



CITY PLAN COMMISSION

15th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

kcmo.gov/planning

November 22, 2024

Daniel Finn
Phelps Engineering, Inc.
1270 N. Winchester
Olathe, KS 66061

Re: **CD-CPC-2024-00149** - A request to approve a major amendment to a Master Planned Development to allow for a drive-through restaurant in district MPD on about 7.20 acres generally located at 9806 N Oak Trafficway.

Dear Daniel Finn:

At its meeting on November 20, 2024, the City Plan Commission acted as follows on the above-referenced case.

Approved with Conditions

The Commission's action is only a recommendation. Your request must receive final action from the Council. All *conditions imposed by the Commission, if any, are available on the following page(s).*

PLEASE READ CONDITIONS CAREFULLY as some or all of the conditions imposed may require action on your part to proceed to the next step.

- If revised plans are required, you must make such revisions and upload the revised plans prior to proceeding to final action.
- If revised plans are not required, your request will automatically be submitted for Council consideration.

If you have any questions, please contact me at Genevieve.Kohn@kcmo.org or (816) 513-8808.

Sincerely,

A handwritten signature in cursive script that reads "Genevieve Kohn".

Genevieve Kohn, AICP
Lead Planner

That plans, revised as noted below, are submitted and accepted by staff prior to scheduling for Council.

The following are recommended by the Mobility Department. For questions, contact Bailey Waters at bailey.waters@kcmo.org or (816) 513-2791.

- 1) Provide a sidewalk connection from N Oak Trafficway. Right now pedestrian path is to go all the way around to the private drive. It could also go from NE 96th Terr to the east side of the building if preferred.
Resubmit Plans

Condition(s) by City Planning and Development Department. Contact Genevieve Kohn at (816) 513-8808 / Genevieve.Kohn@kcmo.org with questions.

1. This major amendment shall also serve as an MPD final plan for Lot 4.
2. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to Certificate of Occupancy.
3. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
4. That prior to issuance of the Certificate of Occupancy for each lot within the plat the developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved Street Tree Planting Plan and are healthy.
5. The developer shall screen all roof and/or ground mounted mechanical and utility equipment in compliance with 88-425-08.
6. The developer shall submit an affidavit, completed by an ISA certified arborist, an SAF certified forester, a professional engineer, or a landscape architect licensed in the State of Missouri, verifying that all trees preserved and all trees planted to meet mitigation required of the approved plan, whichever is applicable, has been installed or preserved in accordance with the plan and is healthy prior to Certificate of Occupancy.
7. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to Certificate of Occupancy.
8. That Ordinance No. 220235, including all conditions provided therein, shall remain in full force and effect.
9. The developer shall provide an additional layer of landscape screening along the drive-through fronting N Oak Trfy with varieties of *Juniperus virginiana*, *Thuja occidentalis*, or *Viburnum*.
10. Spillover light from signage, on any lot within the MPD, onto R-zoned property or public rights-of-way may not exceed 2 lux, measured at grade along the property line.
11. All lighting shall not exceed the recommend levels of the Illuminating Engineering Society on all lots within the MPD.
12. The applicant shall revise plans prior to ordinance request to address Public Works - Mobility's correction: Provide a sidewalk connection from N Oak Trafficway. Right now pedestrian path is to go all the way around to the private drive. It could also go from NE 96th Terr to the east side of the building if preferred.

Condition(s) by Public Works Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

13. The developer shall pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
14. The developer shall submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.

Condition(s) by Water Services Department. Contact Heather Massey at (816) 513-2111 / heather.massey@kcmo.org with questions.

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15. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations. Prior to C of O.
<https://www.kcwater.us/wp-content/uploads/2022/05/2022-Rules-and-Regulations-for-Water-Service-Lines-Final.pdf>

Condition(s) by Water Services Department. Contact Kirk Rome at (816) 513-0368 / kirk.rome@kcmo.org with questions.

16. Trees shall not be planted in the existing water easement along North Oak.
Any grading within the existing water easement shall receive pre-approval from the KC Water Director.

Condition(s) by Water Services Department. Contact Lucas Kaspar at (816) 513-2131 / Lucas.Kaspar@kcmo.org with questions.

17. The developer shall submit a detailed Micro storm drainage analysis from a Missouri-licensed civil engineer to KC Water showing compliance with the current, approved Macro study on file with the City and with current adopted standards in effect at the time of submission, including Water Quality BMP's, prior to approval and issuance of any building permits to construct improvements on the site or prior to recording the plat, whichever occurs first. The developer shall verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and that the developer construct any other improvements as required by KC Water as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.
18. The developer must grant a BMP Easement to the City as required by KC Water, prior to recording the plat or issuance of any building permits.