

DEVELOPMENT SERVICES

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

Date: Monday, February 13, 2023

To:

Property Owner: ORR STREET LOFTS LLC

Email:

Property Owner: DISCOVERY PARK LEES SUMMIT LLC
Email:

From: Dawn Bell, Project Manager

Re:

Application Number: PL2023011

Application Type: Commercial Rezoning with Preliminary Development Plan

Application Name: DISCOVERY PARK - PHASE 1 & 2

Location:

Tentative Schedule

Submit revised plans by 4pm on Tuesday, February 21, 2023 . Revised documents shall be uploaded to the application through the online portal.

Applicant Meeting: February 07, 2023 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	Hector Soto Jr. (816) 969-1238	Planning Division Manager Hector.Soto@cityofls.net	Corrections
------------------------	-----------------------------------	---	-------------

1. ZONING.

- The application submitted for this application indicates that the area identified as Zone 2 is currently zoned PMIX. Our records indicate that said approximately 19-acre parcel (historically known as 1810 NE Douglas St) is zoned R-1 (Single-family Residential) and so needs to be included in the request for PMIX zoning.
- Similarly to the comment above, the site data table on Sheet L102 mistakenly labels the Zone 2 property as having existing CP-2 zoning instead of R-1 zoning.
- Provide a rezoning exhibit that shows the existing and proposed zoning for both Zone 1 and Zone 2. Revise the legal description label for Zone 2 on the preliminary development plan cover sheet to include rezoning.

2. FUTURE ZONE 3. Is there any intent to provide a conceptual development plan as part of this application for the 110+ acres located west of Zone 2?

3. STREETS.

- Please clarify which, if any, streets will be public versus private. It appears that all streets, including Discovery Crossing Blvd will be private. Please note that all private streets are required to be designed and constructed to a public street standard.
- Please be advised that street names are limited to 12 characters (including spaces).

4. PARKING LOT DESIGN.

- All parking lots are required to be set back a minimum 20' from the public right-of-way or a minimum 20' from the edge of pavement for a private street.
- All two-way driveways and drive aisles with 90-degree parking spaces on either side shall have a minimum pavement width of 24'. All two-way drive aisles with no parking on either side (e.g. the south side of Lot 3 in Zone 2) shall have a minimum pavement width of 20'. Please note that the minimum pavement width requirements EXCLUDE curb and gutter, so these are not back of curb measurements. Also note that these minimum width standards apply to all drive aisle entrances flanked by landscape islands on one or both sides.
- Add a general note to the plans indicating that parking lot paving shall meet the design standards under UDO Section 8.620.
- Lot 11 in Zone 1 has 3 driveway connections onto Discovery Crossing Blvd. The proposed curb cuts do not comply with minimum spacing requirements under the City's Access Management Code.

5. SIDEWALKS.

- A minimum 5' sidewalk shall be provided along the NW/NE Colbern Rd frontage of both Zones 1 and 2.
- A minimum 5' sidewalk shall be provided along both sides of Discovery Blvd within both Zones 1 and 2.
- A minimum 5' sidewalk shall be provided along both sides of the street labeled Tract A and Discovery Park Court within Zone 2.
- A minimum 5' sidewalk shall be provided along the NE Douglas St frontage of Zone 2.
- Sidewalk connections shall be provided for all pad sites in Zone 2 from NW/NE Colbern Rd, Tract A private street and/or Discover Park Court as appropriate.

6. MECHANICAL SCREENING. To comply with City ordinances, all roof-top mechanical units shall be fully screened from view on all sides by extending parapet heights to at least equal the height of the units being screened. All

ground-mounted mechanical units shall be fully screened from view on all sides with masonry walls or evergreen shrubs at least equal to the height of the units being screened. A general note can be added to the plans stating that mechanical screening shall be provided in accordance with UDO Section 8.180.E and 8.180.F.

7. PROPOSED LAND USES. How much flexibility is sought as it relates to the mix of land uses identified for the various lots on the plans?

8. POOL AREA. Provide a layout and typical elevations for the pool area at the north end of Lot 8.

9. PARKING.

- Staff will continue to evaluate the proposed shared parking model.
- It appears that shared parking will be employed for Zone 2. No Shared Parking Model Data table for Zone has been provided on Sheet L103. Provide the the shared parking data table for Zone 2 as was provided for Zone 1 for evaluation.
- How were the numbers of required parking spaces under the shared model determined for each lot and land use? Provide documentation as to how these figured were derived for staff review.
- Please double-check the figures provided under the "Building SF" column on the Zone 1 Shared Parking Model Data table for each land use type. It doesn't appear that all the square footage from the "Total Gross Floor Area" column in the Development Data table on the same sheet (Sheet L102) is accounted for.

10. RESIDENTIAL UNITS. Provide a breakdown of the residential dwelling units by the number of bedrooms provided per unit (i.e. # of studio units; # of 1 or 2 bedroom units, etc.).

11. GROSS FLOOR AREA. There appear to be some discrepancies on the Development Data Table on Sheet L102 for Zone 1 as it relates to proposed building square footage. More specifically, the building square footage information for Lot 4, Lot 7 and Lot 11 do not appear to be correct.

- Lot 4 lists 23,300 sq. ft. under the "Building Coverage" column; 8,600 sq. ft. under the "Floor Size" column for each of the 3 stories; and 69,900 sq. ft. under the "Total Gross Floor Area" column. Multiplying the Building Coverage figure by 3 stories equals the Total Gross Floor Area figure, but the breakdown of per floor area doesn't correspond to the other two columns. Please reconcile the inconsistency.
- Lot 7 has the identical issue as above, plus the table lists the building on this lot as 4 stories, but only provides information for a 3-story building. Please reconcile the inconsistency and confirm the number of building floors.
- Lot 11 lists 31,625 sq. ft. under the "Building Coverage" column; 19,267 sq. ft. under the "Floor Size" column for each of the 4 stories; and 126,500 sq. ft. under the "Total Gross Floor Area" column. Multiplying the Building Coverage figure by 4 stories equals the Total Gross Floor Area figure, but the breakdown of per floor area doesn't correspond to the other two columns. Please reconcile the inconsistency.
- Correct the listed FAR for each line item and Total Gross Floor Area for all Zone 1 buildings listed at the bottom of the total as needed based on the comments above.

12. LANDSCAPE PLAN. The calculation performed to determine the open yard tree and shrub requirements omitted both the building footprint area and hardscape area from the total lot area. Only schools, churches or other large public/institutional uses may exclude hardscape areas from the open yard and tree calculation requirements. Please revise the calculation.

13. SIGNAGE. The signage section of the design guidebook speaks to the maximum allowable height of monument signs, but it doesn't speak to allowable structure area (sq. ft.), nor does it speak to tenant signage. Please refer to the UDO's regulations for attached and freestanding signage in the PMIX zoning district under Section 9.260, Table 9-1. Save for the monument sign height allowance of 12' (the design guidebook calls for a 10' height maximum), will the monument sign square footage allowances and attached signage allowances be agreeable for the proposed development, or will different standards be proposed?

Engineering Review

Gene Williams, P.E.
(816) 969-1223

Senior Staff Engineer
Gene.Williams@cityofls.net

Corrections

1. The stream buffers were not discussed within the "Macro and Phase 1 Micro Stormwater Report" dated January 2023. It appears there are at least two (2) separate streams subject to a stream buffer (i.e., with upstream area greater than 40 acres - one in zone 1 and the other in zone 3), and these are not mentioned anywhere in the report. Please discuss stream buffer issues in a general sense within the stormwater report, and provide an analysis of all streams with a drainage area greater than 40 acres. There may be additional streams subject to this rule over and above the two (2) mentioned above, and it will be up to the design engineer to make this determination.
2. The City cannot recommend approval of the waiver requests for the 2 year release rate for stormwater detention. The report states it is infeasible to meet the requirements without any substantiating basis. Please evaluate and revise as appropriate.
3. The title of the stormwater report is "Macro and Phase 1 Micro Stormwater Report", but the report states it is for the "entire Discovery Park area". Please reconcile, and consider using a different title for the report.
4. At the present time, there is not enough compelling reason to allow the waiver to the stream buffer requirement. In addition, it appears there may be at least one (1) additional stream subject to buffer requirements. Please evaluate and provide an analysis within the text of the stormwater report.
5. It appears a detention basin (i.e., to the north of Colbern Rd.) is being proposed within a stream buffer which is not allowed. Please evaluate and revise as appropriate.
6. The Preliminary Development Plan shows a "future detention basin" in the southwest corner of the development south of Colbern Rd. Is the intention to construct this basin with this portion of the development? If not, why not?
7. Water Utilities is reviewing the sanitary sewer analysis. Any comments concerning downstream improvements shall be transmitted separate from this applicant letter.
8. Are there any wetland or U.S. Army Corps of Engineers (USACE) concerns for the project?

Traffic Review

Brad Cooley, P.E., RSPI

Brad.Cooley@cityofls.net

Corrections

1. Proof of review and acceptance by MoDOT and KCMO will be required (email confirmation will suffice).
2. TIS: There appears to be some discrepancies in land use/area within the report. Please update and confirm the recommendations were based on the correct trip estimates. (ie. Table 7 and 13 Phase 1 Health/Fitness Club 6,500 SF vs. 13,500 SF). Provide ITE manual use code within use table(s).
3. TIS: Single-family is listed in Zone 1. Is this accurate?
4. TIS: Sit-down restaurant is referenced in all phases. Is this accurate or will there be a mix of high-turnover, fast casual, etc.
5. Provide clarification on Douglas and Drive 3 recommendation(s) (ie. turn lane, buffer, taper).
6. Plans: Why do we not see anything for development north of Drive 3?

1. All issues pertaining to life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to the safety to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2018 International Fire Code.

2. IFC 503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Fire lanes may be marked in one or a combination of methods as approved by the fire code official. Curbs. All curbs and curb ends shall be painted red with four inch (4") white lettering stating "FIRE LANE—NO PARKING". Wording may not be spaced more than fifteen feet (15') apart. Where no curb exists or a rolled curb is installed, a 6-inch (6") wide painted red stripe applied to the concrete or asphalt with four inch (4") white lettering stating "FIRE LANE—NO PARKING". Signs. In areas where fire lanes are required, but no continuous curb is available, one of the following methods shall be used to indicate the fire lane. Option 1 : A sign twelve inches (12") wide and eighteen inches (18") in height shall be mounted on a metal post set in concrete a minimum of depth of eighteen inches (18") set back one foot (1') in from the edge of the roadway with the bottom of the sign being seven feet (7') from finished grade. Signs shall face oncoming traffic. Spacing of signs shall not exceed fifty feet (50') between signs. Signs shall be reflective material with a white color background with symbols, letters and border in red color. "FIRE LANE—NO PARKING". Option 2 : A sign twelve inches (12") wide and eighteen inches (18") in height shall be mounted on the side of a structure or other permanent fixture approved by the Fire Code Official. The bottom of the sign being seven feet (7') from finished grade. Spacing of signs shall not exceed fifty feet (50') between signs. Signs shall be reflective material with a white color background with symbols, letters and border in red color. "FIRE LANE—NO PARKING".

Action required- Fire lanes shall be marked.

3. IFC 507.1 - An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

Action required- Work with Water Utilities to determine if adequate fire flow is available per IFC Table B105.1(2). A 50% reduction is allowed for an automatic sprinkler system.

4. IFC 903.3.7 - Fire department connections. The location of fire department connections shall be approved by the fire code official. Connections shall be a 4 inch Storz type fitting and located within 100 feet of a fire hydrant, or as approved by the code official.

Action required- The FDC's for the sprinklered buildings

5. IFC 507.5.1 - Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Action required- 1. The buildings on Lot 9 and Lot 3 do not meet the requirement. Provide hydrants or adjust spacing to meet requirements. Provide hydrants along Discovery Crossing Blvd.

2. Ref. C201 The connection of private fire main and a proposed hydrant at the northeast corner of Colbern Road and Discovery Crossing Blvd are shown being connected to an existing main that is proposed to be abandoned. Please show where the connection will be made and clarify which waterline is going to be abandoned. Any hydrants removed along Colbern Road shall be replaced.

6. IFC 503.2.3 - Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

All fire apparatus drive lanes shall be capable of supporting a 75,000-pound apparatus.

7. Show the turning radius of an aerial apparatus on the interior parking lots of Lots 8 and 9.