

**PLANNING AND DEVELOPMENT**

**Rezoning with no Preliminary Development Plan  
Applicant's Letter**

**Date:** Monday, September 14, 2015

**To:**

<b>Applicant:</b> ENGINEERING SOLUTIONS	Email:	Fax #: (816) 623-9849
<b>Engineer:</b> ENGINEERING SOLUTIONS	Email:	Fax #: (816) 623-9849
<b>Other:</b> BELLAH HOMES LLC	Email: TROY@BELLAHHOMES.COM	Fax #: (816) 537-3231
<b>Property Owner:</b> MORAN MARTIN W & VIOLA MAY-TR	Email:	Fax #: <NO FAX NUMBER>

**From:** Jennifer Thompson, Planner

**Re:**

**Application Number:** PL2015065  
**Application Type:** Rezoning with no Preliminary Development Plan  
**Application Name:** MONTICELLO  
**Location:** 1215 NE BOWLIN RD, LEES SUMMIT, MO 64064

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**Tentative Schedule**

Submit revised plans by noon on Tuesday, June 02, 2015 (4 paper copies, 1 reduced (8 ½ x 11 copy)).

City Council Ordinance 08/06/2015 06:15 PM: **08/06/2015 12:00 AM**

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**

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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**

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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 Notices.** The applicant must mail 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 Rezoning with no Preliminary Development Plan :

<b>Planning Review</b>	Jennifer Thompson (816) 969-1606	Planner Jennifer.Thompson@Cityofls.net	Approved with Conditions
<b>Engineering Review</b>	Gene Williams (816) 969-1812	Senior Staff Engineer Gene.Williams@cityofls.net	Approved with Conditions

1. 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 plat and approved prior to the approval of the final plat. All public infrastructure must be substantially complete, prior to the issuance of any building permits.

2. A Master Drainage Plan (MDP) shall be submitted and approved in accordance with the City's Design and Construction Manual for all areas of the development, including all surrounding impacted areas, along with the engineering plans for the development. The MDP shall address drainage level of service issues on an individual lot basis.

3. All Engineering Plan Review and Inspection Fees shall be paid prior to approval of the engineering plans and prior to the issuance of any infrastructure permits or the start of construction (excluding land disturbance permit).

4. All subdivision-related public improvements must have a Certificate of Final Acceptance prior to approval of the final plat, unless security is provided in the manner set forth in the City's Unified Development Ordinance (UDO) Section 16.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of the public infrastructure as outlined in Section 1000 of the City's Design and Construction Manual.

5. A Land Disturbance Permit shall be obtained from the Public Works Department prior to any ground-breaking activities on the site.
6. All permanent off-site easements, with the exception of the sanitary sewer easement to be obtained from the United States Army Corps of Engineers (USACE), shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion. A certified copy shall be submitted to the City for verification.
7. The off-site sanitary sewer easement to be obtained by the applicant from the USACE shall be obtained and executed prior to the issuance of a Certificate of Final Acceptance (i.e., after a Certificate of Substantial Completion). This easement shall be in a form acceptable to the City, and executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Final Acceptance. A certified copy shall be submitted to the City for verification.
8. A restriction note shall be included on the final plat stating: "Individual lot owner(s) shall not change or obstruct the drainage flow paths on the lots, as shown on the Master Drainage Plan, unless specific application is made and approved by the City Engineer."
9. Upon approval of the proposed rezoning by City Council, the applicant will become responsible to provide the appropriate level of right-of-way maintenance (mowing) during each growing season with the defined area abutting their property as defined and outlined in the City's Mowing Policy, approved by Council on November 3, 2005.
10. As part of the subdivision improvements during Phase 1, the applicant shall construct the short piece of roadway on NE Gateway Drive between the south plat boundary and the existing pavement improvements.
11. The sanitary sewer line shown along NE Gateway Drive from Lots 34 to 41 shall be re-designed to cross the roadway at a more perpendicular alignment in accordance with the City of Lee's Summit Design and Construction Manual.
12. Sanitary sewers shall be designed and installed with no more than fifteen (15) feet of cover, or as otherwise allowed by the Design and Construction Manual.
13. The applicant shall enter into a Development Agreement for off-site improvements. This includes the off-site sanitary sewer, and off-site street improvements on NE Gateway Drive and NE Bowlin Road.

<b>Fire Review</b>	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	Approved with Conditions
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## 2. 503.2.5 Dead ends.

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

If phased construction creates dead end roads in excess of 150 feet in length, temporary cul-de-sacs shall be provided.

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 2012 International Fire Code .

<b>Traffic Review</b>	Michael Park	City Traffic Engineer	No Comments
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	(816) 969-1820	Michael.Park@cityofls.net	
<b>Planning Review</b>	Jennifer Thompson (816) 969-1606	Planner Jennifer.Thompson@Cityofls.net	Approved with Conditions
<b>Engineering Review</b>	Gene Williams (816) 969-1812	Senior Staff Engineer Gene.Williams@cityofls.net	Approved with Conditions
<b>Fire Review</b>	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	Approved with Conditions
<b>Traffic Review</b>	Michael Park (816) 969-1820	City Traffic Engineer Michael.Park@cityofls.net	Approved with Conditions
<b>Traffic Review</b>	Michael Park (816) 969-1820	City Traffic Engineer Michael.Park@cityofls.net	No Comments
<b>Engineering Review</b>	Gene Williams (816) 969-1812	Senior Staff Engineer Gene.Williams@cityofls.net	Corrections
<b>Planning Review</b>	Jennifer Thompson (816) 969-1606	Planner Jennifer.Thompson@Cityofls.net	Corrections

1. Please submit an electronic copy of the legal description. 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.