

Commercial Rezoning with Preliminary Development Plan Applicant's Letter

Date: Friday, February 20, 2026

To:

Property Owner: TUCKER JIM & LINDA-TRUSTEES Email:

Property Owner: BATIS DEVELOPMENT INVESTORS LLC Email:

Property Owner: TUCKER PHILIP T & LAAH M Email:

Applicant: Tim Goyette Email: tgoyette@phillipsedison.com

Engineer/Surveyor: Marvin Brown Email: mbrown@pickeringfirm.com

Lawyer / Law Firm: PATRICIA JENSEN Email: PJENSEN@ROUSEPC.COM

Lawyer / Law Firm: Rachelle Biondo Email: rbiondo@rousepc.com

From: Daniel Fernandez, Project Manager

Re:

Application Number: PL2026035

Application Type: Commercial Rezoning with Preliminary Development Plan

Application Name: Dillon's Grocery Store, gas station with fuel canopy and retail space - 900 NE Douglas St, 840 NE Douglas St., 830 NE Douglas St. and adjacent PO properties

Location: 900 NE DOUGLAS ST, LEES SUMMIT, MO 64086
830 NE DOUGLAS ST, LEES SUMMIT, MO 64086
840 NE DOUGLAS ST, LEES SUMMIT, MO 64086

Tentative Schedule

Submit revised plans by 4pm on Tuesday, March 10, 2026 . Revised documents shall be uploaded to the application through the online portal.

If the revised submittal deadline is not met or plans are deficient, the item will be moved to a later meeting and a new deadline will be set. Future deadlines and meeting dates can be found on the "Planning Commission Meeting Dates" handout. Dates are subject to change; we will keep you informed throughout the process.

Excise Tax

On April 1, 1998, an excise tax on new development for road construction went into effect. This tax is levied based on the type of development and trips generated. If you require additional information about this development cost, as well as other permit costs and related fees, please contact the Development Services Department at (816) 969-1200.

Planning Commission and City Council Presentations

Presentations before the Planning Commission and City Council shall be (1) in electronic format or (2) reduced drawings for use on the document camera to display on the screen. Electronic presentations shall be on a laptop, CD-ROM, DVD, or flash drive. The City's presentation system can support Word, Excel, PowerPoint, Adobe, Windows Media Player and Internet Explorer applications. Presentation boards will no longer be allowed. The presentation(s) shall be submitted to Development Services Department staff no later than 4:00 pm on the Tuesday prior to the Planning Commission meeting.

Notice Requirements

1. Notification of Surrounding Property Owners.

- **Mail Notices.** The applicant must mail letter notices to all property owners within 300 feet from the boundaries of the property for which the application is being considered at least 15 days prior to the hearing. Sample notices are available. The notice must include:
 - time and place of hearing,
 - general description of the proposal,
 - location map of the property,
 - street address, or general street location
 - statement explaining that the public will have an opportunity to be heard
- **File Affidavit.** An affidavit must be filed with the Development Services Department prior to the public hearing certifying the notices have been sent. Provide a list of the property owners notified and a copy of the sent notice .

2. Notice Signs.

- **Post Sign.** The applicant shall post a sign on the premises, at least 15 days prior to the date of the hearing, informing the general public of the time and place of the public hearing. When revised plans are submitted, staff will prepare the sign and provide it to the applicant for posting.
- **Maintain Sign.** The applicant shall make a good faith effort to maintain the sign for at least the 15 days immediately preceding the date of the hearing, through the hearing, and through any continuances of the hearing. The sign shall be placed within 5 feet of the street right-of-way line in a central position on the property that is the subject of the hearing. The sign shall be readily visible to the public. If the property contains more than one street frontage, one sign shall be placed on each street frontage so as to face each of the streets abutting the land. The sign may be removed at the conclusion of the public hearing(s) and must be removed at the end of all proceedings on the application or upon withdrawal of the application.

3. **Neighborhood Meeting.** One neighborhood meeting is required for each application, which must occur within the initial 10 day review period and prior to re-submission of the application. More than one neighborhood meeting may be held on an application, at the option of the applicant

- **Timing and location:** Within two miles of the project site, Monday through Thursday, excluding holidays, and start between 6:00 P.M. and 8:00 P.M. If location for the meeting is not available within [2] miles of the subject property. The applicant shall select a location outside this area that is reasonably close to these boundaries.
- **Notification:** Shall be mail or delivered to property owners within 300 feet of the project site. Mailed notices shall be postmarked at least seven days prior to the meeting. Hand deliveries must occur at least five (5) days prior to the meeting.

- **Notes:** The Applicant shall take sufficient notes at the neighborhood meeting to recall issues raised by the participants, in order to report on and discuss them at public hearings before City governmental bodies on the application. The notes shall be turned in with the application re-submittal.

Analysis of Commercial Rezoning with Preliminary Development Plan:

Planning Review	Adair Bright (816) 969-1273	Senior Planner Adair.Bright@cityofls.net	Corrections
------------------------	--------------------------------	---	-------------

1. Provide a comment response letter.
2. REZONING EXHIBIT. Is 917 NW Main Street proposed to be rezoned to CP-2? If so, provide a legal description.
3. REZONING EXHIBIT. If Lot 7 of Summit Park is not being rezoned, remove the "proposed zoning" note.
4. LEGAL DESCRIPTIONS. All legal descriptions shall be provided in a word document so we can draft the ordinances. We may need different sets of legal descriptions if the rezoning and the PDP are not proposed to cover the same property.
5. PDP REQUIREMENTS. Referencing Sheet C-110, if Lots 3, 4, 5, and 7 are included in the PDP, they need lot layouts, setbacks, elevations, etc. If not, they at least need a conceptual layout and will be required to come back for a PDP at the time of development.
6. PHASING PLAN, SHEET C-002. Pertaining to the comment 5, if lots 3, 4, 5, and 7 are proposed as conceptual, it would be beneficial to show them phased as such. They could each be a subsequent phase, or if Lots 3, 4, and 5 will develop at the same time they can be Phase 2 and Lot 7 can be Phase 3.
7. PHASING & PLATTING. The PDP can serve as the Preliminary Plat as long as it has all the information required in UDO Sec. 7.100. Since we are exceeding the 3-lot maximum for a minor plat, this will have to be a full preliminary and final plat process. The final platting can occur in phases when the lots are ready to develop.
8. PLATTING. It is recommended that Lot 6 be platted solely as the building footprint and to include a blanket access easement for the site along with a shared parking agreement. This will help with maintenance down the road versus having a portion of a parking space on a completely separate property.
9. SHEET C-110. The Site Plan Data Chart should identify the proposed subdivision name as well. Currently, it states the subdivision is Summit Park and I am assuming that once this is platted it will have an entirely different subdivision name.
10. SHEET C-110. The Site Plan Data Chart uses the phrase "rezoning zoning". Update to just say "proposed zoning".
11. SHEET C-110. The acreage of the site is noted at 21.59, however when added up using the acreage listed on each lot it equals 21.36.
12. SHEET C-110. Building square footage shall be noted and listed out by lot.
13. SHEET C-110. Provide building and parking setbacks dimensioned on the plan. Required building setbacks are in UDO Sec. 6.040. Required parking setbacks are in UDO Sec. 8.620.
14. SHEET C-110. By my calculations, I am seeing that the grocery store, Lot 1, and the retail, Lot 6, require 428 parking stalls and there are 417 provided. How were the calculations done?

15. SHEET C-110. Assuming the drive-through at the southeast corner of the grocery store is a pharmacy pick-up window, show the stacking spaces. UDO Sec. 8.570 requires 5 stacking spaces.
16. SHEET L-100 & L-101. Add the plant schedule to both landscaping sheets.
17. SHEET L-100 & L-101. Street frontage plantings shall contain a mix of deciduous and coniferous trees to provide year-round landscaping.
18. SHEET L-100 & L-101. UDO Sec. 8.790.B outlines all open yard landscaping requirements. The site is required two shrubs and one tree per 5,000-sf. of lot area excluding building footprint area.
19. SHEET L-100 & L-101. The site is required a high impact buffer along the north and south property lines (adjacent to RP-4 & AG). Buffering requirements are in UDO Sec. 8.890 and 8.900.
20. SHEET P-100. Provide the concrete base detail of all lights. UDO Sec. 8.250.C notes a maximum base height of 3-ft. and that the base shall be included in the overall max. height of the light fixture.
21. SHEET P-100. Per UDO Sec. 8.250.D.1, "All light fixtures on properties within or adjoining residential uses and/or districts shall not exceed 15 feet in height within the perimeter area. For purpose of this standard, the perimeter area shall be measured 100 feet from the property line closest to the residential use and/or district. Outside the perimeter area, the overall height may be increased to 20 feet, measured to the top of the fixture from grade." Sheet P-100 notes mounting heights up to 28-ft.
22. SHEET P-100. Provide light fixture details and manufacturer specification sheets.
23. ELEVATIONS. Per UDO Sec. 8.080.B, commercial/retail buildings must include 3 different Class 1 and 2 materials that comprise as least 50% of the primary facade(s). Note which materials are meeting that requirement and the percentage of the facade those materials occupy. The material classification table is located in UDO Sec. 8.060. Primary facades are street-facing facades. For the proposed development that would be the west facade of the grocery store.
24. ELEVATIONS. Provide more detail on the metal proposed to be used. Non-insulated metal siding and panels is considered a Class 4 material which is prohibited on this building type.
25. ELEVATIONS. Provide information about the roofing material. Only Class 1, 2, or 3 materials are allowed.
26. ELEVATIONS. Per UDO Sec. 8.080.B, primary facades are required to have an articulation no less than once every 60 linear feet. Wall articulations include, but are not limited to, projections or recesses in the wall plane of at least 2 feet in depth or the use of columns, piers, or equivalent structural or decorative elements that project at least 2 feet beyond the wall plane. Confirm the requirement is being met for the west facade and provide information detailing that.
27. ELEVATIONS. Per UDO Sec. 8.050.B.4.i, all commercial and retail building facades that face a public or private street shall have fenestrations with clear glass that occupy no less than 50% of the pedestrian view zone. The pedestrian view zone is defined as the 8-foot-tall area of the subject building's primary facade(s) that is between two feet and ten feet above the adjacent sidewalk or ground level. Since the development has a public street along the rear of the development, I understand this would be difficult to meet. To seek a modification please provide a modification request outlining the request itself and justification for why the code cannot be met.
28. SIGNAGE. The site plan showing proposed monument sign locations shall be scaled.

29. SIGNAGE. Provide the distance between the proposed monument signs.
30. SIGNAGE. UDO Sec. 9.620 allows 2 attached signs per tenant. The plans currently show 5 signs on the grocery store, if I counted correctly. If you would like to request additional signage, that should be included in the modification request.
31. SIGNAGE. Provide a modification request for the increased height and size of the monument signs including justification for why the code cannot be met.
32. SIGNAGE. The site plan shows "monument sign a" on Lot 5. If that lot is to be owned by someone else in the future, it is recommended to place that sign in a tract or within a sign easement.
33. MISCELLANEOUS. Confirm all ground-mounted and building-mounted equipment will be screened from view. On the elevations, dash in the height of any roof-mounted equipment.
34. MISCELLANEOUS. Will the kiosk at the gas station be available to customers to enter? Provide the square footage of the building and ensure it meets all architectural requirements outlined in comments 23, 24, 25, and 27.

Engineering Review	Susan Nelson, P.E. (816) 969-1229	Senior Staff Engineer Susan.Nelson@cityofls.net	Corrections
---------------------------	--------------------------------------	--	-------------

1. Please provide more information regarding how the property will be divided now and in future phases.
2. How will the outparcels along Douglas be sewerred? Plans show existing sanitary sewer along Douglas St. and a proposed connection for the fuel kiosk. There currently are no existing sanitary sewer facilities available along Douglas St. Public utility extensions may be required depending on how the lots are divided and additional utility easements may be needed.
3. Provide information regarding the future maintenance plan for the detention basins. Detention basins must be located within a separate tract with common ownership through a property owner’s association that is responsible for future maintenance or within a lot where that specific lot owner is responsible for future maintenance.
4. Detention shall be as required by APWA Section 5600, as amended by LS Section 5600, please verify that the appropriate design criteria is used. Show the detention basin emergency spillways on the plans.
5. Please be aware that no part of any retaining wall or monument sign, including the associated foundations, may be located within any easement.

Traffic Review	Erin Ralovo (816) 969-1800	Senior Staff Engineer Erin.Ralovo@cityofls.net	Corrections
-----------------------	-------------------------------	---	-------------

1. TIS has mis classified all the major streets in the study area. The following classifications should be used and the design criteria adjusted as needed.
 Douglas Street - Major Arterial
 Chipman Road - Major Arterial
 Tudor Road - Minor Arterial
 Main Street - Commercial Industrial Collector (not included in the study but should be studied for turn lane

improvements needed).

2. City of Lees Summit policy requires a LOS of C or better. Any movements that drop to a D or less need to be mitigated to the greatest extent possible.

3. The Access Management Code (AMC) requires 660 feet of separation between full access entrances along a Major Arterial. The southern access drive (Access 1 in plans, Access 2 in TIS) is too close and should be a Right In Right Out (RIRO) access only. A raised concrete median should be provided along Douglas Street in this area to prohibit left turn movements in and out of this access point.

4. Right turn lanes are required at all entrances along a Major Arterial.

5. Page 31 of the TIS refers to Farm Road 140 and State Highway MM, which is not part of this study. Please remove.

6. Access Drive 3 is too close to Commerce Drive. AMC requires a minimum separation of 300 feet.

7. Turn lanes should be evaluated for all points and included in the TIS. This should include anticipated queue lengths.

8. There are 3 empty pad sights at the east end of the property along Douglas Street that were not accounted for in the TIS. A use should be assigned for each of these sights and their trip generation should be included in the calculations for the study.

Fire Review

Jim Eden
(816) 969-1303

Assistant Chief
Jim.Eden@cityofls.net

Corrections

1. All issues pertaining to life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to the safety to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2018 International Fire Code (IFC).

Depending on when building plans are submitted, the 2024 IFC may be in effect (June 2026).

2. The installation of underground fuel storage tanks (UST's) shall comply with the 2018 International Fire Code and the requirements of the Missouri Department of Natural Resources.

3. IFC 105.6.20 - A Hazardous materials permit is required for the using, dispensing, transporting, handling, and/or storing of extremely hazardous substances. "Extremely Hazardous Substances (EHS) Facilities" are defined as facilities subject to the provisions of Superfund Amendments and Reauthorization Act of 1986 (SARA TITLE III), Section 302, for storing, dispensing, using, or handling of listed chemicals in excess of their threshold planning quantities (TPQ). See amended Section 5001.4 of the 2018 International Fire Code.

A permit is required for the sale of gasoline or diesel exceeding the Threshold Planning Quantity (EPA), and for the retail exchange of propane.

4. IFC 903.3.7 - Fire department connections. The location of fire department connections shall be approved by the fire code official. Connections shall be a 4 inch Storz type fitting and located within 100 feet of a fire hydrant, or as approved by the code official.

Show where the fire main comes into the grocery store, and show the location of the FDC for the grocery store and retail space.

5. IFC 507.5.1 - Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Provide a hydrant for the fuel station.