



August 13, 2020

Mr. Mike Weisenborn, Project Manager
City of Lee's Summit Development Center
220 SE Green Street
Lee's Summit, Missouri 64063

RE: Oakview -Analysis of Commercial PDP
Lee's Summit, Missouri

Dear Mr. Weisenborn;

This letter is intended to provide justification to the modification requested of City Code. I trust you will find these modifications minor and irrelevant to the overall scope of the project.

REQUESTED MODIFICATIONS TO CITY CODE AND STANDARDS

1. TO ALLOW THE REQUIRED PARKING STALL CALCULATIONS AS LISTED IN THE SITE DATA TABLE. ***JUSTIFICATION- Dunkin had previously had discussions with the City regarding required parking and that the City had agreed to a reduced parking number [I never heard what that number was]. Were you privy to those conversations?***

As I understand it Smoothie prefers drive-thru only (no indoor seating); however, very few, if any, landlords will provide a drive thru access without making them to commit to minimum square foot of leasable space. Since they are required to lease more building space than their business model demands to get the drive-thru they do put indoor seating in it. Based on this a required parking number closer to "drive-thru only" seems appropriate. We are proposing 10 stalls per 1000 square foot of gross building area which frankly approximates 14/1000 (required per City Code) of the net building area (exclusive of food service areas, mechanical systems, and bathrooms).

2. TO ALLOW CONSTRUCTION OF A RETAINING WALL WITHIN THE 20' SETBACK ALONG NW DOUGLAS STREET AND NW VICTORIA DRIVE. ***JUSTIFICATION-the proposed retaining walls will be a below the elevation of Douglas and Victoria so it will never be seen from either street. A parking lot encroachment had been granted on the previously approved Preliminary Development Plan along Douglas. The building is setback well beyond the 20-foot setback.***
3. TO ALLOW CURB & GUTTER FOR PARKING TO ENCROACH INTO THE 20' SETBACK ALONG NW DOUGLAS STREET BY NO MORE THAN 2 FEET AND ALONG NW VICTORIA DRIVE BY NO MORE THAN 6 FEET. ***JUSTIFICATION-the proposed curb/gutter will generally not be seen from Douglas and Victoria. The requested modification is so slight that it will not be perceived by the driving/walking public. A parking lot encroachment had been granted on the previously approved Preliminary Development Plan along Douglas. The building is setback well beyond the 20-foot setback.***

4. TO MEET THE SITE LAYOUT REQUESTED BY THE DEVELOPER, CITY CODE SECTION 8.620.B.3 WILL NOT BE 6 FEET BETWEEN THE SIDE YARDS OF LOTS 2 AND 3 AND LOTS 4 AND 5; HOWEVER, SHARED PARKING AND/OR CROSS ACCESS WILL BE ALLOWED. ***JUSTIFICATION-we do not believe this actually is an exception due to the fact that we shared parking and cross access; but, we felt compelled to disclose it just in case.***
5. REDUCE THE CALIPER OF THE SHADE TREES FROM 3 INCHES TO 2.5 INCHES. ***JUSTIFICATION-this modification request was granted on the previously approved Preliminary Development Plan submittal. The request is minor based on nursery stock available, survival rates of smaller plant material is better, growth rates of smaller plant material is actually better. The proposed reduction is minor and will not be noticed by the public.***
6. REDUCE THE HEIGHT OF THE EVERGREEN TREES FROM 8 FEET TO 5 FEET. ***JUSTIFICATION-this modification request was granted on the previously approved Preliminary Development Plan submittal. The request is minor and based on nursery stock available, survival rates of smaller plant material is better, growth rates of smaller plant material is actually better. The proposed reduction is minor and will not be noticed by the public.***
7. REDUCE THE CALIPER OF THE ORNAMENTAL TREES FROM 3 INCHES TO 2 INCHES. ***JUSTIFICATION-this modification request was granted on the previously approved Preliminary Development Plan submittal. The request is minor and based on nursery stock available, survival rates of smaller plant material is better, growth rates of smaller plant material is actually better. The proposed reduction is minor and will not be noticed by the public.***

If you have any questions or require further information please contact me at (816) 781-4200.

Sincerely,

Ronald L. Cowger, P.E.
Vice President