

**DEVELOPMENT SERVICES**

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

**Date:** Monday, March 08, 2021

**To:**

**Property Owner:** SUMMIT POINT PHASE II LLC      **Email:**

**Property Owner:** SUMMIT POINT PROPERTY      **Email:**  
INVESTORS LLC

**From:** Shannon McGuire, Planner

**Re:**

**Application Number:** PL2021059  
**Application Type:** Residential Preliminary Development Plan  
**Application Name:** Summit Point 2nd Plat (Phase II)  
**Location:** 510 NE CHIPMAN RD, LEES SUMMIT, MO 64063

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**Tentative Schedule**

Submit revised plans by noon on Monday, March 22, 2021 (4 full size paper copies, 1 reduced 8 ½" x 11" copy, and 4 copies of the comment response letter).

**Applicant Meeting:** March 09, 2021 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.

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**Electronic Plans for Resubmittal**

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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

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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

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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 Preliminary Development Plan:**

<b>Planning Review</b>	Shannon McGuire (816) 969-1237	Planner Shannon.McGuire@cityofls.net	Corrections
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1. Please show the location of all oil and gas wells, whether active, inactive, or capped. A visual inspection of the property will not provide adequate assurance a well or former well is not present on the property. Please cite an official source to ensure no wells are present.
2. Please provide building elevations with the proposed exterior materials and the building height labeled. Please provide this information for each building type you are proposing.
3. Please provide a narrative statement that requests and explains the justification for modifications of the applicable zoning district regulations (parking reduction & density).
4. The preliminary plat show lot lines that would appear to go through proposed buildings (A2-3, B1-1 & A2-2). This will not be allowed.
5. Buildings must be setback from a lot line a minimum of 10'. Building B1-1 appears to have a 0' setback from the property line on the south side of the building. Please update the plat boundaries to meet the UDO required setback. If you wish to seek a modification for this please provide a written request and justification for such.
6. CG-1 concrete curbing required around all parking areas and access drives in office, commercial and industrial districts. Temporary asphalt curbs may be used in areas to be expanded only as shown and approved on the development plan. Please label the propose curb type and provide standard details for the curbing.
7. Please provide details for the proposed ADA parking signs, stalls and aisles. Additionally, as proposed it does not appear you are proposing to provide any van accessible stalls. Please ensure all accessible parking comply with the requirements of the federal Americans with Disabilities Act.
8. The elevation sheets depicting the trash enclosure seems to shoe wooden gates. Wood in not an approved material. Sheet A108 has the gates labeled as metal. Please update the sheets to be consistent with what is being proposed.
9. Please provide a north arrow with the vicinity map.
10. If any signs are proposed they must comply with the sign requirements as outlined in the sign section of the ordinance and will be reviewed under separate application.
11. Will the entrances into the shared breezeways be gated/secured for access by the residents only or will they be open to the public?

<b>Engineering Review</b>	Gene Williams, P.E. (816) 969-1223	Senior Staff Engineer Gene.Williams@cityofls.net	Corrections
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1. The preliminary stormwater study states the backwater from the stream will have minimal impact on the discharge from the detention basins. If placing detention basins within the stream buffer, they need to be placed such that the

storage volume is calculated from the 100 year water surface elevation or higher. That volume should be subtracted from the available storage to account for the stream backing up within the basins.

3. Manual calculations of the base flood elevations along the rear of the property are required. Although it appears 100 year water surface elevation calculations are discussed within the stormwater report, it must be discussed in the context of an official manual calculation of the base flood elevations to comply with FEMA and the City Floodplain Ordinance. In all instances where base flood elevations are missing from the FIRM, the engineer is responsible for making an official determination of the base flood elevations along selected points, with concurrence from the City. This should be specifically discussed within the stormwater report. Finally, a map should be prepared showing these limits in relation to a topographic survey. This becomes the horizontal areal limit of the floodplain with concurrence from the City.

4. The limits of the floodplain are shown in an approximate basis (appear to be based on the FEMA floodmap), but do not make sense when comparing to existing contours. It will be necessary to determine the base flood elevations along selected points using a manual calculation method discussed above, and then superimpose the limits of the floodplain onto the plan view with elevations of the existing grade, with the existing contours controlling the limits of the floodplain.

5. The results of the above floodplain delineation will determine whether a floodplain development permit is required for grading work within the floodplain. If grading is performed within the limits of the actual floodplain (i.e. based on the as-surveyed limits), it will be necessary to demonstrate "no net gain" in fill, due to the lack of an established floodway.

6. The stormwater report states that a 1 inch orifice will be used to regulate the 40 hour extended detention. Our experience shows that reliance on a 1 inch orifice is not a practical solution to providing extended detention. Clogging will be a issue after every rain event. A more elaborate design is required to manage the 40 hour extended detention requirement, and prevent clogging.

8. The stormwater report states that the FEMA floodplain boundaries shown on the FIRM are accurate when compared to the actual topography. We respectfully disagree. Although the FIRM map is somewhat accurate, the results of the topographic survey should be superimposed upon the base flood elevation map (i.e., to be created by the engineer) described earlier. This will define the limits of the 100 year floodplain.

9. The stormwater report states that the development will not negatively impact any downstream drainage system. This is not completely accurate since adherence to our stormwater requirements in terms of detention will result in a greater volume of stormwater discharged from the site, although released at a lower rate. In other words, total energy will increase, but at a lower power level at the point of discharge. The purpose of the stormwater report is to demonstrate compliance with City requirements for floodplain development, detention, impact to downstream systems, etc. The purpose is not to demonstrate "no impact", because that is not an accurate statement. This issue has come up in prior public hearings, so this should be clear.

10. A pre-development (i.e., existing conditions) drainage map is required, showing the points of interest (i.e., the points where sheet flow converge to concentrated flow).

11. The proposed conditions drainage map does not show any points of interest described above, where sheet flow drainage converges to concentrated flow. It should be shown with the points of interest so a comparison can be made with the existing conditions drainage area map. Allowables should be calculated for each point of interest. If intervening land (i.e., land owned by someone other than the developer) exists between one point of interest and another, an increase in the allowable for one point of interest with a subsequent decrease in the next point of interest may be prohibited.

12. None of the allowable release rates will be achieved as evidenced by the allowable versus proposed conditions table. Waivers to our allowable release rates will not be supported by staff due to downstream flooding concerns.

13. Please label all existing interior water lines as "to be designated private". This would include the water lines that are contained within easements to be vacated under separate application.

15. Please label all existing interior sanitary lines as "to be designated private". This would include the sanitary lines that are contained within easements to be vacated under separate application.

16. The 100 year water surface elevation within the detention basins must be shown in numeric format and graphic format on the plan view. A minimum of 20 feet is required between this water surface elevation, and any property line or building. A min. 2.0 feet of freeboard between this elevation and the lowest opening in the buildings (i.e., the lowest floor in this case). This should be based on the clogged condition, zero available storage elevation within the basins.

17. The plan views for the detention basins are missing the location of the outlet structures, emergency spillways, and points of discharge presumably towards the creek. The locations of the discharge points into the creek must not adversely affect downstream or adjacent property owners (i.e., the discharge points must be pulled-back sufficiently far from any property lines allow for the installation of energy dissipation measures wholly within the limits of the applicants property).

18. On the grading plan, please show the existing elevations for the contours. It is difficult to determine what is being proposed near the detention basins, and to what extent these basins are being constructed in a cut situation as opposed to a fill situation. This may have a bearing on the requirements for an emergency spillway if the basins are constructed solely in a cut situation.

20. A separate plan sheet should be provided showing the stream buffer limits for the entire project (including the west buffer along the smaller tributary), along with all buildings, parking lots, detention basins, and amenities superimposed upon the background. The stream buffer sheet must show: 1) the ordinary high water mark, 2) the dimensions of the buffer in relation to the ordinary high water mark, and 3) the stream buffer.

21. The west detention basin appears to show a bottom elevation well below the existing receiving elevation within the creek, with essentially no dam other than a short 3 foot berm to protect it from the stream channel. Although the City can consider placement of these basins within stream buffers, the basin should have a positive benefit to the creek rather than a negative impact. As shown and in consideration of the grading shown with very little protection from the existing stream, this will require a waiver to the Design and Construction Manual. A stream assessment would be required to obtain this waiver. In addition, the placement of this basin in the location shown will in our opinion lead to rechannelization of the stream, and will likely require the acquisition of a USACE permit for rechannelization of a jurisdictional stream.

23. Wouldn't the triple 48 inch culvert at Swann Circle be the controlling factor for determination of the 100 year base flood elevation for this site? It appears this was not taken into account, but unclear since the results of the HEC-RAS setup were not included in the preliminary stormwater report. If using HEC-RAS to make the estimate for base flood elevation within this flood zone with no base flood elevations determined, the results of the HEC-RAS model run and setup sheets must be included within the report. It would also be beneficial for the City to obtain the raw data files.

24. Page 8 of the preliminary stormwater report states that the northeast corner of the site has a flowline elevation within the creek of 998.35. This does not appear to make sense when comparing to GIS, the computed 100 year water surface elevation at this location, or the grading plan. Was this a typographical error?

25. It appears the lowest floor elevations for the north buildings might be too low if comparing to the 100 year clogged condition/zero available storage (these were not provided since no discussion of the emergency spillway was provided). Please check to confirm. This requirement also applies to the base flood elevations within the regulatory floodplain, so the higher elevation would govern if higher.

26. The west basin appears to be a large depression within the buffer zone. It will actually act as a catalyst to changing the existing creek channel. Staff cannot support such a basin, with no provision for drainage, and an increased likelihood of stream re-channelization. As we discussed during the pre-application meeting, we can support basins within the buffer zone, provided they have a positive effect on the stream. In our opinion, this basin (as designed) will have a severe negative impact on the stream in terms of stability of the existing channel, and will also increase the likelihood of long-term property damage to the apartment building immediately adjacent to this depression.

27. A field inspection revealed what would appear to be the development of a secondary channel split in the process of developing in the vicinity of the west basin. This is evidence the ordinary high water mark is further south than calculated. There may be the need to re-evaluate the location of the stream buffer in this area.

28. If the stream buffer was measured from the wrong point, this may affect the feasibility of bldg. A2-2. From our calculations, the stream buffer limits would be well into the footprint of Bldg. A2-2.

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

2. IFC 903.3.7 - Fire department connections. The location of fire department connections shall be approved by the fire code official. Connections shall be a 4 inch Storz type fitting and located within 100 feet of a fire hydrant, or as approved by the code official.

Action required: Show the location of the FDC and the fire hydrant within 100 feet.