

DEVELOPMENT SERVICES

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

Date: Monday, September 25, 2023

To:

Property Owner: VIVION PROPERTIES LLC

Email:

Applicant: DRIVEN ASSETS, LLC

Email: TODD@DRIVENASSETS.COM

Engineer/Surveyor: HIGH TIDE CONSULTANTS,
LLC

Email: PATRIC@HIGHTIDELA.COM

From: Mike Weisenborn, Project Manager

Re:

Application Number: PL2022357

Application Type: Commercial Rezoning with Preliminary Development Plan

Application Name: Take 5 Oil Change Facility

Location: 400 NE M 291 HWY, LEES SUMMIT, MO 64086

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 Development Services 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 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	Shannon McGuire (816) 969-1237	Senior Planner Shannon.McGuire@cityofls.net	Corrections
------------------------	-----------------------------------	--	-------------

1. Please provide details for the proposed exterior lighting, including parking lot lights and wall-mounted fixtures, including fixture type, location, height and intensity. Manufacturer's specification sheets shall be submitted.
2. Staff is supportive of the requested buffer modification but would like to see a 6' fence placed along the top of the retaining wall adjacent to the proposed building to ensure the highest level of screening during times when the existing trees do not have foliage.
3. Single tenant buildings are limited to 3 wall signs. As proposed, you are exciding the maximum number of signs. If you are going to request approval of a sign package the goes above what is allowed by the UDO you will need to provide the sign details. As proposed staff would not support the additional signs on the north and west elevations. Since the location of the sign on these elevations are only visible to the adjacent residential properties they do not provide reasonable means for identifying the business. If you are going to ask for additional signage you will need to submit a written request for the additional signs and provide justification as to why they are needed.
4. Sheet A4.00 – Please check the elevation directional labels as the are not correct.

Engineering Review	Gene Williams, P.E. (816) 969-1223	Senior Staff Engineer Gene.Williams@cityofls.net	Approved with Conditions
---------------------------	---------------------------------------	---	--------------------------

1. All required engineering plans and studies, including water lines, sanitary sewers, storm drainage, streets and erosion and sediment control shall be submitted along with the final development plan. All public infrastructure must be substantially complete, prior to the issuance of any certificates of occupancy.
2. All Engineering Plan Review and Inspection Fees shall be paid prior to approval of the associated engineering plans and prior to the issuance of any site development permits or the start of construction (excluding land disturbance permit).
3. All subdivision-related public improvements must have a Certificate of Final Acceptance prior to approval of the final plat, unless security is provided in the manner set forth in the City's Unified Development Ordinance (UDO) Section 7.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of the public infrastructure as outlined in Article 3, Division V, Sections 3.540 and 3.550 and Article 3, Division IV, Section 3.475 of the UDO, respectively.
4. A Land Disturbance Permit shall be obtained from the City if groundbreaking will take place prior to the issuance of a site development permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
5. All permanent off-site easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion or approval of the final plat. A certified copy shall be submitted to the City for verification.
6. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.
7. Any cut and / or fill operations, which cause public infrastructure to exceed the maximum / minimum depths of cover shall be mitigated by relocating the infrastructure vertically and / or horizontally to meet the specifications contained within the City's Design and Construction Manual.

Fire Review	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	Approved with Conditions
--------------------	----------------------------	--	--------------------------

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 2012 International Fire Code.

2. 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.

Traffic Review

Erin Ralovo

Erin.Ravolo@cityofls.net

No Comments
