

DEVELOPMENT SERVICES

**Special Use Permit
Applicant's Letter**

Date: Wednesday, August 23, 2023

To:

Property Owner: ANACONDA LLC

Email:

Applicant: Patrick Joyce

Email: patrick.joyce@kimley-horn.com

Other: Matt Hendrickson

Email: matthewf.hendrickson@gmail.com

From: Scott Ready, Project Manager

Re:

Application Number: PL2023186

Application Type: Special Use Permit

Application Name: Lee's Summit Flex Space

Location: 60 SE THOMPSON DR, LEES SUMMIT, MO 64081

Tentative Schedule

Submit revised plans by either 4pm Monday, August 28 per track no.17 or by 4pm on Tuesday, September 12, 2023 per track no.18 . 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.

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 Special Use Permit:

Planning Review	Hector Soto Jr. (816) 969-1238	Senior Planner Hector.Soto@cityofls.net	Corrections
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2. BUILDING ELEVATIONS.

- To satisfy the requirements for four-sided architecture, extend the use of contrasting materials, colors and textures onto all sides of the proposed buildings.

According to the applicant response letter, no contrasting materials, colors and textures have been extended onto the north elevation of Building B due to the presence of existing trees and other vegetation along the north side of the property. The UDO requirement for four-sided architecture calls for these features to be extended across all elevations so that there is no appearance of a "back" to a building. Staff has no authority to administratively consider and grant relief from the four-sided architecture requirement; only City Council has the authority to consider granting relief from said requirement via a preliminary development plan application.

- To satisfy the requirement for horizontal and vertical breaks, provide projections and offsets in order to provide visual interest and architectural relief to break up the long expanses of flat walls.

The renderings do not appear to convey that there is much, if any, projection or off-set at the transition between the proposed metal and proposed wood composite on any of the out-facing building elevations. The materials appear to be flush at these transitions, thereby resulting in flat walls. Projections/off-sets are required so as to break up the long, flat wall planes.

- The subject site is not located in one of the city's specified metal building areas. As such, the use of metal is limited to that of an incidental role (i.e trim, standing seam metal roof, etc.). The list of approved exterior building materials for use on the proposed buildings are found under UDO Section 8.170. Fronts of all buildings facing a street shall incorporate a minimum 50% of materials from the approved material list. The sides and the remaining 50% of the front may utilize pre-engineered and pre-finished rough texture metal panel systems.

The applicant response letter states that 50% of all street-facing elevations are composed of composite wood and glass, with the remaining 50% composed of corrugated metal panels. Composite wood is not an approved material under UDO Section 8.170, therefore the requirement for 50% approved materials on the street-facing elevations has not been met.

Furthermore, corrugated metal is not an allowed material because this property does not fall within the boundaries of the specified metal building area. The UDO allows the use of rough-textured (i.e. stucco-finished) metal panels, but corrugated metal is not considered a rough-textured metal and therefore does not comply with the UDO's material requirements. Should the applicant choose to pursue the composite wood and corrugated metal, it will require submittal of a preliminary development plan so that the City Council may consider the use of said material. Staff would not support a request to seek relief from the material requirements as written.

- The proposed corrugated steel siding and wood composite material are not listed under the approved materials list, but may be approved by the City Council as a conditional material at its discretion. If the applicant intends to pursue use of both materials, manufacturer specifications shall be provided for the proposed materials for review. Staff may or may not support the use of one or both materials as proposed.

3. SIDEWALKS. For your information, the pursuit of any modifications seeking relief from any development standard via a preliminary development plan application (such as the architectural requirements previously mentioned) does open the opportunity for staff to recommend to the City Council that certain site improvements be required as conditions of approval for said preliminary development plan. In this case, staff would recommend that a condition of approval be that sidewalks be required to be constructed along both the Decker St and Thompson Dr street frontages in order to reflect current development standards that require sidewalks along all non-residential streets.

Should the applicant comply with all development standards and not require or propose to seek relief from any development standards via a preliminary development plan, then development plan approval remains at the administrative level via a final development plan application. The final development plan process does not allow staff the opportunity to pursue construction of public sidewalks by the applicant because they are not shown as required by the plat of record.

Engineering Review	Sue Pyles, P.E. (816) 969-1245	Development Engineering Manager Sue.Pyles@cityofls.net	No Comments
Fire Review	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	Approved with Conditions

4. 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.

Provide Knox key switches on the gates.

5. 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 on Final Development Plan (FDP).

Traffic Review	Erin Ralovo Erin.Ravolo@cityofls.net	Corrections
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1. Applicant response stated they were told sidewalk was not needed, however, meeting minutes do not reflect that. Sidewalk will be required on a minimum of Thompson Drive to the property line.