

**DEVELOPMENT SERVICES**

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

**Date:** Tuesday, September 15, 2020

**To:**

**Property Owner:** REORGANIZED SCHOOL DIST NO 7  
7

**Applicant:** ENGINEERING SOLUTIONS

Email: MSCHLICHT@ES-KC.COM

**From:** Victoria Nelson, Long Range Planner

**Re:**

**Application Number:** PL2020219

**Application Type:** Residential Rezoning with Preliminary Development Plan

**Application Name:** WINTERSET CEDAR CREEK PDP AND REZONING

**Location:**

---

**Tentative Schedule**

Submit revised plans by noon on Monday, September 22, 2020 (4 full size paper copies, 1 reduced 8 ½" x 11" copy, and 4 copies of the comment response letter).

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 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 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.

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 6:00P.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 sent by certified 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 Residential Rezoning with Preliminary Development Plan:**

<b>Planning Review</b>	Victoria Nelson (816) 969-1605	Long Range Planner Victoria.Nelson@cityofls.net	Corrections
------------------------	-----------------------------------	--	-------------

---

1. Single-Family Compatibility Form. Please complete and submit the SF Compatibility Form.
2. Rezoning. Please submit a rezoning exhibit with legal description.
3. Title. Please re-label the title to Preliminary Development Plan, not Preliminary Plat.
4. Tree masses. Please show the existing trees by clouding the area
5. Adjacent Developments. Please show the general location of the school and existing houses adjacent to the development in Winterset Park.
6. Adjacent Zoning Districts. Please show the adjacent zoning districts and land uses.
7. Median in Cul-de-sac. Please remove the median in the bulb. They are a hindrance to snow plowing.
8. Modifications. Please provide a narrative justification for all proposed modifications is required.
9. Common Area. Please revise the common area note to indicate that both ownership and maintenance of the tract is dedicated to the HOA.
10. Tract. Please relabel the tract as A since it will be located within the boundaries of a new plat with a new name.
11. Modification. Modification is needed to the 10% maximum number of cul-de-sac lots in the subdivision.
12. Building Line. Why is the building line 40' on Lot 5?
13. Grade. Please label the grade of SW Winter Road.
14. Please submit an electronic copy of the legal description in Microsoft Word document. The legal description can be emailed to the planner's email address above.
15. Single family compatibility list. We have received a drawing a label SF compatibility list but we are still missing the list. Please submit the SF list.
16. We are still missing the legal. Please submit an electronic copy in Microsoft Word of the legal description. The legal description can be emailed to the planner's email address above.
17. Lot 1606. You show Lot 1606 as Lot 6 on the plan. Please change Lot 6 to Lot 1606, just as you stated in the note on the plan.

<b>Engineering Review</b>	Gene Williams, P.E. (816) 969-1223	Senior Staff Engineer Gene.Williams@cityofls.net	Corrections
---------------------------	---------------------------------------	---	-------------

---

1. The storm water memorandum included no cover page, and is still named "storm water memorandum". Please see previous applicant letter, which stated a stormwater memorandum was not appropriate for this project if a waiver to detention requirements was being sought. A stormwater study is required for the City to consider a waiver.
2. The memorandum described above was unsealed.
3. The memorandum described above includes the statement that "downstream channel conditions will be improved." The City disagrees with this conclusion. Although peak flow rates may be reduced, total energy will increase, however slightly, with this development. Unless volumetric controls are put in place, free-release will always increase the total energy, even though peak power may be decreased slightly.
4. Are there actual empirical flow data for Cedar Creek, rather than the reliance of a blanket curve number of 85 for the entire 6,000+/- acre watershed?
5. The stormwater study must describe the waivers being sought for stormwater detention. No description of waivers were discussed within the report.
6. The City may not support a waiver to the 40 hour extended detention requirement. Much of the long term issues related to increased stream energy are mitigated by 40 hour extended detention facilities.

<b>Fire Review</b>	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	No Comments
<b>Traffic Review</b>	Michael Park (816) 969-1820	City Traffic Engineer Michael.Park@cityofls.net	No Comments