



The City of Lee's Summit
Final Agenda
City Council - Regular Session

Thursday, August 18, 2016

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 10

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

1. PUBLIC COMMENTS:

(NOTE: Total time for Public Comments will be limited to 10 minutes.)

2. COUNCIL COMMENTS:

(NOTE: Total time for Council Comments will be limited to 5 minutes.)

3. APPROVAL OF CONSENT AGENDA:

Items on the Consent Agenda are routine business matters for action by the City Council with no public discussion. All items have been previously discussed in Council Committee and carry a Committee recommendation. Consent agenda items may be removed by any Councilmember for discussion as part of the regular agenda.

- A. [2016-0467](#) Mayor's Appointments

4. PROPOSED ORDINANCES:

- A. [BILL NO. 16-171](#) AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

- B. [BILL NO. 16-172](#) AN ORDINANCE APPROVING THE CASH ESCROW DEPOSIT AGREEMENT GUARANTEEING INSTALLATION OF SUBDIVISION IMPROVEMENTS FOR THE SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A SUBDIVISION BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND TOWNSEND SUMMIT, LLC.

5. **PRESENTATIONS:**

- A. [2016-0449](#) Presentation on Show Me Heroes Program

6. **PUBLIC HEARINGS (Sworn):**

In an effort to assist applicants who travel from outside the Kansas City Metropolitan Area, every effort will be made to hear the application on the scheduled meeting date.

- A. [2016-0369](#) PUBLIC HEARING - Appl. #PL2016-097 - PRELIMINARY DEVELOPMENT PLAN - QuikTrip, 800 NE Woods Chapel Rd.; QuikTrip, applicant.
(Note: This item was TABLED at the August 4, 2016. The applicant has requested this item be CONTINUED to September 1, 2016.)

7. **OTHER BUSINESS:**

- A. [BILL NO. 16-173](#) AN ORDINANCE AMENDING CHAPTER 17, CODE OF ORDINANCES BY REPEALING SECTION 17-4 IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A SECTION OF LIKE NUMBER AND SUBJECT MATTER ENTITLED "SALE OR DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS TO THOSE UNDER THE AGE OF TWENTY-ONE; POSSESSION BY THOSE UNDER THE AGE OF EIGHTEEN" TO THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.
- B. [BILL NO. 16-174](#) AN ORDINANCE CALLING A SPECIAL ELECTION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEE'S SUMMIT, MISSOURI.
- C. [2016-0469](#) Request Seeking an Appeal to File a Development Application Pursuant to Resolution 16-05 in the Administrative Delay Area in proximity to South M-291 and 50 Highway
- D. [2016-0444](#) Discussion of Performance and Financial Audits
(NOTE: This item was continued from August 11, 2016 per Council's request.)

8. **COMMITTEE REPORTS (Committee chairs report on matters held in Committee):**

9. **COUNCIL ROUNDTABLE:**

10. **STAFF ROUNDTABLE:**

11. **ADJOURNMENT**

Unless determined otherwise by the Mayor and City Council, no new agenda items shall be considered after 11:00 p.m.

Packet Information

File #: 2016-0467, **Version:** 1

Mayor's Appointments

Issue/Request:

Board of Aeronautic Commissioners: Reappoint Joseph Townsend and Phil Mall, terms to expire 9-14-20.

Human Relations Commission: Appoint Miana Wallace and Coleman Crosby as student members, terms to expire 8-31-17.

Key Issues:

Due to term expirations and vacancies, Mayor Rhoads is seeking City Council approval of his appointments to the Board of Aeronautic Commissioners and Human Relations Commission.



Mayor Randall L. Rhoads

DATE: August 12, 2016
TO: City Council
FROM: Mayor Randall L. Rhoads
RE: Boards and Commissions Appointments

I am submitting the following appointments for the Council's approval:

Mayor's Appointments:

Board of Aeronautic Commissioners: Reappoint Joseph Towns and Phil Mall, terms to expire 9-14-20.

Human Relations Commission: Appoint Miana Wallace and Coleman Crosby as student members, terms to expire 8-31-17.

Packet Information

File #: BILL NO. 16-171, **Version:** 1

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

Proposed City Council Motion:

First Motion: I move for a second reading of AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

Second Motion: I move for adoption of AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

BILL NO. 16-171

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2016-120, submitted by Townsend Summit, LLC, requesting approval of the final plat entitled "Summit Orchard, 1st Plat, Lots 1-4 and Tract A", was referred to the Planning Commission as required by the Unified Development Ordinance No. 5209; and,

WHEREAS, the Planning Commission considered the final plat on August 9, 2016, and rendered a report to the City Council recommending that the plat be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the final plat entitled "Summit Orchard, 1st Plat, Lots 1-4 and Tract A" is a subdivision in the Southwest $\frac{1}{4}$ of Section 31, Township 48 North, Range 31 West, and the Southeast $\frac{1}{4}$ of Section 36, Township 48 North, Range 32 West, in Lee's Summit, Missouri more particularly described as follows:

Lot 7A in Summit innovation Center – 2nd Plat, Lots 7A and 8, located in Section 31, Township 48 North, Range 31 West, and Section 36 Township 48 North, Range 32 West of the Fifth Principal Meridian, in the City of Lee's Summit, Jackson County, Missouri, recorded in Book 160, Pages 1-6 and filed as document number 2015E107542 of the Jackson County, Missouri Records; and containing 48.867-acres.

SECTION 2. That the proprietor of the above described tract of land ("Proprietor") has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall hereafter be known as "Summit Orchard, 1st Plat, Lots 1-4 and Tract A".

SECTION 3. That the roads and streets shown on this plat and not heretofore dedicated to public use as thoroughfares shall be dedicated as depicted on the plat. The City Council hereby authorizes the Director of Planning and Codes Administration, on behalf of the City of Lee's Summit, Missouri, to accept the land or easements dedicated to the City of Lee's Summit for public use and shown on the accompanying plat, upon the subdivider filing and recording a final plat in accordance with Article 16, Subdivisions, Unified Development Ordinance ("UDO") of the City, which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 16 of the UDO of the City, upon the Director of Public Works certifying to the Director of Planning and Codes Administration and the City Clerk that the public improvements have been constructed in accordance with City standards and specifications.

SECTION 4. That the approval granted by this ordinance is done under the authority of Section 89.410.2 of the Revised Statutes of Missouri and Section 16.340 of the UDO because all subdivision-related public improvements required by the UDO have not yet been completed. In lieu of the completion and installation of the subdivision-related public improvements prior to the approval of the plat, the Proprietor has, in accordance with Section 16.340 of the UDO, deposited a **cash escrow** to secure the actual construction and installation of said public improvements, and the City hereby accepts same. No building permit shall be issued until the

BILL NO. 16-171

required public improvements are available to each lot for which a building permit is requested in accordance with the Design and Construction Manual.

SECTION 5. That an easement shall be granted to the City of Lee's Summit, Missouri, to locate, construct and maintain or to authorize the location, construction, and maintenance of poles, wires, anchors, conduits, and/or structures for water, gas, sanitary sewer, storm sewer, surface drainage channel, electricity, telephone, cable TV, or any other necessary public utility or services, any or all of them, upon, over, or under those areas outlined or designated upon this plat as "Utility Easements" (U.E.) or within any street or thoroughfare dedicated to public use on this plat. Grantor, on behalf of himself, his heirs, his assigns and successors in interest, shall waive, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), any right to request restoration of rights previously transferred and vacation of any easement granted by this plat.

SECTION 6. That building lines or setback lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be constructed between this line and the street right-of-way line.

SECTION 7. That the final plat substantially conforms to the approved preliminary plat and to all applicable requirements of the Code.

SECTION 8. That the City Council for the City of Lee's Summit, Missouri, does hereby approve and accept, as a subdivision to the City of Lee's Summit, Missouri, the final plat entitled "Summit Orchard, 1st Plat, Lots 1-4 and Tract A," attached hereto and incorporated herein by reference.

SECTION 9. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council for the City of Lee's Summit, Missouri, this _____ day of _____, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED by the Mayor of said City this ____ day of _____, 2016.

Mayor Randall L. Rhoads

BILL NO. 16-171

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

City of Lee's Summit

Department of Planning and Codes Administration

August 5, 2016

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director *RMG For RGM*
RE: **Appl. #PL2016-120 – FINAL PLAT – Summit Orchard, 1st Plat, Lots 1-4 & Tract A; Townsend Summit, LLC, applicant**

Commentary

This final plat is composed of 4 mixed use lots and one common area tract on 46.8 acres. The final plat is consistent with the preliminary development plan (Appl. #PL2016-039) for Summit Orchards recommended for approval by the Planning Commission on April 26, 2016, and approved by the City Council on May 19, 2016, by Ord. #7885.

Subdivision-Related Public Improvements

In accordance with UDO Section 16.340, prior to an ordinance being placed on a City Council agenda for the approval of a final plat, all subdivision-related public improvements shall be constructed and a Certificate of Final Acceptance shall be issued. In lieu of completion of the public improvements and the issuance of a certificate, financial security (an escrow secured with cash, an irrevocable letter of credit, or a surety bond) may be provided to the City to secure the completion of all public improvements.

A Certificate of Final Acceptance has not been issued for the subdivision-related public infrastructure, nor has an irrevocable letter of credit been received to secure the completion of the public improvements. This application will be placed on hold following Planning Commission action until the requirements to be placed on a City Council agenda are met.

Recommendation

Staff recommends **APPROVAL** of the final plat.

Project Information

Proposed Use: multi-family, office, retail, restaurants, services, educational/institutional, and elder care uses

Zoning: PMIX (Planned Mixed Use)

Number of Lots: 4 lots and 1 common area tract

Land Area: 46.8 acres

Location: NE corner of NW Chipman Road and NW Ward Road

Surrounding Zoning and Use:

North: PI (Planned Industrial) and PMIX—KCP&L sub-station and approved Summit Innovation Campus development

South (across NW Chipman Road): R-1 (Single-Family Residential)—single-family residences

East (across Missouri Pacific Railroad): PI and CP-2 (Planned Community Commercial)—office/warehouse uses

West (across NW Ward Road): PMIX—Summit Technology Campus

Background

- May 20, 1999 – The City Council approved the rezoning from PI (then M-1) to PMIX (then PUD) and the preliminary development plan (Appl. #1999-014) for the 333-acre Summit Technology Campus by Ord. #4793. The plan included the site of the Summit Technology Campus, portions of Summit Fair, Summit Place, Summit Innovation Center, and the proposed Summit Orchards.
- August 24, 2006 – The City Council approved a rezoning (Appl. #2005-271) from CP-2 and PMIX to PMIX and a preliminary development plan (Appl. #2005-272) for the Summit Fair shopping center by Ord. #6262. The site encompasses 58.7 acres generally bounded by NW Chipman Road on the south, US-50 Hwy. on the west, and NW Blue Parkway on the east and north.
- December 12, 2006 – The Planning Commission approved the preliminary plat (Appl. #2006-230) for *Summit Fair, Lots 1-13 and Tracts A-F*.
- April 13, 2007 – A preliminary development plan (Appl. #2007-073) was submitted to the Planning & Development Department for the proposed 725,240 sq. ft. Summit Fair Phase II shopping center development. The proposed Summit Fair Phase II site encompassed approximately 90 acres generally bounded by I-470 on the north, Ward Road on the south, Blue Parkway on the west and the railroad right-of-way on the east. The application was withdrawn by the applicant prior to the application being considered by the Planning Commission or the City Council.
- May 1, 2008 – The City Council approved the final plat (Appl. #2007-243) of *Summit Fair, 2nd Plat, Lots 8, 10-14 and Tract C* by Ord. #6622.
- January 30, 2009 – The minor plat (Appl. #2008-181) of *Fleck, Lucy and Lilly, Lots 1 & 2* was recorded with Jackson County. Lot 2 is an undeveloped 1-acre parcel that will be incorporated into the Summit Place development.
- July 10, 2014 – The City Council approved a rezoning from PI to PMIX and preliminary development plan (Appl. #PL2011-119) for the Summit Place development by Ord. #7496. The Summit Place development is located on the west 43 acres of the 90-acre site previously proposed for Summit Fair Phase II.
- June 4, 2015 – The City Council approved a preliminary development plan (Appl. #PL2015-034) for approximately 38 acres comprising the Summit Innovation Center development, located at the northeast corner of NW Ward Road and the future NW Tudor Road extension, by Ord. #7637.
- May 19, 2016 – The City Council approved a preliminary development plan (Appl. #PL2016-039) for the Summit Orchards mixed use development, approximately 46 acres in size, generally located at the northeast corner of NW Chipman Road and NW Ward Road, by Ord. #7885.

Code and Ordinance Requirements to be Met Following Approval

The items in the box below are specific to this subdivision and must be satisfactorily addressed in order to bring this plat into compliance with the Codes and Ordinances of the City.

Public Works

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 plat and approved prior to the approval of the final plat. All public infrastructure must be substantially complete, prior to the issuance of any building permits.
2. All subdivision-related public improvements must have a Certificate of Final Acceptance prior to the approval of the final plat, unless security is provided in the manner set forth in the City's Unified Development Ordinance (UDO) Section 16.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of the public infrastructure as outlined in Section 1000 of the City's Design and Construction Manual.
3. A Land Disturbance Permit shall be obtained from the City if groundbreaking will take place prior to the issuance of an infrastructure permit or prior to the approval of the Final Development Plan/Engineering Plans.
4. 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 infrastructure permits or the start of construction (excluding land disturbance).
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 approval of any final development plan or engineering plans. A certified copy shall be submitted to the City for verification.
6. 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 & Construction Manual.

Planning and Codes Administration

7. No final plat shall be recorded by the developer until the Director of Planning and Codes Administration and the City Attorney have reviewed and approved the declaration of covenants and restrictions pertaining to common property as prepared in accordance with Section 5.330 of the UDO, and until the Director has received certification from the Missouri Secretary of State verifying the existence and good standing of the property owners' association required by Section 5.340 of the UDO. In addition, the approved Declaration of Covenants, Conditions and Restrictions shall be recorded prior to the recording of the final plat.
8. A final plat shall be approved and recorded prior to any building permits being issued. All subdivision-related public improvements must be complete prior to approval of the final plat by the City Council unless security is provided in the manner set forth in UDO Section 16.340.
9. Add "Lots 1-4 & Tract A" to the certification paragraph.
10. Five foot sidewalks are required along both sides of NW Donovan Road per Section 16.280 of the UDO.
11. In accordance with Ord. #7885 approving the preliminary development plan for Summit Orchards, a 10-foot shared use path is required in lieu of a 5-foot sidewalk along the north

side of NW Chipman Road and the UPPR. The 10-foot path shall be constructed prior to the issuance of any occupancy permit for Lot 3.

12. In accordance with Ord. #7885, a 10-foot shared use path is required in lieu of a 5-foot sidewalk along the north side of NW Chipman Road and NW Donovan Road. The 10-foot path shall be constructed prior to the issuance of any occupancy permit for lots 1, 2, or 4.
13. The developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the required sanitary sewer and road improvements. No building permit shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Recorder's Office. All public improvements shall be substantially complete prior to issuance for any building permit.

RGM/cs

Attachments:

1. Final Plat, date stamped August 1, 2016 – 5 pages
2. Location Map

SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A

A MAJOR SUBDIVISION IN THE CITY OF LEES SUMMIT, JACKSON COUNTY, MISSOURI
PART OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 48 NORTH, RANGE 31 WEST
AND THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 48 NORTH, RANGE 32 WEST

APPROVED: THAT THE WITHIN PLAT OF "SUMMIT ORCHARD" WAS SUBMITTED TO AND FULLY APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEES SUMMIT, MISSOURI, THIS _____ DAY OF _____, 2016 BY ORDINANCE NO. _____

MAYOR: _____ DATE: _____

CITY CLERK: _____ DATE: _____

CITY ENGINEER: _____ DATE: _____

JACKSON COUNTY ASSESSOR: _____ DATE: _____

JACKSON COUNTY ASSESSOR (GIS DEPARTMENT): _____ DATE: _____



MISSOURI STATE PLANE COORDINATES	EASTING	NORTHING
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LEGEND

- U.E. = UTILITY EASEMENT
- D.E. = DRAINAGE EASEMENT
- S.E. = SEWER EASEMENT
- B.L. = BUILDING SETBACK LINE
- INGRESS/EGRESS EASEMENT TO BE DEDICATED BY THIS PLAT
- DRAINAGE EASEMENT TO BE DEDICATED BY THIS PLAT
- SEWER EASEMENT TO BE DEDICATED BY THIS PLAT
- UTILITY EASEMENT TO BE DEDICATED BY THIS PLAT

THE BEARING AND COORDINATE SYSTEM SHOWN HEREON IS BASED UPON THE MISSOURI COORDINATE SYSTEM 1983, WEST ZONE, IN FEET.

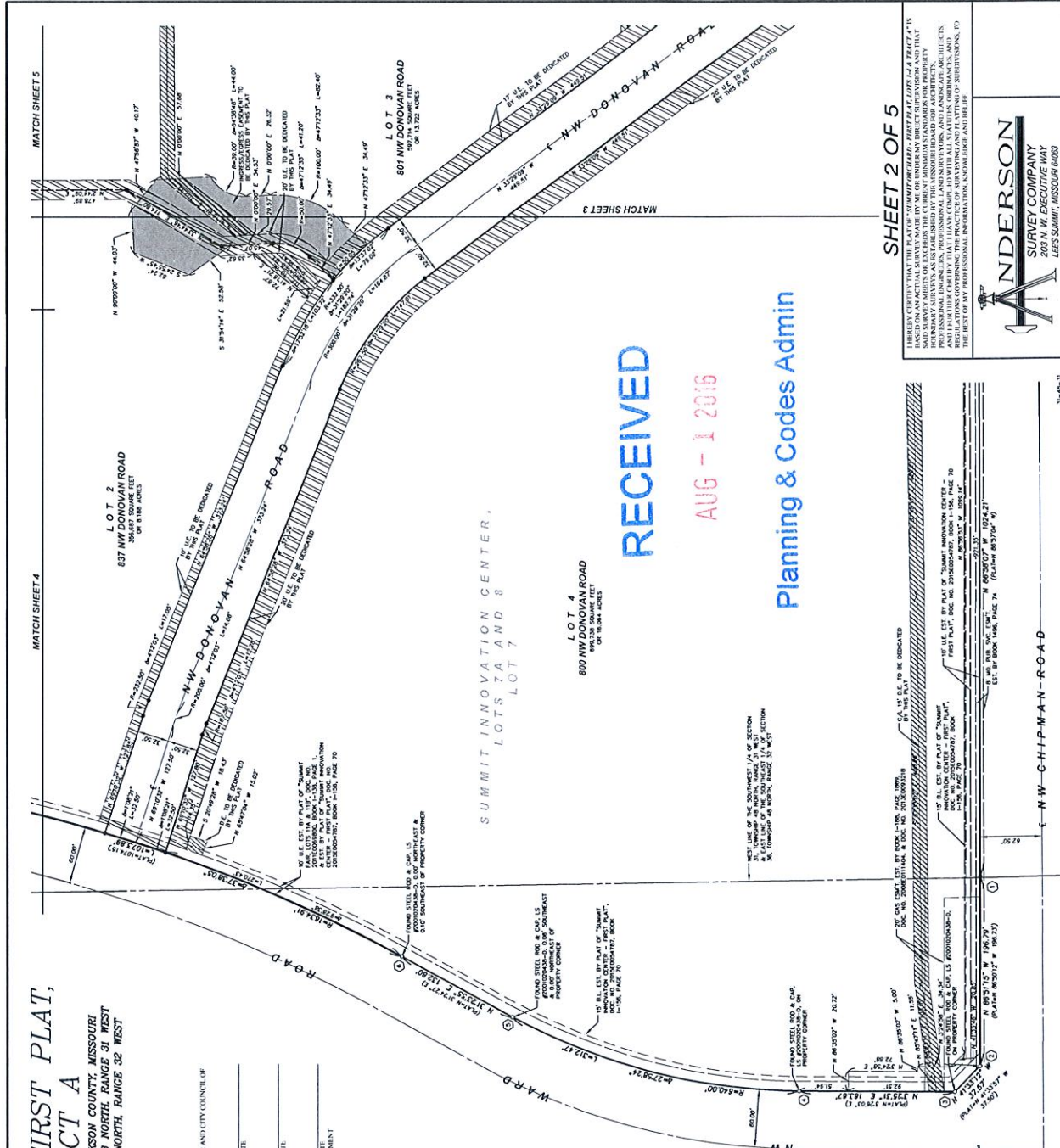
SCALE 1 INCH = 50 FEET

SCALE IN FEET

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ANDERSON SURVEY COMPANY
LEES SUMMIT, MISSOURI 64083
(816) 246-5200
MISSOURI STATE CONTRACT OF AUTHORITY: 000018

DATE PLAT PREPARED: _____ 2016, 4:30 PM - Final Day

CON. SHEET NO. _____ OF _____ SHEETS

DATE: _____ 2016

RECEIVED

AUG - 1 2016

SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A

A MAJOR SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI



MISSOURI STATE PLANE COORDINATES table with columns for CONTROL STATION, NORTHING, and EASTING.

LEGEND defining symbols for utility easements, drainage easements, building setbacks, and ingress/egress easements.

THE DESIGN AND CONSTRUCTION SYSTEM DESIGN HEREON IS BASED UPON THE MISSOURI CORPORATE SYSTEM 1983, WEST ZONE, IN FEET.

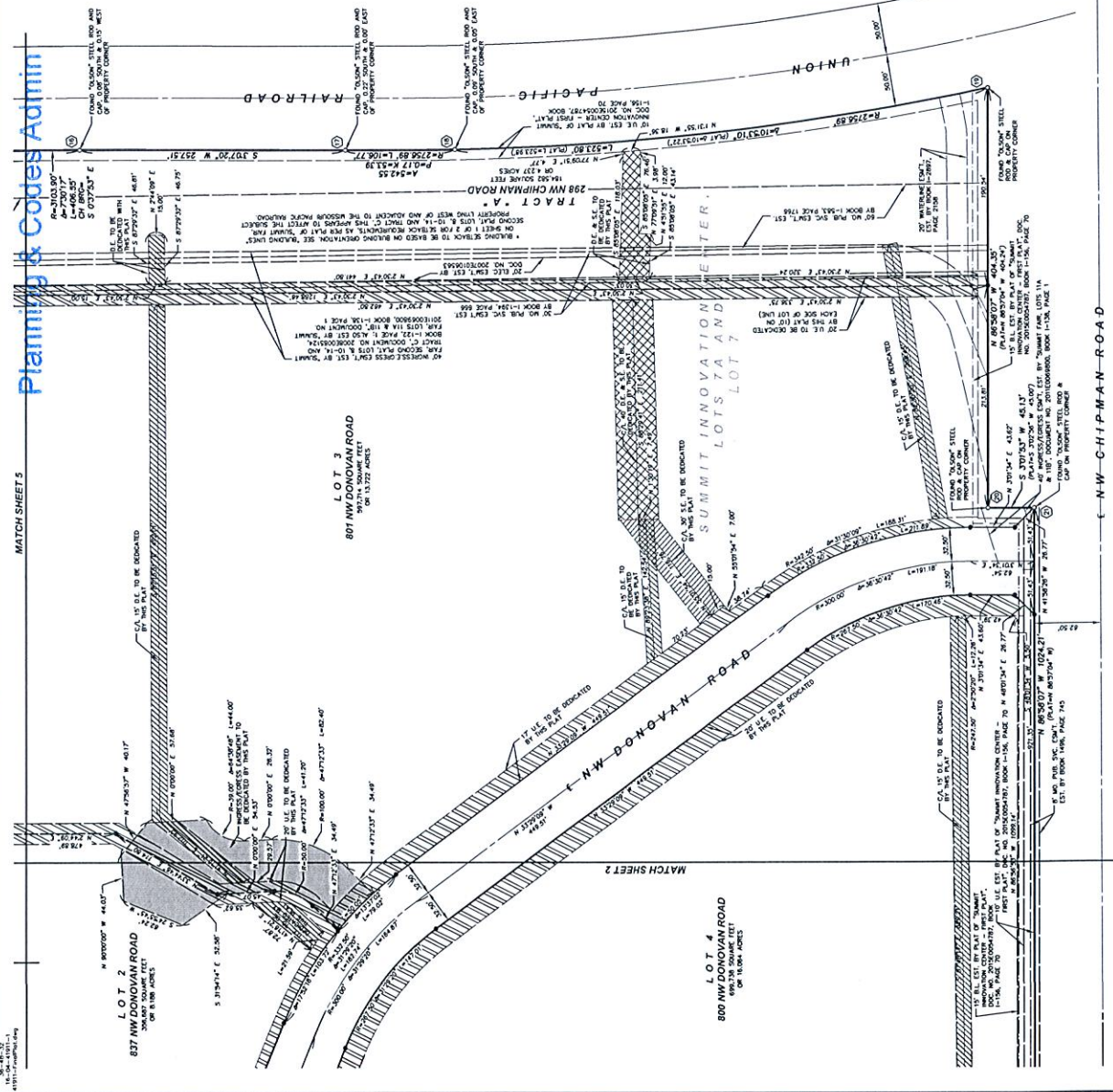
- FOUND MONUMENT AS NOTED
1/2" STEEL ROD AND PLASTIC CAP, STAMPED AGE M-2780, 1983.
TO BE SET AT THE CORNER OF SUBDIVISION.

APPROVED: THIS IS THE FINAL PLAT OF "SUMMIT ORCHARD" WAS SUBMITTED TO AND FULLY APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, THIS DAY OF ... 2016 BY ORDINANCE NO. ...

APPROVED: [Signature] MAYOR, [Signature] CITY CLERK, [Signature] CITY ENGINEER, [Signature] JACKSON COUNTY ASSESSOR / GR DEPARTMENT.

SHEET 3 OF 5

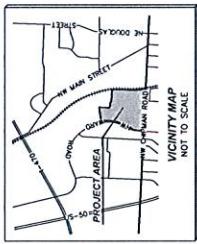
ANDERSON SURVEY COMPANY 203 N W EXECUTIVE WAY LEE'S SUMMIT, MISSOURI 64603 (816) 246-5050 MISSOURI STATE CORP. OF AUTHORITY: 000079



DATE PLAT PREPARED: JUNE 1, 2016, 4:10 PM (10:00 AM)
DWN, JPM, JFC, DK, JAPP
-2016-120-

**SUMMIT ORCHARD - FIRST PLAT,
LOTS 1-4 & TRACT A**
A MAJOR SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI
PART OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 48 NORTH, RANGE 31 WEST
AND THE SOUTHEAST 1/4 OF SECTION 38, TOWNSHIP 48 NORTH, RANGE 32 WEST

MISSOURI STATE PLANE COORDINATES	EASTING
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20	892575.00
21	892575.00



SCALE 1" = 50 FEET
SCALE IN FEET

○ FOUND MONUMENT AS NOTED
● 1/2" OF 1" OF PLASTIC PIPE SHOWN FOR MONUMENT MARKING ONLY.

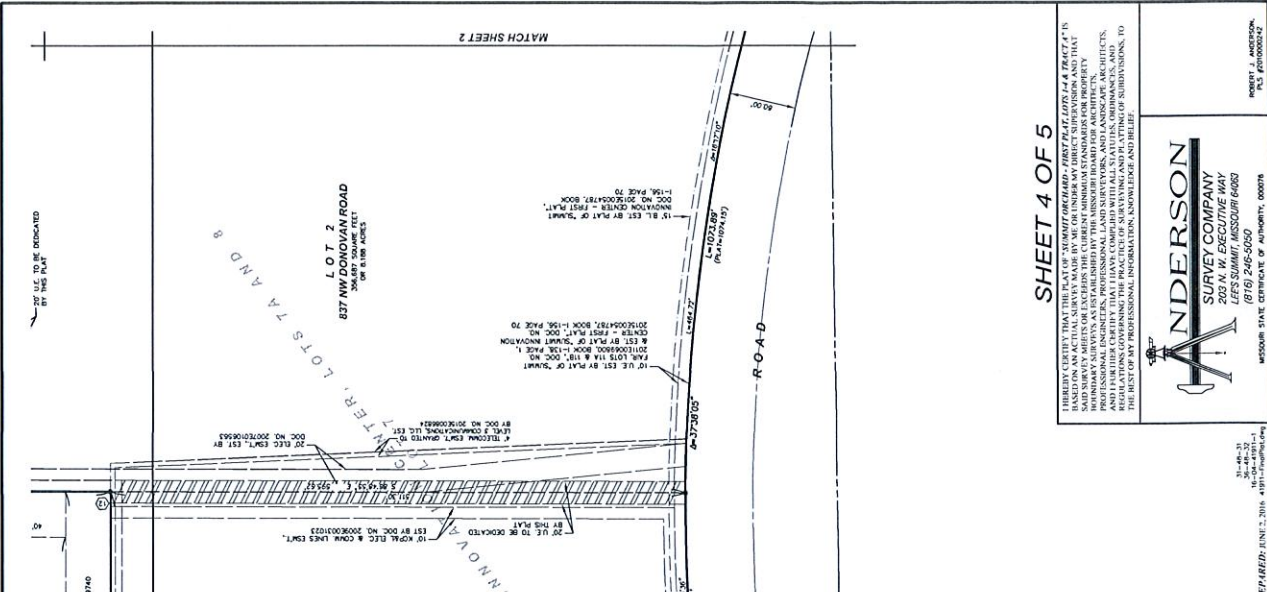
LEGEND
 U.C. = UTILITY EASEMENT
 D.C. = DRAINAGE EASEMENT
 S.C. = SHEET EASEMENT
 B.L. = BUILDING SETBACK LINE
 ▨ = UTILITY EASEMENT TO BE DEMONSTRATED BY THIS PLAT

APPROVED:
 THIS SUBDIVISION IS HEREBY APPROVED BY THE CITY OF LEE'S SUMMIT, MISSOURI, THIS _____ DAY OF _____, 2016, BY ORDINANCE NO. _____

MAYOR: _____ DATE: _____
CITY CLERK: _____ DATE: _____

PLANNING COMMISSION SECRETARY: _____ DATE: _____
DIRECTOR OF PLANNING & CODES ADMINISTRATION: _____ DATE: _____

RECEIVED
AUG - 1 2016
Planning & Codes Admin



SHEET 4 OF 5
 I HEREBY CERTIFY THAT THE PLAT OF "SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A" IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE ACTUAL SURVEY. I AM A LICENSED SURVEYOR AND MY SURVEYING BUSINESS IS REGISTERED WITH THE MISSOURI BOARD OF ARCHITECTS, ENGINEERS, AND LAND SURVEYORS. I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF LAND SURVEYING IN THE STATE OF MISSOURI. I AM A MEMBER OF THE MISSOURI SURVEYORS ASSOCIATION AND THE NATIONAL ASSOCIATION OF PROFESSIONAL SURVEYORS. I HAVE BEEN LICENSED TO PRACTICE AS A PROFESSIONAL SURVEYOR IN THE STATE OF MISSOURI.

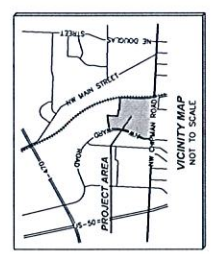
ANDERSON
SURVEY COMPANY
 203 N. W. EXECUTIVE WAY
 LEE'S SUMMIT, MISSOURI 64083
 (816) 246-6000
 MISSOURI STATE CONTRACTOR # A-000000000000
 MISSOURI STATE CONTRACTOR # A-000000000000

-2016-120-

30' 448.31
30' 448.32
41911-1-17.mxd (1/17/16)

SUMMIT ORCHARD - FIRST PLAT,
LOTS 1-4 & TRACT A
A MAJOR SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI
PART OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 48 NORTH, RANGE 31 WEST
AND THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 48 NORTH, RANGE 32 WEST

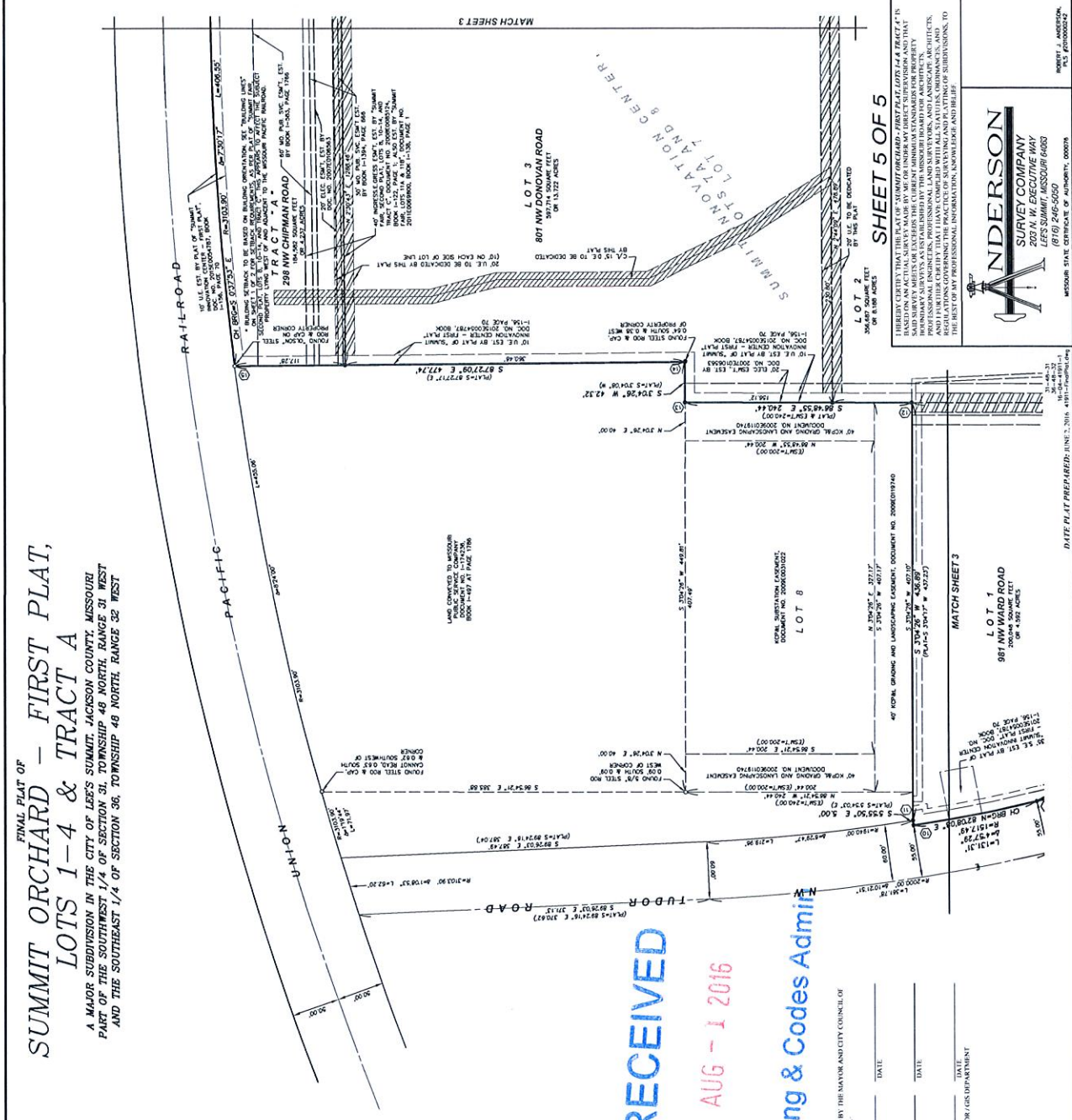
MISSOURI STATE PLANE COORDINATES	EASTING
1	800000.00
2	800000.00
3	800000.00
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22	800000.00



THE BEARING AND COORDINATE SYSTEM SHOWN HEREON IS BASED UPON THE MISSOURI COORDINATE SYSTEM 1983, HORIZONAL FEET.

SCALE 1" = 50 FEET

0 FOUND AS NOTED
• 10' OR BET AT THE COMPLETION OF CONSTRUCTION



ANDERSON SURVEY COMPANY
203 N W EXECUTIVE WAY
LEE'S SUMMIT, MISSOURI 64663
(816) 246-5000
MISSOURI STATE CERTIFICATE OF AUTHORITY: 000078
ROBERT J. ANDERSON
PLS. PD00000242

SHEET 5 OF 5

LIBRARY CERTIFY THAT THIS PLAT OF "SUMMIT ORCHARD - FIRST PLAT LOTS 1-4 & TRACT A" IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE PLAT PREPARED: JUNE 1, 2016, 4:19:11 PM (1/17/16) (1/17/16)

RECEIVED
AUG - 1 2016
Planning & Codes Admin

APPROVED: THIS IS TO CERTIFY THAT THE WITHIN PLAT OF "SUMMIT ORCHARD" WAS SUBMITTED TO AND DULY APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, THIS _____ DAY OF _____, 2016 BY ORIGINATOR'S NO. _____

MAYOR: _____ DATE: _____
CITY CLERK: _____ DATE: _____

PLANNING COMMISSION SECRETARY: _____ DATE: _____
CITY ENGINEER: _____ DATE: _____

ROBERT G. MANNING, ACP DIRECTOR OF PLANNING & CODES ADMINISTRATION
PAUL R. SHELLTON, ACP JACKSON COUNTY ASSESSOR / GIS DEPARTMENT

URN	APP	P.C.	DC	APP

#PL2016-120 -- FINAL PLAT

Summit Orchard, 1st Plat, Lots 1-4 & Tract A

Townsend Summit, LLC, applicant



Packet Information

File #: BILL NO. 16-172, **Version:** 1

AN ORDINANCE APPROVING THE CASH ESCROW DEPOSIT AGREEMENT GUARANTEEING INSTALLATION OF SUBDIVISION IMPROVEMENTS FOR THE SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A SUBDIVISION BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND TOWNSEND SUMMIT, LLC.

Issue/Request:

[Enter text here]

Key Issues:

- Townsend Summit, LLC ("Developer") is seeking approval of a final plat for the Summit Orchard, 1st Plat, Lots 1-4 and Tract A Final Plat Subdivision. This matter is on the August 18, 2016 City Council agenda.
- Section 16.330 of the City's Unified Development Ordinance requires that all subdivision-related public improvements must be completed prior to approval of the final plat, unless the Developer provides satisfactory security pursuant to Section 16.340 of the UDO.
- The Developer wishes to provide such security through the deposit of a cash escrow.
- The Developer will have deposited with the City's Finance Department funds equal to the estimated costs for the subdivision-related public improvements prior to the August 18, 2016 City Council meeting. The Developer will have also executed the attached Deposit Agreement relating to the escrow funds. Confirmation of both of these facts may be presented to the City Council at their request.
- The deposit of the escrow funds and the attached Deposit Agreement provide adequate security pursuant to Section 16.340 of the UDO. Upon approval of this Agreement the related Final Plat may be approved.

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of AN ORDINANCE APPROVING THE CASH ESCROW DEPOSIT AGREEMENT GUARANTEEING INSTALLATION OF SUBDIVISION IMPROVEMENTS FOR THE SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A SUBDIVISION BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND TOWNSEND SUMMIT, LLC.

SECOND MOTION: I move for approval of AN ORDINANCE APPROVING THE CASH ESCROW DEPOSIT AGREEMENT GUARANTEEING INSTALLATION OF SUBDIVISION IMPROVEMENTS FOR THE SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A SUBDIVISION BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND TOWNSEND SUMMIT, LLC.

BILL NO. 16-172

AN ORDINANCE APPROVING THE CASH ESCROW DEPOSIT AGREEMENT GUARANTEEING INSTALLATION OF SUBDIVISION IMPROVEMENTS FOR THE SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A SUBDIVISION BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND TOWNSEND SUMMIT, LLC.

WHEREAS, Townsend Summit, LLC ("Developer") is seeking approval of a final plat for the Summit Orchard, 1st Plat, Lots 1-4 and Tract A Subdivision, and Section 16.330 of the City's Unified Development Ordinance requires that all subdivision-related public improvements must be completed prior to approval of the final plat unless the Developer provides satisfactory security pursuant to Section 16.340 of the UDO; and,

WHEREAS, the Developer desires to establish security for the Subdivision Improvements by deposit of a cash escrow in the manner set forth in the attached Cash Escrow Deposit Agreement; and,

WHEREAS, the City is willing to approve the use of a cash escrow as security for the construction of the subdivision-related public improvements in the manner provided for in the attached Cash Escrow Deposit Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the City approves the Cash Escrow Deposit Agreement Guaranteeing Installation of Subdivision Improvements by and between the City of Lee's Summit, Missouri, and Townsend Summit, LLC, a copy of which is appended hereto as Exhibit A, and the City Manager is authorized to execute same on behalf of the City.

SECTION 3. That this ordinance shall be in full force and effect from and after the date of its passage, and adoption, and approval by the Mayor.

PASSED by the City Council for the City of Lee's Summit, Missouri, this _____ day of _____, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk *Denise R. Chisum*

BILL NO. 16-172

APPROVED by the Mayor of said city this _____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

EXHIBIT A
CASH ESCROW DEPOSIT AGREEMENT

**CASH ESCROW DEPOSIT AGREEMENT GUARANTEEING INSTALLATION
OF SUBDIVISION IMPROVEMENTS**

**THIS CASH ESCROW DEPOSIT AGREEMENT GUARANTEEING
INSTALLATION OF SUBDIVISION IMPROVEMENTS** ("Deposit Agreement"), is made and entered into this ____ **day of** _____ **2016**, by TOWNSEND SUMMIT, LLC, a Missouri limited liability company, (hereinafter referred to as the "Developer") and the CITY OF LEE'S SUMMIT, MISSOURI (hereinafter referred to as the as "City").

RECITALS

WHEREAS, the Developer has submitted plans, information and data to the City as part of Application #PL2016-120 for the creation and development of a Final Plat for a subdivision to be known as the Summit Orchard, 1st Plat, Lots 1-4 & Tract A Final Plat Subdivision (hereinafter referred to as the "Subdivision"), and a copy of the proposed Final Plat is attached hereto and incorporated by reference as Exhibit 'A'; and

WHEREAS, engineering plans for the Subdivision have been submitted to the City together with the estimated costs of construction, installation and completion of certain subdivision-related public improvements ("Subdivision Improvements") required by the City's Unified Development Ordinance ("UDO") and Code of Ordinances, all in accordance with the City's subdivision regulations set forth in Article 16 of the UDO, and have been approved; and

WHEREAS, Section 16.330 of the UDO requires that the Subdivision Improvements must be constructed prior to approval of the Final Plat for the Subdivision, unless satisfactory security is provided in accordance with Section 16.340 of the UDO; and

WHEREAS, the Developer desires to establish security for the Subdivision Improvements by deposit of a cash escrow in the manner set forth in this Deposit Agreement.

NOW, THEREFORE, in consideration of the covenants, promises and agreements herein provided, **IT IS HEREBY MUTUALLY AGREED:**

1. The Developer, has deposited with the City the sum of \$1,098,000.90 (the "Deposit Sum") to be held in escrow for the purpose of guaranteeing the construction, installation, and completion of all required Subdivision Improvements, all in accordance with the plans approved by the City and on file with the City's Public Works Department (the "Approved Improvement Plans") and in accordance with the City ordinances regulating the same. The Deposit Sum shall consist of an amount equal to the *estimated* costs of the construction, completion, and installation of the Subdivision Improvements ("Estimated Costs") as set forth on the Estimate Sheet which is attached hereto as Exhibit 'B' and incorporated herein by reference. Nothing in the estimates or specification of component items shall in any way limit the City or require release based on each line item, and Developer agrees it continues to be obligated to complete and guarantee completion of all Subdivision Improvements. The City and Developer agree that the Deposit Sum shall guarantee the construction, installation and completion of the required subdivision-related public improvements in the Subdivision, all in accordance with the approved plans

therefore and in accordance with the ordinances of the City regulating the same. The City and Developer further agree that the Deposit Sum shall be held by the City in an interest bearing account, and that the City shall retain the right to any accrued interest in order to help defray the cost of administering this Deposit Agreement.

2. The Deposit Sum guarantees the construction, installation, and completion of all Subdivision Improvements in accordance with the Approved Improvement Plans which are incorporated in this Deposit Agreement by reference and as summarized in the attached Exhibit 'B' and as required by the ordinances and regulations of the City. Any release of part of or a portion of the Deposit Sum is only an accommodation to the Developer and is not a waiver of any kind by the City of its rights under the Deposit Agreement that the entire Deposit Sum guarantees each and every improvement.

3. The Developer guarantees that all Subdivision Improvements will be installed, constructed and completed in accordance with the Approved Improvement Plans and the ordinances of the City not later than **two years** after the date of this Agreement Date appearing on the signature page below ("Completion Date").

4. (a) That the City shall, through written authorization of the City Engineer, release or reduce portions of the Deposit Sum upon completion of components within categories and shall release corresponding portions of the Deposit Sum upon completion of categories of improvements provided that a qualified, licensed engineer employed by the Developer certifies to the City the completion of such work; PROVIDED FURTHER that in no event shall the City release any part of the Deposit Sum except as provided herein:

(b) In order to obtain such written authorization for a release, upon completion of any such category of improvement the Developer shall first make written request for inspection, and include therewith a certification by the Developer's engineer, to the City Engineer. Upon receipt of the Developer's written request for inspection and certification by the Developer's engineer, the City (or the appropriate inspecting authority) shall (i) inspect the construction, installation and completion of the Improvement(s) that have been certified complete by the Developer. Upon receipt of the inspection report, the City Engineer will review the report, verify that the Subdivision Improvement complies with all laws and requirements of the City, and authorize such release.

(c) No category of any Subdivision Improvement shall be eligible for release until each and every component and requirement that makes up that category of Subdivision Improvement is deemed complete by the City. No category of Subdivision Improvement may be deemed to be complete until there is a certification by the City that the category of Subdivision Improvement is complete. No certification shall be issued by the City unless all of the following takes place: (i) the Developer submits a written request to the City for inspection of the Subdivision Improvements; (ii) the inspection is completed by the City's inspector who determines that the Subdivision Improvement are complete and recommends to the City Engineer that it be released; and (iii) the City Engineer reviews the City Inspector's inspection report, determines that the Subdivision Improvement complies with all laws and requirements of the City, and authorizes such release.

(d) Upon certification by the City Engineer that the construction and installation of a category of Subdivision Improvement is complete (in accordance with §4(b) and (c) above), the

City shall authorize the release of the Estimated Cost originally retained for that category as set forth on Exhibit B minus a maximum retention of five percent (5%), with said release of funds to take place within five (5) days of the City's Engineer's certification as provided for in Section 16.340.D of the UDO. The Developer shall not be released of any responsibility for installation, construction, completion, or maintenance for the required improvements, irrespective of any release that may have been issued based on specific improvements or inspections, prior to final approval of all improvements and release of the entire Deposit Sum for all categories.

(e) IN NO EVENT SHALL the City be required to release, disburse or otherwise dispose of more than ninety-five percent (95%) of the Deposit Sum, until the City has certified as provided herein that all categories of Subdivision Improvements have been completed in accordance with the Approved Improvement Plans and the regulations and ordinances of the City.

5. The Developer shall in all respects comply with all applicable laws and regulations pertaining to the construction, completion, dedication and installation of the Subdivision Improvements. This Deposit Agreement shall not be deemed to create any commitment by the City to accept any improvement for dedication and maintenance.

6. Upon completion of the final category of Subdivision Improvements and compliance with all ordinances, laws and regulations relating to dedication of the Subdivision Improvements to the City, any and all remaining portion of the Deposit Sum shall be released within five (5) days of certification of completion by the City Engineer.

7. In the event the Developer shall be in default or abandon the Subdivision, or fail to complete the obligations herein, including, but not limited to, the failure to complete the Subdivision Improvements by the Completion Date, the Developer shall forfeit to the City the then current balance of the Deposit Sum or any portion thereof, which funds the City shall thereafter use to complete the Subdivision Improvements or otherwise rectify the Developer's failure hereunder. The City may further apply such necessary amount of the Deposit Sum to remedy any failure of the Developer to perform its maintenance obligations in the Subdivision. For the purpose of this Agreement and the City's rights hereunder, any and all of the remaining Deposit Sum may be applied to completion or maintenance of any Subdivision Improvements, and no limitation of any kind shall be implied from the line item calculations of separate Subdivision Improvements.

8. Exercise or waiver by City of any enforcement action under this Deposit Agreement or the City's Code of Ordinances does not waive or foreclose any other or subsequent enforcement action whatsoever. The Deposit Sum placed under this Deposit Agreement shall be governed by the provisions of the City's Code of Ordinances, including, without limitation, the UDO and the subdivision regulations contained therein, and the Developer agrees to the provisions thereof as if set forth herein. The City shall be entitled to its costs, including reasonable attorneys' fees, in enforcement of Developer's obligations under this Agreement.

9. The City and Developer hereby accept this agreement as a lawful and satisfactory Deposit Agreement.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto on the date first above written.

CITY OF LEE'S SUMMIT, MISSOURI

By: _____
Stephen A. Arbo, *City Manager*

Approved as to form:

City Attorney, *Brian W. Head*

TOWNSEND SUMMIT, LLC

By: _____
Its: _____

Notary for City of Lee's Summit

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

BE IT REMEMBERED, that on this ____ day of _____, 2016, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Stephen A. Arbo, the City Manager of the City of Lee's Summit, Missouri, a City duly incorporated and existing under and by virtue of the laws of the State of Missouri, who are personally known to me to be the same person who executed, as such official, the within instrument on behalf of and with the authority of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

NOTARY PUBLIC

My Commission Expires:

[SEAL]

Notary for Townsend Summit, LLC

STATE OF _____)
) ss.
COUNTY OF _____)

BE IT REMEMBERED, that on this ____ day of _____, 2016, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, the _____ of Townsend Summit, LLC, who is personally known to me to be the same person who executed the within instrument on behalf of Townsend Summit, LLC, and such person duly acknowledged the execution of the same to be the act and deed of Townsend Summit, LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

NOTARY PUBLIC

My Commission Expires:

[SEAL]

EXHIBIT 'A' – FINAL PLAT
[see attached]

EXHIBIT 'B' – ESTIMATE SHEET
[see attached]

FINAL PLAT OF
**SUMMIT ORCHARD - FIRST PLAT,
LOTS 1-4 & TRACT A**

A MAJOR SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI
PART OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 48 NORTH, RANGE 31 WEST
AND THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 48 NORTH, RANGE 32 WEST

RECEIVED

AUG - 1 2016

Planning & Codes Admin

	AREAS	
	SQUARE FEET	ACRES
LOT 1	200,048	4.592
LOT 2	156,687	3.588
LOT 3	997,714	22.822
LOT 4	699,738	16.064
TRACT "A"	184,262	4.237
TOTALS	2,038,769	46.893

DESCRIPTION:
LOT 1-4, **SUMMIT INNOVATION CENTER - 2ND PLAT, LOTS 1-4 AND A**, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

THE ABOVE DESCRIPTION HAS BEEN TAKEN FROM A COMMITMENT FOR TITLE INSURANCE, ISSUED BY CHICAGO TITLE INSURANCE COMPANY, FILE NO. 20161221, DATED APRIL 29, 2016.

THIS SUBDIVISION CONTAINS 2,038,769 SQUARE FEET (PLAT = 2,128,658 SQUARE FEET +/-) OR 46.893 ACRES (PLAT = 48.887 ACRES +/-), MORE OR LESS.

PLAT DEDICATION:
THE UNDERSIGNED OWNERS OF THE PROPERTY DESCRIBED HEREIN HAS/HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT AND THE PROPERTY SHALL HEREAFTER BE KNOWN AS: **"SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A"**.

FLOOD INFORMATION:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 2809C02927, DATED SEPTEMBER 29, 2006, THIS PROPERTY IS LIE'S WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN THEREON.

STREET/ROAD RIGHT OF WAY DEDICATION:
ROADS AND STREETS SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE AS THOROUGHFARES ARE HEREBY SO DEDICATED.

UTILITY EASEMENT DEDICATION:
AN EASEMENT OR LICENSURE IS HEREBY GRANTED TO THE CITY OF LEE'S SUMMIT, MISSOURI, TO LOCATE, CONSTRUCT AND MAINTAIN, OR TO AUTHORIZE THE LOCATION, CONSTRUCTION AND MAINTENANCE OF, POLES, WIRES, ANCHORS, CONDUITS, AND/OR STRUCTURES FOR WATER, GAS, SANITARY SEWER, STORM SEWER, SURFACE DRAINAGE CHANNEL, ELECTRICITY, TELEPHONE, CABLE TELEVISION, OR ANY OTHER NECESSARY PUBLIC UTILITY OR SERVICES, ANY OR ALL OF THEM, UPON, OVER, OR UNDER THE/OF AREAS OUTLINED OR DESIGNATED UPON THIS PLAT AS UTILITIES (AS SHOWN IN BLUE) OR WITHIN ANY SURVEY OR THOROUGHFARE DEDICATED TO PUBLIC USE ON THIS PLAT, GRANTOR, ON BEHALF OF HIMSELF, HIS HEIRS, HIS ASSIGNS AND SUCCESSORS IN INTEREST, HEREBY WAIVES, TO THE FULLEST EXTENT ALLOWED BY LAW, INCLUDING, WITHOUT LIMITATION, SECTION 57.106, RSMo, CHAPTER 609.60, ANY RIGHT TO REQUEST RESTORATION OF RIGHTS PREVIOUSLY TRANSFERRED AND VACATION OF THE EASEMENT HEREIN GRANTED.

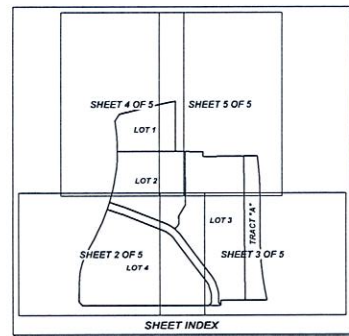
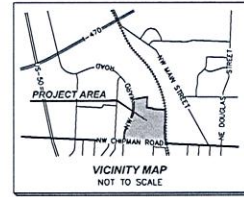
DRAINAGE:
THE INDIVIDUAL LOT OWNERS SHALL NOT CHANGE OR OBSTRUCT THE DRAINAGE FLOW PATHS ON THE LOTS, UNLESS SPECIFIC APPLICATION IS MADE AND APPROVED BY THE CITY ENGINEER.

ALL STORM WATER CONVEYANCE, RETENTION, OR DETENTION FACILITIES TO BE LOCATED ON COMMON PROPERTY SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THE "COVENANTS, CONDITIONS AND RESTRICTIONS".

COMMON AREA:
DURING THE PERIOD IN WHICH THE DEVELOPER MAINTAINS EFFECTIVE CONTROL OF THE BOARD OF THE PROPERTY OWNERS ASSOCIATION, OR OTHER ENTITY APPROVED BY THE GOVERNING BODY, THE DEVELOPER SHALL REMAIN JOINTLY AND SEVERALLY LIABLE FOR THE MAINTENANCE OBLIGATIONS OF THE PROPERTY OWNERS ASSOCIATION.

APPROVED:
THIS IS TO CERTIFY THAT THE WITHIN PLAT OF "SUMMIT ORCHARD" WAS SUBMITTED TO AND DULY APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, THIS ____ DAY OF _____, 2016, BY ORDINANCE NO. _____.

KINDALL L. RHODES MAYOR	DATE: _____	DENISE R. CHISLUM, MBE CITY CLERK	DATE: _____	
FRED DAMBERO PLANNING COMMISSION SECRETARY	DATE: _____	GEORGE M. HINGER III, P.E. CITY ENGINEER	DATE: _____	
ROBERT G. McAVAY, AKP	DATE: _____	PAUL R. SHELTON	DATE: _____	



BUILDING LINES:
BUILDING LINES OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE CONSTRUCTED BETWEEN THIS LINE AND THE STREET RIGHT OF WAY LINE.

THE FOLLOWING WAS ESTABLISHED BY THE PLAT OF "SUMMIT INNOVATION CENTER - FIRST PLAT", DOCUMENT NO. 201506054787, BOOK 14156, PAGE 70:

BUILDING LINES OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT, AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT BETWEEN THIS LINE AND THE LOT LINE NEAREST THERE TO:

MAJOR STREET: 15 FEET ARTERIAL (THIS PERTAINS TO WARD ROAD, CHIPMAN ROAD, AND TUDOR ROAD. ALL SETBACKS ALONG THESE STREETS SHALL BE 15 FEET MINIMUM).

ALL OTHER STREETS IF MAIN ENTRY AND ANY DISPLAY WINDOWS FACE STREET, OTHERWISE 15 FEET (THIS PERTAINS TO INNOVATION PARKWAY AND SHALL BE BASED ON BUILDING TYPE (I.E., RETAIL, OFFICE, COMMERCIAL, ETC.) AND BUILDING ORIENTATION ON THE LOT. NO BUILDING SHALL BE ALLOWED TO EXTEND INTO ANY EASEMENTS ALONG STREET RIGHT-OF-WAYS).

SIDE YARDS: 10 FEET, 0 FEET FOR INTERIOR LOT LINES (THIS PERTAINS TO ALL LOTS AND SHALL BE BASED ON BUILDING ORIENTATION ON THE LOT. NO BUILDING SHALL BE ALLOWED TO EXTEND INTO ANY EASEMENTS ALONG LOT LINES).

REAR YARDS: 20 FEET (THIS PERTAINS TO ALL LOTS AND SHALL BE BASED ON BUILDING ORIENTATION ON THE LOT. NO BUILDING SHALL BE ALLOWED TO EXTEND INTO ANY BASEMENTS ALONG LOT LINES).

OIL/GAS WELLS:
ACCORDING TO AN ENVIRONMENTAL IMPACT STUDY OF ABANDONED OIL AND GAS WELLS IN LEE'S SUMMIT, MISSOURI IN 1995, BY EDWARD ALTON MAY, JR., P.E., THERE ARE NO OIL AND GAS WELLS WITHIN THE PROPERTY SHOWN HEREON.

GENERAL NOTES:

- NW TUDOR ROAD WAS ESTABLISHED BY THE PLAT OF "SUMMIT INNOVATION CENTER - FIRST PLAT", RECORDED AS DOCUMENT NO. 201506054787 IN PLAT BOOK 156 AT PAGE 64.
- NW WARD ROAD WAS ESTABLISHED BY THE PLAT OF "SUMMIT FAIR, SECOND PLAT LOTS 8, 10-14, AND TRACT C", RECORDED AS DOCUMENT NO. 20080088124 IN PLAT BOOK 122 AT PAGE 1.
- TRACT A, AS SHOWN HEREON, SHALL BE OWNED AND MAINTAINED BY TOWNSEND SUMMIT, LLC, ITS SUCCESSORS AND/OR ASSIGNS.

IN TESTIMONY WHEREOF:
THE UNDERSIGNED PROPRIETOR OF THE ABOVE TRACT OF LAND HAS CAUSED THESE PRESENTS TO BE SIGNED THIS ____ DAY OF _____, 2016.

BY: _____
STEVEN W. RICH, VICE PRESIDENT
TOWNSEND SUMMIT, LLC
STATE OF _____)
COUNTY OF _____)

ON THIS ____ DAY OF _____, 2016, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED STEVEN W. RICH, TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY KNOWN TO SAY THAT HE IS THE VICE PRESIDENT OF TOWNSEND SUMMIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID TOWNSEND SUMMIT, LLC, AND SAID STEVEN W. RICH ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID TOWNSEND SUMMIT, LLC.

IN WITNESS WHEREOF:
I HAVE HEREIN SET MY HAND AND AFFIXED MY SEAL AT MY OFFICE IN SAID COUNTY AND STATE, THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC: _____ PRINT NAME: _____
DIRECTOR OF PLANNING & CODES ADMINISTRATION JACKSON COUNTY ASSESSOR / GIS DEPARTMENT

OWNER:
TOWNSEND SUMMIT, LLC
1311 MCCORMICK ROAD
SUITE 200
HUNT VALLEY, MARYLAND 21081

SURVYOR:
ANDERSON SURVEY COMPANY
203 N.W. EXECUTIVE WAY
LEE'S SUMMIT, MISSOURI 64063
(816) 246-5050

SHEET 1 OF 5

I HEREBY CERTIFY THAT THE PLAT OF "SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A" IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, AND I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS, TO THE BEST OF MY PROFESSIONAL INFORMATION, KNOWLEDGE AND BELIEF.



ROBERT J. ANDERSON, PLS #201605242

DATE PLAT PREPARED: 11/06/2016 4:19:11-FourPlat.pdf

- 2016 - 120 -

31-48-31
36-48-32
16-84-4971-1
41911-FinalPlot.dwg

FINAL PLAT OF SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A

A MAJOR SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI
PART OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 48 NORTH, RANGE 31 WEST
AND THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 48 NORTH, RANGE 32 WEST

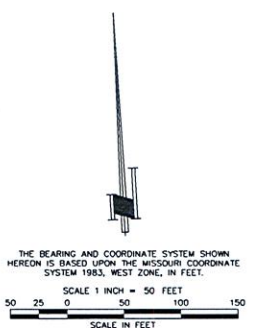
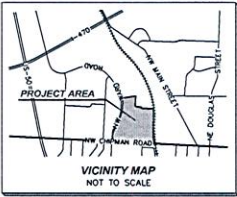
APPROVED: THIS IS TO CERTIFY THAT THE WITHIN PLAT OF "SUMMIT ORCHARD" WAS SUBMITTED TO AND DULY APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, THIS ____ DAY OF _____, 2016 BY ORDINANCE NO. _____

RANDALL L. RHODES MAYOR	DATE _____	DENISE R. CHISUM, MMC CITY CLERK	DATE _____
FRED IKAWO PLANNING COMMISSION SECRETARY	DATE _____	GEORGE M. HINGER III, P.E. CITY ENGINEER	DATE _____
ROBERT G. MCKAY, ACP DIRECTOR OF PLANNING & CODES ADMINISTRATION	DATE _____	PAUL R. SHELTON JACKSON COUNTY ASSESSOR / GIS DEPARTMENT	DATE _____

MISSOURI STATE PLANE COORDINATES

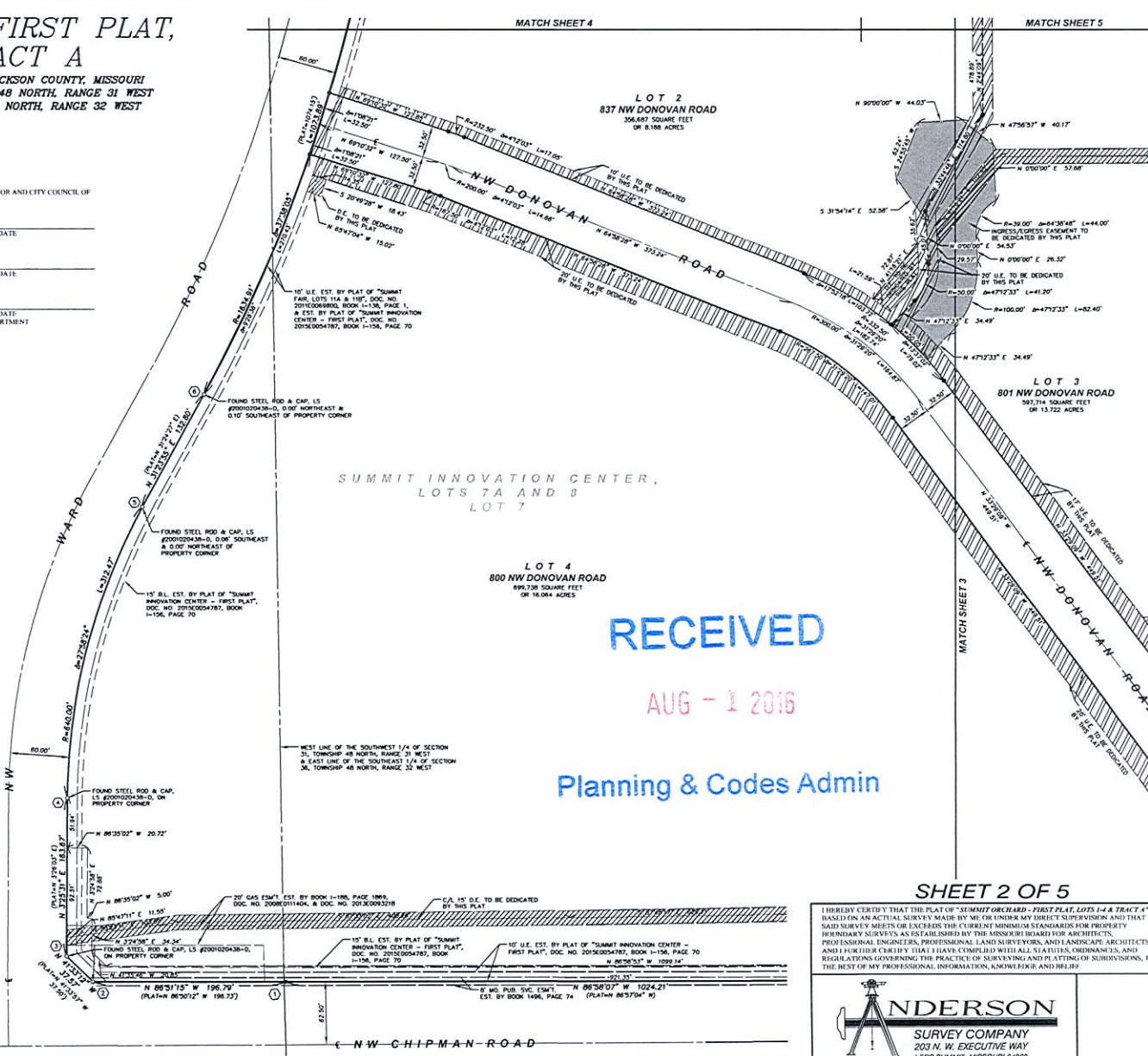
CONTROL STATION
FA-43
N 107528.340
E 800412.791
CEN-40999081
3001 ADJUSTMENT

POINT NO.	NORTHING	EASTING
1	89234.051	859281.061
2	89230.344	859221.175
3	89221.913	859213.539
4	89205.708	859216.500
5	89155.872	859234.724
6	89196.218	859265.861
7	89205.956	859335.828
8	89271.890	859249.032
9	89249.876	859469.939
10	89246.451	859483.542
11	89244.974	859503.699
12	89461.975	859671.559
13	89607.905	859686.725
14	89699.826	859666.031
15	89688.554	859711.890
16	89694.747	859712.854
17	89638.380	859708.261
18	89615.878	859707.669
19	89644.763	859716.500
20	89620.282	859693.530
21	89610.547	859692.772



LEGEND

- U.E. = UTILITY EASEMENT
- D.E. = DRAINAGE EASEMENT
- S.E. = SEWER EASEMENT
- B.L. = BUILDING SETBACK LINE
- [Hatched Box] = INGRESS/EGRESS EASEMENT TO BE DEDICATED BY THIS PLAT
- [Diagonal Lines] = DRAINAGE EASEMENT TO BE DEDICATED BY THIS PLAT
- [Cross-hatched Box] = SEWER EASEMENT TO BE DEDICATED BY THIS PLAT
- [Dotted Box] = UTILITY EASEMENT TO BE DEDICATED BY THIS PLAT
- FOUND MONUMENT AS NOTED
- 1/2" STEEL ROD AND PLASTIC CAP, STAMPED "ASC M5780 KLS", TO BE SET AT THE COMPLETION OF CONSTRUCTION.



RECEIVED

AUG - 1 2016

Planning & Codes Admin

SHEET 2 OF 5

I HEREBY CERTIFY THAT THE PLAT OF "SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A" IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, AND I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS, TO THE BEST OF MY PROFESSIONAL INFORMATION, KNOWLEDGE, AND BELIEF.



ROBERT J. ANDERSON, PLS #010000242

DRN JPW P.C. OK APP

-2016-120-

DATE PLAT PREPARED: JUNE 7, 2016 41911-FinalPlot.dwg

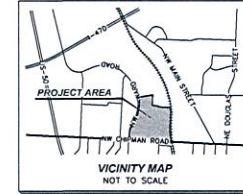
AUG - 1 2016

Planning & Codes Admin

FINAL PLAT OF SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A

A MAJOR SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI PART OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 48 NORTH, RANGE 31 WEST AND THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 48 NORTH, RANGE 32 WEST

MISSOURI STATE PLANE COORDINATES CONTROL STATION table with columns for POINT NO., NORTHING, and EASTING.



LEGEND defining symbols for U.E., D.E., S.E., B.L., and various easement types. Includes a scale bar (1 inch = 50 feet) and a north arrow.

APPROVED: THIS IS TO CERTIFY THAT THE WITHIN PLAT OF "SUMMIT ORCHARD" WAS SUBMITTED TO AND DULY APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, THIS ___ DAY OF ___, 2016 BY ORDINANCE NO. ___

Signatures and titles for RANDALL L. RHODAS (MAYOR), FRED D'AMORO (PLANNING COMMISSION SECRETARY), ROBERT G. MCKAY, AICP (DIRECTOR OF PLANNING & CODES ADMINISTRATION), DENISE R. CHESLUM, MMR. (CITY CLERK), GEORGE M. BINGER, III, P.E. (CITY ENGINEER), and PAUL R. SHELTON (JACKSON COUNTY ASSESSOR / GIS DEPARTMENT).

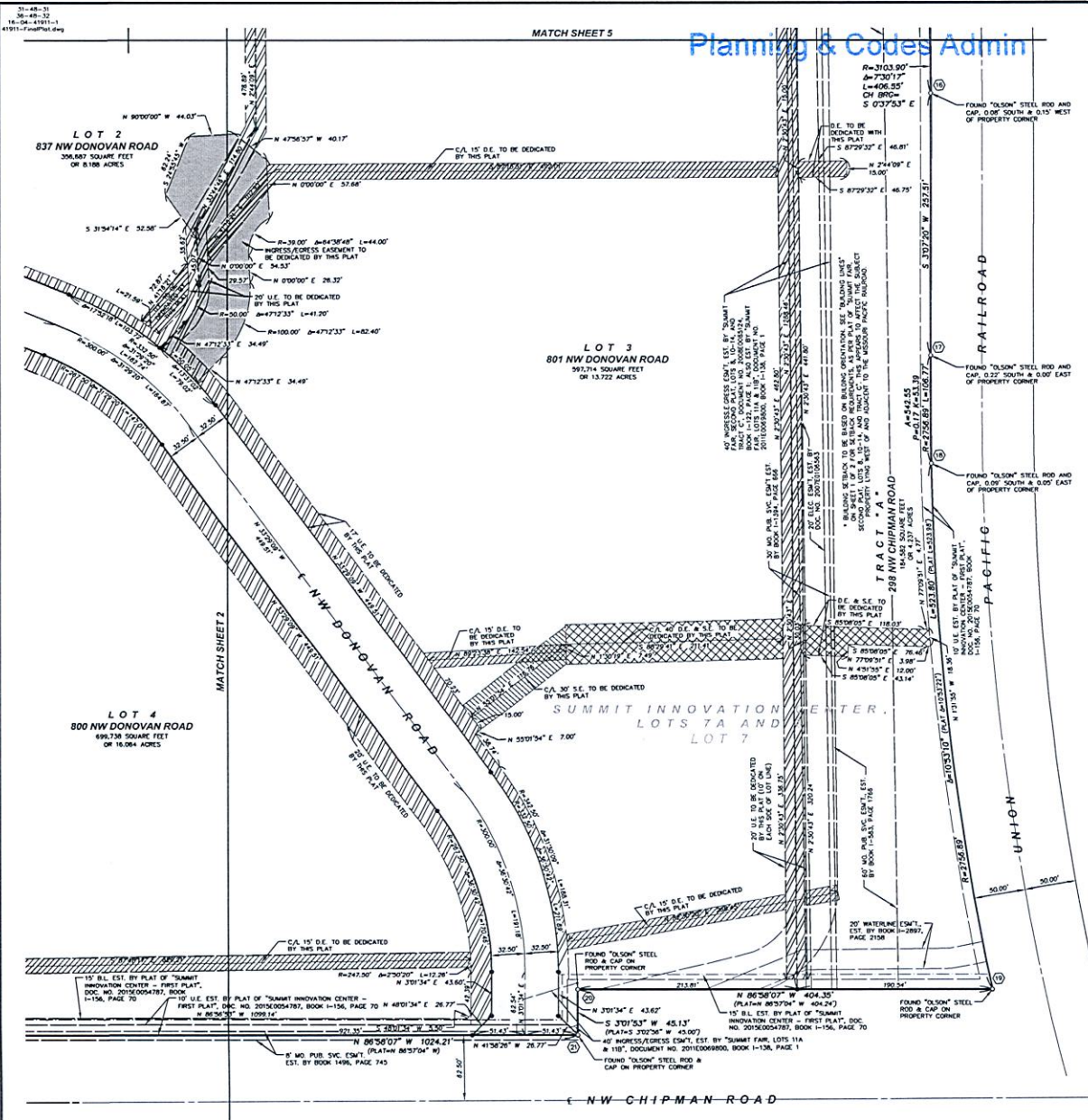
SHEET 3 OF 5

I HEREBY CERTIFY THAT THE PLAT OF "SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A" IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, AND I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS, TO THE BEST OF MY PROFESSIONAL INFORMATION, KNOWLEDGE AND BELIEF.



MISSOURI STATE CERTIFICATE OF AUTHORITY, 000076

ROBERT J. ANDERSON, PLS #201000242



DRN, JFW, P.C., OK, APP

DATE PLAT PREPARED: JUNE 7, 2016 41911-FinalPlat.dwg

-2016-120-

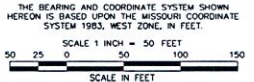
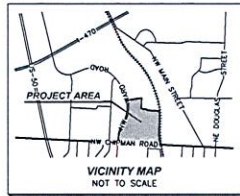
31-48-31
36-48-32
16-04-4191-1
41911-7.mxd Plat.dwg

FINAL PLAT OF SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A

A MAJOR SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI
PART OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 48 NORTH, RANGE 31 WEST
AND THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 48 NORTH, RANGE 32 WEST

MISSOURI STATE PLANE COORDINATES

CONTROL STATION		
1A-43		
N 80528.33M		
E 40014.703		
CHZ=40.9999981		
2003 ADJUSTMENT		
POINT NO.	NORTHING	EASTING
1	836345.013	859291.194
2	83637.444	859211.175
3	836315.613	859211.179
4	836355.766	859216.540
5	836355.622	859214.774
6	836390.218	859205.864
7	836370.946	859195.878
8	836321.650	859189.002
9	836349.976	859180.309
10	836316.491	859160.512
11	836343.816	859160.099
12	836411.925	859193.159
13	836407.265	859166.725
14	836395.026	859166.013
15	836368.554	859171.890
16	836463.745	859172.254
17	836386.380	859178.581
18	836353.828	859167.019
19	836398.765	859176.540
20	836371.262	859191.540
21	836387.545	859197.772



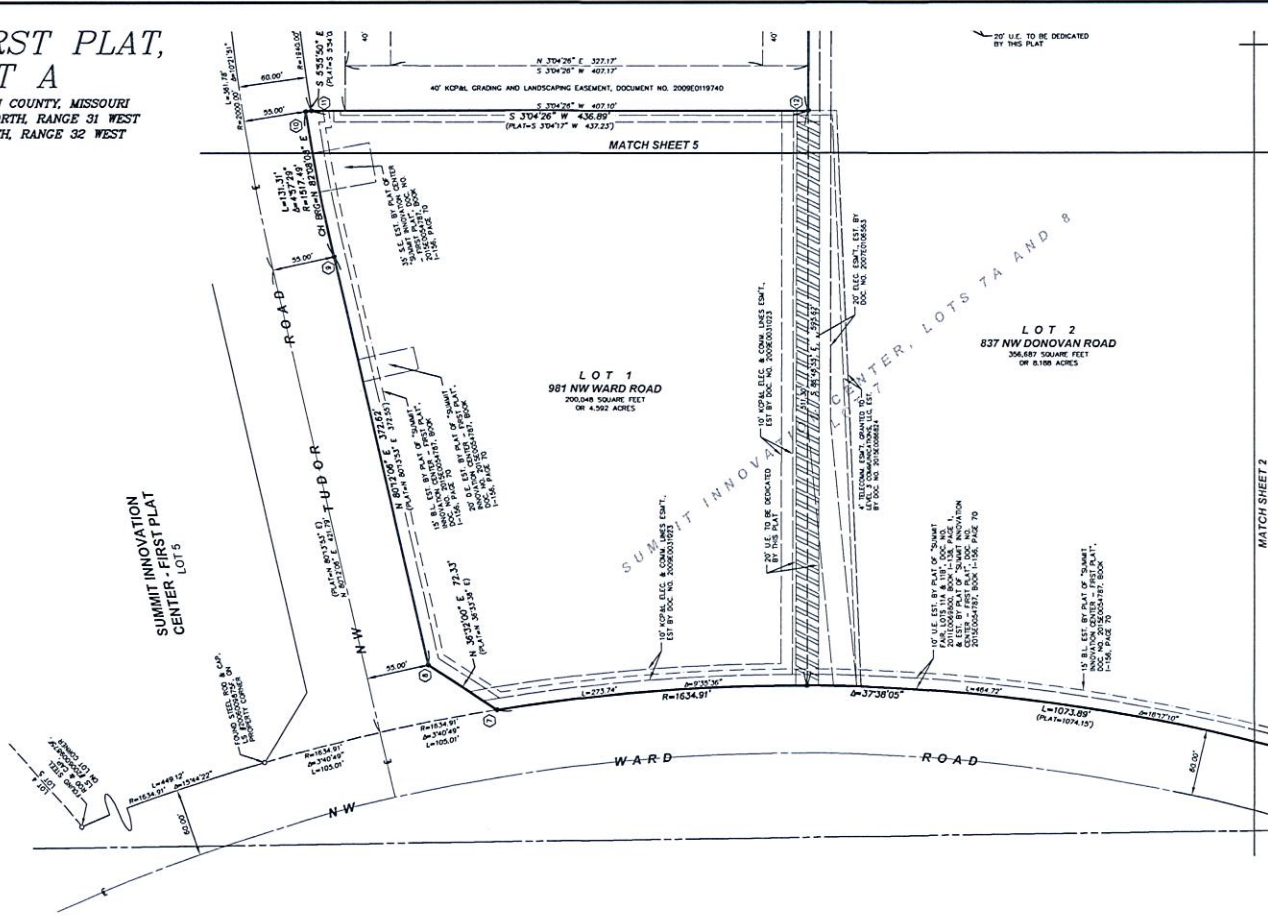
THE BEARING AND COORDINATE SYSTEM SHOWN
HEREON IS BASED UPON THE MISSOURI COORDINATE
SYSTEM 1983, WEST ZONE, IN FEET.

LEGEND	
— U.E. —	UTILITY EASEMENT
- - - D.E. - - -	DRAINAGE EASEMENT
- - - S.E. - - -	SEWER EASEMENT
- - - B.L. - - -	BUILDING SETBACK LINE
	UTILITY EASEMENT TO BE DEDICATED BY THIS PLAT

APPROVED:
THIS IS TO CERTIFY THAT THE WITHIN PLAT OF "SUMMIT ORCHARD" WAS SUBMITTED TO AND DULY APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, THIS ___ DAY OF _____, 2016 BY ORDINANCE NO. _____

KANDALL L. REIDARS MAYOR	DATE _____	DENISE R. CHESNALL,MMC CITY CLERK	DATE _____
FRED DAMORO PLANNING COMMISSION SECRETARY	DATE _____	GEORGE M. RINGER III, P.E. CITY ENGINEER	DATE _____
ROBERT G. MCKAY, ACP DIRECTOR OF PLANNING & CODES ADMINISTRATION	DATE _____	PAUL R. SHELTON JACKSON COUNTY ASSESSOR / GIS DEPARTMENT	DATE _____

DRN. JPW P.C. OK APP



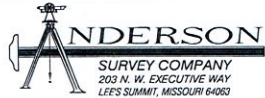
RECEIVED

AUG - 1 2016

Planning & Codes Admin

SHEET 4 OF 5

I HEREBY CERTIFY THAT THE PLAT OF "SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A" IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, AND I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS, TO THE BEST OF MY PROFESSIONAL INFORMATION, KNOWLEDGE AND BELIEF.



DATE PLAT PREPARED: JUNE 2, 2016 41911-7.mxd Plat.dwg

31-48-31
36-48-32
16-04-4191-1

MISSOURI STATE CERTIFICATE OF AUTHORITY, 000076

ROBERT J. ANDERSON, P.L.S. 6010000242

-2016-120-

31-48-31
36-48-32
16-06-41811-1
41911-Final Plat.dwg

FINAL PLAT OF SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A

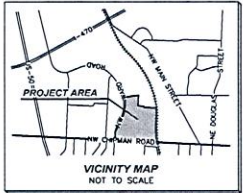
A MAJOR SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI
PART OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 48 NORTH, RANGE 31 WEST
AND THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 48 NORTH, RANGE 32 WEST

MISSOURI STATE PLANE COORDINATES

CONTROL STATION
JA-13
N 89726.849
E 86041.797
CUT 40 (99998)

300 ADJUSTMENT

POINT NO	NORTHING	EASTING
1	89284.051	859791.081
2	89282.344	859221.175
3	89213.913	859213.179
4	89205.702	859218.560
5	89079.622	859241.174
6	89062.718	859205.361
7	89030.076	859105.878
8	89212.600	859189.812
9	89240.076	859480.909
10	89336.451	859498.542
11	89341.925	859508.669
12	89611.975	859491.539
13	89642.707	859546.225
14	89695.026	859566.633
15	89868.554	859711.140
16	89642.214	859712.554
17	89186.360	859708.581
18	89153.828	859701.019
19	89186.261	859716.560
20	89286.282	859691.500
21	89187.543	859592.772

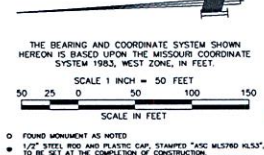


LEGEND

U.E. = UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
S.E. = SEWER EASEMENT
B.L. = BUILDING SETBACK LINE

DRAINAGE EASEMENT TO BE DEDICATED BY THIS PLAT

UTILITY EASEMENT TO BE DEDICATED BY THIS PLAT



○ FOUND MONUMENT AS NOTED
● 1/2" STEEL ROD AND PLASTIC CAP STAMPED "MO M5780 1915" TO BE SET AT THE COMPLETION OF CONSTRUCTION.

RECEIVED

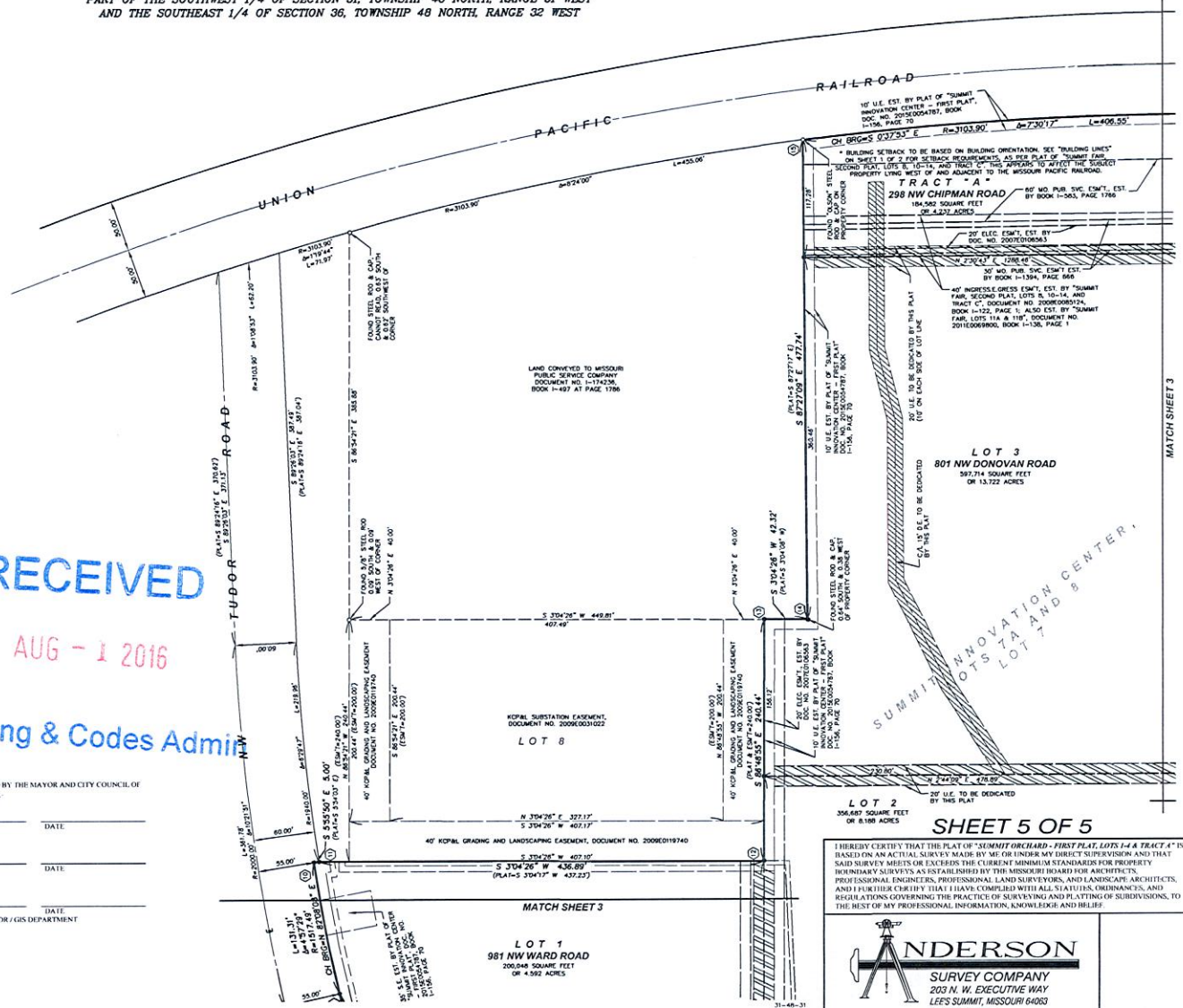
AUG - 1 2016

Planning & Codes Admin

APPROVED:
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RANDALL L. RHOADS MAYOR	DATE	DENISE R. CHISUM,MMC CITY CLERK	DATE
FRED DIMORO PLANNING COMMISSION SECRETARY	DATE	GEORGE M. BINGER III,P.E. CITY ENGINEER	DATE
ROBERT G. MCKAY, AICP DIRECTOR OF PLANNING & CODES ADMINISTRATION	DATE	PAUL R. SHELTON JACKSON COUNTY ASSESSOR / GIS DEPARTMENT	DATE

DRN.	JPW	P.C.	OK	APP.
------	-----	------	----	------



SHEET 5 OF 5

THEREBY CERTIFY THAT THE PLAT OF "SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT A" IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, AND I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS, TO THE BEST OF MY PROFESSIONAL INFORMATION, KNOWLEDGE AND BELIEF.



DATE PLAT PREPARED: JUNE 7, 2016 41911-Final Plat.dwg

-2016-120-

Summit Orchard - Public Improvements
 Revised 8/8/16 - per City Comments
 Updated to Final Quantities

Sanitary Sewer

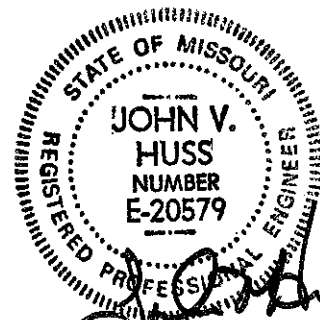
Item No.	Description	Units	Quantity	Unit Price	Cost
1	Connect to Ex. MH	ea	1	\$ 4,265.00	\$ 4,265.00
2	8" SDR26 Sewer	LF	1,082	\$ 29.60	\$ 32,027.20
3	10" SDR26 Sewer	LF	192	\$ 36.80	\$ 7,065.60
4	Sanitary Manhole	ea	7	\$ 4,795.00	\$ 33,565.00
5	Bore and Jack under Railroad	LF	102	\$ 570.00	\$ 58,140.00
6	Yard Restoration	msf	2	\$ 80.00	\$ 160.00

Subtotal \$ 135,222.80

Donovan Road Waterline - Ward to Chipman

Item No.	Description	Units	Quantity	Unit Price	Cost
1	Connect to Existing	ea	1	\$ 1,280.00	\$ 1,280.00
2	8" Gate Valve	ea	8	\$ 1,348.00	\$ 1,450.00
3	8" C-900 Waterline	LF	1,497	\$ 34.20	\$ 51,197.40
4	Chipman Crossing & Conn.	ea	1	\$ 50,140.00	\$ 50,140.00
5	Hydrant w/Valve	ea	5	\$ 4,185.00	\$ 20,925.00

Subtotal \$ 124,992.40



John V. Huss
 8/8/2016
 JOHN V. HUSS
 MO PE # E 20579
 Exp. 12.31.2017

DONOVAN ROAD PAVING**Storm Sewers**

Item No.	Description	Units	Quantity	Unit Price	Cost
1	15" HDPE	LF	441	\$ 44.00	\$ 19,404.00
2	18" HDPE	LF	577	\$ 54.00	\$ 31,158.00
3	24" HDPE	LF	240	\$ 56.00	\$ 13,440.00
4	30" HDPE	LF	432	\$ 65.00	\$ 28,080.00
5	36" HDPE	LF	548	\$ 70.00	\$ 38,360.00
6	30" RCP	LF	147	\$ 74.00	\$ 10,878.00
7	36" RCP	LF	201	\$ 86.00	\$ 17,286.00
8	15" RC FES	LF	1	\$ 975.00	\$ 975.00
9	30" RC FES	LF	1	\$ 1,575.00	\$ 1,575.00
10	36" RC FES	LF	2	\$ 2,000.00	\$ 4,000.00
11	4'x3' Type 1 Cub Inlet	ea	1	\$ 3,767.00	\$ 3,767.00
12	4'x4' Field Inlet	ea	3	\$ 3,073.00	\$ 9,219.00
13	5'x3' Curb Inlet	ea	9	\$ 3,630.00	\$ 32,670.00
14	5'x4' Field Inlet	ea	1	\$ 3,212.00	\$ 3,212.00
15	5'x4' Curb Inlet	ea	1	\$ 3,884.00	\$ 3,884.00
16	4' Dia. Manhole	ea	1	\$ 3,150.00	\$ 3,150.00
17	5' Dia. Manhole	ea	4	\$ 4,908.00	\$ 19,632.00
18	Connect to Exist Pipe	ea	3	\$ 1,434.00	\$ 4,302.00

Subtotal \$ 244,992.00

Paving - Donovan Road, Chipman & Donovan turn lanes, Ward & Donovan turn lanes

Item No.	Description	Units	Quantity	Unit Price	Cost
1	Traffic Control, Marking, signs	LS	1	\$ 35,170.00	\$ 35,170.00
2	Saw Cut & Demo Curb	LF	1,432	\$ 4.40	\$ 6,300.80
3	Earthwork for Roadway	CY	21,600	\$ 2.95	\$ 63,720.00
4	Fine Grade and Trim	SY	12,935	\$ 1.20	\$ 15,522.00
5	Geogrid Stabilization	SY	9,674	\$ 2.40	\$ 23,217.60
6	6" Base Rock	SY	9,674	\$ 8.20	\$ 79,326.80
7	Curb and Gutter	LF	4,251	\$ 14.50	\$ 61,639.50
8	9.5" Asphalt	SY	8,255	\$ 34.20	\$ 282,321.00
9	7" Conc. Drive on 4" base	ea	3	\$ 6,290.00	\$ 18,870.00
10	PCC Sidewalk	SF	13,750	\$ 4.20	\$ 57,750.00
11	ADA Ramp - Donovan	ea	2	\$ 1,465.00	\$ 2,930.00
12	ADA Ramps - Chipman	ea	3	\$ 1,870.00	\$ 5,610.00
13	Street Lighting	LS	1	\$ 108,060.00	\$ 108,060.00
14	Seeding	acre	24	\$ 1,500.00	\$ 36,000.00
15	Sod	SY	7,120	\$ 5.80	\$ 41,296.00

Subtotal \$ 837,733.70

Total Public Improvement Costs \$ 1,098,000.90
(NIC Mass Grading with Erosion Control)

Packet Information

File #: 2016-0449, **Version:** 1

Presentation on Show Me Heroes Program

Issue/Request:

Presentation on Show Me Heroes Program

Key Issues:

The City was recently provided information about the Show Me Heroes Program through the State Of Missouri. This program provides an incentive for Missouri employers to hire and retain Veterans. Mr. Wayne Woodworth, Veterans Representative for the Department of Economic Development, Division of Workforce Development will present details and specifics about the program and advantages for employers.

The City has enrolled in this program and will participate when it meets the City's best interests.

Proposed City Council Motion:

NA

Background:

The City currently has budgeted 767 FTE positions for the 2016-2017 budget year. We have a good representation of Veterans currently in our workforce and this program will provide access to additional qualified Veterans.

Presenter: Denise Kelly, Director of Human Resources

Recommendation: NA

Committee Recommendation: NA

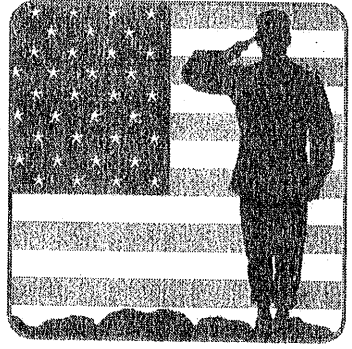
7/12/2016

SHOW-ME HEROES Employer Tax Tips

Employers: Take advantage of tax credits for hiring veteran employees! Hiring an unemployed veteran can qualify you for federal income-tax credits ranging from hundreds of dollars up to \$9,600 per new hire!*

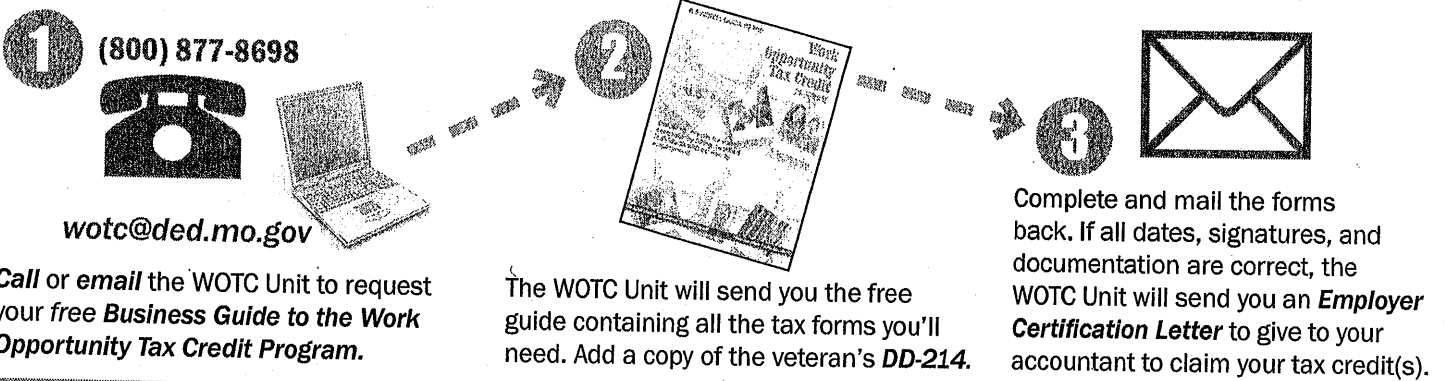
Hires that qualify for the Work Opportunity Tax Credit (WOTC) include...

- Food Stamp Recipient** | Hiring an unemployed veteran whose family has received food stamps for any consecutive three months during the 15-month period ending on the hire date.
- Short-term Unemployed** | Hiring a veteran who has been unemployed for at least four weeks out of the past 52 weeks.
- Long-term Unemployed** | Hiring a veteran who has been unemployed for at least six months out of the past 12 months.
- Disabled/Recent Discharge** | Hiring a veteran with a service-connected disability (10% or more) within one year of discharge from active duty.
- Disabled/Long Unemployed** | Hiring a veteran with a service-connected disability (10% or more) who has been unemployed more than six months.



*Depending on the target group claimed and the actual number of hours the employee worked in the tax year.

The Division of Workforce Development's WOTC Unit will assist your filing for FREE!



Additional benefits of the Work Opportunity Tax Credit:

- There is **no limit** on the number of qualifying new hires you can take federal income-tax credit for in a tax year.
- There is **no cap** on the total dollar amount of federal income-tax credits you can receive for those new hires in a tax year.
- In addition to the five veterans categories, there are **eight other qualifying categories** of job seekers facing barriers to employment. You may be eligible for tax credit for new hires from these groups, as well. **Contact the WOTC Unit to learn more!**

For more information on hiring veterans, contact us at:
showmeheroes@ded.mo.gov

Learn more at:
showmeheroes.mo.gov

Or Call: 1-800-592-6020

MISSOURI HIRES ITS VETERANS

Your next employee is waiting for you at...



MO.gov (<http://www.mo.gov/>) Governor Jay Nixon (<http://governor.mo.gov/>)
 Find an agency (http://www.mo.gov/search-results?mode=state_agencies)
 Online Services (http://www.mo.gov/search-results?mode=state_agencies)

(/)

ABOUT (./ABOUT) | EMPLOYERS (./EMPLOYERS) | VETERANS & SERVICE MEMBERS (./VETERANS-SERVICE-MEMBERS)
 NEWS (./NEWS) | CONTACT US (./CONTACT-US) | JOBS (HTTP://MO-VETERANS.JOBS/)

On-the-Job Training

[Home](#) > On-the-Job Training

Did you know you can receive a 50% reimbursement for the wages you spend on-boarding your next new hire? Show-Me Heroes On-the-Job Training (OJT) has been designed with your business in mind!

Helping your Bottom Line!

Show-Me Heroes offers On-the-Job Training funds to help you save costs during your training process.

- We reimburse you for 50% (up to 1040 hours) of wages spent during training.
- We screen potential Veteran job seekers and refer them based on **your qualifications**.
- You make the final hiring decision.
- We do the paperwork and offer ongoing guidance and support.

Download the OJT Brochure! (/docs/default-source/default-document-library/smh-ojt_1_pager_rev3_06-13-14.pdf?sfvrsn=0)

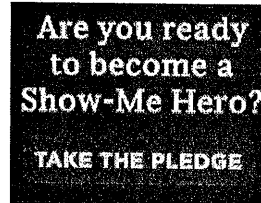
How It Works



1. Contact your nearest Local Veterans employment Representative or Job Center (<https://jobs.mo.gov/career-centers>) OR email ShowMeHeroes@ded.mo.gov (<mailto:ShowMeHeroes@ded.mo.gov>) **BEFORE YOU HIRE!**
2. Confirm your eligibility (</employers/on-the-job-training#business>)
3. Identify eligible (</employers/on-the-job-training#employee>) applicants who are:
 1. Referred to you through a career center or Veterans Representative OR
 2. Identified by you and referred to the career center or Veterans Representative.
4. Develop a training plan and schedule. Our career center specialists can help!
5. Complete and sign a training agreement prior to the start date of the OJT employee

Business Eligibility

- No layoffs were issued, at any facility, to create the open position (or substantially equivalent position).



([employer_pledge_form](#))

Hire candidates
([employers/hire](#))

Report Your Hires
([report-service-member-hires-flag-of-freedom](#))

Benefits of Hiring Military
([employers/reasons-to-hire-veterans-service-members](#))

Incentives to Offset Wages/Training
([employers/incentives](#))

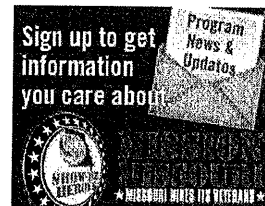
Submit Company Logo
(<mailto:showmeheroes@ded.mo.gov>)

View/Register for Upcoming Events
(</employer-map/events-calendar>)

Request New Pledge Certificate
(<mailto:showmeheroes@ded.mo.gov>)

Locate a Job Center
(<https://jobs.mo.gov/career-centers>)

See all Show-Me Heroes Employers ([employer-map](#))



(https://public.govdelivery.com/accounts/MODED/su?topic_id=MODED_226)

- You have recalled, or attempted to recall, all employees for this position who were laid off within the previous 365 days (prior to date of OJT hire).
- Open position must be permanent and full time (32+ hours per week).
- The open position must be in an identified growth industry (<http://www.onetonline.org/find/bright?b=1&g=Go>). (Career Center staff will be happy to assist with the identification process.).
- Your business must participate in E-Verify (<http://www.uscis.gov/e-verify>).
Show-Me Heroes pledged employer.
- Your business must be a ([employer pledge form](#))

Employee Eligibility

Veteran

- Meets federal definition of a Veteran (Title 38 USC Chapter 42) (<http://www.dol.gov/vets/usc/vpl/usc3842.htm>).
- Other than dishonorable discharge.
- Must be hired within one year from the date of discharge from active duty and have a DD-214 verifying discharge date and status.
- Must be a dislocated worker

National Guard or Reserve Service Member

- Deployed or activated for at least four months (domestic or international).
- Other than dishonorable discharge.
- Must be hired within one year from the date of discharge from a deployment/activation and have a DD-214 verifying discharge date and status.
- Must be a dislocated worker

Military Spouse

- Spouse of an active-duty U.S. Military Service Member (Active, National Guard, or Reserve Component).
- The military member must have been deployed or activated for at least 4 months.
- The military member must be currently deployed, or no more than one year past the date of discharge from a deployment.
- Must be a dislocated worker

Popular Links

Jobs.mo.gov (<http://jobs.mo.gov/>)
 Missouri Department of Economic
 Development
 (<http://ded.mo.gov/home.aspx>)
 Missouri National Guard
 (<http://www.moguard.com/>)

Contact

1-800-592-6020
showmeheroes@ded.mo.gov
 (<mailto:showmeheroes@ded.mo.gov>)

Connect With Us

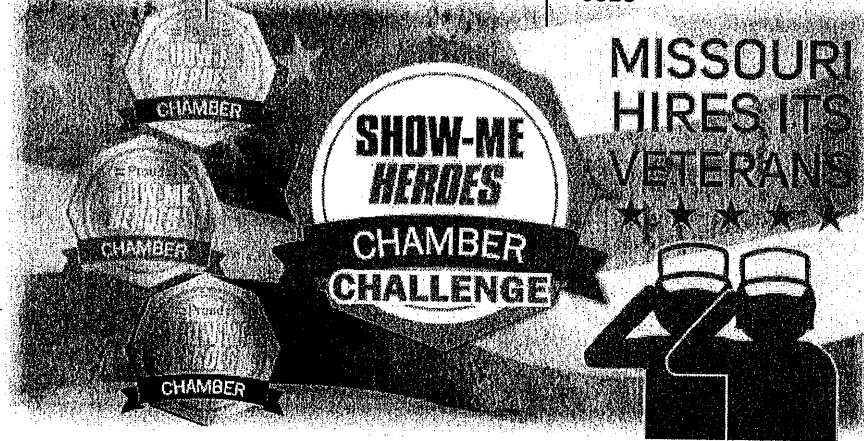
Missouri Division of Workforce Development is an equal opportunity employer/program.
 Auxiliary aids and services are available upon request to individuals with disabilities.

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 (<http://www.mo.gov/accessibility/>) | Contact Us ([/contact-us](#))

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Find an agency (http://www.mo.gov/search-results?mode=state_agencies)
Online Services (http://www.mo.gov/search-results?mode=state_agencies)

(/)

ABOUT (ABOUT) EMPLOYERS (EMPLOYERS) VETERANS & SERVICE MEMBERS (VETERANS-SERVICE-MEMBERS)
NEWS (NEWS) CONTACT US (CONTACT-US) JOBS (HTTP://MO-VETERANS.JOBS/)



(<http://showmeheroes.mo.gov/employers/chamber-challenge>)



([employers/take-the-pledge](#))



([employers/hire](#))



([report-service-member-hires-flag-of-freedom](#))

By Show-Me Heroes Employers!

4618 Employers Ha

Missouri Hires Its Veterans!

Looking for a job candidate that has all the right skills, experience, and qualities? Become a Show-Me Heroes business and start connecting with Missouri's military men and women! Find out why more Missouri businesses are hiring veterans and service members ([/employers/reasons-to-hire-veterans-service-members](#)) and about incentives ([/employers/incentives](#)) associated with on-boarding new recruits.

[Learn More... \(/employers\)](#)

Information

Incentives to Offset Wages & Training ([/employers/incentives](#))

Benefits of Hiring Veterans & Service Members ([/employers/reasons-to-hire-veterans-service-members](#))

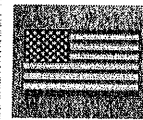
Awards & Recognition ([/employers/flag-of-freedom-award](#))

Recruit & Participate in Hiring Events ([/employer-map/events-calendar](#))

TAKE THE PLEDGE

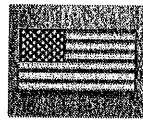
([employers/take-the-pledge](#))

News



Flag of Freedom award presented to Missouri businesses that have hired veterans under the Show-Me Heroes program

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(<http://ded.mo.gov/News/NewsArticle.aspx?NewsId=1020>)



Flag of Freedom award presented to Missouri businesses and organizations that have hired veterans under the Show-Me Heroes program

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Packet Information

File #: 2016-0369, Version: 1

PUBLIC HEARING - Appl. #PL2016-097 - PRELIMINARY DEVELOPMENT PLAN - QuikTrip, 800 NE Woods Chapel Rd.; QuikTrip, applicant.

(Note: This item was TABLED at the August 4, 2016. The applicant has requested this item be CONTINUED to September 1, 2016.)

Issue/Request:

This preliminary development plan is for the redevelopment of the existing QuikTrip site at the northeast corner of NE Woods Chapel Road and NE Ralph Powell Road. The existing 4,300 sq. ft. convenience store, 16 fueling stations and canopy are proposed to be demolished and replaced with a 5,858 sq. ft. convenience store, 20 fueling stations and canopy. The proposed convenience store is QuikTrip's Generation III design, which has a primarily brick exterior with porcelain tile accents used on the building's front and both side entry features. The fueling station canopy columns use brick from top to bottom.

The applicant requests modifications to the following UDO requirements: the maximum impervious coverage allowed, the minimum open area, the percent of parking and drive aisles devoted to landscape islands, mechanical unit screening, trash enclosure screening, under-canopy lighting levels, parking lot light pole height, the maximum number of heads allowed on parking lot lighting fixtures within the 100' perimeter area, and automatic door locks.

- 5,858 square foot building
- 0.06 floor area ratio (FAR) - 0.55 maximum permitted
- 83.4% impervious coverage - 80% maximum permitted
- 16.6% open area - 20% minimum open area required
- 64 parking spaces provided; 52 spaces required

City Council Motion: I move to direct staff to present an ordinance for approval of Appl. #PL2016-097 - PRELIMINARY DEVELOPMENT PLAN - QuikTrip, 800 NE Woods Chapel Rd.; QuikTrip, applicant.

Recommendation: Staff recommends **APPROVAL** of the preliminary development plan, subject to the following:

1. A modification shall be granted to the 80% maximum impervious coverage permitted, to allow for up to 83.4% impervious coverage.
2. A modification shall be granted to the 20% minimum open area requirement, to allow for a minimum open area of 16.6%.
3. A modification shall be granted to the requirement that landscape islands, strips or other planting areas located within the parking lot constitute at least 5% of the entire area devoted to parking spaces, aisles and driveways, to allow for these areas to constitute 2.4% of the entire area devoted to parking spaces, aisles and driveways.
4. A modification shall be granted to the requirement that all roof-mounted equipment shall be screened entirely from view by using parapet walls at the same height as the mechanical units, to allow the proposed mesh screening around the periphery of the roof-top mechanical equipment.

5. A modification shall be granted to the requirement that each trash enclosure include a steel gate painted to be compatible with the color of the masonry walls and building it is to serve, to allow the proposed mesh screening gate.
6. A modification shall be granted to the under-canopy lighting maximum of 30 foot-candles, to allow an under-canopy maximum of 58 foot-candles.
7. A modification shall be granted to the maximum parking lot pole fixture height of 15 feet within the 100-foot perimeter area from residential, to allow for parking lot pole lights with a maximum height of 20 feet.
8. A modification shall be granted to the maximum light fixture heads allowed within the 100-foot perimeter area from residential, to allow for three (3) double-headed parking lot lighting fixtures within the 100-foot perimeter area.
9. A modification shall be granted to the requirement of an automatic door lock capable of being locked from the cash register counter.
10. An application for minor plat shall be submitted, approved, and recorded prior to occupancy.
11. The development construction shall be in accordance with the preliminary development plan, date stamped May 20, June 21, and July 5, 2016.

Planning Commission Action: On motion of Mr. DeMoro and seconded by Mr. Delibero, the Planning Commission voted unanimously by voice vote to recommend **APPROVAL** of **Appl. #PL2016-097 - PRELIMINARY DEVELOPMENT PLAN** - QuikTrip, 800 NE Woods Chapel Rd; QuikTrip, applicant, subject to staff's letter dated July 8, 2016, recommendation items 1-11.

City of Lee's Summit

Department of Planning & Codes Administration

July 8, 2016

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director *Wf For RGM*
RE: **PUBLIC HEARING – Appl. #PL2016-097 – PRELIMINARY DEVELOPMENT PLAN
– QuikTrip, 800 NE Woods Chapel Rd; QuikTrip, applicant**

Commentary

This preliminary development plan is for the redevelopment of the existing QuikTrip site at the northeast corner of NE Woods Chapel Road and NE Ralph Powell Road. The existing 4,300 sq. ft. convenience store, 16 fueling stations and canopy are proposed to be demolished and replaced with a 5,858 sq. ft. convenience store, 20 fueling stations and canopy. The proposed convenience store is QuikTrip's Generation III design, which has a primarily brick exterior with porcelain tile accents used on the building's front and both side entry features. The fueling station canopy columns use brick from top to bottom.

The applicant requests modifications to the following UDO requirements: the maximum impervious coverage allowed, the minimum open area, the percent of parking and drive aisles devoted to landscape islands, mechanical unit screening, trash enclosure screening, under-canopy lighting levels, parking lot light pole height, the maximum number of heads allowed on parking lot lighting fixtures within the 100' perimeter area, and automatic door locks.

- 5,858 square foot building
- 0.06 floor area ratio (FAR) – 0.55 maximum permitted
- 83.4% impervious coverage – 80% maximum permitted
- 16.6% open area – 20% minimum open area required
- 64 parking spaces provided; 52 spaces required

Recommendation

Staff recommends **APPROVAL** of the preliminary development plan, subject to the following:

1. A modification shall be granted to the 80% maximum impervious coverage permitted, to allow for up to 83.4% impervious coverage.
2. A modification shall be granted to the 20% minimum open area requirement, to allow for a minimum open area of 16.6%.
3. A modification shall be granted to the requirement that landscape islands, strips or other planting areas located within the parking lot constitute at least 5% of the entire area devoted to parking spaces, aisles and driveways, to allow for these areas to constitute 2.4% of the entire area devoted to parking spaces, aisles and driveways.
4. A modification shall be granted to the requirement that all roof-mounted equipment shall be screened entirely from view by using parapet walls at the same height as the mechanical units, to allow the proposed mesh screening around the periphery of the roof-top mechanical equipment.
5. A modification shall be granted to the requirement that each trash enclosure include a steel gate painted to be compatible with the color of the masonry walls and building it is to serve, to allow the proposed mesh screening gate.

6. A modification shall be granted to the under-canopy lighting maximum of 30 foot-candles, to allow an under-canopy maximum of 58 foot-candles.
7. A modification shall be granted to the maximum parking lot pole fixture height of 15 feet within the 100' perimeter area from residential, to allow for parking lot pole lights with a maximum height of 20 feet.
8. A modification shall be granted to the maximum allowed single-headed parking lot light fixtures within the 100' perimeter area from residential, to allow for three (3) double-headed parking lot lighting fixtures within the 100' perimeter area.
9. A modification shall be granted to the requirement of an automatic door lock capable of being locked from the cash register counter.
10. An application for minor plat shall be submitted, approved, and recorded prior to occupancy.
11. The development construction shall be in accordance with the preliminary development plan, date stamped May 20, June 21, and July 5, 2016.

Project Information

Proposed Use: convenience store with 20 fueling stations

Land Area: 2.34 acres (101,740 square feet)

Building Area: 5,858 square feet

Location: northeast corner of NE Woods Chapel Road and NE Ralph Powell Road

Zoning: CP-2 (Planned Community Commercial)

Surrounding zoning and use:

North: RP-3 (Planned Residential Mixed Use) – Townhomes of Chapel Ridge

South (across NE Woods Chapel Road): CP-2 – retail center

East: CP-2 – Burger King

West (across NE Ralph Powell Road): CP-2 – bank and restaurant

Background

- March 17, 1998 – The City Council approved a rezoning and preliminary development plan (Appl. #1997-087) from District A (Agricultural) to District C-P (Planned Business, now CP-2) by Ord. #4584.
- May 11, 1998 – The Planning Commission approved the final development plan (Appl. #1998-211) for QuikTrip at 800 NE Woods Chapel Road.

Analysis of Preliminary Development Plan

Redevelopment of Existing Site. This preliminary development plan is for the redevelopment of an existing QuikTrip located at 800 NE Woods Chapel Road. The existing 4,300 square foot building will be demolished and a new 5,858 square foot Generation III building will be built on a slightly reconfigured site. The existing site is served by two drives along NE Ralph Powell Road and a single drive along NE Woods Chapel Drive. The existing south drive off NE Ralph Powell Road will be closed; the drive off NE Woods Chapel Road will be shifted further to the east. QuikTrip is in the process of obtaining additional land from the Burger King site to the east in order to shift the drive along NE Woods Chapel Road and provide more parking.

Impervious Coverage. Modification requested. **Staff supports the requested modification.**

- Required – Maximum of 80% impervious coverage.
- Proposed – The applicant proposes 83.4% impervious coverage for the redevelopment of this QuikTrip location, which currently has an impervious coverage of 82.3%.
- Recommended – The existing QuikTrip was approved under the 715 Zoning Ordinance which did not have an impervious area coverage requirement. The existing site is 79,487 square feet; the applicant is adding 22,253 square feet of land area to their site and 19,424 square feet of impervious area to their overall site for this redevelopment. Considering that this is a slight increase over what exists, staff supports the requested modification.

Minimum Open Area. Modification requested. **Staff supports the requested modification.**

- Required – Minimum open area 20% of overall site.
- Proposed – The applicant proposes 16.6% of the overall site to be open area.
- Recommended – Staff supports the requested modification since this is a redevelopment of an existing site.

Landscape Islands. Modification requested. **Staff supports the requested modification.**

- Required – Per Section 14.110.A of the UDO: “Landscape islands, strips or other planting areas shall be located within the parking lot and shall constitute at least five percent (5%) of the entire area devoted to parking spaces, aisles and driveways...”
- Proposed – The applicant proposes 1,258 square feet, or 2.4%, of the areas devoted to parking spaces, aisles and driveway as landscape islands, strips or other planting areas.
- Recommended – Staff supports the requested modification due to the largely existing site conditions. The existing site has approximately 200 square feet of landscape area within the parking lot. The proposed improvements will increase the landscape area within the parking lot approximately six-fold.

Roof-mounted mechanical unit screening. Modification requested. **Staff supports requested modification.**

- Required – All roof-mounted equipment shall be screened entirely from view by using parapet walls at the same height as the mechanical units.
- Proposed – An opaque mesh screen extending around the location of the roof-mounted mechanical equipment.
- Recommendation – Staff has visited a QuikTrip location within the metropolitan area that uses the proposed mesh screening method. The screening is opaque so the mechanical units are shielded from view. The screening allows for better air circulation around the rooftop equipment, which should increase its operational life by allowing more heat to escape from the units. QuikTrip will have a regular maintenance schedule regarding the replacement of the mesh screening. Staff supports the requested modification. The City Council recently granted this same modification for a new QuikTrip location at the southwest corner of NW Mulberry St and NW M-291 Hwy. Staff is currently in the process of amending the UDO to add this material as a reasonable screening material.

Trash enclosure unit screening. Modification requested. **Staff supports requested modification.**

- Required – All trash enclosures shall include a steel gate painted to be compatible with the color of the masonry walls and building it is to serve.
- Proposed – An opaque mesh screen gate.
- Recommendation – Staff reviewed the material proposed to serve as the screening material for the enclosure's gate. The screening provides sufficient opacity to shield the trash dumpster from view, while providing sufficient transparency at close distance to QuikTrip staff to be able to see through the gate when they are inside the trash enclosure thereby allowing for greater safety for QuikTrip employees. Staff supports the requested modification. The City Council recently granted this same modification for a new QuikTrip location at the southwest corner of NW Mulberry St and NW M-291 Hwy. Staff is currently in the process of amending the UDO to add this material as a reasonable screening material.

Under-Canopy Lighting. Modification requested. **Staff supports the requested modification.**

- Required – Under-canopy lighting levels shall be a minimum of 10 foot-candles and a maximum of 30 foot-candles.
- Proposed – Lighting levels at the fueling stations range from 20 to 58 foot-candles.
- Recommended – QuikTrip finds that as part of their life-safety Best Management Practices, this level of lighting produces the highest image quality of the on-site surveillance cameras. The canopy lights are recessed and will direct light straight downward and thus will not negatively impact any of the adjacent properties with light spillage. Staff supports the requested modification. The City Council recently granted this same modification for a new QuikTrip location at the southwest corner of NW Mulberry St and NW M-291 Hwy. Staff is currently in the process of re-evaluating the allowed lighting levels under-canopy.

Parking Lot Lighting Height. Modification requested. **Staff partially supports the requested modification.**

- Required – Per Section 7.250.D.1 of the UDO the maximum height of light fixtures on properties within or adjoining residential uses and/or districts is 15' within the first 100' of the shared residential use/district property line. Outside the 100' perimeter area the overall height may be increased to 20', measured to the top of the fixture from grade.
- Proposed – The applicant has proposed to utilize 22' tall parking lot lighting fixtures throughout the site.
- Recommended – QuikTrip states that their primary reason for requesting taller parking lot lighting fixtures is security. The taller fixtures provide better lighting and make it possible to hang cameras at an appropriate height. The applicant further states that they are separated from the residential property by both a private drive and heavy screening in the form of trees and an opaque fence. Staff supports allowing the taller parking lot lighting fixtures, but only up to 20' not 22' in total height.

Maximum Light Fixture Heads. Modification requested. **Staff supports the requested modification.**

- Required – The maximum number of light fixture heads allowed on developments adjoining residential uses and/or districts, including those separated by a street, shall be single-headed fixtures within the 100' perimeter area from residential.

- Proposed – The applicant has proposed to utilize three double-headed fixtures that are within the 100' perimeter area: 1) near the entrance along NE Ralph Powell Road that is approximately 47' from the shared residential property line, 2) in a landscape island on the northeast part of the site that is approximately 82' from the shared residential property line, and 3) on the northeast part of the site near the trash enclosure that is approximately 67' from the shared residential property line.
- Recommended – The proposed double-headed fixtures provide illumination for both the north shared access drive and the service drive behind the convenience store. The fixtures are located in a manner intended to balance the need to provide an adequate amount of illumination for security purposes while minimizing the impact of the fixtures on the adjacent residential uses. Staff believes that the following factors will mitigate the impact of the fixtures: the residences are separated from the subject site by a 6' tall fence plus tree line; the residences generally sit at a higher elevation than the subject site; all fixtures will have full cut-offs per ordinance requirements; and foot-candle levels shall not measure more than 0.5 foot-candles at the residential property line per ordinance requirements. Staff supports the use of double-headed fixtures as proposed.

Crime Prevention Through Environmental Design (CPTED) Requirements. Modification requested. **Staff supports requested modification.**

CPTED is defined as the proper design and effective use of the built environment that can lead to a reduction in the fear and incidents of crime, and an improvement in the quality of life. A convenience store is a conditional use requiring review of CPTED mandatory review requirements. A modification has been requested for an automatic door lock.

- Required – An automatic door lock capable of being locked from the cash transaction counter shall be provided.
- Proposed – QuikTrip properties do not incorporate this type of lock into their store designs.
- Recommended – All QuikTrip properties have cameras on site that have a view of all areas of the property. Also, with this type of system there may be the potential of employees and store patrons not being able to exit the facility in a crisis situation. The Lee's Summit Police Department agrees that this type of system is no longer considered a CPTED best management practice. Staff supports the requested modification. The City Council recently granted this same modification for a new QuikTrip location at the southwest corner of NW Mulberry St and NW M-291 Hwy.

Livable Streets. The proposed development plan includes all Livable Streets elements identified in the City's adopted Comprehensive Plan, associated Greenway Master Plan and Bicycle Transportation Plan attachments, and elements otherwise required by ordinances and standards, including, but not limited to, sidewalk, and accessibility. No exceptions to the Livable Streets Policy adopted by Resolution 10-17 have been proposed.

Code and Ordinance Requirements

The items in the box below are specific to this development and must be satisfactorily addressed in order to bring the plan into compliance with the Codes and Ordinances of the City.

Public Works

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 engineering plans and prior to the issuance of any infrastructure permits or the start of construction (excluding land disturbance permit).
3. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of an infrastructure permit or prior to the approval of the final development plan/engineering plans.
4. 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 16.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of the public infrastructure as outlined in Section 1000 of the City's Design & Construction Manual.
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. A certified copy shall be submitted to the City of verification.
6. 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 & Construction Manual.
7. Private pavement sections shall either follow Article 12 of the UDO or Table LS-3 of the Design & Construction Manual for pavement thickness and base requirements.
8. The limits of the proposed utility easement shown along the front (south) property line shall be stopped short of the proposed monument sign.

Fire

9. 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.

Planning and Codes Administration

10. Sign permits shall be obtained prior to installation of any signs through the Department of Planning and Codes Administration. All signs proposed must comply with the sign requirements as outlined in the sign section of the UDO.
11. Additional cross-access easement shall be dedicated along the north side of the site for the reconfigured drive.
12. A final plat shall be approved and recorded prior to any building permits being issued.
13. Accessible parking signs shall meet the requirements set forth in the **Manual on Uniform Traffic Devices (R7-8)**. Each accessible parking space shall be identified by a sign, mounted on a pole or other structure, located between 36 inches (3 feet) and 60 inches (5 feet) above the ground measured from the bottom of the sign, at the head of the parking space.
14. This development shall be subject to the Crime Prevention Through Environmental Design (CPTED) requirements of Article 9 of the UDO. Compliance with said requirements shall be checked at the time of final development plan and building plan review.

RGM/cs

Attachments:

1. Traffic Impact Analysis prepared by Michael Park, dated July 6, 2016 — 2 pages
2. Preliminary Development Plan (9 pages), consisting of:
 - Cover Sheet, date stamped June 21, 2016
 - Demo Plan, date stamped June 21, 2016
 - Site Plan, date stamped June 21, 2016
 - Grading Plan, date stamped June 21, 2016
 - Landscape Plan, date stamped July 5, 2016
 - Retaining Wall Profiles, date stamped June 21, 2016
 - Photometric Plan, date stamped May 20, 2016
 - Building Elevations, date stamped June 21, 2016
 - Canopy Elevations, date stamped May 20, 2016
3. Modification Request Letter, date stamped June 21, 2016—2 pages
4. Location Map



LEE'S SUMMIT MISSOURI

DEVELOPMENT REVIEW FORM TRANSPORTATION IMPACT

DATE: July 6, 2016
CONDUCTED BY: Michael K Park, PE, PTOE
SUBMITTAL DATE: June 21, 2016
PHONE: 816.969.1800
APPLICATION #: PL2016097
EMAIL: Michael.Park@cityofls.net
PROJECT NAME: QUIKTRIP (WOODS CHAPEL RD)
PROJECT TYPE: Prel Dev Plan (PDP)

SURROUNDING ENVIRONMENT (*Streets, Developments*)

The proposed commercial redevelopment is located at the northeast corner of Woods Chapel Road and Ralph Powell Road. The property is bordered by commercial development to the south, east and west with single family residential to the north.

ALLOWABLE ACCESS

The proposed redevelopment will be accessed from existing driveways along Woods Chapel Road and Ralph Powell Road. There is an existing right-in/right-out driveway along Woods Chapel Road, restricted by a raised median along Woods Chapel Road. A westbound right-turn lane exists for this access. There are also two driveways along Ralph Powell Road, one shared with adjacent development. The access along Ralph Powell Road nearest Woods Chapel Road will be removed. Improved site circulation and driveway access is proposed; there is no new access to the public street network. Sight distance is adequate the existing driveway locations.

EXISTING STREET CHARACTERISTICS (*Lanes, Speed limits, Sight Distance, Medians*)

Woods Chapel Road is a four-lane median divided 40 mph arterial street with turn lanes at intersections and driveways adjacent to the proposed redevelopment site. Ralph Powell Road is a multi-lane median divided 25 mph commercial collector street adjacent to the proposed redevelopment site. The intersection of Woods Chapel Road and Ralph Powell Road is traffic signal controlled.

ACCESS MANAGEMENT CODE COMPLIANCE?

Yes

No

All criteria in the Access Management Code have been satisfied to the extent possible and in consideration of existing conditions for the redevelopment project. Access management compliance will be improved with the proposed removal of a driveway along Ralph Powell Road closest to Woods Chapel Road.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	930	465	465
A.M. Peak Hour	44	22	22
P.M. Peak Hour	56	28	28

The trip generation estimates noted above represent the net impact of vehicle trips associated with the proposed redevelopment (e.g. trips derived from the building expansion).

TRANSPORTATION IMPACT STUDY REQUIRED? **Yes** **No**

The proposed redevelopment will not likely generate more than 100 new vehicle trips to the surrounding street system during any given peak hour as a minimum condition for a transportation impact study. Furthermore, a percentage of trips generated are considered "pass-by", not new to the adjacent roadways as a result of the project.

LIVABLE STREETS (Resolution 10-17) **COMPLIANT** **EXCEPTIONS**

The proposed development plan includes all Livable Streets elements identified in the City's adopted Comprehensive Plan, associated Greenway Master Plan and Bicycle Transportation Plan attachments, and elements otherwise required by ordinances and standards, including but not limited to sidewalk, landscaping, and accessibility. No exceptions to the Livable Streets Policy adopted by Resolution 10-17 have been proposed.

RECOMMENDATION: **APPROVAL** **DENIAL** **N/A** **STIPULATIONS**

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

Staff recommends approval of the proposed preliminary development plan.

SITE DEVELOPMENT PLANS FOR QUIKTRIP STORE #0208 WOODS CHAPEL RD & NE RALPH POWELL RD LEE'S SUMMIT, MISSOURI

GENERAL NOTES:

- A. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE FULLY AND COMPLETELY RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE PROPERTY DURING PERFORMANCE OF THE WORK. TO THIS REQUIREMENT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE PROPERTY DURING PERFORMANCE OF THE WORK. ANY CONSTRUCTION OR OPERATION BY THE ENGINEER OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF NEAR THE CONSTRUCTION SITE.
- B. CONTRACTOR SHALL BE RESPONSIBLE FOR RAZING AND REMOVAL OF EXISTING STRUCTURES, INCLUDING UTILITIES, PAVING, AND ANY OTHER EXISTING UTILITIES, AS SHOWN ON THESE PLANS.
- C. CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBERG AND OTHER MATERIALS RESULTING FROM PREVIOUS AND CURRENT DEMOLITION AND CONSTRUCTION ACTIVITIES, INCLUDING UTILITIES, PAVING, AND ANY OTHER EXISTING UTILITIES, AS SHOWN ON THESE PLANS.
- D. THE GENERAL CONTRACTOR SHALL BE HELD SOLELY RESPONSIBLE FOR AND SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
- E. ALL CONSTRUCTION IN STATE HIGHWAY DEPARTMENT RIGHT-OF-WAY SHALL BE COORDINATED WITH THE HIGHWAY DEPARTMENT RESIDENT ENGINEER. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND DATED AS FOLLOWS SHALL OBTAIN ON THIS PROJECT.
- F. ALL SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED THE SPECIFICATIONS FOR THE CONSTRUCTION OF THE PROJECT AS SHOWN ON THESE PLANS. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND DATED AS FOLLOWS SHALL OBTAIN ON THIS PROJECT.

WETLANDS NOTICE:

ANY DEVELOPMENT, EXCAVATION, CONSTRUCTION, OR FILLING IN A U.S. STATE AND FEDERAL APPROVALS THE CONTRACTOR SHALL COMPLY WITH THE WETLANDS NOTICE. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND DATED AS FOLLOWS SHALL OBTAIN ON THIS PROJECT.

WARRANTY/DISCLAIMER:

THE DESIGN REPRESENTED ON THESE PLANS WAS IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN AND CONSTRUCTION OF THIS PROJECT. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND DATED AS FOLLOWS SHALL OBTAIN ON THIS PROJECT.

NOTICE TO BIDDERS:

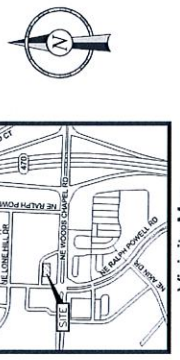
ALL QUESTIONS REGARDING THE PREPARATION OF THE GENERAL CONTRACT SHALL BE DIRECTED TO THE ENGINEER. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND DATED AS FOLLOWS SHALL OBTAIN ON THIS PROJECT.

FLOOD CERTIFICATION:

THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND DATED AS FOLLOWS SHALL OBTAIN ON THIS PROJECT.

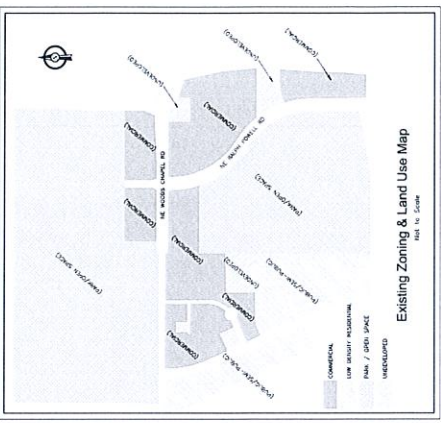
BENCHMARKS:

BM-1 (BASIS FOR VERTICAL DATUM IS NAVD83) EXISTING 2.00' CUT ON THE SOUTH SIDE OF THE SOUTHWEST CORNER OF LOT #208 (ELEVATION=947.74)



- MUNICIPAL CONTACT LIST:**
CITY OF LEE'S SUMMIT
- PLANNING AND DEVELOPMENT**
120 S. GREEN STREET
LEE'S SUMMIT, MO 64063
TEL: (816) 969-1000
FAX: (816) 969-1619
 - PUBLIC UTILITIES**
220 SE GREEN STREET
LEE'S SUMMIT, MO 64063
TEL: (816) 969-1809
FAX: (816) 969-1925
 - LEE'S SUMMIT FIRE DEPARTMENT**
307 SE DOUGLAS ROAD
LEE'S SUMMIT, MO 64063
TEL: (816) 969-1300
FAX: (816) 969-1300
 - TELEPHONE COMPANY**
ALEX
TEL: (800) 454-7925
 - CORRECTIONAL CENTER**
1125 S. GREEN STREET
LEE'S SUMMIT, MO 64063
TEL: (816) 969-1200
FAX: (816) 969-1201
 - METEL UTILITIES**
220 SE GREEN STREET
LEE'S SUMMIT, MO 64063
TEL: (816) 969-1925
FAX: (816) 969-1925
 - ELECTRIC COMPANY & LIGHT**
220 SE GREEN STREET
LEE'S SUMMIT, MO 64063
TEL: (816) 969-1925
FAX: (816) 969-1925
 - S&S COMMERCIAL ENERGY**
MISSOURI GAS ENERGY
ALEX
TEL: (816) 756-5222

- PROJECT CONTACT LIST:**
- OWNER**
SHAWK, ALAN & WARREN, INC.
SCOTT D. CORBER, P.E.
LENNIA, KS 66219
TEL: (913) 886-7868
FAX: (913) 886-7868
 - GENERAL CONTRACTOR**
BHC RHODES
7103 COLLEGE AVENUE, SUITE 400
OVERLAND PARK, KS 66210
TEL: (913) 663-1633
FAX: (913) 663-1633
 - GEOTECHNICAL ENGINEER**
BHC RHODES
7103 COLLEGE AVENUE, SUITE 400
OVERLAND PARK, KS 66210
TEL: (913) 663-1633
FAX: (913) 663-1633
 - REGISTERED ARCHITECT MANAGER**
QUINTUP CORPORATION
ANDREW SMITH BRNKE
LENNIA, KS 66219
TEL: (913) 905-2025
FAX: (913) 905-2025
 - REGISTERED CIVIL ENGINEER**
QUINTUP CORPORATION
ANDREW SMITH BRNKE
LENNIA, KS 66219
TEL: (913) 905-2025
FAX: (913) 905-2025



SHEET INDEX

NO.	TITLE
1	COVER
2	DEMOLITION PLAN
3	SITE PLAN
4	GRADING PLAN
5	LANDSCAPE PLAN
6	RETAINING WALL PROFILES



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PROJECT NO. 0208
WOODS CHAPEL RD. & NE RALPH POWELL RD.
LEE'S SUMMIT, MISSOURI
QuikTrip No. 0208

BHC RHODES
REGISTERED ARCHITECT MANAGER
7103 COLLEGE AVENUE, SUITE 400
OVERLAND PARK, KS 66210
TEL: (913) 663-1633
FAX: (913) 663-1633

QUINTUP CORPORATION
REGISTERED CIVIL ENGINEER
ANDREW SMITH BRNKE
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TEL: (913) 905-2025
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QUINTUP CORPORATION
REGISTERED ARCHITECT MANAGER
ANDREW SMITH BRNKE
LENNIA, KS 66219
TEL: (913) 905-2025
FAX: (913) 905-2025

DATE: 05/20/16
SHEET NUMBER: 1
COVER

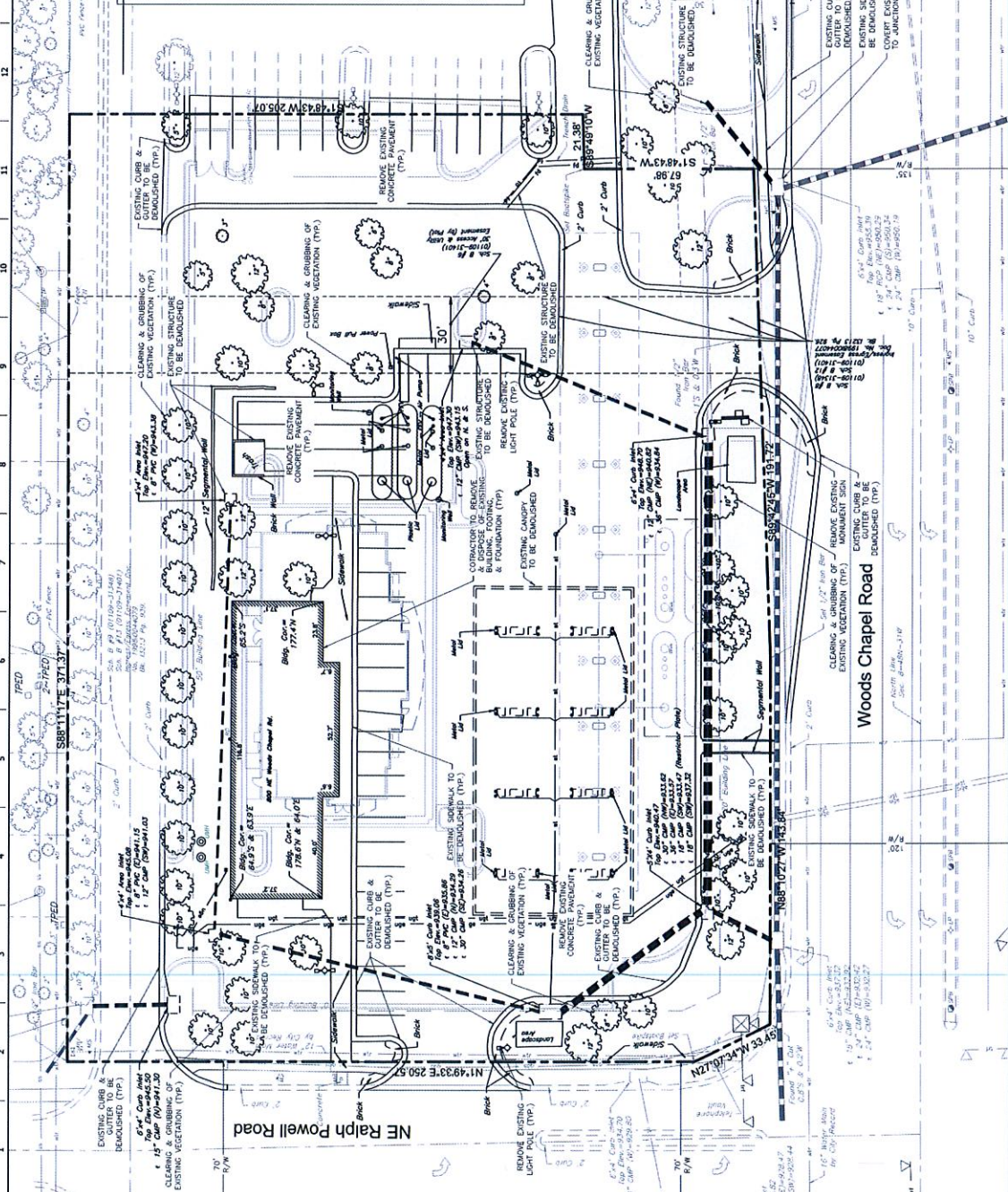
SURVEY LEGEND

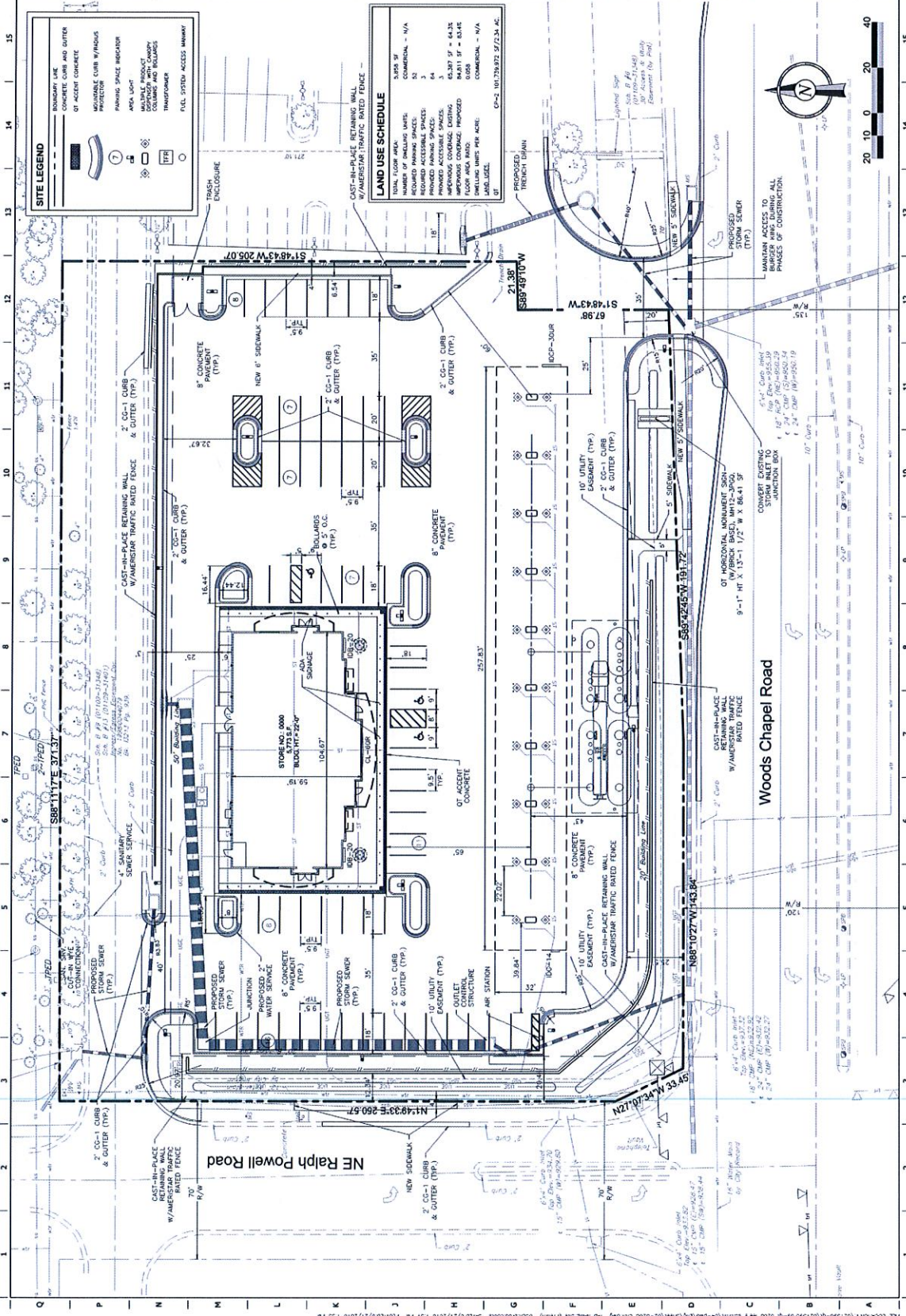
EXISTING FEATURES

- CONCRETE CURB
- CONCRETE DRIVE
- CONCRETE SIDEWALK
- CONCRETE PAVEMENT
- ASPHALT DRIVE
- ASPHALT SIDEWALK
- ASPHALT PAVEMENT
- EDGE OF ASPHALT
- EDGE OF CONCRETE
- WOOD FENCE

EXISTING UTILITIES

- OVERHEAD ELECTRIC
- UNDERGROUND ELECTRIC
- UNDERGROUND CABLE
- UNDERGROUND FIBER OPTIC
- STORM SEWER LINE (12")
- STORM SEWER LINE (18")
- STORM SEWER LINE (24")
- STORM SEWER LINE (30")
- STORM SEWER LINE (36")
- STORM SEWER LINE (42")
- STORM SEWER LINE (48")
- STORM SEWER LINE (54")
- STORM SEWER LINE (60")
- STORM SEWER LINE (66")
- STORM SEWER LINE (72")
- STORM SEWER LINE (78")
- STORM SEWER LINE (84")
- STORM SEWER LINE (90")
- STORM SEWER LINE (96")
- STORM SEWER LINE (102")
- STORM SEWER LINE (108")
- STORM SEWER LINE (114")
- STORM SEWER LINE (120")
- STORM SEWER LINE (126")
- STORM SEWER LINE (132")
- STORM SEWER LINE (138")
- STORM SEWER LINE (144")
- STORM SEWER LINE (150")
- STORM SEWER LINE (156")
- STORM SEWER LINE (162")
- STORM SEWER LINE (168")
- STORM SEWER LINE (174")
- STORM SEWER LINE (180")
- STORM SEWER LINE (186")
- STORM SEWER LINE (192")
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- STORM SEWER LINE (204")
- STORM SEWER LINE (210")
- STORM SEWER LINE (216")
- STORM SEWER LINE (222")
- STORM SEWER LINE (228")
- STORM SEWER LINE (234")
- STORM SEWER LINE (240")
- STORM SEWER LINE (246")
- STORM SEWER LINE (252")
- STORM SEWER LINE (258")
- STORM SEWER LINE (264")
- STORM SEWER LINE (270")
- STORM SEWER LINE (276")
- STORM SEWER LINE (282")
- STORM SEWER LINE (288")
- STORM SEWER LINE (294")
- STORM SEWER LINE (300")





SITE LEGEND

- RETAINING WALL
- CONCRETE CURB AND GUTTER
- OT ACCENT CONCRETE
- WATER
- MIXTURE CURB W/ROADS
- PAVING SPACE INDICATOR
- AREA LIGHT
- PROP. LIGHT
- CONCRETE CURB AND GUTTER
- TRANSFORMER
- OT SYSTEM ACCESS HIGHWAY

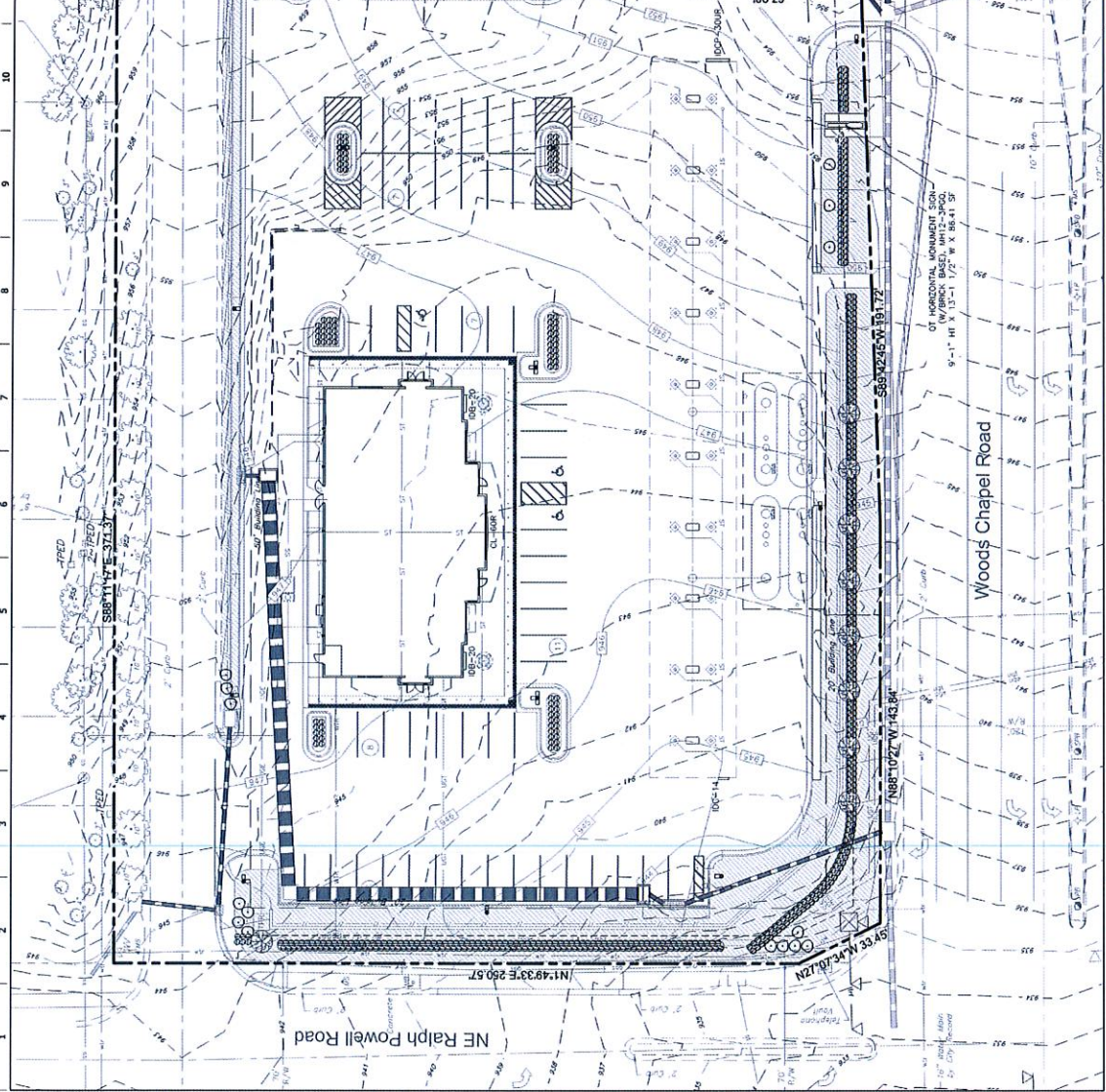
LAND USE SCHEDULE

TOTAL FLOOR AREA: 3,800 SF
COMMERCIAL - N/A
REQUIRED PARKING SPACES: 53
PROVIDED PARKING SPACES: 64
PROVIDED ACCESSIBLE SPACES: 3
65.807 SF = 64.32
158.27 SF = 64.32
IMPROVING COMMERCIAL DISTRICT
FLOOR AREA RATIO: 0.888
DRAINAGE RATE PER ACRE: 1.22
DRAINAGE RATE PER ACRE: 1.22

	QUICKTRIP No. 0208 LEES SUMMIT, MISSOURI WOODS CHAPEL RD. & NE RALPH POWELL RD.	ORIGINAL ISSUE DATE: 05/20/16 SHEET NUMBER: 5 LANDSCAPE PLAN SHEET TITLE:
	PREPARED BY: J.A. DUNN CHECKED BY: J.A. DUNN DATE: 05/20/16	PROJECT NO.: 15010 CLIENT: LEES SUMMIT, MISSOURI ADDRESS: 2101 Ridge Springs Blvd., Lees Summit, MO 64086 PHONE: (816) 424-4433

LANDSCAPE SCHEDULE	SYMBOL	COMMON NAME	MINIMUM SIZE / HEIGHT / SPACING	QUANTITIES	COMMENTS
SPRINGS	⊙	INTERMEDIATE BROWN OR MOUNTAIN PINE OR BLUE SPRUCE	2 1/2" DIA. (TOTAL) 2" DIA. (BASE)	20 EA.	SEE LANDSCAPE PLAN AND SCHEDULE FOR SPECIFICATIONS AND SIZES.
FRONTCOURT TREES	⊙	SHRUBS	2" DIA. (TOTAL) 2" DIA. (BASE)	9 EA.	SEE LANDSCAPE PLAN AND SCHEDULE FOR SPECIFICATIONS AND SIZES.
FRONTCOURT TREES	⊙	SHRUBS	2" DIA. (TOTAL) 2" DIA. (BASE)	12 EA. S.F.	SEE LANDSCAPE PLAN AND SCHEDULE FOR SPECIFICATIONS AND SIZES.
FRONTCOURT TREES	⊙	SHRUBS	2" DIA. (TOTAL) 2" DIA. (BASE)	12 EA. S.F.	SEE LANDSCAPE PLAN AND SCHEDULE FOR SPECIFICATIONS AND SIZES.

LANDSCAPE REQUIREMENTS	REQUIRED	PROVIDED
1. TREE FOR EVERY 20' OF STREET FRONTAGE	11 TREES	11 TREES PROVIDED
2. TREE FOR EVERY 20' OF STREET FRONTAGE	EXCEEDS REQUIREMENT	
3. TREE FOR EVERY 20' OF STREET FRONTAGE	EXCEEDS REQUIREMENT	
4. TREE FOR EVERY 20' OF STREET FRONTAGE	EXCEEDS REQUIREMENT	
5. TREE FOR EVERY 20' OF STREET FRONTAGE	EXCEEDS REQUIREMENT	
6. TREE FOR EVERY 20' OF STREET FRONTAGE	EXCEEDS REQUIREMENT	
7. TREE FOR EVERY 20' OF STREET FRONTAGE	EXCEEDS REQUIREMENT	
8. TREE FOR EVERY 20' OF STREET FRONTAGE	EXCEEDS REQUIREMENT	
9. TREE FOR EVERY 20' OF STREET FRONTAGE	EXCEEDS REQUIREMENT	
10. TREE FOR EVERY 20' OF STREET FRONTAGE	EXCEEDS REQUIREMENT	



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PROJECT NO. 16102150	
PROJECT TITLE: RETAINING WALL PROFILES	
REV	DATE
ORIGINAL ISSUE DATE: 05/20/16	
DESIGNED BY: JMS	
CHECKED BY: JMS	
DATE: 05/20/16	
PROJECT NO. 16102150	
PROJECT TITLE: RETAINING WALL PROFILES	
DESIGNED BY: JMS	
CHECKED BY: JMS	
DATE: 05/20/16	

WOODS CHAPEL RD. & NE RALPH POWELL RD.
LEES SUMMIT, MISSOURI

QuitTrip No. 0208

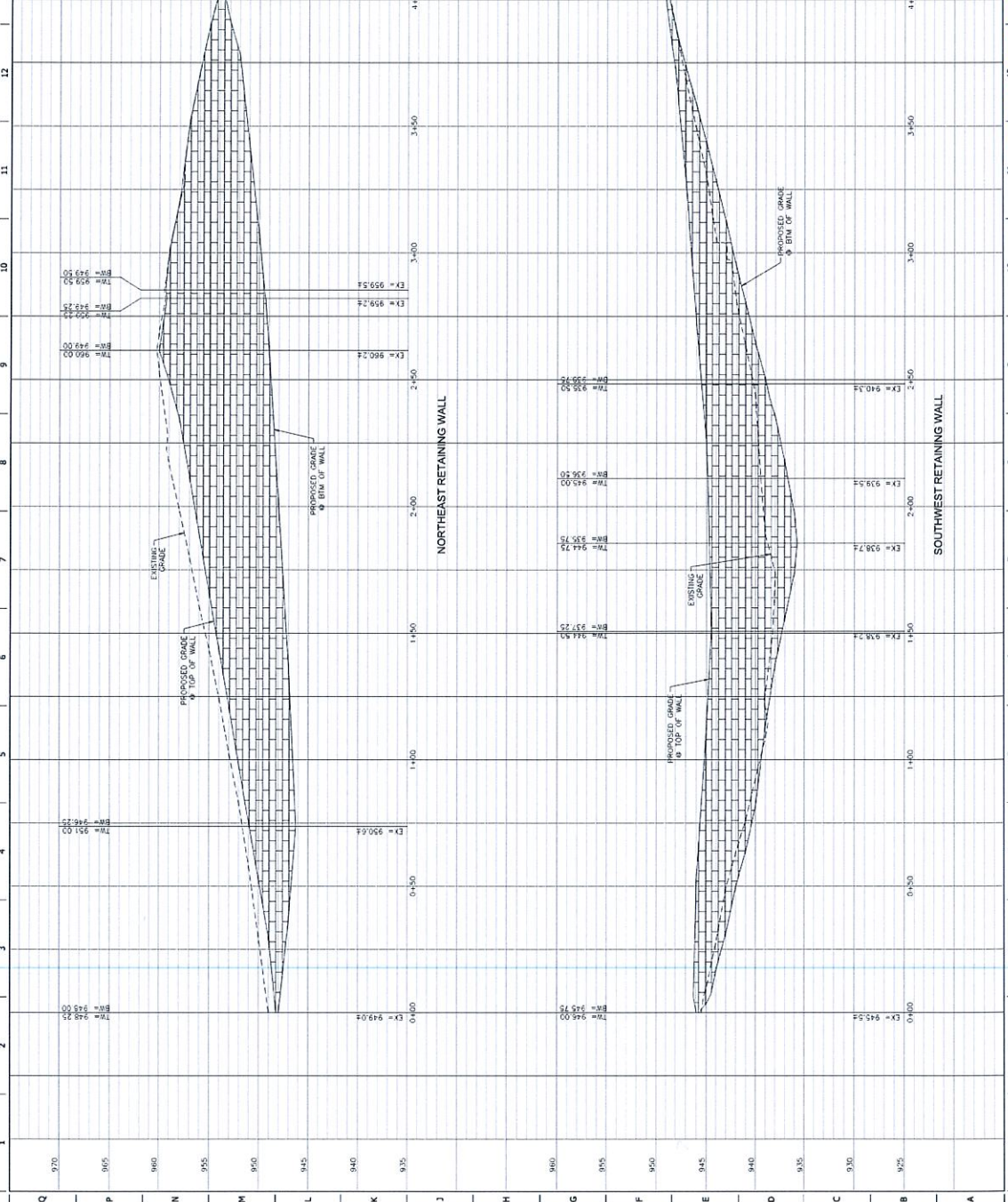
PROJECT NO. 16102150

PROJECT TITLE: RETAINING WALL PROFILES

DESIGNED BY: JMS

CHECKED BY: JMS

DATE: 05/20/16



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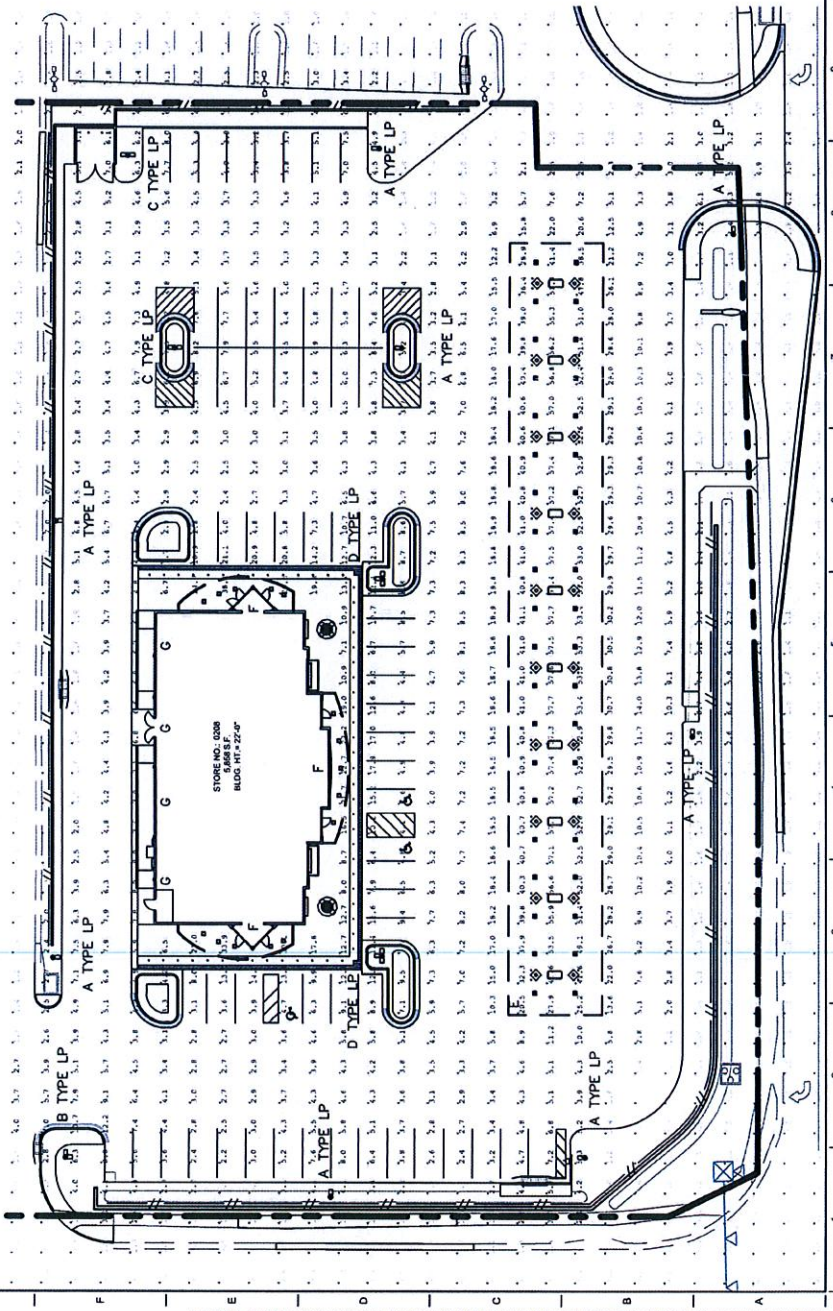
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1 2 3 4 5 6 7 8 9 10 11 12

STORE NO.: 0208 WOODCHAPEL RD. & NE RALPH POWELL RD. LEES SUMMIT, MO			ORIGINAL ISSUE DATE: 05/19/16
STORE NO.: 0208			PHOTOMETRIC SITE PLAN
STORE NO.: 0208		SHEET TITLE	SHEET NUMBER
STORE NO.: 0208		C160	

SYMBOL	LABEL	QTY	ARRANGEMENT	LUMINAIRE MOUNTING HEIGHT	LF PER LAMP	DESCRIPTION	TOTAL WATTS
	A	08	SINGLE	ZZ	13.336	XPT3-FT-LED-128-350-CW-AE-BRZ	143
	B	01	2 @ 90°	ZZ	13.336	XPT3-FT-LED-128-350-CW-AE-BRZ	143
	C	02	2 @ 180°	ZZ	13.336	XPT3-FT-LED-128-350-CW-AE-BRZ	143
	D	02	2 @ 90°	ZZ	13.336	XPT3-FT-LED-128-350-CW-AE-BRZ	143
	E	40	SINGLE	10' TO 15'	13.038	CRUS-LED-88-CW-AE-WHT	128
	F	15	SINGLE	10' TO 12'	6.193	XELLS-LED-50-CW-08-WHT-CMT	60
	G	04	SINGLE	12'	4.908	AW2-A059-50-UW-WT	77.3



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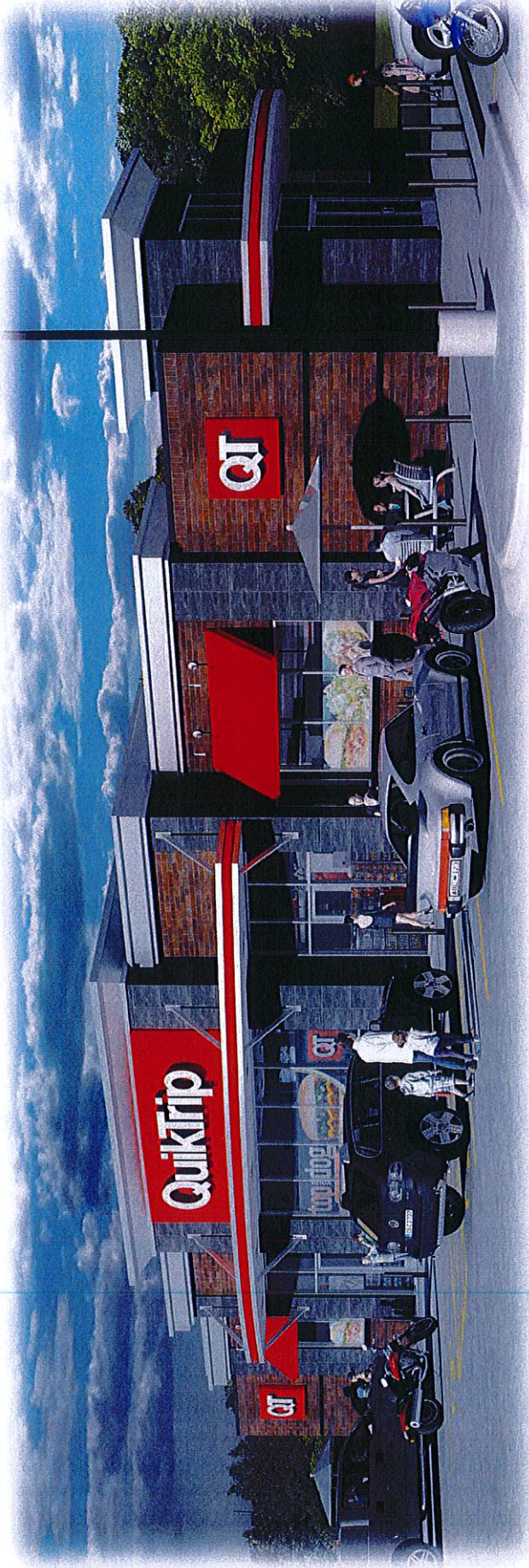
MAY 20 2016

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2016-097



-2016-097-



22'-0" AFF Top of Cornice

16'-0" AFF Top of Masonry

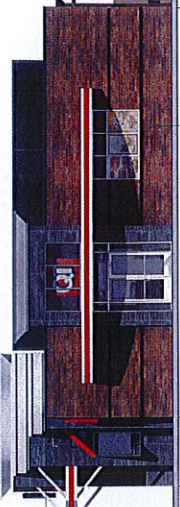
12'-0" AFF Bottom of Cornice

10'-0" AFF Bottom of Cornice

Finish Floor



Front Elevation



Right Elevation

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REC'D

JUN

Planning &

-2016

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Left Elevation

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	06/14/16	JK
2	ISSUED FOR PERMITS	06/14/16	JK
3	ISSUED FOR PERMITS	06/14/16	JK
4	ISSUED FOR PERMITS	06/14/16	JK
5	ISSUED FOR PERMITS	06/14/16	JK
6	ISSUED FOR PERMITS	06/14/16	JK
7	ISSUED FOR PERMITS	06/14/16	JK
8	ISSUED FOR PERMITS	06/14/16	JK
9	ISSUED FOR PERMITS	06/14/16	JK
10	ISSUED FOR PERMITS	06/14/16	JK
11	ISSUED FOR PERMITS	06/14/16	JK
12	ISSUED FOR PERMITS	06/14/16	JK
13	ISSUED FOR PERMITS	06/14/16	JK
14	ISSUED FOR PERMITS	06/14/16	JK
15	ISSUED FOR PERMITS	06/14/16	JK
16	ISSUED FOR PERMITS	06/14/16	JK
17	ISSUED FOR PERMITS	06/14/16	JK
18	ISSUED FOR PERMITS	06/14/16	JK
19	ISSUED FOR PERMITS	06/14/16	JK
20	ISSUED FOR PERMITS	06/14/16	JK



Store # 0208

Flat Entry Building Elevations

Address: 800 NE Woods Chapel Rd.

City, State: Lee's Summit, MO

Serial # 02-0208-BST1

Scale: 1/8" = 1'-0"

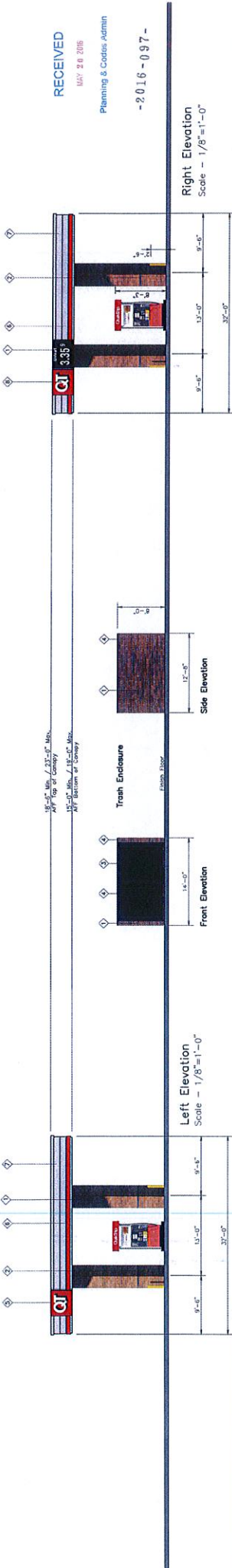
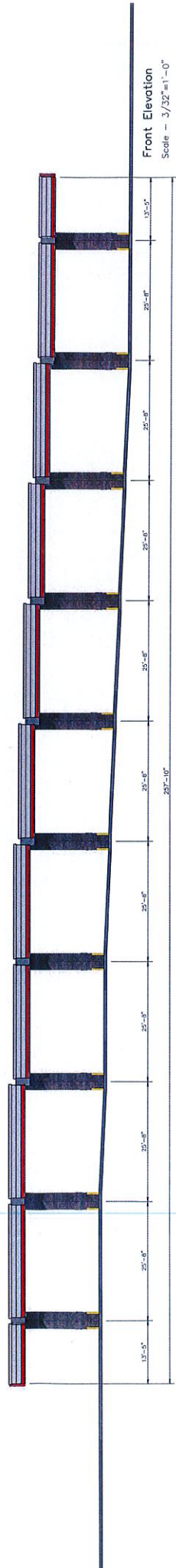
Issue Date: 06.14.16

Drawn By: JK

Rev./Address:

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NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	06/14/16	JK
2	ISSUED FOR PERMITS	06/14/16	JK
3	ISSUED FOR PERMITS	06/14/16	JK
4	ISSUED FOR PERMITS	06/14/16	JK
5	ISSUED FOR PERMITS	06/14/16	JK
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9	ISSUED FOR PERMITS	06/14/16	JK
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17	ISSUED FOR PERMITS	06/14/16	JK
18	ISSUED FOR PERMITS	06/14/16	JK
19	ISSUED FOR PERMITS	06/14/16	JK
20	ISSUED FOR PERMITS	06/14/16	JK



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18'-0" Min. / 21'-0" Max.
At Top of Canopy

12'-0" Min. / 18'-0" Max.
At Bottom of Canopy

<p>4725 South 17th East Ave. Tulsa, OK 74134-7008 Phone: 800-743-7475 Fax: 918-743-7475 (918) 615-7700</p>	<p>Store # 0208</p>	<p>Step Canopy Elevations</p>	<p>Address: 800 NE Woods Chapel Rd.</p>	<p>City, State: Lee's Summit, MO</p>																																	
	<p>Serial # 02-0208-GV10</p>	<p>Scale: AS NOTED</p>	<p>Issue Date: 05/03/16</p>	<p>Drawn By: TR</p>	<p>Rev/Notes:</p>																																
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<p>FINISH MANUFACTURER SPECIFICATION</p> <table border="1"> <tr> <th>FINISH</th> <th>MANUFACTURER</th> <th>SPECIFICATION</th> </tr> <tr> <td>1</td> <td>QUICKTRIP SIGNAGE</td> <td>QUICKTRIP SIGNAGE</td> </tr> <tr> <td>2</td> <td>QUICKTRIP SIGNAGE</td> <td>QUICKTRIP SIGNAGE</td> </tr> <tr> <td>3</td> <td>QUICKTRIP SIGNAGE</td> <td>QUICKTRIP SIGNAGE</td> </tr> <tr> <td>4</td> <td>QUICKTRIP SIGNAGE</td> <td>QUICKTRIP SIGNAGE</td> </tr> <tr> <td>5</td> <td>QUICKTRIP SIGNAGE</td> <td>QUICKTRIP SIGNAGE</td> </tr> <tr> <td>6</td> <td>QUICKTRIP SIGNAGE</td> <td>QUICKTRIP SIGNAGE</td> </tr> <tr> <td>7</td> <td>QUICKTRIP SIGNAGE</td> <td>QUICKTRIP SIGNAGE</td> </tr> <tr> <td>8</td> <td>QUICKTRIP SIGNAGE</td> <td>QUICKTRIP SIGNAGE</td> </tr> <tr> <td>9</td> <td>QUICKTRIP SIGNAGE</td> <td>QUICKTRIP SIGNAGE</td> </tr> <tr> <td>10</td> <td>QUICKTRIP SIGNAGE</td> <td>QUICKTRIP SIGNAGE</td> </tr> </table>					FINISH	MANUFACTURER	SPECIFICATION	1	QUICKTRIP SIGNAGE	QUICKTRIP SIGNAGE	2	QUICKTRIP SIGNAGE	QUICKTRIP SIGNAGE	3	QUICKTRIP SIGNAGE	QUICKTRIP SIGNAGE	4	QUICKTRIP SIGNAGE	QUICKTRIP SIGNAGE	5	QUICKTRIP SIGNAGE	QUICKTRIP SIGNAGE	6	QUICKTRIP SIGNAGE	QUICKTRIP SIGNAGE	7	QUICKTRIP SIGNAGE	QUICKTRIP SIGNAGE	8	QUICKTRIP SIGNAGE	QUICKTRIP SIGNAGE	9	QUICKTRIP SIGNAGE	QUICKTRIP SIGNAGE	10	QUICKTRIP SIGNAGE	QUICKTRIP SIGNAGE
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June 21, 2016

City of Lee's Summit, Missouri
Request for Modification
QuikTrip Store 208R

To whom it may concern:

This letter intends to serve as a formal request for modification for the items identified by city staff as not meeting the UDO of Lee's Summit, MO in regards to the proposed rebuild of QuikTrip Store 208. The existing store is located at 800 NE Woods Chapel Road. The existing building is a custom-style generation II QuikTrip. The fuel offer currently features 8 pumps, which equates to 16 fueling positions. As QuikTrip looks to the future, we intend to reinvest in all of our existing Generation II model stores. In most cases, these stores are over capacity and no longer represent the QuikTrip's movement towards food sales. This store has been chosen to be rebuilt into a new Generation III model store. The fuel offer is proposed to be comprised of 10 pumps, which equates to 20 fueling positions.

The first item that was identified to be nonconforming is the height and style of the light poles on a commercial property which abuts residential property. Per section 7.250.D.1, light poles on commercial properties which abut residential zoning shall be no higher than 15' within the first 100' of the shared property line. We are requesting modification to allow 20' light poles throughout the entire site. Our first reason for this modification is security. Our security plan only works with proper lighting. Having 20' light poles allows for the correct amount of light on the site as well as the ability to hang cameras at the appropriate height. Additionally, this ordinance is intended for properties that abut residential. While our property abuts residential, our site does not. We have a private road that runs to the neighboring Burger King, which separates us from the residential zoning. This area is heavily screened today with trees and an opaque fence, so the impacts of having 20' light pole will not be felt by any adjoining residential properties. The style of light heads that we are proposing also do not meet the ordinance. We are requesting to use lights with multiple heads as opposed to single heads. This is also a security feature and will have no impact on the residential property due to the screening that currently exists. Additionally, this will mean that we have fewer light poles.

The second item is the lighting level under the fuel canopy. QuikTrip is a 24 hour business, so lighting is extremely important. Reducing the light levels to 30 ft candles under the canopy does not guarantee that we are providing the safest offer possible. Additionally, our cameras will not be able to accurately capture all activity under the canopy with reduced lighting levels. This was recently approved at QuikTrip Store 191 in Lee's Summit.

The third is the use of Polypro Mesh for RTU screening and trash enclosure gates. This material is extremely durable and lightweight. Since it is lightweight, it makes the trash enclosure gates safer for employees. Metal versions of these gates can pick up a considerable amount of speed on windy days, which leads to employee injuries. The proposed material allows wind to pass through, eliminating the risk of injury to employees. Additionally, QuikTrip has an entire facility support team that will replace the mesh if it becomes damaged or worn. This was recently approved at QuikTrip Store 191 in Lee's Summit.

The fourth item that we are requesting a modification for is to eliminate the automatic door locks. We go far above and beyond in many other areas regarding store security. All employees are given ID badges as well as emergency pagers. When an employee activates the pager, the security desk (in Tulsa, OK) will immediately be informed and watch the situation. The employees at the security desk are trained to call the police/EMT's/fire department as necessary. Additionally, the automatic door locks are impractical for our use as this may prolong a dangerous situation.

The final item to be addressed with this letter is the landscape plan. There are three items that we are addressing here: impervious area coverage, open space, and the size/number of landscaping islands. The ordinance(s) was(were) likely not written with redevelopment on site in mind. We have provided the maximum amount of landscaping that we can without sacrificing the overall functionality and feasibility of this redevelopment. We have provided landscaping islands in all feasible areas and as much open space as grades will allow.

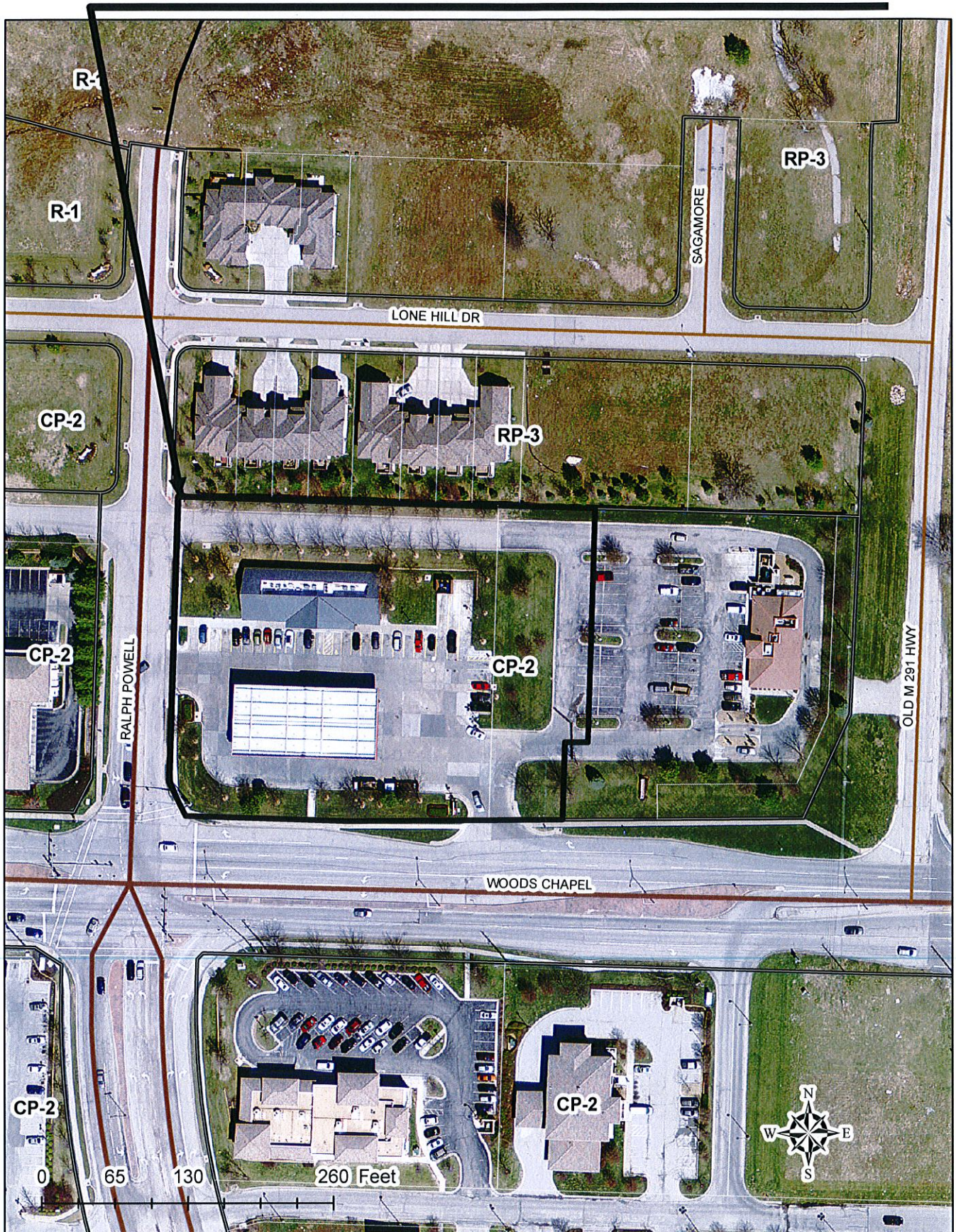
On behalf of QuikTrip, I am very excited to move forward with this project. It is always exciting to reinvest in the various communities in which we have stores. We look forward to producing a quality product for the citizens of Lee's Summit, MO and continuing to be proud and responsible corporate citizens.

Respectfully submitted,



Andrew Smith
QuikTrip Corporation
Real Estate Project Manager

#PL2016-097 -- PRELIM DEV PLAN
QuikTrip, 800 NE Woods Chapel Rd.
QuikTrip, applicant



Packet Information

File #: BILL NO. 16-173, **Version:** 1

AN ORDINANCE AMENDING CHAPTER 17, CODE OF ORDINANCES BY REPEALING SECTION 17-4 IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A SECTION OF LIKE NUMBER AND SUBJECT MATTER ENTITLED "SALE OR DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS TO THOSE UNDER THE AGE OF TWENTY-ONE; POSSESSION BY THOSE UNDER THE AGE OF EIGHTEEN" TO THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Issue/Request:

AN ORDINANCE AMENDING CHAPTER 17, CODE OF ORDINANCES BY REPEALING SECTION 17-4 IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A SECTION OF LIKE NUMBER AND SUBJECT MATTER ENTITLED "SALE OR DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS TO THOSE UNDER THE AGE OF TWENTY-ONE; POSSESSION BY THOSE UNDER THE AGE OF EIGHTEEN" TO THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Key Issues:

On July 7, 2016, the Lee's Summit Health Education Advisory Board discussed an initiative that would increase the minimum legal sale age of tobacco to 21. Raising the minimum legal sale age of tobacco products to 21 (Tobacco 21) is an important, emerging policy strategy to reduce smoking that complements and builds on proven approaches such as tobacco prevention and cessation programs and smoke-free air laws. Raising the tobacco sale age to 21 will have a substantial positive impact on public health and save lives.

The City Council, by a vote, 6 in favor, 2 opposed, agreed to consider an ordinance to increase the minimum legal sale age of tobacco to 21. Following the presentation, the Health Education Advisory Board, Law department, Police department, and Development Center met to begin drafting the ordinance. The ordinance attached for consideration will increase the minimum legal sale age of tobacco 21. This would include the sale of alternative nicotine products (non-combustible) that have not been regulated by the FDA, cigarettes, chewing tobacco, and vapor products containing nicotine.

Enforcement of the ordinance is limited to the sale and purchase of nicotine products under the age of 21 but does not include possession.

If approved, the ordinance would take effect on December 1, 2016. Prior to the effective date, the Health Education Advisory Board and city staff will notify impacted businesses of the change in ordinance. Additionally a web page on the City's website will be created to answer frequently asked questions (FAQs) and provide businesses a resource to download and print new signage.

Proposed City Council Motion:

I move for approval of AN ORDINANCE AMENDING CHAPTER 17, CODE OF ORDINANCES BY REPEALING SECTION 17-4 IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A SECTION OF LIKE NUMBER AND SUBJECT MATTER ENTITLED "SALE OR DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS TO THOSE UNDER THE AGE OF TWENTY-ONE; POSSESSION BY THOSE UNDER THE AGE OF EIGHTEEN" TO THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI

Background:

Missouri currently has an above average rate of high school smoking and adult smoking. These rates would eventually result in the premature death of 128,000 children now under the age of 18, with 4,800 children becoming daily smokers each year. The direct health care costs of tobacco amount to \$3.03 billion annually, and lost productivity due to smoking amounts to \$3.04 billion. Despite this, Missouri only spends 3.2% of the CDC recommended amount on tobacco prevention.

'Tobacco 21' is a nationwide initiative that call for an increase to the legal age to buy tobacco from age 18 to 21. More information regarding this initiative can be found on the following website: <http://tobacco21.org>.

Regionally, 5 Missouri communities (Grandview, Gladstone, Independence, Kansas City, Columbia) have supported the initiative along with other metro communities in Kansas (Overland Park, Lenexa, Prairie Village, Olathe).

The Health Education Advisory Board is seeking support from the City Council to join other communities in the metro and across the nation to adopt 'Tobacco 21'

Presenter: Health Education Advisory Board Chairmen: Dr. Salanski, Dr. Kraemer

Recommendation: The Board recommends approval

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AN ORDINANCE AMENDING CHAPTER 17, CODE OF ORDINANCES BY REPEALING SECTION 17-4 IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A SECTION OF LIKE NUMBER AND SUBJECT MATTER ENTITLED "SALE OR DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS TO THOSE UNDER THE AGE OF TWENTY-ONE; POSSESSION BY THOSE UNDER THE AGE OF EIGHTEEN" TO THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, in 2014 a Health Needs Assessment Survey was conducted in Lee's Summit, Missouri in conjunction with the Jackson County Health Department; and,

WHEREAS, the results of the survey were presented to the Health Education Advisory Board in April of 2015. The survey findings indicated that members of Lee's Summit community felt tobacco use was an important issue affecting the health and welfare of the community; and,

WHEREAS, the Health Education Advisory Board recommended the City support the Tobacco 21 initiative that limits the sale and purchase of tobacco products, alternative nicotine products and vapor products to those twenty-one and older; and,

WHEREAS, the City of Lee's Summit recognizes that the use of tobacco products has devastating health consequences and that young people are particularly susceptible to the addictive properties of tobacco products and are particularly likely to become lifelong users.

WHEREAS, the City of Lee's Summit will implement an outreach program to educate the community on the health consequences of tobacco products on young people and as part of the outreach create a web page located at www.cityofls.net/tobacco21 to provide business owners with information regarding the sale of tobacco products, alternative nicotine products and vapor products to persons under the age of twenty-one and provide signs to post at businesses reflecting the proper age at which said products can be sold.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That Chapter 17 of the Code of Ordinances for the City of Lee's Summit shall be amended by repealing Section 17-4 in its entirety and enacting in lieu thereof a new section of like number and subject matter entitled "Sale or distribution of tobacco products, alternative nicotine products or vapor products to those under the age of twenty-one; possession by those under the age of eighteen," to the Code of Ordinances of the City of Lee's Summit, Missouri to read as follows:

Sec. 17-4. – Sale or distribution of tobacco products, alternative nicotine products or vapor products to those under the age of twenty-one; possession by those under the age of eighteen.

A. Definitions. As used in this section the following terms mean:

- (1) Alternative nicotine product means any non-combustible product containing nicotine that is intended for human consumption whether chewed, absorbed, dissolved, or ingested by any other means. Alternative nicotine product does not

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include any vapor product, tobacco product or any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.

- (2) Distribute or Distribution means to furnish, give, provide, or to attempt to do so, whether gratuitously or for any type of compensation.
 - (3) Tobacco product means any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco snuff, chewing tobacco, or dipping tobacco but does not include alternative nicotine products, or vapor products.
 - (4) Vapor product means any non-combustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. Vapor product includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. Vapor product does not include any alternative nicotine product or tobacco product.
- B. It shall be unlawful for any person to sell or distribute any tobacco products, alternative nicotine products or vapor products to persons under the age of twenty-one or allow such sale or distribution.
 - C. It shall be unlawful for any person under the age of twenty-one to purchase any tobacco products, alternative nicotine products or vapor products.
 - D. It shall be unlawful for any employee or owner of an establishment where any vending machine is located to permit or allow any person under the age of twenty-one to purchase or otherwise obtain any tobacco products, alternative nicotine products, or vapor products from such vending machine.
 - E. It shall be unlawful for any person under the age of eighteen to knowingly possess or use any tobacco products, alternative nicotine products or vapor products.
 - F. *Misrepresentation of age prohibited.* No person shall misrepresent his or her age to purchase tobacco products, alternative nicotine products or vapor products.
 - G. It shall be prima facie evidence for purposes of this chapter that the substance within a package or container is a tobacco product or electronic smoking device if the product package or container has affixed to it a manufacturer's label which identifies it as such.
 - H. *Duty of retailers to post signs.* Every retail dealer in tobacco products, alternative nicotine products or vapor products shall cause to be prominently displayed in a conspicuous place at every display from which tobacco products, alternative nicotine products or vapor products are sold, and on every tobacco vending machine and cigarette rolling machine two signs. One sign shall state the following: "It is a violation of law for cigarettes, other tobacco products, alternative nicotine products, or vapor products to be sold to any person under the age of 21." The second sign shall include the words "under 21" defaced by a red diagonal diameter of a surrounding red circle.
 - I. *Merchants prohibited from allowing persons under twenty-one years of age the use of cigarette rolling machines.* It shall be unlawful for any place of business containing a

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cigarette rolling machine(s) to allow persons under twenty-one years of age to use said machine(s), unless a person is an employee of the place of business utilizing such a machine, and is using the machine in the course of employment or the person is an employee of the division of liquor control of the Department of Public Safety of the State of Missouri or the Lee's Summit, Missouri Police Department and is utilizing for enforcement purposes.

- J. *Age verification.* A person selling tobacco products, alternative nicotine products or vapor products shall verify by means of government issued photographic identification containing the bearer's date of birth, that no person purchasing tobacco products, alternative nicotine products or vapor products is younger than twenty-one years of age. No such verification is required for any prospective purchaser or recipient who looks older than thirty years old. Reasonable reliance on proof of photographic identification shall be a defense to any action for a violation of this section.
- K. This ordinance does not prohibit a person under the age of twenty-one from handling tobacco products, alternative nicotine products or vapor products in the course of lawful employment.
- L. This ordinance does not apply to a person younger than twenty-one years old who purchases or attempts to purchase tobacco products, alternative nicotine products or vapor products while under the direct supervision of the City police department for enforcement purposes.

SECTION 2. That it is the intention of the City Council, and is it hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Lee's Summit, Missouri.

SECTION 3. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. That should any section, sentence or clause of this ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

SECTION 5. That this ordinance shall take effect on December 1, 2016.

PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2016.

ATTEST:

Mayor Randall L. Rhoads

City Clerk *Denise Chisum*

BILL NO. 16-173

APPROVED by the Mayor of said city this ____ day of _____, 2016.

ATTEST:

Mayor *Randall L. Rhoads*

City Clerk *Denise Chisum*

APPROVED AS TO FORM:

Chief Counsel of Public Safety *Beth Murano*

Packet Information

File #: BILL NO. 16-174, **Version:** 1

AN ORDINANCE CALLING A SPECIAL ELECTION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Issue/Request:

AN ORDINANCE CALLING A SPECIAL ELECTION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Key Issues:

At the August 11, 2016 meeting, City Council directed staff to prepare an ordinance calling for a special election on November 8, 2016 to authorize the issuance of General Obligation (GO) bonds for the purpose of making public safety improvements:

The bonds called for in this election, if approved by voters, would fund **\$14.5M** in important public safety improvement including:

- new radio equipment and related infrastructure; **\$8M**
- network infrastructure to strengthen interconnectivity and system reliability; **\$500K**
- land acquisition, construction, and furnishing and equipping a replacement Fire Station #3; **\$5M**
- replacement of air packs and related equipment **\$1M**

The City has existing debt capacity to issue these bonds without needing an increase in the property tax rate (\$.4697 per \$100 of Assessed Value) to pay for the improvements. Utilizing very short maturities (10 year for the Station and five years for the Radio Equipment) issuance of the debt will consume the future capacity through 2024. Future debt capacity could be realized a year sooner if the Fire Station was financed over 20 years instead of 10.

Proposed City Council Motion:

FIRST READING: An Ordinance CALLING A SPECIAL ELECTION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEE'S SUMMIT, MISSOURI. I move for second reading.

SECOND READING: An Ordinance CALLING A SPECIAL ELECTION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEE'S SUMMIT, MISSOURI. I move for adoption.

Background:

The City has long utilized general obligation bonds to pay for various needed capital improvements throughout the community. GO bonds require the full faith and credit of the City, and as such are paid for through a special debt property tax levy approved by the voters. As the debt amount is reduced over time the City has sought voter approval to issue new debt within the capacity of the current debt property tax levy, thus paying for new improvements without increasing property tax. These have become known as "No Tax Increase" bond issues.

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AN ORDINANCE CALLING A SPECIAL ELECTION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Lee's Summit, Missouri (the "City"), finds it necessary and hereby declares its intent to borrow \$14,500,000.00 for the purpose of making certain improvements to public safety infrastructure and equipment of the City (the "Projects").

SECTION 2. That a special election is hereby ordered to be held in the City of Lee's Summit, Missouri, concurrently with the general election on Tuesday, November 8, 2016, on the following question:

Shall the City of Lee's Summit, Missouri, issue its general obligation bonds in the amount of \$14,500,000.00 for the purpose of making public safety improvements including (a) the acquisition and installation of new emergency services radio equipment and related infrastructure (with interconnections for public safety and other operations of the City), (b) the acquisition, construction, furnishing and equipping of a new fire station to replace Fire Station No. 3, and (c) the acquisition of fire equipment and apparatus?

SECTION 3. That the voter approval of the Bonds will authorize the levy and collection of an annual tax in addition to the other taxes provided for by law on all taxable tangible property in the City, sufficient to pay the interest and principal of the Bonds as they fall due and to retire the same within twenty (20) years from the date thereof.

SECTION 4. That the form of Notice of Special Election showing said question, a copy of which is attached hereto and made a part hereof, is hereby approved.

SECTION 5. That the City Clerk is hereby authorized and directed to notify the Board of Election Commissioners of Jackson County, Missouri, and the County Clerk of Cass County, Missouri, of the passage of this Ordinance no later than 5:00 P.M. on Tuesday, August 30, 2016, and to include in said notification all of the terms and provisions required by Chapter 115, RSMo, as amended.

SECTION 6. That the City expects to make expenditures on and after the date of passage of this Ordinance in connection with the Projects, and the City intends to reimburse itself for such expenditures with the proceeds of the Bonds. The maximum principal amount of Bonds expected to be issued for the Projects is set forth in Section 1.

SECTION 7. That this Ordinance shall be in full force and effect from and after its passage and approval.

BILL NO. 16-174

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said City this _____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

NOTICE OF ELECTION

CITY OF LEE'S SUMMIT, MISSOURI

Notice is hereby given to the qualified voters of the City of Lee's Summit, Missouri, that the City Council has called an election to be held on November 8, 2016, commencing at 6:00 A.M. and closing at 7:00 P.M., on the question contained in the following sample ballot:

**OFFICIAL BALLOT
ELECTION – NOVEMBER 8, 2016
CITY OF LEE'S SUMMIT, MISSOURI**

Shall the City of Lee's Summit, Missouri, issue its general obligation bonds in the amount of \$14,500,000.00 for the purpose of making public safety improvements including (a) the acquisition and installation of new emergency services radio equipment and related infrastructure (with interconnections for public safety and other operations of the City), (b) the acquisition, construction, furnishing and equipping of a new fire station to replace Fire Station No. 3, and (c) the acquisition of fire equipment and apparatus?

YES
NO

INSTRUCTIONS TO VOTERS: If you are in favor of the question, place an X in the box opposite "YES." If you are opposed to the question, place an X in the box opposite "NO."

The election will be held at the following polling places in the City:

PRECINCT	POLLING PLACE
_____	_____
_____	_____

DATED: _____, 2016.

Board of Election Commissioners of
Jackson County, Missouri

Cass County Clerk

Principal and Interest Schedule
2015B General Obligation Bond

Date	Current GO Bond Service	Potential 2016B Bond Principal	Potential + Current Debt Service	Potential + Authorized but Unissued	Total Annual Debt Service	Additional Annual Capacity	Net Present Value 3%	Debt Levy * Assessed
								0.004697
								1.015
								8,436,560
4/1/2017	8,203,900	974,628	9,178,528	-	9,178,528	(741,968)	(720,357)	8,563,109
4/1/2018	6,732,300	974,628	7,706,928	-	7,706,928	856,181	86,676	8,691,555
4/1/2019	6,675,300	974,628	7,649,928	-	7,649,928	1,041,627	1,039,912	8,821,929
4/1/2020	4,899,200	974,628	5,873,828	-	5,873,828	2,948,101	3,659,262	8,954,257
4/1/2021	4,199,600	974,628	5,174,228	-	5,174,228	3,780,030	6,919,948	9,088,571
4/1/2022	3,680,200	974,628	4,654,828	-	4,654,828	4,433,744	10,633,139	9,224,900
4/1/2023	3,646,750	974,628	4,621,378	-	4,621,378	4,603,522	14,376,224	9,363,273
4/1/2024	3,747,500	974,628	4,722,128	-	4,722,128	4,641,146	18,039,987	9,503,722
4/1/2025	3,716,150	974,628	4,690,778	-	4,690,778	4,812,945	21,728,708	9,646,278
4/1/2026	3,693,000	974,628	4,667,628	-	4,667,628	4,978,651	25,433,292	9,790,972
4/1/2027	3,671,750	974,628	4,646,378	-	4,646,378	5,144,595	29,149,857	9,937,837
4/1/2028	3,650,250	974,628	4,624,878	-	4,624,878	5,312,959	32,876,259	10,086,905
4/1/2029	922,500	974,628	1,897,128	-	1,897,128	8,189,777	38,453,099	10,238,208
4/1/2030		974,628	974,628	-	974,628	9,263,580	44,577,417	10,391,781
4/1/2031		974,628	974,628	-	974,628	9,417,154	50,621,929	10,547,658
4/1/2032		974,628	974,628	-	974,628	9,573,030	56,587,525	10,705,873
4/1/2033		974,628	974,628	-	974,628	9,731,245	62,475,089	10,866,461
4/1/2034		974,628	974,628	-	974,628	9,891,833	68,285,498	11,029,458
4/1/2035		974,628	974,628	-	974,628	10,054,830	74,019,627	11,194,900
4/1/2036		974,628	974,628	-	974,628			
	57,438,400	14,500,000	75,956,327	-	75,956,327	107,932,982		
		8,200,000						

Note 1

Packet Information

File #: 2016-0469, **Version:** 1

Request Seeking an Appeal to File a Development Application Pursuant to Resolution 16-05 in the Administrative Delay Area in proximity to South M-291 and 50 Highway

Issue/Request:

Resolution 16-05 was adopted to suspend and delay the acceptance and processing of development applications and permits while the city prepares a revised Land Use and Master Development Plan for the properties located within the administrative delay area. An appeal process is established within the Resolution for an applicant to seek the processing of an affected permit.

The City has prepared a Conceptual Master Development Plan which was presented to CEDC on August 10, 2016. The CEDC authorized staff to proceed on to Planning Commission for public hearing on the Conceptual Master Development Plan and the city initiated rezoning of the properties located within the "Delay Area". In order to proceed with that direction, City staff is requesting authorization to file a development application pursuant to the Appeal section of Resolution 16-05.

Westcott Investment Group has been working toward filing a development application on or before September 1, 2016 for their 85 acres in order to satisfy their agreement with the City. Westcott is also seeking an appeal to file their development application pursuant to Resolution 16-05 while the Administrative Delay is in effect.

Both letters of request and Resolution 16-05 are attached for reference.

Key Issues:

Westcott's contractual agreement is time sensitive and therefore both development applications by Westcott and the City are affected.

Proposed City Council Motion:

I move to authorize the filing of both development applications by Westcott Investment Group and the City pursuant to the Appeal process in Resolution 16-05 and find that such filing will not undermine the spirit and intent of the pending land use and Master Development Plan.

Presenter: Robert McKay, AICP, Director of Planning and Codes Administration

Recommendation: Authorize the filing of the requested development applications

RESOLUTION NO. 16-05

A RESOLUTION DIRECTING STAFF TO SUSPEND AND DELAY THE ACCEPTANCE AND PROCESSING OF DEVELOPMENT APPLICATIONS AND APPLICATIONS FOR BUILDING PERMITS IN AN AREA GENERALLY BOUNDED BY PINE TREE PLAZA, 50 HIGHWAY, ADESA PROPERTY, JEFFERSON STREET, PERSELS (WEST OF M-291), 16TH STREET (EAST OF M-291) THE UNION PACIFIC RAILROAD RIGHT-OF-WAY AND SOUTH M-291 HIGHWAY.

WHEREAS, the City of Lee's Summit, Missouri (City) is a community of approximately 93,000 residents located within 65 square miles in Jackson and Cass Counties which has seen greater than a 150% population increase in the last two decades; and,

WHEREAS, a new interchange at 50 Highway and South M-291 will begin construction Fall of 2016 bringing new development growth opportunities to major redevelopment areas north and south of the new interchange; and,

WHEREAS, the City is presently in the process of preparing a revised land use and master development plan for the properties located within the respective administrative delay area that will provide a refined development vision taking advantage of the opportunities provided by the newly constructed interchange; and

WHEREAS, the rate of commercial and industrial growth has created redevelopment pressures that threaten to erode the potential development vision being prepared for this area; and,

WHEREAS, the geographic area included in this Administrative Delay is an area generally bounded by Pine Tree Plaza, 50 Highway, Adesa Property, Jefferson Street, Persels (west of M-291), Bailey (east of M-291), 16th Street (east of M-291), Union Pacific Railroad Right-of-Way and South M-291 Highway; and,

WHEREAS, March 31, 2016, the City Council directed staff to prepare a resolution for an administrative delay to prepare a land use and master redevelopment plan; and,

WHEREAS, the City Council is elected and is duty-bound to promote the community's health, safety, morals and the general welfare, which duty includes the preparation of plans and ordinances designed to effectuate the coordinated development of the City, and that, in accordance with existing and future needs, will best promote the general welfare, as well as conserve property values and encourage the most appropriate use of land throughout the City; and,

WHEREAS, generally, when it becomes apparent that there is a need to amend existing plans or ordinances to promote the health, safety and general welfare, a "race of diligence" sometimes ensues between landowners seeking to establish vested rights under existing law and the City Council seeking to enact an amended plan or ordinance before such vested rights are established, thereby creating additional safety and general welfare problems; and,

WHEREAS, this "race of diligence" is counterproductive to both individual landowners and the City as a whole, because landowners rush to submit applications that may not have received adequate consideration and to gain approval of such applications, and the City rushes to adopt plan or ordinance amendments that may not have received thorough analysis or been subject to full public debate with respect to the issues, goals, and policies of the proposed development controls,

RESOLUTION NO. 16-05

and therefore, may not be as responsive to either the City's or the applicant's goals and needs or received the degree of community input and debate as would otherwise be possible and appropriate; and,

WHEREAS, Section 1.070 of the Unified Development Ordinance ("UDO") provides for the administrative delay of development applications and building permit applications within a defined geographic location of the City by resolution of the City Council, based upon the likelihood that proposed amendments to the UDO or planning policies may impact the nature of development applications, if the Council determines that development applications related to property within the defined geographic area covered by the resolution will be impacted by the proposed Chapter text amendment or planning policy; and,

WHEREAS, this resolution is adopted pursuant to the authority granted to the Council by section 1.070 of the UDO because the Council has determined that development applications and building permit applications will be impacted by the pending land use and master development plan being prepared and considered by the City; and,

WHEREAS, the City Council also recognizes that administrative delay is an extraordinary remedy that should be used judiciously and only after serious evaluation and analysis by staff and the City Council, and based upon staff's carefully considered recommendation; and,

WHEREAS, to ensure that the City Council successfully, fairly and rationally fulfills this duty it is necessary to delay all development applications and building permit applications for the construction of new buildings or expansion of existing buildings in the administrative area herein defined to preserve the development vision currently under consideration until the completion of the revised land use and master development plan amendments that establish such goals, objectives and recommendations which may result therefrom; and,

WHEREAS, the City Council also recognizes that it has an equally important duty to fully consider applications for the issuance of building permits whenever such applications are consistent with the City's Comprehensive Plan and the City's Code of Ordinances, and that it is necessary that the status quo be preserved in the City for the shortest amount of time that will allow the City to complete the land use and master development plan and establish policies necessary for the preservation of the redevelopment vision; and,

WHEREAS, the City Council has determined that it is appropriate and necessary to provide an appeal process to individuals or entities affected by this administrative delay.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. Authorization of Administrative Delay.

A. Initiation of Delay, Geographic Area and Duration of Delay. The City Council finds that development applications and building permit applications which authorize construction of new buildings or expansion of existing buildings within the geographic area defined as an area generally bounded by Pine Tree Plaza, 50 Highway, Adesa Property, Jefferson Street, Persels (west

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of M-291), Bailey (east of M-291), 16th Street (east of M-291), Union Pacific Railroad Right-of-Way and South M-291 Highway, as depicted in Exhibit A attached hereto and incorporated by reference as if fully set forth herein, will be impacted by the pending land use and master development plan policy deliberations, and approval of such applications may adversely affect the character of this newly refined redevelopment area while the appropriate land uses and development plans are prepared and considered by the City. The City Council hereby directs that no development application or building permit application which authorize construction of new buildings or expansion of existing buildings (the "Affected Permits") shall be processed, while the City undergoes deliberations and until the adoption of the land use and master development plan implementing such policies and establish such goals, objectives and recommendations which may result therefrom. Provided that, in no event shall this direction extend beyond October 1, 2016, unless the City Council, by motion approved by a majority vote of the Councilmembers present at a duly noticed meeting, extends the date of this administrative delay.

B. Determination for Delayed Permits. Any application for an Affected Permit in the area geographically defined in section 1.A of this resolution received during the effective period of this resolution shall be held in suspension and delayed by the Planning and Codes Administration Department.

SECTION 2. Appeal.

A. Filing with City Clerk. If an applicant believes that the City's determination not to accept or to process an Affected Permit is unreasonable, the applicant may file a written appeal of the determination with the City Clerk within ten (10) business days after receiving written notice of the determination.

B. City Council Hearing. If an appeal is timely and properly filed, the City Clerk shall schedule a hearing before the City Council at its next regularly scheduled meeting, or as soon thereafter as practicable in the normal course of managing Council agendas, at which the applicant shall bear the burden of establishing by a preponderance of the evidence that processing the Affected Permit will not undermine the spirit and intent of the pending study including pending policies, goals or objectives. If the City Council determines that such action will not undermine the spirit and intent, it shall direct that the application be processed. !

C. Standards for Determining Spirit and Intent. The City Council shall consider the following in determining whether applications, with respect to which an appeal has properly been filed, if approved, will undermine the spirit and intent of the pending land use and master development plan:

- (a) the City's interest in protecting the public's health, safety, and general welfare;
- (b) the adverse effect upon the future vision of the redevelopment area being considered;
- (c) the City's interest in avoiding the creation of conflicts with the future redevelopment plan;
- (d) the extent to which the proposed use, if applicable, will negatively affect the continuity of the redevelopment plan;
- (e) the economic impact and hardship of the delay upon the owner.

SECTION 3. No Amendment of Code. This Resolution is not intended as, and should not be interpreted as, an amendment to the City's Comprehensive Plan, the Code of Ordinances or the

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Unified Development Ordinance, but is merely direction to staff with respect to the acceptance of and processing of applications for Affected Permits within the geographic area as defined herein and as depicted in Exhibit A.

PASSED and ADOPTED by the City Council for the City of Lee's Summit, Missouri this _____ day of _____, 2016.

Mayor *Randall L. Rhoads*

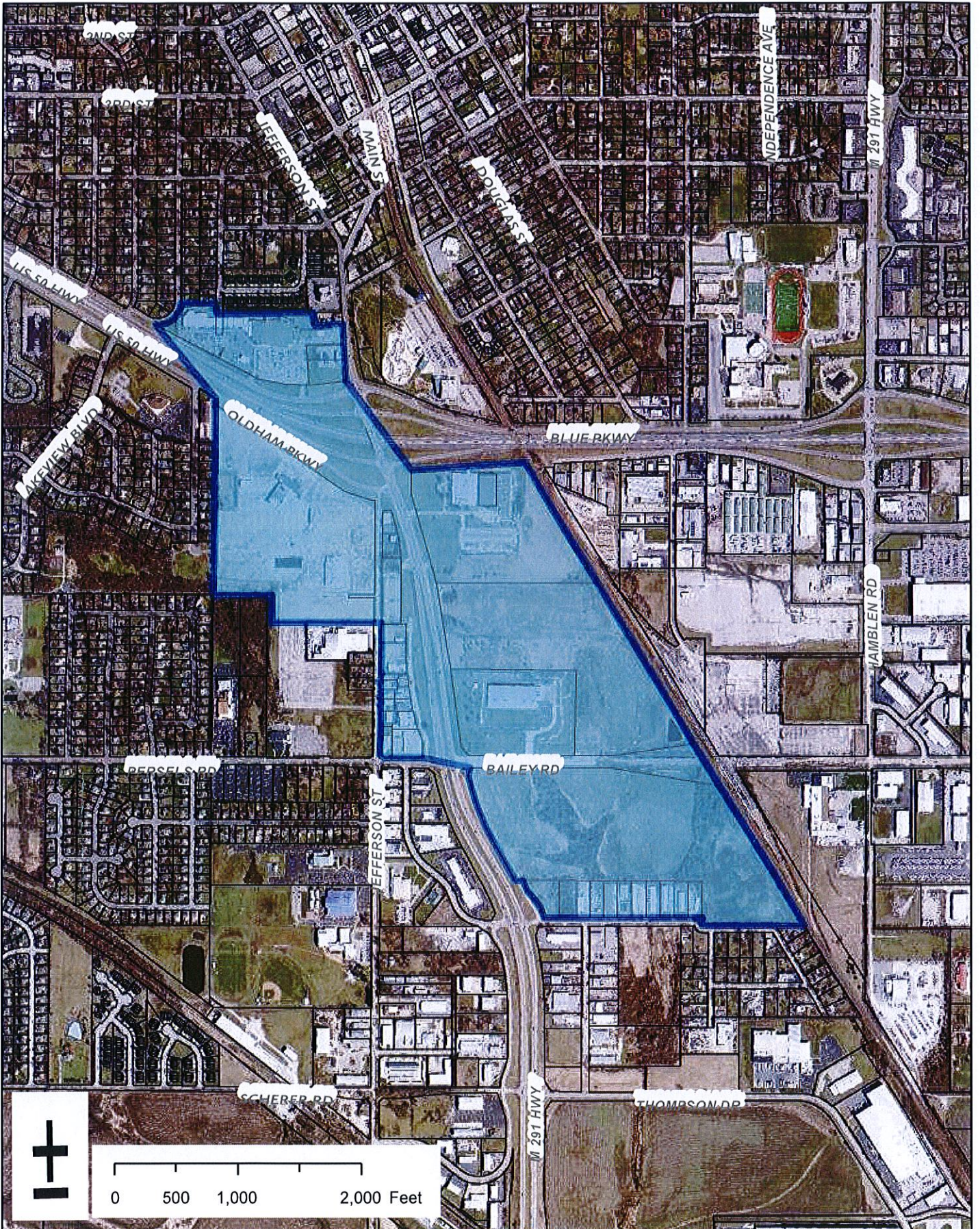
ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

EXHIBIT A
ADMINISTRATIVE DELAY AREA



WHITE

GOSS
ATTORNEYS AT LAW

AARON G. MARCH
amarch@whitegoss.com
816.502.4701

August 8, 2016

VIA ELECTRONIC MAIL & VIA U.S. MAIL

Mr. Steve Arbo, City Manager
City of Lee's Summit
220 SE Green St.
Lee's Summit, Missouri 64063

Re: Westcott PDP Application and Waiver of Administrative Delay

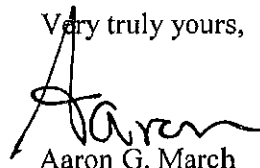
Dear Steve:

Earlier this year, the City of Lee's Summit passed Resolution 16-05 "suspending and delaying the processing of development applications" for the property to the south of M-50 Highway and east of M-291 Highway (the "Administrative Delay"). The Administrative Delay specifically precludes the filing of a development application for the property owned by my client, Westcott Investment Group, LLC ("Westcott") for development as The Grove at Lee's Summit (the "Property").

As you are aware, the City and Westcott entered into an Assignment and First Amended and Restated Development Agreement to Promote Economic Development Activities (the "Agreement"). Pursuant to Section 3.1(d)(1) of the Agreement, Westcott is required to submit an application to rezone the Property to a PMIX zoning classification including design guidelines to the City prior to September 1, 2016. Our team has been working very closely with City Staff in the development of the Master Plan for the corridor and refining the details of our site plan and design guidelines based upon this work. We are now ready to file our PMIX rezoning and other related applications (the "Applications").

In order to allow Westcott to file the Applications in compliance with its obligations under the Agreement, please accept this letter as Westcott's formal request that the City grant a waiver to the aforementioned Administrative Delay and allow Staff to accept our Applications. As Staff will confirm, Westcott's Applications will not threaten to erode the potential development vision being prepared for this area. In fact, Westcott's plans coincide with the spirit and intent of the proposed land use and master development plan. It is our desire to formally submit our Applications on or before September 1, 2016. The Council's consideration of this request at its next meeting would be greatly appreciated.

Very truly yours,



Aaron G. March

AGM:jjw

cc: Mr. Brian Head
Mr. Bob McKay
Mr. Steve Singh
Mr. Darren Fristoe

{32956 / 68068; 713275. }

4510 Belleview Avenue, Suite 300 | Kansas City, Missouri 64111 | www.whitegoss.com | Office 816.753.9200



City of Lee's Summit
Department: Planning and Codes Administration
Memorandum

To:	City Council
From:	Robert G. McKay, AICP, Director
Date:	8-10-16
Re:	Appeal to File Development Application Pursuant to Resolution 16-05

The Administrative Delay was established to provide the necessary time for city staff to prepare a land use and master development plan and to consider any zoning related changes necessary for the larger area in proximity to the new interchange that will be impacted by the new traffic system.

The proposed delay is to be in effect until October 1, 2016. An appeal process is available for applicants seeking authorization to file a development application during the Administrative Delay time period provided such application processing will not undermine the spirit and intent of the pending land use and master development plan.

Staff has prepared the Conceptual Master Development Plan and presented it to the CEDC on August 10, 2016. CEDC authorized the Plan and city initiated rezoning for properties within the Delay area to proceed on to Planning Commission for public hearing. In order for staff to go forward to the Planning Commission for public hearing, an application must be filed through the appeal process of the administrative delay and Resolution 16-05.

Therefore, staff is requesting authorization to file the city initiated rezoning and Conceptual Master Development Plan on or after August 19, 2016.

Packet Information

File #: 2016-0444, **Version:** 1

Discussion of Performance and Financial Audits

(NOTE: This item was continued from August 11, 2016 per Council's request.)

Issue/Request:

Determine the scope of work for a special operational audit regarding the city's procurement processes.

Key Issues:

Proposed City Council Motion:

Background:

The Finance and Budget Committee discussed the type of audit that was to be performed at the August 1, committee meeting but could not reach agreement regarding whether to prepare a Request for Proposal for Operational Audit Services or submit a scope of services to the current Financial Auditor, Rubin Brown LLC.

Impact/Analysis:

A scope of services with the current financial auditor could be approved and work initiated within two weeks.

A separate RFP would most likely not award a contract for services for 60 to 90 days with work to commence some time after award.

Timeline:

Start:

Finish:

Other Information/Unique Characteristics:

[Enter text here]

Presenter: Conrad Lamb

Recommendation: The Finance and Budget Committee did not have agreement regarding whether a scope of work could be submitted to the Forensics division of the City's Financial Auditor's Rubin Brown, LLC or if a separate Request for Proposals should be sent out for all qualified firms to respond to.

Committee Recommendation: .

Difference between Performance, Operational-Compliance Audit and Financial Audit

- **Financial** audit focuses on the accuracy and correctness of accounts.
- **Operational** audit focuses on compliance with procedures and regulations.
- **Performance** audit focuses on efficiency measurements.

Financial and operational audits are different in both their purpose and how they should be performed. These two types of audits require the use of completely different skills, knowledge and experience.

Financial audit is a routine job where attention is more on figures. It does not focus on any specific problem.

Performance audit, on the other hand focuses on problems and the process of identification of its causes, where the attention is more on people, and other resources.

Financial audits are carried out in order to form an independent and objective judgment of the reliability and integrity of the business's financial condition.

Financial statements should be prepared in accordance with the relevant accounting standards as applicable to the entity.

Statements about past performance should be fair, accurate, complete and reliable.

A financial audit provides a way to assess whether the business's financial statements satisfy these requirements.

A financial audit also looks into the past performance of the company, and examines if financial information has been properly recorded, as well as whether there is sufficient evidence to support the numbers.

This type of audit might be performed on a set of financial statements, a single account on the trial balance or a particular financial process. Examples of what a financial audit may cover include:

Asset management	Travel expenditure
Payroll	Income and expenditure
Budgeting and forecasting process	Accounts payable

In order to perform a financial audit effectively, the auditor must be familiar with the generally accepted accounting practices in the industry, as well as the underlying principles of the accounting framework.

Operational audits

As the name suggests, an operational audit is concerned with how the whole or parts of the organization performed in a predetermined period, from an operational point of view. Unlike financial audits, the main concerns of an operational audit are the efficiency and effectiveness of the activities that were carried out in the course of doing business.

The types of activities that might be audited vary between businesses, but some examples of processes that are common to many companies include Purchasing, receiving.

An operational audit is an evaluation of *specific activities* within a business and how they have contributed to the function of the company. It also provides assurance about the business's key performance indicators.

While an operational isn't necessary, an effective operational audit requires a professional with experience in the industry and the ability to understand business processes.