

## Commercial Preliminary Development Plan Applicant's Letter

**Date:** Monday, July 31, 2023

**To:**

**Property Owner:** OLDHAM INVESTORS LLC      Email:

**Property Owner:** OLDHAM INVESTORS X LLC      Email:

**Applicant:** ENGINEERING SOLUTIONS      Email: MSCHLICHT@ES-KC.COM

**Other:** DRAKE DEVELOPMENT, LLC      Email: Ian@DrakeKC.com

**From:** Dawn Bell, Planning Manager

**Re:**

**Application Number:** PL2023188

**Application Type:** Commercial Preliminary Development Plan

**Application Name:** Oldham Marketplace

**Location:** 1025 SW JEFFERSON ST, LEES SUMMIT, MO 64081  
1031 SW JEFFERSON ST, LEES SUMMIT, MO 64081  
101 SW OLDHAM PKWY, LEES SUMMIT, MO 64081

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### Tentative Schedule

Submit revised plans by 4pm on Tuesday, September 12, 2023 . Revised documents shall be uploaded to the application through the online portal.

Applicant Meeting: August 01, 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.

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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 Commercial Preliminary Development Plan:**

<b>Planning Review</b>	Hector Soto Jr. (816) 969-1238	Senior Planner Hector.Soto@cityofls.net	Corrections
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1. SITE DATA TABLES (SHEET C.100).

- It appears that the building area square footages listed for Lots 1 and 2 are only for the building footprints and not the gross building square footages. List the gross square footages for each multi-family building. Additionally, the listed square footages appear to be transposed. Correct and ensure that the listed number of residential units corresponds to the correct lot number.
- The FAR listed for Lot 3 is incorrect. It should read 5.95% based on the information provided, not 16.81%.
- The listed use for Lot 3 is multi-tenant, but it was staff's understanding is that the target user is a sit-down restaurant hence the need for such a high number of parking spaces. Lot 7 should be listed as commercial multi-tenant with drive-thru.

2. PARKING CALCULATION TABLE (SHEET C.100).

- The listed building square footages for Lots 4-7 appear incorrect and don't match the square footages provided in the site data table above it. Correct.
- Revise the listed provided parking ratios to reflect the correct building square footages for Lots 4-7.
- The commercial restaurant drive-through sites do not meet the UDO's minimum 14 parking space per 1,000 sq. ft. of building area for Lots 4-7. The minimum parking requirements of the UDO shall be met.
- The information listed for Lots 8 and 9 is transposed. Correct.
- Provide a dwelling unit breakdown of both multi-family sites based on the number of bedrooms to verify and compare compliance with UDO parking requirements for a multi-family development.

3. COMMON AREA NOTE. Revise the common area note on Sheet C.100 to state that the POA (not HOA) shall own and be responsible for maintenance of Tracts A-C.

4. PARKING LOT DESIGN.

- It appears that the northeast corner of the Lot 2 parking lot doesn't meet the minimum 20' setback from the ROW.
- It appear that the western boundary of the Lot 3 overflow parking lot doesn't meet the minimum 20' setback from the ROW, nor does the northeast corner of the Lot 3 parking lot from MoDOT ROW.

- Lots 6 and 7 do not meet the minimum parking lot setbacks from MoDOT ROW.

- A spot check of multiple internal drive aisles show pavement widths of 21' to 23' versus the minimum required 24' of pavement width in areas that are flanked by landscape islands on both sides. All internal drive aisles intended for two-way traffic shall have a minimum 24' of pavement width.

- All parking lot boundaries shall be constructed with CG-1 curbing. Line types change on certain lots from the standard double line to indicate CG-1 to a single line on the overflow parking on Lot 3, all of Lot 4, all of Lot 5, part of Lot 6, etc. Revise.

#### 5. TRASH ENCLOSURES.

- Trash enclosure areas shall be improved with a Portland cement concrete pad and a Portland cement concrete approach 30 feet 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. A number.

Not all trash enclosures are shown with the required pad in front of their location. Those that do not have the minimum pad length of 30'.

- The location of the Lot 2 trash enclosure conflicts with shown parking space locations.

- It is assumed that Lot 1 will have trash enclosures somewhere on-site, but none are shown.

- Add a note stating that trash enclosures shall be constructed in compliance with the requirements of Article 8 of the UDO.

6. LINEWORK/ERRANT LINES. There are a number of errant lines appearing to depict building locations on earlier iterations of Lots 1, 3 and 4 of the submitted plans. Remove these old building locations.

7. PARKING LOT LANDSCAPING. As discussed in both pre-application meetings, staff recommends softening the amount of impervious coverage created by the parking lot between the Lot 1 and 2 buildings by providing significant landscaping that includes trees along the long island dividing the area. Staff also recommends the addition of more treed islands to break up the longer parking bays.

8. LANDSCAPE BUFFER. A typical RP-4 type of development (i.e. apartments) requires a high-impact landscape buffer when abutting a single-family residential development. No fence or wall appears to be proposed where the proposed apartments adjoin the single-family residential. However, it appears that the landscape area between the two uses is 30'-wide versus the typical 20'. Please address how the proposed landscaping in this area is intended to provide a buffer between the uses.

#### 9. CONNECTIVITY/SIDEWALK.

- Provide a connection between the proposed development and the abutting park to the west.

- It appears that sidewalks are provided along both sides of SW Oldham Pkwy, but it doesn't appear as though there is any sidewalk connection coming off of SW Oldham Pkwy to facilitate pedestrian access to/from the individual pads. Pedestrian connectivity is required within and between all the proposed sites per UDO Section 5.640.B.

- What is the intent to provide pedestrian connectivity for the Lot 3 overflow parking that requires crossing traffic to reach the destination it serves. At a minimum, a signed and striped pedestrian crossing should be provided.

10. GENERAL DEVELOPMENT STANDARDS - ENVISION LS OVERLAY. Because the subject property is located within the EnVision LS overlay area, please review the pertinent development standards that apply to the multi-family and commercial sites found starting with UDO Section 5.640. Provide documentation/response indicating how the development standards of the overlay are being met.

11. PROPOSED USES. Early pre-application meeting included at least one potential use (a car wash) that fell under the list of prohibited uses contained in UDO Section 5.650.E. Please review the list and confirm whether any such uses are being considered for the development. If so, such uses shall be identified and will require specific City Council action to consider as part of this process.

12. APARTMENTS SITES.

- As expressed by staff in both pre-application meetings, staff is concerned with the heights (4 stories) of the apartment buildings in the areas adjacent to the abutting single-story, single-family residences to the west as it relates to the visual impact and height contrast between the uses. Staff discussed options such as flipping the Lot 2 building so as to have less of the building closer to the residences to mitigate negative impacts. Staff once again recommends this approach.

- In the same vein, staff recommended and continues to recommend lowering the number of stories on the west side of the site to once again mitigate compatibility concerns against the single-story structures to the west. The lost height on the west side could be added to the east side of the development that is oriented away from the existing residential.

- Provide a section of the site to show height relationship between the proposed apartment buildings and the existing abutting residential to the west.

13. SIGNAGE. All proposed signage shall meet the requirements of the PMIX zoning district under Table 9-1 of UDO Section 9.260. The provided Chick-fil-A elevations exceed the allowable number of wall signs.

14. FUTURE LOT 9. With no identified potential land use or building elevations for Lot 9, the future development of said Lot 9 will require going through a separate future preliminary development plan process.

15. COMMERCIAL ELEVATIONS.

- The typical commercial elevation provided is for a multi-tenant building that appears to be designed for the proposed Lot 7. The title block reads "Lot 10", revise or remove.

- With the only other elevations provided being for a specific user (i.e. Chick-fil-A), it is recommended that a design handbook be provided to establish architectural and material requirements to govern the remaining commercial pad sites so as not to require the need for separate preliminary development plan approvals via public hearings for their future development.

- Provide elevations for the repurposed building on Lot 8 (the old CK Enterprises building).

16. MECHANICAL SCREENING. Add a note to the plans indicating that all roof-top and ground-mounted mechanical units shall be completely screened from view on all sides in accordance with the requirements of UDO Section 8 and the EnVision LS Overlay requirements.

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<b>Engineering Review</b>	Sue Pyles, P.E. (816) 969-1245	Development Engineering Manager Sue.Pyles@cityofls.net	Corrections
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1. Please remove the extra "Pool Deck" and "Dog Park" labels in the Lot 2 north parking lot throughout the plan set.

2. Grading is shown extending beyond the western property line. Please note that an agreement with the adjacent landowner(s) will be required that allows this work to be done.
3. Please provide top and bottom wall elevations.
4. Grading will be looked at more closely with the overall stormwater layout during the Final Development Plan review.
5. The City's mapping shows existing storm sewer running through the site. This isn't shown. Please include and address.
6. The plans don't clearly show what is happening to the drainage out of the proposed detention basin. Please clarify.
7. The storm sewer layout in the storm study does not match the layout in the plans. Please reconcile.
8. Do the 2 basins function separately? Please clarify as the plans and Storm Study don't match and are unclear.
9. The existing basin appears to be completely regraded in the proposed condition. Is this design included in the study?
10. How is drainage being handled on Lot 9?
11. Only storm sewer along the public street, Oldham Pkwy, will be public. The rest will be private. Please revise accordingly.
12. Please show the existing sanitary sewer extending west beyond the property line.
13. The water line extension shown north and east of Oldham Pkwy, as shown, will be private. In order for those lines to public, they will need to be located outside of parking spaces and meet all City location and separation requirements.
14. Additional comments will be forthcoming pending clarifications based on these comments.

**Traffic Review**

Erin Ralovo

Erin.Ravolo@cityofls.net

Corrections

1. A Traffic Impact Study for the development.
2. Oldham Parkway is MODOT owned. Any activity related to this roadway will require an agreement with the City of Lee's Summit and MODOT. Coordination with both parties will be required.
3. More information is needed on the new design of Oldham Road through the development before proper review can be given. Please provide detailed plan and profiles for the roadway.
4. The section of sidewalk between the US 50 ramp and Oldham Road should be removed.
- 5.
6. a sidewalk connection should be provided to the park on the west side of the development.

7. The drive thru entrance is very close to the entrance on Lot 7. Ordering stations are not shown and depending on their location the back-up could cause circulation problems.

**Fire Review**

Jim Eden  
(816) 969-1303

Assistant Chief  
Jim.Eden@cityofls.net

Pending

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