

City of Lee's Summit

Development Services Department

January 20, 2017

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *RM*
RE: **Appl. #PL2016-215 – FINAL PLAT – QuikTrip No. 0191, Lots 1-3 & Tracts A-C; QuikTrip Corporation, applicant**

Commentary

This final plat application is for *QuikTrip No. 0191, Lots 1-3 & Tracts A-C*, located at the southwest corner of NE Mulberry St and NE M-291 Hwy. The proposed final plat consists of 3 lots and 3 common area tracts on 7.6 acres. The proposed final plat is substantially consistent with the approved preliminary development plan.

- 3 lots and 3 common area tracts on 7.6 acres

Subdivision-Related Public Improvements

In accordance with Unified Development Ordinance (UDO) Section 16.340, prior to an ordinance being placed on a City Council agenda for the approval of a final plat, all subdivision-related public improvements shall be constructed and a Certificate of Final Acceptance shall be issued. In lieu of completion of the public improvements and the issuance of a certificate, financial security (an escrow secured with cash, an irrevocable letter of credit, or a surety bond) may be provided to the City to secure the completion of all public improvements.

A surety bond deposit agreement has been provided to the City and approved by the City Council in an amount sufficient to secure completion of the subdivision-related public infrastructure, which is currently under construction. Approval of the surety bond deposit agreement allows the final plat to move forward to the City Council for approval.

Recommendation

Staff recommends **APPROVAL** of the final plat.

Project Information

Proposed Use: commercial

Land Area: 104,071 sq. ft. (2.4 acres) – Lot 1
23,798 sq. ft. (0.5 acres) – Lot 2
96,067 sq. ft. (2.2 acres) – Lot 3
3,647 sq. ft. (0.1 acres) – Tract A
10,405 sq. ft. (0.2 acres) – Tract B
29,443 sq. ft. (0.7 acres) – Tract C
332, 365 total sq. ft. (7.6 acres)

Lots: 3 lots and 3 common area tracts

Location: southwest corner of NE Mulberry St. and NE M-291 Hwy

Zoning: CP-1 (Planned Neighborhood Commercial District)

Surrounding zoning and use:

North (across NE Mulberry St): CP-2 (Planned Community Commercial District) – Travel Clean car wash; RP-1 (Planned Two-Family Residential District) – Orchard Hills; R-1 (Single-Family Residential District)

South: CP-1 — (Planned Neighborhood Commercial District) – office/retail

East: (across NE M-291 Hwy) CP-2 — (Planned Community Commercial District) – vacant

West: R-1 (Single-Family Residential) – Meadow Lane Elementary School

Background

- January 7, 2016 – The City Council approved the preliminary development plan (Appl. #PL2015-143) for QuikTrip No. 0191 by Ordinance No. 7788. The preliminary development plan also served to substitute as the preliminary plat for the subject property as allowed under Section 16.120 of the UDO.
- November 23, 2016 – The City issued a building permit (#PRCOM20163048) for only the foundation and underslab for QuikTrip No. 0191. No building permit allowing vertical construction shall be issued prior to the approval and recording of the final plat.
- November 30, 2016 – Staff administratively approved the final development plan (Appl. #PL2016-072) for QuikTrip No. 0191.
- December 15, 2016 – The City Council approved a surety bond deposit agreement guaranteeing installation of subdivision improvements for QuikTrip No. 0191 by and between QuikTrip Corporation and the City of Lee's Summit and approving the use of the surety bond as security for the installation and construction of said subdivision improvements by Ordinance No. 8048.

Code and Ordinance Requirements to be met Following Approval

The items in the box below are specific to this subdivision and must be satisfactorily addressed in order to bring this plat into compliance with the Codes and Ordinances of the City.

Engineering

1. All required engineering plans and studies, including water lines, sanitary sewers, storm drainage, streets and erosion and sediment control shall be submitted along with the final plat and approved prior to the approval of the final plat.
2. All Engineering Plan Review and Inspection Fees shall be paid prior to approval of the engineering plans and prior to the issuance of any infrastructure permits or the start of construction (excluding land disturbance permit).
3. All permanent off-site easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion. A certified copy shall be submitted to the City for verification.
4. Any cut and / or fill operations, which cause public infrastructure to exceed the maximum / minimum depths of cover shall be mitigated by relocating the infrastructure vertically and / or horizontally to meet the specifications contained within the City's Design and Construction Manual, unless waived by the City Engineer.

Planning

5. A note on the plat shall indicate the presence or absence of active, inactive and capped oil and gas wells on the property. The note shall reference the source of information used to

make its determination. MoDNR has a well database found at <http://dnr.mo.gov/geology/geosrv/ogc/ogc-permits/>.

6. The following lot and tract shall be labeled with their respective addresses: Lot 3 - 1400 NE Windsor Dr; and Tract A - 1490 NE Windsor Dr.
7. A sidewalk easement shall be provided to cover the portions of sidewalk that leave the public right-of-way and encroach onto Lot 2 and Tract A.
8. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.
9. No final plat shall be recorded by the developer until the Director of Planning and Special Projects and the City Attorney have reviewed and approved the declaration of covenants and restrictions pertaining to common property as prepared in accordance with Section 5.330 of the UDO, and until the Director of Planning and Special Projects has received certification from the Missouri Secretary of State verifying the existence and good standing of the property owners' association required by Section 5.340 of the UDO. In addition, the approved Declaration of Covenants, Conditions and Restrictions shall be recorded prior to the recording of the final plat.
10. A final plat shall be approved and recorded (with the necessary copies returned to the Development Services Department) prior to any building permits being issued for vertical construction.

RGM/hsj

Attachments:

1. Final Plat, date stamped January 11, 2017 – 2 pages
2. Location Map