



**To:** City Council  
**From:** Planning and Zoning Commission  
**Date:** January 10, 2021  
**Re:** Case #21041 Brown Event Space Conditional Use Permit

## GENERAL INFORMATION

**Applicant** Steven Brown  
**Property Owner:** Steven Brown  
16119 Kentucky Rd.  
Raymore, MO 64083  
**Property Location:** 16119 Kentucky Rd,



**Site Photographs:**



**View of Proposed Event Space (looking East)**



**Looking South (Proposed location for His and Her Quarters as well as the Kitchen)**



**View from the eastern portion of the property (Looking West)**

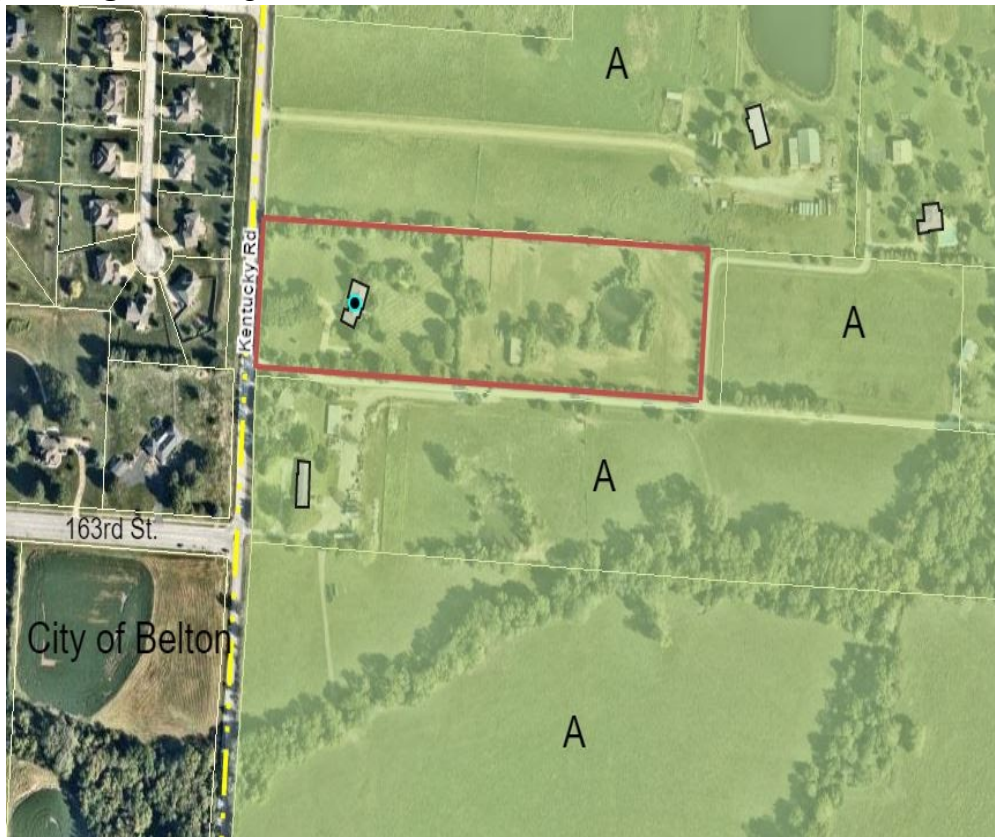


**View from the south looking north (Proposed Restroom Location)**



View from the south looking northwest (Proposed parking lot)

Existing Zoning: "A" Agriculture District



**Existing Surrounding Uses:**   **North:** Residential  
  **South:** Residential  
  **East:** School and Residential  
  **West:** Residential (City of Belton)

**Total Tract Size:**   **9 Acres**

**Growth Management Plan:** The Future Land Use Plan Map contained in the Growth Management Plan identifies this area as appropriate for low density residential development.

**Major Street Plan:** The Major Thoroughfare Plan Map classifies Kentucky Rd. as a Minor Arterial.

**Advertisement:** November 18, 2021 edition of **The Journal**  
December 2, 2021 edition of **The Journal**

**Public Hearing:** December 7, 2021 Planning Commission Meeting  
December 20, 2021 City Council

**Items of Record:**   **Exhibit 1. Mailed Notices to Adjoining Property Owners**  
                                  **Exhibit 2. Notice of Publication**  
                                  **Exhibit 3. Unified Development Code**  
                                  **Exhibit 4. Application**  
                                  **Exhibit 5. Growth Management Plan**  
                                  **Exhibit 6. Staff Report**  
                                  **Exhibit 7. Site Plan**

**Additional exhibits as presented during hearing**

## **PROPOSAL**

Outline of Requested Action: The applicant seeks to obtain a Conditional Use Permit to operate an event space on the property.

City Ordinance Requirements: In order for the applicant to accomplish the aforementioned action, they must meet the provisions of the Unified Development Code. Chapter 470 of the Unified Development Code outlines the requirements and actions that need to be taken for a Conditional Use Permit, specifically, Section 470.030.

## **PREVIOUS ACTIONS ON OR NEAR THE PROPERTY**

1. The subject property was annexed into the City of Raymore with an "A" Agriculture zoning designation.
2. Single Family Home built in 1988.
3. Barn constructed in 1989.
4. An additional barn was constructed in 1995.

## **STAFF COMMENTS**

1. The applicant's request for a CUP only applies to the use of the property. If the use is approved, the applicant would have to apply for site plan approval which would provide additional details on parking, landscaping, lighting, utilities, and building improvements.
2. The applicant may have to apply for additional permits with BP Pipeline if the additional access point off of Kentucky Rd crosses, or is within, the BP Pipeline Easement.
3. Signage is required at the additional access point from Kentucky Rd. to prevent confusion between the private residence driveway and the event space driveway.
4. House of Operation:  
Monday through Thursday 5pm-10pm  
Friday and Saturday 6am-12am  
Sunday 6am-11pm
5. A Knox box would be required by the South Metro Fire District located at the gates that would be located on the south side of the property and the north side of the property.
6. The additional access from Kentucky Rd. would be required to be paved as well as the parking lot.
7. An on-site sewage disposal system for the event center would be required to be constructed.
8. The applicant did meet with city staff (Building Official, Fire Marshal and planning) to discuss the requirements for converting the existing barn into an event center, including ADA access and restroom requirements.

9. The neighbor on the west side of Kentucky Rd. raised concern with the additional access from Kentucky Road as they were worried about vehicular headlights shining into their home with the proposed location of the additional driveway.

## **PLANNING COMMISSION PROPOSED FINDINGS OF FACT**

Chapter 470, Section 470.030(E) of the Unified Development Code states that a Conditional Use Permit may be granted by the City Council by ordinance provided that specific written findings of fact have been made by the Planning and Zoning Commission based upon the particular evidence presented which supports the following conclusions :

1. **the proposed conditional use complies with all applicable provisions of the Unified Development Code.** The proposed conditional use is not a traditional request as the property is zoned "A" Agriculture District. However, the proposed CUP, and site layout do comply with all of the applicable provisions within the Unified Development Code (UDC).
2. **it is in the interest of the public welfare or convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.** The requested CUP is in the general interest of the community, and will not have a significant adverse impact on surrounding properties. This would be the first event center located in Raymore other than Centerview. With the conditions recommended by staff, there will be minimal impact to neighbors.
3. **the proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.** With the conditions recommended by staff, the proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
4. **it is compatible with the character of the surrounding property in terms of site planning, building scale, and project design.** With the conditions recommended by staff, the proposed use is compatible with surrounding property. Site layout and design are compatible with adjacent developments.
5. **it is compatible with the character of surrounding property in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation.** The proposed use is compatible with surrounding properties in terms of operating characteristics. The subject property has farmland to the north, south and east with a residential neighborhood to the west that is located within the City limits of Belton. The roadways surrounding the property were designed to handle

traffic volumes associated with the proposed use.

6. **the location and size of the conditional use, the nature or intensity of the proposed conditional use would prevent the development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will adversely affect the immediate neighborhood, consideration must be given to:**
  - a. **the location, nature and height of buildings, structures, walls, and fences on the site** The location, nature and height of buildings, proposed event center, and proposed restrooms, kitchen, his and hers quarters on the site will not prevent the development of neighboring properties under the existing zoning classification.
  - b. **the nature and extent of landscaping and screening on the site.** With the topography of the proposed site, the location of the event center is at the back five (5) acres and would not be noticeable from Kentucky Rd. The site also has numerous mature trees that aid in the screening of the proposed CUP.
7. **off-street parking and loading areas will be provided in accordance with the standards set forth in the Unified Development Code, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.** Screening would not normally be required as the surrounding zoning districts are "A" Agriculture, but given the proposed use city staff will be reviewing the need for screening during the site plan review process.
8. **existing public facilities (infrastructure) and services are adequate to accommodate the additional demands of the proposed use or will be made to accommodate such demands without substantially increasing public expenditures.** Public infrastructure currently exists to serve the demands of the site under the proposed conditional use. Extensions of those facilities will need to occur in order to serve the site. An on-site sewage disposal system will be required as well as upgrading electrical capacity which would all be a part of the site plan review process.
9. **it will not have a significant adverse impact on pedestrian safety and comfort.** With the stipulation to have signage located at the entrance of the access road as well as providing adequate parking spaces and ADA spaces there will not be any adverse impacts on pedestrian safety or comfort.
10. **adequate access roads or entrance and exit drives will be provided and will be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys; and**

There will be an additional access point provided by adding an access road to the north of the existing residential driveway off of Kentucky Rd. to allow



for ingress/egress of vehicular traffic.

**11. all special conditions have been met as set forth by Chapter 420.**

All special conditions set forth by Chapter 420 of the Unified Development Code for the conditional use.

**REVIEW OF INFORMATION AND SCHEDULE**

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1<sup>st</sup></u>	<u>City Council 2<sup>nd</sup></u>
Public Hearing	December 7, 2021	December 20, 2021	January 10, 2022

**STAFF RECOMMENDATION**

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #21041: Brown Event Space Conditional Use Permit to the City Council with a recommendation for approval, subject to the following conditions:

1. Business owners will adhere to the proposed hours of operation  
Monday-Thursday 5pm-10pm  
Friday and Saturday 6am-12am  
Sunday 6am to 11pm
2. A sign shall be placed at the entrance of the additional access point from Kentucky Road. A sign permit must be obtained from the City of Raymore.
3. A Site Plan application shall be submitted and approved by the Planning and Zoning Commission prior to operation of the event center.
4. Installation of an approved on-site sewage disposal system for the event center.
5. Approval of a building permit from the City of Raymore and South Metro Fire Department for any renovations to the barn and the addition of any buildings associated with the event center.

**PLANNING AND ZONING COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its December 7, 2021 meeting, voted 9-0 to accept staff's proposed findings of fact and forward case#21041 Brown Event Space - Conditional Use Permit to the City Council with a recommendation of approval, subject to the following conditions:

1. Business owners will adhere to the proposed hours of operation  
Monday-Thursday 5pm-10pm  
Friday and Saturday 6am-12am  
Sunday 6am to 11pm
2. A sign shall be placed at the entrance of the additional access point from Kentucky Road. A sign permit must be obtained from the City of Raymore.
3. A Site Plan application shall be submitted and approved by the Planning and Zoning Commission prior to operation of the event center.
4. Installation of an approved on-site sewage disposal system for the event center.
5. Approval of a building permit from the City of Raymore and South Metro Fire Department for any renovations to the barn and the addition of any buildings associated with the event center.
6. The Conditional Use Permit is valid for 6 years from the date of City Council approval of the CUP with the opportunity to renew the permit.

### **CITY COUNCIL ACTION 1ST READING - 12/20/2021**

The City Council, at its December 20, 2021 meeting voted 7-0 to accept the Planning and Zoning Commission proposed findings of fact and approved Case # 21041 Conditional Use Permit - Brown Event Space on 1st reading subject to the following conditions:

1. Business owners will adhere to the proposed hours of operation  
Monday-Thursday 5pm-10pm  
Friday and Saturday 6am-12am  
Sunday 6am to 11pm
2. A sign shall be placed at the entrance of the additional access point from Kentucky Road. A sign permit must be obtained from the City of Raymore.
3. A Site Plan application shall be submitted and approved by the Planning and Zoning Commission prior to operation of the event center.
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5. Approval of a building permit from the City of Raymore and South Metro Fire Department for any renovations to the barn and the addition of any buildings associated with the event center.
6. The Conditional Use Permit is valid for 6 years from the date of City Council approval of the CUP with the opportunity to renew the permit.

### **CITY COUNCIL ACTION 2ND READING - 1/10/2022**

The City Council, at its Jan 10, 2022 meeting voted 8-0 to accept the Planning and Zoning Commission proposed findings of fact and approved Case # 21041 Conditional Use Permit - Brown Event Space on 2nd reading subject to the following conditions:

1. Business owners will adhere to the proposed hours of operation  
Monday-Thursday 5pm-10pm  
Friday and Saturday 6am-12am

Sunday 6am to 11pm

2. A sign shall be placed at the entrance of the additional access point from Kentucky Road. A sign permit must be obtained from the City of Raymore.
3. A Site Plan application shall be submitted and approved by the Planning and Zoning Commission prior to operation of the event center.
4. Installation of an approved on-site sewage disposal system for the event center.
5. Approval of a building permit from the City of Raymore and South Metro Fire Department for any renovations to the barn and the addition of any buildings associated with the event center.
6. The Conditional Use Permit is valid for 6 years from the date of City Council approval of the CUP with the opportunity to renew the permit.