LEE'S SUMMIT
MISSOURI

CODE MODIFICATION REQUEST

(COMMERCIAL)

BUILDING/STRUCTURE NAME: Lee's Summit Downtown Market Green Street

PREMISE ADDRESS: 220 SE Green Street, Lee's Summit, MO 64063

PERMIT NUMBER (if applicable): _____

OWNER'S NAME: City of Lee's Summit, MO

TO: Director of Development Services

In accordance with the Lee's Summit Building Code, I wish to apply for a modification to one or more provisions of the code as I feel that the spirit and intent of the Lee's Summit Building Code are observed the public health, welfare and safety are assured. The following articulates my request for your review and action. (NOTE: ATTACH ANY ADDITIONAL INFORMATION NECESSARY)
RESUBMITTAL **UPDATE** REQUEST: After the previously accepted update to this submittal request, City and Design Team are suggesting an optional method due to the prohibitive cost of extending the countertop to the remainder of the inside area panels. The proposal in this request **would increase the height of the remainder of the inside panels** that do not have a countertop by adding a 6-inch height frameless glass panel system on top of the existing 36-inch height framing system providing the 42-inch code height requirement. The attached exhibit shows these extended areas. Some of this height extension occurs where the drop height is less than 30 inches, however, we are still showing this frameless glass panel for the remainder of the rail system along lengths without the counter. Please refer to attached exhibits 11 – 14 for additional clarification drawings depicting the glass panel extensions. We have also attached a compilation of comments from the inspections and code review process as well as suggestions after the INITIAL code review from staff on requirements.

ORIGINAL REQUEST:
The intent of these overlook areas is to provide a place where visitors can assemble, sit, eat, drink, relax, converse, people watch, and have a splendid view of the market, the wickets, the lawn next to the market, the playground and the open space in general.

The total height of the counter and backsplash was set at 36 inches to offer the best views into the environment below. To provide the best views possible into these areas, we have provided a tiered approach to the seating heights, similar to that found in an arena, stadium or other public assembly spaces desiring views over users in front of other users. For instance, the seats at the counter rail along the edge are lower than the high-top bar stools that occur at the high-top tables just behind the counter row seats. This allows the high-top users to look over and through the shoulders of those seated in front. Please see *Exhibit 2* (attached) section views demonstrating this tiered approach. The 36-inch height also allows viewing by wheelchair users. *Exhibit 8* (attached) shows a similar situation where it is apparent how the rail height has been lowered in the wheelchair seating area to accommodate views to the field along with their companions while seating behind overlooks the wheelchair area.

For the limited frontage on the sides along the adjacent stairs that possess greater than a 30-inch drop, we intend to use high top tables placed against the guard with high bar stools on the opposing side. This effectively increases

the distance from the guard providing additional safety. This is really only necessary on the north side of the north overlook as shown in the supporting plan document attached. See *Exhibit 1* (attached) for plan.

The panel/wall guard that we have created is substantially thicker and more functional than a typical guardrail. The panel is structurally embedded into the concrete foundation wall below that is made more substantial with a full thickness limestone block façade at the base of this panel wall. The metal panels occur on both sides of the internal structure as we are illuminating the insides with light pouring out of the hole pattern. This thickness and treatment makes the panel feel more like an interior building wall rather than a typical guardrail. In addition, a permanent counter has been added to the front facing edge of the overlook as well as low seats drastically increasing the overall barrier at the highest elevation / drop to below. The extents of the plus 30-inch drop heights are shown on *Exhibit 1* (attached).

We reviewed the IBC and found IBC **Section 1015.3 Exception 4**, which allows for reduced guardrail heights in assembly seating areas. This section permits guardrails as low as **26 inches** in certain assembly occupancies, which aligns well with the typical height range of 26"–30" for front-row seating in stadiums or arenas. The image below also describes this interpretation.

1030.17.3: Sightline-constrained guard heights.

Unless subject to the requirements of Section 1030.17.4, a fascia or railing system in accordance with the *guard* requirements of Section 1015 and having a minimum height of 26 inches (660 mm) shall be provided where the floor or footboard elevation is more than 30 inches (762 mm) above the floor or grade below and the fascia or railing would otherwise interfere with the sightlines of immediately adjacent seating.

https://codes.iccsafe.org/content/IBC2024V1.0/chapter-10-means-of-egress#IBC2024V1.0_Ch10_Sec1030.17.3

We have also attached *Exhibits 3-10* to further display our design intent and in place conditions.

We believe that by creating a stout wall section, increasing the width of the panel / guard wall thru permanent wall and counter design, and then further increasing the distance from the panel guard by utilizing chairs and tables, that users will be safe in the as designed confined area.

SUBMITTED BY:
NAME: Olsson ( ) OWNER ( ) OWNER'S AGENT
ADDRESS: 1814 Main Street Tel.# _____
CITY, STATE, ZIP: Kansas City, MO 64108 SIGNATURE: _____

TRACY DEISTER – MANAGER OF CODES ADMINISTRATION: ( ) APPROVAL ( ) DENIAL

SIGNATURE: _____ DATE: _____

AIMEE NASSIF – DEPUTY DIRECTOR OF DEVELOPMENT SERVICES: ( ) APPROVED ( ) DENIED

SIGNATURE: _____ DATE: _____

COMMENTS: _____

A COPY MUST BE ATTACHED TO THE APPROVED PLANS ON THE JOB SITE

Development Services | 220 SE Green Street, Lee's Summit, MO 64063
P: 816.969.1200 | F: 816. 969.1201 | cityofls.net

Existing Counter along entire edge

Extend height with glass panel on this entire edge

Frameless Fence clamp to be mounted to top of rail system. Glass inserted into clamp.

DESIGN INTENT -

DESIGN SOLUTION:
VERTICAL ADDITION TO SITE WALL, IN LOCATIONS THAT DO NOT HAVE THE DRINK RAIL/COUNTERTOP, USING SURFACE MOUNTED GLASS RAILING POSTS TO REACH THE REQUIRED 42"+ GUARDRAIL HEIGHT.

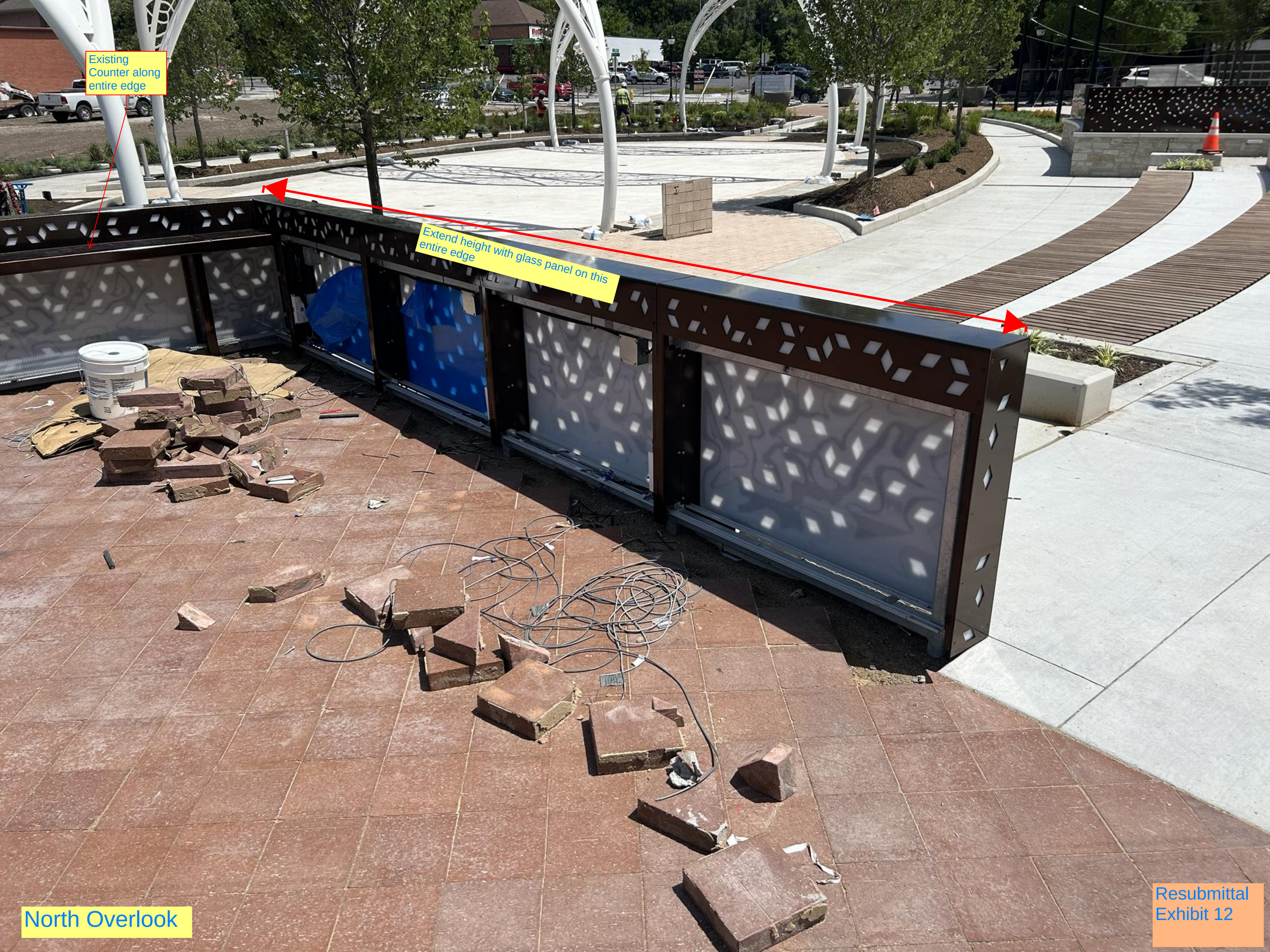
BASIS OF DESIGN:
https://fhc-usa.com/ffcr7
FHC Frameless Fence Clamps Round Surface Mount for 3/8" - 9/16" Glass
*** PRODUCT PROVIDED IN THREE FINISHES, SOME OVER THE MANUFACTURER'S PRODUCTS CAN BE CUSTOM POWDER COATER. APPROPRIATE SUB-CONTRACTOR TO HELP DESIGN AND CITY TEAM INQUIRE ABOUT MATCHING MOUNTS TO SITEWALL FINISH. IF NOT POSSIBLE, BRUSHED STAINLESS IS REQUESTED.

GLASS:
1/2" TEMPERED OR LAMINATED GLASS, ROUNDED EDGES AND CORNERS AS NOTED ON NEXT PAGE.

Extend height with glass panel on this entire edge

North Overlook

Resubmittal Exhibit 11



North Overlook

Resubmittal Exhibit 12

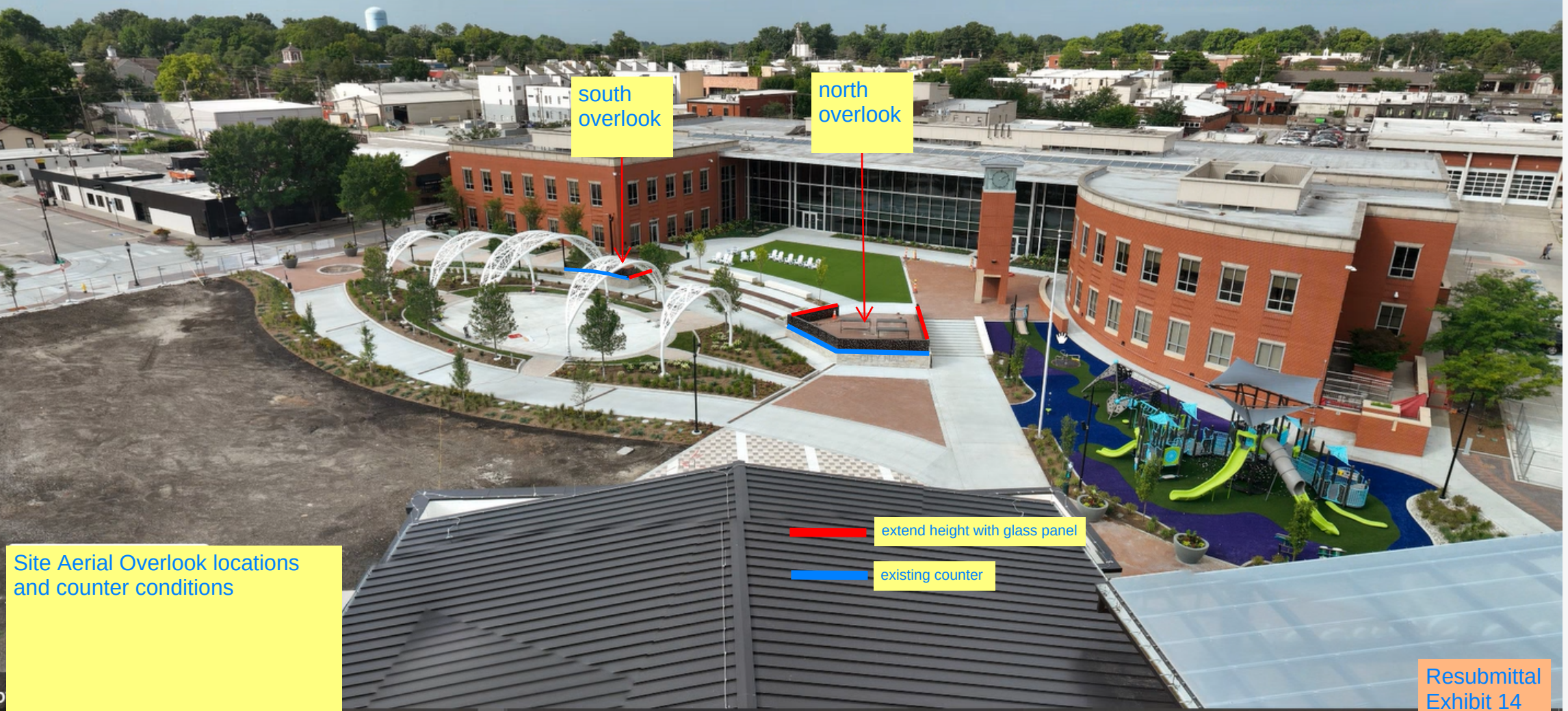
Existing Counter along entire eastern edge

Extend height with glass panel on this entire edge

Note: South overlook only has a north and east edge / panel. Easterly panel has counter the entire length.

South Overlook

Resubmittal Exhibit 13



Site Aerial Overlook locations and counter conditions

Resubmittal Exhibit 14

Occupancy Inspection - Codes Commercial	Failed		7/16/2025	07/16/2025

Corrections:

Correction 1:

Miscellaneous Correction

Status:

Corrective Action Required

Date Status Changed:

07/16/2025

Comments:

-Complete corrections for all other departments: See individual reports for correction items Courtyard area: -South "faded stairs" require min 4" rise and compliant handrails on each side.

Also would need to comply with IBC 1011.5.4.1 -"Piano stairs" require min 4" rise at all treads including to the landing. Slope not permitted to be greater than 2 percent in any direction –

Guardrails at raised seating areas required to be min 42" aff – (Overlook)

North ramp requires handrails on both sides of ramp. Existing handrail is non-compliant in height, extensions and 1.5" min clearance (Playground Ramp)

From: Tracy Deister <Tracy.Deister@cityofls.net>
Sent: Thursday, July 24, 2025 8:43 AM
To: Chaz Pruente <chaz.pruente@tessere.com>
Cc: Brian Page <Brian.Page@cityofls.net>; Sharon Bloom <Sharon.Bloom@cityofls.net>; Mike Weisenborn <Mike.Weisenborn@cityofls.net>; Mark Harding <Mark.Harding@cityofls.net>
Subject: RE: LSDTM Code clarifications

⚐ Sent from external sender ⚐

Chaz?

This.communication.is.to.advise.the.design.team.the.following.Code.Modification.Request(s).(CMR).are.denied.as.written¡

CMR.–.7.to.allow.for.approval.of.counter–bar–guard.as.constructed¡

CMR.–.8. to.allow.for.approval.of.eliminating.the.handrail.on.both.sides.of.the.sidewalk.ramp.adjacent.to.the.playground¡

My.understanding.is.that.an.OAC.meeting.was.held.yesterday.Wednesday.July.80¡ .In.that.meeting.the.design.team.was. instructed.how.to.move.forward.on.these.two.issues¡

I.have.also.been.informed.you.are.looking.into.providing.additional.information.for.city.staff.related.to.heights.of.counter.and. mirror.located.in.the.restrooms¡ .More.specifically.construction.tolerances¡

Thanks.in.advance.and.I.look.forward.to.your.response¡

After CMR Reviews, the following comments from OAC Meeting are summarized below directing the design team to resubmit for both the Overlook and Playground Ramp.

Overlook

1. Edges of the interior overlook with counters as built in the field are acceptable at 30 inches plus drop heights.
2. Install counter on the remaining interior edges that currently do not have a counter.
3. This also applies to edge lengths that are below 30 inches drop.

Playground Ramp

1. Remove the handrail from building.
2. Integrate the walkway so that it is part of the play experience. Suggestions were to apply games like hopscotch, four square, etc to the walk surface using acrylic paint.
3. Make the walkway interactive by attaching accessories to the building façade that can also be used for play or other sensory experiences. Coordinate with the windows so as not to block them.
4. Provide a solution at each end of the walk that makes it more obvious that this is not an ADA pathway but instead an entrance into the playground.