

**DEVELOPMENT SERVICES**

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

**Date:** Thursday, November 10, 2022

**To:**

**Property Owner:** THIRD AXIS INVESTMENTS LLC    Email:

**Applicant:** DUSTIN BAXTER

Email: DBAXTER@MWHWINC.COM

**Engineer:** HG CONSULT, INC

Email: ksterrett@hgcons.com

**Property Owner:** CAPITAL HOME INVESTMENTS    Email:  
LLC

**From:** Mike Weisenborn, Project Manager

**Re:**

**Application Number:** PL2020239

**Application Type:** Residential Rezoning with Preliminary Development Plan

**Application Name:** 705 SE High St

**Location:** 201 SE SUMMIT AVE, LEES SUMMIT, MO 64063  
707 SE HIGH ST, LEES SUMMIT, MO 64063  
705 SE HIGH ST, LEES SUMMIT, MO 64063

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**Tentative Schedule**

Submit revised plans by 4pm on Monday, December 14, 2020 . Revised documents shall be uploaded to the application through the online portal.

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**

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 Rezoning with Preliminary Development Plan:**

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|---------------------------|---------------------------------------|---|-------------|
| <b>Planning Review</b>    | Shannon McGuire<br>(816) 969-1237     | Planner<br>Shannon.McGuire@cityofls.net             | No Comments |
| <b>Engineering Review</b> | Gene Williams, P.E.<br>(816) 969-1223 | Senior Staff Engineer<br>Gene.Williams@cityofls.net | Corrections |

1. A review of the temporary construction easement shows it was recorded with the legal description within the exhibit. This method is not in accordance with the City template. The legal description should have been placed within the language of the easement, not the exhibit. As discussed in previous comments on similar projects, the purpose of the exhibit is to show in graphic format the limits of the easement for ease in determining the limits. It is not meant to include the legal description, as this should be shown in the body of the easement. Please review and revise as appropriate, and please provide a courtesy review copy of the document prior to execution and prior to recording. The accepted easement shall be required prior to formal approval of any Final Development Plan.

The easement was prepared and recorded by the parties lawyers. If an agreement between twp private parties needs to follow City template, this needs to be discussed with the attornies and perhaps the city legal staff.

2. Informational Comment: The City Law Department shall review the body and exhibit of the easement prior to execution and recording.

The easement was prepared and recorded by the parties lawyers. If an agreement between twp private parties needs to follow City template, this needs to be discussed with the attornies and perhaps the city legal staff.

3. The DCM waiver request was missing the permit number. The permit number is PL2020239. Please add this to the top of the DCM template sheet.

The permit number has been added.

4. The summary within the DCM waiver request should discuss the pre-development peak flow rates to a point of interest (i.e., likely to be the inlet which it is being connected), and the post-development peak flow rates to the same point of interest. The summary should discuss the increase in peak flow rates for each event. The summary should discuss the allowable that would have been required if the Comprehensive Control Strategy were used, including any credits for off-site contributors to flow. Please review and revise, and ensure this is also discussed within the stormwater study.

The summary has been modified as suggested in this comment.

5. Please remove any extraneous exhibits such as the erosion and sediment control plan from the exhibit list within the DCM waiver request. The exhibit(s) shall be concise, and show only that which is pertinent to the waiver request. In this case, recommend the grading plan and the drainage area exhibits, along with points of interest or the point of interest on these exhibits. The DCM waiver request shall be required prior to formal approval of the Preliminary Development Plan.

Extraneous exhibits have been removed.

6. The existing flume near the existing field inlet should be removed and replaced. The sidewalk over this old flume has been an issue for the City in terms of maintenance, and would not be allowed under the current Design and Construction Manual. Since there will be extensive work within this area to inistall new pipe, it will be a simple matter to remove the flume at this location and provide an alternative design which connects to the new system and meets

the standards set forth in the Design and Construction Manual. Please evaluate and review, and revise as appropriate.

As discussed, a grated inlet has been added to the parking lot and the curb modified to eliminate the flume and the opening under the sidewalk no longer needed.

7. Any alteration of the existing public storm system shall be accompanied by a separate plan set. This shall be required during the final development plan phase of the project.

Acknowledged.

8. Profile Views: Although the profile views are not normally required during the preliminary plan phase, there is sufficient reason to require them in this instance due to concerns with cover over the top of pipe, proximity to buildings and air conditioner units, and perhaps other utilities. Please provide preliminary profile views with the revised preliminary plan, and ensure they include prominent notes stating "PRIVATE" on all interior storm lines. Please ensure this is shown on the profile views requested above.

Profiles for the storm pipe have been provided and they are now labeled as Private

9. Grading Plan: The grading plan was missing the grading information to the west of the grated inlet. Please show the grading plan to the west of the grated inlet.

Additional grading in the vicinity of the pavilion has been added to show the limits of flow to the grated inlet. Drainage beyond this area drains south between the buildings.

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| <b>Fire Review</b>    | Jim Eden<br>(816) 969-1303 | Assistant Chief<br>Jim.Eden@cityofls.net | No Comments |
| <b>Traffic Review</b> | Brad Cooley, P.E., RSPI    | Brad.Cooley@cityofls.net                 | No Comments |