

**DEVELOPMENT SERVICES**

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

**Date:** Sunday, November 29, 2020

**To:**

**Property Owner:** THIRD AXIS INVESTMENTS LLC    Email:

**Applicant:** DUSTIN BAXTER

Email: DBAXTER@MWHWINC.COM

**Engineer:** BOUNDARY & CONSTRUCTION  
SURVEYING INC

Email: ACCOUNTING@BOUNDARYSURVEY.NET

**Property Owner:** CAPITAL HOME INVESTMENTS  
LLC    Email:

**From:** Shannon McGuire, Planner

**Re:**

**Application Number:** PL2020239

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

**Application Name:** 705 SE High St

**Location:** 201 SE SUMMIT AVE, LEES SUMMIT, MO 64063  
707 SE HIGH ST, LEES SUMMIT, MO 64063  
705 SE HIGH ST, LEES SUMMIT, MO 64063

---

**Tentative Schedule**

Submit revised plans by noon on Monday, December 14, 2020 (4 full size paper copies, 1 reduced 8 ½" x 11" copy, and 4 copies of the comment response letter).

Applicant Meeting: December 01, 2020 at 09:00 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.

---

**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>	Shannon McGuire (816) 969-1237	Planner Shannon.McGuire@cityofls.net	Corrections
------------------------	-----------------------------------	---	-------------

---

1. The property located at 201 SE Summit Ave shall be included within the limits of the proposed zoning. Failure to include this property will create a situation that singles out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners, also known as “spot zoning”. As proposed staff cannot support the application.
2. Please provide a rezoning map showing the following:
  1. Boundaries of the property to be rezoned.
  2. Legal Description
  3. Existing and proposed zoning districts of the property to be rezoned.
  4. Zoning, land use, and ownership of all parcels within 300 feet of the property to be rezoned.
3. Please show the topography with contours at 2-foot intervals.
4. Please provide the location of all oil and gas wells, whether active, inactive, or capped. If none are present, please include a note stating such and cite your source of information.
5. Please show the 5’ sidewalk that is required along SE High St.
6. The floor plans provided do not seem to match the footprints shown on the PDP plan sheets. Please check this and ensure all sheets are consistent and depict accurately what you are proposing to build.
7. Please label the building height.
8. Please provide a land use schedule shall include the following:
  1. Total floor area
  2. Number of dwelling units
  3. Land area
  4. Number of required and proposed parking spaces
  5. Impervious coverage
  6. Dwelling units per acre, with and without common area
9. Every property upon which a principal use may be located shall meet or exceed the UDO requirements for its respective zoning district. As proposed the project does not meet the Minimum Lot Size (4,500 sq. ft. per unit) and the

Minimum Lot Width (80 ft.). Modifications may only be granted by the Governing Body. If it is your intention to seek relief from these requirements you must request a modification from the UDO requirements in writing. Please provide a narrative statement that explains the need for and justifications for modifications of the applicable zoning district regulations.

10. A landscaping and buffer plan is required, and shall include information as listed in the ordinance.

11. A buffer/screen between developments of differing land uses adjoining one another or separated from one another by only a street or alley shall comply with Table 8.890, Typical Buffers. The intensity of the required buffer/screen is established according to the intensity of the abutting uses, i.e., retail development adjacent to or across the street from a residential use or development requires a more intense buffer/screen than would retail adjacent to or across from office use, etc. As the proposed RP-2 zoning district will be abutting an R-1 zoning district on the southern and eastern project boundaries a low impact screening buffer is required.

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

---

1. A stormwater study was discussed at the June 2020 pre-application meeting, since this site may require stormwater detention. No stormwater study and no detention basin(s) were provided or shown on the plan.

2. A preliminary grading plan was not shown on the Preliminary Development Plan.

<b>Traffic Review</b>	Michael Park (816) 969-1820	City Traffic Engineer Michael.Park@cityofls.net	Corrections
-----------------------	--------------------------------	--	-------------

---

1. The ROW for High Street, shown as 44 feet wide, does not meet minimum right-of-way width for a local residential street, 50 feet. Dedication of 6 feet of ROW should be conditioned on the plat or by separate document where adjacent to the subject properties to meet current standards.

2. Sidewalk is required along High Street. Payment in lieu of sidewalk construction option may be considered upon request considering the standard to which High Street is built in accordance with the UDO.

<b>Fire Review</b>	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	No Comments
--------------------	----------------------------	--	-------------

---