



The City of Lee's Summit

Final Agenda

Community and Economic Development Committee

Wednesday, April 10, 2019

4:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Action Letter
 - A. [2019-2644](#) Approval of the March 13, 2019 Community and Economic Development Committee minutes.
 - B. [2019-2681](#) Approval of the March 20, 2019 Community and Economic Development Committee Minutes.
5. Public Comments
6. Business
 - A. [2019-2693](#) Trash and mechanical enclosure screening in the Planned Industrial (PI) Zoning District.
Presenter: Josh Johnson, AICP, Assistant Director of Development Services
 - B. [TMP-1200](#) An Ordinance for Application #PL2019-134, a Unified Development Ordinance (UDO) Amendment, Article 5 Overlay Districts - Division VIII Envision LS Area Development Plan (ADP) Design Standards; City of Lee's Summit, applicant.
Presenter: Josh Johnson, AICP, Assistant Director of Development Services
7. Roundtable
8. Adjournment

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 #: 2019-2644, **Version:** 1

Approval of the March 13, 2019 Community and Economic Development Committee minutes.

The City of Lee's Summit
Action Letter
Community and Economic Development Committee

Wednesday, March 13, 2019

4:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

1. Call to Order

2. Roll Call

Present: 5 - Vice Chair Diane Forte
Councilmember Fred DeMoro
Liaison Donnie Funk
Councilmember Craig Faith
Chairperson Beto Lopez

Absent: 1 - Alternate Bob Johnson

3. Approval of Agenda

A motion was made by Councilmember DeMoro, seconded by Vice Chair Forte, that this agenda be approved. The motion carried unanimously.

4. Approval of Action Letter

- A. 2019-2582** Approval of the February 13, 2019 Community and Economic Development Committee Minutes

A motion was made by Vice Chair Forte, seconded by Councilmember DeMoro, that the minutes be approved. The motion carried unanimously.

5. Public Comments

There were no public comments presented at this meeting.

6. Business

- A. [2019-2601](#)** Public Hearing: Lee's Summit 2019-20 Community Development Block Grant Action Plan

A motion was made by Vice Chair Forte, seconded by Councilmember DeMoro, that this Community Development Block Grant Action Plan be recommended for approval to the City Council - Regular Session. The motion carried unanimously.

- B. [2019-2606](#)** A discussion on the standards for for permitted and non-permitted uses and requirements for upgrades/renovations of existing buildings within the EnVision

Community and Economic Development Committee

Action Letter

March 13, 2019

LS area.

This was a presentation and discussion presented by Josh Johnson, Ryan Elam, and Mark Dunning. Testimony was given by several business people from the community to include Sal Belfonte, Chad Anderson, Tim Rice, and Michael Perry. Staff will craft a proposal to bring back to the CEDC in April that will look at modifications, processes, and prohibited uses for the EnVision LS area.

- C. [TMP-1153](#) An Ordinance correcting scrivener's errors and inadvertant omissions by repealing Chapter 16, Lee's Summit Property Maintenance Code of the Code of Ordinances fo the City of Lee's Summit, Missouri and enacting a new Chapter 16 pertaining to the same subject matter, for the City of Lee's Summit, Missouri.

A motion was made by Councilmember Faith, seconded by Councilmember DeMoro, that this ordinance be recommended for approval to the City Council - Regular Session. The motion carried unanimously.

- D. [TMP-1155](#) An Ordinance amending Chapter 7 Of The Code Of Ordinances Of The City Of Lee's Summit, Missouri, the Lee's Summit Building Code to correct scrivener's errors by repealing the entirety of Chapter 7; and adopting a new Chapter 7 pertaining to the same subject matter to incorporate new provisions of the 2018 International Building Codes and the 2017 National Electrical Code and modify or retain certain existing provisions of the Building Code and Electrical Code.

A motion was made by Councilmember Faith, seconded by Councilmember DeMoro, that this ordinance be recommended for approval to the City Council - Regular Session. The motion carried unanimously.

6. Roundtable

Councilmember Faith advised everyone of the wind advisory that was in effect. Chairperson Lopez reminded the committee members of the special meeting for the No Tax Increase Bond that would be held on March 20, 2019 at 5:00 p.m. Mark Dunning indicated that he will utilize the Creative Services Department to get notice out to the public about the meeting.

7. Adjournment

There being no further business, Chairperson Lopez adjourned the meeting at 6:34 p.m.

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Packet Information

File #: 2019-2681, **Version:** 1

Approval of the March 20, 2019 Community and Economic Development Committee Minutes.

The City of Lee's Summit
Action Letter - Draft
Community and Economic Development Committee

Wednesday, March 20, 2019

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

1. Call to Order

2. Roll Call

Present: 5 - Vice Chair Diane Forte
Councilmember Fred DeMoro
Liaison Donnie Funk
Councilmember Craig Faith
Chairperson Beto Lopez

Absent: 1 - Alternate Bob Johnson

3. Approval of Agenda

A motion was made by Councilmember Faith, seconded by Councilmember DeMoro, that this agenda be approved. The motion carried unanimously.

4. Public Comments

Council member Bob Johnson provided public comment encouraging the Community and Economic Development Committee to consider adding sanitary sewer and water service infrastructure to the potential "No Tax Increase" bond project listing as there is approximately 950 acres on the east side of Lee's Summit that lacks this infrastructure to support economic development.

5. Business

A. [2019-2640](#) Presentation and Consideration of Potential August 2019 No Tax Increase Bond Projects

City staff provided overviews of each of the staff identified potential "No Tax Increase" bond projects and responded to questions from the Committee. The Committee directed staff to forward the project listing forward to the Mayor and Council for consideration and requested that information related to the sanitary sewer and water infrastructure for the east annexation area (950 acres) also be included in the packet for the Mayor and Council consideration at the April 9, 2019 Work Session meeting.

6. Roundtable

Adjournment

There being no further business, Chairperson Lopez adjourned the meeting at 7:20 p.m.

Community and Economic Development Committee

Action Letter - Draft

March 20, 2019

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 #: 2019-2693, Version: 1

Trash and mechanical enclosure screening in the Planned Industrial (PI) Zoning District.

Issue/Request:

Developers have requested relief from the proscribed trash and mechanical screening material requirements of the UDO in the Planned Industrial (PI) District.

Proposed Committee Motion:

I move to direct staff to process a UDO amendment to relax screening requirements based upon tonight's discussion.

Background:

The UDO requires the use of masonry walls or landscaping for ground mounted mechanical equipment and masonry or steel walls for trash enclosures. Local developers have asked staff to examine the code to see if there are alternative standards that might still accomplish the same goal.

Section 8.180-

F. Ground mounted equipment. Ground mounted equipment shall be totally screened from view by landscaping or masonry wall up to a height of the units to be screened.

G. Trash enclosures. All exterior trash storage containers shall be screened so that they are not visible from off the property. Each trash enclosure shall be constructed of masonry walls or steel architecturally designed walls with either a solid steel opaque gate painted to be compatible with the color of the masonry or steel walls and building it is to serve or a steel framed semi-opaque gate with a screen mesh material approved by the Director that provides an appropriate visual barrier

In staff's opinion the key factors to consider are PI zoned parcels throughout the City located on prominent corridors and durability. If the standards are relaxed, one approach is to require the screening or enclosures use the same siding as the building on the same site in our metal building area. The metal building area already provides relief from architectural standards. The durability concern can be addressed through the Property Maintenance Code.

Josh Johnson, AICP, Assistant Director of Development Services

Packet Information

File #: TMP-1200, **Version:** 1

An Ordinance for Application #PL2019-134, a Unified Development Ordinance (UDO) Amendment, Article 5 Overlay Districts - Division VIII Envision LS Area Development Plan (ADP) Design Standards; City of Lee's Summit, applicant.

Issue/Request:

Various property owners and interested investors within the EnVision LS overlay have expressed interest in requesting relief or flexibility from the area's specific uses standards and application & review requirements for upgrades/renovations to existing buildings.

Background:

Recently, property owners proposed a series of uses that are prohibited in the EnVision LS area. The uses are a thrift store, a car wash, car detailing and a call center. The mechanism for the EnVision LS area is an overlay district in the UDO with additional design and use standards. The vision for the EnVision LS area is for a mixed-use and transit oriented development that would act as a gateway to downtown. The overlay is divided into three areas; the LS Gateway (Pinetree Plaza), LS Mixed-Use -(Adesa property and properties adjacent to M-291) and LS Arts and Entertainment - (Old Calmar property). The basis for uses was the CP-2 (Planned Community Commercial) zone's office and retail uses. The overlay has a list of additional allowed and prohibited uses designed to support the overall vision for the overlay district and are complimentary to the downtown. The property owners asking for relief are located in the Gateway and Mixed Use parts of the overlay. The use standards are included below for reference.

In addition, at the February CEDC meeting, Chad Anderson with MAR Building Solutions requested the CEDC look into modifying the requirements for application and review of upgrades and renovations to existing buildings within the EnVision LS area plan. Currently applications for renovations, upgrades and remodels require applications to be processed through the preliminary development plan process which requires public hearings at the Planning Commission and City Council.

At the March 13 CEDC meeting, after hearing discussion from property owners and staff, the CEDC directed staff to look at possible UDO changes that might address the above concerns about the Envision LS standards. The current EnVision standards require almost any work done on an existing site to conform to the design requirements. The only opportunity for relief from either the use or design standards is through the PDP process. Staff has modified the Envision Standards to include an appeal process where the applicant goes directly to Council to advocate for uses not allowed in the EnVision LS overlay. We have also provided more specific definitions for what constitutes repair so existing owners can maintain their property. The ordinance as drafted does not provide relief for existing businesses to expand without adhering to the design standards of the EnVision LS Ordinance. Staff feels this issue needs more discussion at the Committee level as the intent of the overaly is to eventually phase out older buildings in favor to the mixed-use concept. The current EnVision standards and staff's draft ordinance are attached to the packet.

Josh Johnson, AICP, Assistant Director of Development Services

File #: TMP-1200, **Version:** 1

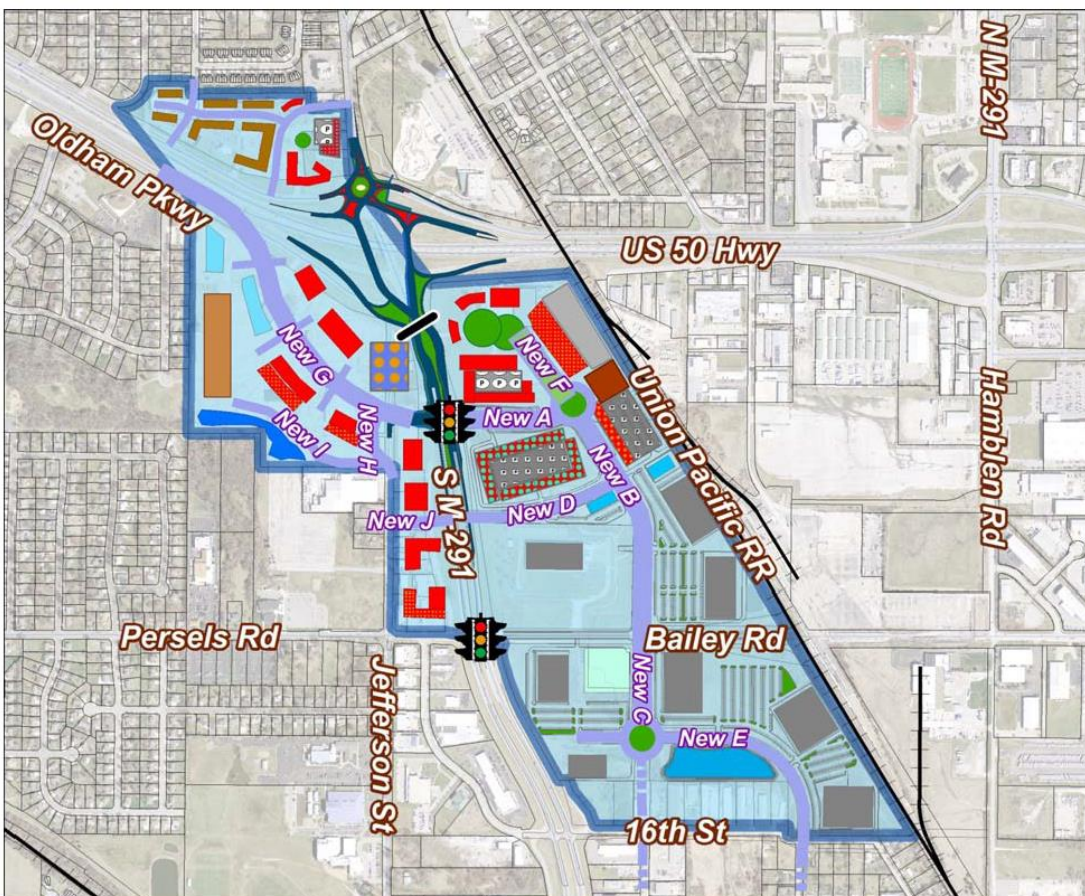
Recommend application #PL2019-134, Unified Development Ordinance (UDO) Amendment, Article 5 Overlay Districts - Division VIII Envision LS Area Development Plan (ADP) Design Standards; be forwarded to the Planning Commission and City Council for approval.

DIVISION VIII. - ENVISION LS AREA DEVELOPMENT PLAN (ADP) DESIGN STANDARDS

Sec. 5.610. - Introduction.

EnVision LS was first conceived at the announcement of the new diverging diamond interchange soon to replace the existing outdated and overburdened South M-291/US 50 Highway interchange. The City Council identified the area in and around the interchange as a targeted redevelopment opportunity directing staff to prepare a Master Development Plan for consideration. The Master Development Plan was to include Pine Tree Plaza, Adesa property and adjacent parcels along South M-291, the old Calmar property and the 85-acre Westcott Investment Group, LLC property just to the south of Calmar and bisected by Bailey Road.

Staff prepared a Conceptual Master Development Plan which was adopted by the City Council along with rezoning the properties to Planned Mixed Use, PMIX.

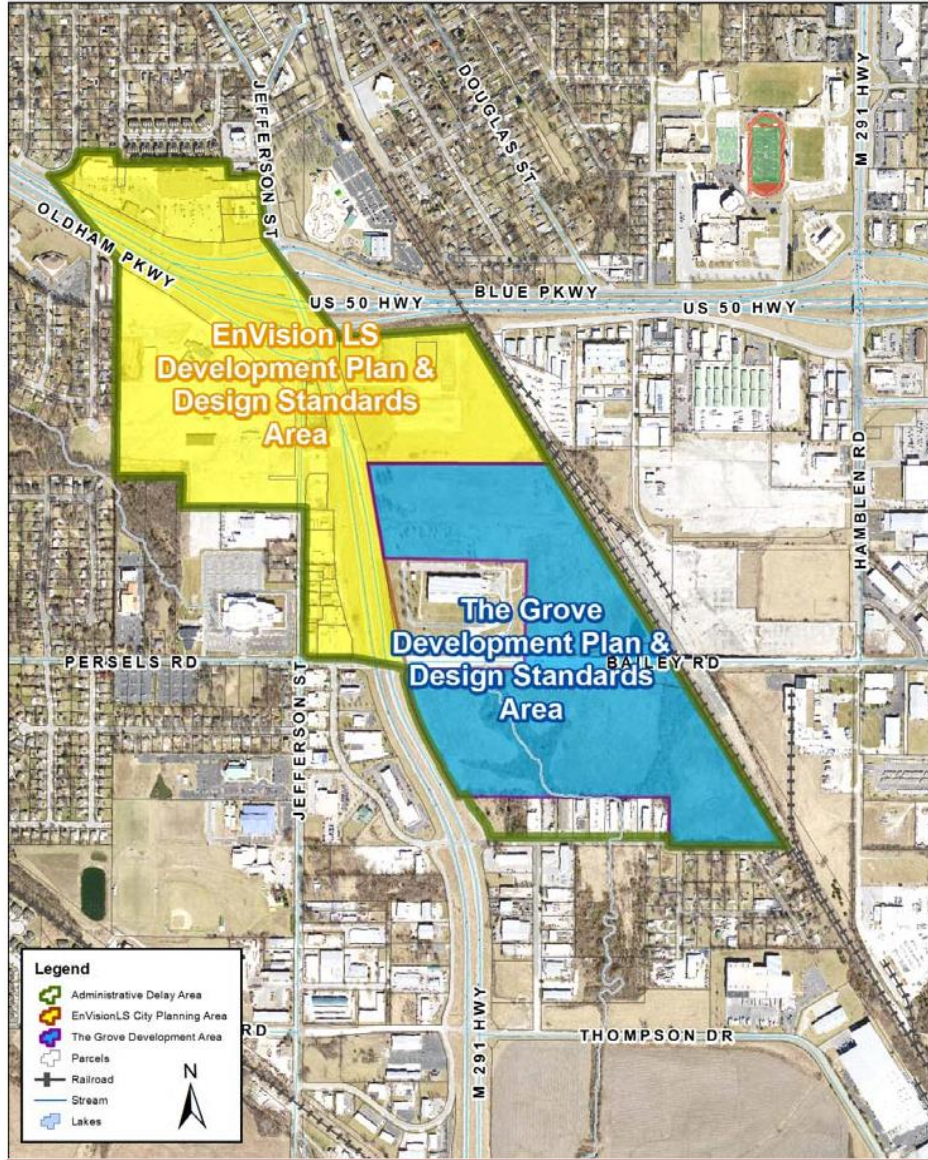


Envision LS — Adopted Conceptual Master Development Plan

Following adoption of the Conceptual Master Development Plan and PMIX zoning, Westcott Investment Group, LLC made Preliminary Development Plan application for "The Grove," an 85-acre mixed-use development with an established set of quality design standards. Approvals were subsequently granted for both the development plan and design standards.

EnVision LS Area Development Plan Design Standards shall be applied to all property within the EnVision LS area with the exception of the 85-acre development known as "The Grove" which will be governed by its own adopted set of design standards.

Planning Areas for Design Standards

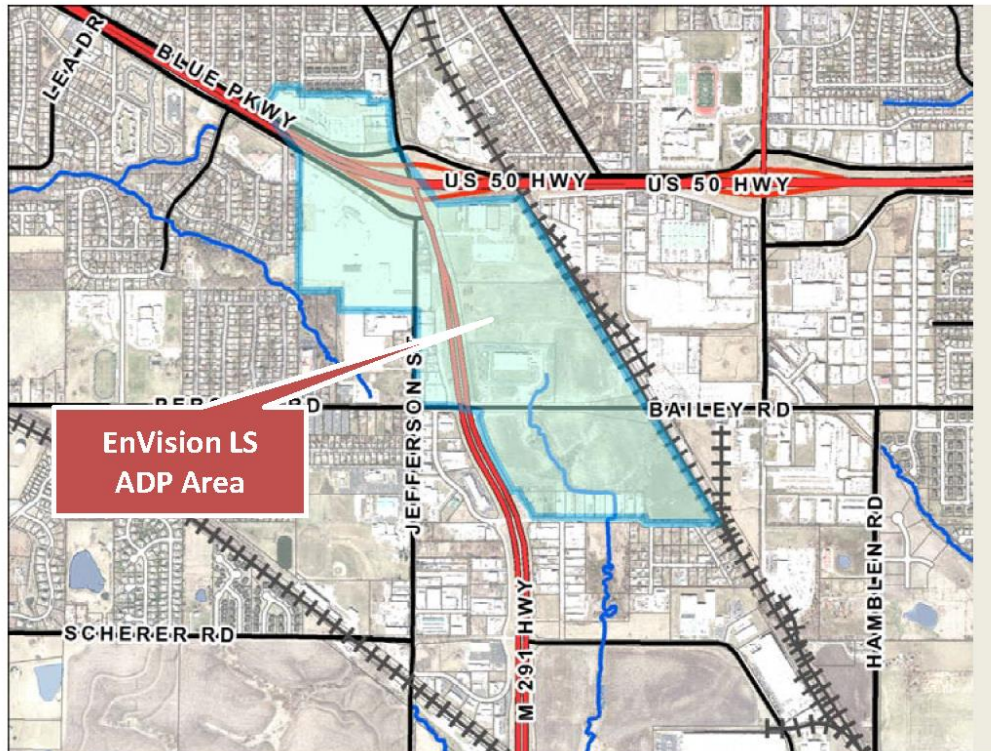


The Conceptual Master Plan and associated Design Standards outlined herein exhibit the City's desire and commitment to a vision of "establishing and achieving a desired aesthetic and a high quality gateway community at a prime commercial location". These Design Standards were created to establish the minimum design standards necessary for the implementation of the expressed vision.

EnVision LS Design Standards serve to provide a structure for the development community to follow in preparation for development plan application submittals.

Sec. 5.620. - EnVision LS Area Development Plan (ADP).

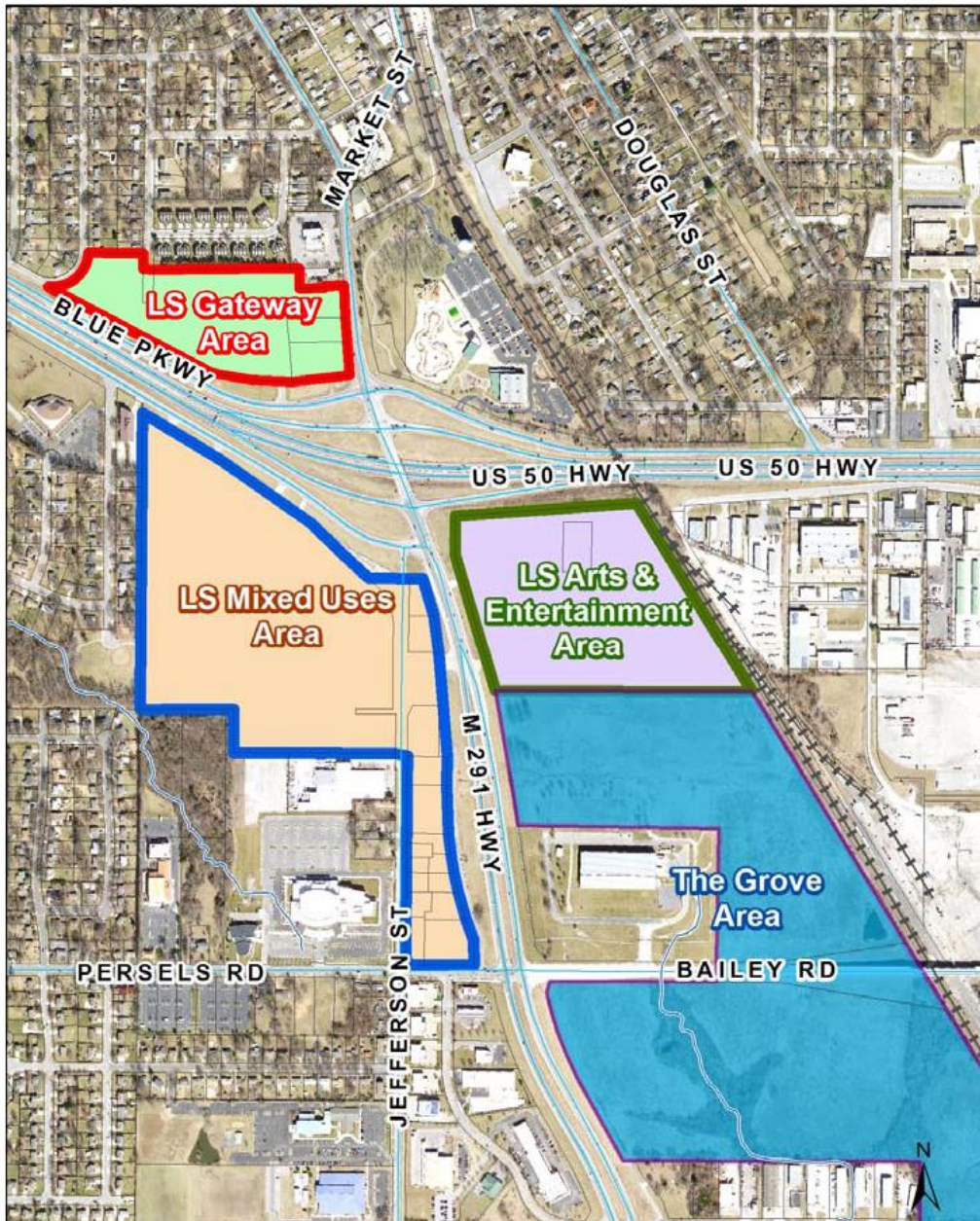
- A. The ADP (Conceptual Master Development Plan) represents the desired mix and intensity of uses. However, uses depicted on the ADP are considered flexible and will be viewed and considered per development application and site location. The overall mix of uses should remain consistent with the overall approved ADP.
- B. Buildings should be located close to the street, two to five stories tall, have a high level of exterior finish, utilize brick and/or stone, and include heavy architectural elements, canopies, overhangs, and patios or balconies. The design of the buildings should include variable roof and exterior wall planes and trim details that divide the mass of the buildings and add visual interest.



Area Development Plan Boundaries

- C. The larger EnVision LS Area Development Plan, ADP, is divided into three primary development areas, excluding "The Grove Area" for purposes of applying these design standards and further herein referred to as the ADP:
 - 1. LS Gateway (Pine Tree Plaza).
 - 2. LS Mixed Use (Adesa and properties adjacent to M-291 north of Persels).
 - 3. LS Arts and Entertainment District.

Planning Subareas for Design Standards



Sec. 5.630. - General provisions.

- A. Purpose. The purpose of these development standards is to facilitate the development of all property within the EnVision LS Area Development Plan located adjacent to and in close proximity to the new interchange improvements at South M-291/ and US 50 Highway with the highest possible levels of community and building design consistent with the Area Development Plan (ADP).

Development standards within the ADP have been established to create a healthy and viable economic development and redevelopment area. The administration, enforcement, and amendment of these standards shall be consistent with the ADP. Amendments to these standards should only be considered when a proposed development plan is providing a higher standard than that reflected in the ADP.

- B. Applicability. These development standards are applicable to all property identified on the map labeled "Planning Subareas for Design Standards" on page 4, as now or hereafter established. Development standards shall be applicable to multi-family and commercial (nonresidential) construction, reconstruction, alteration, and expansion. No land, building, structure, or premises shall be used for any purpose or in any manner other than that which is permitted under the approved uses established for each development as a part of their respective preliminary development plan.
- C. Conflict. These development standards are additive; more than one set of standards may apply to a particular development project. The more restrictive provision, as determined by the Director of Planning and Special Projects (Director), shall control in cases where standards conflict.
- D. Alternative equivalent compliance.
 - 1. Purpose and scope. To encourage creative and unique design, "alternative equivalent compliance" allows development to occur in a manner that meets the intent of these standards yet through an alternative design that does not strictly adhere to these standards. This is not a general waiver of regulations. Rather, this section authorizes a site-specific plan that is equal to or better than the strict application of these adopted standards while still meeting the goals and policies established herein.
 - 2. Decision-making responsibility. Final approval of any alternative compliance proposed under this section shall be the responsibility of the decision-making body responsible for deciding upon the application. Administratively approved projects proposing alternative compliance shall receive written approval of the alternative compliance from the Director.
 - 3. Criteria. Alternative equivalent compliance may be approved if the applicant demonstrates that the following criteria have been met by the proposed alternative:
 - a. Achieves the intent of the subject standard to the same or better degree than the subject standard;
 - b. Advances the goals and policies of the ADP to the same or better degree than the subject standard;
 - c. Results in benefits to the community that are equivalent to or exceed benefits associated with the subject standard; and
 - d. Imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this article.
 - 4. Effect of approval. Alternative compliance shall apply only to the specific site for which it is requested and shall not establish a precedent for approval of other requests.

Sec. 5.640. - Development standards.

- A. Sensitive lands and natural resources. The provisions of the stream preservation standards in the City's Design and Construction Manual shall be applicable to development in the ADP.
- B. Pedestrian and bicycle connectivity and mobility.
 - 1. Purpose. The purpose of this section is to:
 - a. Support the creation of a highly connected transportation system within Lee's Summit in order to provide choices for drivers, bicyclists, and pedestrians;



Sidewalks on Both Sides of Street

- b. Increase effectiveness of local service delivery; promote walking and bicycling; connect "development communities" to each other and to local destinations such as employment centers, parks, multi-family units and shopping centers;
 - c. Reduce vehicle miles traveled; improve air quality and reduce emergency response times;
 - d. Mitigate the traffic impacts of new development, and free up arterial capacity for long-distance travel needs; and
 - e. Avoid the creation of large, isolated tracts without routes for traffic, pedestrian and bicycle connections.
2. Sidewalks required. Sidewalks shall be installed on both sides of all streets pursuant to the standards of City's Design and Construction Manual. The Director may allow the use of alternative paving materials if a community improvement district or other long-term oversight board and funding mechanism is established to provide for ongoing maintenance.
 3. On-site pedestrian connections.
 - a. Development within the ADP shall provide a network of on-site pedestrian walkways with a minimum width of five feet to and between the following areas:



On-Site Pedestrian Connections

- (1) Entrances to each building on the site, including pad site buildings;
- (2) Public sidewalks, walkways, or trails on adjacent properties that extend to the boundaries shared with the subject development;

- (3) Public sidewalks along the perimeter streets adjacent to the development;
 - (4) Adjacent land uses and developments;
 - (5) Adjacent public park, greenway, or other public or civic use; and
 - (6) Adjacent public transit station areas, transit stops, park and ride facilities, or other transit facilities.
- b. On-site pedestrian connections shall be constructed of materials distinguishable from the driving surface such as:



Decorative Materials for Pedestrian Crossings

- (1) Changing paving color;
- (2) Painted crosswalks; or
- (3) Stamped concrete.

Additional identification methods may be used provided an improvement district or other funding mechanism is provided for long-term maintenance.

- c. Pedestrian circulation routes along storefronts shall be emphasized with special design features that establish them as areas where pedestrians are physically separated from the flow of vehicular traffic and/or are protected from the elements. Techniques shall include one or more of the following:
- (1) Arcades, porticos, or other shade structures;
 - (2) Pedestrian light features;
 - (3) Bollards;
 - (4) Seat walls or benches;
 - (5) Drinking water fountains; and
 - (6) Landscape planters.

- d. The placement of street furniture and other decorative or functional items on the sidewalk shall not narrow the sidewalk at any point to less than four feet wide.

4. Trail linkages.

- a. Trail linkages shall be incorporated into the design of all developments where practical. Trail linkages shall be located and designed to provide public access, connecting residential units and businesses to open space and the City's existing trail system where practical, and to promote pedestrian and bicycle movement between residential areas and employment/business areas.



Residential Trail Connection

- b. All development shall be required to demonstrate that the design of the proposed development includes trail linkages pursuant to Lee's Summit Greenway Master Plan, Metro Green, or other applicable plan.
 - c. Trails shall be constructed at the time of development in accordance with adopted City standards and specifications.
- C. Screening. The following screening standards shall apply in the ADP in addition to the requirements of UDO Article 8, Division III, Landscaping, Buffers, and Tree Protection.
- 1. Multi-family, mixed-use, and commercial screening. For all developments the following mechanical equipment screening standard shall apply to the maximum extent practicable.



Parapet Wall Screening Roof Mounted Equipment

- a. Roof-mounted mechanical equipment. Roof-mounted mechanical equipment shall be screened by a parapet wall or similar feature that is an integral part of the building's architectural design. The parapet wall or similar feature shall be of a height equal to or greater than the height of the mechanical equipment being screened.
- b. Wall-mounted mechanical equipment. Wall-mounted mechanical equipment, except air conditioning equipment (e.g., window AC units), that protrudes more than six inches from the outer building wall shall be screened from view by structural features that are compatible with the architecture and color of the subject building. Wall-mounted mechanical equipment that protrudes six inches or less from the outer building wall shall be designed to blend with the color and architectural design of the subject building.
- c. Ground-mounted mechanical equipment. Ground-mounted mechanical equipment shall be screened from view by landscaping or by a decorative wall that is compatible with the architecture and landscaping of the development site. The wall shall be of a height equal to or greater than the height of the mechanical equipment being screened.
- d. Utilities.
 - (1) Utility poles and supports shall be painted or be of materials neutral in color. Wooden poles shall be prohibited.
 - (2) All transformers and other facilities and equipment, including telecommunications equipment, shall either be screened through the use of architectural materials compatible with the architectural materials present on the site or, alternatively, through landscape screening.
 - (3) Such screening shall be adequate to completely screen such facilities from all rights-of-way.

2. Screening of service, loading, and storage areas.

- a. Applicability. These screening requirements are applicable to all service, loading, and storage areas. Owners are encouraged to locate the types of features listed in this subsection where they are not visible from off-site or from public areas of a site, so that screening is unnecessary.
- b. Placement.
 - (1) All service areas shall be placed at the rear, on the side of, or inside buildings.
 - (2) No service area shall be visible from a public right-of-way or from adjacent residential areas.
 - (3) Service areas and access drives shall be located so they do not interfere with the normal activities of building occupants or visitors on driveways, walkways, in parking areas or at entries.
- c. Outside storage areas and loading docks.
 - (1) All storage areas, service areas, and loading docks not screened by an intervening building shall be screened from view from any public street right-of-way. In addition, storage and loading areas must be screened from view from any adjoining property when that property requires a buffer as identified in UDO Table 8.890, Buffer/Screen Impact.



Loading Area Placement and Screening

- (2) An opaque screen consisting of one or a combination of the following shall be used:
 - (a) Freestanding walls, wing walls, or fences;
 - (b) Earthen berms in conjunction with trees and other landscaping; or
 - (c) Landscaping, that must be opaque and eight feet in height within 18 months of planting.
 - (3) Screening shall be a minimum height of eight feet to screen truck berths, loading docks, areas designated for permanent parking or storage of heavy vehicles and equipment or materials.
 - (4) Screening shall be long enough to screen the maximum size trailer that can be accommodated on site. Sites that can accommodate a full size tractor-trailer shall provide a 48-foot length wing wall, where wing walls are used.
- d. Shopping cart storage. All shopping carts shall be stored inside the building they serve. Shopping cart corrals shall be prohibited.
- e. Refuse facility screening. All refuse facilities, including new refuse facilities placed on an existing development, shall be large enough to accommodate a trash dumpster and shall be completely screened from view of public streets and adjoining nonindustrial used properties by:

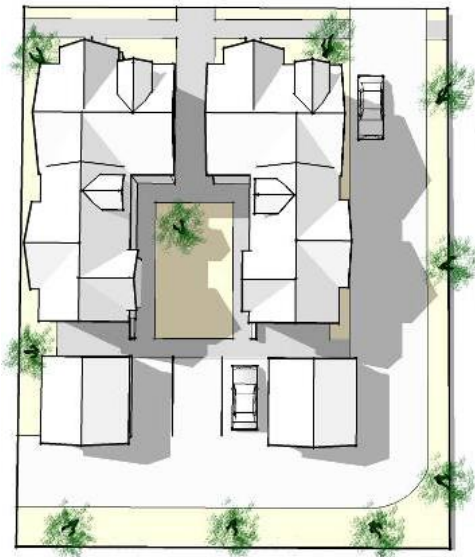


Refuse Facility Screening

- (1) Meeting the requirements of the other sections of this section; or
 - (2) Screening on three sides by a minimum six-foot masonry wall surrounded by evergreen landscaping. An opening shall be situated so that the container is not visible from adjacent properties or public streets and the opening shall be a metal clad opaque gate or an alternate approved metal framed gate with black high density mesh screen. Chain-link gates are not permitted. Gates must have tie backs to secure in the open position.
- f. Design of screening. All screening shall be complementary to the building served in landscaping approach and through the use of similar colors and material palette.

D. Multi-family residential development standards.

1. Purpose. The purpose of the multi-family residential development standards is to enhance the quality and character of the built environment in the City. More specifically, the purposes of this section are to:
 - a. Encourage high quality development as a strategy for investing in the ADP;
 - b. Emphasize the unique character anticipated for the ADP;
 - c. Maintain and enhance the quality of life for the City's citizens;
 - d. Shape the City's appearance, aesthetic quality, and spatial form;
 - e. Protect and enhance property values;
 - f. Provide property owners, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for developing land within the ADP;
 - g. Promote the sustainability of both the structure and the overall community; and
 - h. Promote the establishment of a gateway into the historic downtown.
2. Design standards. Design standards in this subsection apply to all new multi-family development.
 - a. Minimum building separation (for individual free standing buildings). Multi-family structures shall be separated pursuant to the standards of the Building Code.



Courtyard Orientation



Perimeter Street Orientation

- b. Building orientation.
 - (1) Individual buildings within a multi-family development shall be oriented to:
 - (a) Common open space, such as interior courtyards or on-site natural areas or features;
 - (b) Perimeter streets;
 - (c) Other residential buildings; or
 - (d) Through-access drives.
 - (2) To the maximum extent practicable, individual buildings shall be oriented or arranged in a manner to enclose common open spaces such as gardens, courtyards, recreation or play areas, that shall contain a minimum of three of these features:
 - (a) Seasonal planting areas,
 - (b) Trees,
 - (c) Pedestrian-scaled lighting,
 - (d) Gazebos or other decorative shelters,
 - (e) Seating,
 - (f) Play structures for children, or
 - (g) Natural features or areas, unless the City determines that for preservation reasons the buildings should avoid the feature or area.
- c. Entrance orientation.
 - (1) Primary entrances and façades shall not be oriented towards parking lots, garages, or carports.
 - (2) All individual multi-family buildings shall comply with at least two of the following requirements:
 - (a) At least one main building entry faces an adjacent public street;
 - (b) A building entrance faces a courtyard or common open space that has a direct and visible connection to an adjacent public street;
 - (c) A building entry is connected to a public sidewalk by a system of interior walkways; or

- (d) The pedestrian entries to the site from the public right-of-way are emphasized with enhanced landscaping, special paving, gateways, arbors, or similar features.
- (3) All ground-floor units with frontage along the primary street shall have an entrance that faces the street. Individual multi-family buildings located with multiple street frontages shall provide entrances to the building along each local street frontage.



Ground-Floor Unit Entrances

- (a) Exterior entrances from a public sidewalk or common open space are permitted for dwelling units on the ground floor.
- (b) Exterior entrances shall be raised from the finished ground-floor level of the sidewalk a minimum of two feet.
- (4) Dwelling units above the ground floor shall have interior unit entrances including fire stair towers.
- d. Private common space. Individual multi-family building developments shall provide private common open space for recreation, including uses such as swimming pools, sport courts, playgrounds with equipment, and/or community gardening. Required landscaping is excluded from open space calculations.



Four-Sided Design

- 3. Building design.
 - a. Four-sided design. All sides of a multi-family building shall display a similar level of quality and architectural detailing as on the front elevation.
 - b. Building mass and articulation.

- (1) The elevations of all multi-family buildings shall be articulated through the incorporation of at least three or more of the following:



Multi-Family Building Articulation

- (a) Balconies;
 - (b) Bay or box windows;
 - (c) Porches or covered entries;
 - (d) Dormers or other variations in the roof plane;
 - (e) Accent materials such as brick, stone, or stucco with banding highlights;
 - (f) Shutters;
 - (g) Variation in window sizes and shapes; or
 - (h) Vertical elements that demarcate building modules.
- (2) Multi-family buildings shall provide concentrated unit access points. Access balconies and corridors running the length of the exterior of a building are prohibited.
- c. Vertical articulation.
- (1) For all structures three stories or more in height, the base (first 20 feet) of a building shall be distinguished from the remainder of the building by providing a minimum of three of the design elements listed above in subsection b.(1).
 - (2) Multi-family buildings shall be designed to incorporate visually heavier and more massive elements at the building base, and lighter elements above the base. Upper stories shall not appear heavier or demonstrate greater mass than the lower stories of the building.
- d. Building length. The maximum length of any multifamily building shall be 180 feet without offsets to break up the building length.
- e. Transparency. At least 20 percent of all walls facing a public street shall contain windows or doorways.
- f. Design of multiple buildings.
- (1) Developments with multiple buildings shall incorporate a variety of distinct building designs according to the scale of the development.
 - (2) Distinct building designs shall include one or more of the following:
 - (a) A variation in length of 30 percent or more;
 - (b) A variation in the footprint of the building of 30 percent or more;

- (c) A distinct variation in color and use of materials; or
 - (d) A distinct variation in building height and roof form.
- g. Materials. All material shall be durable and long-lasting. The following materials are acceptable for multi-family residential construction:
- (1) Brick, concrete stucco, stone, stone facing, wood, glass in combination with metal, or similar, durable architectural materials as approved by the Planning Commission.
 - (2) Vinyl siding is prohibited and EIFS may only be utilized in a limited portion for detailed architectural elements above the second story.
4. Parking location and layout.



Multi-Family Parking Located Behind Primary Structure

- a. Location and layout.
 - (1) To the maximum extent feasible, garage entries, carports, parking areas, and parking structures shall be internalized in building groupings or oriented away from street frontage.
 - (2) Parking areas and freestanding parking structures (detached garages or carports) shall not occupy more than 30 percent of each perimeter public street frontage of a multi-family development.
 - (3) To the maximum extent practicable, freestanding parking structures that are visible from perimeter public streets shall be sited so that the narrow end of the parking structure is perpendicular to the perimeter street.
 - b. Carports and detached garages.
 - (1) Detached garages and carports shall incorporate compatible materials, scale, colors, architectural details, and roof slopes similar to those of the primary multi-family buildings.
 - (2) Rear walls of detached garages over 40 feet in length that back onto the perimeter street shall be articulated or punctuated through the use of window openings or other similar techniques.
- E. Mixed-use and commercial design standards.
- 1. Applicability. The design standards in this section apply to all mixed-use and commercial (nonresidential) structures.
 - 2. Site layout and building organization.
 - a. Private common spaces.



Private Common Space

- (1) Required private common spaces. Mixed-use, commercial, and office development shall incorporate at least one on-site indoor or outdoor common space per building. Common space shall be visible and accessible and shall be located, where possible, along street frontages. Common spaces shall be connected, to the maximum extent practicable, to pedestrian areas, sidewalks, trails, or public open space in order to create functional pedestrian connectors.
- (2) Features and amenities. The following features may be used to satisfy the private common space standard:
 - (a) Patio or plaza with seating and landscaping;
 - (b) Landscaped mini-parks or square;
 - (c) Rooftop or community garden; or
 - (d) Similar features as approved by the Director.
- (3) Design. Private common spaces shall be constructed of materials that are of a comparable quality and be of a compatible design as the building they are attached to or the public space in which they are placed.

b. Building orientation.



Buildings Arranged to Create Pedestrian-Friendly Spaces

- (1) Individual buildings. In cases where the long axis of a building is perpendicular to the primary street, the portion of the structure facing the primary street shall be configured

with at least one operable entrance and one or more transparent windows as approved by the Director.

(2) Multi-building developments.

(a) Buildings shall be organized to promote a compact pattern of development, pedestrian-friendly spaces, streetscapes, areas of naturalized landscaping, and to screen parking areas.

(b) Buildings shall be arranged and grouped so that their primary orientation complements one another and adjacent, existing development by:

- 1) Framing the corner of an adjacent street intersection or entry point to the development;
- 2) Framing and enclosing a pedestrian and/or vehicle road or access corridor within or adjacent to the development site;
- 3) Framing and enclosing on at least three sides parking areas, public spaces, or other site amenities;
- 4) Framing and/or enclosing outdoor dining or gathering spaces for pedestrians between buildings; or
- 5) Framing one or more areas of natural vegetation.

(3) Entrance orientation.

(a) To the maximum extent feasible, the principal building entrance shall face:

- 1) An adjacent public street;
- 2) An adjacent public plaza; or
- 3) An adjacent primary public walkway.

(b) In cases where the principal entrance does not face the principal street, the entrance shall be connected to the street and adjacent parking areas with a sidewalk(s).

c. Outparcel development.



Site Layout of Outparcel Development

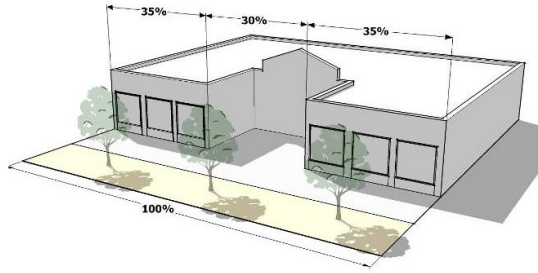
- (1) To the maximum extent practicable, outparcels and their buildings shall be clustered in order to define street edges, entry points, and intimate spaces for gathering or seating between buildings. The even dispersal of outparcel sites in a widely-spaced pattern along streets is strongly discouraged.

- (2) Spaces between buildings on outparcels shall be improved to provide small-scale pedestrian amenities such as plazas, seating areas, pedestrian connections, gathering spaces, or well-landscaped parking areas.
3. Streetscape design and character. The following standards apply in lieu of the standard sidewalk requirements:
- a. Public sidewalks required. In order to create an environment that is supportive of transit and pedestrian mobility, public sidewalks shall be provided along both sides of all streets in the mixed-use districts. Such sidewalks shall be at least ten feet in width and should not be more than 16 feet in width, unless otherwise approved as part of the design review process. The ten-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the ten-foot minimum requirement, with a sidewalk easement provided.
 - b. Delineation of sidewalk area. Sidewalks shall be organized into two distinct areas: A street tree/furniture area located adjacent to the curb, and a clear area.
 - (1) Street tree/furniture area. The street tree/furniture area shall have a minimum width of six feet (from face-of-curb) and shall be continuous and located adjacent to the curb. The area shall be planted with street trees at an average spacing of 20 to 30 feet on center, based on the mature canopy width of the tree species selected and in accordance with Article 8, Division III. The area also is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements designed to city specifications and located in a manner that does not obstruct pedestrian access or motorist visibility, and subject to applicable requirements of this UDO.



Delineation of Sidewalk Area

- (2) Clear area. The clear area shall be a minimum width of six feet, shall be hardscaped, and shall be located adjacent to the street tree/furniture area. The clear area shall be unobstructed by any permanent or nonpermanent element for a minimum width of six feet and a minimum height of eight feet. Additional sidewalk width located between the clear area and the building may be used for outdoor dining or seating areas.



Building Set to Sidewalk Clear Area

- (3) Supplemental zone. A supplemental zone may be provided at the option of the applicant between the street-facing façade or a side-facing facade and the required clear area, to provide additional areas for outdoor dining, porches, terraces, landscape and water features, and plazas. A supplemental zone, if provided, may be a maximum of 20 feet deep and may extend up to 30 percent of the linear frontage of the development. The supplemental zone shall not provide any parking or vehicle circulation areas.
 - (4) Improvement district. An improvement district or other long-term oversight board and funding mechanism shall be established to provide for the maintenance of required streetscape.
- c. Building placement. At least 70 percent of the building facade facing a public street shall be brought up to the clear area.
 - d. Sidewalk entries.



Secondary Entry

- (1) Spacing. Sidewalk entries shall be provided to all buildings and individual units that front on the sidewalk.
- (2) Sidewalk entry hierarchy. Entrances into residential buildings in mixed-use areas are encouraged to follow a hierarchy of sizes and functions as follows:
 - (a) Carriage way: A centrally located twelve-foot wide entrance at sidewalk level for visual and direct access to a private courtyard.
 - (b) Secondary entry: A six-foot wide entrance with ornamental entrance gate and defined by a stoop with low cheek walls and planters at the sidewalk. Mailboxes,

bike racks, and trash receptacles should be grouped around these secondary entries.

- (c) **Other entries:** Home office and retail storefront entries which are either at grade or stooped shall be sized to accommodate specific requirements of the individual space.
 - e. **Utilities.** Transformers, switchgear, and related utility service equipment shall not be located above-ground in pedestrian access easements. Building service panels are to be located on the inside of all buildings.
 - f. **Paving.** Paving is intended to highlight or accentuate special areas along the ground plane while at the same time complementing the design of adjacent building and streetscape elements.
4. **Mix of uses.** A diverse range of commercial, office, residential, and civic uses is desired within the ADP, zoned Planned Mixed Use (PMIX). The appropriate mix of uses will vary by its location, size, and the surrounding development contexts. Generally, the ADP should be followed to create the appropriate mix of uses.



Active Street-Level Uses and Outdoor Gathering Spaces

- a. **Ground-floor uses.**
 - (1) **Intent.** The incorporation of commercial uses such as retail shops and restaurants at the street level is strongly desired within the mixed-use districts to promote a more active environment for pedestrians and support for residential and office uses located within the same building (on upper floors) or nearby.
 - (2) **Standards.**
 - (a) **Location.** Commercial uses shall be concentrated adjacent to transit stops, major public spaces, and in other areas where a high level of pedestrian activity and visibility is desirable. If a limited portion of a structure's ground level will be devoted to commercial space, such space shall be located along those facades adjacent to or most visible from transit corridors, primary street frontages, or major pedestrian walkways.
 - (b) **Design and use of commercial space.** Ground-floor commercial spaces should not be used for residential units. However, residential unit leasing offices, fitness centers, and related accessory uses are appropriate for commercial ground floor use in a mixed use developments.
- b. **Residential uses.** Residential uses, where included, shall be incorporated within a mixed-use development to be visually and/or physically integrated with commercial

(nonresidential) uses. This shall be achieved by ensuring that residential uses meet at least one of the following:

- (1) Residential uses are vertically located above street-level commercial uses;
- (2) Residential uses are horizontally integrated into site development to provide a transition between the highest intensity uses within the center or development and the adjacent neighborhood; and
- (3) A pedestrian circulation system (i.e., sidewalks, crosswalks, trails, etc.) is provided that reduces conflict between pedestrian and vehicular movements and increases pedestrian activity between residential and nonresidential uses.

5. Parking standards for mixed-use districts. The purpose of parking area requirements is to ensure that the parking areas themselves are not the dominant feature of the mixed-use development. These requirements severely restrict on-site surface parking (other than incidental parking in association with residential development leasing offices, or head-in or parallel spaces to support retail uses) and encourage physical consistency throughout the development, including the appearance of parking garages. In all mixed-use districts, the following standards apply:

a. Allowable parking. On-street parking shall not be designated per individual business or occupancy but may count toward the minimum parking requirements for the entire structure along the adjacent frontage. Parallel parking, head-in parking along streets, and/or minimal surface parking is permitted subject to approval through the site plan or development plan process and approval of a maintenance agreement.

b. Bicycle parking design and location.

(1) Bicycle parking facilities shall include a rack or storage facility (e.g., locker) that enables bicycles to be secured. Where racks are used, they shall meet the following standards:

- (a) The bicycle frame and one wheel can be locked to the rack with a high-security, U-shaped shackle lock if both wheels are left on the bicycle;
- (b) A bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components; and
- (c) The rack must be securely anchored.

(2) Bicycle racks and storage facilities shall be accessible without moving another bicycle.

(3) Bicycle racks and storage facilities shall be located in convenient, visible, well-lit areas with easy access and near main entrances of all commercial, residential, and institutional buildings. Such locations shall be clearly noted with signage.

(4) The racks and storage facilities shall be located so they do not interfere with pedestrian traffic and shall be protected from potential damage by motor vehicles.

(5) Bicycle parking shall not be within any required landscape area nor interfere with any pedestrian pathway.

c. Parking lot screening. In all mixed-use districts, all surface parking lots adjacent to a public street shall be screened using one of the following methods below:

(1) An informal hedge at least three feet in height at maturity consisting of a double row of shrubs planted three feet on-center in a triangular pattern; or

(2) Berming of the grade to at least two and one-half feet in height above the finish grade of the parking lot, and with slopes no greater than 2:1. Slopes shall be covered with shrubs spaced a maximum of three feet on center. Trees and flowering plants may be

included in the berm plantings where the Director finds that long-term maintenance will be provided.

- d. Parking structure design. The off-street parking required by mixed-use and non-residential development may be located in a parking structure. Such structure shall be subject to the following standards:

(1) Design.

(a) Parking structures shall be constructed of materials of similar quality and shall be compatible in appearance with adjacent buildings and shall contain lighting sufficient for security as approved by the City.

(b) Ground floor facades of parking structures not occupied by active public uses shall be articulated through the use of three or more of the following architectural features.

- 1) Windows or window-shaped openings with decorative mesh or similar features as approved by the Director;
- 2) Masonry columns;
- 3) Decorative wall insets or projections;
- 4) Awnings;
- 5) Changes in color or texture of materials;
- 6) Approved public art;
- 7) Integrated landscape planters; or
- 8) Other similar features approved by the Director.

(2) Entry design. Vehicle entries to off-street parking structures shall be integrated into the placement and design of adjacent buildings or oriented away from the primary street frontage. At a minimum, parking structures shall have user vehicles access from a location that minimizes conflicts with pedestrian circulation.

(3) Wrapping of parking structure. Where feasible, the ground floor of parking structures in mixed-use or non-residential districts shall be wrapped with active public uses along at least 60 percent of the ground-floor street frontage. Parking structures with ground floors that are not wrapped with active public uses on the sides facing a public street or open to public view shall not:



Parking Structure

- (a) Abut street intersections or public/civic use areas,

- (b) Be adjacent to public squares, or
- (c) Occupy sites that are the terminus of a street vista.

6. Building design.



Franchise Design Consistent With Surrounding Structures

a. Four-sided design.

- (1) All sides of a building shall be architecturally finished with equal levels of materials and detailing. Blank walls void of architectural details or other variation are prohibited.
- (2) Exceptions from the above standard may be granted for those areas of the building envelope that the applicant can demonstrate are not visible from adjacent development and public spaces.
- (3) Corporate or franchise architecture is discouraged in favor of architecturally compatible designs. The Director may require photographic examples of the more minimized corporate architecture in the designs and completed structure by the same company in other communities.

b. Consistent architectural theme.

- (1) The architectural design within a multi-building development of structures (including freestanding outparcel structures) shall be organized around a consistent architectural theme in terms of the character, materials, texture, color, and scale of buildings. Themed restaurants, retail chains, and other franchise-style structures shall adjust their standard architectural model to be consistent with a development's architectural character.
- (2) All buildings in a single development, whether developed at a single time or in phases, shall share at least four architectural features in order to create continuity within the overall development. These features include, but are not limited to, the following:
 - (a) Overhangs,
 - (b) Canopies or porticos,
 - (c) Recesses/projections,
 - (d) Arcades,
 - (e) Raised corniced parapets over the entrance,
 - (f) Peaked roof forms,
 - (g) Arches,

- (h) Outdoor patios,
 - (i) Tower elements (at strategic locations),
 - (j) Display windows,
 - (k) Integral planters that incorporate landscaped areas or seating areas, and
 - (l) Public art/sculptures.
- c. Building materials and colors.
- (1) Permitted materials. Building materials shall consist of brick, stone, precast masonry, and stucco. Pre-authorized use of limited amounts of conditional materials may be approved including architectural metal, CMU's and exterior insulated finishing systems (EIFS).
 - (2) Mix of materials.
 - (a) No single building material shall cover more than 80 percent of the front building façade. Windows and doors shall not be counted as additional building materials.
 - (b) Structures 20,000 square feet or less shall require a minimum of two distinct building materials on all facades to provide architectural detail and interest.
 - (c) Structures over 20,000 square feet shall require a minimum of three distinct building materials on all facades to provide architectural detail and interest.
 - (3) Prohibited Materials. The following materials are prohibited as primary cladding or roofing materials:
 - (a) Aluminum siding or cladding,
 - (b) Plastic or vinyl siding,
 - (c) Exposed aggregate, and
 - (d) Wood shingles.
 - (4) Façade colors.
 - (a) Colors of paint, stains, and other finishes or materials shall complement each other.



Mix of Building Materials

- (b) Generally, no more than four colors per building are permitted.
- (c) Fluorescent colors are prohibited.
- (d) Primary colors are prohibited.
- (e) The use of stark white is discouraged.

- (5) Transparency and glazing.
 - (a) At least 25 percent of all walls facing a public street shall contain windows or doorways.
 - (b) Glazing shall be effectively clear, and shall not exceed 40 percent reflectance. Divided-light windows are encouraged. Materials that create noticeable glare or which restrict the ability of the public to view the inside of a structure from the outside are generally prohibited but may be allowed in limited locations in structures intended for financial or other uses with documentable safety concerns.
 - (c) Energy conserving window films and coatings are permissible within these standards.
- d. Gateways. Buildings located at entrances to a development demarcate a gateway that will create an overall identity, set the tone for the development, and mark arrival or entry.
 - (1) At major entry points of a development with three or more buildings, buildings shall be organized along the street and at the intersection to create a gateway.
 - (2) Architectural features shall be incorporated into the facades of buildings at major entry points to help emphasize arrival or entry points into the development. These features may include, but are not limited to:
 - (a) Eaves,
 - (b) Planters,
 - (c) Mounted signs,
 - (d) Pilasters,
 - (e) Tower elements,
 - (f) Water features, or
 - (g) Arcades.

7. Building massing and form.

- a. Vertical articulation. Buildings greater than two stories or taller than 30 feet shall be designed to reduce apparent mass by including a clearly identifiable base, body, and top, with horizontal elements separating these components. The component described as the body must constitute a minimum of 50 percent of the total building height.



Vertical Articulation

- b. Horizontal articulation. Buildings shall be designed to reduce apparent mass by dividing facades into a series of smaller components. No individual component shall have a length of more than 60 feet. Components shall be distinguished from one another through two or more of the following:
- (1) Variations in roof form and parapet heights;
 - (2) Pronounced recesses and projections;
 - (3) Distinct changes in texture and color of wall surfaces;
 - (4) Ground level arcades and second floor galleries/balconies;
 - (5) Protected and recessed entries; and
 - (6) Vertical accents or focal points.
- c. Relationship to surrounding development. New developments that are significantly larger than adjacent existing development in terms of their height and/or mass shall provide a development transition using an appropriate combination of the following techniques:



Appropriate Transition in Building Height and Mass

- (1) Wrapping the ground floor with a building element or integrated architectural feature (e.g., pedestrian arcade) that is the same height as the adjacent structure;
 - (2) Graduating building height and mass in the form of building step-backs or other techniques so that new structures have a comparable scale with existing structures; or
 - (3) Orienting porches, balconies, and other outdoor living spaces away from the shared property line to protect the privacy of adjacent residents where applicable.
- d. Entrances and pedestrian areas.
- (1) Primary entries and pedestrian frontages shall be clearly visible from the street and accentuated from the overall building façade by:



Entrance Design and Pedestrian Areas

- (a) Differentiated roof, awning, or portico;
 - (b) Covered walkways or arcades;
 - (c) Projecting or recessed entries from the surrounding building facade;
 - (d) Detailed doors and doorways with transoms, sidelights, trim details, and/or framing; and
 - (e) Windows within doorways equivalent in size to 50 percent of door surface area.
- (2) Secondary entrances shall have minor architectural detailing that adds visual interest to that portion of the façade.
- e. Roofs.

- (1) Roofline articulation. Variations in roof lines shall be used to add interest and reduce the scale of large buildings. Roof features shall complement the character of the overall development.
 - (2) Flat roofs. Flat roofs shall include parapets that adhere to articulation requirements for the main face of the structure. The average height of the parapet shall not exceed 15 percent of the height of the supporting wall, unless rooftop equipment cannot be sufficiently screened. A three-dimensional cornice treatment is encouraged for parapets. Parapets shall look complete from all sides if visible at any distance from the ground.
 - (3) Overhanging eaves. Overhanging eaves shall extend no less than three feet past the supporting walls.
 - (4) Roof pitch. Pitched roofs shall have a pitch consistent with the majority of buildings within 1,000 feet. This requirement excludes roofs for entries and dormers.
 - (5) Architectural elements. Architectural elements that add visual interest to the roof, such as dormers and masonry chimneys, are encouraged.
 - (6) Roof materials.
 - (a) Asphalt shingles, industry-approved synthetic shingles, standing seam metal or tile roofs are allowed.
 - (b) Wood shingles are prohibited. Corrugated metal, tar paper, and brightly-colored asphalt shingles may be permitted by the Director where they will not be visible from a roadway, public park, or residential district or use.
- f. Awnings, canopies, arcades, and overhangs. Structural awnings are encouraged at the ground level to enhance the articulation of the building and provide shade.
- (1) The material of awnings and canopies shall complement the building.
 - (2) Awnings shall not be internally illuminated.
 - (3) Canopies shall not exceed 40 linear feet without a break.
 - (4) Awnings shall not extend more than five feet over the sidewalk, unless otherwise approved by the Director, up to a maximum of 10 feet, and are in keeping with the architectural style of the building.
 - (5) Canopies shall respect the placement of street trees and lighting and shall not interfere with them.
 - (6) All large canopies that require structural columns for support shall have a minimum six-foot masonry (or other approved material) finish measured from the finished grade. Materials used on columns and canopies shall be complementary to the building.
8. Compatibility standards.
- a. Applicability. The compatibility standards in this subsection only apply when nonresidential or mixed-use development is proposed adjacent to lots used by or zoned for detached or attached single-family structures in a residential district outside of the ADP.
 - b. Use limitations. Where these compatibility standards apply, the following uses or features shall be prohibited as principal or accessory uses:
 - (1) Public address/loudspeaker systems;
 - (2) Outdoor storage; and
 - (3) Uses providing delivery services via large tractor trailers (not including package delivery services).
 - c. Off-street parking location.

- (1) Off-street parking shall be established in one or more of the locations listed below. The locations are listed in priority order; the applicant shall select the highest feasible location from this list, and shall demonstrate why that application was selected over other alternative locations.
 - (a) Adjacent to off-street parking lots serving nonresidential uses on abutting lots;
 - (b) Adjacent to lot lines abutting nonresidential development;
 - (c) Adjacent to lot lines abutting mixed-use development;
 - (d) Behind the building;
 - (e) In front of the building; or
 - (f) Adjacent to lot lines abutting residential uses.
 - (2) In cases where an off-street parking lot serving a nonresidential use is located on an abutting lot, connection between the two parking areas via a cross-accessway with a minimum width of 12 feet and a maximum width of 24 feet is strongly encouraged. A cross-access easement shall be recorded.
- d. Relationship to surrounding uses.
- (1) Multi-building developments shall be configured to locate the tallest and largest structures within the core of the site and provide a gradual decrease in building height and mass towards adjacent residential land use.



Gradual Decrease in Building Height and Mass Towards Adjacent Residential Uses

- (2) Horizontally integrated mixed-use developments shall locate nonresidential uses away from lots in adjacent residential areas.
 - (3) Medium to high density housing shall be incorporated to the maximum extent feasible both within and around the development to facilitate connections between residential and non-residential uses.
- e. Façade configuration.
- (1) Service functions like refuse collection, incidental storage, and similar functions shall be integrated into the architecture of the building unless an alternate location places these functions farther from adjacent residential uses.
 - (2) Windows shall be arranged to avoid direct lines-of-sight into abutting residential uses.

- (3) Multi-story structures with balconies, patios, or other public gathering spaces more than 24 feet above grade shall orient these features to avoid direct views into lots in low- and medium-density residential districts.

f. Landscaping/screening.

- (1) Screening shall not interfere with public sidewalks, vehicular cross-accessways, or improved pedestrian connections.
- (2) Any parking designated for trucks, recreational vehicles and other large vehicles shall be placed in a location which is not adjacent to either any street or to any residentially zoned property.

g. Operation.

- (1) Nonresidential uses with outdoor components (e.g., outdoor dining, performance venues) located adjacent to lots in a residential district shall curtail outdoor activities by 10:00 p.m.
- (2) Loading or unloading activities shall take place only between the hours of 7:00 a.m. and 11:00 p.m.
- (3) Alternate hours of activities may be approved through the conditional use permit process.

9. Green design. To the maximum extent practicable, new buildings are encouraged to incorporate one or more of the following features:



Commercial Building With Solar Panels

- a. Opportunities for the integration of renewable energy features in the design of buildings or sites, such as: Solar, wind, geothermal, biomass, or low-impact hydro sources;
- b. Energy-efficient materials, including recycled materials that meet the requirements of this Code;
- c. Materials that are produced from renewable resources;
- d. A green roof, such as a vegetated roof, or a cool roof;
- e. Materials and design meeting the U.S. Green Building Council's LEED-NC certification requirements; or
- f. A greywater recycling system.

Sec. 5.650. - Area development plan (ADP) permitted uses.

- A. ADP permitted uses. The following uses are permitted throughout the ADP unless further modified in each "Specific Area" below or listed under "E. ADP Prohibited Uses":
1. CP-2 office and retail uses permitted by right (P) in Table 6-1 of the Unified Development Ordinance.
 2. Loft dwellings.
 3. Multi-family residential apartments, market rate, age restricted and senior.
 4. Drug store including drive-up window.
 5. Financial services, including drive-up window and drive-through facility, as a "C" use such as banks and credit unions.
 6. Bars and taverns as a "C" use.
 7. Hotel.
 8. Massage therapy as a "C" use.
 9. Restaurant, general as a "C" use.
 10. Civic or fraternal organization as a "C" use.
 11. Research, design, marketing and production needs of the general business community.
 12. Other uses specifically approved as part of a Preliminary Development Plan or further modified from the "Specific Area Uses" or "Prohibited Uses".
- Uses shown as "C" uses must comply with the conditions established in UDO Article 6, Division II unless further modified through the approval process.
- B. LS Gateway—Specific area uses.
1. Rooftop restaurants.
 2. Medical clinic.
 3. Fitness center.
- C. LS mixed use—Specific area uses.
1. Restaurants/coffee shops including drive-through.
 2. Indoor fitness/recreation center.
 3. Convenience store (C-Store).
 4. Business and vocational schools.
 5. Churches.
- D. LS arts and entertainment center—Specific area uses.
1. Rooftop restaurants.
 2. Restaurants/coffee shops located within a larger building.
 3. Artist studio, video production labs.
 4. Performing arts.
 5. Hospital, medical clinic prohibited.
 6. Restaurant—Drive-up and drive-thru services prohibited.
- E. ADP prohibited uses.
1. Automotive/truck related uses.
 2. Retail—Big box in excess of 80,000 square feet on one level.

3. Call centers.
4. Industrial uses.
5. Outdoor storage.
6. Indoor storage facility.
7. Office warehouse.
8. Pet and animal hospitals.
9. Adult business, entertainment, personal services, bookstores, novelties and similar uses.
10. Title loan, check cashing and unsecured loan businesses.
11. Appliance repair unless accessory to the primary retail business, i.e., servicing what is being sold on the premises.
12. Construction material sales and service.
13. Car wash indoor or outdoor or automated.
14. Equipment rental/lease.
15. Building or ground maintenance.
16. Bus terminal.
17. Day care except as an accessory use located within a larger building complex for a permitted business use.
18. Exterminating service.
19. Martial arts studio except when associated with a fitness center.
20. Pet grooming/pet motel.
21. Plumbing and heating equipment dealers.
22. Radio and TV repair.
23. Repair services non-automotive.
24. Reupholstery or furniture repair.
25. Tattoo parlor, permanent cosmetic services, body piercing studio.
26. Used merchandise sales, including thrift stores, second hand sales, refurbished equipment etc.

Sec. 5.660 - Signage.

Refer to development plan sign package or UDO Article 9, Signs.

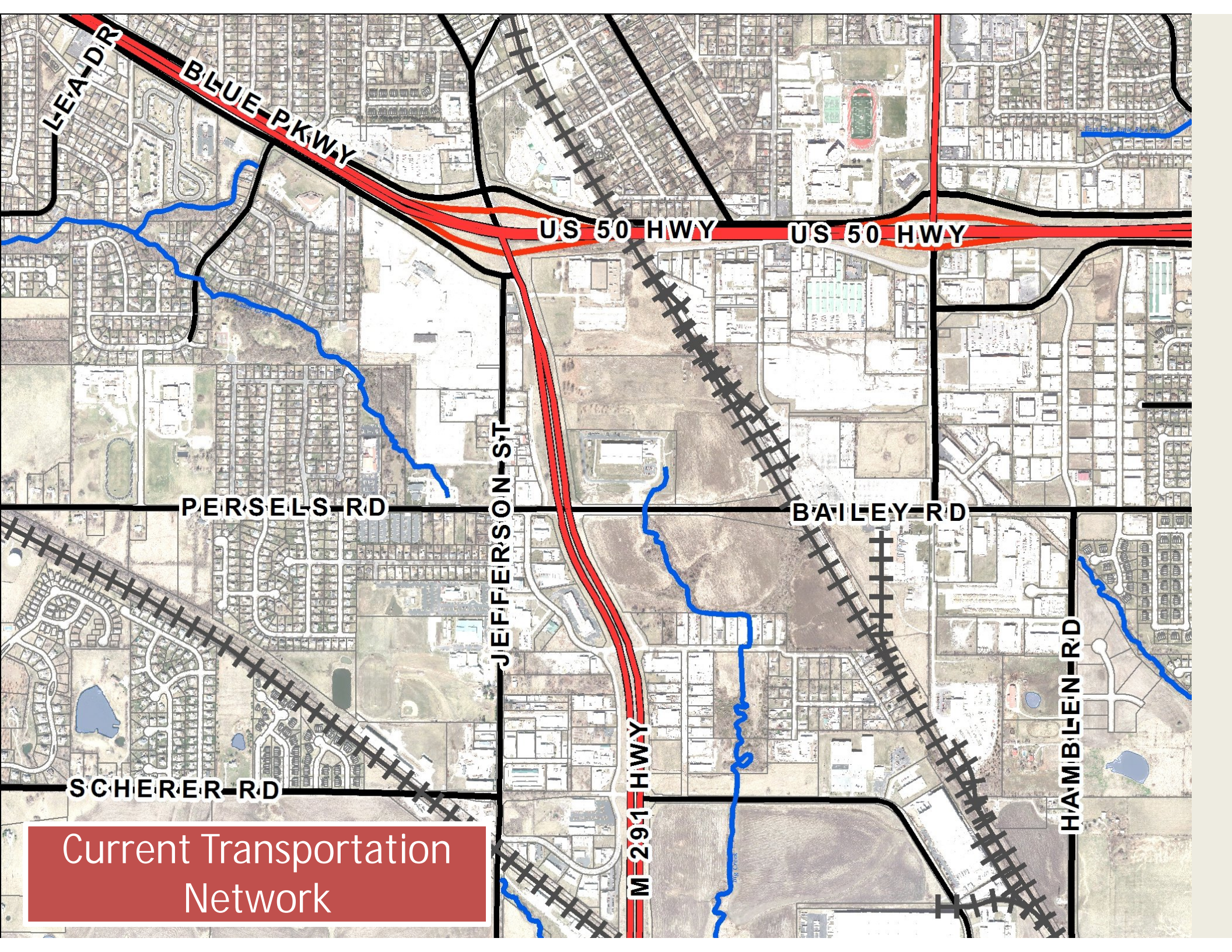
South M-291/US 50 Area Master Development Concept Plan



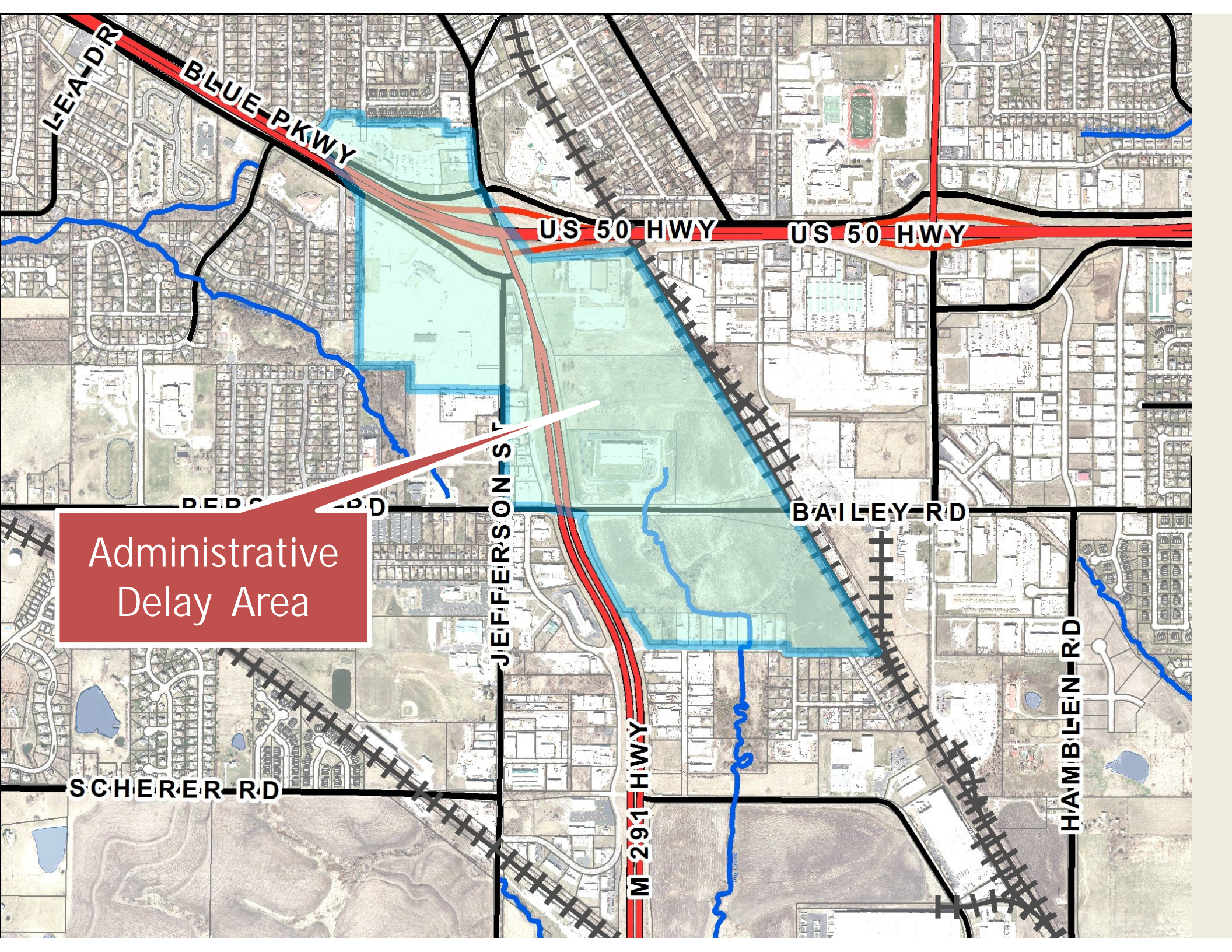
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Current Transportation Network



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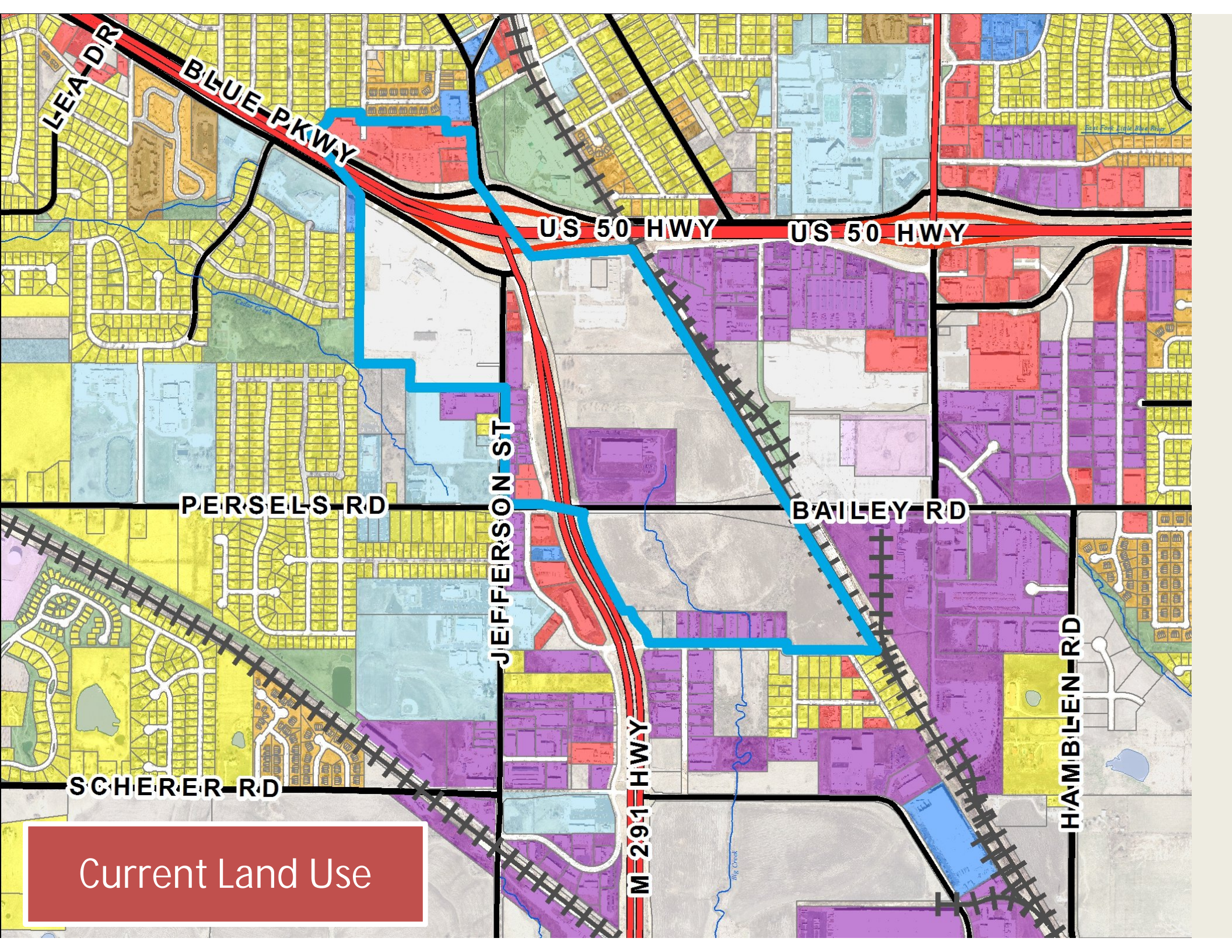
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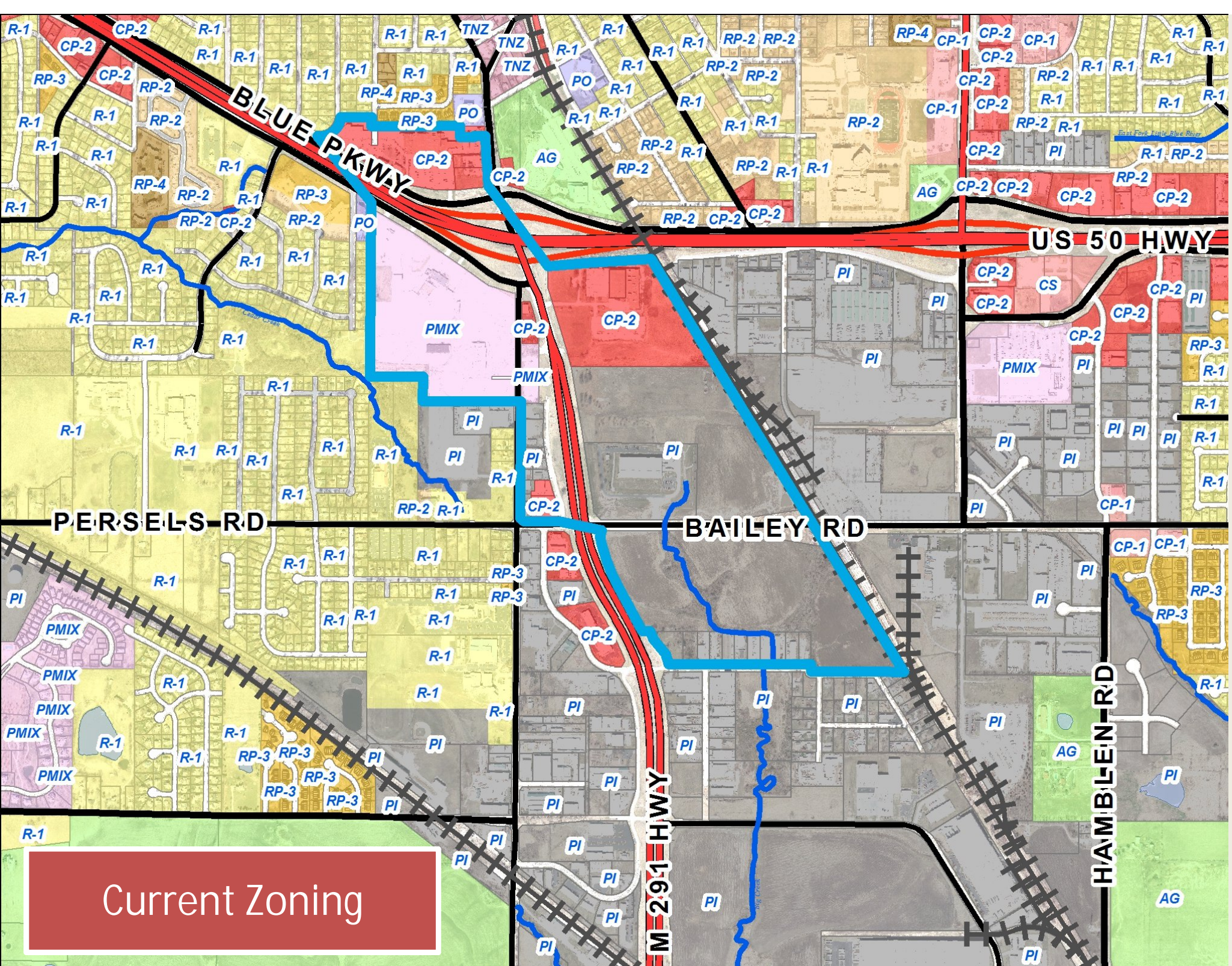
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M 291 HWY

HAMBLEN RD

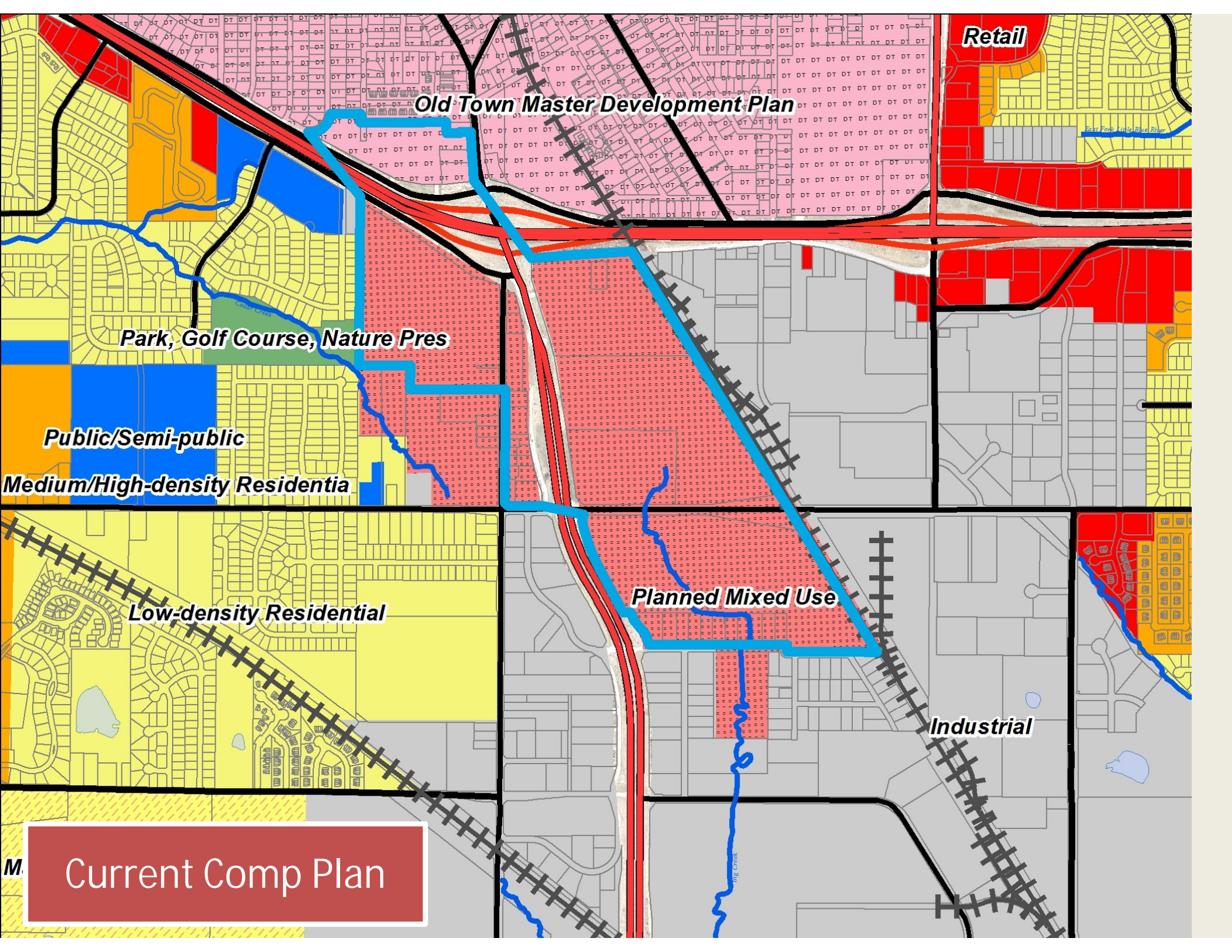


Current Land Use



Current Zoning

Old Town Master Development Plan



Retail

Park, Golf Course, Nature Pres

Public/Semi-public

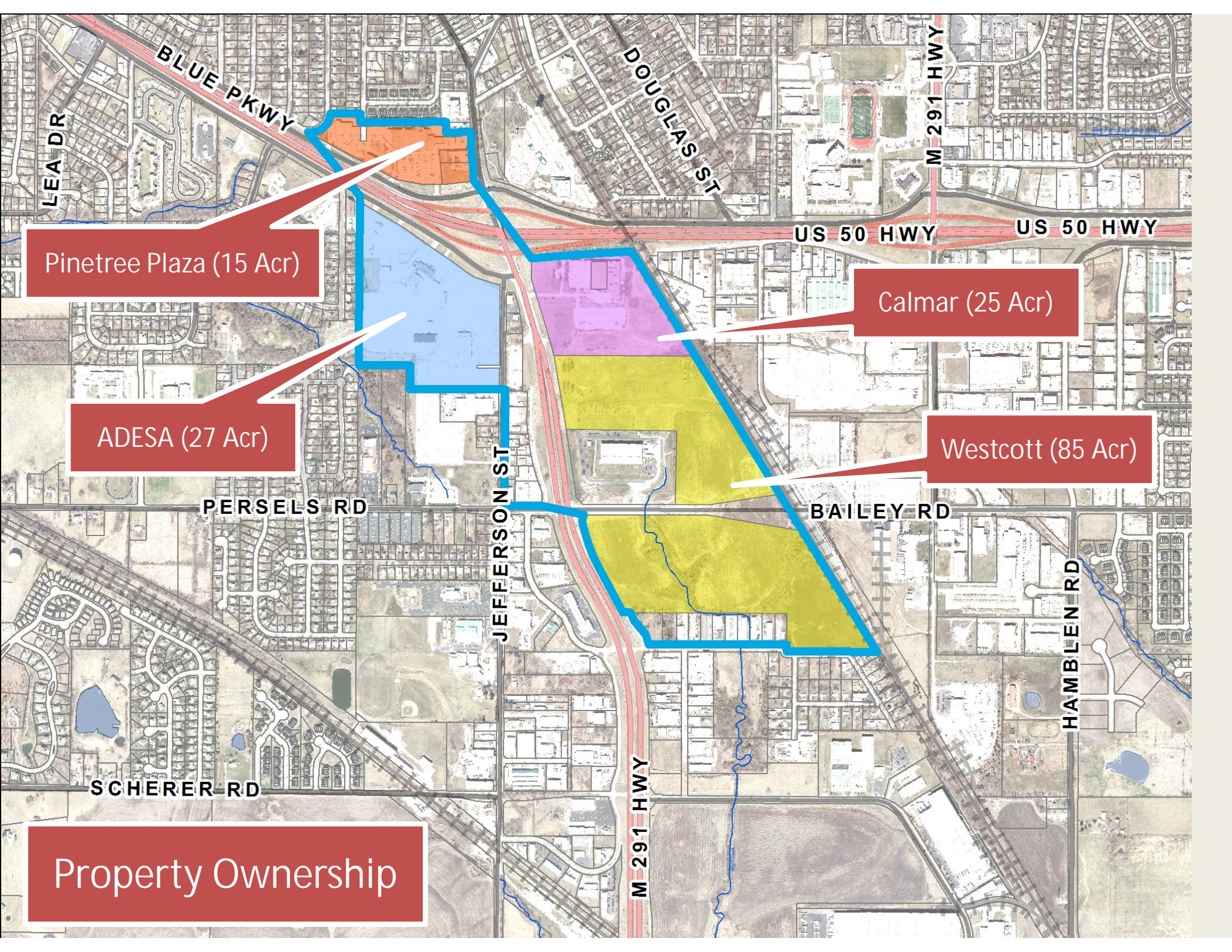
Medium/High-density Residential

Low-density Residential

Planned Mixed Use

Industrial

Current Comp Plan



Pinetree Plaza (15 Acr)

ADESA (27 Acr)

Calmar (25 Acr)

Westcott (85 Acr)

Property Ownership

Area Development Goals



LS

LEE'S SUMMIT
MISSOURI



Yours Truly

- Gateway to Downtown
- Destination point (attractive, friendly, and “sticky”)
- Building community rather than standalone uses
- Increased, concentrated and long-lasting human activities
- Sizable public spaces with attractions (i.e. where more activities occur)
- Place-making and human scale



LEE'S SUMMIT
MISSOURI



Yours Truly

- Mixed uses (for live, work, shop, and play) in one place
- Vertical mix of uses
- Residential tied in and integrated retail/office (not just standalone residential)
- Housing choices



LS

LEE'S SUMMIT
MISSOURI

Yours Truly

LS

- Prominent architecture and height for visual focus and interest from highways
- Buildings brought close to street
- 4-sided architecture and durable, attractive materials
- Themed look (landscaping, color, materials, etc.). One theme for retail area, one for industrial area, overall landscape plan, street trees planted at street construction



LEE'S SUMMIT
MISSOURI

Yours Truly



- Multi-modal, pedestrian/bicycle friendly environment
- Reduced surface/on-street parking
- Reduced speed of motorized vehicle movement
- Can be easily served by transit



LS

LEE'S SUMMIT
MISSOURI

Yours Truly

LS

- Avoid competition for the same businesses from Lee's Summit
- Sustainability elements application – solar, stormwater management combined with features for outdoor activities (not just for holding water), street trees
- Financially workable (financing structure and strategy) for the development of the area



LEE'S SUMMIT
MISSOURI

Yours Truly

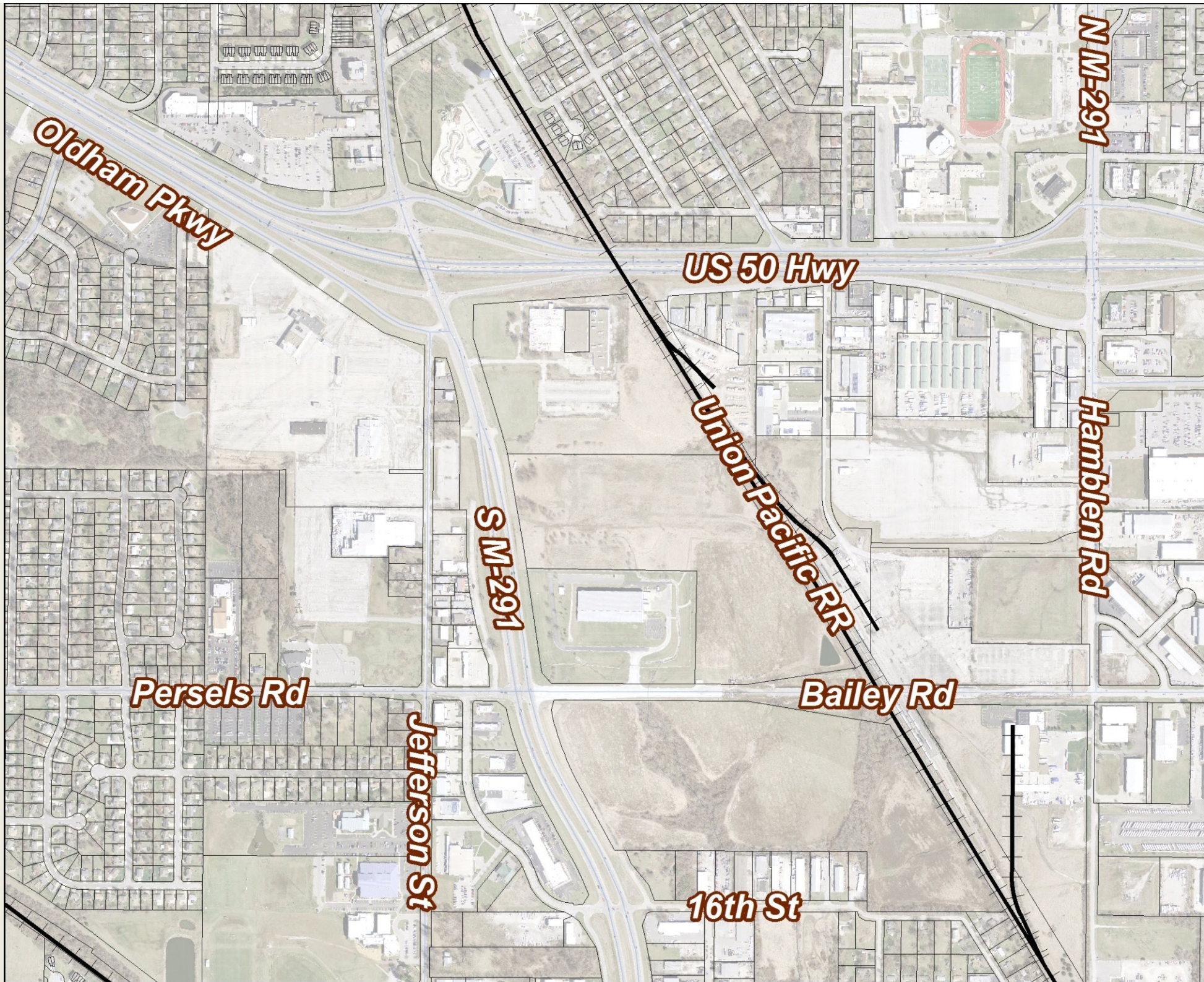


Master Development Concept



Yours Truly





Oldham Pkwy

N M-291

US 50 Hwy

Union-Pacific-RR

Hamblen Rd

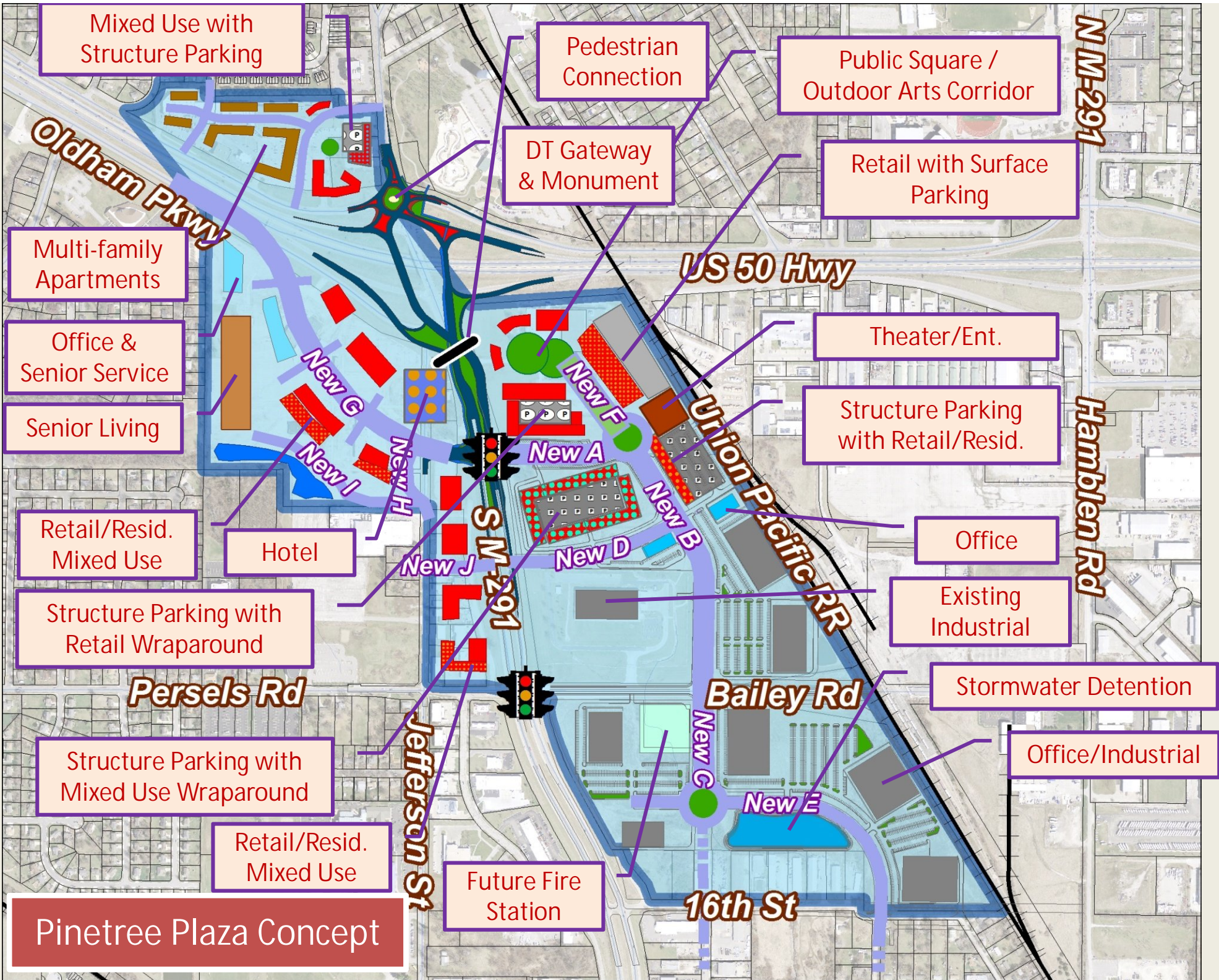
S M-291

Persels Rd

Bailey Rd

Jefferson St

16th St



Mixed Use with Structure Parking

Pedestrian Connection

Public Square / Outdoor Arts Corridor

Retail with Surface Parking

DT Gateway & Monument

Multi-family Apartments

US 50 Hwy

Theater/Ent.

Office & Senior Service

Structure Parking with Retail/Resid.

Senior Living

Retail/Resid. Mixed Use

Hotel

Office

Structure Parking with Retail Wraparound

Existing Industrial

Persels Rd

Stormwater Detention

Structure Parking with Mixed Use Wraparound

Retail/Resid. Mixed Use

Office/Industrial

Future Fire Station

16th St

Pinetree Plaza Concept

N M-291

Hamblen Rd

Jefferson St

Oldham Pkwy

New G
New I
New H
New J

New A
New D
New E

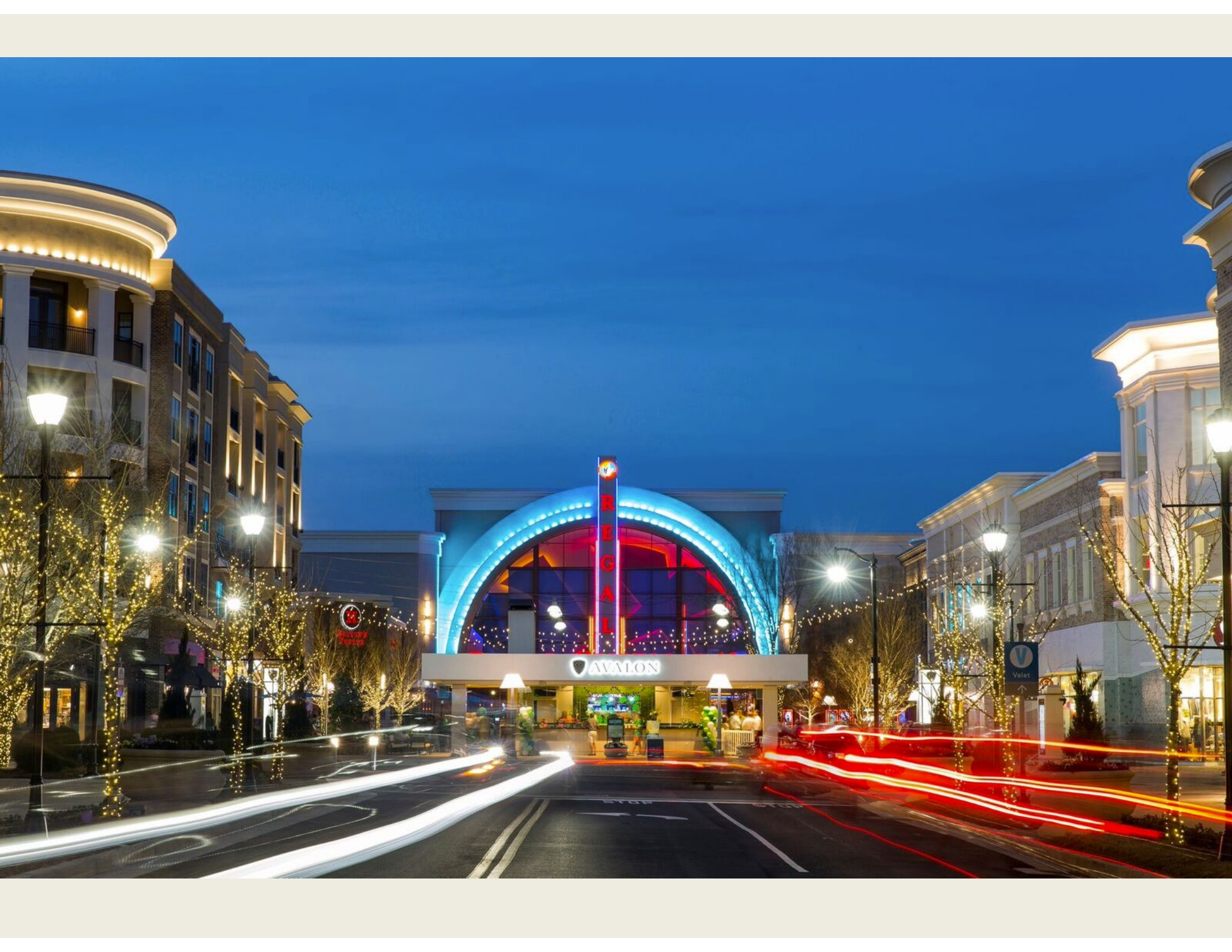
New F
New B

Bailey Rd

Union Pacific RR

An aerial view of a resort courtyard at dusk. In the center is a large, circular fountain with multiple jets of water, some of which are illuminated from below. To the right of the fountain stands a tall, slender Christmas tree covered in lights. The courtyard is surrounded by multi-story buildings with classical architectural features, including a prominent golden dome on the left. An American flag flies on a tall pole in the background. People are seen walking on the paved paths around the fountain. The sky is a mix of blue and orange, suggesting sunset or sunrise.

visualize





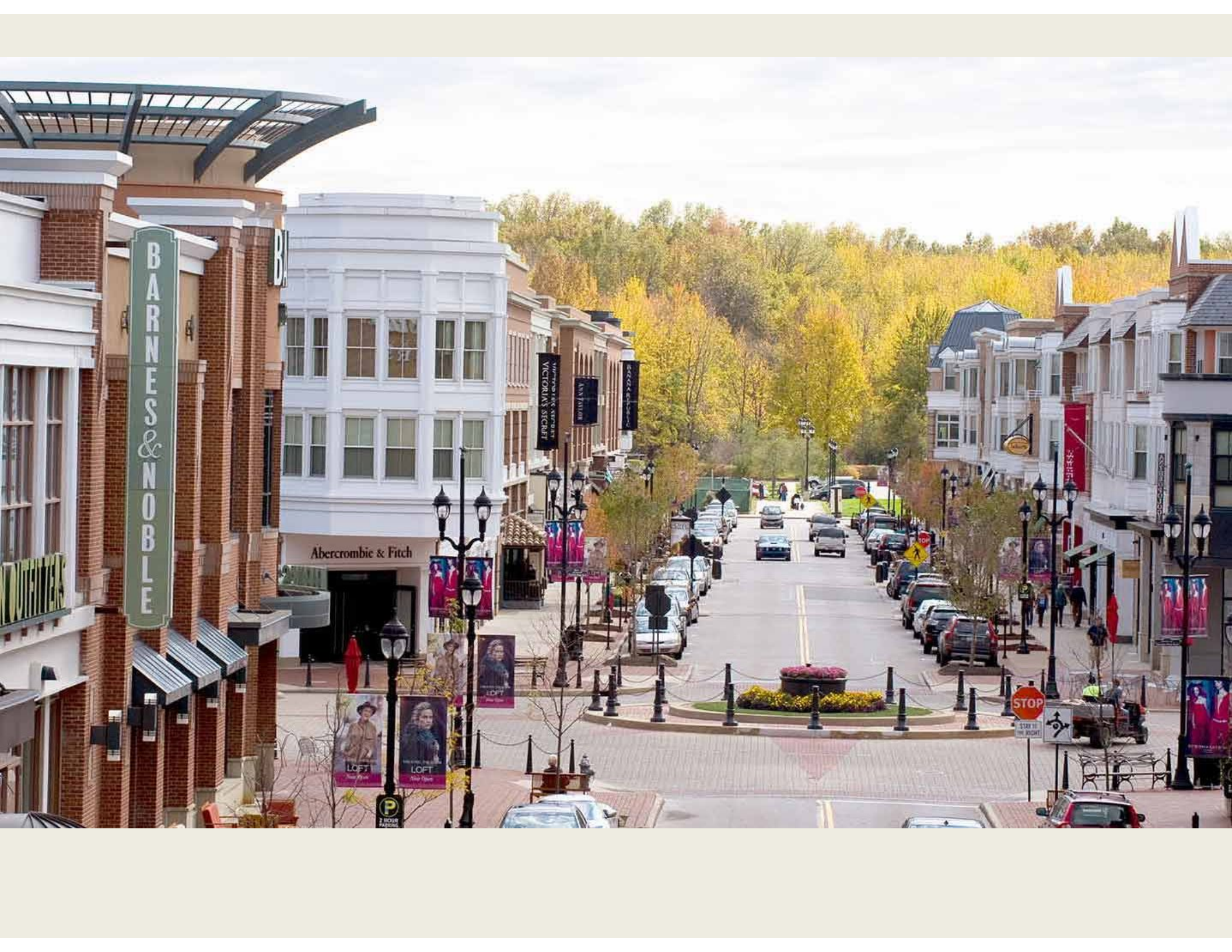












BARNES & NOBLE

Abercrombie & Fitch

WITCHAM AND SEBERT
VICTORIAN'S SECRET

ANN TAYLOR

BRANDS

五平子

LOFT
New York

LOFT
New York

LOFT
New York

STOP

YIELD TO THE RIGHT

P
2 HOUR PARKING



AMERICAN BAR

PLATS D'APPERTIS
CLASSIQUE
BISSES PRESSON
VIN REGIONAL

HOSTING AN
EVENT?
-make it
french!
MULTIPLE ROOMS & OFFICE
PRIVATE DINING GREAT FOR
CORPORATE & WEDDINGS
MEET AND GREET TRIM
AFTER PARTY
Event spaces of 1000 &
capacity
-> For more event contact
JEANNE WILSON@AMERICANBAR.COM
953-866-4124

EST. VOUS PLAIT
PLEASE SEE
MAITRE D'
FOR TERRACE SEATING
MERCII



Table with people seated at it.

Discussion



LEE'S SUMMIT
MISSOURI



Yours Truly

BILL NO.

ORDINANCE NO.

AN ORDINANCE APPROVING APPLICATION #PL2019-134, A UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT, ARTICLE 5 OVERLAY DISTRICTS – DIVISION VIII ENVISION LS AREA DEVELOPMENT PLAN (ADP) DESIGN STANDARDS; CITY OF LEE'S SUMMIT APPLICANT.

WHEREAS, the Unified Development Ordinance (UDO) was originally adopted by the City Council as Ordinance No. 5209 on September 6, 2001, which has been amended numerous times and recodified in its entirety by the adoption of Ordinance No. 8443 and is incorporated into the City's Code of Ordinances through Section 33-1 of the Code; and,

WHEREAS, an application #PL2019-134, a Unified Development Ordinance (UDO) Amendment, Article 5 Overlay Districts – Division VIII Envision LS Area Development Plan (ADP) Design Standards; City of Lee's Summit applicant.: and

WHEREAS, the Community and Economic Development Committee considered the proposed UDO Amendment to Article 5 Overlay Districts – Division VIII Envision LS Area Development Plan (ADP) Design Standards on April 10, 2019, and authorized the amendments to be advertised for public hearings; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for Application #PL2019-134 on ~~January 10, 2019~~ and rendered a report to the City Council recommending that the proposed amendment to Article 5 Overlay Districts – Division VIII Envision LS Area Development Plan (ADP) Design Standards be approved, and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on Application #PL2019-134 on ~~February 5, 2019~~ and,

WHEREAS, the City Council determined that the proposed UDO amendment contained in Application #PL2019-134 would serve the interests of the citizens of Lee's Summit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as shown on the attached copy, appended hereto and made a part hereof.

SECTION 1. That Article 5 Overlay Districts – Division VIII Envision LS Area Development Plan (ADP) Design Standards of the Unified Development Ordinance, are hereby amended in the manner shown on the copy appended hereto as Exhibit "A" and incorporated herein by reference.

SECTION 2. That it is the intention of the City Council and is hereby ordained that the provisions of this Ordinance shall become and be made a part of the UDO, and the sections of this Ordinance and the UDO may be renumbered as appropriate to accomplish such intention.

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

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2019.

BILL NO.

ORDINANCE NO.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2018.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney Brian Head

Exhibit A

Sec. 5.630. - General provisions.

- A. Purpose. The purpose of these development standards is to facilitate the development of all property within the EnVision LS Area Development Plan located adjacent to and in close proximity to the new interchange improvements at South M-291 and US 50 Highway with the highest possible levels of community and building design consistent with the Area Development Plan (ADP).

Development standards within the ADP have been established to create a healthy and viable economic development and redevelopment area. The administration, enforcement, and amendment of these standards shall be consistent with the ADP. Amendments to these standards should only be considered when a proposed development plan is providing a higher standard than that reflected in the ADP.

- B. Applicability. These development standards are applicable to all property identified on the map labeled "Planning Subareas for Design Standards" in Section 5.620, as now or hereafter established. Development standards shall be applicable to all construction, reconstruction, alteration, and expansion. No land, building, structure, or premises shall be used for any purpose or in any manner other than that which is permitted under the approved uses established for each development as a part of their respective preliminary development plan.
- C. Conflict. These development standards are additive; more than one set of standards may apply to a particular development project. The more restrictive provision, as determined by the Director of Planning and Special Projects (Director), shall control in cases where standards conflict.
- D. Alternative equivalent compliance.
1. Purpose and scope. To encourage creative and unique design, "alternative equivalent compliance" allows development to occur in a manner that meets the intent of these standards yet through an alternative design that does not strictly adhere to these standards. This is not a general waiver of regulations. Rather, this section authorizes a site-specific plan that is equal to or better than the strict application of these adopted standards while still meeting the goals and policies established herein.
 2. Decision-making responsibility. Final approval of any alternative compliance proposed under this section shall be the responsibility of the decision-making body responsible for deciding upon the application. Administratively approved projects proposing alternative compliance shall receive written approval of the alternative compliance from the Director.
 3. Criteria. Alternative equivalent compliance may be approved if the applicant demonstrates that the following criteria have been met by the proposed alternative:
 - a. Achieves the intent of the subject standard to the same or better degree than the subject standard;
 - b. Advances the goals and policies of the ADP to the same or better degree than the subject standard;
 - c. Results in benefits to the community that are equivalent to or exceed benefits associated with the subject standard; and
 - d. Imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this article.

4. Effect of approval. Alternative compliance shall apply only to the specific site for which it is requested and shall not establish a precedent for approval of other requests

Sec. 5.650. - Area development plan (ADP) permitted uses.

- A. ADP permitted uses. The following uses are permitted throughout the ADP unless further modified in each "Specific Area" below or listed under "E. ADP Prohibited Uses":
1. CP-2 office and retail uses permitted by right (P) in Table 6-1 of the Unified Development Ordinance.
 2. Loft dwellings.
 3. Multi-family residential apartments, market rate, age restricted and senior.
 4. Drug store including drive-up window.
 5. Financial services, including drive-up window and drive-through facility, as a "C" use such as banks and credit unions.
 6. Bars and taverns as a "C" use.
 7. Hotel.
 8. Massage therapy as a "C" use.
 9. Restaurant, general as a "C" use.
 10. Civic or fraternal organization as a "C" use.
 11. Research, design, marketing and production needs of the general business community.
 12. Other uses specifically approved as part of a Preliminary Development Plan or further modified from the "Specific Area Uses" or "Prohibited Uses".
- Uses shown as "C" uses must comply with the conditions established in UDO Article 6, Division II unless further modified through the approval process.
- B. LS Gateway—Specific area uses.
1. Rooftop restaurants.
 2. Medical clinic.
 3. Fitness center.
- C. LS mixed use—Specific area uses.
1. Restaurants/coffee shops including drive-through.
 2. Indoor fitness/recreation center.
 3. Convenience store (C-Store).
 4. Business and vocational schools.
 5. Churches.
- D. LS arts and entertainment center—Specific area uses.

1. Rooftop restaurants.
2. Restaurants/coffee shops located within a larger building.
3. Artist studio, video production labs.
4. Performing arts.
5. Hospital, medical clinic prohibited.
6. Restaurant—Drive-up and drive-thru services prohibited.

E. ADP prohibited uses.

1. Automotive/truck related uses.
2. Retail—Big box in excess of 80,000 square feet on one level.
3. Call centers.
4. Industrial uses.
5. Outdoor storage.
6. Indoor storage facility.
7. Office warehouse.
8. Pet and animal hospitals.
9. Adult business, entertainment, personal services, bookstores, novelties and similar uses.
10. Title loan, check cashing and unsecured loan businesses.
11. Appliance repair unless accessory to the primary retail business, i.e., servicing what is being sold on the premises.
12. Construction material sales and service.
13. Car wash indoor or outdoor or automated.
14. Equipment rental/lease.
15. Building or ground maintenance.
16. Bus terminal.
17. Day care except as an accessory use located within a larger building complex for a permitted business use.
18. Exterminating service.
19. Martial arts studio except when associated with a fitness center.
20. Pet grooming/pet motel.
21. Plumbing and heating equipment dealers.
22. Radio and TV repair.
23. Repair services non-automotive.
24. Reupholstery or furniture repair.
25. Tattoo parlor, permanent cosmetic services, body piercing studio.

26. Used merchandise sales, including thrift stores, second hand sales, refurbished equipment etc.

F. Appeals for Prohibited Uses.

1. Filing with City Clerk. If an applicant seeks relief from the restrictions in part E of this Section (ADP Prohibited Uses), the applicant may file a written appeal with the City Clerk which shall include the following information:
 - a. Date prepared;
 - b. Name, address and telephone number of the applicant and the name, address and telephone number of the landowner if different than the applicant;
 - c. Affidavit testifying to proof of ownership or of authorization of agent pursuant to Section 2.020, if applicable;
 - d. Name, address and telephone number of all persons preparing any technical studies, maps, drawings and documents submitted with the appeal;
 - e. Accurate legal description, accompanied by a legal description closure report for metes and bounds descriptions, of the property for which the application is submitted;
 - f. Description of the proposed use, including size of the propose structure(s), floor area of each use within each structure, a description of the alterations, repairs or improvements that are proposed to existing structures, and any additional information needed to understand the location, extent and character of the proposed development, including whether the proposed development will be one or more new structures or alteration to one or more existing structures;
 - g. a statement setting forth the reasons why relief should be granted and why the prohibited use should be allowed; and
 - h. Any additional information required by City staff in order to evaluate the request.
2. City Council Hearing. The City Clerk shall schedule a hearing before the City Council within thirty (30) days following the date that the appeal is filed, or as soon thereafter as practicable in the normal course of managing Council agendas, at which the applicant shall bear the burden of establishing that the requested relief should be granted.
3. Decision and Standards for Determination. The standard to be applied to the Council's decision on the appeal shall be the same standard that applies to legislative decisions of the City Council. The Council may grant approval to the appeal or deny the appeal by motion, resolution or ordinance. By granting an appeal, such decision will only provide relief from the prohibited use restriction set forth in part E of this Section, in that the proposed use will be considered as a potentially allowable use for the applicant's subject property, but no additional rights shall accrue to the applicant. All other UDO requirements which would apply to development of the property shall be satisfied if an appeal is granted. An appeal granted by the Council shall apply only to the property that is legally described in the written appeal and shall not be transferrable to any other property in the ADP or any other property owned by the applicant.
4. Development Application. If the appeal is granted by the City Council, a subsequent application may be made by the applicant or property owner and such application shall be processed according to all applicable UDO requirements.

Sec. 15.200. - Alteration.

Alteration shall mean any addition, removal, extension or change to any part of a structure or fixture.

Sec. 15.2470. - Repair.

Repair shall mean the reconstruction, rehabilitation or renewal of any part of an existing structure, improvement or fixture for the purpose of maintenance or to bring the structure, improvement or fixture into compliance with any City regulation.