



July 10, 2023

Mike Weisenborn, Project Manager  
City of Lee's Summit  
220 SE Green St  
Lee's Summit, MO 64063

**RE: PL2023093  
COMMERCIAL REZONING WITH PRELIMINARY DEVELOPMENT PLAN  
PRYOR MIX – USE PDP**

Dear Mike:

This letter is regarding the above referenced Staff Comments received and dated June 27, 2023 to which we have the following responses:

### **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

Response: Understood.

- 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 .

Response: Understood.

## 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.

Response: Understood.

- **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.

Response: Understood.

**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.

Response: The neighborhood meeting was held and minutes provided to the City with the last submittal.

- **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.

Response: The neighborhood meeting was held and minutes provided to the City with the last submittal.

- **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.

Response: The neighborhood meeting was held and minutes provided to the City with the last submittal.

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

<b>Planning Review</b>	Shannon McGuire (816) 969-1237	Planner Shannon.McGuire@cityofls.n et	Corrections
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1. To calculate the required parking and for my staff letter I will need the specific unit type

breakdown. How many studios, 1 bedroom, 2 bedrooms & 3 bedrooms are being proposed? Please provide the unit type (1, 2, or 3 br.) for the multi-family portion of the project.

**Response: Provided as requested.**

2. The future land use map of the adopted Comp Plan identifies the properties on the east and south boundaries as Residential 1 (low density residential). A high impact buffer on the east and south property lines will be required. The most recent plan submittal shows a low impact buffer on the south and a medium impact buffer on the east. Please update the plans to reflect this requirement.

**Response: Updated as requested. Along the south property line, the high impact buffer will consist of a garage, six (6)-foot tall privacy fence, and additional landscaping. On the east side, we met with the adjacent property owners to address their concerns. Resulting from that meeting, the high impact buffer will consist of garages, six (6)-foot tall privacy fence filling in the gaps running north to the retail pad Lot 4, where a decorative wrought iron fence will be installed.**

3. Please provide a sidewalk connection from the east side of lot 3 to the amenity area (pickle ball and dog park). Please also provide a sidewalk connection from the north east side of building 1 to Osage Drive.

**Response: Provided as requested.**

4. The maximum length of any multi-family building shall be 180 feet. Additional building length may be utilized when a minimum off-site of 4 feet for every 100 feet of building length to create a visually pleasing effect. Please articulate how you are meeting this requirement. The revised plans do not provide information or dimensions to indicate that this requirement is being satisfied.

**Response: Additional detail/dimensioning has been provided with this submittal, reference added Sheet A-101.**

5. At least 20 percent of all walls facing a public street shall contain windows or doorways. Please provide details on how this is being met. The revised plans do not provide information to indicate that this requirement is being satisfied.

**Response: The Apartment Buildings and Retail Elevations along public streets are above the 20% percentage requirement of windows and doors, reference percentages noted below.**

- **Apartment Building #1** – West Elevation along Pryor Road: 28% of the façade are windows and doors.
- **Apartment Building #2** – West (side) Elevation along Pryor Road: 22% of the façade are windows.
- **Apartment/Mixed Use Building #4**
  - West Elevation along Pryor Road: 34% of the façade are windows and doors.
  - North Elevation along 150 Hwy: 34% of the façade are windows and doors.
- **Retail Buildings Lot 3 & 4** – North Elevation along 150 Hwy: 27% of the façade are windows and doors.
- **Detached Garages** along Pryor Road – Windows have been added and architectural details to reflect the architectural flair of the apartment buildings.

6. Freestanding parking structures (detached garages or carports) shall not occupy more than 30 percent of each perimeter public street frontage of a multi-family development. To the maximum extent practicable, freestanding parking structures that are visible from perimeter public streets shall be sited so that the narrow end of the parking structure is perpendicular to the perimeter street. Rear walls of detached garages over 40 feet in length that back onto the perimeter street shall be articulated or punctuated through the use of window openings or other similar techniques. While you have stated that the parking structures will include four-sided architectural and include windows on the west facades, the garages along SW Pryor Rd. are not meeting the 30% requirement. Please provide a written request and justification for a modification to this requirement. Elevations for the detached garages will be required. These garages are also within the required 50' setback. This will require a modification as well.

**Response:** Offering quality, stylish buildings across the 150 Highway Corridor is something this project team fully supports. In conjunction with that belief, the detached garages along Pryor Road will incorporate architectural design elements consistent with the apartment buildings. Provided for staff review are updated elevation drawings of the garages that include further dimensioning and windows that offer visual articulation while also protecting the safety of resident possessions within. Furthermore, additional landscaping has been proposed across the Pryor Road frontage.

**Due to the size of the regional stormwater feature in combination with the stream setback, the site's building envelope area is distinctively reduced thereby necessitating the placement of the detached garages approximately 20 feet into the standard 50-foot setback for Pryor Road.**

7. Buildings shall incorporate four-sided architecture. Horizontal and vertical elements shall extend completely around the building and utilize the same or similar materials on all building facades. All sides of a building shall be architecturally finished with equal levels of materials and detailing. Blank walls void of architectural details or other variation are prohibited. The architectural design within a multi-building development of structures (including freestanding outparcel structures) shall be organized around a consistent architectural theme in terms of the character, materials, texture, color, and scale of buildings. Themed restaurants, retail chains, and other franchise-style structures shall adjust their standard architectural model to be consistent with a development's architectural character. The proposed facades for lots 3 & 4 are lacking and do not meet the minimum requirements of the CDO or Article 8 of the UDO. The revised plans do not provide the minimum level of architecture elements to satisfy this requirement.

**Response:** Reference revised Lot 3 & 4 building elevations, Sheet A-204 with additional architectural detailing.

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**Engineering Review**

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

Senior Staff Engineer  
Gene.Williams@cityofls.net

Corrections

1. Utility plan has changed since the previous submittal, and water lines that were intended to be private are shown as public lines, which is not desired by the City. This includes all interior lines north and south of the public road bisecting the project. Please ensure all labels show these lines as private on all sheets.

**Response:** Revised as requested.

2. Private fire lines shall include a backflow vault outside the easement and near the public

water main. This includes all private fire lines, including private fire lines serving only a fire hydrant. Please revise by showing the location of all backflow vaults for the private fire lines.

**Response: Revised as requested.**

3. The road plan has changed since the previous submittal, and the street terminates prior to the plat boundary with no apparent reason for termination. It appears drainage will not be an issue if extending to the plat boundary, so please evaluate and revise as appropriate. It appears the road should be extended to the plat boundary, including the public water main.

**Response: The street was terminated to allow sufficient space to tie grades back together, and at the request of the adjacent property owner to the east. They have concerns about traffic entering their property from the road. They have also requested that we provide a fence at the property line across the ROW. The water main is shown up to the property line.**

4. Sanitary sewer manhole A5 does not appear deep enough to serve the property to the north of M-150. Recommend the flowline of manhole A5 be set at 1013 +/-.  
Please revise the plan and profile as appropriate.

**Response: The depth of this manhole has been increased with this submittal.**

**Fire Review**

Jim Eden  
(816) 969-1303

Assistant Chief  
Jim.Eden@cityofls.net

Approved with Conditions

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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.

**Response: Understood.**

2. 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.

Provide a hydrant plan.

**Response: Provided as requested on sheet F1.0.**

3. 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.

Show the location of FDC's and a the hydrant within 100 feet.

**Response: Provided as requested on sheet 1.0.**

4. Show apparatus turning movements with a 44 foot straight truck.

**Response: Provided as requested on sheet F1.0.**

5. 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.

Work with Water Utilities to water model the project and determine if there is adequate fire flow per IFC Table B105.2(2). A 50% reduction is allowed for sprinklered buildings.

**Response: Understood. We are coordinating with Water Utilities.**

Traffic Review

Erin Ralovo

Erin.Ravolo  
@cityofls.net

Corrections

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1. MoDOT approval will be required before traffic approval will be given.

**Response: Understood.**

2. All radii at the entrances must be 35'.

**Response: Entrances have been revised as requested**

3. When 4-section head is added Northbound Pryor to provide a right turn overlap, the westbound U-turns need to be prohibited to eliminate the conflict. They are currently allowed today with NB right turns yielding to U-turns.

**Response: Acknowledged**

In summary, we are respectfully requesting the following deviations/modifications from the City of Lee's Summit planning requirements:

- 1. Requirement: A high impact buffer on the east and south property lines will be required** Modification: High Impact landscape buffers to include rear walls of detached garages with solid vinyl fences between.
- 2. Requirement: Freestanding parking structures (detached garages or carports) shall not occupy more than 30 percent of each perimeter public street frontage of a multi-family development.** Modification: SW Pryor Rd. frontage will not be required to meet frontage percentage requirement established by the regional overlay district. Increased landscaping and visual architectural articulation along SW Pryor Rd to meet intentions of frontage variety.
- 3. Requirements: Garages are with in the required 50' setback** Modification: Detached garages to meet 30' build line setback required for accessory structures. The 50' build line will only be required for primary structures. Increased landscaping and visual architectural articulation along SW Pryor Rd to meet intentions of frontage variety.
- 4. Requirement: At least 20 percent of all walls facing a public street shall contain windows or doorways.** Modification: Detached garages along SW Pryor Rd have additional architectural elements to visually reflect design intent of primary structures. Detached garages not required to meet facade window percentage of 20%.

Thank you for your review; should you have additional comments please do not hesitate to contact me.

Sincerely,

SCHLAGEL & ASSOCIATES, P.A.

Mark A. Breuer, PE  
Principal / Engineering Manager

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/mr  
Attachments