



**LEE'S SUMMIT**  
**MISSOURI**  
Development Services Department

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## Development Services Staff Report

<b>File Number</b>	PL2022-216
<b>File Name</b>	Continued PRELIMINARY DEVELOPMENT PLAN – Macadoodles
<b>Applicant</b>	KC Blitz, LLC dba Macadoodles
<b>Property Address</b>	1499 SW Market St
<b>Planning Commission Date</b>	September 8, 2022
<b>Heard by</b>	Planning Commission and City Council
<b>Analyst</b>	Hector Soto, Jr., AICP, Senior Planner
<b>Checked by</b>	Kent Monter, P.E., Development Engineer Manager

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### Public Notification

Pre-application held: October 19, 2021  
Neighborhood meeting conducted: July 18, 2022 and August 31, 2022  
Newspaper notification published on: August 6, 2022  
Radius notices mailed to properties within 300 feet on: August 3, 2022  
Site posted notice on: August 5, 2022

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### Attachments

Transportation Impact Analysis, prepared by Brad Cooley, P.E., dated August 31, 2022 – 2 pages  
Traffic Impact Study, prepared by McCurdy Engineers, dated July 12, 2022 – 16 pages  
Preliminary Development Plan, dated July 12, 2022 – 7 pages

Modification Request for Parking Lot Setback, prepared by Carlie Aksamit, P.E., for Anderson Engineering and dated July 12, 2022

Stormwater Memo with Exhibits, dated July 12, 2022 – 5 pages

Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	KC Blitz, LLC dba Macadoodles/ Applicant
Applicant's Representative	Chris Meyer
Location of Property	1499 SW Market St
Size of Property	157,787 sq. ft. (+/- 3.6 acres)
Number of Buildings	1 existing building
Building Area	30,000 total sq. ft. – existing multi-tenant retail building; <b>12,000 sq. ft. – Macadoodles tenant space</b>
FAR (Floor Area Ratio)	0.19 FAR (0.55 max in CP-2 district)
Zoning	CP-2 (Planned Community Commercial District)
Comprehensive Plan Designation	Mixed Use
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed preliminary development plan. The City Council takes final action on the preliminary development plan.</p> <p><b>Duration of Validity:</b> Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four (24) months from the date of such approval, unless within such period a final development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon written request.</p>

Current Land Use
The subject property is the site of the Southport Business Center, which is developed with an approximately 30,000 sq. ft. multi-tenant retail center. Macadoodles will occupy the southernmost 12,000 sq. ft. tenant space.

Description of Applicant's Request
Macadoodles is a liquor store that is currently in the tenant finish process to operate in the southernmost 12,000 sq. ft. tenant space of the Southport Business Center retail center at the northwest corner of M-291 Hwy and SW Market St/SW 16 <sup>th</sup> St. A liquor store is a use permitted by right in the CP-2 zoning district. Part of the Macadoodles business model is to offer drive-through service, which the applicant seeks to offer at the subject location. The existing retail center has no drive-through facility. Construction of a drive-through facility is considered a substantial change to the existing retail center and

thus triggers the requirement for preliminary development plan approval. There is no expansion of the existing retail center building associated with this application.

A modification to the 20' minimum parking lot setback from the right-of-way is requested to accommodate the relocation of six (6) parking spaces displaced by the requested drive through facility. A second modification is also requested to allow a reduction of the two-way drive aisle width located south of the drive-through from 24' to 22'.

## 2. Land Use

### Description and Character of Surrounding Area

The Southport Business Center retail center is located in a predominately industrial area along the South M-291 Hwy corridor. The center faces the highway, but has access from SW Market St. SW Market St serves as a reverse frontage road between SW Persels Rd and SW 16<sup>th</sup> St. .

### Adjacent Land Uses and Zoning

<b>North:</b>	Office-warehouse / PI (Planned Industrial); and Commercial / CP-2
<b>South (across SW Market St):</b>	Auto repair / PI
<b>East:</b>	M-291 Hwy
<b>West (across SW Market St):</b>	Office-warehouse and post office / PI

### Site Characteristics

The subject property is developed as a multi-tenant retail center. The site is accessed via three driveways along SW Market St. The site has frontage along M-291 Hwy, SW Market St and SW 16<sup>th</sup> St. The center faces the highway.

### Special Considerations

None.

## 3. Project Proposal

### Site Design

Land Use	
Impervious Coverage:	69.5%
Pervious:	30.5%
<b>TOTAL</b>	<b>100%</b>

### Parking

Proposed		Required	
Total existing parking spaces:	150	Total parking spaces required:	150

Accessible spaces proposed:	5	Accessible spaces required:	5
Parking Reduction requested?	No	Off-site Parking requested?	No

### Setbacks (Perimeter)

Yard	Building / Parking Required	Building / Parking Proposed
Front (M-291 Hwy)	15' (Building); 20' (Parking)	64' (Building); 4'-4" (Parking) <sup>1,2</sup>
Side (south)	10' (Building); 20' (Parking)	88' (Building); 8'-8" (Parking) <sup>3</sup>
Rear (east)	20' (Building); 20' (Parking)	60' (Building); 62' (Parking)

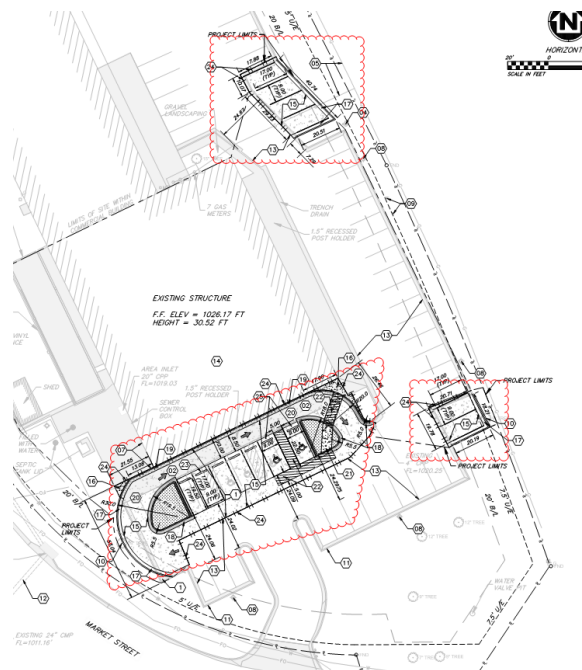
<sup>1</sup> – Existing parking lot setback along M-291 Hwy is 5'-9" at its closest point. This is a lawful non-conforming characteristic.

<sup>2</sup> – Proposed parking space relocation resulting in parking setback reduction requires a modification.

<sup>3</sup> – Existing parking lot setback along SW Market St is 8'-8" at its closest point. This is a lawful non-conforming characteristic.

### Structure(s) Design

Number and Proposed Use of Buildings
1 existing multi-tenant retail building
Building Height
23' - existing
Number of Stories
1 story - existing



The scope of the site improvements associated with the subject application are clouded above for reference. The improvements include construction of a drive-through lane on the south side of the existing building and the relocation of six (6) parking spaces displaced by the proposed drive-through. The displaced parking spaces will be distributed between two areas along the retail center's M-291 Hwy frontage. The proposed improvements result in the need for two modifications that are addressed under staff's analysis.

## 4. Unified Development Ordinance (UDO)

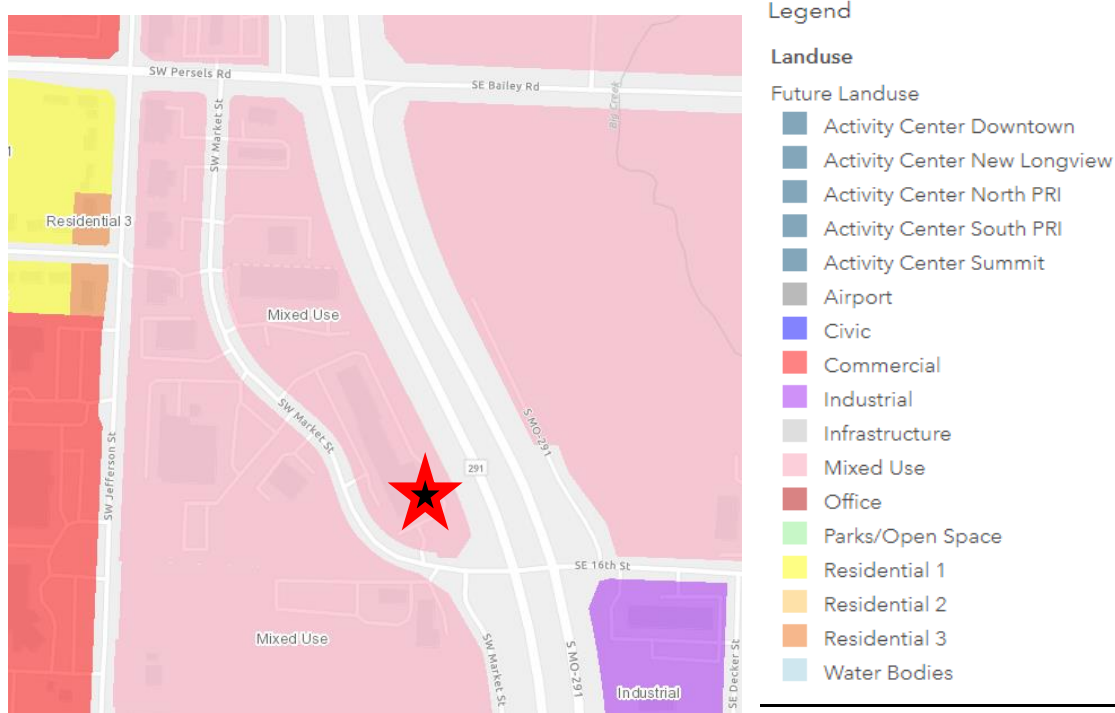
Section	Description
2.040,2.260,2.300,2.320,2.330	Preliminary Development Plans
4.190	Zoning Districts
8.620	Parking Lot Design

### Unified Development Ordinance

A liquor store is a use permitted by right in the CP-2 zoning district. The proposed drive-through facility is subject to the UDO's queuing requirements, which requires a minimum five (5) car stacking for a single-lane facility, measured from the window in instances where no order box or kiosk is used. The proposed Macadoodles drive-through uses no order box or kiosk.

## 5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Resilient Economy	Objective: Increase business retention and grow business activity. Objective: Maintain a diverse and valuable tax base.



### **Comprehensive Plan**

The 2020 Ignite Comprehensive Plan shows the recommended land use for this property as Mixed Use. The Mixed Use land use category is intended to accommodate low-rise buildings with a mix of retail, office and public uses with a complementary mix of residential development of varying densities. Business park type uses may also be mixed with retail and office uses where appropriate.

The existing center is located along the South M-291 Hwy corridor. The area has a mix of existing commercial and industrial uses along the west side of the highway and is intended to have a mix of uses ranging from residential to industrial along the east side of the highway. As a retail use, the liquor store falls within the envisioned mix of allowable uses for the general area.

## **6. Analysis**

### **Background and History**

- September 2, 1997 – The City Council approved a revised final site plan (Appl. #1997-184) for a 30,000 sq. ft. multi-tenant retail center.
- June 29, 2022 – A building permit (PRCOM20221597) was issued for the Macadoodles tenant finish. Construction in the tenant space is currently underway.
- July 28, 2022 – The Planning Commission approved a sign application (Appl. #PL2022-238) to allow Macadoodles a total of five (5) wall signs (4 signs on the east elevation facing M-291 Hwy and 1 sign on the south elevation facing SW Market St). Macadoodles requested a total of nine (9) wall signs (4 signs facing M-291 Hwy and 5 signs on the south elevation facing SW Market St).

The applicant's request is to allow construction of a single-lane drive-through facility to serve the future Macadoodles liquor store on the south end of the existing retail center. The addition of a drive-through facility to the center is considered a substantial change to the development and thus requires preliminary development plan approval.

**Compatibility**

Changes in consumer preferences and behavior have resulted in operational changes to a number of retailers. Among the changes adopted by retailers is an increase in drive-through and pick-up facility options to serve customer demand for said services. The proposed drive-through facility for Macadoodles is consistent with this trend and is a signature service offered at all of their existing locations. The addition of a drive-through facility to the existing retail center is not incompatible with commercial development throughout the city. Restaurants, banks and grocery stores with associated drive-through and pick-up facilities are all common uses in retail centers that parallel the request by Macadoodles.

**Adverse Impacts**

The proposed development is not expected to seriously injure the appropriate use of, or detrimentally affect, neighboring property. The surrounding property is built out with a mix of commercial and industrial development.

The proposed site improvements are not expected to create excessive storm water runoff. The proposed site improvements result in a net increase of only 1,012 sq. ft. of increased impervious area for the 3.63-acre retail center site.

**Public Services**

The proposed drive-through facility triggers no water, storm water or sanitary sewer improvements for the existing retail center.

The existing retail center is served by three (3) access points onto SW Market St. A traffic impact study was conducted to determine the traffic generation impact of the addition of a drive-through to the existing street network. Based on staff's review of the traffic impact study, it was determined that a traffic signal is warranted at the intersection of SW Persels Rd and SW Market St. However, the proximity of that intersection with existing signalized intersections along SW Persels Rd at SW Jefferson St and M-291 Hwy require an alternative modification. In place of a traffic signal at SW Persels Rd and SW Market St, a median shall be required along SW Persels Rd that restricts SW Market St to right-in/right-out turning movements. The applicant has agreed to the installation of the median as recommended in the TIA prepared by City staff.

**Modifications.**

**Parking Lot Setback.** Staff supports the requested modification.

- Required – Parking lots shall be set back a minimum 20' from the public right-of-way.
- Proposed – The relocation of two (2) parking spaces to the southeast corner of the existing parking lot results in a setback of 4'-4" from the M-291 Hwy right-of-way.
- Recommendation – At its closest point, the existing parking lot is set back 5'-9" from the M-291 Hwy right-of-way line and is set back approximately 67' from the nearest edge of pavement of the southbound M-291 Hwy travel lanes. The subject lot is irregular in shape and tapers down in width from north to south due to the curvilinear nature of the abutting M-291 Hwy and SW Market St rights-of-way. The relocated parking spaces maintain the existing parking lot boundary curb alignment for the site, but the abutting highway starts to turn back toward the site and thus results in a reduction to the setback. The proposed

reduction in existing setback by 1'-5" does not significantly alter existing site conditions and still yields a substantial separation of approximately 65' between the parking lot and nearest M-291 Hwy travel lanes. Staff supports the requested modification.

**Drive Aisle Width.** Staff does not support the requested modification.

- Required – Two-way drive aisles adjacent to 90-degree angled parking spaces shall have a minimum 24' of pavement width (excluding curb and gutter).
- Proposed – To accommodate the proposed drive-through lane along the south side of the building, the existing parking spaces immediately adjacent to the south side of the building are being shifted slightly to the south, resulting in 22' pavement width (excluding curb and gutter) for the adjacent drive aisle.
- Recommendation – The existing parking lot complies with the minimum 24' of pavement width for the two-way drive aisle throughout the retail center. The applicant's own actions stemming from the proposed construction of a drive-through facility result in the drive aisle pavement width reduction that causes the drive aisle width to fall out of the compliance with the UDO. While the proposed 22' of drive aisle pavement width is sufficient to accommodate two-way traffic circulation through the immediate area south of the building based on an accepted minimum standard that 10'-wide travel lanes provide adequate safety for vehicles, the reason additional pavement width is required for drive aisles with adjacent parking spaces is to provide adequate room to facilitate backing movements out of the parking spaces. Case in point, the UDO allows for only 20' of pavement width for two-way drive aisles where no parking spaces are present along the drive aisle. As proposed, 14 parking spaces on the south side of the building are directly impacted by the proposed reduction in pavement width. To meet the minimum required 24' of pavement width, the southern boundary of the existing parking lot will need to be pushed out 1.5' to 2' to the south.

Included as an attachment is a modification request by the applicant's design professional providing justification for the proposed pavement width reduction to 22'. The applicant wishes to include the curb and gutter to achieve the 24' drive aisle pavement width. However, the UDO explicitly excludes curb and gutter from the drive aisle pavement width measurement. The design professional's modification request states that requiring compliance with the minimum 24' pavement width creates a hardship because the project scope will grow in scale by needing to push out and reconstruct the parking lot's southern curb line. This perceived hardship on the applicant's side to comply with the UDO drive aisle pavement width standard is self-created. As previously stated, the existing parking lot currently complies with the minimum pavement width standards. Similar to how the six (6) existing parking spaces displaced by the drive-through are being relocated in order to remain compliant with the minimum parking requirement for the center, so should the existing south parking lot boundary be altered in order to remain compliant with the UDO's minimum drive aisle pavement width. Staff does not support the requested modification and recommends that the minimum 24' of pavement width (excluding curb and gutter) for a two-way drive aisle be provided for the south parking lot area as required by the UDO. In order to meet the minimum 24' drive aisle pavement width requirement, the southwest corner of the parking lot will require a modification to reduce the existing parking lot setback from 8' to approximately 7' along SW Market St. Portions of the existing parking lot further north on the retail center site currently maintain a 5' setback along SW Market St, so a 7' setback would not be out of character for the subject site.

## **Recommendation**



With the conditions of approval below, the application meets the requirements of the UDO.

## **7. Recommended Conditions of Approval**

### **Site Specific**

1. A modification shall be granted to the minimum 20' parking lot setback from right-of-way, to allow a 4'-4" parking lot setback along the site's M-291 Hwy frontage.
2. A minimum 24' pavement width (excluding curb and gutter) shall be provided for the two-way drive aisle located south of the proposed drive-through facility. To meet this requirement, a modification shall be granted to the minimum 20' parking lot setback from the public right-of-way, to allow a 7' parking lot setback along SW Market St.
3. Development shall be in accordance with the preliminary development plan dated July 12, 2022, except as otherwise conditioned for approval.
4. The developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the traffic-related improvements included in the Transportation Impact Analysis (TIA) dated August 31, 2022. No permits shall be issued for the on-site drive-through-related improvements until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office. Additionally, no permits shall be issued for the on-site drive-through-related improvements until such time as the required off-site median improvement referenced in the TIA is substantially complete or a form of security as approved by the City Attorney for the purpose of providing for and securing the actual construction and installation of the required median is provided to the City.

### **Standard Conditions of Approval**

5. All required engineering plans and studies, including water lines, sanitary sewers, storm drainage, streets and erosion and sediment control shall be submitted along with the final development plan. All public infrastructure must be substantially complete, prior to the issuance of any site development permit.
6. All Engineering Plan Review and Inspection Fees shall be paid prior to approval of the associated engineering plans and prior to the issuance of any site development permits or the start of construction (excluding land disturbance permit).
7. A Land Disturbance Permit shall be obtained from the City if groundbreaking will take place prior to the issuance of a site development permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
8. Certain aspects of the development plan will be further reviewed during the Final Development Plan phase of the project. This includes detailed aspects of the design to help ensure that the plan meets the design criteria and specifications contained in the Design and Construction Manual.
9. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.