

From: Sam Mahlstadt [mailto:smahlstadt@gmail.com]

Sent: Friday, January 11, 2019 3:15 PM

To: Mark Dunning; Bill Baird

Cc: dwh3tin6@sbcglobal.net; Gary Denny (Patty); Rick Poeschl; Jim Eden; Michael Anderson; Craig Faith; Stephen Arbo; Trish Carlyle

Subject: Bent Tree Bluffs - Land Reclamation/Blasting

Good afternoon.

I am following up to prior meetings and emails regarding the Land Reclamation project happening near Bent Tree Bluffs, and the associated use of explosives.

I understand from our meeting that development plans for the land were to be put in front of the city per the requirements of the Special Use Permit.

Can you please share the outcome of that review?

Are the plans being made public, and when will those be available?

Thank you,

Sam Mahlstadt

Bent Tree Bluffs HOA On Jan 14, 2019, at 10:52 PM, Mark Dunning <Mark.Dunning@cityofls.net> wrote:

Mr. Mahlstadt,

A Preliminary Development Plan application for a proposed Sod Farm was submitted for review on 8/16/2018 in response to condition #9 of the approval of the special use permit for the land reclamation project (ordinance attached). Development Services staff reviewed the submittal and provided initial review comments to the applicant on September 13th, 2018. On September 19th, 2018 the applicant requested the project be placed on hold until after January 2019. Development Services staff have acknowledged the hold request and are currently awaiting the resubmittal of documents.

The application number for the Preliminary Development Plan is PL2018143 and the current project information can be found by following this link <http://devservices.cityofls.net/Planning/Status?planningId=5007>. Applications filed with the City are open record and available to the public. If you or others would like to review the hard copy of the application on file you may do so by visiting the Development Services Department at City Hall and we may assist you.

Please let me know if you have any questions, or if you need any additional information.

Yours Truly,

Mark Dunning | Asst. City Manager, Development Services & Communications

220 SE Green Street | Lee's Summit, MO 64063

816.969.1026 | cityofLS.net | Mark.Dunning@cityofls.net

From: Sam Mahlstadt [mailto:smahlstadt@gmail.com]

Sent: Tuesday, January 15, 2019 5:53 AM

To: Mark Dunning

Cc: Bill Baird; dwh3tin6@sbcglobal.net; Gary Denny (Patty); Rick Poeschl; Jim Eden; Michael Anderson; Craig Faith; Stephen Arbo; Trish Carlyle; City Manager's Office; Ryan Elam

Subject: Re: Bent Tree Bluffs - Land Reclamation/Blasting

Thank you for the update.

How long of a hold was requested and/or granted?

On Jan 15, 2019, at 8:56 AM, Mark Dunning <Mark.Dunning@cityofls.net> wrote:

Mr. Mahlstadt,

The applicant requested for staff to hold on further processing the PDP application until after the Administrative Hearing on the blasting permit through the State of Missouri. Attached is the request from the applicant. Staff does not specifically grant approvals for the timelines in processing applications as schedules to consider development applications are driven by an applicant's ability to provide necessary information to staff to meet certain deadlines which drives schedules.

Having said that, the Unified Development Ordinance contains a provision that places a timeframe on inactive applications which reads:

Sec. 2.140. - Inactive application.

Should any application remain inactive for a period of 12 months, it shall be considered withdrawn unless the applicant provides written reasons why the application has remained inactive, including a schedule indicating when the application will again be active.

Point is – applications are not valid for an infinite amount of time, but the pace in which applications are processed are primarily driven by the applicant.

From: Sam Mahlstadt <smahlstadt@gmail.com>

Sent: Tuesday, January 15, 2019 10:17 AM

To: Mark Dunning <Mark.Dunning@cityofls.net>

Cc: Bill Baird <wbaird@cityofls.net>; dwh3tin6@sbcglobal.net; Gary Denny (Patty) <pden3@att.net>; Rick Poeschl <Rick.Poeschl@cityofls.net>; Jim Eden <Jim.Eden@cityofls.net>; Michael Anderson <Mike.Anderson@cityofls.net>; Craig Faith <Craig.Faith@cityofls.net>; Stephen Arbo

<Stephen.Arbo@cityofls.net>; Trish Carlyle <Patrisha.Carlyle@cityofls.net>; City Manager's Office <Citymgrsoffice@cityofls.net>; Ryan Elam <Ryan.Elam@cityofls.net>

Subject: Re: Bent Tree Bluffs - Land Reclamation/Blasting

Thank you again for the detail.

We'll be anxiously awaiting both the state's decision as well as Star's re-submittal of their plan in order to satisfy the requirements of the SUP.

From: Mark Dunning <Mark.Dunning@cityofls.net>

To: Sam Mahlstadt <smahlstadt@gmail.com>

Cc: Bill Baird <wbaird@cityofls.net>; dwh3tin6@sbcglobal.net <dwh3tin6@sbcglobal.net>; Gary Denny (Patty) <pden3@att.net>; Rick Poeschl <Rick.Poeschl@cityofls.net>; Jim Eden <Jim.Eden@cityofls.net>; Michael Anderson <Mike.Anderson@cityofls.net>; Craig Faith <Craig.Faith@cityofls.net>; Stephen Arbo <Stephen.Arbo@cityofls.net>; Trish Carlyle <Patrisha.Carlyle@cityofls.net>; City Manager's Office <Citymgrsoffice@cityofls.net>; Ryan Elam <Ryan.Elam@cityofls.net>

Sent: Wednesday, January 30, 2019 11:57:21 AM CST

Subject: RE: Bent Tree Bluffs - Land Reclamation/Blasting

Mr. Mahlstadt,

The City has received some updated information on the Land Reclamation project status that I thought would be of interest to you and others. Please find below information that was provided to us by the applicant/operator of the land reclamation project.

Information received from applicant on January 15, 2019:

The Administrative Hearing Commission (AHC) in Jefferson City, Missouri, hearing for the requested review of the Permit Revision which deleted the No Explosives condition on our MDNR land reclamation permit was scheduled for January 22, 2019. We were beginning our preparations in December when the attorney in the case who represents Rodney and Kathy Gravitt, Kenneth Gerdtz, Bob Hartzler and Jerry Rank, contacted us and asked if we would object to a continuance of the hearing date. We did not have any objections, nor did the Attorney General's Office who is representing MDNR, so the Petitioners filed there motion for continuance. We received the order from the AHC last Monday, that the new hearing date is now June 18, 2019.

We had intended to pursue the Sod Farm PDP application after the January hearing. Now that we have a June 2019 hearing date, we believe it important to pursue the PDP application sooner, than later, and not wait until after the hearing date.

Understanding the land use applications our team is on schedule to file over the next 35 days, I would suggest we are still on track to pick up our Sod Farm PDP application in February, though likely late February.

We will know more after our next weekly team meeting later this week, and I will have a more definitive schedule to discuss with you.

If you have any questions, or need additional information, please let us know.

Thank you.

Please let me know if you have questions or if I can be of further assistance.