

# City of Lee's Summit

## Development Services Department

December 9, 2016

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *ully for R&M*  
RE: **Appl. #PL2016-194 – PRELIMINARY PLAT – QuikTrip No. 0191 (NE Mulberry St), Lots 1-3 & Tracts A-C; QuikTrip Corporation, applicant**

### Commentary

This application is for a preliminary plat consisting of three (3) lots and three (3) tracts on approximately 7 acres located at the southwest corner of NE Mulberry St and NE M-291 Hwy for QuikTrip. QuikTrip will own and maintain Tracts A and B, but will convey ownership of Tract C to the Lee's Summit R-7 School District. The proposed conveyance of Tract C to the school district is in part due to a portion of the existing running track for the abutting Meadow Lane Elementary encroaching onto the property proposed as Tract C.

### Recommendation

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

### Project Information

**Proposed Use:** gas station/convenience store

**Land Area:** 104,071 sq. ft. – Lot 1  
23,798 sq. ft. – Lot 2  
96,067 sq. ft. – Lot 3  
3,647 sq. ft. – Tract A  
10,405 sq. ft. – Tract B  
29,443 sq. ft. – 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):** RP-2 (Planned Two-family Residential) – duplexes; CP-2 (Planned Community Commercial) – car wash

**South:** CP-1 – office and common area tract; CP-2 – office and hotel

**East (across NE M-291 Hwy):** CP-2 – vacant property

**West:** R-1 – Meadow Lane Elementary School and single-family residential

### Background

- January 7, 2016 – The City Council approved the preliminary development plan (Appl. #PL2015-143) for QuikTrip No. 0191 by Ordinance No. 7788.
- November 23, 2016 – The Development Services Department issued a building permit (#PRCOM20163048) for only the foundation and underslab for QuikTrip No. 0191.



- November 30, 2016 – Staff administratively approved the final development plan (Appl. #PL2016-072) for QuikTrip No. 0191.
- December 2, 2016 – An application for final plat (Appl. #PL2016-215) for QuikTrip No. 0191 was received by the Development Services Department. Consideration of the final plat is tentatively scheduled for the January 10, 2017, and January 19, 2017, Planning Commission and City Council meetings, respectively.
- December 8, 2016 – The City Council authorized the execution of a development agreement between QuikTrip Corporation and the City for QuikTrip Store No. 0191 by Ordinance No. 8040. The City Council additionally approved the issuance of a full building permit prior to the approval and recording of a final plat for the subject property.

## **Code and Ordinance Requirements**

*The items in the box below are specific to this development and must be satisfactorily addressed in order to bring the 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 subdivision-related public improvements must have a Certificate of Final Acceptance prior to approval of the final plat, unless security is provided in the manner set forth in the City's Unified Development Ordinance (UDO) Section 16.340.
4. 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.
5. 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.

### **Planning**

6. A note regarding the presence or absence of any active, inactive or capped oil and/or gas wells on the property shall be included on the final plat. The note shall include a citation of the source of information used to make the determination.
7. The following language shall be included in the common area dedication note on the final plat: "During the period in which the developer maintains effective control of the board of the condominium or property owners' association, or other entity approved by the Governing Body, the developer shall remain jointly and severally liable for the maintenance obligations of the condominium or property owners' association."
8. The following note shall be added to the plat: "All storm water conveyance, retention or detention facilities to be located on common property shall be owned and maintained by the property owners' association in accordance with the standards set forth in the

'Covenants, Conditions and Restrictions.' Refer to the 'Covenants, Conditions and Restrictions' associated with this development for requirements.

9. A restriction shall be included on the final plat indicating that the individual lot owner(s) shall not change or obstruct the drainage flow paths on the lots as shown on the Master Drainage Plan, unless specific application is made and approved by the City Engineer.
10. No final plat shall be recorded by the developer until the Director of Planning and the City Attorney have reviewed and approved the declaration of covenants and restrictions pertaining to common property as prepared in accordance with Section 5.520 of the UDO, and until the Director of Planning has received certification from the Missouri Secretary of State verifying the existence and good standing of the property owners' association required by Section 5.510 of the UDO. In addition, the approved Declaration of Covenants, Conditions, and Restrictions shall be recorded prior to the recording of the final plat.

RGM/hsj

Attachments:

1. Preliminary Plat, date stamped November 17, 2016 – 2 pages
2. Location Map