



**LEE'S SUMMIT**  
MISSOURI  
Development Services Department

---

## Development Services Staff Report

<b>File Number</b>	PL2022-327 – PRELIMINARY DEVELOPMENT PLAN – Heartland Market
<b>Applicant Location</b>	Great American Dream, LLC, applicant 900 NE Colbern Rd.
<b>Planning Commission Date Heard by</b>	January 12, 2023 Planning Commission and City Council
<b>Analyst Checked By</b>	C. Shannon McGuire, Planner Hector Soto, Jr., AICP, Senior Planner Sue Pyles, PE, Development Engineering Manager

---

### Public Notification

Pre-application held: June 28, 2022  
Neighborhood meeting conducted: October 6, 2022  
Newspaper notification published on: December 24, 2022  
Radius notices mailed to properties within 300 feet on: December 20, 2022  
Site notice posted on: December 19, 2022

---

### Table of Contents


1. Project Data and Facts	2
2. Land Use	3
3. Project Proposal	3
4. Unified Development Ordinance (UDO)	4
5. Comprehensive Plan	4
6. Analysis	5
7. Recommended Conditions of Approval	6

### Attachments

Transportation Impact Analysis by Brad Cooley, PE, dated January 3, 2022 – 3 pages  
Traffic Impact Study by Renaissance Infrastructure Consulting, dated November 2022 – 19 pages  
Preliminary Development Plan, dated November 28, 2022 – 11 pages  
Elevations, dated September 5, 2022 – 3 pages  
Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	Great American Dream, LLC / Developer
Applicant's Representative	Jack Hopkins
Location of Property	900 NE Colbern Rd.
Size of Property	1.70 acres (73,958.97 sq. ft.)
Number of Lots	1 Lot
Building Area	5,400 sq. ft.
Building Height	25' 8"
Number of Buildings	1
FAR (Floor Area Ratio)	0.073
Parking Spaces – Required	27
Parking Spaces – Proposed	27
Zoning	CP-2 (Planned Community Commercial District)
Comprehensive Plan Designation	Commercial
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed preliminary development plan. The City Council takes final action on the preliminary development plan in the form of an ordinance.</p> <p><b>Duration of Validity:</b> Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four (24) months from the date of such approval, unless within such period a final development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon written request.</p>

Current Land Use	
<p>The subject 1.70-acre property is currently unplatted, undeveloped vacant ground located east of the intersection at NE Colbern Rd and NE Rice Rd.</p>	

**Description of Applicant’s Request**

The applicant is seeking approval of a preliminary development plan (PDP) to construct a 5,400 sq. ft. convenience store with fuel sales.



**2. Land Use**

**Description and Character of Surrounding Area**

The surrounding property to the north and west is currently undeveloped, vacant and commercially-zoned. East of the subject site is the newly-constructed Mid Continent Public Library. To the south across NE Colbern Rd. is a gas station and a vacant lot.

**Adjacent Land Uses and Zoning**

<b>North:</b>	Vacant / CP-2
<b>South (across NE Colbern Rd):</b>	Rush Hour convenience store and gas station & a vacant lot / CP-2
<b>East:</b>	Mid Continent Public Library / CP-2
<b>West:</b>	Vacant / CP-2

**Site Characteristics**

The site is an undeveloped lot that generally slopes from the west to the east. The property has been historically utilized for hay production and shows the typical indications of a lot used for agricultural purposes.

**Special Considerations**

None

**2. Project Proposal**

**Site Design**

<b>Land Use</b>	
Impervious Coverage:	76.47%
Pervious:	23.53%

<b>TOTAL</b>	<b>100%</b>
--------------	-------------

**Parking**

<b>Proposed</b>		<b>Required</b>	
Total parking spaces proposed:	25 standard stalls 2 ADA stalls <b>27 total spaces</b>	Total parking spaces required:	27
Accessible spaces proposed:	2	Accessible spaces required:	2
Parking Reduction requested?	No	Off-site Parking requested?	No

**Structure(s) Design**

<b>Number and Proposed Use of Buildings</b>
1 / convenience store and gas station
<b>Building Height</b>
25' 8"
<b>Building Size</b>
5,400 sq. ft.
<b>Number of Stories</b>
1 story
<b>Floor Area Ratio</b>
0.073 – proposed total FAR (0.55 max in the CP-2 zoning district)

**Setbacks (Perimeter)**

<b>Yard</b>	<b>Required Minimum</b>	<b>Proposed</b>
Front	15' (Building) / 20' (Parking)	181.8' (Building) / 20' (Parking)
Side	10' (Building) / 6' (Parking)	70.75' (Building) / 6' (Parking)
Rear	20' (Building) / 20' (Parking)	49.5' (Building) / 20' (Parking)

**4. Unified Development Ordinance (UDO)**

<b>Section</b>	<b>Description</b>
2.260,2.300	Preliminary Development Plan
4.190	Zoning Districts

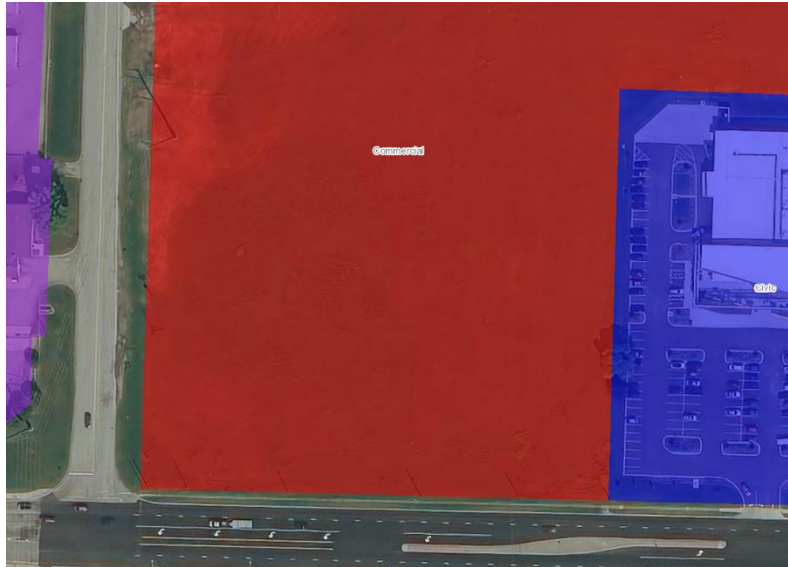
**5. Comprehensive Plan**

<b>Focus Areas</b>	<b>Goals, Objectives &amp; Policies</b>
--------------------	---

Resilient Economy	Goal 3.3. A
-------------------	-------------

The 2021 Ignite Comprehensive Plan land use map identifies the subject site's future recommended land use as Commercial. The proposed convenience store and gas station is a land use allowed in the existing CP-2 zoning district.

An objective established in the Comprehensive Plan is to stimulate continued economic development investment by the private sector. The subject application meets this goal by developing a long vacant property in Lee's Summit.



## **6. Analysis**

### **Background and History**

- September 15, 1959 – The subject property was annexed into the City by Ordinance No. 584.
- November 4 2021 – The Planning Commission approved the preliminary plat (#PL2021-341) for *Colbern Road Investments, Lots 1-4 & trac A.*
- December 21, 2021 – The minor plat (#PL2021-457) for *Colbern Road Investments, lots 1 & 2* was administratively approved.

### **Compatibility**

The proposed building materials utilized in the design of the proposed convenience store and gas station include a combination of EIFS, smooth face block, split face block and glass. The proposed building materials are compatible with the design and construction of existing commercial and industrial buildings in the surrounding developments and throughout the community.

### **Adverse Impacts**

The proposed development will not detrimentally impact the surrounding area. The proposed project develops a long-vacant property.

### **Public Services**

The proposed development will not impede the normal and orderly development and improvement of the surrounding property. Water and sanitary sewer for the proposed development will require extension of the public water and sewer line.

There is no on-site stormwater detention; storm sewer for this project connects to a storm sewer system, including detention, that is proposed to be constructed by others (#PL2022-332) as part of the street construction. If that storm sewer system is not complete and available at the final development plan stage, this project will be required to provide detention to meet City requirements.

**Recommendation**

With the conditions of approval below, the application meets the requirements of the UDO and Design and Construction Manual (DCM).

**7. Recommended Conditions of Approval**

**Site Specific**

1. Development shall be in accordance with the preliminary development plan dated November 28, 2022 and Elevations dated September 5, 2022.
2. Development shall comply with the recommendation of the Transportation Impact Analysis (TIA) dated January 3, 2023, prepared by Brad Cooley, PE.

**Standard Conditions of Approval**

3. 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 development plan. All public infrastructure must be substantially complete, prior to the issuance of any certificates of occupancy.
4. All Engineering Plan Review and Inspection Fees shall be paid prior to approval of the associated engineering plans and prior to the issuance of any site development permits or the start of construction (excluding land disturbance permit).
5. A Land Disturbance Permit shall be obtained from the City if groundbreaking will take place prior to the issuance of a site development permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
6. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.
7. At the time of the Final Development Plan stage, storm sewer for this project shall meet all UDO requirements.
8. All issues pertaining to life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to the safety to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2018 International Fire Code.
9. IFC 105.6.20 - A Hazardous materials permit is required for the using, dispensing, transporting, handling, and/or storing of extremely hazardous substances. "Extremely Hazardous Substances (EHS) Facilities" are defined as facilities subject to the provisions of Superfund Amendments and Reauthorization Act of 1986 (SARA TITLE III), Section 302, for storing, dispensing, using, or handling of listed chemicals in excess of their threshold planning quantities (TPQ). See amended Section 5001.4 of the 2018 International Fire Code. A Hazmat Permit may be required depending on the quantity of fuel for retail sale. Complete a Hazardous Material Permit Application.

10. The installation of underground fuel storage tanks (UST's) shall comply with the 2018 International Fire Code and the requirements of the Missouri Department of Natural Resources.
11. A plat shall be approved and recorded prior to any building permits being issued.