

## MEMO

To: City Council  
From: Hector Soto, Jr., AICP, Senior Planner  
CC: File  
Date: August 12, 2024  
Re: Appl. #PL2024-134 - PRELIMINARY DEVELOPMENT PLAN - QuikTrip, 801 SE M-291 Hwy and 702 SE Blue Pkwy; QuikTrip Corporation, applicant

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Following the applicant's and staff's presentations during the public hearing held on July 25, 2024, the Planning Commission expressed concern that the subject application is premature in undergoing the preliminary development plan (PDP) approval process. The concern from the Planning Commission centers around the following: 1) a Memorandum of Understanding (MOU) between the applicant (i.e. QuikTrip Corporation) and the City related to the US 50 Hwy/M-291 Hwy interchange improvements has yet to be finalized and executed; and 2) vertical construction of the relocated QuikTrip site is not expected for approximately two (2) years, but PDP approvals are only valid for a period of two (2) years and thus may expire prior to construction. As it relates to the MOU, staff (i.e. David Bushek, Chief Counsel of Economic Development and Planning) conveyed to the Planning Commission that it is believed that agreement over the final version of the MOU is imminent. As it relates to the validity of an approved PDP, staff conveyed to the Planning Commission that PDP approvals become locked in if a final development plan (FDP) application is submitted within two (2) years of PDP approval. Should an FDP application not be submitted within the two (2) year window, the approved PDP application becomes null and void and will require approval of a new PDP application.

To address the concern that final action approving the subject application is taken prior to the execution of the MOU between QuikTrip Corporation and the City, the Planning Commission recommended approval of the subject application with the addition of a fifth condition that tethers City Council taking final approval action on the PDP to the execution of the MOU between the applicant and the City. The applicant is agreeable to the added condition.

### Recommendations

1. Development shall be in accordance with the preliminary development plan received July 8, 2024.
2. A modification to the minimum 20' parking lot setback requirement from the public right-of-way shall be granted, to allow a 6' parking lot setback along the SE Blue Pkwy right-of-way and a 15' parking lot setback along the M-291 Hwy right-of-way as depicted on the preliminary development plan received July 8, 2024.

3. A modification to the requirement for straight-back (CG-1) curbing along all parking lot and driveway boundaries shall be granted, to allow roll-back (CG-2) curbing at the three driveway entrances and the ends of landscape areas abutting parking lot drive aisles as depicted on the preliminary development plan received July 8, 2024.
4. Four (4) total attached wall signs shall be approved for the convenience store building as shown on the preliminary development plan, received July 8, 2024.
5. An ordinance for the subject preliminary development plan (PDP) application shall not be second read for approval until such time as the Memorandum of Understanding (MOU) between the applicant and the City of Lee's Summit related to the US 50 Hwy/M-291 Hwy interchange improvements is executed. **(added by the Planning Commission)**