



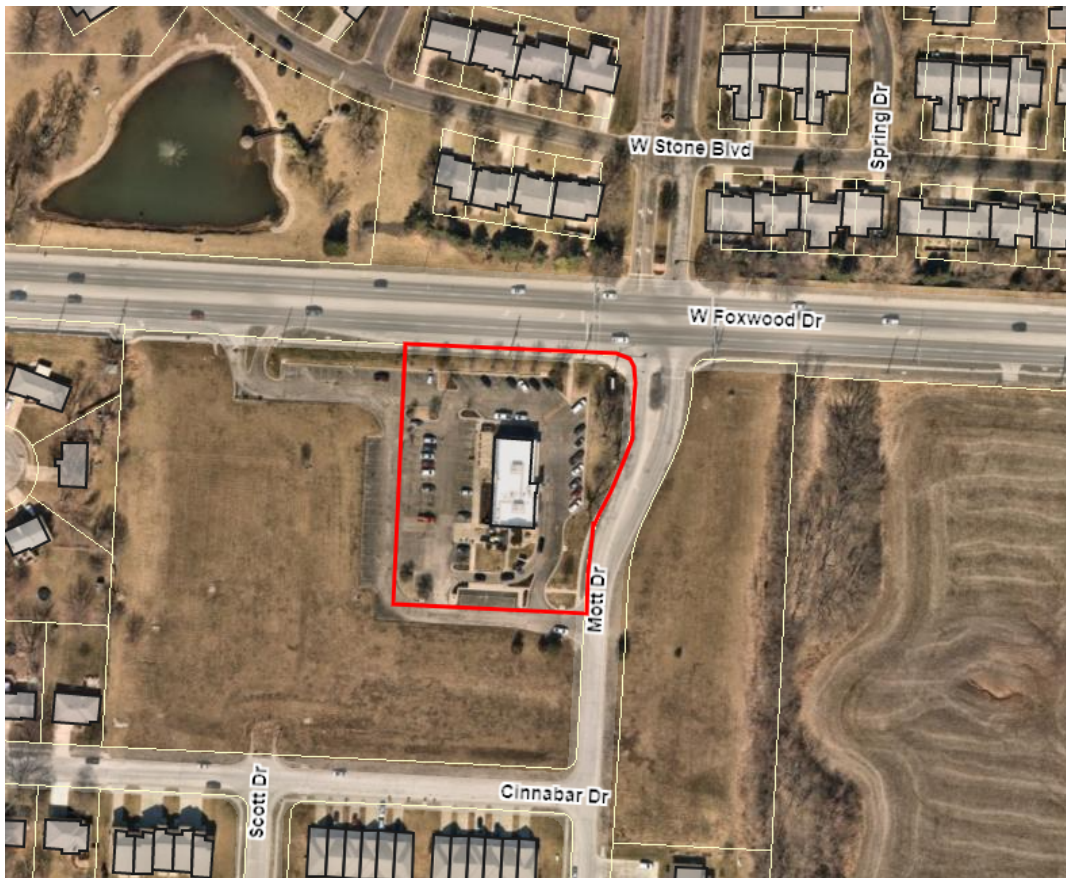
To: Planning and Zoning Commission
From: Katie Jardieu, City Planner
Date: July 6, 2021
Re: Case #21019 - Culver's Site Plan Amendment

GENERAL INFORMATION

**Applicant/
Property Owner:** Ramazn Property Management
2751 NE Douglas, Ste 12
Lee's Summit, MO 64064

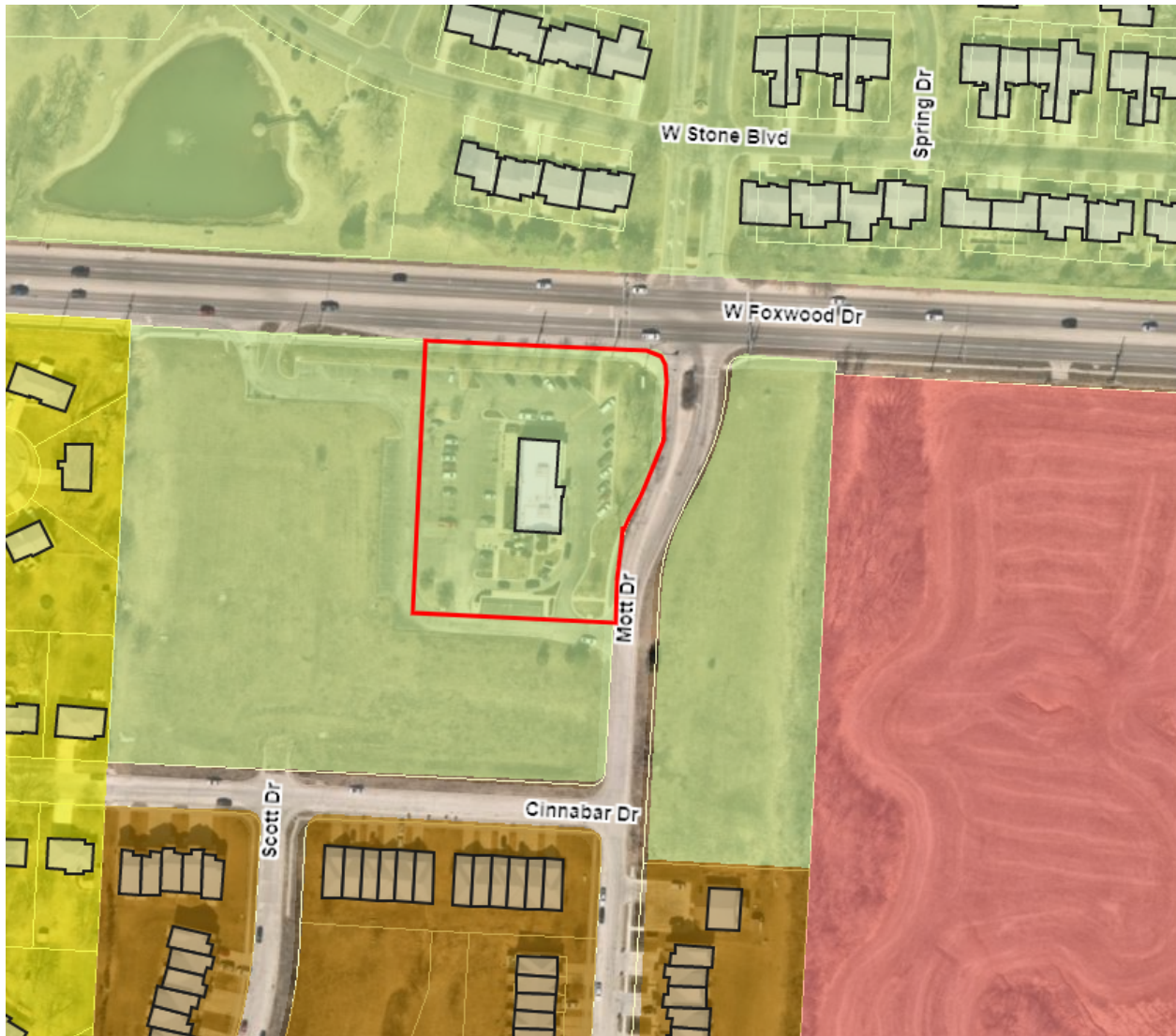
Requested Action: Site Plan amendment for a second drive-thru lane

Property Location: 1621 W. Foxwood Drive



Existing Zoning:

PUD Planned Unit Development District



Existing Surrounding Uses:

North: PUD
South: PUD & R-3A
East: PUD & C-3
West: PUD & R-1

Total Tract Size: 1.61 Acres

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

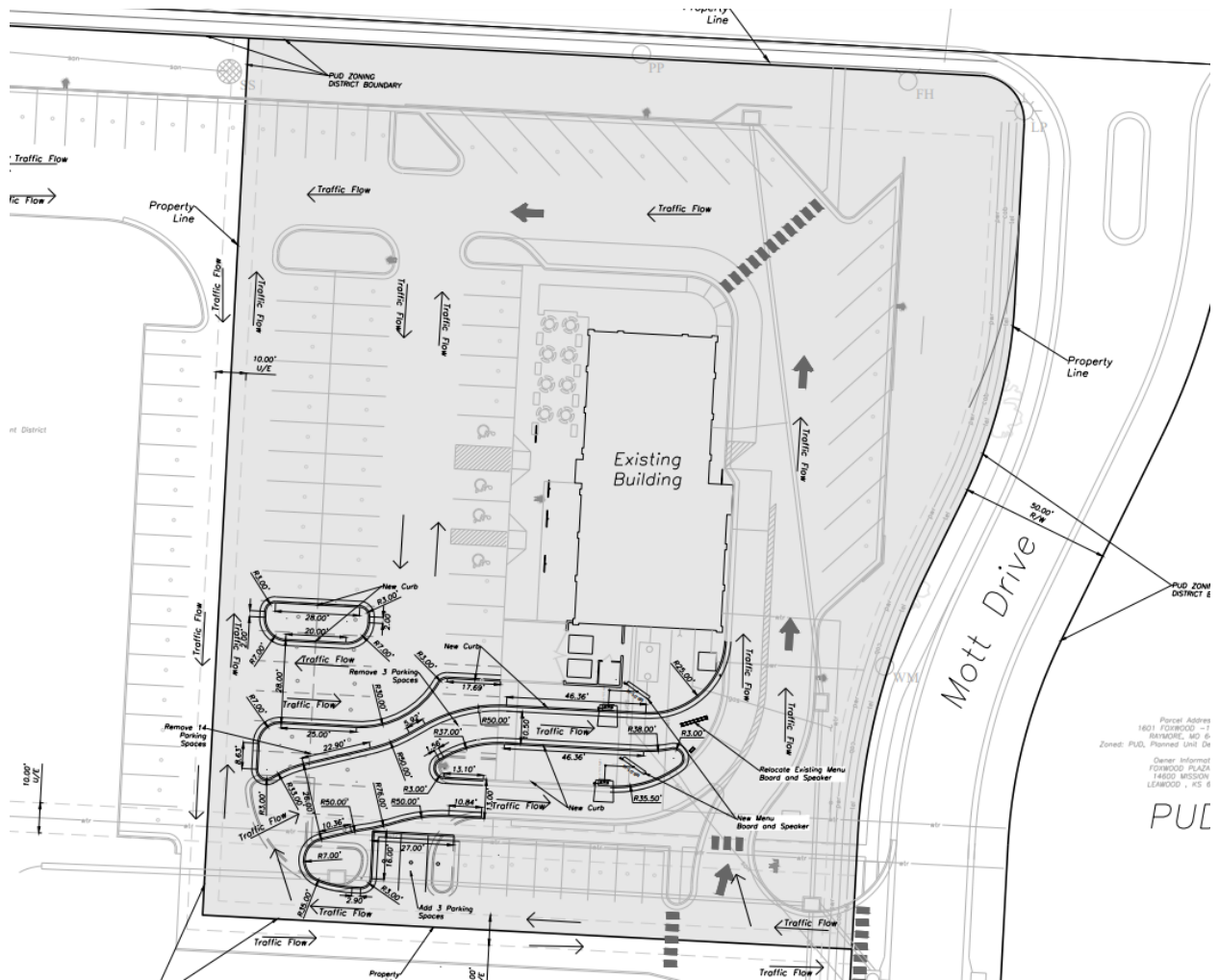
Major Street Plan: The Major Thoroughfare Plan Map contained in the Growth Management Plan identifies West Foxwood Drive as a major arterial road. Mott Road to the east is identified as a local road.

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 requests approval for a site plan amendment that would allow a second drive-thru lane as well as minimal traffic pattern changes.



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 groundwater;
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, 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 subject property was rezoned to “PUD” Planned Unit Development District on October 26, 2008.
2. The Final Plat for the subject property was recorded in April of 2004.
3. The Culver’s site plan was initially approved on April 7, 2009.
4. A Certificate of Occupancy was issued for Culver’s on November 19, 2009.

ENGINEERING DIVISION COMMENTS

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

STAFF COMMENTS

1. **Development Standards:** The current bulk and dimensional standards for the “PUD” General Commercial District zoning classification for the property is provided below.

	PUD
Minimum Lot Area	
per lot	-
Minimum Lot Width (feet)	-
Minimum Lot Depth (feet)	-
Yards, Minimum (feet)	
front	50
rear	10
side	10
Required Landscaped Area (%)	20
Maximum Building Height (feet)	80
Maximum Building Coverage (%)	40

The property and proposed building comply with the PUD district development standards.

2. Special Use Conditions: Institutions with drive-thru facilities must meet the requirements of Section 420.030L:

L. Drive-through Facilities

1. General

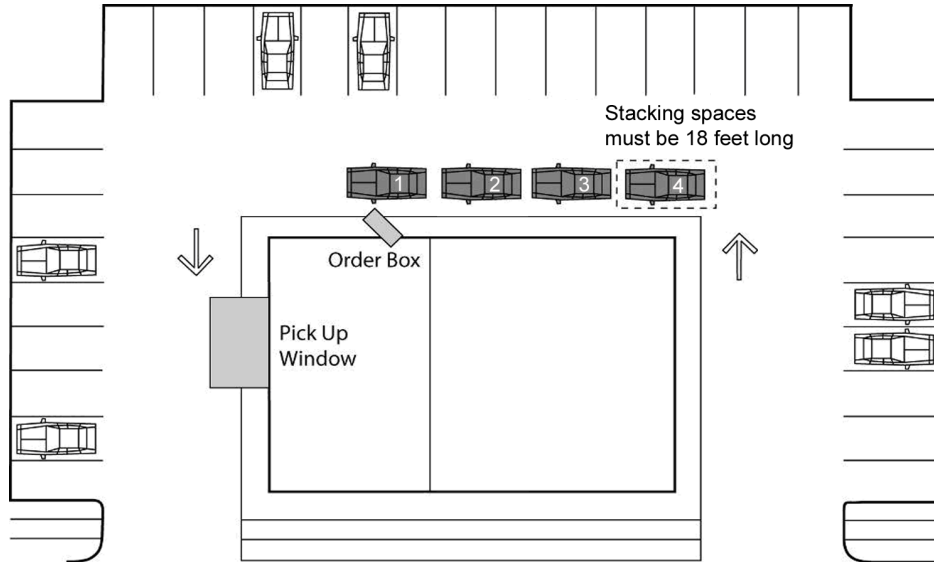
Drive-through facilities are permitted as indicated in the use table in Section 410.020.

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.

The site plan complies with the special use conditions applicable to the use on the property. The applicant is also removing one entrance to the site which alleviates dual entry into the drive-thru and can cause confusion.

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

Use	Minimum Parking Spaces Required
COMMERCIAL USES	
Restaurant	1 per 4 seats or 1 per 50 square feet of customer service area, whichever is greater

Based on 125 seats, 32 parking spaces are required. Currently the site has 107 parking spaces provided, and 4 ADA compliant parking spaces. The addition of the second drive-thru lane will require the removal of 10 parking spaces. This leaves a total of 93 parking spaces and 4 ADA compliant spaces. This is ample parking for the site and use.

4. Landscaping

Minor landscaping design changes are proposed with this amendment. The site complies with the 20% required landscaped area. The addition of a drive-thru lane does remove some existing landscaping, but a new landscape island and expansion of existing landscape areas are being added to the parking lot area.

5. Building Design:

No building design changes are proposed with this amendment. The building currently complies with UDC Section 440.010 in regards to building design standards.

6. Pedestrian Access:

Sidewalk and ADA compliant access to the building is provided from Highway 58 at the southeast property corner. No changes to the pedestrian access are being proposed with this amendment.

7. Signage:

A new menu board is proposed with this amendment and will comply with existing code regarding size and placement.

8. Fire District Review:

The site plan was reviewed by the South Metropolitan Fire Protection District with no additional comments.

9. Stormwater Management:

No changes to the stormwater runoff or detention plan are proposed. The site is already paved and no additional impervious surfaces are proposed with this amendment.

10. Site Lighting:

The parking lot area is currently illuminated. The photometric plan was initially submitted and is in compliance with the UDC requirements for site lighting and no changes are proposed with this amendment.

11. Trash/Recycling Enclosure:

No changes to the trash enclosure are proposed with this amendment. The trash enclosure currently complies with UDC section 430.110 stating the trash and recycling enclosure to be permanently screened from view and all screens must match the primary color and material of the structure served.

12. Screening of Mechanical Equipment:

No changes to the electrical or mechanical are proposed with this amendment. Currently the equipment is properly screened.

13. Wetlands

No wetlands are on site.

14. Site Access:

Access to the site is provided off of Foxwood Drive just to the west of the site as well as off of Mott Drive. One internal access point is being closed with this site plan amendment to alleviate dual drive thru entrance points.

15. Off-site Improvements:

None

16. Gasline Easement

There is not a gas line easement associated with this site.

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 "PUD" Planned Unit Development 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. The site plan amendment helps to alleviate confusion regarding entrance to the drive-thru and provides additional stacking.

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

The site provides access from the existing sidewalk along Highway 58 to the site with an ADA accessible sidewalk.

- 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 additional drive-thru on 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;**

Open space is provided where possible on the property.

- 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 site plan avoids unnecessary alterations to the site. The area to be disturbed for the additional drive-thru lane is already paved, and therefore landscaping and natural areas will be preserved.

- 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. The required site trees are 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

July 6, 2021

STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and approve Case #21019 Culver's Site Plan Amendment 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 issuance of a Building Permit

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

Prior to issuance of a Certificate of Occupancy:

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

Perpetual Conditions:

5. Prior to removing erosion control measures at the conclusion of the project, the contractor must obtain concurrence from the City.
6. 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.

7. 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 DECISION - JULY 6, 2021

The Planning and Zoning Commission, at its July 6, 2021 meeting, voted 8-0 to accept the staff proposed findings of fact and approve Case #21019 Culver's Site Plan Amendment subject to the following conditions:

Prior to commencement of any land disturbance activities:

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