

**To:** Planning and Zoning Commission  
**From:** City Staff  
**Date:** December 17, 2019  
**Re:** **Case #19014 HyVee Fast & Fresh Site Plan**

**GENERAL INFORMATION**

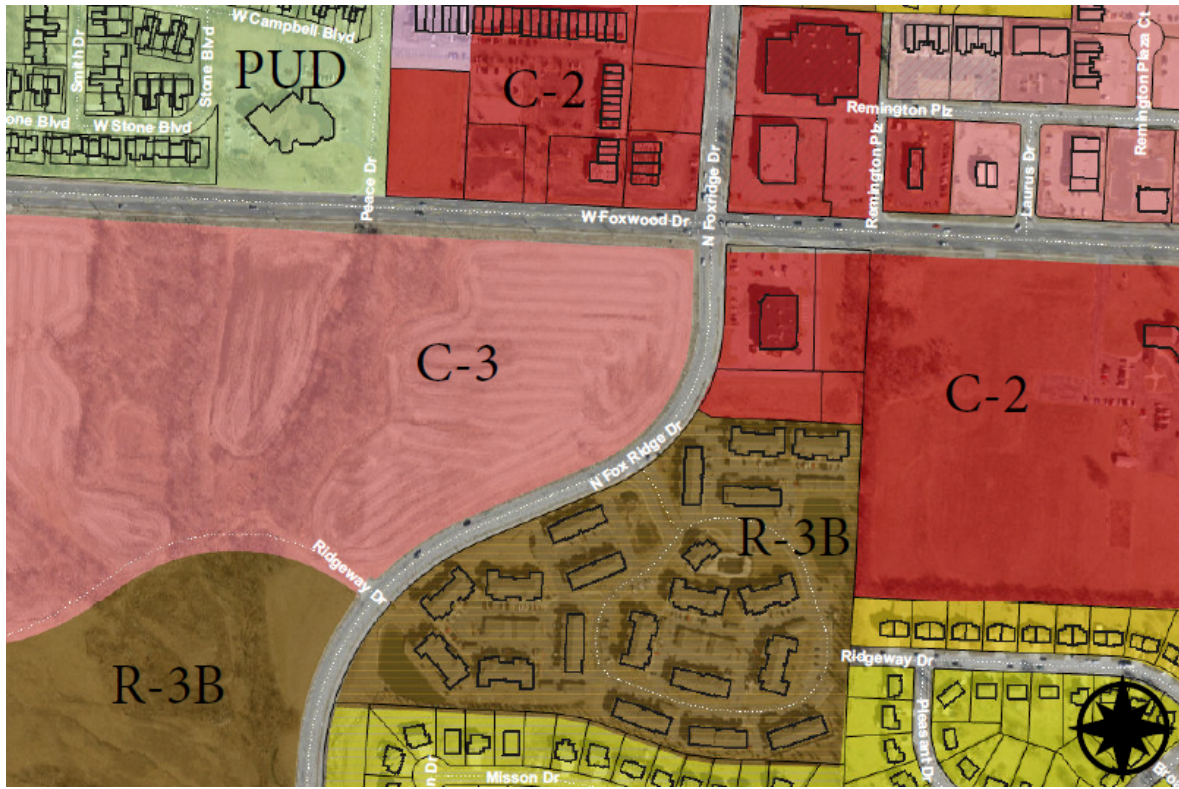
**Applicant/** Hy-Vee, Inc.  
**Property Owner:** 5820 Westown Parkway  
West Des Moines, IA 50266

**Requested Action:** Site Plan approval for HyVee Fast & Fresh store  
**Property Location:** Southwest corner Foxwood Drive and Fox Ridge Drive



**Existing Zoning:**

**“C-3” Regional Commercial District**



**Existing Surrounding Uses:**

- North:** Commercial shopping center
- South:** Undeveloped
- East:** Commercial pharmacy
- West:** Undeveloped.

**Total Tract Size:** 2.7199 Acres

**Growth Management Plan:** The Future Land Use Plan Map contained in the Growth Management Plan identifies this property as appropriate for Commercial development.

**Major Street Plan:** The Major Thoroughfare Plan Map contained in the Growth Management Plan has Foxwood Drive classified as a Major Arterial and Fox Ridge Drive as a Major Collector.

**Advertisement:** City Ordinance does not require advertisement for Site Plans.

**Public Hearing:** City Ordinance does not require a public hearing for Site Plans.

## **PROPOSAL**

Outline of Requested Action: The applicant seeks to obtain site plan approval for a proposed 6,500 square foot HyVee Fast & Fresh store that includes a drive-through lane and fuel pumps.

## **SITE PLAN REQUIREMENTS AND STANDARDS**

In order for the applicant to accomplish the aforementioned action, they must meet the provisions of the Unified Development Code. Chapter 470 of the Unified Development Code outlines the requirements and actions that need to be taken in order to site plan property, specifically Section 470.160.

### **Section 470.160 Site Plan Review**

#### **A. Purpose**

The City of Raymore recognizes that the nature of land development creates the potential for traffic congestion, overcrowding, adverse visual and environmental impacts, and health problems. The City strives to promote growth in Raymore while stabilizing the established residential character of the area. Site plan review regulates the development of structures and sites in a manner that takes into consideration the following considerations:

1. the balancing of landowners' rights to use their land, with the corresponding rights of neighboring landowners, residents and the general public, to live without undue disturbances (e.g., noise, smoke, vibration, fumes, dust, odor, glare, stormwater runoff, etc.);
2. the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas or roads;
3. the adequacy of waste disposal methods and protection from pollution of surface or ground water;
4. the protection of historic and environmental features on the site under review and in adjacent areas;
5. the stability of the built environment, particularly residential neighborhoods, by promoting urban development which is compatible with clearly identified natural resources; and
6. the adequacy of provisions for resulting additional system demands which may be imposed by the development upon roads and streets, water supply and storage, storm sewerage, and sanitary sewerage and wastewater treatment and the consistency of the development with the City's Growth Management Plan.

#### **B. Applicability**

1. All applications for building permits for developments in the multi-family, commercial and industrial zoning districts are subject to site plan review in accordance with this section. All nonresidential uses in residential districts require site plan review.
2. No building permit will be issued without being granted site plan approval when it is required by this subsection.

C. Application

Applications for site plan review may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director. The applicant must submit copies in accordance with the submission schedule regularly adopted by the Planning and Zoning Commission.

D. Procedure

1. Community Development Director Action

- a. All site plans will be reviewed by the Community Development Director.
- b. The Community Development Director has the authority to take final action (approve, conditionally approve or deny) on applications for:
  - (1) developments that have an approved site plan on file where the application proposes to expand the existing use by less than 10 percent or 5,000 square feet, whichever is less; or
  - (2) developments that have an approved site plan on file where the application proposes to modify signage, parking, landscaping or other minor feature and the proposed modifications will be in compliance with all requirements of this Code.
- c. The Community Development Director must complete the review within 20 days of receiving a complete application.

2. Planning and Zoning Commission Action

With the exception of those cases identified in paragraph 1 above, all other applications for site plan review will be reviewed by the Community Development Director, and forwarded to the Planning and Zoning Commission for review and action. The Commission has the authority to take final action, and may approve, approve with conditions or disapprove the application.

3. Conditions of Approval

In approving a site plan, the Planning and Zoning Commission or, when applicable the Community Development Director, may impose reasonable conditions, safeguards and restrictions upon the applicant and the premises.

E. Findings of Fact

1. In order to be approved, the Community Development Director or Planning and Zoning Commission must find that the following conditions are met:

- a. the plan complies with all applicable standards of this code and all other applicable City ordinances and policies;
- b. the plan does not conflict with the adopted plans of the City of Raymore or the purpose and intent of this code;
- c. the proposed use is allowed in the district in which it is located;
- d. vehicular ingress and egress to and from the site, and circulation within the site provides provides for safe, efficient, and convenient movement not only within the site but also on adjacent roadways;
- e. the plan provides for safe, efficient, and convenient movement of pedestrians on and to the site;
- f. the arrangement of structures and buildings on the site allows for efficient use of the land, is compatible with development on adjacent property, and minimizes potential adverse impacts on existing or planned municipal infrastructure and services;
- g. open space and natural features on the site are arranged in such a way that unique natural resources are preserved and creates a desirable and functional environment for site users;
- h. the plan avoids unnecessary or unreasonable alterations to existing topography, preserves existing healthy, mature trees and woodlands, and designs drainage facilities to promote the use and preservation of natural watercourses;
- i. provides adequate parking for the use, including logical and safe parking and circulation;
- j. provides landscaping and screening as required by this code that creates logical transitions to adjoining uses, screens incompatible uses, minimizes the visual impact of the development on adjacent roads and properties, and utilizes native plant materials selected to withstand the local climate and individual site microclimates; and
- k. includes site illumination that has been designed and located to minimize adverse impacts on adjacent properties.

F. Effect of Approval

If the Planning and Zoning Commission or, when applicable, the Community Development Director approves a site plan, it will be considered permission to prepare and submit a building permit application that complies with the approved site plan and conditions of approval.

G. Appeals

1. The applicant may appeal the decision of the Community Development Director to the Planning and Zoning Commission.

- a. The applicant must notify the Community Development Director of their intent to appeal within 10 days of the date of decision from the Community Development Director.
  - b. The Community Development Director will schedule the appeal for the next regularly scheduled Planning and Zoning Commission meeting which is no sooner than 15 days from the date the intent to appeal was filed.
  - c. The applicant must provide an additional 15 review copies of the drawings and the additional required fee along with the intent to appeal.
2. The applicant may appeal the decision of the Planning and Zoning Commission to the City Council.
    - a. The applicant must notify the Community Development Director of their intent to appeal, in writing, within 10 days of the date of the Planning and Zoning Commission meeting when the application was considered.
    - b. The Community Development Director will schedule the appeal for the next regularly scheduled City Council meeting provided it is at least 15 days from the date the intent to appeal was filed.
    - c. The applicant will provide an additional 15 review copies of the drawings along with the intent to appeal.

## **PREVIOUS ACTIONS ON THE PROPERTY**

1. The "C-3" Regional Commercial Zoning District designation was established on November 12, 1999.
2. The Dean Commercial Preliminary Plat was approved on May 13, 2019. This plat included the subject property and the approximately 37 acres of remaining undeveloped commercially zoned property.
3. A Conditional Use Permit for a fueling station to be part of the Fast & Fresh store was approved on July 22, 2019. A condition of approval was that appropriate traffic control measures shall be incorporated into the site plan to prevent left turn movements onto northbound Fox Ridge Drive from the proposed access drive into the site. The site plan incorporates a median to prevent the left-turn movements.
4. The Foxridge Business Park Final Plat, which includes the subject property as Lot 1 of the plat, has been submitted for approval.
5. City Council approved an agreement on August 26, 2019 to reimburse Hy-Vee Inc. for costs associated with the installation of a right-turn lane for eastbound Foxwood Drive at its intersection with Fox Ridge Drive. Hy-Vee will construct the turn lane as part of its development of the site.



## ENGINEERING DIVISION COMMENTS

The Engineering Division of Public Works has reviewed the application and determined that it complies with all of the applicable requirements.

## STAFF COMMENTS

- 1. Development Standards:** The current bulk and dimensional standards for the “C-3” Regional Commercial District zoning classification for the property is provided below. The lot in the proposed plat is compliant with the requirements.

C-3	
<b>Minimum Lot Area</b>	
per lot	-
per dwelling unit	2,000 sq.ft.
<b>Minimum Lot Width (feet)</b>	100
<b>Minimum Lot Depth (feet)</b>	100
<b>Yards, Minimum (feet)</b>	
front	30
rear	20
side	10
side, abutting residential district	20
<b>Maximum Building Height (feet)</b>	80
<b>Maximum Building Coverage (%)</b>	50

- 2. Special Use Conditions:** The following use-specific standards or conditions apply to the site plan:

- Fueling stations require a Conditional Use Permit and include the following conditions:

### **420.030 J. Gas Station**

Gas stations must:

1. have a minimum lot area of 20,000 square feet;
2. limit open storage of repair vehicles to no more than four vehicles bearing current license plates and not including any wrecked vehicles; the duration of storage must not exceed 72 hours;
3. have light fixtures that are directed downward and shielded to prevent glare on adjoining properties and roadways;
4. have canopy lighting designed with recessed fixtures to prevent glare on adjoining properties and roadways;
5. comply with all setback requirements, including canopies and other structures;

- 6. locate and design curb cuts to ensure they will not adversely affect the safety and efficiency of traffic and pedestrian circulation on adjoining streets. Curb cuts for new or renovated gas stations must be a minimum of 125 feet apart on each street frontage;
  - 7. only have drive-through facilities for restaurants or other uses subject to Section 420.030L.
- Drive-through facilities must comply with the following requirements:

**420.030 L. Drive-through Facilities**

**1. General**

Drive-through facilities are permitted as indicated in the use table in Section 410.020.

**2. Vehicle Stacking Areas**

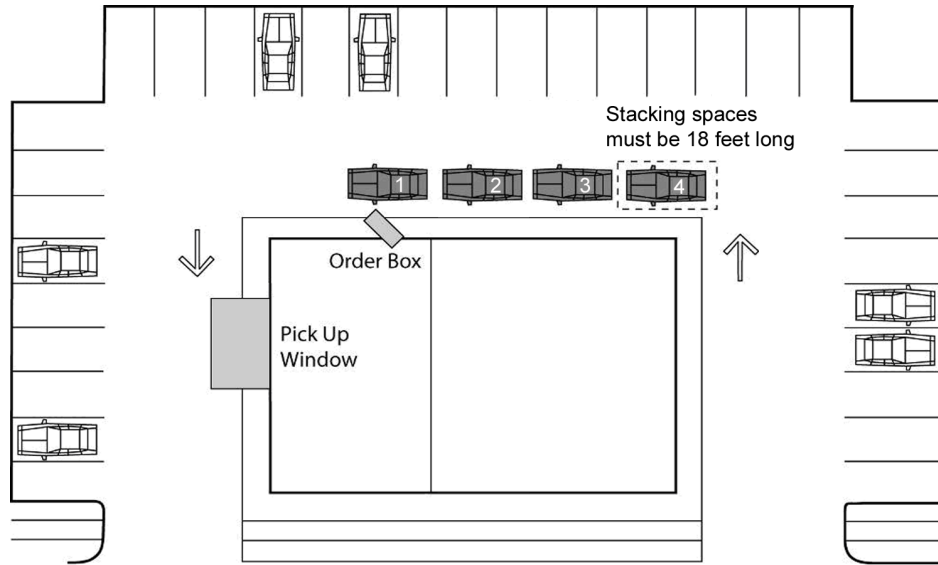
- a. Each drive-through facility must provide the minimum vehicle stacking spaces as follows:

The following requirements shall be followed in determining the minimum stacking length per lane:	
Use	Stacking Requirement
Financial Institution	
- teller lane	3
- ATM	3
Car Wash	
- automatic service	4
Restaurant	4 behind menu board
Pharmacy	2
Other uses	To be determined by the Director

- b. Vehicle stacking spaces include the space at the menu board, order box or service window.
- c. Each vehicle stacking space shall be 18 feet long by 9 feet wide.
- d. Each vehicle stacking lane shall be separate from any access aisle, loading space, or parking space.
- e. No vehicle stacking lane shall conflict with any vehicle entrance or exit, vehicle access way or pedestrian crosswalk.
- f. The Commission has the authority to allow a deviation to the stacking requirement based upon a study submitted by a



traffic engineer which provides evidence to allow the reduction of these stacking requirements.



**3. Adjacent to Residential Districts**

- a. Drive-through facilities, including stacking areas, must be separated from residentially-zoned property by at least 40 feet.
- b. Speaker systems used in conjunction with drive-through facilities must be designed so that they are not audible at the property line abutting residentially-zoned property.

**3. Parking:** The minimum parking standards for the uses allowed within the proposed development are as follows:

Use	Minimum Parking Spaces Required
<b>COMMERCIAL USES</b>	
Retail Sales	1 per 300 square feet
Gas Station	1 per bay plus 1 per pump island, minimum 6 spaces

- Total of 22 parking spaces are required based upon a 6,500 square foot retail building. 35 parking spaces are provided. There are 16 additional spaces at the pump island.
- Three of the parking spaces in front of the store near the entrance are ADA accessible, one of which must be designated as van accessible only.
- The proposed parking does comply with the requirements of the UDC.

#### 4. Landscaping

- Twenty percent (20%) of the site is required to be reserved for landscaped area. A landscaped area a minimum of six feet in width shall be provided along all street frontages and along all perimeter property lines.
- Fifty-eight percent (58%) of the site is provided with landscaping.
- No landscape screening is required.
- The minimum six-foot (6') landscaped area is provided along all street frontages.
- The required street trees along all street frontages are provided.
- The required interior parking lot area landscaping and perimeter parking lot landscaping, including trees, has been provided.
- Landscaping is provided around the proposed monument sign.
- Irrigation of landscaped areas is required.
- The proposed plan does comply with the landscaping requirements of the UDC

#### 5. Building Design:

The proposed development must comply with the building design standards contained in Section 440.010 of the UDC.

##### **Section 440.010 Building Design Standards**

##### **C. Building Materials**

##### **1. Masonry Construction**

A minimum of 50 percent of the front and side facades shall consist of materials described by this sub-section.

- a. Masonry construction shall include all masonry construction which is composed of solid, cavity, faced or veneered-wall construction, or similar materials approved by the Planning and Zoning Commission.
- b. Stone materials used for masonry construction may consist of granite, sandstone, slate, limestone, marble or other hard and durable all-weather stone. Ashlar, cut stone and dimensioned stone construction techniques are acceptable.

- c. Brick material used for masonry construction shall be composed of hard-fired (kiln-fired), all weather common brick or other all-weather common brick or all-weather-facing brick.
  - d. Concrete finish or precast concrete panel (tilt wall) construction shall be exposed or aggregate, hammered, sandblasted or other finish as approved by the Planning and Zoning Commission.
  - e. Stucco or approved gypsum concrete/plaster materials are also permitted.
2. Glass Walls
- Glass walls shall include glass-curtain walls or glass-block construction. A glass-curtain wall shall be defined as an exterior wall which carries no floor or roof loads and which may consist of a combination of metal, glass and other surfacing materials supported in a metal frame.
3. Metal Walls
- a. The use of metal siding is permitted only in industrial districts and only for side and rear façades. The materials used on the front façade shall be incorporated into any façade visible from a public street to break up the monotony of those facades.
  - b. The use of corrugated panels, with a depth of less than three-quarter inch or a thickness less than U.S. Standard 26 gauge is prohibited.
  - c. The use of unpainted metal panels, excluding panels made from copper, weathering steel, or stainless steel, is prohibited. The color finish of metal panels and exposed fasteners shall have extended durability with high resistance to fade and chalk.
  - d. Corrugated metal facades shall be complemented with masonry, whether brick, stone, stucco or split-face block. Architectural metal panels may be an acceptable substitute for masonry. Appropriate landscaping shall be used to complement and enhance a building's design, color and material.

Four-sided architecture is proposed for the building. Building materials consist of brick and cut limestone. Articulation of the building walls is provided.

The proposed development does comply with the building design standards of the UDC.

## **6. Pedestrian Access:**

- A five-foot sidewalk will be constructed along all streets.
- The existing sidewalk on Foxwood Drive will be relocated to the south to allow for construction of the eastbound right-turn lane.

- Sidewalk connections to the front of the store will be made from Fox Ridge Drive and from Rye Drive.

**7. Signage:**

- A monument sign is proposed for the store in the northeast corner of the site. The proposed location of the sign is in compliance with the requirements of the UDC.
- A sign permit is required prior to installation of any sign.

**8. Fire District Review:** The site plan was reviewed by the South Metropolitan Fire Protection District. The District has indicated that if the building has a fire sprinkler system that a hydrant will be required within one-hundred feet (100') of the FDC.

The South Metropolitan Fire Protection District requires the issuance of a building permit from the district. This permit is in addition to the building permit issued by the City of Raymore.

**9. Stormwater Management:** Stormwater will be collected on site and discharged into a detention basin. The basin will then release the stormwater to the existing storm sewer system along Fox Ridge Drive.

Stormwater runoff from Rye Drive will be collected in a storm sewer and discharged to the open field to the west.

**10. Site Lighting:**

- A site lighting plan was submitted as part of the site plan application.
- The site will be lit by a combination of 30' free-standing light poles with 90° cutoff; under-canopy lights at the fuel pumps, and lights attached to the building.
- The requirements of Section 440.020F: Outdoor Lighting of the UDC are met.

**11. Trash Enclosure:** A trash enclosure is provided. There is no enclosure provided for a recycling container. The applicant has indicated no separate recycling container will be utilized.

The proposed trash enclosure is in compliance with the requirements of the UDC.

**12. Screening of Mechanical Equipment:** All electrical and mechanical equipment located adjacent to the building shall be screened from view from adjacent

properties and any adjacent street. Accessory utility facilities that are in excess of 3 ½ feet shall be screened. The landscape plan does not show any equipment areas. This requirement will be monitored when the equipment is installed to determine the applicability of the requirement.

- 13. Site Access:** Access to the site will be provided off of Rye Drive and off Fox Ridge Drive. Rye Drive will be a full-access drive off Foxwood Drive. The direct access to the site off Fox Ridge Drive will be restricted to right-turn in and out. The median to be installed on Fox Ridge Drive will prevent left-turn movements into, and out of, the site. Brome Drive will be a full-access intersection onto Fox Ridge Drive.
- 14. Off-site Improvements:** Required as part of the development of the site are several off-site improvements:
- Right-turn lane for eastbound traffic on Foxwood Drive at the Rye Drive intersection
  - Continuation of the right-turn lane for eastbound traffic on Foxwood Drive to Fox Ridge Drive
  - Right-turn lane for southbound traffic on Fox Ridge Drive to the direct access drive to the front of the HyVee Fast and Fresh store
  - Continuation of the right-turn lane for southbound traffic on Fox Ridge Drive to Brome Drive
  - Median on Fox Ridge Drive to prevent left-turn movements at the access drive to the site.
  - Relocation of the sidewalk on Foxwood Drive
  - Relocation of the traffic control signal on the southwest corner of the intersection of Foxwood Drive and Fox Ridge Drive.
  - Extension of the sanitary sewer from The Lofts at Fox Ridge apartment community north to the site
  - Installation of a storm sewer line to connect the storm inlets on Brome Drive (and the outlet for the stormwater detention basin) to the storm sewer line along Fox Ridge Drive.
- 15.** Due to the topography of the site the proposed drive-through lane will require the installation of a retaining wall along the south and east side of the drive. Due to the height of the retaining wall (from 1 foot to 8 feet tall) a safety barrier will be required.

## **STAFF PROPOSED FINDINGS OF FACT**

Section 470.160 of the Unified Development Code states that the Planning and Zoning Commission must make findings of fact taking into consideration the following:

- a. **the plan complies with all applicable standards of this code and all other applicable City ordinances and policies;**

The site plan does comply with all applicable standards of the Unified Development Code and all other applicable City ordinances and policies.

- b. **the plan does not conflict with the adopted plans of the City of Raymore or the purpose and intent of this code;**

The site plan does not conflict with any of the adopted master plans of the City or the purpose and intent of the Unified Development Code.

- c. **the proposed use is allowed in the district in which it is located;**

The proposed use(s) are allowed within the existing "C-3" Regional Commercial District.

- d. **vehicular ingress and egress to and from the site, and circulation within the site provides for safe, efficient, and convenient movement not only within the site but also on adjacent roadways;**

Vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of vehicles.

- e. **the plan provides for safe, efficient, and convenient movement of pedestrians on and to the site;**

The site plan does provide for safe, efficient and convenient movement of pedestrians. Sidewalks are provided to allow pedestrians to access the parking areas and building entrances from Fox Ridge Drive and from Rye Drive.

- f. **the arrangement of structures and buildings on the site allows for efficient use of the land, is compatible with development on adjacent property, and minimizes potential adverse impacts on existing or planned municipal infrastructure and services;**

The placement of the building on the site does allow for efficient use of the land and minimizes potential adverse impacts on existing and planned municipal infrastructure and services.

- g. **open space and natural features on the site are arranged in such a way that unique natural resources are preserved and creates a desirable and functional environment for site users;**

There are no unique natural resource features on the site that need to be preserved.

- h. the plan avoids unnecessary or unreasonable alterations to existing topography, preserves existing healthy, mature trees and woodlands, and designs drainage facilities to promote the use and preservation of natural watercourses;**

The property is currently utilized for agricultural crops. There are no trees or stream features on the property.

- i. provides adequate parking for the use, including logical and safe parking and circulation;**

Parking for the use exceeds the minimum requirement and is provided in a logical manner. Circulation through the site is well planned.

- j. provides landscaping and screening as required by this code that creates logical transitions to adjoining uses, screens incompatible uses, minimizes the visual impact of the development on adjacent roads and properties, and utilizes native plant materials selected to withstand the local climate and individual site microclimates; and**

Adequate landscaping is provided for the site. With public streets on each side of the site, there are street trees provided in addition to the on-site landscaping.

- k. includes site illumination that has been designed and located to minimize adverse impacts on adjacent properties.**

The site lighting plan is in compliance with the UDC and minimizes adverse impacts on adjacent properties.

## **REVIEW OF INFORMATION AND SCHEDULE**

Action  
Site Plan Review

Planning Commission  
December 17, 2019

## **STAFF RECOMMENDATION**

The staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and approve Case #19014 HyVee Fast and Fresh Site Plan subject to the following conditions:

*Prior to commencement of any land disturbance activities:*

1. State of Missouri and City of Raymore land disturbance permits shall be obtained prior to the commencement of any site grading or land disturbance activities.



2. All erosion control measures identified on the site disturbance plan and required by the land disturbance permit must be installed prior to grading and these measures must be maintained until the requirements of the SWPPP are satisfied.

Prior to installation of any public improvements:

3. The public infrastructure plans must be approved by the City and a permit issued for installation of public improvements.
4. Easements shall be provided for any off-site public improvements that are installed.

Prior to issuance of a Building Permit

5. Building construction plans shall be approved by the Building Official.

Prior to issuance of a Certificate of Occupancy:

6. Utility easements shall be provided for any public improvements that are installed on the site.
7. All accessible parking spaces must be identified by signs complying with the Manual of Uniform Traffic Control Devices and the Department of Justice, Code of Federal Regulation 28 CFR Part 36, ADA Standards for Accessible Design. The sign must be vertically mounted on a post or wall no more than five feet from the space and centered on the width of the space.
8. Van accessible parking spaces shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act.
9. If the electrical transformer box and any other accessory utility facility is taller than three and one-half feet or covers more than twenty-five square feet in area than it must be screened in accordance with Section 420.040D of the Unified Development Code.
10. Exterior utility connections to the building shall be screened.
11. The stormwater maintenance agreement shall be executed.
12. The public improvements, including turn lanes, median and traffic signal relocation, shall be completed and accepted by the City Council.

13. All work shall be completed in accordance with the site plan approved by the Planning and Zoning Commission.

Perpetual Conditions:

14. Prior to removing erosion control measures at the conclusion of the project, the contractor must obtain concurrence from the City.
15. A signed copy of the weekly and post rain event erosion control inspection reports shall be submitted to the City upon completion of each report.
16. Owner must immediately notify City staff of any illicit discharge that enters or has the potential to enter the storm sewer system.

**PLANNING AND ZONING COMMISSION ACTION - 12/17/2019**

The Planning and Zoning Commission, at its December 17, 2019 meeting, voted 8-0 to accept the staff proposed findings of fact and approved Case #19014 HyVee Fast and Fresh Site Plan subject to the following conditions:

Prior to commencement of any land disturbance activities:

1. State of Missouri and City of Raymore land disturbance permits shall be obtained prior to the commencement of any site grading or land disturbance activities.
2. All erosion control measures identified on the site disturbance plan and required by the land disturbance permit must be installed prior to grading and these measures must be maintained until the requirements of the SWPPP are satisfied.

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