

An ordinance to approve a development plan which also serves as a special use permit on about 1 acre in District B3-2 and District R-2.5 generally located at 8400 Winner Road, to allow for a convenience store with fuel sales and a drive-through. (CD-CPC-2020-00133)

and more specifically described as follows:

LEGAL DESCRIPTION:

460 WALLACE / LOT 18 BLK 26 WASHINGTON

463 DONNELLY AVE / LOTS 19 & 20 & S 16.66 FT OF LOT 21 BLK 26 WASHINGTON

456 WALLACE / LOT 17 BLK 26 WASHINGTON

455 DONNELLY / N 33 1-3 FT LOT21 BLK 26 WASHINGTON

A legal notice of this matter was published on September 10, 2020, as required by law, and a public hearing was held by the City Plan Commission on October 20, 2020, via Zoom. The Commission recommended approval subject to the following conditions:

1. Revise the monument sign along Winner Road to comply with the maximum height requirement of 6 feet or obtain a variance to allow for the sign as proposed.
2. Stormwater management facilities, including but not limited to detention basins and BMPs, shall be privately maintained and covered by maintenance covenant(s) or easement(s) that include provisions for private maintenance.
3. Submit complete design package for review and approval by Fire Department and City Planning and Development approval- prior to installation of Automatic Fire Sprinkler System.
4. Dining room shall have required number of exits per Chapter 10 of International building code.
5. Provide lot combination.
6. The developer must submit water main extension drawings prepared by a registered professional Engineer in Missouri to the main extension desk for review, acceptance and contracts per the KC Water Rules and Regulations for Water main extensions and Relocations. (<https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Main-Extensions.pdf>)

[Water main is extension is required between Donnelly Ave & Wallace Ave, with FH located at or near Donnelly Ave]

Follow the KCMO Rules and Regulations for domestic water and fire service lines.

(<https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Service-Lines.pdf>)

7. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
8. The developer must integrate into the existing street light system any relocated existing street lights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
9. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
10. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
11. 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.
12. The developer shall submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
13. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
14. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting

property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.

15. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations, by making application under said code for a Minor Subdivision and submitting and recording a Lot Consolidation Plat or replatting the property in accordance therewith.
16. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
17. No access will be permitted off US24 Highway in this location. All access will need to come off Donnelly Ave. and Wallace Ave.
18. The access on Donnelly Ave. and Wallace Ave. shall be moved as far north as possible. Corner clearance should be 220 feet from the nearest trough lane of US 24 Highway.
19. The curb line along US 24 Highway between Wallace Ave. and Donnelly Ave. be replaced with a minimum 6-inch barrier curb to prevent parallel parking along US 24 Highway, which currently happens.
20. Submit a traffic study.

City Plan Commission voted 6-1:

Aye: Allender, Baker, Beasley, Enders, Hill, Rojas; Nay: Sadowski