

Residential Rezoning with Preliminary Development Plan Applicant's Letter

Date: Wednesday, February 17, 2021

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 Email:
LLC

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 Tuesday, March 9, 2021 digital copies of the revised document and a comment response letter through the online portal.

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:

Planning Review	Shannon McGuire (816) 969-1237	Planner Shannon.McGuire@cityofls.net	Corrections
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1. County records show the property at 201 SE Summit Ave is owned by Capital Home Investments LLC. The ownership affidavit that was submitted for this property was signed by Andrew Winfrey. Please provide Mr. Winfrey's contact information. Staff needs to independently verify that Mr. Winfrey is an authorized signatory for Capital Home Investments LLC.
2. The substitution of a 6' fence on the east side of the subject property does not meet the minimum standard for a low impact landscaping buffer as required. Modifications may only be granted by the Governing Body. If it is your intention to seek relief from this requirement 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.
3. The Rezoning Map shows that you are proposing to rezone the property to Planned Mixed Use District (PMIX). The PMIX zoning district is intended for developments that have a mix of uses, such as residential and commercial. As the proposed development is only proposing a single land use type, residential (duplex), the PMIX zoning district is not appropriate and will not be staff supported. The Planned Two-Family Residential District (RP-2) is the most appropriate zoning district for this proposal and would be supported by staff.
4. 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. This comment was made in the Applicant's Letter dated 11/29/20.
5. Please label the building height. This comment was made in the Applicant's Letter dated 11/29/20. Additionally, the architectural sheets submitted reference a project in Belton, Missouri. Please update the submitted plans sheets to reflect Lee's Summit. Please update the vicinity map as well.
6. The RP-2 Planned Two-Family Residential District was established to provide opportunities for a moderate-density mix of single-family and duplex residential development at a maximum density of seven and one-half units per gross acre. As submitted you are proposing a density of 11.8 units per acer. A modification to the density may only be granted by the Governing Body. If it is your intention to seek relief from the density 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.
7. 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. This comment was made in the Applicant's Letter dated 11/29/20.

Engineering Review

Gene Williams, P.E.
(816) 969-1223

Senior Staff Engineer
Gene.Williams@cityofls.net

Corrections

1. The plan view showing grading does not appear to have been prepared by a design professional, nor does it appear to reconcile with other documents submitted with this application package (see below).
2. The "Storm Water Drainage Report" dated Jan. 21, 2021 (hereinafter referred to as the stormwater report) does not match the plans prepared by the surveying company in terms of what is being proposed. It appears some sort of basin is being provided in the rear yard, which is not discussed within the report.
3. The stormwater report states that the increase in flow is insignificant. We do not agree. If a waiver is sought, information such as percent increase in peak flow, conversion of sheet flow to point discharge, impacts to adjacent property owners, etc. must be discussed.
4. The plan showing the rear yard grading appears to show direct point discharge onto adjacent property. This would only be allowed if appropriate legal agreements are provided between the parties.
5. Sufficient off-site elevation contours are needed to make an informed decision concerning drainage. As shown, there is no context between adjacent properties, and the subject property. A complete depiction of the proposed drainage system must be shown in context with off-site properties.
6. The Stormwater Drainage Plan prepared by the surveying company shows a swale in the rear yard by virtue of a label, and a cross section. However, this appears to be some sort of basin. If this is intended to be a swale, where does it tie into adjacent properties, and does a swale exist on those properties to receive stormwater?

Fire Review

Jim Eden
(816) 969-1303

Assistant Chief
Jim.Eden@cityofls.net

No Comments

Traffic Review

Michael Park
(816) 969-1820

City Traffic Engineer
Michael.Park@cityofls.net

No Comments
