

DEVELOPMENT SERVICES

**Residential Rezoning with Preliminary Development Plan
Applicant's Letter**

Date: Monday, February 04, 2019

To:

Property Owner: BIRDWELL BENJAMIN K

Email:

Fax #: <NO FAX NUMBER>

Property Owner: CHEROKEE FLIGHT LLC

Email:

Fax #: <NO FAX NUMBER>

Applicant: CHEROKEE FLIGHT LLC

Email:

Fax #: <NO FAX NUMBER>

Engineer: RENAISSANCE INFRASTRUCTURE
CONSULTING

Email: MSLUTTER@RIC-CONSULT.COM

Fax #: (913) 317-9501

From: Shannon McGuire, Planner

Re:

Application Number: PL2019020

Application Type: Residential Rezoning with Preliminary Development Plan

Application Name: Burton Townhomes
Rezoning from PI & RP-2 to RP-3

Location: 500 NW OLIVE ST, LEES SUMMIT, MO 64063
408 NW OLIVE ST, LEES SUMMIT, MO 64063

Tentative Schedule

Submit revised plans by noon on Monday, February 18, 2019 (4 full size paper copies, 1 reduced 8 ½" x 11" copy, and 4 copies of the comment response letter).

Applicant Meeting: February 05, 2019 at 09:00 AM

Planning Commission Meeting: March 14, 2019 at 05:00 PM

City Council Public Hearing: April 02, 2019 at 06:00 PM

City Council Ordinance: April 16, 2019 at 06:15 PM

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.

Electronic Plans for Resubmittal

All Planning application and development engineering plan resubmittals shall include an electronic copy of the documents as well as the required number of paper copies.

Electronic copies shall be provided in the following formats:

- Plat - All plats shall be provided in multi-page Portable Document Format (PDF).
- Engineered Civil Plans – All engineered civil plans shall be provided as multi-page Portable Document Format (PDF).
- Architectural and other plan drawings – Architectural and other plan drawings, such as site electrical and landscaping, shall be provided as multi-page Portable Document Format (PDF).
- Studies – Studies, such as stormwater and traffic, shall be provided in Portable Document Format (PDF).

Please contact Staff with any questions or concerns.

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 the day of the Planning Commission meeting by 4:00 pm.

Notice Requirements

1. Notification of Surrounding Property Owners.

- **Mail Notices.** The applicant must mail letter notices to all property owners within 185 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 Planning and Codes Administration 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.

Analysis of Residential Rezoning with Preliminary Development Plan:

Fire Review	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	Corrections
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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.
2. Provide a schematic showing turning movements around the island with an aerial apparatus.
3. IFC 503.3 - Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

Action required: Several areas may need to be posted if needed to ensure turning movements through the complex. To be determined by Item #2.

4. IFC 506.1 - Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. 506.1.1 Locks. An approved lock shall be installed on gates or similar barriers when required by the fire code official.

Action required: Knox boxes are not required.

5. Indicate where the hydrant at the entrance on Olive is being relocated to.

Planning Review	Shannon McGuire (816) 969-1237	Planner Shannon.McGuire@cityofls.net	Corrections
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1. Please remove the contours from the rezoning map and show the 185' surrounding boundary. Additionally, the proposed land use on the rezoning map should state "Medium Density Residential".
2. Please label the ROW width of NW Olive St.
3. Please label the dimensions of the proposed parking stalls.
4. Parking lighting is required. Please provide details for parking lights, including fixture type, location, light pole details, height and intensity. Please also provide manufacturer's specification sheets for all proposed lighting.
5. Please label the total building height on sheets A4.1 & A4.2. Please also include this information in the site data table on sheet C02.
6. By my calculation, 25 open space trees are required. Total site area-building footprints/50000 or $153,331.2 - (3,524 * 9) / 5000 = 24.3$. Please update the plans accordingly.

7. By my calculation, 49 open space shrubs are required. Total site area-building footprints/50000*2 or 153,331.2-(3,524*9)/5000*2=48.6. Please update the plans accordingly.

8. A 20' high impact buffer is required along the north property line adjacent to the PI zoned district. Additionally, a 20' low impact buffer is required along the remaining property lines (excluding the east property line adjacent to NW Olive St) adjacent to RP-2 zoned districts. As proposed, the buildings are too close to the property lines (13'-19') to accommodate the required buffers. Please update the plans to meet the buffer requirements.

9. Please provide details for the proposed fence. Additionally, 6' is the max fence height allowed in the RP-3 district.

10. Please provide details for the proposed curbing.

11. As proposed, the monument sign is located in the ROW. Please relocate this, as this location is prohibited. Please provide monument sign details for what is being proposed.

12. The property must be replated prior to the issuance of building permits.

13. Please label the proposed colors of the structures.

14. Four-sided architecture is required. As proposed, the backs and side of the structures are "flat". Additional architectural features (breaks, projections, etc.) are required. The use of EFIS should be limited to no more than 30% of any façade. Additional building materials should be incorporated into the facades.

This project is located in the Old Town Lee's Summit area and as such, the architecture of the proposed structures should be consistent with the historic nature of the surrounding area. In previous applications the Planning Commission and Governing Body has raised concerns with the compatibility of proposed residential buildings. Staff strongly encourages the applicant to re-evaluate the compatibility of the proposed architecture.

15. Please position the plan sheets so that north is to the top and are all sheet are oriented consistently.

16. Open areas not covered with other materials shall be covered with sod. Please update the landscaping plan to reflect this requirement.

17.

Engineering Review

Gene Williams
(816) 969-1223

Senior Staff Engineer
Gene.Williams@cityofls.net

Corrections

1. The "Micro Storm Water Drainage Study" dated Jan. 18, 2019 (hereinafter referred to as the stormwater study), was not sealed.

2. The stormwater study states there are no off-site contributors to the drainage. We do not agree. There appear to be an area to the northeast, as well as a small portion the the southwest which contributes. These areas should be included for accounting purposes, and the report should be revised as appropriate.

3. Exhibit D of the stormwater study: "Existing Conditions Drianage Areas" must be revised to include any off-site contributors to drainage.

4. Exhibit F of the stormwater study: The same comments apply as above.

5. Emergency spillways are discussed within the report in terms of freeboard requirements, but there is no discussion of the freeboard required during times when the primary outlet works (i.e., the detention basin outlet structure, not including the emergency spillway if incorporated into the same) is 100% clogged, with zero available storage in the basin. The minimum required freeboard from the calculated water surface elevation in the spillway and the lowest point of the dam is 1.0 feet, as specified in the Design and Construction Manual.

6. Page 9 of the stormwater study indicates the dam will not have sufficient freeboard for the event described in the previous comment. The weir elevation of the emergency spillway for the northwest basin is shown at 1011.00, and the top of the dam is shown at 1012.10. We believe that after the 100% clogged condition/zero available storage condition 100 year water surface elevation is calculated (i.e., within the subcritical flow regime in the basin, not the supercritical flow regime within the spillway itself), the dam will have insufficient freeboard. The same would also apply to the southeast basin. Please be aware that the elevations shown on Table 17 of the maximum water surface elevation was presented without any supporting calculations. When providing backup for these calculations, please be aware that the maximum water surface elevation is not the elevation within the spillway, but rather, upstream of the spillway where flow is subcritical (i.e., the water surface elevation within the spillway, plus the velocity head). This will typically be much higher than the calculation of the depth in a supercritical flow condition, which appears to be the case for the results presented in this table.

7. The grading plan proposes to divert stormwater on to the adjacent property to the north. This is not allowed, unless a drainage easement can be obtained from the property owner to the north. If drainage patterns are altered (as is the case as shown on the grading plan), then this will be required. Alternatives include the collection of stormwater that normally would have traveled across the development in the existing condition, and routing it through or around the detention basin.

8. A backflow vault will be required in close proximity to the water main. A gate valve must be shown immediately prior to the backflow vault.

9. The grading plan shows the construction of a swale between building 9 and 8. This swale is pointing directly toward the property to the south. It is no longer sheet flow, but rather, a point source discharge. This will either require a private drainage easement from the adjacent property owner to the south, or additional measures to eliminate this point source discharge. As a rule, drainage flow patterns cannot be changed to create adverse effects on downstream or upstream property owners. This swale will create an adverse situation for the property owner to the south.

10. Off-site grading is shown on the property to the south. Was this a drafting remnant? It does not appear the proposed grading shown on this sheet changes the existing contours.

11. Will the buildings be served by individual water meters? Will the buildings be served by one (1) master meter?

12. The sanitary sewer analysis appears to omit the drainage area upstream of manhole 30-009, on the west side. In other words, it appears that calculations were only performed on the eastern leg of the sanitary sewer branch, with no consideration of the branch entering from the west. This will affect the calculations, and the report should be revised.

Traffic Review

Michael Park
(816) 969-1820

City Traffic Engineer
Michael.Park@cityofls.net

Corrections

1. The Unimproved Road Policy, adopted by City Council by resolution, applies to this project considering the condition of Olive and Orchard and the proposed preliminary development plan. Olive and Orchard may require road improvements based on the policy unless waived as part of the PDP by City Council. The submitted traffic assessment

should be amended to address the Unimproved Road Policy; and any applicable waiver justification. As written, the assessment of NW Olive and NW Orchard is incomplete as is error regarding the determination of policy applicability. There were no roadway dimensions referenced of existing conditions (measurements) to verify unimproved road status or interim road status. The project was assumed to conform to the policy since it is a minor plat, however, the project is a preliminary development plan. Furthermore, the policy states Local Streets and Collectors shall be constructed to, or improved to, an urban standard for any development; there should be no interim standard Local or Collector associated with development activity.

2. Show sidewalks along Olive and within the development. There are no pedestrian accommodations shown.
3. Recommend alignment of the shared driveway with Orchard Street.
4. Illustrate the site design/parking and drive layout can accommodate the design vehicle turning movements (e.g. Fire Truck, Delivery Truck, Etc.)
5. Verify existing right-of-way (ROW) along Olive in reference to total right-of-way and location of street centerline. ROW donation may be required if a minimum 50' typical ROW, and/or 25' of ROW west of the road centerline does not exist. It appears that existing ROW is approximately 40' and the roadway is west centered within the ROW.
6. Suggest additional parking be provided, especially between housing and NW Olive, considering on-street parking along NW Olive will not be permitted in such proximity to the existing and proposed intersections/driveways and current roadway widths.