

Commercial Rezoning with Preliminary Development Plan Applicant's Letter

Date: Sunday, April 04, 2021

To:

Property Owner: CLAYTON PROPERTIES GROUP, Email: RHONDA@SCHKC.COM
INC

Applicant: Summit Homes Email: permitting@summithomeskc.com

Engineer: SCHLAGEL & ASSOCIATES Email: SCHLAGEL & ASSOCIATES

From: Shannon McGuire, Planner

Re:

Application Number: PL2021105

Application Type: Commercial Rezoning with Preliminary Development Plan

Application Name: Bailey Farm

Location: 1300 SE RANSON RD, LEES SUMMIT, MO 64081

Tentative Schedule

Submit revised plans by noon on Monday, April 19, 2021 (4 full size paper copies, 1 reduced 8 ½" x 11" copy, and 4 copies of the comment response letter).

Applicant Meeting: April 06, 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.

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 6:00 P.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 Commercial Rezoning with Preliminary Development Plan:

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| Planning Review | Shannon McGuire (816) 969-1237 | Planner Shannon.McGuire@cityofls.net | Corrections |
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1. Will the estate lot be included in the HOA?
2. As this is a single plat, please number the lots 1-251.
3. The curvilinear nature of some of the streets are kind of problematic in terms of how you have proposed to name them. There are three streets that are a problem as proposed and need to be revised.
 1. The street segment in front of Lots 1-8 just needs to be named Greenridge Dr to make it a continuation of the street as it moves south.
 2. Timber Creek Dr as a street name needs to end with Lots 92 and 98. A new street name is needed at the knuckle where Lots 93 and 97 are located.
 3. 15th Street needs to end at the intersection in front of Lot 48. A new street name is needed to head south starting with Lots 49 and 61.
4. On sheet C1.0 please provide existing zoning districts of the property to be rezoned as well as the zoning, land use, and ownership of all parcels within 185 feet of the property to be rezoned.
5. Please show the location of all oil and gas wells, whether active, inactive, or capped. If none are present please add a note stating so and cite your source of information.
6. To approve the community pool/amenity facilities during this PDP process, please provide preliminary building elevations of all sides depicting the general style, size and exterior construction materials and color schedule of the proposed structures. If this information is not provided a new PDP by separate application will be required for approval.
7. As the proposed new zoning is planned districts please provide exterior construction materials of the proposed homes.
8. In the Site Data Table please provide the dwelling units per acre, with and without common area.
9. As a low impact screening buffer is required along the west and south property lines, please provide a landscaping and buffer plan that includes the information as listed in the ordinance.
10. All signs must comply with the sign requirements as outlined in the sign section of the ordinance and will be reviewed under separate application.
11. The location of the proposed monument sign at SE Brownfield Dr/SE Bailey Rd seems it may be problematic. If it is to be located on Tract E it may be in conflict with an existing easement. If it is to be located on lot 1, you will need to establish a sign easement on that lot.

12. The location of the proposed monument sign at SE Cape Dr/SE Ranson Rd seems it may be problematic. If it is to be located on Tract B it may be in conflict with an existing easement. If it is to be located on lot 1, you will need to establish a sign easement on that lot.

13. A large portion of the proposed project is located in an existing National Register of Historic Places District, Bailey Family Farm District. As such the National Historic Preservation Act, Section 106 may be applicable to this project or may be applicable to future projects.

Section 106 of the National Historic Preservation Act is concerned with Federal undertakings. A Federal undertaking is a project, activity, or program either funded, permitted, licensed, or approved by a Federal Agency. Undertakings may take place either on or off federally controlled property and include new and continuing projects, activities, or programs and any of their elements not previously considered under Section 106.

Under Section 106 of the National Historic Preservation Act, federal agencies must consider the effect of their actions on historic properties and provide the federal Advisory Council on Historic Preservation (ACHP) the opportunity to comment on proposed actions. Each (SHPO) plays a critical role in the Section 106 process. As set out in Sections 101(b)(3) and 101(d) of the NHPA, they “consult, advise, and assist” federal agencies in carrying out the agency’s Section 106 responsibilities. Under Section 101(b)(9)(a) of the NHPA, SHPOs have a responsibility to “consult with appropriate Federal agencies . . . on Federal undertakings that may affect historic property.”

36 CFR 800 (Protection of Historic Properties) governs the Section 106 process and outlines how Federal agencies are to consult with SHPOs, THPS, Tribes, NHOs, and other interested parties, identify historic properties, determine whether and how such properties may be affected, and resolve adverse effects.

Please contact the Missouri State Historic Preservation Office, (573) 751-7858, to determine if a Section 106 Review is required for this project.

14. The maximum block length in residential areas is based on land use and zoning district. For the RP-2 district the maximum block length is 640’. SE Greenridge Drive and SE 13th St exceed the maximum by 79’ (719’). A block of this length will require a modification. Please provide a written request and justification for the modification.

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| Engineering Review | Gene Williams, P.E. (816) 969-1223 | Senior Staff Engineer Gene.Williams@cityofls.net | Corrections |
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1. "Preliminary Stormwater Management Plan" dated Mar. 5, 2021 is incomplete for the following reasons: 1) missing stream buffer discussion and method used for OHWM delineation, 2) discussion of emergency spillway preliminary design, including freeboard requirements for the 100 year clogged condition/zero available storage event, 3) analysis of the culvert design at Cape Dr. and the east/west stream bisecting the project, including preliminary sizing, culvert type, design storm, etc.

2. Culvert crossing at southwest end of project shall be designed to manage the 100 year event, without affecting the calculated 100 year water surface elevation upstream of the culvert. A more frequent storm even may be allowed if the adjacent property grants an inundation easement or other suitable agreement for the area in question. If the inundation easement is provided (or other suitable agreement as determined by Law Dept.), design storm would be based on the collector street standards shown in the Design and Construction Manual, with 100 year overtop low spot (if any) located as specified in the Design and Construction Manual.

3. Limited grading of detention basin dam within buffer would not necessarily require a waiver. Any other grading, such as shown within a lot, would require a waiver. Recommend elimination of the areas other than portions of detention basin dams requiring a waiver.

4. Points of discharge were not shown for the detention basins. This should be shown, with preliminary energy dissipation measures. We would recommend a more robust energy dissipation measure to be designed for the larger

detention basin. The Federal Highway Administration has field-tested designs to create a hydraulic jump within the structure for a variety of flow conditions, and this would appear warranted for such a large detention basin.

5. The preliminary stormwater study did not appear to be set up properly. Terms such as "required peak discharge" was not defined. Only one (1) point of interest is shown as RP-1 in the southwest corner of the project within the stream. Multiple points of interest (where a particular drainage area converges from sheet flow to concentrated flow) exist on this project both in the existing and proposed condition. These should be shown, and an allowable release rate calculated for each. A comparison should be made for the proposed condition. Waivers must be discussed within the report where these allowables cannot be met.

6. Over-detaining in one area, while under-detaining or free release in another is not allowed when intervening property(s) is impacted, unless a waiver is obtained. Intervening property is defined by the City as "property not owned by the developer". Exceptions to this rule would be "peripheral drainage areas", where limited areas are allowed to free-release without detention, provided that the post-developed condition peak flow rate is significantly less than the pre-developed peak flow rate. Peripheral drainage areas would generally include backyards, and areas adjacent to right of way. This would, however, require a waiver to the Design and Construction Manual.

7. All waivers to the Design and Construction Manual must be discussed within the body of the report and the conclusions of the report.

8. Existing condition curve number is shown in the stormwater report as 87. This appears excessively high for the conditions. Off-site contribution to drainage area is shown at 77 which is also high for the conditions.

9. Recommend providing a more logical sequence within the text showing a step by step method for ensuring the Comprehensive Control Strategy is met for this project. It appears one area is being free-released with no detention, while others are over-detained to meet the allowable? Also, the term "required peak discharge" is not defined anywhere in the report, and we have never seen such a term used in a stormwater study. The City does not require any particular minimum number for peak discharge, and it is unclear what is meant by this term.

10. It appears only one point of interest is shown at RP-1 in the southwest corner of the project. While this would be allowed if intervening property was not being crossed, the entire western boundary of the project is adjacent to a school district property, and is also bounded by the private property to the south, and right of way to the north and east. Additional points of interest, with allowable release rates at each point of interest where stormwater runoff converges to concentrated flow, would appear warranted for this site.

11. Where backyards and areas near streets are allowed to free-release stormwater without detention, waivers would be supported for what we define as "peripheral drainage areas" in limited situations where additional detention basins are not practical. This would be contingent upon the demonstration that the post-developed condition for these peripheral areas is less than the existing condition due to final grading of the site, and subsequent reduction in drainage area to a particular point of interest.

12. This site abuts several different intervening properties (i.e., school district to the west, right of way to the north and east, and the private property to the south). It appears only one (1) point of interest was analyzed at the southwest corner of the project, which is not sufficient. Existing conditions topographic map shows more than one point of interest when viewed from the context of intervening property, and these should be shown on the existing conditions drainage map shown within the appendix. Allowables should be calculated for each of the points of interest, based on existing drainage area to the respective point of interest. Some of these points of interest may lie outside the limits of the project, and if so, credit to the allowable release rate would be allowed based on the existing condition for the off site areas. Finally, the proposed peak flows at these points of interest at the respective points of interest are then compared for compliance. As shown, it appears only one (1) point of interest is shown in the

southwest corner, and this is not sufficient for this project. There are other points of interest that need evaluation in terms of allowable release rate, not just the southwest corner of the project.

13. Lot corners at intersections shall be camfered rather than curved. This will accommodate ADA-accessible ramps better in terms of design.

14. As an informational comment, ADA-accessible ramp geometry shall be changed at certain intersections for the final design. The City no longer allows bi-directional ramps at the apex of the curve. Individual curb ramps shall be provided for each ADA-accessible route across the intersection. Each shall be lined-up with the ADA-accessible route.

15. Sanitary sewer connection near the southwest corner of the project conflicts with the new culvert to be installed. Sanitary sewer shall be installed outside the limits of the culvert and associated embankment.

16. Sanitary sewer service to the estate lot shown in the northeast corner of the project does not appear to be served by public sanitary sewer. This shall be required, either by a public line, public easement, private easement, or private line. Discussion to follow at applicant meeting.

17. The area encompassed by lots 31 through lot 51 do not appear to have sufficient drainage in the rear. Recommend additional drainage structure such as a field inlet(s) in rear of lot to capture stormwater, as well as swale to capture and divert stormwater.

18. Recommend a re-evaluation of other blocks that may need additional rear yard swales or diversion berms.

19. 100 year water surface elevation within detention basins must be shown in numeric and graphic format, preferably on the grading plan. This should also include the clogged/zero available storage condition. This line should be a minimum of 20 feet from any property line, building, or right of way line.

20. Detention basin dam sides are allowed to encroach within the stream buffer without a waiver subject to the following conditions: 1) dam side only, not including any portion devoted to storage or the top of the dam, 2) dam to be grassed, and left to its natural ground cover.

21. Sanitary sewer is shown being installed overland in the first phase for a considerable distance across unplatted property (see the southwest portion, where sanitary sewer lines are 10 to 12 inches - Line A). This overland sanitary sewer would be installed in areas that are platted in the 3rd phase, which could be years in the future. This issue shall be discussed at the applicant meeting, since overland sanitary sewers installed in unplatted areas, where depth issues may occur either before the 3rd phase, or after the 3rd phase occurs, as well as maintenance issues due to installation of these lines in overland areas, may be prohibited by the City.

22. Sanitary sewer is shown crossing beneath a culvert in Tract A. This is problematic for the City in terms of maintenance, and an alternate route shall be established across the stream bisecting the project from east to west. This shall be discussed at the applicant meeting.

23. Stream buffer call-out for the stream bisecting the project in the east/west direction appears incorrect. The buffer is measured from the OHWM, not the centerline of the stream. However, please check the scale. It appears the dimension is incorrect due to scale issues (we measured 132 feet versus the 120 foot call-out).

24. It is possible that extension of sanitary sewer to the eastern plat boundary is required, at a suitable location for a future connection (i.e., based on elevations). This requirement shall be discussed at the applicant meeting, since the property to the east is outside City limits.

Traffic Review

Michael Park
(816) 969-1820

City Traffic Engineer
Michael.Park@cityofls.net

Corrections

1. 10' Shared Use Path required along Bailey and along Ranson Road in compliance with Greenway Master Plan.
2. MoDOT comments on Traffic Study Pending.
3. Can the Estate Lot be provided access from the local residential street (and existing access on Bailey Removed)? In consideration of the AMC and potential signal queuing on Bailey, access is preferred internally to the subdivision.

Fire Review

Jim Eden
(816) 969-1303

Assistant Chief
Jim.Eden@cityofls.net

Approved with Conditions

1. Make adjustments to street names per Development Services.