volumes and flows; identify assets based on condition assessment information that are candidates for rehabilitation or replacement. The results will be used to develop a rehabilitation plan that reduces I&I and aligns with the CITY's capital improvements budget in future phases.

ENGINEER shall deliver a draft report to the CITY in ONE (1) hardcopy and ONE (1) pdf formats summarizing the available data as provided by the CITY, the results of the data analysis, the recommendations for rehabilitation or replacement, identification of data gaps and recommendations for additional data acquisition.

ENGINEER shall meet with representatives from the CITY to discuss the draft report and CITY comments. ENGINEER shall deliver a final report to the CITY in THREE (3) hardcopy and ONE (1) pdf formats. ENGINEER shall be available to present the project and recommendations at a Board of Alderman meeting.

#### ASSUMPTIONS

All assets selected for inspection will be made accessible to the ENGINEER.  
A Notice to Proceed will be received by the ENGINEER no later than March 1, 2024.

#### ADDITIONAL SERVICES

Field investigations to resolve data discrepancies or acquire additional data beyond the hours provided for in Task 200.

Survey services for acquisition of location and elevation information.

Design services related to recommended improvements identified in Task 200 and/or Task 400.

Services related to the modification of existing databases and/or creation of new databases for the purpose of future data collection.

**EXHIBIT "C"**  
**FEE SCHEDULE**

[illegible]

## SCHEDULE

City of Raytown - WOW Area 1 Preliminary Engineering

| Task No.                                                  | Work Task                                               | March-24 | April-24 | May-24 | June-24 | July-24 | August-24 |
|-----------------------------------------------------------|---------------------------------------------------------|----------|----------|--------|---------|---------|-----------|
| <b>TASK 100 - PROJECT MANAGEMENT AND ADMINISTRATION</b>   |                                                         |          |          |        |         |         |           |
| 1.1                                                       | Project Kickoff Meeting                                 |          |          |        |         |         |           |
| 1.2                                                       | Progress Meetings (4 Meetings)                          |          |          |        |         |         |           |
| 1.3                                                       | Monthly Invoicing and Progress Reports                  |          |          |        |         |         |           |
| 1.4                                                       | Project Management and Administration                   |          |          |        |         |         |           |
| <b>TASK 200 - FIELD INVESTIGATIONS</b>                    |                                                         |          |          |        |         |         |           |
| 2.1                                                       | Review Existing Data, Prepare for Field Investigations  |          |          |        |         |         |           |
| 2.2                                                       | Pre and Post Flow and Rainfall Monitoring (5 Locations) |          |          |        |         |         |           |
| 2.3                                                       | Simple Manhole Condition Assessment                     |          |          |        |         |         |           |
| 2.4                                                       | Internal Manhole Condition Assessment                   |          |          |        |         |         |           |
| 2.5                                                       | CCTV Inspections                                        |          |          |        |         |         |           |
| 2.6                                                       | Smoke Testing                                           |          |          |        |         |         |           |
| 2.7                                                       | Dyed Water Testing                                      |          |          |        |         |         |           |
| <b>TASK 300 - GIS DATABASE PREPARATION AND DATA ENTRY</b> |                                                         |          |          |        |         |         |           |
| 3.1                                                       | Develop GIS Database and Shapefiles                     |          |          |        |         |         |           |
| <b>TASK 400 - DATA ANALYSIS AND RECOMMENDATIONS</b>       |                                                         |          |          |        |         |         |           |
| 4.1                                                       | Flow and Rainfall Data Analysis                         |          |          |        |         |         |           |
| 4.2                                                       | Inflow and Infiltration Evaluation                      |          |          |        |         |         |           |
| 4.3                                                       | Manhole Inspection and CCTV Data Analysis               |          |          |        |         |         |           |
| 4.4                                                       | Develop Draft Report and Submit                         |          |          |        |         |         |           |
| 4.5                                                       | Draft Report Review Meeting                             |          |          |        |         |         |           |
| 4.6                                                       | Develop Final Report and Submit                         |          |          |        |         |         |           |
| 4.7                                                       | Present Findings to Board of Aldermen                   |          |          |        |         |         |           |
| Planned schedule                                          |                                                         |          |          |        |         |         |           |
| Planned major deliverable submittal date                  |                                                         |          |          |        |         |         |           |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |                                                                                                     |                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------|------------------------------------------|
| <b>City of Raytown, Missouri – Project Task Order</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                   |                                                                                                     |                                          |
| Contract: _____ Scope of Services of George Bulter Associates for Sanitary Sewer Maintenance Program – White Oak West Survey _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                   |                                                                                                     |                                          |
| Ordinance or Resolution: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Task Agreement No: _____ 11 _____ | Funding Amount: _____ \$178,589.00 _____                                                            |                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   | Purchase Order No: _____                                                                            |                                          |
| Project Title: _____ SSM-2024-01 Sanitary Sewer Maintenance Program – White Oak West Survey _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                   |                                                                                                     |                                          |
| Contractor/Consultant:<br>GBA<br>10212 F Street<br>Omaha, Nebraska 68127                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                   | Division and Staff Project Manager:<br>Daria Sakharova P.E.<br>Senior Engineer<br>Water Environment |                                          |
| Project Management Manual reviewed: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                   | Attachments (Gantt Chart, etc.): _____ Scope & Fee for Project _____                                |                                          |
| <p>PROJECT Scope (can be in the form of an attachment):</p> <p>Project Design:</p> <p><u>The Basic Scope of Services to be performed by ENGINEER consists of inventory, inspect, and evaluate existing sanitary sewer lines and structures for both structural condition and inflow and infiltration (I&amp;I) defects; analyze the extent of I&amp;I in the project area (White Oak West) through the use of flow monitoring; and provide rehabilitation recommendations for the studied assets. Future phases of the project will provide engineering plans for rehabilitation design and follow-up inspections and monitoring.</u></p> <p>_____</p> <p>_____</p> <p>_____</p> |                                   |                                                                                                     |                                          |
| <b>City Signatures</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                   | <b>Partner Signatures</b>                                                                           |                                          |
| <b>City Administrator:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Public Works Director:</b>     | <b>Project Manager:</b>                                                                             | <b>Company Principal (if different):</b> |
| Damon Hodges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Robinson Camp                     | Daria Sakharova, P.E.                                                                               | Kurt Hassler, P.E.                       |
| Signature:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Signature:                        | Signature:                                                                                          | Signature:                               |
| _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | _____                             | _____                                                                                               | _____                                    |
| Date:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Date:                             | Date:                                                                                               | Date:                                    |
| _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | _____                             | _____                                                                                               | _____                                    |
| Project Type: Design <u>  X  </u> Construction _____ Property Acquisition _____ Conceptual/Problem Solving _____ Surveying _____<br>Project Discipline(s): Transportation _____ Facilities _____ Water _____ Wastewater <u>  X  </u> Stormwater _____<br>Report(s) Received: _____<br>Work on File: _____                                                                                                                                                                                                                                                                                                                                                                        |                                   |                                                                                                     |                                          |
| This Task Agreement is subject to all the provisions included in Exhibit A and Fee schedule in Exhibit C.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                   |                                                                                                     |                                          |

Attach scope of work, budget, and other supporting material