

PLANNING AND DEVELOPMENT

**Special Use Permit
Applicant's Letter**

Date: Friday, May 03, 2013

To:

Applicant: THE FAMILY RANCH
LLC - Phillip Short

Email: fsort@legacytouch.com

Fax #: (816) 802-6868

Property Owner: THE FAMILY
RANCH LLC - Phillip Short

Email: fsort@legacytouch.com

Fax #: (816) 802-6868

Engineer: GBA ARCHITECTS
ENGINEERS - Brad Burton

Email: bburton@gbateam.com

Fax #: (913) 577-8312

Applicant: MITCHELL, KRISTL &
LIEBER - Christine Bushyhead

Email:
christinebushyhead@mkllaw.com

Fax #: (816) 472-1956

Architect: BNIM ARCHITECTS -
Aaron Ross

Email: aross@bnim.com

Fax #: (816) 783-1501

From: Chris Hughey, Planner

Re:

Application Number: PL2013046

Application Type: Special Use Permit

Application Name: FAMILY RANCH RECLAMATION PROJECT, THE

Location: 2699 NW CLIFFORD RD, LEES SUMMIT, MO 64081

Tentative Schedule

Submit revised plans by noon on Tuesday, May 21, 2013 (4 paper copies, 1 reduced (8 ½ x 11 copy).

Applicant Meeting 05/08/2013 09:00 AM: **05/08/2013**

Planning Commission Meeting 06/11/2013 05:00 PM: **06/11/2013**

City Council Public Hearing 07/11/2013 06:15 PM: **07/11/2013**

City Council Ordinance 07/25/2013 06:15 PM: **07/25/2013**

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 Permitting and Plan Review Division of the Codes Administration Department at 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, Power Point, Adobe, Windows Media Player and Internet Explorer applications. Presentation boards will no longer be allowed. The presentation(s) shall be submitted to Planning and Development staff no later than the day of the Planning Commission meeting by 4 pm.

Notice Requirements

1. Notification of Surrounding Property Owners.

- **Mail Certified Notices.** The applicant must mail certified letter notices to all property owners within 185 feet 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 Planning and Development 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 notice sent.

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.

Analysis of Special Use Permit:

Planning Review	Chris Hughey (816) 969-1603	Planner Christopher.Hughey@cityofls.net	Corrections
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1. Provide a site plan delineating areas where the overburden will be piled during the reclamation process.

Additionally, Section 10.410.

D. states "An earthen berms shall be provided that shields all operations from ground level view along all property lines." How will this be addressed?

2. On the Site plan sheet SUP 1.0 and SUP 2.0 show and label a 6 foot tall fence around the perimeter of the property pursuant to Section 10.410.C. of the UDO.

3. On the site plan delineate the anticipated locations of the rock crusher and weigh station.
4. Under Section 10.410.1.c. of the Unified Development Ordinance (UDO) states that open face quarry can only be granted a Special Use Permit for 5 years, and may be renewed after the 5 years. However, a modification can be granted to this time limitation, which staff would support.
5. Please submit an electronic copy of the legal descriptions. Microsoft Word document or selectable text PDF are the preferred file formats. The legal description can be emailed to the planner's email address above.
6. Please provide documentation of insurance and/or bonding capabilities for restoration of any potential damages to neighboring properties. Refer to Section 10.410.B.7. of the UDO.
7. What is the anticipated number of vehicles and dump trucks that will enter and exit the site on a daily basis?

Engineering Review	Gene Williams (816) 969-1812	Senior Staff Engineer Gene.Williams@cityofls.net	Corrections
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1. The narrative discusses reclamation activities to the west of Sheet SUP2.0. It would appear that the erosion and sediment control plan does not extend to this area.
2. What is the plan for the water line conflict near Lowenstein Road?
3. A grading plan should be submitted showing how the site will be graded during and after reclamation activities.
4. It is unclear what the finish grade will be in relation to Quarry Park Road. There is concern that the proposed operations will affect Quarry Park Road in a negative way.
5. Sheets SUP1.0 and SUP2.0 do not really show what is being proposed. SUP2.0 in particular appears to be a land disturbance plan rather than a "Special Use Permit Development Plan" as indicated by the title in the lower right hand corner of the sheet. We would expect to see what is being proposed rather than a vague description contained within the narrative of what will be occurring on this site. Sheet SUP1.0 is entitled "Special Use Permit Area" but does not show in a clear and concise fashion what is being proposed.
6. A legend must be provided on each sheet describing each symbol used on the sheets as well as any abbreviations on the sheets.
7. What are the plans for Lowenstein Road? The narrative discusses reclamation activities in the first five (5) years extending to Lowenstein Road, then going beyond Lowenstein Road in the subsequent five (5) years. How is the adjacent grade going to be integrated into Lowenstein Road?

Fire Review	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	Approved with Conditions
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1. Fire Department-All building and life safety issues shall comply with the 2006 International Fire Code and local amendments as adopted by the City of Lee's Summit.
2. Fire Department- A Hazardous Materials Permit will be required for this project. Submit a completed permit application to the Fire Department for review.

The permit application shall include information on fuel storage/ dispensing and explosives storage. A detailed site plan and equipment specifications with product quantities needs to be provided.

3. Fire Department- IFC 503.2.3 Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

4. Provide a detailed map of the subterranean area and a Safety Plan for the area of operation.

Traffic Review

Michael Park
(816) 969-1820

City Traffic Engineer
Michael.Park@cityofls.net

Corrections

1. Discuss some Special Use Permit conditions regarding private maintenance or private ownership of Quarry Park Road and any other roads impacted.