

April 14, 2021

City of Lee's Summit  
Attn: Shannon McGuire, Planner  
220 SE Green Street  
Lee's Summit, MO 64063

**RE: BAILEY FARM  
PL2021105 COMMERCIAL REZONING W/PRELIMINARY DEV PLAN  
1300 SE RANSON RD, LEE'S SUMMIT, MO 64081**

Dear Shannon:

Thank you for your review of the above-referenced project dated April 4, 2021 to which we have the following response to comments:

**The following items are acknowledged.**

- **Electronic Plans for Resubmittal.**
- **Excise Tax.**
- **Planning Commission and City Council Presentations.**
- **Notice Requirements.**

**Analysis of Commercial Rezoning with Preliminary Development Plan:**

1. Will the estate lot be included in the HOA?

**Response: The estate lot will be a separate lot and not included in the HOA.**

2. As this is a single plat, please number the lots 1-251.

**Response: Completed as requested.**

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.

**Response: Completed as requested.**

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.

**Response: Completed as requested.**

3. 15<sup>th</sup> 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.

**Response: Completed as requested.**

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.

**Response: Completed as requested.**

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.

**Response: Completed as requested.**

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.

**Response: A separate application will be submitted for the amenity area.**

7. As the proposed new zoning is planned districts please provide exterior construction materials of the proposed homes.

**Response: Completed as requested.**

8. In the Site Data Table please provide the dwelling units per acre, with and without common area.

**Response: Completed as requested.**

9. As low impact screening buffer is required along the west and south property lines, please provide landscaping and buffer plan that includes the information as listed in the ordinance.

**Response: UDO Sec. 8.720.G states "Single-family and two-family (duplex) developments are exempt from landscaping requirements." This project is a single family and two family development. A landscape plan has been prepared to show a buffer between the RP-2 and RP-1/R-1 as requested by staff. However, the developer is requesting clarification that this is required or if UDO Sec. 8.720.G applies and the landscape plan would not be required.**

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.

**Response: The developer is aware of this requirement.**

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.

**Response: The tract boundary has been revised so the sign is not within the easement.**

12. The location of the proposed monument sign at SE Cap 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.

**Response: The sign is not within the easement.**

13. A large portion of the proposed project is located in an existing National Register of Historic Places District, Baily 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, the “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 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.

**Response: The developer is reviewing this requirement.**

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 13<sup>th</sup> 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.

**Response: Modification request added to the plans.**

### **Engineering Review**

1. “Preliminary Stormwater Management Plan” dated March 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 Cap Dr. and the east/west stream bisecting the project, including preliminary sizing, culvert type, design storm, etc.

**Response: A paragraph for the stream buffer discussion has been added to Section 3.0 and an exhibit is also provided in Appendix A. A discussion for the emergency spillway preliminary design has also been provided in Section 3.4. An analysis of the future culvert under Cape Drive has not been provided at this time. It’s our understanding that the school has an existing development agreement which requires them to escrow funds for the extension of Cape Drive to their eastern property line which would include construction of the box culvert. It’s our assumption that this street and box culvert will be designed to meet current city guidelines. For the east/west stream bisecting the north/south road in the middle of the site, we propose this to be all piped. Preliminarily looking at this area, it appears it will be**

difficult to achieve a 2.50% drainage swale under the road. We are thinking this will be by a system of sumped area inlets designed to meet the city design standards and then discharged on the west side of the north/south street.

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 event 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..

**Response: Acknowledged.**

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 waiver.

**Response: Acknowledged.**

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 low conditions, and this would appear warranted for such a large detention basin.

**Response: Revised as requested.**

5. The preliminary stormwater study did not appear to be set up properly. Terms such as “required peak discharge” were 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.

**Response: Multiple release points have been included in the stormwater study. We have removed the term “required peak discharge”. All waivers requests have been included in the report as well.**

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.

**Response: Revised as requested.**

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

**Response: Revised as requested.**

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.

**Response: We have revised the existing condition for the on-site areas to be called out as pasture/grassland which has resulted in a lower CN. We believe the description of woods/grass combination for the off-site area accurately describes this area and therefore the CN of 77 acceptable.**

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.

**Response: A more detailed analysis of the control measures implemented to meet comprehensive control requirements has been included in Section 3.4.**

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 the 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.

**Response: Revised as requested.**

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.

**Response: A waiver has been requested in the stormwater report.**

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.

**Response: Revised as requested.**

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

**Response: Revised as requested.**

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-u7p with the ADA-accessible route.

**Response: Acknowledged.**

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.

**Response: Revised as requested.**

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.

**Response: Sanitary service to the estate lot to be provided from existing sanitary sewer on south side of SE Bailey Road.**

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.

**Response: Additional storm sewer has been provided in these areas, as well as drainage swales to capture stormwater.**

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

**Response: Acknowledged.**

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.

**Response: Revised as requested.**

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.

**Response: Acknowledged.**

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 3r4d 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 3<sup>rd</sup> phase, or after the 3<sup>rd</sup> phase occurs, as well as maintenance issues due to installation of these lines in overland areas, may be prohibited by the City.

**Response: The phasing has been updated to reduce sanitary sewer in future phasing areas.**

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.

**Response: We are preliminarily proposing storm sewer crossing under the north/south road in Tract A. At this time, we are not proposing a box culvert in this location.**

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).

**Response: Dimensions have been provided from the OHWM to the stream buffer.**

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.

**Response: Sanitary sewer has been extended to allow for a future connection.**

## **Traffic Review**

1. 10' Shared Use Path required along Bailey and along Ranson Road in compliance with Greenway Master Plan.

**Response: The paths have been added to the plans.**

2. MoDOT comments on Traffic Study Pending.

**Response: MoDOT has reviewed the study and the attached documents include the improvements they required.**

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.

**Response: As discussed in the applicant meeting the Estate Lot, the developer is requesting the access to remain in the current location.**

## **Fire Review**

1. Make adjustments to street names per Development Services.

**Response: Completed as requested.**

If you have additional comments or questions, please do not hesitate to contact me.  
Thank you.

Sincerely,

SCHLAGEL & ASSOCIATES, P.A.



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/mdr  
Attachments

c: Clayton Properties Group/Summit Homes