

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

**Date:** Friday, August 11, 2023

**To:**

**Property Owner:** THE CITY OF LEES SUMMIT      Email:  
MISSOURI

**Property Owner:** CITY OF LEES SUMMIT      Email:  
MISSOURI

**Property Owner:** SOUTHWESTERN BELL      Email:  
TELEPHONE

**Property Owner:** CITY OF LEES SUMMIT      Email:

**Applicant:** LANE4 PROPERTY GROUP      Email: WBUCKLEY@LANE4GROUP.COM

**From:** Dawn Bell, Planning Manager

**Re:**

**Application Number:** PL2023196

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

**Application Name:** LEE'S SUMMIT DOWNTOWN MARKET

**Location:** 200 SE JOHNSON ST, LEES SUMMIT, MO 64063  
208 SE JOHNSON ST, LEES SUMMIT, MO 64063  
202 SE 3RD ST, LEES SUMMIT, MO 64063  
200 SE 3RD ST, LEES SUMMIT, MO 64063  
220 SE GREEN ST, LEES SUMMIT, MO 64063  
205 SE GREEN ST, Unit:A, LEES SUMMIT, MO 64063  
201 SE GREEN ST, LEES SUMMIT, MO 64063

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### Tentative Schedule

Submit revised plans by 4pm on Tuesday, August 29, 2023 . Revised documents shall be uploaded to the application through the online portal.

**Applicant Meeting:** August 15, 2023 at 10:00 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

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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:**

<b>Planning Review</b>	Shannon McGuire (816) 969-1237	Senior Planner Shannon.McGuire@cityofls.net	Corrections
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1. The boundaries of the PDP and Rezoning should include the pad sites.
2. Rezoning Map – On a separate sheet please provide a rezoning map showing the following:
  1. Boundaries of the property to be rezoned. This area should include Pad Sites 1-3, farmer’s market & Green St.)
  2. Legal Description
  3. Existing and proposed zoning districts of the property to be rezoned
  4. Zoning, land use, and ownership of all parcels within 185 feet of the property to be rezoned
3. Oil & Gas Wells – Please show the location of all oil and gas wells, whether active, inactive, or capped. If none are present, please add a note to the cover sheet stating so and cite your source of information. Please see <https://dnr.mo.gov/land-geology/geology/oil-gas-resources> for oil and gas well information.
4. Sheet L101 – Please remove TNZ from the existing zoning in the development data table. The TNZ area is not within the boundaries of this application.
5. Sheet L101 – In the development data table please add the following information:
  1. total floor area
  2. Total land area in acres & sq. ft.
  3. Land area for each lot/pad site
  4. FAR
6. Acceptable plant material – The UDO requires deciduous trees to be a 3” caliper and evergreen trees to 8’ tall be at the time of planting. We will seek a modification to reduce this requirement to 2.5” for deciduous trees shade trees, 2.0” for ornamental trees and 6’ for evergreen. Please update sheet L400 (landscaping plan) accordingly.
7. Parking dimensions - Where head of the parking space abuts a six-foot wide sidewalk or curbed landscaped area, the length of the parking space may be reduced by two feet to allow for vehicle overhang. The parking stall in the ally

adjacent to the farmer's market can be reduced to 17" deep. This is not a requirement, just a suggestion to help with added alley width.

8. Parking dimensions – The parking stalls in the ally across from pad Site 3 are labeled as 10' wide. These can be reduced to 9' wide. This may help accommodate an additional stall or two. Again, this is not a requirement, just a suggestion.

9. Parking dimensions – Parallel parking space dimensions shall not be less than nine feet wide by 23 feet long. Along Green St the parking stalls are labeled as being 8' 6" wide. There seems to be room in the adjacent sidewalk to widen the stalls to meet the UDO. If not, we may discuss seeking a modification. Are the existing stalls currently 8' 6"?

10. Accessible Parking Spaces – Are any new accessible parking stalls being proposed?

11. Please provide additional details on what is being proposed for the wickets and the other amenities in the courtyard area. These don't have to be the final product but can be general representation of what is intended to be there. On the site plan please also label the general areas of the courtyard amenities, (public art, wickets, seating, play area etc.)

12. Building Elevations – A modification will be required for the fiber cement panels on the 2nd floor of the farmer's market building.

13. Building Elevations – Please provide additional details on the proposed architectural perforated back lit rainscreen proposed on the front of the farmer's market building.

14. Building Elevations – Please provide more details on the proposed extruded aluminum – light cherry wood grain wall material proposed on the farmer's market entry way. Is this a wood look metal panel? Can you provide a sample?

15. Building Elevations – The signage is labeled as internally illuminated channel letters. Internal illumination is not allowed in the CBD. Please remove this label from the plan sheets.

<b>Engineering Review</b>	Sue Pyles, P.E. (816) 969-1245	Development Engineering Manager Sue.Pyles@cityofls.net	Corrections
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1. Sheet L001:

- Revise the Stormwater utility contact to Lee's Summit Public Works. A specific contact name is not required.
- Revise the Sanitary Sewer and Water contact information to reference Lee's Summit Water Utilities.

2. Sheet L200:

- Include pavement sections on this sheet or elsewhere within the plans.
- Label type of pavement and curb & gutter.
- Adjust the curbs so that low-profile vehicles don't strike the curb at the ally & 3rd and ally & drive along pad site 3.

Consider mountable curbs in these areas.

- Include sidewalk along the Johnson St. frontage.
- Show all ADA ramps.
- Are there any footings or structural components within public utility easements?

3. Sheet C100:

- Remove the hatching from the pad sites so existing contours are visible.
- Include top and bottom wall elevations.

- It appears that the grading will route drainage through the playground, across walkways, and toward the market building. Is that the intent? Please address, and see additional stormwater comments below.

4. Sheet C200:

- Clarify which utilities are included in this plan set and which are by others.
- Better delineate existing vs proposed utilities.
- Where is the outlet control structure located?

5. Sheet C201: This sheet is not required in the PDP plan set.

6. Sheet L400:

- Show public easements. Note that only ornamental tree varieties are allowed within these easements. Please verify.
- Include landscaping around intersections, as well as throughout the site.

7. Stormwater:

- Please submit a Preliminary Stormwater Report. This should be a stand-alone report specific to this overall PDP, not the same report as used for the public box culvert project.
- Include a drainage area map.
- As shown, it isn't clear how the site included in this PDP will drain. A full design of the storm sewer system isn't required with the PDP, but a general overview is necessary. Once the stormwater report is submitted and existing contours uncovered, a full evaluation of the site drainage plan will be done.

<b>Traffic Review</b>	Susan Barry, P.E. (816) 969-1800	City Traffic Engineer Susan.Barry@cityofls.net	Corrections
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1. Entered comments on Bluebeam session for both plans and traffic study.

2. Additional comments may follow.

<b>Fire Review</b>	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	Corrections
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1. IFC 503.2.1 - Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

The fire lane width is the drivable surface and is not measured from back of curb. Make corrections where needed. Where the vertical distance between the grade plane and the highest roof surface exceeds 30' (105.1) the minimum width shall be 26 feet.

Action required-The lane along the south side of the Farmer's Market needs to be reconfigured to provide adequate width without impeding egress from the building. The fire lane east of the Farmers Market should be designed for access to future multi-story structures along Johnson

2. IFC 506.1 - Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. 506.1.1 Locks. An approved

lock shall be installed on gates or similar barriers when required by the fire code official.

Action required- Knox access locks shall be provided on the gates behind the Farmer's Market.

3. 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.

4. IFC 304.3.3 - Dumpsters and containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet (1.15 m3)] or more shall not be stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines.

Action required- Where will the dumpster/dumpster enclosure be located?