

**DEVELOPMENT SERVICES**

**Final Plat  
Applicant's Letter**

**Date:** Monday, March 28, 2022

**To:**

**Property Owner:** ROBINSON E L JR & LETHA M - Email:  
TRUSTEES

**City Staff:** Scott Ready

Email: Scott.Ready@cityofls.net

**Applicant:** Dan Finn

Email: dfinn@phelpsenengineering.com

**From:** Shannon McGuire, Planner

**Re:**

**Application Number:** PL2022040

**Application Type:** Final Plat

**Application Name:** Market Street Center, Lot 1 - Final Plat

**Location:** 3501 SW MARKET ST, LEES SUMMIT, MO 64082

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**Tentative Schedule**

Submit revised plans by TBD by Staff. Revised documents shall be uploaded to the application through the online portal.

City Council date will be set after all subdivision related public improvements have been completed and a Certificate of Final Acceptance has been issued. In lieu of completion of public improvements, an escrow secured with cash or an irrevocable letter of credit shall be deposited with the City to secure the completion of all public improvements prior to scheduling a City Council date.

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 Re-submittal**

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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

- Plats – All plats shall be provided in multi-page Portable Document Format (PDF).
- Engineered Civil Plans – All engineered civil plans shall be provided in 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 in multi-page Portable Document Format (PDF).
- Studies – Studies, such as storm and traffic, shall be provided in Portable Document Format (PDF).

Please contact Staff with any questions or concerns you may have.

## **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.

## **Voluntary Residential Development Surcharge**

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In a combined effort with both the R-4 and the R-7 School Districts the City of Lee's Summit is working together to educate the development community on a new program, the "Lee's Summit Voluntary Residential Development Surcharge." This is a program which will help raise capital to build new schools for our community. Brochures are available at the front counter of both the Development Services Department. You can also find more information on the City of Lee's Summit web site at [www.cityofls.net](http://www.cityofls.net). (For more information please contact the Board of Education at 986-2400).

## **Analysis of Final Plat:**

<b>Planning Review</b>	Shannon McGuire (816) 969-1237	Planner Shannon.McGuire@cityofls.net	Corrections
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1. As stated in comment 9 from the previous applicant letter, regardless of if the Payment in Lieu of is approved you will still need to show the required sidewalk the full length of the plat boundary adjacent to SW Market St.

**Response: Acknowledged. The sidewalk has been shown on the plat for the full length of the plat boundary (excluding the entrance locations) as required on Lee's Summit MO plats.**

<b>Engineering Review</b>	Gene Williams, P.E. (816) 969-1223	Senior Staff Engineer Gene.Williams@cityofls.net	Corrections
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1. Please refer to comment 1 in the previous comment letter. This comment was not addressed. By using "SS/E" and "W/E" within the general utility easement language, you have eliminated the exclusivity of these easements. In other words, the language you have used allows any public utility including gas, telephone, electric, etc. to have rights within a SS/E or W/E. This is not desired by the City. Where a SS/E or W/E is called-out, the City only allows sanitary or water lines to be installed, not other utilities. Please correct, and add language for the SS/E as follows: "Sanitary Sewer Easement:

A permanent and exclusive easement is hereby granted to the City of Lee's Summit to patrol, alter, conduct surveys, construct, erect, inspect, install, maintain, operate, rebuild, reconstruct, relocate, remove, renew, repair and replace sewer pipe lines, manholes, and appurtenances thereto, including the right and privilege at any time and from time to time to enter upon, over, under, through, across, in, and upon those areas outlined or designated upon this plat at "Sanitary Sewer Easement" or within any street or thoroughfare dedicated to the public use on this plat. Grantor, its successors and assigns, shall not obstruct or interfere with Grantee's use and enjoyment of the easement granted hereunder by any means, including, without limitation, obstructing or interfering with the operation, maintenance, or access to such pipe lines, manholes, and appurtenances thereto, by erecting, or causing or allowing to be erected, any building, structure, or other improvements on said easement. Grantor, its successors and assigns, to the fullest extent allowed by law, including, without limitation, section 527.188, RSMo., hereby waives any right to request vacation of the easements herein granted. All easements shall, at all times, be deemed to be and shall be a continuing covenant running with the land and shall be binding upon the successors and assigns of the Grantor."

Please revise the dedication language.

**Response:** See updated plat which includes the revised dedication language.

2. Please refer to comment 4 in the previous applicant letter. We were never contacted concerning the standard detention basin language, so here it is for your reference: "All storm water conveyance, retention, or detention facilities to be located on common property shall be owned and maintained by the {property owners' association, homeowners' association} in accordance with the standards set forth in the covenants, conditions, and restrictions. These stormwater detention facilities shall be inspected by the {property owners' association, homeowners association, or owner, as appropriate} on the frequency specified in the current City of Lee's Summit Design and Construction Manual, to assure that all inlet and outlet structures are fully-functional, the detention basin has full storage capacity and all landscaping, vegetation and structural improvements are being maintained in accordance with the current City of Lee's Summit Property Maintenance Code." Please revise.

**Response:** See updated plat which includes the revised detention basin language.

3. Please refer to comment 6 in the previous applicant letter. It is possible that the limits of Tract A will change based on the upcoming review of the Final Development Plan. Please be aware of this prior to resubmittal of the plat.

**Response:** Per final development plan review comments and coordination with the city, Tract A will not need to be changed.

4. Please refer to comment 3 in the previous applicant letter. Shouldn't the dedication language for this private easement be from Lot 2 to Lot 1? If so, please revise.

**Response:** Per further discussion, this language has been reviewed and approved by the City of Lee's Summit. No additional changes are required.

5. Oil and gas well note is not quite correct. Was the MDNR database consulted to determine whether abandoned oil and gas wells are located on the property? It is already self-evident that oil and gas wells are not located on the site, but it is not clear whether abandoned oil or gas wells exist on the property. Please review and revise as appropriate.

**Response:** See updated plat which includes the updated oil and gas well note.

<b>Fire Review</b>	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	No Comments
<b>Traffic Review</b>	Brad Cooley, P.E., RSPI	Brad.Cooley@cityofls.net	No Comments
<b>GIS Review</b>	Kathy Kraemer (816) 969-1277	GIS Technician Kathy.Kraemer@cityofls.net	Corrections

1. The point of commencement is SW cor of SW qtr of 29-47-31, which means the callout on the drawing going north along the line of that section is not the East line, but the west line. It is correct in the legal.

**Response:** See updated plat.

2. Please remove any reference to the GIS dept on the county signature line. It should say "Vincent Brice, Jackson County Assessor Mapping"

**Response:** See updated plat.

3. I can perform the review on the new plat, but the actual mylars and plat going to the County for approval will have to have the correct ownership on it; when the transfer of the deed/ownership occurs prior to the recording of the plat, please let Vincent Brice at the Assessor's office know the recorded document number of the deed so your plat sails through the assessor approval process.

Response: Acknowledged.