

DEVELOPMENT SERVICES

**Commercial Rezoning with Preliminary Development Plan
Applicant's Letter**

Date: Monday, October 24, 2022

To:

Property Owner: VIVION PROPERTIES LLC

Email:

Applicant: DRIVEN ASSETS, LLC

Email: TODD@DRIVENASSETS.COM

Engineer: HIGH TIDE CONSULTANTS, LLC

Email: PATRIC@HIGHTIDELA.COM

From: Mike Weisenborn, Project Manager

Re:

Application Number: PL2022357

Application Type: Commercial Rezoning with Preliminary Development Plan

Application Name: Take 5 Oil Change Facility

Location: 400 NE M 291 HWY, LEES SUMMIT, MO 64086

Tentative Schedule

Submit revised plans by 4pm on Tuesday, November 08, 2022 . Revised documents shall be uploaded to the application through the online portal.

Applicant Meeting: October 25, 2022 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 6:00P.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 Commercial Rezoning with Preliminary Development Plan:

Planning Review	Shannon McGuire (816) 969-1237	Planner Shannon.McGuire@cityofls.net	Corrections
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1. Please submit signed application and ownership affidavit forms.
2. Please show the location of all oil and gas wells on the property. If none are present, please add a note stating such and cite your source of information.
3. Please label the building setback from the property lines.
4. Please provide details for the proposed exterior lighting, including parking lot lights and wall-mounted fixtures, including fixture type, location, height and intensity. Manufacturer's specification sheets shall be submitted.
5. The proposed zoning district (CP-2) requires a high impact landscaping buffer when adjacent to RP-2 and R-1 zoning districts. The requirements of the buffer include a 6' fence. Given the existing wooded area can serve as the landscaping buffer and the location of the required stream buffer the installation of a fence is problematic. A modification will need to be granted by the Counsel to eliminate the fence requirement or to allow an alternate location for the fence. Please provide a written narrative requesting the modification and state which option you are requesting.
6. Trash enclosure shall be constructed of masonry walls or steel architecturally designed walls with either a solid steel opaque gate painted to be compatible with the color of the masonry or steel walls and building it is to serve or a steel framed semi-opaque gate with a screen mesh material approved by the Director that provides an appropriate visual barrier. As proposed your trash enclosure does not meet these requirements.
7. Trash enclosure areas shall be improved with a Portland cement concrete pad and a Portland cement concrete approach 30' in length, measured from the enclosure opening. The pad and approach shall be improved with a minimum six inches of full depth unreinforced Portland cement concrete constructed on a sub-grade of four inches of granular base course. Please update the plans to show the 30' approach.
8. CG-1 concrete curbing required around all parking areas and access drives in office, commercial and industrial districts. Please update the plans to reflect this requirement and provide standard details for the CG-1 curb type.
9. All accessible parking shall comply with the requirements of the federal Americans with Disabilities Act.
10. Single tenant buildings are limited to 3 wall signs. As proposed, you are exceeding the maximum number of signs by 6. If you are going to request approval of a sign package that goes above what is allowed by the UDO you will need to provide the sign details. As proposed staff would not support the additional signs on the north and west elevations. Since the location of the sign on these elevations are only visible to the adjacent residential properties they do not provide reasonable means for identifying the business.

Traffic Review	Brad Cooley, P.E., RSPi Brad.Cooley@cityofls.net	No Comments
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Fire Review	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	Corrections
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1. The rezoning is OK, but there isn't enough information provided to do a preliminary plan review. Provide a complete set of plans.

Engineering Review	Gene Williams, P.E.M (816) 969-1223	Senior Staff Engineer Gene.Williams@cityofls.net	Corrections
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1. The "Storm water Management Summary" dated Oct. 7, 2022 (hereinafter referred to as the storm water study) used the rational method to construct hydro-graphs, which is not an approved method for construction of hydro-graphs. The rational method is useful for calculation of peak flows, but not for the construction of hydro-graphs. Per the Design and Construction Manual, a Type 2 24 hour storm shall be used for all computations that employ the use of rainfall mass, and the SCS dimensionless unit hydro graph shall be the basis for computation of runoff hydro graphs. Please evaluate and revise as appropriate.

2. The storm water study did not address 40 hour extended detention for the 90 percent mean annual rainfall event, or BMP credits described in Section 5608.4(D)2. Please evaluate and revise, as this shall be addressed in the preliminary design.

3. The storm water study contained no discussion of the allowable release rate for this project, nor were any points of interest identified. Please evaluate and revise as appropriate.

4. The storm water study contained a "pre-development drainage plan" exhibit within the appendix. This exhibit does not appear valid, as there are off-site contributors to storm water flow onto the site from the south, and no discussion or identification of these off-site drainage areas were presented. Please evaluate, and revise as appropriate.

5. The storm water study contained no discussion or identification of point(s) of interest. The point(s) of interest are required, as these points are where the allowable release rate is measured. Please evaluate, and revise as appropriate.

6. The storm water study contained a "post-development drainage plan" exhibit within the appendix. This exhibit does not appear valid, as there are off-site contributors to storm water flow onto the site from the south, and no discussion or identification of these off-site drainage areas were presented. Please evaluate, and revise as appropriate.

7. No further review of the storm water study was conducted due to the omissions outlined above. Please review the above comments related to the storm water study, and evaluate and revise as appropriate.

8. A monument sign near the detention pond is shown too close to the sanitary sewer line. Only 5 feet of clearance is shown in the horizontal direction. A minimum of 10 feet distance is required between the footing of the monument sign and the outside of the pipe. Please revise.

9. The storm water study included an exhibit showing the location of the stream buffer. Please show the location of the stream buffer on the site plan, grading plan, and utility plan. In addition, please provide a discussion of the stream buffer within the text of the storm water study.

10. The private sanitary sewer lateral is shown with a direct-connect to the manhole. This is not allowed. A cut-in tee shall be installed a minimum of 4 feet beyond the manhole, as measured from the outside face of the manhole to the beginning of the wye (i.e., not the center of the wye). Please review and revise as appropriate.
11. Erosion control plan was not reviewed as part of this review. This shall be conducted with the Final Development Plan application.
12. Detention basin shall show in graphic format the location of the 100% clogged/zero available storage 100 year water surface elevation, along with an elevation callout for same. Dimensions shall be provided demonstrating this water surface elevation is a minimum of 20 feet from any property line or building. Please review and revise as appropriate.
13. Grading Plan shows the discharge of the detention basin onto a slope with no defined channel. Any discharge point for detention basins shall be designed with a discharge channel or other means to convey stormwater to the receiving channel without future erosion issues. Please evaluate and revise.
14. Informational Comment: Separate water line plans shall be required for this project. Please note this requirement on the utility plan with the words "PUBLIC WATER MAIN EXTENSION BY SEPARATE PLANS" or equivalent language.
15. The domestic water line is shown with a backflow preventer near the meter. The backflow device for the domestic line shall be within the building, not the exterior. Please revise.
16. An evaluation of the backflow for the irrigation service line shall be evaluated during the Final Development Plan.
17. The public water main extension appears to be within MoDOT right of way. An exclusive easement for the water main shall be obtained from MoDOT for this water main prior to approval of the Final Development Plan and prior to approval of the public water main extension plans. The easement shall be in a form acceptable to the City, and shall be reviewed by the City prior to execution and recording.
18. The location of the water meter for both the domestic and irrigation lines appear to be too far away for adequate access to Water Utilities personnel. Please move the location of these water meters closer to the parking lot. Recommend just south of the southeast corner of the parking lot.
19. There appears to be an extraneous line marked "S" from the sanitary manhole to the south of the proposed parking lot (i.e., the manhole marked with the top elevation of 990.12). Please review and remove this line if appropriate, as it appears to be shown in error.
20. Wouldn't it be better to align the new public water main extension to deflect approximately 45 degrees to the south of the existing driveway entrance, and proceed to the northwest? This would eliminate some amount of length of the public water main extension, and eliminate the amount of easement necessary from MoDOT. The goal is to extend public water line to the southern property boundary, and it is not necessary to provide a straight line for this extension. Please evaluate, and revise as appropriate, or contact me for a diagram.
21. The existing asphalt drive is shown without any improvements. It appears this commercial entrance is in poor condition and does not meet standards in relation to curb and gutter, or KCMMB entrance from M-291 Hwy to the property line. It appears the entire commercial entrance needs to be replaced in accordance with City standards. Please review and revise as appropriate, with sufficient callouts and/or notes on the plans.
22. MoDOT approval of any improvements to the commercial entrance shall be required prior to approval of the Final Development Plan. MoDOT approval of any stormwater improvements or new discharges onto their right of way shall also be approved by MoDOT prior to approval of the Final Development Plan.

