

DEVELOPMENT SERVICES

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

Date: Monday, July 22, 2024

To:

Property Owner: DISCOVERY PARK LEES SUMMIT Email:
LLC

Applicant: Jeff Bartz

Email: jbartz@weareown.com

From: Daniel Fernandez, Project Manager

Re:

Application Number: PL2024157

Application Type: Commercial Rezoning with Preliminary Development Plan

Application Name: Discovery Crossing, Lots 1-9

Location: 1810 NE DOUGLAS ST, LEES SUMMIT, MO 64086

Tentative Schedule

Submit revised plans by 4pm on Tuesday, August 06, 2024 . 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 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 6:00 P.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:

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

1. REZONING PLAN (SHEET C103). 1) Label the existing and proposed zoning districts of the property to be rezoned. 2) There is a discrepancy in the bearing for a certain line segment between what is listed in the Land Description and what is labeled on the drawing. The line segment in question is the 250.20'-long segment along the south boundary near the southwest corner of the land to be rezoned. The legal description reads that the segment has a bearing of 69 degrees 05 minutes 47 seconds, whereas the drawing labels it as 69 degrees 50 minutes 14 seconds.
2. PRELIMINARY PLAT (SHEET C102). There are three (3) discrepancies in the bearings for three (3) line segments between what is listed in the Land Description and what is labeled on the preliminary plat drawing. The line segments in question are: 1) The seconds for the initial tangent bearing for the northwest property line for Lot 5 is listed in the legal description as 21 seconds, but is labeled on the drawing as 24 seconds; 2) The minutes and seconds for the southwest-northeast line segment that makes up the south corner of Tract B are listed in the legal description as 05 minutes 47 seconds, but are labeled on the drawing as 50 minutes 14 seconds; and 3) The degrees for the northwest-southeast line segment that makes up the south corner of Tract B are listed in the legal description as 71 degrees, but are labeled on the drawing as 17 degrees.
3. DEVELOPMENT DATA TABLE (SHEET C200). 1) Revise the listed existing zoning to include PMIX. A portion of the proposed Lot 9 is already zoned PMIX. 2) List the impervious coverage for each of the 9 individual lots. 3) Add a line to the table listing the development's overall totals for the following: building floor area, FAR, required parking spaces, and provided parking spaces.
4. STREETS. 1) Label the ROW widths for NE Douglas St and I-470. Variable ROW width can be labeled as such. 2) Label Trails Edge Blvd, Discovery Ave and Annie Way as private streets. 3) Change the address quadrant prefixes for Trails Edge Blvd and Discovery Ave from SE to NE. Also change the prefix for Colbern Rd from NW to NE.
5. PHASE PLAN. The Phase Plan depicts the boundaries and site layouts for Zone 2 (Phase 2) and Zone 3 (Future Phase). Please confirm that the intent for the subject application is to only to receive approval for Zone 2 (Phase 1) and that approval for Zone 2 (Phase 2) and Zone 3 will come under a future separate preliminary development plan application(s).
6. EASEMENTS. 1) Show and label all proposed utility easements, including whether they are proposed as public or private easements. 2) Add a note to the plans indicating how cross-access rights throughout the development will be conferred. Will a blanket cross-access easement be dedicated at the time of platting or are cross-access rights proposed to be dedicated some other way?
7. SIDEWALKS. 1) Label the sidewalk along NE Colbern Rd, including its width. 2) A minimum 5' wide sidewalk is required along the development's entire frontage of NE Douglas St. 3) Sidewalk connections providing pedestrian access to the buildings from the NE Colbern Rd sidewalk and the private street sidewalk networks shall be provided. 4) Show the relocated sidewalk alignments needed to accommodate the proposed eastbound turn lanes along NE Colbern Rd. It appears that the relocated sidewalks will result in the sidewalks encroaching into Lots 4, 5 and 9. Sidewalk easements shall be dedicated at the time of platting to cover any encroachment of the public sidewalks onto private property.

8. **SETBACKS AND HEIGHT STANDARDS.** The PMIX zoning district has no pre-established setback or building height standards. Said standards are established as part of the preliminary development plan approval process. Unlike Discovery Park Zone 1 on the north side of NE Colbern Rd, the subject Zone 2 (Phase 1) follows a typical suburban commercial development pad site layout. As such, staff recommends that the City's CP-2 zoning district setback and building height standards be the governing standards for the subject phase. This results in minimum 15', 10' and 20' front, side and rear yard setbacks, respectively. The CP-2 zoning district building height standard has a 40' maximum.

9. **DRIVEWAYS.** Staff has concerns with the number and location of driveway connections from Lots 1-3 onto NE Annie's St and NE Discovery Ave: 1) Along NE Discovery Ave, the proximity of the west driveway into Lot 3 from NE Colbern Rd lends itself to back-ups onto NE Colbern Rd for any southbound traffic waiting to turn east into Lot 3. Additionally, the location of the west driveway relative to the drive-through lane entrance creates a conflict point between east-west through-traffic and east-west traffic attempting to access the drive-through lane, which future lends itself to back-up onto NE Discovery Ave and NE Colbern Rd. 2) Along NE Annie's St, the number, proximity and alignment of curb cuts serving Lots 1-3, 6 and 7 create a number of conflicts that don't allow for efficient traffic circulation through this area. Lots 2 and 3 should have a combined drive that aligns with the shared Lot 6/7 drive to the south. Lots 1 and 2 should also have a combined drive.

10. **BUILDING FOOTPRINTS.** Dimension the proposed building footprints.

11. **PARKING.** 1) Bear in mind with the distance between the ADA spaces and building on Lot 3 that an accessible route shall be required to be constructed from said spaces to the building. Final design shall be reviewed and approved at the time of final development plan submittal.

12. **LANDSCAPE PLAN.** 1) Revise the "Site Zoned" information listed on the landscaping calculation table from CP-2 to read R-1 and PMIX. 2) Parking lot screening to a height of 2.5' shall be provided along the NE Colbern Rd frontage of Lots 2 and 9. The drive aisles without spaces facing the NE Colbern Rd that circulate along the north side of the sites are considered part of the overall parking lot and as such are required to be screened. See UDO Section 8.820.C for a full listing of acceptable screening options. 3) Tree planting areas shall be no less than 10 feet in width. No tree shall be located less than 4 feet from the back of curb. Several landscape island do not meet the minimum tree planting widths.

13. **BUILDING ELEVATIONS.** Color renderings were provided with the application submittal, but no actual architectural elevations were submitted. Renderings are a helpful supplement to elevations that convey an artistic representation of proposed buildings, but they are not a replacement for building elevations.

Preliminary color building elevations of all sides depicting the general style, size and exterior construction materials and color schedule of the proposed buildings shall be provided. In the event of several building types, a minimum of one elevation of each building type is required.

14. **LIGHTING.** No lighting information or photometric plan was provided with the plan submittal. A photometric plan and exterior light fixture information shall be provided for the development in accordance with UDO Sections 8.220, 8.230, 8.250, 8.260, 8.270 and 8.280 as applicable.

15. **COMMON PROPERTY.** Add a note to the plans indicating that Tracts A and B shall be owned and maintained by the property owners association.

16. **TRASH ENCLOSURES.** 1) Save for perhaps Lots 1-3, no trash enclosure locations are shown on the site plan. Show the trash enclosure locations for the development. Each trash enclosure shall be constructed of masonry walls or steel architecturally designed walls with either a solid steel opaque gate painted to be compatible with the color of the masonry or steel walls and building it is to serve or a steel framed semi-opaque gate with a screen mesh material approved by the Director that provides an appropriate visual barrier. 2) 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. 3) Adjust the number of provided parking spaces for all individual lots to account for any spaces lost to accommodate any trash enclosure locations.

17. MECHANICAL SCREENING. Show the location of all RTUs with dashed lines on the building elevations and ground-mounted units on the site plan to the extent possible. All mechanical equipment shall be fully screened from view on all sides up to the full height of the units being screened with parapet wall heights for RTUs or evergreen landscaping for ground-mounted units. Take into account the additional height for RTUs from any curbs on which the equipment will sit.

18. PARKING LOT DESIGN. 1) All vehicle parking lot areas and access drives in all zoning districts shall have a boundary constructed of straight-back Portland cement concrete curbing (CG-1) or an integral Portland cement concrete sidewalk and curb with a vertical face. 2) All parking lot and loading areas shall be improved to City standards specified under UDO Section 8.620.F. 3) Dimension the distance between the proposed parking lots and adjacent rights-of-way. Parking lots shall be set back a minimum 20' from all public rights-of-way, including I-470. Staff can support a modification given the significant amount of MoDOT right-of-way separation between the parking lots and on-ramp travel lanes. 4) Temporary asphalt curbs shall be constructed at the south edge of NE Trails Edge Blvd and west edge of NE Annie's St where they will be extended as part of future phases. 5) Explain the need for the proposed 50'-wide (B-B) western drive entrance for Lot 1. The City standard allows a maximum drive width of 35'.

19. FAA FORM 7460. A Form 7460 shall be completed and submitted to the FAA, and comments received back prior to any construction.

20. SIGNAGE. The Design Guidelines for Discovery Park speaks in generalities about the intent for signage to be complementary to the development's architecture. Statements are made that sign will follow local ordinance requirements. Please review the sign ordinance standards for the PMIX zoning district under UDO Section 9.260, Table 9-1 to confirm that these are the desired sign standards intended to govern the development.

21. RIGHT-OF-WAY/PROPERTY BOUNDARY LINEWORK. The linework denoting the existing ROW and property line boundaries along NE Colbern Rd and the corner at NE Douglas St should be one in the same. The City has all the ROW needed for the NE Colbern Rd improvements currently under construction. The linework seems to indicate that the existing property boundary sits within the new street improvements.

22. PRIVATE STREET BOUNDARY. Maintenance of the private streets shall be the responsibility of the developer/POA for the development. As such, the City requests that at the time the private streets are designed and constructed, that a seam or joint be located at the line of demarcation to identify the point where the City's maintenance responsibilities for NE Colbern Rd end and maintenance responsibilities for the private streets begin.

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| Engineering Review | Sue Pyles, P.E. (816) 969-1245 | Development Engineering Manager Sue.Pyles@cityofls.net | Corrections |
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1. Sheet C100: Please revise the "Sanitary & Water" Utility Contact information to Water Utilities with their address rather than the information provided.

2. Sheet C101:

- There is no existing 12" HDPE forcemain as shown. It follows along the north side of Colbern until it hits the existing "6" gravity pipe at Main Street. Please revise accordingly.
- Water Utilities will be installing a bore and 12" gravity pipe under I-470 for future gravity system connection.

3. Sheet C102: Please include the northwest detention basin in a common tract.

4. Sheet C400:

- The building on Lot 9 will be evaluated for proximity to the existing water mains once the easements are shown.
- Clearly indicate that all water lines within the development are to be private.
- Include backflow vaults for each connection to public water mains.
- Revise existing sanitary per above comments.
- Pipe crossings should be as close to 90 degrees as possible. Many of the crossings shown are extremely skewed.

Please reevaluate. This will be reviewed closer with the Final Development Plans.

- Please clearly indicate that the detention basins will have to be constructed when and part of their drainage area develops, no matter which lot.

- Is the proposed sanitary sewer going to be private? If so, please clearly indicate. If not, the layout will be reviewed with the resubmittal.

Traffic Review

Erin Ralovo

Erin.Ravolo@cityofls.net

Corrections

1. Site plan should show all zones clearly, including zones 1 and 5.

2. Include a table with the uses anticipated for each pad site with their square footages. If the Use is unknown, the most conservative possibility should be used.

3. Clearly label all driveway entrance.

4. The Driveway entrances for Lots 1-3 along Annie's Street do not meet the City's Access Management Code. Lot 2 and Lot 3 access should be combined and lined up with the entrance across the street. Similarly Lots 1 and 2 should have a combined access as well. The width of the drives should be determined by the traffic study as stated in the Access Management Code based on volume of traffic.

5. Label Main Street.

6. Check calculation for Weekday Trips Zone 2. The number provided is too low.

7. Page 32 and Page 37 refer to Douglas St and Drive 5, this should be Colbern Road and Drive 5

8. Page 18 is your traffic signal warrant analysis which only looks at peak hour warrants. However, at the bottom of the sheet it says that signals should not be installed based on the peak hour warrants. However your recommendations say to install a signal at Drive 5 and 6. Additional documentation may be needed.

9. You recommend a stop controlled intersection at Drive 7, Drive 8, Drive 9 and Drive 10 but it is not clear what directions you recommend stop controlled.

10. Pad sites should have pedestrian connectivity to the street sidewalk system.

11. On street parking should be restricted on at least one side of the Annie's Street

12. Connections to the street system should have a minimum 35 FT curb return radii.

13. Plans should show needed Public Improvements along Colbern Road, i.e. turn lanes, signals, etc.

14. The drive into Lot 3, just south of Colbern Road on Discovery is too close to the intersection and operations may back up into the intersection. Please move to comply with the City's Access Management Code.

15. Show sidewalk relocated along Colbern where turn lanes are being added. Sidewalks should be within R/W.

Fire Review

Jim Eden
(816) 969-1303

Assistant Chief
Jim.Eden@cityofls.net

Corrections

1. 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.

The buildings on Lots 7 and 8 exceed 300 feet to a hydrant measured from the most exterior portion of the building..

2. 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.

The distance to a hydrant exceeds 100 feet on Lots:1,2,3,4,5,6,7,8, and 9.

4. 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.

All fire lanes shall be designed and built to support 75,000-pounds.

Building Codes Review

Joe Frogge
(816) 969-1241

Plans Examiner
Joe.Frogge@cityofls.net

No Comments
