



The City of Lee's Summit

Final Agenda

City Council - Regular Session

Tuesday, November 5, 2019

6:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 41

Preliminaries:

- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order
- D. Roll Call

1. Approval of Agenda

2. Approval of Consent Agenda:

Items on the Consent Agenda are routine business matters or proposed ordinances approved unanimously by the Council on First Reading. Consent agenda items may be removed by any Councilmember for discussion as part of the regular agenda.

- A. [2019-3096](#) Approval of Action Letters from October 1st, 8th and 15th, 2019.

- B. [BILL NO. 19-216](#) An Ordinance accepting final plat entitled Princeton, Lots 1 and 2, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by City Council on September 17, 2019. Passed by unanimous vote.)

Presenter: Joshua Johnson, AICP, Assistant Director of Plan Services
Denise Heintz, Lee's Summit Senior Community, LLC

- C. [BILL NO. 19-223](#) An Ordinance approving an amended and restated plan for an Industrial Development Project for Village at View High, approving the issuance of an additional \$6,500,000 of Industrial Development Revenue Bonds for the Project, and approving the amendment of certain documents in connection therewith.
(Note: First reading by Council on October 15, 2019. Passed by unanimous vote.)

Presenter: Mark Dunning, Assistant City Manager
David Bushek, Chief Counsel of Economic Development & Planning

- D. [BILL NO. 19-240](#) An Ordinance accepting Final Plat entitled Summit View Farms 3rd Plat, Lots 51-74 and Tract C, as a subdivision to the City of Lee's Summit, Missouri. (Note: First reading by Council on October 15, 2019. Passed by unanimous vote.)
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
- E. [2019-3110](#) A Hazardous Materials Permit for the City of Lee's Summit Fuel Station located at 805 N. Main Street.
- Presenter:** James Eden, Assistant Fire Chief
- F. [2019-3109](#) Approval of Liquor License H for All A'Bloom Flowers and Gifts, 5 SE 3rd Street, Lee's Summit, MO 64063

3. Council Roundtable

Council Roundtable is reserved for items of general interest, community announcements and other such information. Council may ask for clarification or give direction about agenda items or discuss items of an emerging nature.

4. Proclamations:

- A. [2019-3038](#) November 2019 Educational Theatre Month
- Presenter:** Representatives/students from local schools will be present to receive a proclamation.

5. Resolutions:

- A. [RES. NO. 19-14](#) A Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, State Revolving Fund Program for grants under the Missouri Clean Water Law (Section 644, RSMo.).
- Presenter:** Dena Mezger, Director of Public Works

6. Public Hearings:

Proposed ordinances considered after a public hearing will be read for the first time and forwarded to a future City Council meeting for second reading, unless deemed to be an emergency as defined in Sec. 3.13(f) of the Lee's Summit Charter. Five affirmative votes are required for approval of second reading.

- A. [2019-3075](#) Public Hearing: Application #PL2019-233 - Preliminary Development Plan - Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Tiffany Lehman, PE, Neikirk Engineering, LLC
- 1) [BILL NO. 19-242](#) An Ordinance approving a Preliminary Development Plan located at 711 SE M-291 Hwy in District CP-2, proposed Wendy's in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Tiffany Lehman, PE, Neikirk Engineering, LLC
- B. [2019-3076](#) Public Hearing: Application #PL2019-246 - Preliminary Development Plan - DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant.
- Presenter:** Phillip Pierson - Applicant
Josh Johnson, AICP, Asst. Director of Plan Services

- 1) [BILL NO. 19-243](#) An Ordinance approving a Preliminary Development Plan located at 2001 NW Shamrock Ave in District PMIX, Proposed Dialysis Clinic, INC. In accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Asst. Director of Plan Services
- C. [2019-3077](#) Public Hearing: Application #PL2019-255 - Rezoning from AG, RP-1, CP-2, PI and PMIX to AZ - Lee's Summit Airport, 2751 NE Douglas St; City of Lee's Summit, applicant.
- Presenter:** Bob Hartnett, PLA, Deputy Director of Public Works/Administration
Josh Johnson, AICP, Assistant Director of Plan Services
- 1) [BILL NO. 19-244](#) An Ordinance approving a rezoning from Districts AG, RP-1, CP-2, PI and PMIX to AZ for approximately 553.633 acres located at 2751 NE Douglas St, Lee's Summit Airport in accordance with the provisions of Chapter 33, The Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri
- Presenter:** Bob Hartnett, PLA, Deputy Director of Public Works/Administration
Josh Johnson, AICP, Assistant Director of Plan Services
- D. [2019-3078](#) Public Hearing: Application #PL2019-261 - Vacation of Right-Of-Way - unused right-of-way on Lee's Summit Airport property, 2751 NE Douglas St; City of Lee's Summit, applicant.
- Presenter:** Bob Hartnett, PLA, Deputy Director of Public Works/Administration
Josh Johnson, AICP, Assistant Director of Plan Services
- 1) [BILL NO. 19-245](#) An Ordinance vacating dedicated rights-of-way for a portions of NE Strother RD, NE Douglas RD, NE Hagan RD and NE Leinweber RD., located at 2751 NE Douglas ST, in the City of Lee's Summit, Missouri
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Bob Hartnett, PLA, Deputy Director of Public Works/Administration

7. Public Comments:

Anyone wishing to address the Mayor and Council during Public Comments will be limited to 3 minutes. Each speaker must fill out a Public Comment Card. The Public Comment Cards are located at the entrance of Council Chambers. After completion, the card is to be given to the City Clerk. Please be concise with comments and respect the 3 minute time limit.

8. Proposed Ordinances Forwarded from Committee:

The following proposed ordinances were considered by a Council Committee and are presented to the Council for two readings and adoption.

- A. [BILL NO. 19-246](#) An Ordinance repealing the current City of Lee' Summit Procurement Policy, as adopted by Ordinance No. 8253, and adopting in lieu thereof a new policy entitled Procurement Policy for the City of Lee's Summit, Missouri. (F&BC 10-14-19)
- Presenter:** Rick Gentry, Procurement and Contract Services Manager

9. Proposed Ordinances - Second Reading:

The proposed Ordinances were advanced from First Reading without a unanimous vote of the City Council.

- A. [BILL NO. 19-241](#) An Ordinance vacating a certain utility and cross access easement located at 3924 & 3930 SW Raintree Drive in the City of Lee's Summit, Missouri.

(Note: First reading by Council on October 15, 2019.)

Presenter: Josh Johnson, AICP, Assistant Director Plan Services
Weyen Burnam, applicant

10. Committee Reports

Committee chairs report on matters held in Committee.

City Council Rules Committee – Nov. 7 at 6:00 p.m.

Health Education Advisory Board - Nov. 7. at 6:30 p.m.

Finance and Budget Committee – Nov. 11 at 5:00 p.m.

Beautification Commission – Nov. 11 at 6:00 p.m.

City Council Regular Session – Nov. 12 at 6:00 p.m.

11. Council Comments:

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

12. Staff Roundtable

Staff Roundtable is reserved for items of general interest, community announcements and other such information; however, staff may ask for clarification or direction from the council related to items on the agenda or for items of an emergency nature for which insufficient time exists for adding to the agenda.

13. Adjournment

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

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"

Packet Information

File #: 2019-3096, **Version:** 1

Approval of Action Letters from October 1st, 8th and 15th, 2019.



The City of Lee's Summit
Action Letter
City Council - Regular Session

Tuesday, October 1, 2019

6:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 39 **AMENDED**

Preliminaries:

- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order

Mayor Baird called Regular Session No. 39 to order at 6:41 p.m.

- D. Roll Call

Present: 9 - Mayor Bill Baird
Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez

1. Approval of Agenda

Mayor Baird amended the agenda by removing agenda item 6A, a presentation and consideration of request to extend Land Clearance for Redevelopment Authority (LCRA) abatement - The Stanely Event Space, 25 SE 3rd Street; The Stanely Event Space, applicant.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember DeMoro, to approve the agenda as amended by Mayor Baird. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, to adopt the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

A. [2019-3021](#) Approval of Action Letters from September 3rd and 17th, 2019.

A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, to approve the September 3rd and 17th, 2019 Action Letters as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

B. [BILL NO. 19-217](#) An Ordinance amending the Schedule of Fees and Charges for the City of Lee's Summit to establish a card payment service fee.

(Note: First read by City Council on September 17, 2019. Passed by unanimous vote.)

A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 19-217 be adopted and numbered Ordinance No. 8731 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

C. [BILL NO. 19-193](#) An Ordinance accepting final plat entitled Whispering Woods, 1st Plat, Lots 1-33, and Tracts A, B, C & D, as a subdivision to the City of Lee's Summit, Missouri.

(Note: First reading by Council on August 20, 2019. Passed by unanimous vote.)

A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 19-193 be adopted and numbered Ordinance No. 8732 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- D. [2019-3059](#) Approval of Liquor Licenses G3 and S for Bella's Italian Restaurant, 511 SE Melody Lane, Lee's Summit, MO 64063.

A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, to approve the liquor license for Bella's Italian Restaurant as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

3. Council Roundtable

Mayor Pro Tem Lopez commended Mayor Baird for doing a great job updating the community on all the things happening in the city and the accomplishments made this year during his State of the City Address. He said he was impressed by the level of participation from citizens. He was honored and pleased to be a part of it.

Councilmember Johnson followed up by stating during the State of the City Address, the Mayor asked the audience to raise their hand if they moved to Lee's Summit in the 2000's and in the 1990's. He then jokingly asked Mayor Baird why he didn't ask who moved here in the 70's? Mayor Baird laughed, and responded the city didn't grow by 25,000 people in the 1970's but the people that moved here in the 70's were the ones making the decisions that affected those that moved here in the 1990's.

Councilmember Forte mentioned the Chamber of Commerce's Oktoberfest. She said the new Fire Chief did a good job Friday night updating everyone regarding tornado and flood warnings with the impending storm. She stated Lee's Summit is a great community and people still came out regardless of the rain.

Mayor Baird thanked the Council for attending the State of the City Address. He said he meant it when he said he has leaned on their experience many times, and they have given him grace many times, they have been professional, diligent, analytical, passionate and respectful. During his speech he had

announced contracts have been negotiated for the downtown space for the Farmers Market and Event Space and he thought that was really big news until the next day when Downtown Lee's Summit Main Street outshined that news with their announcement that the American Planning Association 2019 list of great places in America named downtown Lee's Summit as one of only four neighborhoods to receive this national honor. He shared that it recognizes neighborhoods, public spaces and streets demonstrating exceptional character, quality and planning, attributes that enrich communities, spur economic growth and inspire others. Honories set the standard for creating a true sense of place, cultural and historic interest, community involvement and vision for the future. He then congratulated Downtown Lee's Summit Main Street lead by Donnie Rodgers, the Downtown Community Improvement District, Street Scape lead by Brad Culbertson, the downtown businesses and property owners that make it so special, and the citizens of Lee's Summit who continue to facilitate a neighborly and welcoming culture.

4. Public Hearings:

- A. [2019-2911](#) Continued Public Hearing: Application #PL2019-020 - Rezoning from RP-2 to RP-3 and Preliminary Development Plan - Burton Townhomes, 408 & 500 NW Olive Street; Cherokee Flight, LLC, applicant.
(Note: This application was continued from July 23, 2019 pending an additional hearing at the Planning Commission. This item is to be continued to December 3, 2019 per the applicants request.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, to continue this Public Hearing to a date certain of December 3, 2019. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Binney

- B. [2019-3053](#) Public Hearing: Annexation of 20.02 acres of land located at 12709 Smart Road; Lee's Summit R-VII School District, applicant.

Exhibit A, list of exhibits 1-3 were entered into the record.

City Council discussions included:

- The school district owns the property so there aren't any qualified voters in the area to be annexed
- Fire Station six would service the school
- The work done recently at Asbury Park and the Blackwell Interchange
- The city has not yet accepted the Blackwell Interchange improvements so it is

still under MoDOT's jurisdiction

-The city's ability to control easements while they are still under MoDOT's jurisdiction

-The cost to the school district for sewer plant renovations if the annexation isn't approved

-Exhibit A is the petition; the signature page is missing from the meeting packet

-Can the private low pressure system be accessed by additional property owners

Answer: No, these systems are designed for single use only

-Mason Elementary School was able to connect to the public sewer system approximately 10 years ago

-Forced mains are maintained by Sunset Valley and Hazel Grove Elementary Schools

-The annexation of the 900 acres to the north of the school property (the Barber property)

Answer: That annexation was done via public vote in the late 1990's

-The school opened in 2002

-The costs to the city to annex it now

There were no speakers in favor of, or opposed to, this application.

1) [BILL NO. 19-218](#)

An Ordinance annexing property located east of Smart Road approximately one mile south of Highway 50 (Woodland Elementary School property) into the City of Lee's Summit, Jackson County, Missouri.

(Note: First read by Council on October 1, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 19-218 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

C. [2019-3025](#)

Public Hearing: Application #PL2019-239 - Vacation of Right-Of-Way - the alley segment north of SW 1st St between NW Market Street and NW Main Street; Worley Real Estate 5 NW Market Series, LLC, applicant.

Exhibit A, list of exhibits 1-16 were entered into the record.

City Council discussions included:

-Clarification of location

-Current zoning

-Size of the lot

-Proposed use

Answer: The owner is proposing office space

-Utility easement

-Why this request was not brought forward as part of a PDP (Preliminary Development Plan) and what happens if the Right-of-Way is vacated and the development doesn't move forward.

-Public Hearing process for vacating Right-of-Way

There were no speakers in favor of, or opposed to, this application.

- 1) [BILL NO. 19-219](#) An Ordinance vacating the alley north of SW 1st Street between NW Market Street and NW Main Street, in the City of Lee's Summit, Missouri.
(Note: First read by Council on October 1, 2019.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Binney, that Bill No. 19-219 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson

Nay: 2 - Councilmember Carlyle
Councilmember Lopez

5. Public Comments:

There were no speakers for Public Comments.

6. Presentations:

- A. [2019-3036](#) Presentation and consideration of request to extend Land Clearance for Redevelopment Authority (LCRA) abatement - The Stanley Event Space, 25 SE 3rd Street; The Stanley Event Space, applicant.
(Note: This item is to be continued to October 15, 2019 per the applicant's request.)

This presentation was pulled by Mayor Baird before approval of the agenda.

7. Proposed Ordinances - First Reading:

- A. [BILL NO. 19-220](#) An Ordinance accepting final plat entitled "Hawthorn Ridge, 2nd Plat, Lots 101 thru 159", as a subdivision to the city of Lee's Summit, Missouri.
(Note: First read by Council on October 1, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 19-220 be advanced to second reading. The motion carried by the following vote:

City Council - Regular Session

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October 1, 2019

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- B.** [BILL NO. 19-221](#) An Ordinance approving a development agreement between Lee's Summit Senior Community, LLC, and the City of Lee's Summit, Missouri, for the Princeton Senior Community Development.
(Note: First read by Council on October 1, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Carlyle, that Bill No. 19-221 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- C.** [BILL NO. 19-222](#) An Ordinance accepting final plat entitled Legacy Wood, 7th Plat, Lots 246-278, and Tracts M & N, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on October 1, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Carlyle, that Bill No. 19-222 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

8. Proposed Ordinances - Second Reading:

- A.** [BILL NO. 19-207](#) An Ordinance vacating certain utility easements located at 2024 NW Lowenstein Drive, 906 NW Pryor Road, and 930 NW Pryor Road in the City of Lee's Summit, Missouri.
(Note: First reading by Council on September 3, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Carlyle, that Bill No. 19-207 be adopted and numbered Ordinance No. 8733. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- B.** [BILL NO. 19-209](#) An Ordinance approving a preliminary development plan located at 114 & 200 SE Summit Avenue in district RP-2 for the proposed Summit Avenue Addition, Lots 1 & 2, 114 & 200 SE Summit Avenue in accordance with the provisions of Chapter 33, Unified Development Ordinance, of the Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
(Note: First read by City Council on September 17, 2019.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-209 be adopted and numbered Ordinance No. 8734. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Binney

9. Committee Reports

Councilmember Binney shared that a Lee's Summit parks patron had a health emergency. Two staff members, and two citizens, used the AED device located at the facility to revive him. They were able to get him stabilized before paramedics arrived to take over. He expressed kudos to the parks employees, and citizens, that stepped in to help.

Councilmember Carlyle reported there is a Rules Committee meeting scheduled for Thursday, October 3, 2019 at 6:00 p.m.

Councilmember Faith announced a new time for the Public Works Committee meetings. The meetings have moved from the fourth Tuesday to the first Monday each month. The next meeting is scheduled for Monday, October 7, 2019 at 5:30 p.m.

Mayor Baird noted City Council has a Work Session next Tuesday, October 8, 2019 at 6:00 p.m.

10. Council Comments:

Mayor Baird thanked the audience and staff for their attentiveness.

11. Staff Roundtable

There were no items for Staff Roundtable.

12. Adjournment

There being no further business, Mayor Baird adjourned Regular Session No. 39 at 7:48 p.m.

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

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"



The City of Lee's Summit
Action Letter
City Council - Work Session

Tuesday, October 8, 2019

6:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

WORK SESSION NO. 12

Preliminaries:

- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order

Mayor Baird called Work Session No. 12 to order at 6:05 p.m.

- D. Roll Call

Councilmember Carlyle arrived at 6:08 p.m.

Present: 6 - Mayor Bill Baird
Councilmember Rob Binney
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Bob Johnson
Councilmember Beto Lopez

Absent: 3 - Councilmember Trish Carlyle
Councilmember Craig Faith
Councilmember Diane Forte

1. Approval of Agenda

There was a brief discussion regarding use of the term Work Session when votes will be taken. Direction was given to the City Clerk's office that future meetings will be Regular Sessions, not Work Sessions.

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember DeMoro, to approved the agenda as published. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Faith
Councilmember Forte

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, to adopt the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Faith
Councilmember Forte

- A. [BILL NO. 19-221](#)** An Ordinance approving a development agreement between Lee's Summit Senior Community, LLC, and the City of Lee's Summit, Missouri, for the Princeton Senior Community Development.
(Note: First read by Council on October 1, 2019. Passed by unanimous vote.)

A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 19-221 be adopted and numbered Ordinance No. 8735 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Faith
Councilmember Forte

- B. [BILL NO. 19-222](#)** An Ordinance accepting final plat entitled Legacy Wood, 7th Plat, Lots 246-278, and Tracts M & N, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on October 1, 2019. Passed by unanimous vote.)

A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 19-222 be adopted and numbered Ordinance No. 8736 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Faith
Councilmember Forte

3. Council Roundtable

Councilmember Edson stated Friday at 4:00 p.m. begins the three day Summit Art Festival in Downtown Lee's Summit. She added there will be over one hundred artists displaying their art, most of it will be for sale, and almost half of the artists are from out of state. Artwork will also be on display by students from all three high schools. It is a free event on the west side of the railroad tracks at Third and Main. Everyone is encouraged to attend.

Councilmember Binney announced the final identified project that was passed by voters in the 2007 Capital Improvement Project list, Ward Road improvements, were celebrated and officially opened last week. He said the project was delayed by changes in the economy and to the scope of work but now Ward Road to 163rd Street is a very pretty sight. He expressed his appreciation for everyone's patience and for the work done.

4. Public Comments:

There were no speakers for Public Comments.

5. Presentations:

A. [2019-3045](#) Quality Housing Program Discussion

Council discussions included:

- Level of detail for non-rental homes
- Inspection request called in by neighbor - would only be what can be seen from the right-of-way
- ADA concerns
- Reaching residents that don't have internet in their home - wellness visits will continue
- Not just for rental units - all property
- Older rental units are grandfathered in but they need a no cost license
- Community marketing plans for neighborhoods that don't have an HOA
- Councilmembers could help with locations for community meetings
- Current Ordinance that addresses chipping or mold on paint
- Liability the city takes on by issuing a certification
- Definition of Quality Housing
- Will there be different certifications for rental and non-rental property
- Sticker for 2 year certification - if not renewed, would the sticker be removed
- Will the city be in the home inspection business
- What happens if the property repeatedly fails certification inspections
- Defining the document for clarity
- Process if certification inspections turns up code violations
- Detailed questions regarding the current code
- Liability of the city if electrical is part of the certification but not checked in depth
- Is there enough staff to inspect all structures

- The intent of the program is good but it needs word-smithing
- Voluntary inspections of multi-family rental properties would only be for that unit and not the whole building
- Current process for inspections of code violations
- Proactive code enforcement would require more staff to be consistent, frequent and firm. Fees would need to be involved to pay for the program
- Pilot program would begin in January and expected to last a year
- Don't want to get a reputation as being a police state
- Neighbors sometimes won't report neighbors for fear of repercussions
- Correlation of property maintenance to emergency management

6. Proposed Ordinances - Second Reading:

- A. [BILL NO. 19-219](#) An Ordinance vacating the alley north of SW 1st Street between NW Market Street and NW Main Street, in the City of Lee's Summit, Missouri.
(Note: First read by Council on October 1, 2019.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lopez, that Bill No. 19-219 be adopted and numbered Ordinance No. 8737. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember Binney
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Carlyle

Absent: 2 - Councilmember Faith
Councilmember Forte

7. Committee Reports

Mayor Pro Tem Lopez announced there will be a CEDC (Community and Economic Development Committee) meeting October 9, 2019 at 4:00 p.m.

Councilmember Johnson reported there will be a Finance and Budget Committee meeting at 5:00 on Monday, October 14, 2019.

8. Council Comments:

There were no items for Council Comments.

9. Staff Roundtable

Chief Snider announced the Fire Department, in conjunction with other community partners, are supporting the Health and Education Advisory Board in hosting a Stop the Bleed training opportunity at the Gamber Community Center on October 19, 2019. There will be three sessions available for those able to attend. The Stop the Bleed program began after the Sandy Hook tragedy as an effort to see what could be done to improve responses in the event of a mass shooting. Registration for the free sessions is open online at the cityofls.net and more information can be found at bleedingcontrol.org

Mr. Steve Arbo, City Manager, shared the County Legislator adopted a Resolution asking the County Executive to roll back the property assessments to the 2018 values. He was told it was more of a communication piece and did not have much of an impact because the dates to make such changes have already passed. The City of Lee's Summit's tax levy will not change.

10. Adjournment

There being no further business, Mayor Baird adjourned Work Session No. 12 at 7:22 p.m.

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

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"



The City of Lee's Summit
Action Letter
City Council - Regular Session

Tuesday, October 15, 2019

6:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 40

Preliminaries:

- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order

Mayor Baird called Regular Session No. 40 to order at 6:36 p.m.

- D. Roll Call

Present: 9 - Mayor Bill Baird
Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Craig Fiath
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez

1. Approval of Agenda

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Binney, to approve the agenda as published. The motion carried by the following vote:

AYE- (9)
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Fiath
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, to approve the Consent Agenda. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- A. [2019-3089](#) Approval of Liquor Licenses G3 and S for Martin City Brewing Company, 354 SW Blue Pkwy, Lee's Summit, MO 64063

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that this Liquor License be approved as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- B. [BILL NO. 19-218](#) An Ordinance annexing property located east of Smart Road approximately one mile south of Highway 50 (Woodland Elementary School property) into the City of Lee's Summit, Jackson County, Missouri.

(Note: First read by Council on October 1, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 19-218 be adopted and numbered Ord. No. 8738. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

3. Council Roundtable

Councilmember Edson recognized a Boy Scout and his father from Troop 195 that were in attendance.

Councilmember Forte noted the 10th Annual Boo Ball sponsored by St. Lukes would be held on Oct. 19th at 6:00 p.m. at the Pavilion at John Knox Village.

Councilmember Binney reported Mrs. Betty Herzog passed away this week. She and Dr. Bud Herzog have been involved in the community for many years.

Mayor Pro Tem Lopez stated the Lee's Summit State of the Arts annual event will be held tomorrow night (Wednesday, October 16, 2019) from 5:30 p.m. - 7:00 p.m. in the Aspen Room at the Stanley Event Space.

Mayor Baird said he attended the 12th Annual Lee's Summit Art Festival. He attended the event with his mother this year. He was excited to hand out some of the awards and noted the high school exhibits were amazing.

4. Proclamations:

- A. [2019-2938](#) Feed Lee's Summit Month

This Proclamation was presented.

5. Resolutions:

- A. [RES NO. 19-13](#) A Resolution adopting the City Council schedule of meetings for 2020.

A motion was made by Councilmember Edson, second by Councilmember Forte to adopt Res. No. 19-13.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that this Resolution be amended by removing the November 3, 2019 date from the schedule of meetins.. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Faith
Councilmember Forte
Councilmember Lopez

Nay: 2 - Councilmember Edson
Councilmember Johnson

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, that this Resolution be adopted as amended by removing the November 3, 2019 date from the Schedule of Meetings. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

6. Public Hearings:

- A. [2019-3007](#) Public Hearing: Meridian at View High Amendments to Chapter 100 Industrial Development Project

Council Discussion included:

- Public Infrastructure

- Gas Main
- Master Developer (Parrot Properties)
- PILOTS extended for 1 year
- Original contract
- 312 Apartments - 50 of them complete now
- Other taxing jurisdictions (notices sent - no one responded)
- Taxes
- Delayed Construction Schedule
- Amount previously approved
- Updating plan with true costs and projections
- Scrivenor's error, truing up of costs, cushion

No one was present to speak of in favor of or opposed to this application.

The Mayor asked that the Council have a discussion in a Work Session on Truing Up of Costs on abatements.

- 1) [BILL NO. 19-223](#) An Ordinance approving an amended and restated plan for an Industrial Development Project for Village at View High, approving the issuance of an additional \$6,500,000 of Industrial Development Revenue Bonds for the Project, and approving the amendment of certain documents in connection therewith.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that this Bill No. 19-223 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

7. Public Comments:

Mr. Roy Mussett spoke on the repercussions on quality housing in Lee's Summit as written in an article in the Lee's Summit Tribune on October 12, 2019. He would like to see the city create an advisory board for tenant and landlord disputes that is comprised of Lee's Summit property owners, landlords and tenants. He does not feel the city should be involved as it is not a city problem.

8. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 19-224](#) An Ordinance approving Change Order #2 to the contract with Leavenworth Excavating and Equipment Company, Inc. for the Langsford Rd culvert repair project, for an increase of \$20,000.00 for a revised contract price of

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\$683,017.05 and an increase of 5 calendar days to reach substantial and final completion. (PWC 10/07/19)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 19-224 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Carlyle, that Bill No. 19-224 be adopted and numbered Ord. No. 8739. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Binney

- B.** [BILL NO. 19-225](#) An Ordinance authorizing the City Manager to execute an agreement transferring a snow plow and providing for snow removal on certain residential streets within the boundaries of areas controlled by Lakewood Property Owners Association (LPOA) between the City of Lee's Summit, Missouri and Lakewood Property Owners Association. (PWC 10/07/19)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Carlyle, that Bill No. 19-225 be second read. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Recused: 1 - Councilmember Edson

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember DeMoro, that Bill No. 19-225 be adopted and numbered Ord. No. 8740. The motion carried by the following vote:

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Aye: 8 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Recused: 1 - Councilmember Edson

- C. [BILL NO. 19-226](#) An Ordinance authorizing the execution of a Missouri Highways and Transportation Commission State Block Grant Agreement by and between the City of Lee's Summit, Missouri and the Missouri Highways and Transportation Commission, Granting federal funds in the amount of \$252,207 for eligible preliminary project costs towards the preparation of the Airport Master Plan Update - Phase1 for the Lee's Summit Municipal Airport. (BOAC 9/30/19) (PWC 10/07/19)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 19-226 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 19-226 be adopted and numbered Ord. No. 8741. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- D. [BILL NO. 19-227](#) An Ordinance authorizing the execution of a Missouri Highways and Transportation Commission Airport Aid Agreement to Airport by and between the City of Lee's Summit, Missouri, and the Missouri Highways and Transportation Commission, Granting funds for \$98,064 for the Airport Business Plan at the Lee's Summit Municipal Airport. (BOAC 9/30/19) (PWC 10/07/19)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Faith, that Bill No. 19-227 be second read. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Faith, that Bill No. 19-227 be adopted and numbered Ord. No. 8742. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- E. [BILL NO. 19-228](#) An Ordinance authorizing execution of the Agreement with Crawford, Murphy and Tilly, Inc. for On-Call Engineering Services for the airport (RFQ No. 2015-300) to amend the provisions of the Base Agreement to include the Aviation Project Consultant Supplemental Agreement No. 13 Master Plan Update - Phase 1. (BOAC 9/30/19) (PWC 10/07/19)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 19-228 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 19-228 be adopted and numbered Ord. No. 8743. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

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- F. [BILL NO. 19-229](#) An Ordinance authorizing execution of the Agreement with Crawford, Murphy and Tilly, Inc. for On-Call Engineering Services for the airport (RFQ No. 2015-300) to amend the provisions of the Base Agreement to include the Aviation Project Consultant Supplemental Agreement No. 14 Business Plan Update. (BOAC 9/30/19, PWC 10/07/19)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 19-229 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 19-229 be adopted and numbered Ord. No. 8744. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- G. [BILL NO. 19-230](#) An Ordinance approving award of RFQ 2020-15 to Affinis Corporation and to Wilson & Company, Inc., for on-call yearly professional land surveying services for one-year contracts with four possible one-year renewal options, and authorizing the City Manager to enter into an agreement for the same. (PWC 10/07/19)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 19-230 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember DeMoro, that Bill No. 19-230 be adopted and numbered Ord. No. 8745. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- H. [BILL NO-19-231](#) An Ordinance approving Change Order #2 to the contract with Vance Brothers, Inc. for the Surface Seal 19/20 project, for an increase of \$10,208.00 for a revised contract price of \$1,107,780.35 and an increase of 10 calendar days to reach substantial and final completion. (PWC 10/07/19)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Faith, that Bill No. 19-231 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 19-231 be adopted and numbered Ord. No. 8746. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- I. [BILL NO. 19-232](#) An Ordinance approving the execution of two grant agreements by and between the State of Missouri, Department of Transportation Traffic and Highway Safety Division and the City of Lee's Summit, Missouri for the Missouri Highway Safety Program. (F&BC 10/14/19)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Faith, that Bill No. 19-232 be second read. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Faith, that Bill No. 19-232 be adopted and numbered Ord. No. 8747. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

J. [BILL NO. 19-233](#)

An Ordinance authorizing the execution of all necessary intergovernmental agreements between the City of Lee's Summit, Missouri and the Missouri Department of Social Services including its HealthNet Division to permit the City to participate in the Ground Emergency Medical Transportation Uncompensated Cost Reimbursement Program. (F&BC 10/14/19)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte, that Bill No. 19-233 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Binney, that Bill No. 19-233 be adopted and numbered Ord. No. 8748. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

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- K. [BILL NO. 19-234](#) An Ordinance approving an amendment to cooperative agreements for emergency dispatch services by and between the City of Lee's Summit, Missouri and various fire districts, for the purpose of extending said agreements for up to twelve months and authorizing the Mayor to execute the same by and on behalf of the City of Lee's Summit. (F&BC 10/14/19)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 19-234 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 19-234 be adopted and numbered Ord. No. 8749. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- L. [BILL NO. 19-235](#) An Ordinance approving a Sole Source Agreement in form of a Purchase Order between the City of Lee's Summit and 1st Due Emergency Response Solutions, LLC., for the purchase of Fire-Dex structural firefighting gear and related equipment in an amount not to exceed \$100,100.00, and authorizing the City Manager to execute the same by and on behalf of the City. (F&BC 10/14/19)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Faith, that Bill No. 19-235 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that Bill No. 19-235 be adopted and numbered Ord. No. 8750. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- M.** [BILL NO. 19-236](#) An Ordinance approving award of RFQ No. 2019-72 to B & A, Inc., d/b/a Bibb Engineers Architects & Constructors, for on-call yearly professional engineering and architectural services for a one-year contract with two possible one-year renewal options, and authorizing the City Manager to enter into an agreement for the same. (F&BC 10/14/19)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 19-236 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 19-236 be adopted and numbered Ord. No. 8751. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- N.** [BILL NO. 19-237](#) An Ordinance approving the award of RFP No. 2020-001 for medical services to Occupational Health Centers of Kansas, P.A. dba Concentra Medical Centers for an amount not to exceed \$150,000.00, and authorizing the City Manager to execute agreement for the same by and on behalf of the City of Lee's Summit, Missouri. (F&BC 10/14/19)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 19-237 be second read. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Carlyle, that Bill No. 19-237 be adopted and numbered Ord. No. 8752. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- O. [BILL NO. 19-238](#)** An Ordinance approving the award of Bid No. 2019-076 for the purchase, and installation, maintenance, and repair services of heating, ventilation and air-conditioning systems for a one-year term with up to four, one-year renewals to ACS Building Services, LLC (Contract No. 2019-076-1), Todco Mechanical, LLC (Contract No. 2019-076-2), and The Waldinger Corporation (Contract No. 2019-076-3), and authorizing the City Manager to the same by and on behalf of the City of Lee's Summit, Missouri. (F&BC 10/14/19)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 19-238 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 19-238 be adopted and numbered Ord. No. 8753. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- P. [BILL NO. 19-239](#) An Ordinance approving the use of a Cooperative Contract between the State of Missouri and Environmental Systems Research Institute for GIS software and maintenance and authorizing the City Manager to execute the same by and on behalf of the City of Lee's Summit, Missouri. (F&BC 10/14/19)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 19-239 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 19-239 be adopted and numbered Ord. No. 8754. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

10. Proposed Ordinances - First Reading:

- A. [BILL NO. 19-240](#) An Ordinance accepting Final Plat entitled Summit View Farms 3rd Plat, Lots 51-74 and Tract C, as a subdivision to the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 19-240 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- B.** [BILL NO. 19-241](#) An Ordinance vacating a certain utility and cross access easement located at 3924 & 3930 SW Raintree Drive in the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Edson, that Bill No. 19-241 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Binney

11. Committee Reports

Mayor Pro Tem Lopez stated the next Arts Council meeting will be held on Oct. 28, 2019 at 6:20 p.m. He also reminded everyone again about the State of the Art event being held tomorrow night from 5:30 - 7:00 p.m. in the Aspen Room at the Stanley.

Councilmember Edson noted the next LIRC meeting will be held on October 21st.

Historic Preservation Commission – Oct. 21 – 6:00 p.m.

Livable Streets Advisory Board – Oct. 22 – 6:30 p.m.

Parks and Recreation Board – Oct. 23 – 6:00 p.m.

Planning Commission – Oct. 24 – 5:00 p.m.

Health Education Advisory Board – Oct. 24 – 6:30 p.m.

Velocity – Oct. 28 – 2:30 p.m.

Human Relations Commission – Oct. 28 – 6:30 p.m.

Arts Council – Oct. 28 – 6:30 p.m.

Public Works Committee – Nov. 4 – 5:30 p.m.

12. Council Comments:

Councilmember Forte stated she appreciated Mr. Mussett for speaking during Public Comments tonight and felt he had a lot of good points.

Mayor Baird provided Council with the assignments to the C4 Committees for

the Ignite! Strategic Plan. He will have staff work on setting up meeting dates, times and locations. He is excited and looks forward to this project moving forward.

13. Staff Roundtable

Mr. Steve Arbo, City Manager, thanked Council for making decisions based on policy time after time. He would like Council to discuss reviewing the Economic Development Incentive Policy after the Ignite! Strategic Plan is complete.

14. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 40 at 8:57 p.m.

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

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"

Packet Information

File #: BILL NO. 19-216, Version: 1

An Ordinance accepting final plat entitled *Princeton, Lots 1 and 2*, as a subdivision to the City of Lee's Summit, Missouri.

(Note: First read by City Council on September 17, 2019. Passed by unanimous vote.)

This plat will be held between 1st and second reading until infrastructure is constructed or a form of security has been provided.

Proposed City Council Motion:

I move for adoption of An Ordinance accepting final plat entitled *Princeton, Lots 1 and 2*, as a subdivision to the City of Lee's Summit, Missouri.

Joshua Johnson, AICP, Assistant Director of Plan Services
Denise Heintz, Lee's Summit Senior Community, LLC

BILL NO. 19-216

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED PRINCETON, LOTS 1 AND 2, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2019-211, submitted by Lee's Summit Senior Community, LLC, requesting approval of the final plat entitled "Princeton, Lots 1 and 2", was referred to the Planning Commission as required by Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; and,

WHEREAS, the Planning Commission considered the final plat on August 22, 2019, 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 "Princeton, Lots 1 and 2" is a subdivision in part of the Southwest Quarter of Section 10, Township 47N, Range 31W, in Lee's Summit, Missouri more particularly described as follows:

BOUNDARY DESCRIPTION

All that part of the Southwest Quarter of Section 10, Township 47 North, Range 31 West, in the City of Lee's Summit, Jackson County, Missouri, described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of Section 10, Township 47 North, Range 31 West, said point also lying on the centerline of Westbound U.S. Route 50 right of way, as established in MoDOT Job No. J4P1191, dated 12/14/98; thence South 87 degrees 49 minutes 47 seconds East, on the North line of said Southwest Quarter, and on said centerline, a distance of 1938.21 feet to a point; thence South 02 degrees 10 minutes 13 seconds West, departing said North line and said centerline, a distance of 246.56 feet to a point on the South line of said U.S. Route 50 right of way, as established in said MoDOT Job No. J4P1191, dated 12/14/98, the POINT OF BEGINNING; thence South 87 degrees 48 minutes 47 seconds East, on said South line, a distance of 375.44 feet to a point; thence South 82 degrees 16 minutes 26 seconds East, continuing on said South line, a distance of 72.52 feet to a point; thence North 79 degrees 54 minutes 16 seconds East, continuing on said South line, a distance of 94.02 feet to a point; thence South 87 degrees 48 minutes 47 seconds East, continuing on said South line, a distance of 162.49 feet to a point on the East line of said Southwest Quarter; thence South 02 degrees 13 minutes 14 seconds West, departing said South line, on said East line, a distance of 769.10 feet to the Northeast corner of Princeton Heights 3rd Plat, a subdivision in the City of Lee's Summit, Jackson County, Missouri; thence North 87 degrees 51 minutes 04 seconds West, departing said East line, on the North line of said Princeton Heights 3rd Plat, and on the North line of Princeton Heights 2nd Plat, a subdivision in the City of Lee's Summit, Jackson County, Missouri, a distance of 701.97 feet to a point; thence North 02 degrees 13 minutes 14 seconds East, departing said North line, a distance of 756.57 feet to the POINT OF BEGINNING, containing 533,062 Square Feet or 12.2374 Acres, more or less.

BILL NO. 19-216

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 “Princeton, Lots 1 and 2”.

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 Development Services, 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 7, Subdivisions, Chapter 33, the City’s Unified Development Ordinance, of the Code of Ordinances for the City of Lee’s Summit; which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 7 of the UDO of the City, upon the Director of Public Works certifying to the Director of Development Services 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 7.340 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 7.340 of the UDO, deposited an **irrevocable Standby Letter of Credit, Bond, or Cash** 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 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 individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots.

BILL NO. 19-216

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 "Princeton, Lots 1 and 2", attached hereto and incorporated herein by reference.

SECTION 10. 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 _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said City this ____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian Head



ENGINEER'S ESTIMATE - FINAL PLANS

Client: City of Lee's Summit
Project: Oldham & Princeton Roadway Improvements
Project Number: 018-1450
Date: 8/16/2019

	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST \$	COST \$
1	Mobilization	1	Lump Sum	\$50,000.00	\$50,000.00
2	Clearing and Grubbing	1	Lump Sum	\$20,000.00	\$20,000.00
3	Removal of Existing Structures	1	Lump Sum	\$15,000.00	\$15,000.00
4	Unclassified Excavation	3,266	Cu. Yd.	\$13.00	\$42,454.49
5	Compaction of Earthwork (All types)	2,666	Cu. Yd.	\$15.00	\$39,983.85
6	Asphaltic Surface (Type 5)	527	Ton	\$80.00	\$42,160.00
7	Asphaltic Base (Type 1)	1,661	Ton	\$75.00	\$124,552.29
8	Aggregate Base (Type 5) (6")	5,240	Sq. Yd.	\$15.00	\$78,606.90
9	Straight Back Curb & Gutter (Type CG-1)	2,570	Lin. Ft.	\$19.00	\$48,830.00
10	Concrete Sidewalk (4")	6,864	Sq. Ft.	\$6.00	\$41,184.00
11	Aggregate Base (4")	7,145	Sq. Yd.	\$10.00	\$71,450.00
12	Concrete Sidewalk Ramp	281	Sq. Ft.	\$16.00	\$4,496.00
13	Detectable Warning Surface	20	Sq. Ft.	\$50.00	\$1,000.00
14	Concrete Driveway (8")	180	Sq. Yd.	\$70.00	\$12,622.40
15	Concrete Driveway (6")	88	Sq. Yd.	\$70.00	\$6,148.10
16	Driveway Aggregate Base (4")	268	Sq. Yd.	\$10.00	\$2,681.50
17	Gravel Field Entrance (6")	53	Sq. Yd.	\$60.00	\$3,164.40
18	4" Solid White Lane Line (Thermoplastic)	2,218	LF	\$1.50	\$3,327.00
19	4" Solid Yellow Lane Line (Thermoplastic)	4,578	LF	\$1.50	\$6,867.00
20	12" Yellow Crosshatch Line (Thermoplastic)	268	LF	\$5.00	\$1,340.00
21	White Turn Arrows (Pre-Formed Thermoplastic)	3	EA	\$350.00	\$1,050.00
22	Area MEP Signs	33	SF	\$30.00	\$990.00
23	Post	6	EA	\$400.00	\$2,400.00
24	15" Polypropylene (HP) Storm	232	LF	\$85.00	\$19,736.15
25	15" RCP Storm	69	LF	\$140.00	\$9,660.00
26	18" Polypropylene (HP) Storm	174	LF	\$100.00	\$17,447.00
27	24" Polypropylene (HP) Storm	813	LF	\$110.00	\$89,430.00
28	30" RCP Storm	68	LF	\$220.00	\$14,960.00
29	30" Polypropylene (HP) Storm	160	LF	\$120.00	\$19,196.40
30	18" Concrete Flared End Section W Cutoff Wall	1	EA	\$1,200.00	\$1,200.00
31	24" Concrete Flared End Section W Cutoff Wall	1	EA	\$1,400.00	\$1,400.00
32	D50=10" Riprap Apron	12	Cu. Yd.	\$120.00	\$1,440.00
33	4' X 4' I.D. Precast Junction Box	2	EA	\$4,500.00	\$9,000.00
34	6' X 4' I.D. Precast Junction Box	1	EA	\$5,000.00	\$5,000.00
35	4' X 4' I.D. Precast Curb Inlet	2	EA	\$5,000.00	\$10,000.00
36	7' X 3' I.D. Precast Curb Inlet	3	EA	\$6,500.00	\$19,500.00
37	7' X 4' I.D. Precast Curb Inlet	2	EA	\$7,000.00	\$14,000.00
38	8' X 3' I.D. Precast Curb Inlet	1	EA	\$7,500.00	\$7,500.00
39	8' X 4' I.D. Precast Curb Inlet	2	EA	\$8,000.00	\$16,000.00
40	Ditch Excavation	550	Cu. Yd.	\$13.00	\$7,150.00
Opinion of Probable Cost					\$882,927.48

The Engineer, using his or her professional judgment, has developed this stated Opinion of Probable Construction Cost based upon the design status identified above. Development of this Opinion has included consideration of design input level; however, the circumstances under which the work is expected to be undertaken, the cost and availability of materials, labor and services, probable bidder response and the economic conditions at the time of bid solicitation are beyond the control of the Engineer and will impact actual bid costs. Should bidding be delayed, these costs should be reviewed and, if necessary, adjusted to a more applicable *Engineering News Record* Construction Cost Index.





IRREVOCABLE STANDBY LETTER OF CREDIT NO. 1030143151
October 25, 2019

City of Lee's Summit
Finance Department
Attn: Bette Wordelman, Finance Director
220 SE Green Street
Lee's Summit, MO 64063

Issue Date: OCTOBER 25, 2019

Expiration Date: OCTOBER 25, 2020

We hereby issue our IRREVOCABLE STANDBY LETTER OF CREDIT ("Letter of Credit") in your favor for the account of LEE'S SUMMIT SENIOR COMMUNITY, LLC ("Obligee") for a maximum aggregate amount not exceeding One Million One Hundred Thirty-Nine Thousand Three Hundred Forty-Five and 48/100 dollars (\$1,139,345.48) representing the following:

Security for completion by the Obligee of construction of the "Public Improvements" as that phrase is defined in the Development Agreement for the Princeton Senior Community Project between the City and Obligee dated September __, 2019 ("Improvements") required for "The Princeton" senior living community ("Project").

The City may draw upon this Letter of Credit upon sight draft(s) drawn on us and marked "DRAWN UNDER Springfield First Community Bank IRREVOCABLE LETTER OF CREDIT NO. 1030143151 dated October 25, 2019 stating that the Obligee has defaulted in its obligation to the City to construct, install and / or complete the development related Improvements required for the Project by _____ ("Initial Expiration Date") or if the Obligee has failed to post a new Letter of Credit or other sufficient security approved by the City's Director of Finance, prior to Initial Expiration Date, securing the construction, installation and / or completion of the Improvements. The amount of each draft shall be marked on the draft.

The written notification shall be on official City letterhead, signed by the City Manager, the City's Finance Director, or other authorized official of the City. The amount of the Letter of Credit shall be reduced automatically by the amount of any draw hereunder. The original of this Letter of Credit must accompany any presented documents. If we honor a partial draw the amount available under this Letter of Credit will be reduce by such amount and we will return the original of this Letter of Credit to you with the amount of the partial draw noted thereon, or, in our sole discretion, we may issue a substitute letter of credit to you in the amount shown above, less any partial draw(s).

We hereby agree with you that all drafts drawn under and in compliance with the terms of this Letter of Credit will be duly honored upon the presentation and delivery of documents as specified to us at the address specified above, no later than the Initial Expiration Date.

It is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for one year from the Initial Expiration Date hereof, unless at least 60 days prior to

SFC Bank

such date, we shall send you written notice, via certified mail, that we elect not to consider this Letter of Credit renewed for such additional one-year period.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 revision) for the International Chamber of Commerce, ICC Publication No. 600, and to the extent not inconsistent therewith the laws of the State of Missouri, including without limitation the Uniform Commercial Code in effect therein.

SPRINGFIELD FIRST COMMUNITY BANK

By: Rebecca Scorse
Rebecca Scorse, Chief Lending Officer



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-211 – FINAL PLAT – Princeton, Lots 1 and 2
Applicant	Lee's Summit Senior Community, LLC
Property Address	1701 SE Oldham Pkwy and 1051 SE Princeton Dr.
Planning Commission Date	August 22, 2019
Heard by	Planning Commission and City Council
Analyst	Jennifer Thompson, Senior Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: winter of 2019
Neighborhood meeting conducted: March 4, 2019
Newspaper notification published on: n/a
Radius notices mailed to properties within 185 feet on: n/a
Site posted notice on: n/a

Table of Contents

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2. Land Use	2
3. Unified Development Ordinance (UDO)	3
4. Comprehensive Plan	3
5. Analysis	4
6. Recommended Conditions of Approval	5

Attachments

Final Plat, date stamped July 24, 2019—1 page
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Lee's Summit Senior Community, LLC/applicant
Applicant's Representative	Denise Heintz
Location of Property	Generally located at the southeast corner of SE Ranson Rd. and SE Oldham Pkwy.
Size of Property	12.2374 Acres
Zoning	CP-2 (Community Commercial District)
Comprehensive Plan Designation	Retail
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the final plat within thirty (30) days after the application is submitted to the Planning Commission. The City Council takes final action on the final plat in the form of an ordinance.</p> <p>Duration of Validity: Final plat approval shall become null and void if the plat is not recorded within one (1) year from the date of City Council approval.</p> <p>The Director may administratively grant a one (1) year extension, provided no changes have been made to any City ordinance, regulation or approved engineering plans that would require a change in the final plat.</p> <p>The City Council may grant one additional one (1) year extension, provided that additional engineering plans may be required by the City Engineer to comply with current City ordinances and regulations.</p>

Current Land Use
Vacant Land

Description of Applicant's Request
This application is for the final plat of <i>Princeton Lots 1 and 2</i> . The proposed final plat consists of 2 lots on 12.2374 acres. The proposed final plat is substantially consistent with the approved preliminary plat.

2. Land Use

Description and Character of Surrounding Area
The property is generally located the southeast corner of SE Ranson Rd and SE Oldham Pkwy. The property is surrounded by vacant/undeveloped land to the east and west, a hospital and senior living

facility to the north (across U.S. Highway 50), and immediately to the south is the Princeton Heights single-family residential subdivision.

Adjacent Land Uses and Zoning

North:	Across U.S. Hwy 50 – hospital and senior living facility/ CP-2
South:	<i>Princeton Heights</i> single-family residential subdivision / R-1
East:	Vacant ground, unplatted / AG
West:	Vacant ground , unplatted/ CP-2

Site Characteristics

The property is an undeveloped/unplatted lot located on the south side of SE Oldham Pkwy and east of SE Ranson Rd. along the U.S. Highway 50 corridor. The property is a relatively level piece of ground, similar in character to a farm field with an existing row of trees along the eastern property line.

Setbacks

Yard	Proposed	Required
Front	15'	15'
Side	20' (Lot1) and 10' (Lot 2)	20' (Lot 1) and 10' (Lot 2)
Rear	20'	20'

3. Unified Development Ordinance (UDO)

Section	Description
4.050	CP-2 (Community Commercial Zoning District)
7.140, 7.150	Final Plats

The final plat consists of a parcel of land that is to be platted into two (2) lots, the remaining tract to the west will remain unplatted. A senior living community has been proposed and preliminarily approved on Lot 1 consisting of three (3) interconnected buildings, totaling approximately 159,645 sq. ft. The proposed facility is an allowed use as a special use permit under the UDO and is the same proposal under the approved preliminary plat, preliminary development plan, and special use permit.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Economic Development	Objective 2.1 Objective 2.2 Objective 2.3
Overall Area Land Use	Objective 1.1 Objective 1.2 Objective 1.3
Commercial Development	Objective 4.1 Objective 4.2 Objective 4.3

The Comprehensive Plan shows the area as retail. Staff supports the plan. The final plat does not compromise the ability to implement and/or achieve any policies, goals or objectives outlined in the Comprehensive Plan for providing quality development. Facilities such as these meets current and future demand and provides a long-term positive impact as the community ages.

5. Analysis

Background and History

This application is for the final plat of *Princeton, Lots 1 and 2*, located generally at the southeast corner of SE Ranson Rd. and SE Oldham Pkwy. The proposed final plat consists of two (2) lots on 12.2374 acres. The proposed final plat is substantially consistent with the approved preliminary plat.

- 2 lots on 12.2374 acres
 - April 4, 1995 – The City Council approved a rezoning (Appl. #1995-008) from AG to C-1 (now CP-2) – on land located at the southeast corner of 50 Highway and Ranson Road, by Ordinance No. 4115. (An associated site plan was submitted for approval, however the site plan was denied; the rezoning was approved).
 - April 9, 2019 – The City Council approved a preliminary development plan (Appl. #PL2019-017), located generally at the southeast corner of SE Ranson Rd. and SE Oldham Pkwy, for the proposed Lee’s Summit Senior Living Facility, by Ordinance No. 8612.
 - April 9, 2019 – The City Council approved a special use permit (App. #PL2019-018) for the Lee’s Summit Senior Living Facility, by Ordinance No. 8613.

Subdivision-Related Public Improvements

In accordance with UDO Section 7.340, 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 any form of financial security been received to secure the completion of the public improvements. This application will be placed on hold following Planning Commission action until the infrastructure requirements are met.

- April 4, 1995 – The City Council approved a rezoning (Appl. #1995-008) from AG to C-1 (now CP-2) – on land located at the southeast corner of 50 Highway and Ranson Road, by Ordinance No. 4115. (An associated site plan was submitted for approval, however the site plan was denied; the rezoning was approved).
- April 9, 2019 – The City Council approved a preliminary development plan (Appl. #PL2019-017), located generally at the southeast corner of SE Ranson Rd. and SE Oldham Pkwy, for the proposed Lee’s Summit Senior Living Facility, by Ordinance No. 8612.
- April 9, 2019 – The City Council approved a special use permit (App. #PL2019-018) for the Lee’s Summit Senior Living Facility, by Ordinance No. 8613.

Compatibility

The proposed final plat consists of two (2) lots on 12.2374 acres, located along the U.S. Highway 50 corridor. The proposed final plat is substantially consistent with the approved preliminary plat. The proposed senior living facility, to be located on Lot 1, is compatible with the hospital and senior living uses to the north and is a natural transition to the single-family residential subdivision to the immediate south.

Adverse Impacts

The proposed plat will not negatively impact the use or aesthetics of any neighboring property, nor does it negatively impact the health, safety and welfare of the public.

Public Services

Public facilities and services will be constructed and made available as part of the plan to meet the demand for services generated by the proposed use.

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO and Design & Construction Manual (DCM).

6. Recommended Conditions of Approval

Standard Conditions of Approval

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 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 permit).

3. All subdivision-related public improvements must have a Certificate of Final Acceptance prior to approval of the final plat, unless security is provided in the manner set forth in the City's Unified Development Ordinance (UDO) Section 7.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of the public infrastructure as outlined in Section 1000 of the City's Design and Construction Manual.
4. The As-graded Master Drainage Plan shall be submitted to and accepted by the City prior to the issuance of a Certificate of Substantial Completion and prior to the issuance of any building permits for the development.
5. All permanent off-site easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion or approval of the final plat. A certified copy shall be submitted to the City for verification.
6. All ADA sidewalk ramps shall be constructed by the developer at the time the street is constructed.
7. 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 7.340.
8. The developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, any required offsite water, sanitary and road improvements. No building permits 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.

Final Plat Princeton, Lots 1 and 2

An unplatted tract of land lying in the Southwest Quarter of Section 10, Township 47 North, Range 31 West, in the City of Lee's Summit, Jackson County, Missouri

Property Description

All that part of the Southwest Quarter of Section 10, Township 47 North, Range 31 West, in the City of Lee's Summit, Jackson County, Missouri, described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of Section 10, Township 47 North, Range 31 West, said point also lying on the centerline of Westbound U.S. Route 50 right of way, as established in MoDOT Job No. J4P1191, dated 12/14/98; thence South 87 degrees 49 minutes 47 seconds East, on the North line of said Southwest Quarter, and on said centerline, a distance of 1938.21 feet to a point; thence South 02 degrees 10 minutes 13 seconds West, departing said North line and said centerline, a distance of 246.56 feet to a point on the South line of said U.S. Route 50 right of way, as established in said MoDOT Job No. J4P1191, dated 12/14/98, the POINT OF BEGINNING; thence South 87 degrees 48 minutes 47 seconds East, on said South line, a distance of 375.44 feet to a point; thence South 82 degrees 16 minutes 26 seconds East, continuing on said South line, a distance of 72.52 feet to a point; thence North 79 degrees 54 minutes 16 seconds East, continuing on said South line, a distance of 94.02 feet to a point; thence South 87 degrees 48 minutes 47 seconds East, continuing on said South line, a distance of 162.49 feet to a point on the East line of said Southwest Quarter; thence South 02 degrees 13 minutes 14 seconds West, on said East line, a distance of 769.10 feet to the Northeast corner of Princeton Heights 3rd Plat, a subdivision in the City of Lee's Summit, Jackson County, Missouri; thence North 87 degrees 51 minutes 04 seconds West, departing said East line, on the North line of said Princeton Heights 3rd Plat, and on the North line of Princeton Heights 2nd Plat, a subdivision in the City of Lee's Summit, Jackson County, Missouri, a distance of 701.97 feet to a point; thence North 02 degrees 13 minutes 14 seconds East, departing said North line, a distance of 756.57 feet to the POINT OF BEGINNING, containing 533,062 Square Feet or 12.2374 Acres, more or less.

Dedication

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying Plat, which subdivision shall be hereafter known as "Princeton, Lots 1 and 2".

An easement or license 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 those areas outlined or designated upon this plat as "Utility Easement" (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, hereby waives, 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 the easement herein granted.

An easement or license 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 structures for sanitary sewer, upon, over, or under those areas outlined or designated upon this plat as "Sanitary Sewer Easement" (S/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, hereby waives, 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 the easement herein granted.

An easement or license 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 structures for storm sewer, surface drainage channel, any or all of them, upon, over, or under those areas outlined or designated upon this plat as "Storm Sewer Easement" (SSE) 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, hereby waives, 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 the easement herein granted.

Execution

OWNER of Lots 1 & 2: Central Bank of the Midwest, a Corporation, formerly known as Metcalf Bank

In testimony whereof, the OWNER of Lots 1 & 2, Central Bank of the Midwest, a Corporation, formerly known as Metcalf Bank, has caused this instrument to be executed by a duly authorized representative of said corporation, on this _____ day of _____ 2019.

By: _____
Signature Printed Name, Title

State of _____)
County of _____)SS:

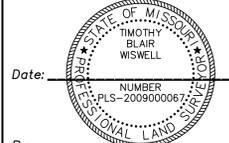
BE IT REMEMBERED that on this _____ day of _____, 2019, before me, the undersigned, a Notary Public in and for said County and State, came _____ who is personally known to me to be the person who executed the foregoing instrument of writing on behalf of said Central Bank of the Midwest, a Corporation.

In witness whereof, I have hereunto set my hand and affixed my seal the day and year last above written.

My Commission Expires: _____

Certification

I hereby certify that the within Final Plat of "Princeton, Lots 1 and 2", a subdivision, is based on an actual survey made by me or under my direct supervision and that survey meets or exceeds the current "Missouri Standards for Property Boundary Surveys" as established by the Missouri Board for Architects, Professional Engineers and Land Surveyors in Division 2030 - Chapter 16 (20 CSR 2030-16). I further certify that the bearings shown on this plat are based on the State Plane Coordinate System of Missouri, Western Zone of the North American Datum of 1983; that the section and section subdivision corner monuments and Survey boundary corner monuments were either found or set as indicated on this plat; that the corner lots and street center lines have been marked with permanent monumentation as indicated on this plat; that I have complied with all State and Jackson County Statutes, ordinances, and regulations governing the practice of Surveying and the platting of subdivisions to the best of my professional knowledge and belief.



Date: _____
By: Timothy Blair Wiswell, MO PLS No. 2009000067
Olsson, LC-366
twiswell@olsson.com

Approvals

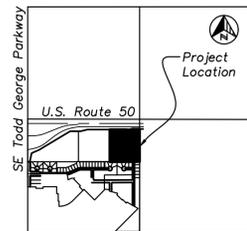
This is to certify that the within plat "Princeton, Lots 1 and 2" was submitted to and duly approved by the Mayor and City Council of the City of Lee's Summit, Missouri, this _____ day of _____ 2019 by Ordinance No. _____

William A. Baird - Mayor Trisha Fowler Arcuri - City Clerk

George M. Binger III, P.E. - City Engineer

Ryan A. Elam, PE - Director of Development Services Dana Arth - Planning Commission Secretary

Approved by the Assessor's Office of Jackson County, Missouri.



Section 10, T47N, R31W
VICINITY MAP
Scale: 1" = 2000'

under those areas outlined or designated upon this plat as "Drainage Easement" (D/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, hereby waives, 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 the easement herein granted.

A private easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of pipes, inlets, manholes, surface drainage facilities, underground detention and other similar facilities, upon, over and under those areas outlined and designated on this plat as "Best Management Practices Easement" (BMP), is hereby granted to all lots within this subdivision and to all future lots within this subdivision.

The sanitary, storm, and water utilities not installed within the utility easements, and contained within this plat, are private utilities and shall be owned and maintained by the property owner.

Roads, streets and drives shown on this plat and not heretofore dedicated to public use as thoroughfares are hereby so dedicated.

Building Lines

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 thereto.

Surveyor's Notes

1. Basis Of Bearings: Held the West line of the Southwest Quarter of Section 10, Township 47 North, Range 31 West at S02°12'18"W, Missouri Coordinate System 1983, West Zone. Distances shown hereon are ground distances in US Survey feet
2. Subject Property lies within "Zone X - Areas determined to be outside the 0.2% annual chance floodplain," according to the FEMA Flood Insurance Rate Map Number 29095C0439G, Map Revised January 20, 2017.
3. Subject Property contains 533,062 Square Feet or 12.2374 Acres, more or less.
4. Access to U.S. Route 50 is prohibited.
5. To date, Subject Property contains no visible evidence of abandoned oil or gas wells located within the property boundary identified in "Environmental Impact Study of Abandoned Oil and Gas Wells in Lee's Summit, Missouri", by Edward Alton May, Jr., dated 1995.
6. Individual Lot Owners shall not change or obstruct the drainage flow lines on the lots unless specific application is made and approved by the City Engineer.
7. Subject Property meets or exceeds the current standards for "Urban" Class Property Surveys, as defined by the Department of Insurance, Financial Institutions and Professional Registration, Division 2030, Chapter 16, Title 20 CSR 2030-16-040 - Accuracy Standards for Property Boundary Surveys, Effective June 30, 2017.
8. Subject Property is a portion of the Parent Tracts contained in Instrument Numbers 2010E0048281 and 2010E0048282.

Lot #	Area (S.F.)	Area (Ac.)
Lot 1	455,406 S.F.	10.4547 Ac.
Lot 2	30,129 S.F.	0.6916 Ac.
SE Princeton Drive R/W	47,527 S.F.	1.0911 Ac.
Total	533,062 S.F.	12.2374 Ac.

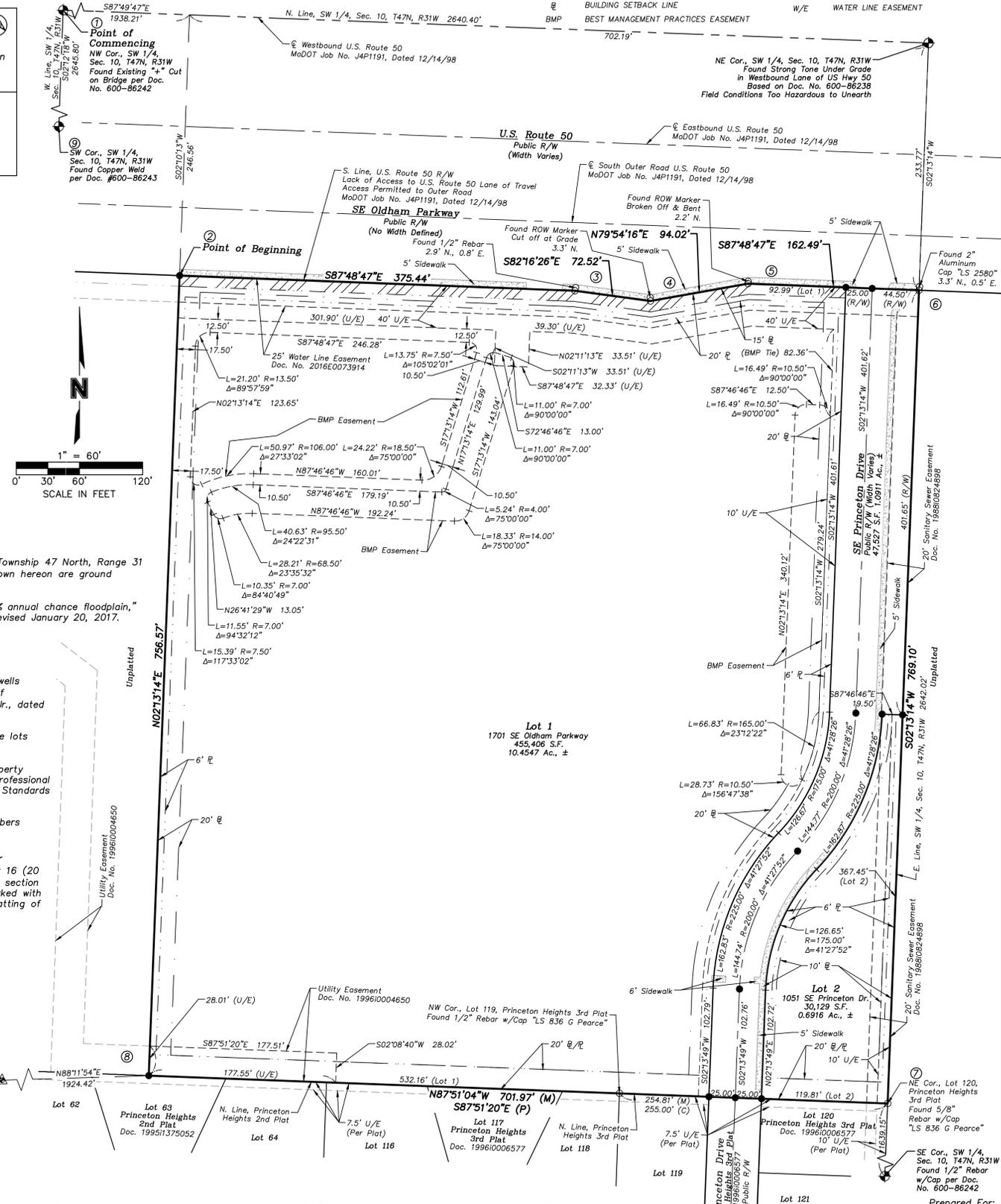
POINT #	Grid Northing (m)	Grid Easting (m)
1	303619.966	863893.539
2	303522.506	864480.978
3	303518.139	864595.318

POINT #	Grid Northing (m)	Grid Easting (m)
4	303515.168	864617.218
5	303520.191	864645.428
6	303518.301	864694.915

POINT #	Grid Northing (m)	Grid Easting (m)
7	303284.077	864685.833
8	303292.099	864472.044
9	302814.204	863862.516

LEGEND

● SECTION CORNER	D/E DRAINAGE EASEMENT
○ SET 5/8"x24" REBAR W/ALUMINUM CAP "LC 366"	LIMITS OF NO ACCESS TO RIGHT OF WAY
○ FOUND MONUMENT AS NOTED	PARKING SETBACK LINE
(M) MEASURED DIMENSION - THIS PLAT	R/W RIGHT OF WAY
(P) PREVIOUSLY PLATTED DIMENSION	S/E SANITARY SEWER EASEMENT
(C) CALCULATED DIMENSION FROM RECORD	PUBLIC SIDEWALK
(D) PREVIOUSLY DEEDED DIMENSION	UTILITY EASEMENT
⊖ BUILDING SETBACK LINE	W/E WATER LINE EASEMENT
BMP BEST MANAGEMENT PRACTICES EASEMENT	



Prepared For:
Lee's Summit Senior Community, LLC
5051 S. National Avenue, Ste 4-110
Springfield, Missouri 65810
Telephone: (417) 893-6006

Property Owner:
Central Bank of the Midwest,
Formerly Known as Metcalf Bank
609 NE 291 Hwy
Lee's Summit, Missouri 64086
Telephone: (816) 525-5300

Prepared By:
Olsson
7301 W. 133rd Street, Suite 200
Overland Park, Kansas 66213
Telephone: (913) 381-1170

TEL 913.381.1170
FAX 913.381.1174
www.olsson.com

REV. NO.	DATE	DESCRIPTION	BY
1	2019.07.17	Rev North U/E Within City Approval Language, Added Street Label & Addresses	MJB

Final Plat
Princeton, Lots 1 and 2

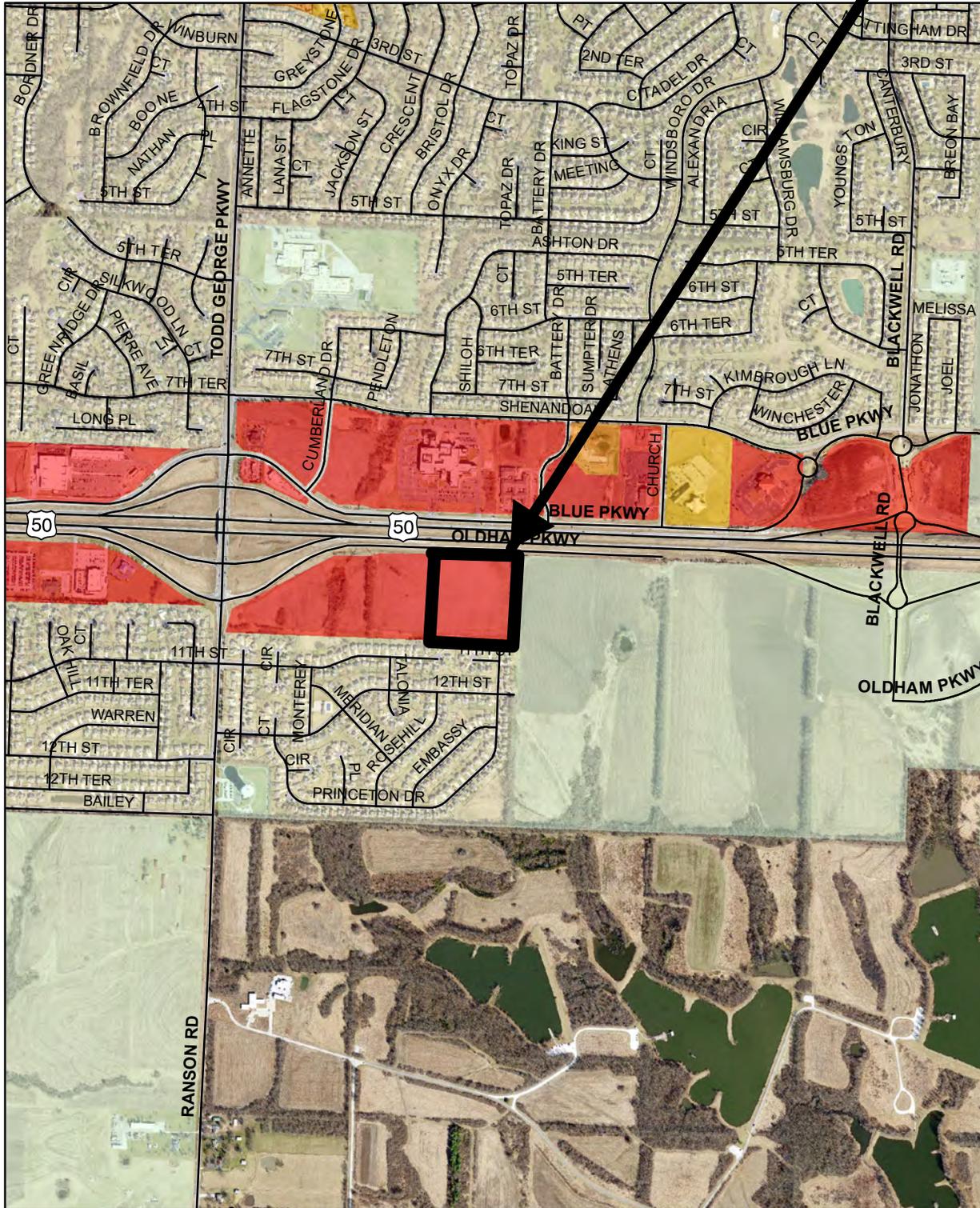
An unplatted tract of land lying in the Southwest Quarter
of Section 10, Township 47 North, Range 31 West

Lee's Summit, Jackson County, Missouri

2019

SHEET
1 of 1

PL2019-211-FINAL PLAT PRINCETON, LOTS 1 AND 2 1701 SE OLDHAM PKWY AND 1051 SE PRINCETON DR.



Packet Information

File #: BILL NO. 19-223, Version: 1

An Ordinance approving an amended and restated plan for an Industrial Development Project for Village at View High, approving the issuance of an additional \$6,500,000 of Industrial Development Revenue Bonds for the Project, and approving the amendment of certain documents in connection therewith.

(Note: First reading by Council on October 15, 2019. Passed by unanimous vote.)

Issue/Request:

An Ordinance approving an amended and restated plan for an Industrial Development Project for Village at View High, approving the issuance of an additional \$6,500,000 of Industrial Development Revenue Bonds for the Project, and approving the amendment of certain documents in connection therewith.

Key Issues:

Approval of this ordinance will amend the currently approved Payment in Lieu of Taxes (PILOT) schedule for the project by extending the PILOT schedule by one year from 2028 to 2029; authorize additional bond capacity in the amount of \$6,500,000 for a total maximum principal amount not to exceed \$46,000,000; extend the maturity of the Bonds by one year to December 1, 2029; and extend the term of the Lease by one year to December 1, 2029. Approval of the ordinance would authorize the Mayor, City Manager, Director of Finance, City Clerk and other officials, agents and employees of the City to take such further action and execute such documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of the ordinance.

Proposed City Council Motion:

An Ordinance approving an amended and restated plan for an Industrial Development Project for Village at View High, approving the issuance of an additional \$6,500,000 of Industrial Development Revenue Bonds for the Project, and approving the amendment of certain documents in connection therewith - I move for adoption.

Background:

On February 2, 2017, The City Council passed Ordinance No. 8082 authorizing the City to issue its Taxable Industrial Development Revenue Bonds (Village at View High Project), Series 2017, in the maximum principal amount of \$39,500,000 (the "Bonds"), for the purpose of acquiring and improving certain real property located generally in the vicinity of the northeast intersection of 3rd Street and View High Drive in the City (the "Project Site"), including the construction and improvement of a commercial facility on the Project Site (the "Project Improvements," together with the Project Site, the "Project"). The project consists of the design and construction of the Meridian at View High, a 312-unit high-end multi-family complex in the vicinity of the northeast intersection of 3rd Street and View High Drive. The Company receives tax abatement under the Chapter 100 structure on the real property included in the project. However, the Company makes fixed Payments in Lieu of Taxes in accordance with the approved PILOT schedule. The PILOT schedule was set based on information provided to the Council by City staff regarding the tax payments on comparable properties. The PILOT amount was based on \$1,051 per unit beginning in 2019.

File #: BILL NO. 19-223, Version: 1

Mark Dunning, Assistant City Manager

David Bushek, Chief Counsel of Economic Development & Planning

Recommendation: Staff recommends approval of the ordinance.

BILL NO. 19-223

AN ORDINANCE APPROVING AN AMENDED AND RESTATED PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT FOR VILLAGE AT VIEW HIGH, APPROVING THE ISSUANCE OF AN ADDITIONAL \$6,500,000 OF INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE PROJECT, AND APPROVING THE AMENDMENT OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.

WHEREAS, the City of Lee's Summit, Missouri (the "City") is a constitutional charter city and municipal corporation of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri; and,

WHEREAS, the City is authorized under the provisions of Article VI, Section 27 of the Missouri Constitution, as amended, and Sections 100.010 to 100.200, inclusive, of the Revised Statutes of Missouri, as amended (collectively, the "Act"), to purchase, construct, extend and improve certain projects (as defined in the Act) for the purposes set forth in the Act and to issue industrial development revenue bonds for the purpose of providing funds to pay the costs of such projects and to lease or otherwise dispose of such projects to private persons or corporations for manufacturing, commercial, warehousing and industrial development purposes upon such terms and conditions as the City shall deem advisable; and,

WHEREAS, pursuant to the Act, the City Council passed Ordinance No. 8082 on February 2, 2017, authorizing the City to issue its Taxable Industrial Development Revenue Bonds (Village at View High Project), Series 2017, in the maximum principal amount of \$39,500,000 (the "Bonds"), for the purpose of acquiring and improving certain real property located generally in the vicinity of the northeast intersection of 3rd Street and View High Drive in the City (the "Project Site"), including the construction and improvement of a commercial facility on the Project Site (the "Project Improvements," together with the Project Site, the "Project"); and,

WHEREAS, the City leased the Project to Meridian View High, LLC, a Missouri limited liability company (the "Company") pursuant to a Lease Agreement dated as of November 1, 2017 (the "Lease") between the City and the Company; and,

WHEREAS, the completion of the Project Improvements has been delayed, causing the economic effect of the current schedule of payments in lieu of taxes to have an unanticipated negative consequence on the Company, in that a full payment in lieu of tax is due for 2019, but the Project Improvements are not yet complete; and,

WHEREAS, cost overruns have caused the estimated cost of completing the Project Improvements to exceed the existing capacity of the Bonds, and,

WHEREAS, the Company and the City desire to extend the maturity of the Bonds by one year to December 1, 2029, to extend the term of the Lease by one year to December 1, 2029, and to extend the abatement period by one year through 2029; and,

WHEREAS, the Company and the City desire to authorize additional bond capacity in the amount of \$6,500,000 for a total maximum principal amount not to exceed \$46,000,000; and,

WHEREAS, the City, in accordance with Section 100.050 of the Act, has prepared an Amended and Restated Plan for an Industrial Development Project for Village at View High (the "Amended Plan"); and,

BILL NO. 19-223

WHEREAS, notice of the Amended Plan was provided to the taxing jurisdictions by mail, in accordance with Section 100.059.1 of the Act and the City now desires to approve the Amended Plan and the amendment of certain documents in connection therewith; and,

WHEREAS, the City has and does hereby find and determine that it is desirable for the economic development of the City and within the public purposes of the Act that the City approve the Amended Plan and the amendment of certain documents in connection therewith;

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

SECTION 1. Promotion of Economic Development. The Council hereby finds and determines that the Project under the Amended Plan will promote the economic welfare and the development of the City and will be in furtherance of the public purposes set forth in the Act. The Project constitutes a "commercial" facility for purposes of the Act.

SECTION 2. Approval of Amended Plan. The Council hereby approves the Amended Plan attached hereto as Exhibit A in accordance with Section 100.050 of the Act.

SECTION 3. Approval and Authorization of Documents. In order to carry out the purposes of the Amended Plan and this Ordinance, the Omnibus Amendment of Documents (the "Amendment") is hereby approved in substantially the form presented to the Council at this meeting (copies of which document shall be filed in the records of the City), and the City is hereby authorized to execute and deliver the Amendment with such changes therein as shall be approved by the officials of the City executing such documents, such officials' signatures thereon being conclusive evidence of their approval thereof.

SECTION 4. Approval of Additional Bond Capacity. The City hereby authorizes the reissuance of the Bonds with an increase in maximum aggregate principal amount not to exceed an additional \$6,500,000, for a total maximum aggregate principal amount not to exceed \$46,000,000.

SECTION 5. Execution of Documents. The Mayor of the City is hereby authorized and directed to execute a replacement Bond and to deliver such replacement Bond to the Trustee for authentication for and on behalf of and as the act and deed of the City in the manner provided in the Indenture. The Mayor, City Manager or Director of Finance of the City is hereby authorized and directed to execute the Amendment and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, for and on behalf of and as the act and deed of the City. The City Clerk of the City is hereby authorized and directed to attest to and affix the seal of the City to the Bonds and the Amendment and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

SECTION 6. Further Authority. The Mayor, City Manager, Director of Finance, City Clerk and other officials, agents and employees of the City as required are hereby authorized and directed to take such further action and execute such documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

BILL NO. 19-223

SECTION 7. Effective Date. This Ordinance shall take effect and be in full force from and after its passage and adoption by the City Council and approval by the Mayor.

[remainder of page intentionally left blank]

BILL NO. 19-223

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2020.

Mayor *Bill Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said City this _____ day of _____, 2020.

Mayor *Bill Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*

BILL NO. 19-223

EXHIBIT A
TO ORDINANCE NO. _____

AMENDED PLAN

NOTICE TO TAXING JURISDICTIONS

On behalf of the City of Lee's Summit, Missouri (the "City"), please find enclosed a copy of the proposed Amended and Restated Plan for an Industrial Development Project and Cost-Benefit Analysis for Village at View High (the "Amended and Restated Plan").

The City Council will consider an ordinance to approve the Amended and Restated Plan during the City Council's meeting on October 15, 2019, at 6:00 p.m. in the City Council Chambers at the Lee's Summit City Hall, 220 SE Green Street, Lee's Summit, Missouri.

The City invites you to submit comments to the Council on the proposed Amended and Restated Plan. All comments will be fairly and duly considered by the City.

A copy of the Amended and Restated Plan will be on file in the office of the City Clerk and will be available for public inspection during normal business hours.

Dated: September 25, 2019

Trisha Fowler Arcuri
City Clerk
City of Lee's Summit, Missouri

Taxing Jurisdictions -- Distribution List

Lee's Summit R-7 School District
Superintendent
301 NE Tudor Road
Lee's Summit, MO 64086

Metropolitan Community College
Chancellor
3200 Broadway
Kansas City, MO 64111

Mid Continent Public Library
Director
15616 E. Highway 24
Independence, MO 64050-2057

Jackson County Community Mental Health
Executive Director
1627 Main Street, Suite 500
Kansas City, MO 64108

Jackson County Board of Disabled Services
Executive Director
8511 Hillcrest Road, Suite 300
Kansas City, MO 64138

City of Lee's Summit
Director of Finance
220 SE Green Street
Lee's Summit, MO 64063

Jackson County
County Executive
415 E. 12th Street
Kansas City, MO 64106

Jackson County Collections Department
Director
415 E. 12th Street, 1st Floor
Kansas City, MO 64106

Jackson County Health Department
Director
313 S. Liberty Street
Independence, MO 64050

Missouri Department of Revenue
County Tax Section
State Blind Pension Fund
Post Office Box 453, 301 West High Street
Jefferson City MO 65101

Jackson County Assessment Department
Director
415 E. 12th Street, 1M
Kansas City, MO 64106

Department of Economic Development
Development Finance
Missouri Department of Economic Development
301 West High
Post Office Box 118 – Room 770
Jefferson City MO 65102

Missouri Department of Economic Development
Director
P O Box 118 – Room 770
301 West High Street
Jefferson City MO 65102

CITY OF LEE'S SUMMIT, MISSOURI

**AMENDED AND RESTATED PLAN FOR AN
INDUSTRIAL DEVELOPMENT PROJECT
AND
COST-BENEFIT ANALYSIS**

FOR

VILLAGE AT VIEW HIGH

SEPTEMBER 25, 2019

CITY OF LEE'S SUMMIT, MISSOURI

**AMENDED AND RESTATED
PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT
AND
COST-BENEFIT ANALYSIS
FOR
VILLAGE AT VIEW HIGH**

I. PURPOSE OF THIS AMENDED AND RESTATED PLAN

On January 12, 2017, the City mailed a Plan for an Industrial Development Project and Cost-Benefit Analysis (the "Original Plan") to the taxing districts for proposal to authorize the issuance by the City of its taxable industrial development revenue bonds in the aggregate principal amount of not to exceed \$39,500,000 (the "Bonds"), to finance costs of an industrial development project (the "Project") for Archview Properties, LLC, an Indiana limited liability company, through its assignee Meridian View High, LLC, a Missouri limited liability company (the "Company") as more fully described and defined herein. The Bonds were issued on November 8, 2017 pursuant to the provisions of Article VI, Section 27(b) of the Missouri Constitution, as amended and Sections 100.010 to 100.200 of the Revised Statutes of Missouri, as amended (collectively, the "Act"). The Project is under construction but taking longer than expected due to certain unanticipated delays. This Amended and Restated Plan provides for a later termination date at the request of the Company, effectively extending the life of the Original Plan by one year by extending the construction period, provides for an updated schedule of payments in lieu of taxes (the "PILOTs"), and provides for additional bond capacity of \$6,500,000, for a total bond capacity not to exceed \$46,000,000. The City Council of the City of Lee's Summit, Missouri (the "City") will consider an ordinance approving this Amended Plan (defined below).

This Amended and Restated Plan for an Industrial Development Project and Cost-Benefit Analysis (the "Amended Plan") has been prepared to satisfy requirements of the Act and to analyze the potential costs and benefits, including the related tax impact on all affected taxing jurisdictions, of using industrial development revenue bonds to finance the Project and to facilitate abatement of ad valorem taxes on the bond-financed property.

II. GENERAL DESCRIPTION OF CHAPTER 100 FINANCINGS

General. The Act authorizes cities, counties, towns and villages to issue industrial development revenue bonds to finance the purchase, construction, extension and improvement of warehouses, distribution facilities, research and development facilities, office industries, agricultural processing industries, service facilities that provide interstate commerce, industrial plants and other commercial facilities.

Issuance and Sale of Bonds. Revenue bonds issued pursuant to the Act do not require voter approval and are payable solely from revenues received from the project. The municipality issues its bonds and in exchange, the benefited company promises to make payments that are sufficient to pay the principal of and interest on the bonds as they become due. Thus, the municipality merely acts as a conduit for the financing.

Concurrently with the closing of the Bonds, the Company conveyed to the City title to the property included in the Project. (The municipality must be the legal owner of the property while the bonds are outstanding for the property to be eligible for tax abatement, as further described below.) At

the same time, the City leased the property, including the Project, back to the Company pursuant to a lease agreement. The lease agreement requires the Company, acting on behalf of the City, to use the Bond proceeds to pay the costs or reimburse the costs of purchasing, constructing and installing the Project, as applicable.

Under the lease agreement, the Company: (1) unconditionally agreed to make payments sufficient to pay the principal of and interest on the Bonds as they become due; (2) agreed, at its own expense, to maintain the Project, to pay all taxes and assessments with respect to the Project, and to maintain adequate insurance; (3) has the right, at its own expense, to make certain additions, modifications or improvements to the Project; (4) may assign its interests under the lease agreement or sublease the Project while remaining responsible for payments under the lease agreement; (5) agreed to maintain its corporate existence during the term of the Bond issue; and (6) agreed to indemnify the City for any liability the City might incur as a result of its participation in the transaction.

Property Tax Abatement. Under Article X, Section 6 of the Missouri Constitution and Section 137.100 of the Revised Statutes of Missouri, all property of any political subdivision is exempt from taxation. In a typical transaction, the municipality holds fee title to the project and leases the project to the benefited company.

The company has agreed to make “payments in lieu of taxes” with respect to the Project, which agreement will be amended to reflect the payments in lieu of taxes shown below on Page 3. The payments in lieu of taxes are payable by December 31 of each year, and are distributed to the municipality and to each political subdivision within the boundaries of the Project in the same manner and in the same proportion as property taxes would otherwise be distributed under Missouri law.

III. DESCRIPTION OF THE PARTIES

The Company. The Company is a limited liability company organized and existing under the laws of the State of Missouri.

City of Lee’s Summit, Missouri. The City is a constitutional home rule charter city and municipal corporation organized and existing under the laws of the State of Missouri. The City is authorized and empowered pursuant to the provisions of the Act to purchase, construct, extend and improve certain projects (as defined in the Act) and to issue industrial development revenue bonds for the purpose of providing funds to pay the costs of such projects and to lease or otherwise dispose of such projects to private persons or corporations for manufacturing, commercial, warehousing and industrial development purposes upon such terms and conditions as the City deems advisable.

IV. REQUIREMENTS OF THE ACT

Description of the Project. The Project being financed by the Bonds consists of (1) the design and construction of the Village at View High apartments, an approximately 312-unit high-end multi-family complex and (2) associated site work and infrastructure. The Project being financed by the Bonds will be constructed on approximately 21.34 acres in the vicinity of the northeast intersection of 3rd Street and View High Drive, which is referred to as the “Project Site.”

Estimate of the Costs of the Project. The Project is expected to cost approximately \$46,000,000 and to be constructed during the years 2017, 2018, 2019, and 2020.

Source of Funds to be Expended for the Project. The sources of funds to be expended for the Project will be the proceeds of the Bonds in a principal amount not to exceed \$39,500,000, which have been issued by the City and purchased by the Company (the “Bondholder”) and, if needed, other available funds of the Company. If this Amended Plan is approved by the City Council, the City intends to authorize the additional bond capacity of \$6,500,000, for a total bond capacity not to exceed \$46,000,000. The Bonds are payable solely from the revenues derived by the City from the lease or other disposition of the Project (as further described below). The Bonds will not be an indebtedness or general obligation, debt or liability of the City or the State of Missouri.

Statement of the Terms Upon Which the Project is to be Leased or Otherwise Disposed of by the City. The City will continue to hold title to the Project Site under the Chapter 100 Transaction. The City will continue to lease the Project to the Company for lease payments equal to the principal and interest payments on the Bonds. Under the terms of the lease agreement with the City, the Company has the option to purchase the Project at any time and will have the obligation to purchase the Project at the termination of the lease. The lease between the City and the Company will terminate in 2029, unless terminated sooner pursuant to the terms of the lease.

Affected Taxing Districts. The Lee’s Summit R-7 School District is the school district affected by the Project. Jackson County, Missouri is the county affected by the Project. Metropolitan Community College is the community college district affected by the Project. The City is the city affected by the Project. No emergency services districts are affected by the Project. The Cost-Benefit Analysis attached hereto identifies all other taxing districts affected by the Project.

Assessed Valuation. The most recent equalized assessed valuation of the Project Site is \$13,099 (due to ownership by the City, the Project Site currently has no assessed valuation).¹ The estimated total equalized assessed valuation of the Project Site after construction of the Project (2021) is \$ 3,832,874. This valuation was calculated based upon an assumed appraised value of \$20,173,023 for the Project Site in year 2021, multiplied by the assessment rate of 19%.

[remainder of page intentionally left blank]

¹ The Project Site consists of two separate parcels, both of which are currently part of larger tracts. The first parcel (Parcel I.D. No. 62-330-99-98-01-0-00-000), at the time of the original plan, was owned by Parrot Properties Inc. and is approximately 24.89 acres. The Company purchased approximately 18.46 acres from Parrot Properties Inc. Based on information received from Jackson County, it is assumed that the most recent equalized assessed valuation of the land for the larger 24.89 acres tract is \$17,416. The land that was already owned by the Company is approximately 74.47% of the acreage of the 24.89 acre site and it is therefore assumed that the most recent equalized assessed valuation of that land was \$12,969. The second parcel (Parcel I.D. No. 62-330-99-98-02-1-00-000) was owned by Mike’s Farm Inc. at the time of the original plan and is approximately 11.13 acres. The Company purchased approximately 3.29 acres from Mike’s Farm Inc. Based on information received from Jackson County, it is assumed that the most recent equalized assessed valuation of the land for the larger 11.13 acres is \$441. The land that was already owned by the Company is approximately 29.53% of the acreage of the approximately 11.13 acre site and it is therefore assumed that the most recent equalized assessed valuation of that land is \$130.

Payments in Lieu of Taxes. The City issued the Bonds in 2017 and, if this Amended Plan is approved by the City Council, the City intends to provide tax abatement to the Company for the Project for a period of ten years beginning in 2020. During years 2017, 2018, 2019, and 2020, the Project will be under construction and the Company will pay a partial payment in lieu of taxes as set forth below. For all the years that the Project Site is subject to tax abatement as provided herein, the Company will make a fixed PILOT payment in December of each year in accordance with the following schedule:

2017-19	\$ 1,149
2020	\$ 199,099
2021-22	\$ 327,912
2023-27	\$ 336,110
2028-29	\$ 344,513

Sales Tax Exemption on Construction Materials. It is anticipated that the construction materials used to construct the Project will be exempt from state and local sales taxes.

Cost-Benefit Analysis and Discussion of Exhibits. In compliance with Section 100.050.2(3) of the Revised Statutes of Missouri, this Amended Plan has been prepared to show the costs and benefits to the City and to other taxing jurisdictions affected by the tax abatements and exemptions of the Project. The following is a summary of the exhibits attached to this Amended Plan that show the direct tax impact the Project is expected to have on each taxing jurisdiction. This Amended Plan does not attempt to quantify the overall economic impact of the Project.

Project Assumptions. **Exhibit 1** presents a list of the assumptions related to the determination of assessed valuations and the tax formulas.

Summary of Cost-Benefit Analysis. **Exhibit 2** presents a summary for each affected taxing district of (1) the total estimated tax revenues that would be generated if the Project did not occur, (2) the total estimated tax revenues that would be generated if the Project occurred but no abatement was granted, (3) the total estimated value of the payments in lieu of taxes (“PILOT Amounts”) to be made by the Company for the proposed abatement period, and (4) the projected tax abatement based on this Amended Plan.

Real Property. **Exhibit 3** provides the projected tax revenues which would be paid on the Project Site without tax abatement and without the Project. **Exhibit 4** provides the projected tax revenues which would be paid on the completed Project without tax abatement. **Exhibit 5** provides the projected value of PILOT Amounts to be paid by the Company. **Exhibit 6** provides the anticipated tax abatement that results from differences between the anticipated tax revenues and the agreed-upon payments in lieu of taxes, which differences were caused by updated tax liability assumptions intended to reflect the real property reassessments occurring in Jackson County for tax year 2019.

V. ASSUMPTIONS AND BASIS OF AMENDED PLAN

In preparing this Amended Plan, key assumptions have been made to estimate the fiscal impact of the abatement and exemptions proposed for the Project. See **ATTACHMENT A** for a summary of these assumptions.

Information necessary to complete this Amended Plan, has been furnished by representatives of the City, representatives of the Company and its counsel, the Bondholder and other persons deemed appropriate and such information has not been independently verified for accuracy, completeness or fairness.

* * *

ATTACHMENT A

SUMMARY OF KEY ASSUMPTIONS

1. The cost of designing and constructing the Project is estimated to be approximately \$46,000,000.

2. The Project will be owned by the City and leased to the Company with an option to purchase. As long as the Project is owned by the City, it will be exempt from ad valorem taxes.

3. The Project Site will be excluded from the calculation of ad valorem property taxes for a period of thirteen years beginning in 2017.

4. During the entire term of the Bonds through 2029, the Company will make payments in lieu of taxes in accordance with that portion of Section IV above in the Amended Plan entitled "Payments in Lieu of Taxes."

5. Real property taxes are calculated using the following formula:

$$(\text{Assessed Value} * \text{Tax Rate})/100$$

6. The assessed value of the Project Site is calculated using the following formula:

$$\text{Estimated Value} * \text{Assessment Ratio of 19\%}$$

7. The tax rates used in this Amended Plan reflect the rates in effect for the tax year 2018. The tax rates were held constant through the 2029 tax year.

* * *

**City of Lee's Summit, Missouri
(Village at View High)**

COST BENEFIT ANALYSIS
PLAN FOR INDUSTRIAL DEVELOPMENT PROJECT



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**Exhibit 1
Project Assumptions**

♦ 2016 assessed value of project site	\$	13,099
♦ Projected assessed value as a percentage of appraised value		19.0%
♦ Investment in the new project	2017-2020	\$46,000,000
♦ Projected appraised value (2021)		\$20,173,023
♦ Projected assessed value (2021)	\$	3,832,874

♦ Fixed PILOT as described below:

Year(s)	Amount
2017-2019	\$1,149
2020	\$199,099
2021-2022	\$327,912
2023-2027	\$336,110
2028-2029	\$344,513

Exhibit 2
Summary of Cost Benefit Analysis

Tax Distribution	Tax Rate	Projected Tax Revenues on Project Site Without Project	Projected Tax Revenues on Project Without Abatement	Projected PILOT Amounts	Projected Tax Abatement
Board of Disabled Services	0.0720	\$ 125	\$ 27,166	\$ 26,659	\$ 506
City - Lees Summit	1.5154	2,622	571,762	561,108	10,653
Jackson County	0.4754	823	179,369	176,027	3,342
Lees Summit R-VII	5.8811	10,176	2,218,944	2,177,599	41,345
Mental Health	0.1171	203	44,182	43,359	823
Metro Junior College	0.2305	399	86,968	85,347	1,620
Mid-Continent Library	0.3963	686	149,524	146,738	2,786
State Blind Pension	0.0300	52	11,319	11,108	211
	8.7178	\$ 15,084	\$ 3,289,233	\$ 3,227,946	\$ 61,287

Exhibit 3
Projected Tax Revenues on Project Site Without Project (No Abatement)

Assessed Value of Project Site Without Project	\$ 13,099	\$ 13,099	\$ 13,348	\$ 13,348	\$ 13,348	\$ 13,348	\$ 13,348	\$ 13,348	\$ 13,348	\$ 13,348	\$ 13,348	\$ 13,348	\$ 13,348	\$ 13,348	\$ 13,348	Total
Taxing Jurisdiction	Tax Rate per \$100															
	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029			
Board of Disabled Services	0.0720	\$ 9	\$ 9	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 125	
City - Lees Summit	1.5154	199	199	202	202	202	202	202	202	202	202	202	202	202	2,622	
Jackson County	0.4754	62	62	63	63	63	63	63	63	63	63	63	63	63	823	
Lees Summit R-VII	5.8811	770	770	785	785	785	785	785	785	785	785	785	785	785	10,176	
Mental Health	0.1171	15	15	16	16	16	16	16	16	16	16	16	16	16	203	
Metro Junior College	0.2305	30	30	31	31	31	31	31	31	31	31	31	31	31	399	
Mid-Continent Library	0.3963	52	52	53	53	53	53	53	53	53	53	53	53	53	686	
State Blind Pension	0.0300	4	4	4	4	4	4	4	4	4	4	4	4	4	52	
	8.7178	\$ 1,142	\$ 1,142	\$ 1,164	\$ 1,164	\$ 1,164	\$ 1,164	\$ 1,164	\$ 1,164	\$ 1,164	\$ 1,164	\$ 1,164	\$ 1,164	\$ 1,164	\$ 15,084	

**Exhibit 4
Projected Tax Revenues on Project (No Abatement)**

Projected Tax Revenues		\$ 1,149	\$ 1,149	\$ 1,171	\$ 202,882	\$334,142	\$334,142	\$ 342,496	\$342,496	\$ 342,496	\$ 342,496	\$342,496	\$351,059	\$351,059	
Taxing Jurisdiction	Tax Rate per \$100	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	Total
Board of Disabled Services	0.0720	\$ 9	\$ 9	\$ 10	\$ 1,676	\$ 2,760	\$ 2,760	\$ 2,829	\$ 2,829	\$ 2,829	\$ 2,829	\$ 2,829	\$ 2,899	\$ 2,899	\$ 27,166
City - Lees Summit	1.5154	200	200	204	35,267	58,083	58,083	59,535	59,535	59,535	59,535	59,535	61,024	61,024	571,762
Jackson County	0.4754	63	63	64	11,064	18,221	18,221	18,677	18,677	18,677	18,677	18,677	19,144	19,144	179,369
Lees Summit R-VII	5.8811	775	775	790	136,866	225,415	225,415	231,051	231,051	231,051	231,051	231,051	236,827	236,827	2,218,944
Mental Health	0.1171	15	15	16	2,725	4,488	4,488	4,601	4,601	4,601	4,601	4,601	4,716	4,716	44,182
Metro Junior College	0.2305	30	30	31	5,364	8,835	8,835	9,056	9,056	9,056	9,056	9,056	9,282	9,282	86,968
Mid-Continent Library	0.3963	52	52	53	9,223	15,190	15,190	15,569	15,569	15,569	15,569	15,569	15,959	15,959	149,524
State Blind Pension	0.0300	4	4	4	698	1,150	1,150	1,179	1,179	1,179	1,179	1,179	1,208	1,208	11,319
	8.7178	\$ 1,149	\$ 1,149	\$ 1,171	\$ 202,882	\$334,142	\$334,142	\$ 342,496	\$342,496	\$ 342,496	\$ 342,496	\$342,496	\$351,059	\$351,059	\$3,289,233

**Exhibit 5
Projected PILOT Amounts**

PILOT Payment		\$1,149	\$1,149	\$1,149	\$199,099	\$327,912	\$327,912	\$336,110	\$336,110	\$336,110	\$336,110	\$336,110	\$344,513	\$344,513	
Taxing Jurisdiction	Tax Rate per \$100	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	Total
Board of Disabled Services	0.0720	\$ 9	\$ 9	\$ 9	\$ 1,644	\$ 2,708	\$ 2,708	\$ 2,776	\$ 2,776	\$ 2,776	\$ 2,776	\$ 2,776	\$ 2,845	\$ 2,845	\$ 26,659
City - Lees Summit	1.5154	200	200	200	34,609	57,000	57,000	58,425	58,425	58,425	58,425	58,425	59,886	59,886	561,108
Jackson County	0.4754	63	63	63	10,857	17,882	17,882	18,329	18,329	18,329	18,329	18,329	18,787	18,787	176,027
Lees Summit R-VII	5.8811	775	775	775	134,314	221,212	221,212	226,743	226,743	226,743	226,743	226,743	232,411	232,411	2,177,599
Mental Health	0.1171	15	15	15	2,674	4,405	4,405	4,515	4,515	4,515	4,515	4,515	4,628	4,628	43,359
Metro Junior College	0.2305	30	30	30	5,264	8,670	8,670	8,887	8,887	8,887	8,887	8,887	9,109	9,109	85,347
Mid-Continent Library	0.3963	52	52	52	9,051	14,906	14,906	15,279	15,279	15,279	15,279	15,279	15,661	15,661	146,738
State Blind Pension	0.0300	4	4	4	685	1,128	1,128	1,157	1,157	1,157	1,157	1,157	1,186	1,186	11,108
	8.7178	\$ 1,149	\$ 1,149	\$ 1,149	\$ 199,099	\$ 327,912	\$ 327,912	\$ 336,110	\$ 336,110	\$ 336,110	\$ 336,110	\$ 336,110	\$ 344,513	\$ 344,513	\$3,227,946

**Exhibit 6
Projected Tax Abatement**

Estimated Tax Revenues With Project		\$ 1,149	\$ 1,149	\$ 1,171	\$ 202,882	\$ 334,142	\$ 334,142	\$ 342,496	\$ 342,496	\$ 342,496	\$ 342,496	\$ 342,496	\$ 342,496	\$ 351,059	\$ 351,059
Taxing Jurisdiction	Tax Rate per \$100	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	Total
Board of Disabled Services	0.0720	\$ -	\$ -	\$ 0	\$ 31	\$ 51	\$ 51	\$ 53	\$ 53	\$ 53	\$ 53	\$ 53	\$ 54	\$ 54	\$ 506
City - Lees Summit	1.5154	-	-	4	658	1,083	1,083	1,110	1,110	1,110	1,110	1,110	1,138	1,138	10,653
Jackson County	0.4754	-	-	1	206	340	340	348	348	348	348	348	357	357	3,342
Lees Summit R-VII	5.8811	-	-	15	2,552	4,203	4,203	4,308	4,308	4,308	4,308	4,308	4,416	4,416	41,345
Mental Health	0.1171	-	-	0	51	84	84	86	86	86	86	86	88	88	823
Metro Junior College	0.2305	-	-	1	100	165	165	169	169	169	169	169	173	173	1,620
Mid-Continent Library	0.3963	-	-	1	172	283	283	290	290	290	290	290	298	298	2,786
State Blind Pension	0.0300	-	-	0	13	21	21	22	22	22	22	22	23	23	211
	8.7178	\$ -	\$ -	\$ 22	\$ 3,783	\$ 6,230	\$ 6,230	\$ 6,386	\$ 6,386	\$ 6,386	\$ 6,386	\$ 6,386	\$ 6,546	\$ 6,546	\$ 61,287

OMNIBUS AMENDMENT OF DOCUMENTS

Dated as of November 13, 2019

Among

**CITY OF LEE'S SUMMIT, MISSOURI,
the City**

MERIDIAN VIEW HIGH, LLC,

and

**BOKF, N.A.,
as Trustee**

Relating to:

**City of Lee's Summit, Missouri
Taxable Industrial Development Revenue Bonds
(Village at View High Project)
Series 2017**

OMNIBUS AMENDMENT OF DOCUMENTS

THIS OMNIBUS AMENDMENT OF DOCUMENTS dated as of November 13, 2019 (the “Amendment”), among the **CITY OF LEE’S SUMMIT, MISSOURI**, a constitutional charter city and municipal corporation duly organized and existing under the laws of the State of Missouri (the “City”), **MERIDIAN VIEW HIGH, LLC**, a Missouri limited liability company (the “Company”), and **BOKF, N.A.**, Kansas City, Missouri, a national banking association duly organized and existing and authorized to accept and execute trusts of the character herein set forth under the laws of the United States of America, with a corporate trust office located in Kansas City, Missouri, as Trustee (the “Trustee”);

RECITALS

1. The City is authorized and empowered pursuant to the provisions of Article VI, Section 27(b) of the Missouri Constitution and Sections 100.010 through 100.200, inclusive, of the Revised Statutes of Missouri, as amended (collectively, the “Act”), to purchase, construct, extend and improve certain “projects” (as defined in the Act) and to issue industrial development revenue bonds for the purpose of providing funds to pay the costs of such projects and to lease or otherwise dispose of such projects to private persons or businesses for manufacturing, commercial, research and development, warehousing and industrial development purposes upon such terms and conditions as the City shall deem advisable.

2. Pursuant to the Act, the City Council passed Ordinance No. 8082 (the “Ordinance”) on February 2, 2017, authorizing the City to issue its Taxable Industrial Development Revenue Bonds (Village at View High Project), Series 2017, in the maximum principal amount of \$39,500,000 (the “Bonds”), for the purpose of acquiring and improving certain real property located generally in the vicinity of the northeast intersection of 3rd Street and View High Drive in the City (the “Project Site”), including the construction and improvement of a commercial facility on the Project Site (the “Project Improvements,” together with the Project Site, the “Project”).

3. The City leased the Project to the Company pursuant to the Lease Agreement dated as of November 1, 2017 (the “Lease”) between the City and the Company.

4. The Company is the sole bondowner with respect to the Bonds (the “Bondowner”).

5. In connection with the Project, the City entered into a Performance Agreement dated as of November 1, 2017 (the “Performance Agreement”), with the Company, pursuant to which the Developer agreed to make certain payments in lieu of taxes for a period starting in 2017 and ending in 2028.

6. The completion of the Project Improvements has been delayed, causing the economic effect of the current schedule of payments in lieu of taxes to have an unanticipated negative consequence on the Company, in that a full payment in lieu of tax is due under the Performance Agreement for 2019, but the Project Improvements are not yet complete.

7. Cost overruns have caused the estimated cost of completing the Project Improvements to exceed the existing capacity of the Bonds.

8. The Company, the City, the Trustee and the Bondowner desire to extend the maturity of the Bond to December 1, 2029, to extend the term of the Lease to December 1, 2029, and to extend the abatement period under the Performance Agreement through 2029.

9. The Company, the City, the Trustee and the Bondowner desire to authorize additional bond capacity in the amount of \$6,500,000 for a total maximum principal amount of Bonds not to exceed \$46,000,000.

NOW, THEREFORE, for good and valuable consideration the Company, the City, the Trustee and the Bondowner agree as follows:

Section 1.1. Definitions of Words and Terms. For all purposes of this Amendment, except as otherwise provided or unless the context otherwise requires, words and terms used in this Amendment have the same meanings as set forth in **Section 101** of the Trust Indenture dated as of November 1, 2017 relating to the Bonds (the “Indenture”).

Section 1.2. Authority for Amendments. This Amendment is authorized and permitted in accordance with Section 1102 and Section 1202 of the Indenture, and Section 14.1 of the Lease. This Amendment constitutes a Supplemental Indenture, a Supplemental Lease and an amendment to the Lease, as described under such sections. This Amendment is also an amendment to the Performance Agreement.

Section 1.3. Amendment of Lease. Section 3.2 of the Lease is deleted and the following inserted in lieu thereof:

Section 3.2. Lease Term. This Lease shall become effective upon its delivery, and subject to sooner termination pursuant to the provisions of this Lease, shall have a term commencing as of the date of this Lease and terminating on December 1, 2029.

Additionally, the reference to “December 1, 2028” in Section 5.1 of the Lease is hereby deleted and replaced with “December 1, 2029.”

Section 1.4. Amendment of and Supplement to Indenture. **Exhibit C** of the Indenture is hereby deleted, and **Exhibit A** attached to this Amendment is inserted in lieu thereof, and as soon as possible after the date of this Amendment, a new Bond in substantially the form attached hereto shall be issued for no additional consideration. Such new Bond shall be issued only upon the surrender and cancellation of the original Bond held by the Company as Bondowner. The Company, as sole Bondowner of the Bond, hereby consents to the terms of this Amendment, surrenders the Bond to the Trustee for cancellation and directs the Trustee to execute this Amendment. All references to “December 1, 2028” in Section 208(a) and Section 208(f) of the Indenture are hereby deleted and replaced with “December 1, 2029.” The provisions of Section 1104 and Section 1203 of the Indenture are hereby waived with respect to this Amendment.

Section 1.5. Amendment of Performance Agreement. Section 3.1 of the Performance Agreement is hereby amended by the deletion of “2028” and the insertion of “2029” as the last year of the exemption period. Article VII of the Performance Agreement is hereby amended by the deletion of “December 1, 2028” and the insertion of “December 1, 2029” as the Stated Expiration Date for the Performance Agreement. **Exhibit B – PILOT SCHEDULE**, of the Performance Agreement is hereby deleted and **Exhibit B** attached to this Amendment is inserted in lieu thereof.

Section 1.6. Amendment of Aggregate Maximum Principal Amount. The applicable provisions of the Indenture, the Lease, the Performance Agreement and the Bond Purchase Agreement dated as of November 1, 2017, relating to the Bonds, are hereby amended to authorize a total Cumulative Outstanding Principal Amount of Bonds not to exceed \$46,000,000. The Company, as Bondowner, hereby restates and confirms the representations made by it in the Representation Letter dated as of November 8, 2017 with respect to the Bonds as of the date of this Amendment and with respect to the reissued Bond in the amount of not to exceed \$46,000,000.

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IN WITNESS WHEREOF, the Company, the City, the Trustee and the Bondowner have caused this Amendment to be duly executed by their duly authorized officers, all as of the day and year first above written.

MERIDIAN VIEW HIGH, LLC,
a Missouri limited liability company,
as Company

By: View High, LLC, a Missouri limited liability company - Member

By: Cityscape Meridian View High, LLC, an Indiana limited liability company - Managing Member

By: _____
Name: Brian K. Cranor
Title: Manager

MERIDIAN VIEW HIGH, LLC,
a Missouri limited liability company,
as Bondowner

By: View High, LLC, a Missouri limited liability company - Member

By: Cityscape Meridian View High, LLC, an Indiana limited liability company - Managing Member

By: _____
Name: Brian K. Cranor
Title: Manager

**THE CITY OF LEE'S SUMMIT,
MISSOURI**

By: _____
Mayor

ATTEST:

City Clerk

BOKF, N.A., as Trustee

By: _____

Name:

Title:

ACKNOWLEDGMENT AND CONSENT

The undersigned, as “Lender” under the above described Indenture and Lease, hereby consents to the execution and delivery of the foregoing Omnibus Amendment of Documents.

BMO HARRIS BANK N.A.

By: _____
Name:
Title:

EXHIBIT A

(FORM OF SERIES 2017 BOND)

THIS BOND OR ANY PORTION HEREOF MAY BE TRANSFERRED, ASSIGNED OR NEGOTIATED ONLY AS PROVIDED IN THE HEREIN DESCRIBED INDENTURE.

No. 1

**Not to Exceed
\$46,000,000**

**UNITED STATES OF AMERICA
STATE OF MISSOURI**

**CITY OF LEE'S SUMMIT, MISSOURI
TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BOND
(VILLAGE AT VIEW HIGH PROJECT)
SERIES 2017**

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Dated Date</u>
2.00%	December 1, 2029	November 8, 2017

OWNER: MERIDIAN VIEW HIGH, LLC

MAXIMUM PRINCIPAL AMOUNT: NOT TO EXCEED FORTY-SIX MILLION DOLLARS

THE CITY OF LEE'S SUMMIT, MISSOURI, a constitutional charter city and municipal corporation duly organized and existing under the laws of the State of Missouri (the "City"), for value received, promises to pay, but solely from the source hereinafter referred to, to the Owner named above, or registered assigns thereof, on the Maturity Date shown above, the principal amount shown above, or such lesser amount as may be outstanding hereunder as reflected on **Schedule I** hereto held by the Trustee as provided in the hereinafter referred to Indenture. The City agrees to pay such principal amount to the Owner in any coin or currency of the United States of America which on the date of payment thereof is legal tender for the payment of public and private debts, and in like manner to pay to the Owner hereof, either by check or draft mailed to the Owner at a stated address as it appears on the bond registration books of the City kept by the Trustee under the within mentioned Indenture or, in certain situations authorized in the Indenture, by internal bank transfer or by wire transfer to an account in a commercial bank or savings institution located in the continental United States. Interest on the Cumulative Outstanding Principal Amount (as hereinafter defined) at the per annum Interest Rate stated above, payable in arrears on each December 1, commencing on December 1, 2017, and continuing thereafter until the earlier of the date on which said Cumulative Outstanding Principal Amount is paid in full or the Maturity Date. Interest on each advancement of the principal amount of this Bond shall accrue from the date that such advancement is made, computed on the basis of a year of 360 days consisting of 12 months of 30 days each.

As used herein, the term “Cumulative Outstanding Principal Amount” means all Bonds outstanding under the terms of the hereinafter-defined Indenture, as reflected on **Schedule I** hereto maintained by the Trustee.

THIS BOND is one of a duly authorized series of Bonds of the City designated “City of Lee’s Summit, Missouri, Taxable Industrial Development Revenue Bonds (Village at View High Project), Series 2017,” in the maximum aggregate principal amount of \$46,000,000 (the “Bonds”), to be issued for the purpose of acquiring and improving certain real property located generally in the vicinity of the northeast intersection of 3rd Street and View High Drive in the City (the “Project Site,” as more fully described on **Exhibit A** to the Lease (defined below)), including the construction and improvement of a high-end multi-family complex (the “Project Improvements”). The City will lease the Project Site and the Project Improvements (collectively, the “Project”) to Meridian View High, LLC, a Missouri limited liability company (the “Company”), under the terms of a Lease Agreement dated as of November 1, 2017 (said Lease Agreement, as amended and supplemented from time to time in accordance with the provisions thereof, being herein called the “Lease”), between the City and the Company, all pursuant to the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution, the statutes of the State of Missouri, including particularly the Act, the charter of the City and pursuant to proceedings duly had by the Council of the City.

THE BONDS are issued under and are equally and ratably secured and entitled to the protection given by a Trust Indenture dated as of November 1, 2017 (said Trust Indenture, as amended and supplemented from time to time in accordance with the provisions thereof, being herein called the “Indenture”), between the City and BOKF, N.A., Kansas City, Missouri, as trustee (the “Trustee”). *Capitalized terms not defined herein shall have the meanings set forth in the Indenture.*

Reference is hereby made to the Indenture for a description of the provisions, among others, with respect to the nature and extent of the security for the Bonds, the rights, duties and obligations of the City, the Trustee and the Owners, and the terms upon which the Bonds are issued and secured.

THE BONDS are subject to redemption and payment prior to maturity as provided in the Indenture.

THE BONDS, including interest thereon, are special obligations of the City and are payable solely out of the rents, revenues and receipts derived by the City from the Project and the Lease and not from any other fund or source of the City, and are secured by a pledge and assignment of the Project and of such rents, revenues and receipts, including all rentals and other amounts to be received by the City under and pursuant to the Lease, all as provided in the Indenture. The Bonds do not constitute a general obligation of the City or the State of Missouri, and neither the City nor said State shall be liable thereon, and the Bonds shall not constitute an indebtedness within the meaning of any constitutional, charter or statutory debt limitation or restriction, and are not payable in any manner by taxation. Pursuant to the provisions of the Lease, rental payments sufficient for the prompt payment when due of the principal of and interest on the Bonds are to be paid by the Company directly to the Trustee for the account of the City and deposited in a special fund created by the City and designated the “City of Lee’s Summit, Missouri, Bond Fund – Meridian View High, LLC.”

THE OWNER of this Bond shall have no right to enforce the provisions of the Indenture or to institute action to enforce the covenants therein, or to take any action with respect to any Event of Default under the Indenture, or to institute, appear in or defend any suit or other proceedings with respect thereto, except as provided in the Indenture. In certain events, on the conditions, in the manner and with the effect set forth in the Indenture, the principal of all the Bonds issued under the Indenture and then Outstanding

may become or may be declared due and payable before the stated maturity thereof, together with interest accrued thereon. Modifications or alterations of this Bond or the Indenture may be made only to the extent and in the circumstances permitted by the Indenture.

THIS BOND is transferable, as provided in the Indenture, only upon the books of the City kept for that purpose at the above-mentioned office of the Trustee by the Owner hereof in Person or by such Person's duly authorized attorney, upon surrender of this Bond together with a written instrument of transfer reasonably satisfactory to the Trustee duly executed by the Owner or such Person's duly authorized attorney, and thereupon a new fully registered Bond or Bonds, in the same aggregate principal amounts, shall be issued to the transferee in exchange therefor as provided in the Indenture, and upon payment of the charges therein prescribed. The City, the Trustee and any Paying Agent may deem and treat the Person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes.

THE BONDS are issuable in the form of one fully-registered Bond in the maximum principal amount of \$46,000,000.

THIS BOND shall not be valid or become obligatory for any purposes or be entitled to any security or benefit under the Indenture until the Certificate of Authentication hereon shall have been executed by the Trustee.

IT IS HEREBY CERTIFIED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the execution and delivery of the Indenture and the issuance of this Bond do exist, have happened and have been performed in due time, form and manner as required by the Constitution and laws of the State of Missouri.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the City of Lee's Summit, Missouri has caused this Bond to be executed in its name by the manual or facsimile signature of its Mayor, attested by the manual or facsimile signature of its City Clerk and its corporate seal to be affixed hereto or imprinted hereon, and has caused this Bond to be dated the date set forth above.

CERTIFICATE OF AUTHENTICATION

CITY OF LEE'S SUMMIT, MISSOURI

This Bond is one of the Bonds of the issue described in the within-mentioned Resolution.

By: _____
Mayor

Registration Date: _____

BOKF, N.A.,
as Trustee

ATTEST: _____ (Seal)

By _____
Authorized Signatory

City Clerk

EXHIBIT B
PILOT SCHEDULE

<u>YEAR</u>	<u>AMOUNT</u>
2017	\$1,149
2018	1,149
2019	1,149
2020	199,099
2021	327,912
2022	327,912
2023	336,110
2024	336,110
2025	336,110
2026	336,110
2027	336,110
2028	344,513
2029	344,513

Document submitted for electronic recording by Gilmore & Bell, P.C.

TITLE OF DOCUMENT: MEMORANDUM OF LEASE AMENDMENT

DATE OF DOCUMENT: November 13, 2019

GRANTOR: CITY OF LEE'S SUMMIT, MISSOURI

GRANTOR'S MAILING ADDRESS: 220 SE Green Street
Lee's Summit, Missouri 64063
Attn: City Clerk

GRANTEE: MERIDIAN VIEW HIGH, LLC

GRANTEE'S MAILING ADDRESS: 8335 Keystone Crossing, Suite 220
Indianapolis, IN 46240
Attn: Jim Thomas

RETURN DOCUMENTS TO: David Martin
Gilmore & Bell, P.C.
2405 Grand Boulevard, Suite 1100
Kansas City, Missouri 64108

LEGAL DESCRIPTION: See **Exhibit A**

This cover page is attached solely for the purpose of complying with the requirements stated in §§59.310.2; 59.313.2 Revised Missouri Statutes.

MEMORANDUM OF LEASE AMENDMENT

THIS MEMORANDUM OF LEASE AMENDMENT is dated as of November 13, 2019, by and between the **CITY OF LEE'S SUMMIT, MISSOURI**, a constitutional charter city and municipal corporation duly organized and existing under the laws of the State of Missouri, as lessor (the "City"), and **MERIDIAN VIEW HIGH, LLC**, a limited liability company organized and existing under the laws of the State of Missouri, as lessee (the "Company").

WITNESSETH:

The Company and City entered into a Lease Agreement dated as of November 1, 2017 (the "Original Lease"), as evidenced by the Memorandum of Lease Agreement dated November 8, 2017, recorded November 8, 2017, as Document No. 2017E0101454.

The parties now desire to give notice that the parties have, pursuant to an Omnibus Amendment of Documents dated as of the date hereof, amended the Original Lease to, among other things, extend the Lease Term to **December 1, 2029**.

[Balance of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease Amendment, as of the day and year first above written.

CITY OF LEE’S SUMMIT, MISSOURI

By: _____
Mayor

[SEAL]

ATTEST:

City Clerk

ACKNOWLEDGMENT

STATE OF MISSOURI)
) S.S.
COUNTY OF JACKSON)

On this ____ day of _____, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **WILLIAM A. BAIRD**, to me personally known, who, being by me duly sworn, did say that he is the Mayor of the **CITY OF LEE’S SUMMIT, MISSOURI**, and that the seal affixed to the foregoing instrument is the seal of said city, and that said instrument was signed and sealed on behalf of said city by authority of its officers, and said officers acknowledged said instrument to be executed for the purposes therein stated and as the free act and deed of said city.

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

Notary Public - State of Missouri
Commissioned in _____

[SEAL]

My Commission expires: _____

MERIDIAN VIEW HIGH, LLC,
a Missouri limited liability company,
as Bondowner

By: View High, LLC, a Missouri limited liability company -
Member

By: Cityscape Meridian View High, LLC, an Indiana limited
liability company - Managing Member

By: _____
Name: Brian K. Cranor
Title: Manager

ACKNOWLEDGMENT

STATE OF INDIANA)
) S.S.
COUNTY OF MARION)

On this ____ day of _____, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **BRIAN K. CRANOR**, to me personally known, who, being by me duly sworn, did say that he is the Manager of Cityscape Meridian View High, LLC, an Indiana limited liability company, which is the managing member of View High, LLC, a Missouri limited liability company, which is a member of Meridian View High, LLC, a Missouri limited liability company, and that said instrument was signed and sealed by authority of the laws of the United States of America, and they acknowledged said instrument to be executed for the purposes therein stated and as their free acts and deeds.

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

Notary Public - State of Missouri
Commissioned in _____

[SEAL]

My Commission expires: _____

EXHIBIT A

DESCRIPTION OF THE PROJECT

TRACT 1:

LOT 1, VILLAGE AT VIEW HIGH 1ST PLAT – LOTS 1-3 & TRACT A, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI.

Document submitted for electronic recording by Gilmore & Bell, P.C.

TITLE OF DOCUMENT: MEMORANDUM OF PERFORMANCE
AGREEMENT AMENDMENT

DATE OF DOCUMENT: November 13, 2019

GRANTOR: MERIDIAN VIEW HIGH, LLC

GRANTOR MAILING ADDRESS: 8335 Keystone Crossing, Suite 220
Indianapolis, IN 46240
Attn: Jim Thomas

GRANTEE: CITY OF LEE'S SUMMIT, MISSOURI

GRANTEE'S MAILING ADDRESS: 220 SE Green Street
Lee's Summit, Missouri 64063
Attn: City Clerk

RETURN DOCUMENTS TO: David Martin
Gilmore & Bell, P.C.
2405 Grand Boulevard, Suite 1100
Kansas City, Missouri 64108

LEGAL DESCRIPTION: See **Exhibit A**

This cover page is attached solely for the purpose of complying with the requirements stated in §§59.310.2; 59.313.2 Revised Missouri Statutes.

MEMORANDUM OF PERFORMANCE AGREEMENT AMENDMENT

THIS MEMORANDUM OF PERFORMANCE AGREEMENT AMENDMENT is dated as of November 13, 2019, by and between **MERIDIAN VIEW HIGH, LLC**, a limited liability company organized and existing under the laws of the State of Missouri (the “Company”), and the **CITY OF LEE’S SUMMIT, MISSOURI**, a constitutional charter city and municipal corporation duly organized and existing under the laws of the State of Missouri (the “City”).

WITNESSETH:

The Company and City entered into a Performance Agreement dated as of November 1, 2017 (the “Original Performance Agreement”), as evidenced by the Memorandum of Performance Agreement dated November 8, 2017, recorded November 8, 2017, as Document No. 2017E0101455.

The parties now desire to give notice that the parties have, pursuant to an Omnibus Amendment of Documents dated as of the date hereof, amended the Original Performance Agreement to, among other things, extend the Stated Expiration Date to **December 1, 2029** and replace the schedule of payments in lieu of taxes attached to the Original Performance Agreement.

[Balance of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Performance Agreement Amendment, as of the day and year first above written.

CITY OF LEE’S SUMMIT, MISSOURI

By: _____
Mayor

[SEAL]

ATTEST:

City Clerk

ACKNOWLEDGMENT

STATE OF MISSOURI)
) S.S.
COUNTY OF JACKSON)

On this ____ day of _____, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **WILLIAM A. BAIRD**, to me personally known, who, being by me duly sworn, did say that he is the Mayor of the **CITY OF LEE’S SUMMIT, MISSOURI**, and that the seal affixed to the foregoing instrument is the seal of said city, and that said instrument was signed and sealed on behalf of said city by authority of its officers, and said officers acknowledged said instrument to be executed for the purposes therein stated and as the free act and deed of said city.

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

Notary Public - State of Missouri
Commissioned in _____

[SEAL]

My Commission expires: _____

MERIDIAN VIEW HIGH, LLC,
a Missouri limited liability company,
as Bondowner

By: View High, LLC, a Missouri limited liability company -
Member

By: Cityscape Meridian View High, LLC, an Indiana limited
liability company - Managing Member

By: _____
Name: Brian K. Cranor
Title: Manager

ACKNOWLEDGMENT

STATE OF INDIANA)
) S.S.
COUNTY OF MARION)

On this ____ day of _____, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **BRIAN K. CRANOR**, to me personally known, who, being by me duly sworn, did say that he is the Manager of Cityscape Meridian View High, LLC, an Indiana limited liability company, which is the managing member of View High, LLC, a Missouri limited liability company, which is a member of Meridian View High, LLC, a Missouri limited liability company, and that said instrument was signed and sealed by authority of the laws of the United States of America, and they acknowledged said instrument to be executed for the purposes therein stated and as their free acts and deeds.

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

Notary Public - State of Missouri
Commissioned in _____

[SEAL]

My Commission expires: _____

EXHIBIT A

DESCRIPTION OF THE PROJECT

TRACT 1:

LOT 1, VILLAGE AT VIEW HIGH 1ST PLAT – LOTS 1-3 & TRACT A, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI.

Packet Information

File #: BILL NO. 19-240, Version: 2

An Ordinance accepting Final Plat entitled Summit View Farms 3rd Plat, Lots 51-74 and Tract C, as a subdivision to the City of Lee's Summit, Missouri.

(Note: First reading by Council on October 15, 2019. Passed by unanimous vote.)

Proposed City Council Motion:

I move for adoption of an Ordinance accepting Final Plat entitled Summit View Farms 3rd Plat, Lots 51-74 and Tract C, as a subdivision to the City of Lee's Summit, Missouri.

Josh Johnson, AICP, Assistant Director of Plan Services

BILL NO. 19-240

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED SUMMIT VIEW FARMS 3RD PLAT, LOTS 51-74 AND TRACT C, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2018-122, submitted by Summit View Farms Development Group, LLC, requesting approval of the final plat entitled "Summit View Farms 3rd Plat, Lots 51-74 and Tract C", was referred to the Planning Commission as required by Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; and,

WHEREAS, the Planning Commission considered the final plat on September 11, 2018, 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 View Farms 3rd Plat, Lots 51-74 and Tract C" is a subdivision in part of the Northwest Quarter of Section 26, Township 47 North, Range 32 West, in Lee's Summit, Missouri more particularly described as follows:

ALL OF TRACTS D AND E, SUMMIT VIEW FARMS AMENDED 1ST PLAT, RECORDED IN BOOK 1170, AT PAGE 1 IN THE RECORDER OF DEEDS OFFICE IN JACKSON COUNTY, MISSOURI AND A PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 47 NORTH, RANGE 32 WEST, LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED BY KENNETH J. DEDRICK, PS-2571 ON JULY 19, 2018 AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE NORTH 87°59'31" WEST (THIS AND ALL FOLLOWING BEARINGS ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM 1983, WEST ZONE) ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 456.72 FEET; THENCE NORTH 02°00'29" EAST, A DISTANCE OF 10.92 FEET; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE LAST DESCRIBED COURSE HAVING A RADIUS OF 305.00 FEET AND AN ARC LENGTH OF 49.70 FEET; THENCE NORTH 07°19'44" WEST, A DISTANCE OF 120.38 FEET; THENCE ALONG A CURVE TO THE RIGHT TANGENT TO THE LAST DESCRIBED COURSE HAVING A RADIUS OF 470.00 FEET AND AN ARC LENGTH OF 237.27 FEET; THENCE NORTH 21°35'42" EAST, A DISTANCE OF 39.79 FEET; THENCE NORTH 28°40'26" WEST, A DISTANCE OF 38.45 FEET; THENCE NORTH 11°03'27" EAST, A DISTANCE OF 60.00 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH AN INITIAL TANGENT BEARING OF SOUTH 78°56'33" EAST, HAVING A RADIUS OF 630.00 FEET, AND AN ARC LENGTH OF 16.70 FEET; THENCE NORTH 58°40'30" EAST, A DISTANCE OF 34.67 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 14°46'26" EAST, A RADIUS OF 450.00 FEET AND AN ARC LENGTH OF 108.53 FEET; THENCE NORTH 48°01'19" WEST, A DISTANCE OF 33.85 FEET; THENCE NORTH 05°24'47" WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 37°11'55" EAST, A DISTANCE OF 33.85 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 11°46'53" WEST, A RADIUS OF 450.00 FEET AND AN ARC LENGTH 24.11 FEET; THENCE NORTH 14°51'02" WEST, A DISTANCE OF 143.53 FEET; THENCE ALONG A CURVE TO THE RIGHT TANGENT TO THE LAST DESCRIBED COURSE HAVING A RADIUS OF 365.00 FEET AND AN ARC LENGTH OF 109.87 FEET TO THE SOUTH LINE OF SAID SUMMIT VIEW FARMS AMENDED 1ST PLAT; THENCE SOUTH 88°05'37" EAST (SOUTH 88°05'09" EAST PLAT), A DISTANCE OF 60.00 FEET TO THE WEST LINE OF SAID TRACT D; THENCE NORTH 02°26'52" EAST (NORTH 2°27'20" EAST PLAT), A DISTANCE OF 4.90 FEET TO THE NORTH LINE OF SAID TRACT D; THENCE SOUTH 88°05'08" EAST (SOUTH 88°04'39" EAST PLAT) ALONG SAID NORTH LINE, A DISTANCE OF 254.01 FEET (254.00 PLAT) TO

BILL NO. 19-240

THE EAST LINE OF SAID TRACT D; THENCE SOUTH 02°26'52" WEST (SOUTH 2°27'20" WEST PLAT), A DISTANCE OF 4.86 FEET TO THE SOUTH LINE OF SAID SUMMIT VIEW FARMS AMENDED 1ST PLAT; THENCE SOUTH 88°05'37" EAST (SOUTH 88°05'09" EAST PLAT) ALONG SAID SOUTH LINE, A DISTANCE OF 50.00 FEET TO THE WEST LINE OF SAID TRACT E; THENCE NORTH 02°26'52" EAST (NORTH 2°27'20" EAST PLAT) ALONG SAID WEST LINE, A DISTANCE OF 21.96 FEET TO THE NORTH LINE OF SAID TRACT E; THENCE SOUTH 87°33'08" EAST (SOUTH 87°32'40" EAST PLAT) ALONG SAID NORTH LINE, A DISTANCE OF 120.23 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 26; THENCE SOUTH 02°27'01" WEST (SOUTH 2°26'45" EAST PLAT) ALONG SAID EAST LINE, A DISTANCE OF 1056.36 FEET (1056.41 PLAT) TO THE POINT OF BEGINNING.

CONTAINS 476,496 SQUARE FEET OR 10.939 ACRES, MORE OR LESS.

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 View Farms 3rd Plat, Lots 51-74 and Tract C".

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 Development Services, 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 7, Subdivisions, Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 7 of the UDO of the City, upon the Director of Public Works certifying to the Director of Development Services 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 7.340 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 7.340 of the UDO, deposited an **irrevocable Standby Letter of Credit, Bond, or Cash** 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 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,

BILL NO. 19-240

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 individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots.

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 View Farms 3rd Plat, Lots 51-74 and Tract C", 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 _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said City this _____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

City of Lee's Summit

Development Services Department

September 7, 2018

TO: Planning Commission
PREPARED BY: C. Shannon McGuire, Planner
CHECKED BY: Hector Soto, Jr., AICP, Current Planning Manager
RE: **Appl. #PL2018-122 – FINAL PLAT – Summit View Farms, 3rd Plat, Lots 51-74 and Tract C; Summit View Farms Development Group, LLC, applicant**

Commentary

This final plat is for an additional 24 lots and one (1) common area tract on approximately 10.9 acres of the Summit View Farms subdivision. The proposed final plat is consistent with the preliminary plat. The density is lower than the R-1 (Single-family Residential) district maximum.

- 24 lots and 1 common area tract on 10.9 acres
- 2.19 units per acre including common area
- 2.25 units per acre excluding common area
- 4.0 units per acre – maximum allowable density in R-1 (single-family residential)

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 any form of financial security been received to secure the completion of the public improvements. This application will be placed on hold following Planning Commission action until the infrastructure requirements are met.

Recommendation

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

Zoning and Land Use Information

Location: approximately 152 feet south of SW Morris Dr. and SW Monarch Dr.

Zoning: R-1 (Single-Family Residential District)

Surrounding zoning and use:

North: R-1 (Single-Family Residential District) – single-family residential (existing Summit View Farms phases)

South: AG (Agricultural) – developed large acreage residential

East: R-1 (Single-Family Residential District) – single-family residential (Pryor Meadows subdivision)

West: R-1 (Single-Family Residential District) – undeveloped future Summit View Farms phase

Project Information

Current Use: vacant ground

Proposed Use: single-family residential

Land Area: 10.9 acres (476,469 sq. ft.)

Number of Lots: 24 + 1 common area tract

Process

Procedure: The Planning Commission makes a recommendation to the City Council on the final plat within thirty (30) days after the application is submitted to the Planning Commission. The City Council takes final action on the final plat in the form of an ordinance.

Duration of Validity: Final plat approval shall become null and void if the plat is not recorded within one (1) year from the date of City Council approval.

The Director may administratively grant a one (1) year extension, provided no changes have been made to any City ordinance, regulation or approved engineering plans that would require a change in the final plat.

The City Council may grant one additional one (1) year extension, provided that additional engineering plans may be required by the City Engineer to comply with current City ordinances and regulations.

Unified Development Ordinance

Applicable Section(s)	Description
5.090	R-1 (Single-Family Residential District)
16.140, 16.150	Final Plats

Background

- June 8, 2004—The Planning Commission approved the original preliminary plat (Appl. #2003-291) for *Summit View Farms, Lots 1-121*.
- December 2, 2004—The City Council approved the rezoning (Appl. #2003-290) from AG (Agricultural) to R-1 (Single-Family Residential) for the *Summit View Farms* development by Ord. #5847.
- December 2, 2004—The Development Agreement between Bill Kenney and Associates and the City of Lee's Summit for the *Summit View Farms* development was approved by the City Council by Ord. #5846.
- April 6, 2006—The City Council approved the final plat for *Summit View Farms, 1st Plat* (Appl. #2005-310) by Ord. #6159.
- April 6, 2007—The final plat *Summit View Farms, 1st Plat* was recorded at the Jackson County Recorder of Deeds by Instrument #2007E0046354. The original first phase was not constructed.
- January 27, 2015—The Planning Commission approved the preliminary plat (Appl. #PL2014-162) for *Summit View Farms, Lots 1-122 and Tracts A & B*.

- March 29, 2017 —The City Council approved the final plat *Summit View Farms, Amended 1st Plat*, Lots 1-50 & Tracts A-E (Appl. #PL2015-013) by Ord. #8115.

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.

Engineering

1. Revise the sidewalk location to match revisions to public infrastructure plans.
2. 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.
3. A Master Drainage Plan (MDP) shall be submitted and approved in accordance with the City's Design and Construction Manual for all areas of the development, including all surrounding impacted areas, along with the engineering plans for the development. The MDP shall address drainage level of service issues on an individual lot basis.
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 permit).
5. 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 and Construction Manual.
6. The As-graded Master Drainage Plan shall be submitted to and accepted by the City prior to the issuance of a Certificate of Substantial Completion and prior to the issuance of any building permits for the development.
7. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of an infrastructure permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.

Planning

8. No final plat shall be recorded by the developer until the Director of Planning and Special Projects and the City Attorney have reviewed and approved the declaration of covenants and restrictions pertaining to common property as prepared in accordance with Section 5.520 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 5.510 of the UDO. In addition, the approved Declaration of Covenants, Conditions and Restrictions shall be recorded prior to the recording of the final plat.
9. A final plat shall be approved and recorded prior to any building permits being issued.

GIS

10. Since SW Kline Ave begins with a curve on both ends of the road, an initial tangent bearing is needed for at least one end.

11. All dimensions should be listed on street centerlines. For example, on SW Monarch Dr., the distance from the end of the measurement of 120.38 feet to the centerline of SW Chase Cir. Is missing. Additionally, the distance from the end of measurement 100.40 feet to the centerline of SW Kline Ave. All of these types of centerline distances are missing on all the streets.

Attachments:

1. Final Plat, date stamped August 21, 2018 – 1 page
2. Location Map

The City of Lee's Summit
Action Letter
Planning Commission

Tuesday, September 11, 2018

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Call to Order

Roll Call

Present: 5 - Board Member Carla Dial
Board Member Jason Norbury
Board Member Don Gustafson
Board Member Donnie Funk
Board Member Jeff Sims

Absent: 4 - Board Member Colene Roberts
Board Member Dana Arth
Board Member Herman Watson
Board Member Jake Loveless

Approval of Agenda

A motion was made by Board Member Funk, seconded by Board Member Gustafson, that this Agenda be approved. The motion carried unanimously.

Public Comments

There were no Public Comments at the meeting.

1. Approval of Consent Agenda

A. [TMP-1017](#) Appl. #PL2018-111 - FINAL PLAT - Napa Valley, 4th Plat, Lots 147-165;
Engineering Solutions, LLC, applicant

A motion was made by Board Member Funk, seconded by Board Member Dial, that this application be approved. The motion carried unanimously.

B. [TMP-1015](#) Appl. #PL2018-122 - FINAL PLAT - Summit View Farms, 3rd Plat, Lots 51-74 and
Tract C; Summit View Farms Development Group, LLC, applicant

A motion was made by Board Member Funk, seconded by Board Member Dial, that this application be approved. The motion carried unanimously.

C. [2018-2288](#) Appl. #PL2018-147 - SIGN APPLICATION - Price Chopper (Starbucks), 251 SW
Greenwich Dr; Schurle Signs, Inc., applicant

A motion was made by Board Member Funk, seconded by Board Member Dial, that this application be approved. The motion carried unanimously.

- D. [2018-2293](#) Approval of the August 28, 2018 Planning Commission Minutes

A motion was made by Board Member Funk, seconded by Board Member Dial, that the minutes be approved. The motion carried unanimously.

Public Hearings

2. [2018-2219](#) Continued Appl. #PL2018-101 - REZONING from PI to PMIX and PRELIMINARY DEVELOPMENT PLAN - Woodland Glen; Schlagel & Associates, applicant (continued to a date certain of October 11, 2018, at staff's request)

Chairperson Norbury opened the hearing at 5:02 p.m. and stated that Application PL2018-101 was requested to be continued to a date certain of October 11, 2018, at staff's request. He asked for a motion to continue.

Mr. Funk made a motion to continue Application PL2018-101 to a date certain of October 11, 2018. Mr. Gustafson seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Board Member Funk, seconded by Board Member Gustafson, that this Application be continued to the Planning Commission, due back on 10/11/2018. The motion carried unanimously.

3. [2018-2284](#) Continued Appl. #PL2018-108 - PRELIMINARY DEVELOPMENT PLAN - Douglas Corners Lot 1B, 150 NE Tudor Rd; HG Consult, Inc., applicant

Chairperson Norbury opened the hearing at 5:03 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Robert Thompson of Thompson Properties stated that he was the applicant. He gave his home address as 2151 SW Forest Park Court in Lee's Summit. Three years ago he had bought the corner property, which included a lot with the old Missouri Gas Energy building. His company had renovated it and now wanted to develop about 8,000 square feet for professional type offices and light retail. The current office and medical uses included an attorney's office, a real estate office, a title company and the Summit Rehab rehabilitation center. The Little Sports shop was a light retail use, as it did mostly contract work. These were the types of users the applicant wanted. The building's lower level would be about 8,000 square feet, with five to seven tenants. The second level, about 4,500 square feet, would have four apartments. These would have one bedroom, but the footprint size would be that of a typical two-bedroom unit. This meant that all the rooms would be extra-large including the bedroom. Maintenance would be provided. The typical tenants would likely be single people in their 40s and 50s.

Following Mr. Thompson's presentation, Chairperson Norbury asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-13 into the record. He reviewed that the applicant proposed a 12,468 square foot, two story building at 150 NE Tudor Road. The 7,972 square foot first floor would be retail use, with four apartments on the 4,496 square foot second floor. The applicant requested, and staff supported, a modification to omit the required high-impact landscaping buffer at the north end adjacent to R-1 development. A portion of the subject property was undeveloped, with an existing parking lot on the remainder. Commercial uses would be adjacent to the proposed building on the north, west

and south, and 83 feet of the north boundary was next to the Maple Tree single-family subdivision. A six-foot wood fence was already at this boundary. A church occupied the property to the east, which was zoned PI. Retail use, with second story residential lofts, was consistent with the recommended land use in the Comprehensive Plan and compatible with existing uses.

The reference in staff's report to the applicant proposing 60 parking spaces ("Project Information) was incorrect. The applicant proposed to provide 46 of the UDO's required 48 spaces. Two spaces would be shared with the existing Douglas Corners parking. It had 142 stalls, 46 more than required. Considering this amount of available shared parking, staff was in favor of the parking plan. Mr. McGuire then displayed colored elevations of the proposed buildings, showing stucco, stone, porcelain tile and glass as materials. The second-story apartments would have rooftop decks.

The UDO required a high-impact screening buffer along the north property line, adjacent to the residential zoned property. A medium-impact screening buffer was required next to the PI zoned property on the east property line. Recommendation Items 1 and 2 requested that no buffering be done. Landscaping was not feasible due to the sanitary sewer line and utility easements on these property lines. The applicant proposed planting shrubs and trees next to the building on the north and east sides. Staff supported both requested modifications.

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then asked if the Commission had questions for the applicant or staff. As there were none, Chairperson Norbury asked if there was any public comment. Hearing none, he closed the public hearing at 5:10 p.m. and asked for comments.

Chairperson Norbury noted to the applicant that Commission members had been wanting to see a vertical mixed-use project, and this appeared to be a good one. Mr. Funk agreed, commenting that this was the kind of project the Commission needed to see. As there were no further comments, Chairperson Norbury called for a motion.

Mr. Funk made a motion to recommend approval of continued Application PL2018-108, Preliminary Development Plan, Douglas Corners Lot 1B, 150 NE Tudor Rd.; HG Consult, Inc., applicant; subject to staff's letter of September 7, 2018, specifically Recommendation Items 1 and 2. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Board Member Funk, seconded by Board Member Sims, that this Application was recommended for approval to the City Council - Regular Session, due back on 10/2/2018. The motion carried unanimously.

4. [2018-2298](#) Appl. #PL2018-121 - PRELIMINARY DEVELOPMENT PLAN - 291 Self Storage, 920 NE Deerbrook St; Strickland Construction Co., applicant (continued to a date uncertain, at staff's request)

Chairperson Norbury opened the hearing at 5:11 p.m. and stated that Application PL2018-121 was requested to be continued to a date uncertain, at staff's request. He noted that this application had been continued previously, and asked Mr. Soto what was the process for it reappearing on the agenda. Mr. Soto replied that once staff had determined a date, they would work with the applicant to send out the required notification. The notice and date would be published in the newspaper and a sign about the hearing posted on the property. Chairperson Norbury asked if at some point an application could expire altogether, and Mr. Soto answered that according to the UDO, an application would be null and void if there was no action on an application within a year. Chairperson Norbury then asked for a motion to

continue.

Mr. Funk made a motion to continue Application PL2018-121, Preliminary Development Plan, 291 Self Storage, 920 NE Deerbrook St.; Strickland Construction Co., applicant to a date uncertain. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Board Member Funk, seconded by Board Member Sims, that this Application be continued to the Planning Commission, to a date uncertain, at staff's request. The motion carried unanimously.

5. [2018-2295](#) Continued Appl. #PL2018-135 - REZONING from RP-3 to PMIX, Preliminary Development plan and Conceptual Development Plan - West Pryor, 300 NW Pryor Rd; City of Lee's Summit, applicant

Chairperson Norbury opened the hearing at 5:14 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McGuire entered Exhibit (A), list of exhibits 1-15 into the record. He related that the application was for rezoning of 27.97 acres from RP-3 to PMIX, and a preliminary development plan for a new fire station. The plan showed future anticipated development to the north and east of the new station, which would replace the existing Fire Station 3, currently located to the south at SW 3rd Street and Pryor Road. The proposed station would be a total 16,050 and have four vehicle bays as well as facilities for 24-hour staffing. The applicant requested a modification for the high-impact landscape buffer location. The 2005 Comprehensive Plan showed the area as "Mixed Use/John Knox Village". The Comprehensive Plan did originally consider this property potentially part of John Knox Village; however, they now wanted to sell the property for off-site commercial/public development. Staff supported this development, considering its use appropriate for this location along the Pryor Road corridor. The RP-3 properties to the north and west would be part of the proposed Woodside Ridge development. The R-1 properties to the south were part of Sterling Hills. John Knox Village, zoned PMIX, was east of the subject property across Pryor Road.

The conceptual plan was for a mix of commercial uses including a bank and grocery store, medical uses, office and retail. Mr. McGuire emphasized that a conceptual plan did not replace a preliminary development plan. It was intended to provide additional flexibility in reviewing a development, or redevelopment, in the early stages, and in general to create a framework to work with. For this meeting, the applicants were asking for approval only for the fire station site. The conceptual plan was for the area surrounding the fire station, with preliminary development plan approval being a separate application. Elevations of the proposed station showed brick, cast stone, EFIS and a standing-seam metal roof. The architectural character would be similar to that of Fire Station 2, on NW Rice Road, shown on the color elevation.

Recommendation Item 1 pertained to the applicant's requests for a modification to landscape buffering requirements. The applicants proposed to install a landscaping buffer on an abutting common area tract in Woodside Ridge. This alternative would be consistent with the subdivision's preliminary development plan and its landscaping buffer requirements. Recommendation Item 2 specified that the development would be "subject to the recommended road improvements outlined in the Transportation Impact Analysis prepared by Michael Park, dated September 6, 2018."

Following Mr. McGuire's presentation, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. As there were none, He then opened the hearing for questions from the Commission.

Planning Commission

Action Letter

September 11, 2018

Regarding the conceptual plan, Chairperson Norbury noted that the Commission had heard the Woodside Ridge application at the most recent meeting. Concerns had been raised and discussed about changing from RP-3 to R-1 single-family zoning. He recalled a discussion in particular about transitional space from development in John Knox Village, which resembled RP zoning, to single-family use. He asked if the conceptual plan identified this kind of transitional use between John Knox Village and Woodside Ridge.

Mr. Johnson noted two questions: a concern about the transition between John Knox and this proposed commercial use, and a transition between the commercial use and the approved R-1 project further to the west. Chairperson Norbury recalled a statement in last meeting's hearing that the RP-3 designation was a transition between single-family and multi-family development. What the Commission then heard about was a buffer between the single-family development and Pryor. What could come after would be an office park, a multi-family development or a vertical mixed use, such as in the prior application tonight. Mr. Johnson stated that if an applicant did not have an overall style guide or true master plan, they would propose a use and that use would be subject to a base zoning designation. Office use would be PO, commercial CP-2 and so on. In this instance, those uses provided landscaping buffers that would provide a transition to the single-family use to the west. The proposed locations of detention would also provide built-in transition. Chairperson Norbury commented that the whole piece, originally intended in the Comprehensive Plan to have higher-density residential development, was being converted to a mix of densities with the higher density uses serving as transitions. He wanted this overall character and history to get more emphasis than any particular element, noting that Lee's Summit did not have much undeveloped arterial frontage left.

Chairperson Norbury asked if there were further questions for the applicant or staff, or public comments. Hearing none, he closed the public hearing at 5:27 p.m. and asked for discussion among the Commission members. Mr. Funk made a motion, and Chairperson Norbury noted that Ms. Dial had wanted to comment.

Ms. Dial noted that the Commission was seeing a request for rezoning to a more intense use, after a recommendation for approval at the last meeting of an R-1 project to the west. She noted that usually people did not want to live right behind commercial properties especially in that price range. What the Commission had approved had not yet been built; and she liked the idea of this use for arterial frontage, there was not much buffer between that and the R-1 project. Regarding conceptual plans for a grocery store ("Project Information"), she also noted that there were two other proposals for a grocery store; one down View High and just north of the development. While this was a conceptual plan, it was likely to have to make some changes down the road.

Mr. Funk made a motion to recommend approval of continued Application PL2018-135, Rezoning from RP-3 to PMIX, Preliminary Development Plan and Conceptual Development Plan: West Pryor, 300 NW Pryor Rd; City Of Lee's Summit, applicant; subject to staff's letter of September 7, 2018, specifically Recommendation Items 1 and 2. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Board Member Funk, seconded by Board Member Sims, that this Application be recommended for approval to the City Council - Regular Session, due back on 09/20/2018. The motion carried by the following vote:

Aye: 4 - Board Member Norbury
Board Member Gustafson
Board Member Funk
Board Member Sims

Planning Commission

Action Letter

September 11, 2018

Absent: 4 - Board Member Roberts
Board Member Arth
Board Member Watson
Board Member Loveless

Abstain: 1 - Board Member Dial

Other Agenda Items

There were no other agenda items at the meeting.

Roundtable

There were no roundtable items presented at the meeting.

Adjournment

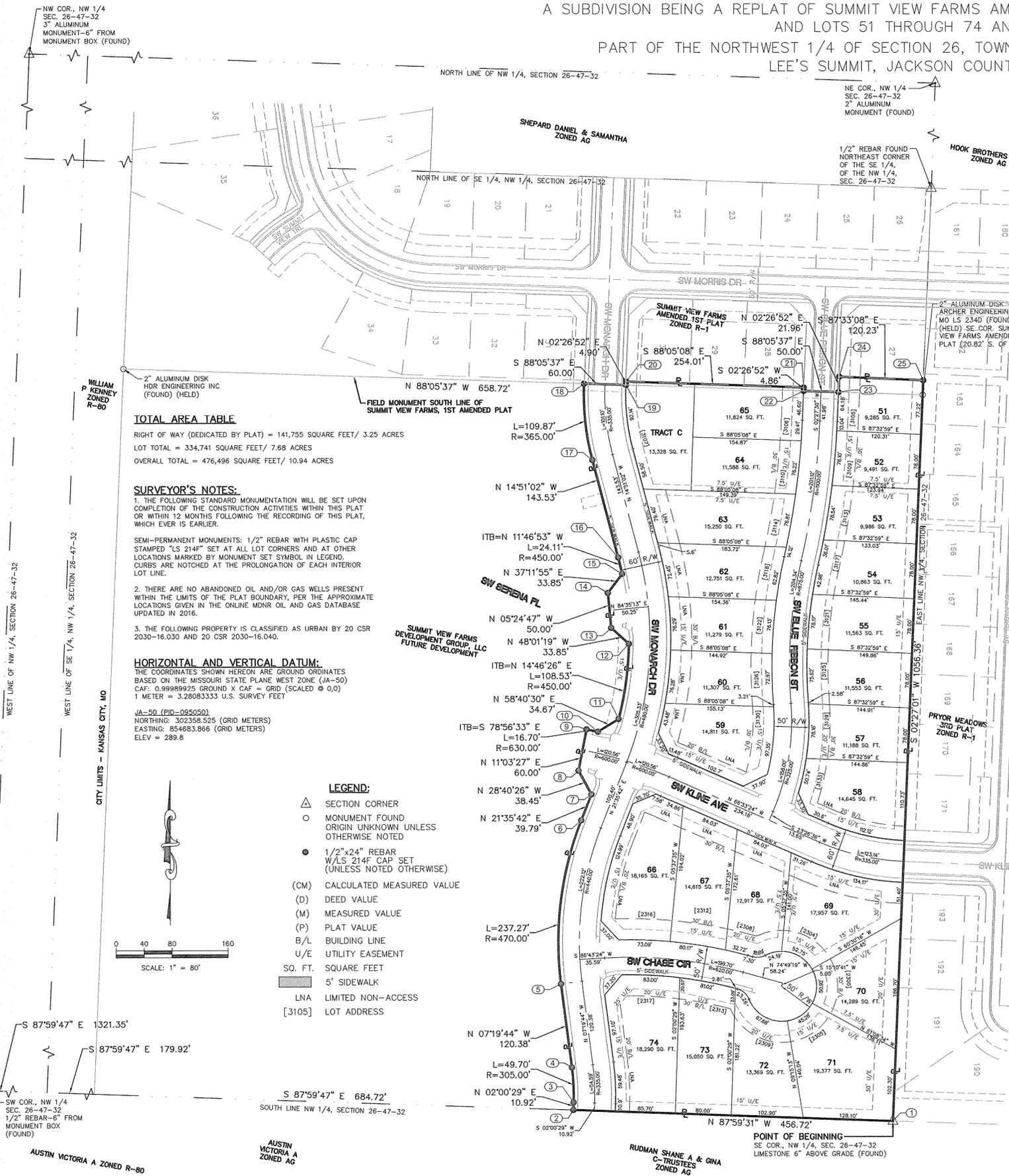
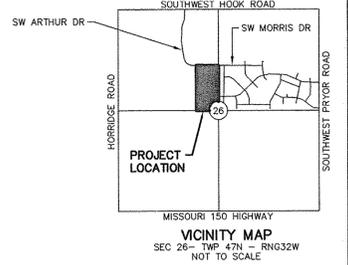
There being no further business, Chairperson Norbury adjourned the meeting at 5:35 P.M.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"

FINAL PLAT SUMMIT VIEW FARMS 3RD PLAT

A SUBDIVISION BEING A REPLAT OF SUMMIT VIEW FARMS AMENDED 1ST PLAT TRACT D AND TRACT E AND LOTS 51 THROUGH 74 AND TRACT C PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 47 NORTH, RANGE 32 WEST LEE'S SUMMIT, JACKSON COUNTY, MISSOURI

STATE PLANE (METERS) COORDINATE LISTING (GRID)			
POINT #	NORTHING EASTING	POINT #	NORTHING EASTING
1	299057.14 856418.33	14	299286.55 856294.60
2	299062.02 856279.22	15	299294.77 856308.14
3	299065.34 856279.34	16	299301.91 856297.15
4	299060.46 856278.64	17	299344.20 856287.94
5	299116.84 856273.98	18	299377.36 856284.32
6	299187.84 856282.84	19	299378.75 856302.60
7	299198.11 856287.30	20	299378.24 856302.64
8	299209.39 856281.68	21	299375.66 856380.03
9	299227.34 856285.19	22	299374.18 856379.87
10	299226.30 856290.17	23	299373.67 856395.20
11	299231.79 856299.20	24	299380.38 856395.40
12	299264.48 856303.71	25	299378.79 856432.00
13	299271.38 856296.04		



TOTAL AREA TABLE

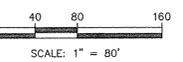
RIGHT OF WAY (DEDICATED BY PLAT) = 141,755 SQUARE FEET/ 3.25 ACRES
 LOT TOTAL = 334,741 SQUARE FEET/ 7.68 ACRES
 OVERALL TOTAL = 476,496 SQUARE FEET/ 10.94 ACRES

SURVEYOR'S NOTES:

- THE FOLLOWING STANDARD MONUMENTATION WILL BE SET UPON COMPLETION OF THE CONSTRUCTION ACTIVITIES WITHIN THIS PLAT OR WITHIN 12 MONTHS FOLLOWING THE RECORDING OF THIS PLAT, WHICH EVER IS EARLIER.
- SEMI-PERMANENT MONUMENTS: 1/2" REBAR WITH PLASTIC CAP STAMPED "LS 214F" SET AT ALL LOT CORNERS AND AT OTHER LOCATIONS MARKED BY MONUMENT SET SYMBOL IN LEGEND. CURBS ARE NOTCHED AT THE PROLONGATION OF EACH INTERIOR LOT LINE.
- THERE ARE NO ABANDONED OIL AND/OR GAS WELLS PRESENT WITHIN THE LIMITS OF THE PLAT BOUNDARY, PER THE APPROXIMATE LOCATIONS GIVEN IN THE ONLINE MDRN OIL AND GAS DATABASE UPDATED IN 2016.
- THE FOLLOWING PROPERTY IS CLASSIFIED AS URBAN BY 20 CSR 2030-16.030 AND 20 CSR 2030-16.040.

HORIZONTAL AND VERTICAL DATA:
 THE COORDINATES SHOWN HEREON ARE GROUND ORDNATES BASED ON THE MISSOURI STATE PLANE WEST ZONE (JA-50) CAF: 0.99898925 GROUND X CAF = GRID (SCALED @ 0.0) 1 METER = 3.28083333 U.S. SURVEY FEET
 JA-50 (PID-095050)
 NORTHING: 302358.525 (GRID METERS)
 EASTING: 854683.866 (GRID METERS)
 ELEV = 289.8

- LEGEND:**
- SECTION CORNER
 - MONUMENT FOUND ORIGIN UNKNOWN UNLESS OTHERWISE NOTED
 - 1/2"x24" REBAR W/LS 214F CAP SET (UNLESS NOTED OTHERWISE)
 - (CM) CALCULATED MEASURED VALUE
 - (D) DEED VALUE
 - (M) MEASURED VALUE
 - (P) PLAT VALUE
 - B/L BUILDING LINE
 - U/E UTILITY EASEMENT
 - SQ. FT. SQUARE FEET
 - 5' SIDEWALK
 - LNA LIMITED NON-ACCESS
 - [3105] LOT ADDRESS



LEGAL DESCRIPTION

ALL OF TRACTS D AND E, SUMMIT VIEW FARMS AMENDED 1ST PLAT, RECORDED IN BOOK 1170, AT PAGE 1 IN THE RECORDER OF DEEDS OFFICE IN JACKSON COUNTY, MISSOURI AND A PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 47 NORTH, RANGE 32 WEST, LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED BY KENNETH J. DEDRICK, PS-2571 ON JULY 19, 2018 AS FOLLOWS:
 BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE NORTH 87°59'31" WEST (THIS AND ALL FOLLOWING BEARINGS ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM 1983, WEST ZONE) ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 456.72 FEET; THENCE NORTH 02°00'29" EAST, A DISTANCE OF 10.92 FEET; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE LAST DESCRIBED COURSE HAVING A RADIUS OF 305.00 FEET AND AN ARC LENGTH OF 49.70 FEET; THENCE NORTH 07°19'44" WEST, A DISTANCE OF 120.38 FEET; THENCE ALONG A CURVE TO THE RIGHT TANGENT TO THE LAST DESCRIBED COURSE HAVING A RADIUS OF 470.00 FEET AND AN ARC LENGTH OF 237.27 FEET; THENCE NORTH 21°35'42" EAST, A DISTANCE OF 39.79 FEET; THENCE NORTH 28°40'26" WEST, A DISTANCE OF 38.45 FEET; THENCE NORTH 11°03'27" EAST, A DISTANCE OF 60.00 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH AN INITIAL TANGENT BEARING OF SOUTH 78°56'33" EAST, HAVING A RADIUS OF 630.00 FEET, AND AN ARC LENGTH OF 16.70 FEET; THENCE NORTH 58°40'30" EAST, A DISTANCE OF 34.67 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 14°46'53" WEST, A RADIUS OF 450.00 FEET AND AN ARC LENGTH OF 108.53 FEET; THENCE NORTH 48°01'19" WEST, A DISTANCE OF 33.85 FEET; THENCE NORTH 05°24'47" WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 37°11'55" EAST, A DISTANCE OF 33.85 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 11°46'53" WEST, A RADIUS OF 450.00 FEET AND AN ARC LENGTH 24.11 FEET; THENCE NORTH 14°51'02" WEST, A DISTANCE OF 143.53 FEET; THENCE ALONG A CURVE TO THE RIGHT TANGENT TO THE LAST DESCRIBED COURSE HAVING A RADIUS OF 365.00 FEET AND AN ARC LENGTH OF 109.87 FEET TO THE SOUTH LINE OF SAID SUMMIT VIEW FARMS AMENDED 1ST PLAT; THENCE SOUTH 88°05'37" EAST (SOUTH 88°05'09" EAST PLAT), A DISTANCE OF 60.00 FEET TO THE WEST LINE OF SAID TRACT D; THENCE NORTH 02°26'52" EAST (NORTH 22°27'20" EAST PLAT), A DISTANCE OF 4.90 FEET TO THE NORTH LINE OF SAID TRACT D; THENCE SOUTH 88°05'09" EAST (SOUTH 88°04'39" EAST PLAT) ALONG SAID NORTH LINE, A DISTANCE OF 254.01 FEET (254.00 FEET PLAT) TO THE EAST LINE OF SAID TRACT D; THENCE SOUTH 02°26'52" WEST (SOUTH 22°27'20" WEST PLAT), A DISTANCE OF 4.86 FEET TO THE SOUTH LINE OF SAID SUMMIT VIEW FARMS AMENDED 1ST PLAT; THENCE SOUTH 88°05'37" EAST (SOUTH 88°05'09" EAST PLAT) ALONG SAID SOUTH LINE, A DISTANCE OF 50.00 FEET TO THE WEST LINE OF SAID TRACT E; THENCE NORTH 02°26'52" EAST (NORTH 22°27'20" EAST PLAT) ALONG SAID WEST LINE, A DISTANCE OF 21.96 FEET TO THE NORTH LINE OF SAID TRACT E; THENCE SOUTH 87°33'08" EAST (SOUTH 87°32'40" EAST PLAT) ALONG SAID NORTH LINE, A DISTANCE OF 120.23 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 26; THENCE SOUTH 02°27'01" WEST (SOUTH 22°26'45" EAST PLAT) ALONG SAID EAST LINE, A DISTANCE OF 1056.36 FEET (1056.41 FEET PLAT) TO THE POINT OF BEGINNING.
 CONTAINS 476,496 SQUARE FEET OR 10.939 ACRES, MORE OR LESS.

PLAT DEDICATION:

THE UNDERSIGNED PROPRIETORS OF THE HEREIN DESCRIBED TRACT OF LAND CAUSE THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS: **SUMMIT VIEW FARMS 3RD PLAT.**

STREETS:

THE STREETS OR ROADS SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE AS THOROUGHFARES ARE HEREBY SO DEDICATED.

EASEMENT:

AN EASEMENT OR LICENSE 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 SIDEWALKS, POLES, WIRES, ANCHORS, CONDUITS AND OR STRUCTURES FOR, PEDESTRIAN ACCESS, 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 THOSE AREAS OUTLINED OR DESIGNATED UPON THIS PLAT AS "UTILITY EASEMENT" (U/E) OR WITHIN ANY STREET OR THOROUGHFARE DEDICATED TO PUBLIC USE ON THIS PLAT.

GRANTORS, ON BEHALF OF THEMSELVES, THEIR HEIRS, THEIR ASSIGNS AND SUCCESSORS IN INTEREST, HEREBY WAIVES, 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 THE EASEMENT HEREIN GRANTED.

BUILDING LINES:

BUILDING LINES (B/L) 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.

DRAINAGE NOTE:

INDIVIDUAL LOT OWNERS SHALL NOT CHANGE OR OBSTRUCT THE DRAINAGE FLOW LINES ON THE LOTS AS SHOWN BY THE DRAINAGE PLAN FOR **SUMMIT VIEW FARMS 3RD PLAT**, UNLESS SPECIFIED APPLICATION IS MADE AND APPROVED BY THE CITY ENGINEER.

COMMON AREAS:

TRACT C IS COMMON AREA TO BE OWNED AND MAINTAINED BY THE SUMMIT VIEW FARMS HOMEOWNERS ASSOCIATION. 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. 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. REFER TO THE COVENANTS, CONDITIONS AND RESTRICTIONS ASSOCIATED WITH THIS DEVELOPMENT FOR REQUIREMENTS.

FLOOD STATEMENT:

THE SUBJECT PROPERTY LIES WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD) AS DETERMINED BY FEMA FLOOD INSURANCE RATE MAP NUMBER 29050C031G, WITH A MAP REVISED DATE OF JANUARY 20, 2017. LOCATION DETERMINED BY A SCALED GRAPHICAL PLOT OF THE FLOOD INSURANCE RATE MAP.

LIMITED ACCESS NOTE:

NO LOTS SHALL HAVE DIRECT VEHICULAR ACCESS TO SW MONARCH DR OR SW KLINE AVE.

PROPERTY OWNER/ADDRESS

SUMMIT VIEW FARMS DEVELOPMENT GROUP, LLC
 WILLIAM P. KENNEY
 P.O. BOX 291, LEE'S SUMMIT, MO. 64063

IN WITNESS WHEREOF:

SUMMIT VIEW FARMS DEVELOPMENT GROUP, LLC, A MISSOURI LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS MEMBER THIS _____ DAY OF _____ A.D., 2018.

SUMMIT VIEW FARMS DEVELOPMENT GROUP, LLC.

WILLIAM P. KENNEY, ADMINISTRATIVE MEMBER

NOTARY CERTIFICATION:

STATE OF _____
 COUNTY OF _____

ON THIS _____ DAY OF _____ A.D., 2018, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED _____ WHO EXECUTED THE FOREGOING INSTRUMENT AND BEING DULY SWORN BY ME, DID ACKNOWLEDGE THAT HE/SHE IS A MEMBER OF SUMMIT VIEW FARMS DEVELOPMENT GROUP, LLC., AND THAT HE/SHE EXECUTED THE SAME AS THE FREE ACT AND DEED OF SAID COMPANY.

IN TESTIMONY WHEREOF:

I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

MAYOR AND CITY COUNCIL

THIS IS TO CERTIFY THAT THE WITHIN PLAN OF "SUMMIT VIEW FARMS 3RD PLAT" WAS SUBMITTED TO AND DULY APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, THIS _____ DAY OF _____ 2018 BY ORDINANCE NO. _____

MAYOR: WILLIAM A. BAIRD
 CITY CLERK: TRISHA FOWLER ARCURI

APPROVAL: PUBLIC WORKS/ENGINEERING

GEORGE M. BINGER III P.E., CITY ENGINEER _____ DATE _____

APPROVAL: PLANNING & SPECIAL PROJECTS

ROBERT G. MCKAY, AICP DIRECTOR OF PLANNING AND SPECIAL PROJECTS _____ DATE _____

APPROVAL: PLANNING COMMISSION

DANA ARTH, SECRETARY _____ DATE _____

APPROVAL: JACKSON ASSESSOR/GIS DEPT.

JACKSON COUNTY GIS DEPT. _____ DATE _____

SURVEYOR'S CERTIFICATION:

I, KENNETH J. DEDRICK, BEING A DULY REGISTERED AND LICENSED LAND SURVEYOR IN THE STATE OF MISSOURI, HEREBY CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT WAS BASED WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND IS IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR ORIGINAL SURVEYS, AND MEETS OR EXCEEDS THE ACCURACY STANDARDS FOR A SUBURBAN SURVEY. THAT THE LINES OF POSSESSION ARE DEPICTED HEREON, THE COURSES AND DISTANCES SHOWN HEREON ARE THOSE MEASURED ON THE DATE OF THE SURVEY AND THAT THE SURVEY WAS COMPLETED IN THE FIELD AND ON THE GROUND AND MAY BE RELIED UPON BY THE PARTIES CERTIFIED AS TO BEING CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. THIS SURVEY MEETS OR EXCEEDS MISSOURI MAPPING STANDARDS FOR CLASS 1 SURVEYS. THE FIELD WORK WAS COMPLETED ON JULY 03, 2018. DATE OF PLAT OR MAP: AUGUST 16, 2018

PRELIMINARY

KENNETH J. DEDRICK
 MISSOURI PS NO. 2571
 dedrick@kveng.com

KAW VALLEY ENGINEERING

14700 WEST 114TH TERRACE
 LENEXA, KANSAS 66215
 PH. (913) 894-5150 | FAX (913) 894-5977
 lx@kveng.com | www.kveng.com

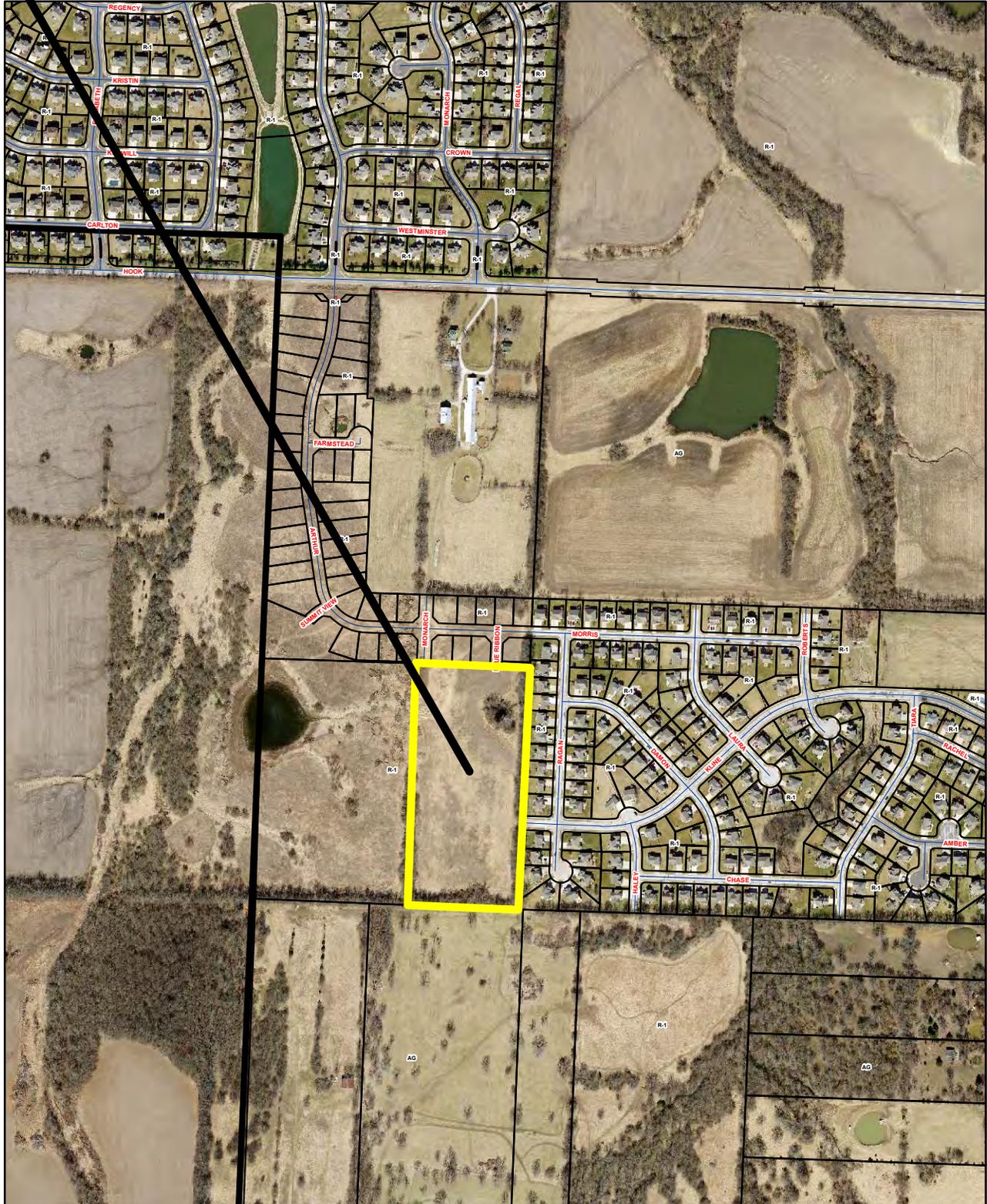
PROJECT NO. C18S9916
 DRAWN BY RAD/RJN
 CHECKED BY KJD
 CFN 9916FPLAT
 SHEET 1 OF 1

PREPARED FOR: LAMP, RYNEARSON & ASSOCIATES, INC. 9001 STATE LINE ROAD, SUITE 200 KANSAS CITY, MISSOURI, 64114

KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER SURVEYING SERVICES BY MISSOURI STATE CERTIFICATE OF AUTHORITY NO. 000214. EXPIRES 12/31/19

THIS DRAWING SHALL NOT BE UTILIZED BY ANY PERSON, FIRM, OR CORPORATION IN WHOLE OR IN PART WITHOUT THE SPECIFIC PERMISSION OF KAW VALLEY ENGINEERING, INC.

Appl. #PL2018-122 – FINAL PLAT
Summit View Farms, 3rd Plat
Summit View Farms Development Group, LLC, applicant



SUMMIT VIEW FARMS 3RD PLAT
ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS
TO COMPLETE PUNCH LIST ITEMS
SUMMIT VIEW FARMS DEVELOPMENT GROUP, LLC - LEE'S SUMMIT, MO

October 18, 2019

Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Total
1.	Permanent Seeding (completed but no vegetation yet)	9	AC	\$ 1,400	\$ 12,600
2.	Prepare as-built drawings (field work complete)	1	LS	\$ 1,500	\$ 1,500
TOTAL:					\$ 14,100





Irrevocable Standby Letter of Credit No. 5645801

Date: October 24, 2019

To: City of Lee's Summit, Missouri
Finance Department
Att: Bette Wordelman, Finance Director
220 SE Green Street
Lee's Summit, MO 64063

Issue Date: 10-24-19

Expiration Date: 10-24-20

We hereby issue our IRREVOCABLE STANDBY LETTER OF CREDIT ("Letter of Credit") in your favor for the account of Summit View Farms Development Group, LLC ("Obligee") for a maximum amount not exceeding Eleven Thousand Three Hundred Dollars (\$11,300.00) representing the following:

1. Permanent Seeding
2. Prepare as-built drawings

Required for Summit View Farms Amended 3rd Plat and according to Lamp Rynearson Engineering estimate of probable construction costs to complete punch list items for Summit View Farms Development Group, LLC dated October 24, 2019.

The City may draw upon this Letter of Credit upon written notification to the Bank that the Obligee has defaulted in its obligation to the City to construct, install and/or complete the development related improvements required for the Project by 10-24-20 ("Initial Expiration Date") or if the Obligee has failed to post a new Letter of Credit or other sufficient security approved by the City's Director of Finance, prior to Initial Expiration Date, securing the construction, installation and/or completion of the Improvements.

The written notification shall be on official City letterhead, signed by the City Manager, the City's Finance Director, or other authorized official of the City. The amount of the Letter of Credit shall be reduced automatically by the amount of any draw hereunder. A copy of this Letter of Credit must accompany any presented documents.

We hereby agree with you that all drafts drawn under and in compliance with the terms of this Letter of Credit will be duly honored upon the presentation and delivery of documents as specified to us at the address specified above, no later than the Initial Expiration Date.

It is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for one year from the Initial Expiration Date hereof, unless at least 60 days prior to such date, we shall send you written notice, via certified mail, that we elect not to consider this Letter of Credit renewed for such additional one-year period.



This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 revision) for the International Chamber of Commerce, ICC Publication No. 500, and to the extent not inconsistent therewith the laws of the State of Missouri, including without limitation the Uniform Commercial Code in effect therein.

LEAD BANK

A handwritten signature in blue ink, appearing to read "Rick Weeda", is written over a horizontal line.

Rick Weeda, Sr. Vice President

SUMMIT VIEW FARMS 3RD PLAT
ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS
TO COMPLETE PUNCH LIST ITEMS
SUMMIT VIEW FARMS DEVELOPMENT GROUP, LLC - LEE'S SUMMIT, MO

October 24, 2019

Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Total
1.	Permanent Seeding (completed but no vegetation yet)	7	AC	\$ 1,400	\$ 9,800
2.	Prepare as-built drawings (field work complete)	1	LS	\$ 1,500	\$ 1,500
				TOTAL:	\$ 11,300



Packet Information

File #: 2019-3110, Version: 1

A Hazardous Materials Permit for the City of Lee's Summit Fuel Station located at 805 N. Main Street.

Issue/Request:

A Hazardous Material Permit Application was submitted by Jon Haley with the City of Lee's Summit Public Works Department for a fuel storage and dispensing facility at 805 NE Main Street. The new facility will replace the fuel dispensing facility at Fire Department Headquarters and will be used for fueling City vehicles. The Police Department will continue to operate it's fuel dispensing facility .

The permit application contained information for two 4,000-gallon aboveground fuel storage tanks and dispensing equipment for gasoline and diesel fuel. The individual quantities of each of these materials is in excess of the thresholds set forth in the Emergency Planning and Community Right-to Know Act (SARA TITLE III, EPCRA) of 10,000 lb. for hazardous materials and 500 lb. for extremely hazardous materials. As stated in the Lee's Summit Code of Ordinances, Chapter 13 (2018 International Fire Code), Article III, Section 105.6.20, a Hazardous Materials Permit is required when the threshold planning quantity (TPQ) set forth in EPCRA is exceeded. A Hazardous Material Permit is required.

Permit approval is based on the following stipulations:

- (1) The equipment used for storage and dispensing of motor vehicle fuel and associated facility shall meet the requirements of the 2018 International Fire Code and other referenced documents.

James Eden, Assistant Fire Chief

Recommendation: Staff recommends APPROVAL of the application.

Committee Recommendation: On September 17, 2019 the Public Safety Advisory Board voted unanimously to RECOMMEND APPROVAL of the Hazardous Material Permit for the City of Lee's Summit Fuel Station located at 805 N Main Street, and for it to be submitted to the City Council for review. None opposed.



LEE'S SUMMIT MISSOURI



FIRE DEPARTMENT

DATE: SEPTEMBER 9, 2019

TO: PUBLIC SAFETY ADVISORY BOARD

FROM: CHIEF MIKE SNIDER 

SUBJECT: HAZARDOUS MATERIAL PERMIT APPLICATION- CITY OF LEE'S SUMMIT
FUELING STATION, 805 NE MAIN STREET

Please see the attached Hazardous Material Permit Application for a fleet fueling station for the City of Lee's Summit. Assistant Chief Eden has reviewed the permit application and recommends APPROVAL based on meeting the requirements of the 2018 International Fire Code, adopted as ordinance by the City of Lee's Summit.

PMS/jme



FIRE DEPARTMENT

DATE: SEPTEMBER 9, 2019

TO: CHIEF MIKE SNIDER

FROM: ASSISTANT CHIEF JIM EDEN 

SUBJECT: HAZARDOUS MATERIAL PERMIT APPLICATION- CITY OF LEE'S SUMMIT
FUELING STATION, 805 NE MAIN STREET

A Hazardous Material Permit Application was submitted by Jon Haley with the City of Lee's Summit Public Works Department for a fuel storage and dispensing facility at 805 NE Main Street. The new facility will replace the fuel dispensing facilities at Fire Department Headquarters and the Police Department.

The permit application contained information for two 4,000-gallon aboveground fuel storage tanks and dispensing equipment for gasoline and diesel fuel. The individual quantities of each of these materials is in excess of the thresholds set forth in the Emergency Planning and Community Right-to Know Act (SARA TITLE III, EPCRA) of 10,000 lb. for hazardous materials and 500 lb. for extremely hazardous materials. As stated in the Lee's Summit Code of Ordinances, Chapter 13 (2018 International Fire Code), Article III, Section 105.6.20, a Hazardous Materials Permit is required when the threshold planning quantity (TPQ) set forth in EPCRA is exceeded. A Hazardous Material Permit is required.

I recommend approval of the application based on the following stipulations:

- (1) The equipment used for storage and dispensing of motor vehicle fuel and associated facility shall meet the requirements of the 2018 International Fire Code and other referenced documents.

Attachments



Lee's Summit, Missouri Fire Department

Hazardous Material Permit Application

Name of Business: City of Lee's Summit Phone: 969-1061
 Address/Location: 805 NE Main ST. Apt/Suite: _____
 Applicant's Name: City of Lee's Summit Phone: 969-1061
 Mailing Address: 250 SE Green ST. Title: _____
 City, State, Zip: Lee's Summit, MO, 64063
 Type of Business: Government

TYPE OF MATERIAL(S):

- | | |
|---|---|
| <input type="checkbox"/> Explosives/Blasting Agents | <input type="checkbox"/> Reactive Materials |
| <input type="checkbox"/> Compressed Gases | <input type="checkbox"/> Cryogenics |
| <input checked="" type="checkbox"/> Flammable/Combustible Liquids | <input type="checkbox"/> Highly Toxic |
| <input type="checkbox"/> Flammable Solids | <input type="checkbox"/> Radioactive |
| <input type="checkbox"/> Organic Peroxides | <input type="checkbox"/> Corrosive |
| <input type="checkbox"/> Oxidizers | <input type="checkbox"/> Carcinogens |
| <input type="checkbox"/> Pyrophoric Materials | <input type="checkbox"/> Other (List) |

QUANTITIES OF MATERIAL(S):

Substance (Name)	CAS #	UN#	Quantity (pounds)	Extremely Hazardous Substances
<u>Unleaded Gasoline</u>	<u>(4,000)</u>	<u>(4,000)</u>	<u>3800 Gallons</u>	<input type="checkbox"/>
<u>Diesel</u>	<u>(4,000)</u>	<u>(4,000)</u>	<u>3800 Gallons</u>	<input type="checkbox"/>
				<input type="checkbox"/>

* Submit Material Safety Data Sheets (MSDS) with application

CONDITIONS OF USAGE: Explain the use(s) of the substance.

Fueling Vehicles

CONTAINMENT: Explain (if any) the containment measures that are used.

Tanks are UL 2085 Fireguard Double Wall Tanks, which meets Federal SPCC Requirements

Jon Haley

SIGNATURE (owner/agent)

6-24-19

DATE

Jon Haley

PRINT NAME

For Office Use Only

Hazard Assessment Required: Yes No

Shift N/A

Sent to LEPC: Yes

PFA Assigned:

Plans Required: Yes No

Application: Approved Denied

Date: SEPT 9, 2019

By: J. EDGW

PFA Number: TBD

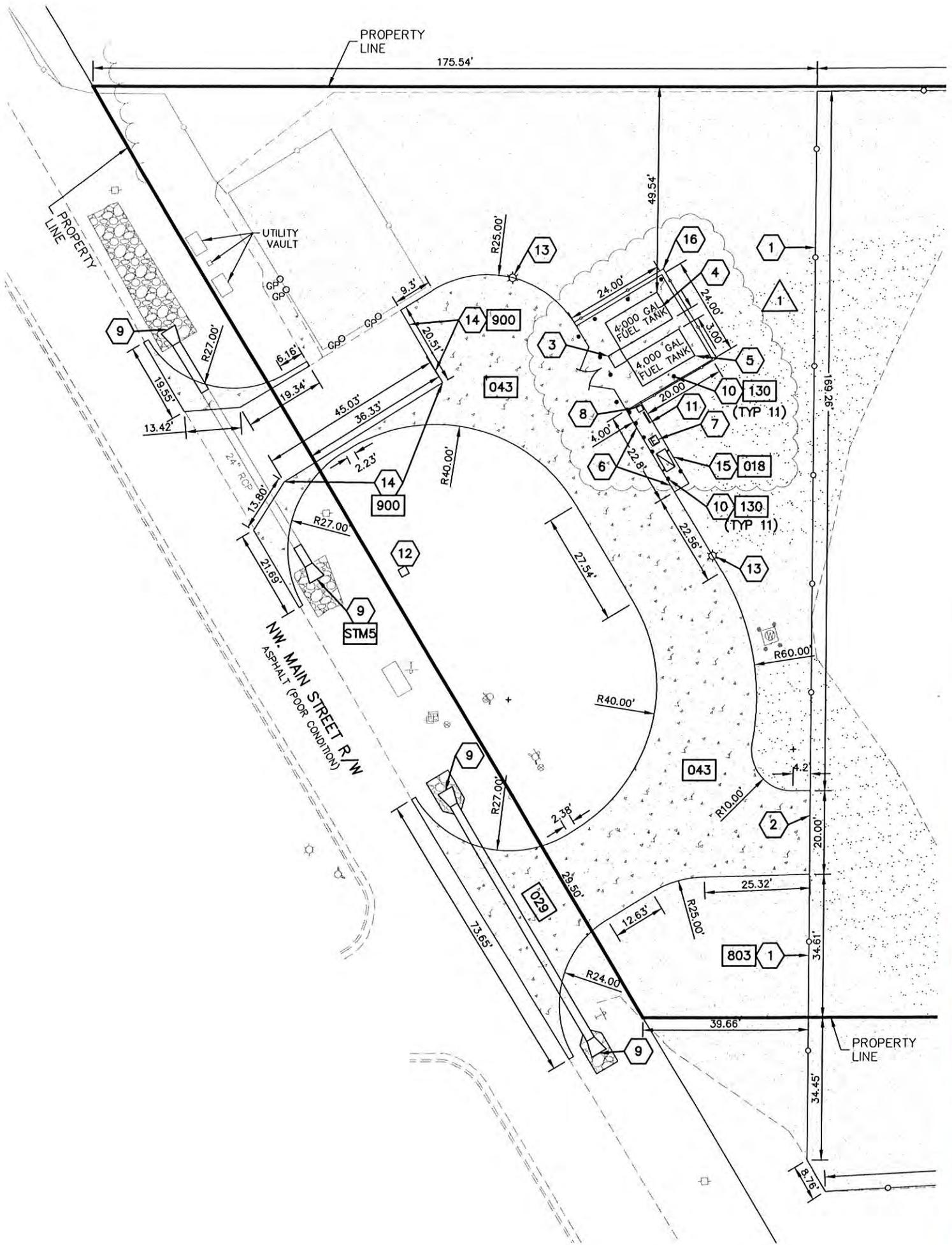
Date Issued: _____

COMMENTS: _____

① THE EQUIPMENT USED FOR STORAGE AND DISPENSING OF MOTOR VEHICLE FUEL AND ASSOCIATED FACILITY SHALL MEET THE REQUIREMENTS OF THE 2018 INTERNATIONAL FIRE CODE AND OTHER REFERENCED DOCUMENTS.

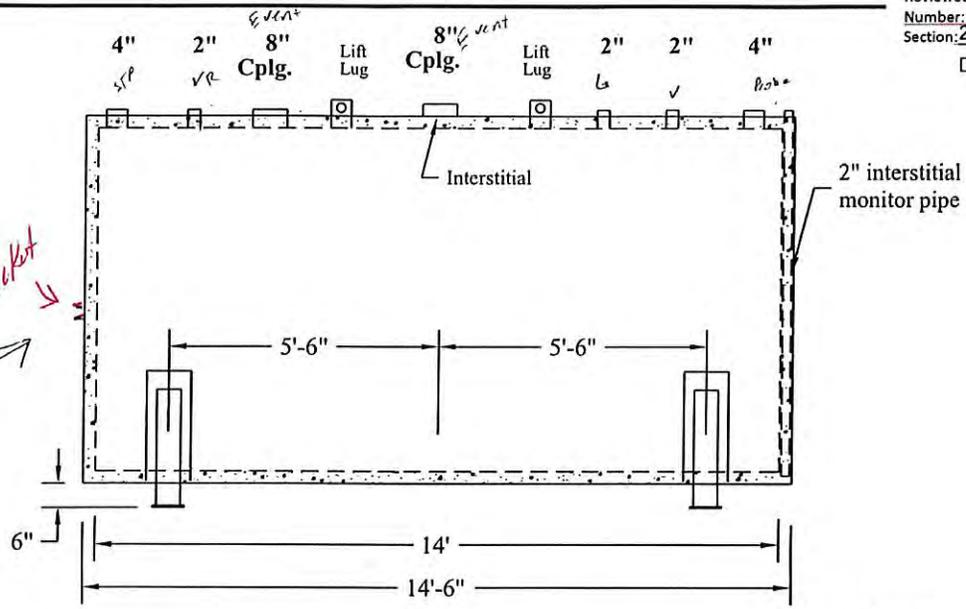
Reviewed by: 

Rank: ASST CHIEF

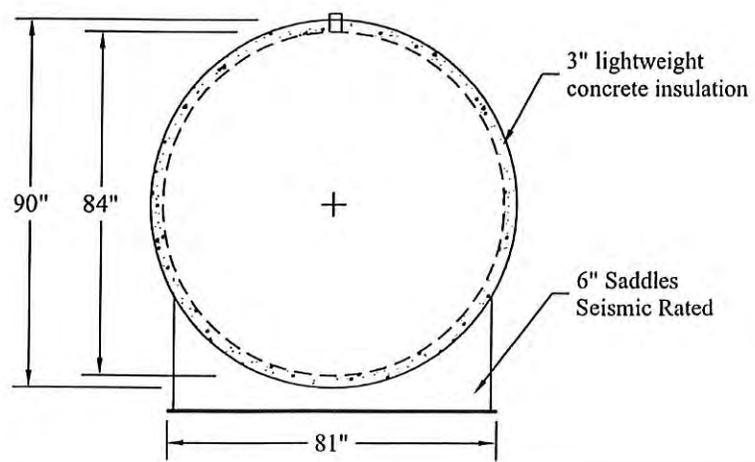


Mega Industries Corporation
 Reviewed by: KMJ
 Number: 659 Date: 4/30/19
 Section: 231323-6 4,000 Gallon Tank Shop
 Drawing

*for remote
fill* →
Bracket →



- * UL 2085 labeled
- * 2 hour fire rating
- * Ballistics protection per UFC and UL 2085
- * 1/4" carbon steel inner and outer tanks
- * Approx. Weight: 12,300 lbs.
- * Sandblast and White urethane paint



4,000 GALLON FIREGUARD TANK		
Approved By:	Drawing Number:	
Customer:		
1-800-444-3218		

M Model 434 Dispenser Pedestal

SPECIFICATION SHEET

Application

Dispenser pedestals serve as a raised platform for piping and installing dispensers/pumps in aboveground fueling systems.

Features and Details

- Provides containment for small leaks in dispenser piping
- AST pedestal sold with a dispenser specific mounting platform
- Dispenser pedestal less entry penetrations for desired placement in the field
- Pre-drilled anchor holes
- Dispenser mounting platform overhangs the pedestal base minimizing the ability for water penetration
- Stabilizer bar kits included
- Connection boots available
- Water tested liquid tight to the 6" level (18 gallon capacity)

Materials of Construction

434

- 12 gauge steel, powder coated black

434S

- 12 gauge 304 stainless steel

Certifications and Listings

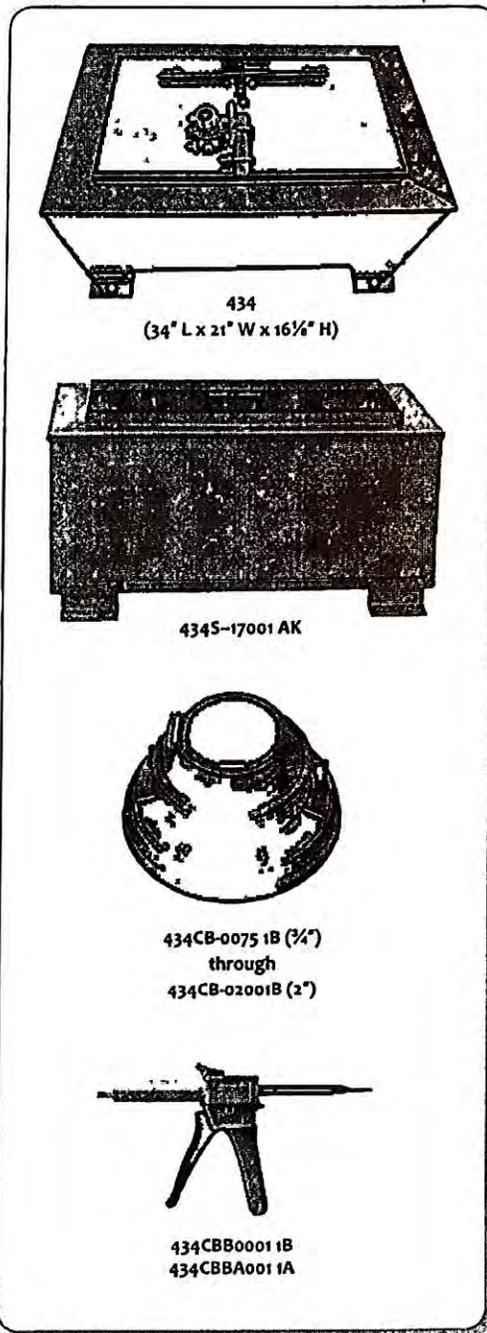
Florida DEP EQ-823

Mega Industries Corporation

Reviewed by: KMJ

Number: 659 Date: 5/3/19

Section: 231323-8 Dispenser Pedestal Product Data



Specific item numbers and model details on next page.



Model 434 Dispenser Pedestal (continued)

SPECIFICATION SHEET

Item Number	Description	Single (S) or Dual (D) Products	Opening Size (L x W)	Dispenser/Pedestal selection guide	Weight (lbs)
434-12001 AK	AST pedestal base, platform, & 1 stabilizer bar kit	S	14 1/4" x 10"	Gasboy 215/216A	140.0
434-12002 AK	AST pedestal base, platform, & 2 stabilizer bar kits	D	14 1/4" x 10"	Gasboy 215/216A	140.0
434-14001 AK	AST pedestal base, platform, & 1 stabilizer bar kit	S	22 1/4" x 12"	Gasboy Atlas 8700K, 8800K, 9100K, 9800K; Bennett Big Squirt/Big Fueler 3000 series (Pre August 2017)	125.70
434-14002 AK	AST pedestal base, platform, & 2 stabilizer bar kits	D	22 1/4" x 12"	Gasboy Atlas 8700K, 8800K, 9100K, 9800K; Bennett Big Squirt/Big Fueler 3000 series (Pre August 2017)	134.87
434-17001 AK	AST pedestal base, platform, & 1 stabilizer bar kit	S	28" x 15"	Wayne Century 3/G2200, Reliance G5200 and G6200, Select 3/G7200	122.20
434-17002 AK	AST pedestal base, platform, & 2 stabilizer bar kits	D	28" x 15"	Wayne Century 3/G2200, Reliance G5200 and G6200, Select 3/G7200	131.37
434S-14001 AK	SS AST pedestal base, platform, & 1 stabilizer bar kit	S	22 1/4" x 12"	Gasboy Atlas 8700K, 8800K, 9100K, 9800K; Bennett Big Squirt/Big Fueler 3000 series (Pre August 2017)	125.7
434S-14002 AK	SS AST pedestal base, platform, & 2 stabilizer bar kits	D	22 1/4" x 12"	Gasboy Atlas 8700K, 8800K, 9100K, 9800K; Bennett Big Squirt/Big Fueler 3000 series (Pre August 2017)	134.87
434S-17001 AK	SS AST pedestal base, platform, & 1 stabilizer bar kit	S	28" x 15"	Wayne Century 3/G2200, Reliance G5200 and G6200, Select 3/G7200	122.2
434S-17002 AK	SS AST pedestal base, platform, & 2 stabilizer bar kits	D	28" x 15"	Wayne Century 3/G2200, Reliance G5200 and G6200, Select 3/G7200	131.37

Accessories

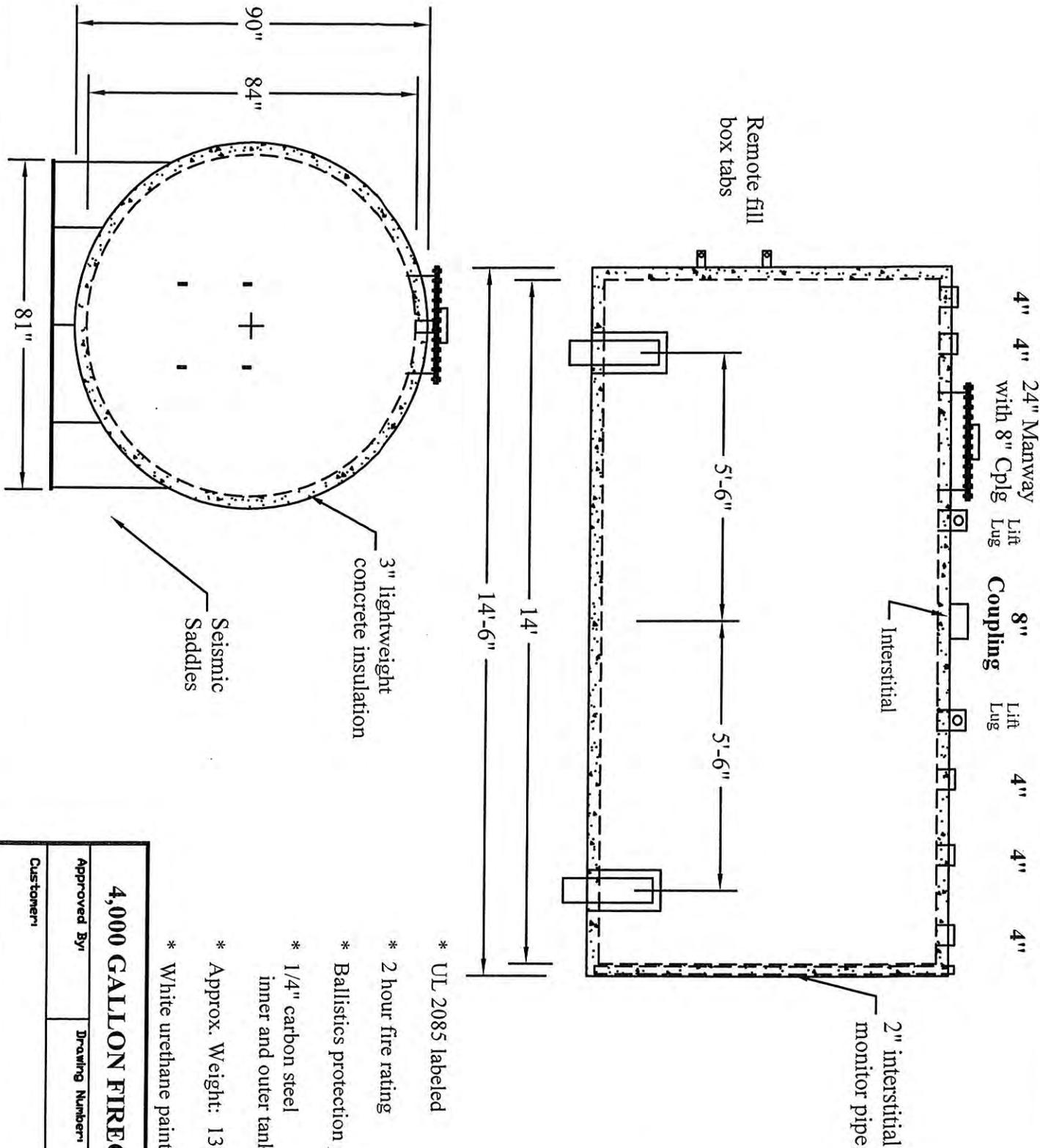
Item Number	Size	Description	Weight (lbs)
(3) 434CB-0075 1B	3/4"	Connection boot	0.22
434CB-0100 1B	1"	Connection boot	0.22
434CB-0150 1B	1 1/2"	Connection boot	0.61
(2) 434CB-0200 1B	2"	Connection boot	0.62
434CBB0001 1B		Bonder, connection bond*	
434CBB001 1A		Bond applicator, connection boot	
434SB-0100 AK		AST pedestal stabilizer bar kit	
434SSB0100 AK		AST pedestal stabilizer bar kit, stainless steel	
434VB-0100 AK		Valve mounting bracket for Tok-52 / F- 664 valve	

*One tube of bonder will cover three (3) connection boots.

570 E. 7th Street, P.O. Box 238 | Dubuque, IA 52004-0238

t. 563.583.5701 | 800.553.4840 | f. 563.583.5028

www.morbros.com



4" 4" 24" Manway with 8" Cplg Lift Lug 8" Coupling Lift Lug 4" 4" 4"

Interstitial

2" interstitial monitor pipe

Remote fill box tabs

3" lightweight concrete insulation

Seismic Saddles

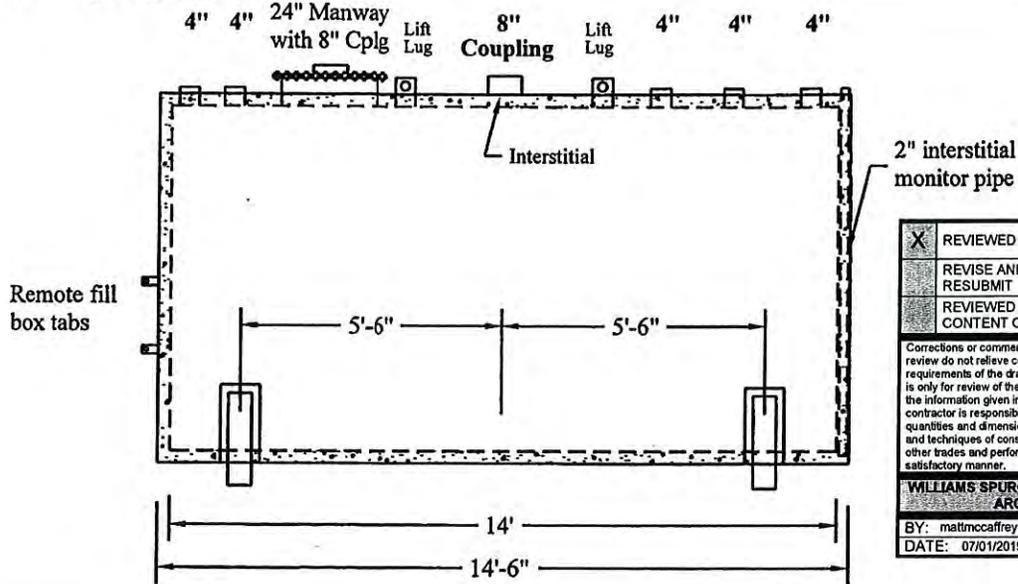
- * UL 2085 labeled
- * 2 hour fire rating
- * Ballistics protection per UFC and UL 2085
- * 1/4" carbon steel inner and outer tanks
- * Approx. Weight: 13,300 lbs.
- * White urethane paint

4,000 GALLON FIREGUARD TANK

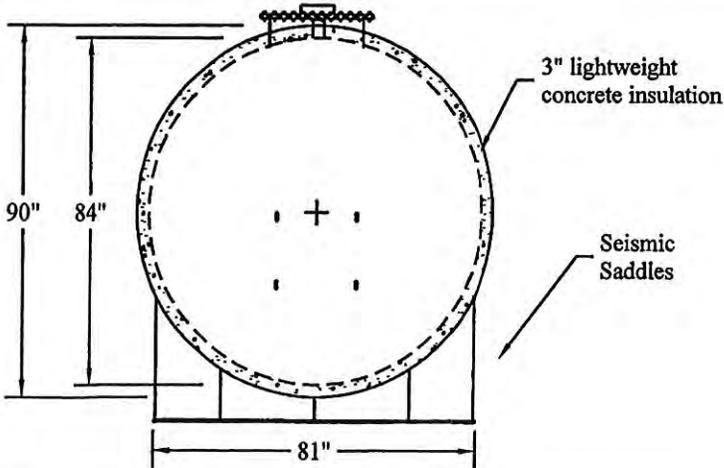
Approved By: _____ Drawing Number: _____

Customer: _____





<input checked="" type="checkbox"/>	REVIEWED	<input type="checkbox"/>	REJECTED
<input type="checkbox"/>	REVISE AND RESUBMIT	<input type="checkbox"/>	FURNISHED AS NOTED
<input type="checkbox"/>	REVIEWED FOR ARCHITECTURAL CONTENT ONLY		
Corrections or comments made on the Submittal during this review do not relieve contractor from compliance with requirements of the drawings and specifications. This check is only for review of the project and general compliance with the information given in the contract documents. The contractor is responsible for confirming and correlating all quantities and dimensions, selection fabrication processes and techniques of construction, coordinating their work with other trades and performing all work in a safe and satisfactory manner.			
WILLIAMS SPURGEON KUHLE & FRESHNOCK ARCHITECTS, INC.			
BY: matmccaffrey			
DATE: 07/01/2019 8:47:12 AM			



- * UL 2085 labeled
- * 2 hour fire rating
- * Ballistics protection per UFC and UL 2085
- * 1/4" carbon steel inner and outer tanks
- * Approx. Weight: 13,300 lbs.
- * White urethane paint

4,000 GALLON FIREGUARD TANK		
Approved By:	Drawing Number:	 1-800-444-3218
Customer:		

Safety Data Sheet

According to OSHA HCS 2012 (29 CFR 1910.1200)



SECTION 1: Identification

Product Identifier **No. 2 Diesel Fuel**

Other means of identification #2DSL ULS (All Grades); #2DSL HS (All Grades); #2DSL LS (All Grades); CARB DSL (All Grades); DIST CARB-Diesel (All Grades); Distillate, Diesel (All Grades); Gas Oil (All Grades); Hydrodewaxer Diesel (All Grades); Diesel Fuel (All Grades); EPA Diesel Fuel (All Grades); No. 2 Diesel (All Grades); No. 2 Diesel Fuel Oil (All Grades); No. 2 Distillate; No. 2 Diesel with Renewable Diesel (All Grades); Super Diesel Fuel (All Grades); Distillate Blend Stock; Fuels, Diesel; Virgin Diesel Fuel; PCR - HOD – Heating Oil Distillate; Diesel, Dyed and Undyed

SDS Number **001847**

MARPOL Annex I Category Gas Oils, Including Ship's Bunkers

Relevant identified uses Fuel

Uses advised against All others

24 Hour Emergency Phone Number CHEMTREC 1-800-424-9300
CHEMTREC Mexico 01-800-681-9531

Manufacturer/Supplier Phillips 66 Company
P.O. Box 4428
Houston, Texas 77210

SDS Information
Phone: 800-762-0942
Email: SDS@P66.com
URL: www.Phillips66.com

SECTION 2: Hazard identification

Classified Hazards

H226 - Flammable liquids -- Category 3
H315 -- Skin corrosion/irritation -- Category 2
H304 -- Aspiration Hazard -- Category 1
H332 -- Acute toxicity, Inhalation -- Category 4
H373 -- Specific target organ toxicity (repeated exposure) -- Category 2
H351 -- Carcinogenicity -- Category 2
H411 -- Hazardous to the aquatic environment, chronic toxicity -- Category 2

Hazards Not Otherwise Classified (HNOC)

PHNOC: Electrostatic charge may be generated during pumping and other operations

HHNOC: None known

Label Elements



DANGER

Flammable liquid and vapor
Causes skin irritation
May be fatal if swallowed and enters airways
Harmful if inhaled
May cause damage to organs through prolonged or repeated exposure
Suspected of causing cancer
Toxic to aquatic life with long lasting effects



Obtain special instructions before use; Do not handle until all safety precautions have been read and understood; Keep away from heat/sparks/open flames/hot surfaces. - No smoking; Ground/bond container and receiving equipment; Use only non-sparking tools; Take precautionary measures against static discharge; Do not breathe dust/fume/gas/mist/vapours/spray; Wash skin thoroughly after handling; Use only outdoors or in a well-ventilated area; Avoid release to the environment; Wear protective gloves/protective clothing and eye/face protection; IF SWALLOWED: Immediately call a POISON CENTER or doctor/physician; Do NOT induce vomiting; IF ON SKIN (or hair): Remove/Take off immediately all contaminated clothing. Rinse skin with water/shower; IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing; Call a POISON CENTER or doctor/physician if you feel unwell; Take off contaminated clothing and wash before reuse; In case of fire: Use CO2, dry chemical, or foam for extinction; Store in a well-ventilated place. Keep cool; Dispose of contents/container to an approved waste disposal plant

SECTION 3: Composition/information on ingredients

Chemical Name	CASRN	Concentration ¹
Fuels, diesel, no. 2	68476-34-6	100

Hazardous Constituent(s) Contained Within Above Complex Substance(s)

Chemical Name	CASRN	Concentration ¹
Naphthalene	91-20-3	<1

¹ All concentrations are percent by weight unless ingredient is a gas. Gas concentrations are in percent by volume.

SECTION 4: First aid measures

Eye Contact: If irritation or redness develops from exposure, flush eyes with clean water. If symptoms persist, seek medical attention.

Skin Contact: Remove contaminated shoes and clothing, and flush affected area(s) with large amounts of water. If skin surface is damaged, apply a clean dressing and seek medical attention. If skin surface is not damaged, cleanse affected area(s) thoroughly by washing with mild soap and water or a waterless hand cleaner. If irritation or redness develops, seek medical attention. Wash contaminated clothing before reuse. If product is injected into or under the skin, or into any part of the body, regardless of the appearance of the wound or its size, the individual should be evaluated immediately by a physician. (see Note to Physician)

Inhalation: If respiratory symptoms or other symptoms of exposure develop, move victim away from source of exposure and into fresh air in a position comfortable for breathing. If symptoms persist, seek immediate medical attention. If victim is not breathing, clear airway and immediately begin artificial respiration. If breathing difficulties develop, oxygen should be administered by qualified personnel. Seek immediate medical attention.

Ingestion: Aspiration hazard: Do not induce vomiting or give anything by mouth because this material can enter the lungs and cause severe lung damage. If victim is drowsy or unconscious and vomiting, place on the left side with the head down. If possible, do not leave victim unattended and observe closely for adequacy of breathing. Seek medical attention.

Most important symptoms and effects, both acute and delayed: While significant vapor concentrations are not likely, high concentrations can cause minor respiratory irritation, headache, drowsiness, dizziness, loss of coordination, disorientation and fatigue. Ingestion can cause irritation of the digestive tract, nausea, diarrhea, and vomiting. Prolonged or repeated contact may dry skin and cause irritation.

Notes to Physician: When using high-pressure equipment, injection of product under the skin can occur. In this case, the casualty should be sent immediately to the hospital. Do not wait for symptoms to develop. High-pressure hydrocarbon injection injuries may produce substantial necrosis of underlying tissue despite an innocuous appearing external wound. These injuries often require extensive emergency surgical debridement and all injuries should be evaluated by a specialist in order to assess the extent of injury. Early surgical treatment within the first few hours may significantly reduce the ultimate extent of injury.

SECTION 5: Firefighting measures

NFPA 704 Hazard Class

Health: 1 Flammability: 2 Instability: 0



0 (Minimal)
1 (Slight)
2 (Moderate)
3 (Serious)
4 (Severe)

Extinguishing Media: Dry chemical, carbon dioxide, or foam is recommended. Water spray is recommended to cool or protect exposed materials or structures. Carbon dioxide can displace oxygen. Use caution when applying carbon dioxide in confined spaces. Simultaneous use of foam and water on the same surface is to be avoided as water destroys the foam. Water may be ineffective for extinguishment, unless used under favorable conditions by experienced fire fighters.

Specific hazards arising from the chemical

Unusual Fire & Explosion Hazards: Flammable. This material can be ignited by heat, sparks, flames, or other sources of

ignition (e.g., static electricity, pilot lights, mechanical/electrical equipment, and electronic devices such as cell phones, computers, calculators, and pagers which have not been certified as intrinsically safe) Vapors may travel considerable distances to a source of ignition where they can ignite, flash back, or explode. May create vapor/air explosion hazard indoors, in confined spaces, outdoors, or in sewers. This product will float and can be reignited on surface water. Vapors are heavier than air and can accumulate in low areas. If container is not properly cooled, it can rupture in the heat of a fire.

Hazardous Combustion Products: Combustion may yield smoke, carbon monoxide, and other products of incomplete combustion. Oxides of nitrogen and sulfur may also be formed.

Special protective actions for fire-fighters: For fires beyond the initial stage, emergency responders in the immediate hazard area should wear protective clothing. When the potential chemical hazard is unknown, in enclosed or confined spaces, a self contained breathing apparatus should be worn. In addition, wear other appropriate protective equipment as conditions warrant (see Section 8). Isolate the hazard area and deny entry to unnecessary and unprotected personnel. Stop spill/release if it can be done safely. Move undamaged containers from immediate hazard area if it can be done safely. Water spray may be useful in minimizing or dispersing vapors and to protect personnel. Cool equipment exposed to fire with water, if it can be done safely. Avoid spreading burning liquid with water used for cooling purposes.

See Section 9 for Flammable Properties including Flash Point and Flammable (Explosive) Limits

SECTION 6: Accidental release measures

Personal precautions, protective equipment and emergency procedures: Flammable. Spillages of liquid product will create a fire hazard and may form an explosive atmosphere. Keep all sources of ignition and hot metal surfaces away from spill/release if safe to do so. The use of explosion-proof electrical equipment is recommended. Stay upwind and away from spill/release. Avoid direct contact with material. For large spillages, notify persons down wind of the spill/release, isolate immediate hazard area and keep unauthorized personnel out. Wear appropriate protective equipment, including respiratory protection, as conditions warrant (see Section 8). See Sections 2 and 7 for additional information on hazards and precautionary measures.

Environmental Precautions: Stop and contain spill/release if it can be done safely. Prevent spilled material from entering sewers, storm drains, other unauthorized drainage systems, and natural waterways. Use foam on spills to minimize vapors Use water sparingly to minimize environmental contamination and reduce disposal requirements. If spill occurs on water notify appropriate authorities and advise shipping of any hazard. Spills into or upon navigable waters, the contiguous zone, or adjoining shorelines that cause a sheen or discoloration on the surface of the water, may require notification of the National Response Center (phone number 800-424-8802).

Methods and material for containment and cleaning up: Notify relevant authorities in accordance with all applicable regulations. Immediate cleanup of any spill is recommended. Dike far ahead of spill for later recovery or disposal. Absorb spill with inert material such as sand or vermiculite, and place in suitable container for disposal. If spilled on water remove with appropriate methods (e.g. skimming, booms or absorbents). In case of soil contamination, remove contaminated soil for remediation or disposal, in accordance with local regulations.

Recommended measures are based on the most likely spillage scenarios for this material; however local conditions and regulations may influence or limit the choice of appropriate actions to be taken.

SECTION 7: Handling and storage

Precautions for safe handling: Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. No smoking. Take precautionary measures against static discharge. Use only non-sparking tools. Obtain special instructions before use. Do not handle until all safety precautions have been read and understood. Do not breathe vapor or mist. Use only outdoors or in a well-ventilated area. Wear protective gloves/protective clothing/eye protection/face protection. Wash thoroughly after handling. Use good personal hygiene practices and wear appropriate personal protective equipment (see section 8). Flammable. May vaporize easily at ambient temperatures. The vapor is heavier than air and may create an explosive mixture of vapor and air. Beware of accumulation in confined spaces and low lying areas. Open container slowly to relieve any pressure. The use of explosion-proof electrical equipment is recommended and may be required (see appropriate fire codes). Refer to NFPA-70 and/or API RP 2003 for specific bonding/grounding requirements. Do not enter confined spaces such as tanks or pits without following proper entry procedures such as ASTM D-4276 and 29CFR 1910.146. Do not wear contaminated clothing or shoes. Keep contaminated clothing away from sources of ignition such as sparks or open flames.

High pressure injection of hydrocarbon fuels, hydraulic oils or greases under the skin may have serious consequences even though no symptoms or injury may be apparent. This can happen accidentally when using high pressure equipment such as high pressure grease guns, fuel injection apparatus or from pinhole leaks in tubing of high pressure hydraulic oil equipment.

For use as a motor fuel only. Do not use as a solvent due to its flammable and potentially toxic properties. Siphoning by mouth can result in lung aspiration which can be harmful or fatal.

The use of hydrocarbon fuel in an area without adequate ventilation may result in hazardous levels of incomplete combustion products (e.g. carbon monoxide, oxides of sulfur and nitrogen, benzene and other hydrocarbons) and/or dangerously low oxygen levels.

Diesel engine exhaust contains hazardous combustion products and has been identified as a cancer hazard. Exposure should be minimized to reduce potential risk.

Static Accumulation Hazard: Electrostatic charge may accumulate and create a hazardous condition when handling this material. To minimize this hazard, bonding and grounding of tanks, transfer piping, and storage tank level floats are necessary but may not, by themselves, be sufficient. Review all operations which have the potential of generating and accumulating an electrostatic charge and/or a flammable atmosphere (including tank and container filling, splash filling, tank cleaning, sampling, gauging, switch loading, filtering, mixing, agitation, and vacuum truck operations) and use appropriate mitigating procedures. Special care should be given to ensure that special slow load procedures for "switch loading" are followed to avoid the static ignition hazard that can exist when higher flash point material (such as fuel oil or diesel) is loaded into tanks previously containing low flash point products (such as gasoline or naphtha). For more information, refer to OSHA Standard 29 CFR 1910.106, 'Flammable and Combustible Liquids', National Fire Protection Association (NFPA 77, 'Recommended Practice on Static Electricity', and/or the American Petroleum Institute (API) Recommended Practice 2003, 'Protection Against Ignitions Arising Out of Static, Lightning, and Stray Currents'.

Conditions for safe storage: Keep container(s) tightly closed and properly labeled. Use and store this material in cool, dry, well-ventilated areas away from heat, direct sunlight, hot metal surfaces, and all sources of ignition. Store only in approved containers. Post area "No Smoking or Open Flame." Keep away from any incompatible material (see Section 10). Protect container(s) against physical damage. Outdoor or detached storage is preferred. Indoor storage should meet OSHA standards and appropriate fire codes.

"Empty" containers retain residue and may be dangerous. Do not pressurize, cut, weld, braze, solder, drill, grind, or expose such containers to heat, flame, sparks, or other sources of ignition. They may explode and cause injury or death. "Empty" drums should be completely drained, properly bunged, and promptly shipped to the supplier or a drum reconditioner. All containers should be disposed of in an environmentally safe manner and in accordance with governmental regulations. Before working on or in tanks which contain or have contained this material, refer to OSHA regulations, ANSI Z49.1, and other references pertaining to cleaning, repairing, welding, or other contemplated operations.

SECTION 8: Exposure controls/personal protection

Chemical Name	ACGIH	OSHA	Phillips 66
Fuels, diesel, no. 2	TWA-8hr: 100 mg/m ³ inhalable fraction and vapor Diesel fuel Skin	---	---
Naphthalene	TWA-8hr: 10 ppm Skin	TWA-8hr: 10 ppm TWA-8hr: 50 mg/m ³ Carcinogen	TWA-8hr: 0.2 mg/m ³

Note: State, local or other agencies or advisory groups may have established more stringent limits. Consult an industrial hygienist or similar professional, or your local agencies, for further information.

Engineering controls: If current ventilation practices are not adequate to maintain airborne concentrations below the established exposure limits, additional engineering controls may be required.

Eye/Face Protection: The use of eye protection that meets or exceeds ANSI Z 87.1 is recommended to protect against potential eye contact, irritation, or injury. Depending on conditions of use, a face shield may be necessary.

Skin/Hand Protection: The use of gloves impervious to the specific material handled is advised to prevent skin contact. Users should check with manufacturers to confirm the breakthrough performance of their products. Depending on exposure and use conditions, additional protection may be necessary to prevent skin contact including use of items such as chemical resistant boots, aprons, arm covers, hoods, coveralls, or encapsulated suits. Suggested protective materials: Nitrile

Respiratory Protection: Where there is potential for airborne exposure above the exposure limit a NIOSH certified air purifying respirator equipped with organic vapor cartridges/canisters may be used.

A respiratory protection program that meets or is equivalent to OSHA 29 CFR 1910.134 and ANSI Z88.2 should be followed whenever workplace conditions warrant a respirator's use. Air purifying respirators provide limited protection and cannot be used in atmospheres that exceed the maximum use concentration (as directed by regulation or the manufacturer's instructions), in oxygen deficient (less than 19.5 percent oxygen) situations, or under conditions that are immediately dangerous to life and health (IDLH).

Other Protective Equipment: Eye wash and quick-drench shower facilities should be available in the work area. Thoroughly clean shoes and wash contaminated clothing before reuse.

Suggestions provided in this section for exposure control and specific types of protective equipment are based on readily available information. Users should consult with the specific manufacturer to confirm the performance of their protective equipment. Specific situations may require consultation with industrial hygiene, safety, or engineering professionals.

SECTION 9: Physical and chemical properties

Note: Unless otherwise stated, values are determined at 20°C (68°F) and 760 mm Hg (1 atm). Data represent typical values and are not intended to be specifications.

Appearance: Straw colored to dyed red	Flash Point: 125 - 180 °F / 52 - 82 °C
Physical Form: Liquid	Test Method: Pensky-Martens Closed Cup (PMCC), ASTM D93, EPA 1010
Odor: Diesel fuel	Initial Boiling Point/Range: 300 - 690 °F / 149 - 366 °C
Odor Threshold: No data	Vapor Pressure: 0.40 mm Hg
pH: Not applicable	Partition Coefficient (n-octanol/water) (Kow): No data
Vapor Density (air=1): > 3	Melting/Freezing Point: No data
Upper Explosive Limits (vol % in air): 10.0	Auto-ignition Temperature: 500 °F / 260 °C
Lower Explosive Limits (vol % in air): 0.3	Decomposition Temperature: No data
Evaporation Rate (nBuAc=1): <1	Specific Gravity (water=1): 0.81-0.88 @ 60°F (15.6°C)
Particle Size: Not applicable	Bulk Density: 7.08 lbs/gal
Percent Volatile: Negligible @ ambient conditions	Viscosity: No data
Flammability (solid, gas): Not applicable	Solubility in Water: Negligible

SECTION 10: Stability and reactivity

Reactivity: Not chemically reactive.

Chemical stability: Stable under normal ambient and anticipated conditions of use.

Possibility of hazardous reactions: Hazardous reactions not anticipated.

Conditions to avoid: Avoid high temperatures and all sources of ignition. Prevent vapor accumulation.

Incompatible materials: Avoid contact with strong oxidizing agents and strong reducing agents.

Hazardous decomposition products: Not anticipated under normal conditions of use.

SECTION 11: Toxicological information

Information on Toxicological Effects

Substance / Mixture			
Acute Toxicity	Hazard	Additional Information	LC50/LD50 Data
Inhalation	Harmful if inhaled		4.65 mg/L (mist)
Dermal	Unlikely to be harmful		>2 g/kg
Oral	Unlikely to be harmful		> 5 g/kg

Aspiration Hazard: May be fatal if swallowed and enters airways

Skin Corrosion/Irritation: Causes skin irritation. Repeated exposure may cause skin dryness or cracking.

Serious Eye Damage/Irritation: Causes mild eye irritation.

Skin Sensitization: Not expected to be a skin sensitizer.

Respiratory Sensitization: Not expected to be a respiratory sensitizer.

Specific Target Organ Toxicity (Single Exposure): Not expected to cause organ effects from single exposure.

Specific Target Organ Toxicity (Repeated Exposure): May cause damage to organs through prolonged or repeated exposure. Repeated dermal application of petroleum gas oils for 90 days resulted in decreased liver, thymus, and spleen weights, and altered bone marrow function. Microscopic alterations included liver hypertrophy and necrosis, decreased hematopoiesis and lymphocyte depletion.

Carcinogenicity: Suspected of causing cancer. Petroleum middle distillates have been shown to cause skin tumors in mice following repeated and prolonged skin contact. Follow-up studies have shown that these tumors are produced through a non-genotoxic mechanism associated with frequent cell damage and repair, and that they are not likely to cause tumors in the absence of prolonged skin irritation.

Germ Cell Mutagenicity: Not expected to cause heritable genetic effects.

Reproductive Toxicity: Not expected to cause reproductive toxicity.

Other Comments: Diesel engine exhaust has been classified by the International Agency for Research on Cancer (IARC) and National Toxicology Program (NTP) as a carcinogen.

Information on Toxicological Effects of Components

Naphthalene

Carcinogenicity: Naphthalene has been evaluated in two year inhalation studies in both rats and mice. The US National Toxicology Program (NTP) concluded that there is clear evidence of carcinogenicity in male and female rats based on increased incidences of respiratory epithelial adenomas and olfactory epithelial neuroblastomas of the nose. NTP found some evidence of carcinogenicity in female mice (alveolar adenomas) and no evidence of carcinogenicity in male mice. Naphthalene has been identified as a carcinogen by IARC and NTP.

SECTION 12: Ecological information



GHS Classification:
H411 -- Hazardous to the aquatic environment, chronic toxicity -- Category 2
Toxic to aquatic life with long lasting effects.

Toxicity: Experimental studies of gas oils show that acute aquatic toxicity values are typically in the range 2-20 mg/L. These values are consistent with the predicted aquatic toxicity of these substances based on their hydrocarbon compositions. They should be regarded as toxic to aquatic organisms, with the potential to cause long term adverse effects in the aquatic environment.

Persistence and Degradability: Gas oils are complex combinations of individual hydrocarbon species. Based on the known or expected properties of individual constituents, category members are not predicted to be readily biodegradable. Some hydrocarbon constituents of gas oils are predicted to meet the criteria for persistence; on the other hand, some components can be easily degraded by microorganisms under aerobic conditions.

Persistence per IOPC Fund definition: Non-Persistent

Bioaccumulative Potential: Gas oil components have measured or calculated Log Kow values in the range of 3.9 to 6 which indicates a high potential to bioaccumulate. Lower molecular weight compounds are readily metabolized and the actual bioaccumulation potential of higher molecular weight compounds is limited by the low water solubility and large molecular size.

Mobility in Soil: Releases to water will result in a hydrocarbon film floating and spreading on the surface. For the lighter components, volatilization is an important loss process and reduces the hazard to aquatic organisms. In air, the hydrocarbon vapors react readily with hydroxyl radicals with half-lives of less than one day. Photooxidation on the water surface is also a significant loss process particularly for polycyclic aromatic compounds. In water, the majority of components will be adsorbed on sediment. Adsorption is the most predominant physical process on release to soil. Adsorbed hydrocarbons will slowly degrade in both water and soil.

Other adverse effects: None anticipated.

SECTION 13: Disposal considerations

The generator of a waste is always responsible for making proper hazardous waste determinations and needs to consider state and local requirements in addition to federal regulations. This material, if discarded as produced, would not be a federally regulated RCRA "listed" hazardous waste. However, it would likely be identified as a federally regulated RCRA hazardous waste for the following characteristic(s) shown below. See Sections 7 and 8 for information on handling, storage and personal protection and Section 9 for physical/chemical properties. It is possible that the material as produced contains constituents which are not required to be listed in the SDS but could affect the hazardous waste determination. Additionally, use which results in chemical or

physical change of this material could subject it to regulation as a hazardous waste. Container contents should be completely used and containers should be emptied prior to discard. Container residues and rinseates could be considered to be hazardous wastes.

EPA Waste Number(s)

- D001 - Ignitability characteristic

SECTION 14: Transport information

U.S. Department of Transportation (DOT)

UN Number: UN1202

UN proper shipping name: Diesel fuel

Transport hazard class(es): 3 or Combustible liquid

Packing Group: III

Environmental Hazards: Marine pollutant - Environmentally Hazardous

Special precautions for user: **Combustible liquid classification is dependent on a flash point of >60° C (140° F) and <93° C (200° F).**

**NA1993 may be used instead of UN1202 for domestic land transportation.

If transported in bulk by marine vessel in international waters, product is being carried under the scope of MARPOL Annex I.

Container(s) greater than 5 liters (liquids) or 5 kilograms (solids), shipped by water mode and ALL bulk shipments may require the shipping description to contain the "Marine Pollutant" notation [49 CFR 172.203(l)] and the container(s) to display the [Marine Pollutant Mark] [49 CFR 172.322].

Transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code: Not applicable

SECTION 15: Regulatory information

CERCLA/SARA - Section 302 Extremely Hazardous Substances and TPQs (in pounds):

This material does not contain any chemicals subject to the reporting requirements of SARA 302 and 40 CFR 372.

CERCLA/SARA - Section 311/312 (Title III Hazard Categories)

Acute Health Hazard:	Yes
Chronic Health Hazard:	Yes
Fire Hazard:	Yes
Pressure Hazard:	No
Reactive Hazard:	No

CERCLA/SARA - Section 313 and 40 CFR 372:

This material contains the following chemicals subject to the reporting requirements of Section 313 of SARA Title III and 40 CFR 372:

Chemical Name	Concentration ¹	de minimis
Naphthalene	<1	0.1%

EPA (CERCLA) Reportable Quantity (in pounds):

EPA's Petroleum Exclusion applies to this material - (CERCLA 101(14)).

California Proposition 65:

Warning: This material may contain detectable quantities of the following chemicals, known to the State of California to cause cancer, birth defects or other reproductive harm, and which may be subject to the warning requirements of California Proposition 65 (CA Health & Safety Code Section 25249.5):

Chemical Name	Type of Toxicity
Naphthalene	Cancer

Diesel engine exhaust is on the Proposition 65 list of chemicals known to the State of California to cause cancer.

International Hazard Classification

Canada:

This product has been classified in accordance with the hazard criteria of the Controlled Products Regulations (CPR) and the SDS contains all the information required by the Regulations.

International Inventories

All components are either listed on the US TSCA Inventory, or are not regulated under TSCA.
All components are either on the DSL, or are exempt from DSL listing requirements.

SECTION 16: Other information

Issue Date:	Previous Issue Date:	SDS Number	Status:
01-Dec-2016	27-Jul-2016	001847	FINAL

Revised Sections or Basis for Revision:

Composition (Section 3)

Guide to Abbreviations:

ACGIH = American Conference of Governmental Industrial Hygienists; CASRN = Chemical Abstracts Service Registry Number; CEILING = Ceiling Limit (15 minutes); CERCLA = The Comprehensive Environmental Response, Compensation, and Liability Act; EPA = Environmental Protection Agency; GHS = Globally Harmonized System; IARC = International Agency for Research on Cancer; INSHT = National Institute for Health and Safety at Work; IOPC = International Oil Pollution Compensation; LEL = Lower Explosive Limit; NE = Not Established; NFPA = National Fire Protection Association; NTP = National Toxicology Program; OSHA = Occupational Safety and Health Administration; PEL = Permissible Exposure Limit (OSHA); SARA = Superfund Amendments and Reauthorization Act; STEL = Short Term Exposure Limit (15 minutes); TLV = Threshold Limit Value (ACGIH); TWA = Time Weighted Average (8 hours); UEL = Upper Explosive Limit; WHMIS = Worker Hazardous Materials Information System (Canada)

Disclaimer of Expressed and implied Warranties:

The information presented in this Safety Data Sheet is based on data believed to be accurate as of the date this Safety Data Sheet was prepared. HOWEVER, NO WARRANTY OF MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE, OR ANY OTHER WARRANTY IS EXPRESSED OR IS TO BE IMPLIED REGARDING THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED ABOVE, THE RESULTS TO BE OBTAINED FROM THE USE OF THIS INFORMATION OR THE PRODUCT, THE SAFETY OF THIS PRODUCT, OR THE HAZARDS RELATED TO ITS USE. No responsibility is assumed for any damage or injury resulting from abnormal use or from any failure to adhere to recommended practices. The information provided above, and the product, are furnished on the condition that the person receiving them shall make their own determination as to the suitability of the product for their particular purpose and on the condition that they assume the risk of their use. In addition, no authorization is given nor implied to practice any patented invention without a license.

Safety Data Sheet

According to OSHA HCS 2012 (29 CFR 1910.1200)



Section 1: Identification

Product Identifier: Gasoline Reformulated with Ethanol

Other means of identification: Arizona Clean Burning Gasoline (CBG) (All Grades)
CARB Gasoline with Ethanol (All Grades)
CBNV (All Grades)
Conventional Unleaded Gasoline with Ethanol (All Grades)
Reformulated Gasoline with Ethanol (All Grades)

SDS Number: 723433

MARPOL Annex I Category: Gasoline and Spirits

Intended Use: Fuel

Uses Advised Against: All others

Manufacturer:
Phillips 66 Company
P.O. Box 4428
Houston, Texas 77210

SDS Information:
Phone: 800-762-0942
Email: SDS@P66.com
URL: www.Phillips66.com

Emergency Health and Safety Number:
Chemtrec: 800-424-9300 (24 Hours)

Customer Service:
800-527-5476 *Technical Information:*
800-527-5476

Section 2: Hazards Identification

Classified Hazards

H224 -- Flammable liquids -- Category 1
H315 -- Skin corrosion/irritation -- Category 2
H320 -- Eye damage/irritation -- Category 2B
H304 -- Aspiration Hazard -- Category 1
H336 -- Specific target organ toxicity (single exposure) -- Category 3
H350 -- Carcinogenicity -- Category 1B
H411 -- Hazardous to the aquatic environment, chronic toxicity -- Category 2

Other Hazards

Electrostatic charges may be generated during handling.

Label Elements



DANGER

Extremely flammable liquid and vapor
May be fatal if swallowed and enters airways
Causes skin irritation
Causes eye irritation
May cause drowsiness or dizziness
May cause cancer
Toxic to aquatic life with long lasting effects



Obtain special instructions before use; Do not handle until all safety precautions have been read and understood; Keep away from heat/sparks/open flames/hot surfaces. - No smoking; Keep container tightly closed; Ground/bond container and receiving equipment; Use explosion-proof electrical/ventilating/lighting equipment; Use only non-sparking tools; Take precautionary measures against static discharge; Avoid breathing dust/fume/gas/mist/vapours/spray; Wash thoroughly after handling; Use only outdoors or in a well-ventilated area; Avoid release to the environment; Wear protective gloves / protective clothing / eye protection / face protection; Call a POISON CENTER or doctor/physician if you feel unwell; IF ON SKIN: Remove/Take off immediately all contaminated clothing. Rinse skin with water/shower; If skin irritation occurs; or; If eye irritation persists; Get medical advice/attention; IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing; IF SWALLOWED: Immediately call a POISON CENTER or doctor/physician; Do NOT induce vomiting; IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing; Take off contaminated clothing and wash before reuse; In case of fire: Use dry chemical, carbon dioxide, or foam for extinction; Store in a well-ventilated place. Keep container tightly closed; Keep cool; Collect spillage; Dispose of contents/container to approved disposal facility

Section 3: Composition / Information on Ingredients

Chemical Name	CASRN	Concentration ¹
Gasoline	NONE	>90
Toluene	108-88-3	0-15
Ethyl alcohol	64-17-5	< 10
Benzene	71-43-2	0-5

Total Sulfur: < 0.1 wt%

¹ All concentrations are percent by weight unless ingredient is a gas. Gas concentrations are in percent by volume.

Section 4: First Aid Measures

Eye Contact: For direct contact, remove contact lenses if present and easy to do. Immediately hold eyelids apart and flush the affected eye(s) with clean water for at least 15 minutes. Seek immediate medical attention.

Skin Contact: Remove contaminated shoes and clothing, and flush affected area(s) with large amounts of water. If skin surface is damaged, apply a clean dressing and seek medical attention. If skin surface is not damaged, cleanse affected area(s) thoroughly by washing with mild soap and water or a waterless hand cleaner. If irritation or redness develops, seek medical attention. Wash contaminated clothing before reuse. If product is injected into or under the skin, or into any part of the body, regardless of the appearance of the wound or its size, the individual should be evaluated immediately by a physician. (see Note to Physician)

Inhalation (Breathing): If respiratory symptoms develop, move victim away from source of exposure and into fresh air in a position comfortable for breathing. If breathing is difficult, oxygen or artificial respiration should be administered by qualified personnel. If symptoms persist, seek medical attention.

Ingestion (Swallowing): Aspiration hazard: Do not induce vomiting or give anything by mouth because this material can enter the lungs and cause severe lung damage. If victim is drowsy or unconscious and vomiting, place on the left side with the head down. If possible, do not leave victim unattended and observe closely for adequacy of breathing. Seek medical attention.

Most important symptoms and effects:

Acute: Headache, drowsiness, dizziness, loss of coordination, disorientation and fatigue

Delayed: None known or anticipated. See Section 11 for information on effects from chronic exposure, if any.

Notes to Physician: Epinephrine and other sympathomimetic drugs may initiate cardiac arrhythmias in persons exposed to high concentrations of hydrocarbon solvents (e.g., in enclosed spaces or with deliberate abuse). The use of other drugs with less arrhythmogenic potential should be considered. If sympathomimetic drugs are administered, observe for the development of cardiac arrhythmias.

When using high-pressure equipment, injection of product under the skin can occur. In this case, the casualty should be sent immediately to hospital. Do not wait for symptoms to develop. High-pressure hydrocarbon injection injuries may produce substantial necrosis of underlying tissue despite an innocuous appearing external wound. These injuries often require extensive emergency surgical debridement and all injuries should be evaluated by a specialist in order to assess the extent of injury. Early surgical treatment within the first few hours may significantly reduce the ultimate extent of injury.

Federal regulations (29 CFR 1910.1028) specify medical surveillance programs for certain exposures to benzene above the action level or PEL (specified in Section (i)(1)(i) of the Standard). In addition, employees exposed in an emergency situation shall, as described in Section (i)(4)(i), provide a urine sample at the end of the shift for measurement of urine phenol.

Section 5: Fire-Fighting Measures

NFPA 704 Hazard Class

Health: 1 Flammability: 3 Instability: 0



0 (Minimal)
1 (Slight)
2 (Moderate)
3 (Serious)
4 (Severe)

Extinguishing Media: Dry chemical, carbon dioxide, or foam is recommended. Water spray is recommended to cool or protect exposed materials or structures. Carbon dioxide can displace oxygen. Use caution when applying carbon dioxide in confined spaces. Simultaneous use of foam and water on the same surface is to be avoided as water destroys the foam. Water may be ineffective for extinguishment, unless used under favorable conditions by experienced fire fighters.

Specific hazards arising from the chemical

Unusual Fire & Explosion Hazards: Extremely flammable. This material can be ignited by heat, sparks, flames, or other sources of ignition (e.g., static electricity, pilot lights, mechanical/electrical equipment, and electronic devices such as cell phones, computers, calculators, and pagers which have not been certified as intrinsically safe). Vapors may travel considerable distances to a source of ignition where they can ignite, flash back, or explode. May create vapor/air explosion hazard indoors, in confined spaces, outdoors, or in sewers. This product will float and can be reignited on surface water. Vapors are heavier than air and can accumulate in low areas. If container is not properly cooled, it can rupture in the heat of a fire.

Hazardous Combustion Products: Combustion may yield smoke, carbon monoxide, and other products of incomplete combustion. Oxides of nitrogen and sulfur may also be formed.

Special protective actions for firefighters: For fires beyond the initial stage, emergency responders in the immediate hazard area should wear protective clothing. When the potential chemical hazard is unknown, in enclosed or confined spaces, a self contained breathing apparatus should be worn. In addition, wear other appropriate protective equipment as conditions warrant (see Section 8).

Isolate immediate hazard area and keep unauthorized personnel out. Stop spill/release if it can be done safely. Move undamaged containers from immediate hazard area if it can be done safely. Water spray may be useful in minimizing or dispersing vapors and to protect personnel. Cool equipment exposed to fire with water, if it can be done safely. Avoid spreading burning liquid with water used for cooling purposes.

See Section 9 for Flammable Properties including Flash Point and Flammable (Explosive) Limits

Section 6: Accidental Release Measures

Personal precautions, protective equipment and emergency procedures: Extremely flammable. Spillages of liquid product will create a fire hazard and may form an explosive atmosphere. Keep all sources of ignition and hot metal surfaces away from spill/release if safe to do so. The use of explosion-proof electrical equipment is recommended. Stay upwind and away from spill/release. Avoid direct contact with material. For large spillages, notify persons down wind of the spill/release, isolate immediate hazard area and keep unauthorized personnel out. Wear appropriate protective equipment, including respiratory protection, as conditions warrant (see Section 8). See Sections 2 and 7 for additional information on hazards and precautionary measures.

Environmental Precautions: Stop spill/release if it can be done safely. Prevent spilled material from entering sewers, storm drains, other unauthorized drainage systems, and natural waterways. Use foam on spills to minimize vapors. Use water sparingly to minimize environmental contamination and reduce disposal requirements. If spill occurs on water notify appropriate authorities and advise shipping of any hazard. Spills into or upon navigable waters, the contiguous zone, or adjoining shorelines that cause a sheen or discoloration on the surface of the water, may require notification of the National Response Center (phone number 800-424-8802).

Methods and material for containment and cleaning up: Notify relevant authorities in accordance with all applicable regulations. Immediate cleanup of any spill is recommended. Dike far ahead of spill for later recovery or disposal. Absorb spill with inert material such as sand or vermiculite, and place in suitable container for disposal. If spilled on water remove with appropriate methods (e.g. skimming, booms or absorbents). In case of soil contamination, remove contaminated soil for remediation or disposal, in accordance with local regulations.

Recommended measures are based on the most likely spillage scenarios for this material; however local conditions and regulations may influence or limit the choice of appropriate actions to be taken.

Section 7: Handling and Storage

Precautions for safe handling: Keep away from ignition sources such as heat/sparks/open flame – No smoking. Take precautionary measures against static discharge. Nonsparking tools should be used. Obtain special instructions before use. Do not handle until all safety precautions have been read and understood. Do not eat, drink, or smoke when using this product. Wear protective gloves/clothing and eye/face protection. Do not breathe vapors or mists. Wash thoroughly after handling. Use good personal hygiene practices and wear appropriate personal protective equipment (see section 8). Extremely Flammable. May vaporize easily at ambient temperatures. The vapor is heavier than air and may create an explosive mixture of vapor and air. Beware of accumulation in confined spaces and low lying areas. Open container slowly to relieve any pressure. The use of explosion-proof electrical equipment is recommended and may be required (see appropriate fire codes). Refer to NFPA-70 and/or API RP 2003 for specific bonding/grounding requirements. Do not enter confined spaces such as tanks or pits without following proper entry procedures such as ASTM D-4276 and 29CFR 1910.146. Do not wear contaminated clothing or shoes. Keep contaminated clothing away from sources of ignition such as sparks or open flames.

High pressure injection of hydrocarbon fuels, hydraulic oils or greases under the skin may have serious consequences even though no symptoms or injury may be apparent. This can happen accidentally when using high pressure equipment such as high pressure grease guns, fuel injection apparatus or from pinhole leaks in tubing of high pressure hydraulic oil equipment.

For use as a motor fuel only. Do not use as a solvent due to its flammable and potentially toxic properties. Siphoning by mouth can result in lung aspiration which can be harmful or fatal.

The use of hydrocarbon fuel in an area without adequate ventilation may result in hazardous levels of incomplete combustion products (e.g. carbon monoxide, oxides of sulfur and nitrogen, benzene and other hydrocarbons) and/or dangerously low oxygen levels.

Gasoline engine exhaust contains hazardous combustion products and has been identified as a possible cancer hazard. Exposure should be minimized to reduce potential risk.

Static Accumulation Hazard: Electrostatic charge may accumulate and create a hazardous condition when handling this material. To minimize this hazard, bonding and grounding of tanks, transfer piping, and storage tank level floats are necessary but may not, by themselves, be sufficient. Review all operations which have the potential of generating and accumulating an electrostatic charge and/or a flammable atmosphere (including tank and container filling, splash filling, tank cleaning, sampling, gauging, switch loading, filtering, mixing, agitation, and vacuum truck operations) and use appropriate mitigating procedures. Special care should be given to ensure that special slow load procedures for "switch loading" are followed to avoid the static ignition hazard that can exist when higher flash point material (such as fuel oil or diesel) is loaded into tanks previously containing low flash point products (such as gasoline or naphtha). For more information, refer to OSHA Standard 29 CFR 1910.106, 'Flammable and Combustible Liquids', National Fire Protection Association (NFPA 77, 'Recommended Practice on Static Electricity', and/or the American Petroleum Institute (API) Recommended Practice 2003, 'Protection Against Ignitions Arising Out of Static, Lightning, and Stray Currents'.

Conditions for safe storage: Keep container(s) tightly closed and properly labeled. Use and store this material in cool, dry, well-ventilated areas away from heat, direct sunlight, hot metal surfaces, and all sources of ignition. Store only in approved containers. Post area "No Smoking or Open Flame." Keep away from any incompatible material (see Section 10). Protect container(s) against physical damage. Portable Containers: Static electricity may ignite gasoline vapors when filling portable containers. To avoid static buildup do not use a nozzle lock open device. Use only approved containers for the storage of gasoline. Place the container on the ground before filling. Keep the nozzle in contact with the container during filling. Do not fill any portable container in or on a vehicle or marine craft. Outdoor or detached storage is preferred. Indoor storage should meet OSHA standards and appropriate fire codes.

"Empty" containers retain residue and may be dangerous. Do not pressurize, cut, weld, braze, solder, drill, grind, or expose such containers to heat, flame, sparks, or other sources of ignition. They may explode and cause injury or death. "Empty" drums should be completely drained, properly bunged, and promptly shipped to the supplier or a drum reconditioner. All containers should be disposed of in an environmentally safe manner and in accordance with governmental regulations. Before working on or in tanks which contain or have contained this material, refer to OSHA regulations, ANSI Z49.1, and other references pertaining to cleaning, repairing, welding, or other contemplated operations.

Section 8: Exposure Controls / Personal Protection

Chemical Name	ACGIH	OSHA	Other
---------------	-------	------	-------

Gasoline	---	---	0.5 ppm TWA8hr (as benzene) 0.25 ppm TWA12hr (as benzene) 2.5 ppm STEL (as benzene) (Phillips 66 Guidelines)
Toluene	TWA: 20 ppm	Ceiling: 300 ppm TWA: 200 ppm	---
Ethyl alcohol	STEL: 1000 ppm	TWA: 1000 ppm TWA: 1900 mg/m ³	---
Benzene	STEL: 2.5 ppm TWA: 0.5 ppm Skin	Ceiling: 25 ppm STEL: 5 ppm TWA: 10 ppm TWA: 1 ppm	---

Note: State, local or other agencies or advisory groups may have established more stringent limits. Consult an industrial hygienist or similar professional, or your local agencies, for further information.

Engineering controls: If current ventilation practices are not adequate to maintain airborne concentrations below the established exposure limits, additional engineering controls may be required.

Eye/Face Protection: The use of eye protection that meets or exceeds ANSI Z.87.1 is recommended to protect against potential eye contact, irritation, or injury. Depending on conditions of use, a face shield may be necessary.

Skin/Hand Protection: The use of gloves impervious to the specific material handled is advised to prevent skin contact. Users should check with manufacturers to confirm the breakthrough performance of their products. Depending on exposure and use conditions, additional protection may be necessary to prevent skin contact including use of items such as chemical resistant boots, aprons, arm covers, hoods, coveralls, or encapsulated suits. Suggested protective materials: Nitrile

Respiratory Protection: Where there is potential for airborne exposure above the exposure limit a NIOSH certified air purifying respirator equipped with organic vapor cartridges/canisters may be used.

A respiratory protection program that meets or is equivalent to OSHA 29 CFR 1910.134 and ANSI Z88.2 should be followed whenever workplace conditions warrant a respirator's use. Air purifying respirators provide limited protection and cannot be used in atmospheres that exceed the maximum use concentration (as directed by regulation or the manufacturer's instructions), in oxygen deficient (less than 19.5 percent oxygen) situations, or under conditions that are immediately dangerous to life and health (IDLH).

If benzene concentrations equal or exceed applicable exposure limits, OSHA requirements for personal protective equipment, exposure monitoring, and training may apply (29CFR1910.1028 - Benzene).

Other Protective Equipment: Eye wash and quick-drench shower facilities should be available in the work area. Thoroughly clean shoes and wash contaminated clothing before reuse.

Suggestions provided in this section for exposure control and specific types of protective equipment are based on readily available information. Users should consult with the specific manufacturer to confirm the performance of their protective equipment. Specific situations may require consultation with industrial hygiene, safety, or engineering professionals.

Section 9: Physical and Chemical Properties

Data represent typical values and are not intended to be specifications. N/A = Not Applicable; N/D = Not Determined

Appearance: Clear to amber

Physical Form: Liquid

Odor: Gasoline

Odor Threshold: No data

pH: Not applicable

Vapor Density (air=1): >1

Upper Explosive Limits (vol % in air): 7.6

Lower Explosive Limits (vol % in air): 1.4

Evaporation Rate (nBuAc=1): >1

Particle Size: N/A

Flash Point: < -49 °F / < -45 °C

Test Method: (estimate)

Initial Boiling Point/Range: 81 - 437 °F / 27 - 225 °C

Vapor Pressure: 330-775 mm Hg @ 100°F / 37.8°C

Partition Coefficient (n-octanol/water) (Kow): No data

Melting/Freezing Point: No data

Auto-ignition Temperature: 833 °F / 445 °C

Decomposition Temperature: No data

Specific Gravity (water=1): 0.68-0.78 @ 60°F (15.6°C)

Bulk Density: 5.66-6.50 lbs/gal

Percent Volatile: 100%
Flammability (solid, gas): N/A

Viscosity: N/D
Solubility in Water: Approximately 10%

Section 10: Stability and Reactivity

Reactivity: Not chemically reactive.

Chemical stability: Stable under normal ambient and anticipated conditions of use.

Possibility of hazardous reactions: Hazardous reactions not anticipated.

Conditions to avoid: Avoid high temperatures and all sources of ignition. Prevent vapor accumulation.

Incompatible materials: Avoid contact with strong oxidizing agents and strong reducing agents.

Hazardous decomposition products: Not anticipated under normal conditions of use.

Section 11: Toxicological Information

Information on Toxicological Effects of Substance/Mixture

Acute Toxicity	Hazard	Additional Information	LC50/LD50 Data
Inhalation	Expected to have a low degree of toxicity by inhalation		>5.2 mg/L (vapor)
Dermal	Unlikely to be harmful		3.75 g/kg
Oral	Unlikely to be harmful		14 g/kg

Aspiration Hazard: May be fatal if swallowed and enters airways.

Skin Corrosion/Irritation: Causes skin irritation. Repeated exposure may cause skin dryness or cracking.

Serious Eye Damage/Irritation: Causes eye irritation.

Symptoms of Overexposure: Effects of overexposure can include slight irritation of the respiratory tract, nausea, vomiting, and signs of nervous system depression (e.g., headache, drowsiness, dizziness, loss of coordination, disorientation and fatigue). Continued exposure to high concentrations can result in vomiting, cardiac irregularities and sudden loss of consciousness.

Skin Sensitization: Not expected to be a skin sensitizer.

Respiratory Sensitization: Not expected to be a respiratory sensitizer.

Specific Target Organ Toxicity (Single Exposure): May cause drowsiness and dizziness.

Specific Target Organ Toxicity (Repeated Exposure): Not expected to cause organ effects from repeated exposure. Two year inhalation studies of wholly vaporized unleaded gasoline, and 90 days studies of various petroleum naphthas, did not produce significant target organ toxicity in laboratory animals. Nephropathy in male rats, characterized by the accumulation of alpha-2-u- globulin in epithelial cells of the proximal tubules was observed, however follow-up studies suggest that these changes are unique to the male rat.

Carcinogenicity: May cause cancer. Two year inhalation studies of vaporized unleaded gasoline produced an increased incidence of kidney tumors in male rats and liver tumors in female mice. Repeated skin application of various petroleum naphthas in mice for two years resulted in an increased incidence of skin tumors but only in the presence of severe skin irritation. Follow-up mechanistic studies suggest that the occurrence of these tumors may be the consequence of promotional processes and not relevant to human risk assessment. Epidemiology data collected from a study of more than 18,000 petroleum marketing and distribution workers showed no increased risk of leukemia, multiple myeloma, or kidney cancer from gasoline exposure. Unleaded gasoline has been identified as a possible carcinogen by the International Agency for Research on Cancer.

Germ Cell Mutagenicity: Not expected to cause heritable genetic effects. Gasoline was negative in microbial mutagenicity and unscheduled DNA tests in rat hepatocytes. Gasoline did not induce chromosome aberrations in vivo in rat bone marrow cells and was negative in a mouse dominant lethal assay.

Reproductive Toxicity: Not expected to cause reproductive toxicity. No evidence of developmental toxicity was found in pregnant laboratory animals (rats and mice) exposed to high vapor concentrations of unleaded gasoline and petroleum naphthas via inhalation. A two-generation reproductive toxicity study of vapor recovery gasoline did not adversely affect reproductive function or offspring survival and development.

Other Comments: Most adverse health effects associated with ethanol, a component of this material, are related to the chronic ingestion of alcoholic beverages. Alcoholism has been associated with liver, stomach, heart, and nervous system damage, cancer, adverse reproductive effects, and effects on the developing fetus. Many of these effects may be related to metabolic changes that result from constantly high blood levels of alcohol. This exposure pattern is significantly different from that of persons handling industrial ethanol in the workplace or from refueling cars with gasoline containing ethanol.

Gasoline engine exhaust has been classified by the International Agency for Research on Cancer (IARC) as possibly carcinogenic to human.

Information on Toxicological Effects of Components

Xylenes (o-, m-, p- isomers)

Target Organs: Rats exposed to xylenes at 800, 1000 or 1200 ppm 14 hours daily for 6 weeks demonstrated high frequency hearing loss. Another study in rats exposed to 1800 ppm 8 hours daily for 5 days demonstrated middle frequency hearing loss.

Reproductive Toxicity: Both mixed xylenes and the individual isomers produced limited evidence of developmental toxicity in laboratory animals. Inhalation and oral administration of xylene resulted in decreased fetal weight, increased incidences of delayed ossification, skeletal variations and resorptions, but no evidence of teratogenicity.

Toluene

Carcinogenicity: Exposure of rats and mice to toluene at concentrations ranging from 120-1200 ppm for two years did not demonstrate evidence of carcinogenicity. Toluene has not been listed as a carcinogen by IARC.

Target Organs: Epidemiology studies suggest that chronic occupational overexposure to toluene may damage color vision. Subchronic and chronic inhalation studies with toluene produced kidney and liver damage, hearing loss and central nervous system (brain) damage in laboratory animals. Intentional misuse by deliberate inhalation of high concentrations of toluene has been shown to cause liver, kidney, and central nervous system damage, including hearing loss and visual disturbances.

Reproductive Toxicity: Exposure to toluene during pregnancy has demonstrated limited evidence of developmental toxicity in laboratory animals. Decreased fetal body weight and increased skeletal variations in both inhalation and oral studies, but only at doses that were maternally toxic. No fetal toxicity was seen at doses that were not maternally toxic. Decreased sperm counts have been observed in male rats in the absence of a reduction in fertility. Toluene has been reported to cause mental or growth retardation in the children of solvent abusers who directly inhale toluene during pregnancy.

Ethyl alcohol

Carcinogenicity: Ingestion of alcoholic beverages has been classified by IARC as "carcinogenic to humans" (Group 1). Occupational exposures to ethanol and exposures other than by ingestion (i.e., dermal and inhalation) have not been associated with cancer in humans.

Target Organs: Chronic alcoholism has been associated with damage to the liver in humans (e.g., cirrhosis of the liver). Excessive consumption of alcoholic beverages has also been associated with adverse effects on the central nervous system, digestive system and cardiovascular system.

Reproductive Toxicity: Adverse reproductive effects are not anticipated from workplace inhalation exposure. Excessive consumption of alcoholic beverages during pregnancy has been associated with effects on the developing fetus referred to collectively as the fetal alcohol syndrome. The effects most frequently manifested include psychomotor dysfunction, growth retardation and a characteristic cluster of facial anomalies. It also affects the reproductive system including reduced sperm count and motility and loss of libido in men, abnormal menstrual function, and decreased plasma estradiol and progesterone levels in women.

Benzene

Carcinogenicity: Benzene is an animal carcinogen and is known to produce acute myelogenous leukemia (a form of cancer) in humans. Benzene has been identified as a human carcinogen by IARC, the US National Toxicology Program and the US-Occupational Safety and Health Administration.

Target Organs: Prolonged or repeated exposures to benzene vapors can cause damage to the blood and blood forming organs, including disorders like leukopenia, thrombocytopenia, and aplastic anemia.

Reproductive Toxicity: Some studies in occupationally exposed women have suggested benzene exposure increased risk of miscarriage and stillbirth and decreased birth weight and gestational age. The size of the effects detected in these studies was small, and ascertainment of exposure and outcome in some cases relied on self-reports, which may limit the reliability of these results.

Germ Cell Mutagenicity: Benzene exposure has resulted in chromosomal aberrations in human lymphocytes and animal bone marrow cells. Exposure has also been associated with chromosomal aberrations in sperm cells in human and animal studies.

Ethylbenzene

Carcinogenicity: Rats and mice exposed to 0, 75, 250, or 750 ppm ethyl benzene in a two year inhalation study demonstrated limited evidence of kidney, liver, and lung cancer. Ethyl benzene has been listed as a possible human carcinogen by IARC.

Target Organs: In rats and mice exposed to 0, 75, 250, or 750 ppm ethyl benzene in a two year inhalation study there was mild damage to the kidney (tubular hyperplasia), liver (eosinophilic foci, hypertrophy, necrosis), lung (alveolar epithelium metaplasia), thyroid (hyperplasia), thyroid (hyperplasia) and pituitary (hyperplasia). In animal models (particularly rats), ethyl benzene affects the auditory function mainly in the cochlear mid-frequency range and ototoxicity was observed after combined exposure to noise and ethyl benzene. There is no evidence of either ethyl benzene-induced hearing losses or ototoxicity with combined exposure to ethyl benzene and noise in workers.

Hexane

Target Organs: Excessive exposure to n-hexane can result in peripheral neuropathies. The initial symptoms are symmetrical sensory numbness and paresthesias of distal portions of the extremities. Motor weakness is typically observed in muscles of the toes and fingers but may also involve muscles of the arms, thighs and forearms. The onset of these symptoms may be delayed for several months to a year after the beginning of exposure. The neurotoxic properties of n-hexane are potentiated by exposure to methyl ethyl ketone and methyl isobutyl ketone.

Reproductive Toxicity: Prolonged exposure to high concentrations of n-hexane (>1,000 ppm) resulted in decreased sperm count and degenerative changes in the testes of rats but not those of mice.

Section 12: Ecological Information

Toxicity: Acute aquatic toxicity studies on samples of gasoline and naphtha streams show acute toxicity values greater than 1 mg/L and mostly in the range 1-100 mg/L. These tests were carried out on water accommodated fractions, in closed systems to prevent evaporative loss. Results are consistent with the predicted aquatic toxicity of these substances based on their hydrocarbon composition. These substances should be regarded as toxic to aquatic organisms, with the potential to cause long term adverse effects in the aquatic environment.

Persistence and Degradability: The hydrocarbons in this material are not readily biodegradable but are regarded as inherently biodegradable since their hydrocarbon components can be degraded by microorganisms.

Persistence per IOPC Fund definition: Non-Persistent

Bioaccumulative Potential: Log Kow values measured for the hydrocarbon components of this material range from 3 to greater than 6 and therefore are regarded as having the potential to bioaccumulate. In practice, metabolic processes or physical properties may prevent this effect or limit bioavailability.

Mobility in Soil: On release to water, hydrocarbons will float on the surface and since they are sparingly soluble, the only significant loss is volatilization to air. In air, these hydrocarbons are photodegraded by reaction with hydroxyl radicals with half lives varying from 6.5 days for benzene to 0.5 days for n-dodecane.

Other Adverse Effects: None anticipated.

Section 13: Disposal Considerations

The generator of a waste is always responsible for making proper hazardous waste determinations and needs to consider state and local requirements in addition to federal regulations.

This material, if discarded as produced, would not be a federally regulated RCRA "listed" hazardous waste. However, it would likely be identified as a federally regulated RCRA hazardous waste for the following characteristic(s) shown below. See Sections 7 and 8 for information on handling, storage and personal protection and Section 9 for physical/chemical properties. It is possible that the material as produced contains constituents which are not required to be listed in the MSDS but could affect the hazardous waste determination. Additionally, use which results in chemical or physical change of this material could subject it to regulation as a hazardous waste.

Container contents should be completely used and containers should be emptied prior to discard. Container residues and rinseates could be considered to be hazardous wastes.

EPA Waste Number(s)

- D001 - Ignitability characteristic
- D018 - Toxicity characteristic (Benzene)

Section 14: Transport Information

U.S. Department of Transportation (DOT)

Shipping Description: *Aquatic toxicity studies indicate this material may be classified as a Marine Pollutant under IMDG Code. It is not currently regulated as a marine pollutant by the USDOT. If there is not a Shipping Description or other DOT marking, labeling, placarding and packaging references shown in this section, it is not regulated as a hazardous material by the USDOT.*

Non-Bulk Package Marking: UN1203, Gasoline, 3, II
 Gasoline, UN1203
Non-Bulk Package Labeling: Flammable liquid
Bulk Package/Placard Marking: Flammable / 1203
Packaging - References: 49 CFR 173.150; 173.202; 173.242
(Exceptions; Non-bulk; Bulk)

Hazardous Substance: See Section 15 for RQ's
Emergency Response Guide: 128

Note: *Container(s) greater than 5 liters (liquids) or 5 kilograms (solids), shipped by water mode and ALL bulk shipments may require the shipping description to contain the "Marine Pollutant" notation [49 CFR 172.203(l)] and the container(s) to display the [Marine Pollutant Mark] [49 CFR 172.322].*

International Maritime Dangerous Goods (IMDG)

Shipping Description: UN1203, Gasoline, 3, II, (FP° C cc), [where FP is the material's flash point in degrees Celsius closed cup]

Non-Bulk Package Marking: Gasoline, UN 1203
Labels: Flammable liquid
Placards/Marking (Bulk): Flammable / 1203
Packaging - Non-Bulk: P001

EMS: F-E, S-E

Note: *If container(s) is greater than 5 liters (liquids) or 5 kilograms (solids), shipment may require the shipping description to contain the "Marine Pollutant" description [IMDG 5.4.1.4.3.5] and the container(s) to display the Marine Pollutant mark [IMDG 5.2.1.6]. If transported in bulk by marine vessel in international waters, product is being carried under the scope of MARPOL Annex I.*

Transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code

Not applicable

International Civil Aviation Org. / International Air Transport Assoc. (ICAO/IATA)

UN/ID #: UN1203
Proper Shipping Name: Gasoline
Hazard Class/Division: 3
Packing Group: II
Non-Bulk Package Marking: Gasoline, UN1203
Labels: Flammable liquid
ERG Code: 3H

Note: *If container(s) is greater than 5 liters (liquids) or 5 kilograms (solids), shipment may require the container to display the "Environmentally hazardous substance" mark [IATA 7.1.6.3].*

	LTD. QTY	Passenger Aircraft	Cargo Aircraft Only
Packaging Instruction #:	Y341	353	364
Max. Net Qty. Per Package:	1 L	5 L	60 L

Section 15: Regulatory Information

CERCLA/SARA - Section 302 Extremely Hazardous Substances and TPQs (in pounds):

This material does not contain any chemicals subject to the reporting requirements of SARA 302 and 40 CFR 372.

CERCLA/SARA - Section 311/312 (Title III Hazard Categories)

Acute Health: Yes
Chronic Health: Yes
Fire Hazard: Yes
Pressure Hazard: No
Reactive Hazard: No

CERCLA/SARA - Section 313 and 40 CFR 372:

This material contains the following chemicals subject to the reporting requirements of Section 313 of SARA Title III and 40 CFR 372:

Chemical Name	Concentration ¹	de minimis
Xylenes (o-, m-, p- isomers)	0-21	1.0%
Toluene	0-15	1.0%
Benzene	0-5	0.1%
Benzene, 1,2,4-trimethyl-	0-5	1.0%
Ethylbenzene	0-5	0.1%
Hexane	0-4	1.0%
Cyclohexane	0-2	1.0%

EPA (CERCLA) Reportable Quantity (in pounds):

EPA's Petroleum Exclusion applies to this material - (CERCLA 101(14)).

California Proposition 65:

Warning: This material may contain detectable quantities of the following chemicals, known to the State of California to cause cancer, birth defects or other reproductive harm, and which may be subject to the warning requirements of California Proposition 65 (CA Health & Safety Code Section 25249.5):

Chemical Name	Type of Toxicity
Ethyl alcohol	Cancer Developmental Toxicant
Ethylbenzene	Cancer
Toluene	Developmental Toxicant Female Reproductive Toxicant
Benzene	Cancer Developmental Toxicant Male Reproductive Toxicant
Unleaded Gasoline (Wholly Vaporized)	Cancer

Gasoline engine exhaust is on the Proposition 65 list of chemicals known to the State of California to cause cancer.

Canada:

This product has been classified in accordance with the hazard criteria of the Controlled Products Regulations (CPR) and the SDS contains all the information required by the Regulations.

WHMIS Hazard Class:

B2 - Flammable Liquids
D2A
D2B

National Chemical Inventories

All components are either listed on the US TSCA Inventory, or are not regulated under TSCA
All components are either on the DSL, or are exempt from DSL listing requirements.

U.S. Export Control Classification Number: EAR99

Section 16: Other Information

Date of Issue:	Previous Issue Date:	SDS Number:	Status:
28-Feb-2013	10-Aug-2012	723433	FINAL

Revised Sections or Basis for Revision:

Format change; Identified Hazards (Section 2); Precautionary Statement(s) (Section 2); First Aid (Section 4); Fire Fighting information (Section 5)

Guide to Abbreviations:

ACGIH = American Conference of Governmental Industrial Hygienists; CASRN = Chemical Abstracts Service Registry Number; CEILING = Ceiling Limit (15 minutes); CERCLA = The Comprehensive Environmental Response, Compensation, and Liability Act; EPA = Environmental Protection Agency; GHS = Globally Harmonized System; IARC = International Agency for Research on Cancer; INSHT = National Institute for Health and Safety at Work; IOPC = International Oil Pollution Compensation; LEL = Lower Explosive Limit; NE = Not Established; NFPA = National Fire Protection Association; NTP = National Toxicology Program; OSHA = Occupational Safety and Health Administration; PEL = Permissible Exposure Limit (OSHA); SARA = Superfund Amendments and Reauthorization Act; STEL = Short Term Exposure Limit (15 minutes); TLV = Threshold Limit Value (ACGIH); TWA = Time Weighted Average (8 hours); UEL = Upper Explosive Limit; WHMIS = Worker Hazardous Materials Information System (Canada)

Disclaimer of Expressed and implied Warranties:

The information presented in this Safety Data Sheet is based on data believed to be accurate as of the date this Safety Data Sheet was prepared. HOWEVER, NO WARRANTY OF MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE, OR ANY OTHER WARRANTY IS EXPRESSED OR IS TO BE IMPLIED REGARDING THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED ABOVE, THE RESULTS TO BE OBTAINED FROM THE USE OF THIS INFORMATION OR THE PRODUCT, THE SAFETY OF THIS PRODUCT, OR THE HAZARDS RELATED TO ITS USE. No responsibility is assumed for any damage or injury resulting from abnormal use or from any failure to adhere to recommended practices. The information provided above, and the product, are furnished on the condition that the person receiving them shall make their own determination as to the suitability of the product for their particular purpose and on the condition that they assume the risk of their use. In addition, no authorization is given nor implied to practice any patented invention without a license.



LEE'S SUMMIT
MISSOURI

**Minutes of the
Public Safety Advisory Board**

September 17, 2019

3:00 p.m.

**Lee's Summit Police Department – Admin Conference Room
10 NE Tudor Road, Lee's Summit, Missouri**

3:00 p.m. Chairman Trammell called the Public Safety Advisory Board to order

ROLL CALL:

Council Liaison Fred Demoro	Present	<u>Staff Present:</u>	<u>Guests:</u>
Chairman Bruce Trammell	Present	Fire Chief Mike Snider	Dale Coy
Vice Chairman Neil Ullery	Present	Assistant Fire Chief Jim Eden	
Board Member Dorothy Hedrick	Absent	Police Chief Travis Forbes	
Board Member Fred Pickard	Present	Major Mark Liebig	
Board Member Kenneth Davis	Absent	Chief Counsel of Public Safety Beth Murano	
Board Member Jim Pryde	Present		
Board Member Bill Morrow	Present		
Board Member Fred Delibero	Present		
Board Member Ken Carter	Absent		

1. PUBLIC COMMENTS:

No comments were made.

2. BOARD COMMENTS:

No comments were made.

3. APPROVAL OF AGENDA:

Chairman Trammell requested approval of the agenda.

*On motion of Board Member Pickard, second by Board Member Morrow, the Board voted unanimously to **APPROVE** the agenda of September 17, 2019. None opposed.*

4. APPROVAL OF MINUTES:

Chairman Trammell requested approval of the minutes.

*On motion of Board Member Pickard, second by Board Member Morrow, the Board voted unanimously to **APPROVE** the minutes of August 20, 2019. None opposed.*

5. COMMITTEE REPORTS:

A. Animal Control – Neil Ullery

On September 16, 2019, the Hearing Board met to discuss a dog bite involving a neighboring dog. After reviewing all documentation and hearing testimony from the owner, the dangerous dog declaration was overturned.

B. Miscellaneous Issues - Fred Pickard

No issues to report.

C. Ordinance Review – Dorothy Hedrick

No issues to report.

D. Tow Committee – Fred Pickard, Kenneth Davis, Jim Pryde

No issues to report.

E. Traffic Safety – Fred Pickard, Dorothy Hedrick

No issues to report.

6. OLD BUSINESS:

There being no items to discuss, the Board moved on to New Business.

7. NEW BUSINESS:

A. Hazardous Material Permit – City of Lee’s Summit, 805 NE Main Street

Battalion Chief Mike Weissenbach explained the permit application submitted by the City’s Public Works Department is for a facility located at 805 NE Main Street containing two 3,800-gallon aboveground fuel storage tanks and dispensing equipment for gasoline and diesel fuel. Staff recommends approval of the application based on the following stipulations:

The equipment used for storage and dispensing of motor vehicle fuel meets the requirements of the 2018 International Fire code and other referenced documents.

*On motion of Board Member Delibero, second by Board Member Morrow, the Board voted unanimously to **RECOMMEND APPROVAL** of the Hazardous Material Permit for the City of Lee’s Summit located at 805 NE Main Street; and for it to be submitted to the City Council for review. None opposed*

8. DEPARTMENT REPORTS:

B. Fire Department – Fire Chief Mike Snider

- 1) An Incident Report for the month of August was presented and discussed.
- 2) An update was provided on other various Fire Department issues.

C. Police Department – Police Chief Travis Forbes

- 1) An Incident Report for the month of August was presented and discussed.
- 2) An update was provided on other various Police Department issues.

D. Public Works –

An update was not provided due to the absence of Public Works representation.

9. ROUNDTABLE:

Various items were discussed.

10. ADJOURNMENT:

Meeting adjourned at 3:32 p.m.

Packet Information

File #: 2019-3109, Version: 1

Approval of Liquor License H for All A'Bloom Flowers and Gifts, 5 SE 3rd Street, Lee's Summit, MO 64063

Key Issues:

The approval of H for All A'Bloom Flowers and Gifts, 5 SE 3rd Street, Lee's Summit, MO 64063.

Background:

A background check was conducted on the managing officer with no negative information found.

Staff Recommendations:

The director of liquor control recommends the approval of the H liquor license application for All A'Bloom Flowers and Gifts.



CITY OF LEE'S SUMMIT

LIQUOR LICENSE APPLICATION PROCESS

General Information: (Please keep this information for your records)

- Completed applications are to be returned to Administration at the Lee's Summit Police Department, 10 NE Tudor Rd., Lee's Summit, MO 64086. Please call Joshua Ward at 816-969-1747 (or e-mail joshua.ward@cityofls.net) with any questions regarding liquor license applications or the Lee's Summit Alcoholic Beverages Ordinance. Please call to make an appointment for liquor license matters.
- Any reference to "applicant" on the applications refers to the owner and/or managing officer. The person who completes and signs the application shall have it notarized. Notary service is available free of charge for liquor license applications at the Lee's Summit Police Department.
- Print legibly or type answers on liquor license applications. Use additional sheets, if necessary.
- For newly constructed or remodeled businesses, a certificate of occupancy permit shall be obtained *prior* to the actual issuance of a city liquor license. To obtain this permit, contact Codes Administration at 816-969-1200. For zoning approval, contact Planning and Development at 816-969-1600. For business licenses, contact the Treasury Department at 816-969-1139.
- Fingerprints may be obtained at the Lee's Summit Police Department. The applicant and managing officer, if different, as well as all officers, directors, and any shareholder holding more than a ten percent (10%) interest in the business shall be fingerprinted.
- The Lee's Summit City Council meets in Regular Session two times a month. You must submit your completed application to the Police Department two weeks prior to the Council meeting where the license will be presented for vote. All applications will be forwarded to the City Clerk for City Council approval.
- After City Council approval, all further business transactions will be conducted at City Hall, 200 SE Green Street, Lee's Summit, MO 64063. A Letter of Approval and Liquor License can be picked up at the City Hall Clerk's Office (816-969-1005) the day after City Council approval. Otherwise, they will be mailed to your business. Please contact the Missouri Department of Public Safety-Alcohol and Tobacco control (816-743-8888) at 8800 E. 63rd Street, Raytown, MO 64133 for information on obtaining your MO State Liquor license and Jackson County Liquor Licensing (816-881-4646) at 112 W. Lexington, Independence, MO 64050 for information on obtaining your Jackson County Liquor License .
em H Berger @ jacksongov.org.
- **No alcohol sales will be allowed until a valid City Liquor License is issued.**



CITY OF LEE'S SUMMIT, MISSOURI
APPLICATION FOR BUSINESS LIQUOR LICENSE

Please mark ("x") which one of the following licenses you will need for a Lee's Summit, Missouri establishment. Sunday licenses are a separate application.

- A1 - Manufacturing, brewing malt liquor (\$300.00)
- A3 - Wholesale selling of malt liquor (\$75.00)
- B1 - Manufacturing 22% or less alcohol content intoxicating liquor (\$150.00)
- B2 - Manufacturing, distilling, blending intoxicating liquor of all kinds (\$300.00)
- B3 - Wholesale selling of 22% or less alcohol-content intoxicating liquor (\$150.00)
- B4 - Wholesale selling of intoxicating liquor of all kinds (\$375.00)
- C1 - General retail selling of malt liquors, or wine, or both, by the drink **and** in the original package (\$52.50)
- C2 - Hotel retail selling of malt liquor by the drink and in the original package \$52.50
- C3 - Restaurant retail selling of malt liquor by the drink **and also** in the original package, **including Sunday sales** (\$75.00)
- D - Retail selling of malt liquor only in the original package, **including Sunday** (22.50)
- G1 - General retail selling of intoxicating liquor of all kinds by the drink **and** in the original package (\$450.00)
- G2 - Hotel retail selling of intoxicating liquor of all kinds by the drink **and also** in the original package (\$450.00)
- G3 - Restaurant retail selling of intoxicating liquor of all kinds by the drink **and** in the original package (\$450.00)
- H - Retail selling of intoxicating liquor of all kinds only in the original package (\$150.00)
- I - **Consuming** intoxicating liquor on premises not licensed to sell (C.O.L.) (\$90.00)
- J - Resort retail selling of intoxicating liquor by the drink (\$450.00)
- J (temp) – Resort temporary retail selling of intoxicating liquor by the drink (\$75.00 in addition to Type J)
- M – Caterer temporary location (7-day) for retail selling of intoxicating liquor by the drink (\$15.00/day)
- N – Caterer temporary location (50-day) for retail selling of intoxicating liquor by the drink (\$500.00)
- O – Caterer temporary location (unlimited) for retail selling of intoxicating liquor by the drink (\$1,000.00)
- P – Fourth of July temporary 7-day selling of wine and malt liquor by the drink (church, school, etc.) (\$150.00)
- Q – Temporary (7-day) picnic retail selling of intoxicating malt liquor by the drink (church, school, etc.) (\$15.00/day)
- R – Temporary (7-day) picnic retail selling of intoxicating liquor by the drink (\$37.50/day)
- S - **Sunday** license retail selling intoxicating liquor of all kinds (\$300.00 in addition to specific type)
- Tasting – yearly fee in addition to specific type (\$25.00)

(Any reference to "Applicant" in this document refers to the Owner/Managing Officer.)

To be completed by applicant as (check one):

Sole Owner & Operator

Corporation

Partnership

LLC

Corporation/LLC Name: BBMS, LLC

Business Name: All A' Bloom Flowers + Gifts Phone: 816-554-0069

Business Address: 5 SE 3rd St Lee's Summit, MO 64010.3

Email address: AllABloomLS@gmail.com

(I), (We), the undersigned, hereby apply to the City of Lee's Summit, MO, for the following described license:

Type H for the premises described above.

Applicant's Name: BARBARA Kellen Phone: 816-554-0069

Home Address: _____

Place of Birth: _____ Date of Birth: _____

Place of Employment (other than business): same

Employment Address: 5 SE 3rd St LSMO 64063 Phone: 816-554-0069

1. List all previous addresses, if less than five years at current address: _____

2. Are you a citizen of the United States of America? yes If naturalized, give date and place of naturalization: _____

3. Will you be the person in active control and/or management (managing officer) of this business full-time? yes. If not, give complete details on the planned management and persons involved.

4. Have you or any person employed by you ever held any type of liquor license issued by the City of Lee's Summit or by the licensing authority of any state, county or city? no
Provide details: _____

5. Has any such license listed in question #4 ever been suspended or revoked? no If so, please give complete details: _____

6. Have you ever made application for a liquor license that was denied by the City of Lee's Summit or by the licensing authority of any state, county or city? no If so, please give complete details: _____

7. Have you or anyone interested either directly or indirectly in the premises to be licensed hereunder or the operation thereon ever been convicted of a felony? no If so, please give complete details: _____

8. If not a corporation/LLC, give names and business addresses of employers for the past five years. (If self-employed, state nature of business and location.): _____

9. Is the proposed location within 300 feet of a church or school? no
10. If existing business, from whom and when was the business purchased? Jill Warts, 12/2017
Effective date of possession: 12/17. Name of mortgage holder, if any: Arvest Bank
11. Will any distiller, wholesaler, wine maker, brewer, or supplier, or coin operated, commercial, manual or mechanical amusement devices or the employees, officers or agents thereof, have any financial interest in the retail business of the applicant for the sale of alcoholic beverages, or "C.O.L.", and will the applicant directly or indirectly borrow or accept from any such persons equipment, money, credit, or property of any kind except ordinary commercial credit for liquor sold? no If so, please explain: _____

12. Will applicant either directly or indirectly borrow or accept from any person identified in #11 either equipment, money, credit or property of any kind except ordinary commercial credit for liquor sold? no If so, please explain: _____

13. Will you at all times permit the entry of any officer or investigator who may have legal supervisory authority for the purpose of inspection or search; and will you permit the removal of all things and articles which may be in violation of the ordinances of Lee's Summit, Missouri, and the laws of the State of Missouri; and do you promise and agree not to violate any of the ordinances of Lee's Summit, Missouri, the laws of the State of Missouri, or the United States in the conduct of the business for which the license is sought? Yes

IF BUSINESS IS OWNED BY A CORPORATION. COMPLETE THIS SECTION:

Name of corporation/LLC: BBMS, LLC
State in which incorporated: mo Date of incorporation: 10/2017
If not a Missouri corporation/LLC, date authorized to do business in Missouri: _____

Full name, complete residential address, date of birth and Social Security Number of the President, Vice President, Treasurer and Secretary of the corporation (or Members of the LLC): _____

Barbara Alane Keller

If stock is not publicly held, give names and residential addresses of all stockholders who hold 10% or more of the capital stock: _____

BA

I wish to have my home address, Date of Birth, and place of birth withheld from public disclosure (initials)

(County of Jackson)

SS

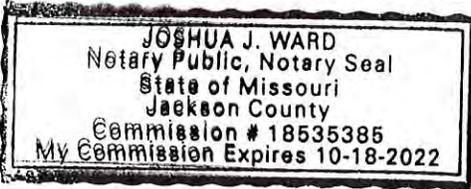
(State of Missouri)

I, Barbara A Keller, being of lawful age and duly sworn upon my oath,
(Print Applicant's Name)

do swear that the answers and information given in this application are true and complete to the best of my knowledge and belief.

[Signature]
Applicant's Signature

Subscribed and sworn to before me this 14th day of October, 2017



[Signature]
Notary Public

My commission expires: 10-18-2022

To Be Provided By Applicant:

1) The Applicant and/or Managing Officer (if different) shall provide:

- a) Recent photograph;
- b) Copy of Missouri voter registration card;
- c) Copy of paid Missouri personal property tax receipt for year immediately preceding date of application
- d) Fingerprints (obtained at the Lee's Summit Police Department, Main Lobby, 10 NE Tudor Rd., Lee's Summit, MO). The Applicant and/or Managing Officer (if different) will be fingerprinted as will all officers, directors and any shareholder holding more than a ten percent (10%) interest in the business.

2) Copy of Business License (contact Treasury Department at 816-969-1139).

3) Copy of Zoning Approval (contact Planning & Development at 816-969-1600).

4) If existing business location:

- a) Copy of lease or mortgage showing Proof of Occupancy.
- b) Recent photographs of the interior and exterior of the premises to be licensed.

5) For newly constructed or remodeled businesses:

- a) Certificate of Occupancy Permit shall be obtained prior to the actual issuance of a city liquor license (contact Codes Administration at 816-969-1200).
- b) Complete description of the plans, specifications, and fixtures of the proposed place of business.

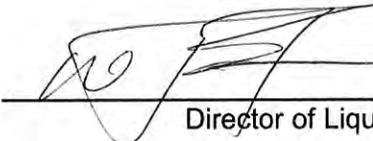
6) Package Liquor Only: Inventory Affidavit, notarized by the applicant, stating the type of business presently engaged in, or in conjunction with, which the license shall be used; **AND** stating that in his place of business the applicant has, and at all times keeps, a stock of goods having an invoice of at least \$1,000, exclusive of fixtures and intoxicating liquors.

7) Appropriate license fee: Make checks and money orders payable to the City of Lee's Summit.

8) Estimated date of opening? _____

For Office Use Only:

It is recommended this application be APPROVED / DISAPPROVED this 22nd day of October, 2019.



Director of Liquor Control

City Council Action: Approved Disapproved Date: _____

Packet Information

File #: 2019-3038, Version: 1

November 2019 Educational Theatre Month

Issue/Request:

Brad Rackers, Lee's Summit West High School theatre teacher, requested Mayor Baird to proclaim November 2019 as Educational Theatre Month, to highlight the local high schools fall theatre productions and encourage citizens and patrons to support these endeavors.

Representatives/students from local schools will be present to receive a proclamation.

PROCLAMATION



WHEREAS, the theatre programs of the high schools of Lee's Summit last year provided over 600 students the chance to participate in more than 30 productions ranging from major musicals to small one-act plays; and,

WHEREAS, research has demonstrated that student performance on academic tests, positive behavior in school, graduation rates and engagement in community citizenship activities are all better among students in theatre programs when compared to the general student population; and,

WHEREAS, the theatre programs have a significant impact on the community of Lee's Summit as over 15,000 people attended school theatre productions in the city each year, and thousands of dollars are spent at local businesses to purchase products and supplies needed to mount these production, and at local restaurants for before and after show meals; and,

WHEREAS, the theatre programs have gained attention throughout the metropolitan area and the state for their excellent work including:

- more Best Overall Production Awards from both the Blue Star and Cappies programs than any other school system in the Kansas City area, and
- providing numerous student and adult board leaders for regional and state educational theatre organizations over the years; and,

WHEREAS, the high school theatre programs have provided significant community service programs in recent years including the annual Trick or Treat So Kids Can Eat Food Drives that have raised over 70,000 pounds of food over the past 10 years for families in need in Lee's Summit; and,

WHEREAS, Summit Christian Academy, Lee's Summit High School, Lee's Summit North High School, Lee's Summit West High School and St. Michael the Archangel Catholic High School will all present major productions this fall.

NOW, THEREFORE, I, William A. Baird, by virtue of the authority vested in me as Mayor of the City of Lee's Summit, Missouri, do hereby proclaim November, 2019 as

EDUCATIONAL THEATRE MONTH

in the City of Lee's Summit and urge all citizens to attend one or more of the excellent performances by these outstanding theatre programs in our schools.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Lee's Summit, Missouri, this 5th day of November, 2019.

MAYOR WILLIAM A. BAIRD

Packet Information

File #: RES. NO. 19-14, Version: 1

A Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, State Revolving Fund Program for grants under the Missouri Clean Water Law (Section 644, RSMo.).

This is a resolution in support of the Lee's Summit Public Works Department's grant application to the Missouri Department of Natural Resources (MDNR) for the Stormwater Grant and Loan Program. This grant will contribute \$100,663.50 towards the construction of the 2nd St Streambank Stabilization Project. The \$100,663.50 grant contribution has the possibility of being increased depending on the availability of unclaimed funds from DNR's Stormwater Grant and Loan Program. The remainder of construction costs will be paid for from the 2017 CIP Sales Tax. This grant reduces the amount of money needed from the CIP sales tax for this project, which should allow local money to be used on other stormwater projects.

Key Issues:

- The City has acquired a grant offer from the Missouri Department of Natural Resources for stormwater construction work
- The grant must be used for a project ready to construct during 2020
- A City Council resolution supporting the grant is required to receive the money

Proposed City Council Motion:

I move for adoption of a Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, State Revolving Fund Program for grants under the Missouri Clean Water Law (Section 644, RSMo.).

Recommendation: Staff recommends approval.

Dena Mezger, Director of Public Works

RESOLUTION NO. 19-14

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, STATE REVOLVING FUND PROGRAM FOR GRANTS UNDER THE MISSOURI CLEAN WATER LAW (SECTION 644, RSMO.).

WHEREAS, the Missouri Department of Natural Resources has offered grants to cities and counties in Missouri for stormwater control plan development, stormwater studies, and construction projects; and,

WHEREAS, the Lee's Summit Public Works Department has applied for a grant from the Missouri Department of Natural Resource in the amount of \$100,663.50 to construct the 2nd Street Stream Bank Stabilization Project; and,

WHEREAS, The Lee's Summit Public Works Department has plans to implement the above listed project within the city upon an award of the grant funding.

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

SECTION 1. That the City of Lee's Summit hereby supports the Lee's Summit Public Works Department's application for grant funding in the Missouri Department of Natural Resources Stormwater Grant and Loan Program.

SECTION 2. That the City of Lee's Summit hereby authorizes the Director of Public Works to implement the grant funded project.

SECTION 3. That the Director of Public Works is hereby authorized to execute any and all documents related to the grant application.

SECTION 7. This resolution shall be in full force and effect from the date of its approval.

PASSED and ADOPTED by the City Council for the City of Lee's Summit, Missouri, this ____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

Chief Counsel of Infrastructure and Planning *Nancy Yendes*

RESOLUTION OF GOVERNING BODY OF APPLICANT
RESOLUTION NO. _____

Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, State Revolving Fund Program for loans under the Missouri Clean Water Law (Section 644, RSMo.).

WHEREAS under the terms of the Missouri Clean Water Law, Section 644, Revised Statutes of Missouri, the State of Missouri has authorized the making of loans and/or grants to authorized applicants to aid in the construction of specific public projects.

NOW, THEREFORE, be it resolved by _____ **City Council of Lee's Summit, Missouri**
(governing body of applicant)

1. That _____ **William A. Baird, Mayor** _____ **be and he/she is hereby authorized to execute and**
(designated official) _____ **file an application on behalf of** _____ **City of Lee's Summit, Missouri**
(legal name of applicant)

with the State of Missouri for a loan and/or grant to aid in the construction of:
the 2nd Street Stream Bank Stabilization project. This work includes improvements to

(brief project description)
protect the embankment supporting 2nd street and other infrastructure in the work area.

2. That _____ **Dena Mezger, P.E.** _____ **Director of Public Works**
(name of authorized official) _____ *(title)*

he/she is hereby authorized and directed to furnish such information as the Missouri Department of Natural Resources may reasonably request in connection with the application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances to the Missouri Department of Natural Resources as may be required by law or regulation, and to receive payment on behalf of the applicant.

CERTIFICATE OF RECORDING OFFICER

The undersigned, duly qualified and acting _____ **City Clerk** _____ **of the**
(title of officer)
_____ **City of Lee's Summit, Missouri** _____ **does hereby certify: That the attached resolution is a**
(legal name of applicant)

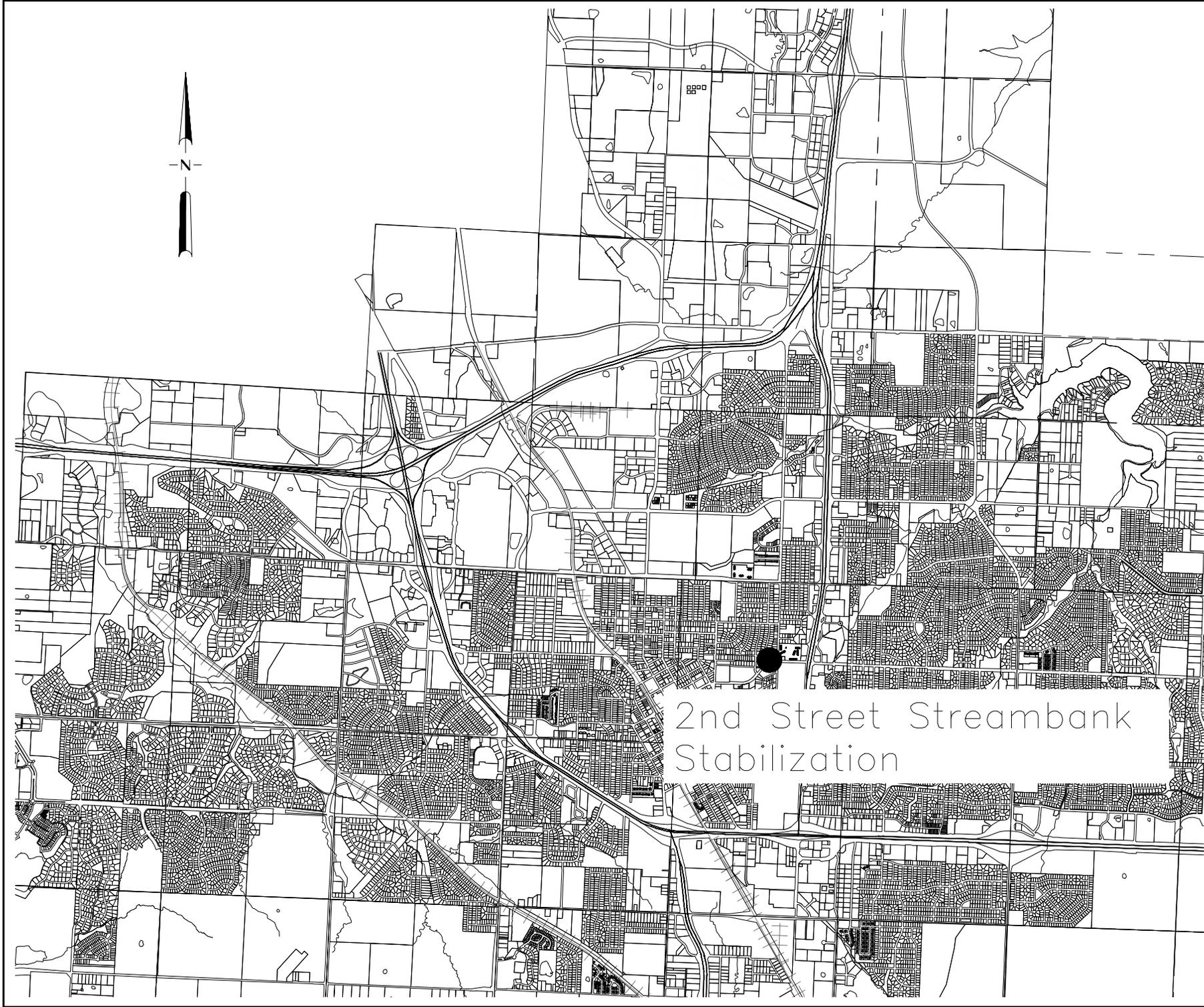
true and correct copy of the resolution adopted at a legally convened meeting of the
_____ **City Council of Lee's Summit, Missouri** **held on the** _____ **day of** _____,
(name of the governing body of applicant)

_____ **; and further that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this** _____ **day of**

(signature of recording officer)

(title of recording officer)

SEAL (If applicant has an official seal, impress here.)



2nd Street Streambank
Stabilization



LEE'S SUMMIT
MISSOURI

PUBLIC WORKS ENGINEERING DIVISION | 220 SE GREEN STREET | LEE'S SUMMIT, MO 64063

Project Map

Date: 10/29/2019

Drawn By: JHP

Packet Information

File #: 2019-3075, Version: 1

Public Hearing: Application #PL2019-233 - Preliminary Development Plan - Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant

Issue/Request:

The applicant seeks approval of a preliminary development plan for Wendy's. The proposed project calls for the demolition of the existing 6,445 sq. ft. sit-down restaurant building and construction of a 2,504 sq. ft. drive-through restaurant Lot 5A of Polk Addition. The proposed exterior building materials consist of fiber cement panels, aluminum composite metal (ACM) panels and glass.

Proposed Planning Commission Motion:

I move to recommend APPROVAL of Appl. #PL2019-233 - PRELIMINARY DEVELOPMENT PLAN - Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant.

Josh Johnson, AICP, Assistant Director of Plan Services
Tiffany Lehman, PE, Neikirk Engineering, LLC

Recommendation: With the conditions of approval contained in the staff report, the application meets the requirements of the UDO and Design & Construction Manual.

Committee Recommendation: On a motion by Vice Chair Funk, seconded by Mr. Sims, the Planning Commission unanimously voted on October 10, 2019, to recommend APPROVAL of Appl. #PL2019-233 - PRELIMINARY DEVELOPMENT PLAN - Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant, subject to the conditions of approval contained in the staff report.

The City of Lee's Summit
Action Letter - Draft
Planning Commission

Thursday, October 10, 2019

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Call to Order

Roll Call

Present: 7 - Board Member Mark Kitchens
Board Member Carla Dial
Chairperson Jason Norbury
Vice Chair Donnie Funk
Board Member Terry Trafton
Board Member Jeff Sims
Board Member Dana Arth

Absent: 2 - Board Member John Lovell
Board Member Jake Loveless

Approval of Agenda

Chairperson Norbury announced that would be a few adjustments to the agenda. Items 2, 3, and 6, Items PL2019-261, PL2019-255, and PL2019-257, all pertaining to the Lee's Summit Airport, would be heard at the same time. Motions would be made and voted on for each item separately. He asked for a motion to approve.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this agenda be approved as amended. The motion carried unanimously.

Public Comments

There were no public comments presented at the meeting.

Approval of Consent Agenda

[TMP-1386](#) Appl. #PL2019-296 - SIGN APPLICATION - Raintree Village monument sign, 3803 SW Ward Rd; Royal Signs & Graphics, applicant

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

[2019-3072](#) Minutes of the September 26, 2019, Planning Commission meeting

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that the minutes be approved. The motion carried unanimously.

Public Hearings

[2019-3078](#) Appl. #PL2019-261 - VACATION OF RIGHT-OF-WAY - unused right-of-way on

Lee's Summit Airport property, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury opened the hearing for agenda items 2 and 3 at 5:10 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Bob Hartnett, deputy director of the Public Works Department, gave his business address as Lee's Summit City Hall at 220 SE Green Street. The City had purchased the Airport in 1977, and had acquired about 40 additional properties since then. These properties carried the original zoning; so the Airport had land zoned for residential, commercial and industrial uses. These agenda items were primarily for clean-up, including vacation of some rights-of-way involving Strother, Hagan, Leinweber and Douglas roads. These rights-of-way were no longer necessary. The rezoning application was a request to change this zoning mixture to all AZ (Airport) zoning. Regarding the final plan (agenda item 6), would reorganize these 40 lots into three lots.

Mr. Hartnett added that Mr. Andy Boding, of the consulting engineering firm of Crawford, Murphy and Tilly (CMT) and Mr. Jim Anderson of Anderson Survey were present and could answer questions.

Mr. Shannon McGuire entered into the record Exhibit (A), list of exhibits 1-12 for Application PL2019-255 and list of exhibits 1-12 for Application PL2019-261. He confirmed that the Airport property currently consisted of 44 different lots, with a mixture of AG, RP-1, CP-2, PI and PMIX zoning designations. The City proposed to change these to the AZ Airport zoning district established in 2006. It had been established to incorporate the City airport with adjoining developable properties in order to provide for selected commercial and industrial uses that would be compatible with the airport use. Additionally, several unused rights-of-way crossed over the property, as indicated on the displayed aerial map, one of them crossing a runway. Vacating these rights-of-way was necessary for replatting the existing 44 parcels into four lots.

The proposed rezoning and right-of-way vacations would not impact the surrounding neighborhood, and the proposed AZ zoning was consistent with the entire property's use. It was substantially consistent with the Comprehensive Plan, as well as meeting the requirements of the UDO and the Design and Construction Manual. . An overhead copper cable was within the Leinweber Road right-of-way, and a Condition of Approval for this application indicated a general utility easement. The second of two Conditions of Approval was the standard requirement for recording the vacation of the right-of-way.

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony. Seeing one, he opened the hearing for any Commissioners' questions for the applicant or staff.

Chairperson Norbury asked Mr. McGuire if it was correct that the rezoning would have no functional impact on the Airport's operations. Mr. McGuire confirmed that it was.

Chairperson Norbury asked if there were any further questions for the applicant or staff. As there were none, he closed the public hearing at 5:10 p.m. and asked for discussion among the Commission members, or for a motion. He asked that the two applications be voted on in two separate motions.

Mr. Funk asked what would be done with Item 6, which addressed the final plat. Chairperson Norbury answered that this item would be heard next.

Mr. Funk made a motion to recommend approval of Application PL2019-261, Vacation of Right-Of Way: unused right-of-way on Lee's Summit Airport property, 2751 NE Douglas St.; City of Lee's Summit, applicant; subject to staff's letter of October 4, 2019 specifically

Conditions of Approval 1 and 2. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3077](#)

Appl. #PL2019-255 - REZONING from AG, RP-1, CP-2, PI and PMIX to AZ - Lee's Summit Airport, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury asked for a motion on Application PL2019-255.

Mr. Funk made a motion to recommend approval of Application PL2019-255, Rezoning from AG, RP-1, CP-2, PI and PMIX to AZ; Lee's Summit Airport, 2751 NE Douglas St.; City of Lee's Summit, applicant. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3075](#)

Appl. #PL2019-233 - PRELIMINARY DEVELOPMENT PLAN - Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant

Chairperson Norbury opened the hearing at 5:13 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Ms. Tiffany Lehman stated that she was the civil engineer for this project. She described the subject property currently had a vacant restaurant building with asphalt coverage throughout the property. An access easement existed on the southeast side, leading down to SE 7th Terrace. The applicants planned to demolish the building and redevelop the property with a 2,600 square foot Wendy's restaurant. The project would include asphalt parking, concrete sidewalks, drive-through area, and a dumpster enclosure. The access easement would be redone, and they would install landscaping on the property.

Ms. Lehman displayed colored elevations, including the front (west side) of the building facing M-291 as well as the rear of the building, the south side of the building and the north side which included the drive-through.

Following Ms. Lehman's presentation, Chairperson Norbury asked for staff comments.

Mr. Soto entered Exhibit (A), list of exhibits 1-13 into the record. He confirmed that this was a redevelopment of an existing property. Displaying an aerial photo, he pointed out the locations of SE 7th Terrace and M-291 Highway. Lee's Summit High School was across the highway to the west, and the Missouri State Highway Patrol headquarters to the southwest. The QuikTrip store and HMH AutoSport were further south. A multi-tenant retail center were to the north and immediately to the east were some office/warehouse properties with industrial zoning. Some single-family residences and duplexes were further to the northeast.

The property had previously had restaurant use, most recently a 6,500 square foot sit-down restaurant but had been vacant for at least five years. The future user would be a 2,500 square foot drive-through restaurant. The proposed parking would be 37 spaces, two more than the 35 spaces required. The site had access at three points: the right-of-way from M-291

Highway, from SE Melody Lane and from SE 7th Terrace. At the northeast corner was a cross-access that went along the back of the retail building to Bayberry and its signaled access to M-291.

Mr. Soto noted that this redevelopment would be reducing impervious coverage on the site by about 17 percent: from 91 percent coverage to 74 percent. Referring to the colored elevations referenced earlier, he noted the building materials: brown or earth tone fiber cement panels, and the aluminum composite metal (ACM) panels in red and gray. These were similar to materials previously proposed and approved for churches and for some auto dealerships, as well as other materials and architecture along M-291. The elevations also showed a large amount of glass on the north and south sides. Staff's analysis concluded that the use was consistent with the Comprehensive Plan, with the M-291 corridor north of US 50 was primarily retail use. Restaurant use would be equally appropriate, and this long-vacant site was in an especially visible location.

Staff's only Condition of Approval was that the ACM panels proposed would be allowed as a conditional material, "as shown in the preliminary development plan date stamped September 9, 2019." The UDO allowed the panels, but after a review. This was a material that had become more common.

Following Mr. Soto's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then opened the hearing for Commissioners' questions for the applicant or staff.

Mr. Funk asked if Melody Lane would end at the property or continue to be a through street in front of the restaurant. Mr. Soto answered that there would still be continuous access, but the right-of-way did terminate at the north property line and extend into the private drive beyond that. 7th Street would remain, and be improved, and it had a cross-access easement with adjoining properties. On the displayed aerial map, he pointed out the drive behind the HMM building that gave access to 7th Terrace.

Mr. Kitchens noted that the drive-through traffic was immediately to the left of the entrance/exit off M-291. It had room for 2 or 3 cars. He asked if it could be a one-way corridor, as it would be easy for drivers from M-291 to cut through the drive-through traffic. It was a common problem with fast-food restaurants whose lots combined parking and drive-through traffic.

Ms. Lehman asserted that the applicant had worked with the City on this issue. Their stacking did allow for about nine cars from the order box out to the front. Wendy's corporate usually requested six. They wanted to keep the two-way traffic, as it allowed the most access throughout the site; and as the stacking for the drive-through was more than what was required, they did not anticipate any traffic obstruction in the front. Mr. Kitchens asked if the applicant had a waiting time limit for drive-through lines.

Mr. Park clarified that the M-291 access belonged to MoDOT. They had reviewed this plan and the traffic circulation, and the property did have room for stacking of 8 or 9 vehicles up to the menu board. Staff's preference was also for the drive to be two-way; and MoDOT had indicated that this access shared with Melody to the north would be changed. This would be after interchange improvements that would move the Blue Parkway signal to 7th Street, just to the south; and at that point MoDOT would probably move it north to the Melody Lane right-of-way. At present, they did not have a schedule for interchange improvements from MoDOT and so relied on the operator of the store to mitigate congestion by directing people around the perimeter before entering the drive-through line.

Mr. Sims remarked to Mr. Park that while he understood the concern with stacking and the drive-through, he was more concerned with left turns onto M-291. He acknowledged that it

was a MoDOT right-of-way, and asked if making this a right-in-right-out access had been considered. Mr. Park answered that MoDOT did have a safety concern about the left and crossover movements onto M-291. They were reserving the access management control for an interchange. They could not know what the extent and nature of the improvements would be at this point.

At Mr. Funk's request, Ms. Lehman pointed out this area was on the site plan, toward the back of the property. The plan showed a significant area for stacking in front of it.

Regarding the aluminum composite metal panels referred to earlier, Chairperson Norbury asked Mr. Soto if City staff had considered making it a conditional use since its use was becoming more common. Mr. Soto replied that they were.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:30 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk commended the applicant on Wendy's current designs, mentioning the store on Chipman as an example. He then made a motion to recommend approval of Application PL2019-233, Preliminary Development Plan: Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Recommendation Conditions of Approval 1 (site specific) and 2-11 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3076](#)

Appl. #PL2019-246 - PRELIMINARY DEVELOPMENT PLAN - DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant

Chairperson Norbury opened the hearing at 5:30 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Philip Pierson of the Callas Design Group, gave his address as 5016 Centennial Boulevard in Nashville, Tennessee. He was present representing Dialysis Clinic, Inc. They proposed to build a 10,400 square foot building for the clinic. The clinic would have 17 patient stations, a small suite for a doctor's office. Mr. Pierson emphasized that this was not a use that generated much noise or heavy traffic. Patients often stayed for several hours, so the clinic would have morning and afternoon shifts.

Following Mr. Pierson's presentation, Chairperson Norbury asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-15 into the record. He first cited a correction to page 5 of staff's letter, with the site's use being "Mixed Use—John Knox Village." The subject property was on the southwest corner of NW Shamrock Avenue and NW Pryor Road and was about 2.25 acres. It was just west of the new fire station #3. It had been included in the conceptual plan approved by the City Council in September 2018 and so had required a preliminary development plan. The property was zoned PMIX, with the Comprehensive Plan identifying this area as "Mixed Use – John Knox Village." John Knox Village was to the east, and the Sterling Hills single-family subdivision was to the south. To the north was some undeveloped land kept for future commercial use.

Mr. McGuire displayed color elevations of the building, showing materials of masonry, EIFS,

brick and glass. The applicant asked for one modification, to the high-impact screening buffer required. They proposed a six-foot tall vinyl fence about three feet north of the south property line, and the required high-impact screen planted on the fence's north side instead of on both sides of the fence. With the fence three feet from the property line, and the required screening elements planted on the north side, the vegetation would be more accessible for maintenance.

The proposed development would not have any detrimental impact on the surrounding area, nor impede the development of surrounding properties. It would have an on-site stormwater detention system. The road network had enough capacity to handle the proposed use, so no road improvements were needed or required. The project met the requirements of both the UDO and the Design and Construction Manual.

Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, Chairperson Norbury then asked if the Commission had questions for the applicant or staff.

Chairperson asked if any City staff was working on the UDO's definition of a high-impact landscaping buffer. Mr. Soto replied that in most recent proposals the amount of landscaping met the UDO requirements; though not often stating where a required fence would be placed. Staff was working on some flexibility on this placement, to allow for different circumstances and conditions on different sites. Utility lines, for example, could often mandate modifications.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:35 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk made a motion to recommend approval of Application PL2019-246, Preliminary Development Plan: DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Conditions of Approval 1 (Site Specific) through 8 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

Other Agenda Items

[TMP-1388](#) PL2019-257 - FINAL PLAT - Lee's Summit Airport, 2751 NE Douglas St; Anderson Survey Co., applicant

Chairperson Norbury opened the hearing at 5:12 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McGuire remarked that usually this would be a Consent Agenda Item. However, due to the timing of the preliminary plat, the rezoning, and the rights-of-way vacations, it had been moved up. It was not possible to replat with the right-of-way. Consequently, there was no further presentation.

Chairperson Norbury asked for a motion for Application PL2019-257.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

Roundtable

There were no Roundtable items at the meeting.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting at 5:42 P.M.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-233
File Name	PRELIMINARY DEVELOPMENT PLAN – Wendy's
Applicant	NPC International, Inc.
Property Address	711 SE M-291 Hwy
Planning Commission Date Heard by	October 10, 2019 Planning Commission and City Council
Analyst	Hector Soto, Jr., AICP, Planning Manager
Checked By	Kent D. Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: April 3, 2019
Neighborhood meeting conducted: October 7, 2019
Newspaper notification published on: September 21, 2019
Radius notices mailed to properties within 185 feet on: September 19, 2019
Site posted notice on: September 19, 2019

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5. Comprehensive Plan	4
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Attachments

Traffic Impact Analysis prepared by Michael Park, dated October 3, 2019 – 2 pages
Preliminary Development Plan, date stamped September 9, 2019 – 14 pages
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	NPC International, Inc. / Developer
Applicant's Representative	Cathy Wagner
Location of Property	711 SE M-291 Hwy
Size of Property	±1.09 acres
Zoning (Proposed)	CP-2 (Planned Community Commercial)
Comprehensive Plan Designation	Retail
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed preliminary development plan. The City Council takes final action on the preliminary development plan in the form of an ordinance.</p> <p>Duration of Validity: Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four (24) months from the date of such approval, unless within such period a final development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon written request.</p>

Current Land Use
The property is the site of a vacant restaurant most recently operating in 2014.

Description of Applicant's Request
The applicant seeks approval of a preliminary development plan to raze the existing 6,445 sq. ft. sit-down restaurant building and construct a 2,504 sq. ft. drive-through restaurant.

2. Land Use

Description and Character of Surrounding Area
The property is located along the M-291 Hwy commercial corridor north of US 50 Hwy. Commercial development predominantly lines both sides of the corridor. However, due west of the site is Lee's Summit High School. Additionally, the Missouri State Highway Patrol Headquarters sits at the northwest corner of M-291 Hwy and SE Blue Pkwy/US 50 Hwy. The area due east of the site is industrial in nature. The area further northeast of the site is residential in nature.

Adjacent Land Uses and Zoning

North:	Retail center / CP-2
South:	Automobile sales / CP-2
East:	Office-warehouse / PI (Planned Industrial)

West:	Lee's Summit High School / CP-1 (Planned Neighborhood Commercial)
--------------	---

Site Characteristics
The site is a relatively flat lot that sits approximately 8 feet below the adjacent grade of M-291 Hwy. There are a total of three (3) access points to the site via M-291 Hwy, SE Melody Ln and SE 7 th Terr.

Special Considerations
There are no special or unique site conditions to consider.

3. Project Proposal

Site Design

Land Use	
Impervious Coverage:	74%
Pervious:	26%
TOTAL	100%

Parking

Proposed		Required	
Total parking spaces proposed:	37	Total parking spaces required:	35
Accessible spaces proposed:	2	Accessible spaces required:	2
Parking Reduction requested?	No	Off-site Parking requested?	No

Setbacks (Perimeter)

Yard	Building / Parking Required	Building / Parking Proposed
Front (M-291 Hwy)	15' (Building) / 20' (Parking)	75' (Building) / 46' (Parking)
Side (north and south)	10' (Building) / 6' (Parking)	59' (Building) / 8' (Parking) – north; 84' (Building) / 11' (Parking) – south
Rear (east)	20' (Building) / 6' (Parking)	107' (Building) / 6' (Parking)

Structure(s) Design

Number and Proposed Use of Buildings
1 building; drive-through restaurant
Building Height
24'
Number of Stories
1 story

4. Unified Development Ordinance (UDO)

Section	Description
2.040,2.260,2.300,2.320	Preliminary Development Plans
4.210	Zoning Districts
8.120,8.170,8.180	Design Standards
8.220,8.230,8.250,8.260,8.290	Lighting Standards
8.530,8.580,8.620	Parking Standards
8.720,8.750,8.790,8.810,8.820	Landscaping

Unified Development Ordinance

The proposed drive-through restaurant is a use permitted by right, but with conditions. The use conditions associated with a drive-through restaurant are:

- A minimum of five (5) car stacking from order box. **Stacking for ten (10) cars is provided from the order box.**
- Order box is screened from view and located to project sound away from residential districts or uses. **The order box is located approximately 195’ from the nearest residentially zoned property and approximately 295’ from the nearest residential use, both located to the northeast of the site. Three existing fences are located between the order box and the residential property. The order box projects toward the industrial property to the east. Staff will continue to work with the applicant at the final development plan stage to project the order box more toward the southeast so as to further mitigate any noise concerns toward the residences.**
- Drive-through lane screened from view by high impact screen in order to eliminate glare. **The site is screened from the adjacent industrial property to the east by an existing fence and supplemental landscaping to be installed as part of this project. A high-impact screen is not required to the north or south due to the identical CP-2 zoning of those properties.**
- A minimum distance of 100 feet to any residential district or use shall be maintained to the order (speaker) box or pick-up window. **The order box is located approximately 195’ from the nearest residentially zoned property and approximately 295’ from the nearest residential use.**

The proposed drive-through restaurant is consistent and compatible with other auto-oriented uses along the M-291 Hwy commercial corridor.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.3 Objective 1.4

Economic Development	Objective 2.3
Commercial Development	Objective 4.1 Objective 4.2

Comprehensive Plan

The proposed use is consistent with the retail land use recommended by the Comprehensive Plan for the area. As a highway corridor, the subject property is appropriate for an auto-oriented restaurant use.

6. Analysis

Background and History

The applicant seeks approval of a preliminary development plan for Wendy’s. The proposed project calls for the demolition of the existing 6,445 sq. ft. sit-down restaurant building and construction of a 2,504 sq. ft. drive-through restaurant on Lot 5A of *Polk Addition*. The proposed exterior building materials consist of fiber cement panels, aluminum composite metal (ACM) panels and glass.

- February 19, 1963 – The City Council approved the final plat (Appl. #1963-023) of *Polk Addition* by Ordinance No. 743-A.
- September 27, 2001 – The minor plat (Appl. #2001-123) of *Polk Addition, Lots 5A and 5B* was recorded with the Jackson County Recorder of Deeds office.

Compatibility

The property is generally located at the northeast corner of SE 7th Terr and M-291 Hwy. The site sits adjacent to a retail shopping center to the north, a used auto dealer to the south and QuikTrip immediately south of SE 7th Terr. M-291 Hwy serves as a major auto-oriented commercial corridor north of US 50 Hwy.

A drive-through restaurant is a compatible use for the area and zoning. The subject property and the two abutting properties to the north and south are zoned CP-2. The abutting property to the east is zoned PI. Drive-through restaurants are a use permitted by right in the CP-2 zoning district and a use permitted by right with conditions in the PI zoning district.

The proposed building materials and architecture are compatible with newer development and redevelopment along the M-291 Hwy corridor. The proposed building exterior is composed of glass, fiber cement panels and aluminum composite metal (ACM) panels. The ACMs are limited to the vertical tower-like feature on the west elevation and similar vertical features on the north and south elevations. The use of ACM panels requires City Council approval as a conditional material. ACM panels are common in commercial applications employing contemporary architecture. City Council has previously approved the use of ACMs in commercial applications for auto dealerships.

Adverse Impacts

The proposed development will not detrimentally impact the surrounding area. The proposed project redevelops a long-vacant and highly visible property along the M-291 Hwy corridor.

The proposed development will not create excessive storm water runoff. The property has 91% impervious coverage in its current state. The proposed redevelopment will reduce the amount of impervious coverage to 74%, thereby reducing the storm water runoff from this site.

The proposed use is not expected to create noise and air pollution in excess of what is customary for a restaurant use in a commercial area. The site sits along a high traffic commercial corridor.

Public Services

The proposed redevelopment will not impede the normal and orderly development and improvement of the surrounding property. The surrounding properties are fully built out. The subject property provides a redevelopment opportunity of a former restaurant that has remained vacant approximately 5 years. The proposed redevelopment will tie into the existing public infrastructure.

The site has access from M-291 Hwy, SE Melody Ln and SE 7th Terr. However, M-291 Hwy currently provides the primary point of access to the site. M-291 Hwy has sufficient capacity to accommodate the proposed use. No road improvements are required as part of the redevelopment. However, future MoDOT improvements at the M-291 Hwy/US 50 Hwy interchange will include raised median improvements that extend to the intersections of SE Blue Pkwy and SE 7th Terr with M-291 Hwy. These future improvements may result in the removal, relocation or restriction of access to M-291 Hwy. The existing site access to SE Melody Ln provides an alternate route to M-291 Hwy for the subject property and several other properties via the signalized intersection at SE Bayberry Ln. M-291 Hwy can also be accessed via a shared drive onto SE 7th Terr that will be improved as part of this project.

Modifications

No modifications are requested as part of this application.

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO and Design & Construction Manual.

7. Recommended Conditions of Approval

Site Specific

1. Aluminum composite metal (ACM) panels shall be allowed as a conditional material as shown in the preliminary development plan date stamped September 9, 2019.

Standard Conditions of Approval

2. 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.
3. 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 permit).
4. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of an infrastructure permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
5. All permanent off-site easements (i.e., private sanitary sewer 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. A certified copy shall be submitted to the City for verification.
6. Private parking lots shall follow the Unified Development Ordinance (UDO) for pavement thickness and base requirements.
7. Any cut and / or fill operations, which cause public infrastructure to exceed the maximum / minimum depths of cover shall be mitigated by relocating the infrastructure vertically and / or horizontally to meet the specifications contained within the City's Design and Construction Manual.
8. All issues pertaining to life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to the safety to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2018 International Fire Code.
9. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.
10. ADA accessible parking space signs shall be mounted on a pole or other structure a minimum 60" above the ground, measured to the bottom of the sign.
11. A final plat or minor plat shall be approved and recorded (with the appropriate number of copies of the recorded plat returned to the Development Services Department) prior to any building permits being issued.

The City Access Management Code does not apply to the state highway system. MoDOT regulates access along the state highways and state right-of-ways. Access along M-291 is existing, but does not comply with the City AMC or MoDOT Access Management Guide due to its very close proximity to 7th Terrace and Blue Parkway as well as an absent right-turn lane that would otherwise be required. However, MoDOT has reviewed the development application and has no objection to continued use of the existing driveway without any improvements until such time as M-291 Highway improvements occur. A functional right turn lane cannot be provided at the driveway due to the minimal separation of driveways/intersections that exists. The applicant understands, based on discussions with MoDOT, the existing access along M-291 Highway may be removed, relocated and/or restricted to right-in/right-out traffic in the future in association with highway improvements to comply with access management requirements, improve safety and operations of M-291.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	420	210	210
A.M. Peak Hour	44	19	25
P.M. Peak Hour	16	4	12

Trip generation tabulated above represents the net difference in trips generated between the existing restaurant and proposed fast food businesses using estimated building areas from Jackson County Tax records for the existing facility and the proposed preliminary development plan.

TRANSPORTATION IMPACT STUDY REQUIRED? Yes No

The proposed development will not likely generate more than 100 new vehicle trips during a weekday peak hour; the minimum condition for traffic impact study requirements.

LIVABLE STREETS (Resolution 10-17) COMPLIANT EXCEPTIONS

The proposed development 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 in full compliance with the Livable Streets Policy adopted by Resolution 10-17.

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 NUMBER: 12802
 BASE MDL: SMART 55 - NARROW 2017
 ASSET TYPE: FRAN
 CLASSIFICATION: NEW
 OWNER: NPCQB
 BASE VERSION: 2017
 UPGRADE CLASSIFICATION:
 NEW BUILD
 PROJECT YEAR: 2019
 FURNITURE PACKAGE: 2016 V3
 DRAWING RELEASE: SPRING 2018

linear!
Marc Brundige,
Architect
 8951 CYPRESS WATERS BLVD., STE 130
 DALLAS, TX 75019
 PHONE: 972.929.9226
 FAX: 972.929.9061



4200 W. 115TH ST. STE. 200
 LEAWOOD, KANSAS
 66211
 OFFICE: (913) 327-3120
 CELL: (913) 544-3421

PROJECT TYPE: NEW
 SMART 55 - NARROW

MICHAEL E. NEIKIRK PE
 Civil Engineer
 306 North Market Street Ste. 101
 Mt. Carmel, IL 62863
 Phone: (618) 263-4100

Wendy's
 #12533 (NPCQB#6042)
 711 E MISSOURI 291 HWY
 LEE'S SUMMIT, MO 64063

REV.	DATE	DESCRIPTION

ISSUE DATE: 09-05-19
 PROJECT NUMBER: NPCQB#6042
 DRAWN BY: RJA, TIL
 CHECKED BY: MEN, TIL



SHEET NAME: EXISTING CONDITIONS
 SHEET NUMBER: C1

LEGEND

	Benchmark		Sanitary Sewer Manhole
	Iron Pin Found		Sign
	Iron Pin Set		Water Meter
	Bollard		Water Valve
	Soil Boring Location		Utility Pole
	Sanitary Sewer Cleanout		To Be Removed
	Gas Meter		Top of Curb
	Storm Sewer Curb Inlet		Pavement
	Storm Sewer MH/Open Lid		Match Existing
	Light Pole or Traffic Light		Grade point
	Storm Sewer Manhole		Number of Parking Spaces
	Air Conditioner		To Be Removed

	Water Line		Existing Asphalt
	Sanitary Sewer Main		New Asphalt
	Fence		New Concrete
	Existing Contours		Existing Concrete
	Proposed Contours		Existing Asphalt TBR
	Underground Electric		
	Storm Sewer		
	Limits of Pavement Removal		
	Overhead Utility Lines		
	Gas Lines		
	Ditch / Swale		

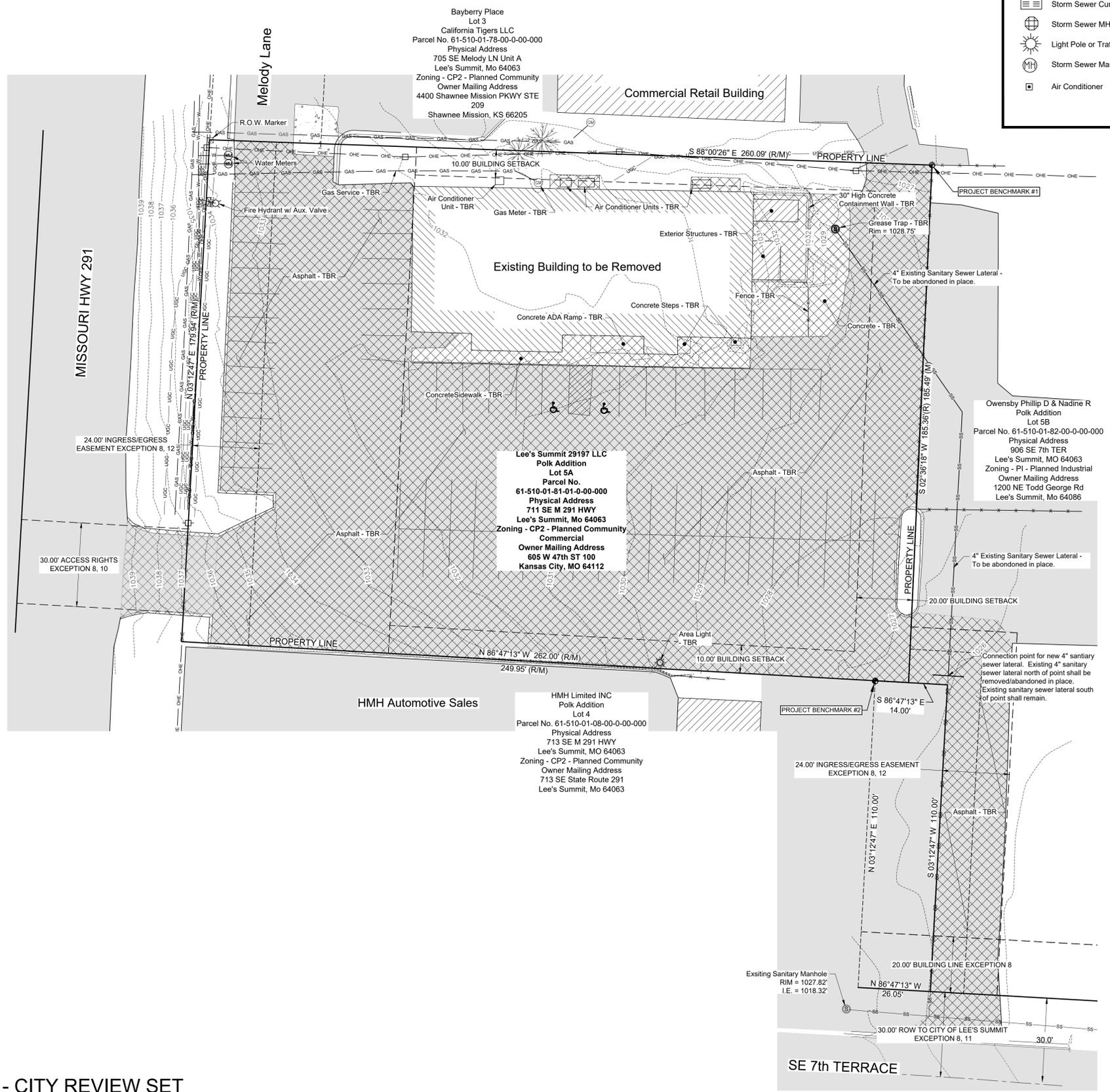
UTILITIES SHOWN HEREON ARE BASED ON PLAN INFORMATION AND ABOVE GROUND FEATURES TO THE BEST OF OUR KNOWLEDGE. THIS EXISTING CONDITIONS DRAWING DOES NOT GUARANTEE THE "EXISTENCE OR NON EXISTENCE" OF UNDERGROUND UTILITIES. PRIOR TO ANY CONSTRUCTION, THE CONTRACTOR SHALL CONTACT NORTH CAROLINA 811 AND FIELD VERIFY UTILITIES. CONTRACTOR SHALL IMMEDIATELY NOTIFY ENGINEER OF ANY UTILITIES ENCOUNTERED BUT NOT SHOWN HEREON OR IF LOCATION OF UTILITIES VARIES FROM THAT SHOWN ON THE PLANS

ALL EXISTING ITEMS ON THE SITE SHALL BE DEMOLISHED UNLESS OTHERWISE INDICATED. ITEMS TO BE DEMOLISHED SHALL BE COORDINATED WITH OWNER. CONTRACTOR SHALL HAUL DEMO ITEMS OFF-SITE. EXISTING WATER METER SHALL REMAIN.

ALL REMOVAL AREAS SHOWN SHALL BE SAW CUT TO FULL DEPTH WHEN ADJACENT TO REMAINING PAVEMENT.

Benchmark #1:
 Iron Pin
 Northing = 997,235.05'
 Easting = 2,828,035.85'
 Elev. = 1,026.08'

Benchmark #2:
 Iron Pin
 Northing = 997,050.27'
 Easting = 2,828,015.40'
 Elev. = 1,026.54'



NOTE: Bearings based on: N.A.D. 83
 Missouri State Plane Coordinate System
 - West Zone

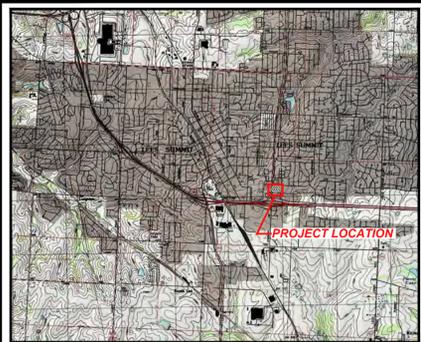
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Missouri One Call System, Inc. is open 7 days a week, 24 hours a day to process locate requests or address questions regarding a locate request. The toll free number is 1-800-344-7483 or 811 (the National three digit call before you dig phone number).

NOT FOR CONSTRUCTION - CITY REVIEW SET

C:\Users\lbrund\OneDrive\Documents\2019\08051921 NPC - Wendy's Lee's Summit, MO\DWG 9/18/2019 9:25:35 AM



VICINITY MAP
(NOT TO SCALE)

SITE PLAN DESIGN NOTES

- | | | | | |
|--|--------|---|--|-------|
| 1 TRAFFIC DIRECTIONAL MARKER | 5/ C7 | 10 LANDSCAPING AREA | 19 SIDEWALK WITH MIN. 24" DETECTABLE WARNING | 4/ C7 |
| 2 DIAGONAL STRIPING - 4" YELLOW @ 24" O.C. | 2/ C7 | 11 SAFETY RAILING SEE ARCHITECTURAL DETAILS | 20 SAWCUT CURB / PAVEMENT FULL DEPTH FOR CLEAN JOINT | |
| 3 ADA ACCESSIBLE PARKING STALLS | 2/ C7 | 12 SIDEWALK RAMP WITH MIN. 24" DETECTABLE WARNING | 21 5' x 5' CONCRETE STOOP | 1/ C7 |
| 4 INTEGRAL CURB AND SIDEWALK | 8/ C7 | 13 MENU BOARD | 22 CANOPY PROTECTION BAR | 7/ C8 |
| 5 DUMPSTER ENCLOSURE | 9B/ C7 | 14 ORDER STATION | 23 ADA ACCESSIBLE PARKING SIGN | 7/ C7 |
| 6 CONCRETE CURB | 11/ C7 | 15 PRE-SELL BOARD | 24 CONCRETE SIDEWALK | 3/ C7 |
| 7 ASPHALT PAVEMENT | 9B/ C7 | 16 BOLLARD | 25 OUTDOOR PATIO SEE ARCHITECTURAL SHEETS | |
| 8 PAVEMENT STRIPING - 4" YELLOW | 12/ C7 | 17 CONCRETE PAVEMENT | 26 PYLON SIGN SEE ARCHITECTURAL SHEETS | |
| 9 DUMPSTER PAD - 8" CONCRETE / PAVEMENT W/ APRON | 12/ C7 | 18 PAVEMENT MARKER DETAIL | 27 AREA LIGHT - SEE SHEET C9 | |
| | | | 28 TRANSITION FROM 6" CURB TO EXISTING CURB. | |

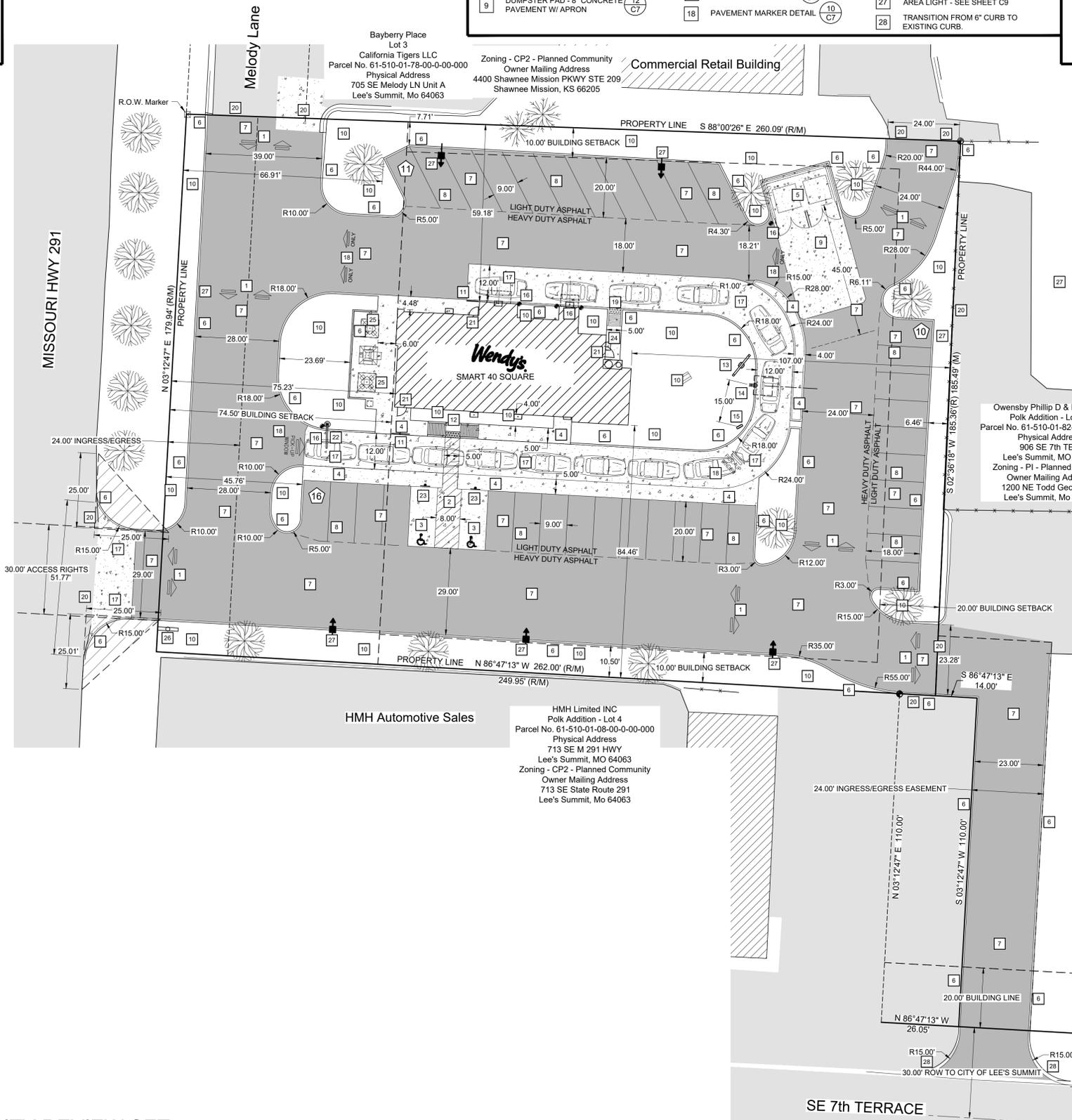
LEGEND

⊕ Benchmark	⊙ Iron Pin Found	⊗ Backflow Preventer	⊗ Bollard	⊗ Soil Boring Location	⊗ Sanitary Sewer Cleanout	⊗ Gas Meter	⊗ Storm Sewer Curb Inlet	⊗ Storm Sewer MH/Open Lid	⊗ Light Pole or Traffic Light	⊗ Storm Sewer Manhole	⊗ Air Conditioner	⊗ Sanitary Sewer Manhole	⊗ Sign	⊗ Water Meter	⊗ Water Valve	⊗ Utility Pole	TBR To Be Removed	TC Top of Curb	PV Pavement	ME Match Existing	470.0 Grade point	⊗ Number of Parking Spaces	TBR To Be Removed		
— W — W —	— SS —	— X — X —	— 470 —	— 470 —	— UGE —	— S — S —	— OHE —	— GAS —	←	Existing Asphalt	Gravel	New Asphalt	Existing Concrete	New Concrete											

SITE DATA

- AREA OF SITE: 47,692.73 SQ.FT. - 1.09 ACRES.
- PARKING CONDITIONS ARE AS FOLLOWS:
MIN. REQUIRED SPACES: 14 PER 1000 SQ.FT. GROSS FLOOR SPACE
TOTAL GROSS FLOOR SPACE: 2,504 SQ. FT.
PARKING REQUIRED: 35 STALLS
ACTUAL SPACES:
35 REGULAR SPACES
2 ACCESSIBLE SPACES
TOTAL SPACES: 37
- PROPERTY ZONING: CP-2, PLANNED COMMUNITY COMMERCIAL
- EXISTING USE: RESTAURANT
PROPOSED USE: RESTAURANT WITH DRIVE THRU DRIVE THRU STACKING REQUIRED: 4 FROM MENU BOARD AND 4 FROM FIRST WINDOW STACKING SUPPLIED: 14 FROM FIRST WINDOW
- PHYSICAL ADDRESS: 711 SE M 291 HWY LEE'S SUMMIT, MO 64063
- PARCEL INFORMATION: LEE'S SUMMIT 29197 LLC POLK ADDITION - LOT 5A PARCEL NO. 61-510-01-81-01-0-00-000
- OWNER ADDRESS: 605 W 47TH ST 100, KANSAS CITY, MO 64112
- BUILDING FLOOR AREA: 2,506 SQ.FT.
FLOOR AREA RATIO = 2,506 / 47,692.73 (LOT AREA) = 5.25%
- BUILDING HEIGHT: 24 FT.
DRAINAGE: LOT AREA = 47,692.73 SQ.FT.
EXISTING:
IMPERVIOUS AREA: 43,283 SQ.FT. = 90.75%
PROPOSED:
IMPERVIOUS AREA: 35,431.21 SQ.FT. = 74.29%
PERVIOUS AREA: 12,260.52 SQ.FT. = 25.71%

- ZONING REQUIREMENTS:**
Zoning - CP2 - Planned Community
- Minimum Front Yard: 15'
 - Minimum Side Yard: 10'
 - Minimum Rear Yard: 20'
 - Building Height: 40'
- *74.5 Front Building Setback line per Exception 8



SITE NUMBER: 12802
BASE MDL: SMART 55 - NARROW 2017
ASSET TYPE: FRAN
CLASSIFICATION: NEW
OWNER: NPCQB
BASE VERSION: 2017
UPGRADE CLASSIFICATION: NEW BUILD
PROJECT YEAR: 2019
FURNITURE PACKAGE: 2016 V3
DRAWING RELEASE: SPRING 2018

linear!
Marc Brundige,
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8951 CYPRESS BLVD., STE 130
DALLAS, TX 75019
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4200 W. 115TH ST. STE. 200
LEAWOOD, KANSAS
66211
OFFICE: (913) 327-3120
CELL: (913) 544-3421

PROJECT TYPE: NEW
SMART 55 - NARROW

MICHAEL E. NEIKIRK PE
Civil Engineer
306 North Market Street Ste. 101
Mt. Carmel, IL 62853
Phone: (618) 263-4100

Wendy's
#12533 (NPCQB#6042)
711 E MISSOURI 291 HWY
LEE'S SUMMIT, MO 64063

REV.	DATE	DESCRIPTION

ISSUE DATE: 09-05-19
PROJECT NUMBER: NPCQB#6042
DRAWN BY: T.L. RM
CHECKED BY: MEN. T.L.

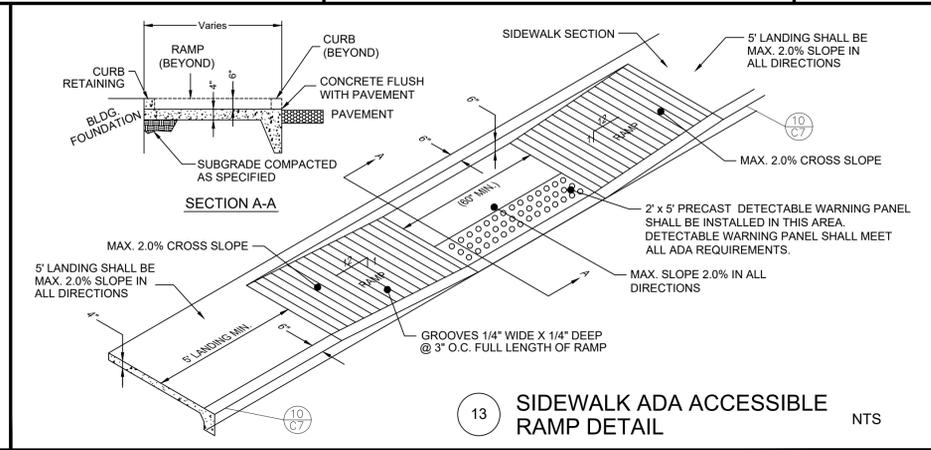
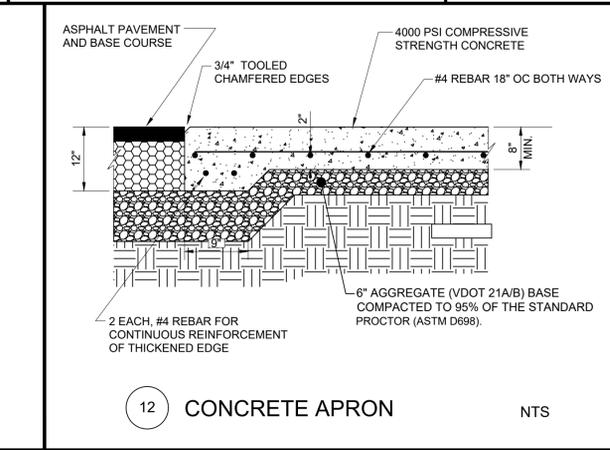
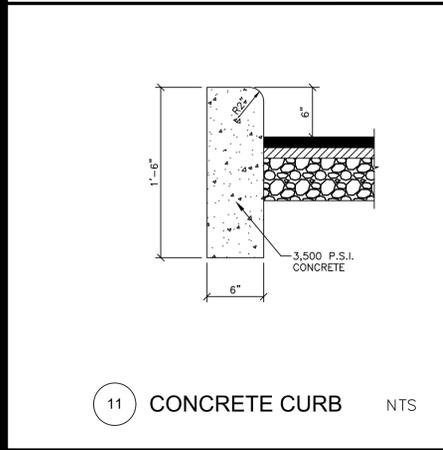
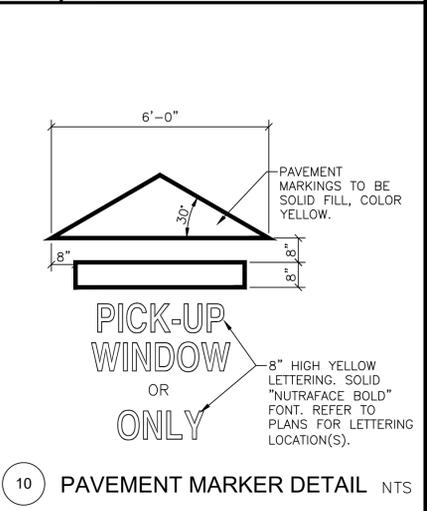
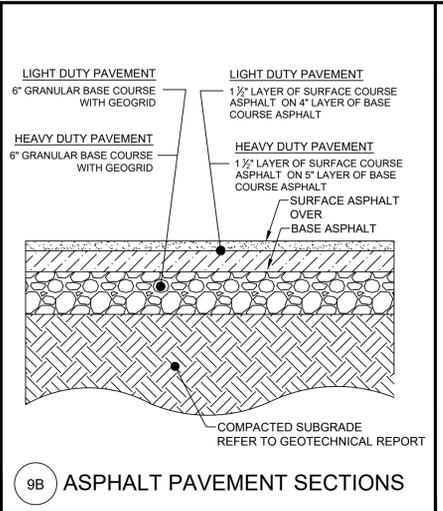
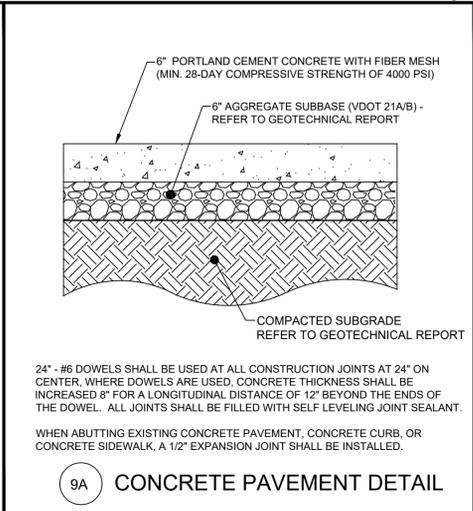
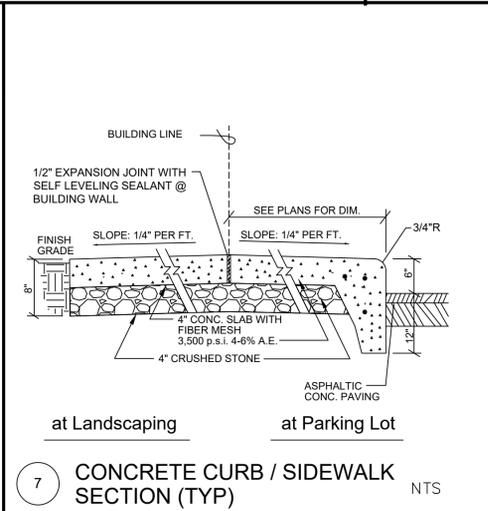
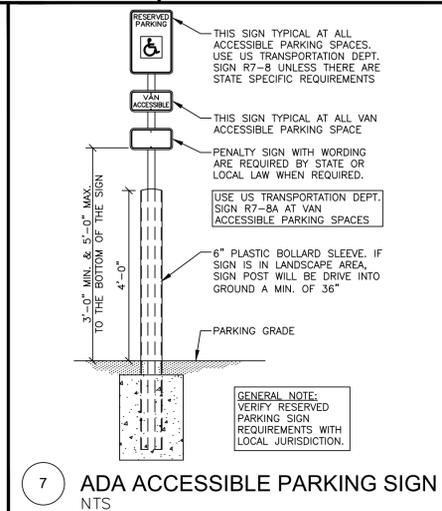
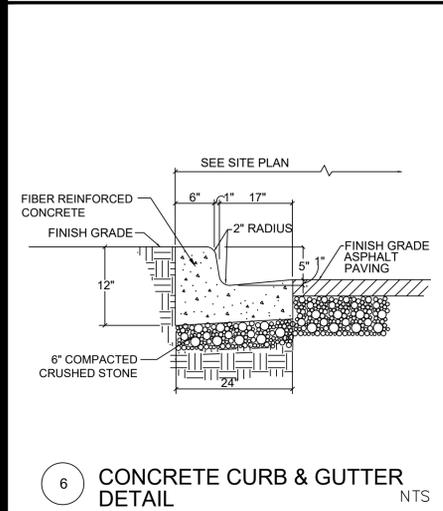
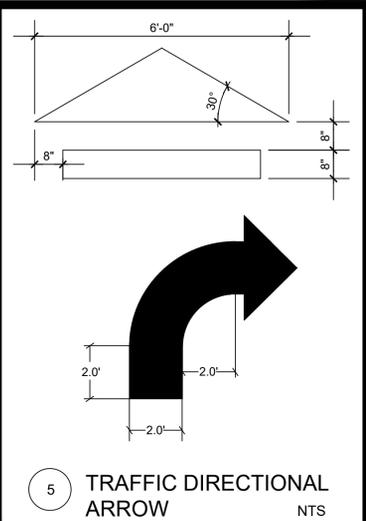
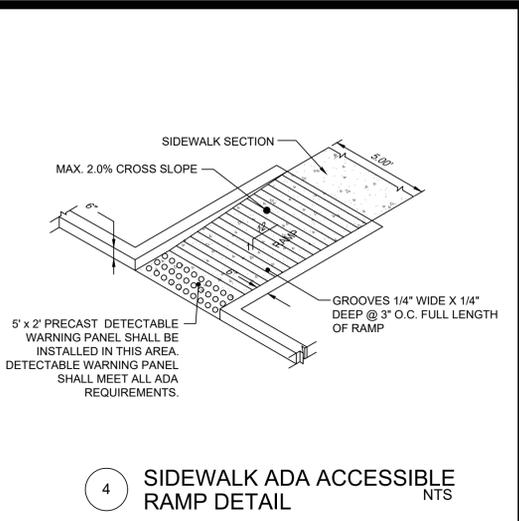
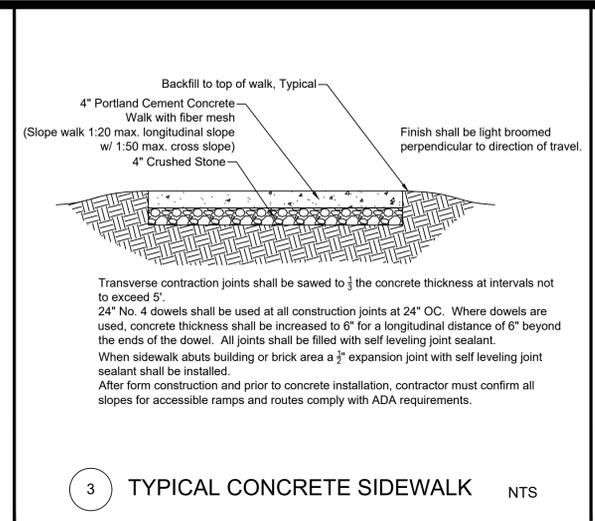
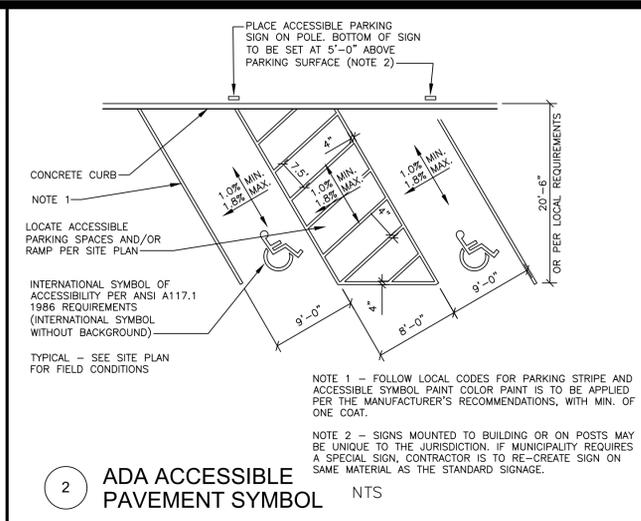
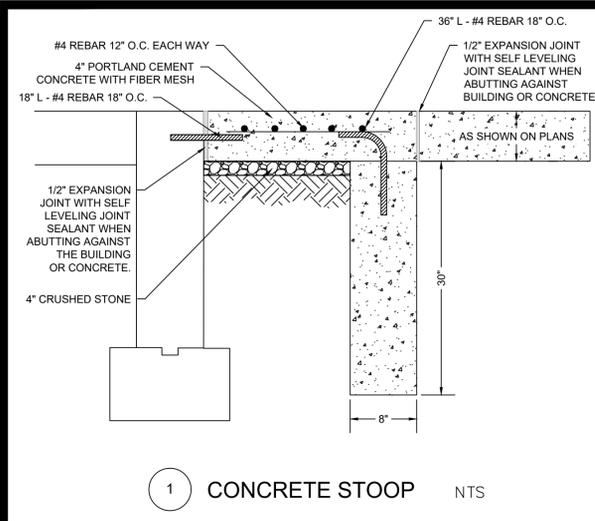


SHEET NAME: SITE PLAN
SHEET NUMBER: C2



Missouri One Call System, Inc. is open 7 days a week, 24 hours a day to process locate requests or address questions regarding a locate request. The toll free number is 1-800-344-7483 or 811 (the National three digit call before you dig phone number).

C:\Users\jbrun\OneDrive\Desktop\Projects\2019\0803\2021 NPC - Wendy's Lee's Summit, MO\Draws\9/2/2019 10:28:38 AM



SITE NUMBER: 12802
 BASE MDL: SMART 55 - NARROW 2017
 ASSET TYPE: FRAN
 CLASSIFICATION: NEW
 OWNER: NPCQB
 BASE VERSION: 2017
 UPGRADE CLASSIFICATION: NEW BUILD
 PROJECT YEAR: 2019
 FURNITURE PACKAGE: 2016 V3
 DRAWING RELEASE: SPRING 2018

linear!
 Marc Brundige,
 Architect
 8951 CYPRESS WATERS BLVD., STE 130
 DALLAS, TX 75019
 PHONE: 972.929.9226
 FAX: 972.929.9061

npc
 quality burgers

4200 W. 115TH ST. STE. 200
 LEAWOOD, KANSAS 66211
 OFFICE: (913) 327-3120
 CELL: (913) 544-3421

PROJECT TYPE: NEW
 SMART 55 - NARROW

MICHAEL E. NEIKIRK PE
 Civil Engineer
 306 North Market Street Ste. 101
 Mt. Carmel, IL 62863
 Phone: (618) 263-4100

Wendy's
 #12533 (NPCQB#6042)
 711 E MISSOURI 291 HWY
 LEE'S SUMMIT, MO 64063

REV.	DATE	DESCRIPTION

ISSUE DATE: 09-05-19
 PROJECT NUMBER: NPCQB#6042
 DRAWN BY: T.L. RM
 CHECKED BY: MEN. TL

STATE OF MISSOURI
 MICHAEL E. NEIKIRK
 PROFESSIONAL ENGINEER
 No. 12533

SHEET NAME: DETAILS
 SHEET NUMBER: C7

SITE NUMBER:	12802
BASE MDL:	SMART 55 - NARROW 2017
ASSET TYPE:	FRAN
CLASSIFICATION:	NEW
OWNER:	NPCQB
BASE VERSION:	2017
UPGRADE CLASSIFICATION:	NEW BUILD
PROJECT YEAR:	2019
FURNITURE PACKAGE:	2016 V3
DRAWING RELEASE	SPRING 2018

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4200 W. 115TH ST. STE. 200
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 OFFICE: (913) 327-3120
 CELL: (913) 544-3421

PROJECT TYPE: NEW
 SMART 55 - NARROW

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 Civil Engineer
 306 North Market Street Ste. 101
 Mt. Carmel, IL 62863
 Phone: (618) 263-4100

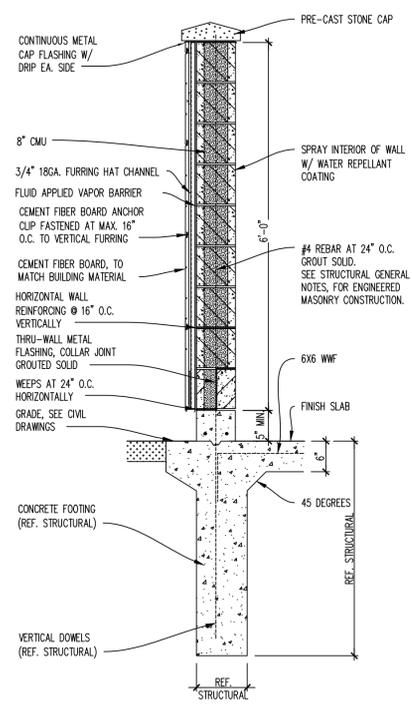
Wendy's
 #12533 (NPCQB#6042)
 711 E MISSOURI 291 HWY
 LEE'S SUMMIT, MO 64063

REV.	DATE	DESCRIPTION

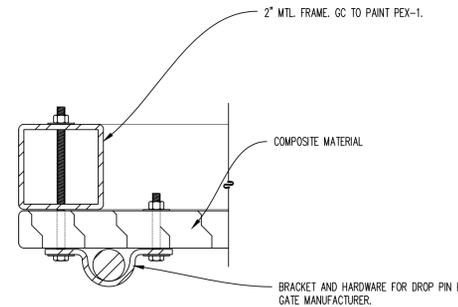


SHEET NAME
 DETAILS
 SHEET NUMBER

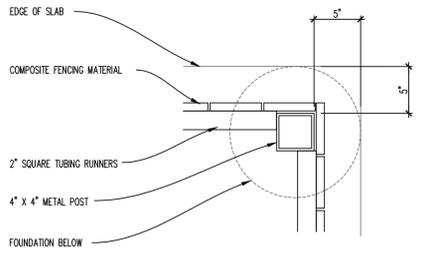
C9



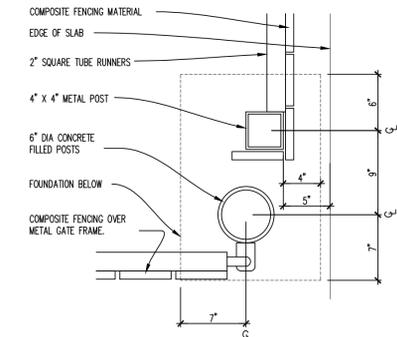
08 WALL SECTION
 SCALE: 3/4"=1'-0"



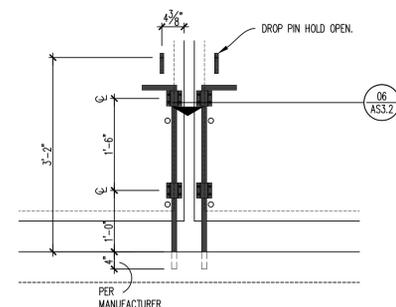
07 DROP-PIN DETAIL COMPOSITE GATE
 SCALE: 6"=1'-0"



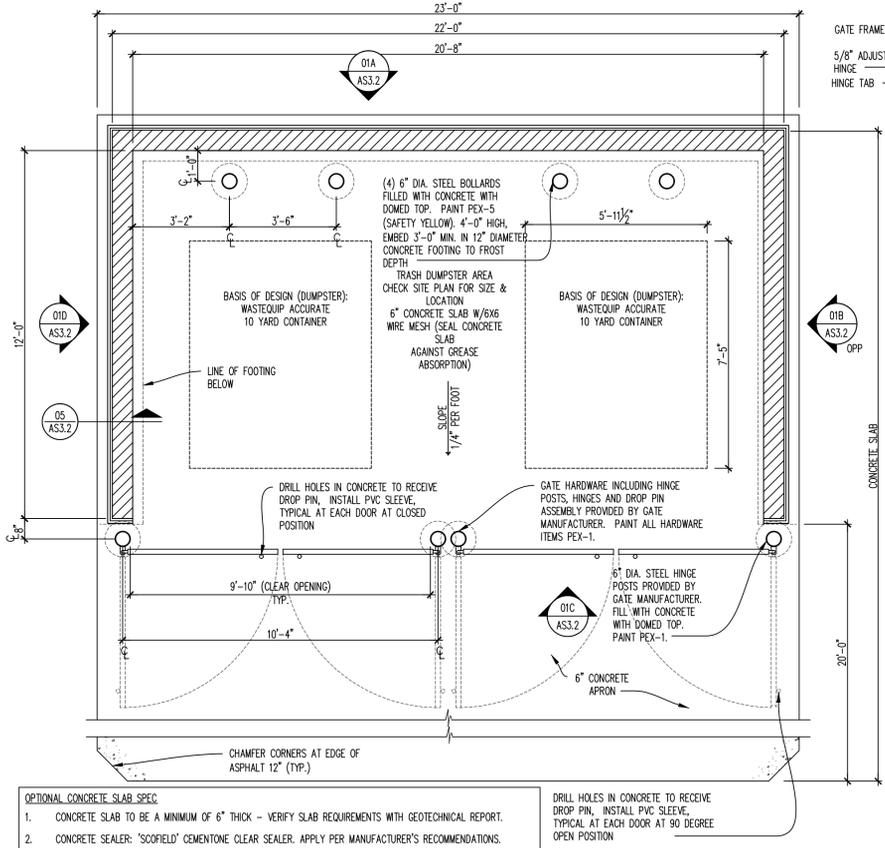
06 PLAN DETAIL
 SCALE: 1 1/2"=1'-0"



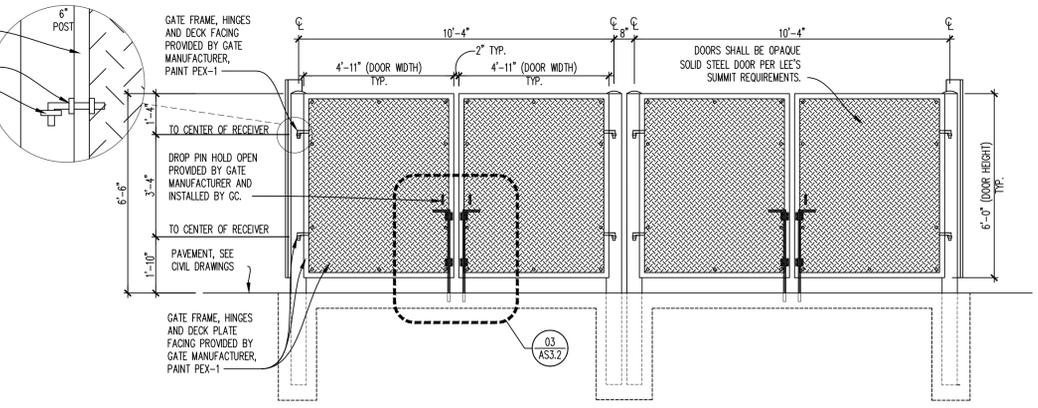
05 PLAN DETAIL
 SCALE: 1 1/2"=1'-0"



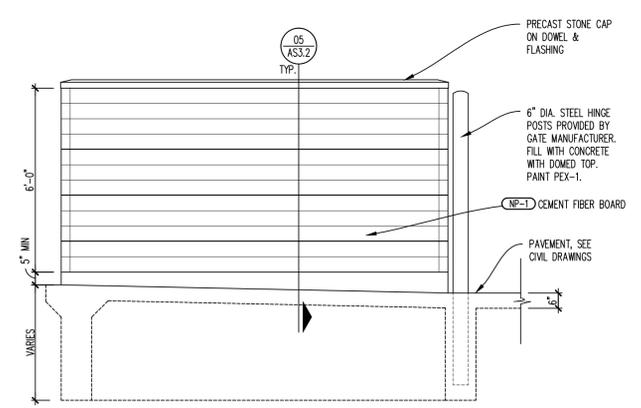
03 DROP PIN DETAIL
 SCALE: 3/4"=1'-0"



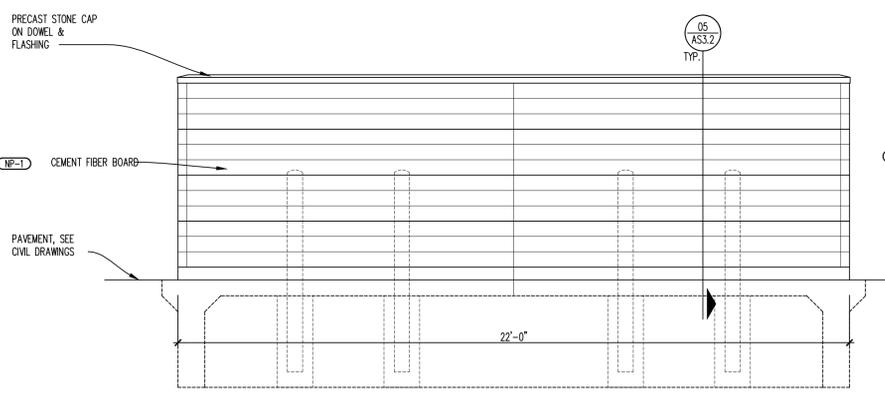
02 TRASH ENCLOSURE PLAN
 SCALE: 3/8"=1'-0"



04 ELEVATION - COMPOSITE GATE
 SCALE: 3/8"=1'-0"



01 TRASH ENCLOSURE ELEVATIONS
 SCALE: 3/8"=1'-0"



NOT FOR CONSTRUCTION - CITY REVIEW SET

C:\Users\lbrun\OneDrive\Desktop\Projects\2019\08031921 NPC - Wendy's Lee's Summit, MO (11/16/2017) Wendy's Lee's Summit, MO.dwg
 9/25/2018 10:48:18 AM

SITE NUMBER: 12802
 BASE MDL: SMART 55 - NARROW 2017
 ASSET TYPE: FRAN
 CLASSIFICATION: NEW
 OWNER: NPCQB
 BASE VERSION: 2017
 UPGRADE CLASSIFICATION:
 NEW BUILD
 PROJECT YEAR: 2019
 FURNITURE PACKAGE: 2016 V3
 DRAWING RELEASE: SPRING 2018

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npc
 quality burgers
 4200 W. 115TH ST. STE. 200
 LEAWOOD, KANSAS
 66211
 OFFICE: (913) 327-3120
 CELL: (913) 544-3421

PROJECT TYPE: NEW
 SMART 55 - NARROW
 MICHAEL E. NEIKIRK PE
 Civil Engineer
 306 North Market Street Ste. 101
 Mt. Carmel, IL 62853
 Phone: (618) 263-4100

Wendy's
 #12533 (NPCQB#6042)
 711 E MISSOURI 291 HWY
 LEE'S SUMMIT, MO 64063

REV.	DATE	DESCRIPTION



SHEET NAME
 PHOTOMETRIC PLAN
 SHEET NUMBER

C10

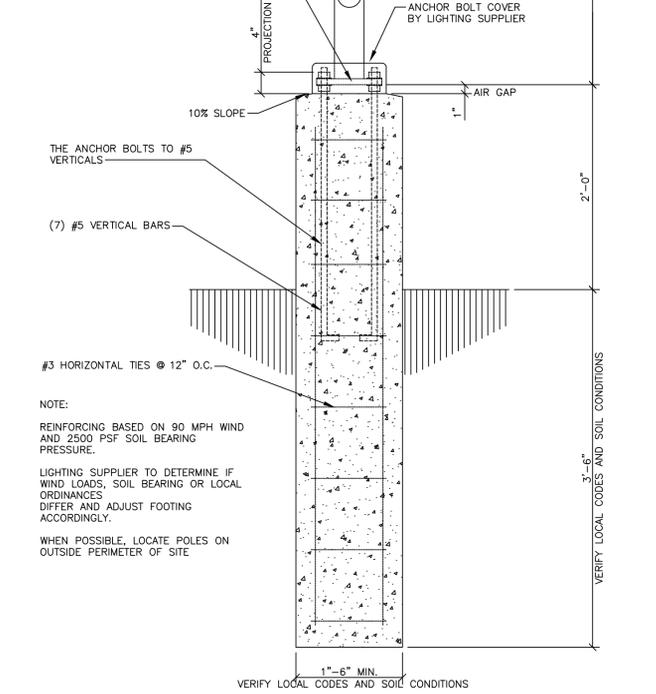


- EXTERIOR PARKING LOT LIGHTING NOTES
- REFER TO SITE LIGHTING SUPPLIERS
 - PARKING LOT TO HAVE AN AVERAGE OF 4 - 6 FOOTCANDLES IN THE PAVED AREA UNLESS LOCAL CODES REQUIRE LESS
 - CONSULT WITH THE PARKING LOT LIGHT SUPPLIERS TO HAVE A PHOTOMETRIC SITE PLAN PREPARED
 - LIGHT POLE: 24'-0" HIGH, 4" DIAMETER

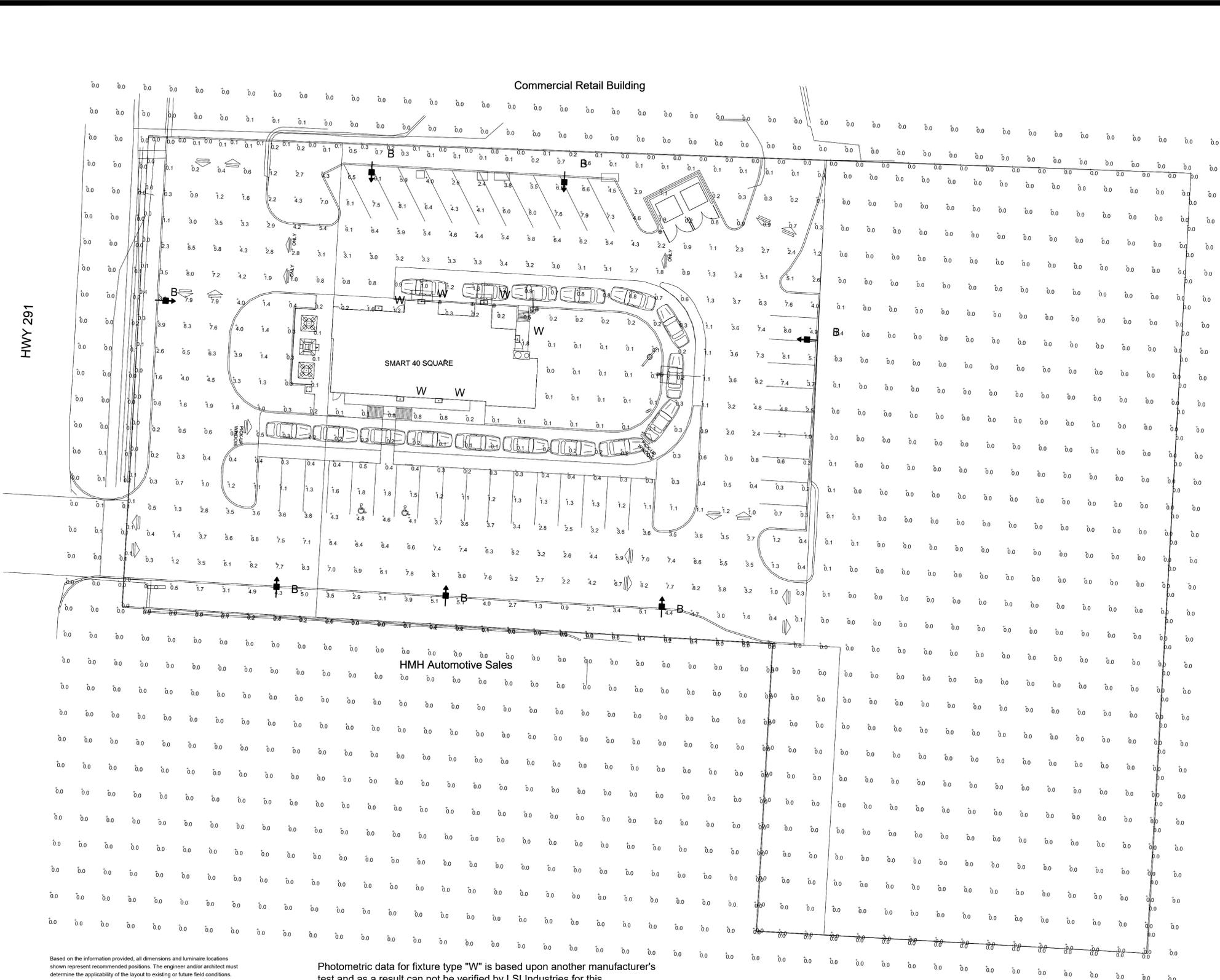
LIGHT POLE TO BE FURNISHED AND INSTALLED BY ELECTRICAL CONTRACTOR. POLE AND LUMINAIRE TO BE FURNISHED BY THE SAME MANUFACTURER

POLE HEIGHT - 24'-0"
 POLE DIAMETER - 4"
 POLE TYPE - STEEL SQUARE
 POLE FINISH - BRONZE
 BOLT SIZE - 1" BOLT CIRCLE
 ANCHOR BOLTS - 1"x36" W/
 DOUBLE NUT AND WASHERS

FOR PROPER INSTALLATION OF SITE LIGHTING ALWAYS USE DOUBLE NUTS AND WASHERS. THIS ASSEMBLY WILL PREVENT MOISTURE BUILD-UP IN THE POLE BY ALLOWING AIR TO CIRCULATE THROUGH THE INSIDE OF POLE BASES MOUNTED DIRECTLY TO CONCRETE CAN CAUSE A MOISTURE BUILD-UP, AND DETERIORATION OF THE POLE'S STABILITY



EXTERIOR LIGHT POLE & STANDARD RAISED CONCRETE BASE DETAIL
 NO SCALE



Photometric data for fixture type "W" is based upon another manufacturer's test and as a result can not be verified by LSI Industries for this calculation.

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CALCS @ GRADE-	illumiance	Fc	0.78	8.3	0.0	N.A.	N.A.
PROPERTY LINE	illumiance	Fc	0.03	0.4	0.0	N.A.	N.A.
CURB INTERIOR	illumiance	Fc	2.91	8.3	0.0	N.A.	N.A.

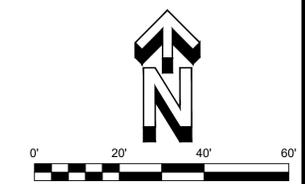
Total Project Watts
 Total Watts = 1441.6

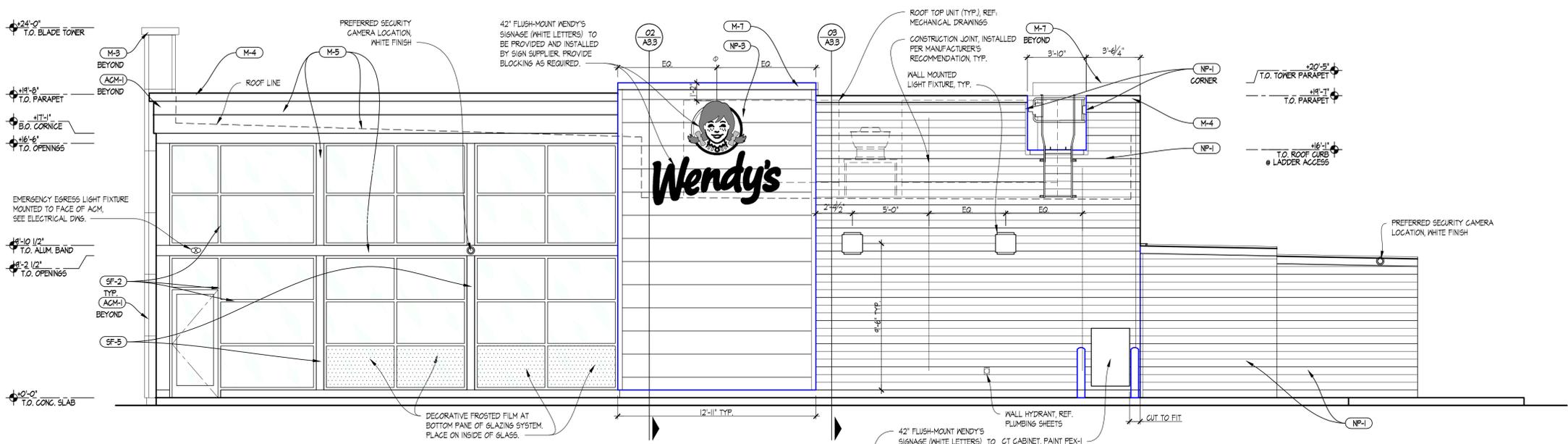
Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted. Fixture nomenclature noted does not include mounting hardware or poles. This drawing is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

Symbol	Qty	Label	Arrangement	Description	LLD	UDF	LLF	Arr. Lum. Lumens	Arr. Watts
➡	7	B	SINGLE	SLM-LED-24L-SIL-FT-50-70CRI-IL-SINGLE-18' MH	1.000	1.000	1.000	15885	188.8
□	6	W	SINGLE	WENMS-L16_8-120-27TV (FIXTURE BY OTHERS) 10.5' MH	1.000	1.000	1.000	432	20

NOT FOR CONSTRUCTION - CITY REVIEW SET

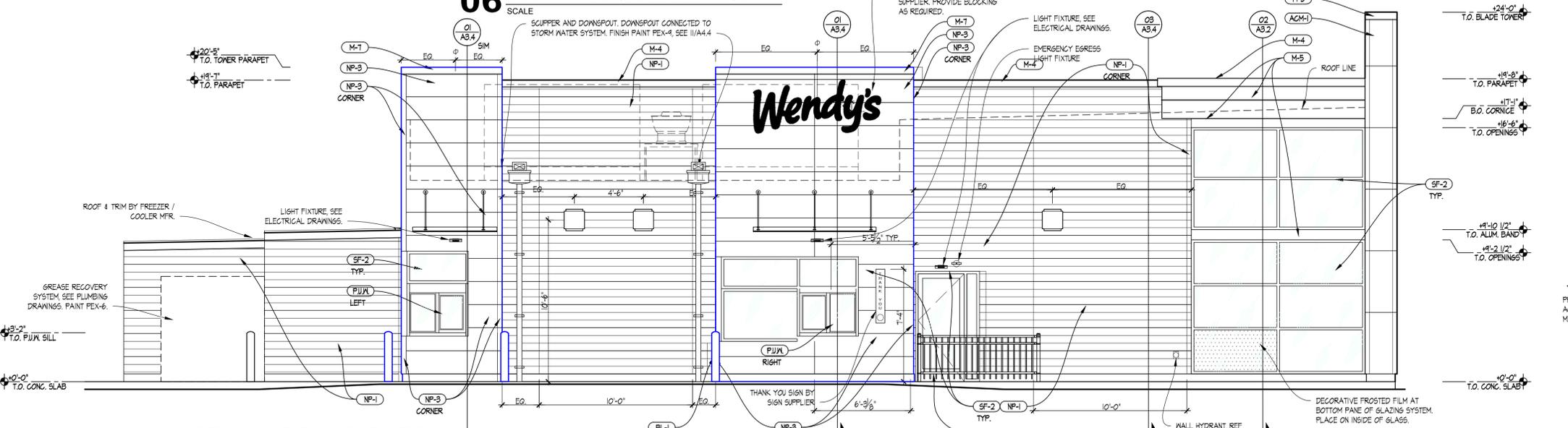




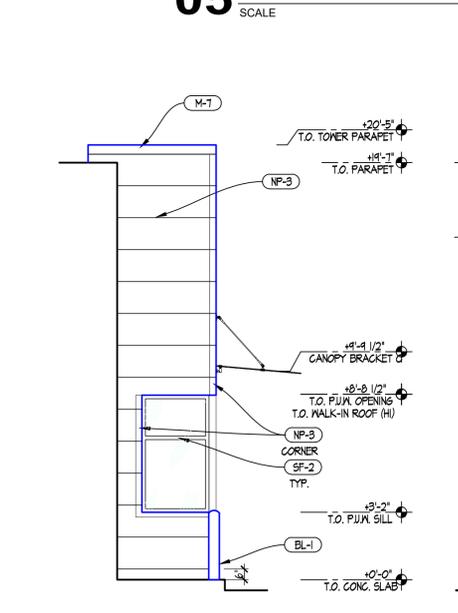
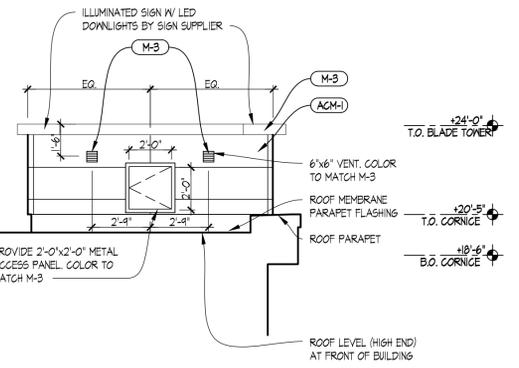
06 SOUTH - VESTIBULE ELEVATION
SCALE

EXTERIOR FINISHES LEGEND	
SF-2	STOREFRONT - "CLEAR ANNOZIDED"
PJW	PICK-UP WINDOW TO MATCH STOREFRONT
M-3	EXCEPTIONAL METALS - "BRIGHT RED"
M-4	EXCEPTIONAL METALS - "SILVER METALLIC"
M-5	BRASS METAL - "CLEAR ANNOZIDED"
M-7	EXCEPTIONAL METALS - "CUSTOM DARK GREY"
NP-1	NICHIIA - WOOD
NP-2	NICHIIA - RED
NP-3	NICHIIA - GREY
NW-1	KNOTWOOD-PREFINISHED-ALUMINUM-SIDING-MATERIAL-"LIGHT-OAK"
NW-2	KNOTWOOD-PREFINISHED-ALUMINUM-SIDING-MATERIAL-"KNIGHTS-ARMOUR"
NW-3	KNOTWOOD-PREFINISHED-ALUMINUM-SIDING-MATERIAL-"BRITE-RED-MATT"
ACM-1	BLADE WALL
ACM-4	MODULAR SOFFIT / FASEM
E-2	EIFS - "WENDY'S-RED"
E-7	EIFS - "DARK GREY"
E-8	EIFS - "TAN"
BL-1	BOLLARD SLEEVE - "YELLOW"
PEX-1	PAINT - DARK BRONZE (SEE PAINT SCHEDULE)
PEX-2	PAINT - WENDY'S RED (SEE PAINT SCHEDULE)
PEX-3	PRE-FINISHED DARK BRONZE SIGN CABINETS (SEE PAINT SCHEDULE)
PEX-6	PRE-FINISHED - DARK BRONZE (SEE PAINT SCHEDULE)
PEX-9	PAINT - SILVER (SEE PAINT SCHEDULE)
PEX-10	PAINT / POWDER COAT - BLACK (SEE PAINT SCHEDULE)

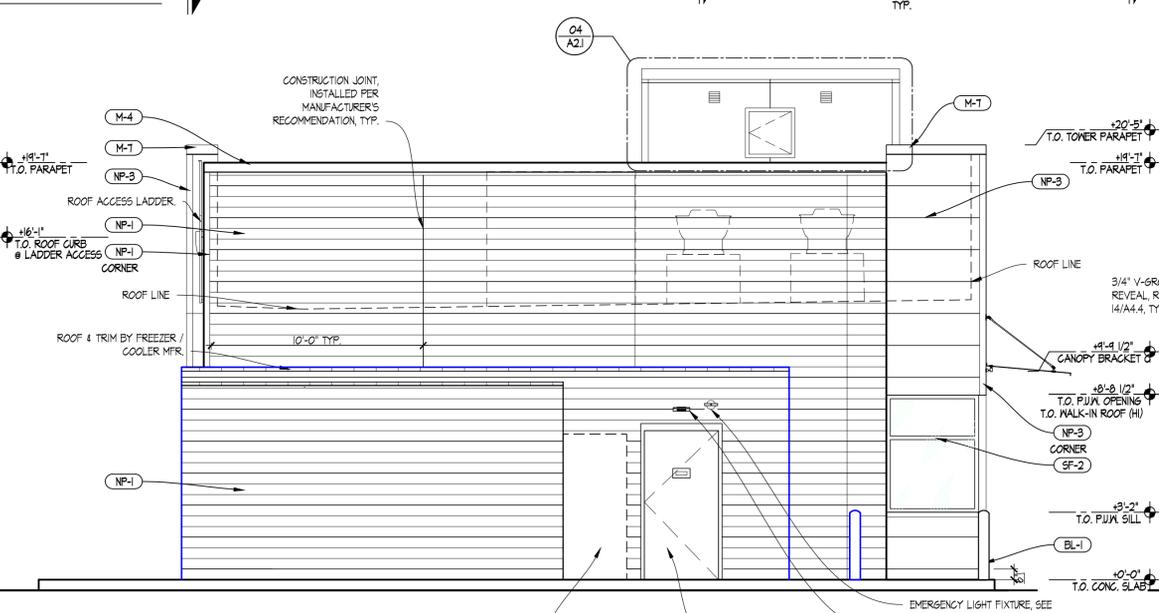
UTILITY LINES AND EQUIPMENT ON EXTERIOR OF BUILDING TO BE PAINTED TO MATCH ADJACENT WALL.



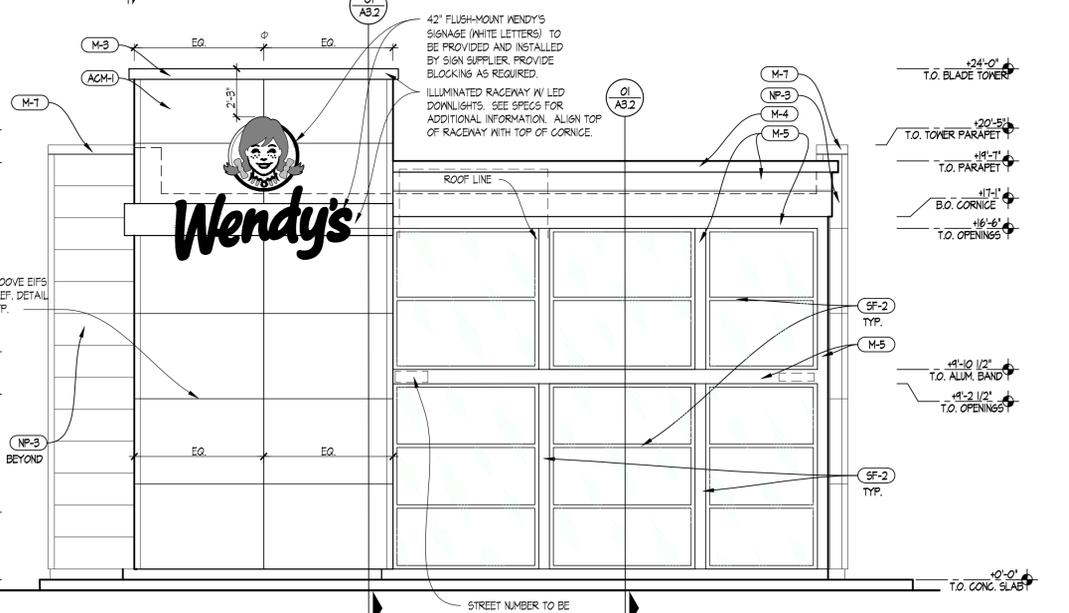
05 NORTH - DRIVE THRU ELEVATION
SCALE



03 REAR DRIVE THRU ELEVATION
SCALE



02 EAST - REAR ELEVATION
SCALE



01 WEST - FRONT ELEVATION
SCALE

SITE NUMBER: 12533
BASE MDL: SMART 40 - SQUARE 2018
ASSET TYPE: FRAN
CLASSIFICATION: NEW
OWNER: NPCQB
BASE VERSION: 2017
UPGRADE CLASSIFICATION: NEW BUILD
PROJECT YEAR: 2020
FURNITURE PACKAGE: 2016 V3
DRAWING RELEASE: FEB 2019

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4200 W. 115TH ST., STE. 200
LEAWOOD, KANSAS 66211
PHONE: (913) 327-5555
FAX: (913) 327-5850

PROJECT TYPE: NEW
SMART 40 - SQUARE

ISSUED FOR PERMIT
07/26/2019

Wendy's.
#12533 (NPCQB #6042)
711 SE M-291 HWY
LEE'S SUMMIT, MO 64063

REV.	DATE	DESCRIPTION

ISSUE DATE: 06/28/2019
PROJECT NUMBER: 19.057
DRAWN BY: TB
CHECKED BY: MG

SHEET NAME
NICHIIA FINISH OPTION
SMART 40 SQUARE

SHEET NUMBER

A2.1

8/20/2019 7:27:29 PM P:\WENDY'S\00 IN PERMITTING\19 057 NPC QB 6042_12533 Lee's Summit, MO (NB)\Construction Documents\00 SMART_40-SQUARE_A2_1_Exterior Elevations-NICHIIA OPTION.dwg, ngriffin

LEGEND			
	Benchmark		Sanitary Sewer Manhole
	Iron Pin Found		Sign
	Backflow Preventer		Water Meter
	Bollard		Water Valve
	Soil Boring Location		Utility Pole
	Sanitary Sewer Cleanout	TBR	To Be Removed
	Gas Meter	TC	Top of Curb
	Storm Sewer Curb Inlet	PV	Pavement
	Storm Sewer MH/Open Lid	ME	Match Existing
	Light Pole or Traffic Light	470.0	Grade point
	Storm Sewer Manhole		Number of Parking Spaces
		To Be Removed	To Be Removed
			Existing Asphalt
			New Asphalt
			New Concrete
			Gravel
			Existing Concrete
			Water Line
			Sanitary Sewer Main
			Fence
			Existing Contours
			Proposed Contours
			Underground Electric
			Storm Sewer
			Limits of Pavement Removal
			Overhead Utility Lines
			Gas Lines
			Ditch / Swale

SITE NUMBER:	12802
BASE MDL:	SMART 55 - NARROW 2017
ASSET TYPE:	FRAN
CLASSIFICATION:	NEW
OWNER:	NPCQB
BASE VERSION:	2017
UPGRADE CLASSIFICATION:	NEW BUILD
PROJECT YEAR:	2019
FURNITURE PACKAGE:	2016 V3
DRAWING RELEASE	SPRING 2018

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 66211
 OFFICE: (913) 327-3120
 CELL: (913) 544-3421

PROJECT TYPE: NEW
 SMART 55 - NARROW

MICHAEL E. NEIKIRK PE
 Civil Engineer
 306 North Market Street Ste. 101
 Mt. Carmel, IL 62853
 Phone: (618) 263-4100

Wendy's
 #12533 (NPCQB#6042)
 711 E MISSOURI 291 HWY
 LEE'S SUMMIT, MO 64063

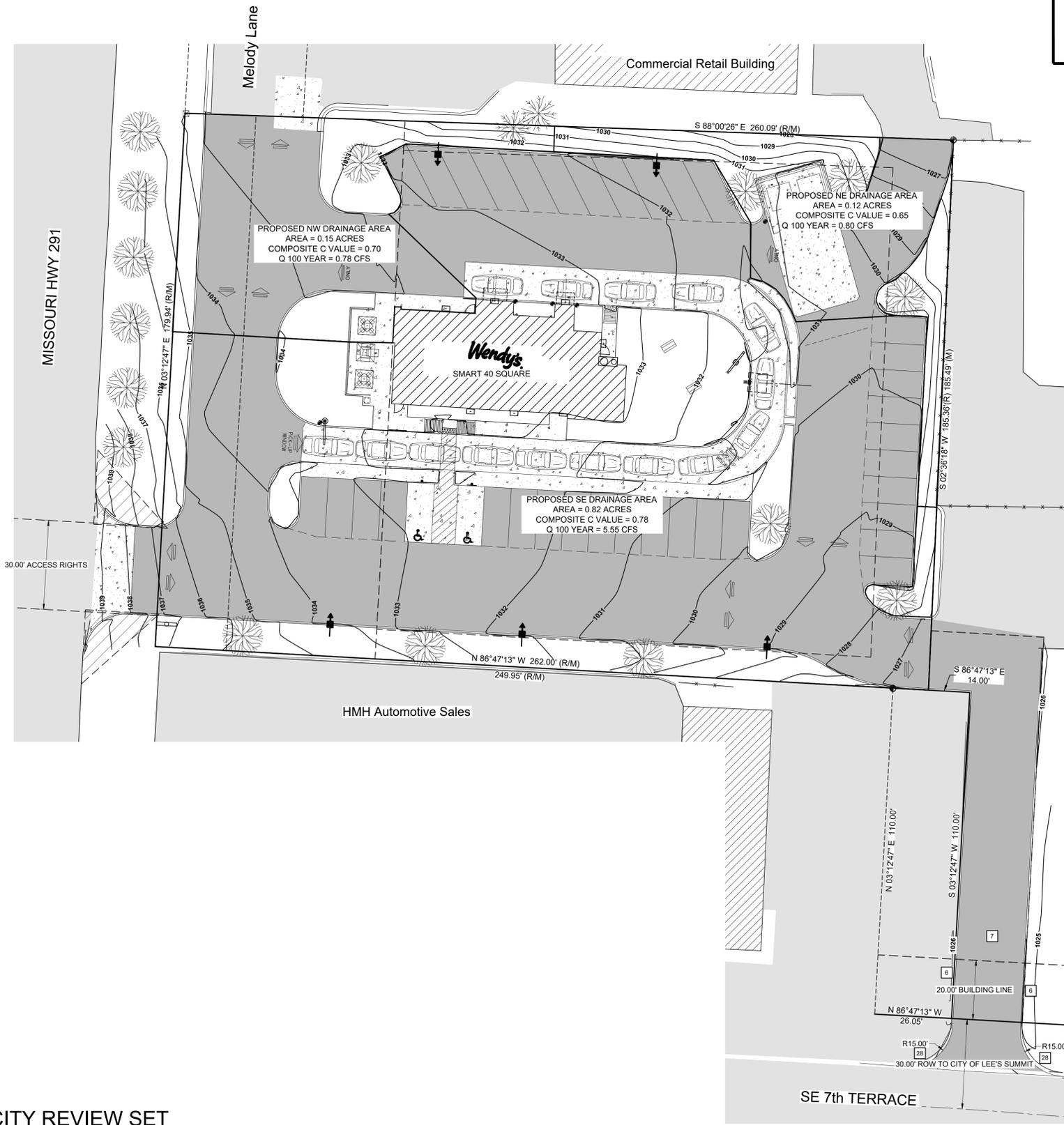
REV.	DATE	DESCRIPTION

ISSUE DATE: 09-05-19
 PROJECT NUMBER: NPCQB#6042
 DRAWN BY: T.L. RM
 CHECKED BY: MEN. T.L.



SHEET NAME
 PROPOSED DRAINAGE AREA
 SHEET NUMBER

EX. 2



PROPOSED NORTHWEST DRAINAGE AREA:
 TOTAL AREA = 0.15 ACRES
 IMPERVIOUS AREA = 0.10 ACRES @ C=0.90
 PERVIOUS AREA = 0.05 ACRES @ C=0.30
 COMPOSITE C = 0.70
 TIME OF CONCENTRATION = 7.80 MIN.
 1 100 YEAR = 9.27 IN/HOUR
 Q = CIA = (0.70)(9.27 IN/HOUR)(0.12 ACRES) = 0.78 CFS
 EXISTING 0.84 CFS > PROPOSED 0.78 CFS

PROPOSED NORTHEAST DRAINAGE AREA:
 TOTAL AREA = 0.12 ACRES
 IMPERVIOUS AREA = 0.07 ACRES @ C = 0.90
 PERVIOUS AREA = 0.05 ACRES @ C = 0.30
 COMPOSITE C = 0.65
 TIME OF CONCENTRATION = 2.37 MIN. THEREFORE USE 5 MIN. MIN.
 1 100 YEAR = 10.3 IN/HOUR
 Q = CIA = (0.65)(10.3 IN/HOUR)(0.12 ACRES) = 0.80 CFS
 EXISTING 1.21 CFS > PROPOSED 0.80 CFS

PROPOSED SOUTHEAST DRAINAGE AREA:
 TOTAL AREA = 0.82 ACRES
 IMPERVIOUS AREA = 0.66 ACRES @ C = 0.90
 PERVIOUS AREA = 0.16 ACRES @ C = 0.30
 COMPOSITE C = 0.78
 TIME OF CONCENTRATION = 9.72 MIN.
 1 100 YEAR = 8.67 IN/HOUR
 Q = CIA = (0.78)(8.67 IN/HOUR)(0.82 ACRES) = 5.55 CFS
 EXISTING 6.93 CFS > PROPOSED 5.55 CFS

C-VALUES ARE FROM TABLE 5602-3 RUNOFF PARAMETERS. TIME OF CONCENTRATION CALCULATIONS WERE COMPLETED USING EQUATION FROM SECTION 5602.7. AND INTENSITIES WERE CALCULATED USING TABLE 5602-5 FROM APWA STORM DRAINAGE SYSTEMS AND FACILITIES MANUAL.



Missouri One Call System, Inc. is open 7 days a week, 24 hours a day to process locate requests or address questions regarding a locate request. The toll free number is 1-800-344-7483 or 811 (the National three digit call before you dig phone number).

NOT FOR CONSTRUCTION - CITY REVIEW SET

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PL2019-233 PRELIM DEV PLAN Wendy's



Packet Information

File #: BILL NO. 19-242, Version: 1

An Ordinance approving a Preliminary Development Plan located at 711 SE M-291 Hwy in District CP-2, proposed Wendy's in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

Proposed City Council Motion:

I move for a second reading of an Ordinance approving a preliminary development plan located at 711 SE M-291 Hwy in District CP-2, proposed Wendy's in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

Josh Johnson, AICP, Assistant Director of Plan Services
Tiffany Lehman, PE, Neikirk Engineering, LLC

BILL NO. 19-242

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN LOCATED AT 711 SE M-291 HWY IN DISTRICT CP-2, PROPOSED WENDY'S IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2019-233, submitted by NPC International, Inc., requesting approval of a preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 711 SE M-291 Hwy was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a preliminary development plan by the City following public hearings by the Planning Commission and City Council, and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the preliminary development plan on October 10, 2019, and rendered a report to the City Council recommending that the preliminary development plan be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on November 5, 2019, and approved a motion for a second ordinance reading to approve the preliminary development plan for said property.

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

SECTION 1. That a preliminary development plan is hereby approved in District CP-2 on the following described property:

Section 8, Township 47 North, Range 31 West, in Lee's Summit, Jackson County, Missouri, being described as follows:

ALL OF LOT 5A, POLK ADDITION LOTS 5A AND 5B, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, EXCEPT THAT PART DESCRIBED AS FOLLOWS:

ALL THAT PART OF LOT 5A, POLK ADDITION, LOTS 5A AND 5B, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 5A; THENCE SOUTH 90 DEGREES 0 MINUTES 0 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 5A, A DISTANCE OF 26.05 FEET; THENCE NORTH 0 DEGREES 0 MINUTES 0 SECONDS EAST CONTINUING ALONG THE LOT LINE OF SAID LOT 5A, A DISTANCE OF 110 FEET; THENCE NORTH 90 DEGREES 0 MINUTES 0 SECONDS EAST, A DISTANCE OF 26.05 FEET TO A POINT ON THE LOT LINE BETWEEN LOT 5A AND LOT 5B OF SAID SUBDIVISION; THENCE SOUTH 0 DEGREES 0 MINUTES 0 SECONDS WEST

BILL NO. 19-242

ALONG THE LOT LINE OF SAID LOT 5A AND LOT 5B, A DISTANCE OF 110 FEET TO THE POINT OF BEGINNING.

SECTION 2. That the following conditions of approval apply:

1. Aluminum composite metal (ACM) panels shall be allowed as a conditional material as shown in the preliminary development plan date stamped September 9, 2019.

SECTION 3. That development shall be in accordance with the preliminary development plan, date stamped September 9, 2019:

SECTION 4. Nonseverability. All provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

SECTION 5. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

SECTION 6. 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 of the City of Lee's Summit, Missouri, this ____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2019.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-233
File Name	PRELIMINARY DEVELOPMENT PLAN – Wendy's
Applicant	NPC International, Inc.
Property Address	711 SE M-291 Hwy
Planning Commission Date Heard by	October 10, 2019 Planning Commission and City Council
Analyst	Hector Soto, Jr., AICP, Planning Manager
Checked By	Kent D. Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: April 3, 2019
Neighborhood meeting conducted: October 7, 2019
Newspaper notification published on: September 21, 2019
Radius notices mailed to properties within 185 feet on: September 19, 2019
Site posted notice on: September 19, 2019

Table of Contents

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2. Land Use	2
3. Project Proposal	3
4. Unified Development Ordinance (UDO)	4
5. Comprehensive Plan	4
6. Analysis	5
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Attachments

Traffic Impact Analysis prepared by Michael Park, dated October 3, 2019 – 2 pages
Preliminary Development Plan, date stamped September 9, 2019 – 14 pages
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	NPC International, Inc. / Developer
Applicant's Representative	Cathy Wagner
Location of Property	711 SE M-291 Hwy
Size of Property	±1.09 acres
Zoning (Proposed)	CP-2 (Planned Community Commercial)
Comprehensive Plan Designation	Retail
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed preliminary development plan. The City Council takes final action on the preliminary development plan in the form of an ordinance.</p> <p>Duration of Validity: Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four (24) months from the date of such approval, unless within such period a final development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon written request.</p>

Current Land Use
The property is the site of a vacant restaurant most recently operating in 2014.

Description of Applicant's Request
The applicant seeks approval of a preliminary development plan to raze the existing 6,445 sq. ft. sit-down restaurant building and construct a 2,504 sq. ft. drive-through restaurant.

2. Land Use

Description and Character of Surrounding Area
The property is located along the M-291 Hwy commercial corridor north of US 50 Hwy. Commercial development predominantly lines both sides of the corridor. However, due west of the site is Lee's Summit High School. Additionally, the Missouri State Highway Patrol Headquarters sits at the northwest corner of M-291 Hwy and SE Blue Pkwy/US 50 Hwy. The area due east of the site is industrial in nature. The area further northeast of the site is residential in nature.

Adjacent Land Uses and Zoning

North:	Retail center / CP-2
South:	Automobile sales / CP-2
East:	Office-warehouse / PI (Planned Industrial)

West:	Lee's Summit High School / CP-1 (Planned Neighborhood Commercial)
--------------	---

Site Characteristics
The site is a relatively flat lot that sits approximately 8 feet below the adjacent grade of M-291 Hwy. There are a total of three (3) access points to the site via M-291 Hwy, SE Melody Ln and SE 7 th Terr.

Special Considerations
There are no special or unique site conditions to consider.

3. Project Proposal

Site Design

Land Use	
Impervious Coverage:	74%
Pervious:	26%
TOTAL	100%

Parking

Proposed		Required	
Total parking spaces proposed:	37	Total parking spaces required:	35
Accessible spaces proposed:	2	Accessible spaces required:	2
Parking Reduction requested?	No	Off-site Parking requested?	No

Setbacks (Perimeter)

Yard	Building / Parking Required	Building / Parking Proposed
Front (M-291 Hwy)	15' (Building) / 20' (Parking)	75' (Building) / 46' (Parking)
Side (north and south)	10' (Building) / 6' (Parking)	59' (Building) / 8' (Parking) – north; 84' (Building) / 11' (Parking) – south
Rear (east)	20' (Building) / 6' (Parking)	107' (Building) / 6' (Parking)

Structure(s) Design

Number and Proposed Use of Buildings
1 building; drive-through restaurant
Building Height
24'
Number of Stories
1 story

4. Unified Development Ordinance (UDO)

Section	Description
2.040,2.260,2.300,2.320	Preliminary Development Plans
4.210	Zoning Districts
8.120,8.170,8.180	Design Standards
8.220,8.230,8.250,8.260,8.290	Lighting Standards
8.530,8.580,8.620	Parking Standards
8.720,8.750,8.790,8.810,8.820	Landscaping

Unified Development Ordinance

The proposed drive-through restaurant is a use permitted by right, but with conditions. The use conditions associated with a drive-through restaurant are:

- A minimum of five (5) car stacking from order box. **Stacking for ten (10) cars is provided from the order box.**
- Order box is screened from view and located to project sound away from residential districts or uses. **The order box is located approximately 195’ from the nearest residentially zoned property and approximately 295’ from the nearest residential use, both located to the northeast of the site. Three existing fences are located between the order box and the residential property. The order box projects toward the industrial property to the east. Staff will continue to work with the applicant at the final development plan stage to project the order box more toward the southeast so as to further mitigate any noise concerns toward the residences.**
- Drive-through lane screened from view by high impact screen in order to eliminate glare. **The site is screened from the adjacent industrial property to the east by an existing fence and supplemental landscaping to be installed as part of this project. A high-impact screen is not required to the north or south due to the identical CP-2 zoning of those properties.**
- A minimum distance of 100 feet to any residential district or use shall be maintained to the order (speaker) box or pick-up window. **The order box is located approximately 195’ from the nearest residentially zoned property and approximately 295’ from the nearest residential use.**

The proposed drive-through restaurant is consistent and compatible with other auto-oriented uses along the M-291 Hwy commercial corridor.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.3 Objective 1.4

Economic Development	Objective 2.3
Commercial Development	Objective 4.1 Objective 4.2

Comprehensive Plan

The proposed use is consistent with the retail land use recommended by the Comprehensive Plan for the area. As a highway corridor, the subject property is appropriate for an auto-oriented restaurant use.

6. Analysis

Background and History

The applicant seeks approval of a preliminary development plan for Wendy’s. The proposed project calls for the demolition of the existing 6,445 sq. ft. sit-down restaurant building and construction of a 2,504 sq. ft. drive-through restaurant on Lot 5A of *Polk Addition*. The proposed exterior building materials consist of fiber cement panels, aluminum composite metal (ACM) panels and glass.

- February 19, 1963 – The City Council approved the final plat (Appl. #1963-023) of *Polk Addition* by Ordinance No. 743-A.
- September 27, 2001 – The minor plat (Appl. #2001-123) of *Polk Addition, Lots 5A and 5B* was recorded with the Jackson County Recorder of Deeds office.

Compatibility

The property is generally located at the northeast corner of SE 7th Terr and M-291 Hwy. The site sits adjacent to a retail shopping center to the north, a used auto dealer to the south and QuikTrip immediately south of SE 7th Terr. M-291 Hwy serves as a major auto-oriented commercial corridor north of US 50 Hwy.

A drive-through restaurant is a compatible use for the area and zoning. The subject property and the two abutting properties to the north and south are zoned CP-2. The abutting property to the east is zoned PI. Drive-through restaurants are a use permitted by right in the CP-2 zoning district and a use permitted by right with conditions in the PI zoning district.

The proposed building materials and architecture are compatible with newer development and redevelopment along the M-291 Hwy corridor. The proposed building exterior is composed of glass, fiber cement panels and aluminum composite metal (ACM) panels. The ACMs are limited to the vertical tower-like feature on the west elevation and similar vertical features on the north and south elevations. The use of ACM panels requires City Council approval as a conditional material. ACM panels are common in commercial applications employing contemporary architecture. City Council has previously approved the use of ACMs in commercial applications for auto dealerships.

Adverse Impacts

The proposed development will not detrimentally impact the surrounding area. The proposed project redevelops a long-vacant and highly visible property along the M-291 Hwy corridor.

The proposed development will not create excessive storm water runoff. The property has 91% impervious coverage in its current state. The proposed redevelopment will reduce the amount of impervious coverage to 74%, thereby reducing the storm water runoff from this site.

The proposed use is not expected to create noise and air pollution in excess of what is customary for a restaurant use in a commercial area. The site sits along a high traffic commercial corridor.

Public Services

The proposed redevelopment will not impede the normal and orderly development and improvement of the surrounding property. The surrounding properties are fully built out. The subject property provides a redevelopment opportunity of a former restaurant that has remained vacant approximately 5 years. The proposed redevelopment will tie into the existing public infrastructure.

The site has access from M-291 Hwy, SE Melody Ln and SE 7th Terr. However, M-291 Hwy currently provides the primary point of access to the site. M-291 Hwy has sufficient capacity to accommodate the proposed use. No road improvements are required as part of the redevelopment. However, future MoDOT improvements at the M-291 Hwy/US 50 Hwy interchange will include raised median improvements that extend to the intersections of SE Blue Pkwy and SE 7th Terr with M-291 Hwy. These future improvements may result in the removal, relocation or restriction of access to M-291 Hwy. The existing site access to SE Melody Ln provides an alternate route to M-291 Hwy for the subject property and several other properties via the signalized intersection at SE Bayberry Ln. M-291 Hwy can also be accessed via a shared drive onto SE 7th Terr that will be improved as part of this project.

Modifications

No modifications are requested as part of this application.

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO and Design & Construction Manual.

7. Recommended Conditions of Approval

Site Specific

1. Aluminum composite metal (ACM) panels shall be allowed as a conditional material as shown in the preliminary development plan date stamped September 9, 2019.

Standard Conditions of Approval

2. 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.
3. 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 permit).
4. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of an infrastructure permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
5. All permanent off-site easements (i.e., private sanitary sewer 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. A certified copy shall be submitted to the City for verification.
6. Private parking lots shall follow the Unified Development Ordinance (UDO) for pavement thickness and base requirements.
7. Any cut and / or fill operations, which cause public infrastructure to exceed the maximum / minimum depths of cover shall be mitigated by relocating the infrastructure vertically and / or horizontally to meet the specifications contained within the City's Design and Construction Manual.
8. All issues pertaining to life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to the safety to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2018 International Fire Code.
9. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.
10. ADA accessible parking space signs shall be mounted on a pole or other structure a minimum 60" above the ground, measured to the bottom of the sign.
11. A final plat or minor plat shall be approved and recorded (with the appropriate number of copies of the recorded plat returned to the Development Services Department) prior to any building permits being issued.

SITE NUMBER: 12802
 BASE MDL: SMART 55 - NARROW 2017
 ASSET TYPE: FRAN
 CLASSIFICATION: NEW
 OWNER: NPCQB
 BASE VERSION: 2017
 UPGRADE CLASSIFICATION:
 NEW BUILD
 PROJECT YEAR: 2019
 FURNITURE PACKAGE: 2016 V3
 DRAWING RELEASE: SPRING 2018

linear!
Marc Brundige,
Architect
 8951 CYPRESS WATERS BLVD., STE 130
 DALLAS, TX 75019
 PHONE: 972.929.9226
 FAX: 972.929.9061



4200 W. 115TH ST. STE. 200
 LEAWOOD, KANSAS
 66211
 OFFICE: (913) 327-3120
 CELL: (913) 544-3421

PROJECT TYPE: NEW
 SMART 55 - NARROW

MICHAEL E. NEIKIRK PE
 Civil Engineer
 306 North Market Street Ste. 101
 Mt. Carmel, IL 62863
 Phone: (618) 263-4100

Wendy's
 #12533 (NPCQB#6042)
 711 E MISSOURI 291 HWY
 LEE'S SUMMIT, MO 64063

REV.	DATE	DESCRIPTION



SHEET NAME
 EXISTING CONDITIONS

SHEET NUMBER
C1

LEGEND

	Benchmark		Sanitary Sewer Manhole		Water Line
	Iron Pin Found		Sign		Sanitary Sewer Main
	Iron Pin Set		Water Meter		Fence
	Bollard		Water Valve		Existing Contours
	Soil Boring Location		Utility Pole		Proposed Contours
	Sanitary Sewer Cleanout		To Be Removed		Underground Electric
	Gas Meter		Top of Curb		Storm Sewer
	Storm Sewer Curb Inlet		Pavement		Limits of Pavement Removal
	Storm Sewer MH/Open Lid		Match Existing		Overhead Utility Lines
	Light Pole or Traffic Light		Grade point		Gas Lines
	Storm Sewer Manhole		Number of Parking Spaces		Ditch / Swale
	Air Conditioner		To Be Removed		Existing Asphalt
					New Asphalt
					New Concrete
					Existing Concrete
					Existing Asphalt TBR

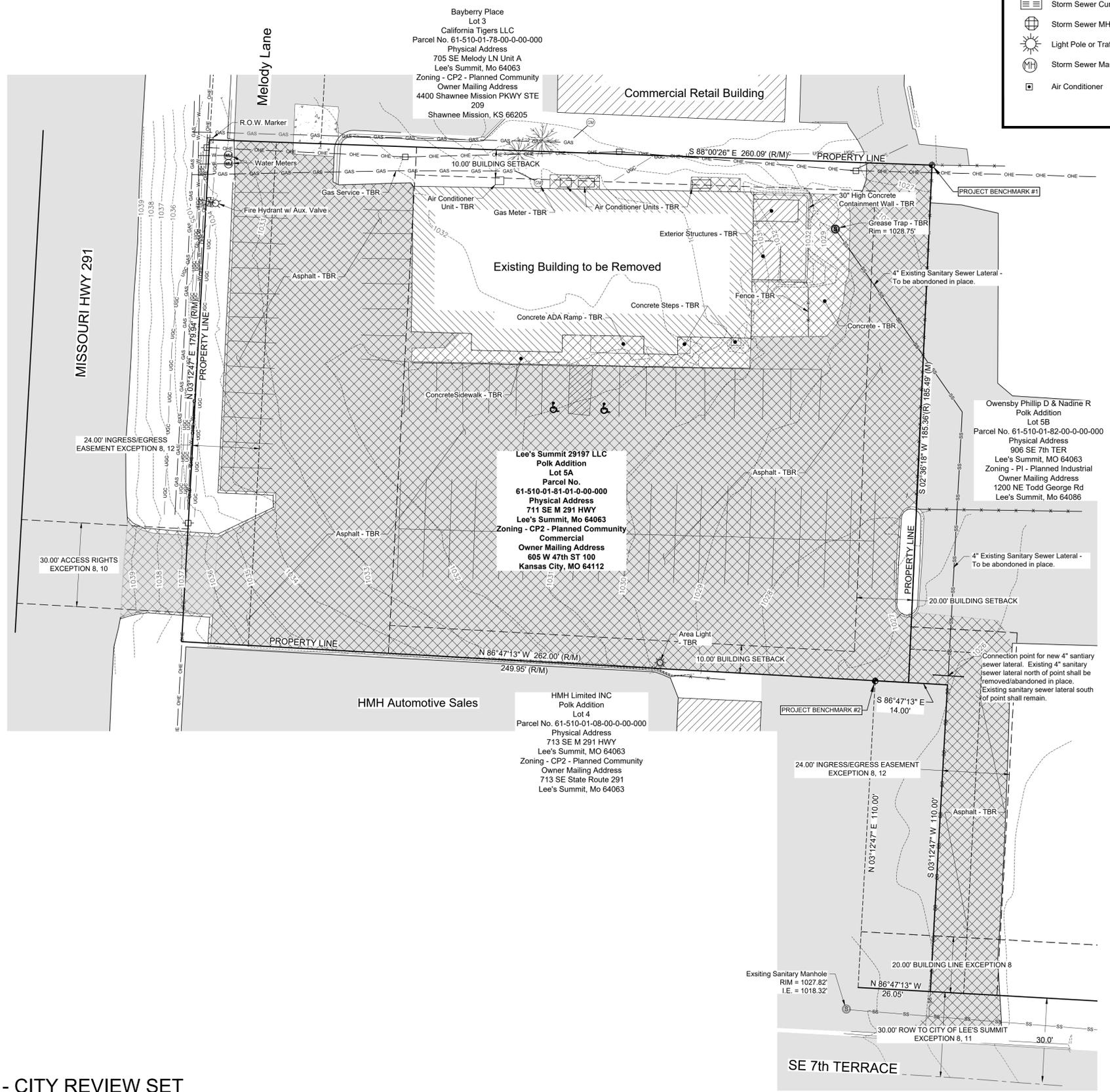
UTILITIES SHOWN HEREON ARE BASED ON PLAN INFORMATION AND ABOVE GROUND FEATURES TO THE BEST OF OUR KNOWLEDGE. THIS EXISTING CONDITIONS DRAWING DOES NOT GUARANTEE THE "EXISTENCE OR NON EXISTENCE" OF UNDERGROUND UTILITIES. PRIOR TO ANY CONSTRUCTION, THE CONTRACTOR SHALL CONTACT NORTH CAROLINA 811 AND FIELD VERIFY UTILITIES. CONTRACTOR SHALL IMMEDIATELY NOTIFY ENGINEER OF ANY UTILITIES ENCOUNTERED BUT NOT SHOWN HEREON OR IF LOCATION OF UTILITIES VARIES FROM THAT SHOWN ON THE PLANS

ALL EXISTING ITEMS ON THE SITE SHALL BE DEMOLISHED UNLESS OTHERWISE INDICATED. ITEMS TO BE DEMOLISHED SHALL BE COORDINATED WITH OWNER. CONTRACTOR SHALL HAUL DEMO ITEMS OFF-SITE. EXISTING WATER METER SHALL REMAIN.

ALL REMOVAL AREAS SHOWN SHALL BE SAW CUT TO FULL DEPTH WHEN ADJACENT TO REMAINING PAVEMENT.

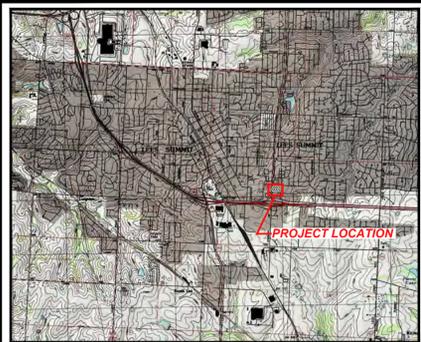
Benchmark #1:
 Iron Pin
 Northing = 997,235.05'
 Easting = 2,828,035.85'
 Elev. = 1,026.08'

Benchmark #2:
 Iron Pin
 Northing = 997,050.27'
 Easting = 2,828,015.40'
 Elev. = 1,026.54'



NOT FOR CONSTRUCTION - CITY REVIEW SET

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VICINITY MAP
(NOT TO SCALE)

SITE PLAN DESIGN NOTES

- | | | | | |
|--|--------|---|--|-------|
| 1 TRAFFIC DIRECTIONAL MARKER | 5/ C7 | 10 LANDSCAPING AREA | 19 SIDEWALK WITH MIN. 24" DETECTABLE WARNING | 4/ C7 |
| 2 DIAGONAL STRIPING - 4" YELLOW @ 24" O.C. | 2/ C7 | 11 SAFETY RAILING SEE ARCHITECTURAL DETAILS | 20 SAWCUT CURB / PAVEMENT FULL DEPTH FOR CLEAN JOINT | |
| 3 ADA ACCESSIBLE PARKING STALLS | 2/ C7 | 12 SIDEWALK RAMP WITH MIN. 24" DETECTABLE WARNING | 21 5' x 5' CONCRETE STOOP | 1/ C7 |
| 4 INTEGRAL CURB AND SIDEWALK | 8/ C7 | 13 MENU BOARD | 22 CANOPY PROTECTION BAR | 7/ C8 |
| 5 DUMPSTER ENCLOSURE | 9B/ C7 | 14 ORDER STATION | 23 ADA ACCESSIBLE PARKING SIGN | 7/ C7 |
| 6 CONCRETE CURB | 11/ C7 | 15 PRE-SELL BOARD | 24 CONCRETE SIDEWALK | 3/ C7 |
| 7 ASPHALT PAVEMENT | 9B/ C7 | 16 BOLLARD | 25 OUTDOOR PATIO SEE ARCHITECTURAL SHEETS | |
| 8 PAVEMENT STRIPING - 4" YELLOW | 12/ C7 | 17 CONCRETE PAVEMENT | 26 PYLON SIGN SEE ARCHITECTURAL SHEETS | |
| 9 DUMPSTER PAD - 8" CONCRETE / PAVEMENT W/ APRON | 12/ C7 | 18 PAVEMENT MARKER DETAIL | 27 AREA LIGHT - SEE SHEET C9 | |
| | | | 28 TRANSITION FROM 6" CURB TO EXISTING CURB. | |

LEGEND

	Benchmark		Sanitary Sewer Manhole
	Iron Pin Found		Sign
	Backflow Preventer		Water Meter
	Bollard		Water Valve
	Soil Boring Location		Utility Pole
	Sanitary Sewer Cleanout	TBR	To Be Removed
	Gas Meter	TC	Top of Curb
	Storm Sewer Curb Inlet	PV	Pavement
	Storm Sewer MH/Open Lid	ME	Match Existing
	Light Pole or Traffic Light	470.0	Grade point
	Storm Sewer Manhole		Number of Parking Spaces
	Air Conditioner	TBR	To Be Removed

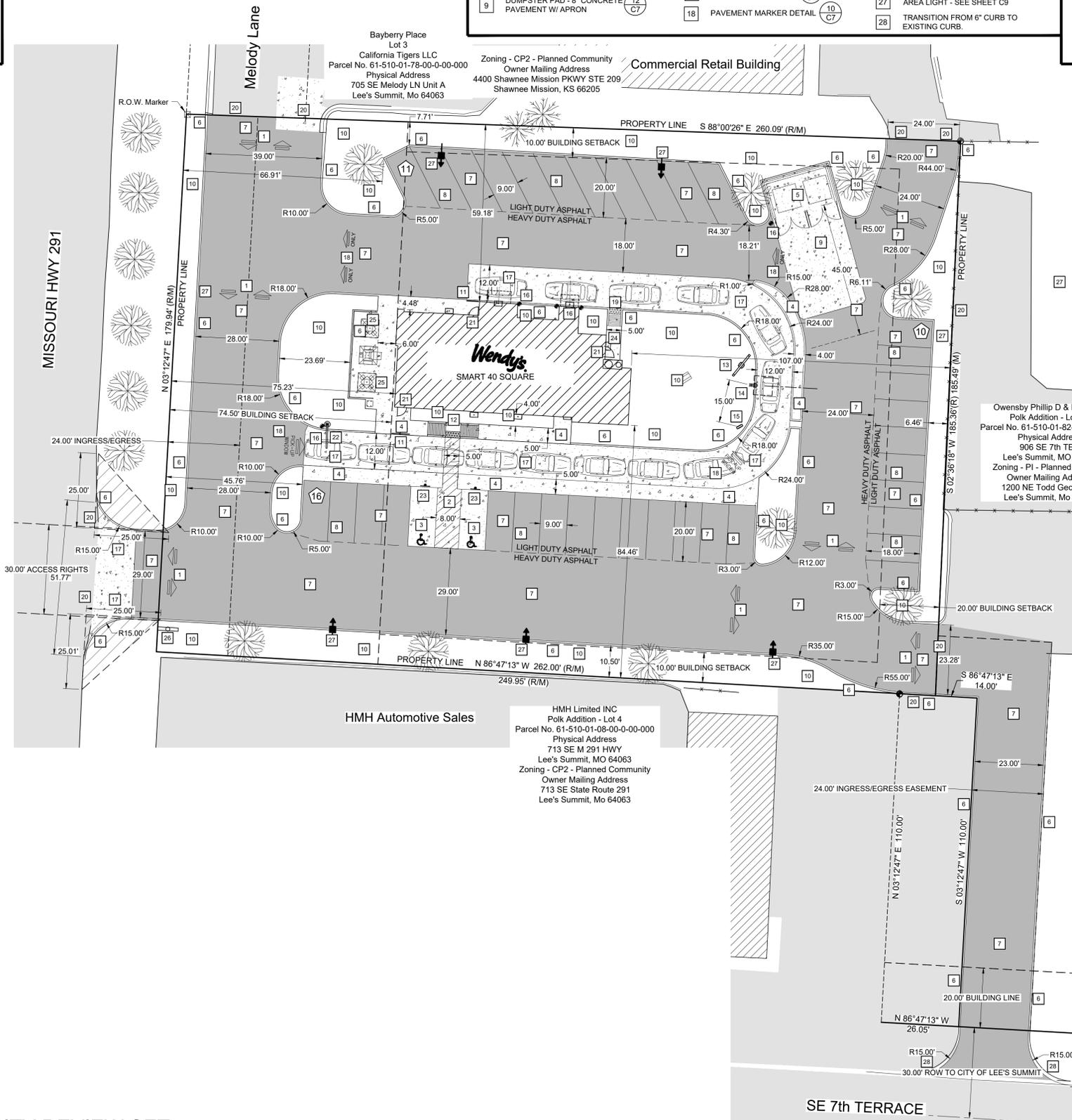
Water Line
 Sanitary Sewer Main
 Fence
 Existing Contours
 470 Proposed Contours
 470 Undergroud Electric
 UGS Storm Sewer
 Limits of Pavement Removal
 OHE Overhead Utility Lines
 GAS Gas Lines
 Ditch / Swale

Existing Asphalt
 New Asphalt
 New Concrete

SITE DATA

- AREA OF SITE: 47,692.73 SQ.FT. - 1.09 ACRES.
- PARKING CONDITIONS ARE AS FOLLOWS:
MIN. REQUIRED SPACES: 14 PER 1000 SQ.FT. GROSS FLOOR SPACE
TOTAL GROSS FLOOR SPACE: 2,504 SQ. FT.
PARKING REQUIRED: 35 STALLS
ACTUAL SPACES:
35 REGULAR SPACES
2 ACCESSIBLE SPACES
TOTAL SPACES: 37
- PROPERTY ZONING
CP-2, PLANNED COMMUNITY COMMERCIAL
- EXISTING USE: RESTAURANT
PROPOSED USE: RESTAURANT WITH DRIVE THRU DRIVE THRU STACKING REQUIRED: 4 FROM MENU BOARD AND 4 FROM FIRST WINDOW STACKING SUPPLIED: 14 FROM FIRST WINDOW
- PHYSICAL ADDRESS : 711 SE M 291 HWY
LEE'S SUMMIT, MO 64063
- PARCEL INFORMATION: LEE'S SUMMIT 29197 LLC
POLK ADDITION - LOT 5A
PARCEL NO. 61-510-01-81-01-0-00-000
- OWNER ADDRESS: 605 W 47TH ST 100,
KANSAS CITY, MO 64112
- BUILDING FLOOR AREA: 2,506 SQ.FT.
FLOOR AREA RATIO = 2,506 / 47,692.73 (LOT AREA) = 5.25%
- BUILDING HEIGHT: 24 FT.
DRAINAGE: LOT AREA= 47,692.73 SQ.FT.
EXISTING:
IMPERVIOUS AREA: 43,283 SQ.FT. = 90.75%
PROPOSED:
IMPERVIOUS AREA: 4,409.73 S.F.T. = 9.25%
IMPERVIOUS AREA: 35,431.21 SQ.FT. = 74.29%
PERVIOUS AREA: 12,260.52 SQ.FT. = 25.71%

- ZONING REQUIREMENTS:**
Zoning - CP2 - Planned Community
- Minimum Front Yard: 15'
 - Minimum Side Yard: 10'
 - Minimum Rear Yard: 20'
 - Building Height: 40'
- *74.5 Front Building Setback line per Exception 8



SITE NUMBER: 12802
 BASE MDL: SMART 55 - NARROW 2017
 ASSET TYPE: FRAN
 CLASSIFICATION: NEW
 OWNER: NPCQB
 BASE VERSION: 2017
 UPGRADE CLASSIFICATION:
 NEW BUILD
 PROJECT YEAR: 2019
 FURNITURE PACKAGE: 2016 V3
 DRAWING RELEASE: SPRING 2018

linear!
Marc Brundige,
 Architect
 8951 CYPRESS BLVD., STE 130
 DALLAS, TX 75019
 PHONE: 972.929.9226
 FAX: 972.929.9061



4200 W. 115TH ST. STE. 200
 LEAWOOD, KANSAS
 66211
 OFFICE: (913) 327-3120
 CELL: (913) 544-3421

PROJECT TYPE: NEW
 SMART 55 - NARROW

MICHAEL E. NEIKIRK PE
 Civil Engineer
 306 North Market Street Ste. 101
 Mt. Carmel, IL 62853
 Phone: (618) 263-4100

Wendy's
 #12533 (NPCQB#6042)
 711 E MISSOURI 291 HWY
 LEE'S SUMMIT, MO 64063

REV.	DATE	DESCRIPTION

ISSUE DATE: 09-05-19
 PROJECT NUMBER: NPCQB#6042
 DRAWN BY: T.L. RM
 CHECKED BY: MEN, T.L.



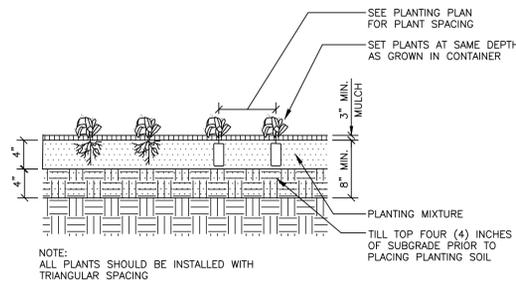
SHEET NAME
 SITE PLAN
 SHEET NUMBER
C2



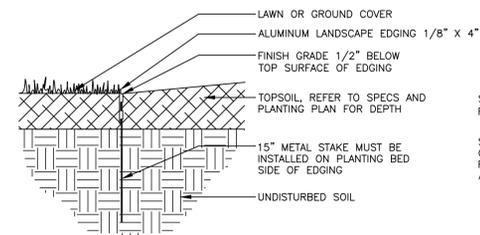
Missouri One Call System, Inc. is open 7 days a week, 24 hours a day to process locate requests or address questions regarding a locate request. The toll free number is 1-800-344-7483 or 811 (the National three digit call before you dig phone number).



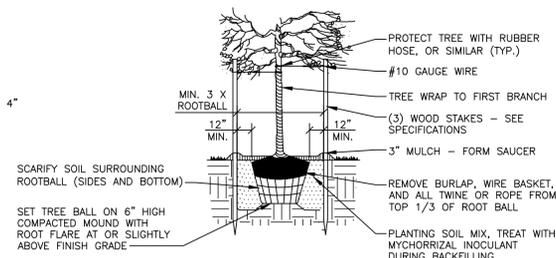
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1 GROUNDCOVER PLANTING DETAIL
NOT TO SCALE

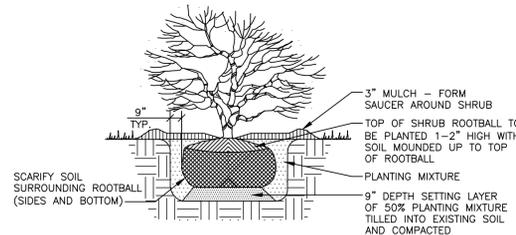


2 METAL EDGING DETAIL
NOT TO SCALE



- NOTES
- TREES WITH 2.5" CALIPER MUST HAVE A MINIMUM VOLUME OF 500 CF OF NEW PLANTING SOIL MIX AROUND THE ROOT BALL.
 - TREES WITH 3" CALIPER MUST HAVE A MINIMUM VOLUME OF 750 CF OF NEW PLANTING SOIL MIX AROUND THE ROOT BALL.
 - CONTRACTOR TO CONFIRM PERCOLATION OF ALL PLANTING PITS PRIOR TO TREE INSTALLATION. IF PITS DO NOT PERCOLATE, INSTALL 4" PERFORATED UNDERDRAIN AT BOTTOM OF PIT AND CONNECT TO NEAREST DOWNSTREAM STORM CATCHBASIN/MAHOLE.

3 TREE PLANTING DETAIL
NOT TO SCALE



4 SHRUB PLANTING DETAIL
NOT TO SCALE

LEGEND

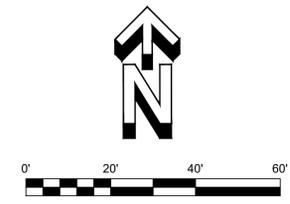
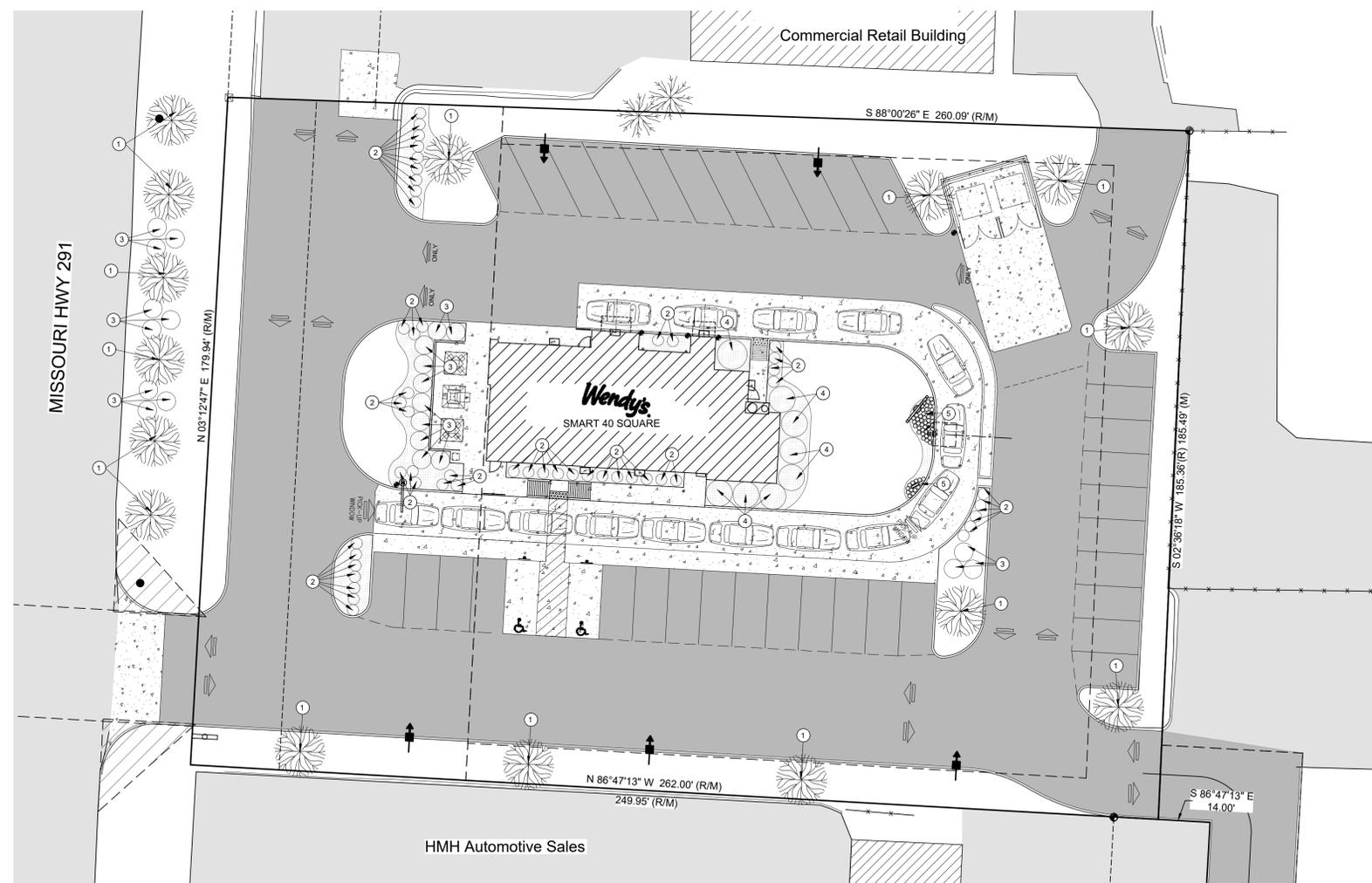
● Benchmark	⊕ Sanitary Sewer Manhole	— W — W — W — Water Line	▨ Existing Asphalt	▨ Gravel
○ Iron Pin Found	⊕ Sign	— SS — SS — SS — Sanitary Sewer Main	▨ New Asphalt	▨ Existing Concrete
○ Iron Pin Set	⊕ Water Meter	— X — X — X — X — X — Fence	▨ New Concrete	▨ Stormwater Easement
⊕ Bollard	⊕ Water Valve	— 470 — — 470 — — Existing Contours	▨ Existing Asphalt TBR	
⊕ Soil Boring Location	⊕ Utility Pole	— UGE — UGE — UGE — New Contours		
⊕ Sanitary Sewer Cleanout	TBR To Be Removed	— S — S — S — Storm Sewer		
⊕ Gas Meter	TC Top of Curb	— OHE — OHE — Overhead Electric		
⊕ Storm Sewer Curb Inlet	PV Pavement	— GAS — GAS — Gas Lines		
⊕ Storm Sewer MH/Open Lid	ME Match Existing	— Ditch / Swale		
⊕ Light Pole or Traffic Light	470.0 Grade point			
⊕ Storm Sewer Manhole	⊕ Number of Parking Spaces			
⊕ Air Conditioner	TBR To Be Removed			

Landscaping Table

KEYNOTE	COMMON NAME	SCIENTIFIC NAME	QUANTITY	SIZE
1	Red Maple	Acer rubrum	18	3" CALIPER
2	Green Velvet Boxwood	Buxus x 'Green Velvet'	35	2 GAL. CONTAINER
3	Koreanspice Viburnum	Viburnum carlesii 'Compactum'	15	2 GAL. CONTAINER
4	Blue Point Juniper	Juniperus chinensis 'Blue Point'	8	24"-30" BALLED AND BURLAPPED
5	Liriope 'Big Blue'	Liriope muscari 'Big Blue'	56	2 1/2" PEA POT

LANDSCAPING REQUIREMENTS

- Planting areas shall be mulched. All planting areas and lawn areas shall be separated by steel edging. No steel edging needs to be installed adjacent to buildings, sidewalks, or curbs. Cut steel edging at 45 degree angle where it intersects walks and curbs.
- All landscaped and lawn areas shall be irrigated through the use of an automatic underground irrigation system with rain and freeze sensors and evapotranspiration weather-based controllers. Irrigation system shall be designed and installed by a licensed irrigation contractor. Hunter Irrigation System shall be used unless equal is approved by owner.
- All landscape material shall be maintained in accordance with the American Standard for Nursery Stock as published by the American Association of Nurserymen. All dead, dying, or diseased material will be replaced, in kind, by the owner within the next available planting season.
- All portion of the site not covered with paving or buildings shall be landscaped. Open area not covered with other materials shall be covered with sod. Ground cover shall be utilized on all slopes in excess of 3:1 slopes.
- Street Frontage = 179.94'
Required Trees: 1 tree required for each 30 feet of street frontage = 6 required trees
Actual Trees: 6 trees along frontage.
Required Shrubs: 1 shrub for each 20 feet of street frontage = 9 required shrubs
Actual Shrubs = 9 shrubs along frontage
- Parking Lot Screening = 48.50'
Required Shrubs: 12 Shrubs required for each 40 feet of Parking Lot = 15 Shrubs
Actual Shrubs: 16 Shrubs along Parking lot Frontage
- Total Lot Area minus Building Footprint = 45,186.73 Sq. Ft.
Required Shrubs: 2 shrubs per 5,000 sq. ft. of total lot area = 18 Shrubs
Actual Shrubs = 56 Shrubs on Lot (not used for Street Frontage or Parking Lot Screening)
Required Trees: 1 Tree per 5,000 sq. ft. of total lot area = 9 Trees
Actual Trees = 9 Trees
- Total Vehicle Use Area = 30,676.20 Sq. Ft.
Required Interior Landscape Area: 5% of VUA = 1,534 Sq. Ft.
Actual Interior Landscape Area = 1,876 Sq. Ft.



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SITE NUMBER: 12802
BASE MDL: SMART 55 - NARROW 2017
ASSET TYPE: FRAN
CLASSIFICATION: NEW
OWNER: NPCQB
BASE VERSION: 2017
UPGRADE CLASSIFICATION: NEW BUILD
PROJECT YEAR: 2019
FURNITURE PACKAGE: 2016 V3
DRAWING RELEASE: SPRING 2018

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Architect
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PHONE: 972.929.9226
FAX: 972.929.9061

npc
quality burgers
4200 W. 115TH ST. STE. 200
LEAWOOD, KANSAS 66211
OFFICE: (913) 327-3120
CELL: (913) 544-3421

PROJECT TYPE: NEW
SMART 55 - NARROW

MICHAEL E. NEIKIRK PE
Civil Engineer
306 North Market Street Ste. 101
Mt. Carmel, IL 62853
Phone: (618) 263-4100

Wendy's
#12533 (NPCQB#6042)
711 E MISSOURI 291 HWY
LEE'S SUMMIT, MO 64063

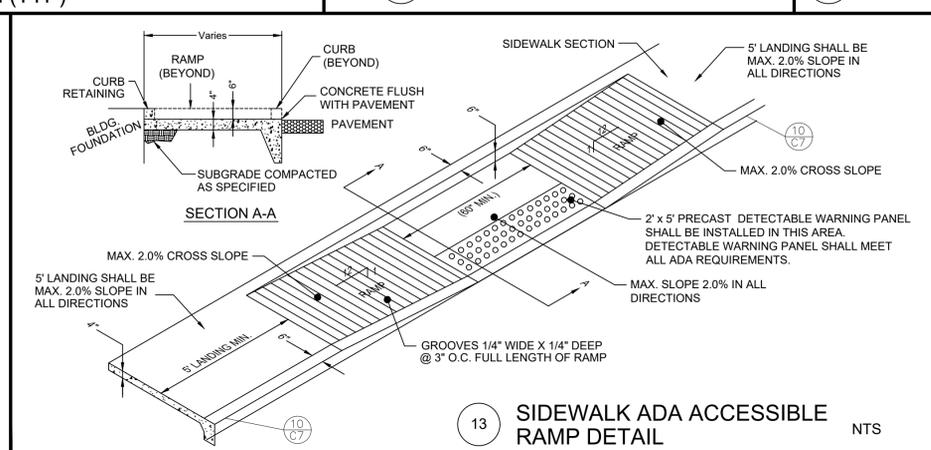
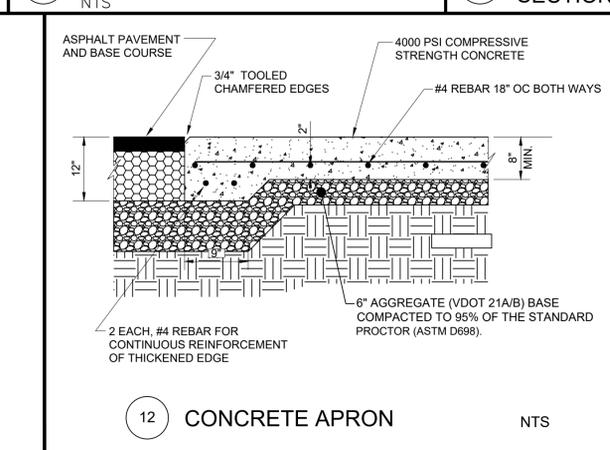
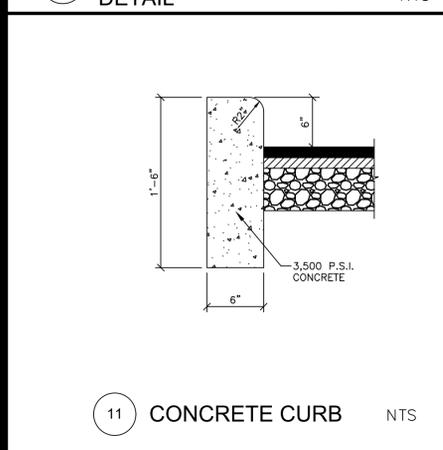
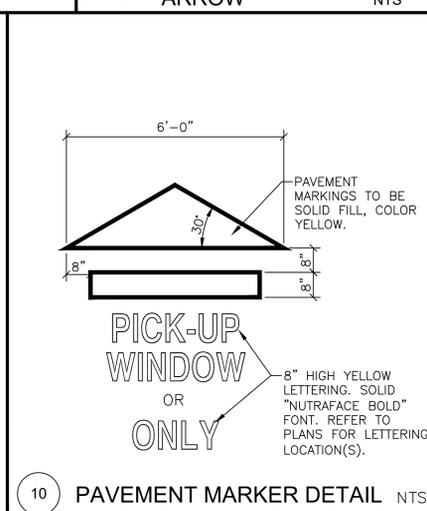
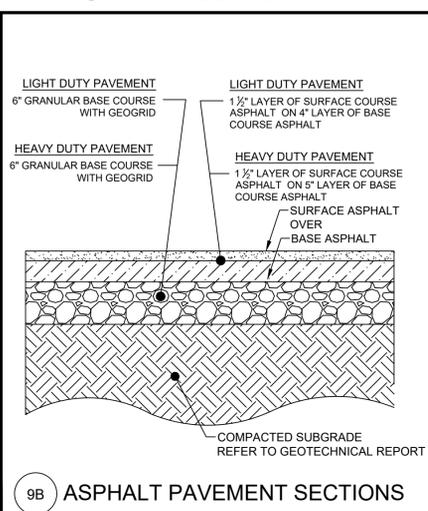
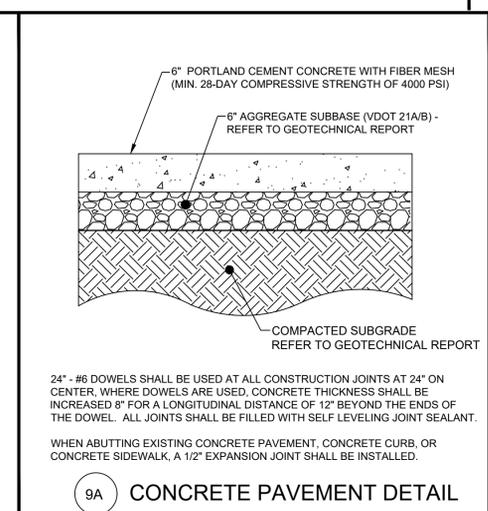
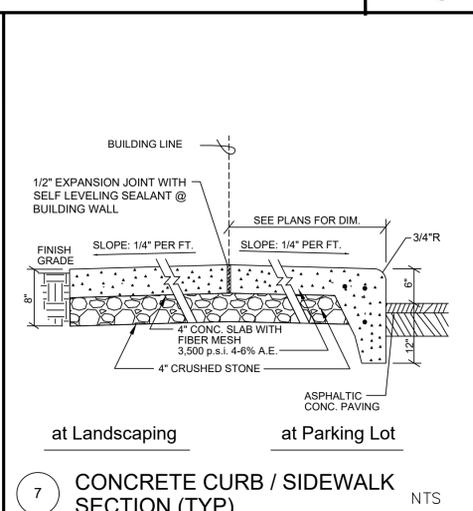
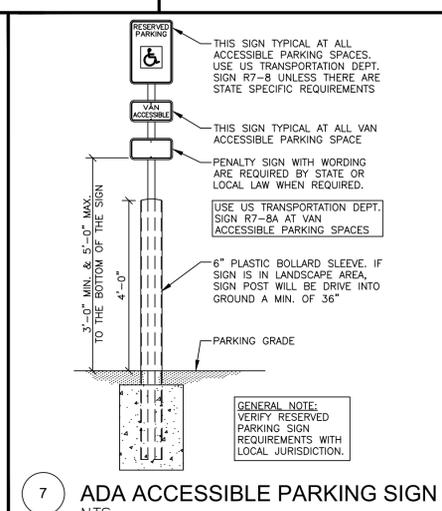
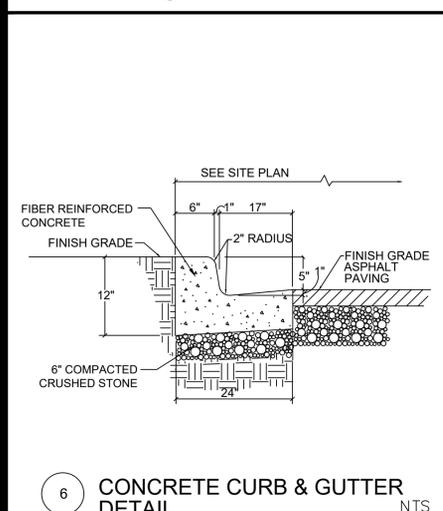
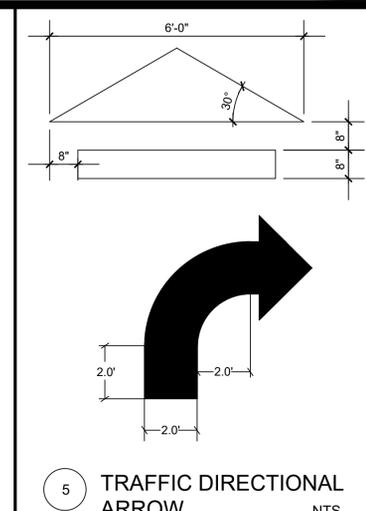
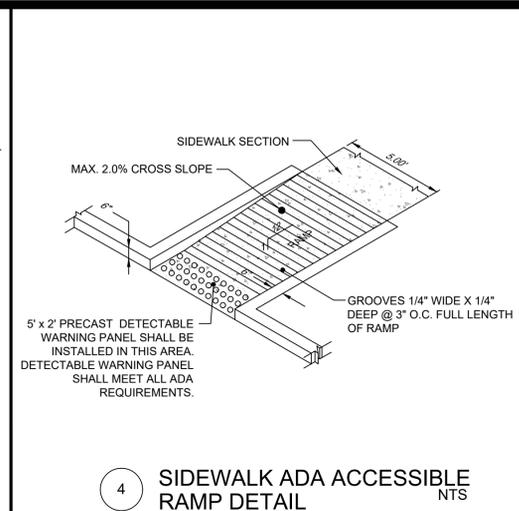
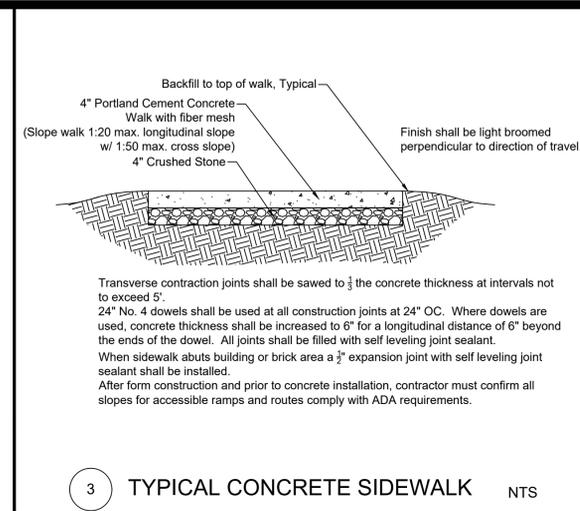
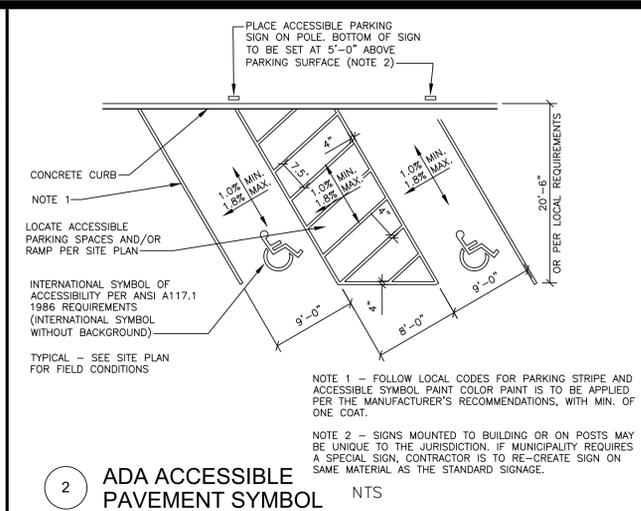
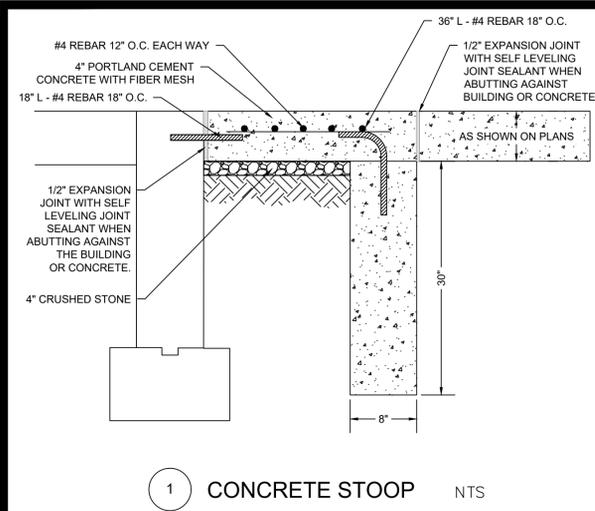
REV.	DATE	DESCRIPTION

ISSUE DATE: 7-11-19
PROJECT NUMBER: NPCQB#6042
DRAWN BY: T.L. RM
CHECKED BY: MEN, T.L.



SHEET NAME
LANDSCAPE PLAN
SHEET NUMBER

C6



SITE NUMBER: 12802
 BASE MDL: SMART 55 - NARROW 2017
 ASSET TYPE: FRAN
 CLASSIFICATION: NEW
 OWNER: NPCQB
 BASE VERSION: 2017
 UPGRADE CLASSIFICATION: NEW BUILD
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 Phone: (618) 263-4100

Wendy's
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 LEE'S SUMMIT, MO 64063

REV.	DATE	DESCRIPTION

ISSUE DATE: 09-05-19
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 DRAWN BY: T.L. RM
 CHECKED BY: MEN. TL

STATE OF MISSOURI
 MICHAEL E. NEIKIRK
 PROFESSIONAL ENGINEER
 No. 12533

SHEET NAME: DETAILS
 SHEET NUMBER: C7

SITE NUMBER:	12802
BASE MDL:	SMART 55 - NARROW 2017
ASSET TYPE:	FRAN
CLASSIFICATION:	NEW
OWNER:	NPCQB
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PROJECT YEAR:	2019
FURNITURE PACKAGE:	2016 V3
DRAWING RELEASE	SPRING 2018

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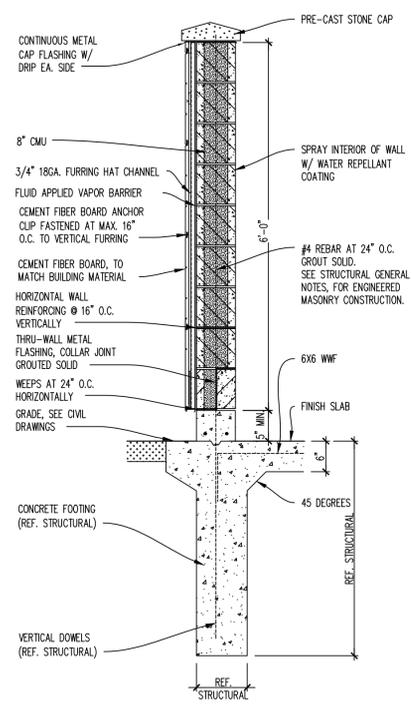
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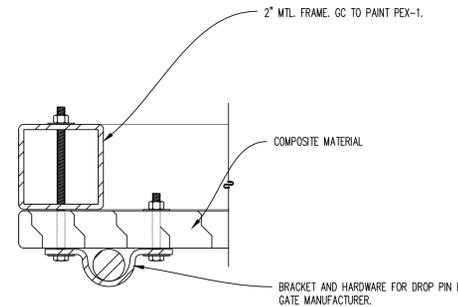


SHEET NAME
DETAILS
 SHEET NUMBER

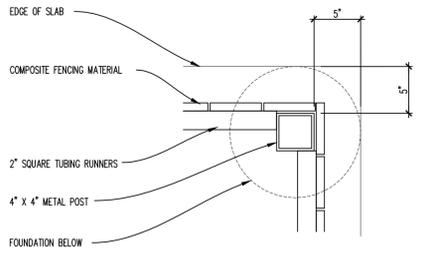
C9



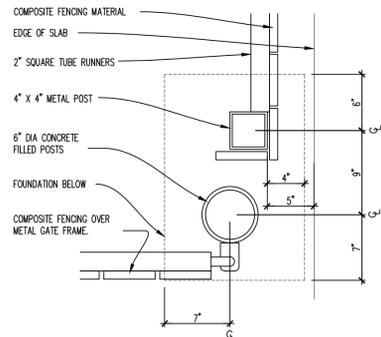
08 WALL SECTION
 SCALE: 3/4"=1'-0"



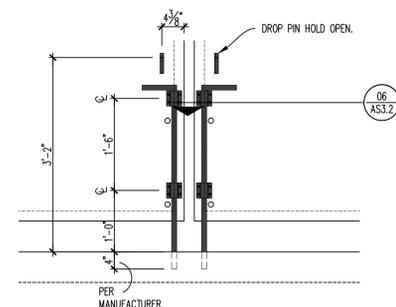
07 DROP-PIN DETAIL COMPOSITE GATE
 SCALE: 6"=1'-0"



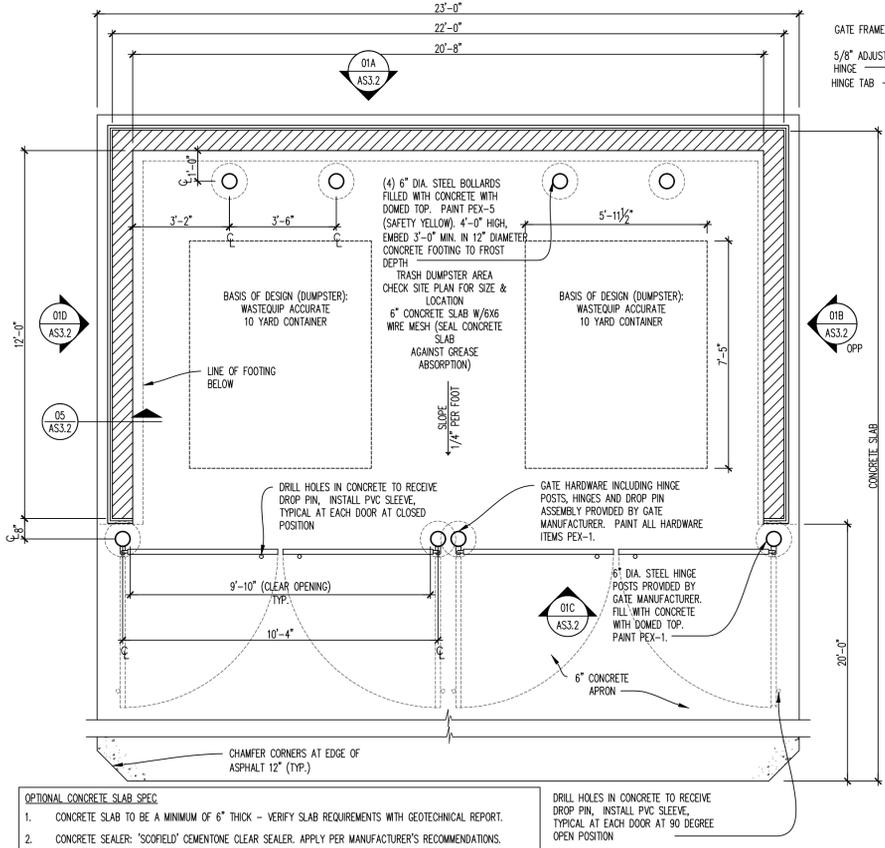
06 PLAN DETAIL
 SCALE: 1 1/2"=1'-0"



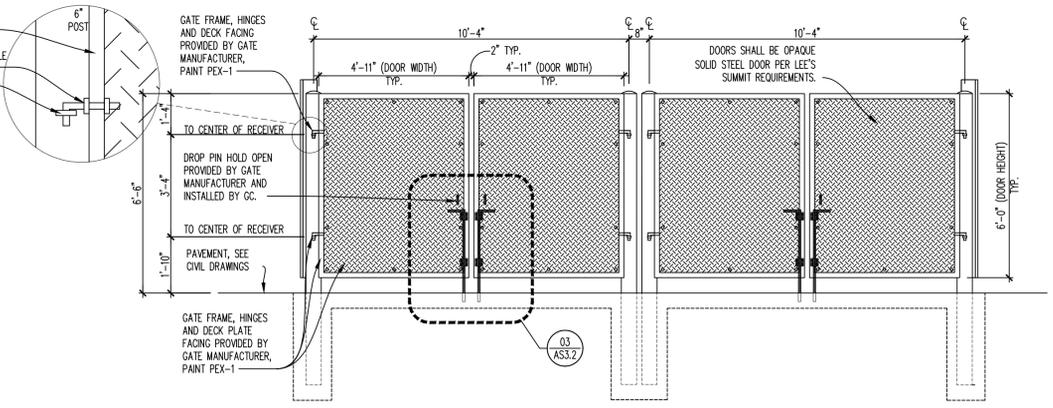
05 PLAN DETAIL
 SCALE: 1 1/2"=1'-0"



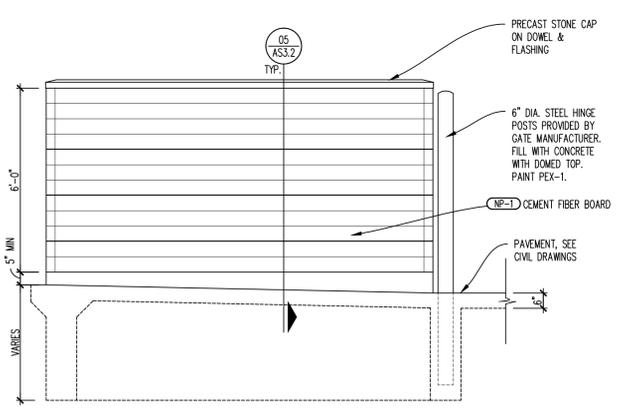
03 DROP PIN DETAIL
 SCALE: 3/4"=1'-0"



02 TRASH ENCLOSURE PLAN
 SCALE: 3/8"=1'-0"



04 ELEVATION - COMPOSITE GATE
 SCALE: 3/8"=1'-0"



01 TRASH ENCLOSURE ELEVATIONS
 SCALE: 3/8"=1'-0"

- OPTIONAL CONCRETE SLAB SPEC**
1. CONCRETE SLAB TO BE A MINIMUM OF 6" THICK - VERIFY SLAB REQUIREMENTS WITH GEOTECHNICAL REPORT.
 2. CONCRETE SEALER: "SCOFIELD" CEMENTONE CLEAR SEALER. APPLY PER MANUFACTURER'S RECOMMENDATIONS.
 3. OPTIONAL: CONCRETE COLOR HARDENER: "SCOFIELD" LITHOCHROME, A33 "CLASSIC GREY" APPLY PER MANUFACTURER'S RECOMMENDATIONS.

NOT FOR CONSTRUCTION - CITY REVIEW SET

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 UPGRADE CLASSIFICATION:
 NEW BUILD
 PROJECT YEAR: 2019
 FURNITURE PACKAGE: 2016 V3
 DRAWING RELEASE: SPRING 2018

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REV.	DATE	DESCRIPTION



SHEET NAME
 PHOTOMETRIC PLAN
 SHEET NUMBER

C10

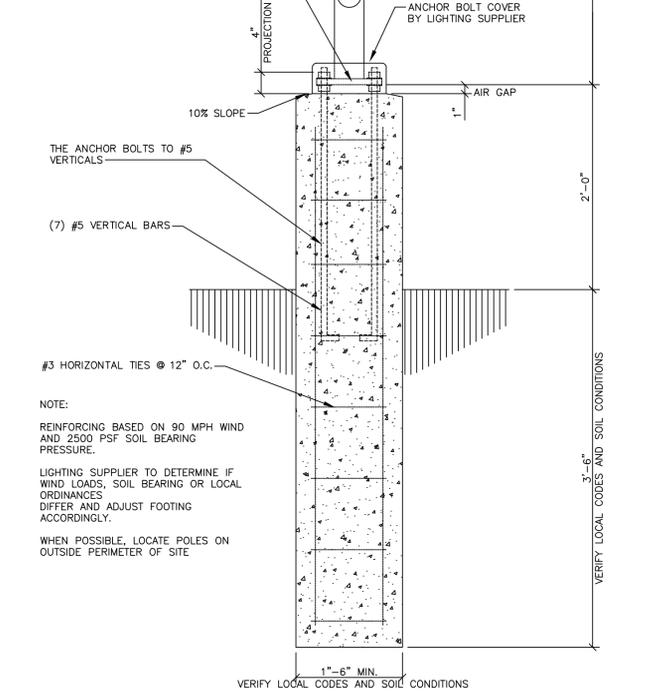


- EXTERIOR PARKING LOT LIGHTING NOTES
- REFER TO SITE LIGHTING SUPPLIERS
 - PARKING LOT TO HAVE AN AVERAGE OF 4 - 6 FOOTCANDLES IN THE PAVED AREA UNLESS LOCAL CODES REQUIRE LESS
 - CONSULT WITH THE PARKING LOT LIGHT SUPPLIERS TO HAVE A PHOTOMETRIC SITE PLAN PREPARED
 - LIGHT POLE: 24'-0" HIGH, 4" DIAMETER

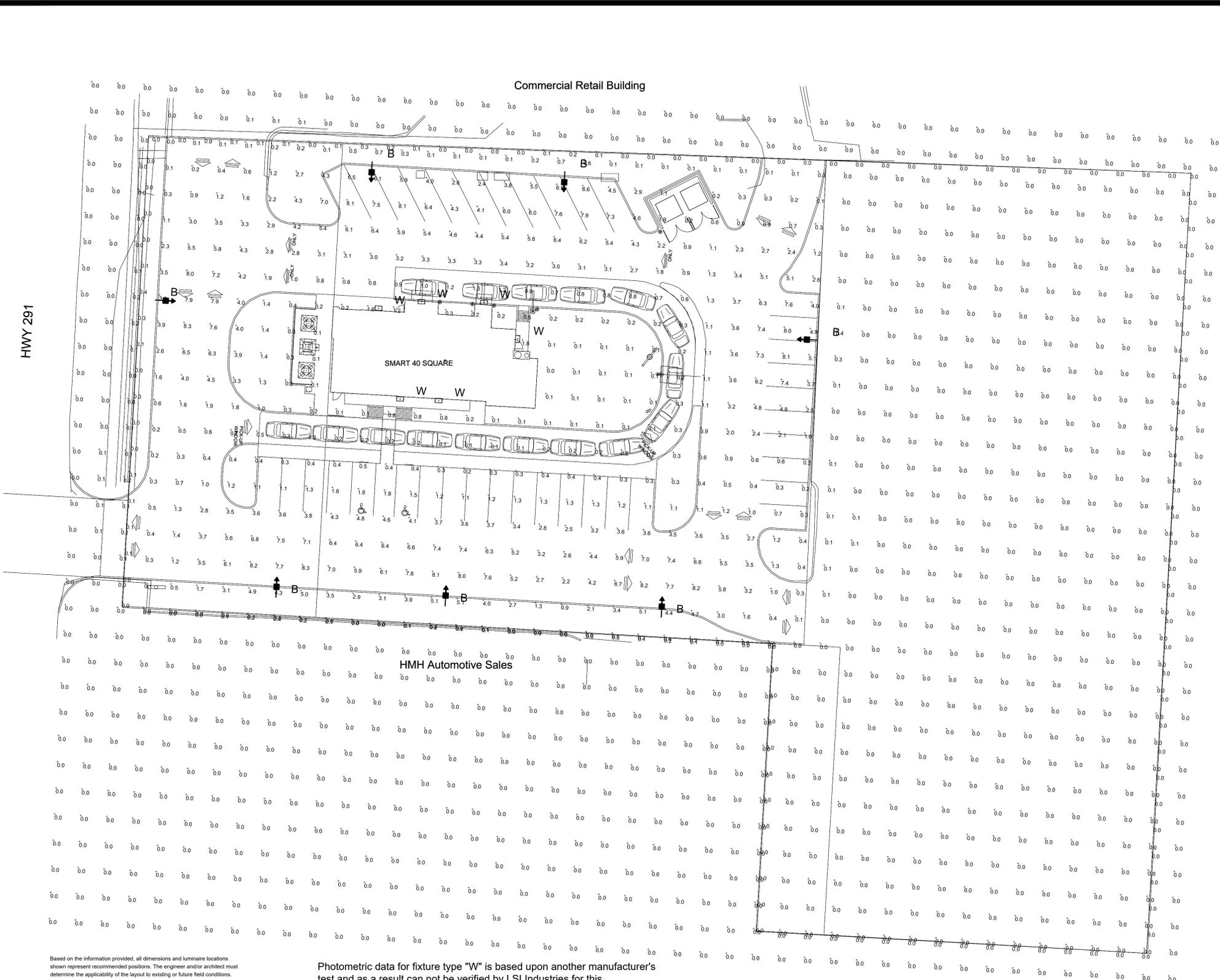
LIGHT POLE TO BE FURNISHED AND INSTALLED BY ELECTRICAL CONTRACTOR. POLE AND LUMINAIRE TO BE FURNISHED BY THE SAME MANUFACTURER

POLE HEIGHT - 24'-0"
 POLE DIAMETER - 4"
 POLE TYPE - STEEL SQUARE
 POLE FINISH - BRONZE
 BOLT SIZE - 1" BOLT CIRCLE
 ANCHOR BOLTS - 1"x36" W/
 DOUBLE NUT AND WASHERS

FOR PROPER INSTALLATION OF SITE LIGHTING ALWAYS USE DOUBLE NUTS AND WASHERS. THIS ASSEMBLY WILL PREVENT MOISTURE BUILD-UP IN THE POLE BY ALLOWING AIR TO CIRCULATE THROUGH THE INSIDE OF POLE BASES MOUNTED DIRECTLY TO CONCRETE CAN CAUSE A MOISTURE BUILD-UP, AND DETERIORATION OF THE POLE'S STABILITY



EXTERIOR LIGHT POLE & STANDARD RAISED CONCRETE BASE DETAIL
 NO SCALE



Photometric data for fixture type "W" is based upon another manufacturer's test and as a result can not be verified by LSI Industries for this calculation.

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CALCS @ GRADE-	illuminance	Fc	0.78	8.3	0.0	N.A.	N.A.
PROPERTY LINE	illuminance	Fc	0.03	0.4	0.0	N.A.	N.A.
CURB INTERIOR	illuminance	Fc	2.91	8.3	0.0	N.A.	N.A.

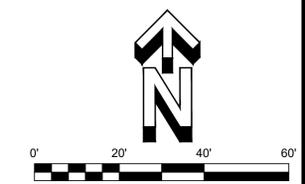
Total Project Watts
 Total Watts = 1441.6

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps, LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted. Fixture nomenclature noted does not include mounting hardware or poles. This drawing is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

Symbol	Qty	Label	Arrangement	Description	LLD	UDF	LLF	Arr. Lum. Lumens	Arr. Watts
➡	7	B	SINGLE	SLM-LED-24L-SIL-FT-50-70CRI-IL-SINGLE-18' MH	1.000	1.000	1.000	15885	188.8
□	6	W	SINGLE	WENMS-L16_8-120-27TV (FIXTURE BY OTHERS) 10.5' MH	1.000	1.000	1.000	432	20

NOT FOR CONSTRUCTION - CITY REVIEW SET



LEGEND	
	Benchmark
	Iron Pin Found
	Backflow Preventer
	Bollard
	Soil Boring Location
	Sanitary Sewer Cleanout
	Gas Meter
	Storm Sewer Curb Inlet
	Storm Sewer MH/Open Lid
	Light Pole or Traffic Light
	Storm Sewer Manhole
	Sanitary Sewer Manhole
	Sign
	Water Meter
	Water Valve
	Utility Pole
	To Be Removed
	Top of Curb
	Pavement
	Match Existing
	Grade point
	Number of Parking Spaces
	To Be Removed
	Water Line
	Sanitary Sewer Main
	Fence
	Existing Contours
	Proposed Contours
	Underground Electric
	Storm Sewer
	Limits of Pavement Removal
	Overhead Utility Lines
	Gas Lines
	Ditch / Swale
	Existing Asphalt
	New Asphalt
	New Concrete
	Gravel
	Existing Concrete

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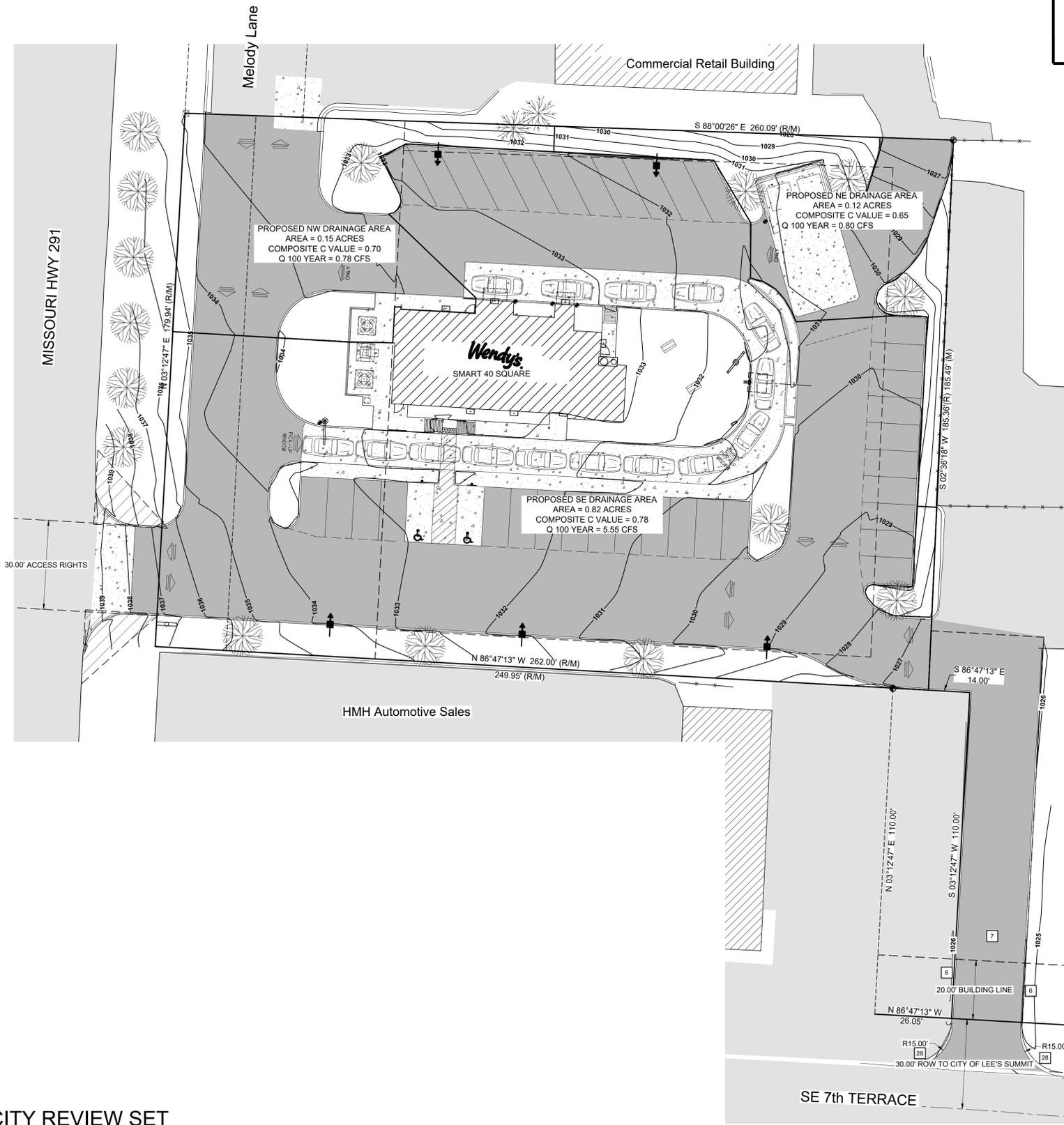
REV.	DATE	DESCRIPTION

ISSUE DATE: 09-05-19
 PROJECT NUMBER: NPCQB#6042
 DRAWN BY: T.L. RM
 CHECKED BY: MEN. T.L.



SHEET NAME
 PROPOSED DRAINAGE AREA
 SHEET NUMBER

EX. 2

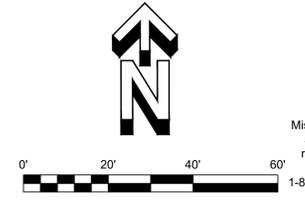


PROPOSED NORTHWEST DRAINAGE AREA:
 TOTAL AREA = 0.15 ACRES
 IMPERVIOUS AREA = 0.10 ACRES @ C=0.90
 PERVIOUS AREA = 0.05 ACRES @ C=0.30
 COMPOSITE C = 0.70
 TIME OF CONCENTRATION = 7.80 MIN.
 1 100 YEAR = 9.27 IN/HOUR
 Q = CIA = (0.70)(9.27 IN/HOUR)(0.12 ACRES) = 0.78 CFS
 EXISTING 0.84 CFS > PROPOSED 0.78 CFS

PROPOSED NORTHEAST DRAINAGE AREA:
 TOTAL AREA = 0.12 ACRES
 IMPERVIOUS AREA = 0.07 ACRES @ C = 0.90
 PERVIOUS AREA = 0.05 ACRES @ C = 0.30
 COMPOSITE C = 0.65
 TIME OF CONCENTRATION = 2.37 MIN. THEREFORE USE 5 MIN. MIN.
 1 100 YEAR = 10.3 IN/HOUR
 Q = CIA = (0.65)(10.3 IN/HOUR)(0.12 ACRES) = 0.80 CFS
 EXISTING 1.21 CFS > PROPOSED 0.80 CFS

PROPOSED SOUTHEAST DRAINAGE AREA:
 TOTAL AREA = 0.82 ACRES
 IMPERVIOUS AREA = 0.66 ACRES @ C = 0.90
 PERVIOUS AREA = 0.16 ACRES @ C = 0.30
 COMPOSITE C = 0.78
 TIME OF CONCENTRATION = 9.72 MIN.
 1 100 YEAR = 8.67 IN/HOUR
 Q = CIA = (0.78)(8.67 IN/HOUR)(0.82 ACRES) = 5.55 CFS
 EXISTING 6.93 CFS > PROPOSED 5.55 CFS

C-VALUES ARE FROM TABLE 5602-3 RUNOFF PARAMETERS. TIME OF CONCENTRATION CALCULATIONS WERE COMPLETED USING EQUATION FROM SECTION 5602.7, AND INTENSITIES WERE CALCULATED USING TABLE 5602-5 FROM APWA STORM DRAINAGE SYSTEMS AND FACILITIES MANUAL.



Missouri One Call System, Inc. is open 7 days a week, 24 hours a day to process locate requests or address questions regarding a locate request. The toll free number is 1-800-344-7483 or 811 (the National three digit call before you dig phone number).

C:\Users\lbrun\OneDrive\Documents\2019\08051921 NPC - Wendy's Lee's Summit, MO\Drawings\9/2/2019 10:29:22 AM

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 DRAWN BY: TAJ, RM
 CHECKED BY: MEN, TAJ



SHEET NAME
 COLORED RENDERINGS
 SHEET NUMBER

EX. 3



1 WEST ELEVATION
 NOT TO SCALE



3 EAST ELEVATION
 NOT TO SCALE



2 SOUTH ELEVATION
 NOT TO SCALE



4 NORTH ELEVATION
 NOT TO SCALE

C:\Users\lbruno\OneDrive\Documents\Projects\2019\08051921 NPC - Wendy's Lee's Summit, MO\Drawings\2019\08051921 NPC - Wendy's Lee's Summit, MO.dwg
 9/5/2019 10:48:18 AM

PL2019-233 PRELIM DEV PLAN Wendy's



Packet Information

File #: 2019-3076, Version: 1

Public Hearing: Application #PL2019-246 - Preliminary Development Plan - DCI Lee's Summit, 2001 NW Shamrock Ave;
Dialysis Clinic, Inc., applicant.

Issue/Request:

The applicant seeks approval of a preliminary development plan to construct a 10,442 sq. ft. building to operate a dialysis center.

Proposed Planning Commission Motion:

I move to recommend approval of Appl. #PL2019-246 - PRELIMINARY DEVELOPMENT PLAN - DCI Lee's Summit, 2001
NW Shamrock Ave; Dialysis Clinic, Inc., applicant

Phillip Pierson - Applicant

Josh Johnson, AICP, Asst. Director of Plan Services

The City of Lee's Summit
Action Letter - Draft
Planning Commission

Thursday, October 10, 2019

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Call to Order

Roll Call

Present: 7 - Board Member Mark Kitchens
Board Member Carla Dial
Chairperson Jason Norbury
Vice Chair Donnie Funk
Board Member Terry Trafton
Board Member Jeff Sims
Board Member Dana Arth

Absent: 2 - Board Member John Lovell
Board Member Jake Loveless

Approval of Agenda

Chairperson Norbury announced that would be a few adjustments to the agenda. Items 2, 3, and 6, Items PL2019-261, PL2019-255, and PL2019-257, all pertaining to the Lee's Summit Airport, would be heard at the same time. Motions would be made and voted on for each item separately. He asked for a motion to approve.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this agenda be approved as amended. The motion carried unanimously.

Public Comments

There were no public comments presented at the meeting.

Approval of Consent Agenda

[TMP-1386](#) Appl. #PL2019-296 - SIGN APPLICATION - Raintree Village monument sign, 3803 SW Ward Rd; Royal Signs & Graphics, applicant

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

[2019-3072](#) Minutes of the September 26, 2019, Planning Commission meeting

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that the minutes be approved. The motion carried unanimously.

Public Hearings

[2019-3078](#) Appl. #PL2019-261 - VACATION OF RIGHT-OF-WAY - unused right-of-way on

Lee's Summit Airport property, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury opened the hearing for agenda items 2 and 3 at 5:10 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Bob Hartnett, deputy director of the Public Works Department, gave his business address as Lee's Summit City Hall at 220 SE Green Street. The City had purchased the Airport in 1977, and had acquired about 40 additional properties since then. These properties carried the original zoning; so the Airport had land zoned for residential, commercial and industrial uses. These agenda items were primarily for clean-up, including vacation of some rights-of-way involving Strother, Hagan, Leinweber and Douglas roads. These rights-of-way were no longer necessary. The rezoning application was a request to change this zoning mixture to all AZ (Airport) zoning. Regarding the final plan (agenda item 6), would reorganize these 40 lots into three lots.

Mr. Hartnett added that Mr. Andy Boding, of the consulting engineering firm of Crawford, Murphy and Tilly (CMT) and Mr. Jim Anderson of Anderson Survey were present and could answer questions.

Mr. Shannon McGuire entered into the record Exhibit (A), list of exhibits 1-12 for Application PL2019-255 and list of exhibits 1-12 for Application PL2019-261. He confirmed that the Airport property currently consisted of 44 different lots, with a mixture of AG, RP-1, CP-2, PI and PMIX zoning designations. The City proposed to change these to the AZ Airport zoning district established in 2006. It had been established to incorporate the City airport with adjoining developable properties in order to provide for selected commercial and industrial uses that would be compatible with the airport use. Additionally, several unused rights-of-way crossed over the property, as indicated on the displayed aerial map, one of them crossing a runway. Vacating these rights-of-way was necessary for replatting the existing 44 parcels into four lots.

The proposed rezoning and right-of-way vacations would not impact the surrounding neighborhood, and the proposed AZ zoning was consistent with the entire property's use. It was substantially consistent with the Comprehensive Plan, as well as meeting the requirements of the UDO and the Design and Construction Manual. . An overhead copper cable was within the Leinweber Road right-of-way, and a Condition of Approval for this application indicated a general utility easement. The second of two Conditions of Approval was the standard requirement for recording the vacation of the right-of-way.

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony. Seeing one, he opened the hearing for any Commissioners' questions for the applicant or staff.

Chairperson Norbury asked Mr. McGuire if it was correct that the rezoning would have no functional impact on the Airport's operations. Mr. McGuire confirmed that it was.

Chairperson Norbury asked if there were any further questions for the applicant or staff. As there were none, he closed the public hearing at 5:10 p.m. and asked for discussion among the Commission members, or for a motion. He asked that the two applications be voted on in two separate motions.

Mr. Funk asked what would be done with Item 6, which addressed the final plat. Chairperson Norbury answered that this item would be heard next.

Mr. Funk made a motion to recommend approval of Application PL2019-261, Vacation of Right-Of Way: unused right-of-way on Lee's Summit Airport property, 2751 NE Douglas St.; City of Lee's Summit, applicant; subject to staff's letter of October 4, 2019 specifically

Conditions of Approval 1 and 2. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3077](#)

Appl. #PL2019-255 - REZONING from AG, RP-1, CP-2, PI and PMIX to AZ - Lee's Summit Airport, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury asked for a motion on Application PL2019-255.

Mr. Funk made a motion to recommend approval of Application PL2019-255, Rezoning from AG, RP-1, CP-2, PI and PMIX to AZ; Lee's Summit Airport, 2751 NE Douglas St.; City of Lee's Summit, applicant. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3075](#)

Appl. #PL2019-233 - PRELIMINARY DEVELOPMENT PLAN - Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant

Chairperson Norbury opened the hearing at 5:13 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Ms. Tiffany Lehman stated that she was the civil engineer for this project. She described the subject property currently had a vacant restaurant building with asphalt coverage throughout the property. An access easement existed on the southeast side, leading down to SE 7th Terrace. The applicants planned to demolish the building and redevelop the property with a 2,600 square foot Wendy's restaurant. The project would include asphalt parking, concrete sidewalks, drive-through area, and a dumpster enclosure. The access easement would be redone, and they would install landscaping on the property.

Ms. Lehman displayed colored elevations, including the front (west side) of the building facing M-291 as well as the rear of the building, the south side of the building and the north side which included the drive-through.

Following Ms. Lehman's presentation, Chairperson Norbury asked for staff comments.

Mr. Soto entered Exhibit (A), list of exhibits 1-13 into the record. He confirmed that this was a redevelopment of an existing property. Displaying an aerial photo, he pointed out the locations of SE 7th Terrace and M-291 Highway. Lee's Summit High School was across the highway to the west, and the Missouri State Highway Patrol headquarters to the southwest. The QuikTrip store and HMH AutoSport were further south. A multi-tenant retail center were to the north and immediately to the east were some office/warehouse properties with industrial zoning. Some single-family residences and duplexes were further to the northeast.

The property had previously had restaurant use, most recently a 6,500 square foot sit-down restaurant but had been vacant for at least five years. The future user would be a 2,500 square foot drive-through restaurant. The proposed parking would be 37 spaces, two more than the 35 spaces required. The site had access at three points: the right-of-way from M-291

Highway, from SE Melody Lane and from SE 7th Terrace. At the northeast corner was a cross-access that went along the back of the retail building to Bayberry and its signaled access to M-291.

Mr. Soto noted that this redevelopment would be reducing impervious coverage on the site by about 17 percent: from 91 percent coverage to 74 percent. Referring to the colored elevations referenced earlier, he noted the building materials: brown or earth tone fiber cement panels, and the aluminum composite metal (ACM) panels in red and gray. These were similar to materials previously proposed and approved for churches and for some auto dealerships, as well as other materials and architecture along M-291. The elevations also showed a large amount of glass on the north and south sides. Staff's analysis concluded that the use was consistent with the Comprehensive Plan, with the M-291 corridor north of US 50 was primarily retail use. Restaurant use would be equally appropriate, and this long-vacant site was in an especially visible location.

Staff's only Condition of Approval was that the ACM panels proposed would be allowed as a conditional material, "as shown in the preliminary development plan date stamped September 9, 2019." The UDO allowed the panels, but after a review. This was a material that had become more common.

Following Mr. Soto's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then opened the hearing for Commissioners' questions for the applicant or staff.

Mr. Funk asked if Melody Lane would end at the property or continue to be a through street in front of the restaurant. Mr. Soto answered that there would still be continuous access, but the right-of-way did terminate at the north property line and extend into the private drive beyond that. 7th Street would remain, and be improved, and it had a cross-access easement with adjoining properties. On the displayed aerial map, he pointed out the drive behind the HMM building that gave access to 7th Terrace.

Mr. Kitchens noted that the drive-through traffic was immediately to the left of the entrance/exit off M-291. It had room for 2 or 3 cars. He asked if it could be a one-way corridor, as it would be easy for drivers from M-291 to cut through the drive-through traffic. It was a common problem with fast-food restaurants whose lots combined parking and drive-through traffic.

Ms. Lehman asserted that the applicant had worked with the City on this issue. Their stacking did allow for about nine cars from the order box out to the front. Wendy's corporate usually requested six. They wanted to keep the two-way traffic, as it allowed the most access throughout the site; and as the stacking for the drive-through was more than what was required, they did not anticipate any traffic obstruction in the front. Mr. Kitchens asked if the applicant had a waiting time limit for drive-through lines.

Mr. Park clarified that the M-291 access belonged to MoDOT. They had reviewed this plan and the traffic circulation, and the property did have room for stacking of 8 or 9 vehicles up to the menu board. Staff's preference was also for the drive to be two-way; and MoDOT had indicated that this access shared with Melody to the north would be changed. This would be after interchange improvements that would move the Blue Parkway signal to 7th Street, just to the south; and at that point MoDOT would probably move it north to the Melody Lane right-of-way. At present, they did not have a schedule for interchange improvements from MoDOT and so relied on the operator of the store to mitigate congestion by directing people around the perimeter before entering the drive-through line.

Mr. Sims remarked to Mr. Park that while he understood the concern with stacking and the drive-through, he was more concerned with left turns onto M-291. He acknowledged that it

was a MoDOT right-of-way, and asked if making this a right-in-right-out access had been considered. Mr. Park answered that MoDOT did have a safety concern about the left and crossover movements onto M-291. They were reserving the access management control for an interchange. They could not know what the extent and nature of the improvements would be at this point.

At Mr. Funk's request, Ms. Lehman pointed out this area was on the site plan, toward the back of the property. The plan showed a significant area for stacking in front of it.

Regarding the aluminum composite metal panels referred to earlier, Chairperson Norbury asked Mr. Soto if City staff had considered making it a conditional use since its use was becoming more common. Mr. Soto replied that they were.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:30 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk commended the applicant on Wendy's current designs, mentioning the store on Chipman as an example. He then made a motion to recommend approval of Application PL2019-233, Preliminary Development Plan: Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Recommendation Conditions of Approval 1 (site specific) and 2-11 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3076](#)

Appl. #PL2019-246 - PRELIMINARY DEVELOPMENT PLAN - DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant

Chairperson Norbury opened the hearing at 5:30 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Philip Pierson of the Callas Design Group, gave his address as 5016 Centennial Boulevard in Nashville, Tennessee. He was present representing Dialysis Clinic, Inc. They proposed to build a 10,400 square foot building for the clinic. The clinic would have 17 patient stations, a small suite for a doctor's office. Mr. Pierson emphasized that this was not a use that generated much noise or heavy traffic. Patients often stayed for several hours, so the clinic would have morning and afternoon shifts.

Following Mr. Pierson's presentation, Chairperson Norbury asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-15 into the record. He first cited a correction to page 5 of staff's letter, with the site's use being "Mixed Use—John Knox Village." The subject property was on the southwest corner of NW Shamrock Avenue and NW Pryor Road and was about 2.25 acres. It was just west of the new fire station #3. It had been included in the conceptual plan approved by the City Council in September 2018 and so had required a preliminary development plan. The property was zoned PMIX, with the Comprehensive Plan identifying this area as "Mixed Use – John Knox Village." John Knox Village was to the east, and the Sterling Hills single-family subdivision was to the south. To the north was some undeveloped land kept for future commercial use.

Mr. McGuire displayed color elevations of the building, showing materials of masonry, EIFS,

brick and glass. The applicant asked for one modification, to the high-impact screening buffer required. They proposed a six-foot tall vinyl fence about three feet north of the south property line, and the required high-impact screen planted on the fence's north side instead of on both sides of the fence. With the fence three feet from the property line, and the required screening elements planted on the north side, the vegetation would be more accessible for maintenance.

The proposed development would not have any detrimental impact on the surrounding area, nor impede the development of surrounding properties. It would have an on-site stormwater detention system. The road network had enough capacity to handle the proposed use, so no road improvements were needed or required. The project met the requirements of both the UDO and the Design and Construction Manual.

Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, Chairperson Norbury then asked if the Commission had questions for the applicant or staff.

Chairperson asked if any City staff was working on the UDO's definition of a high-impact landscaping buffer. Mr. Soto replied that in most recent proposals the amount of landscaping met the UDO requirements; though not often stating where a required fence would be placed. Staff was working on some flexibility on this placement, to allow for different circumstances and conditions on different sites. Utility lines, for example, could often mandate modifications.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:35 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk made a motion to recommend approval of Application PL2019-246, Preliminary Development Plan: DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Conditions of Approval 1 (Site Specific) through 8 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

Other Agenda Items

[TMP-1388](#) PL2019-257 - FINAL PLAT - Lee's Summit Airport, 2751 NE Douglas St; Anderson Survey Co., applicant

Chairperson Norbury opened the hearing at 5:12 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McGuire remarked that usually this would be a Consent Agenda Item. However, due to the timing of the preliminary plat, the rezoning, and the rights-of-way vacations, it had been moved up. It was not possible to replat with the right-of-way. Consequently, there was no further presentation.

Chairperson Norbury asked for a motion for Application PL2019-257.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

Roundtable

There were no Roundtable items at the meeting.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting at 5:42 P.M.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-246
File Name	Preliminary Development Plan – DCI Lee's Summit
Applicant	Dialysis Clinic, Inc.
Property Address	2001 NW Shamrock Ave
Planning Commission Date Heard by	October 10, 2019 Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: July 9, 2019
Neighborhood meeting conducted: September 19, 2019
Newspaper notification published on: September 21, 2019
Radius notices mailed to properties within 300 feet on: September 6, 2019
Site posted notice on: September 20, 2019

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Attachments

Traffic Impact Analysis prepared by Michael Park, dated October 3, 2019 – 3 pages
Traffic Impact Study prepared by Olsson, dated September 10, 2019 – 25 pages

Drainage Summary prepared by Catalyst Design Group, date stamped August 26, 2019 – 5 pages

Preliminary Development Plan, date stamped September 10, 2019 – 24 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Dialysis Clinic, Inc., applicant
Applicant's Representative	
Location of Property	2001 NW Shamrock Ave
Size of Property	±2.225 acres
Zoning	PMIX (Planned Mixed Use)
Comprehensive Plan Designation	Mix Use-John Knox Village
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the preliminary development plan. The City Council takes final action on the preliminary development plan in the form of an ordinance.</p> <p>Duration of Validity: Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four (24) months from the date of such approval, unless within such period a final development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon written request.</p>

Current Land Use
Undeveloped vacant ground

Description of Applicant's Request
The applicant seeks approval of a preliminary development plan to construct a 10,442 sq. ft. building to operate a dialysis center.

2. Land Use

Description and Character of Surrounding Area
The property is located at the southwest corner of NW Shamrock Ave and NW Pryor Rd. Just west of the subject site is the location of the new fire station #3. John Knox Village is located east, across NW Pryor Rd. The Sterling Hills single-family subdivision is located to the south. North of the property is undeveloped land for future commercial use.

Adjacent Land Uses and Zoning

North:	Undeveloped / PMIX (Planned Mixed Use)
South:	Sterling Hills Subdivision / R-1 (Single-Family Residential District)
East:	John Knox Village / PMIX (Planned Mixed Use)
West:	Lee's Summit Fire Station #3 (under construction) / PMIX (Planned Mixed Use)

Site Characteristics
The site is a relatively unremarkable rectangular shaped property that generally slopes from the northwest to the southeast. An existing tree line is located on the south property line. The subject site is bordered by NW Pryor Rd on the east and NW Shamrock Ave on the north.

Special Considerations
There are no special or unique site conditions to consider.

3. Project Proposal

Site Design

Land Use	
Impervious Coverage:	46%
Pervious:	54%
TOTAL	100%

Parking

Proposed		Required	
Total parking spaces proposed:	52	Total parking spaces required:	52
Accessible spaces proposed:	4	Accessible spaces required:	2
Parking Reduction requested?	No	Off-site Parking requested?	No

Setbacks (Perimeter)

Yard	Building / Parking Required	Building / Parking Proposed
Front	15' (Building) / 20' (Parking)	102'+ (Building) / 32' (Parking)
Side	15' (Building) / 20' (Parking) – north; 6' (Parking) – south	35'+ (Building) / 85' (Parking)
Rear (west)	20' (Building) / 20' (Parking)	370' (Building) / 247' (Parking)

Structure(s) Design

Number and Proposed Use of Buildings
1 medical office building
Building Height
34'10"
Number of Stories
1 story

4. Unified Development Ordinance (UDO)

Section	Description
2.040,2.260,2.300,2.320	Preliminary Development Plans
8.120,8.170,8.180	Design Standards
8.220,8.230,8.250,8.260,8.290	Lighting Standards
8.530,8.580,8.620	Parking Standards
8.720,8.750,8.790,8.810,8.820	Landscaping

Unified Development Ordinance

The PMIX zoning district allows for office and institutional uses that are compatible with the surrounding area. The proposed use is an allowed use in the subject zoning district. Should the requested preliminary development plan and modifications be granted, the proposed development would satisfy any requirements applicable to the zoning district pursuant to UDO.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.3 Objective 1.4
Economic Development	Objective 2.1 Objective 2.2
Commercial Development	Objective 4.1 Objective 4.2

Comprehensive Plan

The proposed use is consistent with the land use recommended by the Comprehensive Plan for the area. The subject site is identified as Mix Use-John Knox Village by the 2005 Comprehensive Plan Land Use Map.

6. Analysis

Background and History

The applicant seeks approval of a preliminary development plan for a dialysis center. The proposed development consists of a single-story 10,442 sq. ft. building. The proposed exterior building materials consist of masonry, EIFS, brick and glass. The applicant has requested a modification to place the required landscape screen fence approximately 3 feet off the property line rather than placing it in the center of the required 20' buffer.

- July 13, 1976 – City Council approved a rezoning (Application #1975-016) of approximately 58 acres from AG to RP-3 and PRO for a mixed-use residential development and nursing home for John Knox Village by Ordinance No. 1692.
- December 7, 2006 – The City Council approved the rezoning (Appl. #2006-184) from RP-3 to PMIX and the preliminary development plan (Appl. #2006-184) for Villas at John Knox Village by Ordinance No. 6305.
- February 19, 2007 – A final development plan (Appl. #2006-284) for Forest Lake Information Center located at 2001 NW Forest Lake Dr. was approved.
- April 18, 2007 – A minor plat (Appl. #2007-012) for Forest Lake at John Knox Village, 1st Plat was recorded at Jackson County Recorder of Deeds, by Document #2007E0051292.
- September 20, 2018 – City Council approved a preliminary development plan (PL2018-103) for the adjacent Woodside Ridge residential development to the west by Ordinance No. 8470.
- September 20, 2018 – City Council approved a rezoning from district RP-3 to district PMIX, preliminary development plan and conceptual plan (Appl. PL2018-135) for the proposed West Pryor Development by Ordinance No. 8472. The subject property was include in the conceptual plan, therefore requires approval of the subject PDP application.

Compatibility

The property is located at the intersection of NW Shamrock Ave. and NW Pryor Rd. The proposed building exterior is composed of masonry, EFIS, brick and glass. The 2005 Lee's Summit Comprehensive Plan Land Use Map identifies the area of the proposed project as Mixed Use – John Knox Village. The proposed land use and building is in substantial compliance with the Lee's Summit Comprehensive Plan

Adverse Impacts

The proposed development will not detrimentally impact the surrounding area.

Stormwater from the proposed development will be managed on-site through a stormwater detention system.

Public Services

The proposed development will not impede the normal and orderly development and improvement of the surrounding property.

The existing road network has sufficient capacity to accommodate the proposed use; no improvements are required as part of the proposed development.

Modifications

A high impact screening buffer between developments of differing land uses adjoining one another is required by the UDO along the south property line, adjacent to the residentially zoned district. The high impact screening requirements include a twenty foot buffer yard with a six foot high masonry wall or opaque vinyl fence and high-impact screening planted on both sides of the wall or the fence.

The applicant proposes to provide a 20' wide high impact landscape screen with a 6' tall vinyl fence placed approximately 3' north of the south property line, with the high impact screen planted on the north side of the fence. By installing the fence 3' north of the property line and planting the required screening elements on the north side of the fence, the vegetation will be more accessible and the burden of any required ongoing maintenance will be reduced.

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO and Design & Construction Manual.

7. Recommended Conditions of Approval

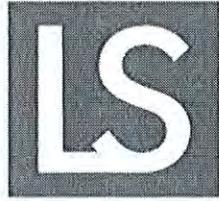
Site Specific

1. A modification shall be granted to the design of the required 20' wide high impact landscape screen along the south property line, to allow a 6' vinyl fence placed 3' north of the south property line and all required landscaping material planted on the north side of the fence.

Standard Conditions of Approval

2. 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.
3. 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 permit).
4. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of an infrastructure permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
5. All permanent easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion or approval of the final plat. A certified copy shall be submitted to the City for verification.
6. Private parking lots shall follow the Unified Development Ordinance for pavement thickness and base requirements.

7. Any cut and / or fill operations, which cause public infrastructure to exceed the maximum / minimum depths of cover shall be mitigated by relocating the infrastructure vertically and / or horizontally to meet the specifications contained within the City's Design and Construction Manual.
8. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.



LEE'S SUMMIT MISSOURI

DEVELOPMENT REVIEW FORM TRANSPORTATION IMPACT

DATE: October 3, 2019 **CONDUCTED BY:** Michael K Park, PE, PTOE
SUBMITTAL DATE: September 9, 2019 **PHONE:** 816.969.1800
APPLICATION #: PL2019246 **EMAIL:** Michael.Park@cityofls.net
PROJECT NAME: DCI LEE'S SUMMIT **PROJECT TYPE:** Prel Dev Plan (PDP)

SURROUNDING ENVIRONMENT (*Streets, Developments*)

The proposed preliminary development plan is located along the west side Pryor Road, south of Shamrock Avenue within the approved West Village conceptual development area. The development is surrounded by residential to the south and east, Fire Station #3 to the west and the remainder of undeveloped commercial mixed-use development associated with the West Village conceptual development plan to the north.

ALLOWABLE ACCESS

Access to the site is proposed from a shared private driveway along Shamrock Avenue consistent with the approved West Village conceptual development plan and preliminary development plan for Fire Station #3.

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

Shamrock Avenue is a two-lane, 25 mph, non-divided commercial local roadway in the vicinity of the proposed development. Pryor Road is a four-lane, median divided, suburban major arterial with a 35 mph speed limit in the vicinity of the proposed development. The intersection of Shamrock Avenue is stop controlled at the intersection of Pryor Road. There are (or will be upon completed construction of Shamrock Avenue west of Pryor Road) left turn lanes along Pryor Road at Shamrock Avenue and along eastbound Shamrock Avenue at Pryor Road. There is adequate sight distance at the existing and proposed intersections along existing roadways.

ACCESS MANAGEMENT CODE COMPLIANCE? Yes No

All provisions of the Access Management Code (AMC) are fully satisfied as it pertains to new access associated with the proposed development.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	308	154	154
A.M. Peak Hour	30	23	7
P.M. Peak Hour	37	10	27

TRANSPORTATION IMPACT STUDY REQUIRED? Yes No

The proposed development will not likely generate more than 100 vehicle trips during a weekday peak hour; the minimum condition for traffic impact study requirements. A traffic impact study was completed by City Staff, dated September, 2018, for the West Village Conceptual Development Plan which included a similar proposed land use (medical office) at the same location as the subject preliminary development plan. This study considered AM and PM Peak Hour traffic operations along Pryor Road at the intersections of Chipman Road, O'Brien Road, Shamrock Avenue, 3rd Street, and proposed commercial driveways. Analysis scenarios were completed for existing conditions, existing plus approved development conditions and proposed development conditions. The proposed development conditions scenario for the study considered not only the subject site, but also all other commercial development along the west side of Pryor Road north of Shamrock Ave.

Level of service (LOS) is an industry accepted standard measure of performance (e.g. delay) for traffic operations rated A-F, similar to a grade card with A the best and F the worst condition. The City Council has adopted a LOS policy in which the acceptable condition is LOS C or better for traffic signal controlled intersections and where LOS D (or worse) may be acceptable for stop controlled minor street approaches at major intersections. The study reported the following conditions at intersection of Shamrock Avenue at Pryor Road:

The stop controlled movements at the intersection of Shamrock Avenue and Pryor Road will likely have very poor operations and experience excessive delay in both peak hours for the existing plus approved plus proposed development scenario. This intersection will likely meet a peak hour signal warrant in this scenario and a traffic signal would mitigate the delays associated with the development impact. A supplemental traffic analysis was completed to isolate the impact of the proposed development on the intersection. The analysis, dated September 10, 2019, indicates a LOS D and LOS F for the eastbound left turn movement during the AM and PM Peak Hours, respectively. All other movements meet or exceed acceptable LOS performance. The delay associated with this stop controlled left turn movement is less than 2 minutes and queues generally less than 4 vehicles during the worst peak periods. A traffic signal is not warranted based on the proposed preliminary development plan. The signal would likely be warranted as additional development occurs north of Shamrock Ave. as previously studied. The proposed development also does not generate sufficient traffic to warrant a southbound right turn lane along Pryor Road at Shamrock Ave. The right-turn lane would also be warranted as additional development occurs.

No traffic improvements are recommended in association with the proposed development that are not already under construction in support of Fire Station #3 along Shamrock Ave. and Pryor Road. Future improvements to the adjacent intersection (e.g. signal installation and right turn lane construction) at Shamrock Ave. and Pryor Road will likely be needed as the remainder of the conceptual development plan (West Village) progresses.

Staff concurs with the supplemental traffic analysis and its conclusions for the proposed development plan.

LIVABLE STREETS (*Resolution 10-17*)

COMPLIANT

EXCEPTIONS

The proposed development 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 in full compliance with the Livable Streets Policy adopted by Resolution 10-17.

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.

PRYOR ROAD AND SHAMROCK AVENUE TRAFFIC IMPACT STUDY

Prepared for:
Dialysis Clinic, Inc.

Lee's Summit, Missouri

September 2019

Olsson Project No. 019-2726

olsson



0910 2019

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APPENDICES

Appendix A: Data Collection

Appendix B: Existing Plus Approved Development Conditions

Appendix C: Existing Plus Approved Plus Proposed Development Conditions

1. INTRODUCTION

This report studies traffic impacts associated with a proposed dialysis clinic located in the southwest corner of the intersection of Pryor Road and Shamrock Avenue in Lee's Summit, Missouri.

This report will review the impacts of the proposed development on the existing roadway network and will recommend additional turn lanes, storage bays, and intersection control methods per the City of Lee's Summit *Access Management Code (AMC)* and Missouri Department of Transportation's (MoDOT's) *Engineering Policy Guide (EPG)*, as appropriate, for the following study intersection:

- Pryor Road and Shamrock Avenue
- Shamrock Avenue and Private Drive (access as presented in approved reference traffic impact study)

Access to the dialysis clinic is proposed along a private drive internal to the site. Trip generation and access geometrics will be reviewed, but operational analysis will not be conducted for the drive locations due to location along an internal drive.

For this study, the following scenarios were analyzed:

- Existing Plus Approved Development Conditions
 - Considers the approved Woodside Ridge development and Fire Station #3
- Existing Plus Approved Plus Proposed Development Conditions

The approximate location of the proposed development is shown on the vicinity map in **Figure 1**.

FIGURE 1

Vicinity Map

Dialysis Clinic
Lee's Summit, MO



olsson



Source: Google Maps

LEGEND

 Site

2. DATA COLLECTION

The data collection effort included acquiring AM and PM peak hour turning movement counts and documentation of current roadway geometrics. Traffic counts were obtained from the *West Village* traffic impact study, prepared by the City of Lee's Summit, dated September 2018.

Based on information provided in the reference study, intersection turning movement counts were collected during the AM and PM peak hour periods on Tuesday, May 22nd, 2018 at the study intersection of Pryor Road and Shamrock Avenue. Based on the data provided, the peak hour periods for the study area were determined to be 7:00-8:00 AM and 5:00-6:00 PM.

The existing peak hour volumes are illustrated in **Figure 2**. Count data for this study can be found in **Appendix A**.

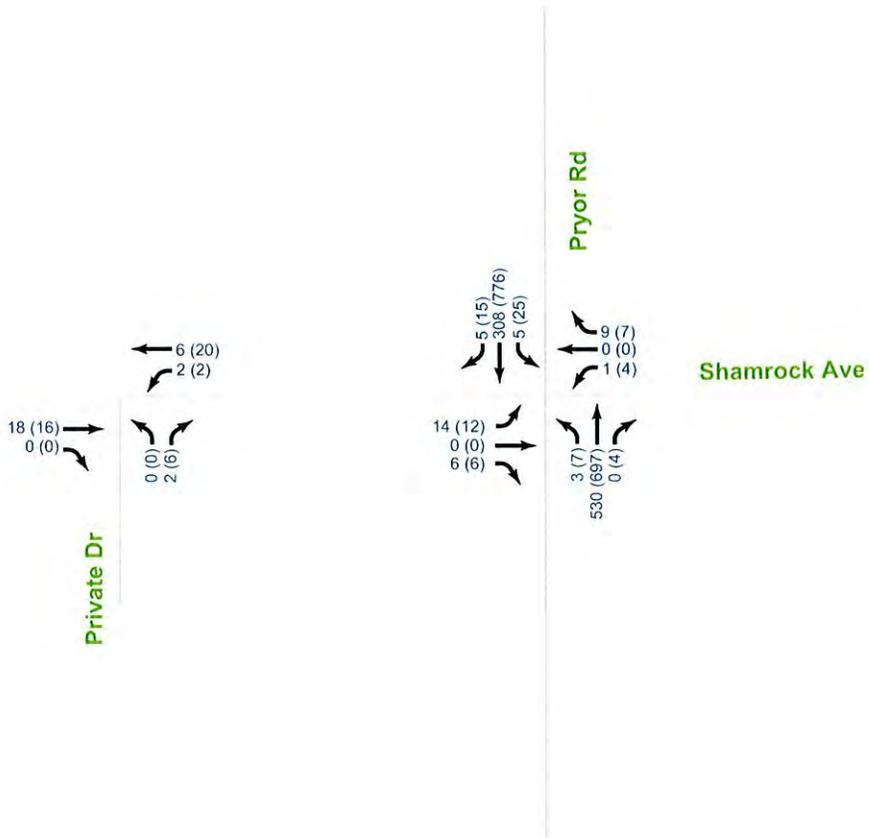
FIGURE 2

Existing Plus Approved Conditions Peak Hour Volumes

Dialysis Clinic
Lee's Summit, MO



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LEGEND

AM (PM) Peak Hour Volume

3. EXISTING PLUS APPROVED DEVELOPMENT CONDITIONS

Existing plus approved development traffic conditions were evaluated to identify any existing deficiencies and to provide a baseline for comparative purposes. This analysis considers the approved Woodside Ridge residential development located on the west side of Pryor Road (generally northwest of the proposed site) and an approved Fire Station #3 located directly west of the proposed site.

3.1. Network Characteristics

Two roadways within the study area were considered during analysis: Pryor Road and Shamrock Avenue. Referencing the City's *Existing Functional Classification Map*, current network characteristics are summarized in **Table 1**. The intersection of Pryor Road with Shamrock Avenue operates under two-way stop control for east/west movements.

Table 1. Existing Network Summary.

Roadway	Functional Classification	Typical Section	Median Type	Posted Speed
Pryor Road	Major Arterial	4-Lane	Raised	35 mph
Shamrock Avenue	Local	2-Lane	None	25 mph

The intersection of Pryor Road and Shamrock Avenue is unsignalized with stop-control provided for the minor street approaches (east/west on Shamrock Avenue). The west leg is currently under construction and is expected to be built prior to the completion of the dialysis clinic. A southbound left-turn lane is currently provided on Pryor Road at Shamrock Avenue. Based on information provided by the City of Lee's Summit, northbound and eastbound left-turn lanes will be constructed with the approved projects. A sidewalk will be provided on the south side of Shamrock Avenue with the approved development. A shared use path is currently provided on the west side of Pryor Road. Marked crosswalks are not provided at the intersection of Pryor Road and Shamrock Avenue.

The intersection of Shamrock Avenue and a private drive located west of Pryor Road was approved in the reference traffic impact study. This access point is expected to serve the approved fire station. The drive is expected to provide stop control for the northbound movement. Dedicated turn lanes are not proposed for the drive location.

3.2. Existing Plus Approved Development Warrant Analysis

Signal Warrants

A traffic signal may be justified if traffic conditions meet any of the applicable nine signal warrants described in the 2009 Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD provides criteria for conducting an engineering study to determine whether a traffic signal is appropriate at any intersection.

For this study, the Peak Hour Signal Warrant (Warrant 3) was reviewed under existing plus approved development conditions to determine if alternative traffic control measures are warranted for the currently unsignalized intersection of Pryor Road and Shamrock Avenue. Based on data provided, the intersection of Pryor Road and Shamrock Avenue does not meet the necessary criteria to warrant a traffic signal.

Turn Lane Warrants

The City of Lee's Summit *Access Management Code* (AMC) was used to determine if any additional turn lanes may be required. The access management code provides direction on when turn lanes should be provided based on intersection control, roadway classification and/or traffic volumes. In addition to the turn lane warrant, vehicular queuing, vehicular delay, as well as volume of turning vehicles were reviewed when considering the need for a turn lane.

As stated in **Section 3.1**, based on information provided by the City of Lee's Summit, dedicated left-turn lanes are expected to be constructed for the northbound and eastbound movements at the intersection of Pryor Road and Shamrock Avenue.

Referencing the Lee's Summit AMC, at the intersection with any local street, left turn lanes shall be provided where the left-turn volume is at least 20 vehicles in any hour. Right turn lanes shall be provided on major arterial streets where right-turn volume is projected to be at least 30 vehicles in any hour. Turn lane standards were reviewed for the westbound left-turn, northbound right-turn, and southbound right-turn movements. No additional left or right-turn lanes are warranted considering the existing plus approved development volumes at the intersection of Pryor Road and Shamrock Avenue.

Existing plus approved development conditions lane configurations and traffic control for the study intersections are illustrated in **Figure 3**. Signal warrant analysis sheets can be found in **Appendix B**.

3.3. Existing Plus Approved Development Capacity Analysis

Capacity analysis was performed for the study intersection utilizing the existing lane configurations and traffic control. Analysis was conducted using Synchro, Version 10, based on the Highway Capacity Manual (HCM) delay methodologies. For simplicity, the amount of control delay is equated to a grade or Level of Service (LOS) based on thresholds of driver acceptance. The amount of delay is assigned a letter grade A through F, LOS A representing little or no delay and LOS F representing very high delay. **Table 2** shows the delays associated with each LOS grade for signalized and unsignalized intersections, respectively.

Table 2. Intersection LOS Criteria.

Level of Service	Average Control Delay (seconds)	
	Signalized	Unsignalized
A	< 10	< 10
B	> 10-20	> 10-15
C	> 20-35	> 15-25
D	> 35-55	> 25-35
E	> 55-80	> 35-50
F	> 80	> 50

Highway Capacity Manual (HCM 6th Edition)

Queuing analysis was conducted using the 95th-percentile queue length. This represents the queue length that has a 5 percent probability of being exceeded during the peak hour period.

Results of the analysis indicate that all movements at the unsignalized study intersection of Pryor Road and Shamrock Avenue are expected to operate at LOS D or better with acceptable queues during both the AM and PM peak hour periods with the following exceptions:

PM Peak Hour

- Pryor Road and Shamrock Avenue
 - The eastbound left-turn movement is expected to operate at LOS F with a 95th-percentile queue length of 45 feet, which is contained within the available storage.

Referencing Section 20.7 of the HCM for Two-Way Stop-Controlled Intersections, minor street approaches with movements operating at a lower level of service during peak hour periods are not uncommon at an unsignalized intersection. This is more prevalent for stop-controlled left-turn movements in urban areas, as higher volumes on the main road are accommodated. The HCM suggests that performance measures in addition to delay, such as volume-to-capacity (v/c) ratios for individual movements and queue lengths, should also be considered when

evaluating the overall performance at two-way stop-controlled intersections. At the unsignalized minor street approach listed above, the v/c ratios and 95th-percentile queues are expected to be acceptable during the peak hour periods.

The existing capacity analysis summary is illustrated in **Figure 4**. Detailed results may be found in **Appendix B**.

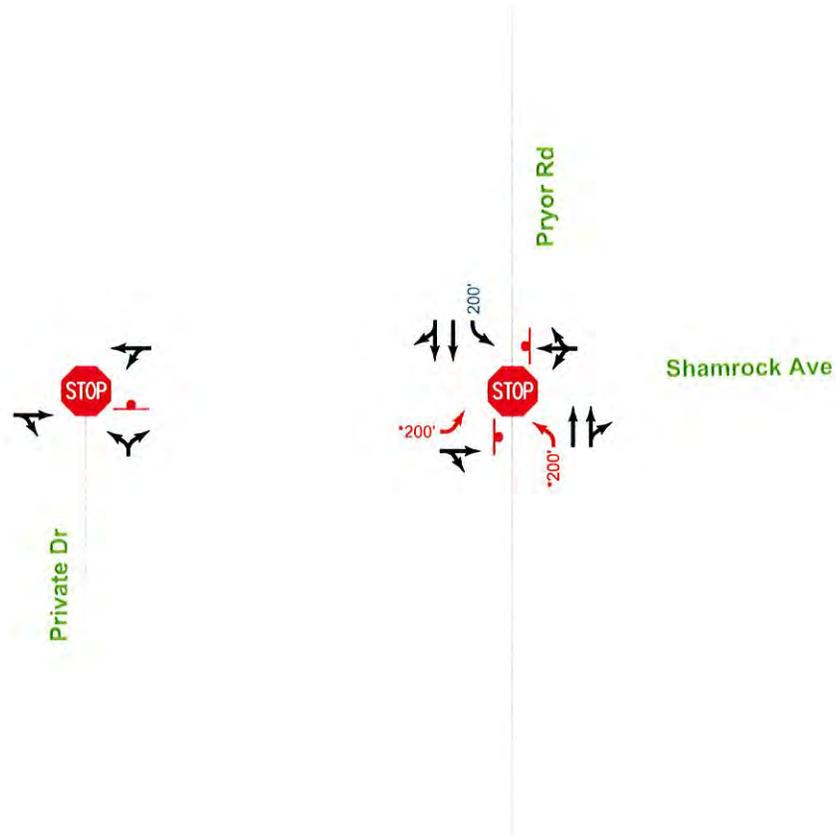
FIGURE 3

Existing Plus Approved Conditions Lane Configuration and Traffic Control

Dialysis Clinic
Lee's Summit, MO



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LEGEND

- xx' Proposed Lane Configuration
- xx' Lane Configuration & Storage Length
- Stop Controlled Intersection
- Stop Sign

**Improvements are proposed with approved development*

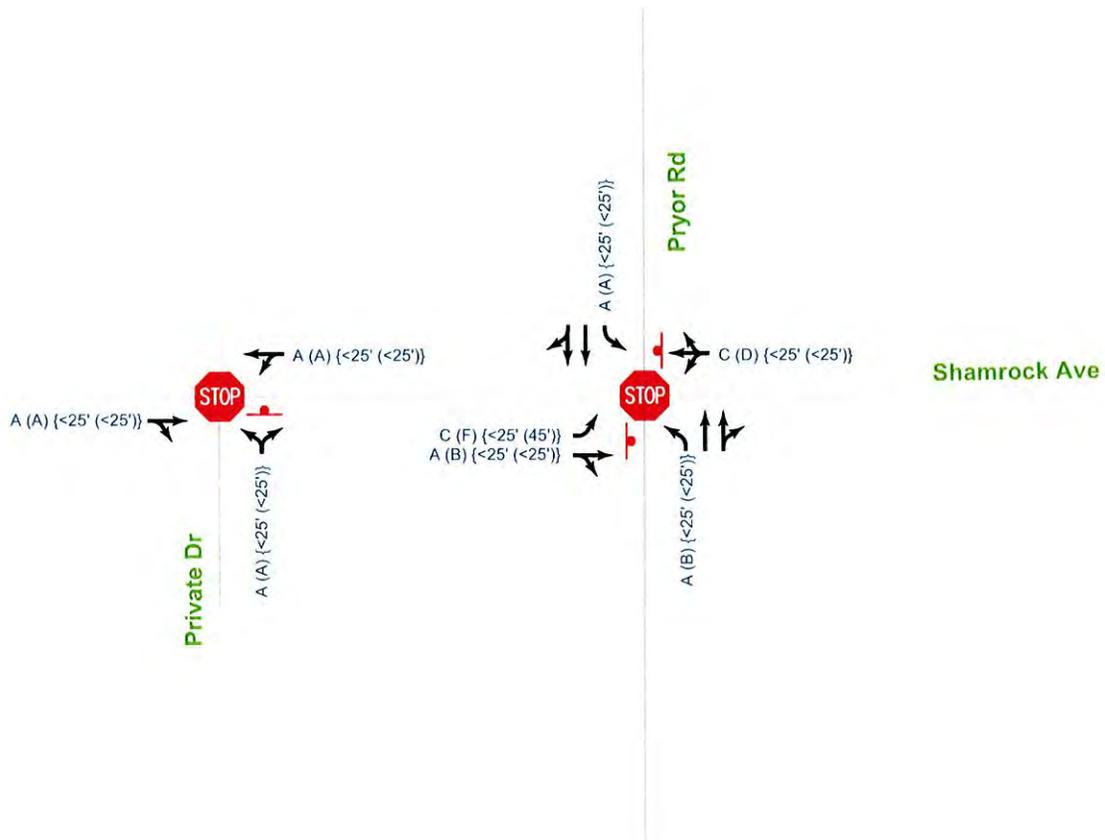
FIGURE 4

Existing Plus Approved Conditions Capacity Analysis

Dialysis Clinic
Lee's Summit, MO



olsson



LEGEND

- AM (PM) {AM' (PM')} Movement LOS & {95th Percentile Queue}
- Lane Geometry
- Stop Controlled Intersection
- Stop Sign

4. EXISTING PLUS APPROVED PLUS PROPOSED DEVELOPMENT CONDITIONS

This scenario considers a proposed dialysis clinic located in the southwest quadrant of Pryor Road and Shamrock Avenue. The proposed development is located southeast of the approved residential development and east of the approved Fire Station #3. The proposed development consists of a 10,274 square foot medical office building. The site plan associated with this proposed development is illustrated in **Figure 5**.

The approved study considered a general office use for the proposed site. Trip generation and distribution for the site has been revised to reflect the proposed land use.

4.1. Proposed Development Trip Generation and Distribution

To determine the impact of potential site traffic on the roadway network, expected trips associated with the proposed site were generated and applied to the study network. The Institute of Transportation Engineers (ITE) provides methods for estimating traffic volumes of common land uses in the Trip Generation Manual (10th Edition). The land use that most resembles that which is planned for this site is Land Use Code 720 (Medical-Dental Office Building).

Based on the *ITE Trip Generation Manual*, trip generation characteristics were developed for the proposed site. Trip generation characteristics expected for the site are shown in **Table 3**. Detailed ITE trip generation information can be found in **Appendix C**.

Table 3. Proposed Development Trip Generation.

Land Use	Size	Average Weekday	AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit
Medical-Dental Office Building	10,274 SF	308	30	23	7	37	10	27

Trips were distributed based on the directional trip distribution percentages presented in the referenced *West Village* traffic impact study. Directional trip distribution percentages expected for the site are illustrated in **Table 4**.

Table 4. Proposed Development Trip Distribution.

Direction	Trip Distribution
Pryor Road (North)	70%
Pryor Road (South)	30%
TOTAL	100%

The expected trip distribution for the proposed development is shown in **Figure 6**. The resulting existing plus approved plus proposed development volumes are illustrated in **Figure 7**.

4.2. Access Characteristics

Proposed Access

A private drive is proposed to extend south from Shamrock Avenue with the construction of approved development. This private drive is proposed to be constructed with the approved Fire Station #3 and will provide access to the proposed development. Proposed access to the site includes two driveways located along the east side of the private drive. An illustration of the proposed access is provided on the site plan (**Figure 5**). Due to the location of the proposed access along a private drive, geometrics will be reviewed, and guidance provided regarding minimum requirements. However, operational analysis will not be conducted for drive access located internally to the site.

Access Spacing

Drive 1 is located approximately 81 feet south of Shamrock Avenue, center to center, on the east side of the private drive. Drive 2 is located approximately 202 feet, center to center, south of Drive 1. **Table 5** provides proposed drive characteristics.

Table 5. Access Characteristics

Proposed Access	Public Roadway Intersected	Access Type	Proposed Throat Length	Proposed Width	Median Divided
Drive 1	Private Drive	Full Access	35 feet	27 feet	No
Drive 2	Private Drive	Full Access	90 feet	27 feet	No

The location and geometrics of the private drive were approved with the reference traffic impact study. To ensure adequate throat length is provided from Shamrock Avenue to the first proposed access (Drive 1), throat length of the private drive was reviewed. According to the Lee's Summit AMC, driveways servicing between 10-50 vehicles per hour (vph) during the peak hour period should have a minimum throat length of 50 feet adjacent to a local roadway for two-way access. The private drive meets City standards considering approved and proposed development.

Drive 1: Lee's Summit driveway width criteria is based on projected peak hour and daily traffic volumes. Trip generation completed in **Section 4.1** of this report projects that Drive 1 will service 30 vehicles during the highest peak hour period. Drive 1 has a proposed driveway width of 27 feet. Referencing *Table 18-1* of the AMC, driveways servicing less than 150 vehicles per hour (vph) during the peak hour period should have a driveway width between 28 feet and 42 feet for two-way access. The proposed width of Drive 1 does not meet City standards, however is expected to be acceptable for the proposed development.

Throat length standards for a proposed access is based on projected peak hour volumes, per the City of Lee's Summit AMC. Drive 1 has a proposed driveway throat length of 35 feet. Referencing *Table 18-2* of the AMC, driveways servicing between 10 to 50 vph during the peak hour period should have a minimum throat length of 50 feet adjacent to a local roadway. Standards are not provided for access along a private drive. Due to the expected low volumes, the provided driveway throat is expected to be adequate.

Drive 2: Trip generation completed in **Section 4.1** of this report projects that Drive 2 will service less than 10 vehicles during the highest peak hour period. Drive 2 has a proposed driveway width of 27 feet. Referencing *Table 18-1* of the AMC, driveways servicing less than 150 vph during the peak hour period should have a driveway width between 28 feet and 42 feet for two-way access. The proposed width of Drive 2 does not meet City standards, however is expected to be acceptable for the proposed development.

Drive 2 has a proposed driveway throat length of 90 feet. Referencing *Table 18-2* of the AMC, driveways servicing less than 10 vph during the peak hour period should have a minimum throat length of 30 feet adjacent to a local roadway. Standards are not provided for access along a private drive. Due to the expected low volumes, the provided driveway throat is expected to be adequate.

FIGURE 5

Site Plan

Dialysis Clinic
Lee's Summit, MO



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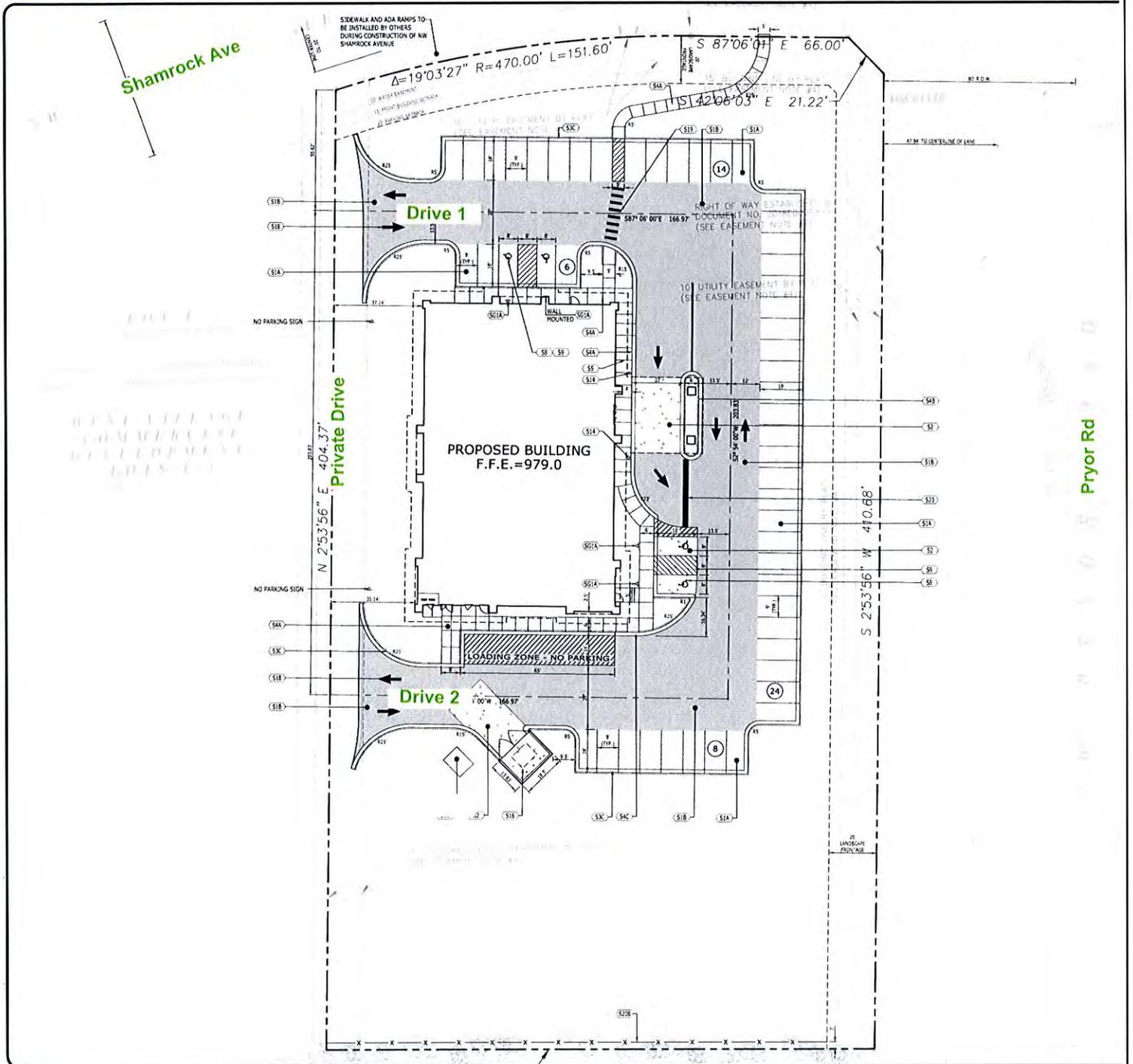
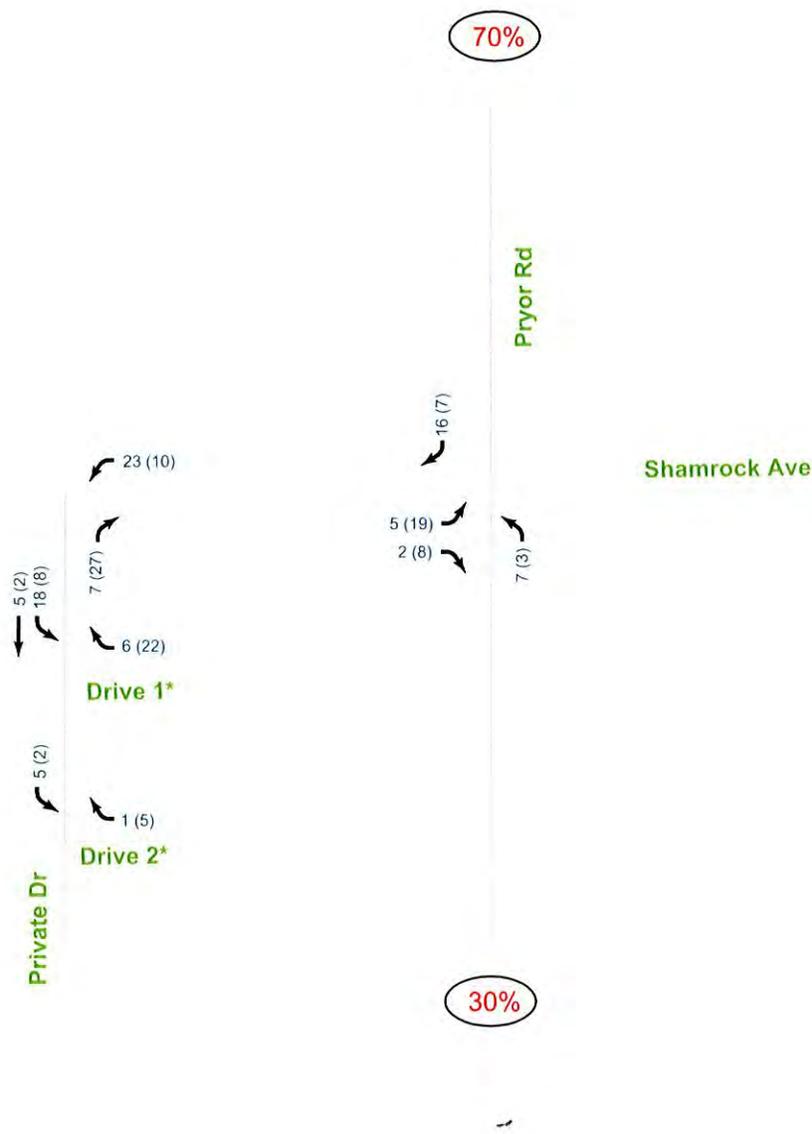


FIGURE 6

Proposed Development Trip Distribution

Dialysis Clinic
Lee's Summit, MO



LEGEND

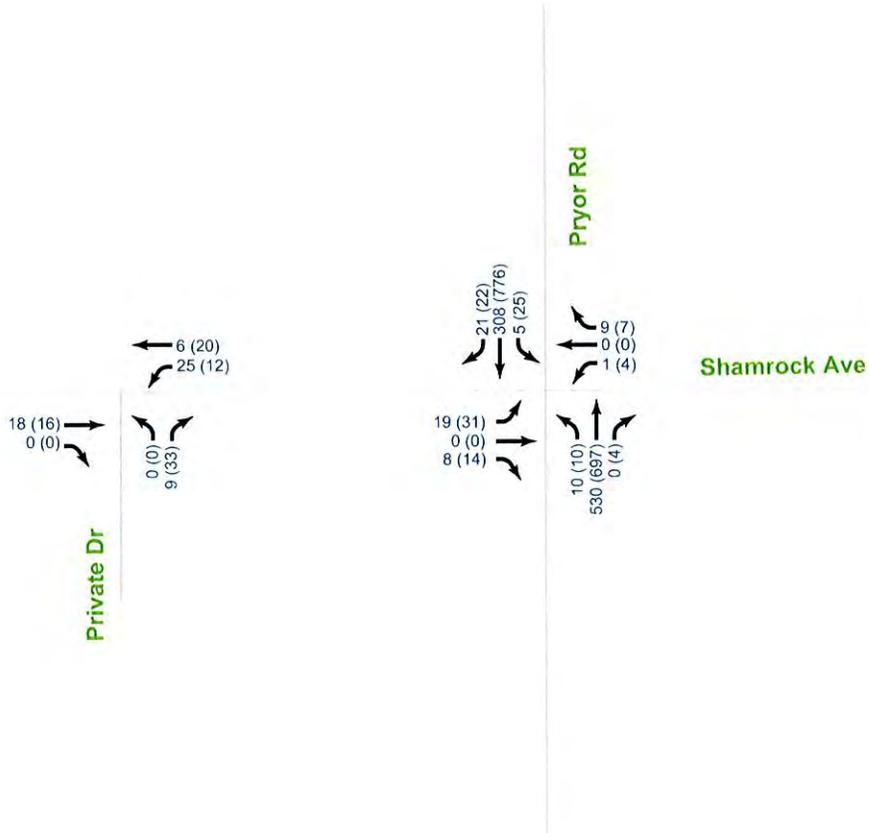
- AM (PM) AM (PM) Peak Hour
- XX% To/From Trip Distribution Percentages

*Not a study intersection

FIGURE 7

Existing Plus Approved Plus Proposed Development
 Conditions
 Peak Hour Volumes

Dialysis Clinic
 Lee's Summit, MO



LEGEND

AM (PM) Peak Hour Volume

4.3. Existing Plus Approved Plus Proposed Development Conditions

Existing Plus Approved Plus Proposed Development Signal Warrants:

Considering existing plus approved plus proposed development volumes, the intersection of Pryor Road with Shamrock Avenue is not expected to meet the criteria for signalization during either peak hour period based on Warrant 3 (peak hour warrant). Signal warrant analysis sheets can be found in **Appendix C**.

Existing Plus Approved Plus Proposed Development Turn Lane Warrants:

Turn lane warrants were reviewed per the City's AMC, as stated in **Section 3.2**. Turn lane standards were reviewed for westbound left-turn, northbound right-turn, and southbound right-turn movements. Based on existing plus approved plus proposed development traffic volumes, no additional turn lanes are warranted. Capacity analysis will be reviewed to determine if a turn lane is needed based on operations.

Existing plus approved plus proposed development conditions lane configurations and traffic control for the study network are illustrated in **Figure 8**.

4.4. Existing Plus Approved Plus Proposed Development Capacity Analysis

Capacity analysis was performed under existing plus approved plus proposed development conditions using the methodologies described in **Section 3.3**. The peak hour factors observed under existing plus approved development conditions were utilized for this scenario except for movements which experienced an increase in traffic after the proposed development. At these locations, the peak hour factors were conservatively adjusted considering the synchro suggested values and expected traffic conditions after development.

Results of the capacity analysis indicate similar operations to existing plus approved development conditions. At the intersection of the private drive with Shamrock Avenue, all movements are expected to continue operating at a LOS A during AM and PM peak hour periods. At the intersection of Pryor Road with Shamrock Avenue, the eastbound left-turn movement is expected to continue operating at a LOS F during the PM peak hour period with a slight increase of the 95th-percentile queue length of approximately two vehicles. As discussed in **Section 3.3**, minor street approaches with movements operating at a lower level of service during peak hour periods are not uncommon at an unsignalized intersection. At the unsignalized minor street approach listed above, the v/c ratios and 95th-percentile queues are expected to be acceptable during the peak hour periods.

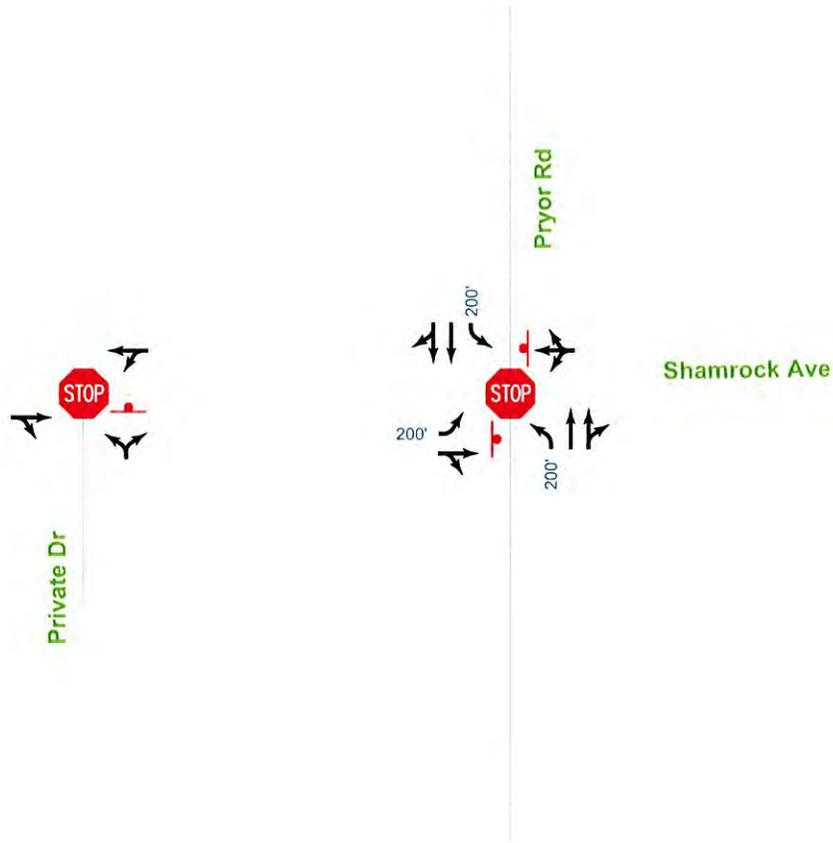
The existing plus approved plus proposed development conditions capacity analysis summary is illustrated in **Figure 9**. Detailed results may be found in **Appendix C**.

FIGURE 8

Existing Plus Approved Plus Proposed Development
Conditions

Lane Configuration and Traffic Control

Dialysis Clinic
Lee's Summit, MO



LEGEND

xx' → Lane Configuration

 Stop Controlled Intersection

 Stop Sign

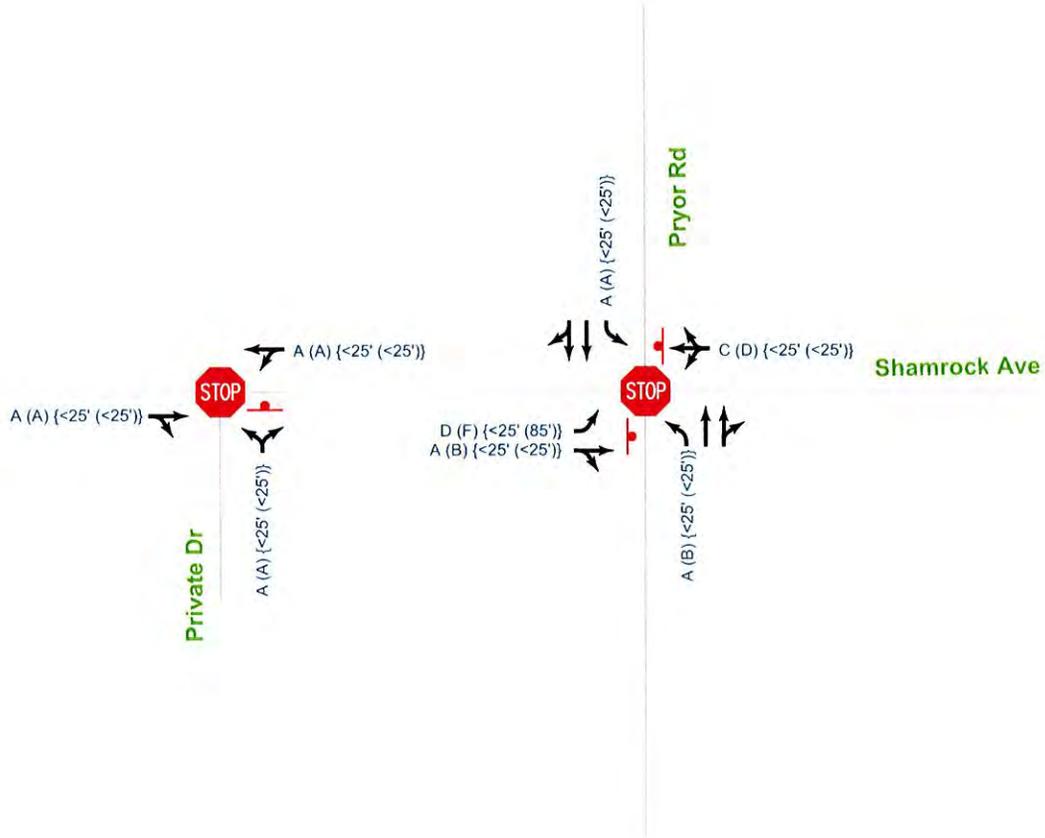
FIGURE 9

Existing Plus Approved Plus Proposed Development Conditions Capacity Analysis

Dialysis Clinic
Lee's Summit, MO



olsson



LEGEND

- AM (PM) {AM' (PM')} Movement LOS & {95th Percentile Queue}
- Lane Geometry
- STOP Stop Controlled Intersection
- Stop Sign

5. SUMMARY

The purpose of this study was to summarize traffic impacts regarding a proposed dialysis clinic located in the southwest quadrant of the intersection of Pryor Road and Shamrock Avenue in Lee's Summit, Missouri.

5.1. Conclusions

The general findings of note for the traffic impact study include the following:

1. In general, traffic operations are not expected to be significantly impacted by the proposed development.
2. The intersection of Pryor Road and Shamrock Avenue is not expected to require signalization or additional turn lanes with the proposed development in place.
3. The proposed accesses associated with the development are located along a private drive proposed with approved development. Drive geometrics are expected to be adequate for the proposed development.

5.2. Recommendations

There are no recommended improvements associated with the approved or proposed development conditions analysis conducted for this study.



DRAINAGE DESIGN SUMMARY

FOR

DCI Lee's Summit

Lee's Summit, Jackson County, Missouri

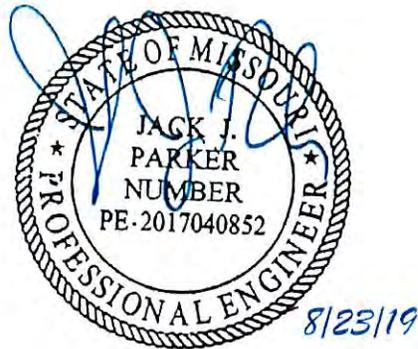
July 25, 2019

Revised August 23, 2019

RECEIVED

AUG 26 2019

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DCI Lee's Summit
Lee's Summit, Jackson County, Missouri

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DCI Lee's Summit
Lee's Summit, Jackson County, Missouri

Drainage Design Summary

General Information

The proposed project consists of constructing a 10,220 sf +/- dialysis clinic with associated parking and site improvements. The existing site is located at 2023 NW Shamrock Avenue in Lee's Summit on Parcel ID 62-240-99-04-00-0-00-000. The property is bordered by NW Shamrock Avenue to the North and NW Pryor Road to the East. The project site is located within the southeast corner of Section 2, Township 47N, Range 32W in the Little Blue River watershed of Kansas City.

Methodology

The following methods were used in this drainage design study to model existing and proposed conditions for stormwater runoff:

- Hydraflow Hydrographs 2018 software
 - SCS/NRCS Curve Number Method
 - 24-Hour SCS Type II Rainfall Distribution
 - SCS TR-55 Method for Time of Concentration

Existing Conditions Analysis

Currently, the ±2.225-acre site is undeveloped with pasture-like land cover. The site is generally drains via sheet flow and shallow concentrated flow from the North to the Southeast corner of the property. Stormwater runoff exiting the site discharges into the existing public stormwater system in NW Pryor Road which eventually discharges into the Little Blue River.

In analyzing the existing conditions, the site was split into two drainage areas. The majority of the site is included in the North Drainage Area with the site outfall point in the Southeast corner of the property. Runoff from the North Drainage Area discharges into the public storm system in NW Pryor Road. The southern edge of the site is included in the South Drainage Area also with the site outfall point in the Southeast corner of the property. Runoff from the South Drainage Area discharges towards the neighboring property to the South and enters the public storm system further south along NW Pryor Road. Since both drainage areas discharge to the same final outfall, the public storm system in NW Pryor Road, the peak flows for the North and South Drainage Areas were combined in the analysis of the pre vs. post peak flows.

The North Drainage Area is 1.94 acres with a curve number of 84 and a time of concentration of 10.0 minutes. The South Drainage Area is 0.29 acres with a curve number of 84 and a time of concentration of 9.7 minutes.

The project site does not lie within a special flood hazard area per the federal emergency management agency, (FIRM) map no. 29095C0416G dated January 20, 2017.

The majority of the existing soil within the project site is Greenton-Urban land complex. A sliver of the existing soil near the Northwest corner of the property is Sharpsburg-Urban land complex. Both soil types are classified as Type D soil. The NRCS Soils Map can be found in Attachment 5.

A pre-developed drainage area map is included in Attachment 1 for a detailed view of the pre-developed site. Routing calculations produced by Hydraflow Hydrographs 2018 software are included in Attachment 2.



The pre-development flows to the site outfall point is as follows:

Pre-Development Peak Flows	
<i>Storm Event</i>	<i>Existing Site Peak Flows (cfs)</i>
2-year	6.303
10-year	11.37
100-year	18.21

Proposed Conditions Analysis

The proposed project consists of constructing a 10,220 sf +/- dialysis clinic with associated parking and site improvements. The proposed dialysis clinic is to be located centrally on the site. Proposed stormwater runoff is to be directed via sheet flow, shallow concentrated flow, and channel flow to an extended dry detention pond that is to be located at the south end of the site. A small portion of the south and eastern edge of the site will bypass the proposed extended dry detention pond and discharge to the public storm system along NW Pryor Road as in the existing conditions. A post-developed drainage area map is included in Attachment 1 for a detailed view of the post-developed site.

Detention and Water Quality Analysis

Per Section 5600 of the Kansas City Metropolitan Chapter APWA Standard Specification & Design Criteria manual, the maximum post-developed peak discharge rates from any development shall not exceed those as follows:

- 50% storm peak rate less than or equal to 0.5 cfs per site acre
- 10% storm peak rate less than or equal to 2.0 cfs per site acre
- 1% storm peak rate less than or equal to 3.0 cfs per site acre

Also, for comprehensive control a 40-hour extended detention of runoff from the local 90% mean annual event (1.37"/24-hour rainfall) must be achieved for the water quality volume.

The required water quality treatment volume was calculated to be 5,015 cf (0.115 ac-ft). See Attachment 4 for the water quality treatment volume calculations.

The proposed BMP practice chosen for this site is the extended dry detention basin. Calculations were generated following Chapter 8.10 of the Manual of Best Management Practices for Stormwater Quality. The proposed extended dry detention pond has a volume of 19,672 cf. The water quality treatment volume to be discharged over 40 hours is met at the elevation 963.5 in the proposed pond. The proposed outlet structure in the pond is to consist of a perforated riser with 6 holes with 4" vertical spacing up to the treatment volume elevation. Stormwater runoff exceeding the water quality treatment volume will discharge through an 8" orifice at an elevation of 963.8 and then a 24" pipe to the existing storm system in NW Pryor Road. The grated casting of the outlet structure is set just above the 100 year storm elevation at 966.20 to serve as an emergency overflow weir. The pond is also designed with an emergency spillway located on the East edge of the pond. The spillway is sized to pass the 1% storm from the contributing drainage area as well as the adjacent Fire department development's 1% storm with 1' of freeboard to the top of the dam assuming zero available storage in the ponds and zero flow through the primary outlet. See Attachment 2 for detention routing calculations.

The overall post-development peak flows to the outfall are as follows:

Post-Development Peak Flows	
<i>Storm Event</i>	<i>Proposed Site Peak Flows (cfs)</i>
2-year	1.308
10-year	3.679
100-year	5.937



Storm Drainage Design

All stormwater pipes and structures have been designed to convey the 10-year storm event. Tailwater elevations were considered to be between the crown and critical depth of the pipes.

Pipe and structures calculations were compiled using Hydraflow Storm Sewers 2018 software and are included as Attachment 3. An Inlet Drainage Area Map detailing the areas discharging to each proposed inlet is included in Attachment 1.

Conclusions and Recommendations

The stormwater management system for the proposed development has been designed per Section 5600 of the Kansas City Metropolitan Chapter APWA Standard Specifications Design Criteria and the Manual of Best Management Practices for Stormwater Quality. Due to the increase in impervious area for the proposed development, water quality and detention requirements are to be met by the use of a proposed extended dry detention basin located on the South portion of the project site. The water quality treatment volume calculated to be 5,015 cf is to be released over 40 hours through a perforated riser. The detention requirements specify maximum release rates based on the lesser of either pre-developed peak flow rates or a predetermined flow rate per site acreage. The post-developed peak flow rates calculated for the 10-year and 100-year storm events are less than their respective allowable peak flow rates. The post-developed peak flow rate for the 2-year storm event exceeds the allowable peak flow rate by 0.2 cfs. This minor exceedance is considered to have negligible impact on the downstream infrastructure. The extended dry detention pond also has more than 2 feet of freeboard for all storm events in order to provide exceptional flood protection during extreme storm events.

Pre- and Post- Peak Flows Comparison					
<i>Storm Event</i>	<i>Pre-dev. Peak Flow (cfs)</i>	<i>Allowable Post-Dev. Peak Flow (cfs)</i>		<i>Post-Dev. Peak Flows (cfs)</i>	<i>Difference (+/-)</i>
2-year	6.303	(0.5 cfs/2.225 ac)	1.1125	1.308	+0.1955
10-year	11.37	(2.0 cfs/2.225 ac)	4.450	3.679	-0.771
100-year	18.21	(3.0 cfs/2.225 ac)	6.675	5.937	-0.738

Attachments:

- Attachment 1 Site Drainage Area Maps
- Attachment 2 *Hydraflow Hydrographs* Routing Calculations
- Attachment 3 *Hydraflow Storm Sewers* Calculations
- Attachment 4 Water Quality Calculations
- Attachment 5 Supporting Documents

CONSTRUCTION DRAWINGS

DCI - LEE'S SUMMIT

LEE'S SUMMIT, JACKSON COUNTY, MISSOURI

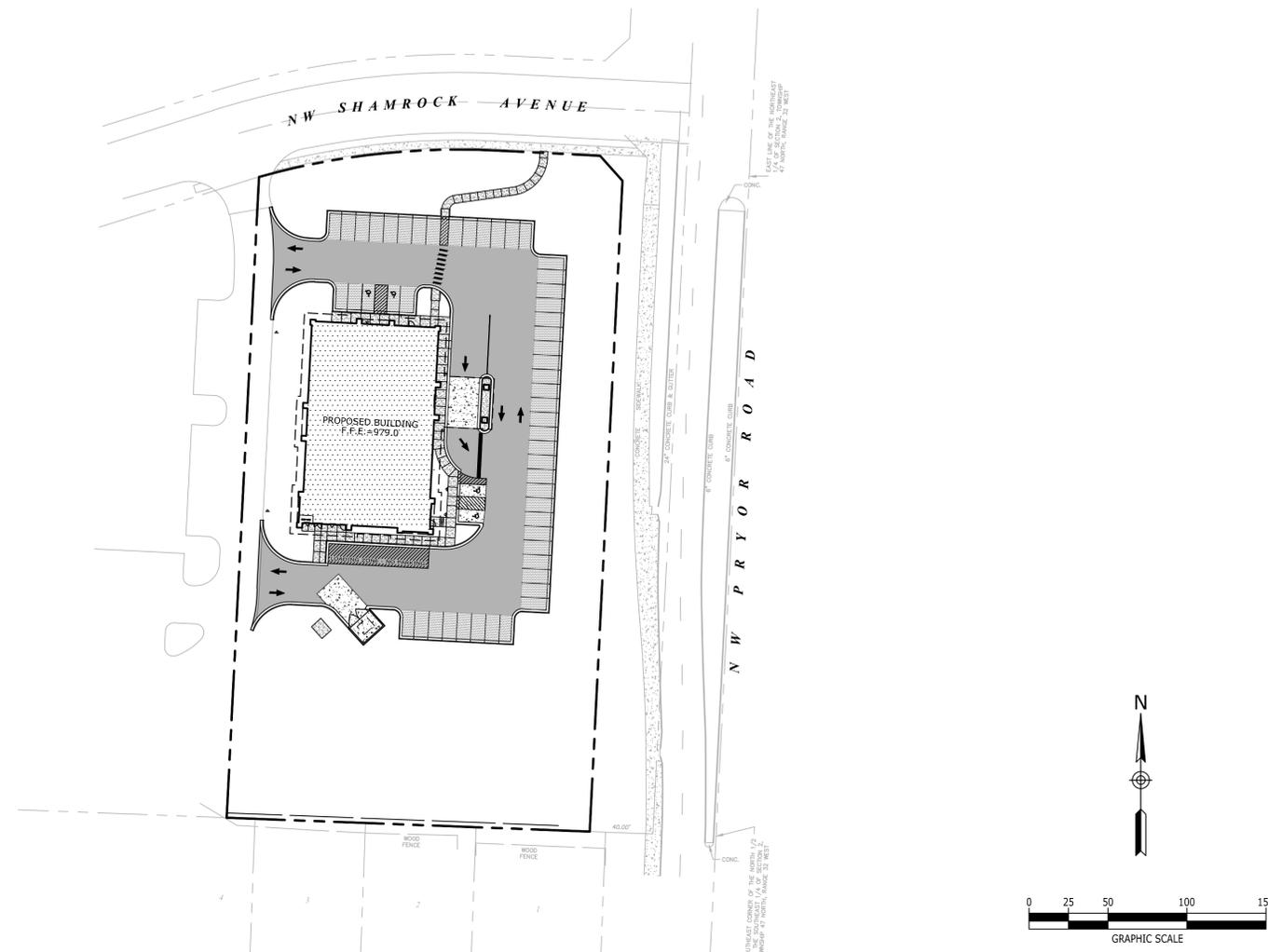
CATALYST PROJECT NO. 20180111
09/06/2019



VICINITY MAP
NOT TO SCALE

SITE DATA

PARCEL ID.: 62-240-99-04-00-0-00-000
 SITE ADDRESS: 2001 NW SHAMROCK AVENUE
 LEE'S SUMMIT, MISSOURI 64081
 LEGAL DESCRIPTION: LOT 2, WEST VILLAGE COMMERCIAL DEVELOPMENT
 LOTS 1-3, SUBDIVISION IN LEE'S SUMMIT,
 JACKSON COUNTY, MISSOURI
 SITE ACREAGE: 2.225 AC. (96,932 FT²)
 EXISTING ZONING: PMIX - PLANNED MIXED USE DISTRICT
 PROPOSED USE: DIALYSIS CLINIC
 PROPOSED MAX. BUILDING HEIGHT: 1 STORIES
 PROPOSED BUILDING SQUARE FOOTAGE: 10,442 S.F.
 FLOOR AREA RATIO OF SITE: 0.11 (10,442 FT²/ 96,932 FT²)
 IMPERVIOUS SURFACE AREA
 BUILDINGS: 0.24 AC. (10,442 FT²)
 DRIVES/SIDEWALKS: 0.78 AC. (34,316 FT²)
 TOTAL PROPOSED IMPERVIOUS AREA: 1.02 AC. (44,590 FT²)
 PROPOSED ISR: 0.46
 ALLOWED ISR: 0.80
 PARKING SUMMARY
 PARKING REQUIRED: 5 SPACES PER 1,000 S.F.
 (PARKING REQUIREMENTS) 52 SPACES REQUIRED
 PARKING PROVIDED: 52 SPACES (4 ACCESSIBLE)
 OWNER: DIALYSIS CLINIC, INC.
 ADDRESS: 1633 CHURCH STREET, STE 500
 NASHVILLE, TN 37203
 PHONE NO.: 615.327.3061
 CONTACT NAME: BILL WOOD
 CONTACT E-MAIL ADDRESS: bwood@dcinc.org
 PROJECT REPRESENTATIVE: CATALYST DESIGN GROUP
 ADDRESS: 5016 CENTENNIAL BLVD., STE 200
 NASHVILLE, TN 37209
 PHONE NO.: 615.866.2410
 CONTACT NAME: PHILLIP PIERCY
 CONTACT E-MAIL ADDRESS: ppiercy@catalyst-dg.com



FEMA PANEL:
 THE SUBJECT PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD ZONE ACCORDING TO
 COMMUNITY PANEL NO. 29095C0416G, JANUARY 20, 2017, COMMUNITY NAME: FEMA COMMUNITY NAME.

Sheet List Table	
Sheet Number	Sheet Title
C0.0	COVER SHEET
C1.0	EXISTING CONDITIONS
C2.0	GENERAL NOTES
C3.0	INITIAL EROSION CONTROL PLAN
C3.1	INTERMEDIATE EROSION CONTROL PLAN
C3.2	FINAL EROSION CONTROL PLAN
C3.3	SEDIMENT AND EROSION CONTROL DETAILS
C4.0	LAYOUT PLAN
C5.0	GRADING & DRAINAGE PLAN
C6.0	UTILITY PLAN
C7.0	SITE DETAILS
C7.1	SITE DETAILS
C7.2	SITE DETAILS
C7.3	SITE DETAILS
L1.0	LANDSCAPE PLAN
L2.0	LANDSCAPE DETAILS
A1.0	FLOOR PLAN
A3.0	ROOF PLAN
A4.0	ELEVATIONS
A4.1	ELEVATIONS
A4.2	ELEVATIONS
A4.3	RENDERED PERSPECTIVES
E1.1	SITE PHOTOMETRICS
E1.2	SITE PHOTOMETRIC FIXTURES

ARCHITECT
RANDY DOVER
 4121 HILLSBORO RD SUITE 303
 NASHVILLE, TN 37215
 615.251.3388

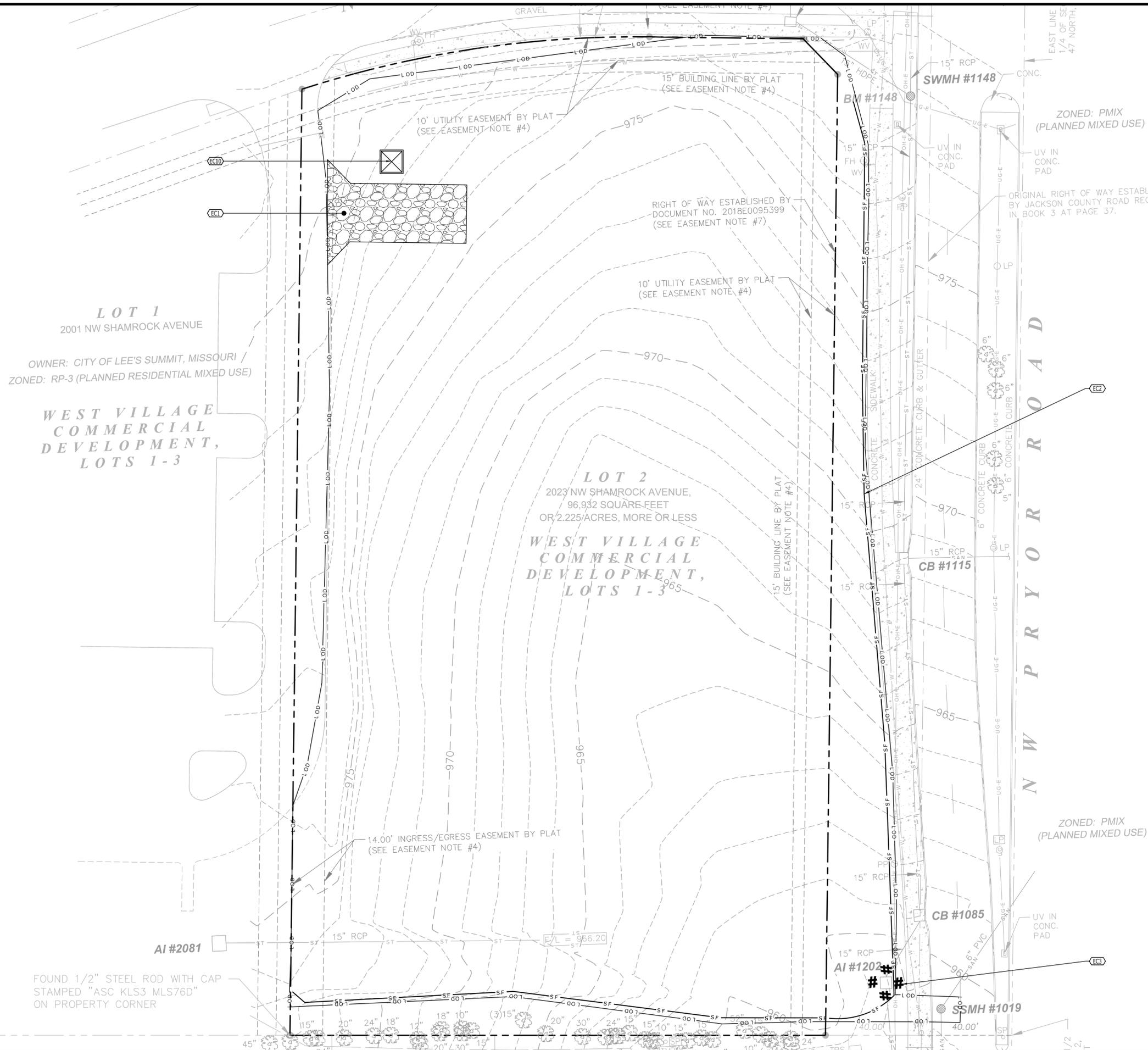
PREPARED FOR
DIALYSIS CLINIC, INC.
 1633 CHURCH STREET, STE 500
 NASHVILLE, TN 37203
 615.327.3061



COVER SHEET

C0.0

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EROSION CONTROL KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
EC1	TEMPORARY CONSTRUCTION ENTRANCE	1 / C3.3
EC2	SILT FENCE	2 / C3.3
EC3	AREA INLET PROTECTION	4 / C3.3
EC10	CONCRETE WASH-OUT	1 / C3.3

SITE DESCRIPTION AND NOTES:

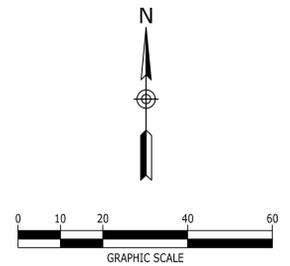
THE SITE IS LOCATED AS PARCEL ID 62-240-99-04-00-0-00-000 IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI. CONSTRUCTION ACTIVITY ON THIS SITE WILL CONSIST OF DISTURBING APPROXIMATELY 2.26± ACRES TO CONSTRUCT A 10,220 S.F. +/- DIALYSIS CLINIC, PARKING, AND ASSOCIATED SITE IMPROVEMENTS.

- APPROXIMATE CONSTRUCTION TIME TABLE:
 BEGIN CONSTRUCTION [OCT 2019]
 COMPLETE CONSTRUCTION [JAN 2021]
- CONSTRUCTION SEQUENCE:
 A. ATTEND WATER QUALITY DIVISION PRE-CONSTRUCTION MEETING.
 B. INSTALL CONSTRUCTION ENTRANCE AND SILT FENCE
 C. CONTACT WATER QUALITY DIVISION - EROSION CONTROL INSPECTOR FOR INSPECTION OF EROSION CONTROL DEVICES TO OBTAIN GRADING PERMIT.
 D. CLEAR AND GRUB THE REMAINING SITE.
 E. CONSTRUCT REMAINING SITE ACCORDING TO APPROVED PLANS, INCLUDING ALL ADDITIONAL EROSION CONTROL DEVICES.
 F. UPON PERMANENT SITE STABILIZATION SEED AND STRAW.
 G. REMOVE ALL OTHER EROSION TEMPORARY CONTROL DEVICES PRIOR TO AS-BUILT APPROVALS.
- TOTAL PROJECT AREA = 96,932 SF (2.225± AC.)
 DISTURBED AREA = 98,540 S.F. (2.26± AC.)

EROSION CONTROL NOTES:

- EROSION PREVENTION AND SEDIMENT CONTROL MEASURES MUST BE IN PLACE AND FUNCTIONAL BEFORE EARTH MOVING OPERATION BEGINS AND MUST BE CONSTRUCTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. TEMPORARY MEASURES MAY BE REMOVED AT THE BEGINNING OF THE WORKDAY BUT MUST BE REPLACED AT THE END OF THE WORKDAY.
- THE FOLLOWING RECORDS SHALL BE MAINTAINED ON OR NEAR SITE: THE DATES WHEN MAJOR GRADING ACTIVITIES OCCUR; THE DATES WHEN CONSTRUCTION ACTIVITIES TEMPORARILY OR PERMANENTLY CEASE ON A PORTION OF THE SITE; THE DATES WHEN STABILIZATION MEASURES ARE INITIATED; INSPECTION RECORDS AND RAINFALL RECORDS.
- THE CONTRACTOR SHALL MAINTAIN A RAIN GAUGE AND DAILY RAINFALL RECORDS AT THE SITE OR USE A REFERENCE SITE FOR A RECORD OF DAILY AMOUNT OF PRECIPITATION.
- PRE-CONSTRUCTION VEGETATIVE GROUND COVER SHALL NOT BE DESTROYED, REMOVED OR DISTURBED MORE THAN 10 DAYS PRIOR TO GRADING OR EARTH MOVING UNLESS THE AREA IS SEEDED AND/OR MULCHED OR OTHER TEMPORARY COVER IS INSTALLED.
- CONSTRUCTION MUST BE SEQUENCED TO MINIMIZE THE EXPOSURE TIME OF GRADED OR DENUDED AREAS.
- SEDIMENT SHOULD BE REMOVED FROM SEDIMENT TRAPS, SILT FENCES, SEDIMENTATION PONDS AND OTHER SEDIMENT CONTROLS AS NECESSARY AND MUST BE REMOVED WHEN DESIGN CAPACITY HAS BEEN REDUCED BY 50% OR AS DIRECTED BY OWNERS REPRESENTATIVE.
- THE CONTRACTOR SHALL REMOVE SEDIMENT FROM ALL DRAINAGE STRUCTURES BEFORE ACCEPTANCE BY LOCAL GOVERNING AGENCY OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
- THE CONTRACTOR SHALL REMOVE THE TEMPORARY EROSION AND WATER POLLUTION CONTROL DEVICES ONLY AFTER A SOLID STAND OF GRASS HAS BEEN ESTABLISHED ON GRADED AREAS AND WHEN IN THE OPINION OF THE OWNER'S REPRESENTATIVE, THEY ARE NO LONGER NEEDED.
- DISTURBED AREAS SHALL BE STABILIZED WITHIN 14 DAYS OF THE COMPLETION OF GRADING ACTIVITIES. SLOPES 3:1 OR STEEPER SHALL BE STABILIZED WITHIN 7 DAYS.

LEGEND	
SILT FENCE	SF
LIMITS OF DISTURBANCE	L.O.D.
INLET PROTECTION	IP
EROSION CONTROL MATTING	ECM



DIALYSIS CLINIC, INC.
 1633 CHURCH STREET, STE 500
 NASHVILLE, TN 37203
 615.327.3061

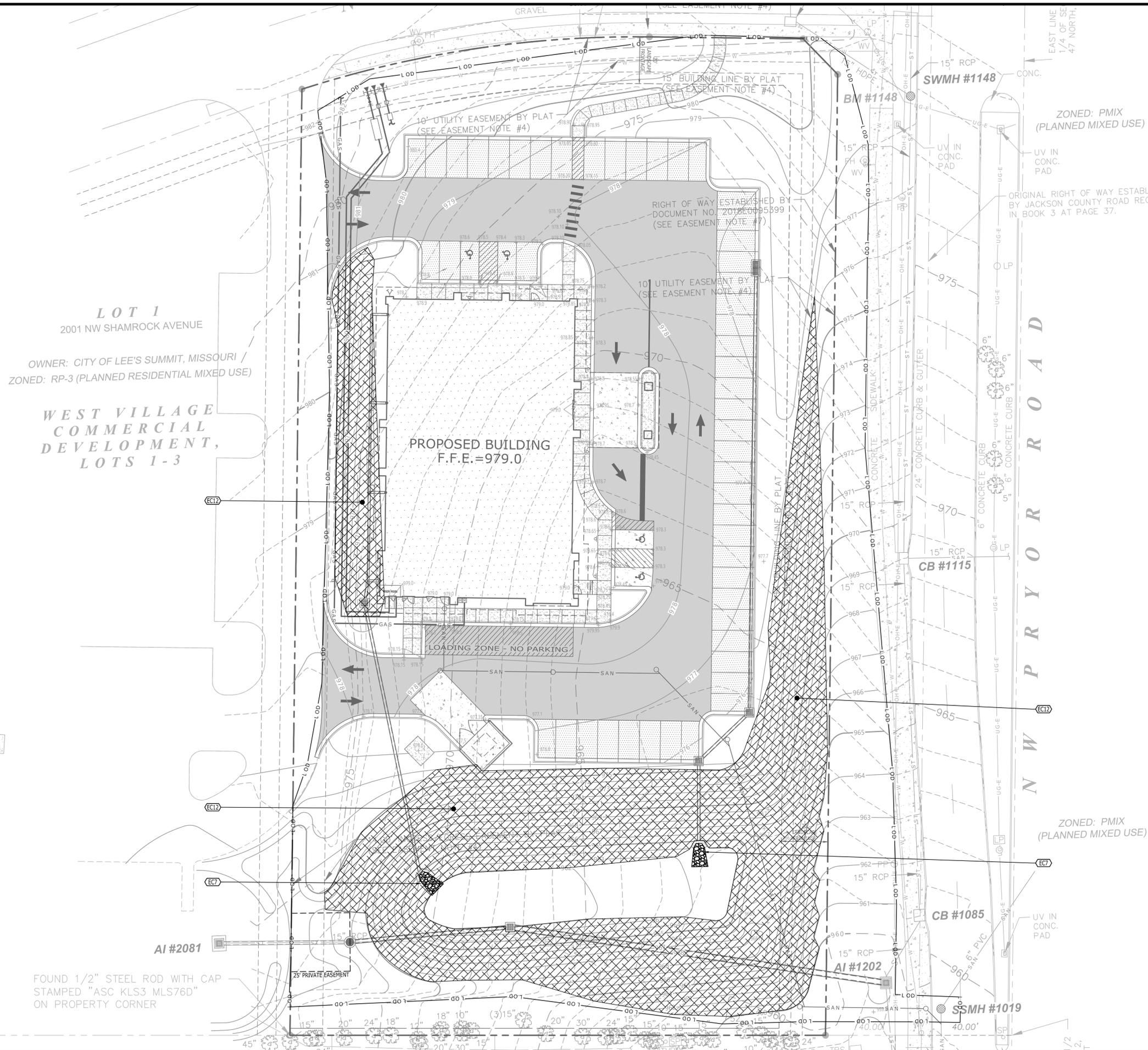


CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
 2001 NW SHAMROCK AVENUE
 LEE'S SUMMIT, MISSOURI, 64081
 JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
INITIAL EROSION CONTROL PLAN
 PROJECT NUMBER
 20180111
 DRAWING NUMBER
C3.0

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EROSION CONTROL KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
EC7	OUTLET PROTECTION	5 / C3.3
EC12	GEOTEXTILE MATTING	6 / C3.3

SITE DESCRIPTION AND NOTES:

THE SITE IS LOCATED AS PARCEL ID 62-240-99-04-00-0-00-000 IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI. CONSTRUCTION ACTIVITY ON THIS SITE WILL CONSIST OF DISTURBING APPROXIMATELY 2.26± ACRES TO CONSTRUCT A 10,220 S.F.-+/- DIALYSIS CLINIC, PARKING, AND ASSOCIATED SITE IMPROVEMENTS.

- APPROXIMATE CONSTRUCTION TIME TABLE:
 BEGIN CONSTRUCTION [OCT 2019]
 COMPLETE CONSTRUCTION [JAN 2021]
- CONSTRUCTION SEQUENCE:
 A. ATTEND WATER QUALITY DIVISION PRE-CONSTRUCTION MEETING.
 B. INSTALL CONSTRUCTION ENTRANCE AND SILT FENCE
 C. CONTACT WATER QUALITY DIVISION - EROSION CONTROL INSPECTOR FOR INSPECTION OF EROSION CONTROL DEVICES TO OBTAIN GRADING PERMIT.
 D. CLEAR AND GRUB THE REMAINING SITE.
 E. CONSTRUCT REMAINING SITE ACCORDING TO APPROVED PLANS, INCLUDING ALL ADDITIONAL EROSION CONTROL DEVICES.
 F. UPON PERMANENT SITE STABILIZATION SEED AND STRAW.
 G. REMOVE ALL OTHER EROSION TEMPORARY CONTROL DEVICES PRIOR TO AS-BUILT APPROVALS.
- TOTAL PROJECT AREA = 96,932 SF (2.225± AC.)
 DISTURBED AREA = 98,540 S.F. (2.26± AC.)

EROSION CONTROL NOTES:

- EROSION PREVENTION AND SEDIMENT CONTROL MEASURES MUST BE IN PLACE AND FUNCTIONAL BEFORE EARTH MOVING OPERATION BEGINS AND MUST BE CONSTRUCTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. TEMPORARY MEASURES MAY BE REMOVED AT THE BEGINNING OF THE WORKDAY BUT MUST BE REPLACED AT THE END OF THE WORKDAY.
- THE FOLLOWING RECORDS SHALL BE MAINTAINED ON OR NEAR SITE: THE DATES WHEN MAJOR GRADING ACTIVITIES OCCUR; THE DATES WHEN CONSTRUCTION ACTIVITIES TEMPORARILY OR PERMANENTLY CEASE ON A PORTION OF THE SITE; THE DATES WHEN STABILIZATION MEASURES ARE INITIATED; INSPECTION RECORDS AND RAINFALL RECORDS.
- THE CONTRACTOR SHALL MAINTAIN A RAIN GAUGE AND DAILY RAINFALL RECORDS AT THE SITE OR USE A REFERENCE SITE FOR A RECORD OF DAILY AMOUNT OF PRECIPITATION.
- PRE-CONSTRUCTION VEGETATIVE GROUND COVER SHALL NOT BE DESTROYED, REMOVED OR DISTURBED MORE THAN 10 DAYS PRIOR TO GRADING OR EARTH MOVING UNLESS THE AREA IS SEEDED AND/OR MULCHED OR OTHER TEMPORARY COVER IS INSTALLED.
- CONSTRUCTION MUST BE SEQUENCED TO MINIMIZE THE EXPOSURE TIME OF GRADED OR DENUDED AREAS.
- SEDIMENT SHOULD BE REMOVED FROM SEDIMENT TRAPS, SILT FENCES, SEDIMENTATION PONDS AND OTHER SEDIMENT CONTROLS AS NECESSARY AND MUST BE REMOVED WHEN DESIGN CAPACITY HAS BEEN REDUCED BY 50% OR AS DIRECTED BY OWNERS REPRESENTATIVE.
- THE CONTRACTOR SHALL REMOVE SEDIMENT FROM ALL DRAINAGE STRUCTURES BEFORE ACCEPTANCE BY LOCAL GOVERNING AGENCY OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
- THE CONTRACTOR SHALL REMOVE THE TEMPORARY EROSION AND WATER POLLUTION CONTROL DEVICES ONLY AFTER A SOLID STAND OF GRASS HAS BEEN ESTABLISHED ON GRADED AREAS AND WHEN IN THE OPINION OF THE OWNER'S REPRESENTATIVE, THEY ARE NO LONGER NEEDED.
- DISTURBED AREAS SHALL BE STABILIZED WITHIN 14 DAYS OF THE COMPLETION OF GRADING ACTIVITIES. SLOPES 3:1 OR STEEPER SHALL BE STABILIZED WITHIN 7 DAYS.

LEGEND	
SILT FENCE	SF
LIMITS OF DISTURBANCE	LOD
INLET PROTECTION	IP
EROSION CONTROL MATTING	ECM



DIALYSIS CLINIC, INC.
 1633 CHURCH STREET, STE 500
 NASHVILLE, TN 37203
 615.327.3061



CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
 2001 NW SHAMROCK AVENUE
 LEE'S SUMMIT, MISSOURI, 64081
 JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
FINAL EROSION CONTROL PLAN

PROJECT NUMBER
 20180111

DRAWING NUMBER
C3.2

SCHEDULE OF INSPECTIONS AND MAINTENANCE NOTES

- INSPECTIONS DESCRIBED IN PARAGRAPHS 2, 3 AND 4 BELOW, SHALL BE PERFORMED AT LEAST TWICE EVERY CALENDAR WEEK. INSPECTIONS SHALL BE PERFORMED AT LEAST 72 HOURS APART. WHERE SITES OR PORTION(S) OF CONSTRUCTION SITES HAVE BEEN TEMPORARILY STABILIZED, OR RUNOFF IS UNLIKELY DUE TO WINTER CONDITIONS (E.G., SITE COVERED WITH SNOW OR ICE) OR DUE TO EXTREME DROUGHT, SUCH INSPECTION ONLY HAS TO BE CONDUCTED ONCE PER MONTH UNTIL THAWING OR PRECIPITATION RESULTS IN RUNOFF OR CONSTRUCTION ACTIVITY RESUMES. INSPECTION REQUIREMENTS DO NOT APPLY TO DEFINABLE AREAS THAT HAVE BEEN FINALLY STABILIZED. WRITTEN NOTIFICATION OF THE INTENT TO CHANGE THE INSPECTION FREQUENCY AND THE JUSTIFICATION FOR SUCH REQUEST MUST BE SUBMITTED TO THE LOCAL ENVIRONMENTAL FIELD OFFICE, OR THE DIVISION'S NASHVILLE CENTRAL OFFICE FOR PROJECTS OF THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) AND THE TENNESSEE VALLEY AUTHORITY (TVA). SHOULD TDEC DISCOVER THAT MONTHLY INSPECTIONS OF THE SITE ARE NOT APPROPRIATE DUE TO INSUFFICIENT STABILIZATION MEASURES OR OTHERWISE, TWICE WEEKLY INSPECTIONS SHALL RESUME. TDEC MAY INSPECT THE SITE TO CONFIRM OR DENY THE NOTIFICATION TO CONDUCT MONTHLY INSPECTIONS.
- QUALIFIED PERSONNEL (PROVIDED BY THE PERMITTEE OR COOPERATIVELY BY MULTIPLE PERMITTEES) SHALL INSPECT DISTURBED AREAS OF THE CONSTRUCTION SITE THAT HAVE NOT BEEN FINALLY STABILIZED, AREAS USED FOR STORAGE OF MATERIALS THAT ARE EXPOSED TO PRECIPITATION, STRUCTURAL CONTROL MEASURES, LOCATIONS WHERE VEHICLES ENTER OR EXIT THE SITE, AND EACH OUTFALL.
- DISTURBED AREAS AND AREAS USED FOR STORAGE OF MATERIALS THAT ARE EXPOSED TO PRECIPITATION SHALL BE INSPECTED FOR EVIDENCE OF, OR THE POTENTIAL FOR, POLLUTANTS ENTERING THE SITE'S DRAINAGE SYSTEM. EROSION PREVENTION AND SEDIMENT CONTROL MEASURES SHALL BE OBSERVED TO ENSURE THAT THEY ARE OPERATING CORRECTLY.
- OUTFALL POINTS (WHERE DISCHARGES LEAVE THE SITE AND/OR ENTER WATERS OF THE STATE) SHALL BE INSPECTED TO DETERMINE WHETHER EROSION PREVENTION AND SEDIMENT CONTROL MEASURES ARE EFFECTIVE IN PREVENTING SIGNIFICANT IMPACTS TO RECEIVING WATERS. WHERE DISCHARGE LOCATIONS ARE INACCESSIBLE, NEARBY DOWNSTREAM LOCATIONS SHALL BE INSPECTED. LOCATIONS WHERE VEHICLES ENTER OR EXIT THE SITE SHALL BE INSPECTED FOR EVIDENCE OF OFFSITE SEDIMENT TRACKING.
- BASED ON THE RESULTS OF THE INSPECTION, ANY INADEQUATE CONTROL MEASURES OR CONTROL MEASURES IN DISREPAIR SHALL BE REPLACED OR MODIFIED, OR REPAIRED AS NECESSARY, BEFORE THE NEXT RAIN EVENT, BUT IN NO CASE MORE THAN 7 DAYS AFTER THE NEED IS IDENTIFIED.
- BASED ON THE RESULTS OF THE INSPECTION, THE SITE DESCRIPTION AND POLLUTION PREVENTION MEASURES IDENTIFIED IN THIS SWPPP SHALL BE REVISED AS APPROPRIATE, BUT IN NO CASE LATER THAN 7 DAYS FOLLOWING THE INSPECTION. SUCH MODIFICATIONS SHALL PROVIDE FOR TIMELY IMPLEMENTATION OF ANY CHANGES TO THE SWPPP, BUT IN NO CASE LATER THAN 14 DAYS FOLLOWING THE INSPECTION.
- ALL INSPECTIONS SHALL BE DOCUMENTED ON THE CONSTRUCTION STORMWATER INSPECTION CERTIFICATION FORM PROVIDED IN APPENDIX D OF THE SWPPP REPORT FOR ALL CONSTRUCTION SITES. INSPECTION DOCUMENTATION WILL BE MAINTAINED ON SITE AND MADE AVAILABLE TO TDEC UPON REQUEST. INSPECTION REPORTS MUST BE SUBMITTED TO TDEC WITHIN 10 DAYS OF THE REQUEST. IF TDEC REQUESTS THE CONSTRUCTION STORMWATER INSPECTION CERTIFICATION FORM TO BE SUBMITTED, THE SUBMITTED FORM MUST CONTAIN THE PRINTED NAME AND SIGNATURE OF THE TRAINED CERTIFIED INSPECTOR AND THE PERSON WHO MEETS THE SIGNATORY REQUIREMENTS OF SECTION 7.7.2 OF THE NPDES GENERAL PERMIT.
- TRAINED CERTIFIED INSPECTORS SHALL COMPLETE INSPECTION DOCUMENTATION TO THE BEST OF THEIR ABILITY. FALSIFYING INSPECTION RECORDS OR OTHER DOCUMENTATION OR FAILURE TO COMPLETE INSPECTION DOCUMENTATION SHALL RESULT IN A VIOLATION OF THIS PERMIT AND ANY OTHER APPLICABLE ACTS OR RULES.
- SUBSEQUENT OPERATOR(S) (PRIMARY PERMITTEES) WHO HAVE OBTAINED COVERAGE UNDER THE NPDES GENERAL PERMIT SHOULD CONDUCT TWICE WEEKLY INSPECTIONS, UNLESS THEIR PORTION(S) OF THE SITE HAS BEEN TEMPORARILY STABILIZED, OR RUNOFF IS UNLIKELY DUE TO WINTER CONDITIONS OR DUE TO EXTREME DROUGHT AS STATED IN PARAGRAPH A) ABOVE. THE PRIMARY PERMITTEE (SUCH AS A DEVELOPER) IS NO LONGER REQUIRED TO CONDUCT INSPECTIONS OF PORTIONS OF THE SITE THAT ARE COVERED BY A SUBSEQUENT PRIMARY PERMITTEE (SUCH AS A HOME BUILDER).

SITE ASSESSMENT NOTES

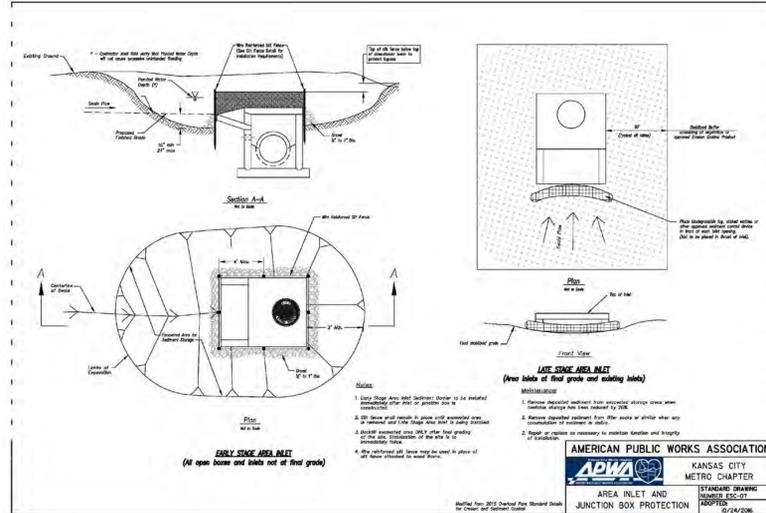
- THE SITE ASSESSMENT SHALL BE PERFORMED BY INDIVIDUALS WITH THE FOLLOWING QUALIFICATIONS:
 - A LICENSED PROFESSIONAL ENGINEER OR LANDSCAPE ARCHITECT
 - A CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC) OR
 - A PERSON THAT SUCCESSFULLY COMPLETED THE "LEVEL II DESIGN PRINCIPLES FOR EROSION PREVENTION AND SEDIMENT CONTROL FOR CONSTRUCTION SITES" COURSE.
- QUALITY ASSURANCE OF EROSION PREVENTION AND SEDIMENT CONTROLS SHALL BE DONE BY PERFORMING SITE ASSESSMENT AT A CONSTRUCTION SITE. THE SITE ASSESSMENT SHALL BE CONDUCTED AT EACH OUTFALL INVOLVING DRAINAGE TOTALING 10 OR MORE ACRES OR 5 OR MORE ACRES IF DRAINING TO AN IMPAIRED OR EXCEPTIONAL QUALITY WATERS, WITHIN A MONTH OF CONSTRUCTION COMMENCING AT EACH PORTION OF THE SITE THAT DRAINS THE QUALIFYING ACREAGE OF SUCH PORTION OF THE SITE.
- AS A MINIMUM, SITE ASSESSMENT SHOULD BE PERFORMED TO VERIFY THE INSTALLATION, FUNCTIONALITY AND PERFORMANCE OF THE EPSC MEASURES DESCRIBED IN THE SWPPP REPORT. THE SITE ASSESSMENT SHOULD BE PERFORMED WITH THE INSPECTOR, AND SHOULD INCLUDE A REVIEW AND UPDATE (IF APPLICABLE) OF THE SWPPP REPORT. MODIFICATIONS OF PLANS AND SPECIFICATIONS FOR ANY BUILDING OR STRUCTURE, INCLUDING THE DESIGN OF SEDIMENT BASINS OR OTHER SEDIMENT CONTROLS INVOLVING STRUCTURAL, HYDRAULIC, HYDROLOGIC OR OTHER ENGINEERING CALCULATIONS SHALL BE PREPARED BY A LICENSED PROFESSIONAL ENGINEER OR LANDSCAPE ARCHITECT AND STAMPED AND CERTIFIED IN ACCORDANCE WITH THE TENNESSEE CODE ANNOTATED, TITLE 62, CHAPTER 2 AND THE RULES OF THE TENNESSEE BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS.
- THE SITE ASSESSMENT FINDINGS SHALL BE DOCUMENTED AND THE DOCUMENTATION KEPT WITH THE SWPPP REPORT AT THE SITE. AT A MINIMUM, THE DOCUMENTATION SHALL INCLUDE INFORMATION INCLUDED IN THE INSPECTION FORM PROVIDED IN APPENDIX D OF THE SWPPP REPORT. THE DOCUMENTATION MUST CONTAIN THE PRINTED NAME AND SIGNATURE OF THE INDIVIDUAL PERFORMING THE SITE ASSESSMENT AND THE FOLLOWING CERTIFICATION:

"I CERTIFY UNDER PENALTY OF LAW THAT THIS REPORT AND ALL ATTACHMENTS ARE, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS."
- THE SITE ASSESSMENT CAN TAKE THE PLACE OF ONE OF THE TWICE WEEKLY INSPECTIONS REQUIREMENT.
- TDEC MAY REQUIRE ADDITIONAL SITE ASSESSMENT(S) TO BE PERFORMED IF SITE INSPECTION BY TDEC'S PERSONNEL REVEALS SITE CONDITIONS THAT HAVE POTENTIAL OF CAUSING POLLUTION TO THE WATERS OF THE STATE.

NOTE:

CONTRACTOR SHALL INSTALL A 4'X4' WEATHER PROOF SIGN (6' HEIGHT) AT THE MAIN CONSTRUCTION ENTRANCE. THE SIGN SHALL HAVE THE FOLLOWING INFORMATION:

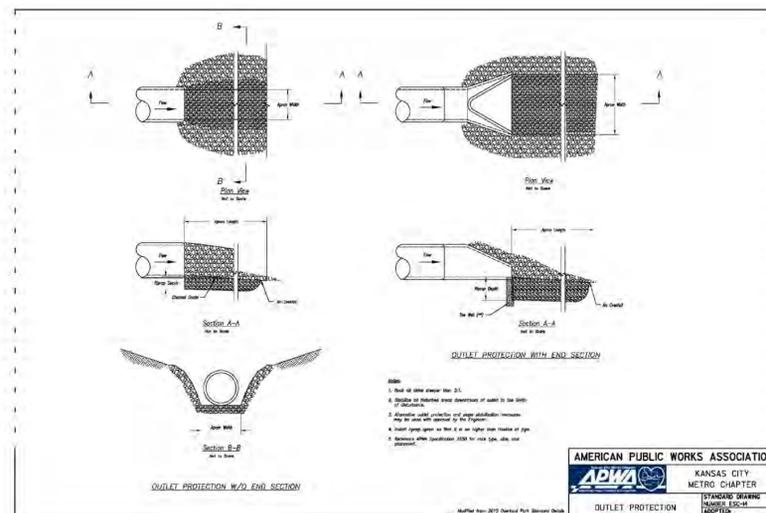
- A COPY OF THE NOTICE OF COVERAGE WITH THE NPDES PERMIT NUMBER (FURNISHED BY ENGINEER).
- THE NAME AND TELEPHONE NUMBER OF A LOCAL CONTACT PERSON (FURNISHED BY CONSTRUCTION MANAGER).
- DESCRIPTION OF PROJECT (FURNISHED BY CONSTRUCTION MANAGER).



4

AREA INLET PROTECTION

NOT TO SCALE



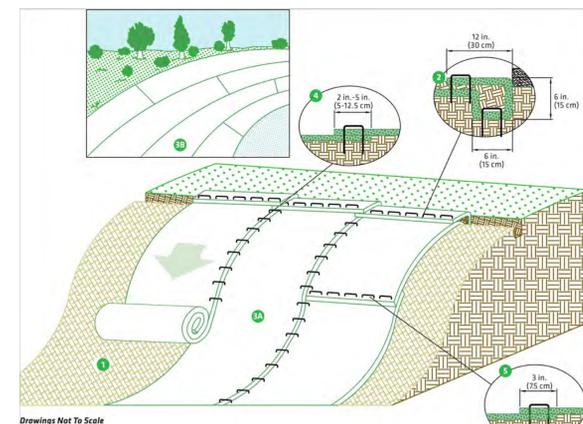
5

OUTLET PROTECTION

NOT TO SCALE

Slope Installation

The following slope guide outlines general recommendations for installing RollMax™ System temporary and/or permanent RECPs on sloping applications. Consult the staple pattern guide (Figure 1) for fastener spacing recommendations based on the slope severity.



6

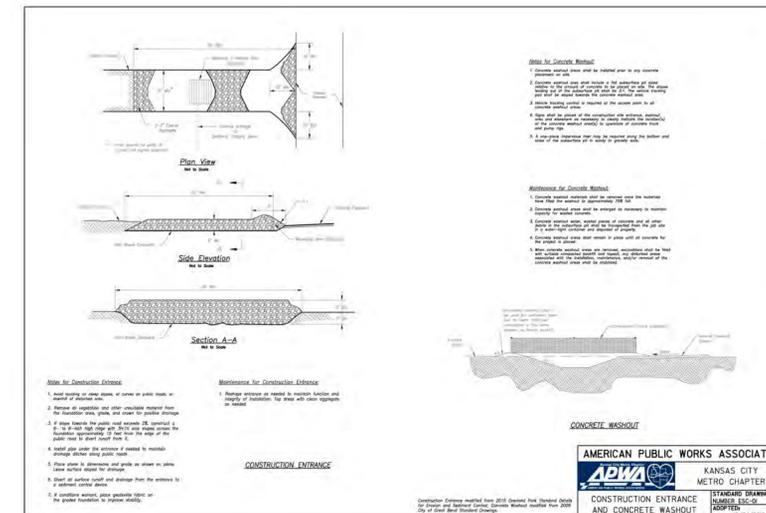
GEOTEXTILE MATTING

NOT TO SCALE

SLOPE INSTALLATION STEPS

- Prepare soil before installing RECPs, including any necessary application of lime, fertilizer and seed.
- Begin at the top of the slope by anchoring the RECPs in a 6 in. (15 cm) deep x 6 in. (15 cm) wide trench with approximately 12 in. (30 cm) of RECPs extended beyond the upslope portion of the trench. Anchor the RECPs with a row of staples/stakes approximately 12 in. (30 cm) apart in the bottom of the trench. Backfill and compact the trench after stapling. Apply seed to the compacted soil and fold the remaining 12 in. (30 cm) portion of RECPs back over the seed and compacted soil. Secure RECPs over compacted soil with a row of staples/stakes spaced approximately 12 in. (30 cm) apart across the width of the RECPs.
- Roll the RECPs (3A) down or (3B) horizontally across the slope. RECPs will unroll with appropriate side against the soil surface. All RECPs must be securely fastened to soil surface by placing staples/stakes in appropriate locations as shown in the staple pattern guide.
- The edges of parallel RECPs must be stapled with an approximately 2 in.-5 in. (5-12.5 cm) overlap depending on the RECP type.
- Consecutive RECPs spliced down the slope must be end-over-end (shingle style) with an approximate 3 in. (7.5 cm) overlap. Staple through overlapped area, approximately 12 in. (30 cm) apart across entire RECPs width.*

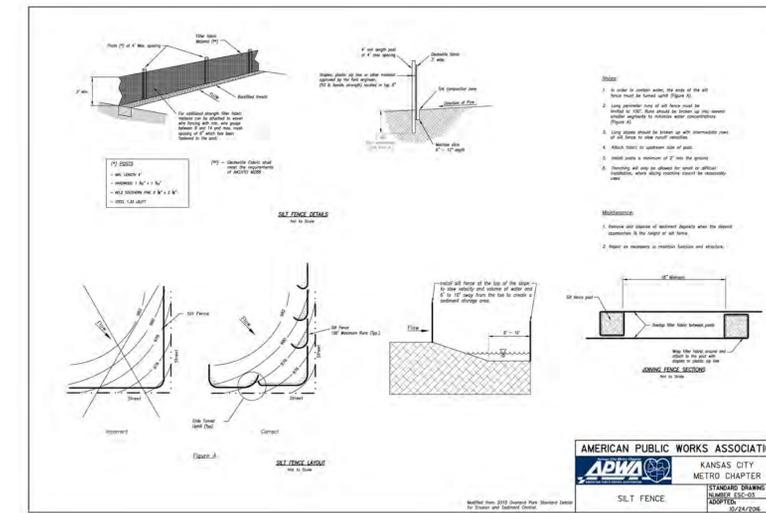
*NOTE: In adverse soil conditions longer staples/stakes or earth anchors may be necessary to properly secure the RECPs.



1

CONSTRUCTION ENTRANCE AND CONCRETE WASHOUT

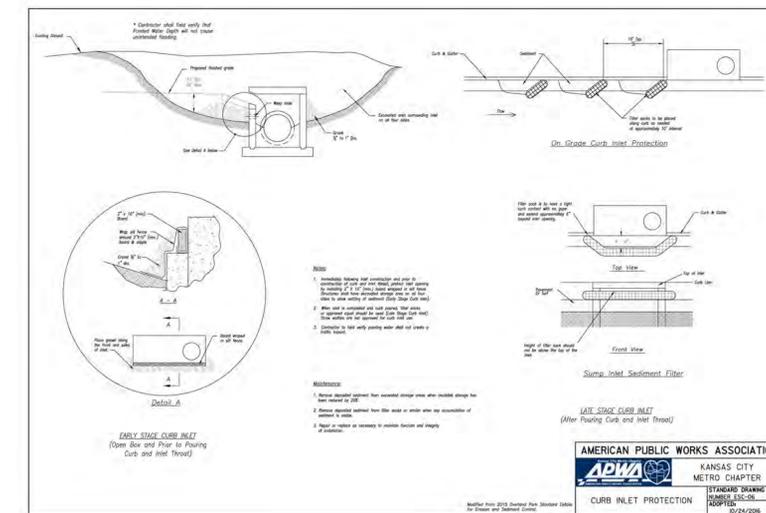
NOT TO SCALE



2

SILT FENCE

NOT TO SCALE



3

CURB INLET PROTECTION

NOT TO SCALE

Catalyst
DESIGN GROUP
5016 CENTENNIAL BLVD., SUITE 200, NASHVILLE, TN 37209
(615) 866-2410 | WWW.CATALYST-DC.COM

DIALYSIS CLINIC, INC.
1633 CHURCH STREET, STE 500
NASHVILLE, TN 37203
615.327.3061

STATE OF TENNESSEE
PROFESSIONAL ENGINEER
JACK P. PARKER
NUMBER
PE-2017040852
1/6/19

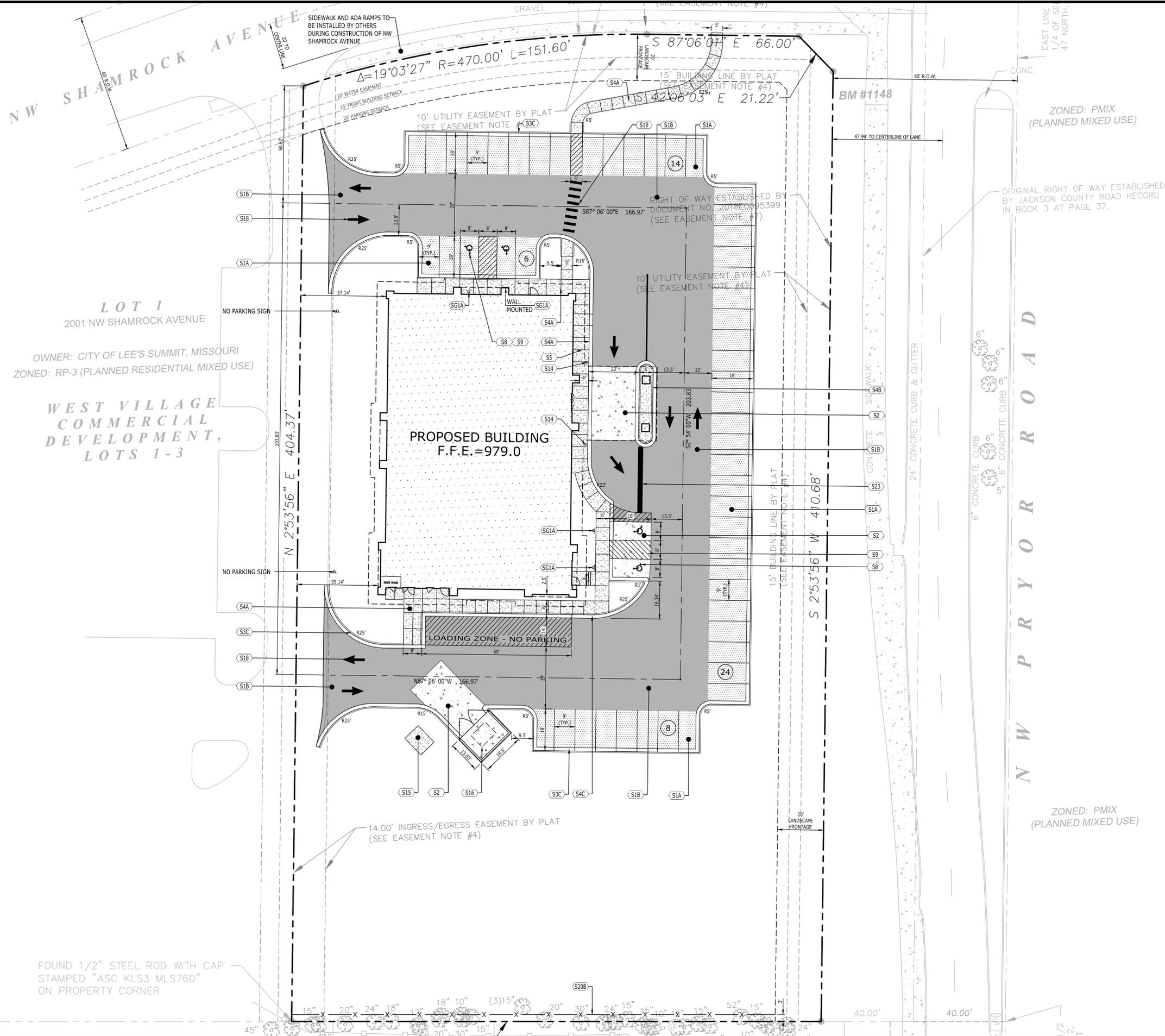
CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
2001 NW SHAMROCK AVENUE
LEE'S SUMMIT, MISSOURI, 64081
JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
SEDIMENT AND EROSION CONTROL DETAILS

PROJECT NUMBER
20180111
DRAWING NUMBER

C3.3



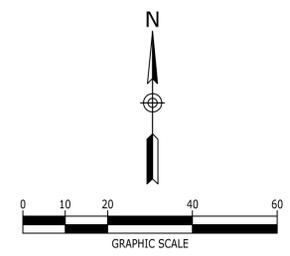
VICINITY MAP
NOT TO SCALE

SITE LAYOUT KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
S1A	ASPHALT PAVEMENT - LIGHT DUTY	7 / C7.0
S1B	ASPHALT PAVEMENT - HEAVY DUTY	7 / C7.0
S2	CONCRETE PAVEMENT	1 / C7.0
S3C	CONCRETE CURB & GUTTER	2 / C7.0
S4A	CONCRETE SIDEWALK	3 / C7.0
S4B	CONCRETE SIDEWALK WITH TURN DOWN CURB	4 / C7.0
S4C	CONCRETE SIDEWALK AT CURB & GUTTER	5 / C7.0
S5	SIDEWALK JOINTS	6 / C7.0
S8	ACCESSIBLE SYMBOL	4 / C7.1
S9	ACCESSIBLE PARKING SPACE	8 / C7.0
S14	BOLLARD	9 / C7.0
S15	UTILITY PAD	10 / C7.0
S16	DUMPSTER ENCLOSURE - SEE ARCHITECTURAL PLANS	-
S18	DIRECTIONAL ARROWS	1 / C7.1
S19	PEDESTRIAN CROSSWALK	2 / C7.2
S20B	OPAQUE VINYL SCREEN FENCE (6')	-
S23	PAINTED STOP BAR (24')	9 / C7.1

SITE SIGNAGE KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
SG1A	ACCESSIBLE PARKING SIGN	10 / C7.0
SG1B	ACCESSIBLE PARKING SIGN IN BOLLARD	11 / C7.0

NOTE:
PER THE RECORDED PLAT AND ACCORDING TO AN ENVIRONMENTAL IMPACT STUDY OF ABANDONED OIL AND GAS WELLS IN LEE'S SUMMIT, MO, IN 1995 BY EDWARD ALTON MAY, JR., P.E., THERE ARE NO OIL AND GAS WELLS WITHIN THE SUBJECT PROPERTY.

LEGEND	
BUILDING	[Pattern]
CONCRETE PAVEMENT	[Pattern]
CONCRETE SIDEWALK	[Pattern]
HEAVY DUTY PAVEMENT	[Pattern]
LIGHT DUTY PAVEMENT	[Pattern]
PAINTED STRIPE	[Pattern]
CONCRETE CURB	[Pattern]
CENTERLINE	[Pattern]



LOT 1
2001 NW SHAMROCK AVENUE
OWNER: CITY OF LEE'S SUMMIT, MISSOURI
ZONED: RP-3 (PLANNED RESIDENTIAL MIXED USE)
WEST VILLAGE COMMERCIAL DEVELOPMENT, LOTS 1-3

PROPOSED BUILDING
F.F.E.=979.0

ZONED: PMIX
(PLANNED MIXED USE)

FOUND 1/2" STEEL ROD WITH CAP
STAMPED "ASC KLS3 MLS76D"
ON PROPERTY CORNER



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NASHVILLE, TN 37203
615.327.3061

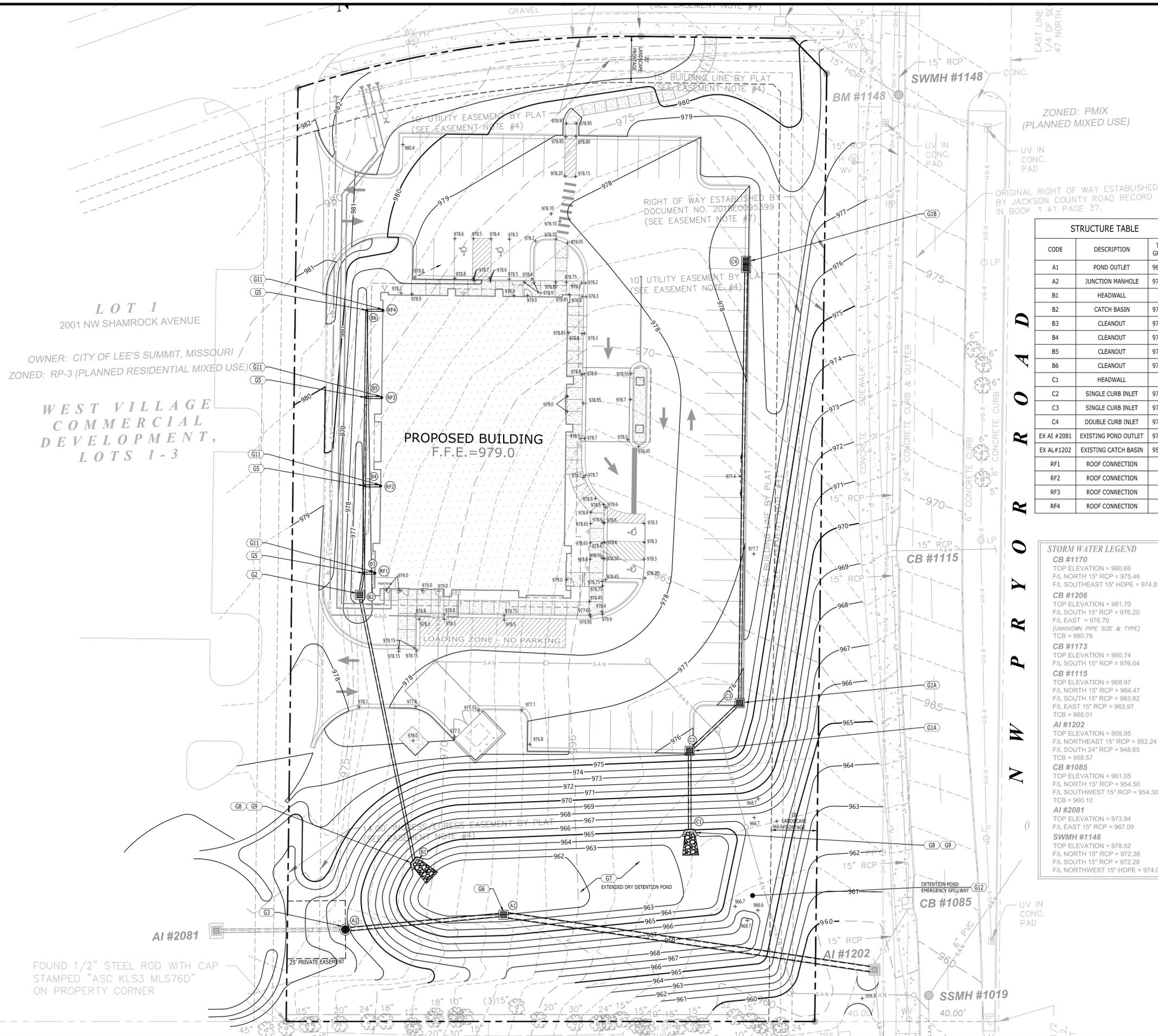


CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
2001 NW SHAMROCK AVENUE
LEE'S SUMMIT, MISSOURI, 64081
JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
LAYOUT PLAN
PROJECT NUMBER
20180111
DRAWING NUMBER
C4.0

P:\2018\20180111\dwg\Construction\20180111_L_C5-0_GRA.dwg-C5-0 GRADING & DRAINAGE PLAN Sep 06, 2019 ehlh



GRADING & DRAINAGE KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
G1A	SINGLE CURB INLET	7 / C7.1
G1B	DOUBLE CURB INLET	5 / C7.3
G2	CATCH BASIN	6 / C7.2
G3	JUNCTION MANHOLE	1, 2, 4 / C7.3
G5	CLEANOUT	8 / C7.1
G6	POND OUTLET STRUCTURE	3 / C7.3
G7	EXTENDED DRY DETENTION POND	-
G8	CONCRETE HEADWALL - WINGED	6 / C7.3
G9	OUTLET PROTECTION	5 / C7.3
G11	BUILDING DOWNSPOUT CONNECTION	10 / C7.1
G12	DETENTION POND EMERGENCY SPILLWAY	-

STRUCTURE TABLE		
CODE	DESCRIPTION	TOP GRATE
A1	POND OUTLET	966.20
A2	JUNCTION MANHOLE	971.20
B1	HEADWALL	NA
B2	CATCH BASIN	976.50
B3	CLEANOUT	976.80
B4	CLEANOUT	977.10
B5	CLEANOUT	977.80
B6	CLEANOUT	978.00
C1	HEADWALL	NA
C2	SINGLE CURB INLET	975.80
C3	SINGLE CURB INLET	975.80
C4	DOUBLE CURB INLET	977.60
EX AI #2081	EXISTING POND OUTLET	973.94
EX AL#1202	EXISTING CATCH BASIN	959.95
RF1	ROOF CONNECTION	NA
RF2	ROOF CONNECTION	NA
RF3	ROOF CONNECTION	NA
RF4	ROOF CONNECTION	NA

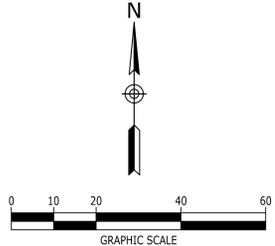
PIPE TABLE							
FROM CODE	FROM INV.	TO CODE	TO INV.	GRADE (%)	SIZE (INCHES)	LENGTH (L.F.)	TYPE
A1	958.00	EX AL#1202	948.85	5.61%	24"	163	RCP
A2	966.58	A1	958.20	12.13%	15"	69	RCP
B2	972.63	B1	963.50	7.76%	12"	118	HDPE
B3	972.93	B2	972.83	1.04%	10"	10	HDPE
B4	973.30	B3	972.93	0.98%	10"	38	HDPE
B5	973.69	B4	973.30	1.02%	10"	38	HDPE
B6	974.06	B5	973.69	0.98%	10"	38	HDPE
C2	969.00	C1	963.50	15.89%	12"	35	HDPE
C3	971.30	C2	969.20	6.99%	12"	30	HDPE
C4	973.50	C3	971.50	1.05%	12"	190	HDPE
EX AI #2081	967.09	A2	966.58	0.91%	15"	56	RCP
RF1	974.25	B3	974.00	5.00%	10"	5	HDPE
RF2	974.25	B4	974.00	3.57%	10"	7	HDPE
RF3	974.25	B5	973.69	8.00%	10"	7	HDPE
RF4	974.25	B6	974.06	2.71%	10"	7	HDPE

STORM WATER LEGEND
CB #1170
 TOP ELEVATION = 980.66
 FIL NORTH 15" RCP = 975.46
 FIL SOUTHEAST 15" HDPE = 974.81
CB #1206
 TOP ELEVATION = 981.70
 FIL SOUTH 15" RCP = 976.20
 FIL EAST = 976.70
 (UNKNOWN PIPE SIZE & TYPE)
 TCB = 980.76
CB #1173
 TOP ELEVATION = 980.74
 FIL SOUTH 15" RCP = 976.04
CB #1115
 TOP ELEVATION = 968.97
 FIL NORTH 15" RCP = 964.47
 FIL SOUTH 15" RCP = 963.62
 FIL EAST 15" RCP = 963.97
 TCB = 968.01
AI #1202
 TOP ELEVATION = 959.95
 FIL NORTHEAST 15" RCP = 952.24
 FIL SOUTH 24" RCP = 948.65
 TCB = 958.57
CB #1085
 TOP ELEVATION = 961.05
 FIL NORTH 15" RCP = 954.50
 FIL SOUTHWEST 15" RCP = 954.30
 TCB = 960.10
AI #2081
 TOP ELEVATION = 973.94
 FIL EAST 15" RCP = 967.09
SWMH #1148
 TOP ELEVATION = 978.52
 FIL NORTH 15" RCP = 972.38
 FIL SOUTH 15" RCP = 972.28
 FIL NORTHWEST 15" HDPE = 974.04

SEWER LEGEND
SSMH #1019
 TOP ELEVATION = 959.22
 FIL NORTHEAST 6" PVC = 947.82
 FIL SOUTH 6" PVC = 947.67

BENCHMARK LEGEND
BM #1148
 TOP ELEVATION RIM OF SWMH = 978.52
 DATUM = NAVD88

LEGEND	
STORM PIPE & INLET	
SPOT ELEVATION	
PROPOSED CONTOUR ELEV.	
DRAINAGE STRUCTURE	



LOT 1
 2001 NW SHAMROCK AVENUE
 OWNER: CITY OF LEE'S SUMMIT, MISSOURI
 ZONED: RP-3 (PLANNED RESIDENTIAL MIXED USE)

WEST VILLAGE COMMERCIAL DEVELOPMENT, LOTS 1-3

PROPOSED BUILDING
 F.F.E.=979.0

ZONED: PMIX (PLANNED MIXED USE)

ORIGINAL RIGHT OF WAY ESTABLISHED BY JACKSON COUNTY ROAD RECORD IN BOOK # AT PAGE 37.

RIGHT OF WAY ESTABLISHED BY DOCUMENT NO. 2012000955991 (SEE EASEMENT NOTE #7)

10' UTILITY EASEMENT BY PLAT (SEE EASEMENT NOTE #4)

10' UTILITY EASEMENT BY PLAT (SEE EASEMENT NOTE #4)

15' BUILDING LINE BY PLAT (SEE EASEMENT NOTE #7)

15' BUILDING LINE BY PLAT (SEE EASEMENT NOTE #7)

15' BUILDING LINE BY PLAT (SEE EASEMENT NOTE #7)

15' BUILDING LINE BY PLAT (SEE EASEMENT NOTE #7)

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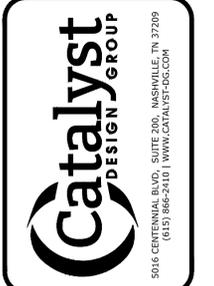
15' BUILDING LINE BY PLAT (SEE EASEMENT NOTE #7)

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FOUND 1/2" STEEL ROD WITH CAP STAMPED "ASC KLS3 MLS76D" ON PROPERTY CORNER



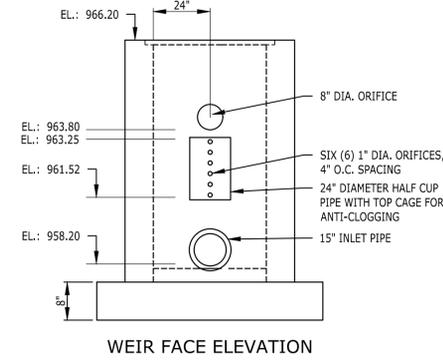
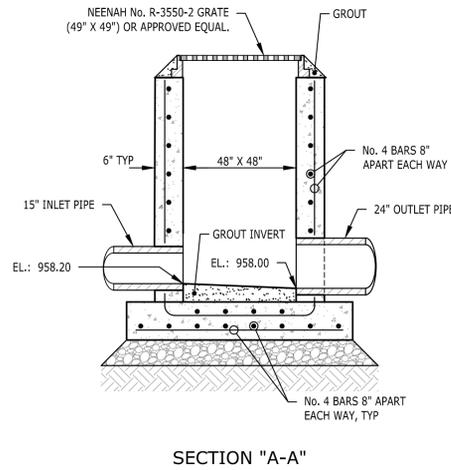
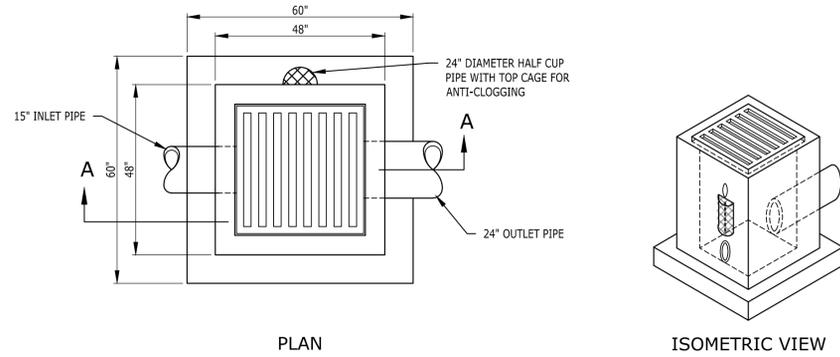
DIALYSIS CLINIC, INC.
 1633 CHURCH STREET, STE 500
 NASHVILLE, TN 37203
 615.327.3061



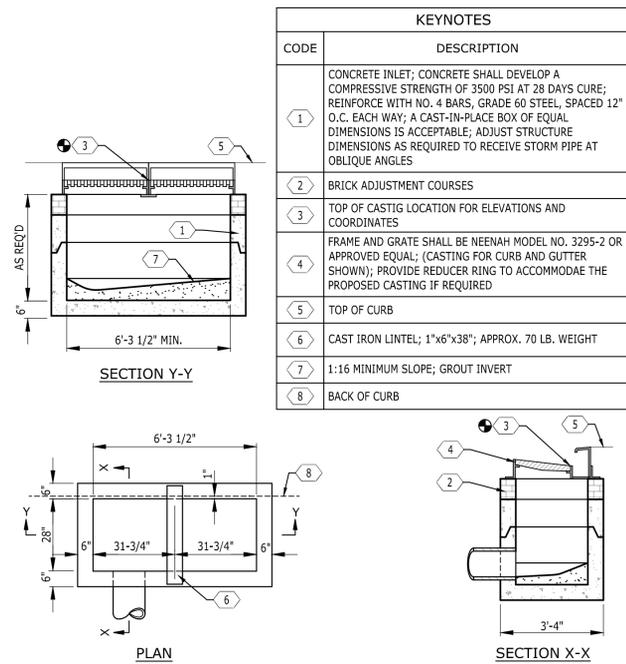
CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
 2001 NW SHAMROCK AVENUE
 LEE'S SUMMIT, MISSOURI, 64081
 JACKSON COUNTY

NO.	DATE	DESCRIPTION

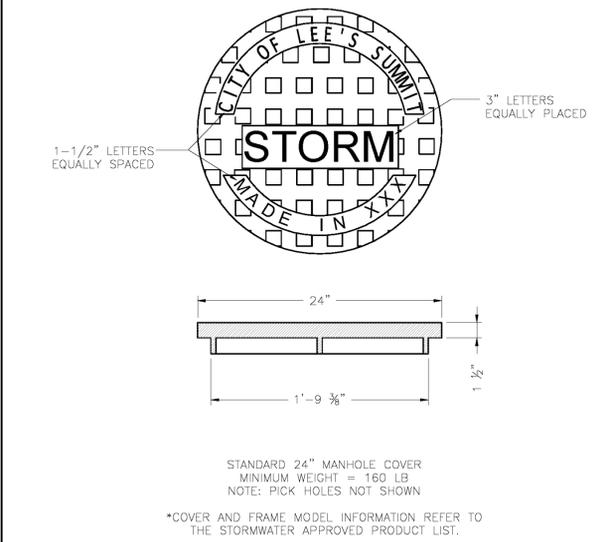
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GRADING & DRAINAGE PLAN
 PROJECT NUMBER
 20180111
 DRAWING NUMBER
C5.0



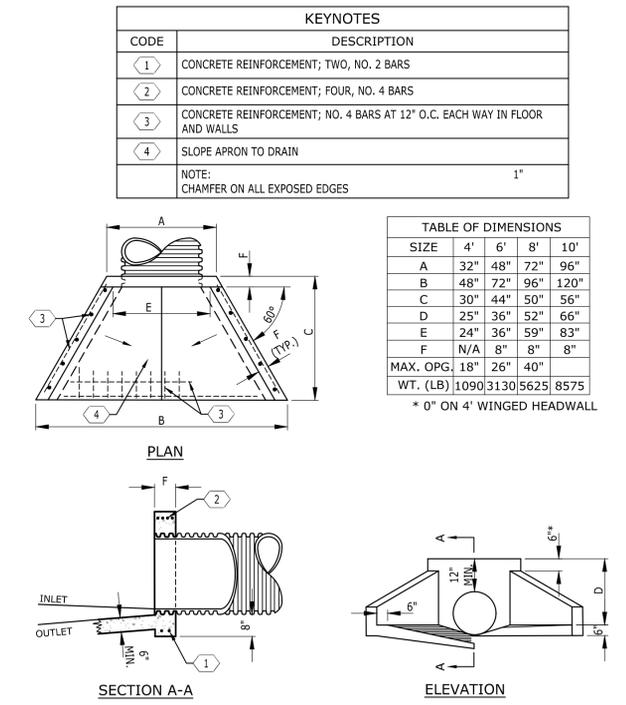
3 POND OUTLET STRUCTURE
NO SCALE



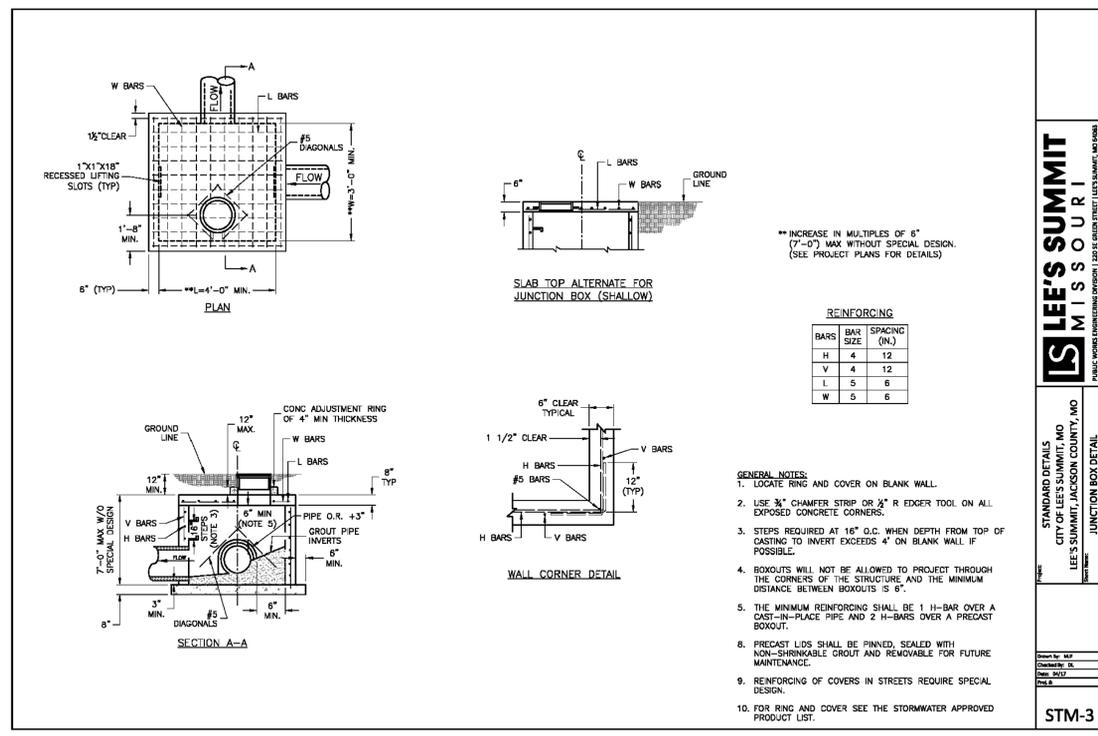
5 DOUBLE CURB INLET
NOT TO SCALE



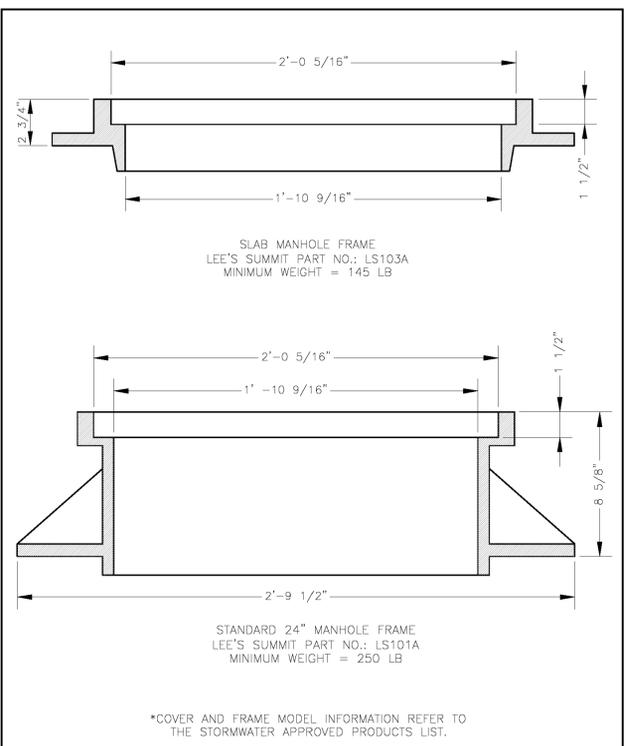
1 STORM MANHOLE COVER
NOT TO SCALE



6 WINGED HEADWALL
NOT TO SCALE



4 STORM JUNCTION MANHOLE
NOT TO SCALE



2 STORM MANHOLE FRAME
NOT TO SCALE



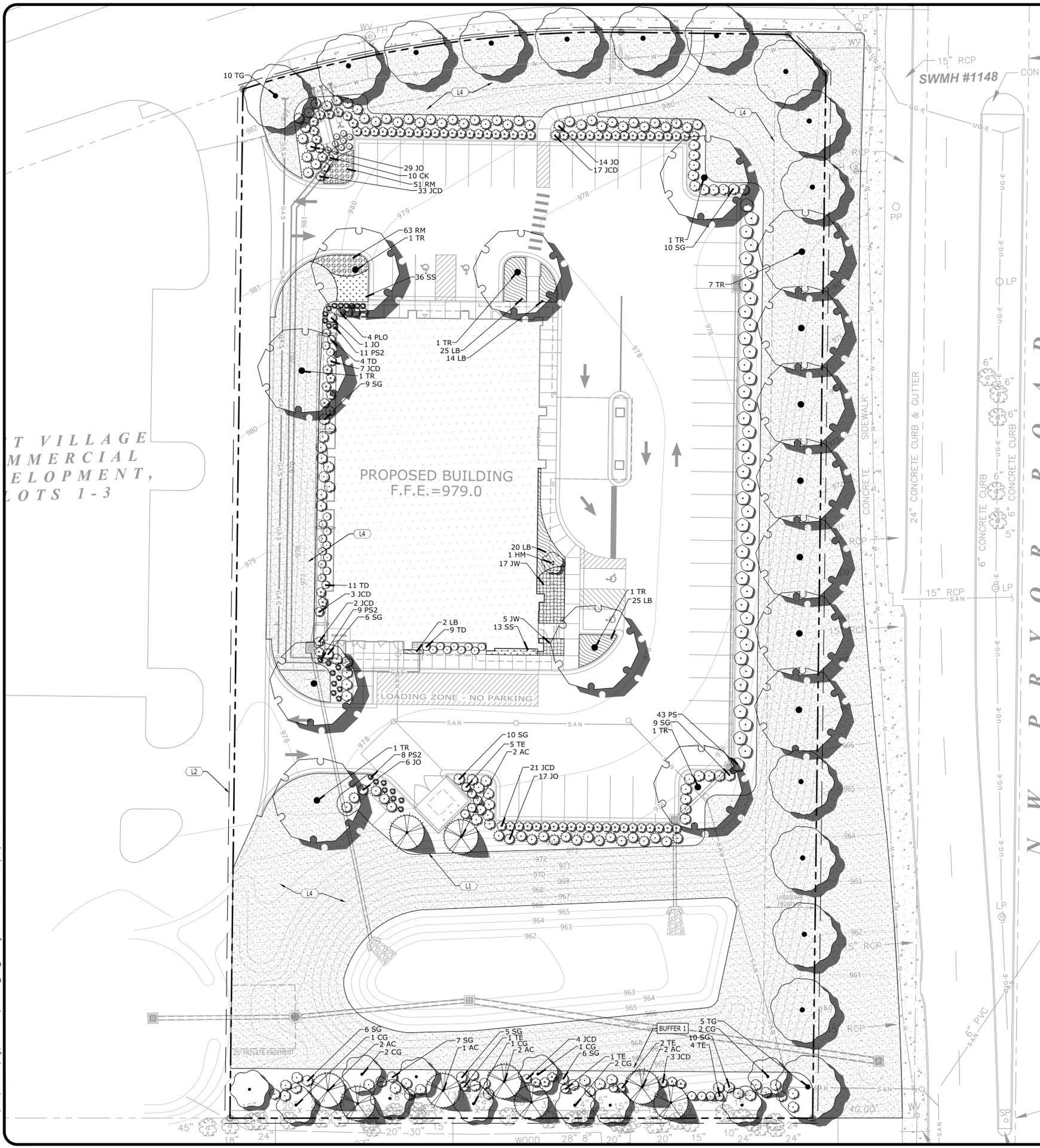
CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
2001 NW SHAMROCK AVENUE
LEE'S SUMMIT, MISSOURI, 64081
JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
SITE DETAILS
PROJECT NUMBER
20080111
DRAWING NUMBER
C7.3

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P:\2018\20180111\dwg\Construction\20180111_L1-Q_LAN.dwg-L1.0 LANDSCAPE PLAN Sep. 06, 2019 ehl



LANDSCAPE KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
L1	PLANTING BED LIMITS	3/L2.0
L2	IRRIGATION LIMITS	-
L3	AREA TO BE SEEDED	-
L4	AREA TO BE SODDED	-
L5	AREA TO BE 4"-6" RIVER ROCK	-

LANDSCAPE DATA
 OVERALL SITE ACERAGE: 2.225
 PARCEL ID: 62-240-99-04-00-0-00-000
 ZONING: PMIX - PLANNED MIXED USE DISTRICT

SITE LANDSCAPE CALCULATIONS

OVERALL SITE REQUIREMENTS:	334 AC
REQUIRED LANDSCAPE COVERAGE (15%):	97 AC
PROVIDED LANDSCAPE COVERAGE:	20
REQUIRED TREES (1 PER 5,000 SF OF LOT AREA):	64
PROVIDED TREES:	39
REQUIRED SHRUBS (1 PER 2,500 SF OF LOT AREA):	340
PROVIDED SHRUBS:	
FRONTAGE REQUIREMENTS:	616 LF
LENGTH:	
REQUIRED FRONTAGE (STREET) TREES (1 PER 30 LF):	21
PROVIDED FRONTAGE (STREET) TREES:	22
REQUIRED FRONTAGE SHRUBS (1 PER 20 LF):	31
PROVIDED FRONTAGE SHRUBS:	93
PARKING SCREEN REQUIREMENTS:	504 LF
LENGTH:	
REQUIRED SHRUBS (12 SHRUBS / 40 LF):	152
PROVIDED SHRUBS:	177

BUFFER CALCULATIONS

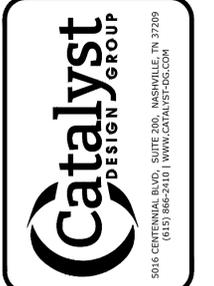
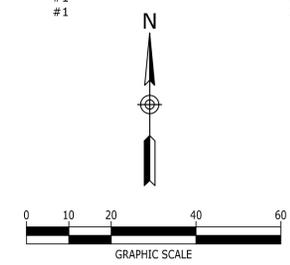
BUFFER 1 - "A" BUFFER - HIGH IMPACT:	8,080 SF
AREA:	
REQUIRED SHADE TREES (1 / 500 SF):	1616
REQUIRED ORNAMENTAL TREES (1 / 750 SF):	1077
REQUIRED EVERGREEN TREES (1 / 300 SF):	2693
REQUIRED SHRUBS (1 / 200 SF):	4040
REQUIRED FENCE:	
PROVIDED SHADE TREES:	23 (EXISTING)
PROVIDED ORNAMENTAL TREES:	11
PROVIDED EVERGREEN TREES:	27
PROVIDED SHRUBS:	41
PROVIDED 6' HIGH PRIVACY FENCE:	

PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	SPREAD
AC	9	Abies concolor / White Fir	B&B	3"	8-10'	4-5'
CG	11	Cornus mas 'Golden Glory' / Golden Glory Cornelian Cherry	B&B	3"	8-9'	4-5'
HM	1	Heptacodium miconioides / Seven Sons Flower	B&B	3"	6-8'	6-7'
TE	13	Thuja occidentalis 'Emerald' / Emerald Arborvitae	B&B	2"	6-7'	2-3'
TR	15	Tilia americana 'Redmond' / Redmond American Linden	B&B	3"	12-14'	6-7'
TG	15	Tilia cordata 'Greenspire' / Greenspire Littleleaf Linden	B&B	3"	12-14'	6-7'
SHRUBS	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	SPREAD
CK	10	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	#3		15-18"	15-18"
JCD	90	Juniperus communis depressa 'Aurea' / Yellow Dwarf Juniper	#3		12"	21-24"
JO	67	Juniperus virginiana 'Grey Owl' / Grey Owl Juniper	#5		24-27"	27-30"
PS2	28	Panicum virgatum 'Shenandoah' / Switch Grass	#1		15-18"	15-18"
PLO	4	Prunus laurocerasus 'Otto Luyken' / Luykens Laurel	#7		30"	36"
PS	43	Prunus laurocerasus 'Schipkaensis' / Schipka Laurel	#7		30-36"	18-24"
SG	79	Spiraea x bumalda 'Goldflame' / Goldflame Spiraea	#3		24-30"	24-30"
TD	24	Taxus x media 'Densiformis' / Dense Yew	#5		18-24"	18-24"
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	SPREAD
JW	25	Juniperus horizontalis 'Wiltonii' / Blue Rug Juniper	#3		42" o.c.	30" o.c.
LB	89	Liriope muscari 'Big Blue' / Big Blue Lilyturf	#1		18" o.c.	18" o.c.
RM	114	Rudbeckia missouriensis / Missouri Coneflower	#1		18" o.c.	24" o.c.
SS	49	Schizachyrium scoparium 'The Blues' / Little Bluestem	#1		18" o.c.	24" o.c.

SEED / SOD SCHEDULE

■ FESCUE SOD



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CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
 2001 NW SHAMROCK AVENUE
 LEE'S SUMMIT, MISSOURI, 64081
 JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
LANDSCAPE PLAN
 PROJECT NUMBER
 20180111
 DRAWING NUMBER
L1.0

PLANTING NOTES

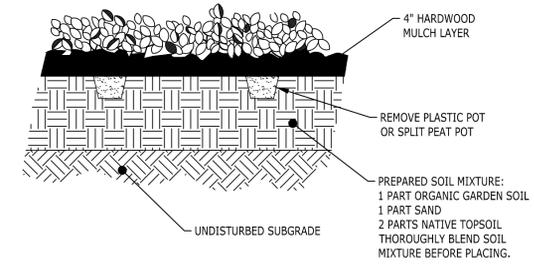
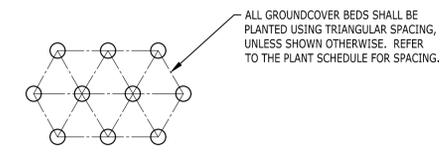
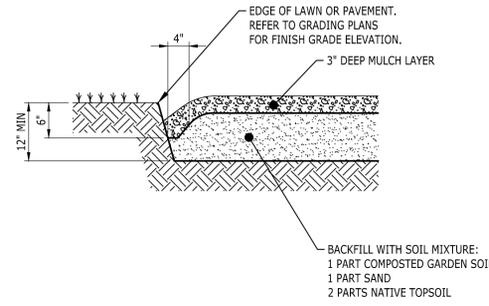
- BASE INFORMATION WAS TAKEN FROM A SURVEY PREPARED BY ANDERSON SURVEY COMPANY DATED 06/03/2019. CATALYST DESIGN GROUP AND ANY OF THEIR CONSULTANTS SHALL NOT BE HELD RESPONSIBLE FOR THE ACCURACY AND/OR COMPLETENESS OF THAT INFORMATION SHOWN HEREON OR ANY ERRORS OR OMISSIONS RESULTING FROM SUCH.
- IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO CONFIRM ALL MATERIAL QUANTITIES. IN THE EVENT OF A DISCREPANCY, THE QUANTITIES SHOWN ON THE PLAN SHALL TAKE PRECEDENCE OVER THE MATERIAL SCHEDULE.
- NO SUBSTITUTIONS AS TO TYPE, SIZE, OR SPACING OF PLANT MATERIALS SPECIFIED ON THIS PLAN MAY BE MADE WITHOUT THE APPROVAL OF THE OWNER'S REPRESENTATIVE.
- THE CONTRACTOR IS TO VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES. TAKE CARE TO PROTECT UTILITIES THAT ARE TO REMAIN, REPAIR ANY DAMAGE ACCORDING TO LOCAL STANDARDS AND AT CONTRACTOR'S EXPENSE. COORDINATE ALL CONSTRUCTION WITH THE APPROPRIATE UTILITY COMPANY.
- ALL PLANTING BEDS TO RECEIVE "CHANCELLOR" HARDWOOD MULCH. MULCH TO BE INSTALLED TO 4" DEPTH UNLESS OTHERWISE INDICATED ON THE PLANTING DETAILS.
- NEW TREE PLANTINGS TO BE STAKED PER PLANTING DETAILS
- DIMENSIONS LISTED FOR HEIGHTS, SPREAD AND TRUNK SPECIFICATIONS ON THE PLANT MATERIAL SCHEDULE ARE GENERAL GUIDE FOR THE MINIMUM REQUIRED SIZE OF EACH PLANT.
- PRE-EMERGENT HERBICIDE SHALL BE APPLIED TO ALL PLANTING BEDS IMMEDIATELY PRIOR TO PLACEMENT OF MULCH FOR WEED CONTROL.
- ALL DISTRIBUTED AREAS OF THE SITE ARE TO BE SEEDED AND/OR SODDED IN ACCORDANCE WITH THE SPECIFICATIONS.
- NO EXCAVATION OR PLANTING PIT SHALL BE LEFT OPEN OVERNIGHT.
- THE LANDSCAPE CONTRACTOR SHALL OBTAIN ANY NECESSARY PERMITS, LICENSES, ETC. AND SHALL GIVE ALL NOTICES AND COMPLY WITH ALL APPLICABLE LAWS, ORDINANCES, CODES, RULES AND REGULATIONS DURING THE COURSE OF THE INSTALLATION OF THIS PROJECT.
- ALL PLANT MATERIALS TO BE NURSERY GROWN AND TO COMPLY WITH THE AMERICAN STANDARD FOR NURSEY STOCK FOR SIZE AND QUALITY.
- THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REFUSE ANY PLANT MATERIAL OR ANY DEFECTIVE WORKMANSHIP.
- ALL PLANTS SHALL HAVE A WELL-FORMED HEAD WITH MINIMUM CALIPER, HEIGHT AND SPREAD OF THE SIDE BRANCHES AS SHOWN ON THE PLANT LIST. TRUNKS SHALL BE UNDAMAGED AND SHAPE SHALL BE TYPICAL OF THE SPECIES.
- MEASUREMENT OF CONIFER HEIGHT SHALL INCLUDE NOT MORE THAN FIFTY PERCENT (50%) OF THIS YEARS VERTICAL GROWTH (TOP CANDLE).
- THE LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR STAKING AND LAYOUT OF PLANTINGS ON THIS PROJECT. THE LANDSCAPE ARCHITECT OR OWNER SHALL BE ADVISED WHEN STAKES ARE READY FOR INSPECTION ON VARIOUS PLANTING AREAS. ALL LAYOUT WORK SHALL BE INSPECTED AND APPROVED BY THE LANDSCAPE ARCHITECT OR OWNER PRIOR TO OPENING ANY PLANT PITS.
- IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO VERIFY THAT EACH EXCAVATED TREE OR SHRUB PIT WILL PERCOLATE (DRAIN) PRIOR TO ADDING TOPSOIL AND INSTALLING TREES OR SHRUBS. THE CONTRACTOR SHALL FILL THE BOTTOM OF SELECTED HOLES WITH SIX INCHES OF WATER. THIS WATER SHOULD PERCOLATE OUT WITHIN A 24-HOUR PERIOD. THE OWNER OR LANDSCAPE ARCHITECT SHALL VERIFY ACCURACY AND EFFECT OF PERCOLATION TESTING. IF THE SOIL AT A GIVEN AREA DOES NOT DRAIN PROPERLY, A P V C DRAIN OR GRAVEL SUMP SHALL BE INSTALLED OR THE PLANTING RELOCATED.
- SHOULD THE LANDSCAPE CONTRACTOR ENCOUNTER UNSATISFACTORY SURFACE OR OTHER SUBSURFACE DRAINAGE CONDITIONS, SOIL DEPTH, LATENT SOILS, HARD PAN, STEAM OF OTHER UTILITY LINES OR OTHER CONDITIONS THAT WILL JEOPARDIZE THE HEALTH AND VIGOR OF THE PLANTS, HE MUST ADVISE THE LANDSCAPE ARCHITECT IN WRITING OF THE CONDITIONS PRIOR TO INSTALLING THE PLANTS, OTHERWISE THE LANDSCAPE CONTRACTOR WARRANTS THAT THE PLANTING AREAS ARE SUITABLE PROPER GROWTH AND DEVELOPMENT OF THE PLANTS TO BE INSTALLED.
- NO MATERIAL SHALL BE PLANTED BEFORE FINISH GRADING HAS BEEN COMPLETED.
- EXISTING TREES TO BE PRESERVED ARE TO BE BARRICADED BEFORE BEGINNING CONSTRUCTION. IN ACCORDANCE WITH THE TREE PRESERVATION NOTES AND DETAILS ON THE LANDSCAPE PLAN.
- SELECTIVE CLEARING CONSISTING OF REMOVAL OF VINES, SAPLINGS UNDER 1" DIAMETER AND UNDERBRUSH SHALL BE PERFORMED IN TREE PRESERVATION AREAS INTERNAL TO THE PROJECT AND NOTED ON PLANS.
- PLANTS IDENTIFIED IN ALTERNATE AREAS ARE TO BE BID SEPARATELY.
- ALL BEDS ARE TO BE TILLED TO A DEPTH OF 8" WITH THE ADDITION OF: (1) 6 CU. FT. BALE OR SPHAGNUM PEAT MOSS PER 40 SQ. FT. OF BED AREA; (25#) 10-10-10 FERTILIZER PER 1000 SQ. FT. If azaleas, rhododendrons or PIERS ARE USED, ADD 1.3 CU. FT. FINELY GROUND "PINE" BARK MULCH PER 25 SQ. FT. OF BED AREA. ALL ADDITIONS ARE TO BE SPREAD AND TILLED INTO THE SOIL UNIFORMLY.
- CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT WHEN THE PLANT MATERIALS ARE AVAILABLE AT THE JOB SITE FOR REVIEW BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

7

RESERVED
NOT TO SCALE

3

SPADED BED EDGE
NO SCALE



4

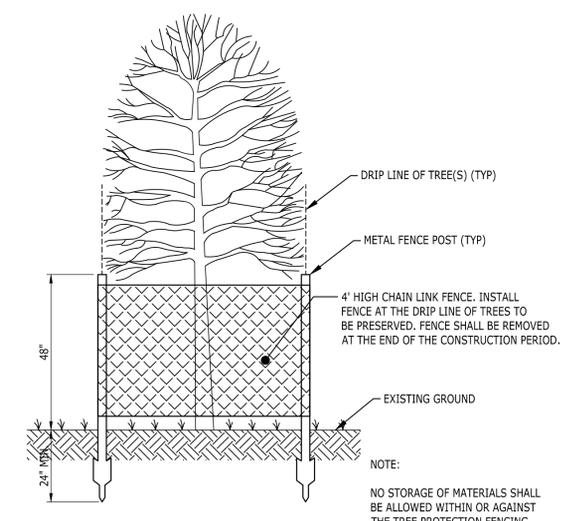
GROUNDCOVER PLANTING
NO SCALE

8

RESERVED
NOT TO SCALE

6

TREE PROTECTION
NO SCALE

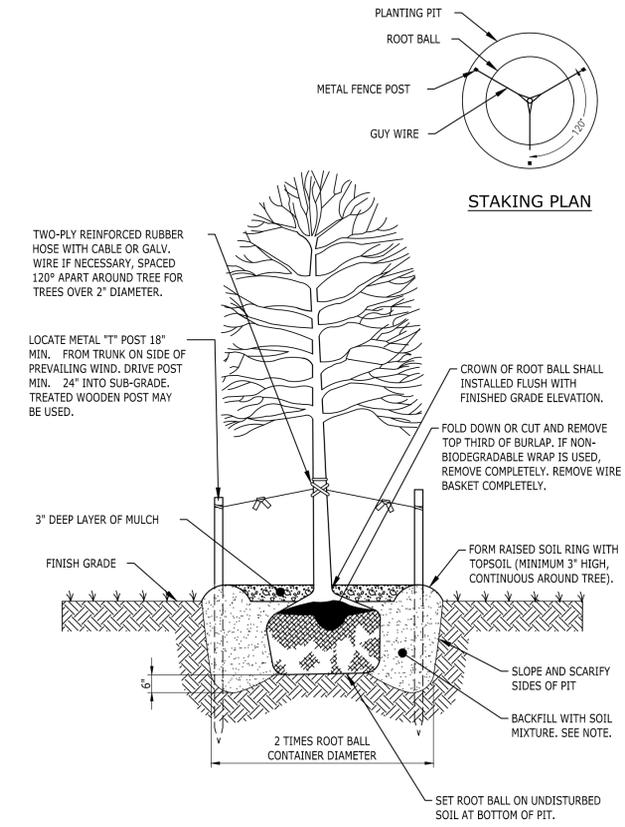


9

RESERVED
NOT TO SCALE

1

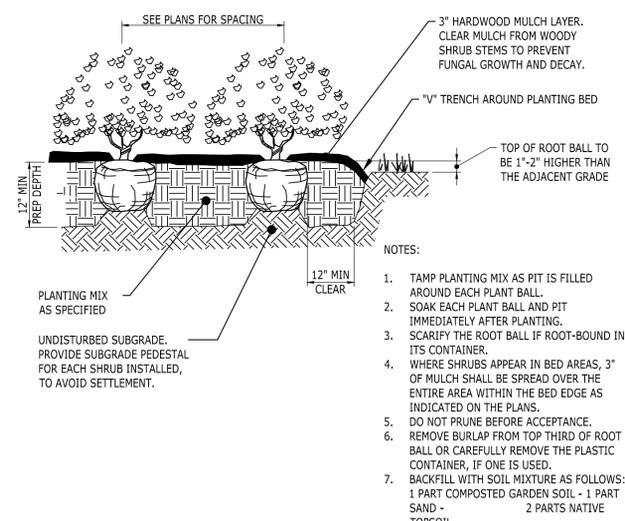
TREE PLANTING
NO SCALE



- NOTES:
- TREE STAKING IS NOT PREFERRED BUT TO BE USED AS A LAST RESORT ON WINDY SITES. INSTALL TWO OF THE THREE STAKES AND GUY WIRES ON THE UPHILL SIDE OF THE TREE.
 - DO NOT DAMAGE MAIN ROOTS OR DESTROY ROOT BALL WHEN INSTALLING TREE STAKES.
 - WATER THOROUGHLY AFTER INSTALLATION.
 - REMOVE GUY WIRES AND TIES AFTER 6 MONTHS OR AT THE DIRECTION OF THE LANDSCAPE ARCHITECT.
 - TREE SHALL STAND PLUMB.
 - SOIL MIX: 1 PART ORGANIC MATERIAL, 1 PART SAND AND 2 PARTS TOPSOIL.
 - REMOVE ALL TAGS, ROPE, AND CONTAINERS. APPLY TREE WRAP STARTING AT THE BOTTOM AND CONTINUING TO FIRST BRANCH.
 - CLEAN TRUNK TO HEIGHT SPECIFIED AND PAINT WOUNDS WITH APPROVED DRESSING COMPOUND.

2

SHRUB PLANTING
NO SCALE



DIALYSIS CLINIC, INC.
1633 CHURCH STREET, STE 500
NASHVILLE, TN 37203
615.327.3061



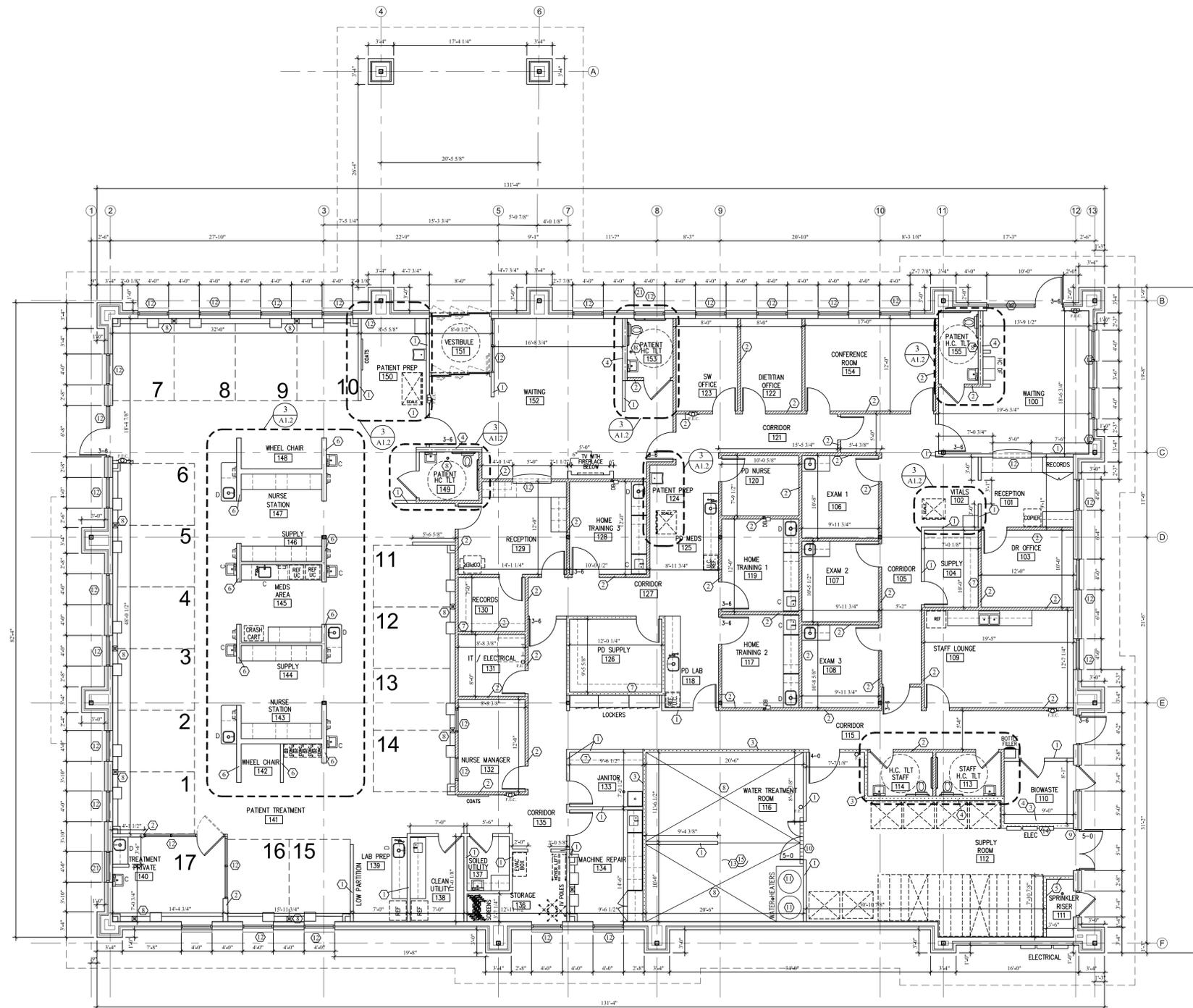
CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
2001 NW SHAMROCK AVENUE
LEE'S SUMMIT, MISSOURI, 64081
JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
LANDSCAPE DETAILS

PROJECT NUMBER
20180111

DRAWING NUMBER
L2.0



FLOOR PLAN

SCALE: 1/8" = 1'-0" 5

- ① TYPE I PARTITION SEE DETAIL 8/G1.0 TYPE I -
- ② TYPE II PARTITION SEE DETAIL 8/G1.0 TYPE II -
- ③ TYPE III SMOKE TIGHT RATED WALL SEE DETAIL 7/G1.0 TYPE III -
- ④ TYPE IV PARTITION (6" STUD WALL) SEE DETAIL 6/G1.0 TYPE IV -
- ⑤ TYPE V ONE HOUR RATED WALL SEE DETAIL 5/G1.0 TYPE V -
- ⑥ 3'-6" HIGH 6" METAL STUD TYPE I PARTITION
- ⑦ PROVIDE WOOD SHELVING WHERE INDICATED.
- ⑧ PROVIDE FLOOR DRAINS AND FLOOR SINKS AS REQUIRED. SEE PLUMBING DRAWINGS.
- ⑨ PROVIDE STEEL THRESHOLD AT RECEIVING AND SHIPPING
- ⑩ PROVIDE TRENCH DRAIN AT DOOR OF WATER TREATMENT ROOM. SEE DETAIL 10/A7.7
- ⑪ WATER HEATER LOCATION, PROVIDE 6' x 3' x 4" CONCRETE PAD
- ⑫ SEE SHEET A8.1 FOR WINDOWS DETAILS
- ⑬ PROVIDE PURPLE BD AND PLYWOOD AROUND WALLS IN WATER TREATMENT ROOM
- ⑭ RECESSED MOUNTED ELECTRICAL PANEL LOCATION, SEE ELECTRICAL DRAWINGS
- ⑮ SLOPE WATER TREATMENT FLOOR 1/4" PER 1'-0" TOWARD DRAIN.
- ⑯ ROOF HATCH ACCESS AND LADDER LOCATION. SEE DETAIL A1.3. WALLS TO DECK
- ⑰ PROVIDE UP AND DOWN VERTICAL CHASE FOR PROCESS PIPING
- ⑱ WRAP COLUMN IN GYP. BOARD WHERE INDICATED.
- ⑲ PROVIDE THICKENED WALL FOR RO PROCESS PIPING
- ⑳ PROVIDE DRAIN IN WALL IN HOME TRAINING ROOMS
- ㉑ WINDOW TO BE SPANDREL. SEE A4.0, A4.1, A8.0, A8.1

NOTES TO SHEET

3

2

Date / Issue

JULY 25, 2019
 PLANNING REVIEW
 AUGUST 23, 2019
 PLANNING REVIEW 2

DCi
 LEE'S SUMMIT FACILITY
 2001 NW SHAMROCK RD
 LEE'S SUMMIT, MISSOURI 64081

RANDALL DOVER
 ARCHITECT
 4121 HILLSBORO ROAD • SUITE 303 • HANSHVILLE, TN 37218 • (615) 261-3306

Project Number
 18045.0

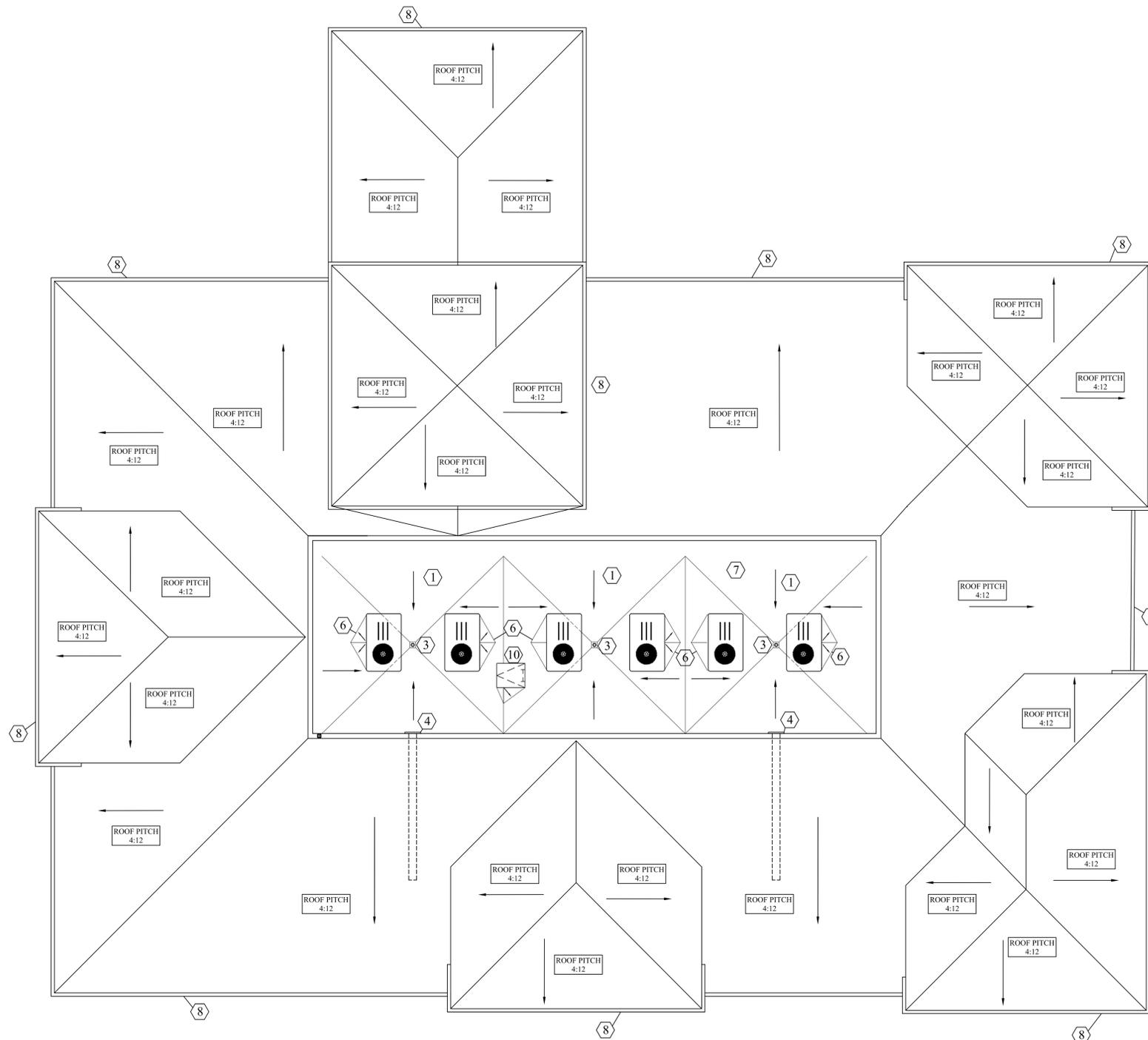
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FLOOR PLAN

Sheet Number

A1.0

1



FLOOR PLAN

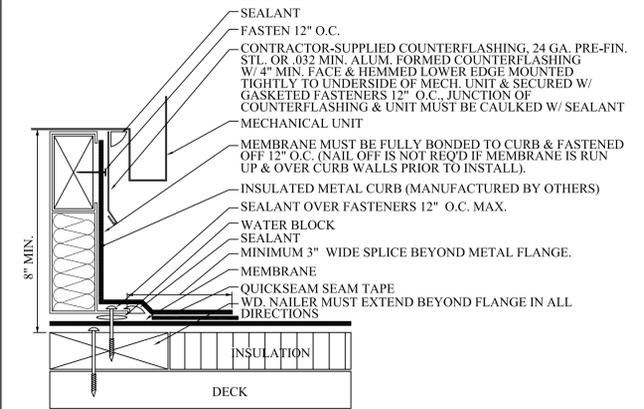
1/8" = 1'-0"

5

- ① R-30 TAPER INSULATION, SLOPE 1/4" PER FOOT (MINIMUM)
- ② — INDICATES DIRECTION OF DOWNWARD SLOPE AND FLOW OF WATER
- ③ PROVIDE ROOF DRAIN. SEE DETAIL 6/A6.1
- ④ PROVIDE 3" X 8" OVERFLOW SCUPPER. REFERENCE SHEET A6.1 FOR DETAILS
- ⑤ GENERAL CONTRACTOR IS TO DIRECT ROOFING CONTRACTOR TO INSTALL FLASHING AT ALL ROOF PENETRATIONS, AS PER ROOF MANUFACTURER'S STANDARD DETAILS
- ⑥ PROVIDE CRICKETS AT ALL CURBS AND PENETRATIONS, AS REQUIRED, TO DIVERT WATER AWAY FROM ALL OBSTRUCTIONS. SLOPE 1/2" PER FOOT.
- ⑦ REFERENCE MECHANICAL, PLUMBING AND ELECTRICAL DRAWINGS FOR EXACT LOCATION OF FANS, MECHANICAL UNITS, VENTS, DOWNSPOUTS, ETC AND OTHER ROOF PENETRATIONS NOT SHOWN ON THE ROOF PLAN
- ⑧ PROVIDE 5" METAL GUTTER AND DOWNSPOUTS, TYP.
- ⑨ PROVIDE RIDGE VENT FOR PROPER VENTILATION OF ATTIC SPACE
- ⑩ ROOF ACCESS LADDER AND HATCH, SEE 1/A3.0 FOR HATCH DETAIL

NOTES TO SHEET

3

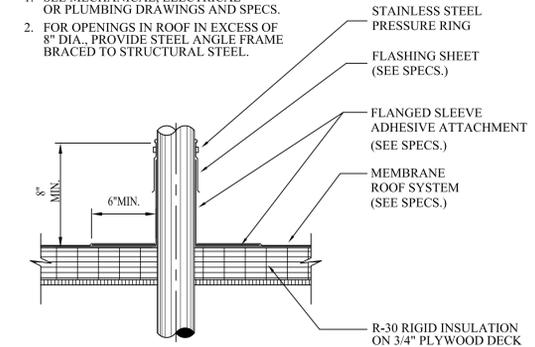


ROOF MOUNTED MECH UNIT CURB DETAIL

N.T.S. 3

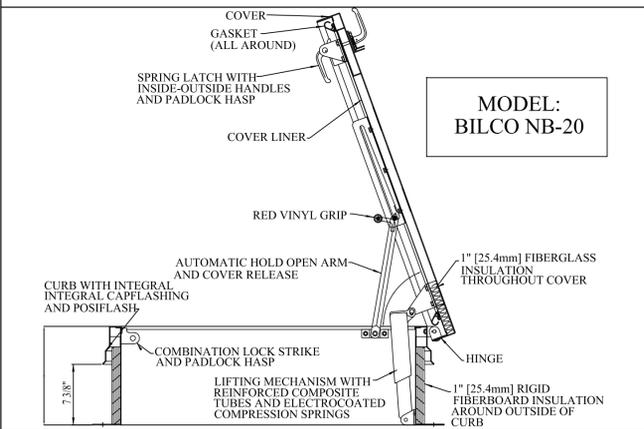
NOTES:

- 1. SEE MECHANICAL ELECTRICAL OR PLUMBING DRAWINGS AND SPECS.
- 2. FOR OPENINGS IN ROOF IN EXCESS OF 8" DIA., PROVIDE STEEL ANGLE FRAME BRACED TO STRUCTURAL STEEL.



TUBULAR PENETRATION DETAIL

N.T.S. 2



ROOF HATCH DETAIL

N.T.S. 1

Date / Issue
 JULY 25, 2019
 PLANNING REVIEW
 AUGUST 23, 2019
 PLANNING REVIEW 2

DCI
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 2001 NW SHAMROCK RD
 LEE'S SUMMIT, MISSOURI 64081

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Project Number
 18045.0

Sheet Title
 ROOF PLAN

Sheet Number
A3.0



EAST ELEVATION - PRYOR ROAD

N.T.S. 3



NORTH ELEVATION - SHAMROCK DRIVE

N.T.S. 1

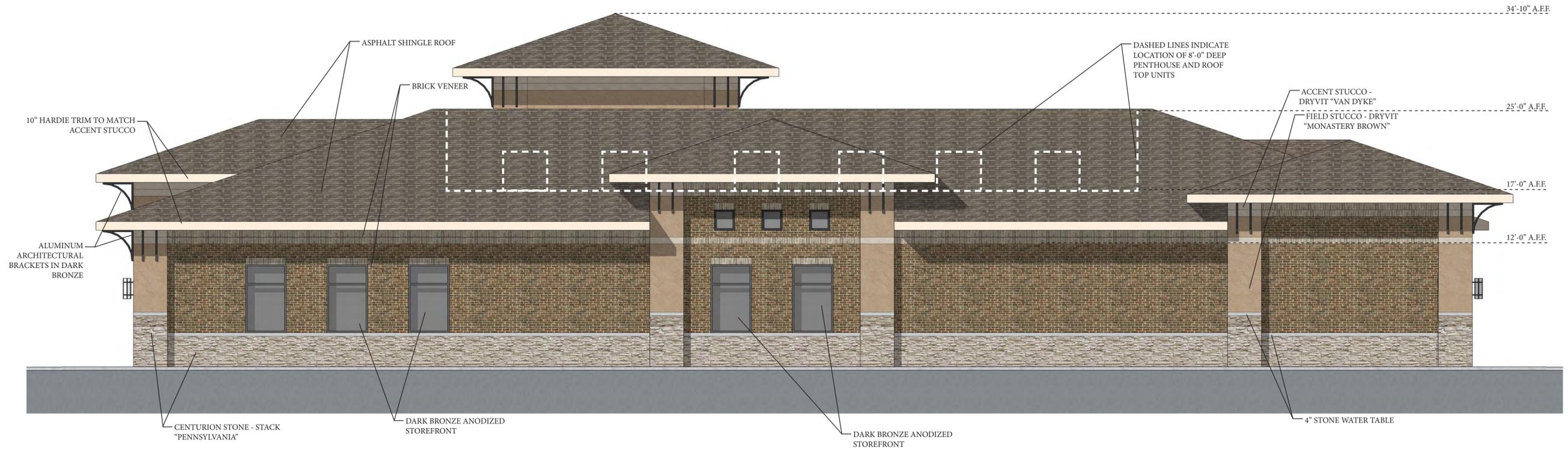
DCI
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 LEE'S SUMMIT, MISSOURI 64081

RANDALL DOVER
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Project Number
 18045.0

Sheet Title
 RENDERED
 ELEVATIONS

Sheet Number
A4.0



WEST ELEVATION

N.T.S. 3

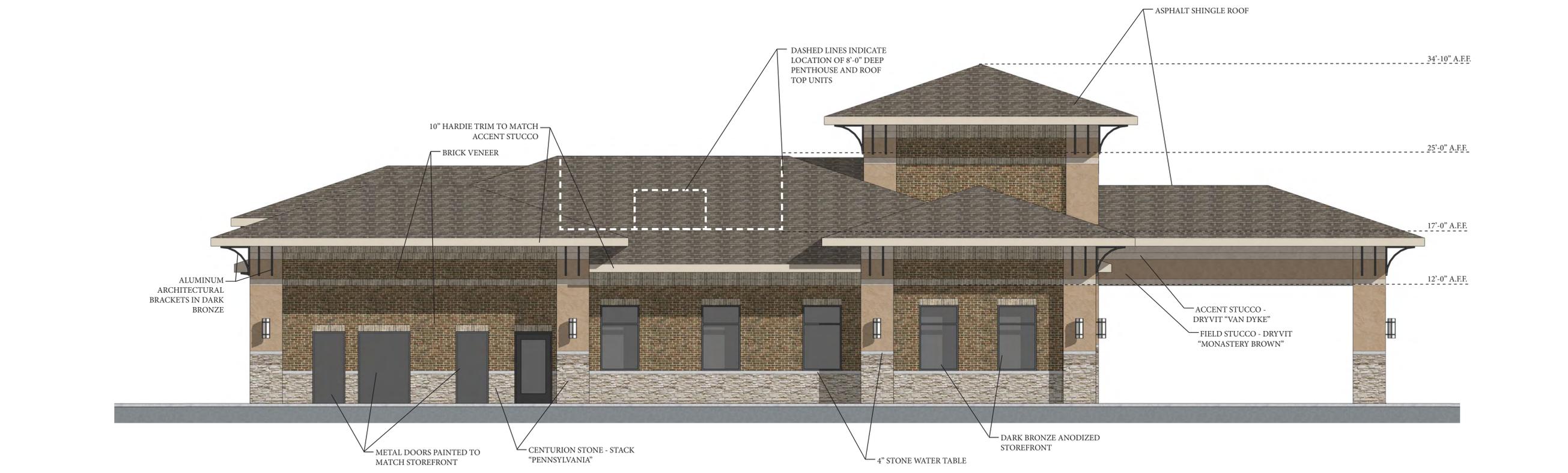
DCI
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Project Number
 18045.0

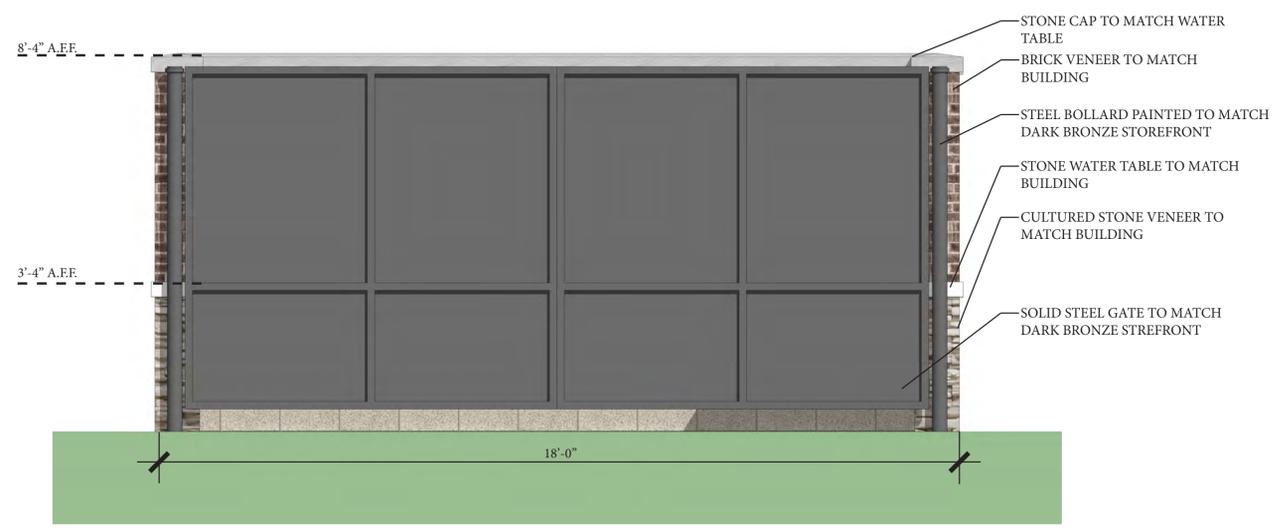
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 ELEVATIONS

Sheet Number
A4.1



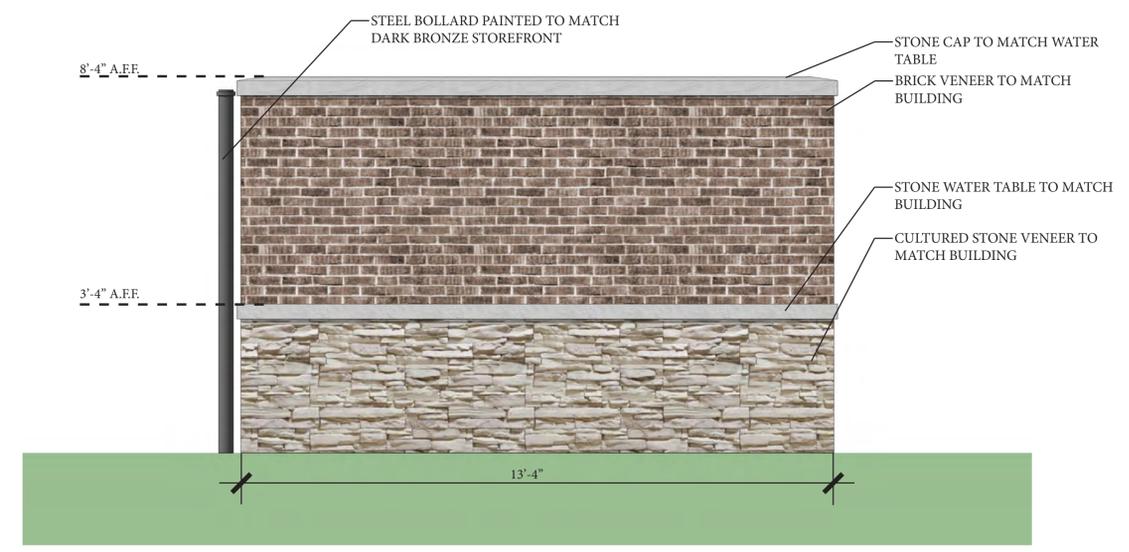
SOUTH ELEVATION

N.T.S. 1



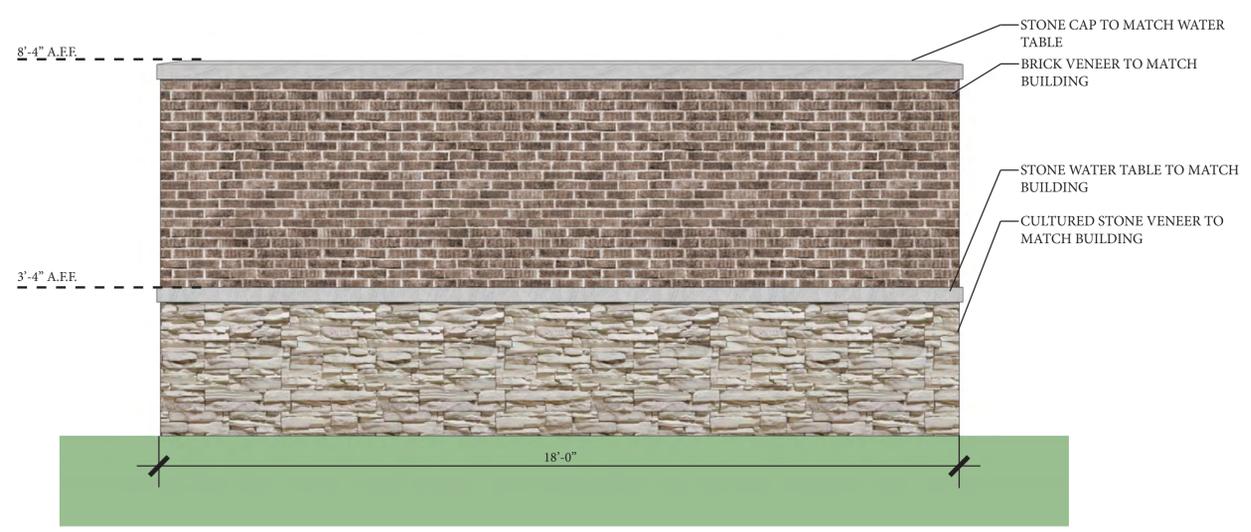
DUMPSTER ENCLOSURE TYPICAL FRONT ELEVATION

N.T.S. 11



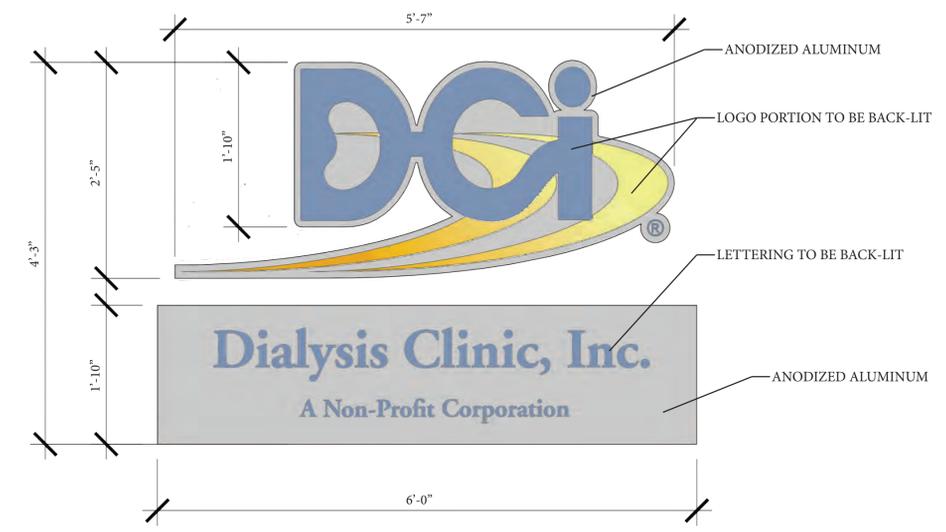
DUMPSTER ENCLOSURE TYPICAL SIDE ELEVATION

N.T.S. 3



DUMPSTER ENCLOSURE TYPICAL REAR ELEVATION

N.T.S. 9



SIGNAGE DIMENSIONS

N.T.S. 1

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Project Number
 18045.0

Sheet Title
 RENDERED
 ELEVATIONS

Sheet Number
A4.2



VIEW FROM INTERSECTION OF PRYOR AND SHAMROCK

N.T.S. 3

DCI
LEE'S SUMMIT FACILITY
2001 NW SHAMROCK RD
LEE'S SUMMIT, MISSOURI 64081



PERSPECTIVE VIEW FROM SOUTHEAST OF SITE

N.T.S. 9



AERIAL ISOMETRIC VIEW

N.T.S. 1

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Project Number
18045.0

Sheet Title
RENDERED
PERSPECTIVES

Sheet Number
A4.3

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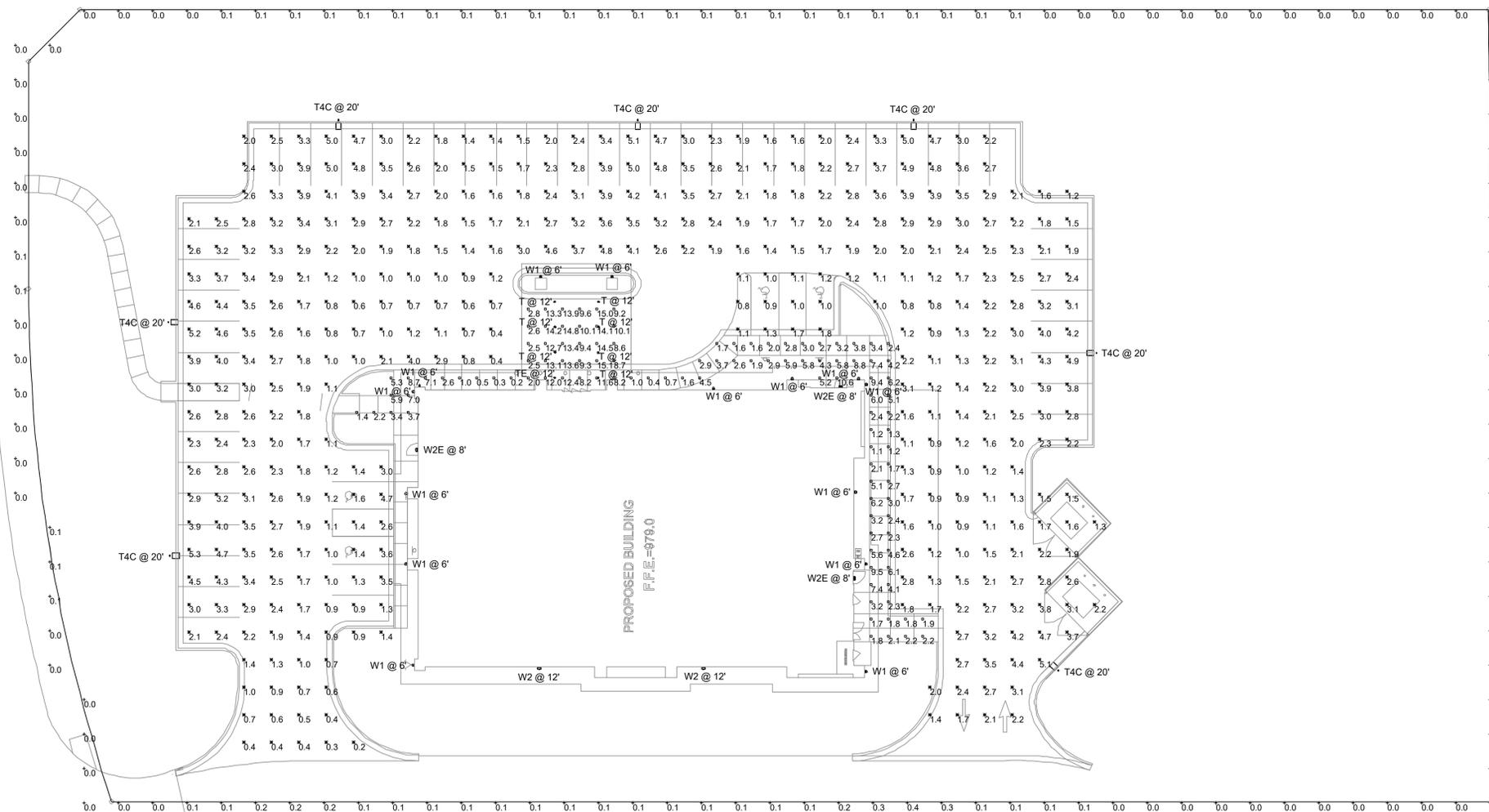
6901 Lenox Village Dr.
Suite 108
Nashville, Tennessee 37211
ph: 615.309.9926

Date / Issue
AUGUST 23, 2019
PLANNING REVIEW

AVENUE

SHAMROCK

NM



Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Wattage
	T	7	Lithonia Lighting	LDN6 27115 LW6AR LD	6IN LDN WALLWASH 2700K 1500LM CLEAR MATTE DIFFUSE REFLECTOR	17.06
	TE	1	Lithonia Lighting	LDN6 27115 LW6AR LD	6IN LDN WALLWASH 2700K 1500LM CLEAR MATTE DIFFUSE REFLECTOR	17.06
	W1	14	VISA LIGHTING	OW1297	WALL MOUNT RECTANGULAR 48" VERTICAL	38
	W2E	3	Lithonia Lighting	DSXW1 LED 10C 350 40K ASYDF MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE ASYDF OPTIC, 4000K, @ 350mA	13.3
	T4	7	Lithonia Lighting	DSX1 LED P3 40K T4M MVOLT HS	DSX1 LED P3 40K T4M MVOLT with housesside shield	102
	W2	2	Lithonia Lighting	DSXW1 LED 10C 350 40K ASYDF MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE ASYDF OPTIC, 4000K, @ 350mA	13.3

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Parking/Drive		2.3 fc	5.3 fc	0.2 fc	26.5:1	11.5:1
Property Line		0.1 fc	0.4 fc	0.0 fc	N/A	N/A
Sidewalk/Coche		5.4 fc	15.1 fc	0.2 fc	75.5:1	27.0:1

GENERAL NOTES:

- SITE POLE LIGHTING SHALL 20FT.
- CONTRACTOR SHALL REFER TO ALL LOCAL CODES AND ORDINANCES FOR ANY ADDITIONAL SITE LIGHTING REQUIREMENTS.

SITE PHOTOMETRICS



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PRYOR ROAD & SHAMROCK AVE
LEE'S SUMMIT, MISSOURI 64081

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Project Number
19-351
Sheet Title
SITE PHOTOMETRICS
Sheet Number
E1.1

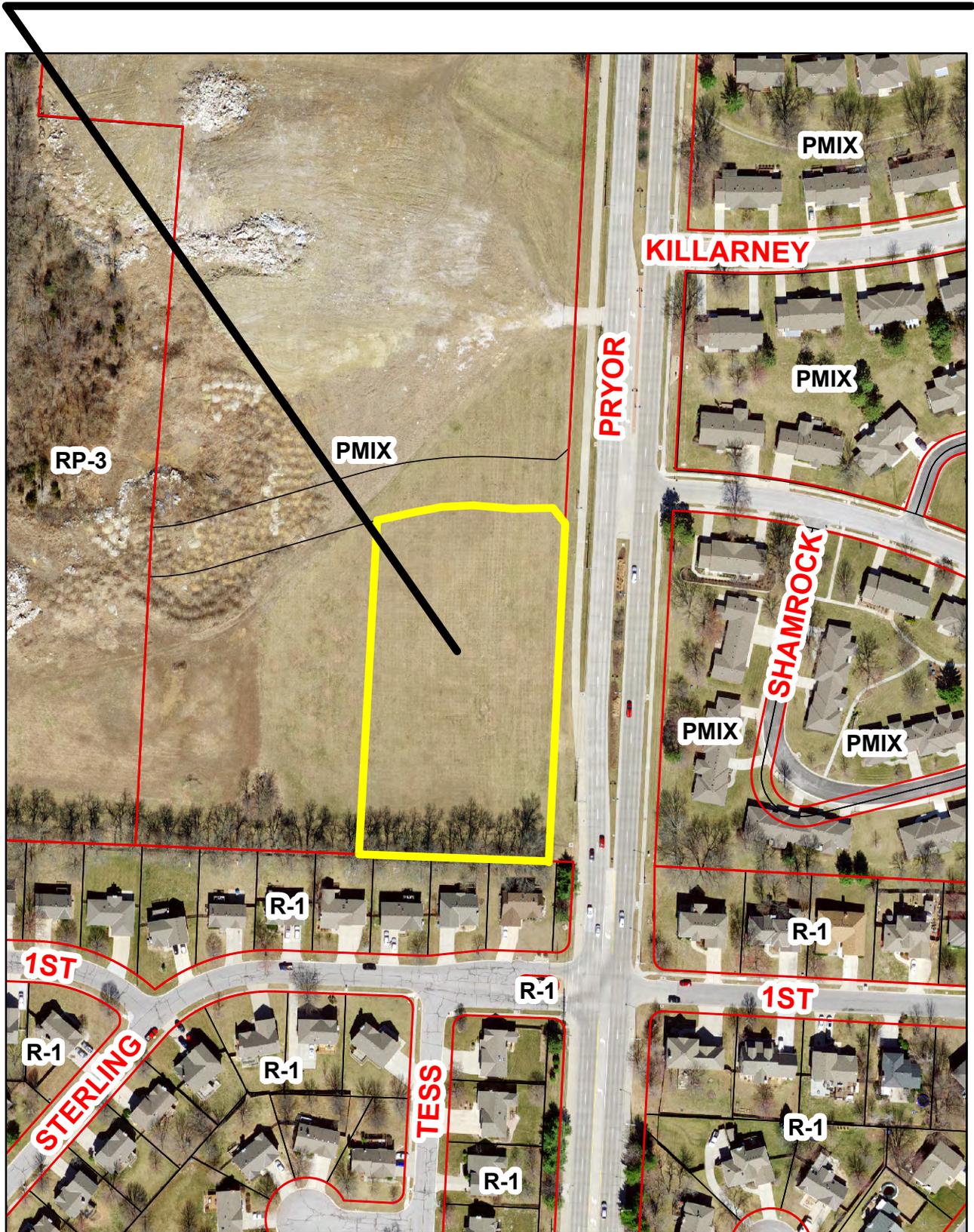
19-351

SITE PHOTOMETRICS

Sheet Number

E1.1

PL2019-246 – PRELIMINARY DEVELOPMENT PLAN
DCI Lee's Summit, 2001 NW Shamrock Ave
Dialysis Clinic, Inc., applicant



Packet Information

File #: BILL NO. 19-243, Version: 1

An Ordinance approving a Preliminary Development Plan located at 2001 NW Shamrock Ave in District PMIX, Proposed Dialysis Clinic, INC. In accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

Proposed City Council Motion:

I move for a second reading of an Ordinance approving a Preliminary Development Plan located at 2001 NW Shamrock Ave in District PMIX, Proposed Dialysis Clinic, INC. In accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

Josh Johnson, AICP, Asst. Director of Plan Services

BILL NO. 19-243

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN LOCATED AT 2001 NW SHAMROCK AVE IN DISTRICT PMIX, PROPOSED DIALYSIS CLINIC, INC. IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2019-246, submitted by Dialysis Clinic, Inc., requesting approval of a preliminary development plan in District PMIX (Planned Mixed Use District) on land located at 2001 NW Shamrock Ave was referred to the Planning Commission to hold a public hearing; and

WHEREAS, the Unified Development Ordinance provides for the approval of a preliminary development plan by the City following public hearings by the Planning Commission and City Council, and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the preliminary development plan on October 10, 2019, and rendered a report to the City Council recommending that the preliminary development plan be approved; and

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on November 5, 2019, and approved a motion for a second ordinance reading to approve the preliminary development plan for said property; and

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

SECTION 1. That a preliminary development plan is hereby approved in District PMIX on the following described property:

LOT 2, WEST VILLAGE COMMERCIAL DEVELOPMENT LOTS 1-3

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the design of the required 20' wide high impact landscape screen along the south property line, to allow a 6' vinyl fence placed 3' north of the south property line and all required landscaping material planted on the north side of the fence.

SECTION 3. That development shall be in accordance with the preliminary development plan, date stamped September 10, 2019:

SECTION 4. Nonseverability. All provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

BILL NO. 19-243

SECTION 5. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

SECTION 6. 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 of the City of Lee's Summit, Missouri, this ___ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-246
File Name	Preliminary Development Plan – DCI Lee's Summit
Applicant	Dialysis Clinic, Inc.
Property Address	2001 NW Shamrock Ave
Planning Commission Date Heard by	October 10, 2019 Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: July 9, 2019
Neighborhood meeting conducted: September 19, 2019
Newspaper notification published on: September 21, 2019
Radius notices mailed to properties within 300 feet on: September 6, 2019
Site posted notice on: September 20, 2019

Table of Contents

1. Project Data and Facts	2
2. Land Use	2
3. Project Proposal	3
4. Unified Development Ordinance (UDO)	4
5. Comprehensive Plan	4
6. Analysis	4
7. Recommended Conditions of Approval	6

Attachments

Traffic Impact Analysis prepared by Michael Park, dated October 3, 2019 – 3 pages
Traffic Impact Study prepared by Olsson, dated September 10, 2019 – 25 pages

Drainage Summary prepared by Catalyst Design Group, date stamped August 26, 2019 – 5 pages

Preliminary Development Plan, date stamped September 10, 2019 – 24 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Dialysis Clinic, Inc., applicant
Applicant's Representative	
Location of Property	2001 NW Shamrock Ave
Size of Property	±2.225 acres
Zoning	PMIX (Planned Mixed Use)
Comprehensive Plan Designation	Mix Use-John Knox Village
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the preliminary development plan. The City Council takes final action on the preliminary development plan in the form of an ordinance.</p> <p>Duration of Validity: Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four (24) months from the date of such approval, unless within such period a final development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon written request.</p>

Current Land Use
Undeveloped vacant ground

Description of Applicant's Request
The applicant seeks approval of a preliminary development plan to construct a 10,442 sq. ft. building to operate a dialysis center.

2. Land Use

Description and Character of Surrounding Area
The property is located at the southwest corner of NW Shamrock Ave and NW Pryor Rd. Just west of the subject site is the location of the new fire station #3. John Knox Village is located east, across NW Pryor Rd. The Sterling Hills single-family subdivision is located to the south. North of the property is undeveloped land for future commercial use.

Adjacent Land Uses and Zoning

North:	Undeveloped / PMIX (Planned Mixed Use)
South:	Sterling Hills Subdivision / R-1 (Single-Family Residential District)
East:	John Knox Village / PMIX (Planned Mixed Use)
West:	Lee’s Summit Fire Station #3 (under construction) / PMIX (Planned Mixed Use)

Site Characteristics
The site is a relatively unremarkable rectangular shaped property that generally slopes from the northwest to the southeast. An existing tree line is located on the south property line. The subject site is bordered by NW Pryor Rd on the east and NW Shamrock Ave on the north.

Special Considerations
There are no special or unique site conditions to consider.

3. Project Proposal

Site Design

Land Use	
Impervious Coverage:	46%
Pervious:	54%
TOTAL	100%

Parking

Proposed		Required	
Total parking spaces proposed:	52	Total parking spaces required:	52
Accessible spaces proposed:	4	Accessible spaces required:	2
Parking Reduction requested?	No	Off-site Parking requested?	No

Setbacks (Perimeter)

Yard	Building / Parking Required	Building / Parking Proposed
Front	15’ (Building) / 20’ (Parking)	102’+ (Building) /32’ (Parking)
Side	15’ (Building) / 20’ (Parking) – north; 6’ (Parking) – south	35’+ (Building) / 85’ (Parking)
Rear (west)	20’ (Building) / 20’ (Parking)	370’ (Building) / 247’ (Parking)

Structure(s) Design

Number and Proposed Use of Buildings
1 medical office building
Building Height
34’10”
Number of Stories
1 story

4. Unified Development Ordinance (UDO)

Section	Description
2.040,2.260,2.300,2.320	Preliminary Development Plans
8.120,8.170,8.180	Design Standards
8.220,8.230,8.250,8.260,8.290	Lighting Standards
8.530,8.580,8.620	Parking Standards
8.720,8.750,8.790,8.810,8.820	Landscaping

Unified Development Ordinance

The PMIX zoning district allows for office and institutional uses that are compatible with the surrounding area. The proposed use is an allowed use in the subject zoning district. Should the requested preliminary development plan and modifications be granted, the proposed development would satisfy any requirements applicable to the zoning district pursuant to UDO.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.3 Objective 1.4
Economic Development	Objective 2.1 Objective 2.2
Commercial Development	Objective 4.1 Objective 4.2

Comprehensive Plan

The proposed use is consistent with the land use recommended by the Comprehensive Plan for the area. The subject site is identified as Mix Use-John Knox Village by the 2005 Comprehensive Plan Land Use Map.

6. Analysis

Background and History

The applicant seeks approval of a preliminary development plan for a dialysis center. The proposed development consists of a single-story 10,442 sq. ft. building. The proposed exterior building materials consist of masonry, EIFS, brick and glass. The applicant has requested a modification to place the required landscape screen fence approximately 3 feet off the property line rather than placing it in the center of the required 20' buffer.

- July 13, 1976 – City Council approved a rezoning (Application #1975-016) of approximately 58 acres from AG to RP-3 and PRO for a mixed-use residential development and nursing home for John Knox Village by Ordinance No. 1692.
- December 7, 2006 – The City Council approved the rezoning (Appl. #2006-184) from RP-3 to PMIX and the preliminary development plan (Appl. #2006-184) for Villas at John Knox Village by Ordinance No. 6305.
- February 19, 2007 – A final development plan (Appl. #2006-284) for Forest Lake Information Center located at 2001 NW Forest Lake Dr. was approved.
- April 18, 2007 – A minor plat (Appl. #2007-012) for Forest Lake at John Knox Village, 1st Plat was recorded at Jackson County Recorder of Deeds, by Document #2007E0051292.
- September 20, 2018 – City Council approved a preliminary development plan (PL2018-103) for the adjacent Woodside Ridge residential development to the west by Ordinance No. 8470.
- September 20, 2018 – City Council approved a rezoning from district RP-3 to district PMIX, preliminary development plan and conceptual plan (Appl. PL2018-135) for the proposed West Pryor Development by Ordinance No. 8472. The subject property was include in the conceptual plan, therefore requires approval of the subject PDP application.

Compatibility

The property is located at the intersection of NW Shamrock Ave. and NW Pryor Rd. The proposed building exterior is composed of masonry, EFIS, brick and glass. The 2005 Lee's Summit Comprehensive Plan Land Use Map identifies the area of the proposed project as Mixed Use – John Knox Village. The proposed land use and building is in substantial compliance with the Lee's Summit Comprehensive Plan

Adverse Impacts

The proposed development will not detrimentally impact the surrounding area.

Stormwater from the proposed development will be managed on-site through a stormwater detention system.

Public Services

The proposed development will not impede the normal and orderly development and improvement of the surrounding property.

The existing road network has sufficient capacity to accommodate the proposed use; no improvements are required as part of the proposed development.

Modifications

A high impact screening buffer between developments of differing land uses adjoining one another is required by the UDO along the south property line, adjacent to the residentially zoned district. The high impact screening requirements include a twenty foot buffer yard with a six foot high masonry wall or opaque vinyl fence and high-impact screening planted on both sides of the wall or the fence.

The applicant proposes to provide a 20' wide high impact landscape screen with a 6' tall vinyl fence placed approximately 3' north of the south property line, with the high impact screen planted on the north side of the fence. By installing the fence 3' north of the property line and planting the required screening elements on the north side of the fence, the vegetation will be more accessible and the burden of any required ongoing maintenance will be reduced.

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO and Design & Construction Manual.

7. Recommended Conditions of Approval

Site Specific

1. A modification shall be granted to the design of the required 20' wide high impact landscape screen along the south property line, to allow a 6' vinyl fence placed 3' north of the south property line and all required landscaping material planted on the north side of the fence.

Standard Conditions of Approval

2. 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.
3. 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 permit).
4. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of an infrastructure permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
5. All permanent easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion or approval of the final plat. A certified copy shall be submitted to the City for verification.
6. Private parking lots shall follow the Unified Development Ordinance for pavement thickness and base requirements.

7. Any cut and / or fill operations, which cause public infrastructure to exceed the maximum / minimum depths of cover shall be mitigated by relocating the infrastructure vertically and / or horizontally to meet the specifications contained within the City's Design and Construction Manual.
8. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.

The City of Lee's Summit
Action Letter - Draft
Planning Commission

Thursday, October 10, 2019

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Call to Order

Roll Call

Present: 7 - Board Member Mark Kitchens
Board Member Carla Dial
Chairperson Jason Norbury
Vice Chair Donnie Funk
Board Member Terry Trafton
Board Member Jeff Sims
Board Member Dana Arth

Absent: 2 - Board Member John Lovell
Board Member Jake Loveless

Approval of Agenda

Chairperson Norbury announced that would be a few adjustments to the agenda. Items 2, 3, and 6, Items PL2019-261, PL2019-255, and PL2019-257, all pertaining to the Lee's Summit Airport, would be heard at the same time. Motions would be made and voted on for each item separately. He asked for a motion to approve.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this agenda be approved as amended. The motion carried unanimously.

Public Comments

There were no public comments presented at the meeting.

Approval of Consent Agenda

[TMP-1386](#) Appl. #PL2019-296 - SIGN APPLICATION - Raintree Village monument sign, 3803 SW Ward Rd; Royal Signs & Graphics, applicant

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

[2019-3072](#) Minutes of the September 26, 2019, Planning Commission meeting

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that the minutes be approved. The motion carried unanimously.

Public Hearings

[2019-3078](#) Appl. #PL2019-261 - VACATION OF RIGHT-OF-WAY - unused right-of-way on

Lee's Summit Airport property, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury opened the hearing for agenda items 2 and 3 at 5:10 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Bob Hartnett, deputy director of the Public Works Department, gave his business address as Lee's Summit City Hall at 220 SE Green Street. The City had purchased the Airport in 1977, and had acquired about 40 additional properties since then. These properties carried the original zoning; so the Airport had land zoned for residential, commercial and industrial uses. These agenda items were primarily for clean-up, including vacation of some rights-of-way involving Strother, Hagan, Leinweber and Douglas roads. These rights-of-way were no longer necessary. The rezoning application was a request to change this zoning mixture to all AZ (Airport) zoning. Regarding the final plan (agenda item 6), would reorganize these 40 lots into three lots.

Mr. Hartnett added that Mr. Andy Boding, of the consulting engineering firm of Crawford, Murphy and Tilly (CMT) and Mr. Jim Anderson of Anderson Survey were present and could answer questions.

Mr. Shannon McGuire entered into the record Exhibit (A), list of exhibits 1-12 for Application PL2019-255 and list of exhibits 1-12 for Application PL2019-261. He confirmed that the Airport property currently consisted of 44 different lots, with a mixture of AG, RP-1, CP-2, PI and PMIX zoning designations. The City proposed to change these to the AZ Airport zoning district established in 2006. It had been established to incorporate the City airport with adjoining developable properties in order to provide for selected commercial and industrial uses that would be compatible with the airport use. Additionally, several unused rights-of-way crossed over the property, as indicated on the displayed aerial map, one of them crossing a runway. Vacating these rights-of-way was necessary for replatting the existing 44 parcels into four lots.

The proposed rezoning and right-of-way vacations would not impact the surrounding neighborhood, and the proposed AZ zoning was consistent with the entire property's use. It was substantially consistent with the Comprehensive Plan, as well as meeting the requirements of the UDO and the Design and Construction Manual. . An overhead copper cable was within the Leinweber Road right-of-way, and a Condition of Approval for this application indicated a general utility easement. The second of two Conditions of Approval was the standard requirement for recording the vacation of the right-of-way.

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony. Seeing one, he opened the hearing for any Commissioners' questions for the applicant or staff.

Chairperson Norbury asked Mr. McGuire if it was correct that the rezoning would have no functional impact on the Airport's operations. Mr. McGuire confirmed that it was.

Chairperson Norbury asked if there were any further questions for the applicant or staff. As there were none, he closed the public hearing at 5:10 p.m. and asked for discussion among the Commission members, or for a motion. He asked that the two applications be voted on in two separate motions.

Mr. Funk asked what would be done with Item 6, which addressed the final plat. Chairperson Norbury answered that this item would be heard next.

Mr. Funk made a motion to recommend approval of Application PL2019-261, Vacation of Right-Of Way: unused right-of-way on Lee's Summit Airport property, 2751 NE Douglas St.; City of Lee's Summit, applicant; subject to staff's letter of October 4, 2019 specifically

Conditions of Approval 1 and 2. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3077](#) Appl. #PL2019-255 - REZONING from AG, RP-1, CP-2, PI and PMIX to AZ - Lee's Summit Airport, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury asked for a motion on Application PL2019-255.

Mr. Funk made a motion to recommend approval of Application PL2019-255, Rezoning from AG, RP-1, CP-2, PI and PMIX to AZ; Lee's Summit Airport, 2751 NE Douglas St.; City of Lee's Summit, applicant. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3075](#) Appl. #PL2019-233 - PRELIMINARY DEVELOPMENT PLAN - Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant

Chairperson Norbury opened the hearing at 5:13 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Ms. Tiffany Lehman stated that she was the civil engineer for this project. She described the subject property currently had a vacant restaurant building with asphalt coverage throughout the property. An access easement existed on the southeast side, leading down to SE 7th Terrace. The applicants planned to demolish the building and redevelop the property with a 2,600 square foot Wendy's restaurant. The project would include asphalt parking, concrete sidewalks, drive-through area, and a dumpster enclosure. The access easement would be redone, and they would install landscaping on the property.

Ms. Lehman displayed colored elevations, including the front (west side) of the building facing M-291 as well as the rear of the building, the south side of the building and the north side which included the drive-through.

Following Ms. Lehman's presentation, Chairperson Norbury asked for staff comments.

Mr. Soto entered Exhibit (A), list of exhibits 1-13 into the record. He confirmed that this was a redevelopment of an existing property. Displaying an aerial photo, he pointed out the locations of SE 7th Terrace and M-291 Highway. Lee's Summit High School was across the highway to the west, and the Missouri State Highway Patrol headquarters to the southwest. The QuikTrip store and HMH AutoSport were further south. A multi-tenant retail center were to the north and immediately to the east were some office/warehouse properties with industrial zoning. Some single-family residences and duplexes were further to the northeast.

The property had previously had restaurant use, most recently a 6,500 square foot sit-down restaurant but had been vacant for at least five years. The future user would be a 2,500 square foot drive-through restaurant. The proposed parking would be 37 spaces, two more than the 35 spaces required. The site had access at three points: the right-of-way from M-291

Highway, from SE Melody Lane and from SE 7th Terrace. At the northeast corner was a cross-access that went along the back of the retail building to Bayberry and its signaled access to M-291.

Mr. Soto noted that this redevelopment would be reducing impervious coverage on the site by about 17 percent: from 91 percent coverage to 74 percent. Referring to the colored elevations referenced earlier, he noted the building materials: brown or earth tone fiber cement panels, and the aluminum composite metal (ACM) panels in red and gray. These were similar to materials previously proposed and approved for churches and for some auto dealerships, as well as other materials and architecture along M-291. The elevations also showed a large amount of glass on the north and south sides. Staff's analysis concluded that the use was consistent with the Comprehensive Plan, with the M-291 corridor north of US 50 was primarily retail use. Restaurant use would be equally appropriate, and this long-vacant site was in an especially visible location.

Staff's only Condition of Approval was that the ACM panels proposed would be allowed as a conditional material, "as shown in the preliminary development plan date stamped September 9, 2019." The UDO allowed the panels, but after a review. This was a material that had become more common.

Following Mr. Soto's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then opened the hearing for Commissioners' questions for the applicant or staff.

Mr. Funk asked if Melody Lane would end at the property or continue to be a through street in front of the restaurant. Mr. Soto answered that there would still be continuous access, but the right-of-way did terminate at the north property line and extend into the private drive beyond that. 7th Street would remain, and be improved, and it had a cross-access easement with adjoining properties. On the displayed aerial map, he pointed out the drive behind the HMM building that gave access to 7th Terrace.

Mr. Kitchens noted that the drive-through traffic was immediately to the left of the entrance/exit off M-291. It had room for 2 or 3 cars. He asked if it could be a one-way corridor, as it would be easy for drivers from M-291 to cut through the drive-through traffic. It was a common problem with fast-food restaurants whose lots combined parking and drive-through traffic.

Ms. Lehman asserted that the applicant had worked with the City on this issue. Their stacking did allow for about nine cars from the order box out to the front. Wendy's corporate usually requested six. They wanted to keep the two-way traffic, as it allowed the most access throughout the site; and as the stacking for the drive-through was more than what was required, they did not anticipate any traffic obstruction in the front. Mr. Kitchens asked if the applicant had a waiting time limit for drive-through lines.

Mr. Park clarified that the M-291 access belonged to MoDOT. They had reviewed this plan and the traffic circulation, and the property did have room for stacking of 8 or 9 vehicles up to the menu board. Staff's preference was also for the drive to be two-way; and MoDOT had indicated that this access shared with Melody to the north would be changed. This would be after interchange improvements that would move the Blue Parkway signal to 7th Street, just to the south; and at that point MoDOT would probably move it north to the Melody Lane right-of-way. At present, they did not have a schedule for interchange improvements from MoDOT and so relied on the operator of the store to mitigate congestion by directing people around the perimeter before entering the drive-through line.

Mr. Sims remarked to Mr. Park that while he understood the concern with stacking and the drive-through, he was more concerned with left turns onto M-291. He acknowledged that it

was a MoDOT right-of-way, and asked if making this a right-in-right-out access had been considered. Mr. Park answered that MoDOT did have a safety concern about the left and crossover movements onto M-291. They were reserving the access management control for an interchange. They could not know what the extent and nature of the improvements would be at this point.

At Mr. Funk's request, Ms. Lehman pointed out this area was on the site plan, toward the back of the property. The plan showed a significant area for stacking in front of it.

Regarding the aluminum composite metal panels referred to earlier, Chairperson Norbury asked Mr. Soto if City staff had considered making it a conditional use since its use was becoming more common. Mr. Soto replied that they were.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:30 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk commended the applicant on Wendy's current designs, mentioning the store on Chipman as an example. He then made a motion to recommend approval of Application PL2019-233, Preliminary Development Plan: Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Recommendation Conditions of Approval 1 (site specific) and 2-11 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3076](#)

Appl. #PL2019-246 - PRELIMINARY DEVELOPMENT PLAN - DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant

Chairperson Norbury opened the hearing at 5:30 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Philip Pierson of the Callas Design Group, gave his address as 5016 Centennial Boulevard in Nashville, Tennessee. He was present representing Dialysis Clinic, Inc. They proposed to build a 10,400 square foot building for the clinic. The clinic would have 17 patient stations, a small suite for a doctor's office. Mr. Pierson emphasized that this was not a use that generated much noise or heavy traffic. Patients often stayed for several hours, so the clinic would have morning and afternoon shifts.

Following Mr. Pierson's presentation, Chairperson Norbury asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-15 into the record. He first cited a correction to page 5 of staff's letter, with the site's use being "Mixed Use—John Knox Village." The subject property was on the southwest corner of NW Shamrock Avenue and NW Pryor Road and was about 2.25 acres. It was just west of the new fire station #3. It had been included in the conceptual plan approved by the City Council in September 2018 and so had required a preliminary development plan. The property was zoned PMIX, with the Comprehensive Plan identifying this area as "Mixed Use – John Knox Village." John Knox Village was to the east, and the Sterling Hills single-family subdivision was to the south. To the north was some undeveloped land kept for future commercial use.

Mr. McGuire displayed color elevations of the building, showing materials of masonry, EIFS,

brick and glass. The applicant asked for one modification, to the high-impact screening buffer required. They proposed a six-foot tall vinyl fence about three feet north of the south property line, and the required high-impact screen planted on the fence's north side instead of on both sides of the fence. With the fence three feet from the property line, and the required screening elements planted on the north side, the vegetation would be more accessible for maintenance.

The proposed development would not have any detrimental impact on the surrounding area, nor impede the development of surrounding properties. It would have an on-site stormwater detention system. The road network had enough capacity to handle the proposed use, so no road improvements were needed or required. The project met the requirements of both the UDO and the Design and Construction Manual.

Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, Chairperson Norbury then asked if the Commission had questions for the applicant or staff.

Chairperson asked if any City staff was working on the UDO's definition of a high-impact landscaping buffer. Mr. Soto replied that in most recent proposals the amount of landscaping met the UDO requirements; though not often stating where a required fence would be placed. Staff was working on some flexibility on this placement, to allow for different circumstances and conditions on different sites. Utility lines, for example, could often mandate modifications.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:35 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk made a motion to recommend approval of Application PL2019-246, Preliminary Development Plan: DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Conditions of Approval 1 (Site Specific) through 8 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

Other Agenda Items

[TMP-1388](#) PL2019-257 - FINAL PLAT - Lee's Summit Airport, 2751 NE Douglas St; Anderson Survey Co., applicant

Chairperson Norbury opened the hearing at 5:12 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McGuire remarked that usually this would be a Consent Agenda Item. However, due to the timing of the preliminary plat, the rezoning, and the rights-of-way vacations, it had been moved up. It was not possible to replat with the right-of-way. Consequently, there was no further presentation.

Chairperson Norbury asked for a motion for Application PL2019-257.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

Roundtable

There were no Roundtable items at the meeting.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting at 5:42 P.M.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"

CONSTRUCTION DRAWINGS

DCI - LEE'S SUMMIT

LEE'S SUMMIT, JACKSON COUNTY, MISSOURI

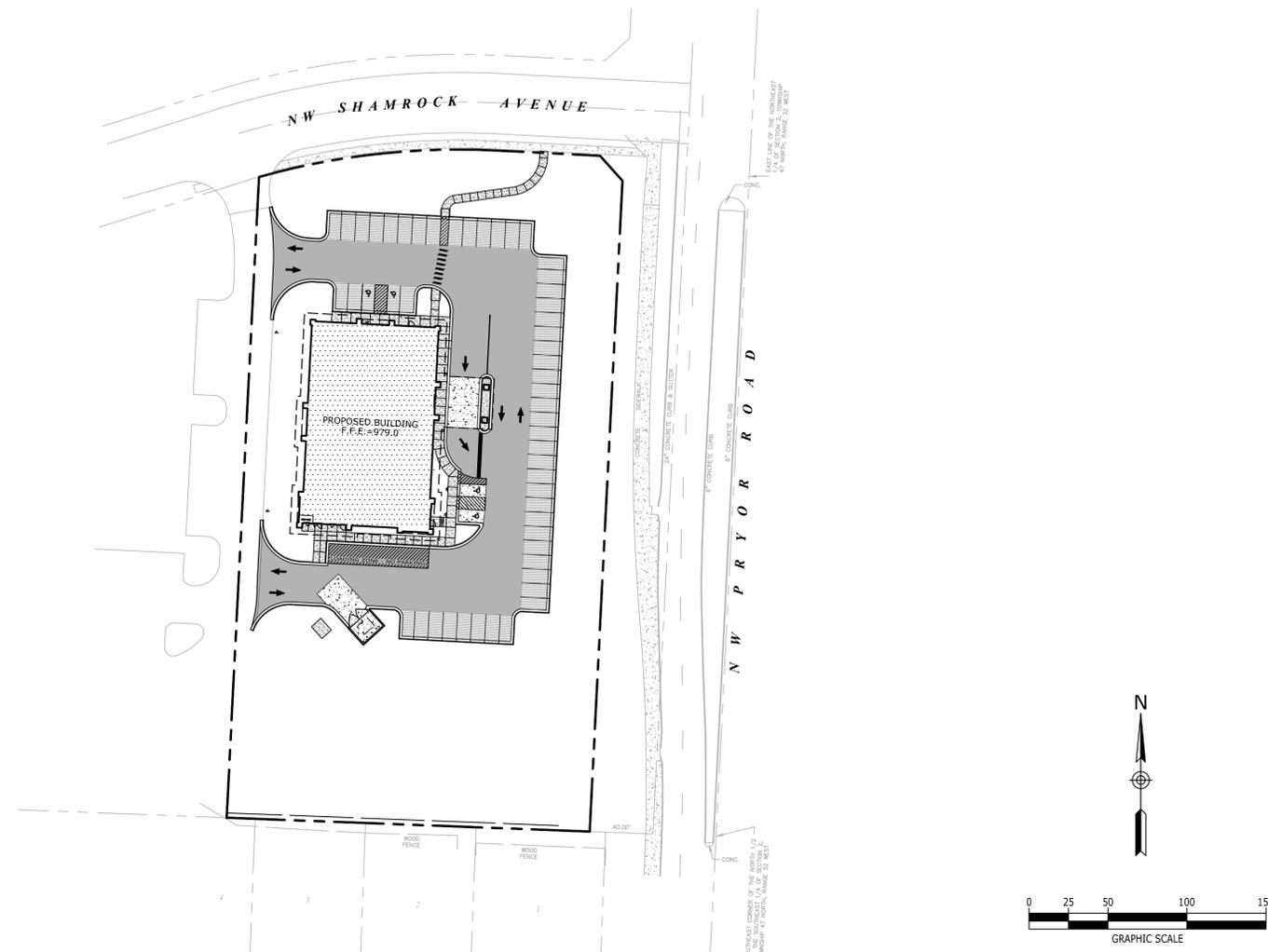
CATALYST PROJECT NO. 20180111
09/06/2019



VICINITY MAP
NOT TO SCALE

SITE DATA

PARCEL ID.: 62-240-99-04-00-0-00-000
 SITE ADDRESS: 2001 NW SHAMROCK AVENUE
 LEE'S SUMMIT, MISSOURI 64081
 LEGAL DESCRIPTION: LOT 2, WEST VILLAGE COMMERCIAL DEVELOPMENT
 LOTS 1-3, SUBDIVISION IN LEE'S SUMMIT,
 JACKSON COUNTY, MISSOURI
 SITE ACREAGE: 2.225 AC. (96,932 FT²)
 EXISTING ZONING: PMIX - PLANNED MIXED USE DISTRICT
 PROPOSED USE: DIALYSIS CLINIC
 PROPOSED MAX. BUILDING HEIGHT: 1 STORIES
 PROPOSED BUILDING SQUARE FOOTAGE: 10,442 S.F.
 FLOOR AREA RATIO OF SITE: 0.11 (10,442 FT²/ 96,932 FT²)
 IMPERVIOUS SURFACE AREA
 BUILDINGS: 0.24 AC. (10,442 FT²)
 DRIVES/SIDEWALKS: 0.78 AC. (34,316 FT²)
 TOTAL PROPOSED IMPERVIOUS AREA: 1.02 AC. (44,590 FT²)
 PROPOSED ISR: 0.46
 ALLOWED ISR: 0.80
 PARKING SUMMARY
 PARKING REQUIRED: 5 SPACES PER 1,000 S.F.
 (PARKING REQUIREMENTS) 52 SPACES REQUIRED
 PARKING PROVIDED: 52 SPACES (4 ACCESSIBLE)
 OWNER: DIALYSIS CLINIC, INC.
 ADDRESS: 1633 CHURCH STREET, STE 500
 NASHVILLE, TN 37203
 PHONE NO.: 615.327.3061
 CONTACT NAME: BILL WOOD
 CONTACT E-MAIL ADDRESS: bwood@dcinc.org
 PROJECT REPRESENTATIVE: CATALYST DESIGN GROUP
 ADDRESS: 5016 CENTENNIAL BLVD., STE 200
 NASHVILLE, TN 37209
 PHONE NO.: 615.866.2410
 CONTACT NAME: PHILLIP PIERCY
 CONTACT E-MAIL ADDRESS: ppiercy@catalyst-dg.com



FEMA PANEL:
 THE SUBJECT PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD ZONE ACCORDING TO
 COMMUNITY PANEL NO. 29095C0416G, JANUARY 20, 2017, COMMUNITY NAME: FEMA COMMUNITY NAME.

Sheet List Table	
Sheet Number	Sheet Title
C0.0	COVER SHEET
C1.0	EXISTING CONDITIONS
C2.0	GENERAL NOTES
C3.0	INITIAL EROSION CONTROL PLAN
C3.1	INTERMEDIATE EROSION CONTROL PLAN
C3.2	FINAL EROSION CONTROL PLAN
C3.3	SEDIMENT AND EROSION CONTROL DETAILS
C4.0	LAYOUT PLAN
C5.0	GRADING & DRAINAGE PLAN
C6.0	UTILITY PLAN
C7.0	SITE DETAILS
C7.1	SITE DETAILS
C7.2	SITE DETAILS
C7.3	SITE DETAILS
L1.0	LANDSCAPE PLAN
L2.0	LANDSCAPE DETAILS
A1.0	FLOOR PLAN
A3.0	ROOF PLAN
A4.0	ELEVATIONS
A4.1	ELEVATIONS
A4.2	ELEVATIONS
A4.3	RENDERED PERSPECTIVES
E1.1	SITE PHOTOMETRICS
E1.2	SITE PHOTOMETRIC FIXTURES

ARCHITECT
RANDY DOVER
 4121 HILLSBORO RD SUITE 303
 NASHVILLE, TN 37215
 615.251.3388

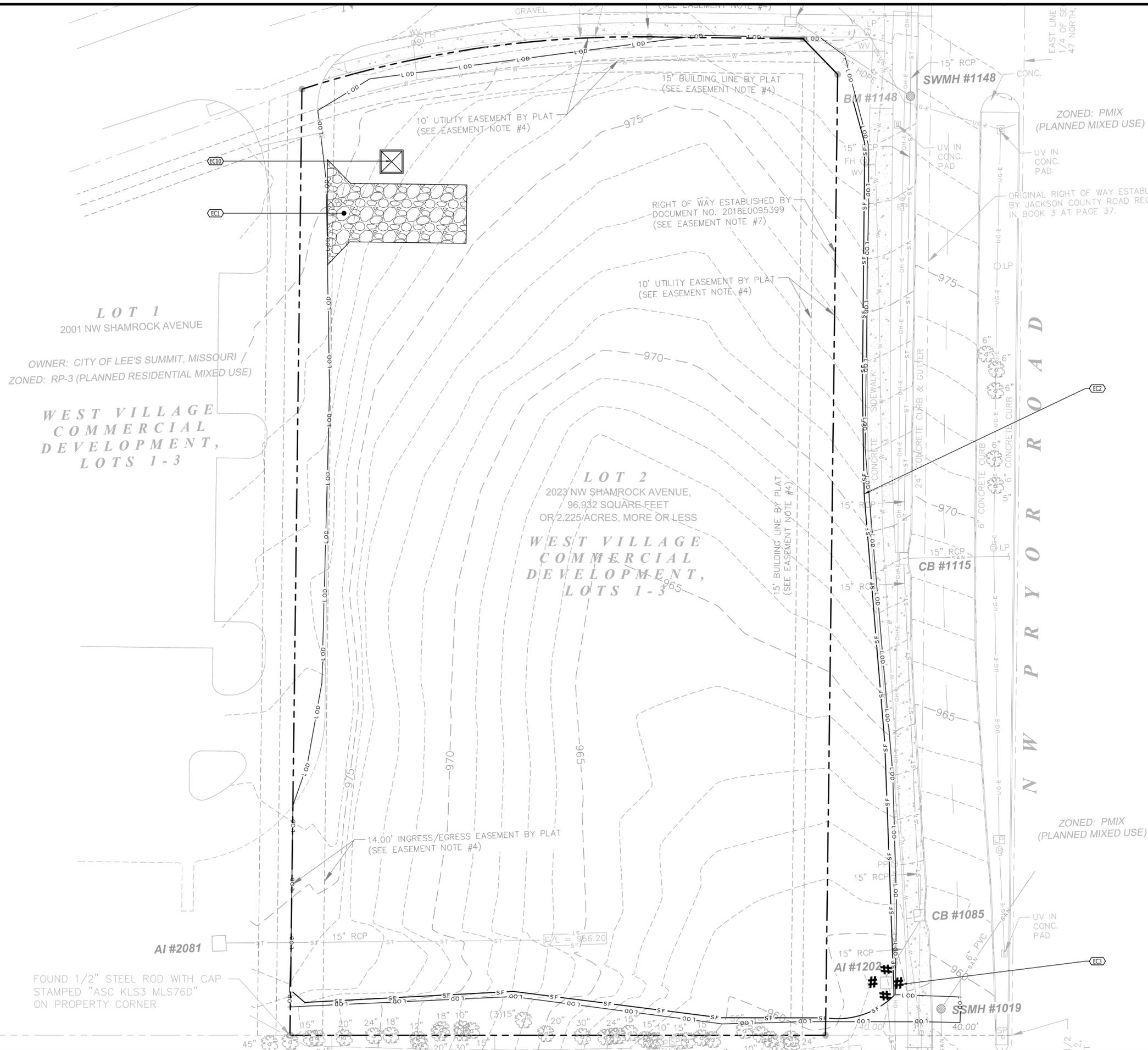
PREPARED FOR
DIALYSIS CLINIC, INC.
 1633 CHURCH STREET, STE 500
 NASHVILLE, TN 37203
 615.327.3061



COVER SHEET

C0.0

P:\2018\20180111\wg\Construction\20180111_L_C3-0_EROSION CONTROL PLAN Sep 06, 2019 ehl



EROSION CONTROL KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
EC1	TEMPORARY CONSTRUCTION ENTRANCE	1 / C3.3
EC2	SILT FENCE	2 / C3.3
EC3	AREA INLET PROTECTION	4 / C3.3
EC10	CONCRETE WASH-OUT	1 / C3.3

SITE DESCRIPTION AND NOTES:

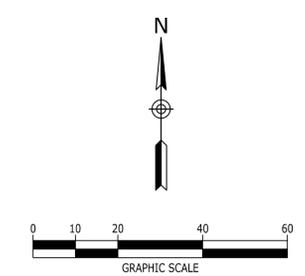
THE SITE IS LOCATED AS PARCEL ID 62-240-99-04-00-0-00-000 IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI. CONSTRUCTION ACTIVITY ON THIS SITE WILL CONSIST OF DISTURBING APPROXIMATELY 2.26± ACRES TO CONSTRUCT A 10,220 S.F. +/- DIALYSIS CLINIC, PARKING, AND ASSOCIATED SITE IMPROVEMENTS.

- APPROXIMATE CONSTRUCTION TIME TABLE:
 BEGIN CONSTRUCTION [OCT 2019]
 COMPLETE CONSTRUCTION [JAN 2021]
- CONSTRUCTION SEQUENCE:
 A. ATTEND WATER QUALITY DIVISION PRE-CONSTRUCTION MEETING.
 B. INSTALL CONSTRUCTION ENTRANCE AND SILT FENCE
 C. CONTACT WATER QUALITY DIVISION - EROSION CONTROL INSPECTOR FOR INSPECTION OF EROSION CONTROL DEVICES TO OBTAIN GRADING PERMIT.
 D. CLEAR AND GRUB THE REMAINING SITE.
 E. CONSTRUCT REMAINING SITE ACCORDING TO APPROVED PLANS, INCLUDING ALL ADDITIONAL EROSION CONTROL DEVICES.
 F. UPON PERMANENT SITE STABILIZATION SEED AND STRAW.
 G. REMOVE ALL OTHER EROSION TEMPORARY CONTROL DEVICES PRIOR TO AS-BUILT APPROVALS.
- TOTAL PROJECT AREA = 96,932 SF (2.225± AC.)
 DISTURBED AREA = 98,540 S.F. (2.26± AC.)

EROSION CONTROL NOTES:

- EROSION PREVENTION AND SEDIMENT CONTROL MEASURES MUST BE IN PLACE AND FUNCTIONAL BEFORE EARTH MOVING OPERATION BEGINS AND MUST BE CONSTRUCTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. TEMPORARY MEASURES MAY BE REMOVED AT THE BEGINNING OF THE WORKDAY BUT MUST BE REPLACED AT THE END OF THE WORKDAY.
- THE FOLLOWING RECORDS SHALL BE MAINTAINED ON OR NEAR SITE: THE DATES WHEN MAJOR GRADING ACTIVITIES OCCUR; THE DATES WHEN CONSTRUCTION ACTIVITIES TEMPORARILY OR PERMANENTLY CEASE ON A PORTION OF THE SITE; THE DATES WHEN STABILIZATION MEASURES ARE INITIATED; INSPECTION RECORDS AND RAINFALL RECORDS.
- THE CONTRACTOR SHALL MAINTAIN A RAIN GAUGE AND DAILY RAINFALL RECORDS AT THE SITE OR USE A REFERENCE SITE FOR A RECORD OF DAILY AMOUNT OF PRECIPITATION.
- PRE-CONSTRUCTION VEGETATIVE GROUND COVER SHALL NOT BE DESTROYED, REMOVED OR DISTURBED MORE THAN 10 DAYS PRIOR TO GRADING OR EARTH MOVING UNLESS THE AREA IS SEEDED AND/OR MULCHED OR OTHER TEMPORARY COVER IS INSTALLED.
- CONSTRUCTION MUST BE SEQUENCED TO MINIMIZE THE EXPOSURE TIME OF GRADED OR DENUDED AREAS.
- SEDIMENT SHOULD BE REMOVED FROM SEDIMENT TRAPS, SILT FENCES, SEDIMENTATION PONDS AND OTHER SEDIMENT CONTROLS AS NECESSARY AND MUST BE REMOVED WHEN DESIGN CAPACITY HAS BEEN REDUCED BY 50% OR AS DIRECTED BY OWNERS REPRESENTATIVE.
- THE CONTRACTOR SHALL REMOVE SEDIMENT FROM ALL DRAINAGE STRUCTURES BEFORE ACCEPTANCE BY LOCAL GOVERNING AGENCY OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
- THE CONTRACTOR SHALL REMOVE THE TEMPORARY EROSION AND WATER POLLUTION CONTROL DEVICES ONLY AFTER A SOLID STAND OF GRASS HAS BEEN ESTABLISHED ON GRADED AREAS AND WHEN IN THE OPINION OF THE OWNER'S REPRESENTATIVE, THEY ARE NO LONGER NEEDED.
- DISTURBED AREAS SHALL BE STABILIZED WITHIN 14 DAYS OF THE COMPLETION OF GRADING ACTIVITIES. SLOPES 3:1 OR STEEPER SHALL BE STABILIZED WITHIN 7 DAYS.

LEGEND	
SILT FENCE	SF
LIMITS OF DISTURBANCE	L.O.D.
INLET PROTECTION	IP
EROSION CONTROL MATTING	ECM



DIALYSIS CLINIC, INC.
 1633 CHURCH STREET, STE 500
 NASHVILLE, TN 37203
 615.327.3061



CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
 2001 NW SHAMROCK AVENUE
 LEE'S SUMMIT, MISSOURI, 64081
 JACKSON COUNTY

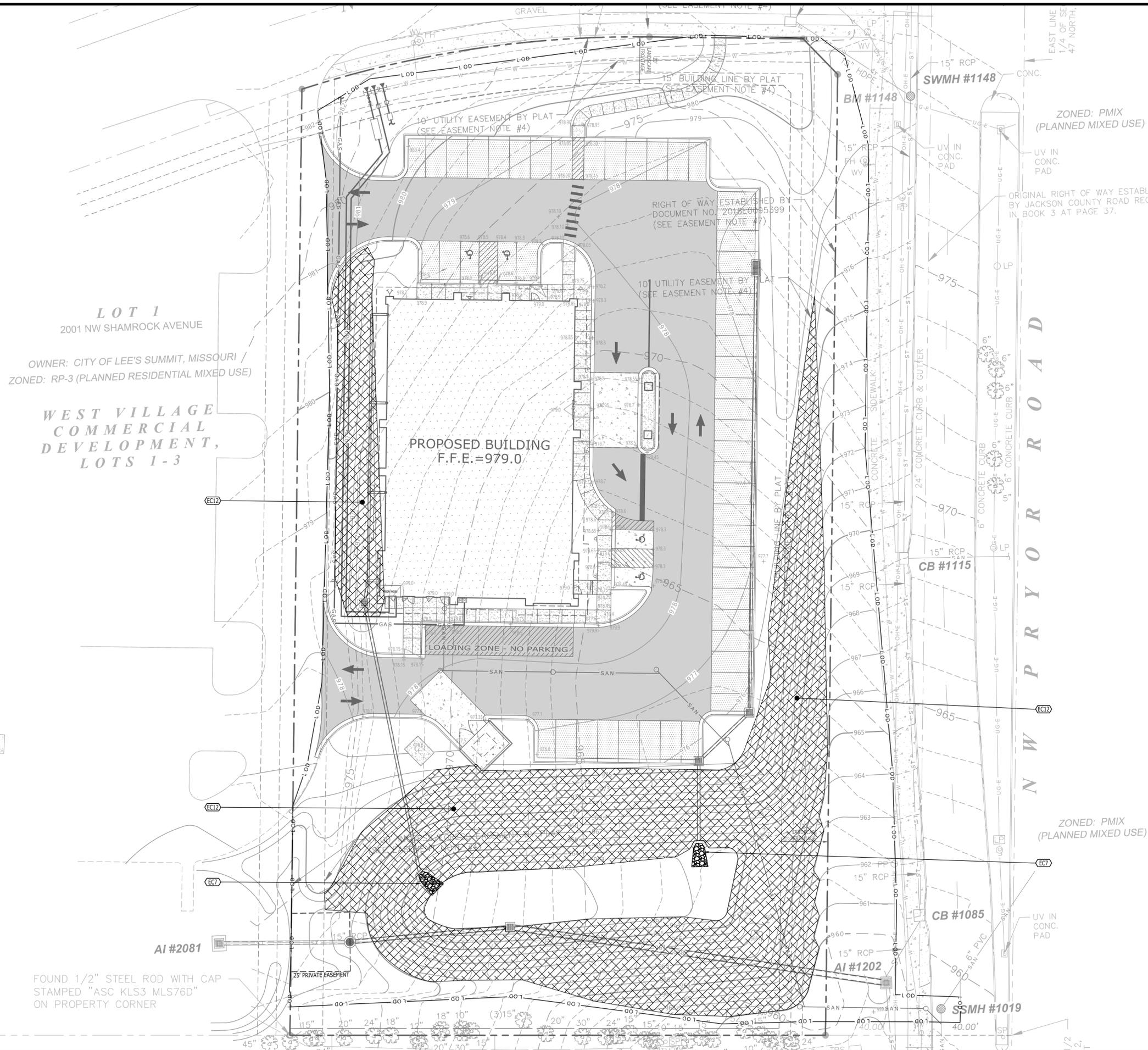
NO.	DATE	DESCRIPTION

DRAWING TITLE
INITIAL EROSION CONTROL PLAN

PROJECT NUMBER
 20180111

DRAWING NUMBER
C3.0

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EROSION CONTROL KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
EC17	OUTLET PROTECTION	5 / C3.3
EC17	GEOTEXTILE MATTING	6 / C3.3

SITE DESCRIPTION AND NOTES:

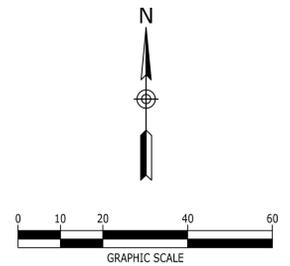
THE SITE IS LOCATED AS PARCEL ID 62-240-99-04-00-0-00-000 IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI. CONSTRUCTION ACTIVITY ON THIS SITE WILL CONSIST OF DISTURBING APPROXIMATELY 2.26± ACRES TO CONSTRUCT A 10,220 S.F.-+/- DIALYSIS CLINIC, PARKING, AND ASSOCIATED SITE IMPROVEMENTS.

- APPROXIMATE CONSTRUCTION TIME TABLE:
 BEGIN CONSTRUCTION [OCT 2019]
 COMPLETE CONSTRUCTION [JAN 2021]
- CONSTRUCTION SEQUENCE:
 - ATTEND WATER QUALITY DIVISION PRE-CONSTRUCTION MEETING.
 - INSTALL CONSTRUCTION ENTRANCE AND SILT FENCE
 - CONTACT WATER QUALITY DIVISION - EROSION CONTROL INSPECTOR FOR INSPECTION OF EROSION CONTROL DEVICES TO OBTAIN GRADING PERMIT.
 - CLEAR AND GRUB THE REMAINING SITE.
 - CONSTRUCT REMAINING SITE ACCORDING TO APPROVED PLANS, INCLUDING ALL ADDITIONAL EROSION CONTROL DEVICES.
 - UPON PERMANENT SITE STABILIZATION SEED AND STRAW.
 - REMOVE ALL OTHER EROSION TEMPORARY CONTROL DEVICES PRIOR TO AS-BUILT APPROVALS.
- TOTAL PROJECT AREA = 96,932 SF (2.225± AC.)
 DISTURBED AREA = 98,540 S.F. (2.26± AC.)

EROSION CONTROL NOTES:

- EROSION PREVENTION AND SEDIMENT CONTROL MEASURES MUST BE IN PLACE AND FUNCTIONAL BEFORE EARTH MOVING OPERATION BEGINS AND MUST BE CONSTRUCTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. TEMPORARY MEASURES MAY BE REMOVED AT THE BEGINNING OF THE WORKDAY BUT MUST BE REPLACED AT THE END OF THE WORKDAY.
- THE FOLLOWING RECORDS SHALL BE MAINTAINED ON OR NEAR SITE: THE DATES WHEN MAJOR GRADING ACTIVITIES OCCUR; THE DATES WHEN CONSTRUCTION ACTIVITIES TEMPORARILY OR PERMANENTLY CEASE ON A PORTION OF THE SITE; THE DATES WHEN STABILIZATION MEASURES ARE INITIATED; INSPECTION RECORDS AND RAINFALL RECORDS.
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- PRE-CONSTRUCTION VEGETATIVE GROUND COVER SHALL NOT BE DESTROYED, REMOVED OR DISTURBED MORE THAN 10 DAYS PRIOR TO GRADING OR EARTH MOVING UNLESS THE AREA IS SEEDED AND/OR MULCHED OR OTHER TEMPORARY COVER IS INSTALLED.
- CONSTRUCTION MUST BE SEQUENCED TO MINIMIZE THE EXPOSURE TIME OF GRADED OR DENUDEED AREAS.
- SEDIMENT SHOULD BE REMOVED FROM SEDIMENT TRAPS, SILT FENCES, SEDIMENTATION PONDS AND OTHER SEDIMENT CONTROLS AS NECESSARY AND MUST BE REMOVED WHEN DESIGN CAPACITY HAS BEEN REDUCED BY 50% OR AS DIRECTED BY OWNERS REPRESENTATIVE.
- THE CONTRACTOR SHALL REMOVE SEDIMENT FROM ALL DRAINAGE STRUCTURES BEFORE ACCEPTANCE BY LOCAL GOVERNING AGENCY OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
- THE CONTRACTOR SHALL REMOVE THE TEMPORARY EROSION AND WATER POLLUTION CONTROL DEVICES ONLY AFTER A SOLID STAND OF GRASS HAS BEEN ESTABLISHED ON GRADED AREAS AND WHEN IN THE OPINION OF THE OWNER'S REPRESENTATIVE, THEY ARE NO LONGER NEEDED.
- DISTURBED AREAS SHALL BE STABILIZED WITHIN 14 DAYS OF THE COMPLETION OF GRADING ACTIVITIES. SLOPES 3:1 OR STEEPER SHALL BE STABILIZED WITHIN 7 DAYS.

LEGEND	
SILT FENCE	SF
LIMITS OF DISTURBANCE	LOD
INLET PROTECTION	IP
EROSION CONTROL MATTING	EC17



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CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
 2001 NW SHAMROCK AVENUE
 LEE'S SUMMIT, MISSOURI, 64081
 JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
FINAL EROSION CONTROL PLAN

PROJECT NUMBER
 20180111

DRAWING NUMBER
C3.2

SCHEDULE OF INSPECTIONS AND MAINTENANCE NOTES

- INSPECTIONS DESCRIBED IN PARAGRAPHS 2, 3 AND 4 BELOW, SHALL BE PERFORMED AT LEAST TWICE EVERY CALENDAR WEEK. INSPECTIONS SHALL BE PERFORMED AT LEAST 72 HOURS APART. WHERE SITES OR PORTION(S) OF CONSTRUCTION SITES HAVE BEEN TEMPORARILY STABILIZED, OR RUNOFF IS UNLIKELY DUE TO WINTER CONDITIONS (E.G., SITE COVERED WITH SNOW OR ICE) OR DUE TO EXTREME DROUGHT, SUCH INSPECTION ONLY HAS TO BE CONDUCTED ONCE PER MONTH UNTIL THAWING OR PRECIPITATION RESULTS IN RUNOFF OR CONSTRUCTION ACTIVITY RESUMES. INSPECTION REQUIREMENTS DO NOT APPLY TO DEFINABLE AREAS THAT HAVE BEEN FINALLY STABILIZED. WRITTEN NOTIFICATION OF THE INTENT TO CHANGE THE INSPECTION FREQUENCY AND THE JUSTIFICATION FOR SUCH REQUEST MUST BE SUBMITTED TO THE LOCAL ENVIRONMENTAL FIELD OFFICE, OR THE DIVISION'S NASHVILLE CENTRAL OFFICE FOR PROJECTS OF THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) AND THE TENNESSEE VALLEY AUTHORITY (TVA). SHOULD TDEC DISCOVER THAT MONTHLY INSPECTIONS OF THE SITE ARE NOT APPROPRIATE DUE TO INSUFFICIENT STABILIZATION MEASURES OR OTHERWISE, TWICE WEEKLY INSPECTIONS SHALL RESUME. TDEC MAY INSPECT THE SITE TO CONFIRM OR DENY THE NOTIFICATION TO CONDUCT MONTHLY INSPECTIONS.
- QUALIFIED PERSONNEL (PROVIDED BY THE PERMITTEE OR COOPERATIVELY BY MULTIPLE PERMITTEES) SHALL INSPECT DISTURBED AREAS OF THE CONSTRUCTION SITE THAT HAVE NOT BEEN FINALLY STABILIZED, AREAS USED FOR STORAGE OF MATERIALS THAT ARE EXPOSED TO PRECIPITATION, STRUCTURAL CONTROL MEASURES, LOCATIONS WHERE VEHICLES ENTER OR EXIT THE SITE, AND EACH OUTFALL.
- DISTURBED AREAS AND AREAS USED FOR STORAGE OF MATERIALS THAT ARE EXPOSED TO PRECIPITATION SHALL BE INSPECTED FOR EVIDENCE OF, OR THE POTENTIAL FOR, POLLUTANTS ENTERING THE SITE'S DRAINAGE SYSTEM. EROSION PREVENTION AND SEDIMENT CONTROL MEASURES SHALL BE OBSERVED TO ENSURE THAT THEY ARE OPERATING CORRECTLY.
- OUTFALL POINTS (WHERE DISCHARGES LEAVE THE SITE AND/OR ENTER WATERS OF THE STATE) SHALL BE INSPECTED TO DETERMINE WHETHER EROSION PREVENTION AND SEDIMENT CONTROL MEASURES ARE EFFECTIVE IN PREVENTING SIGNIFICANT IMPACTS TO RECEIVING WATERS. WHERE DISCHARGE LOCATIONS ARE INACCESSIBLE, NEARBY DOWNSTREAM LOCATIONS SHALL BE INSPECTED. LOCATIONS WHERE VEHICLES ENTER OR EXIT THE SITE SHALL BE INSPECTED FOR EVIDENCE OF OFFSITE SEDIMENT TRACKING.
- BASED ON THE RESULTS OF THE INSPECTION, ANY INADEQUATE CONTROL MEASURES OR CONTROL MEASURES IN DISREPAIR SHALL BE REPLACED OR MODIFIED, OR REPAIRED AS NECESSARY, BEFORE THE NEXT RAIN EVENT, BUT IN NO CASE MORE THAN 7 DAYS AFTER THE NEED IS IDENTIFIED.
- BASED ON THE RESULTS OF THE INSPECTION, THE SITE DESCRIPTION AND POLLUTION PREVENTION MEASURES IDENTIFIED IN THIS SWPPP SHALL BE REVISED AS APPROPRIATE, BUT IN NO CASE LATER THAN 7 DAYS FOLLOWING THE INSPECTION. SUCH MODIFICATIONS SHALL PROVIDE FOR TIMELY IMPLEMENTATION OF ANY CHANGES TO THE SWPPP, BUT IN NO CASE LATER THAN 14 DAYS FOLLOWING THE INSPECTION.
- ALL INSPECTIONS SHALL BE DOCUMENTED ON THE CONSTRUCTION STORMWATER INSPECTION CERTIFICATION FORM PROVIDED IN APPENDIX D OF THE SWPPP REPORT FOR ALL CONSTRUCTION SITES. INSPECTION DOCUMENTATION WILL BE MAINTAINED ON SITE AND MADE AVAILABLE TO TDEC UPON REQUEST. INSPECTION REPORTS MUST BE SUBMITTED TO TDEC WITHIN 10 DAYS OF THE REQUEST. IF TDEC REQUESTS THE CONSTRUCTION STORMWATER INSPECTION CERTIFICATION FORM TO BE SUBMITTED, THE SUBMITTED FORM MUST CONTAIN THE PRINTED NAME AND SIGNATURE OF THE TRAINED CERTIFIED INSPECTOR AND THE PERSON WHO MEETS THE SIGNATORY REQUIREMENTS OF SECTION 7.7.2 OF THE NPDES GENERAL PERMIT.
- TRAINED CERTIFIED INSPECTORS SHALL COMPLETE INSPECTION DOCUMENTATION TO THE BEST OF THEIR ABILITY. FALSIFYING INSPECTION RECORDS OR OTHER DOCUMENTATION OR FAILURE TO COMPLETE INSPECTION DOCUMENTATION SHALL RESULT IN A VIOLATION OF THIS PERMIT AND ANY OTHER APPLICABLE ACTS OR RULES.
- SUBSEQUENT OPERATOR(S) (PRIMARY PERMITTEES) WHO HAVE OBTAINED COVERAGE UNDER THE NPDES GENERAL PERMIT SHOULD CONDUCT TWICE WEEKLY INSPECTIONS, UNLESS THEIR PORTION(S) OF THE SITE HAS BEEN TEMPORARILY STABILIZED, OR RUNOFF IS UNLIKELY DUE TO WINTER CONDITIONS OR DUE TO EXTREME DROUGHT AS STATED IN PARAGRAPH A) ABOVE. THE PRIMARY PERMITTEE (SUCH AS A DEVELOPER) IS NO LONGER REQUIRED TO CONDUCT INSPECTIONS OF PORTIONS OF THE SITE THAT ARE COVERED BY A SUBSEQUENT PRIMARY PERMITTEE (SUCH AS A HOME BUILDER).

SITE ASSESSMENT NOTES

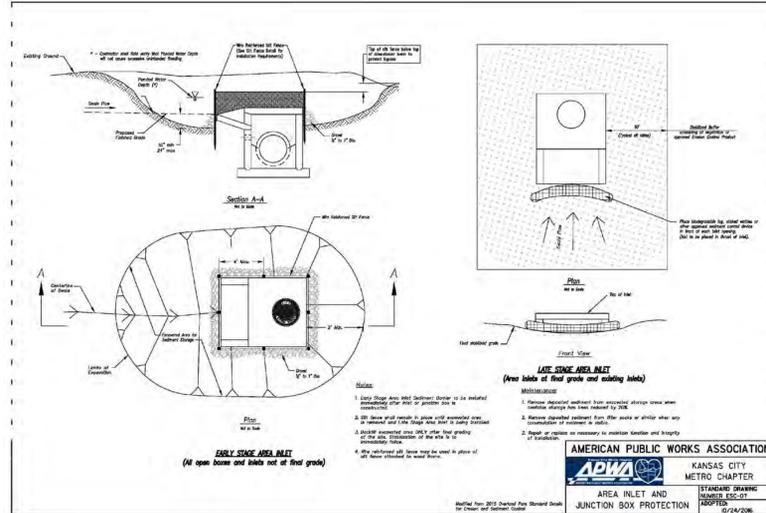
- THE SITE ASSESSMENT SHALL BE PERFORMED BY INDIVIDUALS WITH THE FOLLOWING QUALIFICATIONS:
 - A LICENSED PROFESSIONAL ENGINEER OR LANDSCAPE ARCHITECT
 - A CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC) OR
 - A PERSON THAT SUCCESSFULLY COMPLETED THE "LEVEL II DESIGN PRINCIPLES FOR EROSION PREVENTION AND SEDIMENT CONTROL FOR CONSTRUCTION SITES" COURSE.
- QUALITY ASSURANCE OF EROSION PREVENTION AND SEDIMENT CONTROLS SHALL BE DONE BY PERFORMING SITE ASSESSMENT AT A CONSTRUCTION SITE. THE SITE ASSESSMENT SHALL BE CONDUCTED AT EACH OUTFALL INVOLVING DRAINAGE TOTALING 10 OR MORE ACRES OR 5 OR MORE ACRES IF DRAINING TO AN IMPAIRED OR EXCEPTIONAL QUALITY WATERS, WITHIN A MONTH OF CONSTRUCTION COMMENCING AT EACH PORTION OF THE SITE THAT DRAINS THE QUALIFYING ACREAGE OF SUCH PORTION OF THE SITE.
- AS A MINIMUM, SITE ASSESSMENT SHOULD BE PERFORMED TO VERIFY THE INSTALLATION, FUNCTIONALITY AND PERFORMANCE OF THE EPSC MEASURES DESCRIBED IN THE SWPPP REPORT. THE SITE ASSESSMENT SHOULD BE PERFORMED WITH THE INSPECTOR, AND SHOULD INCLUDE A REVIEW AND UPDATE (IF APPLICABLE) OF THE SWPPP REPORT. MODIFICATIONS OF PLANS AND SPECIFICATIONS FOR ANY BUILDING OR STRUCTURE, INCLUDING THE DESIGN OF SEDIMENT BASINS OR OTHER SEDIMENT CONTROLS INVOLVING STRUCTURAL, HYDRAULIC, HYDROLOGIC OR OTHER ENGINEERING CALCULATIONS SHALL BE PREPARED BY A LICENSED PROFESSIONAL ENGINEER OR LANDSCAPE ARCHITECT AND STAMPED AND CERTIFIED IN ACCORDANCE WITH THE TENNESSEE CODE ANNOTATED, TITLE 62, CHAPTER 2 AND THE RULES OF THE TENNESSEE BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS.
- THE SITE ASSESSMENT FINDINGS SHALL BE DOCUMENTED AND THE DOCUMENTATION KEPT WITH THE SWPPP REPORT AT THE SITE. AT A MINIMUM, THE DOCUMENTATION SHALL INCLUDE INFORMATION INCLUDED IN THE INSPECTION FORM PROVIDED IN APPENDIX D OF THE SWPPP REPORT. THE DOCUMENTATION MUST CONTAIN THE PRINTED NAME AND SIGNATURE OF THE INDIVIDUAL PERFORMING THE SITE ASSESSMENT AND THE FOLLOWING CERTIFICATION:

"I CERTIFY UNDER PENALTY OF LAW THAT THIS REPORT AND ALL ATTACHMENTS ARE, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS."
- THE SITE ASSESSMENT CAN TAKE THE PLACE OF ONE OF THE TWICE WEEKLY INSPECTIONS REQUIREMENT.
- TDEC MAY REQUIRE ADDITIONAL SITE ASSESSMENT(S) TO BE PERFORMED IF SITE INSPECTION BY TDEC'S PERSONNEL REVEALS SITE CONDITIONS THAT HAVE POTENTIAL OF CAUSING POLLUTION TO THE WATERS OF THE STATE.

NOTE:

CONTRACTOR SHALL INSTALL A 4'X4' WEATHER PROOF SIGN (6' HEIGHT) AT THE MAIN CONSTRUCTION ENTRANCE. THE SIGN SHALL HAVE THE FOLLOWING INFORMATION:

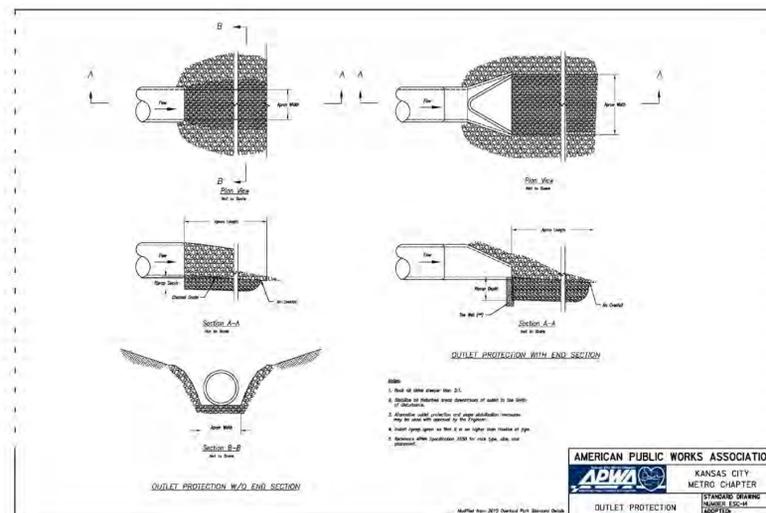
- A COPY OF THE NOTICE OF COVERAGE WITH THE NPDES PERMIT NUMBER (FURNISHED BY ENGINEER).
- THE NAME AND TELEPHONE NUMBER OF A LOCAL CONTACT PERSON (FURNISHED BY CONSTRUCTION MANAGER).
- DESCRIPTION OF PROJECT (FURNISHED BY CONSTRUCTION MANAGER).



4

AREA INLET PROTECTION

NOT TO SCALE



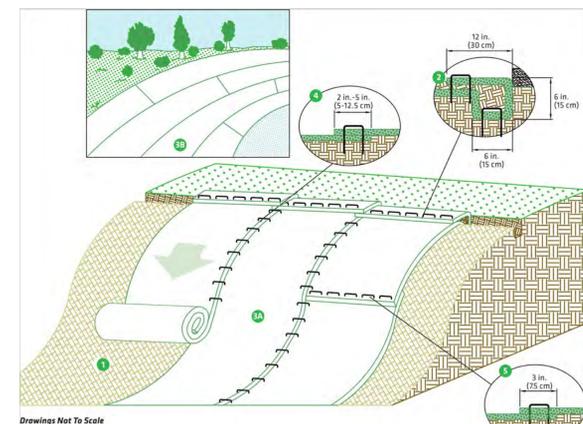
5

OUTLET PROTECTION

NOT TO SCALE

Slope Installation

The following slope guide outlines general recommendations for installing RollMax™ System temporary and/or permanent RECPs on sloping applications. Consult the staple pattern guide (Figure 1) for fastener spacing recommendations based on the slope severity.



6

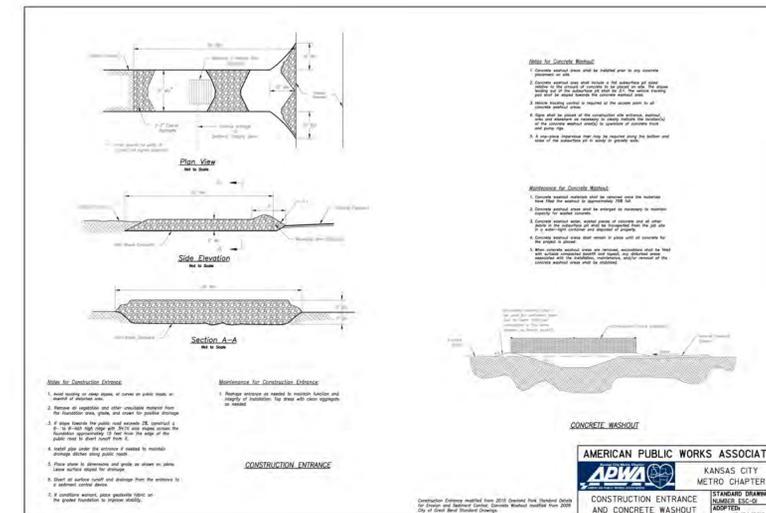
GEOTEXTILE MATTING

NOT TO SCALE

SLOPE INSTALLATION STEPS

- Prepare soil before installing RECPs, including any necessary application of lime, fertilizer and seed.
- Begin at the top of the slope by anchoring the RECPs in a 6 in. (15 cm) deep x 6 in. (15 cm) wide trench with approximately 12 in. (30 cm) of RECPs extended beyond the upslope portion of the trench. Anchor the RECPs with a row of staples/stakes approximately 12 in. (30 cm) apart in the bottom of the trench. Backfill and compact the trench after stapling. Apply seed to the compacted soil and fold the remaining 12 in. (30 cm) portion of RECPs back over the seed and compacted soil. Secure RECPs over compacted soil with a row of staples/stakes spaced approximately 12 in. (30 cm) apart across the width of the RECPs.
- Roll the RECPs (3A) down or (3B) horizontally across the slope. RECPs will unroll with appropriate side against the soil surface. All RECPs must be securely fastened to soil surface by placing staples/stakes in appropriate locations as shown in the staple pattern guide.
- The edges of parallel RECPs must be stapled with an approximately 2 in.-5 in. (5-12.5 cm) overlap depending on the RECP type.
- Consecutive RECPs spliced down the slope must be end-over-end (shingle style) with an approximate 3 in. (7.5 cm) overlap. Staple through overlapped area, approximately 12 in. (30 cm) apart across entire RECPs width.*

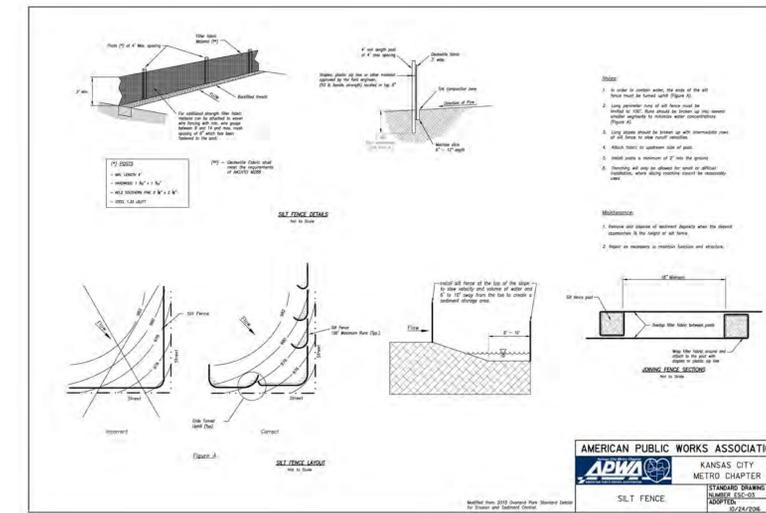
*NOTE: In adverse soil conditions longer staples/stakes or earth anchors may be necessary to properly secure the RECPs.



1

CONSTRUCTION ENTRANCE AND CONCRETE WASHOUT

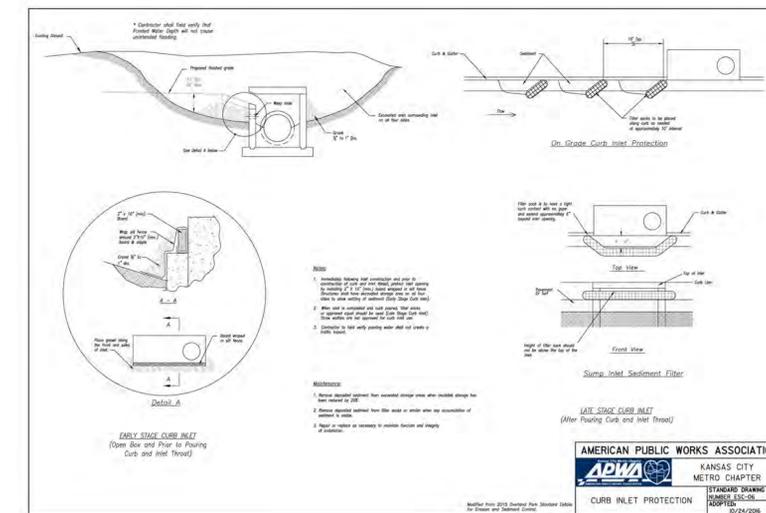
NOT TO SCALE



2

SILT FENCE

NOT TO SCALE



3

CURB INLET PROTECTION

NOT TO SCALE

Catalyst
DESIGN GROUP
5016 CENTENNIAL BLVD., SUITE 200, NASHVILLE, TN 37209
(615) 866-2410 | WWW.CATALYST-DC.COM

DIALYSIS CLINIC, INC.
1633 CHURCH STREET, STE 500
NASHVILLE, TN 37203
615.327.3061

STATE OF TENNESSEE
PROFESSIONAL ENGINEER
JACK P. PARKER
NUMBER
PE-2017040852
1/6/19

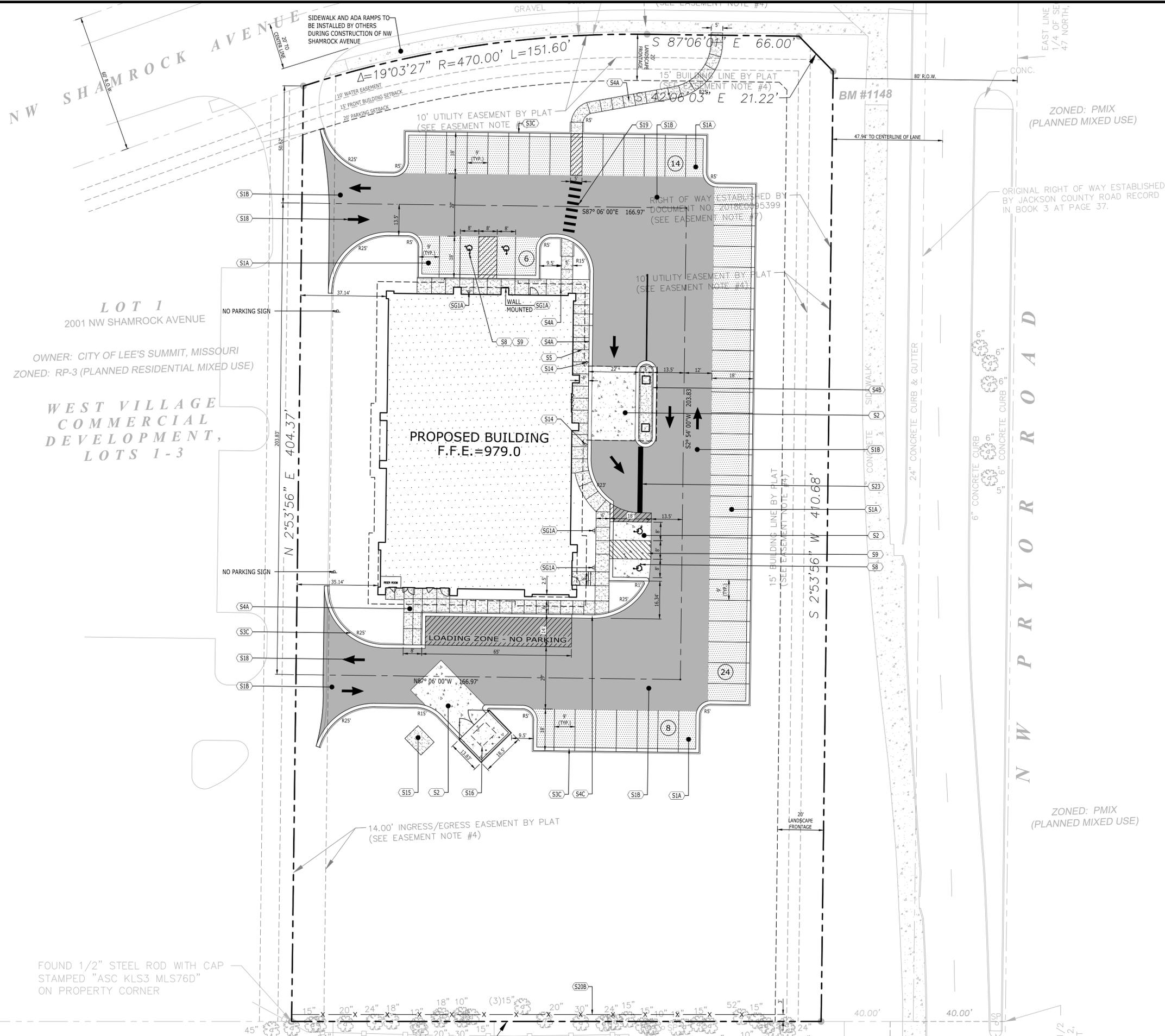
CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
2001 NW SHAMROCK AVENUE
LEE'S SUMMIT, MISSOURI, 64081
JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
SEDIMENT AND EROSION CONTROL DETAILS

PROJECT NUMBER
20180111

DRAWING NUMBER
C3.3



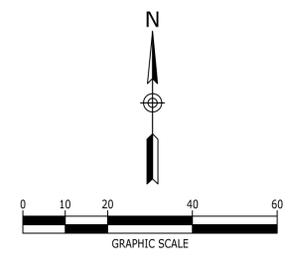
VICINITY MAP
NOT TO SCALE

SITE LAYOUT KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
S1A	ASPHALT PAVEMENT - LIGHT DUTY	7 / C7.0
S1B	ASPHALT PAVEMENT - HEAVY DUTY	7 / C7.0
S2	CONCRETE PAVEMENT	1 / C7.0
S3C	CONCRETE CURB & GUTTER	2 / C7.0
S4A	CONCRETE SIDEWALK	3 / C7.0
S4B	CONCRETE SIDEWALK WITH TURN DOWN CURB	4 / C7.0
S4C	CONCRETE SIDEWALK AT CURB & GUTTER	5 / C7.0
S5	SIDEWALK JOINTS	6 / C7.0
S8	ACCESSIBLE SYMBOL	4 / C7.1
S9	ACCESSIBLE PARKING SPACE	8 / C7.0
S14	BOLLARD	9 / C7.0
S15	UTILITY PAD	10 / C7.0
S16	DUMPSTER ENCLOSURE - SEE ARCHITECTURAL PLANS	-
S18	DIRECTIONAL ARROWS	1 / C7.1
S19	PEDESTRIAN CROSSWALK	2 / C7.2
S20B	OPAQUE VINYL SCREEN FENCE (6')	-
S23	PAINTED STOP BAR (24')	9 / C7.1

SITE SIGNAGE KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
SG1A	ACCESSIBLE PARKING SIGN	10 / C7.0
SG1B	ACCESSIBLE PARKING SIGN IN BOLLARD	11 / C7.0

NOTE:
PER THE RECORDED PLAT AND ACCORDING TO AN ENVIRONMENTAL IMPACT STUDY OF ABANDONED OIL AND GAS WELLS IN LEE'S SUMMIT, MO, IN 1995 BY EDWARD ALTON MAY, JR., P.E., THERE ARE NO OIL AND GAS WELLS WITHIN THE SUBJECT PROPERTY.

LEGEND	
BUILDING	[Pattern]
CONCRETE PAVEMENT	[Pattern]
CONCRETE SIDEWALK	[Pattern]
HEAVY DUTY PAVEMENT	[Pattern]
LIGHT DUTY PAVEMENT	[Pattern]
PAINTED STRIPE	[Pattern]
CONCRETE CURB	[Pattern]
CENTERLINE	[Pattern]



LOT 1
2001 NW SHAMROCK AVENUE
OWNER: CITY OF LEE'S SUMMIT, MISSOURI
ZONED: RP-3 (PLANNED RESIDENTIAL MIXED USE)
WEST VILLAGE COMMERCIAL DEVELOPMENT, LOTS 1-3

PROPOSED BUILDING
F.F.E.=979.0

ZONED: PMIX
(PLANNED MIXED USE)

FOUND 1/2" STEEL ROD WITH CAP
STAMPED "ASC KLS3 MLS76D"
ON PROPERTY CORNER



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NASHVILLE, TN 37203
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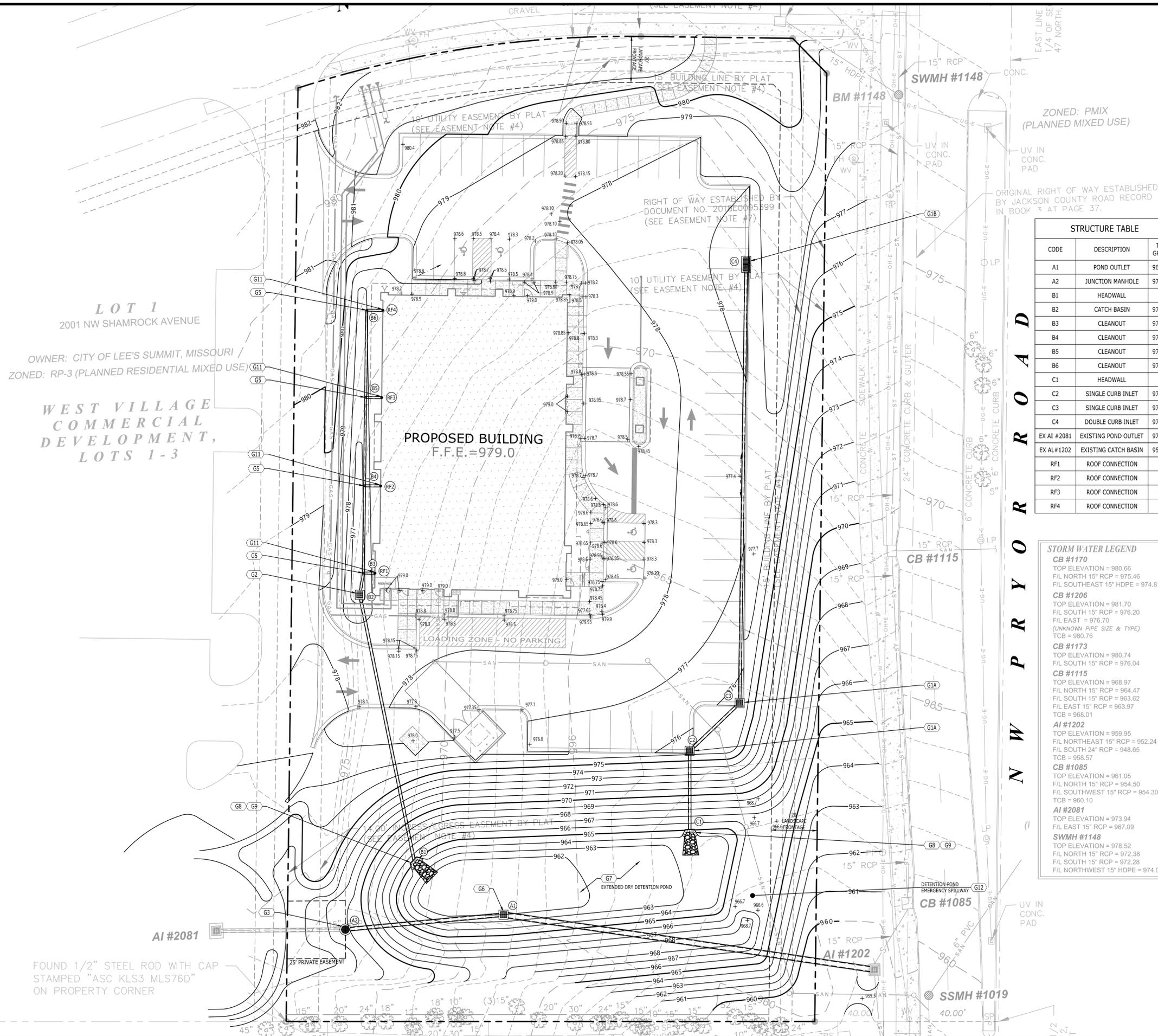


CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
2001 NW SHAMROCK AVENUE
LEE'S SUMMIT, MISSOURI, 64081
JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
LAYOUT PLAN
PROJECT NUMBER
20180111
DRAWING NUMBER
C4.0

P:\2018\20180111\dwg\Construction\20180111_L_C5-0_GRA.dwg-C5-0 GRADING & DRAINAGE PLAN Sep 06, 2019 ehlh



GRADING & DRAINAGE KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
G1A	SINGLE CURB INLET	7 / C7.1
G1B	DOUBLE CURB INLET	5 / C7.3
G2	CATCH BASIN	6 / C7.2
G3	JUNCTION MANHOLE	1, 2, 4 / C7.3
G5	CLEANOUT	8 / C7.1
G6	POND OUTLET STRUCTURE	3 / C7.3
G7	EXTENDED DRY DETENTION POND	-
G8	CONCRETE HEADWALL - WINGED	6 / C7.3
G9	OUTLET PROTECTION	5 / C7.3
G11	BUILDING DOWNSPOUT CONNECTION	10 / C7.1
G12	DETENTION POND EMERGENCY SPILLWAY	-

STRUCTURE TABLE		
CODE	DESCRIPTION	TOP GRATE
A1	POND OUTLET	966.20
A2	JUNCTION MANHOLE	971.20
B1	HEADWALL	NA
B2	CATCH BASIN	976.50
B3	CLEANOUT	976.80
B4	CLEANOUT	977.10
B5	CLEANOUT	977.80
B6	CLEANOUT	978.00
C1	HEADWALL	NA
C2	SINGLE CURB INLET	975.80
C3	SINGLE CURB INLET	975.80
C4	DOUBLE CURB INLET	977.60
EX AI #2081	EXISTING POND OUTLET	973.94
EX AL#1202	EXISTING CATCH BASIN	959.95
RF1	ROOF CONNECTION	NA
RF2	ROOF CONNECTION	NA
RF3	ROOF CONNECTION	NA
RF4	ROOF CONNECTION	NA

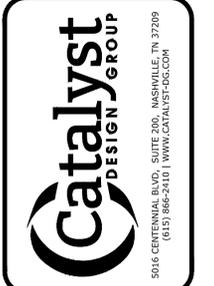
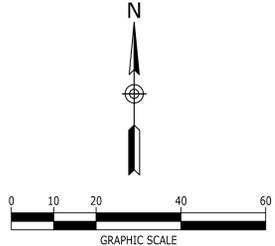
PIPE TABLE							
FROM CODE	FROM INV.	TO CODE	TO INV.	GRADE (%)	SIZE (INCHES)	LENGTH (L.F.)	TYPE
A1	958.00	EX AL#1202	948.85	5.61%	24"	163	RCP
A2	966.58	A1	958.20	12.13%	15"	69	RCP
B2	972.63	B1	963.50	7.76%	12"	118	HDPE
B3	972.93	B2	972.83	1.04%	10"	10	HDPE
B4	973.30	B3	972.93	0.98%	10"	38	HDPE
B5	973.69	B4	973.30	1.02%	10"	38	HDPE
B6	974.06	B5	973.69	0.98%	10"	38	HDPE
C2	969.00	C1	963.50	15.89%	12"	35	HDPE
C3	971.30	C2	969.20	6.99%	12"	30	HDPE
C4	973.50	C3	971.50	1.05%	12"	190	HDPE
EX AI #2081	967.09	A2	966.58	0.91%	15"	56	RCP
RF1	974.25	B3	974.00	5.00%	10"	5	HDPE
RF2	974.25	B4	974.00	3.57%	10"	7	HDPE
RF3	974.25	B5	973.69	8.00%	10"	7	HDPE
RF4	974.25	B6	974.06	2.71%	10"	7	HDPE

STORM WATER LEGEND
CB #1170
 TOP ELEVATION = 980.66
 FIL NORTH 15" RCP = 975.46
 FIL SOUTHEAST 15" HDPE = 974.81
CB #1206
 TOP ELEVATION = 981.70
 FIL SOUTH 15" RCP = 976.20
 FIL EAST = 976.70
 (UNKNOWN PIPE SIZE & TYPE)
 TCB = 980.76
CB #1173
 TOP ELEVATION = 980.74
 FIL SOUTH 15" RCP = 976.04
CB #1115
 TOP ELEVATION = 968.97
 FIL NORTH 15" RCP = 964.47
 FIL SOUTH 15" RCP = 963.62
 FIL EAST 15" RCP = 963.97
 TCB = 968.01
AI #1202
 TOP ELEVATION = 959.95
 FIL NORTHEAST 15" RCP = 952.24
 FIL SOUTH 24" RCP = 948.65
 TCB = 958.57
CB #1085
 TOP ELEVATION = 961.05
 FIL NORTH 15" RCP = 954.50
 FIL SOUTHWEST 15" RCP = 954.30
 TCB = 960.10
AI #2081
 TOP ELEVATION = 973.94
 FIL EAST 15" RCP = 967.09
SWMH #1148
 TOP ELEVATION = 978.52
 FIL NORTH 15" RCP = 972.38
 FIL SOUTH 15" RCP = 972.28
 FIL NORTHWEST 15" HDPE = 974.04

SEWER LEGEND
SSMH #1019
 TOP ELEVATION = 959.22
 FIL NORTHEAST 6" PVC = 947.82
 FIL SOUTH 6" PVC = 947.67

BENCHMARK LEGEND
BM #1148
 TOP ELEVATION RIM OF SWMH = 978.52
 DATUM = NAVD88

LEGEND	
STORM PIPE & INLET	
SPOT ELEVATION	
PROPOSED CONTOUR ELEV.	
DRAINAGE STRUCTURE	



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 615.327.3061

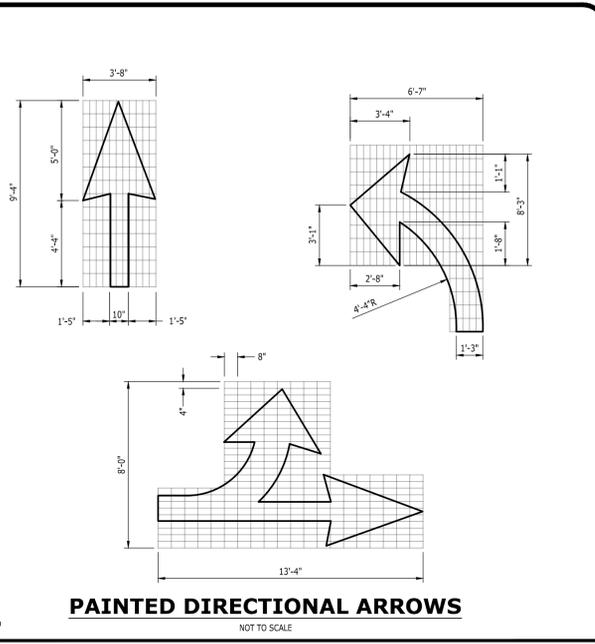


CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
 2001 NW SHAMROCK AVENUE
 LEE'S SUMMIT, MISSOURI, 64081
 JACKSON COUNTY

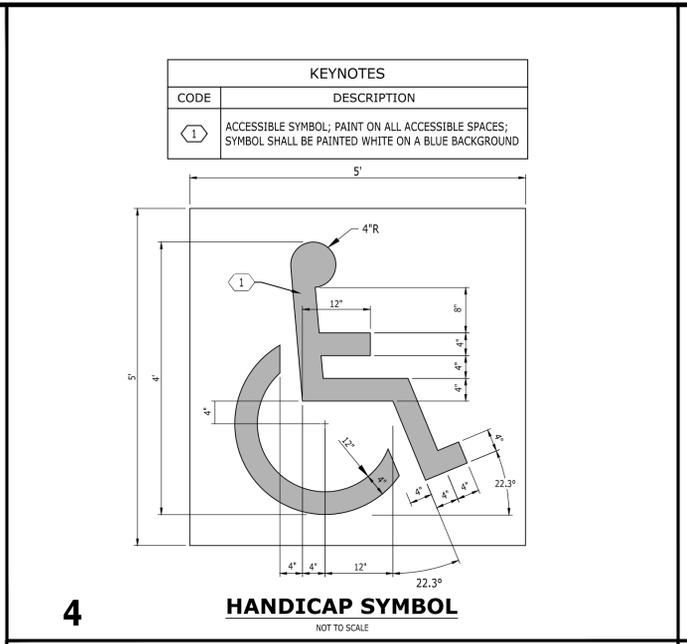
NO.	DATE	DESCRIPTION

DRAWING TITLE
GRADING & DRAINAGE PLAN
 PROJECT NUMBER
 20180111
 DRAWING NUMBER
C5.0

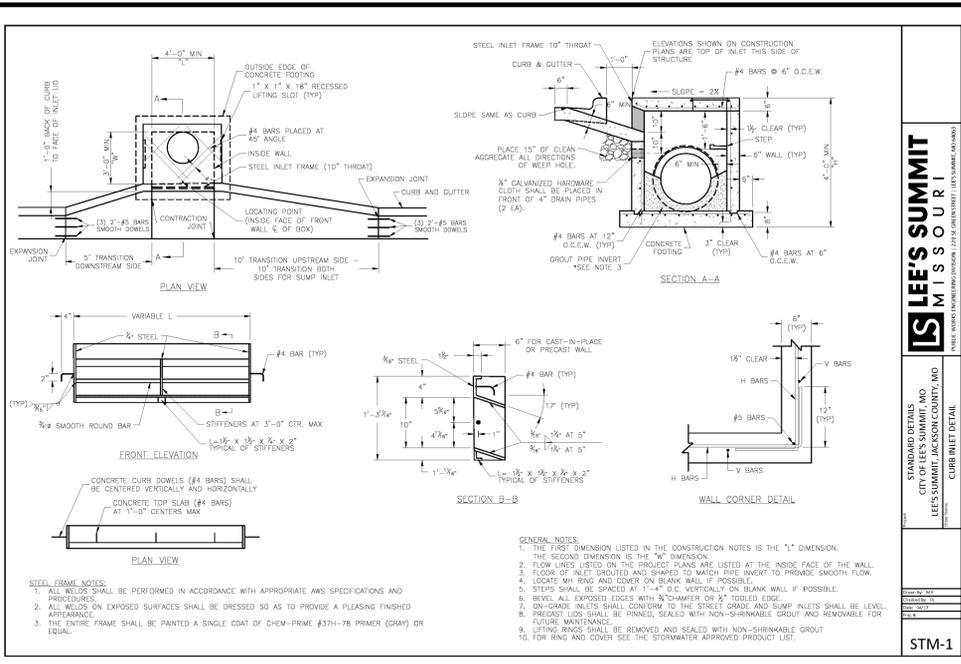
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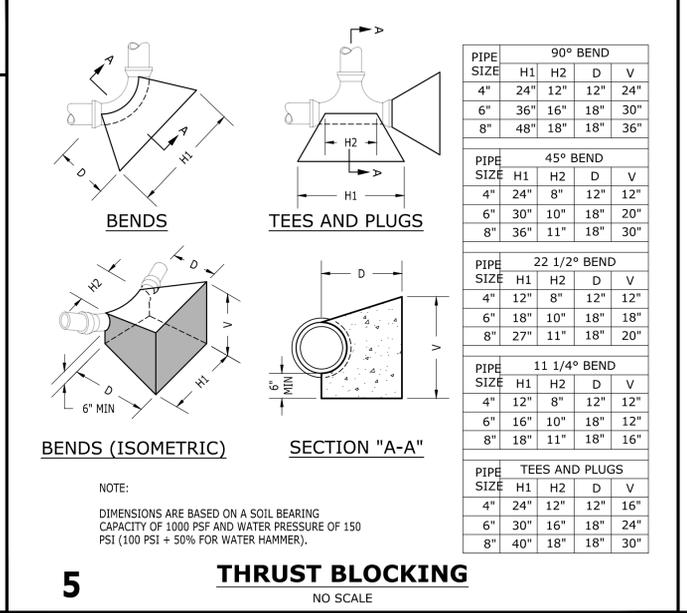
1 PAINTED DIRECTIONAL ARROWS
NOT TO SCALE



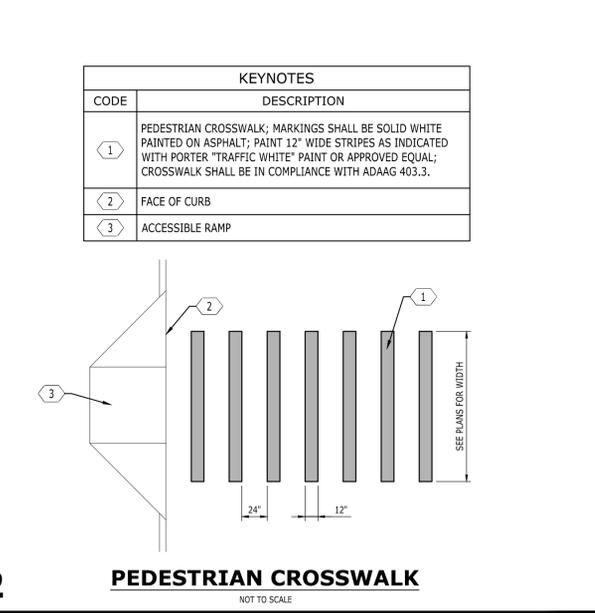
4 HANDICAP SYMBOL
NOT TO SCALE



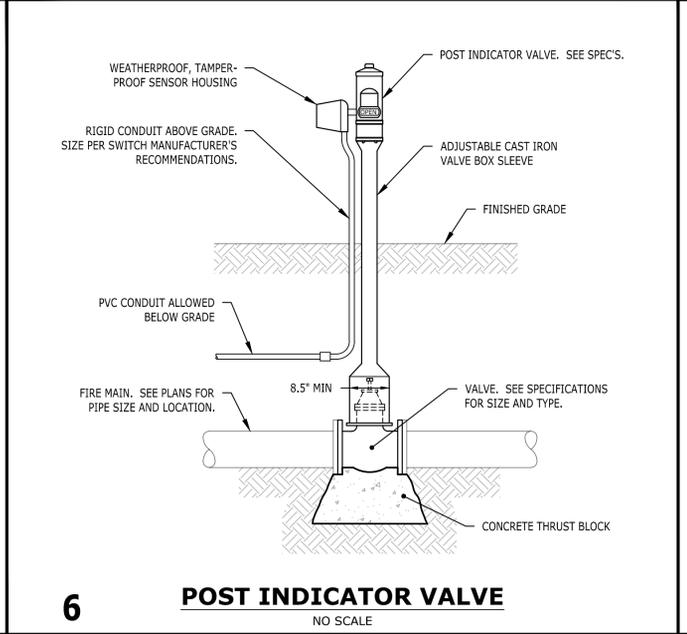
7 SINGLE CURB INLET
NO SCALE



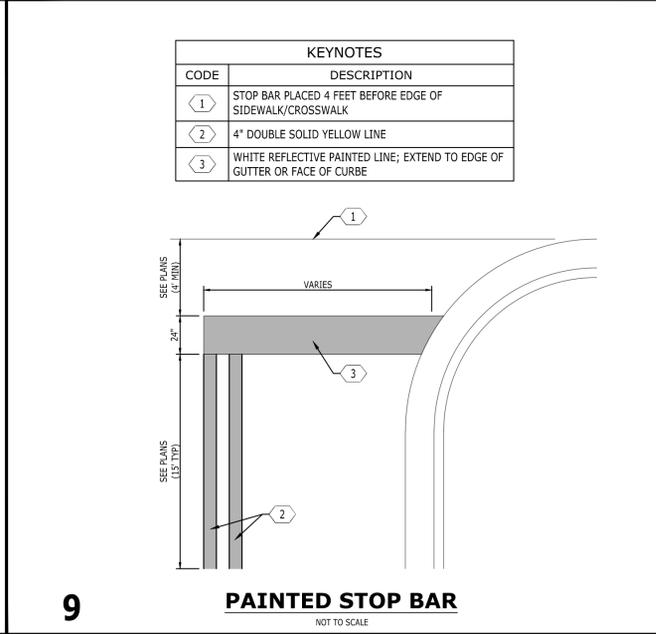
5 THRUST BLOCKING
NO SCALE



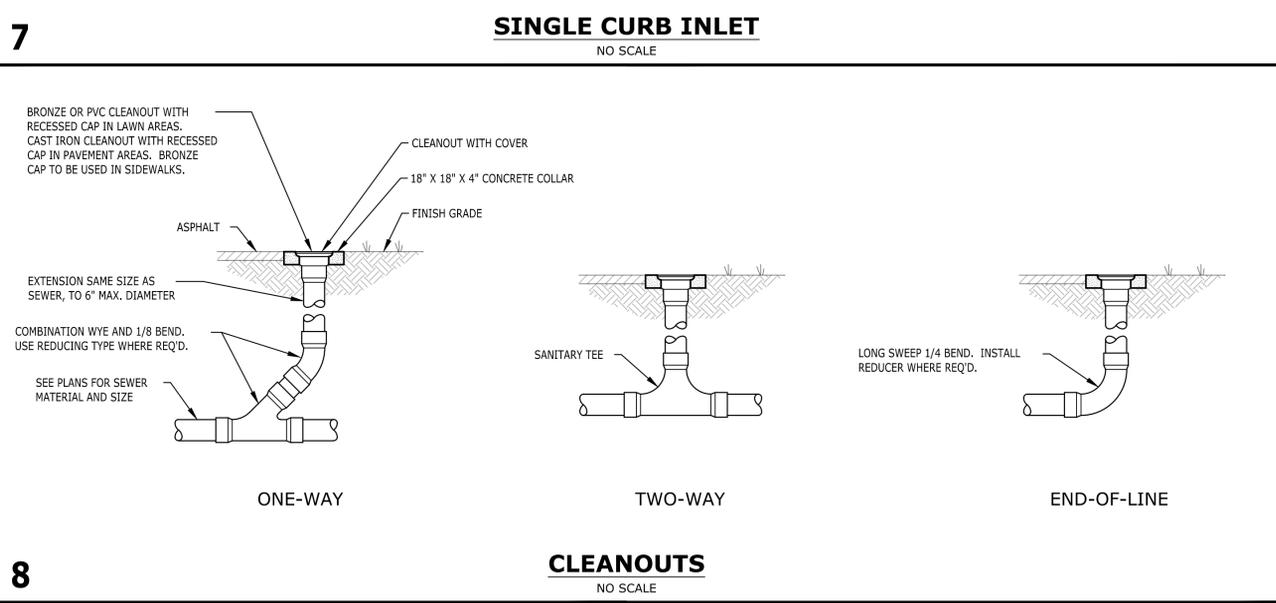
2 PEDESTRIAN CROSSWALK
NOT TO SCALE



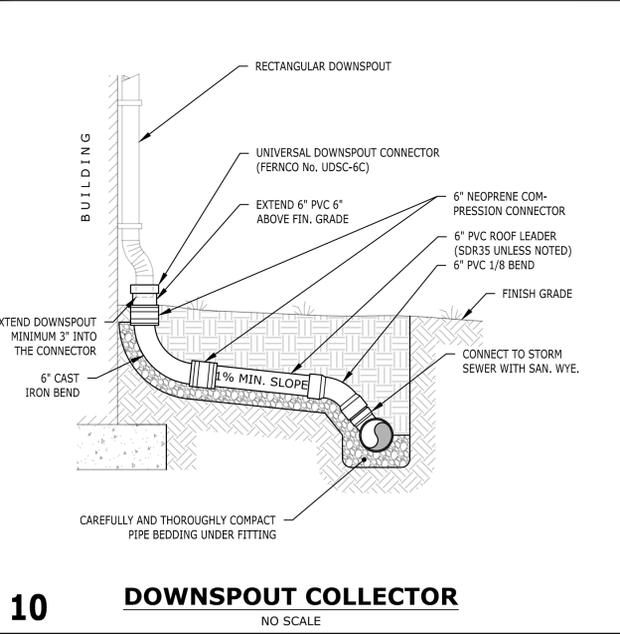
6 POST INDICATOR VALVE
NO SCALE



9 PAINTED STOP BAR
NOT TO SCALE

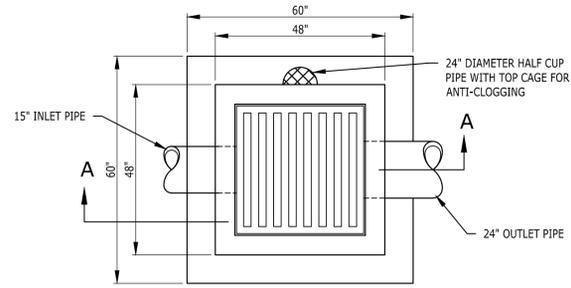


8 CLEANOUTS
NO SCALE

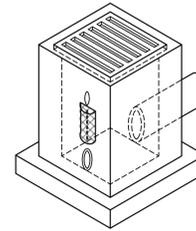


10 DOWNSPOUT COLLECTOR
NO SCALE

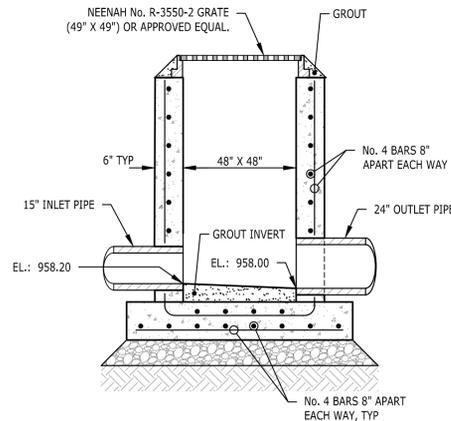
P:\2018\20180111\dwg\Construction\20180111_C7_0_DET.dwg C7.1 SITE DETAILS Sep 06, 2019 ehl



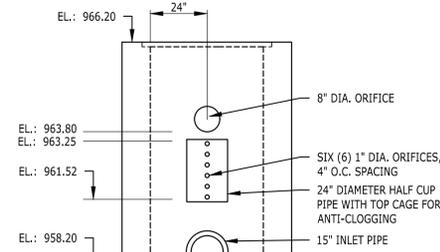
PLAN



ISOMETRIC VIEW



SECTION "A-A"

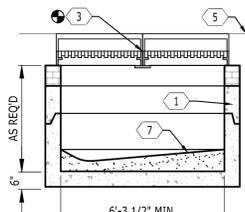


WEIR FACE ELEVATION

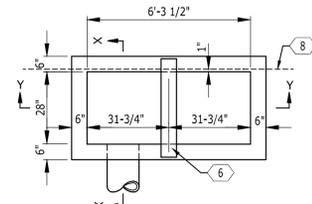
POND OUTLET STRUCTURE

NO SCALE

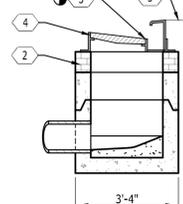
KEYNOTES	
CODE	DESCRIPTION
1	CONCRETE INLET; CONCRETE SHALL DEVELOP A COMPRESSIVE STRENGTH OF 3500 PSI AT 28 DAYS CURE; REINFORCE WITH NO. 4 BARS, GRADE 60 STEEL, SPACED 12" O.C. EACH WAY; A CAST-IN-PLACE BOX OF EQUAL DIMENSIONS IS ACCEPTABLE; ADJUST STRUCTURE DIMENSIONS AS REQUIRED TO RECEIVE STORM PIPE AT OBLIQUE ANGLES
2	BRICK ADJUSTMENT COURSES
3	TOP OF CASTING LOCATION FOR ELEVATIONS AND COORDINATES
4	FRAME AND GRATE SHALL BE NEEHAH MODEL NO. 3295-2 OR APPROVED EQUAL; (CASTING FOR CURB AND GUTTER SHOWN); PROVIDE REDUCER RING TO ACCOMMODATE THE PROPOSED CASTING IF REQUIRED
5	TOP OF CURB
6	CAST IRON LINTEL; 1"x6"x38"; APPROX. 70 LB. WEIGHT
7	1:16 MINIMUM SLOPE; GROUT INVERT
8	BACK OF CURB



SECTION Y-Y



PLAN



SECTION X-X

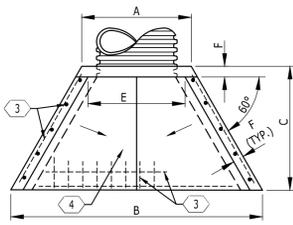
DOUBLE CURB INLET

NOT TO SCALE

5

3

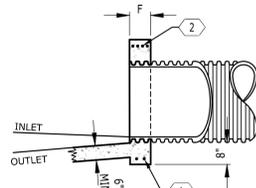
KEYNOTES	
CODE	DESCRIPTION
1	CONCRETE REINFORCEMENT; TWO, NO. 2 BARS
2	CONCRETE REINFORCEMENT; FOUR, NO. 4 BARS
3	CONCRETE REINFORCEMENT; NO. 4 BARS AT 12" O.C. EACH WAY IN FLOOR AND WALLS
4	SLOPE APRON TO DRAIN
NOTE: CHAMFER ON ALL EXPOSED EDGES	
1"	



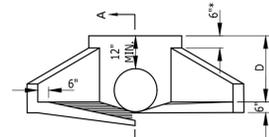
PLAN

TABLE OF DIMENSIONS				
SIZE	4'	6'	8'	10'
A	32"	48"	72"	96"
B	48"	72"	96"	120"
C	30"	44"	50"	56"
D	25"	36"	52"	66"
E	24"	36"	59"	83"
F	N/A	8"	8"	8"
MAX. OPG.	18"	26"	40"	
WT. (LB)	1090	3130	5625	8575

* 0" ON 4' WINGED HEADWALL



SECTION A-A

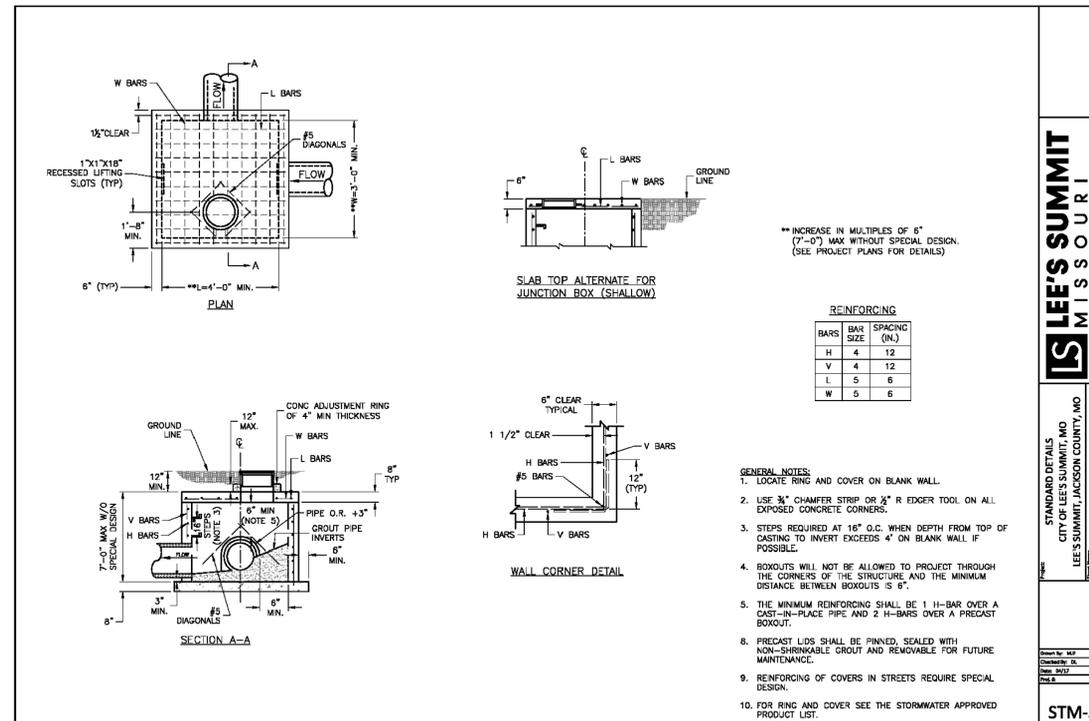


ELEVATION

WINGED HEADWALL

NOT TO SCALE

6



SECTION A-A

WALL CORNER DETAIL

REINFORCING		
BARS	BAR SIZE	SPACING (IN.)
H	4	12
V	4	12
L	5	6
W	5	6

- GENERAL NOTES:
- LOCATE RING AND COVER ON BLANK WALL.
 - USE 3/4" CHAMFER STRIP OR 2" R EDGER TOOL ON ALL EXPOSED CONCRETE CORNERS.
 - STEPS REQUIRED AT 18" O.C. WHEN DEPTH FROM TOP OF CASTING TO INVERT EXCEEDS 4' ON BLANK WALL IF POSSIBLE.
 - BOXOUTS WILL NOT BE ALLOWED TO PROJECT THROUGH THE CORNERS OF THE STRUCTURE, AND THE MINIMUM DISTANCE BETWEEN BOXOUTS IS 6".
 - THE MINIMUM REINFORCING SHALL BE 1 H-BAR OVER A CAST-IN-PLACE PIPE AND 2 H-BARS OVER A PRECAST BOXOUT.
 - PRECAST LIDS SHALL BE PINNED, SEALED WITH NON-SHRINKABLE GROUT AND REMOVABLE FOR FUTURE MAINTENANCE.
 - REINFORCING OF COVERS IN STREETS REQUIRE SPECIAL DESIGN.
 - FOR RING AND COVER SEE THE STORMWATER APPROVED PRODUCT LIST.

LEE'S SUMMIT MISSOURI
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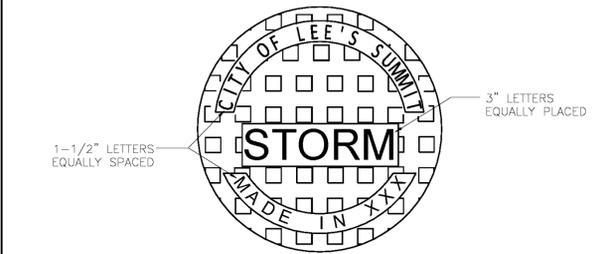
STANDARD DETAILS CITY AND COUNTY OF JACKSON, MISSOURI AND JUNCTION BOX DETAIL
Date: 04/17
Drawn By: MIF
Checked By: DL
Rev: 001
Rev: 0

STM-3

STORM JUNCTION MANHOLE

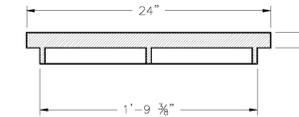
NOT TO SCALE

4



1-1/2" LETTERS EQUALLY SPACED

3" LETTERS EQUALLY PLACED



STANDARD 24" MANHOLE COVER
MINIMUM WEIGHT = 160 LB
NOTE: PICK HOLES NOT SHOWN

*COVER AND FRAME MODEL INFORMATION REFER TO THE STORMWATER APPROVED PRODUCT LIST.

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PUBLIC WORKS ENGINEERING DIVISION | 22815 GREEN STREET | LEE'S SUMMIT, MO 64063

Date: 04/17
Drawn By: MIF
Checked By: DL

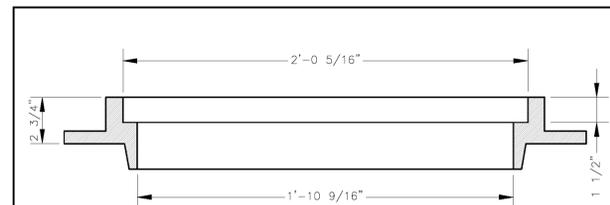
STORM MANHOLE COVER DETAIL

STM-6

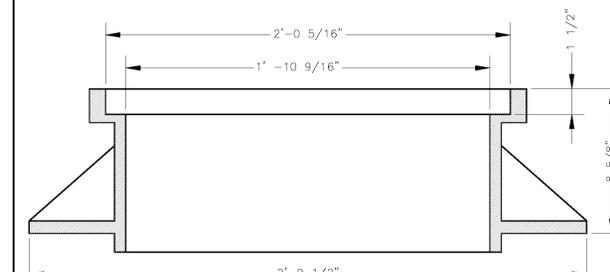
STORM MANHOLE COVER

NOT TO SCALE

1



SLAB MANHOLE FRAME
LEE'S SUMMIT PART NO.: LS103A
MINIMUM WEIGHT = 145 LB



STANDARD 24" MANHOLE FRAME
LEE'S SUMMIT PART NO.: LS101A
MINIMUM WEIGHT = 250 LB

*COVER AND FRAME MODEL INFORMATION REFER TO THE STORMWATER APPROVED PRODUCTS LIST.

LEE'S SUMMIT MISSOURI
PUBLIC WORKS ENGINEERING DIVISION | 22815 GREEN STREET | LEE'S SUMMIT, MO 64063

Date: 04/17
Drawn By: MIF
Checked By: DL

STORM MANHOLE FRAME DETAIL

STM-7

STORM MANHOLE FRAME

NOT TO SCALE

2



CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
2001 NW SHAMROCK AVENUE
LEE'S SUMMIT, MISSOURI, 64081
JACKSON COUNTY

NO.	DATE	DESCRIPTION

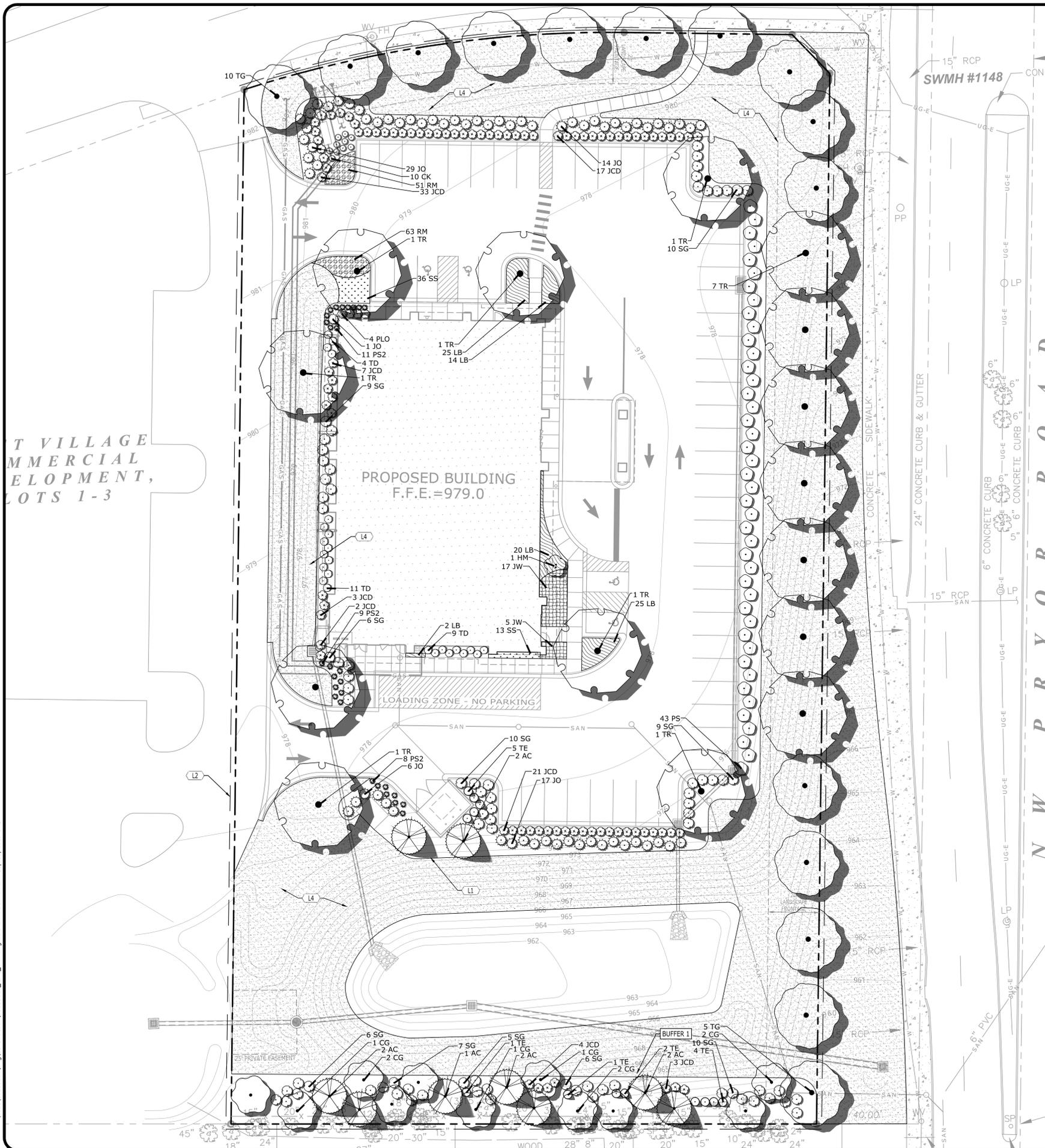
DRAWING TITLE
SITE DETAILS

PROJECT NUMBER
20080111

DRAWING NUMBER
C7.3

P:\2020\82001011\A\DCI\Construction\2011\82011_01\DCI-C7.3\DWG\DCI-C7.3-815-REVISIONS.dwg, 2019.ehll

P:\2018\20180111\dwg\Construction\20180111_L1-Q_LAN.dwg-L1.0 LANDSCAPE PLAN Sep. 06, 2019 ehl



LANDSCAPE KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
L1	PLANTING BED LIMITS	3/L2.0
L2	IRRIGATION LIMITS	-
L3	AREA TO BE SEEDED	-
L4	AREA TO BE SODDED	-
L5	AREA TO BE 4"-6" RIVER ROCK	-

LANDSCAPE DATA
 OVERALL SITE ACERAGE: 2.225
 PARCEL ID: 62-240-99-04-00-0-00-000
 ZONING: PMIX - PLANNED MIXED USE DISTRICT

SITE LANDSCAPE CALCULATIONS

OVERALL SITE REQUIREMENTS:	334 AC
REQUIRED LANDSCAPE COVERAGE (15%):	97 AC
PROVIDED LANDSCAPE COVERAGE:	20
REQUIRED TREES (1 PER 5,000 SF OF LOT AREA):	64
PROVIDED TREES:	39
REQUIRED SHRUBS (1 PER 2,500 SF OF LOT AREA):	340
PROVIDED SHRUBS:	
FRONTAGE REQUIREMENTS:	616 LF
LENGTH:	
REQUIRED FRONTAGE (STREET) TREES (1 PER 30 LF):	21
PROVIDED FRONTAGE (STREET) TREES:	22
REQUIRED FRONTAGE SHRUBS (1 PER 20 LF):	31
PROVIDED FRONTAGE SHRUBS:	93
PARKING SCREEN REQUIREMENTS:	504 LF
LENGTH:	
REQUIRED SHRUBS (12 SHRUBS / 40 LF):	152
PROVIDED SHRUBS:	177

BUFFER CALCULATIONS

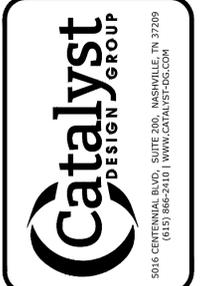
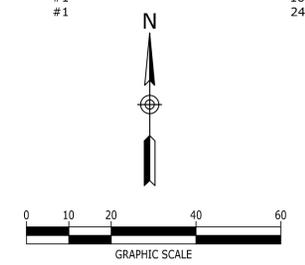
BUFFER 1 - "A" BUFFER - HIGH IMPACT:	8,080 SF
AREA:	
REQUIRED SHADE TREES (1 / 500 SF):	1616
REQUIRED ORNAMENTAL TREES (1 / 750 SF):	1077
REQUIRED EVERGREEN TREES (1 / 300 SF):	2693
REQUIRED SHRUBS (1 / 200 SF):	4040
REQUIRED FENCE:	
PROVIDED SHADE TREES:	23 (EXISTING)
PROVIDED ORNAMENTAL TREES:	11
PROVIDED EVERGREEN TREES:	27
PROVIDED SHRUBS:	41
PROVIDED 6' HIGH PRIVACY FENCE:	

PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	SPREAD
AC	9	Abies concolor / White Fir	B&B	3"	8-10'	4-5'
CG	11	Cornus mas 'Golden Glory' / Golden Glory Cornelian Cherry	B&B	3"	8-9'	4-5'
HM	1	Heptacodium miconioides / Seven Sons Flower	B&B	3"	6-8'	6-7'
TE	13	Thuja occidentalis 'Emerald' / Emerald Arborvitae	B&B	2"	6-7'	2-3'
TR	15	Tilia americana 'Redmond' / Redmond American Linden	B&B	3"	12-14'	6-7'
TG	15	Tilia cordata 'Greenspire' / Greenspire Littleleaf Linden	B&B	3"	12-14'	6-7'
SHRUBS	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	SPREAD
CK	10	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	#3		15-18"	15-18"
JCD	90	Juniperus communis depressa 'Aurea' / Yellow Dwarf Juniper	#3		12"	21-24"
JO	67	Juniperus virginiana 'Grey Owl' / Grey Owl Juniper	#5		24-27"	27-30"
PS2	28	Panicum virgatum 'Shenandoah' / Switch Grass	#1		15-18"	15-18"
PLO	4	Prunus laurocerasus 'Otto Luyken' / Luykens Laurel	#7		30"	36"
PS	43	Prunus laurocerasus 'Schipkaensis' / Schipka Laurel	#7		30-36"	18-24"
SG	79	Spiraea x bumalda 'Goldflame' / Goldflame Spiraea	#3		24-30"	24-30"
TD	24	Taxus x media 'Densiformis' / Dense Yew	#5		18-24"	18-24"
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	SPREAD
JW	25	Juniperus horizontalis 'Wiltonii' / Blue Rug Juniper	#3		42" o.c.	30" o.c.
LB	89	Liriope muscari 'Big Blue' / Big Blue Lilyturf	#1		18" o.c.	18" o.c.
RM	114	Rudbeckia missouriensis / Missouri Coneflower	#1		18" o.c.	24" o.c.
SS	49	Schizachyrium scoparium 'The Blues' / Little Bluestem	#1		24" o.c.	24" o.c.

SEED / SOD SCHEDULE

[Pattern]	FESCUE SOD
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CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
 2001 NW SHAMROCK AVENUE
 LEE'S SUMMIT, MISSOURI, 64081
 JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
LANDSCAPE PLAN
 PROJECT NUMBER
 20180111
 DRAWING NUMBER
L1.0

PLANTING NOTES

- BASE INFORMATION WAS TAKEN FROM A SURVEY PREPARED BY ANDERSON SURVEY COMPANY DATED 06/03/2019. CATALYST DESIGN GROUP AND ANY OF THEIR CONSULTANTS SHALL NOT BE HELD RESPONSIBLE FOR THE ACCURACY AND/OR COMPLETENESS OF THAT INFORMATION SHOWN HEREON OR ANY ERRORS OR OMISSIONS RESULTING FROM SUCH.
- IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO CONFIRM ALL MATERIAL QUANTITIES. IN THE EVENT OF A DISCREPANCY, THE QUANTITIES SHOWN ON THE PLAN SHALL TAKE PRECEDENCE OVER THE MATERIAL SCHEDULE.
- NO SUBSTITUTIONS AS TO TYPE, SIZE, OR SPACING OF PLANT MATERIALS SPECIFIED ON THIS PLAN MAY BE MADE WITHOUT THE APPROVAL OF THE OWNER'S REPRESENTATIVE.
- THE CONTRACTOR IS TO VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES. TAKE CARE TO PROTECT UTILITIES THAT ARE TO REMAIN, REPAIR ANY DAMAGE ACCORDING TO LOCAL STANDARDS AND AT CONTRACTOR'S EXPENSE. COORDINATE ALL CONSTRUCTION WITH THE APPROPRIATE UTILITY COMPANY.
- ALL PLANTING BEDS TO RECEIVE "CHANCELLOR" HARDWOOD MULCH. MULCH TO BE INSTALLED TO 4" DEPTH UNLESS OTHERWISE INDICATED ON THE PLANTING DETAILS.
- NEW TREE PLANTINGS TO BE STAKED PER PLANTING DETAILS
- DIMENSIONS LISTED FOR HEIGHTS, SPREAD AND TRUNK SPECIFICATIONS ON THE PLANT MATERIAL SCHEDULE ARE GENERAL GUIDE FOR THE MINIMUM REQUIRED SIZE OF EACH PLANT.
- PRE-EMERGENT HERBICIDE SHALL BE APPLIED TO ALL PLANTING BEDS IMMEDIATELY PRIOR TO PLACEMENT OF MULCH FOR WEED CONTROL.
- ALL DISTRIBUTED AREAS OF THE SITE ARE TO BE SEEDED AND/OR SODDED IN ACCORDANCE WITH THE SPECIFICATIONS.
- NO EXCAVATION OR PLANTING PIT SHALL BE LEFT OPEN OVERNIGHT.
- THE LANDSCAPE CONTRACTOR SHALL OBTAIN ANY NECESSARY PERMITS, LICENSES, ETC. AND SHALL GIVE ALL NOTICES AND COMPLY WITH ALL APPLICABLE LAWS, ORDINANCES, CODES, RULES AND REGULATIONS DURING THE COURSE OF THE INSTALLATION OF THIS PROJECT.
- ALL PLANT MATERIALS TO BE NURSERY GROWN AND TO COMPLY WITH THE AMERICAN STANDARD FOR NURSEY STOCK FOR SIZE AND QUALITY.
- THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REFUSE ANY PLANT MATERIAL OR ANY DEFECTIVE WORKMANSHIP.
- ALL PLANTS SHALL HAVE A WELL-FORMED HEAD WITH MINIMUM CALIPER, HEIGHT AND SPREAD OF THE SIDE BRANCHES AS SHOWN ON THE PLANT LIST. TRUNKS SHALL BE UNDAMAGED AND SHAPE SHALL BE TYPICAL OF THE SPECIES.
- MEASUREMENT OF CONIFER HEIGHT SHALL INCLUDE NOT MORE THAN FIFTY PERCENT (50%) OF THIS YEARS VERTICAL GROWTH (TOP CANDLE).
- THE LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR STAKING AND LAYOUT OF PLANTINGS ON THIS PROJECT. THE LANDSCAPE ARCHITECT OR OWNER SHALL BE ADVISED WHEN STAKES ARE READY FOR INSPECTION ON VARIOUS PLANTING AREAS. ALL LAYOUT WORK SHALL BE INSPECTED AND APPROVED BY THE LANDSCAPE ARCHITECT OR OWNER PRIOR TO OPENING ANY PLANT PITS.
- IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO VERIFY THAT EACH EXCAVATED TREE OR SHRUB PIT WILL PERCOLATE (DRAIN) PRIOR TO ADDING TOPSOIL AND INSTALLING TREES OR SHRUBS. THE CONTRACTOR SHALL FILL THE BOTTOM OF SELECTED HOLES WITH SIX INCHES OF WATER. THIS WATER SHOULD PERCOLATE OUT WITHIN A 24-HOUR PERIOD. THE OWNER OR LANDSCAPE ARCHITECT SHALL VERIFY ACCURACY AND EFFECT OF PERCOLATION TESTING. IF THE SOIL AT A GIVEN AREA DOES NOT DRAIN PROPERLY, A P V C DRAIN OR GRAVEL SUMP SHALL BE INSTALLED OR THE PLANTING RELOCATED.
- SHOULD THE LANDSCAPE CONTRACTOR ENCOUNTER UNSATISFACTORY SURFACE OR OTHER SUBSURFACE DRAINAGE CONDITIONS, SOIL DEPTH, LATENT SOILS, HARD PAN, STEAM OF OTHER UTILITY LINES OR OTHER CONDITIONS THAT WILL JEOPARDIZE THE HEALTH AND VIGOR OF THE PLANTS, HE MUST ADVISE THE LANDSCAPE ARCHITECT IN WRITING OF THE CONDITIONS PRIOR TO INSTALLING THE PLANTS, OTHERWISE THE LANDSCAPE CONTRACTOR WARRANTS THAT THE PLANTING AREAS ARE SUITABLE PROPER GROWTH AND DEVELOPMENT OF THE PLANTS TO BE INSTALLED.
- NO MATERIAL SHALL BE PLANTED BEFORE FINISH GRADING HAS BEEN COMPLETED.
- EXISTING TREES TO BE PRESERVED ARE TO BE BARRICADED BEFORE BEGINNING CONSTRUCTION. IN ACCORDANCE WITH THE TREE PRESERVATION NOTES AND DETAILS ON THE LANDSCAPE PLAN.
- SELECTIVE CLEARING CONSISTING OF REMOVAL OF VINES, SAPLINGS UNDER 1" DIAMETER AND UNDERBRUSH SHALL BE PERFORMED IN TREE PRESERVATION AREAS INTERNAL TO THE PROJECT AND NOTED ON PLANS.
- PLANTS IDENTIFIED IN ALTERNATE AREAS ARE TO BE BID SEPARATELY.
- ALL BEDS ARE TO BE TILLED TO A DEPTH OF 8" WITH THE ADDITION OF: (1) 6 CU. FT. BALE OR SPHAGNUM PEAT MOSS PER 40 SQ. FT. OF BED AREA; (25#) 10-10-10 FERTILIZER PER 1000 SQ. FT. If azaleas, rhododendrons or PIERS ARE USED, ADD 1.3 CU. FT. FINELY GROUND "PINE" BARK MULCH PER 25 SQ. FT. OF BED AREA. ALL ADDITIONS ARE TO BE SPREAD AND TILLED INTO THE SOIL UNIFORMLY.
- CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT WHEN THE PLANT MATERIALS ARE AVAILABLE AT THE JOB SITE FOR REVIEW BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

7

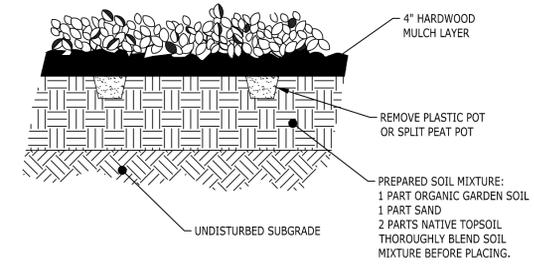
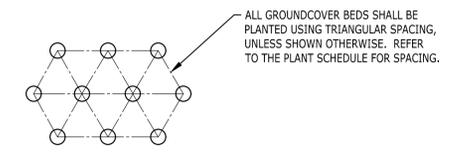
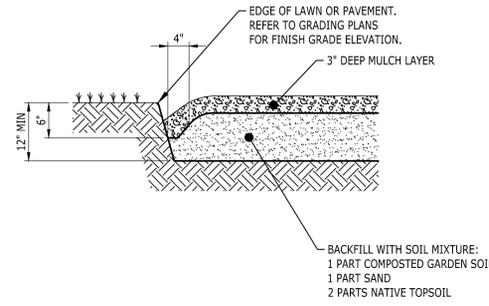
RESERVED

NOT TO SCALE

3

SPADED BED EDGE

NO SCALE



4

GROUNDCOVER PLANTING

NO SCALE

8

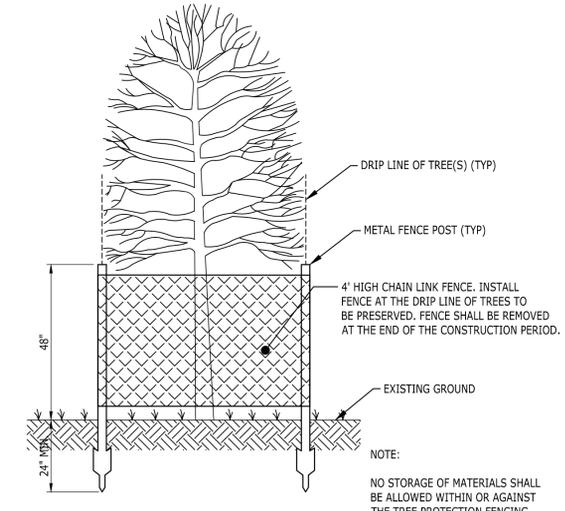
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NOT TO SCALE

6

TREE PROTECTION

NO SCALE



9

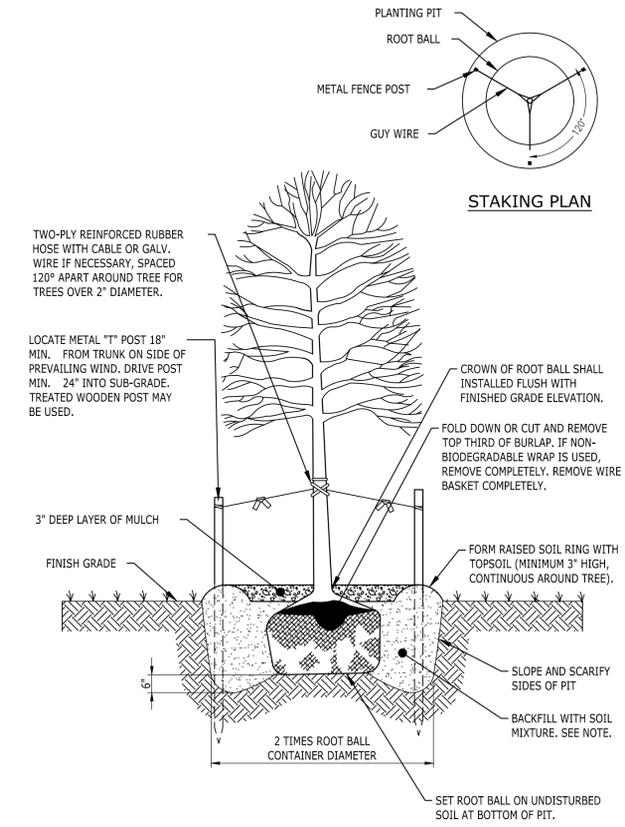
RESERVED

NOT TO SCALE

1

TREE PLANTING

NO SCALE

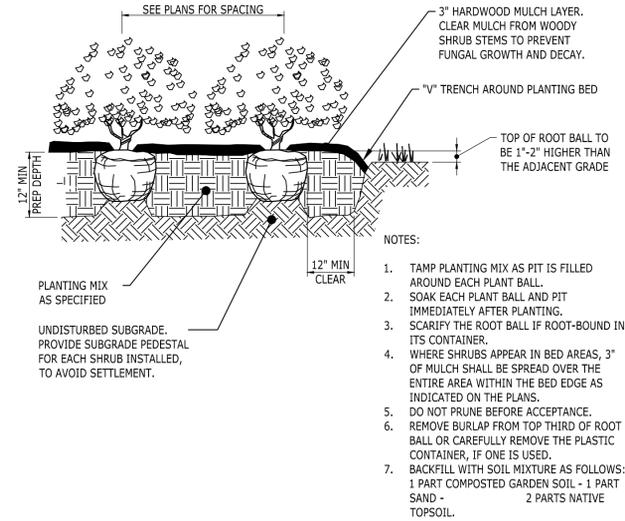


- NOTES:
- TREE STAKING IS NOT PREFERRED BUT TO BE USED AS A LAST RESORT ON WINDY SITES. INSTALL TWO OF THE THREE STAKES AND GUY WIRES ON THE UPHILL SIDE OF THE TREE.
 - DO NOT DAMAGE MAIN ROOTS OR DESTROY ROOT BALL WHEN INSTALLING TREE STAKES.
 - WATER THOROUGHLY AFTER INSTALLATION.
 - REMOVE GUY WIRES AND TIES AFTER 6 MONTHS OR AT THE DIRECTION OF THE LANDSCAPE ARCHITECT.
 - TREE SHALL STAND PLUMB.
 - SOIL MIX: 1 PART ORGANIC MATERIAL, 1 PART SAND AND 2 PARTS TOPSOIL.
 - REMOVE ALL TAGS, ROPE, AND CONTAINERS. APPLY TREE WRAP STARTING AT THE BOTTOM AND CONTINUING TO FIRST BRANCH.
 - CLEAN TRUNK TO HEIGHT SPECIFIED AND PAINT WOUNDS WITH APPROVED DRESSING COMPOUND.

2

SHRUB PLANTING

NO SCALE



DIALYSIS CLINIC, INC.
1633 CHURCH STREET, STE 500
NASHVILLE, TN 37203
615.327.3061



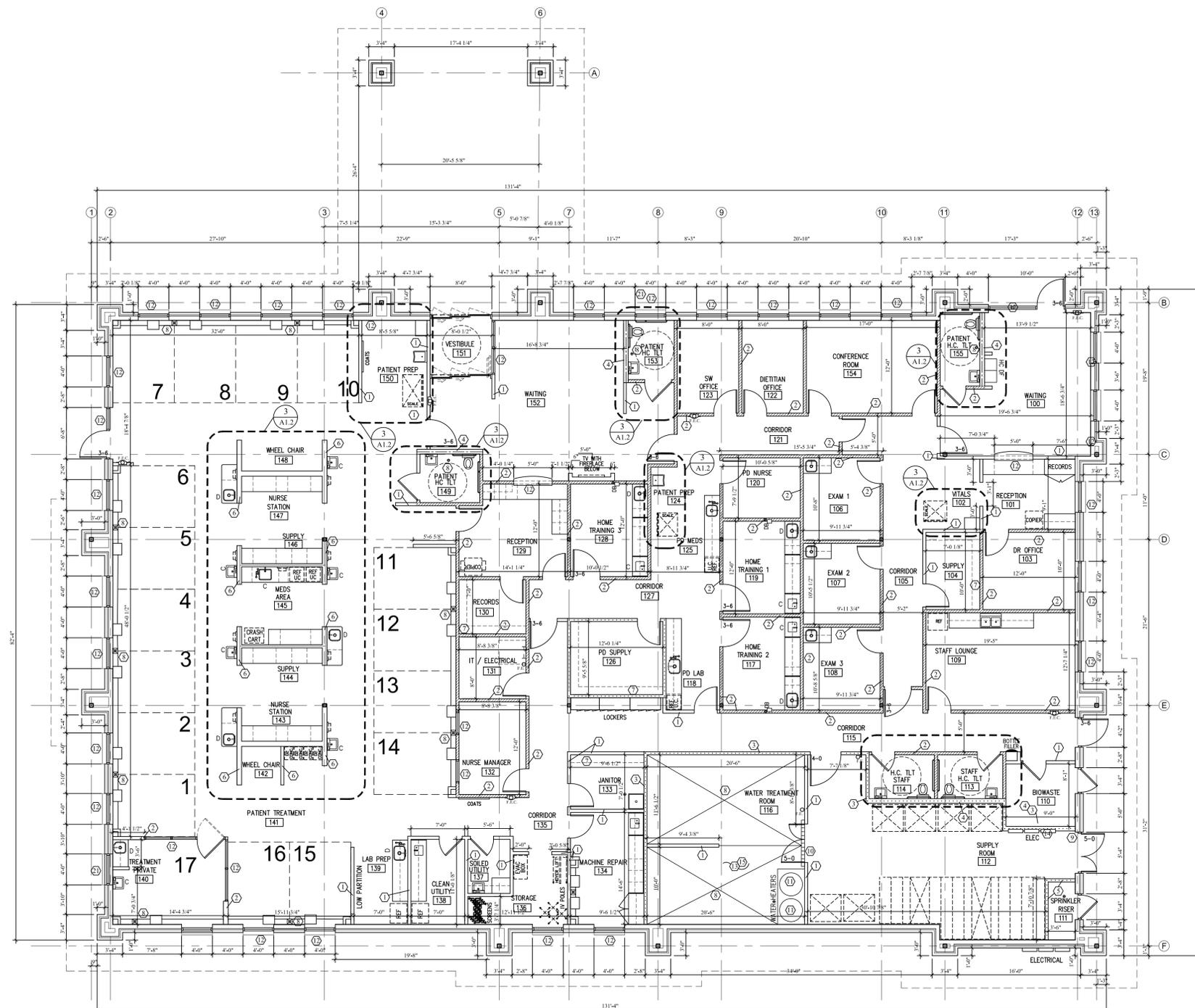
CONSTRUCTION DRAWINGS
DCI - LEE'S SUMMIT
2001 NW SHAMROCK AVENUE
LEE'S SUMMIT, MISSOURI, 64081
JACKSON COUNTY

NO.	DATE	DESCRIPTION

DRAWING TITLE
LANDSCAPE DETAILS

PROJECT NUMBER
20180111

DRAWING NUMBER
L2.0



FLOOR PLAN

SCALE: 1/8" = 1'-0" 5

- ① TYPE I PARTITION SEE DETAIL 8/G1.0 TYPE I -
- ② TYPE II PARTITION SEE DETAIL 8/G1.0 TYPE II -
- ③ TYPE III SMOKE TIGHT RATED WALL SEE DETAIL 7/G1.0 TYPE III -
- ④ TYPE IV PARTITION (6" STUD WALL) SEE DETAIL 6/G1.0 TYPE IV -
- ⑤ TYPE V ONE HOUR RATED WALL SEE DETAIL 5/G1.0 TYPE V -
- ⑥ 3'-6" HIGH 6" METAL STUD TYPE I PARTITION
- ⑦ PROVIDE WOOD SHELVING WHERE INDICATED.
- ⑧ PROVIDE FLOOR DRAINS AND FLOOR SINKS AS REQUIRED. SEE PLUMBING DRAWINGS.
- ⑨ PROVIDE STEEL THRESHOLD AT RECEIVING AND SHIPPING
- ⑩ PROVIDE TRENCH DRAIN AT DOOR OF WATER TREATMENT ROOM. SEE DETAIL 10/A7.7
- ⑪ WATER HEATER LOCATION, PROVIDE 6' x 3' x 4" CONCRETE PAD
- ⑫ SEE SHEET A8.1 FOR WINDOWS DETAILS
- ⑬ PROVIDE PURPLE BD AND PLYWOOD AROUND WALLS IN WATER TREATMENT ROOM
- ⑭ RECESSED MOUNTED ELECTRICAL PANEL LOCATION, SEE ELECTRICAL DRAWINGS
- ⑮ SLOPE WATER TREATMENT FLOOR 1/4" PER 1'-0" TOWARD DRAIN.
- ⑯ ROOF HATCH ACCESS AND LADDER LOCATION. SEE DETAIL A1.3. WALLS TO DECK
- ⑰ PROVIDE UP AND DOWN VERTICAL CHASE FOR PROCESS PIPING
- ⑱ WRAP COLUMN IN GYP. BOARD WHERE INDICATED.
- ⑲ PROVIDE THICKENED WALL FOR RO PROCESS PIPING
- ⑳ PROVIDE DRAIN IN WALL IN HOME TRAINING ROOMS
- ㉑ WINDOW TO BE SPANDREL. SEE A4.0, A4.1, A8.0, A8.1

NOTES TO SHEET

3

2

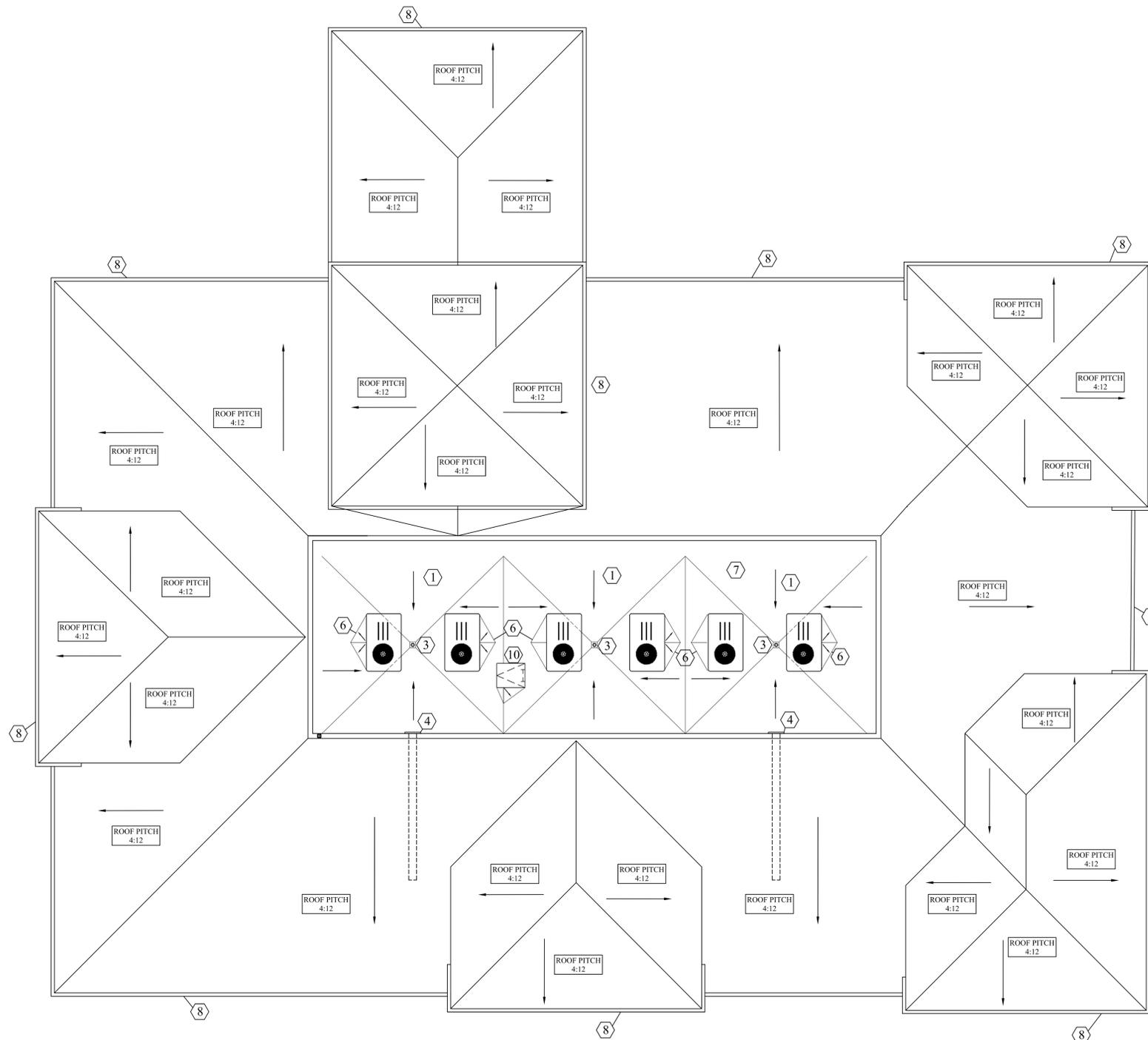
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Date / Issue
 JULY 25, 2019
 PLANNING REVIEW
 AUGUST 23, 2019
 PLANNING REVIEW 2

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 2001 NW SHAMROCK RD
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 ARCHITECT
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Project Number
18045.0
 Sheet Title
FLOOR PLAN
 Sheet Number
A1.0



FLOOR PLAN

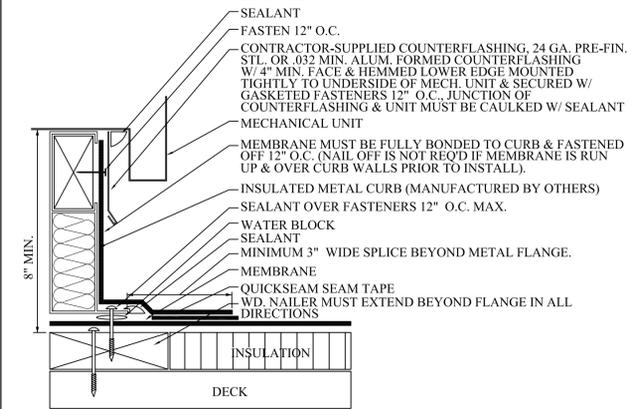
1/8" = 1'-0"

5

- ① R-30 TAPER INSULATION, SLOPE 1/4" PER FOOT (MINIMUM)
- ② — INDICATES DIRECTION OF DOWNWARD SLOPE AND FLOW OF WATER
- ③ PROVIDE ROOF DRAIN. SEE DETAIL 6/A6.1
- ④ PROVIDE 3" X 8" OVERFLOW SCUPPER. REFERENCE SHEET A6.1 FOR DETAILS
- ⑤ GENERAL CONTRACTOR IS TO DIRECT ROOFING CONTRACTOR TO INSTALL FLASHING AT ALL ROOF PENETRATIONS, AS PER ROOF MANUFACTURER'S STANDARD DETAILS
- ⑥ PROVIDE CRICKETS AT ALL CURBS AND PENETRATIONS, AS REQUIRED, TO DIVERT WATER AWAY FROM ALL OBSTRUCTIONS. SLOPE 1/2" PER FOOT.
- ⑦ REFERENCE MECHANICAL, PLUMBING AND ELECTRICAL DRAWINGS FOR EXACT LOCATION OF FANS, MECHANICAL UNITS, VENTS, DOWNSPOUTS, ETC AND OTHER ROOF PENETRATIONS NOT SHOWN ON THE ROOF PLAN
- ⑧ PROVIDE 5" METAL GUTTER AND DOWNSPOUTS, TYP.
- ⑨ PROVIDE RIDGE VENT FOR PROPER VENTILATION OF ATTIC SPACE
- ⑩ ROOF ACCESS LADDER AND HATCH, SEE 1/A3.0 FOR HATCH DETAIL

NOTES TO SHEET

3

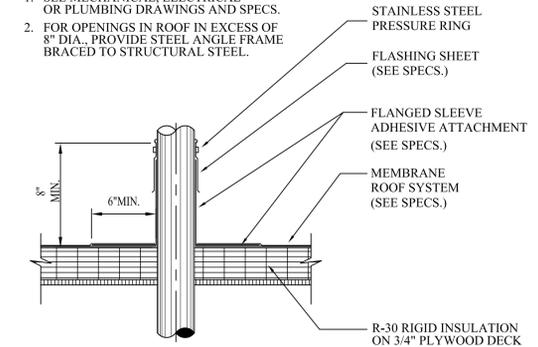


ROOF MOUNTED MECH UNIT CURB DETAIL

N.T.S. 3

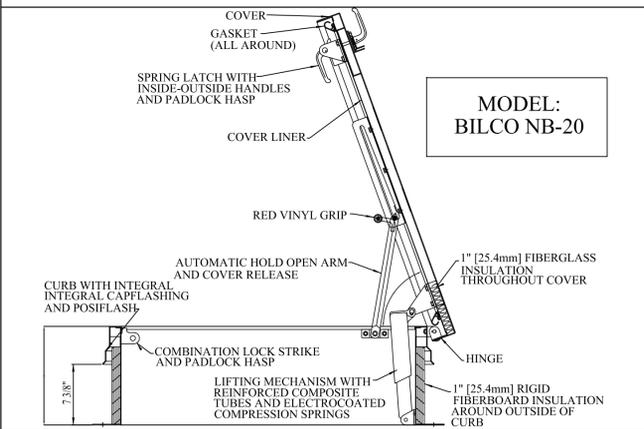
NOTES:

- 1. SEE MECHANICAL ELECTRICAL OR PLUMBING DRAWINGS AND SPECS.
- 2. FOR OPENINGS IN ROOF IN EXCESS OF 8" DIA., PROVIDE STEEL ANGLE FRAME BRACED TO STRUCTURAL STEEL.



TUBULAR PENETRATION DETAIL

N.T.S. 2



ROOF HATCH DETAIL

N.T.S. 1

Date / Issue
 JULY 25, 2019
 PLANNING REVIEW
 AUGUST 23, 2019
 PLANNING REVIEW 2

DCI
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Project Number
18045.0

Sheet Title
ROOF PLAN

Sheet Number
A3.0



EAST ELEVATION - PRYOR ROAD

N.T.S. 3



NORTH ELEVATION - SHAMROCK DRIVE

N.T.S. 1

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Project Number
 18045.0

Sheet Title
 RENDERED
 ELEVATIONS

Sheet Number
A4.0



WEST ELEVATION

N.T.S. 3

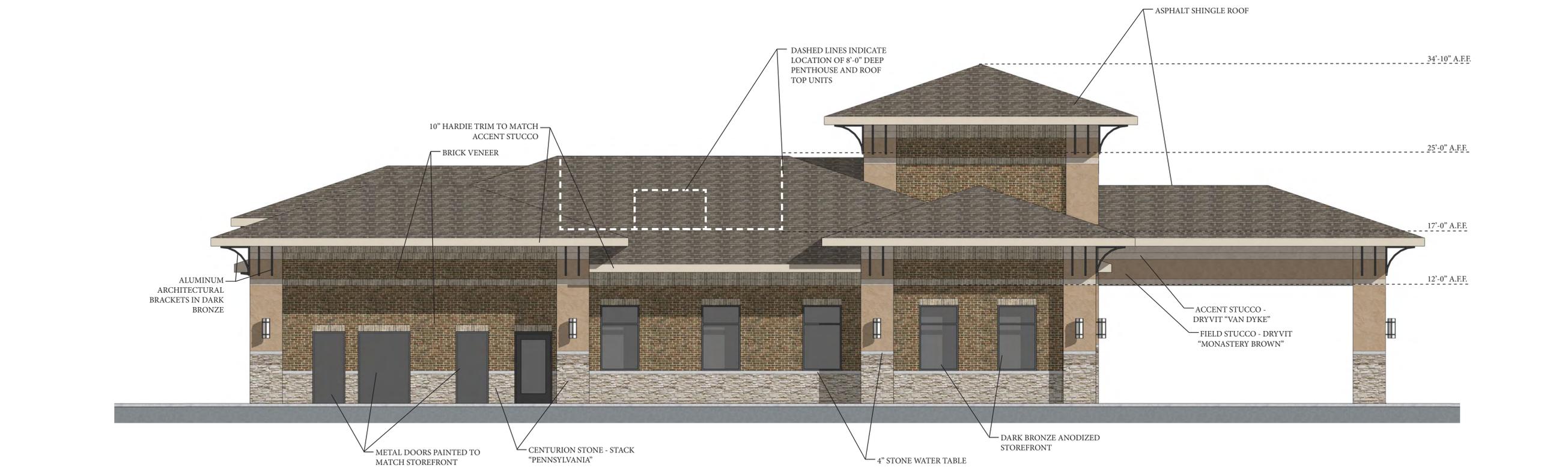
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RANDALL DOVER
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Project Number
 18045.0

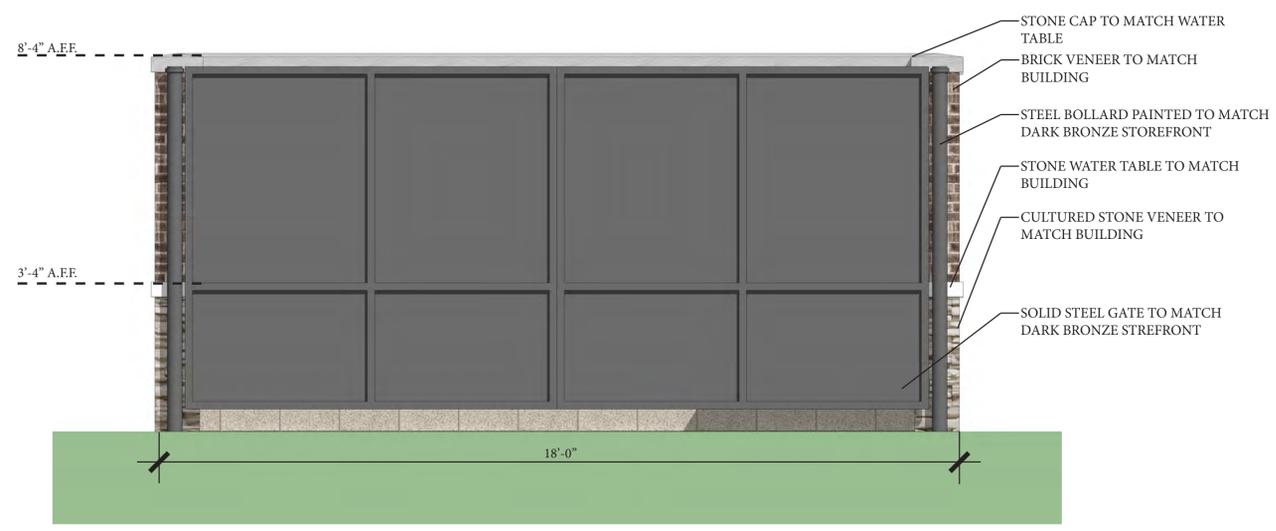
Sheet Title
 RENDERED
 ELEVATIONS

Sheet Number
A4.1



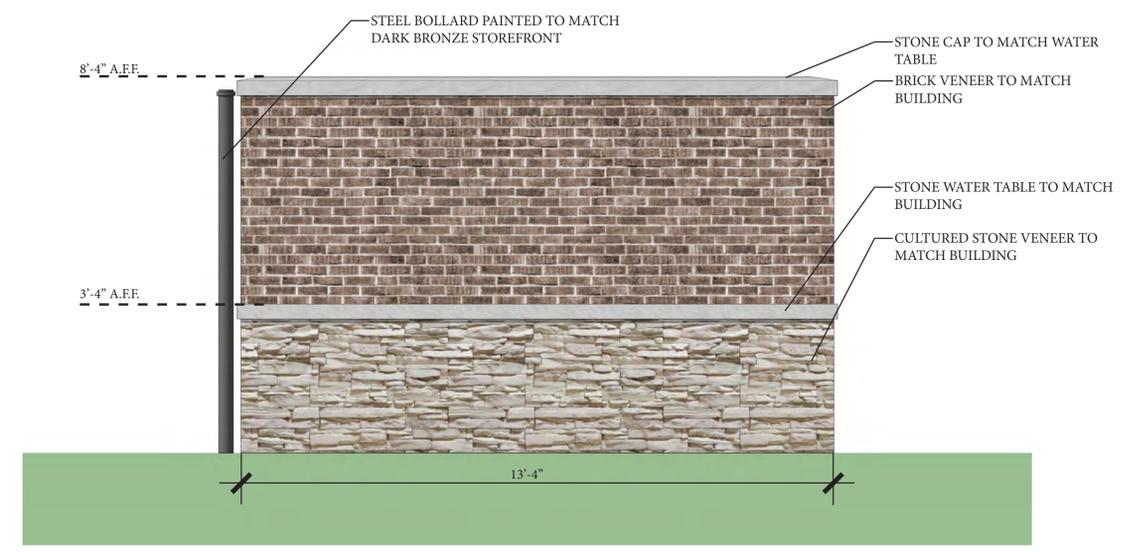
SOUTH ELEVATION

N.T.S. 1



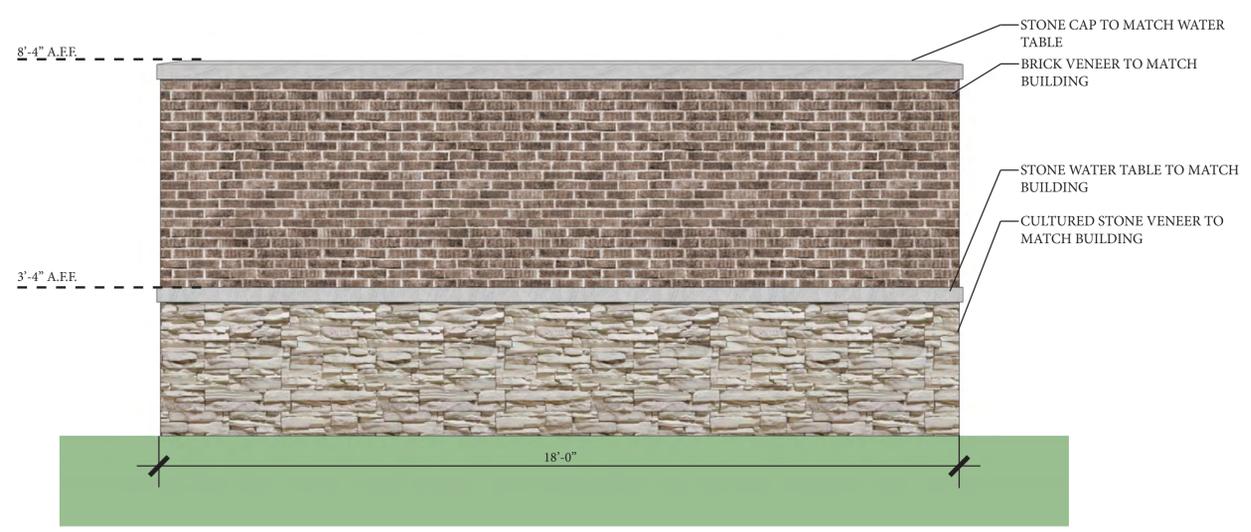
DUMPSTER ENCLOSURE TYPICAL FRONT ELEVATION

N.T.S. 11



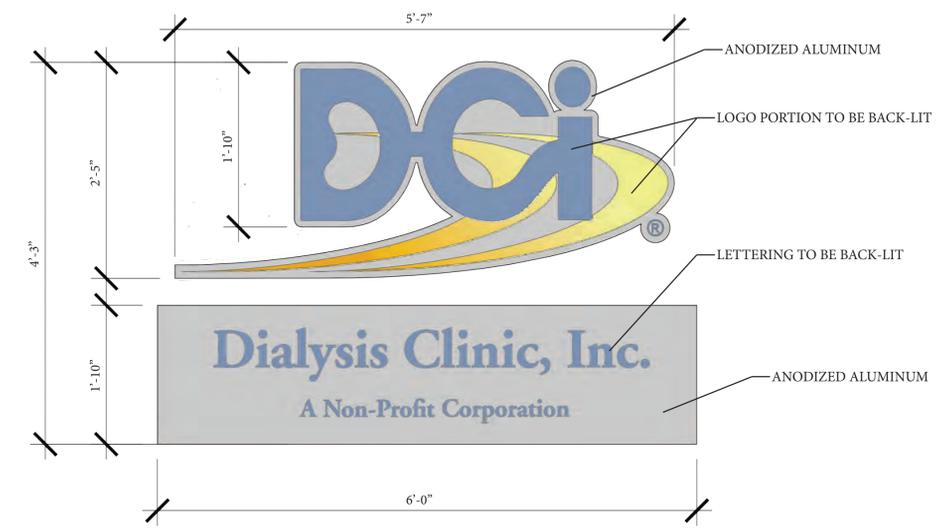
DUMPSTER ENCLOSURE TYPICAL SIDE ELEVATION

N.T.S. 3



DUMPSTER ENCLOSURE TYPICAL REAR ELEVATION

N.T.S. 9



SIGNAGE DIMENSIONS

N.T.S. 1

DCi
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Project Number
 18045.0

Sheet Title
 RENDERED
 ELEVATIONS

Sheet Number
A4.2



VIEW FROM INTERSECTION OF PRYOR AND SHAMROCK

N.T.S. 3

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 LEE'S SUMMIT FACILITY
 2001 NW SHAMROCK RD
 LEE'S SUMMIT, MISSOURI 64081



PERSPECTIVE VIEW FROM SOUTHEAST OF SITE

N.T.S. 9



AERIAL ISOMETRIC VIEW

N.T.S. 1

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 ARCHITECT
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Project Number
 18045.0

Sheet Title
 RENDERED
 PERSPECTIVES

Sheet Number
A4.3

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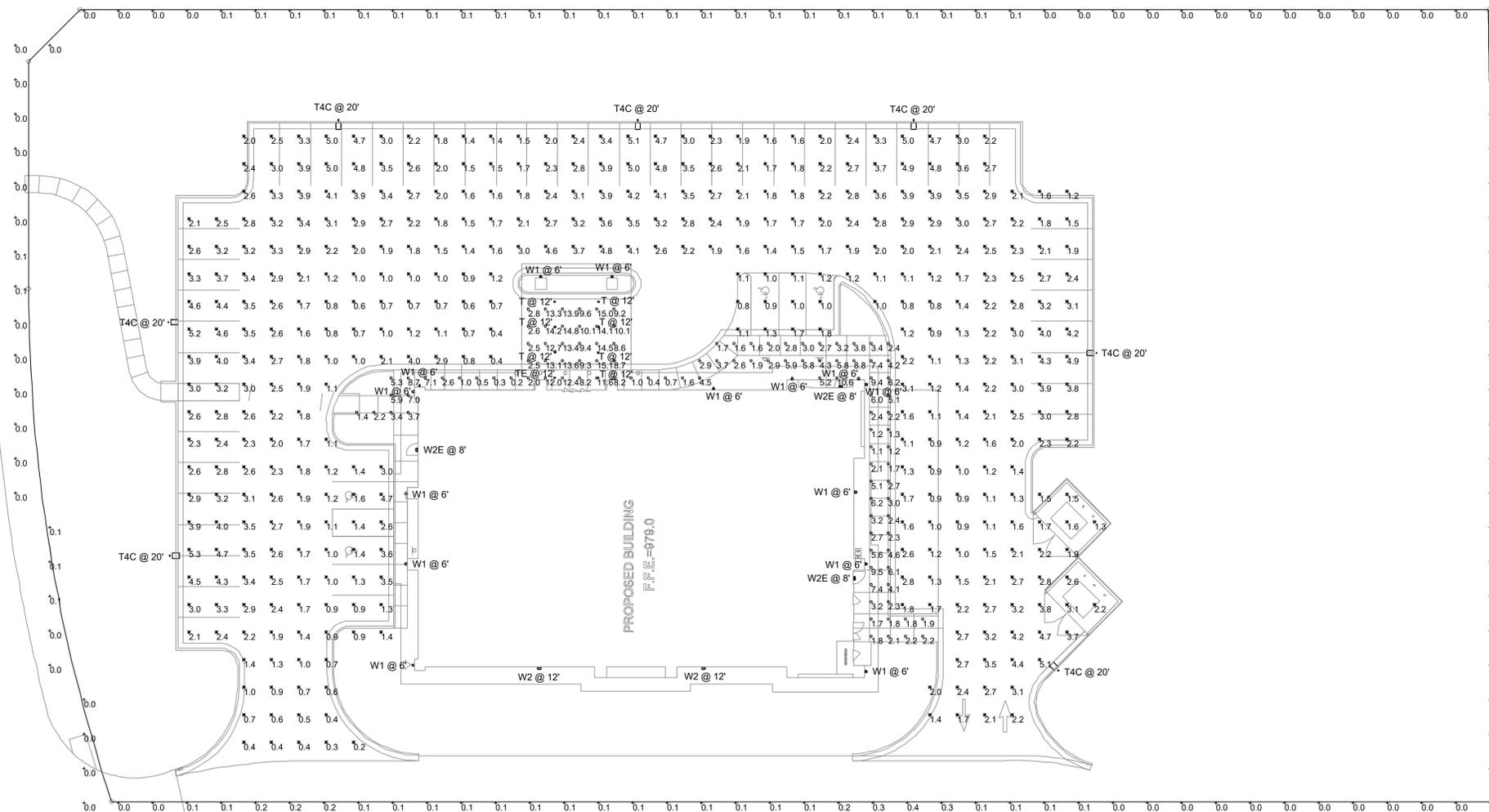
6901 Lenox Village Dr.
Suite 108
Nashville, Tennessee 37211
ph: 615.309.9926

Date / Issue
AUGUST 23, 2019
PLANNING REVIEW

AVENUE

SHAMROCK

NN



Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Wattage
	T	7	Lithonia Lighting	LDN6 27115 LW6AR LD	6IN LDN WALLWASH 2700K 1500LM CLEAR MATTE DIFFUSE REFLECTOR	17.06
	TE	1	Lithonia Lighting	LDN6 27115 LW6AR LD	6IN LDN WALLWASH 2700K 1500LM CLEAR MATTE DIFFUSE REFLECTOR	17.06
	W1	14	VISA LIGHTING	OW1297	WALL MOUNT RECTANGULAR 48" VERTICAL	38
	W2E	3	Lithonia Lighting	DSXW1 LED 10C 350 40K ASYDF MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE ASYDF OPTIC, 4000K, @ 350mA	13.3
	T4	7	Lithonia Lighting	DSX1 LED P3 40K T4M MVOLT HS	DSX1 LED P3 40K T4M MVOLT with housesside shield	102
	W2	2	Lithonia Lighting	DSXW1 LED 10C 350 40K ASYDF MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE ASYDF OPTIC, 4000K, @ 350mA	13.3

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Parking/Drive	X	2.3 fc	5.3 fc	0.2 fc	26.5:1	11.5:1
Property Line	+	0.1 fc	0.4 fc	0.0 fc	N/A	N/A
Sidewalk/Coche	□	5.4 fc	15.1 fc	0.2 fc	75.5:1	27.0:1

GENERAL NOTES:

- SITE POLE LIGHTING SHALL 20FT.
- CONTRACTOR SHALL REFER TO ALL LOCAL CODES AND ORDINANCES FOR ANY ADDITIONAL SITE LIGHTING REQUIREMENTS.

SITE PHOTOMETRICS



LEE'S SUMMIT FACILITY
PRYOR ROAD & SHAMROCK AVE
LEE'S SUMMIT, MISSOURI 64081

RANDALL DOVER
ARCHITECT
4121 HILLSBORO ROAD • SUITE 303 • NASHVILLE, TN 37218 • (615) 261-3388



Project Number
19-351

Sheet Title
SITE PHOTOMETRICS

Sheet Number
E1.1



6901 Lenox Village Dr.
 Suite 108
 Nashville, Tennessee 37211
 ph: 615.309.9926



FEATURES & SPECIFICATIONS

PHASEOUT — Limited quantities of this older style LDM6 are available while supplies last. Must choose "05" when ordering.
INTENDED USE — Typical applications include corridors, lobbies, conference rooms and private offices.
CONSTRUCTION — 16-gauge galvanized steel mounting plate frame with trim caps to mount open central shade reflector.
 Vertically adjustable mounting brackets that use 16-gauge flat bar hangers (included), 1/2" conduit or 1/2" conduit "bar" fasteners. Provides 3/4" total adjustment.
 Post installation adjustment possible from above or below the ceiling.
 Galvanized steel junction box with bottom hinged access cover and spring latches. Non-combustible 1/2" x 1/2" and three 1/2" knockouts for straight-through conduit. Capacity: 4 @ 1/4, 4 @ 1/2, 1 @ 3/4 conductors, rated for 90°C.
 Secondary housing adjusting system for precise, final ceiling-to-hanger alignment.
 Maximum 1-1/2" ceiling thickness.
OPTICS — LED light source with diffuser lenses, recessed in a deep reflector with 55-degree cutoff. Aluminum reflector is optically designed to maximize beam spread and provide superior glare control.
 Anodized trim color for open and wall-wash effects are available in clear, granite, wheat or gold. White polycarbonate powder coat also available.
ELECTRICAL — High efficiency, e46LED 0-10V dimming driver mounted to the junction box, dims luminaire to 10% of light output. 1% dimming option available (see E21 ordering options below).
 Dimming feature requires two (2) additional low-voltage wires to be pulled.
 For compatible dimmers and dimming range, refer to Dimmer Compatibility Chart on page 4.
 The system maintains 70% lumen output for more than 50,000 hours.
LISTINGS — CSA certified to US and Canadian safety standards. Open downlight (ODG): Wet location (WLD) Wet location downlight (WLD). Rated for damp and dry locations only. ENERGY STAR® certified.
WARRANTY — 5-year limited warranty. Complete warranty terms located at www.lithonia.com/customer-service/terms_and_conditions.asp
 Actual performance may differ as a result of end-user environment and application.
 All values are design or typical values, measured under laboratory conditions at 25 °C.



LDN6 OS
 6" OPEN and WALLWASH LED Non-Ceiling

Series	LEDs	Color Temperature	Beam Spread	Mounting
LDN6 OS	10000	3000K	120°	Shipped included
	15000	4000K	120°	Shipped included
	20000	5000K	120°	Shipped included

Series	LEDs	Color Temperature	Beam Spread	Mounting
LDN6 OS	10000	3000K	120°	Shipped included
	15000	4000K	120°	Shipped included
	20000	5000K	120°	Shipped included

D-Series Size 1 LED Area Luminaire



Specifications
 EPA: 1.01 ft² (0.093 m²)
 Length: 33" (837 mm)
 Width: 12" (305 mm)
 Height H1: 7-1/2" (191 mm)
 Height H2: 3-1/2" (89 mm)
 Weight (max): 27 lbs (12.2 kg)

Introduction
 The modern styling of the D-Series is striking yet unobtrusive — making a bold, progressive statement even as it blends seamlessly with its environment. The D-Series distills the benefits of the latest in LED technology into a high performance, high efficiency, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. It is ideal for replacing up to 750W metal halide in pedestrian and area lighting applications with typical energy savings of 65% and expected service life of over 100,000 hours.

Ordering Information EXAMPLE: DSX1 LED P7 40K T3M MVOLT SPA NLTAIR2 FIRH DBDXTD

Series	LEDs	Color Temperature	Beam Spread	Mounting
DSX1 LED	P7	4000K	T3M	MVOLT
	SPA	NLTAIR2	FIRH	DBDXTD

Series	LEDs	Color Temperature	Beam Spread	Mounting
DSX1 LED	P7	4000K	T3M	MVOLT
	SPA	NLTAIR2	FIRH	DBDXTD

OW1297 - IMAGE



Specifications
 Luminaire
 Width: 13-3/4" (344 mm)
 Depth: 10" (254 mm)
 Height: 6-3/8" (162 mm)

Source	CCT	Delivered Lumens	Power (Watt)	Voltage
L30K-L	3000K	2500	25	MVOLT
L30K-L	3000K	2500	25	MVOLT
L40K-L	4000K	3400	34	MVOLT
L40K-H	4000K	3500	35	MVOLT

FINISHES (Select one) Frame Finish and one Accent Bar and End Cap Finish or Material	See page 2 for color chart
AG7038 Agate Grey	CVBL Cove Blue
BMAT Bronze Matte	CM9001 Cream White
BRNZ Bronze	GLIM Glimmer
BSIL Blade Silver	OSIL Graphite Silver
	OBKZ Old Bronze
	PE1035 Pearl Beige
	RUST Rust
	SUNG Sungold
	TW9016 Traffic White

Options
 HM Horizontal mount (vertical is standard)
 XPS Express 10 day shipping. Items marked with a bullet (•) are not available with XPS.

Series	LEDs	Color Temperature	Beam Spread	Mounting
DSX1 LED	P7	4000K	T3M	MVOLT
	SPA	NLTAIR2	FIRH	DBDXTD

D-Series Size 1 LED Wall Luminaire



Specifications
 Luminaire
 Width: 13-3/4" (344 mm)
 Depth: 4" (102 mm)
 Height: 6-3/8" (162 mm)

Source	CCT	Delivered Lumens	Power (Watt)	Voltage
L30K-L	3000K	2500	25	MVOLT
L30K-L	3000K	2500	25	MVOLT
L40K-L	4000K	3400	34	MVOLT
L40K-H	4000K	3500	35	MVOLT

FINISHES (Select one) Frame Finish and one Accent Bar and End Cap Finish or Material	See page 2 for color chart
AG7038 Agate Grey	CVBL Cove Blue
BMAT Bronze Matte	CM9001 Cream White
BRNZ Bronze	GLIM Glimmer
BSIL Blade Silver	OSIL Graphite Silver
	OBKZ Old Bronze
	PE1035 Pearl Beige
	RUST Rust
	SUNG Sungold
	TW9016 Traffic White

Options
 HM Horizontal mount (vertical is standard)
 XPS Express 10 day shipping. Items marked with a bullet (•) are not available with XPS.

Series	LEDs	Color Temperature	Beam Spread	Mounting
DSX1 LED	P7	4000K	T3M	MVOLT
	SPA	NLTAIR2	FIRH	DBDXTD

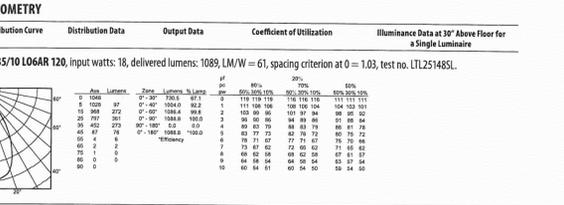
Ordering Information EXAMPLE: DSXW1 LED 20C 1000 40K T3M MVOLT DBDXTD

Series	LEDs	Color Temperature	Beam Spread	Mounting
DSXW1 LED	20C	4000K	T3M	MVOLT
	1000	40K	T3M	DBDXTD

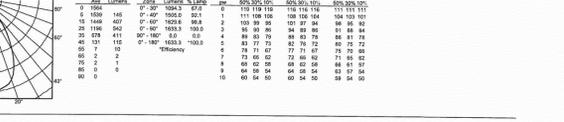
Series	LEDs	Color Temperature	Beam Spread	Mounting
DSXW1 LED	20C	4000K	T3M	MVOLT
	1000	40K	T3M	DBDXTD

Series	LEDs	Color Temperature	Beam Spread	Mounting
DSXW1 LED	20C	4000K	T3M	MVOLT
	1000	40K	T3M	DBDXTD

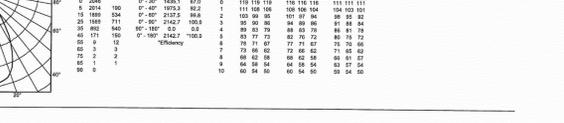
LDN6 OS



LDN6 35/15 L06AR 120, input watts: 18, delivered lumens: 1089, LM/W = 61, spacing criterion at 0 = 1.03, test no. ILL25148SL



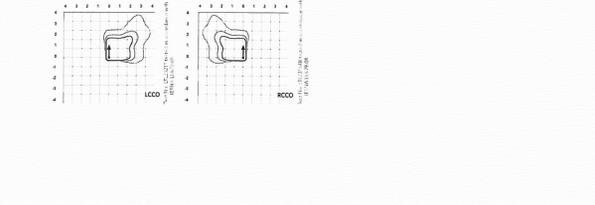
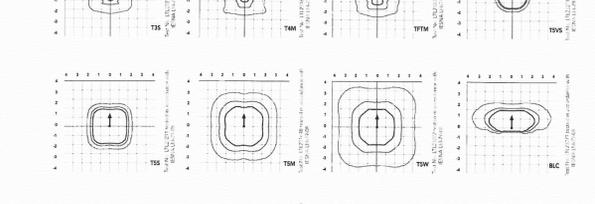
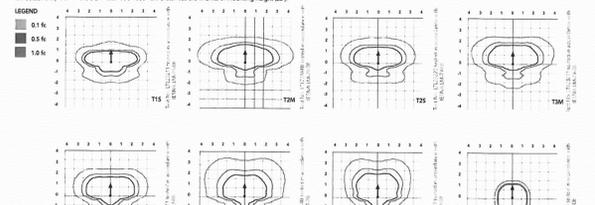
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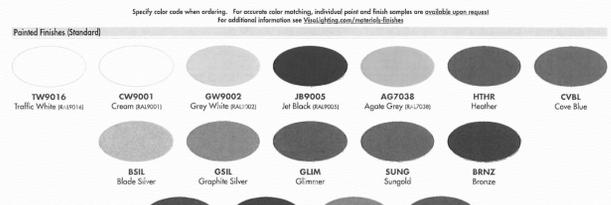
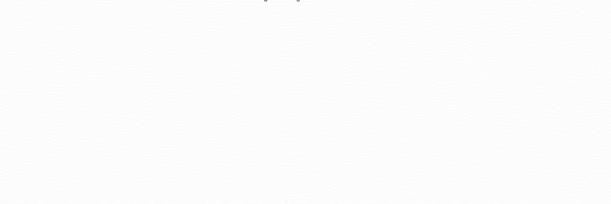
LDN6 35/20 L06AR 120, input watts: 35, delivered lumens: 2143, LM/W = 61, spacing criterion at 0 = 1.04, test no. ILL25144



Photometric Diagrams



OW1297 - IMAGE



Performance Data

Temp	Current (A)	Power (W)	LM/W
0°C	0.10	0.10	10.0
25°C	0.10	0.10	10.0
50°C	0.10	0.10	10.0
75°C	0.10	0.10	10.0
100°C	0.10	0.10	10.0

Temp	Current (A)	Power (W)	LM/W
0°C	0.10	0.10	10.0
25°C	0.10	0.10	10.0
50°C	0.10	0.10	10.0
75°C	0.10	0.10	10.0
100°C	0.10	0.10	10.0

Temp	Current (A)	Power (W)	LM/W
0°C	0.10	0.10	10.0
25°C	0.10	0.10	10.0
50°C	0.10	0.10	10.0
75°C	0.10	0.10	10.0
100°C	0.10	0.10	10.0

Temp	Current (A)	Power (W)	LM/W
0°C	0.10	0.10	10.0
25°C	0.10	0.10	10.0
50°C	0.10	0.10	10.0
75°C	0.10	0.10	10.0
100°C	0.10	0.10	10.0

LEE'S SUMMIT FACILITY
 PRYOR ROAD & SHAMROCK AVE
 LEE'S SUMMIT, MISSOURI 64081

RANDALL DOVER
 ARCHITECT
 4121 HILLSBORO ROAD • SUITE 303 • NASHVILLE, TN 37216 • (615) 861-3888



Project Number
 19-351

Sheet Title
 SITE PHOTOMETRIC FIXTURES

Sheet Number
 E1.2

PL2019-246 – PRELIMINARY DEVELOPMENT PLAN
DCI Lee's Summit, 2001 NW Shamrock Ave
Dialysis Clinic, Inc., applicant



Packet Information

File #: 2019-3077, Version: 1

Public Hearing: Application #PL2019-255 - Rezoning from AG, RP-1, CP-2, PI and PMIX to AZ - Lee's Summit Airport, 2751 NE Douglas St; City of Lee's Summit, applicant.

Issue/Request:

The applicant is seeking to rezone the Lee's Summit Airport from AG, RP-1, CP-2, PI and PMIX to AZ.

Committee Recommendation: A motion was made by Vice Chair Funk, seconded by commissioner Sims, that this application be recommended for approval to the City Council. The motion carried unanimously.

Bob Hartnett, PLA, Deputy Director of Public Works/Administration

Josh Johnson, AICP, Assistant Director of Plan Services

The City of Lee's Summit
Action Letter - Draft
Planning Commission

Thursday, October 10, 2019

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Call to Order

Roll Call

Present: 7 - Board Member Mark Kitchens
Board Member Carla Dial
Chairperson Jason Norbury
Vice Chair Donnie Funk
Board Member Terry Trafton
Board Member Jeff Sims
Board Member Dana Arth

Absent: 2 - Board Member John Lovell
Board Member Jake Loveless

Approval of Agenda

Chairperson Norbury announced that would be a few adjustments to the agenda. Items 2, 3, and 6, Items PL2019-261, PL2019-255, and PL2019-257, all pertaining to the Lee's Summit Airport, would be heard at the same time. Motions would be made and voted on for each item separately. He asked for a motion to approve.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this agenda be approved as amended. The motion carried unanimously.

Public Comments

There were no public comments presented at the meeting.

Approval of Consent Agenda

[TMP-1386](#) Appl. #PL2019-296 - SIGN APPLICATION - Raintree Village monument sign, 3803 SW Ward Rd; Royal Signs & Graphics, applicant

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

[2019-3072](#) Minutes of the September 26, 2019, Planning Commission meeting

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that the minutes be approved. The motion carried unanimously.

Public Hearings

[2019-3078](#) Appl. #PL2019-261 - VACATION OF RIGHT-OF-WAY - unused right-of-way on

Lee's Summit Airport property, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury opened the hearing for agenda items 2 and 3 at 5:10 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Bob Hartnett, deputy director of the Public Works Department, gave his business address as Lee's Summit City Hall at 220 SE Green Street. The City had purchased the Airport in 1977, and had acquired about 40 additional properties since then. These properties carried the original zoning; so the Airport had land zoned for residential, commercial and industrial uses. These agenda items were primarily for clean-up, including vacation of some rights-of-way involving Strother, Hagan, Leinweber and Douglas roads. These rights-of-way were no longer necessary. The rezoning application was a request to change this zoning mixture to all AZ (Airport) zoning. Regarding the final plan (agenda item 6), would reorganize these 40 lots into three lots.

Mr. Hartnett added that Mr. Andy Boding, of the consulting engineering firm of Crawford, Murphy and Tilly (CMT) and Mr. Jim Anderson of Anderson Survey were present and could answer questions.

Mr. Shannon McGuire entered into the record Exhibit (A), list of exhibits 1-12 for Application PL2019-255 and list of exhibits 1-12 for Application PL2019-261. He confirmed that the Airport property currently consisted of 44 different lots, with a mixture of AG, RP-1, CP-2, PI and PMIX zoning designations. The City proposed to change these to the AZ Airport zoning district established in 2006. It had been established to incorporate the City airport with adjoining developable properties in order to provide for selected commercial and industrial uses that would be compatible with the airport use. Additionally, several unused rights-of-way crossed over the property, as indicated on the displayed aerial map, one of them crossing a runway. Vacating these rights-of-way was necessary for replatting the existing 44 parcels into four lots.

The proposed rezoning and right-of-way vacations would not impact the surrounding neighborhood, and the proposed AZ zoning was consistent with the entire property's use. It was substantially consistent with the Comprehensive Plan, as well as meeting the requirements of the UDO and the Design and Construction Manual. . An overhead copper cable was within the Leinweber Road right-of-way, and a Condition of Approval for this application indicated a general utility easement. The second of two Conditions of Approval was the standard requirement for recording the vacation of the right-of-way.

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony. Seeing one, he opened the hearing for any Commissioners' questions for the applicant or staff.

Chairperson Norbury asked Mr. McGuire if it was correct that the rezoning would have no functional impact on the Airport's operations. Mr. McGuire confirmed that it was.

Chairperson Norbury asked if there were any further questions for the applicant or staff. As there were none, he closed the public hearing at 5:10 p.m. and asked for discussion among the Commission members, or for a motion. He asked that the two applications be voted on in two separate motions.

Mr. Funk asked what would be done with Item 6, which addressed the final plat. Chairperson Norbury answered that this item would be heard next.

Mr. Funk made a motion to recommend approval of Application PL2019-261, Vacation of Right-Of Way: unused right-of-way on Lee's Summit Airport property, 2751 NE Douglas St.; City of Lee's Summit, applicant; subject to staff's letter of October 4, 2019 specifically

Conditions of Approval 1 and 2. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3077](#)

Appl. #PL2019-255 - REZONING from AG, RP-1, CP-2, PI and PMIX to AZ - Lee's Summit Airport, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury asked for a motion on Application PL2019-255.

Mr. Funk made a motion to recommend approval of Application PL2019-255, Rezoning from AG, RP-1, CP-2, PI and PMIX to AZ; Lee's Summit Airport, 2751 NE Douglas St.; City of Lee's Summit, applicant. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3075](#)

Appl. #PL2019-233 - PRELIMINARY DEVELOPMENT PLAN - Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant

Chairperson Norbury opened the hearing at 5:13 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Ms. Tiffany Lehman stated that she was the civil engineer for this project. She described the subject property currently had a vacant restaurant building with asphalt coverage throughout the property. An access easement existed on the southeast side, leading down to SE 7th Terrace. The applicants planned to demolish the building and redevelop the property with a 2,600 square foot Wendy's restaurant. The project would include asphalt parking, concrete sidewalks, drive-through area, and a dumpster enclosure. The access easement would be redone, and they would install landscaping on the property.

Ms. Lehman displayed colored elevations, including the front (west side) of the building facing M-291 as well as the rear of the building, the south side of the building and the north side which included the drive-through.

Following Ms. Lehman's presentation, Chairperson Norbury asked for staff comments.

Mr. Soto entered Exhibit (A), list of exhibits 1-13 into the record. He confirmed that this was a redevelopment of an existing property. Displaying an aerial photo, he pointed out the locations of SE 7th Terrace and M-291 Highway. Lee's Summit High School was across the highway to the west, and the Missouri State Highway Patrol headquarters to the southwest. The QuikTrip store and HMH AutoSport were further south. A multi-tenant retail center were to the north and immediately to the east were some office/warehouse properties with industrial zoning. Some single-family residences and duplexes were further to the northeast.

The property had previously had restaurant use, most recently a 6,500 square foot sit-down restaurant but had been vacant for at least five years. The future user would be a 2,500 square foot drive-through restaurant. The proposed parking would be 37 spaces, two more than the 35 spaces required. The site had access at three points: the right-of-way from M-291

Highway, from SE Melody Lane and from SE 7th Terrace. At the northeast corner was a cross-access that went along the back of the retail building to Bayberry and its signaled access to M-291.

Mr. Soto noted that this redevelopment would be reducing impervious coverage on the site by about 17 percent: from 91 percent coverage to 74 percent. Referring to the colored elevations referenced earlier, he noted the building materials: brown or earth tone fiber cement panels, and the aluminum composite metal (ACM) panels in red and gray. These were similar to materials previously proposed and approved for churches and for some auto dealerships, as well as other materials and architecture along M-291. The elevations also showed a large amount of glass on the north and south sides. Staff's analysis concluded that the use was consistent with the Comprehensive Plan, with the M-291 corridor north of US 50 was primarily retail use. Restaurant use would be equally appropriate, and this long-vacant site was in an especially visible location.

Staff's only Condition of Approval was that the ACM panels proposed would be allowed as a conditional material, "as shown in the preliminary development plan date stamped September 9, 2019." The UDO allowed the panels, but after a review. This was a material that had become more common.

Following Mr. Soto's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then opened the hearing for Commissioners' questions for the applicant or staff.

Mr. Funk asked if Melody Lane would end at the property or continue to be a through street in front of the restaurant. Mr. Soto answered that there would still be continuous access, but the right-of-way did terminate at the north property line and extend into the private drive beyond that. 7th Street would remain, and be improved, and it had a cross-access easement with adjoining properties. On the displayed aerial map, he pointed out the drive behind the HMM building that gave access to 7th Terrace.

Mr. Kitchens noted that the drive-through traffic was immediately to the left of the entrance/exit off M-291. It had room for 2 or 3 cars. He asked if it could be a one-way corridor, as it would be easy for drivers from M-291 to cut through the drive-through traffic. It was a common problem with fast-food restaurants whose lots combined parking and drive-through traffic.

Ms. Lehman asserted that the applicant had worked with the City on this issue. Their stacking did allow for about nine cars from the order box out to the front. Wendy's corporate usually requested six. They wanted to keep the two-way traffic, as it allowed the most access throughout the site; and as the stacking for the drive-through was more than what was required, they did not anticipate any traffic obstruction in the front. Mr. Kitchens asked if the applicant had a waiting time limit for drive-through lines.

Mr. Park clarified that the M-291 access belonged to MoDOT. They had reviewed this plan and the traffic circulation, and the property did have room for stacking of 8 or 9 vehicles up to the menu board. Staff's preference was also for the drive to be two-way; and MoDOT had indicated that this access shared with Melody to the north would be changed. This would be after interchange improvements that would move the Blue Parkway signal to 7th Street, just to the south; and at that point MoDOT would probably move it north to the Melody Lane right-of-way. At present, they did not have a schedule for interchange improvements from MoDOT and so relied on the operator of the store to mitigate congestion by directing people around the perimeter before entering the drive-through line.

Mr. Sims remarked to Mr. Park that while he understood the concern with stacking and the drive-through, he was more concerned with left turns onto M-291. He acknowledged that it

was a MoDOT right-of-way, and asked if making this a right-in-right-out access had been considered. Mr. Park answered that MoDOT did have a safety concern about the left and crossover movements onto M-291. They were reserving the access management control for an interchange. They could not know what the extent and nature of the improvements would be at this point.

At Mr. Funk's request, Ms. Lehman pointed out this area was on the site plan, toward the back of the property. The plan showed a significant area for stacking in front of it.

Regarding the aluminum composite metal panels referred to earlier, Chairperson Norbury asked Mr. Soto if City staff had considered making it a conditional use since its use was becoming more common. Mr. Soto replied that they were.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:30 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk commended the applicant on Wendy's current designs, mentioning the store on Chipman as an example. He then made a motion to recommend approval of Application PL2019-233, Preliminary Development Plan: Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Recommendation Conditions of Approval 1 (site specific) and 2-11 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3076](#)

Appl. #PL2019-246 - PRELIMINARY DEVELOPMENT PLAN - DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant

Chairperson Norbury opened the hearing at 5:30 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Philip Pierson of the Callas Design Group, gave his address as 5016 Centennial Boulevard in Nashville, Tennessee. He was present representing Dialysis Clinic, Inc. They proposed to build a 10,400 square foot building for the clinic. The clinic would have 17 patient stations, a small suite for a doctor's office. Mr. Pierson emphasized that this was not a use that generated much noise or heavy traffic. Patients often stayed for several hours, so the clinic would have morning and afternoon shifts.

Following Mr. Pierson's presentation, Chairperson Norbury asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-15 into the record. He first cited a correction to page 5 of staff's letter, with the site's use being "Mixed Use—John Knox Village." The subject property was on the southwest corner of NW Shamrock Avenue and NW Pryor Road and was about 2.25 acres. It was just west of the new fire station #3. It had been included in the conceptual plan approved by the City Council in September 2018 and so had required a preliminary development plan. The property was zoned PMIX, with the Comprehensive Plan identifying this area as "Mixed Use – John Knox Village." John Knox Village was to the east, and the Sterling Hills single-family subdivision was to the south. To the north was some undeveloped land kept for future commercial use.

Mr. McGuire displayed color elevations of the building, showing materials of masonry, EIFS,

brick and glass. The applicant asked for one modification, to the high-impact screening buffer required. They proposed a six-foot tall vinyl fence about three feet north of the south property line, and the required high-impact screen planted on the fence's north side instead of on both sides of the fence. With the fence three feet from the property line, and the required screening elements planted on the north side, the vegetation would be more accessible for maintenance.

The proposed development would not have any detrimental impact on the surrounding area, nor impede the development of surrounding properties. It would have an on-site stormwater detention system. The road network had enough capacity to handle the proposed use, so no road improvements were needed or required. The project met the requirements of both the UDO and the Design and Construction Manual.

Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, Chairperson Norbury then asked if the Commission had questions for the applicant or staff.

Chairperson asked if any City staff was working on the UDO's definition of a high-impact landscaping buffer. Mr. Soto replied that in most recent proposals the amount of landscaping met the UDO requirements; though not often stating where a required fence would be placed. Staff was working on some flexibility on this placement, to allow for different circumstances and conditions on different sites. Utility lines, for example, could often mandate modifications.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:35 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk made a motion to recommend approval of Application PL2019-246, Preliminary Development Plan: DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Conditions of Approval 1 (Site Specific) through 8 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

Other Agenda Items

[TMP-1388](#) PL2019-257 - FINAL PLAT - Lee's Summit Airport, 2751 NE Douglas St; Anderson Survey Co., applicant

Chairperson Norbury opened the hearing at 5:12 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McGuire remarked that usually this would be a Consent Agenda Item. However, due to the timing of the preliminary plat, the rezoning, and the rights-of-way vacations, it had been moved up. It was not possible to replat with the right-of-way. Consequently, there was no further presentation.

Chairperson Norbury asked for a motion for Application PL2019-257.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

Roundtable

There were no Roundtable items at the meeting.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting at 5:42 P.M.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-255 – REZONING from AG, RP-1, CP-2, PI and PMIX to AZ
File Name	Lee's Summit Airport
Applicant	City of Lee's Summit
Property Address	2751 NE Douglas St
Planning Commission Date Heard by	October 10, 2019 Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager and Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: Spring of 2019
Neighborhood meeting conducted: September 16, 2019
Newspaper notification published on: September 21, 2019
Radius notices mailed to properties within 300 feet on: September 18, 2019
Site posted notice on: September 20, 2019

Table of Contents

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2. Land Use	2
4. Unified Development Ordinance (UDO)	3
5. Comprehensive Plan	3
6. Analysis	4
7. Recommended Conditions of Approval	5

Attachments

1. Rezoning Exhibit, date stamped September 9, 2019 –1 page
2. Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	City of Lee's Summit/owner
Applicant's Representative	Bob Hartnett, PLA, Deputy Director of Public Works/Administration
Location of Property	2751 NE Douglas St
Size of Property	553.633 Acres
Zoning (Existing)	AG (Agricultural District) RP-1 (Planned Single-Family Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District) PMIX (Planned Mixed Use District)
Zoning (Proposed)	AZ (Airport Zone)
Comprehensive Plan Designation	Airport Runway Protection Zone
Procedure	The Planning Commission makes a recommendation to the City Council on the proposed rezoning. The City Council takes final action on the rezoning in the form of an ordinance. Duration of Validity: There is no expiration to an approval for rezoning.

Current Land Use
Airport operations

Description of Applicant's Request
The applicant is seeking to rezone from AG, RP-1, CP-2, PI and PMIX to AZ.

2. Land Use

Description and Character of Surrounding Area
The property is located at 2751 NE Douglas St. The property uses on the west include industrial, commercial, multifamily and vacant/undeveloped agricultural land. Properties to the south include commercial uses and undeveloped vacant ground. Undeveloped agricultural land is located to the north. West of the property the uses includes large lot single-family homes, industrial, and undeveloped agricultural, commercial and multifamily ground.

Adjacent Land Uses and Zoning

North:	AG (Agricultural)
South:	CP-2 (Planned Community Commercial District)

East:	AG (Agricultural District) RP-4 (Planned Apartment Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District)
West:	AG (Agricultural District) R-1 (Single-Family Residential District) RP-4 (Planned Apartment Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District)

Site Characteristics
The property is the home to the Lee's Summit Municipal Airport and is an air traffic gateway to the Kansas City metropolitan area. The airport has two runways and operates seven days a week. Runway 18-36 is 5,501 ft. in length and 100 ft. wide. Runway 11-29 is 4,000 ft. in length and 75 ft. wide. The airport property currently consists of approximately 44 lots.

Special Considerations
This site is an existing airport with operations seven days a week.

3. Project Proposal

Setbacks

Yard	Proposed	Required
Front	20'	20'
Side	10'	10'
Rear	20'	20'

4. Unified Development Ordinance (UDO)

Section	Description
2.240, 2.250	Rezoning
4.230	AZ (Airport Zone)

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.3 Objective 1.4
Economic Development	Objective 2.1 Objective 2.2

6. Analysis

Background

The applicant proposes to rezone the existing airport to the recently established AZ (Airport Zone) zoning district. Established in 2016, the AZ district was an effort to incorporate the city airport and adjoining developable properties to provide for selective commercial and industrial uses that complement the airport.

History

- March 10, 2016 – The City Council approved UDO Amendment # 55 establishing the AZ (Airport Zone) zoning district (Appl. #PL2015-209) by Ordinance No. 7831.

Compatibility

The proposed rezoning will not negatively impact the character of the neighborhood. The proposed AZ (Airport Zone) is consistent with the existing use of the property and is in substantial compliance with the Comprehensive Plan.

Adverse Impacts

The airport use of the property will not detrimentally affect the appropriate use of neighboring property. The airport is designed, located and will operate so that the public health, safety and welfare will be protected.

Public Services

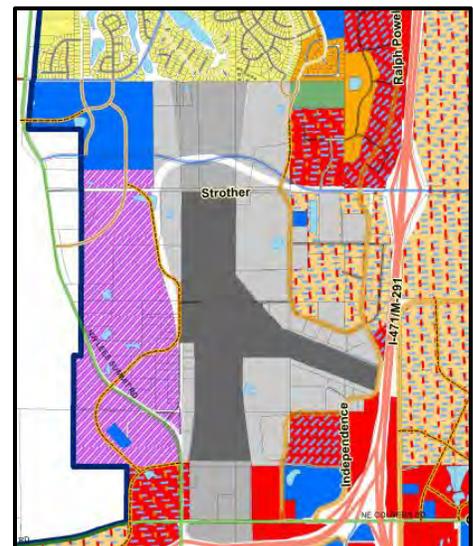
Existing public facilities and services are available and adequate to meet the demand for the facility and services generated by the use.

The proposed use will not impede the normal and orderly development and improvement of the surrounding property.

Unified Development Ordinance

Rezoning and Comprehensive Plan.

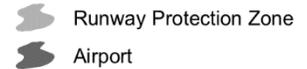
The subject 553.633 acres is currently zoned a mix of AG (Agricultural District), RP-1 (Planned Single-Family Residential District), CP-2 (Planned Community Commercial District), PI (Planned Industrial District) and PMIX (Planned Mixed Use District). The 2005 Lee’s Summit



Comprehensive Plan shows the subject area as Airport and Runway Protection Zone. The applicant proposes to rezone the property to AZ (Airport Zone) to clean up the existing zoning.

Recommendation

The application meets the requirements of the UDO and/or the Design and Construction Manual (DCM).

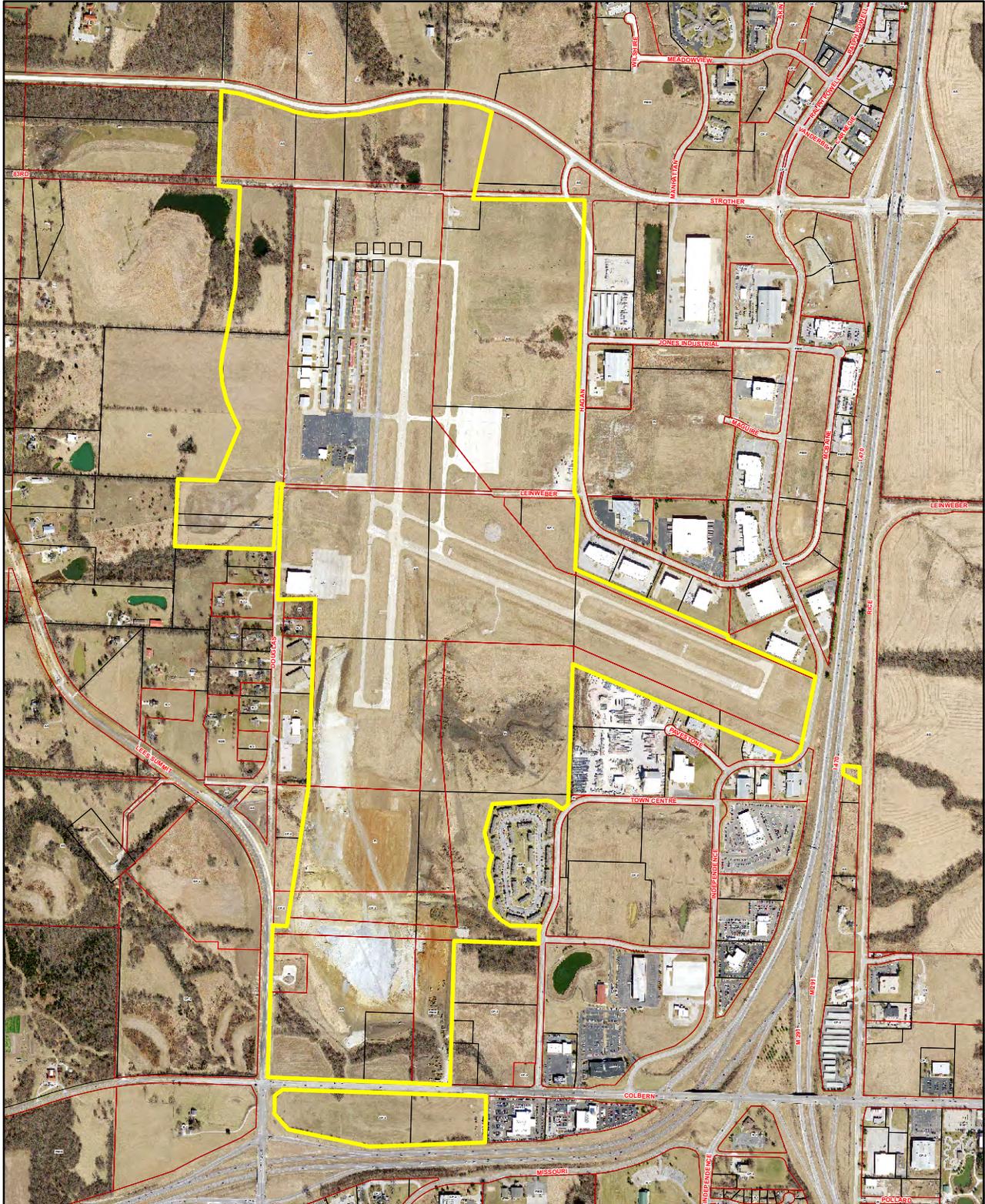


7. Recommended Conditions of Approval

Standard Conditions of Approval

There are no standard or site specific conditions of approval.

**Appl. #PL2019-255 – REZONING
from AG, RP-1, CP-2, PI and PMIX to AZ
Lee’s Summit Airport, 2751 NE Douglas St
City of Lee’s Summit, applicant**



Packet Information

File #: BILL NO. 19-244, Version: 2

An Ordinance approving a rezoning from Districts AG, RP-1, CP-2, PI and PMIX to AZ for approximately 553.633 acres located at 2751 NE Douglas St, Lee's Summit Airport in accordance with the provisions of Chapter 33, The Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri

Proposed City Council Motion:

I move for a second reading of an Ordinance approving a rezoning from districts AG, RP-1, CP-2, PI and PMIX to AZ for approximately 553.633 acres located at 2751 NE Douglas ST, Lee's Summit Airport in accordance with the provisions of Chapter 33, The Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri

Bob Hartnett, PLA, Deputy Director of Public Works/Administration
Josh Johnson, AICP, Assistant Director of Plan Services

BILL NO. 19-244

AN ORDINANCE APPROVING A REZONING FROM DISTRICTS AG, RP-1, CP-2, PI AND PMIX TO AZ FOR APPROXIMATELY 553.633 ACRES LOCATED AT 2751 NE DOUGLAS ST, LEE'S SUMMIT AIRPORT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2019-255 submitted by City of Lee's Summit, MO, requesting approval of a rezoning from AG, RP-1, CP-2, PI and PMIX TO AZ on land located at 2751 NE Douglas ST was referred to the Planning Commission to hold a public hearing; and

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning by the City following public hearings by the Planning Commission and City Council, and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held public hearings for the consideration of the rezoning on October 10, 2019 and rendered a report to the City Council recommending that the rezoning be approved; and

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on November 5, 2019, and rendered a decision to approve the rezoning for said property.

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

SECTION 1. That a rezoning is hereby approved on the following described property:

DESCRIPTION: ALL OF LOT 2, CROSSROADS OF LEE'S SUMMIT, LOTS 1 AND 2; ALL OF LOTS 1 AND 2, HAGAN HEIGHTS; ALL OF TRACT A, LAKEWOOD BUSINESS CENTER ON I-470 PLAT N; ALL OF LOT 45B5, LAKEWOOD BUSINESS CENTER ON I-470, LOTS 45B5, 45B6 AND 45B7; ALL OF LOT 10B, REPLAT NO. 1 OF LAKEWOOD BUSINESS CENTER ON I-470 PLAT G; ALL OF LOT 45B3-1, REPLAT NO. 1 OF LAKEWOOD BUSINESS CENTER ON I-470 PLAT H; THAT PART OF LOTS 4, 5, 6, 7, AND 12, FIELDS FARM; AND THAT PART OF SECTIONS 17, 18, 19, 20, 29, AND 30, ALL IN TOWNSHIP 48 NORTH, RANGE 31 WEST IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOW: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE SOUTH 87°-20'-26" EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 667.98 FEET; THENCE NORTH 1°-55'-36" EAST, A DISTANCE OF 20.00 FEET TO THE NORTH RIGHT OF WAY LINE OF OLD STROTHER ROAD, AS NOW ESTABLISHED, AND THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING NORTH 1°-55'-36" EAST, A DISTANCE OF 793.16 FEET TO THE SOUTH RIGHT OF WAY LINE OF STROTHER ROAD AS ESTABLISHED BY DOCUMENT NO. 2014E0018251; THENCE ALONG A CURVE TO THE RIGHT, THIS AND THE FOLLOWING COURSES ALONG SAID SOUTH RIGHT OF WAY LINE OF STROTHER ROAD, HAVING AN INITIAL TANGENT BEARING OF SOUTH 83°-27'-02" EAST, A RADIUS OF 1450.00 FEET, A CENTRAL ANGLE OF 12°-21'-37", AND AN ARC LENGTH OF 312.81 FEET; THENCE SOUTH 71°-05'-25" EAST, A DISTANCE OF 186.12 FEET; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 1550.00 FEET, A

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CENTRAL ANGLE OF 33°-59'-41", AND AN ARC LENGTH OF 919.65 FEET; THENCE NORTH 74°-54'-54" EAST, A DISTANCE OF 100.00 FEET; THENCE ALONG A CURVE TO THE RIGHT TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 1450.00 FEET, A CENTRAL ANGLE OF 35°-40'-59", AND AN ARC LENGTH OF 903.04 FEET; THENCE, DEPARTING SAID SOUTH RIGHT OF WAY LINE, SOUTH 11°-50'-08" WEST, A DISTANCE OF 655.09 FEET; THENCE SOUTH 88°-21'-43" EAST, A DISTANCE OF 746.97 FEET TO THE WEST RIGHT OF WAY LINE OF HAGAN ROAD AS ESTABLISHED BY INSTRUMENT NO. 2014E0018251; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 2°-18'-55" EAST, A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 14°-38'-14", AND AN ARC LENGTH OF 97.10 FEET TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 20; THENCE SOUTH 88°-21'-47" EAST ALONG SAID NORTH LINE, A DISTANCE OF 235.63 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 20; THENCE SOUTH 2°-03'-41" WEST ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 20, A DISTANCE OF 269.08 FEET; THENCE NORTH 30°-56'-03" WEST, A DISTANCE OF 36.66 FEET TO THE WEST RIGHT OF WAY LINE OF HAGAN ROAD, AS ESTABLISHED BY JACKSON COUNTY ROAD RECORD BOOK 5, PAGE 489; THENCE SOUTH 2°-03'-20" WEST ALONG LAST SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 2412.44 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 20; THENCE SOUTH 88°-22'-06" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 19.71 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 20; THENCE SOUTH 1°-54'-01" WEST ALONG SAID EAST LINE, A DISTANCE OF 647.65 FEET TO THE NORTHWEST CORNER OF TRACT A, LAKEWOOD BUSINESS CENTER ON I-470 PLAT N; THENCE SOUTH 66°-41'-55" EAST ALONG THE NORTHEAST LINE OF SAID TRACT A, A DISTANCE OF 1482.21 FEET (PLAT=1482.34 FEET) TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 1°-58'-05" WEST ALONG THE EAST LINE OF SAID TRACT A, A DISTANCE OF 5.13 FEET TO THE NORTHWEST CORNER OF LOT 10A, REPLAT NO. 1 OF LAKEWOOD BUSINESS CENTER ON I-470 PLAT G; THENCE SOUTH 23°-10'-00" WEST ALONG THE EAST LINE OF SAID TRACT A AND THE WEST LINE OF SAID LOT 10A, A DISTANCE OF 25.86 FEET (PLAT=26.43 FEET) TO THE SOUTHWEST CORNER OF SAID LOT 10A; THENCE SOUTH 66°-39'-26" EAST ALONG THE SOUTH LINE OF SAID LOT 10A, A DISTANCE OF 847.58 FEET (PLAT=847.49 FEET) TO THE SOUTHEAST CORNER THEREOF, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF INDEPENDENCE AVENUE AS ESTABLISHED BY DOCUMENT NO. I-884792 IN BOOK I-1868 AT PAGE 812; THENCE SOUTH 10°-26'-35" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 586.68 FEET; THENCE, CONTINUING ALONG SAID RIGHT OF WAY LINE AND THE EASTERLY LINE OF LOT 45B5, LAKEWOOD BUSINESS CENTER ON I-470, LOTS 45B5, 45B6 AND 45B7, ALONG A CURVE TO THE RIGHT TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 220.00 FEET, A CENTRAL ANGLE OF 80°-49'-00", AND AN ARC LENGTH OF 310.31 FEET; THENCE NORTH 89°-16'-45" WEST CONTINUING ALONG SAID RIGHT OF WAY LINE AND THE SOUTH LINE OF SAID LOT 45B5, A DISTANCE OF 12.88 FEET (PLAT=11.53 FEET) TO THE SOUTHERNMOST CORNER OF SAID LOT 45B5; THENCE NORTH 23°-30'-30" EAST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 45B5, A DISTANCE OF 70.98 FEET (PLAT=70.85 FEET) TO THE EASTERLY CORNER OF THE SOUTHWEST LINE THEREOF; THENCE NORTH 66°-29'-41" WEST ALONG THE SOUTHWEST LINE OF SAID LOT 45B5, A DISTANCE OF 346.79 FEET TO THE NORTHWEST CORNER OF LOT 45B6; THENCE NORTH 66°-52'-36" WEST, CONTINUING ALONG THE SOUTHWEST LINE OF SAID LOT

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45B5, A DISTANCE OF 243.77 FEET (PLAT=244.37 FEET) TO THE SOUTHWEST CORNER OF SAID LOT 45B5 AND THE EAST LINE OF LOT 45B3-3, REPLAT NO. 1 OF LAKEWOOD BUSINESS CENTER ON I-470 PLAT H; THENCE NORTH 1°-51'-13" EAST ALONG THE EAST LINE OF 45B3-3, A DISTANCE OF 0.57 FEET TO THE NORTHEAST CORNER OF SAID LOT 45B3-3; THENCE NORTH 66°-41'-28" WEST ALONG THE SOUTHWEST LINE OF SAID LOT 45B3-1, A DISTANCE OF 1418.82 FEET (PLAT=1418.71 FEET) TO THE SOUTHWEST CORNER THEREOF AND THE EAST LINE OF LOT 2, CROSSROADS OF LEE'S SUMMIT, LOTS 1 AND 2; THENCE SOUTH 1°-54'-01" WEST, THIS AND THE FOLLOWING COURSES ALONG THE EASTERLY LINES OF SAID LOT 2, A DISTANCE OF 1170.00 FEET; THENCE SOUTH 1°-36'-04" WEST, A DISTANCE OF 80.36 FEET (PLAT=80.21 FEET); THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 51°-00'-28" WEST, A RADIUS OF 330.00 FEET, A CENTRAL ANGLE OF 10°-21'-40", AND AN ARC LENGTH OF 59.68 FEET (PLAT=59.75 FEET); THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 49°-29'-14" WEST, A RADIUS OF 275.00 FEET, A CENTRAL ANGLE OF 46°-25'-53", AND AN ARC LENGTH OF 222.86 FEET; THENCE SOUTH 84°-05'-34" WEST, A DISTANCE OF 200.00 FEET; THENCE ALONG A CURVE TO THE RIGHT TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 997.62 FEET (PLAT=1000.00 FEET), A CENTRAL ANGLE OF 12°-27'-57", AND AN ARC LENGTH OF 217.05 FEET (PLAT=217.14 FEET); THENCE SOUTH 16°-39'-09" WEST, A DISTANCE OF 192.99 FEET; THENCE SOUTH 8°-10'-52" WEST, A DISTANCE OF 80.33 FEET; THENCE SOUTH 11°-58'-56" EAST, A DISTANCE OF 161.93 FEET; THENCE SOUTH 34°-27'-36" EAST, A DISTANCE OF 38.50 FEET; THENCE SOUTH 13°-00'-28" WEST, A DISTANCE OF 128.94 FEET; THENCE SOUTH 8°-15'-23" EAST, A DISTANCE OF 216.99 FEET; THENCE SOUTH 6°-27'-45" WEST, A DISTANCE OF 132.45 FEET; THENCE SOUTH 35°-55'-21" EAST, A DISTANCE OF 72.72 FEET; THENCE SOUTH 57°-06'-52" EAST, A DISTANCE OF 169.55 FEET; THENCE SOUTH 88°-14'-48" EAST, A DISTANCE OF 262.71 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 18°-08'-10" WEST, A RADIUS OF 330.00 FEET, A CENTRAL ANGLE OF 16°-29'-43", AND AN ARC LENGTH OF 95.01 FEET; THENCE SOUTH 1°-37'-33" WEST, A DISTANCE OF 57.53 FEET (PLAT=57.99 FEET) TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 88°-15'-22" WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 751.45 FEET; THENCE SOUTH 1°-36'-01" WEST, A DISTANCE OF 1280.64 FEET TO THE NORTH RIGHT OF WAY LINE OF COLBERN ROAD AS ESTABLISHED BY DOCUMENT NO. 271760 IN BOOK 556 AT PAGE 43; THENCE NORTH 88°-13'-18" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 344.87 FEET TO THE SOUTHEAST CORNER OF LOT 6, FIELDS FARM; THENCE NORTH 88°-06'-45" WEST ALONG THE SOUTH LINE OF SAID LOT 6 AND SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1252.54 FEET; THENCE NORTH 43°-19'-35" WEST, A DISTANCE OF 35.38 FEET TO THE EAST RIGHT OF WAY LINE OF NORTHEAST DOUGLAS STREET AS ESTABLISHED BY DOCUMENT NO. 271761, BOOK 555, PAGE 66; THENCE NORTH 1°-27'-43" EAST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 1259.84 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 30; THENCE NORTH 1°-29'-12" EAST CONTINUING ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 80.00 FEET TO THE SOUTHWEST CORNER OF DOUGLAS CORPORATE CENTER - LOT 5, A SUBDIVISION IN SAID CITY, COUNTY, AND STATE; THENCE SOUTH 87°-55'-08" EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 131.20 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 9°-19'-31" EAST ALONG THE EAST LINE OF LAST SAID SUBDIVISION AND THE EAST

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LINE OF DOUGLAS CORPORATE CENTER - LOT 4, A SUBDIVISION IN SAID CITY, COUNTY, AND STATE, A DISTANCE OF 1252.04 FEET TO THE SOUTHEAST CORNER OF DOUGLAS CORPORATE CENTER - LOT 3, A SUBDIVISION IN SAID CITY, COUNTY, AND STATE; THENCE NORTH 2°-00'-51" EAST ALONG THE EAST LINE OF LAST SAID SUBDIVISION, DOUGLAS CORPORATE CENTER - LOT 2, AND DOUGLAS CORPORATE CENTER - LOT 1, BOTH SUBDIVISIONS IN SAID CITY, COUNTY, AND STATE, A DISTANCE OF 1327.29 FEET TO THE NORTHEAST CORNER OF DOUGLAS CORPORATE CENTER - LOT 1; THENCE NORTH 88°-19'-19" WEST ALONG THE NORTH LINE OF LAST SAID SUBDIVISION, A DISTANCE OF 14.10 FEET TO THE SOUTHEAST CORNER OF HAGAN FARM, LOTS 1 AND 2, A SUBDIVISION IN SAID CITY, COUNTY, AND STATE; THENCE NORTH 2°-15'-47" EAST ALONG THE EAST LINE OF LAST SAID SUBDIVISION, A DISTANCE OF 329.47 FEET (PLAT=330.00 FEET) TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 88°-19'-18" WEST ALONG THE NORTH LINE OF LAST SAID SUBDIVISION, A DISTANCE OF 299.71 FEET TO SAID EAST RIGHT OF WAY LINE OF NORTHEAST DOUGLAS STREET; THENCE NORTH 2°-18'-47" EAST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 1007.11 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 19; THENCE NORTH 87°-52'-27" WEST ALONG SAID 1/4 SECTION LINE, A DISTANCE OF 63.00 FEET TO THE WEST RIGHT OF WAY LINE OF SAID NORTHEAST DOUGLAS STREET; THENCE SOUTH 2°-18'-47" WEST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 303.38 FEET; THENCE NORTH 87°-52'-23" WEST, A DISTANCE OF 17.00 FEET TO THE NORTHEAST CORNER OF LOT 1, HAGAN HEIGHTS; THENCE SOUTH 2°-18'-47" WEST ALONG THE EAST LINE OF LOTS 1 AND 2, HAGAN HEIGHTS, A DISTANCE OF 273.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 87°-52'-23" WEST ALONG THE SOUTH LINE OF SAID LOT 2 AND ITS WESTERLY PROJECTION, A DISTANCE OF 879.35 FEET; THENCE NORTH 2°-18'-47" EAST, A DISTANCE OF 173.00 FEET TO THE SOUTHWEST CORNER OF LOT 1, HAGAN HEIGHTS; THENCE NORTH 2°-43'-55" EAST ALONG THE WEST LINE OF SAID LOT 1 AND ITS NORTHERLY PROJECTION, A DISTANCE OF 403.38 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 19; THENCE SOUTH 87°-52'-27" EAST ALONG SAID 1/4 SECTION LINE, A DISTANCE OF 322.61 FEET; THENCE NORTH 23°-18'-03" EAST, A DISTANCE OF 506.53 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF NORTH 27°-10'-29" WEST, A RADIUS OF 1250.00 FEET, A CENTRAL ANGLE OF 40°-33'-01", AND AN ARC LENGTH OF 884.67 FEET; THENCE NORTH 13°-22'-56" EAST, A DISTANCE OF 214.78 FEET; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 10°-54'-30", AND AN ARC LENGTH OF 218.94 FEET; THENCE NORTH 2°-28'-26" EAST, A DISTANCE OF 931.55 FEET TO SAID NORTH RIGHT OF WAY LINE OF OLD STROTHER ROAD; THENCE NORTH 87°-20'-30" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 145.74 FEET TO THE POINT OF BEGINNING.

LOT 2

THAT PART OF LOTS 7 AND 12, FIELDS FARM, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 31 WEST; THENCE SOUTH 1°-27'-56" WEST ALONG THE EAST LINE OF SAID 1/4 SECTION, A DISTANCE OF 40.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COLBERN ROAD AS ESTABLISHED BY DOCUMENT NO.

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271760 IN BOOK 556 AT PAGE 43 AND THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 88°-06'-51" WEST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1140.16 FEET TO THE EAST RIGHT OF WAY LINE OF DOUGLAS ROAD AS NOW ESTABLISHED; THENCE SOUTH 48°-45'-47" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 105.25 FEET; THENCE SOUTH 1°-37'-49" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 150.00 FEET TO THE NORTH RIGHT OF WAY LINE OF INTERSTATE 470 HIGHWAY AS ESTABLISHED BY DOCUMENT NO. I-53740 IN BOOK I-158 AT PAGE 1988; THENCE SOUTH 42°-16'-29" EAST, THIS AND THE FOLLOWING COURSES ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 189.09 FEET; THENCE SOUTH 78°-20'-53" EAST, A DISTANCE OF 741.78 FEET; THENCE NORTH 87°-57'-41" EAST, A DISTANCE OF 800.00 FEET; THENCE SOUTH 89°-10'-34" EAST, A DISTANCE OF 200.25 FEET; THENCE NORTH 87°-57'-41" EAST, A DISTANCE OF 17.62 FEET; THENCE NORTH 1°-41'-13" EAST DEPARTING SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 424.95 FEET TO SAID SOUTH RIGHT OF WAY LINE OF COLBERN ROAD; THENCE NORTH 88°-13'-03" WEST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 660.89 FEET TO THE POINT OF BEGINNING..

LOT 3

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 48 NORTH, RANGE 31 WEST IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4; THENCE SOUTH 88°-42'-12" EAST ALONG THE SOUTH LINE OF SAID 1/4 SECTION, A DISTANCE OF 1107.27 FEET TO THE EAST RIGHT OF WAY LINE OF INTERSTATE 470 HIGHWAY AS ESTABLISHED BY DOCUMENT NO. I-26482; THENCE NORTH 6°-44'-47" EAST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 260.82 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING NORTH 6°-44'-47" EAST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 84.78 FEET; THENCE SOUTH 83°-14'-59" EAST, CONTINUING ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 124.35 FEET TO THE WEST RIGHT OF WAY LINE OF RICE ROAD AS ESTABLISHED BY DOCUMENT NO. 653842; THENCE SOUTH 1°-35'-02" WEST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 141.52 FEET; THENCE NORTH 60°-58'-17" WEST, A DISTANCE OF 148.15 FEET TO THE POINT OF BEGINNING.

SECTION 2. Nonseverability. All provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

SECTION 3. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

SECTION 4. 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.

BILL NO. 19-244

PASSED by the City Council of the City of Lee's Summit, Missouri, this ___ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-255 – REZONING from AG, RP-1, CP-2, PI and PMIX to AZ
File Name	Lee's Summit Airport
Applicant	City of Lee's Summit
Property Address	2751 NE Douglas St
Planning Commission Date Heard by	October 10, 2019 Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager and Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: Spring of 2019
Neighborhood meeting conducted: September 16, 2019
Newspaper notification published on: September 21, 2019
Radius notices mailed to properties within 300 feet on: September 18, 2019
Site posted notice on: September 20, 2019

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Attachments

1. Rezoning Exhibit, date stamped September 9, 2019 –1 page
2. Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	City of Lee's Summit/owner
Applicant's Representative	Bob Hartnett, PLA, Deputy Director of Public Works/Administration
Location of Property	2751 NE Douglas St
Size of Property	553.633 Acres
Zoning (Existing)	AG (Agricultural District) RP-1 (Planned Single-Family Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District) PMIX (Planned Mixed Use District)
Zoning (Proposed)	AZ (Airport Zone)
Comprehensive Plan Designation	Airport Runway Protection Zone
Procedure	The Planning Commission makes a recommendation to the City Council on the proposed rezoning. The City Council takes final action on the rezoning in the form of an ordinance. Duration of Validity: There is no expiration to an approval for rezoning.

Current Land Use
Airport operations

Description of Applicant's Request
The applicant is seeking to rezone from AG, RP-1, CP-2, PI and PMIX to AZ.

2. Land Use

Description and Character of Surrounding Area
The property is located at 2751 NE Douglas St. The property uses on the west include industrial, commercial, multifamily and vacant/undeveloped agricultural land. Properties to the south include commercial uses and undeveloped vacant ground. Undeveloped agricultural land is located to the north. West of the property the uses includes large lot single-family homes, industrial, and undeveloped agricultural, commercial and multifamily ground.

Adjacent Land Uses and Zoning

North:	AG (Agricultural)
South:	CP-2 (Planned Community Commercial District)

East:	AG (Agricultural District) RP-4 (Planned Apartment Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District)
West:	AG (Agricultural District) R-1 (Single-Family Residential District) RP-4 (Planned Apartment Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District)

Site Characteristics
The property is the home to the Lee's Summit Municipal Airport and is an air traffic gateway to the Kansas City metropolitan area. The airport has two runways and operates seven days a week. Runway 18-36 is 5,501 ft. in length and 100 ft. wide. Runway 11-29 is 4,000 ft. in length and 75 ft. wide. The airport property currently consists of approximately 44 lots.

Special Considerations
This site is an existing airport with operations seven days a week.

3. Project Proposal

Setbacks

Yard	Proposed	Required
Front	20'	20'
Side	10'	10'
Rear	20'	20'

4. Unified Development Ordinance (UDO)

Section	Description
2.240, 2.250	Rezoning
4.230	AZ (Airport Zone)

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.3 Objective 1.4
Economic Development	Objective 2.1 Objective 2.2

6. Analysis

Background

The applicant proposes to rezone the existing airport to the recently established AZ (Airport Zone) zoning district. Established in 2016, the AZ district was an effort to incorporate the city airport and adjoining developable properties to provide for selective commercial and industrial uses that complement the airport.

History

- March 10, 2016 – The City Council approved UDO Amendment # 55 establishing the AZ (Airport Zone) zoning district (Appl. #PL2015-209) by Ordinance No. 7831.

Compatibility

The proposed rezoning will not negatively impact the character of the neighborhood. The proposed AZ (Airport Zone) is consistent with the existing use of the property and is in substantial compliance with the Comprehensive Plan.

Adverse Impacts

The airport use of the property will not detrimentally affect the appropriate use of neighboring property. The airport is designed, located and will operate so that the public health, safety and welfare will be protected.

Public Services

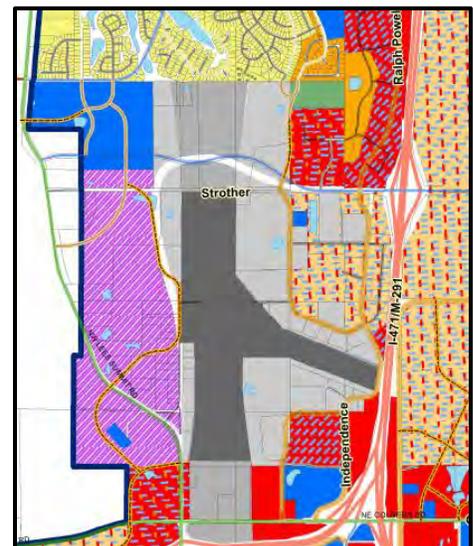
Existing public facilities and services are available and adequate to meet the demand for the facility and services generated by the use.

The proposed use will not impede the normal and orderly development and improvement of the surrounding property.

Unified Development Ordinance

Rezoning and Comprehensive Plan.

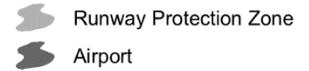
The subject 553.633 acres is currently zoned a mix of AG (Agricultural District), RP-1 (Planned Single-Family Residential District), CP-2 (Planned Community Commercial District), PI (Planned Industrial District) and PMIX (Planned Mixed Use District). The 2005 Lee’s Summit



Comprehensive Plan shows the subject area as Airport and Runway Protection Zone. The applicant proposes to rezone the property to AZ (Airport Zone) to clean up the existing zoning.

Recommendation

The application meets the requirements of the UDO and/or the Design and Construction Manual (DCM).



7. Recommended Conditions of Approval

Standard Conditions of Approval

There are no standard or site specific conditions of approval.

The City of Lee's Summit
Action Letter - Draft
Planning Commission

Thursday, October 10, 2019

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Call to Order

Roll Call

Present: 7 - Board Member Mark Kitchens
Board Member Carla Dial
Chairperson Jason Norbury
Vice Chair Donnie Funk
Board Member Terry Trafton
Board Member Jeff Sims
Board Member Dana Arth

Absent: 2 - Board Member John Lovell
Board Member Jake Loveless

Approval of Agenda

Chairperson Norbury announced that would be a few adjustments to the agenda. Items 2, 3, and 6, Items PL2019-261, PL2019-255, and PL2019-257, all pertaining to the Lee's Summit Airport, would be heard at the same time. Motions would be made and voted on for each item separately. He asked for a motion to approve.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this agenda be approved as amended. The motion carried unanimously.

Public Comments

There were no public comments presented at the meeting.

Approval of Consent Agenda

[TMP-1386](#) Appl. #PL2019-296 - SIGN APPLICATION - Raintree Village monument sign, 3803 SW Ward Rd; Royal Signs & Graphics, applicant

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

[2019-3072](#) Minutes of the September 26, 2019, Planning Commission meeting

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that the minutes be approved. The motion carried unanimously.

Public Hearings

[2019-3078](#) Appl. #PL2019-261 - VACATION OF RIGHT-OF-WAY - unused right-of-way on

Lee's Summit Airport property, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury opened the hearing for agenda items 2 and 3 at 5:10 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Bob Hartnett, deputy director of the Public Works Department, gave his business address as Lee's Summit City Hall at 220 SE Green Street. The City had purchased the Airport in 1977, and had acquired about 40 additional properties since then. These properties carried the original zoning; so the Airport had land zoned for residential, commercial and industrial uses. These agenda items were primarily for clean-up, including vacation of some rights-of-way involving Strother, Hagan, Leinweber and Douglas roads. These rights-of-way were no longer necessary. The rezoning application was a request to change this zoning mixture to all AZ (Airport) zoning. Regarding the final plan (agenda item 6), would reorganize these 40 lots into three lots.

Mr. Hartnett added that Mr. Andy Boding, of the consulting engineering firm of Crawford, Murphy and Tilly (CMT) and Mr. Jim Anderson of Anderson Survey were present and could answer questions.

Mr. Shannon McGuire entered into the record Exhibit (A), list of exhibits 1-12 for Application PL2019-255 and list of exhibits 1-12 for Application PL2019-261. He confirmed that the Airport property currently consisted of 44 different lots, with a mixture of AG, RP-1, CP-2, PI and PMIX zoning designations. The City proposed to change these to the AZ Airport zoning district established in 2006. It had been established to incorporate the City airport with adjoining developable properties in order to provide for selected commercial and industrial uses that would be compatible with the airport use. Additionally, several unused rights-of-way crossed over the property, as indicated on the displayed aerial map, one of them crossing a runway. Vacating these rights-of-way was necessary for replatting the existing 44 parcels into four lots.

The proposed rezoning and right-of-way vacations would not impact the surrounding neighborhood, and the proposed AZ zoning was consistent with the entire property's use. It was substantially consistent with the Comprehensive Plan, as well as meeting the requirements of the UDO and the Design and Construction Manual. . An overhead copper cable was within the Leinweber Road right-of-way, and a Condition of Approval for this application indicated a general utility easement. The second of two Conditions of Approval was the standard requirement for recording the vacation of the right-of-way.

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony. Seeing one, he opened the hearing for any Commissioners' questions for the applicant or staff.

Chairperson Norbury asked Mr. McGuire if it was correct that the rezoning would have no functional impact on the Airport's operations. Mr. McGuire confirmed that it was.

Chairperson Norbury asked if there were any further questions for the applicant or staff. As there were none, he closed the public hearing at 5:10 p.m. and asked for discussion among the Commission members, or for a motion. He asked that the two applications be voted on in two separate motions.

Mr. Funk asked what would be done with Item 6, which addressed the final plat. Chairperson Norbury answered that this item would be heard next.

Mr. Funk made a motion to recommend approval of Application PL2019-261, Vacation of Right-Of Way: unused right-of-way on Lee's Summit Airport property, 2751 NE Douglas St.; City of Lee's Summit, applicant; subject to staff's letter of October 4, 2019 specifically

Conditions of Approval 1 and 2. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3077](#)

Appl. #PL2019-255 - REZONING from AG, RP-1, CP-2, PI and PMIX to AZ - Lee's Summit Airport, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury asked for a motion on Application PL2019-255.

Mr. Funk made a motion to recommend approval of Application PL2019-255, Rezoning from AG, RP-1, CP-2, PI and PMIX to AZ; Lee's Summit Airport, 2751 NE Douglas St.; City of Lee's Summit, applicant. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3075](#)

Appl. #PL2019-233 - PRELIMINARY DEVELOPMENT PLAN - Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant

Chairperson Norbury opened the hearing at 5:13 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Ms. Tiffany Lehman stated that she was the civil engineer for this project. She described the subject property currently had a vacant restaurant building with asphalt coverage throughout the property. An access easement existed on the southeast side, leading down to SE 7th Terrace. The applicants planned to demolish the building and redevelop the property with a 2,600 square foot Wendy's restaurant. The project would include asphalt parking, concrete sidewalks, drive-through area, and a dumpster enclosure. The access easement would be redone, and they would install landscaping on the property.

Ms. Lehman displayed colored elevations, including the front (west side) of the building facing M-291 as well as the rear of the building, the south side of the building and the north side which included the drive-through.

Following Ms. Lehman's presentation, Chairperson Norbury asked for staff comments.

Mr. Soto entered Exhibit (A), list of exhibits 1-13 into the record. He confirmed that this was a redevelopment of an existing property. Displaying an aerial photo, he pointed out the locations of SE 7th Terrace and M-291 Highway. Lee's Summit High School was across the highway to the west, and the Missouri State Highway Patrol headquarters to the southwest. The QuikTrip store and HMH AutoSport were further south. A multi-tenant retail center were to the north and immediately to the east were some office/warehouse properties with industrial zoning. Some single-family residences and duplexes were further to the northeast.

The property had previously had restaurant use, most recently a 6,500 square foot sit-down restaurant but had been vacant for at least five years. The future user would be a 2,500 square foot drive-through restaurant. The proposed parking would be 37 spaces, two more than the 35 spaces required. The site had access at three points: the right-of-way from M-291

Highway, from SE Melody Lane and from SE 7th Terrace. At the northeast corner was a cross-access that went along the back of the retail building to Bayberry and its signaled access to M-291.

Mr. Soto noted that this redevelopment would be reducing impervious coverage on the site by about 17 percent: from 91 percent coverage to 74 percent. Referring to the colored elevations referenced earlier, he noted the building materials: brown or earth tone fiber cement panels, and the aluminum composite metal (ACM) panels in red and gray. These were similar to materials previously proposed and approved for churches and for some auto dealerships, as well as other materials and architecture along M-291. The elevations also showed a large amount of glass on the north and south sides. Staff's analysis concluded that the use was consistent with the Comprehensive Plan, with the M-291 corridor north of US 50 was primarily retail use. Restaurant use would be equally appropriate, and this long-vacant site was in an especially visible location.

Staff's only Condition of Approval was that the ACM panels proposed would be allowed as a conditional material, "as shown in the preliminary development plan date stamped September 9, 2019." The UDO allowed the panels, but after a review. This was a material that had become more common.

Following Mr. Soto's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then opened the hearing for Commissioners' questions for the applicant or staff.

Mr. Funk asked if Melody Lane would end at the property or continue to be a through street in front of the restaurant. Mr. Soto answered that there would still be continuous access, but the right-of-way did terminate at the north property line and extend into the private drive beyond that. 7th Street would remain, and be improved, and it had a cross-access easement with adjoining properties. On the displayed aerial map, he pointed out the drive behind the HMM building that gave access to 7th Terrace.

Mr. Kitchens noted that the drive-through traffic was immediately to the left of the entrance/exit off M-291. It had room for 2 or 3 cars. He asked if it could be a one-way corridor, as it would be easy for drivers from M-291 to cut through the drive-through traffic. It was a common problem with fast-food restaurants whose lots combined parking and drive-through traffic.

Ms. Lehman asserted that the applicant had worked with the City on this issue. Their stacking did allow for about nine cars from the order box out to the front. Wendy's corporate usually requested six. They wanted to keep the two-way traffic, as it allowed the most access throughout the site; and as the stacking for the drive-through was more than what was required, they did not anticipate any traffic obstruction in the front. Mr. Kitchens asked if the applicant had a waiting time limit for drive-through lines.

Mr. Park clarified that the M-291 access belonged to MoDOT. They had reviewed this plan and the traffic circulation, and the property did have room for stacking of 8 or 9 vehicles up to the menu board. Staff's preference was also for the drive to be two-way; and MoDOT had indicated that this access shared with Melody to the north would be changed. This would be after interchange improvements that would move the Blue Parkway signal to 7th Street, just to the south; and at that point MoDOT would probably move it north to the Melody Lane right-of-way. At present, they did not have a schedule for interchange improvements from MoDOT and so relied on the operator of the store to mitigate congestion by directing people around the perimeter before entering the drive-through line.

Mr. Sims remarked to Mr. Park that while he understood the concern with stacking and the drive-through, he was more concerned with left turns onto M-291. He acknowledged that it

was a MoDOT right-of-way, and asked if making this a right-in-right-out access had been considered. Mr. Park answered that MoDOT did have a safety concern about the left and crossover movements onto M-291. They were reserving the access management control for an interchange. They could not know what the extent and nature of the improvements would be at this point.

At Mr. Funk's request, Ms. Lehman pointed out this area was on the site plan, toward the back of the property. The plan showed a significant area for stacking in front of it.

Regarding the aluminum composite metal panels referred to earlier, Chairperson Norbury asked Mr. Soto if City staff had considered making it a conditional use since its use was becoming more common. Mr. Soto replied that they were.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:30 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk commended the applicant on Wendy's current designs, mentioning the store on Chipman as an example. He then made a motion to recommend approval of Application PL2019-233, Preliminary Development Plan: Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Recommendation Conditions of Approval 1 (site specific) and 2-11 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3076](#)

Appl. #PL2019-246 - PRELIMINARY DEVELOPMENT PLAN - DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant

Chairperson Norbury opened the hearing at 5:30 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Philip Pierson of the Callas Design Group, gave his address as 5016 Centennial Boulevard in Nashville, Tennessee. He was present representing Dialysis Clinic, Inc. They proposed to build a 10,400 square foot building for the clinic. The clinic would have 17 patient stations, a small suite for a doctor's office. Mr. Pierson emphasized that this was not a use that generated much noise or heavy traffic. Patients often stayed for several hours, so the clinic would have morning and afternoon shifts.

Following Mr. Pierson's presentation, Chairperson Norbury asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-15 into the record. He first cited a correction to page 5 of staff's letter, with the site's use being "Mixed Use—John Knox Village." The subject property was on the southwest corner of NW Shamrock Avenue and NW Pryor Road and was about 2.25 acres. It was just west of the new fire station #3. It had been included in the conceptual plan approved by the City Council in September 2018 and so had required a preliminary development plan. The property was zoned PMIX, with the Comprehensive Plan identifying this area as "Mixed Use – John Knox Village." John Knox Village was to the east, and the Sterling Hills single-family subdivision was to the south. To the north was some undeveloped land kept for future commercial use.

Mr. McGuire displayed color elevations of the building, showing materials of masonry, EIFS,

brick and glass. The applicant asked for one modification, to the high-impact screening buffer required. They proposed a six-foot tall vinyl fence about three feet north of the south property line, and the required high-impact screen planted on the fence's north side instead of on both sides of the fence. With the fence three feet from the property line, and the required screening elements planted on the north side, the vegetation would be more accessible for maintenance.

The proposed development would not have any detrimental impact on the surrounding area, nor impede the development of surrounding properties. It would have an on-site stormwater detention system. The road network had enough capacity to handle the proposed use, so no road improvements were needed or required. The project met the requirements of both the UDO and the Design and Construction Manual.

Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, Chairperson Norbury then asked if the Commission had questions for the applicant or staff.

Chairperson asked if any City staff was working on the UDO's definition of a high-impact landscaping buffer. Mr. Soto replied that in most recent proposals the amount of landscaping met the UDO requirements; though not often stating where a required fence would be placed. Staff was working on some flexibility on this placement, to allow for different circumstances and conditions on different sites. Utility lines, for example, could often mandate modifications.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:35 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk made a motion to recommend approval of Application PL2019-246, Preliminary Development Plan: DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Conditions of Approval 1 (Site Specific) through 8 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

Other Agenda Items

[TMP-1388](#) PL2019-257 - FINAL PLAT - Lee's Summit Airport, 2751 NE Douglas St; Anderson Survey Co., applicant

Chairperson Norbury opened the hearing at 5:12 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McGuire remarked that usually this would be a Consent Agenda Item. However, due to the timing of the preliminary plat, the rezoning, and the rights-of-way vacations, it had been moved up. It was not possible to replat with the right-of-way. Consequently, there was no further presentation.

Chairperson Norbury asked for a motion for Application PL2019-257.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

Roundtable

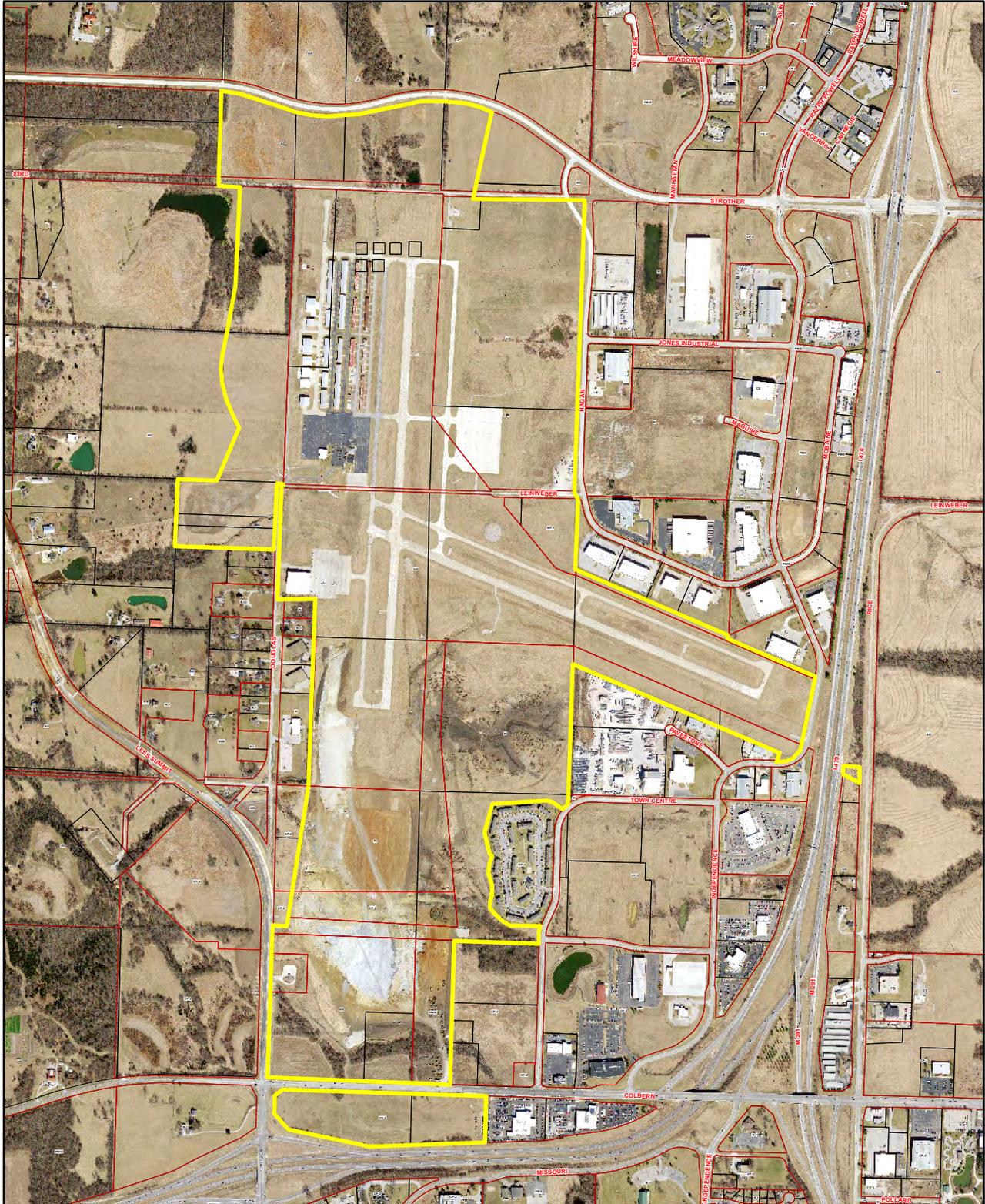
There were no Roundtable items at the meeting.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting at 5:42 P.M.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"

**Appl. #PL2019-255 – REZONING
from AG, RP-1, CP-2, PI and PMIX to AZ
Lee’s Summit Airport, 2751 NE Douglas St
City of Lee’s Summit, applicant**



Packet Information

File #: 2019-3078, Version: 1

Public Hearing: Application #PL2019-261 - Vacation of Right-Of-Way - unused right-of-way on Lee's Summit Airport property, 2751 NE Douglas St; City of Lee's Summit, applicant.

Issue/Request:

The applicant requests to vacate portions of rights-of-way located on NE Strother Rd, NE Douglas Rd, NE Hagan RD and NE Leinweber Rd.

Proposed City Council Motion:

I move for a second reading of Appl. #PL2019-261 - VACATION OF RIGHT-OF-WAY - unused right-of-way on Lee's Summit Airport property, 2751 NE Douglas St; City of Lee's Summit, applicant

Bob Hartnett, PLA, Deputy Director of Public Works/Administration
Josh Johnson, AICP, Assistant Director of Plan Services

The City of Lee's Summit
Action Letter - Draft
Planning Commission

Thursday, October 10, 2019

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Call to Order

Roll Call

Present: 7 - Board Member Mark Kitchens
Board Member Carla Dial
Chairperson Jason Norbury
Vice Chair Donnie Funk
Board Member Terry Trafton
Board Member Jeff Sims
Board Member Dana Arth

Absent: 2 - Board Member John Lovell
Board Member Jake Loveless

Approval of Agenda

Chairperson Norbury announced that would be a few adjustments to the agenda. Items 2, 3, and 6, Items PL2019-261, PL2019-255, and PL2019-257, all pertaining to the Lee's Summit Airport, would be heard at the same time. Motions would be made and voted on for each item separately. He asked for a motion to approve.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this agenda be approved as amended. The motion carried unanimously.

Public Comments

There were no public comments presented at the meeting.

Approval of Consent Agenda

[TMP-1386](#) Appl. #PL2019-296 - SIGN APPLICATION - Raintree Village monument sign, 3803 SW Ward Rd; Royal Signs & Graphics, applicant

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

[2019-3072](#) Minutes of the September 26, 2019, Planning Commission meeting

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that the minutes be approved. The motion carried unanimously.

Public Hearings

[2019-3078](#) Appl. #PL2019-261 - VACATION OF RIGHT-OF-WAY - unused right-of-way on

Lee's Summit Airport property, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury opened the hearing for agenda items 2 and 3 at 5:10 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Bob Hartnett, deputy director of the Public Works Department, gave his business address as Lee's Summit City Hall at 220 SE Green Street. The City had purchased the Airport in 1977, and had acquired about 40 additional properties since then. These properties carried the original zoning; so the Airport had land zoned for residential, commercial and industrial uses. These agenda items were primarily for clean-up, including vacation of some rights-of-way involving Strother, Hagan, Leinweber and Douglas roads. These rights-of-way were no longer necessary. The rezoning application was a request to change this zoning mixture to all AZ (Airport) zoning. Regarding the final plan (agenda item 6), would reorganize these 40 lots into three lots.

Mr. Hartnett added that Mr. Andy Boding, of the consulting engineering firm of Crawford, Murphy and Tilly (CMT) and Mr. Jim Anderson of Anderson Survey were present and could answer questions.

Mr. Shannon McGuire entered into the record Exhibit (A), list of exhibits 1-12 for Application PL2019-255 and list of exhibits 1-12 for Application PL2019-261. He confirmed that the Airport property currently consisted of 44 different lots, with a mixture of AG, RP-1, CP-2, PI and PMIX zoning designations. The City proposed to change these to the AZ Airport zoning district established in 2006. It had been established to incorporate the City airport with adjoining developable properties in order to provide for selected commercial and industrial uses that would be compatible with the airport use. Additionally, several unused rights-of-way crossed over the property, as indicated on the displayed aerial map, one of them crossing a runway. Vacating these rights-of-way was necessary for replatting the existing 44 parcels into four lots.

The proposed rezoning and right-of-way vacations would not impact the surrounding neighborhood, and the proposed AZ zoning was consistent with the entire property's use. It was substantially consistent with the Comprehensive Plan, as well as meeting the requirements of the UDO and the Design and Construction Manual. . An overhead copper cable was within the Leinweber Road right-of-way, and a Condition of Approval for this application indicated a general utility easement. The second of two Conditions of Approval was the standard requirement for recording the vacation of the right-of-way.

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony. Seeing one, he opened the hearing for any Commissioners' questions for the applicant or staff.

Chairperson Norbury asked Mr. McGuire if it was correct that the rezoning would have no functional impact on the Airport's operations. Mr. McGuire confirmed that it was.

Chairperson Norbury asked if there were any further questions for the applicant or staff. As there were none, he closed the public hearing at 5:10 p.m. and asked for discussion among the Commission members, or for a motion. He asked that the two applications be voted on in two separate motions.

Mr. Funk asked what would be done with Item 6, which addressed the final plat. Chairperson Norbury answered that this item would be heard next.

Mr. Funk made a motion to recommend approval of Application PL2019-261, Vacation of Right-Of Way: unused right-of-way on Lee's Summit Airport property, 2751 NE Douglas St.; City of Lee's Summit, applicant; subject to staff's letter of October 4, 2019 specifically

Conditions of Approval 1 and 2. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3077](#)

Appl. #PL2019-255 - REZONING from AG, RP-1, CP-2, PI and PMIX to AZ - Lee's Summit Airport, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury asked for a motion on Application PL2019-255.

Mr. Funk made a motion to recommend approval of Application PL2019-255, Rezoning from AG, RP-1, CP-2, PI and PMIX to AZ; Lee's Summit Airport, 2751 NE Douglas St.; City of Lee's Summit, applicant. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3075](#)

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Ms. Tiffany Lehman stated that she was the civil engineer for this project. She described the subject property currently had a vacant restaurant building with asphalt coverage throughout the property. An access easement existed on the southeast side, leading down to SE 7th Terrace. The applicants planned to demolish the building and redevelop the property with a 2,600 square foot Wendy's restaurant. The project would include asphalt parking, concrete sidewalks, drive-through area, and a dumpster enclosure. The access easement would be redone, and they would install landscaping on the property.

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Highway, from SE Melody Lane and from SE 7th Terrace. At the northeast corner was a cross-access that went along the back of the retail building to Bayberry and its signaled access to M-291.

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[2019-3076](#)

Appl. #PL2019-246 - PRELIMINARY DEVELOPMENT PLAN - DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant

Chairperson Norbury opened the hearing at 5:30 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Philip Pierson of the Callas Design Group, gave his address as 5016 Centennial Boulevard in Nashville, Tennessee. He was present representing Dialysis Clinic, Inc. They proposed to build a 10,400 square foot building for the clinic. The clinic would have 17 patient stations, a small suite for a doctor's office. Mr. Pierson emphasized that this was not a use that generated much noise or heavy traffic. Patients often stayed for several hours, so the clinic would have morning and afternoon shifts.

Following Mr. Pierson's presentation, Chairperson Norbury asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-15 into the record. He first cited a correction to page 5 of staff's letter, with the site's use being "Mixed Use—John Knox Village." The subject property was on the southwest corner of NW Shamrock Avenue and NW Pryor Road and was about 2.25 acres. It was just west of the new fire station #3. It had been included in the conceptual plan approved by the City Council in September 2018 and so had required a preliminary development plan. The property was zoned PMIX, with the Comprehensive Plan identifying this area as "Mixed Use – John Knox Village." John Knox Village was to the east, and the Sterling Hills single-family subdivision was to the south. To the north was some undeveloped land kept for future commercial use.

Mr. McGuire displayed color elevations of the building, showing materials of masonry, EIFS,

brick and glass. The applicant asked for one modification, to the high-impact screening buffer required. They proposed a six-foot tall vinyl fence about three feet north of the south property line, and the required high-impact screen planted on the fence's north side instead of on both sides of the fence. With the fence three feet from the property line, and the required screening elements planted on the north side, the vegetation would be more accessible for maintenance.

The proposed development would not have any detrimental impact on the surrounding area, nor impede the development of surrounding properties. It would have an on-site stormwater detention system. The road network had enough capacity to handle the proposed use, so no road improvements were needed or required. The project met the requirements of both the UDO and the Design and Construction Manual.

Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, Chairperson Norbury then asked if the Commission had questions for the applicant or staff.

Chairperson asked if any City staff was working on the UDO's definition of a high-impact landscaping buffer. Mr. Soto replied that in most recent proposals the amount of landscaping met the UDO requirements; though not often stating where a required fence would be placed. Staff was working on some flexibility on this placement, to allow for different circumstances and conditions on different sites. Utility lines, for example, could often mandate modifications.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:35 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk made a motion to recommend approval of Application PL2019-246, Preliminary Development Plan: DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Conditions of Approval 1 (Site Specific) through 8 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

Other Agenda Items

[TMP-1388](#) PL2019-257 - FINAL PLAT - Lee's Summit Airport, 2751 NE Douglas St; Anderson Survey Co., applicant

Chairperson Norbury opened the hearing at 5:12 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McGuire remarked that usually this would be a Consent Agenda Item. However, due to the timing of the preliminary plat, the rezoning, and the rights-of-way vacations, it had been moved up. It was not possible to replat with the right-of-way. Consequently, there was no further presentation.

Chairperson Norbury asked for a motion for Application PL2019-257.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

Roundtable

There were no Roundtable items at the meeting.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting at 5:42 P.M.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-261 – Vacation of Right-of-Way
File Name	Lee's Summit Airport
Applicant	City of Lee's Summit
Property Address	2751 NE Douglas St
Planning Commission Date Heard by	October 10, 2019 Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager and Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: Spring of 2019
Neighborhood meeting conducted: September 16, 2019
Newspaper notification published on: September 21, 2019
Radius notices mailed to properties within 300 feet on: September 18, 2019
Site posted notice on: September 20, 2019

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3. Unified Development Ordinance (UDO)	3
4. Comprehensive Plan	3
5. Analysis	4
6. Recommended Conditions of Approval	4

Attachments

Exhibits and Legal Descriptions, date stamped August 9, 2019 – 8 pages
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	City of Lee's Summit/owner
Applicant's Representative	Bob Hartnett, PLA, Deputy Director of Public Works/Administration
Location of Property	2751 NE Douglas St
Size of Property	553.633 Acres
Zoning	AG (Agricultural District) RP-1 (Planned Single-Family Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District) PMIX (Planned Mixed Use District)
Comprehensive Plan Designation	Airport Runway Protection Zone
Procedure	The Planning Commission holds a public hearing and makes a recommendation to the City Council on the proposed vacation of right-of-way. The City Council holds a public hearing and takes final action on the vacation of right-of-way application. All vacation of right-of-way applications shall be approved by ordinance. The vacation of right-of-way goes into effect upon City Council final action, unless otherwise stated in the approval, and does not expire.

Current Land Use
Airport operations

Description of Applicant's Request
The applicant requests to vacate portions of rights-of-way located on NE Strother Rd, NE Douglas Rd, NE Hagan RD and NE Leinweber Rd.

2. Land Use

Description and Character of Surrounding Area
The property is located at 2751 NE Douglas St. Adjoining property uses on the east include industrial, commercial, multifamily and vacant/undeveloped agricultural land. Properties to the south include commercial uses and undeveloped vacant ground. Undeveloped agricultural land is located to the north. West of the subject property the uses includes large lot single-family homes, industrial, and undeveloped agricultural, commercial and multifamily ground.

Adjacent Land Uses and Zoning

North:	AG (Agricultural)
South:	CP-2 (Planned Community Commercial District)
East:	AG (Agricultural District) RP-4 (Planned Apartment Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District)
West:	AG (Agricultural District) R-1 (Single-Family Residential District) RP-4 (Planned Apartment Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District)

Site Characteristics
The property is the home to the Lee's Summit Municipal Airport and is an air traffic gateway to the Kansas City metropolitan area. The airport has two runways and operates seven days a week. Runway 18-36 is 5,501 ft. in length and 100 ft. wide. Runway 11-29 is 4,000 ft. in length and 75 ft. wide. The airport property currently consists of approximately 44 lots.

Special Considerations
This site is an existing airport with operations seven days a week.

3. Unified Development Ordinance (UDO)

Section	Description
2.460, 2.470	Vacation of Right-of-way

Unified Development Ordinance (UDO)

Under existing conditions, the airport has unused rights-of-way that cross over the subject property. The applicant's purpose for the vacation of rights-of-way is one-step in the applicant's pursuit in cleaning up the existing plats and ultimately plating the existing 44 parcels in to 4 lots.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.3
Economic Development	Objective 2.1 Objective 2.2

Comprehensive Plan

The proposed vacation of right-of-way does not compromise the ability to implement and/or achieve any policies, goals or objectives outlined in the Comprehensive Plan. In fact, the request is intended to improve the viability of the airport property. Adequate utility, pedestrian and vehicular access to the abutting properties is unaffected by the request to vacate the subject segments of right-of-way.

5. Analysis

Background

The applicant requests to vacate right-of-way located on NE Strother Rd, NE Douglas Rd, NE Hagan RD and NE Leinweber Rd. The proposed vacation of rights-of-way is one of the initial steps in the applicant's ultimate pursuit of rezoning the airport property into a single zoning district and plating the existing 44 parcels into 4 lots.

History

- March 10, 2016 – The City Council approved UDO Amendment # 55 establishing the AZ (Airport Zone) zoning district (Appl. #PL2015-209) by Ordinance No. 7831.

Compatibility

The proposed vacation of right-of-way is one of the initial steps in the applicant's ultimate pursuit of rezoning the airport property into a single zoning district and plating the existing 44 parcels in to 4 lots.

Adverse Impacts

The proposed vacation of right-of-way will not negatively impact the use or aesthetics of any neighboring property, nor does it negatively impact the health, safety and welfare of the public. Adequate access to the surrounding lots is provided by the area's existing street network.

Public Services

An overhead aerial copper cable exists within the right-of-way along NE Leinweber Rd. A condition of approval placed on this application is to retain a general utility easement to cover the existing infrastructure serving the area.

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO and Design and Construction Manual (DCM).

6. Recommended Conditions of Approval

Site Specific

1. A general utility easement shall be retained over the entire length of the right-of-way to cover existing infrastructure located within the right-of-way along NE Leinweber Rd.

Standard Conditions of Approval

2. The ordinance approving the vacation of right-of-way shall be recorded with the Jackson County Recorder of Deeds office and a copy of the recorded document shall be returned to the Development Services Department.

EXHIBIT "A"

PROJECT: LEE'S SUMMIT AIRPORT
DATE: AUGUST 9, 2019
STROTHER/HAGAN ROADS

DESCRIPTION STROTHER ROAD AND HAGAN ROAD RIGHT OF WAY VACATION:

THAT PART OF SECTIONS 17, 18, 19, AND 20, ALL IN TOWNSHIP 48 NORTH, RANGE 31 WEST IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 2°-10'-46" WEST ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 87°-20'-26" WEST ALONG A LINE 20.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 18, A DISTANCE OF 1809.39 FEET; THENCE NORTH 2°-28'-26" EAST, A DISTANCE OF 40.00 FEET TO A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 18; THENCE SOUTH 87°-20'-26" EAST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 1809.07 FEET TO THE WEST LINE OF SAID SECTION 17; THENCE SOUTH 88°-21'-49" EAST ALONG A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 1067.72 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 13°-47'-59" EAST, A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 6°-21'-58", AND AN ARC DISTANCE OF 42.23 FEET TO A LINE THAT IS 20.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 20; THENCE NORTH 88°-21'-49" WEST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 1081.46 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 115,337 SQUARE FEET OR 2.648 ACRES, MORE OR LESS.

AND

THAT PART OF SECTIONS 17 AND 20, TOWNSHIP 48 NORTH, RANGE 31 WEST IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE NORTH 2°-10'-46" EAST ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 20.00 FEET TO A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17; THENCE SOUTH 88°-21'-49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 1130.41 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING SOUTH 88°-21'-49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 179.19 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 17;



THENCE NORTH 2°-05'-01" EAST ALONG SAID EAST LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH 88°-21'-49" EAST ALONG A LINE THAT IS 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 292.74 FEET TO THE SOUTHWEST RIGHT-OF-WAY LINE OF NEW STROTHER ROAD AS ESTABLISHED BY INSTRUMENT NO. 2012E0077748; THENCE SOUTHEAST ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 66°-20'-36" EAST, A RADIUS OF 1100.00 FEET, A CENTRAL ANGLE OF 11°-00'-39", AND AN ARC DISTANCE OF 211.39 FEET TO THE SOUTHWEST RIGHT-OF-WAY LINE OF NEW STROTHER ROAD AS ESTABLISHED BY INSTRUMENT NO. 2012E0131436; THENCE NORTH 88°-21'-49" WEST ALONG A LINE THAT IS 30.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 435.18 FEET; THENCE ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°-11'-01", AND AN ARC DISTANCE OF 47.22 FEET TO THE EAST RIGHT-OF-WAY LINE OF HAGAN ROAD AS ESTABLISHED BY DOCUMENT NO. I-884794; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 924.94 FEET, A CENTRAL ANGLE OF 5°-22'-59", AND AN ARC DISTANCE OF 86.90 FEET; THENCE SOUTH 3°-55'-29" EAST CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 101.10 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 1114.84 FEET, A CENTRAL ANGLE OF 5°-16'-39", AND AN ARC DISTANCE OF 102.69 FEET; THENCE SOUTH 1°-21'-11" WEST CONTINUING ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 105.61 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 0°-48'-32" EAST, A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 32°-35'-44", AND AN ARC DISTANCE OF 216.18 FEET; THENCE NORTH 31°-47'-12" WEST, A DISTANCE OF 16.30 FEET; THENCE NORTH 2°-03'-20" EAST, A DISTANCE OF 218.18 FEET TO A LINE THAT IS 20.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17; THENCE NORTH 88°-21'-49" WEST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 142.51 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGEN BEARING OF NORTH 24°-31'-57" WEST, A RADIUS OF 320.00 FEET, A CENTRAL ANGLE OF 7°-44'-40", AND AN ARC DISTANCE OF 43.27 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 46,566 SQUARE FEET OR 1.069 ACRES, MORE OR LESS.



James S. Anderson
JAMES S. ANDERSON, PLS #1726
ANDERSON SURVEY COMPANY
1270 N.E. DELTA SCHOOL ROAD
LEE'S SUMMIT, MISSOURI 64064
PHONE: (816) 246-5050

8/9/19



17, 18, 19, 20-48-31
 18-11-42364-1
 42364_exhibits.dwg

STROTHER ROAD

ROAD

THE BEARING SYSTEM SHOWN
 HEREON IS BASED UPON THE
 MISSOURI COORDINATE SYSTEM
 1983, WEST ZONE

POINT OF COMMENCEMENT
 SOUTHWEST CORNER SECTION
 17, TOWNSHIP 48 NORTH,
 RANGE 31 WEST

POINT OF BEGINNING

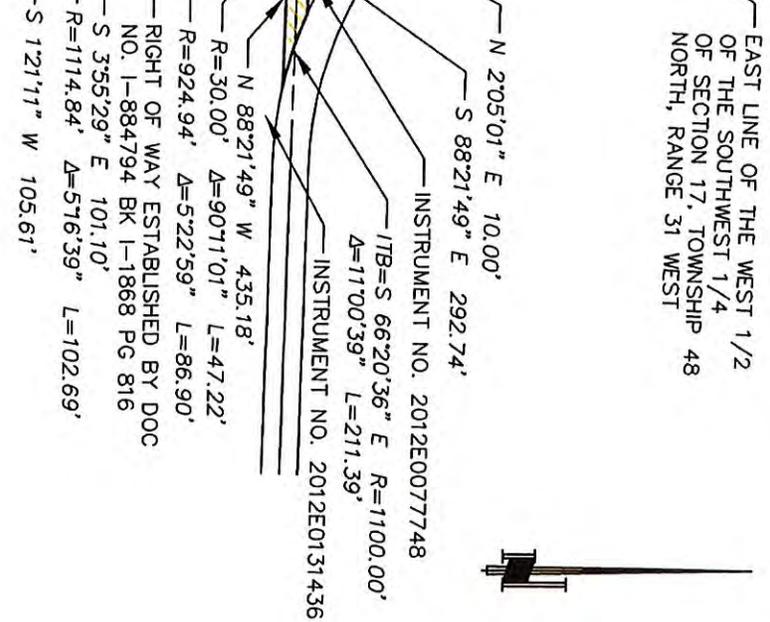


EXHIBIT A

CITY OF LEE'S SUMMIT



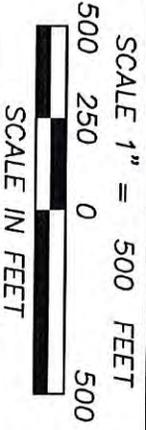
1270 N.E. DELTA SCHOOL ROAD
 LEES SUMMIT, MISSOURI 64064
 (816) 246-5050

MISSOURI CERTIFICATE OF AUTHORITY, 000076



VACATED RIGHT OF WAY
 46,566 SQUARE FEET

PROJECT NAME: LEE'S SUMMIT AIRPORT
 FOR: CITY OF LEE'S SUMMIT
 200 SOUTHEAST GREEN STREET
 LEE'S SUMMIT, MISSOURI 64063
 DATE: AUGUST 9, 2019



8/9/19
 JAMES S. ANDERSON,
 PLS #1726

17, 18, 19, 20-48-31
 18-11-42364-1
 42364_exhibits.dwg

STROTHER ROAD

CLOSURE ERROR:
 ERROR: 0.003'
 DISTANCE: 2,208.46'
 CLOSURE: 1:900.130

POINT OF COMMENCEMENT
 SOUTHWEST CORNER SECTION
 17, TOWNSHIP 48 NORTH,
 RANGE 31 WEST

THE BEARING SYSTEM SHOWN
 HEREON IS BASED UPON THE
 MISSOURI COORDINATE SYSTEM
 1983, WEST ZONE

CLOSURE REPORT

CITY OF LEE'S SUMMIT



1270 N.E. DELTA SCHOOL ROAD
 LEE'S SUMMIT, MISSOURI 64064
 (816) 246-5050
 MISSOURI CERTIFICATE OF AUTHORITY, 000076

ROAD

POINT OF BEGINNING

S 88°21'49" E 179.19'
 S 88°21'49" E 1130.41'
 S 270°46" W 20.00'
 ITB=N 24°31'57" W R=320.00'
 Δ=7°44'40" L=43.27'
 N 88°21'49" W 142.51'
 N 203°20" E 218.18'
 N 31°47'12" W 16.30'
 ITB=N 0°48'32" E R=380.00'
 Δ=32°35'44" L=216.18'

EAST LINE OF THE WEST 1/2
 OF THE SOUTHWEST 1/4
 OF SECTION 17, TOWNSHIP 48
 NORTH, RANGE 31 WEST

N 205°01" E 10.00'
 S 88°21'49" E 292.74'
 INSTRUMENT NO. 2012E0077748
 ITB=S 66°20'36" E R=1100.00'
 Δ=11°00'39" L=211.39'
 INSTRUMENT NO. 2012E0131436
 N 88°21'49" W 435.18'
 R=30.00' Δ=90°11'01" L=47.22'
 R=924.94' Δ=5°22'59" L=86.90'
 RIGHT OF WAY ESTABLISHED BY DOC
 NO. I-884794 BK I-1868 PG 816
 S 355°29" E 101.10'
 R=1114.84' Δ=5°16'39" L=102.69'
 S 121°11" W 105.61'



PROJECT NAME: LEE'S SUMMIT AIRPORT
 FOR: CITY OF LEE'S SUMMIT
 200 SOUTHEAST GREEN STREET
 LEE'S SUMMIT, MISSOURI 64063
 DATE: AUGUST, 2019

STATE OF MISSOURI
 REGISTERED LAND SURVEYOR
 JAMES S. ANDERSON
 NUMBER LS-1726
 8/9/19
 JAMES S. ANDERSON,
 PLS #1726

17, 18, 19, 20-48-31
 18-11-42364-1
 42364_exhibits.dwg

STROTHER ROAD

ROAD

POINT OF COMMENCEMENT
 SOUTHWEST CORNER SECTION
 17, TOWNSHIP 48 NORTH,
 RANGE 31 WEST

POINT OF BEGINNING

EAST LINE OF THE WEST 1/2
 OF THE SOUTHWEST 1/4
 OF SECTION 17, TOWNSHIP 48
 NORTH, RANGE 31 WEST

CLOSURE ERROR:
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 DISTANCE: 5,849.87'
 CLOSURE: 1:1,949,957



THE BEARING SYSTEM SHOWN
 HEREON IS BASED UPON THE
 MISSOURI COORDINATE SYSTEM
 1983, WEST ZONE

N 2'28.26" E 40.00'
 S 87°20'26" E 1809.07'
 N 87°20'26" W 1809.39'
 S 2'10.46" W 20.00'

S 88°21'49" E 1067.72'
 N 88°21'49" W 1081.46'
 ITB=S 13°47'59" E R=380.00'
 L=6°21'58" L=42.23'

CLOSURE REPORT
CITY OF LEE'S SUMMIT



MISSOURI CERTIFICATE OF AUTHORITY, 000076

SCALE 1" = 500 FEET
 500 250 0 500
 SCALE IN FEET

PROJECT NAME: LEE'S SUMMIT AIRPORT
 FOR: CITY OF LEE'S SUMMIT
 200 SOUTHEAST GREEN STREET
 LEE'S SUMMIT, MISSOURI 64063
 DATE: AUGUST 9, 2019

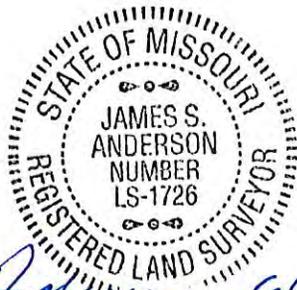
VACATED RIGHT OF WAY
 115,337 SQUARE FEET

STATE OF MISSOURI
 JAMES S. ANDERSON
 SURVEYOR
 LICENSE NUMBER
 LS-1726
 8/9/19
 JAMES S. ANDERSON,
 PLS #1726

EXHIBIT "A"

PROJECT: LEE'S SUMMIT AIRPORT
DATE: MAY 26, 2019
DOUGLAS STREET

DESCRIPTION: DOUGLAS STREET RIGHT OF WAY VACATION:
THAT PART OF DOUGLAS STREET AS ESTABLISHED BY DOCUMENT NO. I-492376 IN BOOK I-1154 AT PAGE 1959 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE WEST 30.00 FEET OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 48 NORTH, RANGE 31 WEST LYING SOUTH OF A LINE 20.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID EAST 1/2. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 79,290 SQUARE FEET, MORE OR LESS.



James S. Anderson 6/4/19

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PHONE: (816) 246-5050



17, 18, 19, 20-48-31
18-11-42364-1
42364_exhibits.dwg

OLD STROTHER ROAD

NORTHEAST DOUGLAS STREET
WEST LINE OF EAST 1/2 OF
NORTHEAST 1/4 SECTION 19,
TOWNSHIP 48 NORTH, RANGE
31 WEST

RIGHT OF WAY ESTABLISHED
BY DOCUMENT NO. I-492376
BOOK I-1154, PAGE 1959

2642.94'

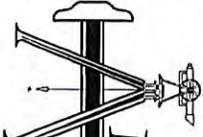
30.00'

SOUTHWEST CORNER OF EAST
1/2 OF NORTHEAST 1/4
SECTION 19, TOWNSHIP 48
NORTH, RANGE 31 WEST

THE BEARING SYSTEM SHOWN
HEREON IS BASED UPON THE
MISSOURI COORDINATE SYSTEM
1983, WEST ZONE

EXHIBIT A

CITY OF LEE'S SUMMIT



JAMES S. ANDERSON
SURVEY COMPANY
1270 N.E. DELTA SCHOOL ROAD
LEE'S SUMMIT, MISSOURI 64064
(816) 246-5050

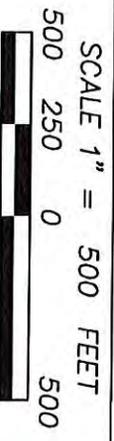
MISSOURI CERTIFICATE OF AUTHORITY, 000076



VACATED RIGHT OF WAY
79,290 SQUARE FEET

PROJECT NAME: LEE'S SUMMIT AIRPORT
FOR: CITY OF LEE'S SUMMIT
200 SOUTHEAST GREEN STREET
LEE'S SUMMIT, MISSOURI 64063
DATE: MAY 26, 2019

SCALE IN FEET



STATE OF MISSOURI
REGISTERED LAND SURVEYOR
JAMES S. ANDERSON
NUMBER LS-1726
4/27/19
JAMES S. ANDERSON,
PLS #1726

EXHIBIT "A"

PROJECT: LEE'S SUMMIT AIRPORT
DATE: MAY 26, 2019
LEINWEBER ROAD

DESCRIPTION: LEINWEBER ROAD RIGHT OF WAY VACATION:
THAT PART OF LEINWEBER ROAD LYING BETWEEN THE WEST LINE OF THE EAST 1/2 OF
THE EAST 1/2 OF SECTION 19 AND THE EAST LINE OF THE WEST 1/2 OF THE WEST 1/2 OF
SECTION 20, TOWNSHIP 48 NORTH, RANGE 31 WEST.



James S. Anderson 6/4/19

JAMES S. ANDERSON, PLS #1726
ANDERSON SURVEY COMPANY
1270 N.E. DELTA SCHOOL ROAD
LEE'S SUMMIT, MISSOURI 64064
PHONE: (816) 246-5050



17, 18, 19, 20-48-31
18-11-42364-1
42364_exhibits.dwg

WEST LINE OF EAST 1/2
OF EAST 1/2 SECTION 19,
TOWNSHIP 48 NORTH,
RANGE 31 WEST

EAST LINE OF WEST 1/2
OF WEST 1/2 SECTION 20,
TOWNSHIP 48 NORTH,
RANGE 31 WEST

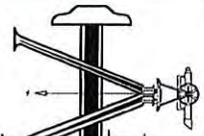
SOUTH LINE OF NORTH 1/2
OF EAST 1/2 OF EAST 1/2
SECTION 19, TOWNSHIP 48
NORTH, RANGE 31 WEST

SOUTH LINE OF NORTH 1/2
OF WEST 1/2 OF WEST 1/2
SECTION 20, TOWNSHIP 48
NORTH, RANGE 31 WEST

THE BEARING SYSTEM SHOWN
HEREON IS BASED UPON THE
MISSOURI COORDINATE SYSTEM
1983, WEST ZONE

EXHIBIT A

CITY OF LEE'S SUMMIT



ANDERSON
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LEE'S SUMMIT, MISSOURI 64064
(816) 246-5050

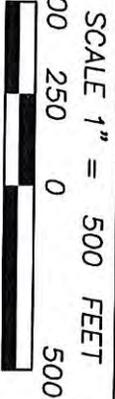
MISSOURI CERTIFICATE OF AUTHORITY, 000076



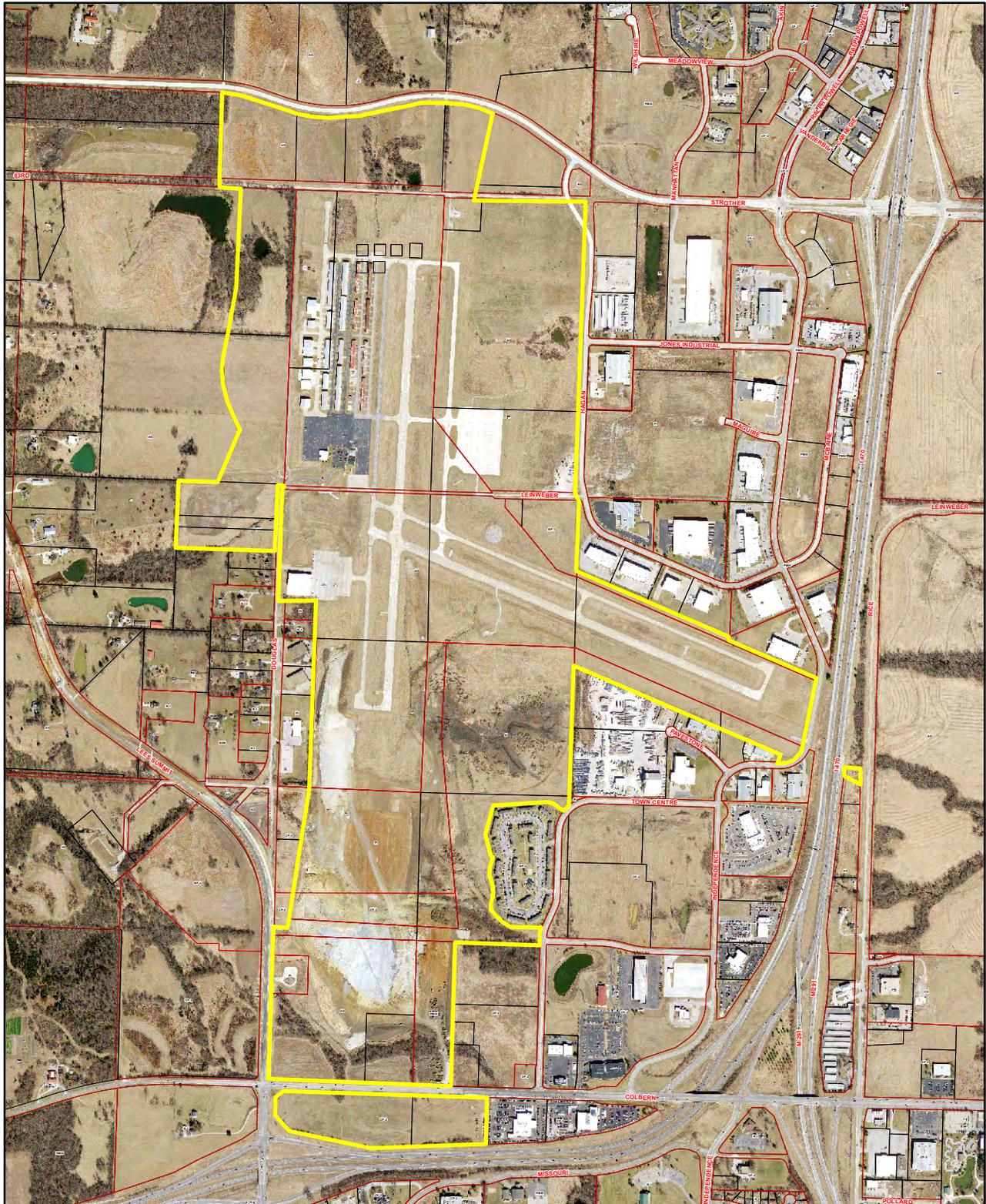
VACATED RIGHT OF WAY
SQUARE FOOTAGE UNKNOWN

PROJECT NAME: LEE'S SUMMIT AIRPORT
FOR: CITY OF LEE'S SUMMIT
200 SOUTHEAST GREEN STREET
LEE'S SUMMIT, MISSOURI 64063
DATE: MAY 26, 2019

SCALE IN FEET



Appl. #PL2019-261 – VACATION OF RIGHT-OF-WAY Unused right-of-way on Lee's Summit Airport property City of Lee's Summit, applicant



Packet Information

File #: BILL NO. 19-245, Version: 1

An Ordinance vacating dedicated rights-of-way for a portions of NE Strother RD, NE Douglas RD, NE Hagan RD and NE Leinweber RD., located at 2751 NE Douglas ST, in the City of Lee's Summit, Missouri

Proposed City Council Motion:

I move for a second reading of an ordinance vacating dedicated rights-of-way for a portions of NE Strother RD, NE Douglas RD, NE Hagan RD and NE Leinweber RD., located at 2751 NE Douglas ST, in the City of Lee's Summit, Missouri

Josh Johnson, AICP, Assistant Director of Plan Services
Bob Hartnett, PLA, Deputy Director of Public Works/Administration

BILL NO. 19-245

AN ORDINANCE VACATING DEDICATED RIGHTS-OF-WAY FOR A PORTIONS OF NE STROTHER RD, NE DOUGLAS RD, NE HAGAN RD AND NE LEINWEBER RD., LOCATED AT 2751 NE DOUGLAS ST, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, upon diligent inquiry and investigation, the City cannot locate the document(s) by which the right-of-way came to be dedicated to the City,

WHEREAS, Application #PL2018-261, submitted by the City of Lee's Summit, MO, requesting vacation of the rights-of-way, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on October 10, 2019, and rendered a report to the City Council containing findings of fact and recommending that the requested vacation of rights-of-way be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on November 5, 2019, and rendered a decision to vacate said rights-of-way.

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

SECTION 1. That the following described rights-of-way are hereby and herewith vacated:

DESCRIPTION: STROTHER ROAD AND HAGAN ROAD RIGHT OF WAY VACATION:

THAT PART OF SECTIONS 17, 18, 19, AND 20, ALL IN TOWNSHIP 48 NORTH, RANGE 31 WEST IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 2°-10'-46" WEST ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 87°-20'-26" WEST ALONG A LINE 20.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 18, A DISTANCE OF 1809.39 FEET; THENCE NORTH 2°-28'-26" EAST, A DISTANCE OF 40.00 FEET TO A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 18; THENCE SOUTH 87°-20'-26" EAST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 1809.07 FEET TO THE WEST LINE OF SAID SECTION 17; THENCE SOUTH 88°-21'-49" EAST ALONG A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 1067.72 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 13°-47'-59" EAST, A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 6°-21'-58", AND AN ARC DISTANCE OF 42.23 FEET TO A LINE THAT IS 20.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 20; THENCE NORTH 88°-21'-49" WEST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 1081.46 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 115,337 SQUARE FEET OR 2.648 ACRES, MORE OR LESS.

AND

BILL NO. 19-245

THAT PART OF SECTIONS 17 AND 20, TOWNSHIP 48 NORTH, RANGE 31 WEST IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE NORTH 2°-10'-46" EAST ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 20.00 FEET TO A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17; THENCE SOUTH 88°-21'-49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 1130.41 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING SOUTH 88°-21'-49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 179.20 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE NORTH 2°-05'-01" EAST ALONG SAID EAST LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH 88°-21'-49" EAST ALONG A LINE THAT IS 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 292.74 FEET TO THE SOUTHWEST RIGHT-OF-WAY LINE OF NEW STROTHER ROAD AS ESTABLISHED BY INSTRUMENT NO. 2012E0077748; THENCE SOUTHEAST ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 66°-20'-36" EAST, A RADIUS OF 1100.00 FEET, A CENTRAL ANGLE OF 11°-00'-39", AND AN ARC DISTANCE OF 211.39 FEET TO THE SOUTHWEST RIGHT-OF-WAY LINE OF NEW STROTHER ROAD AS ESTABLISHED BY INSTRUMENT NO. 2012E0131436; THENCE NORTH 88°-21'-49" WEST ALONG A LINE THAT IS 30.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 435.18 FEET; THENCE ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°-11'-01", AND AN ARC DISTANCE OF 47.22 FEET TO THE EAST RIGHT-OF-WAY LINE OF HAGAN ROAD AS ESTABLISHED BY DOCUMENT NO. I-884794; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 924.94 FEET, A CENTRAL ANGLE OF 5°-22'-59", AND AN ARC DISTANCE OF 86.90 FEET; THENCE SOUTH 3°-55'-29" EAST CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 101.10 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 1114.84 FEET, A CENTRAL ANGLE OF 5°-16'-39", AND AN ARC DISTANCE OF 102.69 FEET; THENCE SOUTH 1°-21'-11" WEST CONTINUING ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 105.61 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 0°-48'-32" EAST, A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 32°-35'-44", AND AN ARC DISTANCE OF 216.18 FEET; THENCE NORTH 31°-47'-12" WEST, A DISTANCE OF 16.30 FEET; THENCE NORTH 2°-03'-20" EAST, A DISTANCE OF 218.18 FEET TO A LINE THAT IS 20.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17; THENCE NORTH 88°-21'-49" WEST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 142.51 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF NORTH 24°-31'-57" WEST, A RADIUS OF 320.00 FEET, A CENTRAL ANGLE OF 7°-44'-40", AND AN ARC DISTANCE OF 43.27 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 46,566 SQUARE FEET OR 1.069 ACRES, MORE OR LESS.

DESCRIPTION: LEINWEBER ROAD RIGHT OF WAY VACATION:

THAT PART OF LEINWEBER ROAD LYING BETWEEN THE WEST LINE OF THE EAST ½ OF THE EAST ½ OF SECTION 19 AND THE EAST LINE OF THE WEST ½ OF THE WEST ½ OF SECTION 20, TOWNSHIP 48 NORTH, RANGE 31 WEST.

DESCRIPTION: DOUGLAS STREET RIGHT OF WAY VACATION:

THAT PART OF DOUGLAS STREET AS ESTABLISHED BY DOCUMENT NO. I-492376 IN BOOK I-1154 AT PAGE 1959 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE WEST 30.00 FEET OF THE EAST ½ OF THE NORTHEAST ¼ SECTION 19, TOWNSHIP 48 NORTH, RANGE 31 WEST LYING SOUTH OF A LINE 20.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE

BILL NO. 19-245

OF SAIDEAST ½. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 79,290 SQUARE FEET, MORE OR LESS.

SECTION 2. That the following conditions of approval apply:

1. A general utility easement shall be retained over the entire length of the right-of-way to cover existing infrastructure located within the right-of-way along NE Leinweber Rd.

SECTION 3. That the City Clerk be and is hereby authorized and directed to acknowledge a copy of this ordinance and to record same in the Office of the Recorder of Deeds for the County in which the property is located.

SECTION 4. 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 of the City of Lee's Summit, Missouri, this _____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-261 – Vacation of Right-of-Way
File Name	Lee's Summit Airport
Applicant	City of Lee's Summit
Property Address	2751 NE Douglas St
Planning Commission Date Heard by	October 10, 2019 Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager and Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: Spring of 2019
Neighborhood meeting conducted: September 16, 2019
Newspaper notification published on: September 21, 2019
Radius notices mailed to properties within 300 feet on: September 18, 2019
Site posted notice on: September 20, 2019

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Attachments

Exhibits and Legal Descriptions, date stamped August 9, 2019 – 8 pages
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	City of Lee's Summit/owner
Applicant's Representative	Bob Hartnett, PLA, Deputy Director of Public Works/Administration
Location of Property	2751 NE Douglas St
Size of Property	553.633 Acres
Zoning	AG (Agricultural District) RP-1 (Planned Single-Family Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District) PMIX (Planned Mixed Use District)
Comprehensive Plan Designation	Airport Runway Protection Zone
Procedure	The Planning Commission holds a public hearing and makes a recommendation to the City Council on the proposed vacation of right-of-way. The City Council holds a public hearing and takes final action on the vacation of right-of-way application. All vacation of right-of-way applications shall be approved by ordinance. The vacation of right-of-way goes into effect upon City Council final action, unless otherwise stated in the approval, and does not expire.

Current Land Use
Airport operations

Description of Applicant's Request
The applicant requests to vacate portions of rights-of-way located on NE Strother Rd, NE Douglas Rd, NE Hagan RD and NE Leinweber Rd.

2. Land Use

Description and Character of Surrounding Area
The property is located at 2751 NE Douglas St. Adjoining property uses on the east include industrial, commercial, multifamily and vacant/undeveloped agricultural land. Properties to the south include commercial uses and undeveloped vacant ground. Undeveloped agricultural land is located to the north. West of the subject property the uses includes large lot single-family homes, industrial, and undeveloped agricultural, commercial and multifamily ground.

Adjacent Land Uses and Zoning

North:	AG (Agricultural)
South:	CP-2 (Planned Community Commercial District)
East:	AG (Agricultural District) RP-4 (Planned Apartment Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District)
West:	AG (Agricultural District) R-1 (Single-Family Residential District) RP-4 (Planned Apartment Residential District) CP-2 (Planned Community Commercial District) PI (Planned Industrial District)

Site Characteristics
The property is the home to the Lee's Summit Municipal Airport and is an air traffic gateway to the Kansas City metropolitan area. The airport has two runways and operates seven days a week. Runway 18-36 is 5,501 ft. in length and 100 ft. wide. Runway 11-29 is 4,000 ft. in length and 75 ft. wide. The airport property currently consists of approximately 44 lots.

Special Considerations
This site is an existing airport with operations seven days a week.

3. Unified Development Ordinance (UDO)

Section	Description
2.460, 2.470	Vacation of Right-of-way

Unified Development Ordinance (UDO)

Under existing conditions, the airport has unused rights-of-way that cross over the subject property. The applicant's purpose for the vacation of rights-of-way is one-step in the applicant's pursuit in cleaning up the existing plats and ultimately plating the existing 44 parcels in to 4 lots.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.3
Economic Development	Objective 2.1 Objective 2.2

Comprehensive Plan

The proposed vacation of right-of-way does not compromise the ability to implement and/or achieve any policies, goals or objectives outlined in the Comprehensive Plan. In fact, the request is intended to improve the viability of the airport property. Adequate utility, pedestrian and vehicular access to the abutting properties is unaffected by the request to vacate the subject segments of right-of-way.

5. Analysis

Background

The applicant requests to vacate right-of-way located on NE Strother Rd, NE Douglas Rd, NE Hagan RD and NE Leinweber Rd. The proposed vacation of rights-of-way is one of the initial steps in the applicant's ultimate pursuit of rezoning the airport property into a single zoning district and plating the existing 44 parcels into 4 lots.

History

- March 10, 2016 – The City Council approved UDO Amendment # 55 establishing the AZ (Airport Zone) zoning district (Appl. #PL2015-209) by Ordinance No. 7831.

Compatibility

The proposed vacation of right-of-way is one of the initial steps in the applicant's ultimate pursuit of rezoning the airport property into a single zoning district and plating the existing 44 parcels in to 4 lots.

Adverse Impacts

The proposed vacation of right-of-way will not negatively impact the use or aesthetics of any neighboring property, nor does it negatively impact the health, safety and welfare of the public. Adequate access to the surrounding lots is provided by the area's existing street network.

Public Services

An overhead aerial copper cable exists within the right-of-way along NE Leinweber Rd. A condition of approval placed on this application is to retain a general utility easement to cover the existing infrastructure serving the area.

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO and Design and Construction Manual (DCM).

6. Recommended Conditions of Approval

Site Specific

1. A general utility easement shall be retained over the entire length of the right-of-way to cover existing infrastructure located within the right-of-way along NE Leinweber Rd.

Standard Conditions of Approval

2. The ordinance approving the vacation of right-of-way shall be recorded with the Jackson County Recorder of Deeds office and a copy of the recorded document shall be returned to the Development Services Department.

The City of Lee's Summit
Action Letter - Draft
Planning Commission

Thursday, October 10, 2019

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Call to Order

Roll Call

Present: 7 - Board Member Mark Kitchens
Board Member Carla Dial
Chairperson Jason Norbury
Vice Chair Donnie Funk
Board Member Terry Trafton
Board Member Jeff Sims
Board Member Dana Arth

Absent: 2 - Board Member John Lovell
Board Member Jake Loveless

Approval of Agenda

Chairperson Norbury announced that would be a few adjustments to the agenda. Items 2, 3, and 6, Items PL2019-261, PL2019-255, and PL2019-257, all pertaining to the Lee's Summit Airport, would be heard at the same time. Motions would be made and voted on for each item separately. He asked for a motion to approve.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this agenda be approved as amended. The motion carried unanimously.

Public Comments

There were no public comments presented at the meeting.

Approval of Consent Agenda

[TMP-1386](#) Appl. #PL2019-296 - SIGN APPLICATION - Raintree Village monument sign, 3803 SW Ward Rd; Royal Signs & Graphics, applicant

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

[2019-3072](#) Minutes of the September 26, 2019, Planning Commission meeting

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that the minutes be approved. The motion carried unanimously.

Public Hearings

[2019-3078](#) Appl. #PL2019-261 - VACATION OF RIGHT-OF-WAY - unused right-of-way on

Lee's Summit Airport property, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury opened the hearing for agenda items 2 and 3 at 5:10 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Bob Hartnett, deputy director of the Public Works Department, gave his business address as Lee's Summit City Hall at 220 SE Green Street. The City had purchased the Airport in 1977, and had acquired about 40 additional properties since then. These properties carried the original zoning; so the Airport had land zoned for residential, commercial and industrial uses. These agenda items were primarily for clean-up, including vacation of some rights-of-way involving Strother, Hagan, Leinweber and Douglas roads. These rights-of-way were no longer necessary. The rezoning application was a request to change this zoning mixture to all AZ (Airport) zoning. Regarding the final plan (agenda item 6), would reorganize these 40 lots into three lots.

Mr. Hartnett added that Mr. Andy Boding, of the consulting engineering firm of Crawford, Murphy and Tilly (CMT) and Mr. Jim Anderson of Anderson Survey were present and could answer questions.

Mr. Shannon McGuire entered into the record Exhibit (A), list of exhibits 1-12 for Application PL2019-255 and list of exhibits 1-12 for Application PL2019-261. He confirmed that the Airport property currently consisted of 44 different lots, with a mixture of AG, RP-1, CP-2, PI and PMIX zoning designations. The City proposed to change these to the AZ Airport zoning district established in 2006. It had been established to incorporate the City airport with adjoining developable properties in order to provide for selected commercial and industrial uses that would be compatible with the airport use. Additionally, several unused rights-of-way crossed over the property, as indicated on the displayed aerial map, one of them crossing a runway. Vacating these rights-of-way was necessary for replatting the existing 44 parcels into four lots.

The proposed rezoning and right-of-way vacations would not impact the surrounding neighborhood, and the proposed AZ zoning was consistent with the entire property's use. It was substantially consistent with the Comprehensive Plan, as well as meeting the requirements of the UDO and the Design and Construction Manual. . An overhead copper cable was within the Leinweber Road right-of-way, and a Condition of Approval for this application indicated a general utility easement. The second of two Conditions of Approval was the standard requirement for recording the vacation of the right-of-way.

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony. Seeing one, he opened the hearing for any Commissioners' questions for the applicant or staff.

Chairperson Norbury asked Mr. McGuire if it was correct that the rezoning would have no functional impact on the Airport's operations. Mr. McGuire confirmed that it was.

Chairperson Norbury asked if there were any further questions for the applicant or staff. As there were none, he closed the public hearing at 5:10 p.m. and asked for discussion among the Commission members, or for a motion. He asked that the two applications be voted on in two separate motions.

Mr. Funk asked what would be done with Item 6, which addressed the final plat. Chairperson Norbury answered that this item would be heard next.

Mr. Funk made a motion to recommend approval of Application PL2019-261, Vacation of Right-Of Way: unused right-of-way on Lee's Summit Airport property, 2751 NE Douglas St.; City of Lee's Summit, applicant; subject to staff's letter of October 4, 2019 specifically

Conditions of Approval 1 and 2. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3077](#)

Appl. #PL2019-255 - REZONING from AG, RP-1, CP-2, PI and PMIX to AZ - Lee's Summit Airport, 2751 NE Douglas St; City of Lee's Summit, applicant

Chairperson Norbury asked for a motion on Application PL2019-255.

Mr. Funk made a motion to recommend approval of Application PL2019-255, Rezoning from AG, RP-1, CP-2, PI and PMIX to AZ; Lee's Summit Airport, 2751 NE Douglas St.; City of Lee's Summit, applicant. Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3075](#)

Appl. #PL2019-233 - PRELIMINARY DEVELOPMENT PLAN - Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant

Chairperson Norbury opened the hearing at 5:13 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Ms. Tiffany Lehman stated that she was the civil engineer for this project. She described the subject property currently had a vacant restaurant building with asphalt coverage throughout the property. An access easement existed on the southeast side, leading down to SE 7th Terrace. The applicants planned to demolish the building and redevelop the property with a 2,600 square foot Wendy's restaurant. The project would include asphalt parking, concrete sidewalks, drive-through area, and a dumpster enclosure. The access easement would be redone, and they would install landscaping on the property.

Ms. Lehman displayed colored elevations, including the front (west side) of the building facing M-291 as well as the rear of the building, the south side of the building and the north side which included the drive-through.

Following Ms. Lehman's presentation, Chairperson Norbury asked for staff comments.

Mr. Soto entered Exhibit (A), list of exhibits 1-13 into the record. He confirmed that this was a redevelopment of an existing property. Displaying an aerial photo, he pointed out the locations of SE 7th Terrace and M-291 Highway. Lee's Summit High School was across the highway to the west, and the Missouri State Highway Patrol headquarters to the southwest. The QuikTrip store and HMH AutoSport were further south. A multi-tenant retail center were to the north and immediately to the east were some office/warehouse properties with industrial zoning. Some single-family residences and duplexes were further to the northeast.

The property had previously had restaurant use, most recently a 6,500 square foot sit-down restaurant but had been vacant for at least five years. The future user would be a 2,500 square foot drive-through restaurant. The proposed parking would be 37 spaces, two more than the 35 spaces required. The site had access at three points: the right-of-way from M-291

Highway, from SE Melody Lane and from SE 7th Terrace. At the northeast corner was a cross-access that went along the back of the retail building to Bayberry and its signaled access to M-291.

Mr. Soto noted that this redevelopment would be reducing impervious coverage on the site by about 17 percent: from 91 percent coverage to 74 percent. Referring to the colored elevations referenced earlier, he noted the building materials: brown or earth tone fiber cement panels, and the aluminum composite metal (ACM) panels in red and gray. These were similar to materials previously proposed and approved for churches and for some auto dealerships, as well as other materials and architecture along M-291. The elevations also showed a large amount of glass on the north and south sides. Staff's analysis concluded that the use was consistent with the Comprehensive Plan, with the M-291 corridor north of US 50 was primarily retail use. Restaurant use would be equally appropriate, and this long-vacant site was in an especially visible location.

Staff's only Condition of Approval was that the ACM panels proposed would be allowed as a conditional material, "as shown in the preliminary development plan date stamped September 9, 2019." The UDO allowed the panels, but after a review. This was a material that had become more common.

Following Mr. Soto's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then opened the hearing for Commissioners' questions for the applicant or staff.

Mr. Funk asked if Melody Lane would end at the property or continue to be a through street in front of the restaurant. Mr. Soto answered that there would still be continuous access, but the right-of-way did terminate at the north property line and extend into the private drive beyond that. 7th Street would remain, and be improved, and it had a cross-access easement with adjoining properties. On the displayed aerial map, he pointed out the drive behind the HMM building that gave access to 7th Terrace.

Mr. Kitchens noted that the drive-through traffic was immediately to the left of the entrance/exit off M-291. It had room for 2 or 3 cars. He asked if it could be a one-way corridor, as it would be easy for drivers from M-291 to cut through the drive-through traffic. It was a common problem with fast-food restaurants whose lots combined parking and drive-through traffic.

Ms. Lehman asserted that the applicant had worked with the City on this issue. Their stacking did allow for about nine cars from the order box out to the front. Wendy's corporate usually requested six. They wanted to keep the two-way traffic, as it allowed the most access throughout the site; and as the stacking for the drive-through was more than what was required, they did not anticipate any traffic obstruction in the front. Mr. Kitchens asked if the applicant had a waiting time limit for drive-through lines.

Mr. Park clarified that the M-291 access belonged to MoDOT. They had reviewed this plan and the traffic circulation, and the property did have room for stacking of 8 or 9 vehicles up to the menu board. Staff's preference was also for the drive to be two-way; and MoDOT had indicated that this access shared with Melody to the north would be changed. This would be after interchange improvements that would move the Blue Parkway signal to 7th Street, just to the south; and at that point MoDOT would probably move it north to the Melody Lane right-of-way. At present, they did not have a schedule for interchange improvements from MoDOT and so relied on the operator of the store to mitigate congestion by directing people around the perimeter before entering the drive-through line.

Mr. Sims remarked to Mr. Park that while he understood the concern with stacking and the drive-through, he was more concerned with left turns onto M-291. He acknowledged that it

was a MoDOT right-of-way, and asked if making this a right-in-right-out access had been considered. Mr. Park answered that MoDOT did have a safety concern about the left and crossover movements onto M-291. They were reserving the access management control for an interchange. They could not know what the extent and nature of the improvements would be at this point.

At Mr. Funk's request, Ms. Lehman pointed out this area was on the site plan, toward the back of the property. The plan showed a significant area for stacking in front of it.

Regarding the aluminum composite metal panels referred to earlier, Chairperson Norbury asked Mr. Soto if City staff had considered making it a conditional use since its use was becoming more common. Mr. Soto replied that they were.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:30 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk commended the applicant on Wendy's current designs, mentioning the store on Chipman as an example. He then made a motion to recommend approval of Application PL2019-233, Preliminary Development Plan: Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Recommendation Conditions of Approval 1 (site specific) and 2-11 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

[2019-3076](#)

Appl. #PL2019-246 - PRELIMINARY DEVELOPMENT PLAN - DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant

Chairperson Norbury opened the hearing at 5:30 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Philip Pierson of the Callas Design Group, gave his address as 5016 Centennial Boulevard in Nashville, Tennessee. He was present representing Dialysis Clinic, Inc. They proposed to build a 10,400 square foot building for the clinic. The clinic would have 17 patient stations, a small suite for a doctor's office. Mr. Pierson emphasized that this was not a use that generated much noise or heavy traffic. Patients often stayed for several hours, so the clinic would have morning and afternoon shifts.

Following Mr. Pierson's presentation, Chairperson Norbury asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-15 into the record. He first cited a correction to page 5 of staff's letter, with the site's use being "Mixed Use—John Knox Village." The subject property was on the southwest corner of NW Shamrock Avenue and NW Pryor Road and was about 2.25 acres. It was just west of the new fire station #3. It had been included in the conceptual plan approved by the City Council in September 2018 and so had required a preliminary development plan. The property was zoned PMIX, with the Comprehensive Plan identifying this area as "Mixed Use – John Knox Village." John Knox Village was to the east, and the Sterling Hills single-family subdivision was to the south. To the north was some undeveloped land kept for future commercial use.

Mr. McGuire displayed color elevations of the building, showing materials of masonry, EIFS,

brick and glass. The applicant asked for one modification, to the high-impact screening buffer required. They proposed a six-foot tall vinyl fence about three feet north of the south property line, and the required high-impact screen planted on the fence's north side instead of on both sides of the fence. With the fence three feet from the property line, and the required screening elements planted on the north side, the vegetation would be more accessible for maintenance.

The proposed development would not have any detrimental impact on the surrounding area, nor impede the development of surrounding properties. It would have an on-site stormwater detention system. The road network had enough capacity to handle the proposed use, so no road improvements were needed or required. The project met the requirements of both the UDO and the Design and Construction Manual.

Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, Chairperson Norbury then asked if the Commission had questions for the applicant or staff.

Chairperson asked if any City staff was working on the UDO's definition of a high-impact landscaping buffer. Mr. Soto replied that in most recent proposals the amount of landscaping met the UDO requirements; though not often stating where a required fence would be placed. Staff was working on some flexibility on this placement, to allow for different circumstances and conditions on different sites. Utility lines, for example, could often mandate modifications.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:35 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk made a motion to recommend approval of Application PL2019-246, Preliminary Development Plan: DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant; subject to staff's letter of October 4, 2019, specifically Conditions of Approval 1 (Site Specific) through 8 (Standard Conditions of Approval). Mr. Sims seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 11/5/2019. The motion carried unanimously.

Other Agenda Items

[TMP-1388](#) PL2019-257 - FINAL PLAT - Lee's Summit Airport, 2751 NE Douglas St; Anderson Survey Co., applicant

Chairperson Norbury opened the hearing at 5:12 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McGuire remarked that usually this would be a Consent Agenda Item. However, due to the timing of the preliminary plat, the rezoning, and the rights-of-way vacations, it had been moved up. It was not possible to replat with the right-of-way. Consequently, there was no further presentation.

Chairperson Norbury asked for a motion for Application PL2019-257.

A motion was made by Vice Chair Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

Roundtable

There were no Roundtable items at the meeting.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting at 5:42 P.M.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"

EXHIBIT "A"

PROJECT: LEE'S SUMMIT AIRPORT
DATE: AUGUST 9, 2019
STROTHER/HAGAN ROADS

DESCRIPTION STROTHER ROAD AND HAGAN ROAD RIGHT OF WAY VACATION:

THAT PART OF SECTIONS 17, 18, 19, AND 20, ALL IN TOWNSHIP 48 NORTH, RANGE 31 WEST IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 2°-10'-46" WEST ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 87°-20'-26" WEST ALONG A LINE 20.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 18, A DISTANCE OF 1809.39 FEET; THENCE NORTH 2°-28'-26" EAST, A DISTANCE OF 40.00 FEET TO A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 18; THENCE SOUTH 87°-20'-26" EAST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 1809.07 FEET TO THE WEST LINE OF SAID SECTION 17; THENCE SOUTH 88°-21'-49" EAST ALONG A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 1067.72 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 13°-47'-59" EAST, A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 6°-21'-58", AND AN ARC DISTANCE OF 42.23 FEET TO A LINE THAT IS 20.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 20; THENCE NORTH 88°-21'-49" WEST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 1081.46 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 115,337 SQUARE FEET OR 2.648 ACRES, MORE OR LESS.

AND

THAT PART OF SECTIONS 17 AND 20, TOWNSHIP 48 NORTH, RANGE 31 WEST IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE NORTH 2°-10'-46" EAST ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 20.00 FEET TO A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17; THENCE SOUTH 88°-21'-49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 1130.41 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING SOUTH 88°-21'-49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 179.19 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 17;



THENCE NORTH 2°-05'-01" EAST ALONG SAID EAST LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH 88°-21'-49" EAST ALONG A LINE THAT IS 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 292.74 FEET TO THE SOUTHWEST RIGHT-OF-WAY LINE OF NEW STROTHER ROAD AS ESTABLISHED BY INSTRUMENT NO. 2012E0077748; THENCE SOUTHEAST ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 66°-20'-36" EAST, A RADIUS OF 1100.00 FEET, A CENTRAL ANGLE OF 11°-00'-39", AND AN ARC DISTANCE OF 211.39 FEET TO THE SOUTHWEST RIGHT-OF-WAY LINE OF NEW STROTHER ROAD AS ESTABLISHED BY INSTRUMENT NO. 2012E0131436; THENCE NORTH 88°-21'-49" WEST ALONG A LINE THAT IS 30.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 435.18 FEET; THENCE ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°-11'-01", AND AN ARC DISTANCE OF 47.22 FEET TO THE EAST RIGHT-OF-WAY LINE OF HAGAN ROAD AS ESTABLISHED BY DOCUMENT NO. I-884794; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 924.94 FEET, A CENTRAL ANGLE OF 5°-22'-59", AND AN ARC DISTANCE OF 86.90 FEET; THENCE SOUTH 3°-55'-29" EAST CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 101.10 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 1114.84 FEET, A CENTRAL ANGLE OF 5°-16'-39", AND AN ARC DISTANCE OF 102.69 FEET; THENCE SOUTH 1°-21'-11" WEST CONTINUING ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 105.61 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 0°-48'-32" EAST, A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 32°-35'-44", AND AN ARC DISTANCE OF 216.18 FEET; THENCE NORTH 31°-47'-12" WEST, A DISTANCE OF 16.30 FEET; THENCE NORTH 2°-03'-20" EAST, A DISTANCE OF 218.18 FEET TO A LINE THAT IS 20.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17; THENCE NORTH 88°-21'-49" WEST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 142.51 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGEN BEARING OF NORTH 24°-31'-57" WEST, A RADIUS OF 320.00 FEET, A CENTRAL ANGLE OF 7°-44'-40", AND AN ARC DISTANCE OF 43.27 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 46,566 SQUARE FEET OR 1.069 ACRES, MORE OR LESS.



James S. Anderson
JAMES S. ANDERSON, PLS #1726
ANDERSON SURVEY COMPANY
1270 N.E. DELTA SCHOOL ROAD
LEE'S SUMMIT, MISSOURI 64064
PHONE: (816) 246-5050

8/9/19



17, 18, 19, 20-48-31
 18-11-42364-1
 42364_exhibits.dwg

STROTHER ROAD

ROAD

THE BEARING SYSTEM SHOWN
 HEREON IS BASED UPON THE
 MISSOURI COORDINATE SYSTEM
 1983, WEST ZONE

POINT OF COMMENCEMENT
 SOUTHWEST CORNER SECTION
 17, TOWNSHIP 48 NORTH,
 RANGE 31 WEST

S 210°46' W 20.00'

OLD STROTHER ROAD

ITB=N 24°31'57" W R=320.00'
 $\Delta=7°44'40"$ L=43.27'
 N 88°21'49" W 142.51'
 N 2°03'20" E 218.18'
 N 31°47'12" W 16.30'
 ITB=N 0°48'32" E R=380.00'
 $\Delta=32°35'44"$ L=216.18'

POINT OF BEGINNING

S 88°21'49" E 179.19'

S 88°21'49" E 1130.41'

EAST LINE OF THE WEST 1/2
 OF THE SOUTHWEST 1/4
 OF SECTION 17, TOWNSHIP 48
 NORTH, RANGE 31 WEST

N 2°05'01" E 10.00'
 S 88°21'49" E 292.74'

INSTRUMENT NO. 2012E0077748

ITB=S 66°20'36" E R=1100.00'
 $\Delta=11°00'39"$ L=211.39'

INSTRUMENT NO. 2012E0131436

N 88°21'49" W 435.18'

R=30.00' $\Delta=90°11'01"$ L=47.22'

R=924.94' $\Delta=5°22'59"$ L=86.90'

RIGHT OF WAY ESTABLISHED BY DOC
 NO. I-884794 BK I-1868 PG 816

S 3°55'29" E 101.10'

R=1114.84' $\Delta=5°16'39"$ L=102.69'

S 1°21'11" W 105.61'

EXHIBIT A

CITY OF LEE'S SUMMIT



1270 N.E. DELTA SCHOOL ROAD
 LEES SUMMIT, MISSOURI 64064
 (816) 246-5050

MISSOURI CERTIFICATE OF AUTHORITY, 000076



PROJECT NAME: LEE'S SUMMIT AIRPORT
 FOR: CITY OF LEE'S SUMMIT
 200 SOUTHEAST GREEN STREET
 LEE'S SUMMIT, MISSOURI 64063
 DATE: AUGUST 9, 2019

VACATED RIGHT OF WAY
 46,566 SQUARE FEET



8/9/19
 JAMES S. ANDERSON,
 PLS #1726

17, 18, 19, 20-48-31
 18-11-42364-1
 42364_exhibits.dwg

STROTHER ROAD

CLOSURE ERROR:
 ERROR: 0.003'
 DISTANCE: 2,208.46'
 CLOSURE: 1:900.130

POINT OF COMMENCEMENT
 SOUTHWEST CORNER SECTION
 17, TOWNSHIP 48 NORTH,
 RANGE 31 WEST

THE BEARING SYSTEM SHOWN
 HEREON IS BASED UPON THE
 MISSOURI COORDINATE SYSTEM
 1983, WEST ZONE

CLOSURE REPORT

CITY OF LEE'S SUMMIT



1270 N.E. DELTA SCHOOL ROAD
 LEE'S SUMMIT, MISSOURI 64064
 (816) 246-5050
 MISSOURI CERTIFICATE OF AUTHORITY, 000076

ROAD

POINT OF BEGINNING

S 88°21'49" E 179.19'
 S 88°21'49" E 1130.41'
 ITB=N 24°31'57" W R=320.00'
 Δ=7°44'40" L=43.27'
 N 88°21'49" W 142.51'
 N 2°03'20" E 218.18'
 N 31°47'12" W 16.30'
 ITB=N 0°48'32" E R=380.00'
 Δ=32°35'44" L=216.18'

EAST LINE OF THE WEST 1/2
 OF THE SOUTHWEST 1/4
 OF SECTION 17, TOWNSHIP 48
 NORTH, RANGE 31 WEST

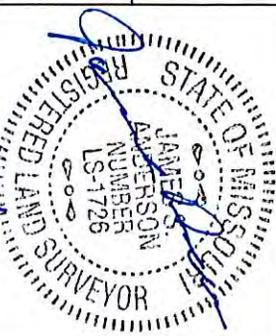
N 2°05'01" E 10.00'
 S 88°21'49" E 292.74'
 INSTRUMENT NO. 2012E0077748
 ITB=S 66°20'36" E R=1100.00'
 Δ=11°00'39" L=211.39'
 INSTRUMENT NO. 2012E0131436
 N 88°21'49" W 435.18'
 R=30.00' Δ=90°11'01" L=47.22'
 R=924.94' Δ=5°22'59" L=86.90'
 RIGHT OF WAY ESTABLISHED BY DOC
 NO. I-884794 BK I-1868 PG 816
 S 3°55'29" E 101.10'
 R=1114.84' Δ=5°16'39" L=102.69'
 S 1°21'11" W 105.61'



PROJECT NAME: LEE'S SUMMIT AIRPORT
 FOR: CITY OF LEE'S SUMMIT
 200 SOUTHEAST GREEN STREET
 LEE'S SUMMIT, MISSOURI 64063
 DATE: AUGUST, 2019



VACATED RIGHT OF WAY
 46,566 SQUARE FEET



JAMES S. ANDERSON,
 PLS #1726
 8/9/19

17, 18, 19, 20-48-31
 18-11-42364-1
 42364_exhibits.dwg

STROTHER ROAD

ROAD

POINT OF COMMENCEMENT
 SOUTHWEST CORNER SECTION
 17, TOWNSHIP 48 NORTH,
 RANGE 31 WEST

POINT OF BEGINNING

EAST LINE OF THE WEST 1/2
 OF THE SOUTHWEST 1/4
 OF SECTION 17, TOWNSHIP 48
 NORTH, RANGE 31 WEST

CLOSURE ERROR:
 ERROR: 0.003'
 DISTANCE: 5,849.87'
 CLOSURE: 1:1,949,957



THE BEARING SYSTEM SHOWN
 HEREON IS BASED UPON THE
 MISSOURI COORDINATE SYSTEM
 1983, WEST ZONE

N 2°28'26" E 40.00'
 S 87°20'26" E 1809.07'
 N 87°20'26" W 1809.39'
 S 2°10'46" W 20.00'

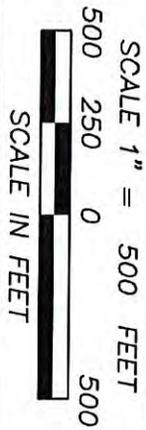
S 88°21'49" E 1067.72'
 N 88°21'49" W 1081.46'
 ITB=S 13°47'59" E R=380.00'
 L=6°21'58" L=42.23'

CLOSURE REPORT
CITY OF LEE'S SUMMIT



1270 N.E. DELTA SCHOOL ROAD
 LEE'S SUMMIT, MISSOURI 64064
 (816) 246-5050

MISSOURI CERTIFICATE OF AUTHORITY, 000076



PROJECT NAME: LEE'S SUMMIT AIRPORT
 FOR: CITY OF LEE'S SUMMIT
 200 SOUTHEAST GREEN STREET
 LEE'S SUMMIT, MISSOURI 64063
 DATE: AUGUST 9, 2019

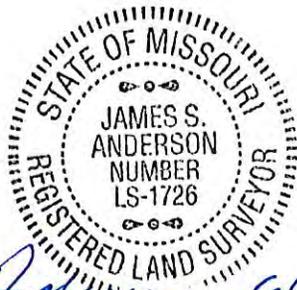
VACATED RIGHT OF WAY
 115,337 SQUARE FEET

STATE OF MISSOURI
 JAMES S. ANDERSON
 SURVEYOR
 LICENSE NUMBER LS-1726
 8/9/19
 JAMES S. ANDERSON,
 PLS #1726

EXHIBIT "A"

PROJECT: LEE'S SUMMIT AIRPORT
DATE: MAY 26, 2019
DOUGLAS STREET

DESCRIPTION: DOUGLAS STREET RIGHT OF WAY VACATION:
THAT PART OF DOUGLAS STREET AS ESTABLISHED BY DOCUMENT NO. I-492376 IN BOOK I-1154 AT PAGE 1959 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE WEST 30.00 FEET OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 48 NORTH, RANGE 31 WEST LYING SOUTH OF A LINE 20.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID EAST 1/2. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 79,290 SQUARE FEET, MORE OR LESS.



James S. Anderson 6/4/19

JAMES S. ANDERSON, PLS #1726
ANDERSON SURVEY COMPANY
1270 N.E. DELTA SCHOOL ROAD
LEE'S SUMMIT, MISSOURI 64064
PHONE: (816) 246-5050



17, 18, 19, 20-48-31
18-11-42364-1
42364_exhibits.dwg

OLD STROTHER ROAD

NORTHEAST DOUGLAS STREET
WEST LINE OF EAST 1/2 OF
NORTHEAST 1/4 SECTION 19,
TOWNSHIP 48 NORTH, RANGE
31 WEST

RIGHT OF WAY ESTABLISHED
BY DOCUMENT NO. I-492376
BOOK I-1154, PAGE 1959

2642.94'

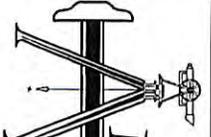
30.00'

SOUTHWEST CORNER OF EAST
1/2 OF NORTHEAST 1/4
SECTION 19, TOWNSHIP 48
NORTH, RANGE 31 WEST

THE BEARING SYSTEM SHOWN
HEREON IS BASED UPON THE
MISSOURI COORDINATE SYSTEM
1983, WEST ZONE

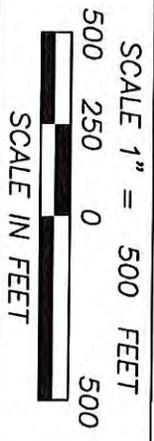
EXHIBIT A

CITY OF LEE'S SUMMIT



JAMES S. ANDERSON
SURVEY COMPANY
1270 N.E. DELTA SCHOOL ROAD
LEE'S SUMMIT, MISSOURI 64064
(816) 246-5050

MISSOURI CERTIFICATE OF AUTHORITY, 000076



PROJECT NAME: LEE'S SUMMIT AIRPORT
FOR: CITY OF LEE'S SUMMIT
200 SOUTHEAST GREEN STREET
LEE'S SUMMIT, MISSOURI 64063
DATE: MAY 26, 2019



VACATED RIGHT OF WAY
79,290 SQUARE FEET

STATE OF MISSOURI
REGISTERED LAND SURVEYOR
JAMES S. ANDERSON
NUMBER LS-1726
4/27/19
JAMES S. ANDERSON,
PLS #1726

EXHIBIT "A"

PROJECT: LEE'S SUMMIT AIRPORT
DATE: MAY 26, 2019
LEINWEBER ROAD

DESCRIPTION: LEINWEBER ROAD RIGHT OF WAY VACATION:
THAT PART OF LEINWEBER ROAD LYING BETWEEN THE WEST LINE OF THE EAST 1/2 OF
THE EAST 1/2 OF SECTION 19 AND THE EAST LINE OF THE WEST 1/2 OF THE WEST 1/2 OF
SECTION 20, TOWNSHIP 48 NORTH, RANGE 31 WEST.



James S. Anderson 6/4/19

JAMES S. ANDERSON, PLS #1726
ANDERSON SURVEY COMPANY
1270 N.E. DELTA SCHOOL ROAD
LEE'S SUMMIT, MISSOURI 64064
PHONE: (816) 246-5050



17, 18, 19, 20-48-31
18-11-42364-1
42364_exhibits.dwg

WEST LINE OF EAST 1/2
OF EAST 1/2 SECTION 19,
TOWNSHIP 48 NORTH,
RANGE 31 WEST

EAST LINE OF WEST 1/2
OF WEST 1/2 SECTION 20,
TOWNSHIP 48 NORTH,
RANGE 31 WEST

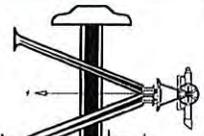
SOUTH LINE OF NORTH 1/2
OF EAST 1/2 OF EAST 1/2
SECTION 19, TOWNSHIP 48
NORTH, RANGE 31 WEST

SOUTH LINE OF NORTH 1/2
OF WEST 1/2 OF WEST 1/2
SECTION 20, TOWNSHIP 48
NORTH, RANGE 31 WEST

THE BEARING SYSTEM SHOWN
HEREON IS BASED UPON THE
MISSOURI COORDINATE SYSTEM
1983, WEST ZONE

EXHIBIT A

CITY OF LEE'S SUMMIT



ANDERSON
SURVEY COMPANY
1270 N.E. DELTA SCHOOL ROAD
LEE'S SUMMIT, MISSOURI 64064
(816) 246-5050

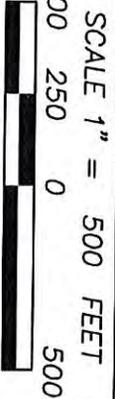
MISSOURI CERTIFICATE OF AUTHORITY, 000076



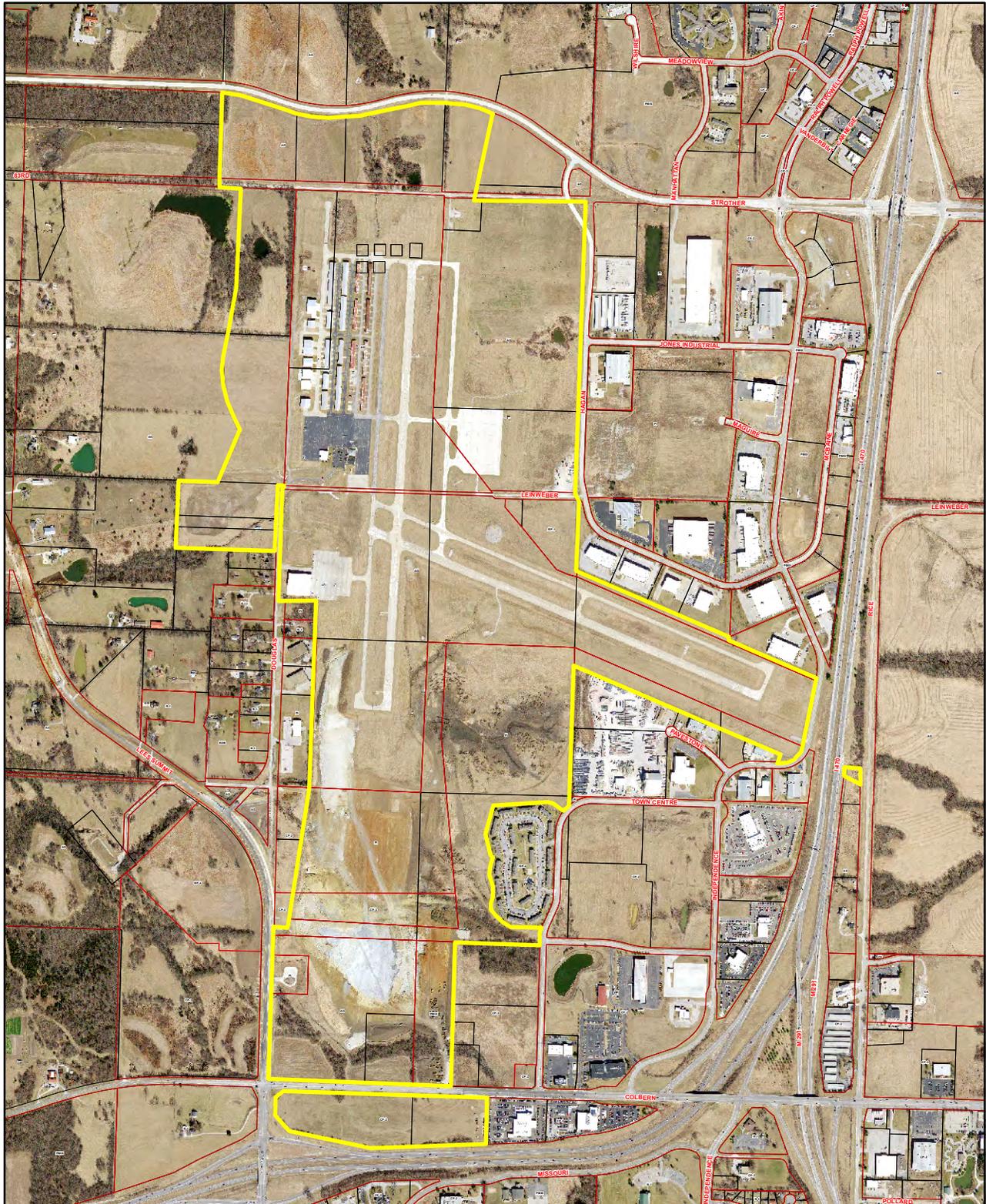
VACATED RIGHT OF WAY
SQUARE FOOTAGE UNKNOWN

PROJECT NAME: LEE'S SUMMIT AIRPORT
FOR: CITY OF LEE'S SUMMIT
200 SOUTHEAST GREEN STREET
LEE'S SUMMIT, MISSOURI 64063
DATE: MAY 26, 2019

SCALE IN FEET



Appl. #PL2019-261 – VACATION OF RIGHT-OF-WAY Unused right-of-way on Lee's Summit Airport property City of Lee's Summit, applicant



Packet Information

File #: BILL NO. 19-246, Version: 1

An Ordinance repealing the current City of Lee' Summit Procurement Policy, as adopted by Ordinance No. 8253, and adopting in lieu thereof a new policy entitled Procurement Policy for the City of Lee's Summit, Missouri. (F&BC 10-14-19)

Issue/Request:

An Ordinance repealing the current City of Lee' Summit Procurement Policy, as adopted by Ordinance No. 8253, and adopting in lieu thereof a new policy entitled Procurement Policy for the City of Lee's Summit, Missouri.

Background:

The City's current procurement policy was adopted in October 2017 pursuant to Ordinance No. 8523. Section 15 of the policy requires staff to review the policy at least every two years for necessary updates and present such change to the City Council for approval.

Feedback and input for the revised policy was gathered from many users. The internal procurement staff had an opportunity to modify and improve the policy; a committee made up of representatives from the Law, Parks and Recreation, and Finance then reviewed it. Once drafted the updated policy was reviewed by the City Manager, City Supervisors, and the Management Team. During each review level, valuable feedback was received and used to refine and improve the policy.

Significant updates to the policy include:

- Restructuring of the sections in the policy by separating processes from approval levels, and creating sections for unique items
- Updated law references and phrasing to make expectations clearer
- Updated processes to promote innovative processes in procuring goods and services
- Cleaned up definitions by editing moving into the appropriate section of the policy
- Provide transparency of processes and approval levels

Key Issues:

The proposed policy is to provide improved communication of processes, approval levels, and expectations to improve efficiencies of operations for the City. This is done by restructuring the organization of the Policy, providing clear communication, updating terminology to allow for policy alignment with future changes to state law, City Charter, or Council actions.

Proposed Council Motion:

FIRST MOTION: I move for second reading of an ordinance repealing the current City of Lee' Summit Procurement Policy, as adopted by Ordinance No. 8253, and adopting in lieu thereof a new policy entitled Procurement Policy for the City of Lee's Summit, Missouri.

SECOND MOTION: I move for adoption of an ordinance repealing the current City of Lee' Summit Procurement Policy, as adopted by Ordinance No. 8253, and adopting in lieu thereof a new policy entitled

Procurement Policy for the City of Lee's Summit, Missouri.

Rick Gentry, Procurement and Contract Services Manager

Staff recommends repealing the current policy and approving the new policy.

On October 14, 2019 at the F&BC meeting a motion was made by Councilmember Forte, seconded by Vice Chair Lopez, that this Ordinance be recommended for approval to the City Council. The motion carried an unanimous vote.

BILL NO. 19-246

AN ORDINANCE REPEALING THE CURRENT CITY OF LEE'S SUMMIT PROCUREMENT POLICY AS ADOPTED BY ORDINANCE NO. 8253, AND ADOPTING IN LIEU THEREOF A NEW POLICY ENTITLED PROCUREMENT POLICY FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the City of Lee's Summit Procurement and Contract Services Division of the Finance Department provides semi-centralized procurement of goods and services for City operations; and,

WHEREAS, the City Council adopted the current version of City of Lee's Summit current Procurement Policy on October 5, 2017 Ordinance No. 8253; and,

WHEREAS, Section 15 of the Procurement Policy requires staff to review the policy at least every two years to ensure compliance and bring any necessary updates to the City Council for approval; and,

WHEREAS, the policy has been extensively reviewed by the Procurement and Contract Services Division, City Departments, and Law for updating and compliance, and a new policy has been written; and,

WHEREAS, the City Council of the City of Lee's Summit, Missouri now desires to repeal the current version of the City of Lee's Summit Purchasing Policy and enact in lieu thereof the City of Lee's Summit Procurement Policy attached to this Ordinance.

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

SECTION 1. The City of Lee's Summit Procurement Policy, adopted pursuant to Ordinance No. 8253, for the City of Lee's Summit, is hereby repealed in its entirety.

SECTION 2. The Procurement Policy for the City of Lee's Summit, attached hereto as Exhibit A and incorporated herein by reference, be and is hereby adopted.

SECTION 3. The City Manager is authorized to make or cause to make purchases consistent with the provisions of the Procurement Policy for the City of Lee's Summit, and in accordance with applicable requirements for the budgeting and appropriation of funds.

SECTION 4. Should any sentence, section, 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. This Ordinance shall be in full force and effect from and after the date of its adoption, passage and approval by the Mayor.

BILL NO. 19-246

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this _____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

Chief Counsel of Management and Operations
Daniel R. White



LEE'S SUMMIT
M I S S O U R I

Procurement Policy

for the

City of Lee's Summit, Missouri

Approved by City Council:
Ordinance No.

**City of Lee's Summit
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SECTION 1. PROCUREMENT DEFINITIONS

*****Abrogate:** To annul or repeal a law or pass legislation that contradicts the prior law. Abrogate also applies to revoking or withdrawing conditions of a contract.

***Accept:** To receive as approved, adequate, or satisfactory. To receive willingly with the intent of retaining.

***Acquisition:** The process of obtaining supplies, services, construction or real estate through purchase, lease, or grants.

***Affidavit:** A written statement of facts provided by one party which may be made under oath before a person of authority. An Affidavit may be required as part of a bid or request for proposal solicitation. For City purposes, affidavits shall be notarized.

***Agent:** A person authorized by a superior, i.e. principal, to act for him or her.

***Agreement:** An understanding, usually in writing, between two or more competent parties, under which one party agrees to certain performance as defined in the agreement and the second party agrees to compensation for the performance rendered in accordance with the conditions of the agreement. Agreements and contracts are sometimes used synonymously. Generally, agreements are approved "as to form" and for legal sufficiency prior to execution.

***Amendment:** An agreed addition to, deletion from, correction or modification of a document or contract.

***Authority:** The right to perform certain acts or prescribe rules governing the conduct of others.

***Award:** The acceptance of a bid or proposal; the presentation of a purchase agreement or contract to a bidder or offeror.

***Best and Final Offer (BAFO):** In a competitive negotiation, the final proposal submitted after negotiations are completed that contains the proposer's most favorable terms for price, services and products to be delivered.

***Best Value:** An assessment of the return which can be achieved based on the total life cycle cost of the item; which may include an analysis of the functionality of the item; can use cost/benefit analysis to define the best combinations of quality, service, and time and cost considerations over the useful life of the acquired item. A procurement method that emphasizes value over price. The best value might not be the lowest cost. Generally achieved through the Request for Proposal (RFP) method.

***Bid Bond:** An insurance agreement, accompanied by a monetary commitment, by which a third party (the surety) accepts liability and guarantees that the bidder will not withdraw the bid. The bidder will furnish bonds in the required amount and if the contract is awarded to the bonded bidder, the bidder will accept the contract as bid, or else the surety will pay a specific amount.

***Blanket Order:** A purchase order under which a contractor/vendor agrees to provide goods or services to a purchaser on a demand basis; the contract generally establishes prices, terms, conditions, and the period covered, although no quantities are specified; shipments are to be made when and as required by the purchaser which in certain cases may be the end user.

+Change Authorization: A form used on construction contracts when an amendment to the original contract is requested by the contractor and the work must proceed prior to processing a change order in order to prevent project delays.

***Change Order:** A written alteration that is issued to modify or amend a construction contract or construction project purchase order. A bilateral (agreed to by all parties) or unilateral (government orders a contract change without the consent of the contractor) request which directs the contractor to make changes to the contracted scope of work or specifications. In reference to construction contracts, it relates primarily to changes caused by unanticipated conditions encountered during construction not covered by the drawings, plans or specifications of the project.

- *Competitive Negotiations: A procurement method for obtaining goods, services and construction for public use in which discussion and negotiations may be conducted with responsible offerors who submit responsive proposals.
- *Construction: The process of utilizing labor to build, alter, improve, or demolish any structure, building or public improvement; generally does not apply to routine maintenance, repair or operation (MRO) of existing real property.
- +Construction Management: Construction management is the overall planning, coordination, and control of a project from beginning to completion as defined by state statute.
- *Contract: An obligation, such as an accepted offer, between competent parties upon a legal consideration, to do or abstain from doing some act. The essential elements of a contract are an offer and an acceptance of that offer; the capacity of the parties to contract; consideration to support the contract; a mutual identity of consent; legality of purpose; and definiteness. A legally binding promise, enforceable by law. An agreement between parties with binding legal and moral force, usually exchanging goods or services for money or other considerations.
- +Contractual Year: The dates used to identify annual spend on a contract when the contract's dates are not congruent with the fiscal year; such as 3/22/19 – 3/21/20. The amount is used in determining the appropriate approval level in Section 4.
- *Design-Build: A delivery method for construction projects that combines the architectural, engineering, and construction services required for a project into a single contractual agreement.
- *Designee: A duly authorized representative.
- **Electronic Bidding (e-bidding): Is an electronic bidding event (without awarding commitment) according to defined negotiation rules (e-Agreement). A buyer and two or more suppliers take part in this online event.
- +Emergency: An unexpected and urgent situation where an immediate threat to public health and safety exists; where conservation of public resources is at risk; where an immediate response is necessary to prevent further damage to public property, machinery, or equipment; or where delay would result in significant financial impact to the City as determined by the City Manager.
- *Enterprise Resource Planning (ERP): A business process software system that manages multiple management systems. May include finance, accounting, human resources, purchasing, inventory control, and other activities.
- *eProcurement (ePro): Conducting all or some of the procurement function over the Internet through point, click, buy, and ship Internet technology.
- ***Fee Simple: Absolute title to land, free of any other claims against the title, which one can sell or pass to another by will or inheritance.
- *Formal Bid: A bid that must be submitted in a sealed envelope and in conformance with a prescribed format to be opened in public at a specified date and time. As it pertains to the City, formal bids must be solicited for all goods or services \$50,000.00 or more.
- *Free on Board (FOB) Destination: Where the seller or consignee delivers the materials to a specified delivery point. The cost of shipping and the risk of loss are borne by the seller or consignee. Title passes when delivery is received by the buyer at destination. Seller has total responsibility until shipment is delivered.
- *Informal Bid/Proposal: A competitive bid, price quotation or proposal for supplies or services that is conveyed by a letter, fax, e-mail or other manner that does not require a formal sealed bid or proposal, public opening or other formalities. Generally relegated to requirements that may be considered low value or fall under a stipulated price/cost threshold. As it pertains to the City, informal bids/proposals are to be solicited for goods or services when the annual spend is to be less than \$50,000.00 annually.

*Invitation for Bid (IFB): All documents used to solicit competitive or multi-step bids.

*Invitation to Negotiate (ITN): A competitive negotiation process that is used when the procurement authority deems it is in its best interest to negotiate with offerors to achieve "best value." A form of source selection that is similar to the Request for Proposal process.

*Life Cycle Cost: The total cost of ownership over the life span of the asset.

***Lowest and Best: in determining the lowest and best responsive bidder, cost, and other factors are to be considered in the evaluation process. Factors may include, but are not limited to, value, performance, and quality of a product. 34.010.2 RSMo

*Modification: Any written alteration to a provision of any contract accomplished by mutual agreement of the parties to the contract. Used synonymously with the term Amendment.

*Procurement: Purchasing, renting, leasing, or otherwise acquiring any supplies, services or construction; includes all functions that pertain to the acquisition, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration. The combined functions of purchasing, inventory control, traffic and transportation, receiving, inspection, storekeeping, salvage and disposal operations.

+Procurement and Contract Services Manager: The City's chief procurement officer responsible for management of Procurement and Contract Services, monitoring of services provided by the division, and other responsibilities as designated within the policy.

*Protest: A written objection by an interested party to a solicitation or award of a contract with the intention of receiving a remedial result. May be filed in accordance with the agency policy and procedure within predetermined timelines.

+Project: A planned piece of work that has a specific purpose (such as to find information/solution or to make something new) and that usually requires a lot of time.

*Project Manager: Designated individual within the agency to administer a specific task or contract.

*Purchase Order: A purchaser's written document to a vendor formalizing all the terms and conditions of a proposed transaction, such as a description of the requested items, delivery schedule, terms of payment, and transportation.

+Qualification Based Selection (QBS): QBS is a process used by the City to obtain statements of qualifications for architectural, engineering, land surveying, or landscape architecture as required by state statute. The City also follows this process for design-build services and may choose QBS for other services unless prohibited by law or other policies.

*Quote: An informal purchasing process which solicits pricing information from several sources.

*Quotation: A statement of price, terms of sale, and description of goods or services offered by a vendor; may be non-binding if solicited to obtain market information for planning purposes.

+Real Property: Real property shall be disposed of or acquired as allowed under this policy and state statute.

*Request for Information (RFI): A non-binding method whereby a jurisdiction publishes via newspaper, internet, or direct mail its need for input from interested parties for an upcoming solicitation. A procurement practice used to obtain comments, feedback or reactions from potential suppliers (contractors) prior to the issuing of a solicitation. Generally price or cost is not required. Feedback may include best practices, industry standards, technology issues, etc.

*Request for Proposal (RFP): The document used to solicit proposals from potential providers for goods and services (Offerors). Price is usually not a primary evaluation factor. Provides for the negotiation of all terms including price prior to contract award. May include a provision for the negotiation for Best and Final Offers.

+Request for Qualifications (RFQ): A document issued by the City to obtain statements of qualifications for professional services such as architectural, engineering, land surveying, or landscape architecture. This document is part of the QBS process.

*Requisition: An internal document by which a using agency sends details of supplies, services, or materials required to the Procurement and Contract Service Department. Requisitions are entered into and processed by the City's ERP system.

*Responsible Bidder/Offeror: A contractor, business entity or individual who is fully capable to meet all of the requirements of the solicitation and subsequent contract. Must possess the full capability, including financial and technical, to perform as contractually required. Must be able to fully document the ability to provide good faith performance.

*Responsive Bidder/Offeror: A contractor, business entity or individual who has submitted a bid or request for proposal that fully conforms in all material respects to the IFB/RFP and all of its requirements, including all form and substance.

*Scope of Work (SOW): A detailed, written description of the conceptual requirements for the project contained within a Request for Proposal. The scope of work should establish a clear understanding of what is required by the entity.

*Sole Sourcing: A situation created due to the inability to obtain competition. A procurement method where only one supplier possesses the unique ability or capability to meet the particular requirements of the solicitation. As it pertains to the City, a sole source justification from the requester is required as set forth in this policy.

*Specification: A precise description of the physical or functional characteristics of a product, good or construction item. A description of goods as opposed to a description of services. A description of what the purchaser seeks to buy and what a bidder must be responsive to in order to be considered for award of a contract. Specifications generally fall under the following categories: design, performance, combination (design and performance), brand name or approved equal, qualified products list and samples. May also be known as a purchasing description.

*Surplus Property: Refers to goods or materials that are obsolete or no longer needed by the agency and are designated for disposal. Said items may disposed of by auction, sealed bid or disposal.

*Term Contract (aka: On-Call, Term & Supply or Yearly): A type of contract in which a source of supply is established for a specified period of time for specified services or supplies all at a predetermined unit price; usually characterized by an estimated or definite minimum quantity, with the possibility of additional requirements beyond the minimum, all at a predetermined unit price.

+Transaction: A Transaction is a single occurrence of buying or selling something; a business deal. A transaction is an agreement between a buyer and a seller to exchange goods, services or financial instruments.

*Terms and definitions from the "Public Procurement Dictionary of Terms". "The Comprehensive Reference for Public Purchasing Terms and Concepts". National Institute of Governmental Purchasing, Inc. (NIGP), 151 Spring Street, Herndon, VA 20170. Copyright 2012 by NIGP.

** Terms and definitions from Wikipedia.

*** Definitions from Law.com.

+Definitions were determined based on current City practices and processes.

SECTION 2. AUTHORITY AND ENFORCEMENT

2.1 Compliance with Policy. The acquisition of property, products and services by or on behalf of the City of Lee's Summit, its departments, officials and authorized agents shall be made in accordance with the procurement policy contained herein unless otherwise specified by City Charter or approved by the City Council.

2.2 Parks and Recreation Department. Procurement for the Parks and Recreation Department shall follow the standards and requirements set forth in this policy. Unless otherwise provided by City Charter, or other applicable law, the Administrator of Parks and Recreation shall exercise the authority that would otherwise be exercised by the City Manager, as set forth in this policy regarding procurements for the Parks and Recreation Department. The Parks and Recreation Board shall exercise the authority that would otherwise be exercised by the City Council, as set forth in this policy, regarding procurements for the Parks and Recreation Department.

2.3 Authorized ERP System Users. Department Directors shall submit to the Information Technology Services (ITS) Department a list of personnel authorized to issue requisitions, approve requisitions and conduct receiving functions on behalf of said department. It will be the Department Directors or their designees' responsibility to inform the ITS Department of any changes to the departmental listings. ITS shall update the City's ERP system accordingly.

2.4 Unauthorized Purchases/Transactions. Any purchase or any transaction that does not comply with this policy shall be considered an unauthorized purchase and may result in disciplinary action as identified herein, which may also include repayment/restitution to the City. When an unauthorized purchase becomes evident, the Procurement and Contract Services Manager, P-Card Administrator (if applicable), designated procurement representative or any other City employee will notify the applicable Department Director. The Director shall be responsible for submitting a memorandum outlining the facts and circumstances of the purchase, as well as steps taken to avoid future unauthorized purchases, to the Procurement and Contract Services Manager, P-Card Administrator (if applicable), and City Manager.

2.4.1 Enforcement. The City Manager will have the responsibility for the enforcement of this administrative policy. Department Directors will be entrusted with the responsibility of enforcing the policy within their departments.

2.4.2 Disciplinary Action. Noncompliance with the provisions of the Procurement Policy may result in the initiation of applicable disciplinary action as identified in the City Charter, Code of Ordinances or Personnel Policies. Any disciplinary action for violation of this policy shall be determined by the City Manager in accordance with section 2.4.1 Enforcement.

2.5 Split Purchase. Intentionally breaking an order or project to an external vendor(s) in to two or more purchases/payments to avoid procurement policy processes. Split purchases shall not be permitted and shall be considered a violation of this Policy.

2.6 Contracting Authority. Unless otherwise established by the City Charter, this policy, or by the City Council, the City Manager shall execute all documents necessary to effectuate the procurement of goods and services or that generate revenue on behalf of the City of Lee's Summit. All approval levels and requirements stipulated in this policy shall be adhered to, unless otherwise approved by the City Council.

2.7 Renewal of Contracts/Agreements. Contracts/Agreements may be renewed by the City Manager without additional Council approval as long as the original Contract/Agreement contained terms allowing for renewals. The User Department shall have the authority to recommend to Procurement approval of proposed renewal price increases if they concur. The vendor shall provide justification for price increases; the City is to determine if it is reasonable, fair, mutually agreed to, and within the parameter(s) established in the original solicitation. Prior to execution, the resulting renewal contract/agreement shall be approved by the Law Department and City Manager.

2.8 Prohibited Acts by Elected and Appointed Public Officials and Employees. For any transaction identified in this policy, the City shall not knowingly purchase any service, good or property from any Councilmember, the Mayor or any City Employee or any entity in which he or she holds a “substantial interest”. For purpose of this section the term “substantial interest” shall mean ownership by the individual either directly or indirectly of ten percent or more of any business entity, or of an interest having a value of ten thousand dollars or more, or the receipt by an individual of a salary, gratuity or other compensation or remuneration of five thousand dollars, or more per year from an individual, partnership, organization, or association within any calendar year. Additionally, it is recognized that it is difficult or impossible for every employee utilizing a purchasing card to have knowledge of every entity which a Councilmember, the Mayor or another employee may hold an interest as described above; however, the City shall exercise its best efforts to refrain from conducting such transactions utilizing a purchasing card and shall not knowingly do so.

SECTION 3. GENERAL REQUIREMENTS

3.1 Specifications. It is the responsibility of the department to write specifications and establish the quality of the product or service required. Procurement and Contract Services may assist the department in writing specifications, upon department request. Specifications shall be written to foster competition.

3.2 Preference Policy. The City does not have a preference policy to purchase commodities or services from state, local, or minority enterprises. The City encourages participation in solicitation processes from local and regionally based businesses through education and recruitment activities. The City engages in processes to foster participation of qualified small and minority businesses and women’s business enterprises as required by grant funding as more fully outlined in Section 3.5, below.

3.3 Domestic Product Policy. The City of Lee’s Summit has adopted a formal written policy to encourage the purchase of domestic products that are manufactured or produced in the United States (See City of Lee’s Summit Resolution No. 87-18, section 34.353 3(5) RSMo).

3.4 Green Procurement and Recycled Products. City staff is encouraged to integrate environmental factors into the City’s buying decisions and procure environmentally preferable goods and services whenever practicable. Consideration should be given to:

- a. Replacing disposable with re-usable, recyclable, or compostable goods whenever possible. Specify and/or purchase products which contain a high percentage of post-consumer recovered material, reduce waste in the manufacture and use of products, and reduce packaging.
- b. Specifying non-virgin materials when comparable performance can be achieved.
- c. Life cycle cost.
- d. Impacts and threats of harm to human health or the environment.
- e. The environmental performance of vendors in providing products and services.

3.5 Purchases Supported by Grant Funds. Departments shall review all requirements for grant funding to ensure the procurement process required as a condition to receiving said grant funds are complied with during the procurement of the item. Procurement and Contract Services will assist in the inclusion of all required procedures that are in addition to the requirements of this policy.

- To encourage participation from qualified small and minority businesses and women’s business enterprises, the City will add qualified businesses on solicitation lists; send solicitation notices to qualified businesses and as appropriate use such organizations as the Small Business Administration and the Minority Business Development Agency to identify qualified businesses.
- To the extent that a grant contains a requirement related to mandatory procurement policies that are not contained in this Procurement Policy, the City Manager shall have the authority waive provisions of this

policy in the form of a written memorandum for the limited purpose of ensuring compliance with the grant requirement; such requirements however shall not alter the approval levels as set forth herein, or violate any existing ordinances or resolutions of the City. Any such waivers shall be made in writing.

3.6 Computer Related Items. Purchases of computer-related equipment/software must be made via the ITS Department unless the Chief Technology Officer (CTO) delegates certain purchases to certain departments. All purchases shall be in compliance with the procurement policy contained herein. Prior approval of the CTO or designee is required to purchase, transfer or dispose of any computer software or related hardware.

3.7 Capital Asset Items. Departments are responsible for following the City's Capital Asset Policy when accepting and receiving any item that meets the definition of a capital asset. An item is a capital asset if: a. It is tangible in nature; b. Has a useful life longer than two years; and c. Has a value exceeding \$5,000.00.

3.8 Sensitive Asset Items. A sensitive asset is an asset with a value of \$5,000.00 or less which could easily be adopted for personal use or converted into cash, including property for which theft, loss, or misplacement could be dangerous to the public safety or community security. Sensitive asset property must be subject to physical security, protection, control and accountability by the department assigned with responsibility of the asset. Examples of sensitive asset items include but not limited to: a. Fire Arms and Weapons; b. Computers; c. Cellular Phones; and d. Audio Visual Equipment.

3.9 Construction Projects. Construction Projects should be procured through and coordinated with the Public Works Department. Projects of this type and size require specific construction documents, professional services and management. Contracts of \$50,000.00 or more require Committee and City Council approval.

3.10 Licenses. If applicable, the Procurement and Contract Services Division shall be responsible for ensuring that valid business licenses are on file for all contracts. If applicable, for purchases made from vendors which are not on a valid contract, the procuring department shall be responsible for confirming a valid business license exists.

A business license shall not be required if the vendor's place of business does not reside within the corporate limits of the City of Lee's Summit and the vendor is only delivering products or equipment within the City.

3.11 Insurance Requirements. If applicable, vendors shall provide a certificate of insurance and endorsements in accordance with all contractual requirements. Contact the Risk Manager in the Law department for assistance with insurance requirements.

3.12 Vendor Requirements. To be placed in the City's ERP system as a vendor, vendors are required to provide a Federal W-9 and a completed City's Vendor Information Form to the applicable ordering/contracting department. The department must provide said forms to the City's Accounts Payable Division.

3.13 Work Authorization and E-Verify. For any contract for services greater than \$5,000, the successful bidder shall comply with RSMo 285.530, as amended, and (1) provide by sworn affidavit affirmation that it does not knowingly employ any person who is an unauthorized alien and (2) provide documentation affirming its enrollment and participation in a federal work authorization program with respect to the employees working in connection with this contract. The required documentation affirming enrollment must be from the federal work authorization program provider. Letter from respondent reciting compliance is not sufficient. When applicable, solicitations shall require the signed and notarized Work Authorization Affidavit and the electronic signature page from the E-Verify program prior to the issuance of a contract.

3.14 Prevailing Wage. Contracts for construction or major repair projects that have an estimated or actual expenditure of \$75,000 or more shall comply with RSMo 290.210, et seq, as amended. Missouri's prevailing wage

law establishes a minimum wage for certain projects. For assistance determining if a project is prevailing wage, contact the Law Department.

3.15. Contract Total Cost: Departments shall include the annual cost of goods, services, maintenance, shipping, handling, travel expenses, labor, installation, and any other ancillary costs as part of Total Cost when applying approval levels in Section 4. The annual Lease amount for equipment or real property and associated ancillary costs shall be used as the total cost when applying approval levels in Section 4.

3.16 Funding. Prior to initiating any procurement, staff shall ensure that sufficient funds are available for the acquisition of the goods and/or services.

SECTION 4. APPROVAL LEVELS

The following approval levels, based on annual Contract Total Cost, apply to the purchase of items and services not currently under contract. Unless otherwise stated herein, all contracts in which the City is expending \$50,000.00 or more annually, or is anticipated by City staff to result in commission from a vendor of \$50,000.00 or more annually shall be subject to approval by the applicable committee and City Council. Process descriptions are in Section 5 Solicitation Processes. Contact Procurement and Contract Services for assistance.

Contracts for purchases of less than \$10,000.00: A contract or insurance rider may be needed for services performed on City property or if vendor is interacting with the Public on the City's behalf. Contact the Risk Manager for insurance requirements.

4.1 Level I – Discretionary Transactions \$0.01 - \$2,999.99. The Department will identify sources for the item or service and select the best value for the City. The Department designee approves the transaction.

4.2 Level II – Quotes \$3,000.00 - \$9,999.99. The Department shall obtain quotes as outlined in Section 5.1 Quotes. The Department designee approves the transaction. The quotes and/or quote tabulation form are emailed to the designated procurement officer to be attached the purchase order.

4.3 Level III – Informal Solicitation \$10,000.00 - \$49,999.99. The Department director or designee approves the award of the purchase.

- A) If the transaction is a one-time purchase of a commodity then quotes may be used (Section 5.1 Quotes). Identify and select the best value based on the quotes. The quotes and/or quote tabulation form are emailed to the designated procurement officer to be attached the purchase order.
- B) If procuring a service or making multiple purchases of the same item(s), then the department designee shall contact the designated procurement officer to identify the best informal solicitation method. The resulting solicitation shall be reviewed by Procurement and Law prior to publication. The contract shall be reviewed and approved by the Law Department and City Manager.

*Spend on Level III solicitations and resulting agreements will be reviewed annually. If annual spend exceeds \$50,000.00 then a formal solicitation may be issued, a new contract executed and presented or the contract renewal will be executed and presented to the applicable committee and City Council for approval. The increased spend may be the result of additional departments utilizing a valuable contract.

4.4 Level IV – Formal Solicitation \$50,000.00 and over. Transactions at this level require approval of the Department Director, applicable committee, Law Department, and City Council. The Department shall coordinate the formal solicitation type and process with Procurement and Contract Services.

4.5 Revenue Generating Contracts. The approval levels outlined in the Section 4 shall apply to contracts or agreements that generate revenue for the City rather than the expenditure of City funds.

SECTION 5. SOLICITATION PROCESSES

5.1 Quotes (Level II and Level III one-time purchase). The Department shall get quotes from a minimum of three (3) or more vendors (when possible). Quotes shall be documented either on a quote form from the vendor or on the Quote Tabulation Form (i.e. phone quotes) found on the City intranet. The Department designee approves the selection and emails the quotes or quote tabulation form to the applicable procurement officer to have the quote(s) attached to the purchase order.

5.2 Bids (Level III and Level IV). The anticipated or historical Total Cost per contractual year shall determine the appropriate solicitation method. To comply with this policy, the Department shall coordinate the bid with the appropriate staff in Procurement and Contract Services. The Procurement and Contract Services staff will assist in determining the appropriate method of procurement, any special requirements, tentative timeline for the project, estimated costs, roles, and possible suppliers. Documents prepared by Procurement and Contract Services staff will be submitted to the Department for review and approval prior to publishing.

5.2.1 The Department shall evaluate the bids and make a recommendation for award. The bid shall be awarded to the lowest and best responsive bidder's response that is deemed to be in the best interest of the City.

5.2.1.1. Informal Bidding (Level III) – The solicitation is distributed to a minimum of three (3) potential vendors (when possible). The Department may choose the method of response to be required (i.e. written or electronic or both). The deadline for submission of bids may be extended by the City as long as bidders have been notified before the original bid closing date and time

5.2.1.2. Formal Bidding (Level IV) – The solicitation is distributed to vendors and the appropriate advertisement as required is posted. Based on the project type, performance, payment, and bid bonds may be required. The bid shall state the date and time after which bids will not be accepted. The deadline for submission of sealed bids may be extended by the City as long as any received bids remain sealed and bidders have been notified before the original bid closing date and time.

5.3 Request for Proposals (RFP) (Level III and Level IV). The Project Manager shall work with Procurement and Contract Services to define the scope of work, any special requirements, tentative timeline for the project, estimated costs, roles, proposal evaluation criteria, and possible suppliers. The evaluation criteria may include, but is not limited to: responsiveness to project needs, evidence of experience, reliability, references, expertise of firm, expertise of key personnel, project approach, and cost. The deadline for submission of proposals may be extended by the City as long as proposers have been notified before the original closing date and time.

5.3.1. *Selection Committee* – A selection committee shall be established by the Project Manager to review the proposals and score each proposal according to the criteria established in the Request for Proposal.

5.3.2. *Evaluation Process* – The selection committee shall first score each proposal received on criteria established in the Request for Proposal. The composite scores of the committee shall be used to determine the top rated firms. If it is determined by the committee that interviews are needed, firms will again be scored after the interviews and the interview composite score recorded. The interview composite score sheet, if applicable, will be used to determine the highest rated proposal.

5.3.3. *Evaluation of Cost* – Cost shall be evaluated using a pre-established formula based upon the weight assigned to that criteria. Cost may be considered at initial evaluation, following initial proposal scoring, or incorporated after scoring has been completed.

5.3.4. *Negotiation Process* – Upon determining the highest scored respondent, the Project Manager will then begin negotiations with the respondent receiving the highest score. If the City is unable to negotiate mutually agreed upon terms related to the proposal or project with the top scoring respondent, the City may begin negotiations with the second highest scoring respondent, and so forth until mutually agreed upon terms related to the proposal or project are reached. After said terms have been reached, the City may request a fully executed best and final offer (BAFO) from an authorized agent of the selected firm to document any changes made during the negotiation process. Said BAFO shall be incorporated into the applicable contract.

5.4 Invitation to Negotiate (ITN). The City may procure commodities and contractual services by an ITN. An ITN is used when the goals or problems of the project can only be generally described in the scope of work. Respondents provide proposed solutions to the problem or methodologies to achieve the desired goal.

5.4.1 The ITN shall include: (1) a statement of the commodities or contractual services sought; (2) the time and date for the receipt of replies and the public opening as provided in the ITN document; (3) the primary terms and conditions applicable to the procurement, including the criteria to be used in determining the acceptability of the reply; (4) the time frames for completion of the work, including renewal periods, if applicable, and (5) the format for the recommended pricing structure.

5.4.2 A response is generally evaluated for its technical merit, innovative methodology, experience, and cost within the limitations set forth in the ITN. It differs from an RFP in that responses may be refined during the negotiation and evaluation process prior to making an award of the contract. Proposals may be ranked at any point in the evaluation process when the Evaluation Team determines it has received sufficient information from respondents. Ranking is not required prior to negotiations. The City may negotiate concurrently with multiple respondents selected for negotiations.

5.4.3 The City may select one or more respondent(s) upon the conclusion of negotiations. At the conclusion of negotiations, the City should request a fully executed best and final offer (BAFO) from an authorized agent of the selected firm(s) to document the terms agreed upon during the negotiation process. Said BAFO shall be incorporated into the applicable contract/agreement. When concurrent negotiations are held, BAFOs should be obtained from all respondents participating in the negotiations prior to final evaluation and recommendation of award.

The City may award contract/agreement(s) to one or more responsible respondent(s) based on the BAFOs the City determines who will provide the best value and best meet the City's objectives.

5.4.4 The solicitation file shall contain documentation of the basis for respondent selection, setting forth the deliverables and price pursuant to the contract/agreement, and explaining how these deliverables and price meet the objectives of the solicitation.

5.5 Qualifications Based Selection (QBS). The QBS process must be used for selection of professional services consultants for architecture, engineering, land surveying and landscape architecture in accordance with RSMo 8.285, et. seq. QBS may be used for other types of services allowed or required by law and determined by the Project Manager.

5.5.1 Whenever architectural, engineering, land surveying, landscape architecture or design-build services are needed, the Department Director or designated representative of the City department conducting the solicitation shall prepare a Request for Qualifications (RFQ). The RFQ will include a description of the project or services required and the criteria to be used in evaluating responses from interested professionals. Criteria should be tailored for the specific project or services needed and may include such items as:

- The specialized experience and technical competence of the respondent with respect to the type of services required;
- The capacity and capability of the respondent to perform the requested work;
- The past record of performance of the respondent with respect to such factors as control of costs, quality of work, and ability to meet schedules;
- The respondent's familiarity with the area in which the project is located; and/or
- The respondents understanding of the required services and specific ways in which the firm is most qualified to provide those services.

5.5.2 For design-build RFQs the criteria may also include a list of architects, engineers, land surveyors, contractors, etc. proposed to provide services.

5.5.3 When an RFQ is used, a selection committee shall be established by the Department Director or the Project Manager to review the qualifications. Each committee member will score each respondent's response according to the criteria set forth in the RFQ. The scoring of respondents by the committee will be used to determine the

top rated respondent, which may be interviewed at the discretion of the Department Director or the Project Manager. If interviews are conducted, the respondents are again scored after the interviews according to the criteria and a final scoring by the committee will determine the most responsive and qualified respondent(s). The solicitation file shall contain documentation of the basis for selection.

5.5.4 If the Department is unable to negotiate a satisfactory contract with the selected respondent, those negotiations shall be terminated. Negotiations shall then commence with the second highest scoring respondent. If there is failure to reach agreement with the second respondent, the process will repeat until a contract has been successfully negotiated. At the conclusion of negotiations, the City should request a fully executed best and final offer (BAFO) from an authorized agent of the selected firm(s) to document any changes made during the negotiation process. Said BAFO shall be incorporated into the applicable contract/agreement. If there is a failure to negotiate a contract with any of the respondents, the Department shall reevaluate the necessary services and scope of work and re-issue a revised RFQ if appropriate and proceed in accordance with the provisions of this article.

5.5.5 For design-build services, contracts may be negotiated as two separate agreements: 1. For preliminary design-build services and; 2. For final design-build services, or a single initial contract for all services.

5.6 Use of Approved On-call Contracts for Services: An on-call contract for services is a contract for services such as engineering, architectural, land surveying, consulting, construction, specialized or technical services, or any other services in which a source of supply is established for a specified period of time for specified services all at a predetermined unit price. When utilizing an on-call contract for services, the using department personnel shall confirm the work is within the general scope of the agreement and validate rates and unit costs applicable to the required work.

- a. For a defined scope of work, staff will obtain a quote before authorizing the provider to proceed.
- b. Confirm in writing the applicable rates or other costs contained in the contract that will be used for work performed on an hourly or other unit price basis.
- c. For each project, an addendum to the on-call agreement shall be prepared reciting the scope of services to be provided, payment terms and fee schedule and any other project specific terms.
 - c.1. Projects which have received approval and appropriation through the budget process which can be completed through use of an on-call contract may be awarded without additional approval.
 - c.2 Projects with a total cost of less than \$50,000.00 shall be approved by the appropriate Staff as identified in Section 4. Approval Levels.
 - c.3 Unbudgeted projects costing \$50,000.00 or more shall be approved by the applicable committee and City Council.

5.7 Requests for Information (RFI). A RFI is used prior to preparing documents for a Bid, RFP, or RFQ.

SECTION 6. ALTERNATIVE PROCUREMENT METHODS

6.1 Cooperative Purchasing. Cooperative Purchasing is a form of procurement that can take many forms.

Common forms used by the City are:

- Two or more entities combine requirements and solicit bids or offers for goods or services.
- Entities include terms in their solicitations that allow a similar entity to piggyback on the awarded contract.
- Third Party Aggregators that bring multiple entities together to represent their requirements resulting in the award of contracts.

For approval purposes, the approval levels defined in Section 4 shall apply.

The City Manager shall have the authority to approve the City's participation in cooperative contract(s).

Procurement and Contract Services will review cooperative contract(s) to make sure they are competitively awarded and cost effective. The Department designee will determine if the contract meets the Department's

needs. If service or work is to be performed on City property, then review the contract's included insurance as it may not include adequate coverage and protection for the City. Contact the City's Risk Manager assistance.

6.2 Convenience Contracts. Convenience contracts are established in accordance with applicable procurement laws and policies for the purchase of goods and services for use by the City and offer a higher than normal level of convenience and flexibility in circumstances where it is warranted. Every reasonable effort should be made to obtain competitive pricing and good quality while using convenience contracts. Individual transactions using convenience contracts must be less than \$3,000.00.

6.2.1 Convenience Contracts are permitted when at least one of the following criteria is met:

1. Due to the time sensitive nature of the goods or services, it would not be prudent or cost effective to utilize another procurement method.
2. Proximity of the vendor to the area where services or products are needed is a significant consideration.
3. Quality assessment of the product or service is subjective and difficult to process a solicitation. May be based on preferences of the City's customers, volunteers, etc. Examples include, but not limited to performing artists and programs instructors. This is a need to be responsive to the preferences of the City's clientele.

6.2.2 For approval purposes, the approval levels defined in Section 4 shall apply.

Refer to the guidelines for Convenience Contracts on the City's intranet for process details. Contact the Procurement and Contract Services staff for assistance in establishing a Convenience Contract.

SECTION 7. NON-SOLICITATION TYPE OF PROCESSES

7.1 Emergency Purchase. Immediately upon determining that an Emergency exists, as defined in Section 1, and prior to contacting vendors for supplies and services, the City Manager or Procurement and Contract Service Manager shall determine the appropriate course of action. Emergency purchases shall be made with as much competition as practical under the circumstances. Departments must submit emergency purchases on the appropriate form and shall include an explanation of the emergency in advance of the purchase or as soon as practical thereafter.

7.1.1 The City Manager or the Procurement and Contract Service Manager shall have the authority to approve all emergency purchases \$24,999.99 and below. Emergency purchases \$25,000.00 to \$49,999.99 require the approval of the City Manager. An emergency purchase \$50,000.00 or more shall be tentatively approved by the City Manager and shall be presented to City Council for ratification at the earliest opportunity after the purchase has been made.

7.1.2 If an Emergency exists that requires a contract modification, the City Manager shall have the authority to execute a contract modification where approval by the City Council would otherwise be required. The emergency modification shall be submitted to the City Council by the City Manager for ratification at the next available Council meeting.

7.1.3 During periods of a "declared city emergency" by the Mayor, purchases may be made in accordance with the City's Emergency Operations Plan.

Documents for Emergency Purchase, Exhibit A, are on the City's Intranet.

7.2 Sole Source. The Procurement and Contract Services Manager may waive the requirement of competitive bids or proposals for supplies/services when he/she has determined in writing the following conditions:

- a. supplies or services are proprietary and only available from the manufacturer or a single distributor;
- b. based on past procurement experience, it is determined that only one (1) distributor services the region in which the supplies are needed;
- c. supplies or services are available at a discount from a single distributor for a limited period of time; or
- d. A firm has significant previous or specialized knowledge on a proposed project that would result in significant monetary and/or time savings in completion of the project.

7.2.1 Sole source purchases shall be subject to approval as follows:

- \$.01 – \$9,999.99: Department Director and the Procurement and Contract Services Manager prior to purchase. Any resulting contract shall be reviewed by Law and signed by the City Manager.
- \$10,000.00 - \$49,999.99: Department Director, Procurement and Contract Services Manager, City Manager prior to purchase, with written recommendation from the above.
- \$50,000.00 and over: Department Director, Procurement and Contract Services Manager, City Manager, applicable committee, and City Council prior to purchase with written recommendation from the above.

Departments must submit a sole source request on the appropriate form and include justification for the sole source.

Documents for Sole Source, Exhibit B, are on the City Intranet.

7.3 Exempt Expenditures. The following types of expenditures are deemed to be ineligible for competitive pricing and are therefore exempt from the Policies related to solicitation processes defined herein. These expenditures include:

- Utilities – phone, electricity, gas, water, sewer, Internet, cable/dish services
- Advertising-employment, public notices and hearings, promotional, legal notices
- Professional memberships, sponsorships, training
- Subscriptions to professional publications
- Travel reimbursement and direct payments to travel related vendors
- Maintenance and/or support contracts with vendors pertaining to software or hardware, which are required in order to maintain warranty compliance or the continuation of licensing and/or maintenance agreements
- Payments made in connection with risk management claims
- Postage for mail and Postage for bulk mailing
- Parks and Recreation “Camp Summit” activities such as Field trips to local attractions (Science City, Worlds of Fun, World War I Museum, etc.), food venues, supplies and services
- Independent contracts for specialized services and programs offered by City to the community

SECTION 8. CONTRACT MODIFICATIONS

A Contract Modification is necessary when there is a change in the quantity, cost, or scope of the item, service or work provided under the contract.

8.1 Non-Construction Contracts. Contract modifications shall be in writing and executed by all parties.

8.1.1. **Contracts under \$50,000.00:** Modifications resulting in a total cost for the contractual year of \$49,999.99 or less shall be approved by the City Manager.

8.1.2. **Contracts \$50,000.00 and Greater:** (i) Any single modification for an increase of \$50,000.00 or more, or (ii) any change in contract scope shall be approved by the City Council. Changes not associated with a change in the contract scope or less than \$50,000.00 must be recommended for approval to Procurement and Contract Services by the appropriate Department Director and approved by the City Manager. Any modification resulting in a decrease in costs may be approved administratively by the appropriate Department Director and the City Manager.

8.1.3. **Extensions:** Extension to contract term may be made with City and Vendor agreement at the same prices as the final renewal not to exceed one year. Said extension shall be in writing and executed by all parties. The approval levels in Section 4 shall determine the appropriate approvers for the extension.

8.2 Construction Contracts.

8.2.1 Change Orders

8.2.1.1. **Contracts \$500,000.00 and Greater:** Changes (i) exceeding five percent (5%) of the original contract, (ii) any single change order for an increase of \$100,000.00 or more, or (iii) any change in contract scope shall be approved by the City Council. Changes not associated with a change in the contract scope up to a cumulative total increase of five percent (5%) or less of the original contract amount must be approved by the appropriate Department Director and the City Manager. Any change order resulting in a decrease in costs may be approved administratively by the appropriate Department Director and the City Manager.

8.2.1.2. **Contracts less than \$500,000.00:** Changes (i) exceeding ten percent (10%) of the original contract, (ii) any single change order for an increase of \$50,000.00 or more, or (iii) any change in contract scope shall be approved by the City Council. Changes not associated with a change in the contract scope up to a cumulative total increase of ten percent (10%) or less of the original contract amount must be approved by the appropriate Department Director and the City Manager. Any change order resulting in a decrease in costs may be approved administratively by the appropriate Department Director and the City Manager.

8.2.2 Urgent Change Authorizations for Construction Contracts. When total change orders exceed the percentages outlined above, and, due to the stage of construction in progress or to prevent a lengthy delay in a project, the applicable Department Director, with the approval of the City Manager and with notification to the appropriate City Council committee chairperson, can issue a Change Authorization. The change authorization must be incorporated into a formal change order and presented to City Council for ratification at the next available meeting.

8.2.3 Changes in Contract Time for Construction Contracts. . Change orders resulting in an increase to the contract time exceeding ten percent (10%) of the original contract time, a single change order increasing contract time by 30 days or more, or any change in contract time due to a change in scope shall be approved by the appropriate Committee and City Council. For changes in contract time not associated with a change in contract scope, additional time up to a cumulative total of ten percent (10%) or less of the original contract time may be approved by appropriate Department Director and the City Manager Any change order resulting in a decrease in contract time may be approved administratively by the appropriate Department Director and the City Manager.

8.2.4 Modifications to One Time Design Consultant Contracts. Any modification resulting in an increase to the contract amount exceeding ten percent (10%) of the original contract, any single modification for an increase of \$100,000.00 or more, or any change in contract scope shall be approved by the appropriate Committee and City Council. For modifications to one-time contracts for design of construction projects, changes in cost of services, not associated with a change in the contract scope, up to a cumulative total increase of ten percent (10%) or less of the original contract amount may be approved by the appropriate Department Director and the City Manager. Any modification resulting in a decrease in cost must be approved administratively by the appropriate Department Director and the City Manager.

SECTION 9. PROJECT DELIVERY METHODS

The City recognizes there are several methods to complete a successful construction project. The Department uses the scope and complexity of the project to determine the best method to use. The following are approved methods for delivery of construction and capital improvement projects undertaken by the City.

9.1 Design – Bid – Build

Design-bid-build is the traditional sequentially phased approach that involves contracting for design and architectural/engineering services. The Qualifications Based Selection (QBS Section 5.5) solicitation is used to select the architect/engineering firm. The construction solicitation (Bid Section 5.2 or RFP Section 5.3) is developed using the design documents. The selected general contractor purchases the materials and hires subcontractors, as needed, to construct and deliver the final product to the City.

9.2 Design Build

Design build process includes a primary relationship between the City and a General Contractor or a joint venture with a contractor and design team. A Qualifications Based Selection (QBS Section 5.5) solicitation is issued to identify the best contractor or team. The Design Build process may save time in the project time as work can begin before the last stages of the building design are complete. Project cost may also be controlled or even reduced through use of the design-build process.

9.3 Construction Manager (CM)

A Construction Manager is hired to oversee the construction of the project. The selection is made about the same time as or following selection of the designer. The CM is able to work with the designer to monitor the budget and schedule prior to releasing the bids for construction. A Request for Proposals (RFP Section 5.3) solicitation is issued to identify the best construction manager based on qualifications and price. Bids (Bids Section 5.2) are issued for each phase or trade for the project. Contracts are awarded between the City and the contractor. The Construction Manager oversees the construction work on behalf of the City.

9.4 Construction Manager at Risk (CMR)

Construction Manager at Risk is a construction contracting method in which the City enters into separate contracts with the designer and builder, often about the same time so that both parties can collaborate. Selection of the CMR is done based on qualifications and price using a Request for Proposals (RFP Section 5.3). The CMR offers a Guaranteed Maximum Price (GMP) instead of a fixed bid. The GMP serves as a ceiling which decreases (in theory) as the design is refined. The CMR is responsible and accepts risk for constructing the entire project for the GMP and the contractor is responsible for assembling the team of suppliers and subcontracts to deliver the project.

9.5 Engineering, Procurement, Construction (EPC)

Engineering, Procurement, Construction, also known as EPC, is a prominent form of contracting agreement in the construction industry. The engineering and construction contractor will carry out the detailed engineering design of the project, procure all the equipment and materials necessary, and then construct to deliver a functioning facility or asset to the City. A Qualifications Based Selection (QBS Section 5.5) shall be used to select the best firm qualified to engineer the project. The selected firm will use public bidding to purchase materials and award contracts to subcontractors.

SECTION 10. REAL PROPERTY PROCESSES

10.1 Sale or Lease of Real Property.

- a. Sale or lease of real property owned by the City and any contracts pursuant hereto shall be subject to approval by the City Council.
- b. Prior to City staff actively marketing real property for sale or lease, the City Manager shall seek approval from the City Council must designate the property surplus and eligible for disposition.

10.2 Acquisition of Interests in Rights-of-Ways and Easements.

- a. Definitions applicable to this article :
 1. *Settlement Amount* - the amount to be paid by the City in consideration of receiving a property interest from a property owner.
 2. *Appraised Value* - the fair market value of the subject property as determined by a licensed appraiser selected by the City and may include replacement and/or relocation costs of amenities or facilities located within the real estate tract to be acquired.
 3. *Excess Amount* – the difference between the Settlement Amount and the Appraised Value. Excess amount may include negotiated expenses to replace property amenities lost with sale of the easement, such as fencing, sprinkler system, or landscaping.
 4. *Property* – legal interests in real estate acquired for public purposes.

- b. Staff is authorized to acquire property administratively, without City Council approval, when the following conditions are met:
 - 1. The property is needed in order to proceed with a project that is part of the Capital Improvement Program that has been approved by the City Council; and,
 - 2. Funding for said project has been included in the current capital or annual budget approved by the City Council.
- c. Administrative Procedures for Acquisition
 - 1. If the proposed Settlement Amount is equal to or less than the Appraised Value, the City Manager or designee may approve the acquisition of the property, regardless of amount.
 - 2. If the Excess Amount is less than or equal to \$25,000.00, the City Manager or designee may approve the acquisition of the property.
 - 3. All other proposed acquisitions must be presented to the City Council for approval.
- d. The City Manager, Mayor or designee is authorized to execute all documents necessary to carry out the intent of this policy.
- e. All deeds, agreements and other documents used for an acquisition under this policy shall be approved by the City's Law Department.

10.3 Purchase of Real Property-Fee Simple:

- a. The purchase of real property in fee simple shall not be subject to the solicitation requirements set forth herein.
- b. The purchase of real property in fee simple in the amount of \$50,000.00 or more shall be subject to City Council approval.

SECTION 11. PURCHASE ORDER

- 11.1 Absent extenuating circumstances, staff shall process a purchase order prior to making a purchase on behalf of the City.
- 11.2 A requisition shall be entered into the City's ERP system and approved by the Department prior to a purchase order being issued by Procurement and Contract Services. Procurement and Contract Services will review and generate a Purchase Order document from the approved requisition information.
- 11.3 An inverted purchase order is a type of purchase order issued for multiple contract items that will be purchased, received, and invoiced over a period of time. The inverted purchase order will remain open with "draws" or invoices paid from said purchase order. Inverted purchase orders should only be issued after consulting with Procurement and Contract Services and Finance to make sure that its utilization will meet all of the needs of the requestor.

SECTION 12. RECEIVING, DELIVERY, FREIGHT and PRODUCT TESTING

12.1 Delivery and Receipt of Goods and Services. The City of Lee's Summit uses decentralized receiving. Departments are responsible for receiving goods and services they have ordered. Their physical signature or electronic signature in the ERP system indicates they have accepted the item or service. Departments via their representative(s) are required to inspect the delivery, within one or two business days of delivery or per the terms of the contract, and make note if there is any damage, deficiency, missing items or other inaccuracy. Any issues shall be reconciled with the supplier immediately. When items are delivered to Departments, the only paperwork to be signed is the delivery notice. Any other vendor/supplier purchase order, document, contract, warranty, maintenance agreement, etc. are NOT to be signed at delivery.

12.2 Freight/Shipping on Orders. The City shall, absent extenuating circumstances, use F.O.B. Destination as its primary freight or shipping designation.

12.3 Product Testing/Demonstrations. Product demonstrations may be held as deemed appropriate without prior approval of Procurement and Contract Services. In no event shall the retention of a test item by the City be evidence of intent to purchase said item.

SECTION 13. PROTESTS

This procedure provides bidders/offerors with the opportunity to communicate concerns with any solicitation or award. It is not intended to create any legal right, cause of action, property interest or independent means of redress that does not otherwise exist under applicable law. It shall not serve to abrogate or effect the City's exclusive right to determine the lowest and best responsive bidder or best value in any solicitation process. Any correspondence that involves or may involve legal representation shall be forwarded to and handled by the City's Law Department.

13.1 Right to Protest. Any actual or prospective bidder who is aggrieved in connection with the solicitation or award of a contract may protest the process. The protest shall be submitted in writing to the City Clerk and Procurement and Contract Services Manager within 48 hours after such aggrieved person knows or should have known of the facts giving rise thereto. The protest shall identify specific the issue(s) that are being protested and the facts that the protestor believes support the claim. It is the protestor's responsibility to establish his/her case.

13.2 Review of Protest. The Procurement and Contract Services Manager or his/her designee shall have the authority to resolve a protest of an aggrieved bidder concerning the solicitation or award of a contract.

13.3 Decision/Notice of Decision. The Procurement and Contract Services Manager or his/her designee shall issue a decision in writing within three (3) business days of actual receipt of the protest. The decision shall state the reasons for the action taken. A copy of the decision shall be mailed or otherwise furnished immediately to the protestor.

13.4 Appeal. A protestor may appeal the decision by submitting a written appeal to the City Manager within five (5) business days of the date of the Procurement and Contract Services Manager's or designee's decision. The written appeal shall state specifically the facts supporting the protestor's position. The appeal shall be reviewed by the City Manager or designee, who will issue a decision in writing within five (5) business days of receipt of the protestor's timely filed written appeal.

13.5 Finality of Decision. The Procurement and Contract Services Manager's decision shall be considered final and is not subject to appeal or further consideration unless a timely appeal is filed. In the event of a timely appeal, the decision of the City Manager, or designee, shall be considered final and not subject to appeal or further consideration.

13.6 Stay of Procurements during Protest. In the event of a timely protest, the Procurement and Contract Services Manager or his/her designee, shall determine, based on facts and circumstances of the protest whether the solicitation process should proceed or be stayed pending the outcome of the protest.

SECTION 14. DISPUTES

14.1 Disputes with Vendors under Contract. City staff involved in the disputed procurement shall notify Procurement and Contract Services or the Project Manager concerning any complaint or dispute regarding an order, delivery, specification, defective supplies or poor performance by a supplier. Any decision concerning an attempt to cancel a contract or an attempt to resolve a dispute regarding defective products or unacceptable services shall be made jointly by Procurement and Contract Services and the Department conducting the solicitation. Correspondence with suppliers regarding disputes shall be conducted via Procurement and Contract Services.

14.2 Disputes with Vendors not under Contract. City Department Staff involved in a disputed procurement should document the issue: vendor, date, issue, vendor's response to the issue. Department Staff should reach out to the

vendor and give the vendor an opportunity to provide a resolution; trying to resolve the issue without involving other parties. If the vendor does not respond, Staff should reach out to Procurement and Contract Services for assistance.

SECTION 15. DISPOSAL OF PROPERTY (OTHER THAN REAL PROPERTY)

Department designated representative determines property (other than real property) is no longer needed and sends written notification with detailed information of surplus items to the Procurement and Contract Services Manager or designee. The Procurement and Contract Services Manager or designee will determine the best method for disposal. Once a disposal method is determined the Procurement and Contract Services Manager or designated representative will coordinate the process. The following methods will be used for disposal of surplus property:

- Sell by requesting sealed bids.
- Trade-in as part of a bidding process.
- Sell through electronic auctioning process.
- For perishable food items and other items with a combined value of less than \$500.00, donate to a not-for-profit with a valid 501 (c)(3)
- De minimis items may be disposed of in a reasonable manner.

SECTION 16. PROCUREMENT POLICY REVIEW

The Procurement Policy shall be reviewed no less than every three years to ensure that the policy is current with any and all applicable local, state and federal laws as well as City processes and procedures. Any proposed revision(s) shall be discussed with a Procurement Policy Committee that shall be derived from representative(s) from City departments. Those revisions deemed necessary to implement shall be presented to the Finance and Budget Committee for approval and recommendation to the City Council for approval and adoption.

2017 Section#		Updated Section#	Update
1	Add/Remove	1	Removed duplicate definitions: some definitions that were also included in the body of the document Added or updated the following: Contract, Contractual Year, Protest, Project, and Transaction
2.1	Update	2.1	Added reference to City Charter
2.4	Moved/updated	2.2	Moved, edited and added clarifying language
2.3		2.3	No change
2.5	Moved/Updated	2.4	Moved, placed Enforcement and Disciplinary Action under the heading, added clarification language
2.2	Moved	2.4.1	Moved within the Policy
2.11	Moved/updated	2.4.2	Moved within the Policy
2.6	Moved/updated	2.5	Moved, added the definition and modified some language
2.7	Moved/updated	2.6	Moved, some clarifying language added
2.8	Moved/updated	2.7	Moved, added clarification language about the process and roles of approval
2.10	Moved/updated	2.8	Moved, updated by Council Ordinance# 8640
3.1		3.1	No change
3.2	Split	3.2	Local business outreach, will conform to Grant source requirements
		3.3	Domestic preference
3.3	Moved	3.4	Moved within the Policy
3.4	Moved/updated	3.5	Moved, added new language to support Grant requirements that may conflict with City Policy. Give City Manager authority to waive conflicts, in writing. Added language to encourage MBE/MBE participation and solicitation lists
3.5	Moved	3.6	Moved within the Policy
3.6	Moved	3.7	Moved within the Policy
3.7	Moved	3.8	Moved within the Policy
	New	3.9	New item to recognize Construction projects require specialized documents and should be coordinated through Public Works.
3.8	Moved	3.10	Moved, restructured language to better flow and better understanding
3.10	Moved	3.11	Moved within the Policy
3.11	Moved	3.12	Moved within the Policy
3.13		3.13	No change
	New	3.14	Added recognition of Prevailing Wage per the revised State Law
	New	3.15	Added to provide clarification for Section 4 and others
	New	3.16	Added to support funding identified before proceeding with a solicitation.
4.2	Moved/updated	4.0	Section 4 was restructured to provide better guidance to Staff for approval levels. The update also provides flexibility in the use of Quotes for one-time purchases of commodities. Separated out Solicitation Processes into Section 5.
4.2.1	Moved/updated	4.1	Moved and updated terminology
4.2.2	Moved/updated	4.2	Moved and updated terminology
4.2.3	Moved/updated	4.3	Moved and updated approvals for one-time commodity vs. multiple purchase or service

4.2.4	Moved/updated	4.4	Moved and provided clear approval language for Council approval
	Moved/updated	4.5	Moved from 5.6 and updated language
5.6	Moved/Updated	4.5	Moved and updated language
7.1	Moved/Updated	5.1	Moved and updated terminology and language
7.2	Moved/Updated	5.2	Moved and updated terminology and language
7.3	Moved/Updated	5.3	Moved and updated terminology and language
7.4	Moved/Updated	5.4	Moved and updated terminology and language
7.5	Moved/Updated	5.5	Moved and updated terminology and language
	New	5.6	Moved and changed this item to cover all on-call contracts, not just professional services.
7.6	Moved/Updated	5.7	Moved and updated language
5.4	Moved/Updated	6.1	Moved and combined 5.4 and 5.5 into one item. The definition was removed from Section 1 and placed as part of 6.1 Provides authorization for the City to participate in Cooperative contracts.
5.5	Moved/Updated	6.1	See above.
	New	6.2	Added Convenience Contract language to the Policy
8.2	Moved/Updated	7.1	Moved and small updates to language
8.3	Moved/Updated	7.2	Moved and updated the language
8.4	Moved/Updated	7.3	Moved and updated the language, defined items listed
6.1	Moved/Updated	8.1	Moved and updated subsections to 8.1 including addition of Extentions in 8.1.3. The updates provide for non-construction contracts only.
2.9	Moved/updated	8.1.3	Moved to section with Contract Modifications and updated
6.2	Moved/Updated	8.2	Moved 6.3 -6.5 and updated section 8.2 to include all construction contract modifications under one section. The updated provide for construction contracts only.
	New	9.1	New item describing an approved method for project delivery and appropriate solicitation process.
	New	9.2	New item describing an approved method for project delivery and appropriate solicitation process.
	New	9.3	New item describing an approved method for project delivery and appropriate solicitation process.
	New	9.4	New item describing an approved method for project delivery and appropriate solicitation process.
	New	9.5	New item describing an approved method for project delivery and appropriate solicitation process.
9.1	Moved	10.1	Moved
9.2	Moved/Updated	10.2	Moved and updated some definitions and processes
9.3	Moved	10.3	Moved
10.4	Moved/Updated	11	Moved, added clarifying language and expectations
11.1	Moved/Updated	12.1	Moved updated some language
11.2	Moved/Updated	12.2	Moved updated some language
11.3	Moved/Updated	12.3	Moved

12	Moved/Updated	13	Moved and updated language- move responsibility to Procurement
12.1	Moved/Updated	13.1	Moved and updated language
12.2	Moved/Updated	13.2	Moved and updated language
12.3	Moved/Updated	13.3	Moved and updated language
12.4	Moved/Updated	13.4	Moved and updated language
12.5	Moved/Updated	13.5	Moved and updated language
12.6	Moved/Updated	13.6	Moved, restructured to make Procurement Responsible
13.2	Moved/Split	14.1	Moved and updated language to Contract Vendors
	Moved/Split	14.2	Moved and updated language to non-contract vendors
14	Moved/Updated	15	Moved and updated language and options
15	Moved/Updated	16	Moved and updated language
3.9	Removed		Removed, not relevant to Procurement
3.12	Removed		Duplicate, definition improved
4.1	Removed		See Section 5 Solicitation Processes
5.1	Removed		Not needed
5.2	Removed		Not needed
5.3	Removed		Not needed, some duplication
5.7	Removed		Duplicate of 4.4
8.1	Removed		Duplicate of 4.1
10.1	Removed		Payment method not relevant to procurement
10.2	Removed		Payment method not relevant to procurement
10.3	Removed		Payment method not relevant to procurement
13.1	Removed		Not needed, covered by 13
13.3	Removed		This is provided under City Policy



LEE'S SUMMIT
M I S S O U R I

Procurement Policy

Approved by City Council October 5, 2017
Bill No. 8253

Procurement Policy

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SECTION 1. PROCUREMENT DEFINITIONS

*****Abrogate**: To annul or repeal a law or pass legislation that contradicts the prior law. Abrogate also applies to revoking or withdrawing conditions of a contract.

***Accept**: To receive as approved, adequate, or satisfactory. To receive willingly with the intent of retaining.

***Acquisition**: The process of obtaining supplies, services, construction or real estate through purchase, lease, or grants.

***Affidavit**: A written statement of facts provided by one party which may be under oath before a person of authority. An Affidavit may be required as part of a bid or request for proposal solicitation. For City purposes, affidavits shall be notarized.

***Agent**: A person authorized by a superior, i.e. principal, to act for him or her.

***Agreement**: An understanding, usually in writing, between two or more competent parties, under which one party agrees to certain performance as defined in the agreement and the second party agrees to compensation for the performance rendered in accordance with the conditions of the agreement. Agreements and contracts are sometimes used synonymously. Generally agreements are approved "as to form" and for legal sufficiency prior to execution.

***Amendment**: An agreed addition to, deletion from, correction or modification of a document or contract.

***Authority**: The right to perform certain acts or prescribe rules governing the conduct of others.

***Award**: The acceptance of a bid or proposal; the presentation of a purchase agreement or contract to a bidder or offeror.

***Best and Final Offer (BAFO)**: In a comparative negotiation, the final proposal submitted after negotiations are completed that contains the proposer's most favorable terms for price, services and products to be delivered.

***Best Value**: An assessment of the return which can be achieved based on the total life cycle cost of the item; which may include an analysis of the functionality of the item; can use cost/benefit analysis to define the best combinations of quality, service, and time and cost considerations over the useful life of the acquired item. A procurement method that emphasizes value over price. The best value might not be the lowest cost. Generally achieved through the Request for Proposal (RFP) method.

***Bid Bond**: An insurance agreement, accompanied by a monetary commitment, by which a third party (the surety) accepts liability and guarantees that the bidder will not withdraw the bid. The bidder will furnish bonds in the required amount and if the contract is awarded to the bonded bidder, the bidder will accept the contract as bid, or else the surety will pay a specific amount.

Bid-Solicitation Protest: A written objection by a potential interested party to a solicitation or award of a contract, with the intention of receiving a remedial result. A protest may be filed in accordance with agency policy and procedure within predetermined time lines.

***Blanket Order**: A purchase order under which a contractor/vendor agrees to provide goods or services to a purchaser on a demand basis; the contract generally establishes prices, terms, conditions, and the period covered, although no quantities are specified; shipments are to be made when and as required by the purchaser which in certain cases may be the end user.

Change Authorization: A form used on construction contracts when an amendment to the original contract is requested by the contractor and the work must proceed prior to processing a change order in order to prevent project delays.

***Change Order**: A written alteration that is issued to modify or amend a contract or purchase order. A bilateral (agreed to by all parties) or unilateral (government orders a contract change without the consent of the contractor) request which directs the contractor to make changes to the contracted scope of work or specifications. In reference to construction contracts, it relates primarily to changes caused by unanticipated conditions encountered during construction not covered by the drawings, plans or specifications of the project.

***Competitive Negotiations**: A procurement method for obtaining goods, services and construction for public use in which discussion and negotiations may be conducted with responsible offerors who submit responsive proposals.

***Construction**: The process of utilizing labor to build, alter, repair, improve, or demolish any structure, building or public improvement; generally does not apply to routine maintenance, repair or operation (MRO) of existing real property.

Construction Management: Construction management is the overall planning, coordination, and control of a project from beginning to completion as defined by state statute.

***Contract**: An agreement between parties with binding legal and moral force, usually exchanging goods or services for money or other considerations.

***Cooperative Procurement**: The action taken when two or more entities combine their requirements to obtain advantages of volume purchases including administrative savings and other benefits.

*Design-Build: A delivery method for construction projects that combines the architectural, engineering, and construction services required for a project into a single contractual agreement.

*Designee: A duly authorized representative.

**Electronic Bidding (e-bidding): Is an electronic bidding event (without awarding commitment) according to defined negotiation rules (e-Agreement). A buyer and two or more suppliers take part in this online event.

**Electronic Procurement (E-procurement): Is the business-to-business or business-to-consumer or business-to-government purchase and sale of supplies, work, and services through the internet as well as other information and networking systems, such as electronic data interchange and enterprise resource planning.

Emergency: An unexpected and urgent situation where an immediate threat to public health and safety exists; where conservation of public resources is at risk; where an immediate response is necessary to prevent further damage to public property, machinery, or equipment; or where delay would result in significant financial impact to the City as determined by the City Manager.

**Enterprise Resource Planning (ERP): Is a category of business management software-typically a suite of integrated applications-that an organization can use to collect, store, manage and interpret data from many business activities, including: product planning, cost, manufacturing or service delivery, marketing and sales, inventory management, shipping and payment.

***Fee Simple: Absolute title to land, free of any other claims against the title, which one can sell or pass to another by will or inheritance.

Formal Bid: A bid which must be advertised and submitted in conformance with a prescribed format to be opened and read in public at a specified date and time. As it pertains to the City, formal bids must be solicited for all goods or services \$50,000 and above.

*Free on Board (FOB) Destination: Where the seller or consignee delivers the materials to a specified delivery point. The cost of shipping and the risk of loss are borne by the seller or consignee. Title passes when delivery is received by the buyer at destination. Seller has total responsibility until shipment is delivered.

*Informal Bid/Proposal: A competitive bid, quotation or proposal for supplies or services that is conveyed by a letter, fax, e-mail or other manner that does not require a formal bid or proposal, public opening or other formalities. Generally relegated to requirements that may be considered low value or fall under a stipulated price/cost threshold.

*Invitation for Bid (IFB): All documents used to solicit competitive or multi-step bids.

*Invitation to Negotiate (ITN): A competitive negotiation process that is used when the procurement authority deems it is in its best interest to negotiate with offerors to achieve "best value." A form of source selection that is similar to the Request for Proposal process.

Item: A product, material or service.

*Life Cycle Cost (LCC): The total cost of ownership over the life span of the asset.

*Modification: Any written alteration to a provision of any contract accomplished by mutual agreement of the parties to the contract. Used synonymously with the term Amendment.

*Piggyback (Piggyback Cooperatives): A form of intergovernmental cooperative purchasing in which an entity will be extended the pricing and terms of a contract entered into by another entity. Generally an entity will competitively award a contract that will include language allowing for other entities to utilize the contract which may be to their advantage in terms of pricing, thereby gaining economies of scale that they normally would not receive if they competed on their own.

*Procurement: Purchasing, renting, leasing, or otherwise acquiring any supplies, services or construction; includes all functions that pertain to the acquisition, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration. The combined functions of purchasing, inventory control, traffic and transportation, receiving, inspection, storekeeping, salvage and disposal operations.

Procurement and Contract Services Manager: The Procurement and Contract Services Manager for the City of Lee's Summit shall be that position designated as the chief procurement officer (CPO) who shall have the responsibility of making authorized purchases for the City, unless directed or indicated otherwise by this policy.

*Project Manager: Designated individual within the agency to administer a specific task or contract.

*Purchase Order: A purchaser's written document to a vendor formalizing all the terms and conditions of a proposed transaction, such as a description of the requested items, delivery schedule, terms of payment, and transportation.

Qualification Based Selection (QBS): QBS is a process used by the City to obtain statements of qualifications for architectural, engineering, land surveying, or landscape architecture as required by state statute. The City also follows this process for design-build services and may choose QBS for other services unless prohibited by law or other policies.

*Quote: An informal purchasing process which solicits pricing information from several sources.

*Quotations: A statement of price, terms of sale, and description of goods or services offered by a vendor; may be non-binding if solicited to obtain market information for planning purposes.

*Request for Information (RFI): A non-binding method whereby a jurisdiction publishes via newspaper, internet, or direct mail its need for input from interested parties for an upcoming solicitation. A procurement practice used to obtain comments, feedback or reactions from potential suppliers (contractors) prior to the issuing of a solicitation. Generally price or cost is not required. Feedback may include best practices, industry standards, technology issues, etc.

*Request for Proposal (RFP): The document used to solicit proposals from potential providers for goods and services (Offerors). Price is usually not a primary evaluation factor. Provides for the negotiation of all terms including price prior to contract award. May include a provision for the negotiation for Best and Final Offers.

*Request for Quotation (RFQ): A small order amount purchasing method. Generally used for small orders under a certain dollar threshold. A request is sent to suppliers along with a description of the commodity or services needed and the supplier is asked to respond with price and other information by a pre-determined date. Evaluation and recommendation for award should be based on the quotation that best meets price, quality, delivery, service, past performance and reliability.

*Request for Qualifications (RFQu): A document is issued by a procurement entity to obtain statements of the qualifications from bidders prior to issuing the solicitation. An attempt to gauge potential competition and obtain information which may be helpful when writing a statement of work or developing specifications. As it pertains to the City, this is a document issued by the City to obtain statements of qualifications for professional services. This document is part of the QBS process.

Requisition: An internal document by which a using agency sends details of supplies, services, or materials required to the Procurement and Contract Service Department. Requisitions are entered into and processed by the City's ERP system.

*Responsible Bidder/Offeror: A contractor, business entity or individual who is fully capable to meet all of the requirements of the solicitation and subsequent contract. Must possess the full capability, including financial and technical, to perform as contractually required. Must be able to fully document the ability to provide good faith performance.

*Responsive Bidder/Offeror: A contractor, business entity or individual who has submitted a bid or request for proposal that fully conforms in all material respects to the IFB/RFP and all of its requirements, including all form and substance.

Serial Procurement: Serial Procurement is intentionally breaking an order to an external vendor into two or more purchases/payments to avoid the required bid process. Also purchases over a 90 day period for the same product or service from the same supplier that reaches or exceeds a total of \$50,000 for that period.

*Scope of Work (SOW): A written description of the contractual requirements for materials and services contained within a Request for Proposal, or detailed description of the tasks to be performed by the successful bidder. A well-conceived and clearly written SOW serves four main purposes:

- Establishes clear understanding of what is needed;
- Encourages competition in the marketplace and promotes economic stimulus;
- Satisfies a critical need of government; and
- Obtains the best value for the taxpayer.

*Sole Sourcing: Selection of one particular supplier to the exclusion of all others. This decision may be based on lack of competition, proprietary technology, copyright or a supplier's unique capability. In government procurement, a sole source justification may be required from the requestor. As it pertains to the City, a sole source justification is required as set forth in this policy.

*Specification: A precise description of the physical or functional characteristics of a product, good or construction item. A description of goods as opposed to a description of services. A description of what the purchaser seeks to buy and what a bidder must be responsive to in order to be considered for award of a contract. Specifications generally fall under the following categories: design, performance, combination (design and performance), brand name or approved equal, qualified products list and samples. May also be known as a purchasing description.

***Substantial Interest: Ownership by the individual, the individual's spouse, or the individual's dependent children, whether singularly or collectively, directly or indirectly, of ten percent or more of any business entity, or of an interest having a value of ten thousand dollars or more, or the receipt by an individual, the individual's spouse or the individual's dependent children, whether singularly or collectively, of a salary, gratuity, or other compensation or remuneration of five thousand dollars, or more, per year from any individual, partnership, organization, or association within any calendar year.

*Surplus Property: A designation that applies to government property that is no longer needed by the agency and is designated for disposal outside of a government organization.

*Term Contract (aka: On-Call, Term & Supply or Yearly): A type of contract in which a source of supply is established for a specified period of time for specified services or supplies all at a predetermined unit price; usually characterized by an estimated or definite minimum quantity, with the possibility of additional requirements beyond the minimum, all at a predetermined unit price..

Transaction: A Transaction is an instance of buying or selling something; a business deal. A transaction is an agreement between a buyer and a seller to exchange goods, services or financial instruments.

*Terms and definitions from the “Public Procurement Dictionary of Terms”. “The Comprehensive Reference for Public Purchasing Terms and Concepts”. National Institute of Governmental Purchasing, Inc. (NIGP), 151 Spring Street, Herndon, VA 20170. Copyright 2008 by NIGP.

** Terms and definitions from Wikipedia. *** Definitions from Law.com. ****Term and definition from Missouri Revised Statutes, Chapter 105, section 105.450.1, August 28, 2015. Non* definitions were determined based on current City processes.

SECTION 2. AUTHORITY & ENFORCEMENT

2.1 Compliance with Policy. The acquisition of any and all items or any transaction made by or on behalf of the City of Lee’s Summit, its departments, officials and authorized agents shall be made in accordance with the procurement policy contained herein unless otherwise approved by the City Council.

2.2 Enforcement. The City Manager will have the responsibility for the enforcement of this administrative policy. Department Directors will be entrusted with the responsibility of enforcing the policy within their departments.

2.3 Authorized ERP System Users. Department Directors shall submit to the Information Technology Services (ITS) Department a list of personnel authorized to issue requisitions, approve requisitions and conduct receiving functions on behalf of said department. It will be the Department Directors or their designees’ responsibility to inform the ITS Department of any changes to the departmental listings. ITS shall update the City’s Enterprise Resource Planning (ERP) system accordingly.

2.4 Parks and Recreation Department. Procurements regarding parks and recreation programming shall follow the standards and requirements set forth in this policy. Unless otherwise provided by City Charter, or other applicable law, the Administrator of Parks and Recreation shall exercise the authority that would otherwise be exercised by the City Manager, as set forth in this policy regarding procurements for parks and recreation programming. The Parks and Recreation Board shall exercise the authority that would otherwise be exercised by the City Council, as set forth in this policy, regarding procurements for parks and recreation programming.

2.5 Unauthorized Purchases/Transactions. Any purchase of an item or any transaction which does not comply with this policy shall be considered an unauthorized purchase and may result in disciplinary action as identified in Section 2.11 Disciplinary Action which may also include repayment/restitution to the City. When an unauthorized purchase becomes evident, the Procurement and Contract Services Manager (CPO), P-Card Administrator (if applicable) or designated procurement representative will notify the applicable Department Director. The Director shall be responsible for submitting a memorandum outlining the facts and circumstances of the purchase, as well as steps taken to avoid future unauthorized purchases, to the Procurement and Contract Services Manager (CPO), P-Card Administrator (if applicable), and City Manager.

2.6 Serial Purchases. Serial purchases shall not be permitted and shall be considered a violation of this Policy.

2.7 Contracting Authority. Unless otherwise established by the City Charter, this policy, or by the City Council, the City Manager shall execute all contracts and agreements for the procurement of goods and services or that generate revenue on behalf of the City of Lee’s Summit. All dollar thresholds and approval requirements stipulated in this policy shall be adhered to, unless otherwise approved by the City Council.

2.8 Renewal of Contracts/Agreements. City Council approval is not required for the renewal of contracts when the City Council previously approved renewal options. The City Manager shall have the authority to approve proposed renewal price increases if he or she concurs that the vendor provided justification is reasonable, fair, mutually agreed to, and within the parameter(s) established in the solicitation. Prior to execution, the resulting renewal contract/agreement shall be approved by Legal and City Manager.

2.9 Contract/Agreement Extension. Contract/agreement extensions shall be executed by the City Manager.

2.10 Prohibited Acts by Elected and Appointed Public Officials and Employees. For any transaction identified in this policy, the City shall not knowingly purchase any service, good or property from any Councilmember, the Mayor or any City Employee or any entity in which he or she holds a “substantial interest” as defined in section 105.450 RSMo. Additionally, it is recognized that it is difficult or impossible for every employee utilizing a purchasing card to have knowledge of every entity which a Councilmember, the Mayor or another employee may hold an interest as described above; however, the City shall exercise its best efforts to refrain from conducting such transactions utilizing a purchasing card and shall not knowingly do so.

2.11 Disciplinary Action. Noncompliance with the provisions of the Procurement Policy may result in the initiation of applicable disciplinary action as identified in the City Charter, Code of Ordinances or Personnel Policies. Any disciplinary action for violation of this policy shall be determined by the City Manager in accordance with section 2.2 Enforcement.

SECTION 3. GENERAL REQUIREMENTS

3.1 Specifications. It is the responsibility of the department to write specifications and establish the quality of the product or service required. Procurement and Contract Services may assist the department in writing specifications, upon department request. Specifications shall be written to foster competition.

3.2 Non Preference Policy. The City does not have a preference policy for state and local commodities or services and minority enterprises other than that of “Domestic Products”. The City of Lee’s Summit has adopted a formal written policy to encourage the purchase of products manufactured or produced in the United States (City of Lee’s Summit Resolution No. 87-18, MO. State Statute No. 34.353, Section 3(5)).

3.3 Green Procurement and Recycled Products. City staff is encouraged to integrate environmental factors into the City’s buying decisions and procure environmentally preferable goods and services whenever practicable. Consideration should be given to:

- a. Replacing disposable with re-usable, recyclable, or compostable goods whenever possible. Specify and/or purchase products which contain a high percentage of post-consumer recovered material, reduce waste in the manufacture and use of products, and reduce packaging.
- b. Specifying non-virgin materials when comparable performance can be achieved.
- c. Life cycle economics.
- d. Impacts and threats of harm to human health or the environment.
- e. The environmental performance of vendors in providing products and services.

3.4 Purchases Supported by Grant Funds. Departments shall review all requirements for grant funding to insure the procurement process required as a condition to receiving said grant funds are complied with during the procurement of the item. Procurement and Contract Services will assist in the inclusion of all required procedures that are in addition to the requirements of this policy.

In the event a specific procurement procedure is required to be in writing, pursuant to grant rules and regulations, when the City is procuring an item which is funded in whole or in part by grant funds, the City Manager shall have the authority to authorize the amendment of this Procurement Policy by supplement to incorporate the special requirements of that procurement, such requirements however shall not alter the dollar thresholds as set forth herein, or violate any existing ordinances or resolutions of the City.

3.5 Computer Related Items. Purchases of computer-related equipment/software must be made via the ITS Department unless the Chief Technology Officer (CTO) delegates certain purchases to certain departments. All purchases shall be in

compliance with the procurement policy contained herein. Prior approval of the CTO or designee is required to purchase, transfer or dispose of any computer software or related hardware.

3.6 Capital Asset Items. Departments are responsible for following the City's Capital Asset Policy when accepting and receiving any item that meets the definition of a capital asset. An item is a capital asset if:

- a. It is tangible in nature;
- b. Has a useful life longer than two years; and
- c. Has a value exceeding \$5,000.

3.7 Sensitive Asset Items. This is defined as an asset with a value below the capitalization threshold which could easily be adopted for personal use or converted into cash, including property for which theft, loss, or misplacement could be dangerous to the public safety or community security. Sensitive asset property must be subject to physical security, protection, control and accountability. Examples of sensitive asset items include but not limited to:

- a. Fire Arms and Weapons;
- b. Computers;
- c. Cellular Phones; and
- d. Audio visual equipment.

3.8 Licenses. City vendors shall secure licenses as may be required by City ordinance or other applicable law and pay all associated charges and fees. A current City of Lee's Summit, MO, Business License shall be required, unless exempted by City ordinance. Before the issuance of any purchase order, contract or agreement, proof of a business license (i.e. xerographic copy of the paid receipt or of the actual license) shall be provided to the applicable contracting or ordering department. Said applicable contracting or ordering department shall keep said license on file. A business license shall not be required if the vendor's place of business does not reside in the City of Lee's Summits' city limits and is only delivering products or equipment.

3.9 Permits. Any City municipal building permits required for City building/construction projects shall be provided by the City at no cost to the vendor.

3.10 Insurance Requirements. If applicable, vendors shall provide a certificate of insurance in accordance with all stipulated requirements.

3.11 Vendor Requirements. To be placed in the City's ERP system as a vendor, vendors are required to provide a Federal W-9 and a completed City's Vendor Information Form to the applicable ordering/contracting department. Said forms are to be provided to the City's Accounts Payable Division so vendors can be established in the City's ERP software system.

3.12 Transaction(s). All transactions performed by City personnel shall be in compliance with this policy. It is the responsibility of City personnel to utilize the proper procurement and/or solicitation method for a single transaction or multiple transactions based upon estimated annual spend.

3.13 Work Authorization and E-Verify. For any contract for services greater than \$5,000, the successful bidder shall comply with § 285.530, RSMo, as amended, and (1) provide by sworn affidavit affirmation that it does not knowingly employ any person who is an unauthorized alien and (2) provide documentation affirming its enrollment and participation in a federal work authorization program with respect to the employees working in connection with this contract. The required documentation affirming enrollment must be from the federal work authorization program provider. Letter from respondent reciting compliance is not sufficient. When applicable, solicitations shall require the signed and notarized Work Authorization Affidavit and the electronic signature page from the E-Verify program prior to the issuance of a contract.

SECTION 4. PROCUREMENT METHODS AND DOLLAR THRESHOLDS

4.1 Approved Procurement Methods. The City department conducting the solicitation will work with the Procurement and Contract Services Division as needed to determine the appropriate solicitation process. Approved methods of procurement are the utilization of established contracts and agreements, unrestricted, quotes, informal bids/solicitations, or formal

bids/solicitations. These methods enable the procuring department(s) to achieve the maximum in efficiency and convenience, the utilization of economy of scale whenever possible as well as maintaining the necessary checks and balances to protect the utilization of public funds. All procurement methods shall be performed in compliance with this policy.

4.2 Types of Procurement Methods and Dollar Thresholds. Items not available on an existing City contract or authorized as an emergency purchase may be purchased by departments in accordance with the following:

4.2.1. **Unrestricted: \$.01 to \$2,999.99** - Departments are strongly encouraged to obtain the lowest cost through cost comparisons. This method requires approval as determined by the specific department.

4.2.2. **Request for Quotations (RFQ): \$3,000.00 to \$9,999.99** – City staff shall secure a minimum of three (3) quotations (if possible) from vendors if the item being procured is not available on an existing contract and if a sufficient number of vendors are available. This method requires approval by the Department Director or designee.

4.2.3. **Informal Bids/Solicitations: \$10,000.00 to \$49,999.99** – All informal solicitations within this dollar range shall be submitted to a pre-determined vendor list and may be broadcast on the internet. This method requires approval of a contract by the City Manager.

4.2.4. **Formal Bids/Solicitations (IFB): \$50,000.00 and over** – All solicitations for this dollar range shall be appropriately advertised, broadcast and received either in hard copy or electronically via a City approved Electronic Bidding System as determined by the department unless state or federal law governing a specific procurement provides otherwise. This method requires approval of a contract by the City Council.

SECTION 5. TYPES OF CONTRACTS/AGREEMENTS

5.1 One-Time Purchase Contract/Agreement. This is a contract/agreement for the procurement of a good or service that covers no more than one purchase unless multiple purchases of the same product are indicated for a short duration.

5.2 Term Contract/Agreement. These are contracts/agreements in which a source of supply or services is established for a specified period of time with established specific pricing, which the City intends to use on an as-needed basis. Purchases must be within the using Department's approved budget.

5.3 Term Professional Service Agreement or Construction Contract. A term professional service agreement or Construction Contract is a contract/agreement for services such as engineering, architectural, land surveying, consulting, construction or other specialized or technical services in which a source of supply is established for a specified period of time for specified services all at a predetermined unit price. When utilizing a term professional services agreement or construction contract, the using department personnel shall confirm the work is within the general scope of the agreement and validate rates and unit costs applicable to the required work.

- a. For a defined scope of work, staff will obtain a quote before authorizing the provider to proceed.
- b. Confirm in writing the applicable rates or other costs contained in the agreement that will be used for work performed on an hourly or other unit price basis.
- c. The cost of any single task authorized by the department director must be less than \$50,000.
- d. Tasks costing \$50,000 or more must go through the City Council approval process.

5.4 Piggyback (Piggyback Cooperatives). A form of intergovernmental cooperative procurement in which an entity will be extended the pricing and terms of a contract entered into by another entity. Generally an entity will competitively bid and award a contract that will include language allowing for other entities to utilize the contract which may be to their advantage in terms of pricing, thereby gaining economies of scale that they normally would not receive if they competed on their own. In this type of contract the City is not necessarily a party to the contract.

The City Manager shall have the authority to approve the City's participation in any piggyback contract(s) if estimated annual spend is less than \$49,999.99. City Council approval shall be required if the estimated annual spend exceeds \$50,000.00.

5.5 Cooperative Contracts. Contracts established when two or more entities combine their requirements to obtain advantages of volume purchases including administrative savings and other benefits. In this type of contract the City would be a party to the contract. The City Manager shall have the authority to approve the City's participation in any cooperative

contract(s) if estimated annual spend is less than \$49,999.99. City Council approval shall be required if the estimated annual spend exceeds \$50,000.00.

5.6 Revenue Generating Contract/Agreement. A contract/agreement that generates revenue for the City rather than the expenditure of City funds.

5.7 Requirement for City Council Approval. Unless otherwise stated herein, all contracts in which the City is expending \$50,000.00 or more, or is anticipated by City staff to result in commission from a vendor of \$50,000.00 or more shall be subject to approval by the City Council.

SECTION 6. CONTRACT AMENDMENTS

A Contract Amendment is necessary when there is a change in the quantity, cost, or scope of the item, service or work provided under the contract.

6.1 Changes to Non-Construction Contracts. Contract amendments shall be in writing and executed by all parties.

6.1.1. Changes resulting in total contract amount of \$49,999.99 or less must be approved by the applicable Department Director or their designee and executed by the City Manager.

6.1.2. Changes resulting in a total contract amount of \$50,000.00 or more must be approved by the City Council and executed by the City Manager.

6.2 Change Orders to Construction Contracts.

6.2.1. **Contracts \$500,000.00 and Greater:** For changes in quantities, materials, or costs not associated with a change in the contract scope, or change orders up to a cumulative total increase of five percent (5%) or less of the original contract amount must be approved by the appropriate Department Director and the City Manager. Change orders resulting in a revised contract amount exceeding five percent (5%) of the original contract, any single change order for an increase of \$100,000.00 or more, or any change in contract scope must be approved by the City Council. Any change order resulting in a decrease in quantities, materials or costs must be approved administratively by the appropriate Department Director and the City Manager.

6.2.2. **Contracts less than \$500,000.00:** For changes in quantities, materials, or costs not associated with a change in the contract scope, or change orders up to a cumulative total increase of ten percent (10%) of the original contract amount must be approved by the appropriate Department Director and the City Manager. Change orders resulting in an increase to the revised contract amount exceeding ten percent (10%) of the original contract, any single change order for an increase of \$50,000.00 or more, or any change in contract scope must be approved by the City Council. Any change order resulting in a decrease in quantities, materials or costs must be approved administratively by the appropriate Department Director and the City Manager.

6.3 Change Authorizations for Construction Contracts. When total change orders exceed the percentages outlined above, and, due to the stage of construction in progress or to prevent a lengthy delay in a project, the applicable Department Director, with the approval of the City Manager and with notification to the appropriate City Council committee chairperson, can issue a Change Authorization. The change authorization must be incorporated into a formal change order and presented to City Council for ratification at the next available meeting.

6.4 Changes in Contract Time. For changes in contract time not associated with a change in contract scope, additional time up to a cumulative total of ten percent (10%) of the original contract time must be approved by appropriate Department Director and the City Manager. Change orders resulting in a revised contract time exceeding ten percent (10%) of the original contract time, a single change order increasing contract time by 30 days or more, or any change in contract time due to a change in scope must be approved by the City Council. Any change order resulting in a decrease in contract time must be approved administratively by the appropriate Department Director and the City Manager.

6.5 Modifications to One Time Design Consultant Contracts. For modifications to one-time contracts for design of capital projects, changes in cost of services, not associated with a change in the contract scope, up to a cumulative total increase of five percent (5%) or less of the original contract amount must be approved by the appropriate Department Director and the City Manager. Modification resulting in a revised contract amount exceeding five percent (5%) of the original contract, any single modification for an increase of \$100,000.00 or more, or any change in contract scope must be approved by the

City Council. Any modification resulting in a decrease in cost must be approved administratively by the appropriate Department Director and the City Manager.

SECTION 7. SOLICITATION PROCESSES

7.1 Request for Quotes (RFQ).

7.1.1. The City department conducting the solicitation should identify the specific good or service to be quoted. The Department should identify any applicable special requirements that could include but not limited to the following: Current Prevailing Wage and incremental increase, City Business License, Certificate of Insurance (COI) naming the City as additionally insured under general liability, additional insurance requirements, Federal Work Authorization Affidavit and E-Verify Signature page (only for **services** that are \$5,000.00 or more), shipping and handling cost if not included in unit price, and estimated delivery time after receipt of order.

7.1.2. Requests for quotes may be made by any method conducive to providing all necessary information for soliciting a response. An actual quote should be provided by the potential vendor via email, fax or mail to insure that the goods or services quoted meet the requirements of the solicitation as well as the expectation of the requestor.

7.1.3. The City department conducting the solicitation shall utilize the Procurement and Contract Services Quote Form located on the City's intranet to summarize the quotes received. The completed Quote Form and any attachments (including individual submittals) associated with the Quote Form shall be approved by the applicable Department Director or designee and forwarded to the applicable Procurement Officer after the requisition has been entered and approved so it can be attached to the purchase order via the City's (ERP) system. The requisition number shall be identified on the Quote Form.

7.1.4. If a quote is chosen from a new vendor, a W-9 and vendor information form must be submitted to Accounts Payable.

7.2 Bidding. The City department conducting the solicitation shall determine the appropriate solicitation method in compliance with this policy. If assistance is requested, Procurement and Contract Services staff will meet with the City department conducting the solicitation to assist in determining the appropriate method of procurement. This meeting may also identify any special requirements, establish the tentative timeline for the project, estimate costs, define roles, and identify possible suppliers. The meeting will also determine which division/department will be responsible for preparing specifications and other bid documents. If documents are prepared by Procurement and Contract Services staff they will be submitted to the department conducting the solicitation for review and approval prior to letting.

7.2.1 Every bid shall state the closing date and time after which bids will not be accepted. The City department conducting the solicitation is authorized to extend the closing date for any bid if all responding bids have remained sealed, and if notice of the extension is provided to all potential vendors prior to the original opening time.

7.2.2 Bids shall be evaluated by the City department conducting the solicitation. The bid shall be awarded to the lowest, most responsive/responsible bidder, including consideration of any incentives, early payment discounts, buy-back provisions, or life cycle costs or other specified evaluation criteria included in the bid document that is deemed to be in the best interest of the City upon the recommendation and approval of the City department conducting the solicitation or their designated representative.

7.2.2.1. Informal Bidding – The City department conducting the solicitation will distribute the specifications to a minimum of three potential vendors (when possible). Written or electronic bids shall be required as stipulated in the informal bid document. Informal Bids between \$10,000.00 and \$49,999.99 may be broadcast on the internet.

7.2.2.2. Formal Bidding – On formal bids, appropriate advertisement is required. Performance, payment bonds, and bid bonds may be required. City Council approval is required on all formal bid recommendations for award of \$50,000.00 and over.

7.3 Requests for Proposal (RFP). Every RFP shall state the closing date and time until such proposals will be accepted. If the request has an indefinite closing date and will remain open until a satisfactory proposal is received, the request shall so state. The City department conducting the solicitation is authorized to extend the closing date for any RFP if all responding proposals have remained sealed and notice of the extension is provided to all potential respondents prior to the original closing time.

7.3.1. Selection Committee – A selection committee shall be established by the Project Manager to review the proposals and rate each firm according to the evaluation criteria established in the Request for Proposal.

7.3.2. Evaluation Process – The committee shall use the evaluation criteria established in the RFP. A two-step process may be used whereby the selection committee will first rate each proposal received on criteria established in the Request for Proposal. The composite scores of the committee will be used to determine the top rated firms which may be interviewed. If interviews are conducted, the firms are rated after the interviews and a second composite score recorded. The interview composite score sheet will be used to determine the highest rated respondents interviewed.

7.3.3. Evaluation Criteria-Best Value Procurement – The evaluation criteria shall be determined as a part of the RFP, which may include, but not be limited to, evidence of experience, reliability, references, expertise of firm, expertise of key personnel, and project approach. Cost may or may not be an evaluation criteria depending upon the nature of the project, but shall be predefined in the RFP document.

7.3.4. Negotiation Process – Upon determining the highest rated respondent, the Department Director or designated representative will then begin negotiations with the respondent receiving the highest score. If the City is unable to negotiate mutually agreed upon terms with the top rated respondent, the City shall begin negotiations with the second rated respondent, and so forth until mutually agreed upon terms are reached. After said terms have been reached, the City should request a fully executed best and final offer (BAFO) from an authorized agent of the selected firm to document any changes made during the negotiation process. Said BAFO shall be incorporated into the applicable contract/agreement.

7.3.5 Whenever construction management services are needed, the Department Director or the Project Manager shall prepare a Request for Proposal (RFP) which may include:

1. Fees for overhead and profit;
2. Reimbursable costs for reimbursable items as defined in the City’s request for proposal;
3. Qualifications;
4. Demonstration of ability to perform projects comparable in design, scope and complexity;
5. Demonstration of good faith efforts to achieve compliance with federal, state and local affirmative action requirements, if applicable;
6. References of owners for whom construction management services have been performed;
7. Financial strength;
8. Qualifications of in-house personnel who will manage the project; and
9. Demonstration of successful management systems which have been employed for the purposes of estimating, scheduling and controlling costs.
10. The solicitation file shall contain documentation of the basis for respondent selection.

7.4 Invitation to Negotiate (ITN). The City may procure commodities and contractual services by an ITN. An ITN is used when the goals or problems can only be generally described in the scope of work. Respondents provide proposed solutions to the problem or methodologies to achieve the desired goal.

7.4.1 The ITN shall include: (1) a statement of the commodities or contractual services sought; (2) the time and date for the receipt of replies and the public opening as provided in the ITN document; (3) the primary terms and conditions applicable to the procurement, including the criteria to be used in determining the acceptability of the reply; (4) the time frames for completion of the work, including renewal periods, if applicable, and (5) the format for the recommended pricing structure.

7.4.2 A response is generally evaluated for its technical merit, innovative methodology, experience, and cost within the limitations set forth in the ITN. It differs from an RFP in that responses may be refined during the negotiation and evaluation process prior to making an award of the contract. Proposals may be ranked at any point in the evaluation process when the Evaluation Team determines it has received sufficient information from respondents. Ranking is not required prior to negotiations. The City may negotiate concurrently with multiple respondents selected for negotiations.

7.4.3 The City may select one or more respondent(s) upon the conclusion of negotiations. At the conclusion of negotiations, the City should request a fully executed best and final offer (BAFO) from an authorized agent of the selected firm(s) to document any changes made during the negotiation process. Said BAFO shall be incorporated into the applicable contract/agreement. When concurrent negotiations are held, BAFOs should be obtained from all respondents participating in the negotiations prior to final evaluation and recommendation of award.

The City may award contract/agreement(s) to one or more responsible respondent(s) based on the BAFOs the City determines who will provide the best value and best meet the City’s objectives.

7.4.4 The solicitation file shall contain documentation of the basis for respondent selection, setting forth the deliverables and price pursuant to the contract/agreement, and explaining how these deliverables and price meet the objectives of the solicitation.

7.5 Qualifications Based Selection (QBS). The QBS process must be used for selection of professional services consultants for architecture, engineering, land surveying and landscape architecture in accordance with state statutes. The City also uses QBS in the selection of design-build teams due to the professional service providers included in the team. QBS may be used for other types of services allowed by law and determined by the Project Manager.

7.5.1 Whenever architectural, engineering, land surveying, landscape architecture or design-build services are needed, the Department Director or designated representative of the City department conducting the solicitation shall prepare a Request for Qualifications (RFQu). The RFQu will include a description of the project or services required and the criteria to be used in evaluating responses from interested professionals. Criteria should be tailored for the specific project or services needed and may include such items as:

- The specialized experience and technical competence of the respondent with respect to the type of services required;
- The capacity and capability of the respondent to perform the requested work;
- The past record of performance of the respondent with respect to such factors as control of costs, quality of work, and ability to meet schedules;
- The respondent's familiarity with the area in which the project is located.
- The respondents understanding of the required services and specific ways in which the firm is most qualified to provide those services.

7.5.2 For design-build RFQs the criteria may also include a list of architects, engineers, land surveyors, contractors, etc. proposed to provide services and their applicable hourly rates.

7.5.3 When an RFQu is used, a selection committee shall be established by the Department Director or the Project Manager to review the qualifications. Each committee member will rate each respondent's response according to the criteria set forth in the RFQu. The ranking of respondents by the committee will be used to determine the top rated respondent, which may be interviewed at the discretion of the Department Director or the Project Manager. If interviews are conducted, the respondents are again rated after the interviews according to the criteria and a final ranking by the committee will determine the most responsive and qualified respondent(s). The solicitation file shall contain documentation of the basis for selection.

7.5.4 If the Department is unable to negotiate a satisfactory contract with the selected respondent, those negotiations shall be terminated. Negotiations shall then commence with the second ranked respondent. If there is failure to reach agreement with the second respondent, the process will repeat until a contract has been successfully negotiated. At the conclusion of negotiations, the City should request a fully executed best and final offer (BAFO) from an authorized agent of the selected firm(s) to document any changes made during the negotiation process. Said BAFO shall be incorporated into the applicable contract/agreement. If there is a failure to negotiate a contract with any of the respondents, the Department shall reevaluate the necessary services and scope of work and re-issue a revised RFQ if appropriate and proceed in accordance with the provisions of this article.

7.5.5 For design-build services, contracts may be negotiated as two separate agreements: 1. For preliminary design-build services and; 2. For final design-build services, or a single initial contract for all services.

7.6 Requests for Information (RFI). RFIs can be utilized prior to preparing bid documents, RFPs or RFQs.

SECTION 8. NON-SOLICITATION TYPE OF PROCESSES

8.1 Unrestricted. Departments procure goods or services not available through existing contracts and are less than \$2,999.99.

8.2 Emergency Purchase. Immediately upon determining that an emergency situation exists, as defined in Section 1, and prior to contacting vendors for supplies and services, the Procurement and Contract Service Manager shall determine the appropriate course of action. The Procurement and Contract Services Manager (CPO) or designated representative shall determine whether the purchase can be made utilizing an existing procurement contract on a timely basis or securing a

minimum of three (3) quotations from vendors, if a sufficient number of vendors and adequate amount of time is available. Emergency purchases shall be made with as much competition as practical under the circumstances. Departments must submit emergency purchases on the appropriate form and must include an explanation of the emergency.

8.2.1 The Procurement and Contract Service Manager (CPO) shall have the authority to approve all emergency purchases \$24,999.99 and below. Emergency purchases \$25,000.00 to \$49,999.99 require the approval of the City Manager. An emergency purchase that exceeds \$50,000.00 shall be presented to City Council by City Staff at the earliest opportunity after purchase has been made.

8.2.2 In certain emergency situations, the City Manager shall have the authority to execute an emergency contract modification where approval by the City Council would otherwise be required. The City Manager shall only execute the emergency modification if the work qualifies as an emergency and the overall budget is not exceeded. The emergency modification shall be submitted to the City Council by the City Manager for ratification at the next available Council meeting.

8.2.3 During periods of a “declared city emergency” by the Mayor, purchases may be made in accordance with the City’s Emergency Operations Plan.

8.3 Sole Source. The Procurement and Contract Services Manager (CPO) may waive the requirement of competitive bids or proposals for supplies/services when he/she has determined in writing the following conditions:

- a. supplies or services are proprietary and only available from the manufacturer or a single distributor;
- b. based on past procurement experience, it is determined that only one (1) distributor services the region in which the supplies are needed;
- c. supplies or services are available at a discount from a single distributor for a limited period of time; or
- d. A firm has significant previous or specialized knowledge on a proposed project that would result in significant monetary and/or time savings in completion of the project.

8.3.1 Sole source purchases shall be subject to approval as follows:

- \$.01 – \$9,999.99: Department Director and the Procurement and Contract Services Manager (CPO) prior to purchase
- \$10,000.00 - \$49,999.99: City Manager prior to purchase, with written recommendation from the above.
- \$50,000.00 and over: City Council prior to purchase with written recommendation from the above.

8.4 Exempt Transactions. Specific types of transactions are deemed to be ineligible for competitive pricing and are therefore exempt from the procurement policies defined herein. These transactions include:

- Utilities
- Advertising
- Professional memberships, sponsorships, or training
- Subscriptions to professional publications
- Travel reimbursement and direct payments to travel related vendors
- Maintenance and/or support contracts with vendors pertaining to software or hardware, which are required in order to maintain warranty compliance or the continuation of licensing and/or maintenance agreements
- Payments made in connection with risk management claims

SECTION 9. REAL PROPERTY PROCESSES

9.1 Sale or Lease of Real Property.

- a. All sale or lease of real property and any contracts pursuant hereto shall be subject to approval by the City Council.
- b. Prior to City staff actively marketing real property for sale or lease, the City Manager shall seek approval from the City Council regarding the method(s) used to market said property.

9.2 Acquisition of Interests in Rights-of-Ways and Easements.

- a. As used in this article, the following terms shall have the described meaning:
 1. *Settlement Amount* - the amount to be paid by the City in consideration of receiving a property interest from a property owner.

2. *Appraised Value* - the fair market value of the subject property as determined by the City's qualified appraiser and may include replacement and/or relocation costs of amenities or facilities located within the real estate tract to be acquired.
3. *Excess Amount* – the difference between the Settlement Amount and the Appraised Value.
4. *Property* – legal interests in real estate acquired for public purposes.

b. Staff is authorized to acquire property administratively when the following conditions are met:

1. The property is needed in order to proceed with a project that is part of the Capital Improvement Program that has been approved by the City Council; and,
2. Funding for said project has been included in the current capital or annual budget approved by the City Council.

c. Administrative Procedures for Acquisition

1. If the proposed Settlement Amount is equal to or less than the Appraised Value, the City Manager or designee may approve the acquisition of the property, regardless of amount.
2. If the Excess Amount is less than or equal to \$10,000.00, the City Manager or designee may approve the acquisition of the property.
3. All other proposed acquisitions must be presented to the City Council for approval.

d. The City Manager, Mayor or designee is authorized to execute all documents necessary to carry out the intent of this policy.

e. All deeds, agreements and other documents used for an acquisition under this policy must be approved by the City's Law Department.

9.3 Purchase of Real Property-Fee Simple:

- a. The purchase of real property in fee simple shall not be subject to the solicitation requirements set forth herein.
- b. The purchase of real property in fee simple in the amount of \$50,000.00 or more shall be subject to City Council approval.

SECTION 10. PAYMENT AND PROCUREMENT METHODS AND PROCEDURES

10.1 Petty Cash. Petty cash shall only be used for purchases ranging from \$.01 to \$50.00.

10.2 Procurement Card (P-Card). P-Cards may be used to make purchases in accordance with this policy and the P-card policy.

10.3 Payment Information Form (PIF). A PIF may be used for payment of supplies or services **only when a purchase order or P-card cannot be utilized.** PIFs are to be submitted to Accounts Payable with the invoice and any other supporting documentation. PIFs are located on the intranet under Online Forms for the Finance Department.

10.4 Purchase Orders. Supplies and services that are not procured utilizing a P-Card or paid for using petty cash or a Payment Information Form (PIF) shall be procured with the issuance of a purchase order.

10.4.1 A requisition must be entered into the City's ERP system by the Department prior to a purchase order being issued by Procurement and Contract Services. Procurement and Contract Services will generate a Purchase Order document from the approved requisition information.

10.4.2 An inverted purchase order is a type of purchase order issued for multiple contract items that will be purchased, received, and invoiced over a period of time. The inverted purchase order will remain open with 'draws' or invoices paid from said purchase order. Inverted purchase orders should only be issued after consulting with Procurement and Contract Services and Finance to make sure that its utilization will meet all of the needs of the requestor.

10.4.2 If a Purchase Order was issued for an amount of \$49,999.99 or less and was placed less than one hundred eighty (180) days of the date of the original quote, departments are authorized to repeat an order for a maximum amount of \$25,000.00, provided that the supplier agrees to the original quote terms and pricing. When repeating an order, and prior to placing the order, the department must enter a new requisition (referencing original quote) into the ERP system for Procurement and Contract Services to create a new purchase order.

SECTION 11. RECEIVING, DELIVERY, FREIGHT and PRODUCT TESTING

11.1 Delivery and Receipt of Goods and Services. The City of Lee's Summit uses decentralized receiving. City Departments are responsible for receiving goods and services they have ordered or had ordered for them either by physical signature or via the ERP system dependent upon the payment type to be utilized. Their physical signature or electronic signature in the ERP system indicates they have accepted the item or service and that it is in the correct quantity, size, and color and is in satisfactory working condition. Departments via their representative(s) are required to inspect the delivery and make note if there are external signs of damage. Internal damage or missing items shall be reconciled with the supplier and Procurement and Contract Services immediately. When items are delivered to City Departments, the only paperwork to be signed is the delivery notice. City Departments may conduct the receiving process in the ERP system which may not require paper transfers between departments. Any other vendor/supplier purchase order, document, contract, warranty, maintenance agreement, etc. are NOT to be signed at delivery. Department representatives should review aforementioned documents with applicable procuring department upon receipt of documents.

11.2 Freight/Shipping on Orders. The City shall use F.O.B. Destination as its primary freight or shipping designation.

11.3 Product Testing/Demonstrations. Product demonstrations may be held as deemed appropriate without prior approval of Procurement and Contract Services. In no event shall the retention of a test item by the City be evidence of intent to purchase said item.

SECTION 12. BID PROTESTS

This procedure is intended solely as an attempt to provide bidders with the opportunity to communicate perceived issues to the City department conducting the solicitation. It is not intended to create any legal right, cause of action, property interest or independent means of redress that does not otherwise exist under Missouri law. It shall not serve to abrogate or effect the City's exclusive right to determine the lowest and most responsible bidder in any particular bid situation. Any correspondence initiated by, that involves or may involve legal representation shall be addressed to and handled by the City's Legal Department.

12.1 Right to Protest. Any actual or prospective bidder who is aggrieved in connection with the solicitation or award of a contract may protest to the applicable City department conducting the solicitation. The protest shall be submitted in writing to the City Clerk within 48 (forty-eight) hours after such aggrieved person knows or should have known of the facts giving rise thereto. The protest shall identify specific issues that are being protested and the facts that the protestor believes support the claim. It is the protestor's responsibility to establish his/her case. If and when the applicable City procuring entity is directly involved in the procurement action then the Director of Finance shall review the case and respond within the timeframe stated above.

12.2 Review of Protest. The Department Director of the City department conducting the solicitation shall have the authority to resolve a protest of an aggrieved bidder concerning the solicitation or award of a contract.

12.3 Decision/Notice of Decision. The applicable Department Director or Procurement and Contract Services manager, whoever was responsible for the solicitation, shall issue a decision in writing within three (3) business days of actual receipt of the protest. The decision shall state the reasons for the action taken. A copy of the decision shall be mailed or otherwise furnished immediately to the protestor.

12.4 Appeal. A protestor may appeal the decision by submitting a written appeal to the City Manager within five (5) business days of the date of the Department Director decision. The written appeal shall state with specificity the facts supporting the protestor's position. The appeal shall be reviewed by the City Manager or designee, who will issue a decision in writing within five (5) business days of receipt of the protestor's timely filed written appeal.

12.5 Finality of Decision. A Director's decision shall be considered final and is not subject to appeal or further consideration unless a timely appeal is filed. In the event of a timely appeal, the decision of the City Manager, or designee, shall be considered final and not subject to appeal or further consideration.

12.6 Stay of Procurements during Protest. In the event of a timely protest, the City of Lee’s Summit shall not proceed further with the solicitation or with the award of the contract until the protest process is complete, unless the City Manager makes a written determination that the award of the contract without delay is necessary to protect substantial interests of the City.

SECTION 13. OTHER PROTESTS AND DISPUTES

13.1 Protests of Non-Bid Solicitations. Any protest regarding a non-bid competitive solicitation, such as RFP, QBS or ITN process, shall follow the same steps as previously outlined for bid protests.

13.2 Disputes with Vendors. City staff involved in the disputed procurement shall notify Procurement and Contract Services or the City department conducting the solicitation in a timely manner, concerning any complaint or dispute regarding an order, delivery, specification, defective supplies or poor performance by a supplier. Any decision concerning an attempt to cancel a contract or an attempt to resolve a dispute regarding defective products or unacceptable services shall be made jointly by Procurement and Contract Services and the City department conducting the solicitation. Any correspondence with suppliers shall be conducted via the Procurement and Contract Services Manager (CPO).

13.3 Disputes between Departments and Procurement and Contract Services. In the event a procurement dispute arises between the requesting Department and Procurement and Contract Services, the Finance Director supervising the Procurement and Contract Services Division shall make the final decision. If the Department Director of the requesting Department does not agree or accept the decision of said Finance Director, the requesting Department Director and the Finance Director may discuss the issue with the City Manager, or his designated representative and the City Manager or his designee shall make the final decision.

SECTION 14. DISPOSAL OF PROPERTY (OTHER THAN REAL PROPERTY)

Department Director or designated representative determines property (other than real property) is no longer needed. Procurement and Contract Services is sent written notification with detailed information of surplus items. Procurement and Contract Services Manager (CPO), Department Director and/or designee will determine the best method for disposal. Once a disposal method is determined the Procurement and Contract Services Manager (CPO) or designated representative will coordinate the process. The following methods will be used for disposal of surplus property:

- Sell by requesting sealed bids.
- Trade-in as part of a bidding process.
- Sell through electronic auctioning process.
- Donate to an approved centralized not-for-profit clearinghouse such as Surplus Exchange Group to be picked up at no charge to the City (only after items have gone through two auction cycles with the City’s e-Surplus auction service).
- Dispose of at the City’s designated landfill if the property has no value.

SECTION 15. PROCUREMENT POLICY REVIEW

The Procurement Policy shall be reviewed no less than every two years to ensure that the policy is current with any and all applicable local, state and federal laws as well as City processes and procedures. Any proposed revision(s) shall be discussed with a Procurement Policy Committee that shall be derived from representative(s) from City departments. Those revisions deemed necessary to implement shall be presented to the City Council for approval and adoption.

QUICK REFERENCE GUIDE

Procurement Method

<p>Unrestricted \$01 - \$2,999.99</p>	<ul style="list-style-type: none"> • Quotes not required, cost comparison encouraged • Department administers • Department Director or designee authorization required to purchase • P-Cards may be utilized
<p>Quotes \$3,000.00 - \$9,999.99</p>	<ul style="list-style-type: none"> • Three (3) quotes required if item is not available from an existing contract and if sufficient vendors are available • Department administers • Department Director or designee authorization required prior to purchase • ERP System Utilized – Department must enter requisition before order is placed • If sole source, a sole source form must be signed with required approvals obtained prior to purchase
<p>Informal Bid/Solicitation \$10,000.00 - \$49,999.99</p>	<ul style="list-style-type: none"> • Informal bid/solicitation process required • City department conducting solicitation authorization required • City department conducting solicitation and Department Director authorization required prior to purchase • Broadcasted electronically via the internet if deemed necessary
<p>Formal Bid/Solicitation \$50,000.00 and Over</p>	<ul style="list-style-type: none"> • Formal process required • City department conducting solicitation administers • City department Director in charge of conducting solicitation, City Manager and City Council approval required prior to purchase • Broadcasted electronically via the internet and e-bidding system
<p>Purchase Order</p>	<p>Always required for purchases with the exception of:</p> <ol style="list-style-type: none"> 1. Capital Project progress payments 2. Petty Cash purchase 3. P-Card purchase 4. Utilization of a Payment Information Form (PIF)
<p>Inverted Purchase Order</p>	<p>Set up for commodity/service/construction contract purchases – reduces the need for additional purchase orders against contract</p> <p>-Inverted purchase orders should only be issued after consulting with Procurement and Contract Services and Finance to make sure that it's utilization will meet all of the needs of the requestor</p>
<p>P-Card</p>	<p>-Procurement and P-Card Policies must be adhered to</p>

Payment Method	\$ Dollar Range	Conditions
Petty Cash	\$01 - \$50.00	-Reimbursed with receipt by supervisor
Payment Information Form	No dollar limits	-To be used for miscellaneous expenses, limited to recurring charges such as utility bills, seminar registration, insurance, etc.

Yours Truly

Procurement Policy Update

Finance and Budget

October 14, 2019

Background

- Current policy was adopted by the City Council October 5, 2017
 - To be reviewed every two years per the policy
- Early 2018 to summer 2018 work began on revisions and updates
- January 2019 the process started back up

Background

Reviewing Groups

- ✓ Procurement Staff
- ✓ Law, Finance, Parks & Recreation
- ✓ Department Review
- ✓ City Manager Review
- ✓ Supervisor Review
- ✓ Management Team
- Finance and Budget Committee
- City Council

Additions, Changes, and Updates

1. Definitions pg. 1
2. Authority and Enforcement
 1. Update of Conflict of Interest by Council (2.8) pg. 8
3. General Requirements
 1. Local, Woman Owned, Minority(3.2 & 3.5) pg. 8
 2. Construction projects coordinate with Public Works(3.9) pg. 9
 3. Prevailing Wage update reference (3.14) pg.9
 4. Contract Total Cost (3.15) pg. 10
 5. Funding (3.16) pg. 10

Additions, Changes, and Updates

4. Approval Levels (Contract Total Cost-annual spend)
 1. Approval Levels pg. 10
 1. Level I – Discretionary up to \$3,000 (4.1)
 2. Level II - Quotes \$3,000 up to \$10,000 (4.2)
 3. Level III – Informal solicitation \$10,000 up to \$50,000 (4.3)
 1. one-time commodity purchase –quotes
 4. Level IV – Formal solicitation \$50,000 or more (4.4)
 2. Revenue contract levels follow Approval Levels (4.5)
5. Solicitation Processes
 1. On-call contracts for Services (5.6) pg. 13

Additions, Changes, and Updates

- 6. Alternative Procurement Methods
 - 1. Cooperative Purchasing (6.1) pg. 13
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- 7. Non-Solicitation Type of Processes
 - 1. Exempt Expenditures list (7.3) pg. 15
- 8. Contract Modifications
 - 1. Non-Construction (8.1) pg. 15
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Additions, Changes, and Updates

9. Project Delivery Methods

1. Engineering Procurement Construction (EPC) (9.5) pg. 17

10. Real Property Processes

1. Administrative process clean up (10.2) pg. 17

Additions, Changes, and Updates

13. Protests

1. Filed with the City Clerk and Procurement and Contract Services Manager (13.1) pg. 19
2. Review by Procurement and Contract Services Manager (13.2) pg. 19

14. Disputes

1. Contract vs. non-contract (14.1/14.2) pg. 19

16. Procurement Policy Review

1. Three (3) year review cycle pg. 20

Questions?

Packet Information

File #: BILL NO. 19-241, Version: 1

An Ordinance vacating a certain utility and cross access easement located at 3924 & 3930 SW Raintree Drive in the City of Lee's Summit, Missouri.

(Note: First reading by Council on October 15, 2019.)

Proposed City Council Motion:

I move for adoption of an ordinance vacating a certain utility and cross access easement located at 3924 & 3930 SW Raintree Drive in the City of Lee's Summit, Missouri.

Josh Johnson, AICP, Assistant Director Plan Services

Weyen Burnam, applicant

BILL NO. 19-241

AN ORDINANCE VACATING A CERTAIN UTILITY AND CROSS ACCESS EASEMENT LOCATED AT 3924 & 3930 SW RAINTREE DRIVE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-221 was submitted by New TKG-KC, LLC, requesting vacation of a utility and cross access easement located on property addressed 3924 & 3930 SW Raintree Drive in Lee's Summit, Missouri; and,

WHEREAS, the easements were dedicated to the City via the plat titled *South M-291 Safety Mini Storage Lots 1A, 2A & 3A*, recorded by Document #2006E0028581; and,

WHEREAS, the Planning Commission considered the request on September 26, 2019, and rendered a report to the City Council recommending that the vacation of easement be approved; and,

WHEREAS, the City Council for the City of Lee's Summit has determined that no damages are ascertainable by reason of such vacation.

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

SECTION 1. That the following described easement is hereby and herewith vacated:

TWO TRACTS OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 47 NORTH, RANGE 31 WEST AND BEING PART OF LOT 2A AND LOT 3A OF SOUTH M-291 SAFETY MINI STORAGE LOTS 1A, 2A & 3A RECORDED IN BOOK I94, PAGE 17 AND DESCRIBED BY WARRANTY DEED RECORDED IN INSTRUMENT NO. 2014E0097840 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2A AND WITH THE NORTH LINE THEREOF, N 87°32'55"W, 108.29 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID NORTH LINE, S 2°26'15"W, 119.45 FEET TO THE SOUTH LINE OF SAID LOT 2A; THENCE WITH SAID SOUTH LINE, N 87°33'45"W, 30.00 FEET; THENCE N 2°26'15"E, 119.46 FEET TO THE NORTH LINE OF SAID LOT 2A; THENCE S 87°32'55"E, 30.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 3584 SQUARE FEET.

TRACT 2

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2A AND WITH THE WEST LINE THEREOF, N 2°20'20"E, 10.08 FEET; THENCE S 87°33'45"E, 221.29 FEET; THENCE S 19°46'30"E, 21.60 FEET; THENCE N 87°33'45"W, 188.72 FEET TO THE WEST PROPERTY LINE; TEHNCE WITH SAID WEST PROPERTY LINE, N 42°42'35"W, 14.27

BILL NO. 19-241

FEET; THENCE N 87°42'35"W, 30.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 4152 SQUARE FEET.

SECTION 2. That upon the effective date of the vacation of the easement described in Section 1 above, the City releases all right, title and interest in and to the City owned infrastructure located within the easement.

SECTION 3. That the City Clerk be and is hereby authorized and directed to acknowledge a copy of this ordinance and to record same in the Office of the Recorder of Deeds of the County in which the property is located.

SECTION 4. 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 of the City of Lee's Summit, Missouri, this _____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2018-221 – VACATION OF EASEMENT
Applicant	New TKG-KC, LLC
Property Address	3924 SW Raintree Drive 3930 SW Raintree Drive
Planning Commission Date Heard by	September 26, 2019 Planning Commission and City Council
Analyst Checked By	Jennifer Thompson, Senior Planner Hector Soto, AICP, Planning Manager Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: N/A
Neighborhood meeting conducted: N/A
Newspaper notification published on: N/A
Radius notices mailed to properties within 300 feet on: N/A
Site posted notice on: N/A

Table of Contents

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2. Land Use	2
3. Unified Development Ordinance (UDO)	3
4. Analysis	3
5. Recommended Conditions of Approval	4

Attachments

Exhibit and Legal Description, dated August 30, 2019
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	New TKG-KC, LLC /Owner
Applicant's Representative	Weyen Burnam
Location of Property	3924 SW Raintree Dr 3930 SW Raintree Dr
Size of Property	1.27 Acres (total properties)
Zoning	PI (Planned Industrial)
Comprehensive Plan Designation	Retail
Procedure	The Planning Commission makes a recommendation to the City Council on the vacation of easement. The City Council takes final action on the vacation of easement in the form of an ordinance. Approval of the vacation of easement does not expire unless stated in the approval.

Current Land Use
The subject properties are currently undeveloped, anticipating the construction of a 46,463 sq. ft. climate controlled storage facility. The applicant has submitted an application to combine the two (2) subject properties into a single lot for the future building.

Description of Applicant's Request
The applicant requests to vacate all of a 20' wide utility easement and a 30' wide access easement located on Lots 2A and 3A of <i>South M-291 Safety Mini Storage Lots 1A, 2A & 3A</i> . The vacation of easements is necessary to accommodate construction of a future building on the subject lots.

2. Land Use

Description and Character of Surrounding Area
The property is located along the M-291 Hwy corridor, south of M-150 Hwy and west of SW Raintree Dr. The existing mini-warehouse storage facility is located immediately to the west and vacant property lies to the north, south, and east (across M-291 Hwy).

Adjacent Land Uses and Zoning

North:	Commercial / CP-2 – vacant ground
South:	Commercial / CP-2 – vacant ground
East:	Commercial /CP-2 – vacant ground (across M-291 Hwy)
West:	Industrial / PI – existing mini-warehouse storage facility

Site Characteristics
The site consists of two (2) vacant lots that will be combined for the future development of a large climate

controlled storage facility. The properties have frontage along SW Raintree Dr. and M-291 Hwy.

Special Considerations

N/A

3. Unified Development Ordinance (UDO)

Section	Description
2.480, 2.490	Vacation of Easement

Unified Development Ordinance (UDO)

The purpose of the vacation of easements is to eliminate a conflict between the easement locations and the site of the future climate controlled storage facility.

4. Analysis

Background and History

The applicant requests to vacate all of a 20’ wide utility easement and a 30’ access easement located on Lots 2A and 3A of *South M-291 Safety Mini Storage Lots 1A, 2A & 3A*. The vacation of easements is necessary to accommodate construction of a future building on the subject lots.

- May 18, 2006 – A minor plat (Appl. #2006-008), for *South M-291 Safety Mini Storage Lot 1A, 2A, & 3A*, was recorded with the Jackson County Recorder of Deeds Office by Instrument No. 2006E0028581.
- August 13, 2019 – The City Council approved the rezoning from CP-2 to PI and preliminary development plan (Appl. #2018-220 and 222), for proposed Storage Mart, by Ordinance No. 8700.
- August 13, 2019 – The City Council approved the special use permit (Appl. #2018-220), for an indoor climate controlled storage facility that also includes limited outdoor non-climate controlled unit access and vehicular storage, by Ordinance No. 8701.

Compatibility

The proposed vacation of easements allows for the construction of a large climate controlled storage facility on the subject properties. The properties are located adjacent to the existing Storage Mart storage facility generally located at the southwest intersection of SW M-150 Hwy and M-291 Hwy (south of Raintree Plaza).

Adverse Impacts

The proposed vacation of easements will not negatively impact the use or aesthetics of any neighboring property, nor does it negatively impact the health, safety and welfare of the public.

Public Services

No objections to the requested vacation of easements have been expressed by the utility companies, including the City's Public Works and Water Utilities Departments. The vacation will not impact the provision of utilities to the area. New easements to accommodate future utility needs will be dedicated as needed as part of the minor plat that merges the two (2) subject properties.

Comprehensive Plan

The proposed vacation of easements does not compromise the ability to implement and/or achieve any policies, goals or objectives outlined in the Comprehensive Plan.

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO and Design and Construction Manual (DCM).

5. Recommended Conditions of Approval

Standard Conditions of Approval

1. The ordinance approving the vacation of easements shall be recorded with the Jackson County Recorder of Deeds office and a copy of the recorded document shall be returned to the Development Services Department prior to the issuance of any building permit on the affected lot.

DESCRIPTION OF EASEMENT VACATION ON 2 TRACTS— LOT 2A AND LOT 3A OF SOUTH M-291 SAFETY MINI STORAGE LOTS 1A, 2A & 3A
FOR NEW TKG-KC, LLC
JOB #170504

NOVEMBER 12, 2018

TWO TRACTS OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 47 NORTH, RANGE 31 WEST AND BEING PART OF LOT 2A AND LOT 3A OF SOUTH M-291 SAFETY MINI STORAGE LOTS 1A, 2A & 3A RECORDED IN BOOK I94, PAGE 17 AND DESCRIBED BY WARRANTY DEED RECORDED IN INSTRUMENT NO. 2014E0097840 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

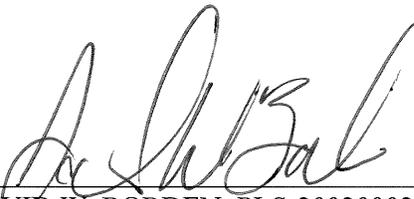
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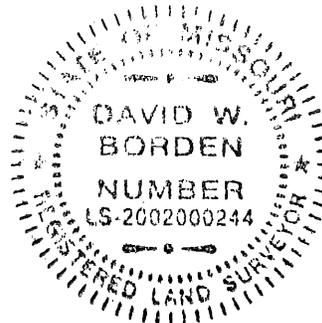
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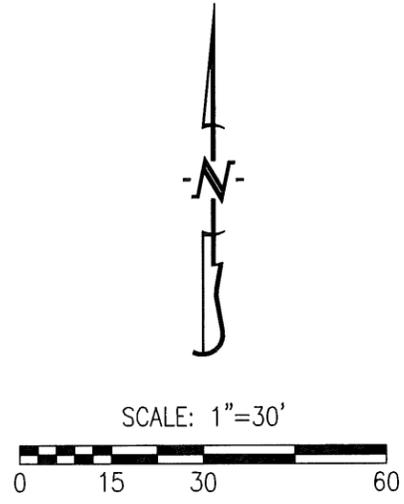


DAVID W. BORDEN, PLS-2002000244



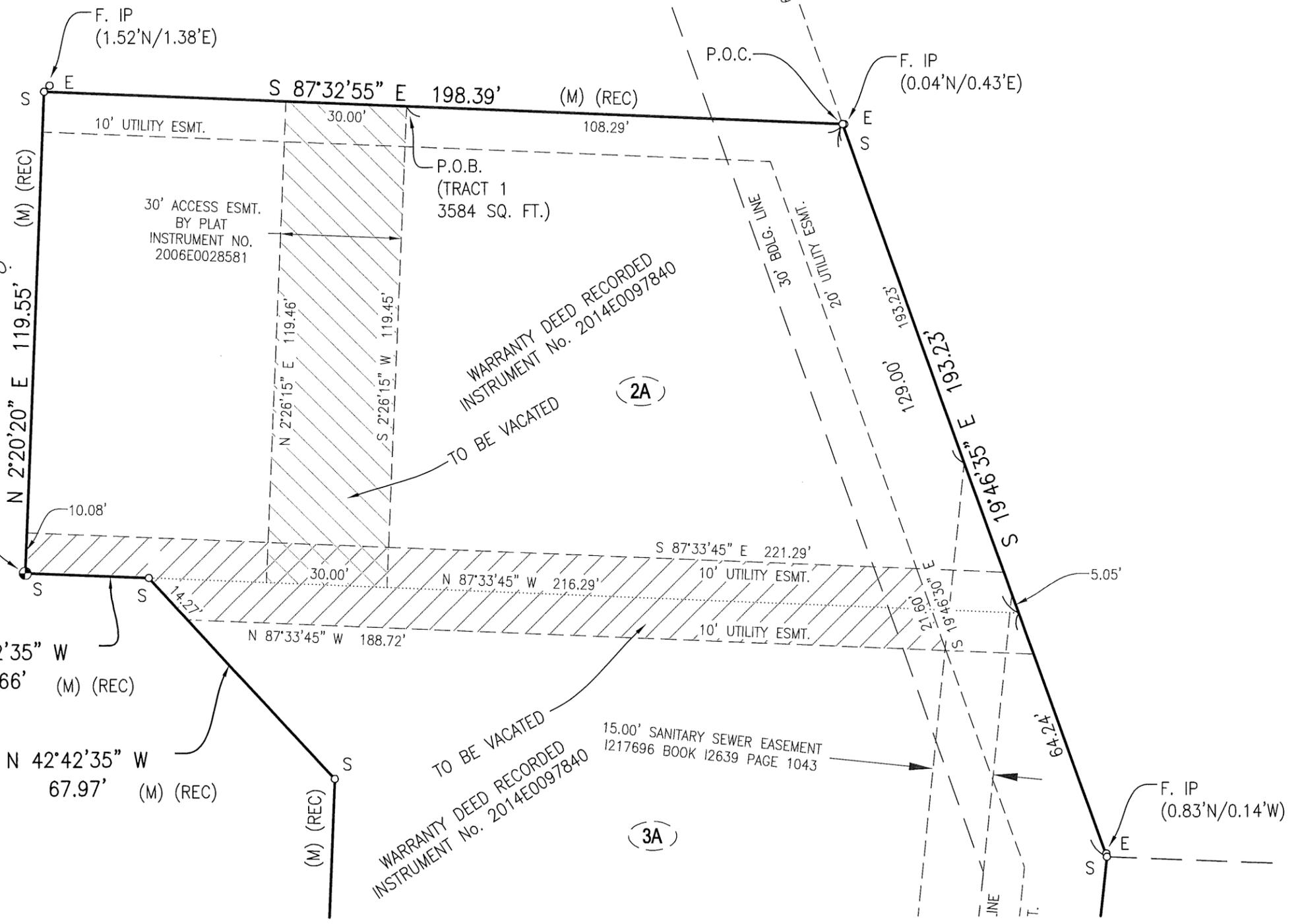
11-12-18
DATE

STERLING UNIVERSITY, PLAT NO. 1
RECORDED IN PLAT BOOK 39, PAGE 99



SOUTH M-291 MINI SAFETY STORAGE
LOTS 1A, 2A & 3A, A SUBDIVISION IN
LEE'S SUMMIT, JACKSON COUNTY, MO.
INSTRUMENT NO. 2006E0028581

WARRANTY DEED RECORDED
INSTRUMENT No. 2014E0097840



CROCKETT
ENGINEERING CONSULTANTS
1000 W. Nifong Blvd. Building 1
Columbia, Missouri 65203
(573) 447-0292
www.crockettengineering.com

CORPORATE NUMBER:
2000151304

DATE: 11/12/2018

SCALE: 1" = 30'

PROJECT: 170504

DRAWN BY: DWB

EASEMENT VACATION

BEING PART OF LOT 2A AND LOT 3A
SOUTH M-291 SAFETY MINI STORAGE LOTS 1A, 2A & 3A
PART OF SEC. 32, T47N, R31W
LEE'S SUMMIT, JACKSON COUNTY, MISSOURI

ADDRESS:

PL2018-221-VACATION OF EASEMENT 3924 & 3930 SW RAINTREE DRIVE

